CONGRESSIONAL RECORD:

CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

FIFTIETH CONGRESS, SECOND SESSION.

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CONGRESSIONAL RECORD,

FIFTIETH CONGRESS, SECOND SESSION.

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PROCEEDINGS AND DEBATES OF THE FIFTIETH CONGRESS.

SECOND SESSION.

SENATE.

MONDAY, *December* 3, 1888.

The first Monday of December being the day prescribed by the Constitution of the United States for the annual meeting of Congress, the second session of the Fiftieth Congress convened this day.

The Senators assembled in the Senate Chamber in the Capitol at Washington City.

The PRESIDENT *pro tempore* (JOHN J. INGALLS, a Senator from the State of Kansas) took the chair, and called the Senate to order at 12 o'clock noon.

PRAYER.

Rev. J. G. BUTLER, D. D., Chaplain to the Senate, offered the following prayer:

Our Father, in this quiet moment we lift our hearts to Thee in thankfulness for the kind providence that has kept us and that brings us again together in health and in strength. Breathe into our hearts the spirit of devotion, that we may come humbly and obediently and trustingly before Thee as Thy servants, seeking Thy guidance and Thy help as we enter upon the new and responsible duties before us.

For Thy continued goodness to us in our persons and in our families, we bless Thee. For the rich blessings of Thy providence in our abundant harvests and for Thy continued goodness upon all the varied and growing industries of this land, we render thanks to Thee.

We would not be unmindful, O God, of Thy mercies toward us as a people, in filling our hearts with faith in Thee, and making us a law-abiding and a God-fearing people. Continue Thy presence with us.

Bless the President of the United States and those associated with him in authority. Teach our Senators wisdom. Upon the House of Representatives pour out Thy spirit. May our judges decree righteous judgments. And grant that all the people of this land, O God, may walk in Thy fear and in Thy love, that our nation may be a righteous nation and that this may be Emmanuel's land.

Remember, we pray Thee, Thy servant the President-elect. Have him in Thy holy keeping. Endue him with wisdom, and prepare him for the responsible duties about devolving upon him. And so order all things, O God, for this nation, which Thou hast so abundantly blessed during all these years, that we may be a united and a God-fearing people.

Guide these, Thy servants, to-day. Have them in Thy holy keeping. Help us so to keep consciences void of offense toward God and toward men that the peace of God which passeth all understanding may keep our hearts and minds. We ask it in the name of Him who hath taught us to pray: Our Father who art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done upon earth as it is in heaven. Give us this day our daily bread. And forgive us our sins as we forgive those who sin against us. Lead us not into temptation, but deliver us from evil: for Thine is the kingdom, and the power, and the glory, forever. Amen.

The PRESIDENT *pro tempore*. The first Monday in December being the day appointed by the Constitution for the annual assembling of Congress, the Senate is now in session and will come to order.

SENATORS PRESENT.

The following Senators were present: From the State of—
Alabama—James L. Pugh.
Arkansas—James H. Berry and James K. Jones.
Colorado—Henry M. Teller.
Connecticut—Joseph R. Hawley and Orville H. Platt.
Delaware—George Gray and Eli Saulsbury.
Florida—Wilkinson Call and Samuel Pasco.
Illinois—Shelby M. Cullom.
Indiana—David Turpie.
Iowa—William B. Allison.
Kansas—John J. Ingalls and Preston B. Plumb.
Kentucky—Joseph C. S. Blackburn.
Louisiana—James B. Eustis and Randall L. Gibson.
Maine—William P. Frye and Eugene Hale.
Maryland—Arthur P. Gorman.
Massachusetts—Henry L. Dawes and George F. Hoar.
Michigan—Thomas W. Palmer and Francis B. Stockbridge.
Mississippi—Edward C. Walthall.
Missouri—Francis M. Cockrell and George G. Vest.
Nebraska—Charles F. Manderson and Algernon S. Paddock.
Nevada—William M. Stewart.
New Hampshire—Henry W. Blair and William E. Chandler.
New Jersey—Rufus Blodgett and John R. McPherson.
North Carolina—Matt W. Ransom and Zebulon B. Vance.
Ohio—Henry B. Payne and John Sherman.
Oregon—Joseph N. Dolph and John H. Mitchell.
Pennsylvania—James Donald Cameron.
Rhode Island—Nelson W. Aldrich.
South Carolina—Matthew C. Butler.
Tennessee—William B. Bate and Isham G. Harris.
Texas—Richard Coke.
Vermont—George F. Edmunds and Justin S. Morrill.
West Virginia—Charles J. Faulkner.
Wisconsin—Philetus Sawyer and John C. Spooner.

NOTIFICATION TO THE HOUSE.

Mr. SHERMAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled, and that the Senate is ready to proceed to business.

NOTIFICATION TO THE PRESIDENT.

Mr. MORRILL submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That a committee consisting of two members be appointed, to join such committee as may be appointed by the House of Representatives, to wait upon the President of the United States and inform him that a quorum of each House is assembled, and that Congress is ready to receive any communication he may be pleased to make.

By unanimous consent, the President *pro tempore* was authorized to appoint the committee on the part of the Senate; and Mr. MORRILL and Mr. SAULSBURY were appointed.

HOUR OF MEETING.

Mr. CAMERON submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the hour of the daily meeting of the Senate be 12 o'clock, meridian, until otherwise ordered.

RECESSES.

Mr. SHERMAN (at 12 o'clock and 44 minutes p. m.). I move that the Senate take a recess for half an hour. I understand the committees appointed on the part of the two Houses to wait upon the President have gone to discharge that duty.

The PRESIDENT *pro tempore*. In the absence of objection, it is so ordered; and the Senate takes a recess for thirty minutes.

At the expiration of the recess (at 1 o'clock and 15 minutes p. m.) the Senate reassembled.

Mr. HARRIS. I move that the Senate take a further recess until half past 1 o'clock.

The motion was agreed to; and at the expiration of the recess (at 1 o'clock and 30 minutes p. m.) the Senate reassembled.

MESSAGE FROM THE HOUSE.

Mr. JOHN B. CLARK, the Clerk of the House of Representatives, appeared below the bar of the Senate and delivered the following message:

Mr. President, I am directed by the House of Representatives to inform the Senate that a quorum of the House of Representatives has appeared, and that the House is ready to proceed to business.

I am further directed to inform the Senate that the House has passed a resolution that a committee of three members be appointed on the part of the House to join such committee as may be appointed by the Senate to wait upon the President of the United States and inform him that a quorum of the two Houses has assembled, and that Congress is ready to receive any communication he may have to make.

I am also directed to announce that the House has appointed Mr. HOLMAN of Indiana, Mr. TURNER of Georgia, and Mr. O'NEILL of Pennsylvania the committee on the part of the House.

NOTIFICATION TO THE PRESIDENT.

Mr. MORRILL and Mr. SAULSBURY, the committee appointed in conjunction with a similar committee of the House of Representatives to wait upon the President of the United States, appeared below the bar, and

Mr. MORRILL said: Mr. President, the committee appointed to wait upon the President of the United States and inform him that the two Houses of Congress had assembled and were ready to receive any communication he had to make have performed that service and have been informed by the President that he will communicate in writing immediately.

PRESIDENT'S ANNUAL MESSAGE.

At 1 o'clock and 31 minutes p. m., Mr. O. L. PRUDEN, one of the secretaries of the President of the United States, appeared below the bar and said:

Mr. President, I am directed by the President of the United States to deliver to the Senate a message in writing.

The message was received from the secretary and handed to the President *pro tempore*.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the annual message of the President of the United States, which the Secretary will read.

The Secretary of the Senate (Mr. ANSON G. MCCOOK) read the message, as follows:

To the Congress of the United States:

As you assemble for the discharge of the duties you have assumed as the representatives of a free and generous people, your meeting is marked by an interesting and impressive incident. With the expiration of the present session of the Congress the first century of our constitutional existence as a nation will be completed.

Our survival for one hundred years is not sufficient to assure us that we no longer have dangers to fear in the maintenance, with all its promised blessings, of a government founded upon the freedom of the people. The time rather admonishes us to soberly inquire whether in the past we have always closely kept in the course of safety, and whether we have before us a way plain and clear which leads to happiness and perpetuity.

When the experiment of our Government was undertaken, the chart adopted for our guidance was the Constitution. Departure from the lines there laid down is failure. It is only by a strict adherence to the direction they indicate and by restraint within the limitations they fix that we can furnish proof to the world of the fitness of the American people for self-government.

The equal and exact justice of which we boast as the underlying principle of our institutions should not be confined to the relations of our citizens to each other. The Government itself is under bond to the American people, that in the exercise of its functions and powers it will deal with the body of our citizens in a manner scrupulously honest and fair and absolutely just. It has agreed that American citizenship shall be the only credential necessary to justify the claim of equality before the law, and that no condition in life shall give rise to discrimination in the treatment of the people by their Government.

The citizen of our Republic in its early days rigidly insisted upon full compliance with the letter of this bond, and saw stretching out before him a clear field for individual endeavor. His tribute to the support of his Government was measured by the cost of its economical maintenance, and he was secure in the enjoyment of the remaining recompense of his steady and contented toil. In those days the frugality of the people was stamped upon their Government, and was enforced by the free, thoughtful, and intelligent suffrage of the citizen. Combinations, monopolies, and aggregations of capital were either avoided or sternly regulated and restrained. The pomp and glitter of governments less free offered no temptation and presented no delusion to the plain people who, side by side, in friendly competition wrought for the ennoblement and dignity of man, for the solution of the problem of free government, and for the achievement of the grand destiny awaiting the land which God had given them.

A century has passed. Our cities are the abiding places of wealth and luxury; our manufactories yield fortunes never dreamed of by the fathers of the Republic; our business men are madly striving in the race for riches, and immense aggregations of capital outrun the imagination in the magnitude of their undertakings.

We view with pride and satisfaction this bright picture of our country's growth and prosperity, while only a closer scrutiny develops a somber shading. Upon more careful inspection we find the wealth and luxury of our cities mingled with poverty and wretchedness and unremunerative toil. A crowded and constantly increasing urban population suggests the impoverishment of rural sections, and discontent with agricultural pursuits. The farmer's son, not satisfied with his father's simple and laborious life, joins the eager chase for easily acquired wealth.

We discover that the fortunes realized by our manufacturers are no longer solely the reward of sturdy industry and enlightened foresight, but that they result from the discriminating favor of the Government, and are largely built upon undue exactions from the masses of our people. The gulf between employers and the employed is constantly widening and classes are rapidly forming, one comprising the very rich and powerful, while in another are found the toiling poor.

As we view the achievements of aggregated capital, we discover the existence of trusts, combinations, and monopolies, while the citizen is struggling far in the rear or is trampled to death beneath an iron heel. Corporations, which should be the carefully restrained creatures of the law and the servants of the people, are fast becoming the people's masters.

Still congratulating ourselves upon the wealth and prosperity of our country, and complacently contemplating every incident of change inseparable from these conditions, it is our duty as patriotic citizens to inquire, at the present stage of our progress, how the bond of the Government made with the people has been kept and performed.

Instead of limiting the tribute drawn from our citizens to the necessities of its economical administration, the Government persists in exacting, from the substance of the people, millions which unapplied and useless lie dormant in its Treasury. This flagrant injustice and this breach of faith and obligation add to extortion the danger attending the diversion of the currency of the country from the legitimate channels of business.

Under the same laws by which these results are produced, the Government permits many millions more to be added to the cost of the living of our people and to be taken from our consumers, which unreasonably swell the profits of a small but powerful minority.

The people must still be taxed for the support of the Government under the operation of tariff laws. But to the extent that the mass of our citizens are inordinately burdened beyond any useful public purpose, and for the benefit of a favored few, the Government, under pretext of an exercise of its taxing power, enters gratuitously into partnership with these favorites, to their advantage and to the injury of a vast majority of our people.

This is not equality before the law.

The existing situation is injurious to the health of our entire body-politic. It stifles, in those for whose benefit it is permitted, all patriotic love of country, and substitutes in its place selfish greed and grasping avarice. Devotion to American citizenship for its own sake and for what it should accomplish as a motive to our nation's advancement and the happiness of all our people, is displaced by the assumption that the Government, instead of being the embodiment of equality, is but an instrumentality through which especial and individual advantages are to be gained.

The arrogance of this assumption is unconcealed. It appears in the sordid disregard of all but personal interests, in the refusal to abate for the benefit of others one iota of selfish advantage, and in combinations to perpetuate such advantages through efforts to control legislation and improperly influence the suffrages of the people.

The grievances of those not included within the circle of these beneficiaries, when fully realized, will surely arouse irritation and discontent. Our farmers, long-suffering and patient, struggling in the race of life with the hardest and most unremitting toil, will not fail to see,

in spite of misrepresentations and misleading fallacies, that they are obliged to accept such prices for their products as are fixed in foreign markets where they compete with the farmers of the world; that their lands are declining in value while their debts increase; and that without compensating favor they are forced by the action of the Government to pay, for the benefit of others, such enhanced prices for the things they need, that the scanty returns of their labor fail to furnish their support or leave no margin for accumulation.

Our workingmen, enfranchised from all delusions and no longer frightened by the cry that their wages are endangered by a just revision of our tariff laws, will reasonably demand through such revision steadier employment, cheaper means of living in their homes, freedom for themselves and their children from the doom of perpetual servitude, and an open door to their advancement beyond the limits of a laboring class. Others of our citizens whose comforts and expenditures are measured by moderate salaries and fixed incomes, will insist upon the fairness and justice of cheapening the cost of necessaries for themselves and their families.

When to the selfishness of the beneficiaries of unjust discrimination under our laws there shall be added the discontent of those who suffer from such discrimination, we will realize the fact that the beneficent purposes of our Government, dependent upon the patriotism and contentment of our people, are endangered.

Communism is a hateful thing, and a menace to peace and organized government. But the communism of combined wealth and capital, the outgrowth of overweening cupidity and selfishness, which insidiously undermines the justice and integrity of free institutions, is not less dangerous than the communism of oppressed poverty and toil which, exasperated by injustice and discontent, attacks with wild disorder the citadel of rule.

He mocks the people who proposes that the Government shall protect the rich and that they in turn will care for the laboring poor. Any intermediary between the people and their Government, or the least delegation of the care and protection the Government owes to the humblest citizen in the land, makes the boast of free institutions a glittering delusion and the pretended boon of American citizenship a shameless imposition.

A just and sensible revision of our tariff laws should be made for the relief of those of our countrymen who suffer under present conditions. Such a revision should receive the support of all who love that justice and equality due to American citizenship, of all who realize that in this justice and equality our Government finds its strength and its power to protect the citizen and his property, of all who believe that the contented competence and comfort of many accord better with the spirit of our institutions than colossal fortunes unfairly gathered in the hands of a few, of all who appreciate that the forbearance and fraternity among our people, which recognize the value of every American interest, are the surest guaranty of our national progress, and of all who desire to see the products of American skill and ingenuity in every market of the world with a resulting restoration of American commerce.

The necessity of the reduction of our revenue is so apparent as to be generally conceded. But the means by which this end shall be accomplished and the sum of direct benefit which shall result to our citizens present a controversy of the utmost importance. There should be no scheme accepted as satisfactory by which the burdens of the people are only apparently removed. Extravagant appropriations of public money, with all their demoralizing consequences, should not be tolerated, either as a means of relieving the Treasury of its present surplus or as furnishing pretext for resisting a proper reduction in tariff rates. Existing evils and injustice should be honestly recognized, boldly met, and effectively remedied. There should be no cessation of the struggle until a plan is perfected, fair and conservative toward existing industries, but which will reduce the cost to consumers of the necessaries of life, while it provides for our manufacturers the advantage of freer raw materials and permits no injury to the interests of American labor.

The cause for which the battle is waged is comprised within lines clearly and distinctly defined. It should never be compromised. It is the people's cause.

It can not be denied that the selfish and private interests which are so persistently heard, when efforts are made to deal in a just and comprehensive manner with our tariff laws, are related to, if they are not responsible for, the sentiment largely prevailing among the people that the General Government is the fountain of individual and private aid; that it may be expected to relieve with paternal care the distress of citizens and communities, and that from the fullness of its Treasury it should, upon the slightest possible pretext of promoting the general good, apply public funds to the benefit of localities and individuals. Nor can it be denied that there is a growing assumption that, as against the Government and in favor of private claims and interests, the usual rules and limitations of business principles and just dealing should be waived.

These ideas have been unhappily much encouraged by legislative acquiescence. Relief from contracts made with the Government is too easily accorded in favor of the citizen; the failure to support claims against the Government by proof is often supplied by no better consideration than the wealth of the Government and the poverty of the claimant; gratuities in the form of pensions are granted upon no other real ground than the needy condition of the applicant, or for reasons less valid; and large sums are expended for public buildings and other improvements upon representations scarcely claimed to be related to public needs and necessities.

The extent to which the consideration of such matters subordinates and postpones action upon subjects of great public importance, but involving no special, private, or partisan interest, should arrest attention and lead to reformation.

A few of the numerous illustrations of this condition may be stated.

The crowded condition of the calendar of the Supreme Court, and the delay to suitors and denial of justice resulting therefrom, have been strongly urged upon the attention of the Congress, with a plan for the relief of the situation approved by those well able to judge of its merits. While this subject remains without effective consideration many laws have been passed providing for the holding of terms of inferior courts at places to suit the convenience of localities or to lay the foundation of an application for the erection of a new public building.

Repeated recommendations have been submitted for the amendment and change of the laws relating to our public lands so that their spoliation and diversion to other uses than as homes for honest settlers might be prevented. While a measure to meet this conceded necessity of reform remains awaiting the action of the Congress many claims to the public lands and applications for their donation in favor of States and individuals have been allowed.

A plan in aid of Indian management, recommended by those well informed, as containing valuable features in furtherance of the solution of the Indian problem, has thus far failed of legislative sanction, while grants of doubtful expediency to railroad corporations, permitting them to pass through Indian reservations, have greatly multiplied.

The propriety and necessity of the erection of one or more prisons for the confinement of United States convicts, and a post-office building in the national capital, are not disputed. But these needs yet remain unanswered, while scores of public buildings have been erected where their necessity for public purposes is not apparent.

A revision of our pension laws could easily be made, which would rest upon just principles and provide for every worthy applicant. But while our general pension laws remain confused and imperfect, hundreds of private pension laws are annually passed, which are the sources of unjust discrimination and popular demoralization.

Appropriation bills for the support of the Government are defaced by items and provisions to meet private ends, and it is freely asserted by responsible and experienced parties that a bill appropriating money for public internal improvement would fail to meet with favor, unless it contained items more for local and private advantage than for public benefit.

These statements can be much emphasized by an ascertainment of the proportion of Federal legislation, which either bears upon its face its private character, or which, upon examination, develops such a motive power.

And yet the people wait and expect from their chosen representatives such patriotic action as will advance the welfare of the entire country; and this expectation can only be answered by the performance of public duty with unselfish purpose. Our mission among the nations of the earth, and our success in accomplishing the work God has given the American people to do, require of those intrusted with the making and execution of our laws perfect devotion, above all other things, to the public good.

This devotion will lead us to strongly resist all impatience of constitutional limitations of Federal power, and to persistently check the increasing tendency to extend the scope of Federal legislation into the domain of State and local jurisdiction, upon the plea of subserving the public welfare. The preservation of the partitions between proper subjects of Federal and local care and regulation is of such importance under the Constitution, which is the law of our very existence, that no consideration of expediency or sentiment should tempt us to enter upon doubtful ground. We have undertaken to discover and proclaim the richest blessings of a free Government, with the Constitution as our guide. Let us follow the way it points out. It will not mislead us. And surely no one who has taken upon himself the solemn obligation to support and preserve the Constitution can find justification or solace for disloyalty in the excuse that he wandered and disobeyed in search of a better way to reach the public welfare than the Constitution offers.

What has been said is deemed not inappropriate at a time when, from a century's height, we view the way already trod by the American people, and attempt to discover their future path.

The seventh President of the United States—the soldier and statesman, and at all times the firm and brave friend of the people—in vindication of his course as the protector of popular rights and the champion of true American citizenship, declared:

The ambition which leads me on is an anxious desire and a fixed determination to restore to the people, unimpaired, the sacred trust they have confided to my charge; to heal the wounds of the Constitution and to preserve it from further violation; to persuade my countrymen, so far as I may, that it is not in a splendid government supported by powerful monopolies and aristocratical establishments that they will find happiness, or their liberties protection, but in

a plain system, void of pomp—protecting all and granting favors to none—dispensing its blessings like the dews of heaven, unseen and unfelt save in the freshness and beauty they contribute to produce. It is such a government that the genius of our people requires—such an one only under which our States may remain, for ages to come, united, prosperous, and free.

In pursuance of a constitutional provision requiring the President, from time to time, to give to the Congress information of the state of the Union, I have the satisfaction to announce that the close of the year finds the United States in the enjoyment of domestic tranquillity and at peace with all the nations.

Since my last annual message our foreign relations have been strengthened and improved by performance of international good offices and by new and renewed treaties of amity, commerce, and reciprocal extradition of criminals.

Those international questions which still await settlement are all reasonably within the domain of amicable negotiation, and there is no existing subject of dispute between the United States and any foreign power that is not susceptible of satisfactory adjustment by frank diplomatic treatment.

The questions between Great Britain and the United States relating to the rights of American fishermen, under treaty and international comity, in the territorial waters of Canada and Newfoundland, I regret to say are not yet satisfactorily adjusted.

These matters were fully treated in my message to the Senate of February 20, 1888, together with which a convention, concluded under my authority with Her Majesty's Government on the 15th of February last, for the removal of all causes of misunderstanding, was submitted by me for the approval of the Senate.

This treaty having been rejected by the Senate, I transmitted a message to the Congress, on the 23d of August last, reviewing the transactions and submitting for consideration certain recommendations for legislation concerning the important questions involved.

Afterwards, on the 12th of September, in response to a resolution of the Senate, I again communicated fully all the information in my possession as to the action of the Government of Canada affecting the commercial relations between the Dominion and the United States, including the treatment of American fishing vessels in the ports and waters of British North America.

These communications have all been published, and therefore opened to the knowledge of both Houses of Congress, although two were addressed to the Senate alone.

Comment upon or repetition of their contents would be superfluous, and I am not aware that anything has since occurred which should be added to the facts therein stated. Therefore, I merely repeat, as applicable to the present time, the statement which will be found in my message to the Senate of September 12th last:

That since March 3, 1887, no case has been reported to the Department of State wherein complaint has been made of unfriendly or unlawful treatment of American fishing vessels on the part of the Canadian authorities in which reparation was not promptly and satisfactorily obtained by the United States consul-general at Halifax.

Having essayed, in the discharge of my duty, to procure by negotiation the settlement of a long-standing cause of dispute, and to remove a constant menace to the good relations of the two countries, and continuing to be of opinion that the treaty of February last, which failed to receive the approval of the Senate, did supply "a satisfactory, practical, and final adjustment upon a basis honorable and just to both parties of the difficult and vexed question to which it related," and having subsequently and unavailingly recommended other legislation to Congress which I hoped would suffice to meet the exigency created by the rejection of the treaty, I now again invoke the earnest and immediate attention of the Congress to the condition of this important question, as it now stands before them and the country, and for the settlement of which I am deeply solicitous.

Near the close of the month of October last, occurrences of a deeply regrettable nature were brought to my knowledge, which made it my painful but imperative duty to obtain, with as little delay as possible, a new personal channel of diplomatic intercourse in this country with the Government of Great Britain.

The correspondence in relation to this incident will in due course be laid before you, and will disclose the unpardonable conduct of the official referred to in his interference by advice and counsel with the suffrages of American citizens in the very crisis of the Presidential election then near at hand, and also in his subsequent public declarations to justify his action, superadding impugnment of the Executive and Senate of the United States, in connection with important questions now pending in controversy between the two Governments.

The offense thus committed was most grave, involving disastrous possibilities to the good relations of the United States and Great Britain, constituting a gross breach of diplomatic privilege and an invasion of the purely domestic affairs and essential sovereignty of the Government to which the envoy was accredited.

Having first fulfilled the just demands of international comity by affording full opportunity for Her Majesty's Government to act in relief of the situation, I considered prolongation of discussion to be unwarranted and thereupon declined to further recognize the diplomatic character of the person, whose continuance in such function would destroy that mutual confidence which is essential to the good understanding of the two Governments, and was inconsistent with the welfare and self-respect of the Government of the United States.

The usual interchange of communication has since continued through Her Majesty's legation in this city.

My endeavors to establish by international co-operation measures for the prevention of the extermination of fur-seals in Bering Sea have not been relaxed, and I have hopes of being enabled shortly to submit an effective and satisfactory conventional *projet* with the maritime powers for the approval of the Senate.

The coastal boundary between our Alaskan possessions and British Columbia, I regret to say, has not received the attention demanded by its importance, and which on several occasions heretofore I have had the honor to recommend to the Congress.

The admitted impracticability, if not impossibility, of making an accurate and precise survey and demarkation of the boundary line, as it is recited in the treaty with Russia under which Alaska was ceded to the United States, renders it absolutely requisite, for the prevention of international jurisdictional complications, that adequate appropriation for a reconnaissance and survey to obtain proper knowledge of the locality and the geographical features of the boundary should be authorized by Congress with as little delay as possible.

Knowledge to be only thus obtained is an essential prerequisite for negotiation for ascertaining a common boundary, or as preliminary to any other mode of settlement.

It is much to be desired that some agreement should be reached with Her Majesty's Government by which the damages to life and property on the Great Lakes may be alleviated by removing or humanely regulating the obstacles to reciprocal assistance to wrecked or stranded vessels.

The act of June 19, 1878, which offers to Canadian vessels free access to our inland waters in aid of wrecked or disabled vessels, has not yet become effective through concurrent action by Canada.

The due protection of our citizens of French origin or descent, from claim of military service in the event of their returning to or visiting France, has called forth correspondence which was laid before you at the last session.

In the absence of conventional agreement as to naturalization, which is greatly to be desired, this Government sees no occasion to recede from the sound position it has maintained not only with regard to France but as to all countries with which the United States have not concluded special treaties.

Twice within the last year has the imperial household of Germany been visited by death; and I have hastened to express the sorrow of this people, and their appreciation of the lofty character of the late aged Emperor William, and their sympathy with the heroism under suffering of his son, the late Emperor Frederick.

I renew my recommendation of two years ago for the passage of a bill for the refunding to certain German steam-ship lines of the interest upon tonnage dues illegally exacted.

On the 12th of April last I laid before the House of Representatives full information respecting our interests in Samoa; and in the subsequent correspondence on the same subject, which will be laid before you in due course, the history of events in those islands will be found.

In a message accompanying my approval, on the 1st day of October last, of a bill for the exclusion of Chinese laborers, I laid before Congress full information and all correspondence touching the negotiation of the treaty with China, concluded at this capital on the 12th day of March, 1888, and which, having been confirmed by the Senate with certain amendments, was rejected by the Chinese Government. This message contained a recommendation that a sum of money be appropriated as compensation to Chinese subjects who had suffered injuries at the hands of lawless men within our jurisdiction. Such appropriation having been duly made, the fund awaits reception by the Chinese Government.

It is sincerely hoped that by the cessation of the influx of this class of Chinese subjects, in accordance with the expressed wish of both Governments, a cause of unkind feeling has been permanently removed.

On the 9th of August, 1887, notification was given by the Japanese minister at this capital of the adjournment of the conference for the revision of the treaties of Japan with foreign powers, owing to the objection of his Government to the provision in the draft jurisdictional convention which required the submission of the criminal code of the Empire to the powers in advance of its becoming operative. This notification was, however, accompanied with an assurance of Japan's intention to continue the work of revision.

Notwithstanding this temporary interruption of negotiations it is hoped that improvements may soon be secured in the jurisdictional system as respects foreigners in Japan, and relief afforded to that country from the present undue and oppressive foreign control in matters of commerce.

I earnestly recommend that relief be provided for the injuries accidentally caused to Japanese subjects in the Island Ikisima by the target practice of one of our vessels.

A diplomatic mission from Corea has been received, and the formal intercourse between the two countries contemplated by the treaty of 1882 is now established.

Legislative provision is hereby recommended to organize and equip consular courts in Corea.

Persia has established diplomatic representation at this capital and has evinced very great interest in the enterprise and achievements of our citizens. I am, therefore, hopeful that beneficial commercial relations between the two countries may be brought about.

I announce with sincere regret that Hayti has again become the theater of insurrection, disorder, and bloodshed. The titular government of President Saloman has been forcibly overthrown and he driven out of the country to France, where he has since died.

The tenure of power has been so unstable amid the war of factions that has ensued since the expulsion of President Saloman that no government constituted by the will of the Haytian people has been recognized as administering responsibly the affairs of that country. Our representative has been instructed to abstain from interference between the warring factions, and a vessel of our Navy has been sent to Haytian waters to sustain our minister and for the protection of the persons and property of American citizens.

Due precautions have been taken to enforce our neutrality laws and prevent our territory from becoming the base of military supplies for either of the warring factions.

Under color of a blockade, of which no reasonable notice had been given, and which does not appear to have been efficiently maintained, a seizure of vessels under the American flag has been reported, and, in consequence, measures to prevent and redress any molestation of our innocent merchantmen have been adopted.

Proclamation was duly made on the 9th day of November, 1887, of the conventional extensions of the treaty of June 3, 1875, with Hawaii, under which relations of such special and beneficent intercourse have been created.

In the vast field of Oriental commerce now unfolded from our Pacific borders, no feature presents stronger recommendations for Congressional action than the establishment of communication by submarine telegraph with Honolulu.

The geographical position of the Hawaiian group, in relation to our Pacific States, creates a natural interdependency and mutuality of interest which our present treaties were intended to foster, and which make close communication a logical and commercial necessity.

The wisdom of concluding a treaty of commercial reciprocity with Mexico has been heretofore stated in my messages to Congress, and the lapse of time and growth of commerce with that close neighbor and sister republic confirm the judgment so expressed.

The precise relocation of our boundary line is needful, and adequate appropriation is now recommended.

It is with sincere satisfaction that I am enabled to advert to the spirit of good neighborhood and friendly co-operation and conciliation that has marked the correspondence and action of the Mexican authorities in their share of the task of maintaining law and order about the line of our common boundary.

The long-pending boundary dispute between Costa Rica and Nicaragua was referred to my arbitration; and by an award made on the 22d of March last, the question has been finally settled to the expressed satisfaction of both of the parties in interest.

The Empire of Brazil, in abolishing the last vestige of slavery among Christian nations, called forth the earnest congratulations of this Government in expression of the cordial sympathies of our people.

The claims of nearly all other countries against Chili, growing out of her late war with Bolivia and Peru, have been disposed of either by arbitration or by a lump settlement. Similar claims of our citizens will continue to be urged upon the Chilian Government, and it is hoped will not be subject to further delays.

A comprehensive treaty of amity and commerce with Peru was proclaimed on November 7th, last; and it is expected that under its operation mutual prosperity and good understanding will be promoted.

In pursuance of the policy of arbitration, a treaty to settle the claim of Santos, an American citizen, against Ecuador has been concluded under my authority, and will be duly submitted for the approval of the Senate.

Like disposition of the claim of Carlos Butterfield against Denmark, and of Van Bokelen against Hayti, will probably be made, and I trust the principle of such settlements may be extended in practice under the approval of the Senate.

Through unforeseen causes, foreign to the will of both Governments, the ratification of the convention of December 5, 1885, with Venezuela, for the rehearing of claims of citizens of the United States under the treaty of 1866, failed of exchange within the term provided, and a supplementary convention, further extending the time for exchange of ratifications and explanatory of an ambiguous provision of the prior convention, now awaits the advice and consent of the Senate.

Although this matter, in the stage referred to, concerns only the concurrent treaty-making power of one branch of Congress, I advert to it in view of the interest repeatedly and conspicuously shown by you, in your legislative capacity, in favor of a speedy and equitable adjustment of the questions growing out of the discredited judgments of the previous mixed commission of Caracas. With every desire to do justice to the representations of Venezuela in this regard, the time seems to have come to end this matter, and I trust the prompt confirmation by both parties of the supplementary action referred to, will avert the need of legislative or other action to prevent the longer withholding of such rights of actual claimants as may be shown to exist.

As authorized by the Congress, preliminary steps have been taken for the assemblage at this capital, during the coming year, of the representatives of South and Central American states, together with those of Mexico, Hayti, and San Domingo, to discuss sundry important monetary and commercial topics.

Excepting in those cases where, from reasons of contiguity of territory and the existence of a common border line incapable of being guarded, reciprocal commercial treaties may be found expedient, it is believed that commercial policies inducing freer mutual exchange of products can be most advantageously arranged by independent but cooperative legislation.

In the mode last mentioned the control of our taxation for revenue will be always retained in our own hands unrestricted by conventional agreements with other governments.

In conformity also with Congressional authority the maritime powers have been invited to confer, in Washington, in April next, upon the practicability of devising uniform rules and measures for the greater security of life and property at sea. A disposition to accept on the part of a number of the powers has already been manifested, and if the cooperation of the nations chiefly interested shall be secured important results may be confidently anticipated.

The act of June 26, 1884, and the acts amendatory thereof, in relation to tonnage duties, have given rise to extended correspondence with foreign nations with whom we have existing treaties of navigation and commerce, and have caused wide and regrettable divergence of opinion in relation to the imposition of the duties referred to. These questions are important, and I shall make them the subject of a special and more detailed communication at the present session.

With the rapid increase of immigration to our shores and the facilities of modern travel, abuses of the generous privileges afforded by our naturalization laws call for their careful revision.

The easy and unguarded manner in which certificates of American citizenship can now be obtained has induced a class, unfortunately large, to avail themselves of the opportunity to become absolved from allegiance to their native land and yet by a foreign residence to escape any just duty and contribution of service to the country of their proposed adoption. Thus while evading the duties of citizenship to the United States they may make prompt claim for its national protection and demand its intervention in their behalf. International complications of a serious nature arise, and the correspondence of the State Department discloses the great number and complexity of the questions which have been raised.

Our laws regulating the issue of passports should be carefully revised, and the institution of a central bureau of registration at the capital is again strongly recommended. By this means full particulars of each case of naturalization in the United States would be secured and properly indexed and recorded, and thus many cases of spurious citizenship would be detected and unjust responsibilities would be avoided.

The reorganization of the consular service is a matter of serious importance to our national interests. The number of existing principal consular offices is believed to be greater than is at all necessary for the conduct of the public business. It need not be our policy to maintain more than a moderate number of principal offices, each supported by a salary sufficient to enable the incumbent to live in comfort, and so distributed as to secure the convenient supervision, through subordinate agencies, of affairs over a considerable district.

I repeat the recommendations heretofore made by me that the appropriations for the maintenance of our diplomatic and consular service should be recast; that the so-called notarial or unofficial fees which our representatives abroad are now permitted to treat as personal perquisites should be forbidden; that a system of consular inspection should be instituted, and that a limited number of secretaries of legation at large should be authorized.

Preparations for the centennial celebration, on April 30, 1889, of the inauguration of George Washington as President of the United States, at the city of New York, have been made by a voluntary organization of the citizens of that locality, and believing that an opportunity should be afforded for the expression of the interest felt throughout the country in this event, I respectfully recommend fitting and co-operative action by Congress on behalf of the people of the United States.

The report of the Secretary of the Treasury exhibits in detail the condition of our national finances and the operations of the several branches of the Government related to his Department.

The total ordinary revenues of the Government for the fiscal year ended June 30, 1888, amounted to $379,266,074.76, of which $219,091,173.63 was received from customs duties and $124,296,871.98 from internal-revenue taxes.

The total receipts from all sources exceeded those for the fiscal year ended June 30, 1887, by $7,862,797.10.

The ordinary expenditures of the Government for the fiscal year ending June 30, 1888, were $259,653,958.67, leaving a surplus of $119,612,116.09.

The decrease in these expenditures as compared with the fiscal year ended June 30, 1887, was $8,278,221.30, notwithstanding the payment of more than $5,000,000 for pensions in excess of what was paid for that purpose in the latter-mentioned year.

The revenues of the Government for the year ending June 30, 1889, ascertained for the quarter ended September 30, 1888, and estimated for the remainder of the time, amount to $377,000,000; and the actual and estimated ordinary expenditures for the same year are $273,000,000, leaving an estimated surplus of $104,000,000.

The estimated receipts for the year ending June 30, 1890, are $377,000,000, and the estimated ordinary expenditures for the same time are $275,767,488.34, showing a surplus of $101,232,511.66.

The foregoing statements of surplus do not take into account the sum necessary to be expended to meet the requirements of the sinking-fund act, amounting to more than $47,000,000 annually.

The cost of collecting the customs revenues for the last fiscal year was 2.44 per cent.; for the year 1885 it was 3.77 per cent.

The excess of internal-revenue taxes collected during the last fiscal year over those collected for the year ended June 30, 1887, was $5,489,174.26, and the cost of collecting this revenue decreased from 3.4 per cent. in 1887 to less than 3.2 per cent. for the last year. The tax collected on oleomargarine was $723,948.04 for the year ending June 30, 1887, and $864,139.88 for the following year.

The requirements of the sinking-fund act have been met for the year ended June 30, 1888, and for the current year also, by the purchase of bonds. After complying with this law as positively required, and bonds sufficient for that purpose had been bought at a premium, it was not deemed prudent to further expend the surplus in such purchases until the authority to do so should be more explicit. A resolution, however, having been passed by both Houses of Congress removing all doubt as to Executive authority, daily purchases of bonds were commenced on the 23d day of April, 1888, and have continued until the present time. By this plan bonds of the Government not yet due have been purchased up to and including the 30th day of November, 1888, amounting to $94,700,400, the premium paid thereon amounting to $17,508,613.08.

The premium added to the principal of these bonds represents an investment yielding about 2 per cent. interest for the time they still had to run; and the saving to the Government represented by the difference between the amount of interest at 2 per cent. upon the sum paid for principal and premium and what it would have paid for interest at the rate specified in the bonds if they had run to their maturity, is about $27,165,000.

At first sight this would seem to be a profitable and sensible transaction on the part of the Government. But, as suggested by the Secretary of the Treasury, the surplus thus expended for the purchase of bonds was money drawn from the people in excess of any actual need of the Government, and was so expended rather than allow it to remain idle in the Treasury. If this surplus under the operation of just and equitable laws had been left in the hands of the people, it would have been worth in their business at least 6 per cent. per annum. Deducting from the amount of interest upon the principal and premium of these bonds for the time they had to run at the rate of 6 per cent. the saving of 2 per cent. made for the people by the purchase of such bonds, the loss will appear to be $55,760,000.

This calculation would seem to demonstrate that if excessive and unnecessary taxation is continued and the Government is forced to pursue this policy of purchasing its own bonds at the premiums which it will be necessary to pay, the loss to the people will be hundreds of millions of dollars.

Since the purchase of bonds was undertaken as mentioned, nearly all that have been offered were at last accepted. It has been made quite apparent that the Government was in danger of being subjected to combinations to raise their price, as appears by the instance cited by the Secretary of the offering of bonds of the par value of only $326,000 so often that the aggregate of the sums demanded for their purchase amounted to more than $19,700,000.

Notwithstanding the large sums paid out in the purchase of bonds the surplus in the Treasury on the 30th day of November, 1888, was $52,234,610.01, after deducting about $20,000,000 just drawn out for the payment of pensions.

At the close of the fiscal year ended June 30, 1887, there had been coined under the compulsory silver-coinage act $266,988,280 in silver dollars, $55,504,310 of which were in the hands of the people.

On the 30th day of June, 1888, there had been coined $299,708,790; and of this $55,829,303 was in circulation in coin, and $200,387,376 in silver certificates, for the redemption of which silver dollars to that amount were held by the Government.

On the 30th day of November, 1888, $312,570,990 had been coined, $60,970,990 of the silver dollars were actually in circulation, and $237,418,346 in certificates.

The Secretary recommends the suspension of the further coinage of silver, and in such recommendation I earnestly concur.

For further valuable information and timely recommendations I ask the careful attention of the Congress to the Secretary's report.

The Secretary of War reports that the Army at the date of the last consolidated returns consisted of 2,189 officers and 24,549 enlisted men.

The actual expenditures of the War Department for the fiscal year ended June 30, 1888, amounted to $41,165,107.07, of which sum $9,158,516.63 was expended for public works, including river and harbor improvements.

"The Board of Ordnance and Fortifications," provided for under the act approved September 22 last, was convened October 30, 1888, and plans and specifications for procuring forgings for 8, 10, and 12 inch guns, under provisions of section 4, and also for procuring 12-inch breech-loading mortars, cast-iron, hooped with steel, under the provisions of section 5 of the said act, were submitted to the Secretary of War for reference to the board, by the Ordnance Department on the same date.

These plans and specifications having been promptly approved by the board and the Secretary of War, the necessary authority to publish advertisements, inviting proposals, in the newspapers throughout the country, was granted by the Secretary on November 12, and on November 13 the advertisements were sent out to the different newspapers designated. The bids for the steel forgings are to be opened on December 20, 1888, and for the mortars on December 15, 1888.

A board of ordnance officers was convened at the Watervliet arsenal on October 4, 1888, to prepare the necessary plans and specifications for the establishment of an army gun factory at that point. The preliminary report of this board, with estimates for shop buildings and officers' quarters, was approved by the Board of Ordnance and Fortifications, November 6 and 8. The specifications and form of advertisement and instructions to bidders have been prepared, and advertisements inviting proposals for the excavations for the shop building and for erecting the two sets of officers' quarters have been published. The detailed drawings and specifications for the gun-factory building are well in hand, and will be finished within three or four months, when bids will be invited for the erection of the building. The list of machines, etc., is made out, and it is expected that the plans for the large lathes, etc., will be completed within about four months, and after approval by the Board of Ordnance and Fortifications, bids for furnishing the same will be invited. The machines and other fixtures will be completed as soon as the shop is in readiness to receive them, probably about July, 1890.

Under the provisions of the Army bill, for the procurement of pneumatic dynamite guns, the necessary specifications are now being prepared and advertisements for proposals will issue early in December. The guns will probably be of 15 inches caliber and fire a projectile that will carry a charge, each, of about 500 pounds of explosive gelatine with full-caliber projectiles. The guns will probably be delivered in from six to ten months from the date of the contract, so that all the guns of this class that can be procured under the provisions of the law will be purchased during the year 1889.

I earnestly request that the recommendations contained in the Secretary's report, all of which are, in my opinion, calculated to increase the usefulness and discipline of the Army, may receive the consideration of the Congress. Among these the proposal that there should be provided a plan for the examination of officers to test their fitness for promotion is of the utmost importance. This reform has been before recommended in the reports of the Secretary, and its expediency is so fully demonstrated by the argument he presents in its favor that its adoption should no longer be neglected.

The death of General Sheridan in August last was a national affliction. The Army then lost the grandest of its chiefs. The country lost a brave and experienced soldier, a wise and discreet counselor, and a modest and sensible man. Those who in any manner came within the range of his personal association will never fail to pay deserved and willing homage to his greatness and the glory of his career; but they will cherish with more tender sensibility the loving memory of his simple, generous, and considerate nature.

The Apache Indians, whose removal from their reservation in Arizona followed the capture of those of their number who engaged in a bloody and murderous raid during a part of the years 1885 and 1886, are now held as prisoners of war at Mount Vernon barracks, in the State of Alabama. They numbered, on the 31st day of October, the date of the last report, 83 men, 170 women, 70 boys, and 59 girls, in all 382 persons. The commanding officer states that they are in good health and contented, and that they are kept employed as fully as is possible in the circumstances. The children as they arrive at a suitable age are sent to the Indian schools at Carlisle and Hampton. Last summer some charitable and kind people asked permission to send two teachers to these Indians for the purpose of instructing the adults as well as such children as should be found there. Such permission was readily granted, accommodations were provided for the teachers, and some portions of the buildings at the barracks were made available for school purposes. The good work contemplated has been commenced, and the teachers engaged are paid by the ladies with whom the plan originated.

I am not at all in sympathy with those benevolent but injudicious

people who are constantly insisting that these Indians should be returned to their reservation. Their removal was an absolute necessity if the lives and property of citizens upon the frontier are to be at all regarded by the Government. Their continued restraint at a distance from the scene of their repeated and cruel murders and outrages is still necessary. It is a mistaken philanthropy, every way injurious, which prompts the desire to see these savages returned to their old haunts. They are in their present location as the result of the best judgment of those having official responsibility in the matter, and who are by no means lacking in kind consideration for the Indians. A number of these prisoners have forfeited their lives to outraged law and humanity. Experience has proved that they are dangerous and can not be trusted. This is true not only of those who on the war-path have heretofore actually been guilty of atrocious murder, but of their kindred and friends, who, while they remained upon their reservation, furnished aid and comfort to those absent with bloody intent.

These prisoners should be treated kindly and kept in restraint far from the locality of their former reservation; they should be subjected to efforts calculated to lead to their improvement and the softening of their savage and cruel instincts, but their return to their old home should be persistently resisted.

The Secretary in his report gives a graphic history of these Indians, and recites with painful vividness their bloody deeds and the unhappy failure of the Government to manage them by peaceful means. It will be amazing if a perusal of this history will allow the survival of a desire for the return of these prisoners to their reservation upon sentimental or any other grounds.

The report of the Secretary of the Navy demonstrates very intelligent management in that important Department, and discloses the most satisfactory progress in the work of reconstructing the Navy made during the past year. Of the ships in course of construction; five, namely, the Charleston, Baltimore, Yorktown, Vesuvius, and the Petrel, have in that time been launched and are rapidly approaching completion; and in addition to the above, the Philadelphia, the San Francisco, the Newark, the Bennington, the Concord, and the Herreshoff torpedo-boat are all under contract for delivery to the Department during the next year. The progress already made and being made gives good ground for the expectation that these eleven vessels will be incorporated as part of the American Navy within the next twelve months.

The report shows that notwithstanding the large expenditures for new construction, and the additional labor they involve, the total ordinary or current expenditures of the Department for the three years ending June 30, 1888, are less by more than 20 per cent. than such expenditures for the three years ending June 30, 1884.

The various steps which have been taken to improve the business methods of the Department are reviewed by the Secretary. The purchasing of supplies has been consolidated and placed under a responsible bureau head. This has resulted in the curtailment of open purchases, which in the years 1884 and 1885 amounted to over 50 per cent. of all the purchases of the Department, to less than 11 per cent.; so that at the present time about 90 per cent. of the total departmental purchases are made by contract and after competition. As the expenditures on this account exceed an average of $2,000,000 annually, it is evident that an important improvement in the system has been inaugurated and substantial economies introduced.

The report of the Postmaster-General shows a marked increase of business in every branch of the postal service.

The number of post-offices on July 1, 1888, was 57,376, an increase of 6,124 in three years and of 2,219 for the last fiscal year. The latter-mentioned increase is classified as follows:

New England States	5
Middle States	181
Southern States and Indian Territory (41)	1,406
The States and Territories of the Pacific coast	190
The ten States and Territories of the West and Northwest	435
District of Columbia	2
Total	2,219

Free-delivery offices have increased from 189 in the fiscal year ended June 30, 1887, to 358 in the year ended June 30, 1888.

In the railway mail service there has been an increase in one year of 168 routes, and in the number of miles traveled per annum an increase of 15,795,917.48. The estimated increase of railroad service for the year was 6,000 miles, but the amount of new railroad service actually put on was 12,764.50 miles.

The volume of business in the money-order division, including transactions in postal-notes, reached the sum of upwards of $143,000,000 for the year.

During the past year parcel post conventions have been concluded with Barbadoes, the Bahamas, British Honduras, and Mexico, and are now under negotiation with all the Central and South American states. The increase of correspondence with foreign countries during the past three years is gratifying, and is especially notable and exceptional with the Central and South American states and with Mexico. As the greater part of mail matter exchanged with these countries is commercial in character, this increase is evidence of the improved business relations with them. The practical operation of the parcel post conventions, so far as negotiated, has served to fulfill the most favorable predictions as to their benefits. In January last a general postal convention was negotiated with the Dominion of Canada, which went into operation on March 1, and which practically makes one postal territory of the United States and Canada. Under it merchandise parcels may now be transmitted through the mails at fourth-class rates of postage.

It is not possible here to touch even the leading heads of the great postal establishment, to illustrate the enormous and rapid growth of its business and the needs for legislative readjustment of much of its machinery that it has outgrown. For these and valuable recommendations of the Postmaster-General, attention is earnestly invited to his report.

A Department whose revenues have increased from $19,772,000 in 1870 to $52,700,000 in 1888, despite reductions of postage which have enormously reduced rates of revenue while greatly increasing its business, demands the careful consideration of the Congress as to all matters suggested by those familiar with its operations, and which are calculated to increase its efficiency and usefulness.

A bill, proposed by the Postmaster-General, was introduced at the last session of the Congress, by which a uniform standard in the amount of gross receipts would fix the right of a community to a public building to be erected by the Government for post-office purposes. It was demonstrated that, aside from the public convenience and the promotion of harmony among citizens—invariably disturbed by change of leasings and of site—it was a measure of the highest economy and of sound business judgment. It was found that the Government was paying in rents at the rate of from 7 to 10 per cent. per annum on what the cost of such public buildings would be. A very great advantage resulting from such a law would be the prevention of a large number of bills, constantly introduced for the erection of public buildings at places, and involving expenditures, not justified by public necessity. I trust that this measure will become a law at the present session of Congress.

Of the total number of postmasters, 54,874 are of the fourth class. These, of course, receive no allowances whatever for expenses in the service, and their compensation is fixed by percentages on receipts at their respective offices. This rate of compensation may have been, and probably was at some time, just, but the standard has remained unchanged through the several reductions in the rates of postage. Such reductions have necessarily cut down the compensation of these officials, while it undoubtedly increased the business performed by them. Simple justice requires attention to this subject to the end that fourth-class postmasters may receive at least an equivalent to that which the law itself, fixing the rate, intended for them.

Another class of postal employés whose condition seems to demand legislation is that of clerks in post-offices; and I call especial attention to the repeated recommendations of the Postmaster-General for their classification. Proper legislation of this character for the relief of carriers in the free-delivery service has been frequent. Provision is made for their promotion; for substitutes for them on vacation; for substitutes for holidays, and limiting their hours of labor. Seven million dollars has been appropriated for the current year to provide for them, though the total number of offices where they are employed is but 358 for the past fiscal year, with an estimated increase for the current year of but 40, while the total appropriation for all clerks in offices throughout the United States is $5,950,000.

The legislation affecting the relations of the Government with railroads is in need of revision. While, for the most part, the railroad companies throughout the country have cordially co-operated with the Post-Office Department in rendering excellent service, yet under the law as it stands, while the compensation to them for carrying the mail is limited and regulated, and although railroads are made post-roads by law, there is no authority reposed anywhere to compel the owner of a railroad to take and carry the United States mails. The only alternative provided by act of Congress in case of refusal is for the Postmaster-General to send mail forward by pony express. This is but an illustration of ill-fitting legislation, reasonable and proper at the time of its enactment, but long since outgrown and requiring readjustment.

It is gratifying to note from the carefully prepared statistics accompanying the Postmaster-General's report that, notwithstanding the great expansion of the service, the rate of expenditure has been lessened, and efficiency has been improved in every branch; that fraud and crime have decreased; that losses from the mails have been reduced, and that the number of complaints of the service made to postmasters and to the Department are far less than ever before.

The transactions of the Department of Justice for the fiscal year ended June 30, 1888, are contained in the report of the Attorney-General, as well as a number of valuable recommendations, the most of which are repetitions of those previously made, and ought to receive consideration.

It is stated in this report that though judgments in civil suits amounting to $552,021.08 were recovered in favor of the Government during the year, only the sum of $132,934 was collected thereon; and that though fines, penalties, and forfeitures were imposed amounting to $541,808.43, only $109,648.42 of that sum was paid on account thereof. These facts may furnish an illustration of the sentiment

which extensively prevails, that a debt due the Government should cause no inconvenience to the citizen.

It also appears from this report that though prior to March, 1885, there had been but six convictions in the Territories of Utah and Idaho under the laws of 1862 and 1882, punishing polygamy and unlawful cohabitation as crimes, there have been since that date nearly six hundred convictions under these laws and the statutes of 1887; and the opinion is expressed that under such a firm and vigilant execution of these laws, and the advance of ideas opposed to the forbidden practices, polygamy within the United States is virtually at an end.

Suits instituted by the Government under the provisions of the act of March 3, 1887, for the termination of the corporations known as the Perpetual Emigrating Fund Company and the Church of Jesus Christ of Latter-Day Saints have resulted in a decree favorable to the Government, declaring the charters of these corporations forfeited and escheating their property. Such property, amounting in value to more than $800,000, is in the hands of a receiver pending further proceedings, an appeal having been taken to the Supreme Court of the United States.

In the report of the Secretary of the Interior, which will be laid before you, the condition of the various branches of our domestic affairs connected with that Department and its operations during the past year, are fully exhibited. But a brief reference to some of the subjects discussed in this able and interesting report can here be made; but I commend the entire report to the attention of the Congress, and trust that the sensible and valuable recommendations it contains will secure careful consideration.

I can not too strenuously insist upon the importance of proper measures to insure a right disposition of our public lands, not only as a matter of present justice, but in forecast of the consequences to future generations. The broad, rich acres of our agricultural plains have been long preserved by nature to become her untrammeled gift to a people civilized and free, upon which should rest, in well-distributed ownership, the numerous homes of enlightened, equal, and fraternal citizens. They came to national possession with the warning example in our eyes of the entail of iniquities in landed proprietorship which other countries have permitted and still suffer. We have no excuse for the violation of principles, cogently taught by reason and example, nor for the allowance of pretexts which have sometimes exposed our lands to colossal greed. Laws which open a door to fraudulent acquisition, or administration which permits favor to rapacious seizure by a favored few of expanded areas that many should enjoy, are accessory to offenses against our national welfare and humanity, not to be too severely condemned or punished.

It is gratifying to know that something has been done at last to redress the injuries to our people and check the perilous tendency of the reckless waste of the national domain. That over 80,000,000 acres have been arrested from illegal usurpation, improvident grants, and fraudulent entries and claims, to be taken for the homesteads of honest industry—although less than the greater areas thus unjustly lost—must afford a profound gratification to right-feeling citizens as it is a recompense for the labors and struggles of the recovery. Our dear experience ought sufficiently to urge the speedy enactment of measures of legislation which will confine the future disposition of our remaining agricultural lands to the uses of actual husbandry and genuine homes.

Nor should our vast tracts of so-called desert lands be yielded up to the monopoly of corporations or grasping individuals, as appears to be much the tendency under the existing statute. These lands require but the supply of water to become fertile and productive. It is a problem of great moment how most wisely for the public good that factor shall be furnished. I can not but think it perilous to suffer either these lands or the sources of their irrigation to fall into the hands of monopolies, which by such means may exercise lordship over the areas dependent on their treatment for productiveness. Already steps have been taken to secure accurate and scientific information of the conditions, which is the prime basis of intelligent action. Until this shall be gained, the course of wisdom appears clearly to lie in a suspension of further disposal, which only promises to create rights antagonistic to the common interest. No harm can follow this cautionary conduct. The land will remain, and the public good presents no demand for hasty dispossession of national ownership and control.

I commend also the recommendations that appropriate measures be taken to complete the adjustment of the various grants made to the States for internal improvements and of swamp and overflowed lands, as well as to adjudicate and finally determine the validity and extent of the numerous private land claims. All these are elements of great injustice and peril to the settlers upon the localities affected; and now that their existence can not be avoided, no duty is more pressing than to fix as soon as possible their bounds and terminate the threats of trouble which arise from uncertainty.

The condition of our Indian population continues to improve and the proofs multiply that the transforming change, so much to be desired, which shall substitute for barbarism enlightenment and civilizing education, is in favorable progress. Our relations with these people during the year have been disturbed by no serious disorders, but rather marked by a better realization of their true interests, and increasing confidence and good-will. These conditions testify to the value of the higher tone of consideration and humanity which has governed the later methods of dealing with them, and commend its continued observance

Allotments in severalty have been made on some reservations until all those entitled to land thereon have had their shares assigned, and the work is still continued. In directing the execution of this duty I have not aimed so much at rapid dispatch as to secure just and fair arrangements which shall best conduce to the objects of the law, by producing satisfaction with the results of the allotments made. No measure of general effect has ever been entered on from which more may be fairly hoped, if it shall be discreetly administered. It proffers opportunity and inducement to that independence of spirit and life which the Indian peculiarly needs, while at the same time the inalienability of title affords security against the risks his inexperience of affairs or weakness of character may expose him to in dealing with others. Whenever begun upon any reservation it should be made complete, so that all are brought to the same condition, and, as soon as possible, community in lands should cease by opening such as remain unallotted to settlement. Contact with the ways of industrious and successful farmers will perhaps add a healthy emulation which will both instruct and stimulate.

But no agency for the amelioration of this people appears to me so promising as the extension, urged by the Secretary, of such complete facilities of education as shall, at the earliest possible day, embrace all teachable Indian youth, of both sexes, and retain them with a kindly and beneficent hold until their characters are formed and their faculties and dispositions trained to the sure pursuit of some form of useful industry. Capacity of the Indian no longer needs demonstration. It is established. It remains to make the most of it, and when that shall be done the curse will be lifted, the Indian race saved, and the sin of their oppression redeemed. The time of its accomplishment depends upon the spirit and justice with which it shall be prosecuted. It can not be too soon for the Indian, nor for the interests and good name of the nation.

The average attendance of Indian pupils on the schools increased by over 900 during the year, and the total enrollment reached 15,212. The cost of maintenance was not materially raised. The number of teachable Indian youth is now estimated at 40,000, or nearly three times the enrollment of the schools. It is believed the obstacles in the way of instructing are all surmountable, and that the necessary expenditure would be a measure of economy.

The Sioux tribes on the great reservation of Dakota refused to assent to the act passed by the Congress at its last session for opening a portion of their lands to settlement, notwithstanding modification of the terms was suggested which met most of their objections. Their demand is for immediate payment of the full price of $1.25 per acre for the entire body of land the occupancy of which they are asked to relinquish.

The manner of submission insured their fair understanding of the law, and their action was undoubtedly as thoroughly intelligent as their capacity admitted. It is at least gratifying that no reproach of overreaching can in any manner lie against the Government, however advisable the favorable completion of the negotiation may have been esteemed.

I concur in the suggestions of the Secretary regarding the Turtle Mountain Indians, the two reservations in California, and the Crees. They should in my opinion receive immediate attention.

The number of pensioners added to the rolls during the fiscal year ended June 30, 1888, is 60,252; and increase of pensions was granted in 45,716 cases. The names of 15,730 pensioners were dropped from the rolls during the year for various causes, and at the close of the year the number of persons of all classes receiving pensions was 452,557. Of these there were 806 survivors of the war of 1812, 10,787 widows of those who served in that war, 16,060 soldiers of the Mexican war, and 5,104 widows of said soldiers.

One hundred and two different rates of pensions are paid to these beneficiaries, ranging from $2 to $416.66 per month.

The amount paid for pensions during the fiscal year was $78,775,861.92, being an increase over the preceding year of $5,308,280.22. The expenses attending the maintenance and operation of the Pension Bureau during that period were $3,262,524.67, making the entire expenditures of the bureau $82,038,386.59, being 21½ per cent. of the gross income and nearly 31 per cent. of the total expenditures of the Government during the year.

I am thoroughly convinced that our general pension laws should be revised and adjusted to meet, as far as possible in the light of our experience, all meritorious cases. The fact that one hundred and two different rates of pensions are paid can not, in my opinion, be made consistent with justice to the pensioners or to the Government; and the numerous private pension bills that are passed, predicated upon the imperfection of general laws, while they increase in many cases existing inequality and injustice, lend additional force to the recommendation for a revision of the general laws on this subject.

The laxity of ideas prevailing among a large number of our people regarding pensions is becoming every day more marked. The principles upon which they should be granted are in danger of being altogether ignored, and already pensions are often claimed because the applicants are

as much entitled as other successful applicants rather than upon any disability reasonably attributable to military service. If the establishment of vicious precedents be continued, if the granting of pensions be not divorced from partisan and other unworthy and irrelevant considerations, and if the honorable name of veteran unfairly becomes by these means but another term for one who constantly clamors for the aid of the Government, there is danger that injury will be done to the fame and patriotism of many whom our citizens all delight to honor, and that a prejudice will be aroused unjust to meritorious applicants for pensions.

The Department of Agriculture has continued, with a good measure of success, its efforts to develop the processes, enlarge the results, and augment the profits of American husbandry. It has collected and distributed practical information, introduced and tested new plants, checked the spread of contagious disease of farm animals, resisted the advance of noxious insects and destructive fungus growths, and sought to secure to agricultural labor the highest reward of effort and the fullest immunity from loss. Its records of the year show that the season of 1888 has been one of medium production. A generous supply of the demands of consumption has been assured, and a surplus for exportation, moderate in certain products and bountiful in others, will prove a benefaction alike to buyer and grower.

Four years ago it was found that the great cattle industry of the country was endangered, and those engaged in it were alarmed at the rapid extension of the European lung plague of pleuro-pneumonia. Serious outbreaks existed in Illinois, Missouri, and Kentucky, and in Tennessee animals affected were held in quarantine. Five counties in New York and from one to four counties in each of the States of New Jersey, Pennsylvania, Delaware, and Maryland were almost equally affected.

With this great danger upon us, and with the contagion already in the channels of commerce, with the enormous direct and indirect losses already being caused by it, and when only prompt and energetic action could be successful, there were in none of these States any laws authorizing this Department to eradicate the malady or giving the State officials power to co-operate with it for this purpose. The Department even lacked both the requisite appropriation and authority.

By securing State co-operation in connection with authority from Congress, the work of eradication has been pressed successfully, and this dreaded disease has been extirpated from the Western States and also from the Eastern States, with the exception of a few restricted areas, which are still under supervision. The danger has thus been removed, and trade and commerce have been freed from the vexatious State restrictions which were deemed necessary for a time.

During the past four years the process of diffusion, as applied to the manufacture of sugar from sorghum and sugar-cane, has been introduced into this country and fully perfected by the experiments carried on by the Department of Agriculture. This process is now universally considered to be the most economical one, and it is through it that the sorghum-sugar industry has been established upon a firm basis and the road to its future success opened. The adoption of this diffusion process is also extending to Louisiana and other sugar-producing parts of the country, and will doubtless soon be the only method employed for the extraction of sugar from the cane.

An exhaustive study has also, within the same period, been undertaken of the subject of food adulteration and the best analytical methods for detecting it. A part of the results of this work has already been published by the Department, which, with the matter in course of preparation, will make the most complete treatise on that subject that has ever been published in any country.

The Department seeks a progressive development. It would combine the discoveries of science with the economics and amelioration of rural practice. A supervision of the endowed experimental-station system recently provided for is a proper function of the Department, and is now in operation. This supervision is very important, and should be wisely and vigilantly directed, to the end that the pecuniary aid of the Government in favor of intelligent agriculture should be so applied as to result in the general good and to the benefit of all our people, thus justifying the appropriations made from the public Treasury.

The adjustment of the relations between the Government and the railroad companies which have received land grants and the guaranty of the public credit in aid of the construction of their roads should receive early attention. The report of a majority of the commissioners appointed to examine the affairs and indebtedness of these roads, in which they favor an extension of the time for the payment of such indebtedness in at least one case where the corporation appears to be able to comply with well-guarded and exact terms of such extension, and the reinforcement of their opinion by gentlemen of undoubted business judgment and experience, appointed to protect the interests of the Government as directors of said corporation, may well lead to the belief that such an extension would be to the advantage of the Government.

The subject should be treated as a business proposition with a view to a final realization of its indebtedness by the Government, rather than as a question to be decided upon prejudice or by way of punishment for previous wrong-doing.

The report of the commissioners of the District of Columbia, with its accompanying documents, gives in detail the operations of the several departments of the District government, and furnishes evidence that the financial affairs of the District are at present in such satisfactory condition as to justify the commissioners in submitting to the Congress estimates for desirable and needed improvements.

The commissioners recommend certain legislation which in their opinion is necessary to advance the interests of the District.

I invite your special attention to their request for such legislation as will enable the commissioners, without delay, to collect, digest, and properly arrange the laws by which the District is governed, and which are now embraced in several collections, making them available only with great difficulty and labor. The suggestions they make touching desirable amendments to the laws relating to licenses granted for carrying on the retail traffic in spirituous liquors, to the observance of Sunday, to the proper assessment and collection of taxes, to the speedy punishment of minor offenders, and to the management and control of the reformatory and charitable institutions supported by Congressional appropriations, are commended to careful consideration.

I again call attention to the present inconvenience and the danger to life and property attending the operation of steam-railroads through and across the public streets and roads of the District. The propriety of such legislation as will properly guard the use of these railroads and better secure the convenience and safety of citizens is manifest.

The consciousness that I have presented but an imperfect statement of the condition of our country and its wants, occasions no fear that anything omitted is not known and appreciated by the Congress, upon whom rests the responsibility of intelligent legislation in behalf of a great nation and a confiding people.

As public servants we shall do our duty well if we constantly guard the rectitude of our intentions, maintain unsullied our love of country, and with unselfish purpose strive for the public good.

GROVER CLEVELAND.

WASHINGTON, *December* 3, 1888.

Mr. HOAR. Mr. President, I move that the message of the President of the United States lie upon the table and be printed.

The motion was agreed to.

ORDER OF BUSINESS.

Mr. HOAR. I was about to move an adjournment, but I think it would be convenient to the Senate to learn from gentlemen having various measures in charge what is likely to be the order of business for to-morrow.

The PRESIDENT *pro tempore*. The unfinished business is House bill 9051, the title of which will be stated by the Secretary.

The CHIEF CLERK. A bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

Mr. HOAR. At what hour to-morrow will that be in order?

The PRESIDENT *pro tempore*. At 2 o'clock.

Mr. FRYE. I desire to give notice that I shall call up for consideration, with the consent of the Senate, the bill reported by the Select Committee on the President's Message transmitting the report of the Pacific Railway Commission, providing for a settlement with the Union Pacific Railroad Company, to-morrow morning immediately after the routine business of the morning hour is completed. That bill was made a special order for to-morrow.

The PRESIDENT *pro tempore*. At 2 o'clock.

Mr. FRYE. At 2 o'clock. Then, as the tariff bill, I understand, is to be called up to-morrow, I shall move immediately after the routine business that this bill be taken up for consideration.

Mr. CHANDLER. I desire to give notice that I shall, as soon as practicable, ask the Senate to take up and dispose of the resolution for the investigation of the election in Louisiana in April last. I am not informed by the senior Senator from Louisiana [Mr. GIBSON] whether or not there will be any objection to the passage of that resolution. He was not present in the Senate when the resolution was taken up on the last occasion, but I expect that there will be no objection to the passage of the resolution, and that, therefore, it will not take up the time of the Senate.

Mr. GIBSON. Mr. President, I wish to say, in reply to the suggestion of the Senator from New Hampshire, that the senior Senator from Louisiana has strenuously objected to the passage of that resolution, and will continue to do so.

Mr. CHANDLER. This is the first time that the Senator has so informed the Senate.

Mr. ALLISON. I desire to say at this time, in connection with the unfinished business, that to-morrow at 2 o'clock I expect to ask the Senate to go on with that order. In view of the notice given by the Senator from Maine [Mr. FRYE], I think I ought to say that if the business which he suggests is prolonged beyond a day or two I shall ask the Senate later on to begin regularly the consideration of the tariff bill during the morning hour.

Mr. HOAR. I move that the Senate do now adjourn.

The motion was agreed to; and (at 2 o'clock and 54 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, December 4, 1888, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

MONDAY, *December* 3, 1888.

This being the day designated by the Constitution, the members of the House of Representatives of the Fiftieth Congress assembled in their Hall for their second session.

At 12 o'clock noon the Speaker, Hon. JOHN G. CARLISLE, a Representative of the State of Kentucky, called the House to order.

The Chaplain, Rev. W. H. MILBURN, offered the following prayer:

Almighty God, we devoutly bless Thee that since the adjournment of the last session not a member of this House has been called away by death, but that the representatives of the people are returned to their seats in safety, peace, and health.

Spread over us, we beseech Thee, the shadow of Thy wing, and continue to keep us under Thy sacred protection.

May all the deliberations of this session be marked by a profound zeal for the safety, honor, and welfare of the nation, by a wise and sound judgment, kindliness of spirit, and urbanity of manner.

We humbly ask through Jesus Christ, our Lord. Amen.

The roll was called, and the following members answered to their names:

Alabama—James T. Jones, Hilary A. Herbert, William C. Oates, James E. Cobb, John H. Bankhead, William H. Forney, Joseph Wheeler.

Arkansas—C. R. Breckinridge, Thomas C. McRae, Samuel W. Peel.

California—T. L. Thompson, Marion Biggs, W. W. Morrow, Charles N. Felton, William Vandever.

Colorado—

Connecticut—Carlos French, Charles A. Russell.

Delaware—John B. Penington.

Florida—Charles Dougherty.

Georgia—Henry G. Turner, Charles F. Crisp, Thomas W. Grimes, John D. Stewart, James H. Blount, Judson C. Clements.

Illinois—Ransom W. Dunham, Frank Lawler, George E. Adams, A. J. Hopkins, Robert R. Hitt, Lewis E. Payson, Philip S. Post, William H. Gest, George A. Anderson, William M. Springer, Jonathan H. Rowell, Joseph G. Cannon, Silas Z. Landes, Edward Lane, Jehu Baker, John R. Thomas.

Indiana—Alvin P. Hovey, Jonas G. Howard, William S. Holman, Courtland C. Matson, Thomas M. Browne, James T. Johnston, Benjamin F. Shively.

Iowa—John H. Gear, Walter I. Hayes, David B. Henderson, Daniel Kerr, J. B. Weaver, A. R. Anderson, Adoniram J. Holmes.

Kansas—Thomas Ryan, John A. Anderson, Erastus J. Turner, Samuel R. Peters.

Kentucky—William J. Stone, W. Godfrey Hunter, A. B. Montgomery, Asher G. Caruth, John G. Carlisle, William C. P. Breckinridge, James B. McCreary, George M. Thomas, W. P. Taulbee, H. F. Finley.

Louisiana—Matthew D. Lagan, Edward J. Gay, Newton C. Blanchard, S. M. Robertson.

Maine—Thomas B. Reed, Nelson Dingley, jr., Seth L. Milliken, Charles A. Boutelle.

Maryland—Frank T. Shaw, Harry Welles Rusk, Isidor Rayner, Barnes Compton, Louis E. McComas.

Massachusetts—Robert T. Davis, Edward D. Hayden, Henry Cabot Lodge, William Cogswell, Charles H. Allen, John E. Russell, William Whiting, Francis W. Rockwell.

Michigan—J. Logan Chipman, Edward P. Allen, James O'Donnell, Julius C. Burrows, Melbourne H. Ford, Mark S. Brewer, Justin R. Whiting, Timothy E. Tarsney, Byron M. Cutcheon.

Minnesota—Thomas Wilson, Edmund Rice, Knute Nelson.

Mississippi—John M. Allen, T. C. Catchings, F. G. Barry, Charles E. Hooker.

Missouri—Charles H. Mansur, Alexander M. Dockery, William Warner, John T. Heard, John E. Hutton, John M. Glover, Richard P. Bland, William J. Stone, William H. Wade, James P. Walker.

Nebraska—George W. E. Dorsey.

Nevada—William Woodburn.

New Hampshire—L. F. McKinney, Jacob H. Gallinger.

New Jersey—James Buchanan, John Kean, jr., James N. Pidcock, William Walter Phelps, Herman Lehlbach, William McAdoo.

New York—Felix Campbell, Stephen V. White, Archibald M. Bliss, Amos J. Cummings, Lloyd S. Bryce, Timothy J. Campbell, Samuel S. Cox, Francis B. Spinola, William G. Stahlnecker, Henry Bacon, John H. Ketcham, Stephen T. Hopkins, Charles Tracey, George West, John H. Moffitt, Abraham X. Parker, James S. Sherman, James J. Belden, Milton De Lano, Newton W. Nutting, Thomas S. Flood, Charles S. Baker, John G. Sawyer, John M. Farquhar, John B. Weber, William G. Laidlaw.

North Carolina—Louis C. Latham, John Nichols, John M. Brower, Alfred Rowland, John S. Henderson, William H. H. Cowles.

Ohio—Benjamin Butterworth, E. S. Williams, S. S. Yoder, M. M. Boothman, James E. Campbell, Jacob Romeis, Albert C. Thompson, Jacob J. Pugsley, Joseph H. Outhwaite, Charles H. Grosvenor, Beriah Wilkins, William McKinley, jr., Ezra B. Taylor, Martin A. Foran.

Oregon—Binger Hermann.

Pennsylvania—Edwin S. Osborne (at large), Henry H. Bingham, Charles O'Neill, Samuel J. Randall, William D. Kelley, Alfred C. Harmer, Smedley Darlington, Robert M. Yardley, John A. Hiestand, William H. Sowden, Charles R. Buckalew, Franklin Bound, Frank C. Bunnell, Edward Scull, Louis E. Atkinson, John Patton, Welty McCullogh, John Dalzell, Thomas M. Bayne, Oscar L. Jackson, Norman Hall.

Rhode Island—Warren O. Arnold.

South Carolina—Samuel Dibble, George D. Tillman, James S. Cothran, William Elliott.

Tennessee—Roderick R. Butler, L. C. Houk, John R. Neal, Benton McMillin, James D. Richardson, Joseph E. Washington, Washington C. Whitthorne, Benjamin A. Enloe.

Texas—C. B. Kilgore, Silas Hare, Jo. Abbott, W. H. Crain, L. W. Moore, R. Q. Mills, J. D. Sayers, S. W. T. Lanham.

Vermont—John W. Stewart, William W. Grout.

Virginia—T. H. B. Browne, George D. Wise, John R. Brown, Samuel I. Hopkins, Charles T. O'Ferrall, W. H. F. Lee, H. Bowen.

West Virginia—William L. Wilson.

Wisconsin—Lucien B. Caswell, Richard Guenther, Robert M. La Follette, Henry Smith, Thomas R. Hudd, Charles B. Clark, Ormsby B. Thomas, N. P. Haugen, Isaac Stephenson.

Mr. HUTTON. I wish to state that my colleague, Mr. CLARDY, is detained at his home on account of sickness.

The SPEAKER. It appears from the call of the roll that 236 members have responded to their names, and there is, therefore, a quorum of the House present.

The following is the list of the Territorial Delegates:

Arizona—Marcus A. Smith.

Dakota—Oscar S. Gifford.

Idaho—Fred. T. Dubois.

Montana—Joseph K. Toole.

New Mexico—Antonio Joseph.

Utah—John T. Caine.

Washington—Charles S. Voorhees.

Wyoming—Joseph M. Carey.

NOTIFICATION FROM THE SENATE.

A message from the Senate by Mr. MCCOOK, its Secretary, informed the House that a quorum of that body was assembled and ready to proceed to business; also that a committee consisting of two members, Mr. MORRILL and Mr. SAULSBURY, had been appointed to join such committee as should be appointed by the House of Representatives, to wait upon the President of the United States and inform him that a quorum of each House was assembled, and that Congress was ready to receive any communication he desired to make.

NOTIFICATION TO THE SENATE.

Mr. MILLS submitted the following resolution; which was read, considered, and agreed to:

Resolved, That the Clerk of the House inform the Senate that a quorum of the House of Representatives has appeared and that the House is ready to proceed to business.

COMMITTEE TO WAIT UPON THE PRESIDENT.

Mr. HOLMAN submitted the following resolution; which was read, considered, and agreed to:

Resolved, That a committee of three members be appointed on the part of the House, to join such committee as may be appointed by the Senate, to wait upon the President and inform him that a quorum of the two Houses has assembled, and that Congress is ready to receive any communication he may have to make.

The SPEAKER appointed as such committee on the part of the House, Mr. HOLMAN, Mr. TURNER of Georgia, and Mr. O'NEILL of Pennsylvania.

Mr. MILLS. I move that the House take a recess until half past 1 o'clock, to await the report of the committee sent to wait upon the President.

The motion was agreed to; and accordingly (at 12 o'clock and 35 minutes p. m.) the House took a recess until 1.30 p. m.

AFTER THE RECESS.

The recess having expired, the House (at 1.30 p. m.) resumed its session.

REPORT OF COMMITTEE TO WAIT UPON THE PRESIDENT.

Mr. HOLMAN. Mr. Speaker, the committee appointed under resolution of the House to wait upon the President and inform him a quorum was present and ready to receive any communication he may be prepared to make, have performed that duty; and the President has requested us to extend his congratulations to the House on account of the safe return of its members, and to say that he will shortly communicate to the House in writing.

PRESIDENT'S ANNUAL MESSAGE.

A message in writing from the President, by Mr. PRUDEN, one of his secretaries, was received; which was laid before the House, and read in full.

[It will be found in the Senate proceedings.]

Mr. MILLS submitted the following resolution; which was read, considered, and agreed to:

Resolved, That the message of the President be committed to the Committee of

the Whole House on the state of the Union, and, with the accompanying documents, printed.

PRINTING PRESIDENT'S MESSAGE.

Mr. MILLS. Mr. Speaker, I desire to submit a resolution for reference to the Committee on Printing.

The Clerk read as follows:

Resolved, That there be printed —— thousand copies of the President's last annual message, for the use of the House.

The SPEAKER. The resolution will be referred to the Committee on Printing.

And then, on motion of Mr. MILLS (at 3 o'clock and 15 minutes p. m.), the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. BIGGS: A bill (H. R. 11610) granting a pension to Edwin Cotton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11611) granting a pension to Mrs. P. Campron—to the Committee on Invalid Pensions.

By Mr. McKINNEY: A bill (H. R. 11612) granting a pension to Mrs. Sarah A. Johnson—to the Committee on Invalid Pensions.

By Mr. PETERS: A bill (H. R. 11613) granting a pension to Peter J. Hershey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11614) granting a pension to Daniel Danielson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11615) granting an increase of pension to John C. Evans—to the Committee on Invalid Pensions.

By Mr. SAYERS: A bill (H. R. 11616) for the relief of Thornton A. Washington—to the Committee on Private Land Claims.

By Mr. YODER: A bill (H. R. 11617) granting a pension to Mary Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11618) granting a pension to Mary Bristley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11619) authorizing the President to appoint and retire William G. Galloway with the rank and grade of captain of infantry—to the Committee on Military Affairs.

SENATE.

TUESDAY, *December* 4, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

JOHN T. MORGAN, a Senator from the State of Alabama, CUSHMAN K. DAVIS, a Senator from the State of Minnesota, FRANK HISCOCK, a Senator from the State of New York, MATTHEW S. QUAY, a Senator from the State of Pennsylvania, and JOHN H. REAGAN, a Senator from the State of Texas, appeared in their seats to-day.

The Journal of yesterday's proceedings was read and approved.

FINANCE REPORT.

The PRESIDENT *pro tempore* laid before the Senate the annual report of the Secretary of the Treasury on the state of the finances for the year 1888; which, on motion of Mr. SHERMAN, was referred to the Committee on Finance, and ordered to be printed.

REPORT OF SURVEYOR-GENERAL OF NEW MEXICO.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting a report of the United States surveyor-general of New Mexico, submitted in pursuance of the requirements of the eighth section of the act of July 22, 1854; which, with the accompanying papers, was ordered to lie on the table, and be printed.

LIBRARY OF CONGRESS.

The PRESIDENT *pro tempore* laid before the Senate a report from the Chief of Engineers relative to the construction of the building for the Library of Congress under the provisions of the act approved October 2, 1888, making appropriations for sundry civil expenses of the Government.

Mr. HALE. I move that the report be referred to the Committee on Appropriations. It calls for an immediate appropriation.

The motion was agreed to.

COURT OF CLAIMS REPORT.

The PRESIDENT *pro tempore* laid before the Senate a report of the conclusions of fact and law of the Court of Claims in certain spoliation claims under the act approved January 20, 1885; which, on motion of Mr. HALE, was referred to the Committee on Appropriations, and ordered to be printed.

REPORT OF GOVERNOR OF IDAHO.

The PRESIDENT *pro tempore* laid before the Senate a report of the governor of Idaho to the Secretary of the Interior in regard to the affairs in and the progress and development of the Territory of Idaho during the last fiscal year; which was referred to the Committee on Territories, and ordered to be printed.

FISH COMMISSIONER'S REPORT.

The PRESIDENT *pro tempore* laid before the Senate the annual report of the United States Commissioner of Fish and Fisheries for the fiscal year ended June 30, 1888; which, with the accompanying papers, was referred to the Committee on Fisheries, and ordered to be printed.

THE MILITARY ACADEMY.

The PRESIDENT *pro tempore* laid before the Senate the report of the Board of Visitors to the West Point Military Academy for the year 1888, transmitted in accordance with law; which, with the accompanying papers, was ordered to lie on the table and be printed.

REPORTS OF THE SECRETARY OF THE SENATE.

The PRESIDENT *pro tempore* laid before the Senate a report from the Secretary of the Senate, communicating, in obedience to law, a full and complete statement of all property in his possession belonging to the United States December 3, 1888, and of the amounts received from the sale of waste paper; which was ordered to lie on the table and be printed.

The PRESIDENT *pro tempore* also laid before the Senate the report of the Secretary of the Senate, communicating, in obedience to law, a statement of the receipts and expenditures of the Senate from July 1, 1887, to June 30, 1888.

The PRESIDENT *pro tempore*. This report, with the accompanying papers, will lie on the table and be printed, if there be no objection.

Mr. SHERMAN. Is it usual to print that large document relating to the financial matters of the Senate?

The PRESIDENT *pro tempore*. It is.

Mr. SHERMAN. I think the question of printing it had better be referred to the Committee on Printing. I make that motion.

The motion was agreed to.

PROPERTY REPORT OF SERGEANT-AT-ARMS.

The PRESIDENT *pro tempore* laid before the Senate a report of the Sergeant-at-Arms of the Senate, transmitting a complete account of all property belonging to the United States in his possession on the 3d day of December, 1888; which, with the accompanying papers, was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS.

Mr. SHERMAN presented the petition of Frederick A. Schmidt, administrator of Thomas H. Yeatman, deceased, late of Cincinnati, Ohio, praying payment of a claim for war supplies; which was referred to the Committee on Military Affairs.

He also presented the memorial of 16 members of the Columbus (Ohio) Barracks band, remonstrating against the passage of the House bill proposing to prevent them from accepting civil engagements; which was referred to the Committee on Military Affairs.

Mr. DOLPH presented the petition of the Columbia (Oregon) Water Way Association, praying that appropriations be made for the improvement of the Columbia River; which was referred to the Committee on Commerce.

Mr. PLATT. I present the petition of the president and other officers of the Fairfield County Historical Society, of Connecticut, praying that an appropriation be made to be expended in removing to this country the remains of Joel Barlow, formerly minister plenipotentiary and envoy extraordinary to the court of the First Napoleon, who died during his service. I move that the petition be referred to the Committee on the Library.

The motion was agreed to.

Mr. HALE presented the petition of Nathaniel J. Coffin, of Hallowell, Me., praying to be granted authority to present to the Library of Congress a chart containing the location of the magnet poles and the source of the Gulf Stream; which, with the accompanying papers, was referred to the Committee on the Library.

Mr. VANCE presented the petition of John Kennedy, late a citizen of Washington, D. C., by Margaret Kennedy, executrix, praying to be allowed damages for property taken and used by the Government in the erection of a fort, known as Fort Sedgwick, in the District of Columbia; which was referred to the Committee on Claims.

BILLS INTRODUCED.

Mr. DOLPH introduced a bill (S. 3644) to amend the act approved February 25, 1885, entitled "An act to authorize a retired-list for privates and non-commissioned officers of the United States Army who have served for a period of thirty years or upward;" which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 3645) granting to the Astoria and South Coast Railway Company the right to construct a bridge across Young's Bay, a navigable stream in the county of Clatsop and State of Oregon; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 3646) for the relief of William R. Wheaton and Charles H. Chamberlain, of California; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 3647) to allow persons who have aban-

doned or relinquished their homestead entries to make another entry, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. BERRY introduced a bill (S. 3648) to allow persons who have abandoned or relinquished their homestead entries to make another entry, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. FAULKNER introduced a bill (S. 3649) to place John J. S. Hassler on the retired-list of the United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. REAGAN. I introduce two bills by request. I ask that the bill I send to the desk be read by its title with a view to get advice as to its proper reference.

The bill (S. 3650) authorizing the construction of two steel rams to be armed with heavy rifled dynamite guns and pneumatic torpedo-throwers, and for other purposes, was read twice by its title.

Mr. REAGAN. I do not know whether the bill should go to the Committee on Coast Defenses, which has that subject somewhat under consideration, or to the Committee on Naval Affairs, or the Military Committee. Perhaps there are Senators who know better where it ought to go. The Senator from Connecticut [Mr. HAWLEY] has taken a good deal of interest in this subject and perhaps can advise me as to the reference that should be made.

Mr. DOLPH. I think the bill should go to the Committee on Coast Defenses.

The PRESIDENT *pro tempore*. It will be so referred, if there be no objection.

Mr. HALE. All matters relating to the construction of vessels for naval warfare have invariably gone to the Committee on Naval Affairs. I have not known that the Committee on Coast Defenses in the course of its investigations or work has ever taken into consideration the question of constructing naval vessels.

Mr. DOLPH. I do not understand that these proposed vessels can properly be called naval vessels. They are for the protection and defense of our ports. They are like the floating batteries which are mentioned in the report of the Board on Fortifications and other Defenses, and which were provided for in the bill reported by the Committee on Coast Defenses.

A line must be drawn somewhere, or else we may as well do away with the Committee on Coast Defenses entirely. I think we have made but little progress in the matter of coast defenses except through the Committee on Appropriations. To judge by what has been accomplished, all such bills probably should go there.

Mr. HALE. I suppose that the Committee on Coast Defenses would examine generally into the subject and make recommendations, which of course the country and the Congress would listen to with great interest and attention; but when Congress comes to the question of constructing any kind of craft for defense in the harbors, or for sailing the seas, or for fighting battles, it will be the Navy Department under which the vessels, whatever their kind may be, will be constructed. So it seems to me clear in regard to a measure of this kind, which provides for the construction of rams, or whatever they may be, that it is the Navy Department and the Naval Committee that should consider the question.

Mr. HARRIS. Will the Senator from Maine allow me to ask him, if these vessels are constructed will they not properly belong to and be under the control of the Navy Department and become a part of the Navy?

Mr. HALE. Undoubtedly.

Mr. HARRIS. Then, it seems to me unquestionable that the bill ought to go to the Committee on Naval Affairs.

Mr. COCKRELL. Undoubtedly.

Mr. DOLPH. I have yet to learn precisely what was intended by the Senate when it constituted the Committee on Coast Defenses. If it is a mere ornamental committee, the sooner it is dispensed with the better.

At the last session of Congress the Committee on Coast Defenses reported a bill intended to carry out the recommendations of the Board on Fortifications and other Defenses, providing for the erection of certain fortifications, and also for the construction of certain floating batteries, somewhat similar, I presume, to the vessels proposed to be constructed under the provisions of this bill. In the judgment of some Senators the amount proposed to be appropriated was large, and after discussion, the Committee on Appropriations having reported in the naval appropriation bill and also in the Army appropriation bill some appropriations for coast defenses, the matter was allowed to lie over upon the Calendar.

I think it was the intention of the Senate to draw the line somewhere in this matter, and to take a part of the jurisdiction that has been exercised by the Committee on Military Affairs and the Committee on Naval Affairs from those committees and give it to the Committee on Coast Defenses. With that view the chairman of the Committee on Naval Affairs and the chairman of the Committee on Military Affairs were made members of the Committee on Coast Defenses.

It seems to me that such matters as floating batteries, rams, and other appliances for coast defenses, to be used only locally in the harbors in conjunction with fixed fortifications for the defense of a harbor, ought to be referred to the Committee on Coast Defenses. I do not think they are properly a part of the Navy. At least I think it is apparent that the Senate intended to divide the jurisdiction between those two committees.

The Senator from Maine knows very well that there has been no appropriation made for any such purpose upon a bill coming from either the Committee on Naval Affairs or the Committee on Military Affairs or the Committee on Coast Defenses, as a committee, but that all the appropriations which have been made have been inserted in the regular appropriation bills, although there was some objection made upon the floor of the Senate to the effect that it was not the proper way to make appropriations for these purposes.

I speak not only for myself but for the other members of the committee, and I desire to retain for it such jurisdiction as it was intended by the Senate it should have.

The PRESIDENT *pro tempore*. The Senator from Oregon [Mr. DOLPH] moves the reference of the bill to the Committee on Coast Defenses.

Mr. HALE. Unless the Senator from Oregon consents to a reference to the Committee on Naval Affairs, I will move, with his consent, to amend his motion by referring the bill to the Committee on Naval Affairs.

The PRESIDENT *pro tempore*. The Senator from Maine proposes to amend the pending motion so as to refer the bill to the Committee on Naval Affairs, which the Chair thinks is not in order. The question recurs on the motion of the Senator from Oregon.

Mr. DOLPH. I will ask the Senator from Maine, with the consent of the Senate, that the motion to refer may lie over until to-morrow morning, in order that I may consult with the other members of the committee.

Mr. HALE. I have no objection to that course, Mr. President.

The PRESIDENT *pro tempore*. The bill will lie on the table until to-morrow, having been read twice by title.

Mr. REAGAN (by request) introduced a bill (S. 3651) authorizing the construction of two steel cruisers to be armed with dynamite and torpedo throwers; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. PLUMB introduced a bill (S. 3652) to allow persons who have abandoned or relinquished their homestead entries to make another entry, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 3653) to authorize the sale of a tract of land in the military reservation at Fort Leavenworth, in the State of Kansas; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 3654) granting an increase of pension to Addison A. Jackson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DAVIS introduced a bill (S. 3655) granting a pension to James Swift; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SAWYER introduced a bill (S. 3656) granting a pension to George Batterson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 3657) granting a pension to Adolph Henning; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL. I present the petition of Dr. Henning, which I move be referred to the Committee on Pensions, to accompany the bill.

The motion was agreed to.

Mr. BLODGETT introduced a bill (S. 3658) granting a pension to Elijah J. Booth; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3659) granting a pension to William H. Smith; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GIBSON introduced a bill (S. 3660) to create a bureau of health and to prevent the introduction and extension of contagious and infectious diseases in the United States; which was read twice by its title, and referred to the Committee on Epidemic Diseases.

Mr. GIBSON. This bill was draughted by committees of the several commercial organizations of the city of New Orleans, held October 5, 1888, and it is accompanied by a memorial which is not long. I ask that the memorial may be printed in the RECORD, as it relates to a very important subject.

The PRESIDENT *pro tempore*. The bill is accompanied by a memorial, which the Senator from Louisiana asks may be printed in the RECORD. Is there objection?

Mr. SHERMAN. I hope we shall not commence that practice at this session. Let the memorial be printed as an ordinary document. I have no objection to that course, if the Senator thinks the memorial is important.

Mr. GIBSON. Let the memorial be printed as an ordinary document, then.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

Mr. GIBSON introduced a bill (S. 3661) authorizing the Secretary of

War to transfer the United States barracks and grounds at New Orleans to the Tulane University of Louisiana at New Orleans, for educational purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TELLER introduced a bill (S. 3662) to provide for the payment of Joseph H. Jenkins for services rendered by him as clerk to the secretary of the Territory of Colorado; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLUMB introduced a bill (S. 3663) to authorize the construction of a bridge across the Missouri River between the city of Leavenworth, in the State of Kansas, and Platte County, in the State of Missouri; which was read twice by its title, and referred to the Committee on Commerce.

AMENDMENT TO REVENUE BILL.

Mr. CALL submitted an amendment to be proposed by him to the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue; which was referred to the Committee on Finance, and ordered to be printed.

INDEBTEDNESS OF PACIFIC RAILROADS.

The PRESIDENT *pro tempore*. If there be no resolutions, concurrent or other, the order of morning business is closed. The Senator from Maine [Mr. FRYE] yesterday gave notice of his intention to move for the consideration of a bill at the close of the routine morning business to-day.

Mr. FRYE. I move that the Senate proceed to the consideration of the bill (S. 3401) to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," approved July 1, 1862; also to amend an act approved July 2, 1864, and also an act approved May 7, 1878, both in amendment of said first-mentioned act; and to provide for a settlement of claims growing out of the issue of bonds to aid in the construction of certain of said railroads, and to secure to the United States the payment of all indebtedness of certain of the companies therein mentioned.

The PRESIDENT *pro tempore*. The Calendar under Rule VIII being in order, the Senator from Maine moves that the Senate proceed to the consideration of Senate bill 3401. The question is on agreeing to the motion of the Senator from Maine.

Mr. MITCHELL. I beg leave to inquire if the report of the special committee on that subject has been printed and laid on the desks of Senators?

Mr. FRYE. It was printed at the last session.

The PRESIDENT *pro tempore*. The report and the testimony have been printed.

Mr. MITCHELL. It seems to me that Senators ought to have an opportunity to examine that report before being called upon to vote on the bill. As all are aware, there was not very much opportunity to do so during the latter days of the last session, and the vacation has been a very short one. This is a very important matter, as all must agree. The testimony, I understand, is very voluminous. For one I should like to have an opportunity to examine it.

I may vote for the bill when it comes up and I may not. I confess for one (I speak for myself) I have had no opportunity to give any time to the matter. I should be very much gratified if the bill could be laid over. This is the second day of the session. The tariff bill is on the table, as I understand, ready to be proceeded with, and it seems to me we might go on with something that we knew more about than we now do about the bill called up by the Senator from Maine.

Mr. HOAR. What is the question, Mr. President?

The PRESIDENT *pro tempore*. The Calendar under Rule VIII being in order, the Senator from Maine [Mr. FRYE] moves that the Senate proceed to the consideration of Senate bill 3401.

Mr. MITCHELL. Mr. President——

The PRESIDENT *pro tempore*. Debate can proceed only by unanimous consent. The Chair hears no objection.

Mr. MITCHELL. I call for the reading of the report.

The PRESIDENT *pro tempore*. The question is upon agreeing to the motion of the Senator from Maine to proceed to the consideration of the bill. The report can not properly be read until that question is decided and the Senate agrees to take up the bill.

Mr. MITCHELL. I beg pardon; I thought the bill was before the Senate.

Mr. TELLER. It seems to me that it is hardly worth while to take up this bill during the morning hour. I do not believe the Senate is now prepared to enter into a discussion of it. Unless some Senator desires to address the Senate on the subject, it seems to me that it would be well to postpone it and proceed with what it was understood would be the regular order when we came together, the tariff bill.

Mr. HOAR. This bill was set down by a special vote.

Mr. TELLER. It was set down for when?

Mr. HOAR. It was set down for this morning by a special vote at the last session.

Mr. TELLER. If it was set down for this day it will come up at 2 o'clock. This proceeding does not seem to be in accordance with any order we have heretofore made. I am not opposed to the bill so far as I understand it, but I have had no opportunity to look into the subject and to investigate it, to read the report or anything else relating to it. I was not aware that the bill would be called up to-day. I was not aware that the bill had been set down for to-day until the Senator from Massachusetts made the statement.

Mr. FRYE. Mr. President——

The PRESIDENT *pro tempore*. Is there objection to debate? The Chair hears none.

Mr. FRYE. Of course I do not wish to urge a bill upon the Senate where sufficient opportunity has not been given for its examination. But this matter is a very familiar one to the United States Senate. It has been discussed over and over again, session after session. A special committee was appointed in the early part of the last session to consider the President's message touching the Pacific railroads and the indebtedness of the companies to the United States. That committee devoted its time, all that it could spare, to the investigation. It gave thorough attention and examination to the subject committed to it. Long before the close of the session it came to a definite conclusion, and a unanimous conclusion, as to one of those railroads, the Union Pacific and the Central Branch. It found that the Union and Central roads proper could not be connected; that it was impossible from the difference in the conditions and the propositions of the respective corporations. Therefore it reported a bill touching only the Union Pacific and Central Branch. It reported that bill unanimously. The report was made in writing, and was printed as many as four months ago. It was printed July 31, 1888.

A special order was made of this bill for 2 o'clock to-day, but notice was given by the Senator from Iowa that he would call up the tariff bill at 2 o'clock. It seemed to me that this bill could be disposed of in four or five morning hours, there being but little routine business now to be attended to, and it looks as if it was my duty to insist upon the motion which I made, and which I gave notice yesterday I would make to-day. I do not see now any reason why I ought not to insist upon the motion, of course taking the direction of the Senate in relation to it.

Mr. PLUMB. This is, I think, fully as much a question of private interest as of public interest. The debt which it is proposed to adjust does not mature for about nine years. I think I can conceive that in the present temper of the public mind, and in view of some promises which have been rather recently made, more obligation rests upon the Senate to discharge the public business which is before it, and which has been more or less at issue during the recent campaign, than to take up any matter of private concern.

The Senator from Maine, I think, is mistaken in his estimate that four or five morning hours will dispose of this measure. It is one which, in my judgment, will require a great deal of debate. Without in any way saying what may become of the bill, it will be found, I think, to be one of rather more importance than he seems to suppose; that is to say, of importance in a direction which he does not appear to have taken into account.

I therefore think that if there is any spare time between now and 2 o'clock, at which hour, I understand, the Senator from Iowa will call up the tariff bill, it would be as well to anticipate that time and take up the tariff bill now.

Mr. FRYE. I am entirely willing to have a reassignment of this bill, if the Senate will consent, for one week from to-day. That will give time for Senators to examine the reports and the bill, etc. If that will satisfy the Senate I will consent to do it and ask that the bill be made the regular order after the routine business in the morning for Tuesday next.

The PRESIDENT *pro tempore*. The Senator from Maine asks unanimous consent——

Mr. PLUMB. I shall object, Mr. President.

Mr. FRYE. I move, then, that the bill be made a special order for Tuesday next.

The PRESIDENT *pro tempore*. The Senator from Maine moves that Senate bill 3401 be made the special order for Tuesday, December 11, at 2 o'clock in the afternoon.

Mr. HOAR. I should like to inquire as a matter of parliamentary law, the bill being now a special order under the order of the Senate, whether a simple motion to postpone it until Tuesday next would not effect the purpose.

The PRESIDENT *pro tempore*. The Chair thinks the motions would be equivalent to each other; that a motion to postpone would have the same effect as a motion to make the bill a special order.

Mr. HOAR. The distinction, if the Chair pleases, is this, that an original motion to make a special order requires a two-thirds vote, while a motion to postpone a special order from day to day only requires a majority vote. That is the point I had in my mind when I made the inquiry.

The PRESIDENT *pro tempore*. The Chair thinks that the consideration of this bill having been assigned for 2 o'clock to-day it can not be proceeded with now except by a vote; and the bill not having been taken up, the Chair is of opinion that a motion to postpone it at this time or to make it a special order for Tuesday week is not in order.

Mr. FRYE. Then the objection made by the Senator from Kansas prevails.

The PRESIDENT *pro tempore*. Until 2 o'clock. The Chair is of opinion that the motion can not be made now, nor until after the bill is taken up.

Mr. FRYE. I withdraw my motion now, and will renew it at 2 o'clock.

THE REVENUE LAWS.

Mr. ALLISON. I move that the Senate proceed to the consideration of House bill No. 9051.

The PRESIDENT *pro tempore*. The Calendar, under Rule VIII, being in order, the Senator from Iowa moves that the Senate proceed to the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue. The question is on agreeing to the motion of the Senator from Iowa.

The motion was agreed to.

The PRESIDENT *pro tempore*. The bill is before the Senate as in Committee of the Whole, and will be read at length.

Mr. ALLISON. When this bill was under consideration in October last there was an understanding respecting the reading of the bill and amendment, and the method of consideration. I do not remember precisely the details of the understanding. I presume it can be ascertained by referring to the Journal. I know the first or formal reading of the bill was dispensed with.

The PRESIDENT *pro tempore*. The understanding, as the Chair recalls it, was that the bill from the House of Representatives was not to be read formally, but that the reading was to proceed upon the substitute reported by the Senate Committee on Finance.

Mr. ALLISON. Let the clerks refer to the Journal. I should be glad to know just what was the exact order made at that time.

The PRESIDENT *pro tempore*. The Chief Clerk will read the entry in the Journal bearing upon the subject.

The Chief Clerk read as follows:

On motion by Mr. ALLISON,
The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue; and,
On motion by Mr. ALLISON, and by unanimous consent,
Ordered, That the part proposed to be inserted in the amendment reported by the Committee on Finance be first considered.
Pending debate,
On motion by Mr. COKE,
The Senate proceeded to the consideration of executive business, etc.

Mr. ALLISON. Is that all?

Mr. COCKRELL. There was no agreement at all, then.

Mr. ALLISON. There was a further agreement respecting the consideration of the bill by paragraphs, as I remember.

Mr. HOAR. The RECORD will show.

The PRESIDENT *pro tempore*. To ascertain the agreement that was made in that particular, reference to the RECORD would be necessary.

Mr. ALLISON. It is manifest that it is not necessary to read all at once the entire substitute reported, which would take a day or two; and unless unanimous consent has already been given, I ask now unanimous consent that the substitute may be read for amendment by paragraphs and sections.

The PRESIDENT *pro tempore*. The Senator from Iowa asks unanimous consent that the substitute reported by the Senate Committee on Finance may be read by paragraphs for amendment.

Mr. ALLISON. By paragraphs and sections—as to the detail of the tariff sections by paragraphs, and as to the remaining portion of the measure by sections.

The PRESIDENT *pro tempore*. The Senator from Iowa asks unanimous consent that the substitute may be read by paragraphs and sections for amendment, the first formal reading at length being waived.

Mr. VANCE. Is it not more in order to have it read for information first, and then by paragraphs for amendment?

The PRESIDENT *pro tempore*. That is the usual order. The Senator from Iowa asks that that order may be changed, that the formal reading may be waived and that the substitute be read by paragraphs and sections for amendment.

Mr. VANCE. I shall object to that, Mr. President.

The PRESIDENT *pro tempore*. The Senator from North Carolina objects. The reading will proceed.

The Chief Clerk proceeded to read the substitute reported by the Committee on Finance. Having read the first and second paragraphs of the proposed section 1—

The PRESIDENT *pro tempore*. The reading will be suspended. The proceeding relative to this bill, which occurred on the 8th of October last, and as found printed in the RECORD of the 9th of October, will be read for information.

The Chief Clerk read as follows:

Mr. ALLISON. I move that the Senate proceed to the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.
The motion was agreed to.
The PRESIDENT *pro tempore*. The bill is before the Senate as in Committee of the Whole, and will be read at length.
Mr. ALLISON. As this is a long bill and the Senate is familiar with its provisions, at least with those of the original House bill, I ask unanimous consent that the reading of the bill at length may be dispensed with, and that as the substitute is read it may be open to amendment; that is to say, that the formal reading of the bill may be dispensed with.
The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.
Mr. MORGAN. I ask the Senator from Iowa if there is any objection to having the measure printed in the RECORD?
Mr. HARRIS. It has been printed in the RECORD, I think.
Mr. ALLISON. No, it has not been printed in the RECORD.
Mr. MORGAN. Not the bill.
Mr. HARRIS. The reports were printed in the RECORD.
Mr. ALLISON. Is it proposed that both the bill and the substitute be printed in the RECORD?
Mr. HARRIS. I suppose there is no objection to so printing the bill and amendment, if the Senator suggests it.
Mr. MORGAN. Yes, I make that suggestion. My purpose, of course, is to get the amendment of the Senate Committee on Finance before the country. The bill itself has been before the country. It is a House bill, and has been printed, I believe, in various forms. I have no objection to the bill going in. My request, though, was as to the amendment.
Mr. ALLISON. I have no objection certainly to the amendment being printed in the RECORD.
The PRESIDENT *pro tempore*. If there be no objection, the amendment of the Committee on Finance will be printed in the RECORD.
Mr. HARRIS. If either is printed in the RECORD, let the bill and amendment both be printed.
Mr. BUTLER. I was about to suggest that, Mr. President.
The PRESIDENT *pro tempore*. If there be no objection, the bill and the amendment reported by the Committee on Finance will be printed in the RECORD. It is so ordered.
The bill is as follows.

The PRESIDENT *pro tempore*. Then follows the print of the bill and amendment.

Mr. ALLISON. From the proceedings as read at the Secretary's desk it certainly would be open to question whether the order I asked for at that time would include the omission of the formal reading of the substitute; but it was my intention at the time to dispense not only with the reading of the original bill, but also with the formal reading of the substitute. The object, I think, of my suggestion is clear, from the fact that I asked that as the substitute was read it might be open to amendment. It was, of course, my intention that the formal reading of the substitute should be dispensed with.

The PRESIDENT *pro tempore*. That was the request of the Senator from Iowa.

Mr. ALLISON. Then, it seems to me, with all deference to the Senator from North Carolina, unless there is express information on the subject, unanimous consent has already been given.

The PRESIDENT *pro tempore*. If that was a continuing order, not interrupted by the adjournment of the Senate, the Chair would hold that undoubtedly the formal reading had been waived.

Mr. SHERMAN. I wish to make an inquiry. I inquire whether the bill will not be open to amendment after it has been read through in detail.

The PRESIDENT *pro tempore*. Under the uniform practice of the Senate it will be.

Mr. SHERMAN. So, I take it, if the Senator from North Carolina wishes, as I understand him to wish, to have the substitute open to amendment, amendments to be offered by any member of the Senate after it has been read in detail, he has that right under the general rules of the Senate, and even if the bill has been gone through and has been subject to amendment by detail and by paragraphs and sections, after that has been concluded in Committee of the Whole, it is still open to any amendments that may be offered.

Mr. VANCE. It did not occur to me when I objected to the reading of the substitute for amendment by sections that unanimous consent had been given in the closing days of the last session to waive the formal reading of the measure at length.

I wish to say that on this side of the Chamber we are not prepared to go on immediately with the measure by sections, amending it as we go on; and if we were to go on with it now it would necessitate our going back to propose amendments to such parts as may have been passed over.

I suggest, with a view really to saving time, that a postponement of the bill be made until this time to-morrow, when the Democratic members of the Finance Committee will try to be ready with their amendments and go on regularly with the bill. If we were to go on now it would necessitate our going back again, which would occupy more time and introduce more confusion into the consideration of the measure than if the bill were suffered to go over to-day and be taken up to-morrow.

The PRESIDENT *pro tempore*. The Senator from North Carolina asks unanimous consent that the further consideration of the bill be postponed until to-morrow at 2 o'clock. Is there objection?

Mr. ALLISON. If the bill is to be postponed until to-morrow—and of course I do not wish to press it unduly—I suggest to Senators that we take it up immediately after the morning business to-morrow. With that understanding, and with the further understanding that the substitute shall then be read for amendment, and amendments shall then be offered if any are to be moved, I am willing that it may go over until to-morrow, in deference to wishes of Senators on the other side.

Mr. VANCE. That would be agreeable to me.

Mr. JONES, of Arkansas. Does the Senator from Iowa propose after

passing over a paragraph, that the right to amend a paragraph which has been passed over shall be cut off by this agreement?

Mr. ALLISON. It is not so intended, nor so desired.

The PRESIDENT *pro tempore*. If there be no objection, then, the consideration of the bill is postponed until to-morrow at the close of the routine morning business, when it will be resumed and considered by paragraphs and sections, the formal reading of the substitute being waived.

The Secretary will report the first bill on the Calendar under Rule VIII.

The CHIEF CLERK. Order of Business 1996, a bill (H. R. 5080) for the relief of C. B. Wilson.

Mr. SHERMAN. I doubt whether we shall make any progress to-day, and therefore I move that the Senate adjourn.

The PRESIDENT *pro tempore*. The Senator from Ohio moves that the Senate do now adjourn.

The motion was agreed to; and (at 12 o'clock and 56 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, December 5, 1888, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

TUESDAY, *December* 4, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

The following additional members appeared and took their seats:

Mr. C. N. BRUMM, of Pennsylvania;
Mr. WILLIAM D. BYNUM, of Indiana;
Mr. G. W. CROUSE, of Ohio;
Mr. ASHBEL P. FITCH, of New York;
Mr. M. T. GRANGER, of Connecticut;
Mr. T. D. JOHNSTON, of North Carolina;
Mr. W. H. MARTIN, of Texas;
Mr. J. L. MACDONALD, of Minnesota;
Mr. J. MCKENNA, of California;
Mr. R. J. VANCE, of Connecticut;
Mr. T. S. WILKINSON, of Louisiana; and
Mr. JACOB YOST, of Virginia.

ANNUAL REPORT SECRETARY OF THE TREASURY.

The SPEAKER laid before the House the annual report of the Secretary of the Treasury on the state of the finances for the year 1888; which was referred to the Committee on Ways and Means, and ordered to be printed.

REFUND OF CUSTOMS DUTIES.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a statement of the refund of customs duties for the fiscal year 1888; which was referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

CONTINGENT EXPENSES, TREASURY DEPARTMENT.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a report of the contingent expenses of that Department for the fiscal year 1888; which was referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

PAYMENTS TO INFORMERS, ETC.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting report of payments made to informers and seizing officers under the customs-revenue laws for the fiscal year 1888; which was referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

REPORT OF COMPTROLLER OF THE CURRENCY.

The SPEAKER also laid before the House the annual report of the Comptroller of the Currency to the second session of the Fiftieth Congress; which was referred to the Committee on Banking and Currency.

PRIVATE LAND CLAIM, NEW MEXICO.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting, with a letter from the Commissioner of the General Land Office, a report of the surveyor-general for New Mexico on the private land claim numbered 156; which was referred to the Committee on Private Land Claims, and ordered to be printed.

EXPENSES OF PROPAGATION OF FOOD FISHES.

The SPEAKER also laid before the House a letter from the Commissioner of Fish and Fisheries, transmitting statement of expenditures for the propagation of food fishes for the fiscal year 1888; which was referred to the Committee on Appropriations, and ordered to be printed.

COMPENSATION, PUBLIC SCHOOL TEACHERS, DISTRICT OF COLUMBIA.

The SPEAKER also laid before the House a letter from the president of the Board of Commissioners for the District of Columbia, transmitting an exhibit showing the compensation paid to each teacher of the public schools of the District of Columbia for the current fiscal year; which was referred to the Committee on Appropriations, and ordered to be printed.

LIBRARY OF CONGRESS.

The SPEAKER also laid before the House a letter from the Chief of Engineers, transmitting a report relative to the construction of the building for the Library of Congress under the provisions of the sundry civil appropriation act, approved October 2, 1888; which was referred to the Committee on Appropriations, and ordered to be printed.

INVENTORY OF PROPERTY, HOUSE OF REPRESENTATIVES.

The SPEAKER also laid before the House a letter from the Clerk of the House of Representatives, transmitting an inventory of the property of the United States in the possession of the Clerk of the House; which was referred to the Committee on Accounts, and ordered to be printed.

PROPERTY IN CHARGE OF THE DOORKEEPER.

The SPEAKER also laid before the House a letter from the Doorkeeper of the House of Representatives, transmitting a statement of property in charge of the Doorkeeper belonging to the United States; which was referred to the Committee on Accounts, and ordered to be printed.

SALES OF WASTE PAPER, HOUSE OF REPRESENTATIVES.

The SPEAKER also laid before the House a report by the Doorkeeper of the House of Representatives, showing sales of waste paper in his department since the commencement of the first session of the Fiftieth Congress; which was referred to the Committee on Accounts, and ordered to be printed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. STRUBLE, indefinitely, on account of important business.

To Mr. ANDERSON, of Iowa, indefinitely, on account of important business.

To Mr. LAFFOON, indefinitely, on account of important business.

To Mr. FULLER, for ten days, on account of sickness in his family.

To Mr. CARLTON, for one week, on account of sickness in his family.

To Mr. CLARDY, indefinitely, on account of sickness.

Mr. HOLMES. Mr. Speaker, I desire to ask unanimous consent that leave of absence be also granted for ten days to my colleague, Mr. CONGER.

There was no objection, and it was so ordered.

ADDITIONAL MESSENGER, HOUSE OF REPRESENTATIVES.

Mr. COX, by unanimous consent, submitted the following resolution; which was read, and referred to the Committee on Accounts:

Resolved, That the Doorkeeper of the House be authorized to appoint one additional messenger, who shall also act as night watchman, at a salary of $100 per month during the remainder of this session; said messenger to be assigned to duty with the committees of the House of Representatives located in the Butler Building, and who shall be paid out of the contingent fund of the House.

TESTIMONY, ALASKA SEAL FISHERIES.

Mr. DUNN. Mr. Speaker, I ask unanimous consent that the Committee on the Merchant Marine and Fisheries have leave to print the evidence taken by that committee in the investigation regarding the seal fisheries of Alaska.

There was no objection, and it was so ordered.

SESSIONS OF COMMITTEE ON APPROPRIATIONS.

Mr. SAYERS. Mr. Speaker, I am instructed by the Committee on Appropriations to offer the resolution I send to the desk, and to ask for its present consideration.

The resolution was read, as follows:

Resolved, That the Committee on Appropriations, and its subcommittees, have leave to sit during the sessions of the House.

There being no objection, the resolution was considered and agreed to.

PURCHASE OF REAL ESTATE FOR THE DISTRICT OF COLUMBIA.

Mr. TAULBEE, by unanimous consent, submitted the following resolution; which was read, and referred to the Committee on Rules:

Whereas it is stated in certain newspapers that the commissioners of the District of Columbia have in recent purchases of real estate within and for the use of the District of Columbia paid to and through certain agents, appointed or employed by them, prices above that asked or received by the vendees or owners of such property, contrary to law: Therefore,

Resolved, That the Speaker of the House of Representatives appoint a special committee of five members to investigate the matter, and report to the House in writing.

Mr. MCRAE. I ask to introduce a bill for reference.

Mr. HOLMAN. I would suggest that to-day be regarded as Monday, and that the States and Territories be called for the introduction of bills and resolutions.

Mr. DINGLEY. I object for the present. An order has been specially assigned for to-day.

SECOND ENTRY OF PUBLIC LANDS.

Mr. MCRAE, by unanimous consent, introduced a bill (H. R. 11620) to allow persons who have abandoned or relinquished their homestead entries to make another entry, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

ADMISSION OF SOUTH DAKOTA.

Mr. MACDONALD. I ask to have printed in the RECORD, without the names, the petition which I send to the Clerk's desk. It is a petition of the citizens of North Dakota asking for the immediate admission of South Dakota and Montana, and for constitutional conventions in North Dakota, Washington, and New Mexico.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota? [After a pause.] The Chair hears none. The petition will be referred to the Committee on the Territories, and be printed in the RECORD.

The petition is as follows:

NORTH DAKOTA STATEHOOD LEAGUE.

To Hon. Grover Cleveland, President, and to the Senate and House of Representatives of the United States of America:

We, the undersigned citizens and electors of North Dakota, respectfully represent that the best interests of the country, and especially of the Territories, require the immediate admission of all the States formed from Territories now ready for admission into the Union, and the speedy formation of State constitutions for the remainder, including North Dakota, Washington, and New Mexico. We therefore pray that the President may recommend the admission of South Dakota and Montana under their constitutions, and that the Fiftieth Congress forthwith admit the same, and provide for constitutional conventions in North Dakota, and the other Territories, in harmony with the ordinance of 1787, and a long line of precedents; and they will ever pray.

PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

Mr. STONE, of Kentucky, by unanimous consent, introduced a joint resolution (H. Res. 234) proposing an amendment to the Constitution of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

MONUMENT TO GENERAL KNOX.

Mr. DINGLEY. At the last session a special assignment was made for to-day of Senate bill No. 449, for the erection of a monument to Maj. Gen. Henry Knox, at Thomaston, Me. Subsequently, in my absence, the gentleman from Texas [Mr. KILGORE] entered a motion to reconsider the special assignment, which is a privileged question before the House; and I now move that the motion to reconsider be laid on the table.

Mr. COX. What is the bill?

Mr. DINGLEY. For the erection of a monument to Maj. Gen. Henry Knox.

Mr. KILGORE. Mr. Speaker, is that the regular order?

The SPEAKER. It is a privileged motion. The rule expressly provides that after six days shall have elapsed from the time when a motion to reconsider was entered any member may call it up as a privileged motion.

Mr. KILGORE. I desire to submit a point of order upon the order made at the last session.

The SPEAKER. The gentleman will state it.

Mr. KILGORE. The rule provides that any measure contemplating an appropriation of money must be considered in Committee of the Whole. I take it that that rule can be dispensed with; but the rule also provides that no change in the rule can be made except upon one day's notice thereof. The gentleman from Maine [Mr. DINGLEY] asked unanimous consent to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill S. 449, and assign the 4th day of December for the consideration of that bill. Now, I take it that it was competent for the House to assign the 4th day of December for the consideration of that bill; but it was not competent for the House to discharge the Committee of the Whole from the consideration of the bill. That is the point I make.

The SPEAKER. Even if an order to assign a bill for consideration on a certain day is considered as a change of the rules of the House which would require one day's notice, still the House by unanimous consent can dispense with that one day's notice, and that was what was done on the occasion to which the gentleman has referred. This order was made by unanimous consent of the House, and no objection was offered by any member on the floor, so that the Chair thinks the objection is too late now.

Mr. KILGORE. I want to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KILGORE. I understand the motion now is to lay the motion to reconsider on the table, and that that motion is not debatable. This is a measure to appropriate $25,000 to build a monument to the memory of Major-General Knox, at Thomaston, Me. Will not the bill have to be considered?

The SPEAKER. The bill will be read if it is taken up by the House. But the question now is on the motion of the gentleman from Maine [Mr. DINGLEY] to lay the motion to reconsider on the table.

Mr. SPRINGER. What was the original motion?

The SPEAKER. The Clerk will read the title of the bill.

The Clerk read as follows:

A bill (S. 449) for the erection of a monument to the memory of Maj. Gen. Henry Knox, at Thomaston, Me.

The SPEAKER. By an order made at the last session this bill was set for consideration on this day, and after that, and within the time prescribed by the rules, the gentleman from Texas [Mr. KILGORE] entered a motion to reconsider that order. That is the motion which the gentleman from Maine [Mr. DINGLEY] now moves to lay on the table.

Mr. KILGORE. Can the bill be read?

The SPEAKER. It can be read by unanimous consent. The House is not now called to vote upon the bill, but to vote on the motion to lay on the table.

The question was put; and the Speaker announced that the ayes seemed to have it.

A division was demanded.

The House divided; and there were—ayes 86, noes 42.

Mr. KILGORE. I make the point of order that no quorum has voted.

The SPEAKER. The Chair will appoint as tellers the gentleman from Texas [Mr. KILGORE] and the gentleman from Maine [Mr. DINGLEY].

Mr. DINGLEY. We may as well have the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 125, nays 53, not voting 146; as follows:

YEAS—125.

Adams,	Cutcheon,	Hunter,	Romeis,
Allen, Mass.	Dalzell,	Jackson,	Rowell,
Allen, Mich.	Davis,	Johnston, Ind.	Russell, Conn.
Atkinson,	De Lano,	Jones,	Ryan,
Bacon,	Dibble,	Kean,	Scull,
Baker, N. Y.	Dingley,	Kelley,	Seymour,
Baker, Ill.	Dorsey,	Ketcham,	Sherman,
Bayne,	Dunham,	La Follette,	Sowden,
Biggs,	Farquhar,	Laidlaw,	Spinola,
Bliss,	Felton,	Lehlbach,	Stephenson,
Boothman,	Finley,	Lodge,	Stewart, Vt.
Bound,	Flood,	Long,	Taulbee,
Boutelle,	Foran,	McAdoo,	Taylor, J. D., Ohio
Bowen,	Ford,	McComas,	Thomas, Ky.
Brewer,	Gallinger,	McCormick,	Thomas, Ill.
Browne, Ind.	Gear,	McKenna,	Thomas, Wis.
Brown, J. R., Va.	Gest,	McKinley,	Thompson, Ohio
Buchanan,	Grimes,	Moffitt,	Tracey,
Burrows,	Grosvenor,	Morrill,	Turner, Kans.
Butler,	Grout,	Morrow,	Vandever,
Bynum,	Harmer,	Nelson,	Warner,
Campbell, F., N. Y.	Haugen,	Nichols,	Weber,
Campbell, T. J., N. Y.	Hayden,	Nutting,	White, N. Y.
Cannon,	Henderson, Iowa	O'Donnell,	Whiting, Mass.
Caruth,	Hermann,	O'Neill, Pa.	Wilkins,
Caswell,	Hiestand,	Osborne,	Wilkinson,
Catchings,	Hires,	Patton,	Williams,
Clark,	Holmes,	Payson,	Yardley,
Cogswell,	Hopkins, Va.	Penington,	Yost.
Cox,	Hopkins, N. Y.	Peters,	
Crouse,	Houk,	Reed,	
Cummings,	Hovey,	Rockwell,	

NAYS—53.

Abbott,	Dargan,	McMillin,	Stewart, Ga
Allen, Miss.	Dockery,	McRae,	Stone, Ky.
Anderson, Ill.	Elliott,	Neal,	Thompson, Cal.
Bankhead,	Granger,	Oates,	Tillman,
Barry,	Henderson, N. C.	Outhwaite,	Turner, Ga.
Blanchard,	Herbert,	Peel,	Walker,
Bland,	Holman,	Rayner,	Washington,
Blount,	Howard,	Richardson,	Weaver,
Breckinridge, Ark.	Johnston, N. C.	Rowland,	Wheeler,
Breckinridge, Ky.	Lane,	Sayers,	Wilson, Minn.
Bryce,	Lanham,	Shaw,	Wilson, W. Va.
Cobb,	Latham,	Shively,	
Cowles,	Martin,	Smith,	
Crisp,	McCreary,	Springer,	

NOT VOTING—146.

Anderson, Iowa	Dougherty,	Landes,	Post,
Anderson, Miss.	Dunn,	Lawler,	Pugsley,
Anderson, Kans.	Enloe,	Lee,	Randall,
Arnold,	Ermentrout,	Lind,	Rice,
Barnes,	Fisher,	Lyman,	Robertson,
Belden,	Fitch,	Lynch,	Rogers,
Belmont,	Forney,	Macdonald,	Russell, Mass.
Bingham,	French,	Maffett,	Rusk,
Bowden,	Fuller,	Mahoney,	Sawyer,
Brower,	Funston,	Maish,	Scott,
Browne, T. H. B., Va.	Gaines,	Mansur,	Seney,
Brown, Ohio	Gay,	Mason,	Simmons,
Brumm,	Gibson,	Matson,	Snyder,
Buckalew,	Glass,	McClammy,	Spooner,
Bunnell,	Glover,	McCullogh,	Stahlnecker,
Burnes,	Goff,	McKinney,	Steele,
Burnett,	Greenman,	McShane,	Stewart, Tex.
Butterworth,	Guenther,	Merriman,	Stockdale,
Campbell, Ohio,	Hall,	Milliken,	Stone, Mo.
Candler,	Hare,	Mills,	Struble,
Carlton,	Hatch,	Montgomery,	Symes,
Cheadle,	Hayes,	Moore,	Tarsney,
Chipman,	Heard,	Morgan,	Taylor, E. B., Ohio
Clardy,	Hemphill,	Morse,	Townshend,
Clements,	Henderson, Ill.	Newton,	Vance,
Cockran,	Hitt,	Norwood,	Wade,
Collins,	Hogg,	O'Ferrall,	West,
Compton,	Hooker,	O'Neall, Ind.	White, Ind.
Conger,	Hopkins, Ill.	O'Neill, Mo.	Whiting, Mich.
Cooper,	Hudd,	Owen,	Whitthorne,
Cothran,	Hutton,	Parker,	Wickham,
Crain,	Kennedy,	Perkins,	Wilber,
Culberson,	Kerr,	Perry,	Wise,
Darlington,	Kilgore,	Phelan,	Woodburn,
Davenport,	Laffoon,	Phelps,	Yoder.
Davidson, Ala.	Lagan,	Pidcock,	
Davidson, Fla.	Laird,	Plumb,	

So the motion to reconsider was laid upon the table.

During the roll-call,

On motion of Mr. WHEELER, by unanimous consent, the reading of the names of members voting was dispensed with.

Mr. RICHARDSON. My colleague [Mr. WHITTHORNE] is detained at home by illness.

The following members were announced as paired until further notice:

Mr. ROGERS with Mr. GOFF.
Mr. BARNES with Mr. COOPER.
Mr. BURNES with Mr. HENDERSON, of Illinois.
Mr. TOWNSHEND with Mr. STRUBLE.
Mr. MOORE with Mr. WICKHAM.
Mr. CARLTON with Mr. SAWYER.
Mr. WHITTHORNE with Mr. WHITE, of Indiana.
Mr. MERRIMAN with Mr. WILBER.
Mr. HEMPHILL with Mr. CHEADLE.
Mr. COTHRAN with Mr. BROWN, of Ohio.
Mr. PERRY with Mr. BELDEN.
Mr. DAVIDSON, of Florida, with Mr. FUNSTON.
Mr. MORGAN with Mr. PARKER.
Mr. HATCH with Mr. SPOONER.
Mr. SENEY with Mr. EZRA B. TAYLOR, for this day.
Mr. LAFFOON with Mr. ANDERSON, of Kansas, on this vote.

The vote was then announced as above recorded.

Mr. DINGLEY. Mr. Speaker, I now call up the bill (S. 449) for the erection of a monument to the memory of Maj. Gen. Henry Knox at Thomaston, Me.

Mr. MCCREARY. I ask for the reading of the bill.

Mr. KILGORE. I raise the question of consideration.

The SPEAKER. The gentleman has the right to raise that question. The question is, Will the House now proceed to the consideration of the bill?

Mr. HOLMAN. The bill has not been read, I believe.

The SPEAKER. It will be read, if there be no objection.

There was no objection.

Mr. KILGORE. Does the reading of the bill interfere with my raising the question of consideration? If so, I do not yield.

The SPEAKER. It does not. The rule provides that whenever the reading of any paper upon which the House is not then called to take a final vote is demanded and objected to the House shall determine whether it shall be read or not; but there was no objection to the request for the reading of this bill, and the reading will not interfere at all with the question of consideration.

The bill was read, as follows:

Be it enacted, etc., That the sum of $25,000, or so much thereof as may be necessary, be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be used for the erection of a monument to the memory of Maj. Gen. Henry Knox at Thomaston, Me., and for grading and inclosing with stone curbing and iron fencing the lot upon which said monument shall be erected, which sum shall be expended under the direction of the Secretary of War, or such officer as he may designate: *Provided*, That the money hereby appropriated shall be drawn from time to time only as may be required during the progress of the work, and upon the requisition of the Secretary of War: *And provided further*, That no part of the sum hereby appropriated shall be so expended until a suitable lot at Thomaston, Me., for the erection of said monument shall be conveyed, with all the right, title, and interest therein of the owner thereof, to the United States, and the deed duly recorded, and the town of Thomaston shall have provided for public use an open highway thereto.

SEC. 2. That this act shall be in force from its passage.

The SPEAKER. The question is, Will the House now proceed to the consideration of this bill?

The question was taken; and there were—ayes 89, noes 30.

Mr. KILGORE. No quorum.

The SPEAKER. The point of no quorum being made, the Chair will appoint as tellers the gentleman from Texas [Mr. KILGORE] and the gentleman from Maine [Mr. DINGLEY].

Mr. KILGORE (before the completion of the count). Mr. Speaker, I am willing to abandon the point of no quorum with the understanding that we shall have half an hour on each side for the discussion of this question, and that we shall have the yeas and nays on the question of ordering the bill to be engrossed and read a third time.

The SPEAKER. Upon this question the tellers report—ayes 93, noes 5. The ayes have it, and the House determines to proceed with the consideration of the bill.

Mr. DINGLEY. Mr. Speaker, this is a Senate bill which has been unanimously reported by the House Committee on the Library. It appropriates $25,000, or so much thereof as may be necessary, for the erection of a monument to the memory of Maj. Gen. Henry Knox, of Revolutionary fame, and provides that this monument shall be erected in the town in which his remains are buried and where he resided after he retired from the position of Secretary of War. The bill also provides that the town of Thomaston shall first convey to the United States a suitable site for the erection of the monument.

Among the distinguished generals who led the Continental army, under the immediate direction of Washington, and achieved our national independence, none is entitled to have his memory held in higher esteem than Maj. Gen. Henry Knox, the trusted artillery leader and associate of Washington, and his Secretary of War and of the Navy when the "Father of his Country" was called to the Presidency.

Born in Boston July 25, 1750, of Scotch and Irish stock, Knox, though a young man of only twenty-four, came prominently into notice in 1774 as one of the patriot leaders. When war was inevitable he joined the ranks of the patriot militia, notwithstanding the opposition of his wife's relatives, who were prominent Tories. The night before the battle of Bunker Hill, young Knox, accompanied by his wife, who sympathized with the American cause, and who concealed his weapons in the lining of her garments, escaped from Boston, then garrisoned by the British troops, and joined the patriot forces. Although not in commission, Knox took a conspicuous part in the battle of Bunker Hill as an aid to General Ward.

Immediately after the battle Knox was recognized as one of the most efficient officers in the Continental army which invested Boston. When Washington took command, his skill as an engineer in planning fortifications and as an artillerist in placing his guns, attracted the attention of the commander-in-chief, and from that time to the end of the war Washington trusted to Knox's military skill and sagacity more than to any other officer associated with him.

The first mission which Washington intrusted to Knox was that of procuring artillery from Ticonderoga to place in the works which he had constructed for the investment of Boston. In the winter of 1775–'76 Knox brought from far-off Ticonderoga to Boston, over rugged mountains, through unbroken forests, and over frozen rivers and swamps, eight brass and six iron mortars, two iron howitzers, thirteen brass and twenty-six iron cannon, 2,300 pounds of lead, and a barrel of flints.

When Knox accomplished his difficult mission so successfully and rejoined the army at Cambridge, Washington appointed him to the chief command of the artillery of the Continental army. This position he filled with so great success that he was promoted from colonel to brigadier-general, and long before the war closed was made a major-general.

Knox was actively engaged in the New Jersey campaign, having charge of the artillery in the battles of Trenton, Princeton, Germantown, Monmouth, and Brandywine. He shared with Washington the hardships and anxieties of that terrible winter at Valley Forge. After the battle of Monmouth, Knox was specially thanked by Washington for the ability with which he had handled his artillery.

Irving gives a picture of the patriot camp at Morristown and of Washington with his three trusted generals, Greene, Sullivan, and "brave, genial, generous Knox, never so happy as when by his side." Knox was in the grand battery near Washington at the siege of Yorktown, and was selected by the commanding general to receive the sword of Cornwallis. To Knox was given the delicate and difficult task of disbanding the American army at West Point at the successful close of the war for independence—a duty which he performed with such consummate tact and skill as to receive the thanks of the American people. After the farewell address of Washington it was Knox who moved the resolution of thanks, and it was Knox who received the first farewell embrace.

In 1784 Knox was appointed by Congress Secretary of War under the Confederation. When the new government was inaugurated under the Constitution, Washington called to his assistance his trusted friend, General Knox, who was appointed Secretary of War and charged with the duty of laying the foundations for a navy. When Washington was inaugurated for a second time, in 1793, he continued Knox in his position as Secretary of War and Navy. In 1795, after eleven years of service in this important position, during which time he laid the foundations of a navy as well as an army, Knox retired from public life and moved to Thomaston, Me., to manage an estate, into the possession of which he had come by purchase and through inheritance by his wife.

At Thomaston he erected a fine mansion, where he received the visits of Talleyrand, Louis Philippe, and other noted men, dispensed generous hospitality, and entered upon large business operations. Here, in the midst of his usefulness, beloved by his neighbors and friends, and held in honor by a grateful country, Knox died suddenly October 25, 1806. He was buried October 28 with military honors near his mansion, but his remains were subsequently removed to the handsome village cemetery, where they now lie.

Congress has appropriately recognized the obligation of the people of the United States to do honor to the memory of the patriotic leaders whose services on the battle-field achieved the independence of the United States. The monuments and memorials which have been erected in the national capital, or on the field where their most conspicuous services were rendered, or in the places where they lived and died, are not only a just recognition of the valuable services of the patriot dead, but also a conspicuous incitement to those who come after them to emulate their patriotism and fidelity.

Judged by the importance of his services in the war for independence, by the high esteem in which he was held by the Father of his Country, and by his prominence in the work of organizing the Army and Navy under the Confederation and under the Presidency of Washington—at once soldier and statesman—it would be difficult to name a Revolution-

ary hero, after Washington, more deserving to have his memory perpetuated by an appropriate monument than General Knox.

Undoubtedly in due time a statue of Knox will be placed in Statuary Hall, in this Capitol, by the State of Maine, in which district Knox spent the closing years of his life and with whose interests he was closely identified.

But it is fitting that the Republic in whose creation he bore so conspicuous a part should erect in the beautiful village where General Knox lived and died, and where his remains now repose, an appropriate memorial which shall not only give expression to the nation's gratitude for the services of Washington's most trusted commander, counselor, and Cabinet officer in the creation and organization of the United States, but which also shall serve to impress upon every citizen who stands on the soil where the remains of this foremost hero of the Revolution rest the deep and abiding conviction—so essential to the development of patriotism—that the nation will not forget the services rendered by the brave leaders who struggled so long and so hard to secure her independence.

Mr. Speaker, I have agreed to give my friend from Texas [Mr. KILGORE], who is opposed to this bill, the control of half an hour's time in opposition to the measure. I now yield to him thirty minutes to use as he may see fit.

Mr. KILGORE. Mr. Speaker, I am willing to concede everything said by the gentleman from Maine [Mr. DINGLEY] in praise of Major-General Knox and in commendation of the great services rendered the country by him during the Revolutionary war. I am willing to concede that he was a very distinguished soldier and one of the greatest and purest patriots of that period. But I am not willing to admit that he and his reputation and his patriotism and his great services to the cause of liberty, taken all together, are superior to the Constitution of the United States.

I have investigated this subject, have taken the pains to look into it with some care, and have never yet been able to find a single clause or sentence or line in the Constitution of the United States authorizing Congress to enact legislation of this character. If my distinguished friend from Maine can enlighten me and the House and the country on this branch of this important and interesting question it will afford me great pleasure to listen to him. Whenever objection to such legislation is urged on the ground that there is no constitutional authority for it the invariable answer is that there are precedents for it; that Congress has on some former occasion passed laws of a similar nature. This is deemed a conclusive answer by the advocates of such measures, who are ever quoting precedents and never quoting the Constitution.

I take it there are precedents for bills like this; in fact, precedent can perhaps be found somewhere in the history of the legislation of this country for almost any scheme that it ever entered into the mind of man to conceive. But it ought not to be necessary for me to suggest to this House that Congress does not derive its authority from precedent. If this is a government of limited power, the limitation on its authority must be contained in the Constitution of the United States, and it is to that instrument we must look as furnishing the only guide for action by Congress. It is true, in construing or interpreting a doubtful clause in the organic law of the land, a line of precedent in one direction, concurred in by the whole country, would probably be sufficient to determine the meaning of such clause.

If Congress can, by piling up vicious precedents one upon another, acquire authority not specifically granted by the Constitution, can enact laws wholly unauthorized by the Constitution, then this is no longer a Government of limited power and there is no restraint upon Federal legislation and no protection to the people in whose interest the Constitution was formed. The Constitution could, according to this theory, be utterly subverted by the legislative department of the Government.

I send to the Clerk's desk this morning's CONGRESSIONAL RECORD and ask that the Clerk read the marked paragraphs in the admirable message sent to Congress on yesterday by the President. They are peculiarly pertinent to questions such as are now before this House.

The Clerk read as follows:

The people must still be taxed for the support of the Government under the operation of tariff laws. But to the extent that the mass of our citizens are inordinately burdened beyond any useful public purpose, and for the benefit of a favored few, the Government, under pretext of an exercise of its taxing power, enters gratuitously into partnership with these favorites, to their advantage and to the injury of a vast majority of our people.

The necessity of the reduction of our revenue is so apparent as to be generally conceded. But the means by which this end shall be accomplished and the sum of direct benefit which shall result to our citizens present a controversy of the utmost importance. There should be no scheme accepted as satisfactory by which the burdens of the people are only apparently removed. Extravagant appropriations of public money, with all their demoralizing consequences, should not be tolerated, either as a means of relieving the Treasury of its present surplus or as furnishing pretext for resisting a proper reduction in tariff rates. Existing evils and injustice should be honestly recognized, boldly met, and effectively remedied. There should be no cessation of the struggle until a plan is perfected, fair and conservative toward existing industries, but which will reduce the cost to consumers of the necessaries of life, while it provides for our manufacturers the advantage of freer raw materials and permits no injury to the interests of American labor.

The cause for which the battle is waged is comprised within lines clearly and distinctly defined. It should never be compromised. It is the people's cause.

It can not be denied that the selfish and private interests which are so persistently heard, when efforts are made to deal in a just and comprehensive manner with our tariff laws, are related to, if they are not responsible for, the sentiment largely prevailing among the people that the General Government is the fountain of individual and private aid; that it may be expected to relieve with paternal care the distress of citizens and communities, and that from the fullness of its Treasury it should, upon the slightest possible pretext of promoting the general good, apply public funds to the benefit of localities and individuals. Nor can it be denied that there is a growing assumption that, as against the Government and in favor of private claims and interests, the usual rules and limitations of business principles and just dealing should be waived.

These ideas have been unhappily much encouraged by legislative acquiescence. Relief from contracts made with the Government is too easily accorded in favor of the citizen; the failure to support claims against the Government by proof is often supplied by no better consideration than the wealth of the Government and the poverty of the claimant; gratuities in the form of pensions are granted upon no other real ground than the needy condition of the applicant, or for reasons less valid; and large sums are expended for public buildings and other improvements upon representations scarcely claimed to be related to public needs and necessities.

The extent to which the consideration of such matters subordinates and postpones action upon subjects of great public importance, but involving no special, private, or partisan interest, should arrest attention and lead to reformation.

* * * * * * *

Appropriation bills for the support of the Government are defaced by items and provisions to meet private ends, and it is freely asserted by responsible and experienced parties that a bill appropriating money for public internal improvement would fail to meet with favor, unless it contained items more for local and private advantage than for public benefit.

These statements can be much emphasized by an ascertainment of the proportion of Federal legislation, which either bears upon its face its private character, or which, upon examination, develops such a motive power.

* * * * * * *

This devotion will lead us to strongly resist all impatience of constitutional limitations of Federal power, and to persistently check the increasing tendency to extend the scope of Federal legislation into the domain of State and local jurisdiction, upon the plea of subserving the public welfare. The preservation of the partitions between proper subjects of Federal and local care and regulation is of such importance under the Constitution, which is the law of our very existence, that no consideration of expediency or sentiment should tempt us to enter upon doubtful ground. We have undertaken to discover and proclaim the richest blessings of a free Government, with the Constitution as our guide. Let us follow the way it points out. It will not mislead us. And surely no one who has taken upon himself the solemn obligation to support and preserve the Constitution can find justification or solace for disloyalty in the excuse that he wandered and disobeyed in search of a better way to reach the public welfare than the Constitution offers.

What has been said is deemed not inappropriate at a time when, from a century's height, we view the way already trod by the American people, and attempt to discover their future path.

The seventh President of the United States—the soldier and statesman, and at all times the firm and brave friend of the people—in vindication of his course as the protector of popular rights and the champion of true American citizenship declared:

"The ambition which leads me on is an anxious desire and a fixed determination to restore to the people, unimpaired, the sacred trust they have confided to my charge; to heal the wounds of the Constitution and to preserve it from further violation; to persuade my countrymen, so far as I may, that it is not in a splendid government supported by powerful monopolies and aristocratical establishments that they will find happiness, or their liberties protection, but in a plain system, void of pomp—protecting all and granting favors to none—dispensing its blessings like the dews of heaven, unseen and unfelt save in the freshness and beauty they contribute to produce. It is such a government that the genius of our people requires—such an one only under which our States may remain, for ages to come, united, prosperous, and free."

Mr. KILGORE. In my humble judgment this private legislation is the bane of this country and the greatest evil of the times. There is no doubt, Mr. Speaker, but this distinguished patriot of the American Revolution deserves a monument. It is entirely fit and proper that the memory of his great deeds should by perpetuated in that way. But I can not believe it is within the duty and the power of Congress to provide such monument. I do think Congress is exceeding its authority when it proposes to appropriate money wrung from the people by taxation to erect a monument in Maine, or Texas, or California, or elsewhere. It might be said with some plausibility that Congress could provide for such a monument in the District of Columbia.

Gentlemen who favor such legislation contend that ample authority therefor is found in that clause of the Constitution which declares that Congress shall have the power to lay and collect taxes, etc., "to pay the debts and provide for the common defense and general welfare of the United States."

It can not be reasonably contended that the language which authorizes Congress to provide for the general welfare of the United States confers any power to enact laws such as are contemplated by this bill. If it does, then Congress can declare any legislation which the judgment of the majority may deem to be promotive of the "general welfare," and the judgment and discretion of Congress in such cases would afford the only limitation upon its power, and this is the same as no limitation at all.

The Constitution declares that Congress shall have authority to pass all laws necessary to carry into effect the power delegated to the Federal Government and all other power vested by the Constitution in the Government of the United States or in any department or office thereof. The will and discretion of Congress must therefore be subordinate to the limitation imposed by the great charter of our liberties.

All such legislation as that proposed by this bill is pernicious and dangerous because it is wholly unwarranted, and it certainly ought not to be indulged in by Congress.

Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. BLAND]. But before he takes the floor I ask the right to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Texas [Mr. KILGORE] asks leave to extend his remarks in the RECORD.

Mr. FELIX CAMPBELL. I object.

Mr. BLAND. Mr. Speaker, it seems to me this bill comes here under peculiar circumstances. Why has not the State of Maine, which seems to be so patriotic on this occasion, built this monument to the memory of this distinguished soldier when he died more than eighty years ago? I think we may reasonably suspect, inasmuch as the locality in which this distinguished soldier died has so long neglected his memory, that these people have failed for so many years to go down into their own pockets for the purpose of building a monument to the memory of one of their own distinguished patriots who died some ninety years ago—I think that the whole of the patriotism which is manifested for the memory of this distinguished patriot on this occasion is really more in the interest of an appropriation to adorn a town in the State of Maine than to perpetuate the memory of this distinguished Revolutionary soldier.

But, Mr. Speaker, while the extract from the President's annual message which has been read by the Clerk at the suggestion of the gentleman from Texas [Mr. KILGORE] may have been good public policy, wise political economy, some time ago, yet we have recently learned in this country we are collecting money without costing any one a single cent; that the one hundred millions of surplus piled up in the Treasury is not a tax at all; that nobody is paying it; that the more we are taxed the richer we are getting. In that view of the question I do not know why gentlemen on the other side are so modest as merely to ask for $25,000 to erect this monument when they might as easily ask for an appropriation of $100,000, and especially——

Mr. BOUTELLE (interrupting). That must have been the speech the gentleman made in Missouri during the late campaign.

Mr. BLAND. And especially if it goes to the patriotic State of Maine, from which the honorable gentleman comes who desires to interrupt me. I do not see why that State should claim all the patriotism in this country and yet for eighty-odd years have refused or neglected to build a monument to one of its own distinguished soldiers, and which now comes here and asks on the part of Congress an appropriation of $25,000. The patriotism here is that kind of patriotism which seeks to ornament towns with monuments to the memory of men who died nearly a century ago, and whose memory has ever since been neglected by these latter-day patriots of Maine.

But, Mr. Speaker, as I said before, why should we object to this and talk of constitutional questions when we are told that the great public interest requires that we should tax the people in order to enrich them? Are we not raising money enough to-day, and ought we not to squander it on monuments or to get rid of it in any other way so as to make room for more taxation, because the more we are taxed, we have been told, the richer we are getting? That seems to have been settled as part of the public policy of the country.

I know, sir, that at the last session of Congress I made a good many—I will not say enemies on this floor, but I created a good deal of hard feeling on the part of members because I made objection to the erection of public buildings at various little hamlets throughout the country. I had the mistaken notion that the money collected for that purpose was a tax on the people; that they had to pay it; that every expenditure out of the public Treasury was at the cost of the taxation of the people; but I have since then learned that is all a mistake. That is all a mistake; and why not erect monuments? On the contrary, the higher the tax the richer the people are getting. Let us, therefore, build this monument. Let us erect public buildings everywhere. Let us appropriate for rivers and harbors. Let us build navies. Let us raise armies. Go it, boots! Dad pays the whole expense, and who cares for the outcome? [Laughter and applause.]

[Here the hammer fell.]

Mr. KILGORE. I will now yield five minutes of my time to the gentleman from Kentucky [Mr. BRECKINRIDGE].

Mr. BRECKINRIDGE, of Kentucky. Mr. Speaker, I have before me a list of the bills reported favorably for the purpose of erecting monuments in various States. They are twelve in number reported favorably, of which some five have passed the Senate. They are located in nine different States and in this District, and appropriate in the aggregate $275,000.

Now, it seems to me that this is going into the monument business rather at wholesale. It may be that every one of these objects is a proper one, but this long list shows the tendency toward increasing the demands on the public Treasury whenever any precedent therefor has been established. This list includes a monument in Ohio to the memory of William Henry Harrison; in Washington, to Zachary Taylor; in Pennsylvania, to the memory of the soldiers at Valley Forge; in North Carolina, to Nathaniel Greene; in Virginia, to Daniel Morgan; in Kentucky, to George Rogers Clark; in Massachusetts, to Joseph Warren; in Virginia, to the mother of Washington; in Maine, to Henry Knox; in New Jersey, a monument at Trenton; in Washington, a monument to John A. Logan; and a monument at Point Pleasant, W. Va.

How many may have been already provided for in the preceding Congresses I do not know; but there is not one whose name is on this list who is not a man of whom this country may well be proud and whose memory it might well appropriately honor. There is not one for whose memory the expenditure of the public money can not be just as well defended as for the distinguished hero and soldier whose monument is to be erected if this Senate bill shall become a law, and there are scores of others who are equally worthy as this list of heroes which I have read. If such men, Mr. Speaker, glorious as they were and as heroic as were their services to the cause of liberty in this country, as Daniel Morgan, Henry Knox, Nathaniel Greene, and William Henry Harrison are appropriate objects for the appropriation on the part of the National Government of moneys to erect monuments to their memory within the limits of their respective States, then how many more are there of the heroes of the war of the Revolution, the second war of independence, fought in 1812, and the war with Mexico, as well as in the late war, who are equally worthy of that distinguished honor and for whose memory similar sums should be expended.

I do not object to the erection of monuments in the city of Washington for proper purposes; nor have I objected to the National Government aiding in the erection of monuments where the States or localities themselves have come forward and given by private donation the bulk of the money to cover the expense, though that, I think, is a dangerous precedent; but if we enter, as we now propose to do in this particular case, upon this character of legislation, attention having been called to it and a contest having been made over it, it will become a precedent for all other expenditures of money for this purpose in all of the other States; for if Congress appropriates the sum of $25,000 as a donation to erect a monument in the State of Maine, all of the other States will claim an equal right to a similar appropriation. I do not object to it on the ground that it is a national tribute in honor of the distinguished soldier, General Knox; nor do I object to it because it is located in Maine, for I should make the same observations and interpose the same objections about any similar monument erected anywhere in America under similar circumstances, because it establishes a dangerous precedent; and if we go into it, where is it to end?

I have no desire to discuss any of the incidental questions which have been discussed to-day. I want to confine myself to the single observation made pertinent by this list to which I have referred, and to call particular attention to the fact that this case becomes now a precedent for all further action. If we pass the Senate bill it will be accepted as the purpose of Congress to erect handsome monuments in the various States to such heroes as those States may designate as worthy of that honor.

I am informed by my friend from New York [Mr. FELIX CAMPBELL] that there have been already a number of precedents, and I ask leave to append the list of such precedents furnished me by him; and I also append the list used by me. It is only, I apprehend, a partial list, but it is sufficient to illustrate the point I desire to make.

BILLS ON THE HOUSE CALENDAR FAVORABLY REPORTED.

H. R. 1740, William Henry Harrison (Ohio)	$20,000
H. R. 4381, Zachary Taylor (Washington)	35,000
H. R. 6146, Centennial and Memorial Association of Valley Forge (Pennsylvania)	25,000
H. R. 1704, Nathaniel Greene (North Carolina)	20,000
H. R. 1889, Daniel Morgan (Virginia)	25,000
S. 2267, George Rogers Clark (Kentucky)	25,000
S. 2392, Joseph Warren (Massachusetts)	15,000
S. 1211, Mary, mother of Washington (Virginia)	20,000
S. 449, Henry Knox (Maine)	25,000
S. 599, Trenton monument (New Jersey)	30,000
Res. 155, John A. Logan (Washington), and guns, etc	10,000
H. R. 6164, Point Pleasant (West Virginia)	25,000
Total	275,000

MONUMENTS.

Forty-sixth Congress.

Monument at Yorktown (volume 21, Laws, second session, page 163)	$20,000
Brigadier-General Herkimer, at Utica, N. Y. (volume 21, Laws, second session, page 163)	4,100

Forty-seventh Congress.

Newburgh, N. Y. (volume 22, Laws, first session, page 385)	$10,000
Same, for expenses, etc. (same volume, page 642)	25,000
Major-General the Baron de Kalb (volume 22, Laws, second session Forty-seventh Congress, page 421)	10,000

Forty-eighth Congress.

Burgoyne's surrender, Schuylerville, N. Y. (volume 23, Laws, second session Forty-eighth Congress, page 279)	$40,000
Baxter Springs, Kans., in memory of Union soldiers (same volume and page)	4,000

Forty-ninth Congress.

National monument at Plymouth, Mass. (volume 24, Laws, first session, page 18)	$15,000

[Here the hammer fell.]

Mr. KILGORE. I now yield five minutes to the gentleman from Tennessee [Mr. MCMILLIN].

Mr. MCMILLIN. Mr. Speaker, I do not rise for the purpose of discussing at any considerable length the proposition now pending before the House, but more with the intention of entering my protest against this character of legislation. No man in America more highly reveres the memory of our Revolutionary heroes than I do. The gentleman from Maine himself, who presses this bill, has not a more profound regard for the memory of General Knox, who was both as general and statesman distinguished in the early period of our Revolution and Government, than I. But I do desire to enter a protest, humble though it

be, against the policy of the Government of the United States going outside of its own territory, that is outside of the territory over which it has exclusive jurisdiction, and entering into the monument business within the limits of the States. If monuments are to be built, why not put at the country's capital?

How is it that patriotism never bubbled up until now? How is it that it has been left all these years for the distinguished gentleman from Maine at this late date to discover that to fail to contribute for the erection of this monument out of the United States Treasury would be an exhibition of a want of patriotism on the part of the representatives of the people? Will he claim that his own State has been too poor all these years to do it? I would think not. He will not insist that at no time in the past has there been the sum of $25,000 of surplus money in the treasury of his State, I assume. Then why come to Congress and ask to have the appropriation made here for the purpose of erecting a monument within the borders of his State? Why has his State refused so long to erect a monument if doing so was unpatriotic?

There were a few of us, if I may be permitted to illustrate my idea of how this kind of work should be done, that, since I have been a Representative in this Hall, conceived the idea of having a monument to one of Tennessee's most distinguished heroes, in fact her most distinguished military hero, General Jackson. After a conference with Clark Mills, the artist, we determined to try to get and did get a duplicate of the monument that stands to the memory of that great hero of New Orleans in the square in front of the White House. But, Mr. Speaker, it never entered into the minds of any one of us to undertake to burden the people of the United States with the expenditure for that work. We believed that it was a grander monument when erected by the love of his fellow-citizens, and placed there by their private contributions, than if paid for with the people's trust funds. The humblest monument that rears its head not six feet above the ground will be a more effective and a more admirable token of the esteem of the people than the most glittering and costly statue or colossal column that could be reared at the expense of the people in violation it may be of the Constitution, and certainly by questionable constitutional authority.

But if we erect a monument to the memory of General Knox, why should we not also erect a monument to every other distinguished Revolutionary hero? How is it that Jefferson, who participated in the Revolution; how is it that General Jackson, who was an humble soldier in the Revolution as well as a statesman afterwards; how is it that Madison, the father of the Constitution; how is it that Monroe, all of our greatest statesmen who were contemporaneous with the formation of the Government, never found it incumbent upon them to recommend to Congress while occupying the Presidential chair the erection of these and similar monuments in the different States of the Union?

It was probably because they doubted their authority to do it in the first place. They might still doubt the propriety of doing it in the second place. We may by such legislation as this have a glittering exterior; but we will have one from which the heart is gone. General Knox already has a monument to his memory by the side of which this little concern, costing $25,000, would be a disgrace. He has a monument in the hearts of the people, rising to the very skies, and to be seen for all time. [Applause.] Fortunately for him this immortal hero is not dependent upon the mortar and marble of a profligate period for his fame. Brighter than brass and more immortal than marble is the monument his immortal deeds make for him. [Applause.]

Mr. KILGORE. I yield nine minutes to the gentleman from Missouri [Mr. MANSUR].

Mr. MANSUR. As a great-grandson of one who fought in the war of the Revolution, I should feel it averse to my own inclination if I did not speak a word in favor of the erection of a monument to this most distinguished and worthy hero of the American Revolution. But before I conclude I shall offer as an amendment to the bill that the monument be erected in the city of Washington, instead of at Thomaston, Me.

This is the capital city of the nation, named after the great hero of that war. His countenance beams down upon every member from the canvas to the right of the Speaker; and it is but proper that the monuments and the pictures should adorn and maintain the fame of the great Washington, and that he should be surrounded in the capital of the nation with those who were his lieutenants in the glory of achieving the independence conferred upon our common country. From that standpoint it seems to me that it ought to be erected at this place rather than at the place where General Knox merely lived. Every person to-day who is a worthy citizen of this nation shares in the glory and the honor conferred by such men as Knox upon the country; and for this we have this as a precedent, that the nation has seen fit to erect here at the capital a monument in memory of Maj. Gen. Nathaniel Greene. I believe, when we remember that there are only about a dozen of them, that in this centennial year of our Constitution we can not do better than to erect a monument to each one of the major-generals of that period at the great capital city of the nation.

In regard to the fact that Jefferson and those other gentlemen, as stated by the distinguished gentleman from Tennessee [Mr. MCMILLIN] did not recommend monuments to the memory of these men, I will merely say that the Government at that time was weak, and under the burdens of taxation, which had been made necessary in the struggle for our liberties.

But now we are rich, and I am in favor of the erection of this monument in Washington, so that it will give to the people of the country everywhere an opportunity to look upon this monument when they come to the capital. And I appeal to gentlemen on the other side to waive the location of it and permit the bill to be so amended and have it erected here.

Personally, I do trust that the time will come when this city will be adorned by a statue to every one of the lieutenants of Washington who rose to the position of major-general in that great contest.

Furthermore, I would say to gentlemen on this floor that Knox was the favorite general of George Washington, and as such he ought to be commemorated in this city. I now move to amend the bill by striking out in the seventh line "Thomaston, Me.," and inserting "Washington, D. C.;" and strike out all after the words "Secretary of War," in the fourteenth line, and insert "it shall be the duty of the Secretary of War to designate a place in some one of the public reservations in the city of Washington on which said monument shall be erected."

The SPEAKER. That is not in order now, unless the gentleman from Maine yields for that purpose.

Mr. DINGLEY. I do not yield for that purpose.

The SPEAKER. The gentleman from Maine [Mr. DINGLEY] yielded thirty minutes to the gentleman from Texas [Mr. KILGORE] for debate, not for amendments. The gentleman from Maine [Mr. DINGLEY] has twenty-two minutes of his hour remaining.

Mr. DINGLEY. I yield five minutes to the gentleman from New York [Mr. SPINOLA].

Mr. SPINOLA. Mr. Speaker, like my friend from Missouri who has just taken his seat, I am a grandson of one of the men who went through the seven years' struggle by which the liberties of our country were established. While I am not here for the purpose of giving votes for extravagant expenditures of any kind, when a case of this character arises which is to transmit to our children and our children's children for many generations to come that which will refresh in their memories the hardships, the privations, and the sufferings which those gallant men bore in order that this Republic might be created, I feel as though it was my duty, as an humble member of this House and one occupying a seat on this side of it, to give my vote in favor of such a measure.

And I appeal to gentlemen in the name of patriotism to let this bill pass in order that the memory of the dark days and of the suffering of the American army during the Revolution may be handed down to our children to refresh and renew their attachment to the institutions which were established by their courage and their sacrifices. I regret, sir, that I am not in a condition this morning to discuss this question as I would like to, but I can not let the opportunity pass without expressing my sentiments, and I hope and trust that when the time comes to take the vote it will be unanimous upon this side of the House in favor of the bill. During my term of service here I shall not vote for any extravagant appropriations for the construction of public buildings or for the improvement of rivers and harbors, nor for any other measures which would tap the Treasury improperly. But this bill is of a character that I shall always be found supporting, and there can be no question as to the right of the representatives of the people to make such an appropriation. As to the question why this monument was not erected before, if you read the history of the early days of the Republic you will find that jealousies existed then as they exist to-day, and that party spirit ran higher than it does now, and in that history you may find the question answered. In conclusion, I repeat, sir, that I shall give my vote for this measure.

Mr. DINGLEY. Mr. Speaker, I now demand the previous question on the engrossment and third reading of the bill.

Mr. SPRINGER. That will cut off the amendment which the gentleman from Missouri [Mr. MANSUR] desires to offer.

The SPEAKER. If the previous question is ordered it will, of course, cut off all debate and amendments.

Mr. DINGLEY. I understand that the gentleman from Texas [Mr. KILGORE] has used the half hour which was allowed for debate in opposition to the bill.

The SPEAKER. The time has been consumed.

Mr. SPRINGER. Will the gentleman from Maine [Mr. DINGLEY] allow the amendment of the gentleman from Missouri [Mr. MANSUR] to be pending upon the demand for the previous question?

Mr. DINGLEY. I can not yield for that purpose.

The question was taken upon ordering the previous question; and there were—ayes 67, noes 29.

Mr. BLAND. No quorum.

Mr. DINGLEY. If the point of "no quorum" is made we may as well have the yeas and nays at once.

The yeas and nays were ordered.

The question was taken; and there were—yeas 112, nays 46, not voting 166; as follows:

YEAS—112.

Adams,	Dalzell,	Hovey,	Patton,
Allen, Mass.	Dargan,	Howard,	Payson,
Anderson, Kans.	Davis,	Hunter,	Peters,
Atkinson,	De Lano,	Jackson,	Pugsley,
Baker, N. Y.	Dibble,	Johnston, Ind.	Reed,
Belden,	Dingley,	Kean,	Romeis,
Biggs,	Dorsey,	Kelley,	Rowell,
Bingham,	Dunham,	Ketcham,	Ryan,
Boothman,	Ermentrout,	La Follette,	Sherman,
Boutelle,	Farquhar,	Laidlaw,	Sowden,
Bowen,	Finley,	Lee,	Spinola,
Brewer,	Flood,	Lehlbach,	Stewart, Vt.
Browne, Ind.	Foran,	Long,	Taulbee,
Brown, J. R., Va.	Gallinger,	McComas,	Taylor, J. D., Ohio
Buchanan,	Gear,	McCormick,	Thomas, Wis.
Burrows,	Gest,	McKenna,	Thompson, Ohio
Butler,	Grosvenor,	McKinley,	Tillman,
Butterworth,	Grout,	Milliken,	Turner, Kans.
Campbell, F., N. Y.	Harmer,	Mofflitt,	Vandever,
Campbell, T. J., N. Y.	Hayden,	Morrill,	Wade,
Caswell,	Heard,	Morrow,	Warner,
Chipman,	Henderson, Iowa	Nelson,	Weber,
Clark,	Hermann,	Nichols,	Whiting, Mass.
Cogswell,	Hiestand,	Nutting,	Wilkins,
Cox,	Hires,	O'Donnell,	Williams,
Crouse,	Hopkins, Ill.	O'Ferrall,	Yardley,
Cummings,	Hopkins, N. Y.	O'Neill, Pa.	Yoder,
Cutcheon,	Houk,	Osborne,	Yost.

NAYS—46.

Abbott,	Cowles,	Martin,	Sayers,
Allen, Mich.	Elliott,	Matson,	Springer,
Anderson, Ill.	Henderson, N. C.	McCreary,	Stewart, Ga.
Baker, Ill.	Herbert,	McMillin,	Stone, Ky.
Bankhead,	Holman,	McRae,	Turner, Ga.
Blount,	Hooker,	Moore,	Washington,
Breckinridge, Ark.	Hutton,	Neal,	Weaver,
Breckinridge, Ky.	Johnston, N. C.	Oates,	Wheeler,
Bynum,	Lane,	Outhwaite,	Wilson, Minn.
Campbell, Ohio	Lanham,	Penington,	Wilson, W. Va.
Clements,	Latham,	Richardson,	
Cobb,	Maish,	Rowland,	

NOT VOTING—166.

Allen, Miss.	Davidson, Fla.	Landes,	Russell, Mass.
Anderson, Iowa	Dockery,	Lawler,	Rusk,
Anderson, Miss.	Dougherty,	Lind,	Sawyer,
Arnold,	Dunn,	Lodge,	Scott,
Bacon,	Enloe,	Lyman,	Scull,
Barnes,	Felton,	Lynch,	Seney,
Barry,	Fisher,	Macdonald,	Seymour,
Bayne,	Fitch,	Maffett,	Shaw,
Belmont,	Ford,	Mahoney,	Shively,
Blanchard,	Forney,	Mansur,	Simmons,
Bland,	French,	Mason,	Smith,
Bliss,	Fuller,	McAdoo,	Snyder,
Bound,	Funston,	McClammy,	Spooner,
Bowden,	Gaines,	McCullogh,	Stahlnecker,
Brower,	Gay,	McKinney,	Steele,
Browne, T. H. B., Va.	Gibson,	McShane,	Stephenson,
Brown, Ohio	Glass,	Merriman,	Stewart, Tex.
Brumm,	Glover,	Mills,	Stockdale,
Bryce,	Goff,	Montgomery,	Stone, Mo.
Buckalew,	Granger,	Morgan,	Struble,
Bunnell,	Greenman,	Morse,	Symes,
Burnes,	Grimes,	Newton,	Tarsney,
Burnett,	Guenther,	Norwood,	Taylor, E. B., Ohio
Candler,	Hall,	O'Neall, Ind.	Thomas, Ky.
Cannon,	Hare,	O'Neill, Mo.	Thomas, Ill.
Carlton,	Hatch,	Owen,	Thompson, Cal.
Caruth,	Haugen,	Parker,	Tracey,
Catchings,	Hayes,	Peel,	Townshend,
Cheadle,	Hemphill,	Perkins,	Vance,
Clardy,	Henderson, Ill.	Perry,	Walker,
Cockran,	Hitt,	Phelan,	West,
Collins,	Hogg,	Phelps,	White, Ind.
Compton,	Holmes,	Pidcock,	White, N. Y.
Conger,	Hopkins, Va.	Plumb,	Whiting, Mich.
Cooper,	Hudd,	Post,	Whitthorne,
Cothran,	Jones,	Randall,	Wickham,
Crain,	Kennedy,	Rayner,	Wilber,
Crisp,	Kerr,	Rice,	Wilkinson,
Culberson,	Kilgore,	Robertson,	Wise,
Darlington,	Laffoon,	Rockwell,	Woodburn.
Davenport,	Lagan,	Rogers,	
Davidson, Ala.	Laird,	Russell, Conn.	

No quorum voted.

On motion of Mr. DINGLEY, the reading of the names of members voting was dispensed with.

The following additional pairs were announced:

Mr. LAFFOON with Mr. BRUMM, on all political questions until further notice.

Mr. CANDLER with Mr. GAINES, on all political questions until further notice.

Mr. GRANGER with Mr. ROCKWELL, on this vote.

The SPEAKER *pro tempore* (Mr. MCCREARY). Upon this question the yeas are 112, and the nays are 46.

Mr. BLAND. The record discloses that no quorum has voted.

Mr. SPINOLA. Mr. Speaker, it is very evident that there is a quorum present, if not on the floor, in the rooms surrounding it, and in order to test the question I move that there be a call of the House.

The motion was agreed to.

The roll was called, and the following members failed to answer to their names:

Anderson, Iowa	Davidson, Fla.	Howard,	Post,
Anderson, Miss.	Dougherty,	Kennedy,	Randall,
Arnold,	Dunn,	Laffoon,	Rayner,
Bacon,	Enloe,	Laird,	Rogers,
Barnes,	Fisher,	Landes,	Russell, Mass.
Barry,	Fitch,	Lind,	Scott,
Belmont,	Forney,	Lyman,	Simmons,
Blanchard,	Fuller,	Lynch,	Snyder,
Bowden,	Funston,	Maffett,	Spooner,
Brower,	Gaines,	Mahoney,	Stahlnecker,
Browne, T. H. B., Va.	Gay,	Mason,	Steele,
Brown, Ohio	Gibson,	McAdoo,	Stewart, Tex.
Buckalew,	Glass,	McClammy,	Stone, Mo.
Bunnell,	Glover,	McCullogh,	Struble,
Burnes,	Goff,	McShane,	Symes,
Burnett,	Granger,	Merriman,	Taylor, E. B., Ohio
Candler,	Greenman,	Montgomery,	Thomas, Ill.
Carlton,	Grout,	Morgan,	Townshend,
Cheadle,	Guenther,	Morse,	West,
Clardy,	Hall,	Newton,	Wheeler,
Cockran,	Hatch,	Norwood,	White, Ind.
Collins,	Haugen,	Nutting,	Whitthorne,
Compton,	Hayes,	O'Neall, Ind.	Wickham,
Conger,	Hemphill,	O'Neill, Mo.	Wilber,
Cooper,	Henderson, Ill.	Parker,	Williams,
Cothran,	Hires,	Perkins,	Wise,
Crain,	Hitt,	Perry,	Woodburn.
Culberson,	Hogg,	Phelan,	
Davenport,	Hopkins, Ill.	Phelps,	
Davidson, Ala.	Hovey,	Plumb,	

Members absent on leave were as follows:

Mr. STRUBLE, Mr. ANDERSON of Iowa, Mr. LAFFOON, Mr. FULLER, Mr. CARLTON, Mr. CONGER, and Mr. CLARDY.

Mr. LANE. Mr. Speaker, I desire to ask leave of absence for my colleague, Mr. LANDES, on account of death in his family.

There being no objection, leave was granted.

The SPEAKER *pro tempore* (Mr. MCMILLIN). The Clerk reports as present 206 members, being more than a quorum. If there be no objection, the Chair will lay before the House several requests for leave of absence.

By unanimous consent, leave of absence was granted as follows:

To Mr. ROGERS, until Friday next.

To Mr. BARNES, for two days.

To Mr. MORGAN, indefinitely, on account of important business.

To Mr. BACON, indefinitely, on account of important private business.

To Mr. ENLOE, on account of illness.

Mr. OATES. I desire to ask indefinite leave of absence for my colleague from Alabama, Mr. DAVIDSON, on account of important private business.

There being no objection, leave was granted.

Mr. DINGLEY. I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER *pro tempore*. The question now recurs on the demand for the previous question on ordering the bill to a third reading. On this question the yeas and nays were ordered and taken, but no quorum voted. The roll will again be called.

The question was taken; and there were—yeas 124, nays 34, not voting 166; as follows:

YEAS—124.

Adams,	Cutcheon,	Hopkins, Va.	Pugsley,
Allen, Mass.	Dalzell,	Hopkins, N. Y.	Reed,
Anderson, Kans.	Dargan,	Houk,	Robertson,
Atkinson,	Darlington,	Howard,	Rockwell,
Baker, N. Y.	Davis,	Hunter,	Romeis,
Bayne,	De Lano,	Jackson,	Rowell,
Biggs,	Dibble,	Johnston, Ind.	Russell, Conn.
Bingham,	Dingley,	Kean,	Rusk,
Boothman,	Dorsey,	Kelley,	Scull,
Bound,	Dunham,	Ketcham,	Sherman,
Boutelle,	Farquhar,	La Follette,	Sowden,
Bowen,	Finley,	Lagan,	Spinola,
Brewer,	Flood,	Laidlaw,	Stephenson,
Browne, Ind.	Foran,	Lehlbach,	Stewart, Vt.
Brown, J. R., Va.	French,	Lodge,	Taulbee,
Brumm,	Gallinger,	Long,	Taylor, J. D., Ohio
Bryce,	Gear,	McComas,	Thomas, Ky.
Buchanan,	Gest,	McKenna,	Thomas, Wis.
Burrows,	Grimes,	Mofflitt,	Thompson, Ohio
Butler,	Grosvenor,	Morrill,	Thompson, Cal.
Butterworth,	Grout,	Morrow,	Tillman,
Campbell, F., N. Y.	Harmer,	Nichols,	Tracey,
Campbell, Ohio	Haugen,	O'Donnell,	Vandever,
Campbell, T. J., N. Y.	Hayden,	O'Ferrall,	Wade,
Caruth,	Heard,	O'Neill, Pa.	Warner,
Chipman,	Henderson, Iowa	Osborne,	Weber,
Clark,	Hermann,	Owen,	White, N. Y.
Cogswell,	Hiestand,	Patton,	Whiting, Mass.
Cox,	Hires,	Payson,	Wilkins,
Crouse,	Holmes,	Peters,	Wilson, W. Va.
Cummings,	Hopkins, Ill.	Pidcock,	Yoder.

NAYS—34.

Allen, Mich.	Clements,	Holman,	McMillin,
Allen, Miss.	Cobb,	Hooker,	McRae,
Anderson, Ill.	Cowles,	Johnston, N. C.	Moore,
Baker, Ill.	Elliott,	Jones,	Neal,
Breckinridge, Ark.	Henderson, N. C.	Lanham,	Richardson,
Bynum,	Herbert,	McCreary,	Rowland,

Sayers,	Stewart, Ga.	Walker,	Wilson, Minn.
Shively,	Stone, Ky.	Washington,	
Springer,	Turner, Ga.	Weaver,	

NOT VOTING—166.

Abbott,	Dockery,	Lind,	Rayner,
Anderson, Iowa	Dougherty,	Lyman,	Rice,
Anderson, Miss.	Dunn,	Lynch,	Rogers,
Arnold,	Enloe,	Macdonald,	Russell, Mass.
Bacon,	Ermentrout,	Maffett,	Ryan,
Bankhead,	Felton,	Mahoney,	Sawyer,
Barnes,	Fisher,	Maish,	Scott,
Barry,	Fitch,	Mansur,	Seney,
Belden,	Ford,	Martin,	Seymour,
Belmont,	Forney,	Mason,	Shaw,
Blanchard,	Fuller,	Matson,	Simmons,
Bland,	Funston,	McAdoo,	Smith,
Bliss,	Gaines,	McClammy,	Snyder,
Blount,	Gay,	McCormick,	Spooner,
Bowden,	Gibson,	McCullogh,	Stahlnecker,
Breckinridge, Ky.	Glass,	McKinley,	Steele,
Brower,	Glover,	McKinney,	Stewart, Tex.
Bowne, T.H.B., Va.	Goff,	McShane,	Stockdale,
Brown, Ohio	Granger,	Merriman,	Stone, Mo.
Buckalew,	Greenman,	Milliken,	Struble,
Bunnell,	Guenther,	Mills,	Symes,
Burnes,	Hall,	Montgomery,	Tarsney,
Burnett,	Hare,	Morgan,	Taylor, E. B., Ohio
Candler,	Hatch,	Morse,	Thomas, Ill.
Cannon,	Hayes,	Nelson,	Townshend,
Carlton,	Hemphill,	Newton,	Turner, Kans.
Caswell,	Henderson, Ill.	Norwood,	Vance,
Catchings,	Hitt,	Nutting,	West,
Cheadle,	Hogg,	Oates,	Wheeler,
Clardy,	Hovey,	O'Neall, Ind.	White, Ind.
Cockran,	Hudd,	O'Neill, Mo.	Whiting, Mich.
Collins,	Hutton,	Outhwaite,	Whitthorne,
Compton,	Kennedy,	Parker,	Wickham,
Conger,	Kerr,	Peel,	Wilbur,
Cooper,	Kilgore,	Penington,	Wilkinson,
Cothran,	Laffoon,	Perkins,	Williams,
Crain,	Laird,	Perry,	Wise,
Crisp,	Landes,	Phelan,	Woodburn,
Culberson,	Lane,	Phelps,	Yardley,
Davenport,	Latham,	Plumb,	Yost.
Davidson, Ala.	Lawler,	Post,	
Davidson, Fla.	Lee,	Randall,	

So no quorum voted.

During the roll-call,

Mr. RICHARDSON said: I ask unanimous consent that the reading of the names be dispensed with.

There being no objection, it was ordered accordingly.

The following additional pairs, for this day, were announced:

Mr. WISE with Mr. STEELE.

Mr. MONTGOMERY with Mr. PERKINS.

Mr. ENLOE with Mr. KENNEDY.

Mr. CRAIN with Mr. WICKHAM.

Mr. ERMENTROUT with Mr. SEYMOUR.

Mr. MCKINLEY (having voted ay). I desire to withdraw my vote, as I am paired with the gentleman from Pennsylvania [Mr. SCOTT].

The SPEAKER *pro tempore*. On this question the yeas are 124, the nays 34. No quorum has voted.

Mr. MANSUR. I understand, Mr. Speaker, that the gentleman on the other side in charge of this bill is willing, if unanimous consent can be had, that the amendment I proposed some time ago shall be voted upon, with the understanding that a five-minute statement shall be allowed on each side, and if the amendment should not prevail, that then there shall be a vote on the bill as it stands. If this can be done, I for one shall not feel it my duty to oppose the bill further.

The SPEAKER *pro tempore*. The rules expressly provide that when the absence of a quorum is shown by a yea-and-nay vote, no other business is in order except a call of the House or a motion to adjourn.

Mr. MANSUR. Then we can have a call of the House.

Mr. SPRINGER. I move that there be a call of the House.

Mr. DINGLEY. Do I understand the Chair to rule that, although there may be unanimous consent to the arrangement suggested, such an arrangement can not now be made, but the question must first be taken either upon a motion to adjourn or a motion for a call of the House?

The SPEAKER *pro tempore*. The Chair will state that the rules are explicit; only two motions are in order after the absence of a quorum has been shown by a yea-and-nay vote; and that so far as the present occupant of the chair knows there has been no variation under any circumstances.

Mr. DINGLEY. In view of that statement I will move that there be a call of the House.

Mr. BLAND. And pending that motion I will move that the House do now adjourn.

Mr. SPRINGER. We can test whether a quorum is present or not by the yeas and nays.

Mr. DINGLEY. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 58, nays 118, not voting 148; as follows:

YEAS—58.

Abbott,	Bankhead,	Bland,	Breckinridge, Ky.
Allen, Miss.	Biggs,	Blount,	Browne, Ind.
Anderson, Ill.	Blanchard,	Breckinridge, Ark.	Bynum,
Clements,	Herbert,	Maish,	Richardson,
Cobb,	Holman,	Martin,	Rowland,
Cowles,	Hopkins, Va.	Matson,	Sayers,
Crisp,	Howard,	McKinney,	Shively,
Dargan,	Hudd,	McMillin,	Stone, Ky.
Dockery,	Johnston, N. C.	McRae,	Thompson, Cal.
Dunn,	Jones,	Moore,	Tillman,
Elliott,	Kilgore,	Neal,	Turner, Ga.
Grimes,	Lagan,	Oates,	Walker,
Hare,	Lane	Peel,	Weaver.
Heard,	Lanham,	Penington,	
Henderson, N. C.	Latham,	Pidcock,	

NAYS—118.

Allen, Mass.	Dalzell,	Jackson,	Russell, Conn
Allen, Mich.	Darlington,	Johnston, Ind.	Scull,
Anderson, Kans.	Davis,	Kean,	Sherman,
Atkinson,	De Lano,	Kelley,	Sowden,
Baker, N. Y.	Dingley,	Kerr,	Spinola,
Baker, Ill.	Dorsey,	Ketcham,	Springer,
Bayne,	Dunham,	La Follette,	Stahlnecker,
Belden,	Farquhar,	Laidlaw,	Stephenson,
Bingham,	Felton,	Lehlbach,	Stewart, Ga.
Boothman,	Finley,	Long,	Stewart, Vt.
Bound,	Flood,	Mansur,	Taylor, J. D., Ohio
Boutelle,	French,	McCormick,	Thomas, Ky.
Bowen,	Gallinger,	McCreary,	Thomas, Wis.
Brewer,	Gear,	McKenna,	Thompson, Ohio
Brown, J. R., Va.	Gest,	Moffitt,	Tracey,
Brumm,	Grosvenor,	Morrow,	Turner, Kans.
Bryce,	Grout,	Nichols,	Vandever,
Buchanan,	Harmer,	O'Donnell,	Wade,
Burrows,	Haugen,	O'Ferrall,	Warner,
Butler,	Hayden,	O'Neill, Pa.	Weber,
Campbell, F., N. Y.	Henderson, Iowa	Osborne,	White, N. Y.
Campbell, Ohio	Hermann,	Patton,	Whiting, Mass.
Campbell, T. J., N. Y.	Hiestand,	Payson,	Wilkins,
Caruth,	Hires,	Peters,	Wilson, Minn.
Clark,	Holmes,	Pugsley,	Wilson, W. Va.
Cogswell,	Hooker,	Reed,	Yardley,
Cox,	Hopkins, Ill.	Rice,	Yoder,
Crouse,	Hopkins, N. Y.	Rockwell,	Yost.
Cummings,	Houk,	Romeis,	
Cutcheon,	Hunter,	Rowell,	

NOT VOTING—148.

Adams,	Dougherty,	Macdonald,	Ryan,
Anderson, Iowa	Enloe,	Maffett,	Sawyer,
Anderson, Miss.	Ermentrout,	Mahoney,	Scott,
Arnold,	Fisher,	Mason,	Seney,
Bacon,	Fitch,	McAdoo,	Seymour,
Barnes,	Foran,	McClammy,	Shaw,
Barry,	Ford,	McComas,	Simmons,
Belmont,	Forney,	McCullogh,	Smith,
Bliss,	Fuller,	McKinley,	Snyder,
Bowden,	Funston,	McShane,	Spooner,
Brower,	Gaines,	Merriman,	Steele,
Browne, T.H.B., Va.	Gay,	Milliken,	Stewart, Tex.
Brown, Ohio	Gibson,	Mills,	Stockdale,
Buckalew,	Glass,	Montgomery,	Stone, Mo.
Bunnell,	Glover,	Morgan,	Struble,
Burnes,	Goff,	Morrill,	Symes,
Burnett,	Granger,	Morse,	Tarsney,
Butterworth,	Greenman,	Nelson,	Taulbee,
Candler,	Guenther,	Newton,	Taylor, E. B., Ohio
Cannon,	Hall,	Norwood,	Thomas, Ill.
Carlton,	Hatch,	Nutting,	Townshend,
Caswell,	Hayes,	O'Neall, Ind.	Vance,
Catchings,	Hemphill,	O'Neill, Mo.	Washington,
Cheadle,	Henderson, Ill.	Outhwaite,	West,
Chipman,	Hitt,	Owen,	Wheeler,
Clardy,	Hogg,	Parker,	White, Ind.
Cockran,	Hovey,	Perkins,	Whiting, Mich.
Collins,	Hutton,	Perry,	Whitthorne,
Compton,	Kennedy,	Phelan,	Wickham,
Conger,	Laffoon,	Phelps,	Wilber,
Cooper,	Laird,	Plumb,	Wilkinson,
Cothran,	Landes,	Post,	Williams,
Crain,	Lawler,	Randall,	Wise,
Culberson,	Lee,	Rayner,	Woodburn.
Davenport,	Lind,	Robertson,	
Davidson, Ala.	Lodge,	Rogers,	
Davidson, Fla.	Lyman,	Russell, Mass.	
Dibble,	Lynch,	Rusk,	

So the House refused to adjourn.

Mr. DINGLEY. Mr. Speaker, I ask that the demand I made for the previous question may cover an amendment made by the gentleman from Missouri [Mr. MANSUR].

The SPEAKER *pro tempore*. The Chair will state that the gentleman can withdraw his privileged question, and that will allow any amendment to be offered.

Mr. DINGLEY. With that understanding I withdraw it, and yield to the gentleman to offer his amendment.

Mr. MANSUR. I move to strike out, in line 7 of the printed bill, the words "Thomaston, Me.," and insert "Washington, in the District of Columbia." Also strike out of the bill all after the words "Secretary of War," in line 14, and insert:

That it shall be the duty of the Secretary of War to designate a place in one of the public reservations in the city of Washington on which the said monument shall be erected.

Mr. DINGLEY. Mr. Speaker, it is perhaps proper for me to say that I did not accept that amendment to be covered by the previous question when it was first proposed because it seemed to me to be entirely out of accord with the spirit of the bill, and that it would in effect destroy the particular object we had in view.

It is the purpose of the State of Maine, at an early day, to add another statue in Statuary Hall, the subject of which will be General

Knox, and as that will be in the general collection of the nation, it seemed entirely proper the monument here proposed should be erected in the town in which he lived, and where he died, and where his remains are buried. It is for that reason I refused to allow it to come in to be voted on by the House. But I now allow it to be offered with the understanding that whatever the vote may be those gentlemen who have been withholding their votes will then give their votes so that the majority of the House may decide the several questions before it. It is but proper to say that I hope the amendment will be voted down. I now demand the previous question on the amendment.

The SPEAKER. The gentleman from Maine [Mr. DINGLEY] demands the previous question on the amendment. The order for the yeas and nays will be dispensed with unless demanded again.

Mr. BRECKINRIDGE, of Kentucky. I did not catch what my friend from Maine [Mr. DINGLEY] said. Did I understand him to say that there was an agreement between himself and gentlemen who were leading the opposition that if this amendment should be voted down there should be no further dilatory motions?

Mr. DINGLEY. I understood that to be the suggestion of the gentleman who approached me on the subject.

Mr. BRECKINRIDGE, of Kentucky. I was not a party to it.

Mr. McMILLIN. With whom was that agreement made?

Mr. DINGLEY. With the gentleman who proposed the amendment.

Mr. McMILLIN. I would suggest, Mr. Speaker, that the gentleman was not opposing the bill originally. I only make this statement for the purpose of freeing myself from being bound by any agreement made.

Mr. MANSUR. I would state I did oppose the bill in its original shape, and so stated.

Mr. BRECKINRIDGE, of Kentucky. I misunderstood the gentleman.

Mr. SPRINGER. I hope that, whatever may be the understanding of individual gentlemen, when this question is taken the House will proceed to dispose of this matter. I do not see the propriety of dilatory motions on a question of this kind at this stage of the business, and I hope the House will dispose of this question so that we may proceed to something else.

The question was taken on ordering the previous question on the amendment, and the Speaker announced that the ayes seemed to have it.

Mr. BLAND. Division.

The House divided; and there were—ayes 88, noes 3.

Mr. BLAND. Better have a quorum, had we not?

Mr. DINGLEY. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 137, nays 32, not voting 155; as follows:

YEAS—137.

Adams,	Cutcheon,	Hunter,	Rice,
Allen, Mass.	Dalzell,	Jackson,	Robertson,
Anderson, Kans.	Dargan,	Johnston, Ind.	Rockwell,
Atkinson,	Darlington,	Jones,	Romeis,
Baker, N. Y.	Davis,	Kean,	Rowell,
Baker, Ill.	De Lano,	Kerr,	Russell, Conn.
Barry,	Dibble,	Ketcham,	Scull,
Bayne,	Dingley,	La Follette,	Sherman,
Belden,	Dorsey,	Lagan,	Sowden,
Biggs,	Dunham,	Lawler,	Spinola,
Bingham,	Ermentrout,	Lehlbach,	Springer,
Blount,	Farquhar,	Long,	Stephenson,
Boothman,	Felton,	Maish,	Taylor, J. D., Ohio
Bound,	Finley,	Mansur,	Thomas, Ky.
Boutelle,	Flood,	McComas,	Thomas, Wis.
Bowen,	Foran,	McCormick,	Thompson, Ohio
Brewer,	Gallinger,	McCullogh,	Thompson, Cal.
Browne, Ind.	Gear,	McKenna,	Tillman,
Brown, J. R., Va.	Gest,	McKinney,	Tracey,
Brumm,	Grimes,	Milliken,	Turner, Kans.
Bryce,	Grosvenor,	Moffitt,	Vandever.
Buchanan,	Grout,	Morrill,	Wade,
Butler,	Harmer,	Morrow,	Warner,
Campbell, F., N. Y.	Haugen,	Nelson,	Weaver,
Campbell, Ohio.	Hayden,	Oates,	Weber,
Campbell, T. J., N. Y.	Henderson, Iowa	O'Donnell,	White, N. Y.
Cannon,	Herbert,	O'Ferrall,	Whiting, Mass.
Caruth,	Hiestand,	O'Neill, Pa.	Wilson, Minn.
Catchings,	Hires,	Osborne,	Wilson, W. Va.
Clark,	Holmes,	Payson,	Yardley,
Cobb,	Hooker,	Peel,	Yoder,
Cogswell,	Hopkins, Ill.	Penington,	Yost.
Cox,	Hopkins, Va.	Peters,	
Crouse,	Hopkins, N. Y.	Pugsley,	
Cummings,	Hudd,	Reed,	

NAYS—32.

Abbott,	Cowles,	Martin,	Rowland,
Allen, Miss.	Elliott,	Matson,	Sayers,
Anderson, Ill.	Henderson, N. C.	McMillin,	Shively,
Blanchard,	Holman,	McRae,	Stewart, Ga.
Breckinridge, Ark.	Howard,	Moore,	Stone, Ky.
Breckinridge, Ky.	Hutton,	Neal,	Turner, Ga.
Bynum,	Johnston, N. C.	Pidcock,	Walker,
Clements,	Lanham,	Richardson,	Washington.

NOT VOTING—155.

Allen, Mich.	Arnold,	Barnes,	Bliss,
Anderson, Iowa	Bacon,	Belmont,	Bowden,
Anderson, Miss.	Bankhead,	Bland,	Brower,
Browne, T. H. B., Va.	Funston,	Macdonald,	Sawyer,
Brown, Ohio.	Gaines,	Maffett,	Scott,
Buckalew,	Gay,	Mahoney,	Seney,
Bunnell,	Gibson,	Mason,	Seymour,
Burnes,	Glass,	McAdoo,	Shaw,
Burnett,	Glover,	McClammy,	Simmons,
Burrows,	Goff,	McCreary,	Smith,
Butterworth,	Granger,	McKinley,	Snyder,
Candler,	Greenman,	McShane,	Spooner,
Carlton,	Guenther,	Merriman,	Stahlnecker,
Caswell,	Hall,	Mills,	Steele,
Cheadle,	Hare,	Montgomery,	Stewart, Tex.
Chipman,	Hatch,	Morgan,	Stewart, Vt.
Clardy,	Hayes,	Morse,	Stockdale,
Cockran,	Heard,	Newton,	Stone, Mo.
Collins,	Hemphill,	Nichols,	Struble,
Compton,	Henderson, Ill.	Norwood,	Symes,
Conger,	Hermann,	Nutting,	Tarsney,
Cooper,	Hitt,	O'Neall, Ind.	Taulbee,
Cothran,	Hogg,	O'Neill, Mo.	Taylor, E. B., Ohio
Crain,	Houk,	Outhwaite,	Thomas, Ill.
Crisp,	Hovey,	Owen,	Townshend.
Culberson,	Kelley,	Parker,	Vance,
Davenport,	Kennedy,	Patton,	West,
Davidson, Ala.	Kilgore,	Perkins,	Wheeler,
Davidson, Fla.	Laffoon,	Perry,	White, Ind.
Dockery,	Laidlaw,	Phelan,	Whiting, Mich.
Dougherty,	Laird,	Phelps,	Whitthorne,
Dunn,	Landes,	Plumb,	Wickham,
Enloe,	Lane,	Post,	Wilber,
Fisher,	Latham,	Randall,	Wilkins,
Fitch,	Lee,	Rayner,	Wilkinson,
Ford,	Lind,	Rogers,	Williams,
Forney,	Lodge,	Russell, Mass.	Wise,
French,	Lyman,	Rusk,	Woodburn.
Fuller,	Lynch,	Ryan,	

So the previous question was ordered.

During the roll-call,

On motion of Mr. DINGLEY, the recapitulation of the vote was dispensed with.

The following additional pairs were announced for the remainder of the day:

Mr. WILKINS with Mr. DAVENPORT.

Mr. BACON with Mr. KELLEY.

The vote was then announced as above recorded.

The SPEAKER. The question now is upon agreeing to the amendment offered by the gentleman from Missouri.

Mr. SPRINGER. There are two amendments. Let them both be read.

Mr. McMILLIN. There are two on the same subject-matter.

The SPEAKER. The amendments will be read.

The Clerk read as follows:

In line 7 of the printed bill, strike out the words "Thomaston, Me.," and insert "Washington, in the District of Columbia."

Mr. SPRINGER. They both pertain to the same subject and would necessarily follow. Let the other be read, and the vote be taken upon both.

The SPEAKER. They will be read, and if there be no objection the vote will be taken on both amendments.

The Clerk read as follows:

Strike out all of the bill after the words "Secretary of War," in line 14, and insert "that it shall be the duty of the Secretary of War to designate a place in some one of the public reservations in the city of Washington on which the said monument shall be erected."

The SPEAKER. If there be no objection, the vote will be taken on both amendments.

Mr. BLAND. We had better have a vote upon the two propositions.

The SPEAKER. The gentleman has a right to have a vote upon either one of them.

The question was taken on the first amendment; and the Speaker announced that the noes seemed to have it.

Mr. McMILLIN. Division.

The House divided; and there were—ayes 57, noes 85.

Mr. BLAND. Let us have a quorum, Mr. Speaker.

Mr. DINGLEY. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 66, nays 91, not voting 167; as follows:

YEAS—66.

Abbott,	Ermentrout,	Mansur,	Shively,
Allen, Mich.	Ford,	Martin,	Smith,
Allen, Miss.	Gest,	McKinney,	Sowden,
Anderson, Ill.	Grimes,	McMillin,	Springer,
Baker, Ill.	Henderson, N. C.	McRae,	Stewart, Ga.
Biggs,	Herbert,	Mills,	Stone, Ky.
Blount,	Holman,	Moore,	Thompson, Cal.
Breckinridge, Ark.	Hooker,	Neal,	Tracey,
Breckinridge, Ky.	Hopkins, Va.	Oates,	Turner, Ga.
Brewer,	Johnston, N. C.	Outhwaite,	Walker,
Browne, Ind.	Jones,	Peel,	Washington,
Bryce,	Kerr,	Penington,	Weaver,
Clements,	Ketcham,	Pidcock,	Wilson, Minn.
Cobb,	Lane,	Rice,	Wilson, W. Va.
Cowles,	Lanham,	Richardson,	Yoder.
Dargan,	Lawler,	Robertson,	
Elliott,	Lee,	Sayers,	

NAYS—91.

Adams,	Atkinson,	Belden,	Boutelle,
Allen, Mass.	Baker, N. Y.	Bingham,	Bowen,
Anderson, Kans.	Bayne,	Boothman,	Brown, J. R., Va.

Brumm,	Dunham,	La Follette,	Russell, Conn.
Buchanan,	Farquhar,	Laidlaw,	Ryan,
Burrows,	Finley,	Lehlbach,	Scull,
Butler,	Flood,	Long,	Sherman,
Campbell, F., N. Y.	Gallinger,	McCormick,	Spinola,
Campbell, Ohio	Gear,	McCullogh,	Stephenson,
Campbell, T.J., N.Y.	Grosvenor,	Milliken,	Taylor, J. D., Ohio
Cannon,	Grout,	Moffitt,	Thomas, Ky.
Caruth,	Haugen,	Morrill,	Thomas, Wis.
Caswell,	Hayden,	Morrow,	Thompson, Ohio
Clark,	Henderson, Iowa	O'Donnell,	Turner, Kans.
Cogswell,	Hires,	O'Ferrall,	Vandever,
Crouse,	Holmes,	O'Neill, Pa.	Wade,
Cummings,	Hopkins, N. Y.	Osborne,	Warner,
Cutcheon,	Houk,	Payson,	Weber,
Dalzell,	Howard,	Peters,	White, N. Y.
Davis,	Hudd,	Reed,	Whiting, Mass.
De Lano,	Hunter,	Rockwell,	Yardley,
Dibble,	Jackson,	Romeis,	Yost.
Dingley,	Johnston, Ind.	Rowell,	

NOT VOTING—167.

Anderson, Iowa	Dockery,	Lagan,	Randall,
Anderson, Miss.	Dorsey,	Laird,	Rayner,
Arnold,	Dougherty,	Landes,	Rogers,
Bacon,	Dunn,	Latham,	Rowland,
Bankhead,	Enloe,	Lind,	Russell, Mass.
Barnes,	Felton,	Lodge,	Rusk,
Barry,	Fisher,	Lyman,	Sawyer,
Belmont,	Fitch,	Lynch,	Scott,
Blanchard,	Foran,	Macdonald,	Seney,
Bland,	Forney,	Maffett,	Seymour,
Bliss,	French,	Mahoney,	Shaw,
Bound,	Fuller,	Maish,	Simmons,
Bowden,	Funston,	Mason,	Snyder,
Brower,	Gaines,	Matson,	Spooner,
Browne, T.H.B., Va.	Gay,	McAdoo,	Stahlnecker,
Brown, Ohio	Gibson,	McClammy,	Steele,
Buckalew,	Glass,	McComas,	Stewart, Tex.
Bunnell,	Glover,	McCreary,	Stewart, Vt.
Burnes,	Goff,	McKenna,	Stockdale,
Burnett,	Granger,	McKinley,	Stone, Mo.
Butterworth,	Greenman,	McShane,	Struble,
Bynum,	Guenther,	Merriman,	Symes,
Candler,	Hall,	Montgomery,	Tarsney,
Carlton,	Hare,	Morgan,	Taulbee,
Catchings,	Harmer,	Morse,	Taylor, E. B., Ohio
Cheadle,	Hatch,	Nelson,	Thomas, Ill.
Chipman,	Hayes,	Newton,	Tillman,
Clardy,	Heard,	Nichols,	Townshend,
Cockran,	Hemphill,	Norwood,	Vance,
Collins,	Henderson, Ill.	Nutting,	West,
Compton,	Hermann,	O'Neall, Ind.	Wheeler,
Conger,	Hiestand,	O'Neill, Mo.	White, Ind.
Cooper,	Hitt,	Owen,	Whiting, Mich.
Cothran,	Hogg,	Parker,	Whitthorne,
Cox,	Hopkins, Ill.	Patton,	Wickham,
Crain,	Hovey,	Perkins,	Wilber,
Crisp,	Hutton,	Perry,	Wilkins,
Culberson,	Kean,	Phelan,	Wilkinson,
Darlington,	Kelley,	Phelps,	Williams,
Davenport,	Kennedy,	Plumb,	Wise,
Davidson, Ala.	Kilgore,	Post,	Woodburn.
Davidson, Fla.	Laffoon,	Pugsley,	

So the amendment was not agreed to.

Mr. BLAND. I move that the House do now adjourn.

The House divided; and there were—ayes 66, noes 85.

Mr. BLAND demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 56, nays 101, not voting 167; as follows:

YEAS—56.

Abbott,	Dargan,	Lanham,	Sayers,
Allen, Miss.	Dockery,	Latham,	Smith,
Anderson, Ill.	Elliott,	Martin,	Stewart, Ga.
Bankhead,	French,	McMillin,	Stone, Ky.
Bland,	Grimes,	McRae,	Taulbee,
Blount,	Henderson, N. C.	Moore,	Thompson, Cal.
Breckinridge, Ark.	Herbert,	Neal,	Tillman,
Breckinridge, Ky.	Holman,	Oates,	Turner, Ga.
Bynum,	Hooker,	Peel,	Wade,
Catchings,	Hopkins, Va.	Penington,	Walker,
Clements,	Hutton,	Pidcock,	Washington,
Cobb,	Johnston, N. C.	Rice,	Whiting, Mich.
Cowles,	Kilgore,	Richardson,	Wilson, Minn.
Crisp,	Lane,	Rowland,	Wilson, W. Va.

NAYS—101.

Adams,	Crouse,	Hunter,	Romeis,
Allen, Mass.	Cummings,	Jackson,	Rowell,
Allen, Mich.	Cutcheon,	Johnston, Ind.	Russell, Conn.
Anderson, Kans.	Dalzell,	Kerr,	Ryan,
Atkinson,	Davis,	La Follette,	Scull,
Baker, N. Y.	De Lano,	Laidlaw,	Sherman,
Baker, Ill.	Dibble,	Lehlbach,	Sowden,
Bayne,	Dingley,	Long,	Spinola,
Belden,	Dunham,	Mansur,	Springer,
Bingham,	Farquhar,	McComas,	Stephenson,
Boothman,	Felton,	McCullogh,	Taylor, J. D., Ohio
Bound,	Finley,	McKenna,	Thomas, Ky.
Boutelle,	Flood,	Milliken,	Thomas, Wis.
Bowen,	Gallinger,	Moffitt,	Thompson, Ohio
Brown, J. R., Va.	Gear,	Morrill,	Tracey,
Brumm,	Gest,	Nelson,	Vandever,
Bryce,	Grosvenor,	O'Donnell,	Warner,
Buchanan,	Grout,	O'Ferrall,	Weaver,
Burrows,	Haugen,	O'Neill, Pa.	Weber,
Butler,	Hayden,	Osborne,	White, N. Y.
Campbell, F., N. Y.	Henderson, Iowa	Outhwaite,	Whiting, Mass.
Cannon,	Hermann,	Payson,	Yardley,
Caruth,	Hiestand,	Peters,	Yost.
Caswell,	Hires,	Pugsley,	
Clark,	Hopkins, N. Y.	Reed,	
Cogswell,	Houk,	Rockwell,	

NOT VOTING—167.

Anderson, Iowa	Dougherty,	Laird,	Randall,
Anderson, Miss.	Dunn,	Landes,	Rayner,
Arnold,	Enloe,	Lawler,	Robertson,
Bacon,	Ermentrout,	Lee,	Rogers,
Barnes,	Fisher,	Lind,	Russell, Mass.
Barry,	Fitch,	Lodge,	Rusk,
Belmont.	Foran,	Lyman,	Sawyer,
Biggs,	Ford,	Lynch,	Scott,
Blanchard,	Forney,	Macdonald,	Seney,
Bliss,	Fuller,	Maffett,	Seymour,
Bowden,	Funston,	Mahoney,	Shaw,
Brewer,	Gaines,	Maish,	Shively,
Brower,	Gay,	Mason,	Simmons,
Browne, T.H.B., Va.	Gibson,	Matson,	Snyder,
Browne, Ind.	Glass,	McAdoo,	Spooner,
Brown, Ohio	Glover,	McClammy,	Stahlnecker,
Buckalew,	Goff,	McCormick,	Steele,
Bunnell,	Granger,	McCreary,	Stewart, Tex.
Burnes,	Greenman,	McKinley,	Stewart, Vt.
Burnett,	Guenther,	McKinney,	Stockdale,
Butterworth,	Hall,	McShane,	Stone, Mo.
Campbell, Ohio	Hare,	Merriman,	Struble,
Campbell, T.J., N.Y.	Harmer,	Mills,	Symes,
Candler,	Hatch,	Montgomery,	Tarsney,
Carlton,	Hayes,	Morgan,	Taylor, E. B., Ohio
Cheadle,	Heard,	Morrow,	Thomas, Ill.
Chipman,	Hemphill,	Morse,	Townshend,
Clardy,	Henderson, Ill.	Newton,	Turner, Kans.
Cockran,	Hitt,	Nichols,	Vance,
Collins,	Hogg,	Norwood,	West,
Compton,	Holmes,	Nutting,	Wheeler,
Conger,	Hopkins, Ill.	O'Neall, Ind.	White, Ind.
Cooper,	Hovey,	O'Neill, Mo.	Whitthorne,
Cothran,	Howard,	Owen,	Wickham,
Cox,	Hudd,	Parker,	Wilber,
Crain,	Jones,	Patton,	Wilkins,
Culberson,	Kean,	Perkins,	Wilkinson,
Darlington,	Kelley,	Perry,	Williams,
Davenport,	Kennedy,	Phelan,	Wise,
Davidson, Ala.	Ketcham,	Phelps,	Woodburn,
Davidson, Fla.	Laffoon,	Plumb,	Yoder.
Dorsey,	Lagan,	Post,	

So the House refused to adjourn.

During the roll-call,

On motion of Mr. MILLIKEN, by unanimous consent, the reading of the names of members voting was dispensed with.

The vote was then announced as above recorded.

The SPEAKER. The question now is upon agreeing to the second amendment offered by the gentleman from Missouri [Mr. MANSUR], upon which the yeas and nays have been ordered.

The question was taken; and there were—yeas 47, nays 70, not voting 207; as follows:

YEAS—47.

Abbott,	Holman,	Moore,	Stone, Ky.
Allen, Mich.	Hooker,	Neal,	Taulbee,
Baker, Ill.	Hopkins, Va.	Oates,	Thompson, Cal.
Blount,	Hudd,	Penington,	Tracey,
Breckinridge, Ark.	Johnston, N. C.	Pidcock,	Turner, Ga.
Breckinridge, Ky.	Kerr,	Rice,	Walker,
Cobb,	Lane,	Richardson,	Washington,
Cowles,	Lanham,	Robertson,	Weaver,
Elliott,	Lawler,	Rowland,	Whiting, Mich.
Gest,	Martin,	Sayers,	Wilson, Minn.
Grimes,	McMillin,	Sowden,	Wilson, W. Va.
Heard,	McRae,	Stewart, Ga.	

NAYS—70.

Adams,	Cogswell,	Hopkins, N. Y.	Romeis,
Anderson, Ill.	Crouse,	Hunter,	Rowell,
Anderson, Kans.	Cummings,	Hutton,	Russell, Conn.
Baker, N. Y.	Cutcheon,	Jackson,	Scull,
Bayne,	Davis,	Johnston, Ind.	Sherman,
Belden,	Dibble,	La Follette,	Stephenson,
Boothman,	Dingley,	Lehlbach,	Taylor, J. D., Ohio
Boutelle,	Dunham,	McComas,	Thomas, Ky.
Bowen,	Farquhar,	McCullogh,	Thomas, Wis.
Brown, J. R., Va.	Finley,	Moffitt,	Thompson, Ohio
Brumm,	Fitch,	Morrow,	Vandever,
Burrows,	Gallinger,	Nelson,	Wade,
Butler,	Gear,	Nichols,	Warner,
Campbell, F., N.Y.	Grosvenor,	O'Neill, Pa.	White, N.Y.
Cannon,	Haugen,	Osborne,	Yardley,
Caruth,	Hiestand,	Peters,	Yost.
Caswell,	Hires,	Reed,	
Clark,	Holmes,	Rockwell,	

NOT VOTING—207.

Allen, Mass.	Bryce,	Cox,	French,
Allen, Miss.	Buchanan,	Crain,	Fuller,
Anderson, Iowa	Buckalew,	Crisp,	Funston,
Anderson, Miss.	Bunnell,	Culberson,	Gaines,
Arnold,	Burnes,	Dalzell,	Gay,
Atkinson,	Burnett,	Dargan,	Gibson,
Bacon,	Butterworth,	Darlington,	Glass,
Bankhead,	Bynum,	Davenport,	Glover,
Barnes,	Campbell, Ohio	Davidson, Ala.	Goff,
Barry,	Campbell, T. J., N.Y.	Davidson, Fla.	Granger,
Belmont,	Candler,	De Lano,	Greenman,
Biggs,	Carlton,	Dockery,	Grout,
Bingham,	Catchings,	Dorsey,	Guenther,
Blanchard,	Cheadle,	Dougherty,	Hall,
Bland,	Chipman,	Dunn,	Hare,
Bliss,	Clardy,	Enloe,	Harmer,
Bound,	Clements,	Ermentrout,	Hatch,
Bowden,	Cockran,	Felton,	Hayden,
Brewer,	Collins,	Fisher,	Hayes,
Brower,	Compton,	Flood,	Hemphill,
Browne, T.H.B., Va.	Conger,	Foran,	Henderson, Iowa
Browne, Ind.	Cooper,	Ford,	Henderson, N. C.
Brown, Ohio	Cothran,	Forney,	Henderson, Ill.

Herbert,	Maish,	Patton,	Steele,
Hermann,	Mansur,	Payson,	Stewart, Tex.
Hitt,	Mason,	Peel,	Stewart, Vt.
Hogg,	Matson,	Perkins,	Stockdale,
Hopkins, Ill.	McAdoo,	Perry,	Stone, Mo.
Houk,	McClammy,	Phelan,	Struble,
Hovey,	McCormick,	Phelps,	Symes,
Howard,	McCreary,	Plumb,	Tarsney,
Jones,	McKenna,	Post,	Taylor, E. B., Ohio
Kean,	McKinley,	Pugsley,	Thomas, Ill.
Kelley,	McKinney,	Randall,	Tillman,
Kennedy,	McShane,	Rayner,	Townshend,
Ketcham,	Merriman,	Rogers,	Turner, Kans.
Kilgore,	Milliken,	Russell, Mass.	Vance,
Laffoon,	Mills,	Rusk,	Weber,
Lagan,	Montgomery,	Ryan,	West,
Laidlaw,	Morgan,	Sawyer,	Wheeler,
Laird,	Morrill,	Scott,	White, Ind.
Landes,	Morse,	Seney,	Whiting, Mass.
Latham,	Newton,	Seymour,	Whitthorne,
Lee,	Norwood,	Shaw,	Wickham,
Lind,	Nutting,	Shively,	Wilber,
Lodge,	O'Donnell,	Simmons,	Wilkins,
Long,	O'Ferrall,	Smith,	Wilkinson,
Lyman,	O'Neall, Ind.	Snyder,	Williams,
Lynch,	O'Neill, Mo.	Spinola,	Wise,
Macdonald,	Outhwaite,	Spooner,	Woodburn,
Maffett,	Owen,	Springer,	Yoder.
Mahoney,	Parker,	Stahlnecker,	

During the roll-call,

Mr. GALLINGER said: I ask by unanimous consent that the reading of the names of members voting be dispensed with.

Mr. KILGORE. I object.

The names were read.

The SPEAKER. Upon this question the yeas are 47 and the noes are 70. No quorum has voted.

Mr. BLAND. I move that the House do now adjourn.

Mr. DINGLEY. Upon that I demand the yeas and nays.

The question was on ordering the yeas and nays; and there were—ayes 28, noes 31.

The SPEAKER. More than a sufficient number have voted in favor of ordering the yeas and nays. The hour of 5 o'clock having arrived, the Chair will cause to be read the order which was made at the last session with reference to the daily adjournment of the House.

The Clerk read as follows:

Resolved, That hereafter when the House adjourns it shall adjourn to meet at 11 o'clock on the next succeeding day, and after general debate has been closed on the bill entitled "An act to reduce taxation and simplify the laws in relation to the collection of the revenue" the session shall close each day at 5 o'clock p. m. This resolution not to interfere with the sessions provided for Friday evenings.

The SPEAKER. So much of this order as provided that the House should meet at 11 o'clock was changed on the 30th of July, and it was then provided that the House should meet at 12 o'clock; but the remainder of the rule, which fixed the time for the daily adjournment of the House, was not changed, and it was not limited to the last session. The Chair thinks, therefore, that the order is still in force, and, the hour of 5 o'clock p. m. having arrived, the House stands adjourned until to-morrow at 12 o'clock m.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. BINGHAM: Joint resolution (H. Res. 235) authorizing Capt. G. S. Anderson, Sixth Cavalry, to accept from the President of the French Republic a diploma conferring the decoration of chevalier of the National Order of the Legion of Honor—to the Committee on Foreign Affairs.

By Mr. BOOTHMAN: A bill (H. R. 11621) granting an increase of pension to George W. Crout—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11622) granting a pension to William J. Bryan—to the Committee on Invalid Pensions.

By Mr. DUBOIS: A bill (H. R. 11623) for relief of Kate F. Dunlap—to the Committee on Indian Affairs.

By Mr. GEAR: A bill (H. R. 11624) to increase the pension of Jacob Rogers—to the Committee on Pensions.

By Mr. GEST: A bill (H. R. 11625) to grant a pension to Martin Smith—to the Committee on Invalid Pensions.

By Mr. MATSON: A bill (H. R. 11626) granting a pension to Thomas McMann—to the Committee on Pensions.

By Mr. SHERMAN: A bill (H. R. 11627) granting a pension to Mary Horning—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11628) granting a pension to Mary A. Start—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11629) granting a pension to Elizabeth Clover—to the Committee on Invalid Pensions.

By Mr. STONE, of Kentucky: A bill (H. R. 11630) for the relief of John O. McDonald—to the Committee on Invalid Pensions.

By Mr. J. R. WHITING: A bill (H. R. 11631) for the relief of Elwin A. Scutt—to the Committee on Invalid Pensions.

By Mr. W. L. WILSON: A bill (H. R. 11632) to place the name of John J. S. Hassler on the retired-list of the United States Army—to the Committee on Military Affairs.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. DORSEY: Petition of business men of Nebraska, in favor of the Western Pacific Railroad funding bill—to the Committee on Pacific Railroads.

By Mr. LONG: Petition of the selectmen of Plymouth, Mass., for repair of beach in that town—to the Committee on Rivers and Harbors.

By Mr. MACDONALD: Petition of citizens of North Dakota for immediate admission of South Dakota and Montana, and for constitutional conventions in North Dakota, Washington, and New Mexico—to the Committee on the Territories.

By Mr. NEAL: A bill making an appropriation to continue the improvement in the Tennessee River above Chattanooga—to the Committee on Rivers and Harbors.

Also, a bill making an appropriation to continue the improvements in the Tennessee River below Chattanooga—to the Committee on Rivers and Harbors.

Also, a bill making an appropriation to continue the improvements in the Little Tennessee River—to the Committee on Rivers and Harbors.

Also, a bill making an appropriation to complete the projected improvements in the Hiwassee River—to the Committee on Rivers and Harbors.

By Mr. PIDCOCK: Petition of John Carpenter, jr., of Clinton, N. J., against the passage of the international copyright bill—to the Committee on Patents.

By Mr. ROWLAND: Petition of the Croatan Indians, of Robeson County, North Carolina, for relief—to the Committee on Indian Affairs.

SENATE.

WEDNESDAY, *December 5*, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

ALFRED H. COLQUITT, a Senator from the State of Georgia, and DWIGHT M. SABIN, a Senator from the State of Minnesota, appeared in their seats to-day.

The Journal of yesterday's proceedings was read and approved.

THE SPRINGFIELD ARMORY.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of War, transmitting, in compliance with section 1665 of the Revised Statutes of the United States, a statement exhibiting the expenditures at the Springfield Armory, and the arms, components of arms, and appendages fabricated, altered, and repaired at that armory during the fiscal year ended June 30, 1888; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. SHERMAN. I present resolutions adopted by the American Peace Society held in Pilgrim Hall, Boston, November 26, 1888, in favor of international arbitration, in which they set out their approval of the resolution of the Senate passed at the last session, and also pray that "the way may be opened for the ultimate establishment of a permanent international tribunal to which may be referred those disputes which have hitherto plunged nations in war." I move that the resolutions be printed and referred to the Committee on Foreign Relations.

The motion was agreed to.

BILLS INTRODUCED.

Mr. TURPIE introduced a bill (S. 3664) granting a pension to Mary C. Moore; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLUMB (by request) introduced a bill (S. 3665) to provide for the sale of certain land; which was read twice by its title, and, with the accompanying petition, referred to the Committee on Public Lands.

Mr. DAVIS introduced a bill (S. 3666) to amend an act entitled "An act granting to the city of Grand Forks, Dak., the right to build two free bridges across the Red River," approved May 21, 1888; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. BUTLER introduced a bill (S. 3667) to incorporate the Equitable Gas Light and Fuel Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PADDOCK (for Mr. INGALLS) introduced a bill (S. 3668) granting an increase of pension to Joseph D. Tate; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

THE MEAT PRODUCT.

Mr. VEST. I offer the following resolution and ask for its immediate consideration:

Resolved, That the special committee created at the last session of the Senate to examine the questions touching the meat product of the United States, and especially as to the transportation of beef and beef cattle, and the sale of the same in the cattle markets, stock-yards, and cities, and whether there exists or has existed any combination of any kind, either on the part of the Trunk Line Association or the Central Traffic Association or other agencies of transportation, or on the part of those engaged in buying, selling, or shipping meat products, by reason of which the prices of beef and beef cattle have been so controlled or affected as to diminish the price paid the producer without lessening the cost of meat to the consumer, be continued, with power to sit during the sessions and recess of the Senate, at such times and places as it may determine, and shall have power to send for persons and papers, and also to employ a stenographer and a sergeant-at-arms; all necessary expenses of said committee to be paid out of the contingent fund of the Senate; and said committee shall report to the Senate by bill or otherwise.

The PRESIDENT *pro tempore*. The rules require the reference of the resolution to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. VEST. I hope that will not be insisted upon. This is practically the same resolution which was adopted by the Senate at its last session.

I wish to make a brief statement as to the necessity for this resolution continuing the committee.

It is very well known to the Senate that our late session lasted until a few days before the election. It is also well known to the Senate that it was almost impossible to transact any public business for some days after the election occurred.

The committee met on the 20th of November at St. Louis and was in session five days taking testimony. On account of the sickness of one of its members and the necessary absence of others, the committee was left without a quorum and adjourned over to meet to-day in the city of Washington.

We find ourselves now pressed with the business of the session, and it is simply impossible for us to continue our labors at this time. We ask, therefore, that this resolution be adopted continuing the committee, in order that we may go on with the taking of testimony and attain the object which was originally contemplated.

The PRESIDENT *pro tempore*. The Senator from Missouri asks unanimous consent that the rule requiring the reference of the resolution to the Committee to Audit and Control the Contingent Expenses of the Senate may be waived.

Mr. SHERMAN. The resolution seems to contemplate that the committee should continue during the next recess. Is that the case?

Mr. VEST. Yes, sir.

Mr. SHERMAN. It seems to me that that would be rather unusual at this period of the session. If at the end of the present session it should appear necessary to continue the committee during the next recess it would probably be best to defer it until that time.

Mr. VEST. I will state very frankly to the Senator from Ohio that unless the public business is expedited much beyond what we contemplate it is believed by us that we can do very little during this session of Congress, the short session. We therefore thought it was better to ask, in the event that we can not finish our labors during this session, that the committee should sit during the next recess.

Mr. SHERMAN. I have no objection to the resolution except that I think it ought to go, according to the rule, to the Committee on Contingent Expenses, because that is the universal rule, and it would not delay it; it might be reported back to-day, perhaps.

Mr. HOAR. If the Senator from Missouri will allow me, I should like to call his attention to a very small technicality, but one which may defeat his resolution. The recess which he describes in the resolution undoubtedly would mean only the little recess between the adjournment of the Senate on the 4th of March and its assembling a day or two after, on the call of the new President, for the purpose of executive business. I suppose the Senator desires to have the labor accomplished during the summer recess.

Mr. VEST. The verbiage of the resolution can be altered so as to preclude that criticism. I mean, of course, the recess of the Senate between this Congress and the next one.

The PRESIDENT *pro tempore*. Does the Senator from Ohio object to the present consideration of the resolution?

Mr. SHERMAN. I think it had better follow the rule. I have no doubt it will be reported back promptly. I have no objection whatever to the continuance of the committee, but that is the rule of the Senate, and it had better be observed in all cases. I have a resolution which I propose to offer of a similar character, which I shall ask may go to the same committee.

The PRESIDENT *pro tempore*. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

ALLEGED OUTRAGES IN ALASKA.

Mr. DAWES. I offer the following resolution and ask for its immediate consideration:

Resolved, That the Secretary of the Interior be directed to communicate to the Senate what information, if any, there is in the Department in reference to alleged outrages and restraint of liberty committed in Alaska upon Indian females and other persons, and what steps, if any, have been taken by the Department to protect the persons of female residents in Alaska from outrage, violence, and restraint of liberty.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. DAWES. I think it is proper that I should state that I offer the resolution not from any knowledge I have myself of the alleged outrages, but from the fact that the public prints for some time have been full of statements of outrages in Alaska of the kind indicated in the resolution, of the most barbarous character. Some of the statements have come from those who have visited Alaska during the last season, and some from persons who have been residents there, writing letters published in the newspapers over their own signatures. They are of such a character as to put the public prints upon inquiry, and I have been unable to obtain any information from the reports of Government officials upon the subject.

It seems to me that the Senate should be put in possession of any information there can possibly be in the Department in reference to this matter, and if we fail in that respect some steps should be taken to determine the truth of these allegations. If the allegations are true, it is a public scandal that no steps have been taken to prevent the repetition of the outrages; and if they are not true, it is a public scandal that such statements should be circulated without refutation.

Mr. PLATT. May I hear the resolution read?

The PRESIDENT *pro tempore*. It will be again read.

The resolution was read.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

The resolution was agreed to.

MESSENGER FOR COMMITTEE ON FOREIGN RELATIONS.

Mr. SHERMAN submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Sergeant-at-Arms of the Senate be, and he is hereby, directed to appoint a messenger for the Committee on Foreign Relations, whose services shall be devoted exclusively to the business of said committee, and that the messenger so appointed shall be selected by said committee.

SELECT COMMITTEE ON RELATIONS WITH CANADA.

Mr. HOAR submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Select Committee on Relations with Canada be continued with all the authority conferred by resolution at the last session, and with power to sit during the recess of the Senate and report at the December session in 1889.

PRESIDENT'S ANNUAL MESSAGE, ETC.

Mr. MORRILL submitted the following resolution; which was read:

Resolved, That there be printed in pamphlet form, for the use of the Senate, 1,000 copies of the annual message of the President and the reports proper of the heads of the Departments, Comptroller of the Currency, Director of the Mint, and the Treasurer of the United States, without the appendices.

Mr. MORRILL. The object of the resolution is to enable the Finance Committee and the members of the Senate to obtain these documents promptly without having to wait until the end of the session before copies of them can be obtained.

The PRESIDENT *pro tempore*. The Chair thinks the resolution, requiring the printing of extra copies, under the rules should be referred to the Committee on Printing.

Mr. MORRILL. I ask to have it referred to that committee.

The PRESIDENT *pro tempore*. It will be so ordered.

INTRODUCTION OF YELLOW FEVER.

Mr. PLUMB. I offer the following resolution, and ask for its present consideration:

Resolved, That the Committee on Epidemic Diseases be directed to inquire as to the cause of the introduction of yellow fever into the State of Florida during the past season, whether the instrumentalities of such introduction are still in force, and what legislation, if any, is necessary to prevent a similar or other introduction in the future, and to report by bill or otherwise.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. HARRIS. Let the resolution be read again.

The resolution was read.

Mr. HARRIS. I have no objection to it.

The PRESIDENT *pro tempore*. If there be no objection to the present consideration of the resolution, the question is on agreeing to the same.

The resolution was agreed to.

SOLDIERS' HOME AT WASHINGTON.

Mr. PLUMB submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War be directed to report to the Senate the amount of payments made by the Treasurer of the United States to the Soldiers' Home at Washington during each year of the last ten years on account of the sources of revenue provided in section 7 of chapter 25 of the laws of 1851, entitled "An act to found a military asylum for the relief and support of invalid and disabled soldiers of the Army of the United States," approved March 3, 1851, and also whether such sums added to other sources of revenue available for the use of said home have been and are adequate for the maintenance of said home, and if not, what additional amendment is required for the purpose.

LEASES IN INDIAN TERRITORY.

Mr. PLUMB submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior be directed to inform the Senate what, if any, leases for lands, mineral or otherwise, in the Indian Territory are now existing; whether the same or any of them were made under legal authority; and whether any of them, and if so which ones, have been approved by the Secretary of the Interior or other authority in his Department.

THE REVENUE LAWS.

The PRESIDENT *pro tempore*. If there be no further morning business——

Mr. ALLISON. I move that the Senate proceed to the consideration of House bill 9051.

The PRESIDENT *pro tempore*. The Senate resumes the consideration of House bill 9051 under the agreement made yesterday.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

The PRESIDENT *pro tempore*. The reading of the substitute reported by the Committee on Finance will proceed, and as it is read by paragraphs and sections it will be open to amendment.

The Chief Clerk resumed the reading of the substitute reported by the Committee on Finance. Before having concluded the reading of the third paragraph of the proposed section 1——

Mr. HALE. In reading the first section will amendments need to be offered to each paragraph of the section, or must we wait until the reading of the section is completed? The order is that the reading shall be by paragraphs and sections.

The PRESIDENT *pro tempore*. The Chair thinks it would be more convenient to allow the reading of the section or paragraph to be concluded before amendments are offered.

Mr. HALE. To allow the reading of the section to be concluded?

The PRESIDENT *pro tempore*. The order was that the substitute should be read by paragraphs and sections. The Chair thinks a paragraph would be open to amendment as soon as its reading was concluded.

Mr. ALLISON. I will state to the Senator from Maine that when we reach the schedules of the tariff it would be better, I should think, to offer amendments to the paragraphs as they are reached in the reading——

Mr. HALE. Undoubtedly.

Mr. ALLISON. Because the tariff schedules form a single section.

Mr. HALE. My inquiry was only directed to the treatment of a section in which are found several paragraphs, whether Senators are expected to wait until the entire section is read or must offer amendments paragraph by paragraph as the paragraphs are read.

The PRESIDENT *pro tempore*. Under the agreement of the Senate the paragraphs are open to amendment as the reading proceeds; but the Chair would hold that at the conclusion of the reading of a section, if any Senator desired to offer an amendment to a particular paragraph it would then be reverted to and the amendment could be offered.

Mr. HALE. That will cover the point.

The PRESIDENT *pro tempore*. The reading will proceed.

Mr. HARRIS. Has the reading of the revenue bill been commenced this morning?

The PRESIDENT *pro tempore*. It has been commenced.

Mr. HARRIS. I desire to ask the Senator from Iowa if he and I understand alike that the Committee on Finance has reported but one amendment to the bill. Is there one amendment or more than one amendment reported by the Senator from Iowa to the pending bill?

Mr. ALLISON. There is but one amendment.

Mr. HARRIS. That is my impression.

Mr. ALLISON. It is an amendment in the nature of a substitute.

Mr. HARRIS. I regarded it as one amendment.

Mr. ALLISON. There is one amendment to the bill.

Mr. HARRIS. The formal reading of that amendment has been dispensed with by consent of the Senate?

The PRESIDENT *pro tempore*. It has been.

Mr. HARRIS. That being true, and there being but the one amendment, and that amendment in my opinion presenting an issue upon the general principle of revenue legislation, in order to test the sense of the Senate as to whether it will adopt the principle indicated by the House bill, which, as I understand it, proposes to reduce revenue by reducing taxation, while the substitute proceeds upon a principle of reducing revenue by to some extent at least increasing taxation, I move to lay on the table the amendment reported by the committee; and upon that motion I ask for the yeas and nays.

The PRESIDENT *pro tempore*. The Senator from Tennessee moves to lay upon the table the amendment reported by the committee, and upon this question asks that the yeas and nays may be entered on the Journal.

The yeas and nays were ordered.

Mr. TURPIE. I call for the reading of the amendment for information.

The PRESIDENT *pro tempore*. The reading of the amendment will proceed.

The Chief Clerk proceeded to read the substitute reported by the Committee on Finance.

Mr. FRYE. I rise to a parliamentary inquiry.

The PRESIDENT *pro tempore*. The Senator from Maine will state his inquiry.

Mr. FRYE. Is the amendment now being read for information on the motion to lay on the table?

The PRESIDENT *pro tempore*. The Senator from Indiana asked that the amendment might be read for information. The pending question is the motion of the Senator from Tennessee to lay the amendment upon the table, which is not debatable. Strictly speaking, the reading of the amendment would be in the nature of debate, and therefore not in order; but the request usually, when made, has been agreed to by the Senate, and the Chair is acting in accordance with the precedents.

Mr. FRYE. I wished to distinctly understand whether or not the reading was for amendment under the proposition of the Senator from Iowa.

The PRESIDENT *pro tempore*. It is being read simply for information.

Mr. HARRIS. It can only be read for information under the pending motion.

Mr. SHERMAN. That amounts to a violation of the understanding. I do not know whether the Senator from Indiana looks at it in that way.

Mr. FRYE. It is a violation of the rule.

Mr. SHERMAN. It is a violation of the rule and a violation of the unanimous understanding.

The PRESIDENT *pro tempore*. Strictly speaking, it is a violation of the rule; but it is in accordance with the uniform practice of the Senate, when the reading of an amendment is called for for information, to accede to the request.

Mr. SHERMAN. I submit to the Senator from Indiana whether the effect of his request is not substantially a violation of the unanimous agreement entered into in regard to this matter yesterday. It is a matter for him to decide. If he thinks otherwise, I shall not press the suggestion, nor do I care anything about it.

Mr. TURPIE. I will say, in answer to the Senator from Ohio, that for myself I do not wish, either directly or indirectly, to violate the understanding or agreement. When I asked for the reading of the amendment for information I supposed that the amendment was a separate measure offered by the committee to some section of the bill which they had reported as a substitute.

Mr. HARRIS. If the Senator from Indiana will allow me to state to him——

The PRESIDENT *pro tempore*. Debate can proceed only by unanimous consent. The Chair hears no objection.

Mr. HARRIS. I only proposed to ask the Senator from Indiana to withdraw his request for the reading for information, and to inform him, in connection with that request, that the amendment is the substitute reported by the Committee on Finance. It is simply one amendment in the nature of a substitute for the whole House bill, and that amendment I have moved to lay on the table.

Mr. TURPIE. I supposed at the time I asked for the reading for information that a separate section upon some subject had been reported by the committee, or a majority of it, as an amendment to the bill which it presented as a substitute. But, there being no such separate section, I shall not insist upon the reading of the amendment.

The PRESIDENT *pro tempore*. The request of the Senator from Indiana being withdrawn, the question recurs upon the motion made by the Senator from Tennessee [Mr. HARRIS] to lay the amendment on the table, on which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. COLQUITT (when his name was called). I am paired with the Senator from Rhode Island [Mr. CHACE]. If he were present, I should vote "yea" on this motion.

Mr. FAULKNER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

Mr. WALTHALL (when Mr. GEORGE'S name was called). My colleague [Mr. GEORGE] is paired with the Senator from New Hampshire [Mr. BLAIR]. My colleague would vote "yea" if he were here.

Mr. HALE (when his name was called). I am paired with the Senator from Kentucky [Mr. BECK]. I should vote "nay," and I presume he would vote "yea" if he were present.

Mr. BUTLER (when Mr. HAMPTON'S name was called). My colleague [Mr. HAMPTON] is paired with the Senator from Nevada [Mr. JONES]. If my colleague were present, he would vote "yea," and I understand that the Senator from Nevada would vote "nay."

Mr. FAULKNER (when Mr. KENNA'S name was called). My colleague [Mr. KENNA] is detained from the Senate to-day and is paired with the Senator from Minnesota [Mr. SABIN]. If my colleague were present, he would vote "yea" on the pending motion.

Mr. MORGAN (when his name was called). I am paired with the Senator from New York [Mr. EVARTS]. If he were present, I should vote "yea" and I presume he would vote "nay."

Mr. HISCOCK. My colleague [Mr. EVARTS] would vote "nay" if he were here.

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL]. If he were present, I should vote "yea."

Mr. ALLISON (when the name of Mr. WILSON, of Iowa, was called). My colleague [Mr. WILSON, of Iowa] is necessarily absent from the Chamber and is paired with the Senator from Maryland [Mr. WILSON]. If my colleague were here he would vote in the negative.

The roll-call was concluded.

Mr. SABIN. I transfer my pair with the Senator from West Virginia [Mr. KENNA] to the Senator from Virginia [Mr. RIDDLEBERGER], who is absent, and I vote "nay."

Mr. CALL. I am paired with the Senator from Colorado [Mr. BOWEN].

Mr. BLAIR. I am paired with the Senator from Mississippi [Mr. GEORGE]. I understand that the pair has been announced.

Mr. TELLER. My colleague [Mr. BOWEN] is paired with the Senator from Florida [Mr. CALL]. If my colleague were present, he would vote "nay."

Mr. PADDOCK (after having voted in the negative). I have a general pair with the Senator from Louisiana [Mr. EUSTIS]. I do not see him here. As he is not present, I withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from Nebraska withdraws his vote.

Mr. HARRIS. I wish to inquire if a pair has been announced with the Senator from Indiana [Mr. VOORHEES], who is absent from the city.

The PRESIDENT *pro tempore*. No such pair has been announced.

Mr. HARRIS. I desire to ask his colleague [Mr. TURPIE] whether the senior Senator from Indiana is paired.

Mr. TURPIE. I am not aware that he is.

Mr. HARRIS. I had supposed that he was, but did not know with whom. I know that if the Senator from Indiana were here he would vote "yea" upon the pending motion, and with that knowledge I should be glad if some Senator on the other side would pair with him if he has no pair.

Mr. BLAIR. I will transfer my pair with the Senator from Mississippi [Mr. GEORGE] to the Senator from Nevada [Mr. JONES], if that is agreeable to his colleague.

Mr. HARRIS. That Senator is absent also.

Mr. BLAIR. The Senator from Nevada [Mr. JONES] is absent and the Senator from Mississippi [Mr. GEORGE] is absent. They would vote against each other if they were present.

Mr. WALTHALL. There is no objection to that transfer.

Mr. BLAIR. Then I will transfer the pair and vote. I vote "nay."

Mr. CULLOM. I desire to make a statement. The Senator from Nevada [Mr. JONES] was paired by arrangement with the Senator from South Carolina [Mr. HAMPTON]. The Senator from Indiana [Mr. VOORHEES] being absent, in the absence of the Senator from Nevada [Mr. STEWART], I suggest that they be paired with each other.

Mr. VANCE (after having voted in the affirmative). I desire to withdraw my vote. I have been requested to pair with the Senator from Michigan [Mr. PALMER].

The PRESIDENT *pro tempore*. The Senator from North Carolina withdraws his vote.

Mr. HARRIS. Do I understand from the Senator from Illinois that the Senator from Indiana [Mr. VOORHEES] is paired with the Senator from Nevada [Mr. STEWART]?

Mr. CULLOM. He is, both Senators being absent.

Mr. HARRIS. Very well; let that be understood.

Mr. VANCE. I desire further to announce that if I were permitted to vote, I should vote "yea."

The result was announced—yeas 19, nays 26; as follows:

YEAS—19.

Bate,	Cockrell,	Harris,	Saulsbury,
Berry,	Coke,	Jones of Arkansas,	Turpie,
Blackburn,	Gibson,	McPherson,	Vest,
Blodgett,	Gorman,	Ransom,	Walthall.
Butler,	Gray,	Reagan,	

NAYS—26.

Aldrich,	Dawes,	Ingalls,	Sawyer,
Allison,	Dolph,	Manderson,	Sherman,
Blair,	Edmunds,	Mitchell,	Spooner,
Cameron,	Frye,	Morrill,	Stockbridge,
Chandler,	Hawley,	Platt,	Teller.
Cullom,	Hiscock,	Plumb,	
Davis,	Hoar,	Sabin.	

ABSENT—31.

Beck,	Evarts,	Kenna,	Riddleberger,
Bowen,	Farwell,	Morgan,	Stanford,
Brown,	Faulkner,	Paddock,	Stewart,
Call,	George,	Palmer,	Vance,
Chace,	Hale,	Pasco,	Voorhees,
Colquitt,	Hampton,	Payne,	Wilson of Iowa,
Daniel,	Hearst,	Pugh,	Wilson of Md.
Eustis,	Jones of Nevada,	Quay,	

So the Senate refused to lay on the table the substitute reported by the Committee on Finance.

The PRESIDENT *pro tempore*. The reading will proceed.

Mr. EDMUNDS. I ask unanimous consent to say that when I voted on the last roll-call I was under the impression that the Senator from Alabama [Mr. PUGH] had voted in the affirmative. At the last session I had a general pair with him upon all questions where parties substantially divided, and I should not have voted had I not thought I heard the Senator from Alabama vote; but it appears he was not in the Chamber, and in justice to him I wish to state the fact now.

Mr. MORGAN. If my colleague [Mr. PUGH] had been present he would have voted in the affirmative.

The Chief Clerk resumed and concluded the reading of the first section of the matter proposed to be inserted by the amendment of the Committee on Finance, which is as follows:

TOBACCO.

That on and after the 1st day of February, 1889, manufacturers of cigars shall each pay a special tax of $3 annually: *Provided*, That the bond required to be given in conformity with the provisions of Title XXXV of the Revised Statutes of the United States by every person engaging in the manufacture of cigars in the internal-revenue districts of the United States shall be in such penal sum as the collector of internal revenue may require, not less than $100, with an addition of $10 for each person proposed to be employed by such person in making cigars.

That on and after the 1st day of February, 1889, the internal-revenue taxes on cigars, cheroots, and on all cigarettes weighing more than 3 pounds per thousand, which shall be manufactured and sold or removed for consumption or sale after that date, shall be $1.50 per thousand, and on cigarettes weighing less than 3 pounds to the thousand, 50 cents per thousand, and shall be paid by the manufacturer thereof.

That all laws now in force whereby farmers and producers of tobacco are restricted in the sale and disposition of the same, and all laws and parts of laws so far as the same relate to the internal-revenue taxes on the articles hereinafter specified, whether imported or manufactured in the United States, be, and the same are hereby, repealed, to take effect on the 1st day of February, 1889, namely: The taxes on manufactured tobacco and snuff, and the special taxes required by law to be paid by manufacturers of and dealers in leaf-tobacco, retail dealers in leaf-tobacco, dealers in manufactured tobacco, snuff, and cigars, peddlers of tobacco, snuff, and cigars, and manufacturers of snuff: *Provided*, That on all original and unbroken factory packages of smoking and manufactured tobacco and snuff, cigars, cheroots, and cigarettes, held by manufacturers or dealers at the time such repeal or reduction shall go into effect, upon which the tax has been paid, there shall be a rebate in favor of said manufacturer or dealer to the full amount and extent of the tax so paid thereon or to the full amount of the tax so reduced, as the case may be; but the same shall not apply in any case where the claim has not been presented within ninety days following the date when such repeal shall take effect; and no claim shall be allowed for a less amount than $10; and any special-tax stamp covering taxes repealed by this act may be redeemed for the portion of the special-tax year unexpired at the time of the repeal when the amount claimed for such stamp shall not be less than $10; and all sums required to satisfy claims under this act shall be paid out of any money in the Treasury not otherwise appropriated; and it shall be the duty of the Secretary of the Treasury to adopt such rules and regulations and to prescribe and furnish such blanks and forms as may be necessary to carry this section into effect.

The sum of $20,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the alteration of dies, plates, and stamps, for furnishing blanks and forms, and for such other expenses as shall be incident to the collection of special taxes at the reduced rates provided in this act.

Mr. VANCE. Are amendments in order now as we proceed with the reading of the sections?

The PRESIDENT *pro tempore*. They are in order as the reading proceeds.

Mr. VANCE. In section 1 of the amendment, on page 69, line 46, I move to amend by striking out the word "ten" and inserting "five."

The PRESIDENT *pro tempore*. The amendment will be stated from the desk.

The CHIEF CLERK. On page 69, in section 1, line 46, it is proposed to strike out "ten" and insert "five;" so as to read:

And no claim shall be allowed for a less amount than $5.

The amendment was rejected.

The reading of the substitute was resumed and continued to the end of section 11, as follows:

SEC. 2. That all internal-revenue laws limiting, restricting, or regulating the manufacture, sale, or exportation of all tobacco and snuff, except as herein provided, are hereby repealed, to take effect on the 1st day of February, 1889; and that there shall be no drawback allowed upon any such articles which shall be entered for export on or after that date: *Provided*, That all laws now in force shall remain and have full force and effect in respect to all offenses committed, liabilities incurred, or rights accruing or accrued prior to the date when the repeal of the taxes specified in this act shall take effect.

ALCOHOL IN THE INDUSTRIAL ARTS.

SEC. 3. That the Commissioner of Internal Revenue be, and hereby is, authorized, with the approval of the Secretary of the Treasury, upon the filing of such bond as he may prescribe, to establish warehouses, to be designated as bonded alcohol warehouses, to be used exclusively for the storing of distilled spirits of an alcoholic strength of not less than 180 per cent. of proof spirit as defined by section 3249 of the Revised Statutes of the United States, and in the distillers' original casks or packages, each of which warehouses shall be in the charge of a storekeeper, or storekeeper and gauger, to be appointed, assigned, transferred, and paid in the same manner that storekeepers and storekeepers and gaugers for distillery warehouses are now appointed, assigned, transferred, and paid. Every such warehouse shall be under the control of the collector of internal revenue of the district in which such warehouse is located, shall be in the joint custody of the storekeeper, or storekeeper and gauger, and the proprietor thereof, and kept securely locked, and shall at no time be unlocked or opened, or remain open, except in the presence of such storekeeper, or storekeeper and gauger, or other person who may be designated to act for him, as provided in the case of distillery warehouses. And such warehouses shall be under such further regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

SEC. 4. That distilled spirits of an alcoholic strength of not less than 180 per cent. of proof spirit as defined by section 3249 of the Revised Statutes of the United States may, after having been properly gauged, marked, stamped, and branded in distillery warehouses, under regulations to be prescribed by the

Commissioner of Internal Revenue, and approved by the Secretary of the Treasury, and also stamped as hereinafter provided, be removed in bond from distillery bonded warehouses to a bonded alcohol warehouse, under such regulations and after making such entries, and executing and filing with the collector of the district in which such spirits are manufactured such bonds and bills of lading, and giving such other additional security as may be prescribed by the Commissioner of Internal Revenue and approved by the Secretary of the Treasury.

SEC. 5. That such distilled spirits, after being deposited in such bonded alcohol warehouse, may, under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe, be removed to secure store-rooms, and used in manufacturing establishments, as hereinafter provided, without payment of the internal-revenue tax, in the industrial arts, and in the manufacture of articles, preparations, compounds, acetic and other acids, and medicinal drugs, or chemicals made according to the directions of the United States or other national pharmacopœia or according to formulas as published in any of the dispensatories in common use among physicians or apothecaries in the United States. But nothing herein contained shall be held or construed as authorizing the use of any distilled spirits upon which the internal-revenue tax has not been paid in the manufacture of tinctures, proprietory articles, wines, liquors, cordials, bitters, or other alcoholic compounds which are used or sold as beverages, or which, in the opinion of the Commissioner of Internal Revenue, may be so used or sold. All articles excluded from the provisions of this act, manufactured or stored on any premises to which distilled spirits have been removed free of tax under the provisions of this act, and all articles manufactured or stored in violation of this act shall be forfeited to the United States. Every person desiring to have a bonded alcohol warehouse or store-room established, intending to commence or continue business therein, shall file with the collector of internal revenue of the district in which the building or room to be used as such warehouse or store-room is located a notice in duplicate of his desire and intention, stating the location of the building or room, and such other information as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may require; and at the time of filing of such notice shall execute a bond in duplicate, in the form prescribed by the Commissioner of Internal Revenue, conditioned that he will comply with all the provisions of law and regulations made in pursuance thereof pertaining to the business to be carried on by him, and that he will not use, or allow to be used, any distilled spirits entered into or removed from his warehouse or store-room by any person or persons whatsoever for any of the uses not authorized by this act, and that in case any such spirits shall be so used, he shall pay, or cause to be paid, to the United States a sum double the amount of the tax on all such spirits so used, and shall pay all penalties incurred or fines imposed on him for violation of any of the provisions of this act. Said bonds shall each be with at least two sureties, approved by the collector of the district, and for the penal sum of not less than double the amount of the tax on the estimated quantity of such spirits that are intended to be entered in such warehouse or store-room, as the case may be, during a period of sixty days, but in no case shall the penal sum of said warehouse bond be less than $100,000, nor that of the store-room bond be less than $5,000, and the said bonds shall be strengthened and renewed at such times and shall contain such other conditions as the Commissioner of Internal Revenue may require. The collector may refuse to approve said bond when in his judgment the situation of the warehouse or store-room is such as will enable the warehouse proprietor or the manufacturer to defraud the United States; and in case of such refusal the proprietor or manufacturer may appeal to the Commissioner of Internal Revenue, whose decision in the matter shall be final. One copy of the notice and application and bond will be forwarded to the Commissioner of Internal Revenue and one of each will be retained by the collector.

SEC. 6. That all distilled spirits intended to be entered for deposit in a bonded alcohol warehouse, before being removed from the distillery warehouse, shall have affixed to each cask or package an engraved stamp indicative of such intention, to be provided and furnished to the several collectors as in the case of other stamps, and to be charged to them and accounted for in the same manner, and for the expense attending the providing and affixing such stamps 10 cents for each stamp shall be paid to the collector of the district on making the entry for such removal.

SEC. 7. That any manufacturer, after having provided, at his own expense, on the premises, and connected with his manufactory, a secure store-room, in which all spirits used in the manufactory shall be exclusively entered and stored, and to be separated by a secure wall from all other parts of such manufactory, and with one door only entering therein, and all other openings secured and fastened, and approved by the collector of the district and the Commissioner of Internal Revenue, after the filing of the notice and bond as required by this act, may, under such bonds and securities as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe, remove distilled spirits of an alcoholic strength of not less than 180 per cent. of proof spirit as defined by section 3249 of the Revised Statutes of the United States, in distillers' original casks or packages, without payment of the internal-revenue tax, from a bonded alcohol warehouse, as defined in this act, to his store-room for use in his manufactory as hereinbefore provided. But such spirits shall remain in the original packages until withdrawn for immediate use. Every such store-room shall be under the control of the collector of internal revenue of the district in which such manufactory is located, and shall be in the charge of a storekeeper, or storekeeper and gauger, and in the joint custody of the storekeeper, or storekeeper and gauger, and the proprietor thereof, and kept securely locked, and shall at no time be unlocked or opened, or remain open, except in the presence of such storekeeper, or storekeeper and gauger, or other person who may be designated to act for him, as provided in the case of distillery warehouses, and such storekeeper, or storekeeper and gauger, shall be appointed, assigned, transferred, and paid in the same manner that storekeepers or storekeepers and gaugers for distillery warehouses are now appointed, assigned, transferred, and paid. And in case the official bond of the storekeeper, or storekeeper and gauger has been approved before the passage of this act, such officer shall file a new official bond, which must be approved by the Commissioner of Internal Revenue before he is assigned to duty under the provisions of this act.

SEC. 8. The storekeeper or storekeeper and gauger assigned to such store-room shall, in addition to keeping such books and making such reports, concerning spirits entered in, and delivered and removed from such store-room, as may be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, have access to every part of such manufactory in which such distilled spirits are used, and make a report each month to the Commissioner of Internal Revenue, stating the kind and quantity of distilled spirits used during the month, the purpose for which used, and furnish such other information as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may require and prescribe; and such store-rooms shall be under such further regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

SEC. 9. That under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe, any proprietor of a bonded alcohol warehouse, who has filed with the collector a bond with at least two sureties, and in the form and sum specified in this act, may admix with the distilled spirits entered in his warehouse, in the presence of the storekeeper, methylic alcohol, wood-alcohol, or wood-naphtha, which shall cause such distilled spirits to be unfit for use as a beverage; and such distilled spirits, after being so methylated, and drawn off in the presence of the storekeeper, or storekeeper and gauger, and under the supervision of a gauger to be designated by the collector, into packages of a form and material to be prescribed by the Commissioner of Internal Revenue, and different from those of casks in which distilled spirits are usually contained, such packages to be gauged, marked, stamped, and branded by the gauger as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe, may be sold and removed from such warehouse without the payment of the internal-revenue tax. But distilled spirits produced in different months shall not be drawn into the same package, and each package shall not be of less capacity than 5 wine gallons, nor of greater capacity than 25 wine gallons, nor contain more than 39 proof gallons of spirits. Methylated spirits may be used in the arts and manufactures, and for burning, and in the manufacture of articles and compounds, except wines, liquors, cordials, bitters, and other alcoholic compounds used and sold as beverages, or in the opinion of the Commissioner of Internal Revenue calculated or intended to be so used or sold. And the methylation of such spirits shall be by the addition of methylic alcohol, wood-alcohol, or wood-naphtha in such quantities, and in such manner, in the presence of the storekeeper, or storekeeper and gauger, as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe. And no methylated spirits shall be permitted on any premises in which the business of a distiller, rectifier, wholesale liquor-dealer, or retail liquor-dealer is carried on, or in premises connected therewith by any private or internal communication. Every person intending to withdraw methylated spirits from any bonded alcohol warehouse shall file with the collector of the district in which the spirits are to be used an application, under oath, setting forth the purpose for which the spirits are to be withdrawn, the estimated quantity to be so withdrawn and used during a period of one year; the place where the spirits are to be stored, and a full description of the premises on which the spirits are to be so used; also, the name and residence of every person interested, or to be interested, in the business to be carried on at said premises; and the application shall be in such form, and shall contain such further information as the Commissioner of Internal Revenue may, by regulation, require.

Upon the receipt of such application and after making such inquiries as will satisfy him that the statements therein contained are true, the collector shall, upon the applicant filing with him a bond with satisfactory sureties and in a penal sum of not less than double the amount of the tax on the spirits intended to be withdrawn during the period of one year, issue a permit, under seal, for the withdrawal of said spirits for the purpose or purposes to be therein specified; said bond and permit shall be in such form as the Commissioner of Internal Revenue may prescribe, and may be renewed, and shall be canceled or revoked at his discretion.

And the Commissioner of Internal Revenue is authorized to have such permits printed from engraved plates and with serial numbers, as in the case of special-tax stamps.

No methylated spirits shall be withdrawn from any bonded alcohol warehouse except upon a permit issued as aforesaid, which permit shall, at the time each withdrawal of spirits is made thereunder, be presented by the person to whom it is issued, or by his duly authorized agent, to the storekeeper in charge of the warehouse, who shall indorse upon the permit the quantity of spirits withdrawn, giving the number of packages, the serial numbers of packages and stamps, the number of proof gallons, the date when tax is due by three years' limit, and the date of withdrawal in each case. But in no case shall the quantity of spirits withdrawn under any permit during the period for which the permit is issued exceed the quantity of spirits specified therein. And the sale, removal, and use of such methylated spirits shall be under such regulations and restrictions as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe. And said Commissioner may, in his discretion, exact bonds and returns of persons who purchase or receive, use, or transport methylated spirits. And any internal-revenue officer shall, at all times, have right of access to all premises on which such methylated spirits are received, stored, or used. And the provisions of sections 3276 and 3277 of the Revised Statutes of the United States, so far as applicable, are hereby made to apply to such premises and to the proprietors or occupants thereof. And any person who shall demythylate, or separate methylic alcohol, wood-alcohol, or wood-naphtha from any such distilled spirits, or use, or by willful neglect, cause to be used, any such methylated spirits for any of the uses not authorized by this act, or who shall separate or recover, or cause the separation or recovery of any alcohol permitted to be used in the manufacture of any of the articles by the provisions of this act free of tax, shall on conviction pay a penalty of not less than $500, nor more than $5,000, and be imprisoned not less than six months nor more than three years.

SEC. 10. That every proprietor of any such bonded alcohol warehouse who shall have filed the application and bond, and every manufacturer who shall have provided a suitable store-room, which have been approved by the collector of the district and the Commissioner of Internal Revenue, shall provide a book to be prepared and kept in such form as the Commissioner of Internal Revenue may prescribe, and shall make daily entries therein of all spirits received, with the name of the person from whom the spirits were purchased, and the name of the distiller by whom and the district in which the spirits were produced, and the serial number of each cask or package, and the actual contents of each when received by him. He shall also, in like manner, enter in said book the quantity of spirits removed each day, and the name, occupation, and address of the person to whom the spirits are sold; and if a manufacturer, he shall enter in said book the quantity removed from the store-room, and if less than a cask or package, the actual quantity removed from any cask or package; and he shall also enter the names of all articles in the manufacture of which such spirits have been used as authorized in this act. And every person keeping the book herein required shall, on or before the tenth day of each month, make a full and accurate transcript of all entries made during the preceding month, and shall, after verifying the same by oath, forward the same through the collector of the district to the Commissioner of Internal Revenue. The book herein required shall be kept on the premises described in the application, and shall at all times be open for the inspection of any revenue officer; and such officer shall at all times have access to said premises for the purpose of inspecting the same, or any stock, utensil, apparatus, or appliances therein, where such spirits are used, and the owner or occupant of said premises shall, on demand of such officer, furnish needful assistance to enable the said officer to make such examination and report. And any person who shall willfully use, or by neglect cause to be used, any distilled spirits entered in his bonded alcohol warehouse or store-room established under this act in any manner except as expressly provided and permitted in this act, shall on conviction pay a penalty of not less than $1,000 nor more than $5,000, and be imprisoned not less than six months nor more than three years.

SEC. 11. That any person who, under the provisions of this act, or under any regulation issued in pursuance hereof, shall neglect or refuse to make or render any entry, bond, or account, or shall make or render any false or fraudulent entry, bond, or account, or shall, in qualifying as a surety to any bond required by this act, make any false or fraudulent statement or representation as to the property owned by him, and any person who shall fail to use any stamp, label, tag, mark, caution-notice, or any other device prescribed by this act, or by any regulation issued in pursuance of this act, or shall fraudulently use or reuse the same, shall for any such offense, on conviction had, be fined not less than $500 nor more than $5,000, and be imprisoned not less than six months nor more than three years; and any vessel, package, or other inclosure not stamped, marked, or branded as required by law and this act, all spirits or other materials contained in

such vessel, cask, or package, or inclosure shall be forfeited to the United States. Nothing in this act shall be construed as extending the time within which the tax on distilled spirits shall be paid beyond the limit fixed by law within which such spirits must be withdrawn from distillery warehouses upon payment of the tax. And, in case any spirits withdrawn from a distillery warehouse under the provisions of this act are not used as authorized by this act within the time fixed by the distiller's warehousing bond for the payment of the tax, the Commissioner of Internal Revenue shall assess the tax against the person liable, under bond as warehouse proprietor or manufacturer at the time, for the proper use and custody of the spirits, and such tax shall be collected as in the case of other assessed taxes.

It shall not be lawful for any person to receive, use, or store any methylated distilled spirits free of internal-revenue tax under the provisions of this act on any premises within 600 feet in a direct line from any premises used as a distillery or for rectifying distilled spirits.

Any person who shall receive, or use distilled spirits, free of tax, under the provisions of this act, and shall knowingly or willfully omit, neglect, or refuse to do, or cause to be done, any of the things required to be done by this act, or any regulation made pursuant thereto, or shall do anything by this act prohibited, or declared thereby to be unlawful, if there be no specific penalty or punishment imposed by this act for the neglecting, omitting, or refusing to do the thing required, or for the doing or causing to be done, the thing prohibited, or declared unlawful, he shall, on conviction, pay a penalty at the discretion of the court, not exceeding $5,000. And the Commissioner of Internal Revenue is authorized to determine the quality and strength of the methylic alcohol, wood-alcohol, or wood-naphtha, that may be used in methylating spirits. And the Commissioner of Internal Revenue may also, at his discretion, require the maker of methylated spirits to provide a separate store-room and vats, with suitable locks and fastenings, for keeping and storing methylic alcohol, wood-alcohol, or wood-naphtha, used in methylating and mixing, and may require samples to be furnished from such vats, or other receptacles, for chemical analysis and for his approval.

Mr. SHERMAN. Mr. President, the Senate have heard read the sections which relate to alcohol used in the industrial arts. While I have grave doubts about the practicability of trying these sections without encouraging fraud, at the same time I believe that the object of the sections is a good one—to remove all tax from spirits or alcohol used for the purposes of manufacture or in the arts or as medicines and the like, and to confine the tax on whisky to that which is used for consumption in the ordinary form.

These sections are very harsh and severe; they are necessarily so; but I do not believe that even with all their harshness and severity they will be successfully applied and executed. Still, as I have no objection to the object sought for, the removal of the tax on any article essential to many of the industrial arts and used to the extent of seven or eight million dollars a year, not for consumption in the ordinary way, I am willing to see the experiment tried. I wish simply to enter my *caveat* for the reasons partially stated by Commissioner Miller in his recent report, and for reasons which I have also previously stated before the Committee on Finance. I fear it will not be a successful experiment, but I am willing to let it pass without any resistance, stating, however, that I may offer one or two amendments in detail in regard to some provisions of these sections to which my attention has been called this morning, but which I have not sufficiently studied to feel authorized now in moving an amendment. I take it that I have a right at any time in the Senate or in the committee stage to offer these amendments to carry out the view I have taken of these sections.

Mr. HARRIS. I do not desire to detain the further reading of the bill. I wish, however, to give notice that when the bill is reported to the Senate I shall probably offer several amendments to the internal-revenue sections, and especially to the sections referred to by the Senator from Ohio; but for the present, as the amendments are not perfected, I will allow the reading of the measure to proceed without offering the amendments at this time, and will, when the bill is reported to the Senate, have them ready and will then offer them.

Mr. VANCE. I desire to offer an amendment as an independent section, to come in at the end of section 10.

The PRESIDENT *pro tempore*. The proposed amendment will be reported by the Secretary.

The CHIEF CLERK. It is proposed to insert as a new section after section 10 the following:

That whenever in any statute denouncing any violation of the internal-revenue laws as a felony, crime, or misdemeanor, there is prescribed in such statute a minimum punishment, less than which minimum no fine, penalty, imprisonment, or punishment is authorized to be imposed, every such minimum punishment is hereby abolished; and the court or judge in every such case shall have discretion to impose any fine, penalty, imprisonment, or punishment not exceeding the limit authorized by such statute, whether such fine, penalty, imprisonment, or punishment be less or greater than the said minimum so prescribed.

Mr. VANCE. Mr. President, that is merely extending the provisions of the law authorizing the judge to exercise his discretion to the whole law relating to internal taxes. The present law, which has just been read as part of the substitute of the Senate Finance Committee, in the preceding section, providing penalties for violations of this provision, which it is admitted affords great chance to the commission of fraud, gives the judge a discretion, merely limiting him to a maximum punishment. This amendment of mine extends that discretion of the court to all violations of the internal-revenue laws. I think it is eminently proper that it should be done.

Mr. VEST. I did not catch all the wording of that amendment, but I suppose the Senator from North Carolina does not mean to extend it to any except violations of internal-revenue laws.

Mr. VANCE. That is all.

Mr. VEST. I ask the Secretary to read it again. It seemed to me to extend to the whole criminal statutes of the United States.

Mr. VANCE. That is not the intention.

The PRESIDENT *pro tempore*. The amendment will be again read.

The Chief Clerk read the proposed amendment of Mr. VANCE.

The PRESIDING OFFICER (Mr. PLATT in the chair). The question is on the amendment proposed by the Senator from North Carolina [Mr. VANCE].

Mr. ALDRICH. I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BLAIR (when his name was called). I will vote "nay," it being understood that the Senator from Mississippi [Mr. GEORGE] is paired with the Senator from Nevada [Mr. JONES].

Mr. FAULKNER (when his name was called). I transfer my pair with the Senator from Pennsylvania [Mr. QUAY] to the Senator from Virginia [Mr. DANIEL], and vote "yea."

Mr. MORGAN (when his name was called). I am paired with the Senator from New York [Mr. EVARTS]. If he were present, I should vote "yea."

The roll-call was concluded.

Mr. CULLOM. I desire to state that the Senator from Maine [Mr. HALE] is paired with the Senator from Kentucky [Mr. BECK]. If present, the Senator from Maine would vote "nay."

Mr. PADDOCK. I am paired generally with the Senator from Louisiana [Mr. EUSTIS], who is absent. The Senator from Illinois [Mr. FARWELL] is also absent, and the Senator from Florida [Mr. PASCO] is paired with him. I have transferred my pair with the Senator from Louisiana to the Senator from Illinois, so that the Senator from Florida and myself can both vote. I vote "nay."

Mr. PASCO. I was paired with the Senator from Illinois [Mr. FARWELL], but under the arrangement announced by the Senator from Nebraska I will vote "yea," my pair having been transferred.

Mr. COLQUITT. I am paired with the Senator from Rhode Island [Mr. CHACE]. If he were present, I should vote "yea."

Mr. BUTLER. I beg to announce that my colleague [Mr. HAMPTON] is paired with the Senator from Nevada [Mr. JONES]. If my colleague were present, he would vote "yea," and the Senator from Nevada "nay."

The PRESIDING OFFICER. The Chair is uncertain whether the Senator from New Hampshire [Mr. BLAIR] did not announce some pair with the Senator from South Carolina [Mr. HAMPTON].

Mr. BLAIR. As I understood, my pair with the Senator from Mississippi [Mr. GEORGE] was transferred to the Senator from Nevada [Mr. JONES].

Mr. BUTLER. I announced the pair between my colleague and the Senator from Nevada. I was not aware of the fact that the Senator from New Hampshire was paired with him.

Mr. BLAIR. Then I resume my pair with the Senator from Mississippi [Mr. GEORGE].

Mr. BUTLER. I have not the least objection.

The PRESIDING OFFICER. The Senator from New Hampshire withdraws his vote.

Mr. SABIN. I am paired with the Senator from West Virginia [Mr. KENNA]. Otherwise I should vote "nay."

Mr. VEST (after having voted in the affirmative). I have a general pair with the Senator from Kansas [Mr. PLUMB]. As I see he is absent, I withdraw my vote.

Mr. HARRIS. I desire to announce the pair of the Senator from Vermont [Mr. EDMUNDS] with the Senator from Alabama [Mr. PUGH], both of whom are necessarily absent from the Chamber.

Mr. FAULKNER. I desire to announce that the Senator from Indiana [Mr. VOORHEES] is paired with the Senator from Nevada [Mr. STEWART].

The PRESIDING OFFICER. The Senator from West Virginia is informed that the Senator from Nevada [Mr. STEWART] has voted.

Mr. FAULKNER. The understanding was that the pair controlled as to those two Senators.

Mr. HARRIS. I will say to the Senator from West Virginia that on the vote on the motion to lay upon the table the Senator from Nevada [Mr. STEWART] was absent from the Chamber, and it was arranged on that vote that they should be paired. The Senator from Nevada came in subsequently, and a pair will have to be arranged between that Senator or some other with the Senator from Indiana.

Mr. FAULKNER. That pair was arranged with the Senator from Illinois [Mr. CULLOM] on this vote.

Mr. HARRIS. I stand corrected, then. That is all right; but the Senator from Nevada [Mr. STEWART] has voted and is now not in the Chamber.

The PRESIDING OFFICER. The Chair has no power to withdraw the vote of the Senator from Nevada.

Mr. HARRIS. Of course not, unless the Senator were present to do it. Probably some Senator who is present will withdraw his vote and pair with the Senator from Indiana [Mr. VOORHEES] on this question.

The result was announced—yeas 17, nays 28; as follows:

YEAS—17.

Bate,	Cockrell,	Jones of Arkansas,	Vance,
Berry,	Coke,	Pasco,	Walthall.
Blackburn,	Faulkner,	Ransom,	
Blodgett,	Gray,	Reagan,	
Butler	Harris,	Turpie,	

NAYS—28.

Aldrich,	Dolph,	Manderson,	Sabin,
Allison,	Frye,	Mitchell,	Sawyer,
Cameron,	Hawley,	Morrill,	Sherman,
Chandler,	Hiscock,	Paddock,	Spooner,
Cullom,	Hoar,	Palmer,	Stewart,
Davis,	Ingalls,	Payne,	Stockbridge,
Dawes,	McPherson,	Platt,	Teller.

ABSENT—31.

Beck,	Edmunds,	Hampton,	Riddleberger,
Blair,	Eustis,	Hearst,	Saulsbury,
Bowen,	Evarts,	Jones of Nevada,	Stanford,
Brown,	Farwell,	Kenna,	Vest,
Call,	George,	Morgan,	Voorhees,
Chace,	Gibson,	Plumb,	Wilson of Iowa,
Colquitt,	Gorman,	Pugh,	Wilson of Md.
Daniel,	Hale,	Quay,	

So the amendment was rejected.

Mr. VANCE. I have another amendment to offer, to come in as an independent section at the end of section 11, which I ask to have read.

The PRESIDING OFFICER. The Senator from North Carolina offers an amendment, which will be read.

The CHIEF CLERK. It is proposed to insert a new section after section 11, the following:

That no warrant, in any case under the internal-revenue law, shall be issued upon an affidavit making charges upon information and belief, unless such affidavit is made by a collector or deputy collector of internal revenue or by a revenue agent; and, with the exception aforesaid, no warrant shall be issued except upon a sworn complaint, setting forth the facts constituting the offense and alleging them to be within the personal knowledge of the affiant. And the United States shall not be liable to pay any fees to marshals, clerks, commissioners, or other officers for any warrant issued or arrest made in prosecutions under the internal-revenue laws, unless there be a conviction or the prosecution has been approved, either before or after such arrest, by the attorney of the United States for the district where the offense is alleged to have been committed, or unless the prosecution was commenced by information or indictment.

The amendment was rejected.

Mr. VANCE. I offer another amendment as an independent section, to come in at the same place, at the end of section 11.

The PRESIDING OFFICER. The proposed amendment will be read.

The CHIEF CLERK. It is proposed to insert a new section after section 11, the following:

That whenever a warrant shall be issued by a commissioner or other judicial officer having jurisdiction for the arrest of any person charged with a criminal offense, such warrant, accompanied by the affidavit on which the same was issued, shall be returnable before some judicial officer named in section 1014 of the Revised Statutes residing in the county of arrest, or, if there be no such judicial officer in that county, before some such judicial officer residing in another county nearest to the place of arrest. And the judicial officer before whom the warrant is made returnable as herein provided shall have exclusive authority to make the preliminary examination of every person arrested as aforesaid, and to discharge him, admit him to bail, or commit him to prison, as the case may require: *Provided*, That this section shall not apply to the Indian Territory.

Mr. VANCE. There certainly can be no objection to this amendment. It simply requires that when a person is arrested he shall be taken before the United States commissioner in the county of arrest most convenient to him; and, if there be none in that county, then to the commissioner in the nearest county where a commissioner resides. It seems to me that there can be no possible objection to that. It also invests the commissioner with power to discharge the person arrested if there is not a *prima facie* case against him, instead of binding him over to the court.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from North Carolina. [Putting the question.] The "noes" appear to have it.

Mr. VANCE. I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BLAIR (when his name was called). I am paired with the Senator from Mississippi [Mr. GEORGE]. Otherwise I should vote "nay."

Mr. CALL (when his name was called). I am paired with the Senator from Colorado [Mr. BOWEN].

Mr. COLQUITT (when his name was called). I am paired with the Senator from Rhode Island [Mr. CHACE].

Mr. FAULKNER (when his name was called). I transfer my pair with the Senator from Pennsylvania [Mr. QUAY] to the Senator from Virginia [Mr. DANIEL], and I vote "yea."

Mr. BUTLER (when Mr. HAMPTON's name was called). I will announce now, and for the last time, the pair of my colleague [Mr. HAMPTON] with the Senator from Nevada [Mr. JONES].

Mr. PASCO (when his name was called). My pair having been transferred under the arrangement announced by the Senator from Nebraska [Mr. PADDOCK], I vote "yea."

Mr. STEWART (when his name was called). I am paired with the Senator from Indiana [Mr. VOORHEES].

Mr. ALDRICH. That pair has been transferred.

Mr. STEWART. Then I vote "nay."

Mr. TELLER (when his name was called). I am paired with the Senator from Louisiana [Mr. GIBSON], and therefore refrain from voting. I do not see him in the Chamber. I voted on the former votes without noticing his absence.

Mr. VANCE (when his name was called). On this question I am paired with the Senator from Michigan [Mr. PALMER], who is temporarily absent from the Chamber. If he were present, I should vote "yea."

Mr. VEST (when his name was called). I am paired with the Senator from Kansas [Mr. PLUMB].

The roll-call was concluded.

Mr. BLACKBURN. I am paired with the Senator from Nebraska [Mr. MANDERSON]. If he were here, he would vote "nay" and I should vote "yea."

Mr. HARRIS. I announce for the last time the pair of the Senator from Vermont [Mr. EDMUNDS] with the Senator from Alabama [Mr. PUGH].

Mr. CULLOM. My colleague [Mr. FARWELL] is paired now with the Senator from Louisiana [Mr. EUSTIS]. If my colleague were present, he would vote "nay."

Mr. BLACKBURN. Noticing the absence of the Senator from Maine [Mr. HALE], I desire to announce the pair of my colleague [Mr. BECK] with the Senator from Maine.

Mr. MORGAN. I am paired with the Senator from New York [Mr. EVARTS]. If he were present, I should vote "yea."

Mr. CHANDLER (after having voted in the negative). I desire to inquire whether the name is checked of the Senator from New Jersey [Mr. BLODGETT].

The PRESIDING OFFICER. The Senator from New Jersey is not recorded.

Mr. CHANDLER. Then I withdraw my vote.

Mr. PAYNE (after having voted in the affirmative). I desire to inquire whether my colleague [Mr. SHERMAN] has voted.

The PRESIDING OFFICER. The Senator's colleague has not voted.

Mr. PAYNE. That Senator requested me to pair with him; so I withdraw my vote.

The result was announced—yeas 15, nays 19; as follows:

YEAS—15.

Bate,	Coke,	Jones of Arkansas,	Reagan,
Berry,	Faulkner,	McPherson,	Turpie,
Butler,	Gray,	Pasco,	Walthall.
Cockrell,	Harris,	Ransom,	

NAYS—19.

Aldrich,	Dawes,	Hoar,	Sawyer,
Allison,	Dolph,	Mitchell,	Spooner,
Cameron,	Frye,	Morrill,	Stewart,
Cullom,	Hawley,	Paddock,	Stockbridge.
Davis,	Hiscock,	Platt,	

ABSENT—42.

Beck,	Edmunds,	Jones of Nevada,	Saulsbury,
Blackburn,	Eustis,	Kenna,	Sherman,
Blair,	Evarts,	Manderson,	Stanford,
Blodgett,	Farwell,	Morgan,	Teller,
Bowen,	George,	Palmer,	Vance,
Brown,	Gibson,	Payne,	Vest,
Call,	Gorman,	Plumb,	Voorhees,
Chace,	Hale,	Pugh,	Wilson of Iowa,
Chandler,	Hampton,	Quay,	Wilson of Md.
Colquitt,	Hearst,	Riddleberger,	
Daniel,	Ingalls,	Sabin,	

The PRESIDING OFFICER. There is not a quorum voting. The Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Colquitt,	Jones of Arkansas,	Reagan,
Allison,	Cullom,	McPherson,	Sawyer,
Bate,	Davis,	Manderson,	Spooner,
Berry,	Dawes,	Mitchell,	Stewart,
Blackburn,	Dolph,	Morgan	Stockbridge,
Blair,	Faulkner,	Morrill,	Teller,
Butler,	Frye,	Paddock,	Turpie,
Call,	Hale,	Pasco,	Vance,
Cameron,	Harris,	Payne,	Vest,
Chandler,	Hawley,	Platt,	Walthall.
Cockrell,	Hiscock,	Quay,	
Coke,	Hoar,	Ransom,	

The PRESIDING OFFICER. On the roll-call of the Senate 46 Senators have answered to their names. A quorum being present, the roll will be called upon the question of agreeing to the amendment proposed by the Senator from North Carolina [Mr. VANCE].

The Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Colorado [Mr. BOWEN].

Mr. COLQUITT. I am paired with the Senator from Rhode Island [Mr CHACE].

Mr. WALTHALL (when the name of Mr. GEORGE was called). My colleague [Mr. GEORGE] is paired with the Senator from New Hampshire [Mr. BLAIR].

Mr. HALE (when his name was called). I am paired with the Senator from Kentucky [Mr. BECK]. I should vote "nay" if he were present, and he would vote "yea."

Mr. SABIN (when his name was called). I am paired with the Senator from West Virginia [Mr. KENNA], but the pair has been transferred to the Senator from Virginia [Mr. RIDDLEBERGER]. I vote "nay."

Mr. TELLER (when his name was called). I am paired with the Senator from Louisiana [Mr. GIBSON]. If he were present, I should vote "nay."

The roll-call was concluded.

Mr. TELLER. With the consent of the Senator from Florida [Mr. CALL], I will transfer my pair with the Senator from Louisiana [Mr. GIBSON] to my colleague [Mr. BOWEN], and I will vote "nay."

Mr. CALL. Very well. Then I vote "yea."

Mr. VEST. I again announce my pair with the Senator from Kansas [Mr. PLUMB]. I should vote "yea" if he were present.

Mr. BLAIR. I announce my pair with the Senator from Mississippi [Mr. GEORGE], which will continue until he comes.

Mr. CULLOM. I announce the pair of my colleague [Mr. FARWELL] with the Senator from Louisiana [Mr. EUSTIS]. My colleague would vote "nay" if present.

Mr. CHANDLER. I am paired with the Senator from New Jersey [Mr. BLODGETT]. If he were present, I should vote "nay."

The result was announced—yeas 18, nays 24; as follows:

YEAS—18.

Bate,	Cockrell,	Pasco,	Turpie,
Berry,	Coke,	Payne,	Vance,
Blackburn,	Faulkner,	Ransom,	Walthall.
Butler,	Harris,	Reagan,	
Call,	McPherson,	Saulsbury,	

NAYS—24.

Aldrich,	Dolph,	Mitchell,	Sawyer,
Allison,	Frye,	Morrill,	Sherman,
Cameron,	Hawley,	Paddock,	Spooner,
Cullom,	Hiscock,	Palmer,	Stewart,
Davis,	Hoar,	Platt,	Stockbridge,
Dawes,	Manderson,	Sabin,	Teller.

ABSENT—34.

Beck,	Edmunds,	Hampton,	Quay,
Blair,	Eustis,	Hearst,	Riddleberger,
Blodgett,	Evarts,	Ingalls,	Stanford,
Bowen,	Farwell,	Jones of Arkansas,	Vest,
Brown,	George,	Jones of Nevada,	Voorhees,
Chace,	Gibson,	Kenna,	Wilson of Iowa,
Chandler,	Gorman,	Morgan,	Wilson of Md.
Colquitt,	Gray,	Plumb,	
Daniel,	Hale,	Pugh,	

So the amendment was rejected.

Mr. VANCE. I offer another amendment, to come in at the same place as those previously moved.

The PRESIDING OFFICER. The Senator from North Carolina offers an amendment, which will be read.

The CHIEF CLERK. It is proposed to insert as a new section after section 11 the following:

That the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may compromise any civil or criminal case, and may reduce or remit any fine, penalty, forfeiture, or assessment, under the internal-revenue laws.

The amendment was rejected.

Mr. VANCE. I have another amendment to offer, to come in as an independent section at the end of section 11.

The PRESIDING OFFICER. The Senator from North Carolina offers an amendment, which will be read.

The CHIEF CLERK. It is proposed to insert as a new section after section 11 the following:

That section 3255 of the Revised Statutes of the United States be amended by striking out all after said number and substituting therefor the following:

"And the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may exempt distillers of brandy made exclusively from apples, peaches, grapes, or other fruits from any provision of this title relating to the manufacture of spirits, except as to tax thereon, when in his judgment it may seem expedient to do so."

The PRESIDING OFFICER. The question is on the amendment.

Mr. ALLISON. Before that question is put I ask the Senator from North Carolina what he desires to accomplish by this amendment.

Mr. VANCE. I desire to accomplish by the amendment some exemption to the farmer who distills from fruit and to the small distilleries on their plantations, that they may be exempted from the supervision of storekeepers, gaugers, etc., at the discretion of the Secretary of the Treasury and the Commissioner of Internal Revenue, and render an account of their tax according to the capacity of their stills.

Mr. ALLISON. Let the amendment be again read.

The Chief Clerk read the amendment of Mr. VANCE.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from North Carolina.

Mr. VANCE. I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. WALTHALL (when Mr. GEORGE'S name was called). I desire to announce for the last time to-day that my colleague [Mr. GEORGE] is paired with the Senator from New Hampshire [Mr. BLAIR].

Mr. MORGAN (when his name was called). I am paired with the Senator from New York [Mr. EVARTS]. If he were present, I should vote "yea."

Mr. PAYNE (when his name was called). I am paired with my colleague [Mr. SHERMAN], who is temporarily absent, and withhold my vote.

The roll-call was concluded.

Mr. BLAIR. I announce my pair with the Senator from Mississippi [Mr. GEORGE].

The result was announced—yeas 16, nays 30; as follows:

YEAS—16.

Bate,	Call,	Pasco,	Turpie,
Berry,	Coke,	Ransom,	Vance,
Blodgett,	Faulkner,	Reagan,	Vest,
Butler,	McPherson,	Saulsbury,	Walthall.

NAYS—30.

Aldrich,	Dawes,	Jones of Arkansas,	Sabin,
Allison,	Dolph,	Manderson,	Sawyer,
Blackburn,	Frye,	Mitchell,	Sherman,
Cameron,	Harris,	Morrill,	Spooner,
Chandler,	Hawley,	Paddock,	Stewart,
Cockrell,	Hiscock,	Palmer,	Teller.
Cullom,	Hoar,	Platt,	
Davis,	Ingalls,	Plumb,	

ABSENT—30.

Beck,	Eustis,	Hampton,	Riddleberger,
Blair,	Evarts,	Hearst,	Stanford,
Bowen,	Farwell,	Jones of Nevada,	Stockbridge,
Brown,	George,	Kenna,	Voorhees,
Chace,	Gibson,	Morgan,	Wilson of Iowa,
Colquitt,	Gorman,	Payne,	Wilson of Md.
Daniel,	Gray,	Pugh,	
Edmunds,	Hale,	Quay,	

So the amendment was rejected.

Mr. VANCE. I desire to offer a further amendment, to come in at the end of section 11 as an independent section.

The PRESIDENT *pro tempore*. The amendment will be read.

The CHIEF CLERK. It is proposed to insert as a new section, after section 11, the following:

That section 3332 of the Revised Statutes, and the supplement thereto, shall be amended so that said section shall read as follows:

"When a judgment of forfeiture in any case of seizure is recovered against any distillery used or fit for use in the production of distilled spirits because no bond has been given, or against any distillery used or fit for use in the production of spirits having a registered producing capacity of less than 150 gallons a day, every still, doubler, worm, worm-tub, mash-tub, and fermenting-tub therein shall be sold, as in case of other forfeited property, without being mutilated or destroyed. And in case of seizure of a still, doubler, worm, worm-tub, fermenting-tub, mash-tub, or other distilling apparatus of any kind whatsoever, for any offense involving forfeiture of the same, it shall be the duty of the seizing officer to remove the same from the place where seized to a place of safe storage; and said property so seized shall be sold as provided by law, but without being mutilated or destroyed."

INDEBTEDNESS OF PACIFIC RAILROADS.

The PRESIDENT *pro tempore*. The hour of 2 o'clock having arrived, the Chair lays before the Senate the special order for this hour, being Senate bill 3401, the title of which will be reported by the Secretary.

The CHIEF CLERK. A bill (S. 3401) to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," approved July 1, 1862; also to amend an act approved July 2, 1864, and also an act approved May 7, 1878, both in amendment of said first-mentioned act; and to provide for a settlement of claims growing out of the issue of bonds to aid in the construction of certain of said railroads, and to secure to the United States the payment of all indebtedness of certain of the companies therein mentioned.

Mr. FRYE. I move that the special order be postponed to one week from to-day, at 2 o'clock.

Mr. ALLISON. When that special order was made, of course it was made subject to the consideration of the tariff bill. I suppose that will be understood as applying to it now.

The PRESIDENT *pro tempore*. The Senator from Maine moves that the special order, being Senate bill 3401, be postponed for one week, the consideration to be resumed on Wednesday, the 12th instant, at 2 o'clock in the afternoon.

Mr. ALLISON. I have no objection to that, subject to the tariff bill.

The PRESIDENT *pro tempore*. It will be so ordered if there be no objection.

THE REVENUE LAWS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

Mr. CULLOM. There is an amendment before the Senate, I believe.

The PRESIDENT *pro tempore*. The question recurs on agreeing to the amendment proposed by the Senator from North Carolina [Mr. VANCE].

Mr. VANCE. It seems to me that this is as fair a proposition as I have offered, and I should like, as there has been an interregnum, that it be read again for the information of the Senate.

The PRESIDENT *pro tempore*. It will be again reported.

The Chief Clerk read the amendment.

Mr. VANCE. I can not see who can object, or why any one should object, to this amendment to prevent the wanton destruction of property that might otherwise be sold for the benefit of the Government or somebody. Under the present law the special hardship is that when a man's distillery is seized, being supposed to have violated the internal-revenue laws, his property is destroyed. Perhaps there is a verdict of not guilty, but his property has been destroyed, and there is a

double injury inflicted upon him. This amendment simply provides that the property shall be confiscated and sold without being mutilated or destroyed.

Mr. BLACKBURN. I move to amend the amendment by striking out the words "having a registered producing capacity of less than 150 gallons a day."

The PRESIDENT *pro tempore*. The amendment to the amendment will be stated.

The CHIEF CLERK. In line 7, after the word "spirits," it is proposed to strike out all down to and including the word "day," in line 8, as follows:

Having a registered producing capacity of less than 150 gallons a day.

Mr. CULLOM. Now let us see how it would read as amended.

The PRESIDENT *pro tempore*. The amendment will be reported as proposed to be amended.

The Chief Clerk read as follows:

That section 3332 of the Revised Statutes, and the supplement thereto, shall be amended so that said section shall read as follows:

"When a judgment of forfeiture in any case of seizure is recovered against any distillery used or fit for use in the production of distilled spirits, because no bond has been given, or against any distillery used or fit for use in the production of spirits, every still, doubler, worm, worm-tub, mash-tub, and fermenting-tub therein shall be sold as in case of other forfeited property, without being mutilated or destroyed. And in case of seizure of a still, doubler, worm, worm-tub, fermenting-tub, mash-tub, or other distilling apparatus of any kind whatsoever, for any offense involving forfeiture of the same, it shall be the duty of the seizing officer to remove the same from the place where seized to a place of safe storage; and said property so seized shall be sold as provided by law, but without being mutilated or destroyed."

The amendment to the amendment was agreed to.

The PRESIDENT *pro tempore*. The question recurs on the amendment as amended. [Putting the question.] The "noes" appear to have it.

Mr. VANCE. I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. MORGAN (when his name was called). I am paired with the Senator from New York [Mr. EVARTS]. If he were present, I should vote "yea."

Mr. PAYNE (when his name was called). I am paired with my colleague [Mr. SHERMAN]. If he were present, I should vote "yea."

Mr. VEST (when his name was called). I am paired with the Senator from Kansas [Mr. PLUMB].

The roll-call was concluded.

Mr. COCKRELL. I am paired with the Senator from Connecticut [Mr. PLATT], who has been called out of the Senate Chamber and will be back in a few moments.

Mr. ALLISON. I wish to announce once for all that my colleague [Mr. WILSON, of Iowa], who is detained from the Senate, is paired with the Senator from Maryland [Mr. WILSON].

The result was announced—yeas 17, nays 24; as follows:

YEAS—17.

Bate,	Call,	Pasco,	Vance,
Berry,	Coke,	Ransom,	Walthall.
Blackburn,	Faulkner,	Reagan,	
Blodgett,	Harris,	Saulsbury,	
Butler,	Jones of Arkansas,	Turpie,	

NAYS—24.

Aldrich,	Dawes,	Ingalls,	Palmer,
Allison,	Dolph,	McPherson,	Sawyer,
Cameron,	Frye,	Manderson,	Spooner,
Chandler,	Hawley,	Mitchell,	Stewart,
Cullom,	Hiscock,	Morrill,	Stockbridge,
Davis,	Hoar,	Paddock,	Teller.

ABSENT—35.

Beck,	Eustis,	Hearst,	Riddleberger,
Blair,	Evarts,	Jones of Nevada,	Sabin,
Bowen,	Farwell,	Kenna,	Sherman,
Brown,	George,	Morgan,	Stanford,
Chace,	Gibson,	Payne,	Vest,
Cockrell,	Gorman,	Platt,	Voorhees,
Colquitt,	Gray,	Plumb,	Wilson of Iowa,
Daniel,	Hale,	Pugh,	Wilson of Md.
Edmunds,	Hampton,	Quay,	

So the amendment as amended was rejected.

Mr. VANCE. Mr. President, I am happy to say that I am nearing the end of my amendments. I beg the indulgence of the Senate to offer only a few more. I offer this as an independent section to come in at the end of section 11.

The PRESIDENT *pro tempore*. The proposed amendment will be read by the Secretary.

The CHIEF CLERK. It is proposed to insert, after section 11, as a new section:

That whenever it shall be made to appear to the United States court or judge having jurisdiction that the health or life of any person imprisoned for any offense, in a county jail or elsewhere, is endangered by close confinement, the said court or judge is hereby authorized to make such order and provision for the comfort and well-being of the person so imprisoned as shall be deemed reasonable and proper.

The amendment was agreed to.

Mr. VANCE. I offer one more amendment, to come in at the end of the one just adopted.

The PRESIDENT *pro tempore*. The amendment will be reported.

The CHIEF CLERK. It is proposed to insert as a new section the following:

SEC. —. That all clauses of section 3244 of the Revised Statutes, and all laws amendatory thereof, and all other laws which impose any special taxes upon manufacturers of stills, retail dealers in liquors, and retail dealers in malt liquors, are hereby repealed.

The PRESIDENT *pro tempore* put the question and declared that the noes appeared to prevail.

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BATE. I ask for the reading of that amendment again.

The amendment was read.

The Secretary proceeded to call the roll.

Mr. MORGAN (when his name was called). I am paired with the Senator from New York [Mr. EVARTS]. If he were present, I should vote "nay."

Mr. PLATT (when his name was called). I am paired with the Senator from Missouri [Mr. COCKRELL].

Mr. PUGH (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS].

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER], but as I think we agree on this subject I shall vote. I vote "nay."

The roll-call was concluded.

Mr. CULLOM. Seeing that the Senator from Delaware [Mr. GRAY] is absent, I announce that I am paired with him; but I should vote "nay" if at liberty to vote. My colleague [Mr. FARWELL], if present, would also vote "nay."

Mr. HALE. I am paired with the Senator from Kentucky [Mr. BECK]. I should vote "nay" but for that.

Mr. MANDERSON. Has the Senator from Kentucky [Mr. BLACKBURN] voted on this question?

The PRESIDENT *pro tempore*. He is not recorded.

Mr. MANDERSON. I am paired with that Senator, and therefore abstain from voting. I should vote "nay" if he were present.

Mr. BUTLER. I am paired generally with the Senator from Pennsylvania [Mr. CAMERON], but believing he would vote "nay" if present, I record my vote in the negative.

Mr. CULLOM. The Senator from Rhode Island [Mr. CHACE] is paired with the Senator from Georgia [Mr. COLQUITT].

The result was announced—yeas 4, nays 30; as follows:

YEAS—4.

Call,	Ransom,	Vance,	Vest.

NAYS—30.

Aldrich,	Dawes,	Mitchell,	Sherman,
Allison,	Dolph,	Morrill,	Stewart,
Bate,	Frye,	Paddock,	Stockbridge,
Berry,	Harris,	Palmer,	Teller,
Butler,	Hawley,	Payne,	Turpie,
Chandler,	Hiscock,	Plumb,	Walthall.
Coke,	Ingalls,	Reagan,	
Davis,	McPherson,	Sawyer,	

ABSENT—42.

Beck,	Daniel,	Hampton,	Quay,
Blackburn,	Edmunds,	Hearst,	Riddleberger,
Blair,	Eustis,	Hoar,	Sabin,
Blodgett,	Evarts,	Jones of Arkansas,	Saulsbury,
Bowen,	Farwell,	Jones of Nevada,	Spooner,
Brown,	Faulkner,	Kenna,	Stanford,
Cameron,	George,	Manderson,	Voorhees,
Chace,	Gibson,	Morgan,	Wilson of Iowa,
Cockrell,	Gorman,	Pasco,	Wilson of Md.
Colquitt,	Gray,	Platt,	
Cullom,	Hale,	Pugh,	

The PRESIDENT *pro tempore*. A quorum not having voted, the Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Colquitt,	McPherson,	Reagan,
Allison,	Cullom,	Manderson,	Saulsbury,
Bate,	Davis,	Mitchell,	Sawyer,
Berry,	Dawes,	Morgan,	Sherman,
Blackburn,	Dolph,	Morrill,	Spooner,
Blair,	Eustis,	Paddock,	Stewart,
Blodgett,	Frye,	Palmer,	Stockbridge,
Butler,	Hale,	Pasco,	Teller,
Call,	Harris,	Payne,	Turpie,
Cameron,	Hawley,	Platt,	Vance,
Chandler,	Hiscock,	Plumb,	Vest,
Cockrell,	Hoar,	Pugh,	Walthall.
Coke,	Ingalls,	Ransom,	

The PRESIDENT *pro tempore*. Fifty-one Senators have answered to their names, more than a quorum.

Mr. VANCE. If I can be permitted to do so, to save the time of the Senate I will withdraw the amendment.

The PRESIDENT *pro tempore*. The presence of a quorum having been ascertained, the Senator from North Carolina asks unanimous consent, the yeas and nays having been ordered, to withdraw his amendment. Is there objection? The Chair hears none.

Mr. VANCE. Now, Mr. President, I desire to give notice that I shall ask for a separate vote in the Senate on the third amendment, I think

it was, which I offered, forbidding the issuing of warrants upon information and belief except by the regular officers of internal revenue.

Mr. HARRIS. You will offer it in the Senate, you mean?

Mr. VANCE. Yes, I will offer it in the Senate.

The PRESIDENT *pro tempore*. The Secretary will proceed with the reading of the committee's amendment.

Mr. McPHERSON. Mr. President, I had supposed the Secretary had completed the reading of this schedule, but, as I now understood him, he is upon section 12 of this schedule. Am I correct?

The PRESIDENT *pro tempore*. That is correct.

Mr. McPHERSON. After the Secretary has completed the reading of the entire schedule, it is my purpose to ask a separate vote upon eliminating the whole schedule from the bill.

Mr. ALLISON. He has read all of that.

Mr. McPHERSON. Then I will ask for it now for the following reasons: In the first place, I call the attention of the committee and of the Senate to the fact that the succeeding schedule in the committee's substitute, known as Schedule A, classed as chemical products——

Mr. HARRIS. Will the Senator from New Jersey indulge me to ask if there is not now pending an amendment to this schedule of internal-revenue taxation?

The PRESIDENT *pro tempore*. The last amendment offered by the Senator from North Carolina was withdrawn by him with the consent of the Senate.

Mr. HARRIS. I was not aware of that. I beg the Senator's pardon. I thought that amendment was pending.

Mr. McPHERSON. Schedule A would require very great reconstruction in case the Senate should decide, as I hope it will, to strike out this entire schedule relating to spirits used in the arts; and I call the especial attention of the Senate to the fact that the rates of duty imposed in the chemical schedule are nearly the rates of duty now found in the existing tariff. There is no reduction to correspond with the amount which is remitted in the tax upon spirits. It is claimed by the Finance Committee in their majority report that it will reduce the revenue to the extent of about $7,000,000. Therefore this reduction claimed by them is only an additional bounty given to the manufacturers of chemical products. It will be no particular benefit to consumers. It will not aid in the exportation of our goods so long as the spirits themselves are exported free of duty.

As the bases of almost all of the chemical products are products of importation, nothing could result beneficially to the manufacturer by this remission of duty so far as the export trade is concerned.

But the main cause of my opposition to this schedule is found in this, that, instead of a reduction of revenue to the extent of $7,000,000, there will be a reduction of more than $20,000,000; because, I take it, no member of the committee will assert as a fact or as approximating the truth that there will not be great frauds upon the revenue under this scheme. It will be impossible to prevent them. So says the Treasury Department; so says every foreign government that has ever undertaken to deal with this question in the manner proposed by this committee.

Now, a reduction of, say, $15,000,000 or $20,000,000 of revenue, which gives no benefit to the people on articles of necessity in every-day use, by the reduction of taxes on spirits, is only the first step towards an absolute abrogation or abolition of the whole whisky tax.

I want to compliment the committee on their skill in this first and primal step toward the abrogation of the entire whisky tax, for, just as sure as one day follows another, it will ultimately be found necessary to abolish the whole whisky tax or to repeal this legislation.

For the reason I have stated, and for the additional reason that inasmuch as the bill itself in other schedules is based very largely upon what the Senate may do touching this particular schedule, I desire to ask now a separate vote upon this particular question in order that when we reach Schedule A we may proceed intelligently to revise and amend that, because it will be dependent entirely upon what action the Senate may take respecting this question. Therefore I ask for the yeas and nays on the question of eliminating from this measure all that is found under the title of "Alcohol in the industrial arts," commencing on page 70 and ending on page 86, at Title XXXIII. I think it will expedite the business of the Senate with respect to the consideration of this whole subject.

If it be the purpose of Senators on the other side of the Chamber to take the first and initiatory step towards the continuance of the most oppressive duties upon the necessaries of life, by first interposing a system of legislation of this character, which will make it absolutely necessary to repeal the entire internal-revenue system of the country in regard to whisky, tobacco, and everything else, with all that relates to it, then let the country understand it.

For myself, I am unalterably opposed to this legislation. I am unalterably opposed to any remission of tax upon spirits, and I am opposed to any system which offers a premium for fraud upon the Treasury, and this measure virtually does that; and I am unalterably opposed to giving manufacturers in any particular industry, especially under this chemical schedule, where to-day the profits are very large under existing duties, what the committee confessedly declare to be $7,000,000 more in bounty offered to them upon these products.

If it be the purpose of the Senate to continue this system, then I think the Senate should be careful when it reaches the next schedule to see that the proper reductions be made in that upon the duties levied upon those products.

Mr. ALLISON. Mr. President, there is some force in the suggestion made by the Senator from New Jersey that this is the proper time to test the question as to whether the sections which have been passed over relating to the use of alcohol in the arts shall remain in the bill or be excluded from it. As this measure, so far as the chemical schedule is concerned, is made up on the expectation that the previous provisions will be retained, if these sections are struck out it will be necessary, as suggested by the Senator from New Jersey, for the entire chemical schedule to be revised.

The Senator from New Jersey, however, is laboring under a misapprehension with reference to many things connected with this schedule. In the first place, it was the purpose and intent of the committee to reduce the rate of duty upon all chemicals in which alcohol is a solvent corresponding with the elimination of the internal-revenue tax on distilled spirits. If he will point out as we proceed with the chemical schedule wherein we have failed to make proper allowance for the withdrawal of spirits in bond for these purposes, I, for one, shall be glad to consider any amendment that may by suggested by him on that subject.

The Senator says it is admitted that the effect of these provisions will be to allow the perpetration of frauds upon the revenue. I know there have been doubts expressed on that subject, and the Senator from Ohio [Mr. SHERMAN] has expressed a doubt to-day. I have no doubt myself, as I stated on this floor in October, that these provisions can be enforced so that there will be no fraud upon the revenue. I believe that can be done. It may be that in isolated cases there will be attempts at fraud; I do not say that will not be so. We have had, however, some experience in this country so far as the provisions respecting spirits in bond are concerned. It has been the law, I think since 1866—I may possibly be mistaken as to the date—that manufacturers of chemicals for export have been authorized to have warehouses established wherein their alcohol is placed and withdrawn by them free of tax. So this is not intended to affect one way or the other the export trade, because any chemist under an existing law, which has been in force I think for twenty years, or perhaps twenty-two, can avail himself of free alcohol. It is certain, however, that if for domestic purposes alcohol can be procured without the payment of the tax, it will result in a corresponding reduction in the prices of articles produced by that method. That is all there is in this.

I can see no difficulty in these provisions. They are in force in Germany; they are in force in Great Britain, and have been for many years. They have been in force here as respects articles exported in our own country. There may be some question as to these several provisions respecting methylation, and upon that subject I desire to say a single word.

I will say frankly that I do not attach any great importance to the suggestions made by the Commissioner of Internal Revenue upon that subject. In the first place, the Commissioner of Internal Revenue is remarkably brief on the subject. If there was any serious danger to this great source of revenue, it seems to me that it would be worth while for the Commissioner of Internal Revenue to have elaborated the difficulties in the way. He simply puts in his report a paragraph calling attention to the fact that his chemist in the bureau has been experimenting respecting this matter. I had occasion to state here when this matter was up in October that there was no way of securing the withdrawal of methylic alcohol or wood-alcohol except by redistillation. It turns out now that these experiments show that distinctly; but the experiments made by this chemist in the Bureau of Internal Revenue are experiments which I consider to be of no value whatever as respects the great questions involved here. This experimenter took 10 per cent. of methyl alcohol and inserted it in the ordinary alcohol and then extracted it, and extracted it in every instance, as shown by his own report, at a loss of one-quarter of the whole product. Now, these provisions require the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, to say what amount of methyl shall be introduced into these spirits.

I have no doubt, and I say this now in order that this experimenter may go on with his experiments, that if you will introduce 15 per cent. of methyl alcohol, the cost of extracting it or removing it would be so great that it would not be undertaken. But in every instance where he made an experiment he only took 10 per cent. In my judgment, what has been successful in Great Britain, what has been successful in Germany, can be made successful here, even as respects methylation.

But I have not heard, even in the report of the Commissioner of Internal Revenue, a suggestion that the remaining provisions in these sections are not wise and just provisions. The Commissioner of Internal Revenue does not attack the great body of the provisions here, which provide that spirits may be introduced into alcohol warehouses and withdrawn in bond for the purposes of use in the industrial arts. I take it that his entire omission to discuss that question is an indication that the Commissioner of Internal Revenue is *en rapport* with these sections, and that he believes that these sections can be made effective as respects the manufacturing industries of our country. If these pro-

visions being here upon our table threatened the revenue, would not the Commissioner of Internal Revenue have turned his attention to the defects in these bonded provisions that the Senator from New Jersey now proposes to strike out?

So, Mr. President, it seems to me that these bonded provisions are practically invulnerable in the judgment of the Bureau of Internal Revenue. The question of methylation is left largely to the discretion of the Secretary of the Treasury as to the quantity and method of use, and I have no doubt that if a sufficient quantity of this wood-alcohol is inserted in the spirits, even by distillation it could not be withdrawn without an expense greater than the profit of withdrawal.

Mr. President, the Senator from New Jersey is utterly mistaken in his general statement that the effect will not be to reduce to the consumer the difference in cost between the taxed spirits and the untaxed spirits. He is mistaken in another thing, in my judgment, and that is that this will materially affect the revenues from distilled spirits. The Commissioner of Internal Revenue himself in his report of last year only estimates 5,000,000 gallons as the amount used in the arts. I know others estimate it at ten or twelve millions. I have no doubt that if these provisions shall become a part of our statute law the effect will be to largely increase the use of alcohol in the arts. I believe that the effect will be in two or three or five years to increase that use so that from twenty-five to thirty million gallons of proof spirits will be used in the arts, but not to the detriment of the revenue.

Because of the great cost of the use of alcohol now in the arts, alcohol can not be largely used. So, then, although the revenue may only be depleted to the extent of six or seven or eight million dollars, I have no doubt these provisions, taken as a whole, will have the effect to largely increase the use of alcohol in the arts.

Mr. President, I urge the adoption of this portion of the measure because I thus believe, and because I am satisfied also that this is not a step in the direction of an elimination of the tax on distilled spirits, but is really a step which looks to the perpetuation of that tax, because it eliminates from the problem of the removal of the tax one great interest which is now suffering because of the imposition of the tax; and if these provisions shall prove sufficient to prevent any great fraud upon the revenue—and I have no doubt that will be the effect—it will certainly take away the desire on the part of a great number of people who now want this tax removed from asking its removal.

So if this is to be a test question upon these sections I hope that Senators will hesitate before they undertake to strike them from the pending measure.

Mr. McPHERSON. I intended when the measure was presented to the Senate to make no captious opposition in any way, shape, or form to any of its provisions, and I do not intend to do so now.

I still assert that with an absolutely prohibitive tariff on all the chemical products of which alcohol composes a part, with the trusts and combinations that are being formed day after day by the manufacturers and dealers in chemical products, really the public, the consumer, is to get no benefit whatever out of this remission of the tax on spirits used in the arts.

You now propose to reduce the tax upon alcohol that goes into these arts to the extent, as the committee claim, of $7,000,000; as I claim, to an extent of more than three times $7,000,000, owing to the frauds which it will be impossible to prevent under the system; and the general public will receive no benefit whatever from the reduction.

If that is a system which commends itself to the gentlemen on the other side of the Chamber, in my opinion it is a principle and a policy which will not commend itself to the people of the country; but of that perhaps they are the best judges.

I ask for the yeas and nays upon agreeing to my motion to strike out.

Mr. ALDRICH. Mr. President, I have long since ceased to be surprised at any attitude the Senator from New Jersey might take upon the tariff question, but I shall be amazed if the motion which he has now made is supported by the Senators on the other side of the Chamber.

The proposition which he makes does not look to the improvement of the machinery by which alcohol may be used in the arts free of tax, but is a declaration on his part and on the part of his party friends that it shall not be so used. After taking the position before the American people that they are in favor of freeing raw materials for manufacturers from unnecessary taxation, the first vote of importance upon this bill is to be upon this question and on the motion of the Senator from New Jersey, that they will not permit materials of this kind to be used free of taxation, while the tax is entirely unnecessary either for the purposes of revenue or of protection.

Mr. MORGAN. Will the Senator allow me to ask him what is the tax imposed upon imported alcohol?

Mr. ALDRICH. Two dollars a gallon.

Mr. MORGAN. In this bill?

Mr. ALDRICH. Yes; $2 a gallon.

Mr. MORGAN. You do not propose to make it free when it comes in from foreign countries?

Mr. ALDRICH. Not by any means, for the reason that we impose an internal-revenue tax upon domestic producers for other purposes. Does the Senator from Alabama mean to say that he is in favor of removing the duty upon foreign alcohol?

Mr. MORGAN. I am trying to find out what the Senator from Rhode Island is in favor of.

Mr. ALDRICH. I presume the Senator has found out. Has he not?

Mr. MORGAN. I do not think I have.

Mr. ALDRICH. I inferred from the nature of the question (I take it for granted that I was mistaken) that the Senator was in favor of removing the duty.

If there is in the whole range of articles taxed by our internal-revenue laws or by our customs laws one article of raw material upon which the tax should be removed it is the tax upon alcohol used in the arts.

Mr. DAWES. Made here.

Mr. ALDRICH. Made here, and where the tax is added to the cost of every article into which it enters. There can be no dispute upon either side of the Chamber but that the only effect is to increase the revenue, and to increase at the same time the cost of articles which are necessaries of life, and which enter into the use of every family in the length and breadth of the United States. It is that principle in the details of the machinery which we have put into our bill, that the Senator from New Jersey is now assaulting. He proposes to strike out the provision entirely.

Let us examine for a moment the arguments by which the Senator supports his proposition, and I shall refer only to some which he used in his closing remarks. He says that the tax upon chemicals is now absolutely prohibitory. The importation of chemicals in 1887 was more than $15,000,000, and in 1888 it was a larger sum still.

The Senator says further that we do not propose to reduce the duties upon articles in which alcohol is used. He shows as little knowledge of the facts in regard to the Senate bill as he does in regard to the importation of chemical products. In the very first paragraph of Schedule A in the Senate bill the duty on acetic acids is reduced from 10 cents a pound to 4 cents a pound, on account of the free use of alcohol in the arts. If he had read the very first sentence in that schedule of the bill, his statement would have been confuted. In the fifth paragraph of the schedule the duty on tannic acid, now $1 a pound, is reduced to 25 cents a pound, a reduction of three-quarters of the present duty, simply and solely on account of the free use of alcohol in the arts. And that is the case throughout the whole length of the chemical schedule. Almost every paragraph in the entire schedule has been largely reduced on account of the free use of alcohol in the arts which we propose.

But that is not all. The domestic production of these articles and of tens of thousands of others will be largely affected by the free use of alcohol. The prices will be reduced, as I have already said, on articles in common use by all the people in the land. The medicines which they use will be largely affected in price by this proposed free use of alcohol; the cost of living will be greatly reduced; and yet from this Democratic party, who in the campaign just closed have been telling the people time and time again that they were anxious to reduce unnecessary and unjust taxation, we have this monstrous proposition to strike from the pending measure the sections which allow the free use of alcohol for the purpose of reducing the cost of living.

Mr. McPHERSON. I should like to call the attention of the Senator from Rhode Island to his own confession in a report made by himself and which bears his name. The duties received from the entire importation of chemical products in 1887 amounted to $4,386,674. Under the present law the rate of duty is 30.78 per cent. Under the proposed scheme the duty is 29.70 per cent. With that amount of duty, and with only 1 per cent. of reduction, taking the whole chemical schedule together, how does he expect that he is to make a compensating reduction of $7,000,000, which he himself admits to be the amount reduced on the whisky tax alone?

Mr. DAWES. I should like to ask the Senator if he understands that the tax taken off our alcohol here, entering into our arts, is also to enter into the articles which are imported?

Mr. McPHERSON. I do not know what is intended to be done. I only know that if you were to continue the tax on spirits, if you were to leave the Senate bill exactly as it stands to-day in the chemical schedule without an increase of duty at all—Senators say that they have reduced the duty in the chemical schedule as the compensation for the amount of tax reduction on the spirits—I say if you were to leave the chemical schedule as left in the bill and continue the tax on spirits, the profits would be large and the duties would then be absolutely prohibitory upon the importation of chemical products. What more can the most grasping chemical-manufacturing monopolist want, and why force upon him the $7,000,000 of additional bounty in remission of taxes upon his materials?

Mr. ALDRICH. After the experience of the Senator's political friends in undertaking to prove to the people of the country that an average ad valorem rate fixes the character of a tariff bill or of any part of it, I am surprised that the Senator from New Jersey should have used the illustration which he has now used in undertaking to prove that we

have only reduced the duties a fraction of 1 per cent. upon this schedule. As I had occasion to show to the Senate near the close of the last session, while the House bill pretended or claimed to put lumber upon the free-list and did put it upon the free-list, it had by this same method of computation increased the average ad valorem rate upon the whole lumber schedule.

I do not think that the Senator from New Jersey is serious or in earnest in undertaking to prove that we have not reduced the duties upon chemicals, because if he will read the measure through he will find that we have in every instance reduced the duties upon articles into which alcohol enters in the arts. If we have not reduced them to the extent which we ought, the acting chairman of the committee has already said that we are willing to listen to the suggestions of the Senator from New Jersey, and we shall certainly conform our action to any intelligent fact which we may receive.

Mr. MCPHERSON. The Senator from Rhode Island is certainly entitled to my sympathy, as are those who think with him, and I freely give it to him. I am aware of the fact that the convention, called a Republican convention, which assembled in Chicago last June, announcing the faith and policy of the Republican party, declared in express terms that if it were necessary to continue the protective system in this country, in a manner, as a matter of course, which commended itself to the judgment of the manufacturers of the country, they would abolish the whole whisky tax. I know it was——

Mr. DAWES. I wish to inquire if the Senator knows of any——

Mr. MCPHERSON. Will not the Senator wait a moment? I decline to yield to the Senator in the middle of a sentence. I know the committee have been very anxious to straddle the question. They have gone as far as they could with any degree of consistency, and they have attempted to compromise the matter between the Republican convention and the Republican people. They have taken off the tax on spirits used in the arts. They have reduced the revenue, as they declare, $7,000,000 by reason of that provision. As I say and as I prophesy, and as I believe I prophesy correctly, there will be an absolute reduction of more than $20,000,000 arising out of the fraud which will be of necessity perpetrated under this bill, and as I say again, without any corresponding reduction, without any corresponding benefit to the purchasers and consumers of chemical products, because of the fact that the duty is left prohibitory in itself. This in itself is a gigantic stride towards free whisky for all purposes, and ought to satisfy for the present at least every demand of the Republican party and people.

If it be the purpose of the other side of the Chamber to maintain the high rates of duty upon all the necessary articles of life, upon articles of clothing and things of that character, and to make these reductions on spirits to meet the demand made by the Republican convention as its idea of what should be the true faith and policy of the party, then I say to the committee that they have my sympathy, and I really think they have proposed a very ingenious adjustment of the matter in dispute between the Republican politicians, who run the convention, and the Republican voters, who do not seem to be in sympathy with any such policy.

Mr. DAWES. Will the Senator answer my question now?

Mr. MCPHERSON. I will listen to the Senator's question.

Mr. DAWES. The question I wished to put to the Senator was, if the alternative were presented to him of the entire abolition of the protective system or of the internal-revenue system, which would he take?

Mr. MCPHERSON. The Senator wants an answer, and he is entitled to it. For one, I shall never consent to the abolition of custom-houses. I believe in collecting the revenue needed by this Government for legitimate governmental purposes through the custom-houses, after the manner of the fathers. I do not believe in direct taxes, because that is the alternative of the abolition of the custom-houses.

In this country, under our constitutional method, there can be no such thing as the levying and collection of direct taxes. Take, if you please, the State of Alabama and the State of New Jersey, each having about an equal population. The ratables in New Jersey are five times more than the ratables or the assessed values in the State of Alabama. Under a direct-tax system as provided by the Constitution of the country the State of Alabama would be required to pay 5 per cent. tax, while the State of New Jersey would only be required to pay 1 per cent. upon her ratables. No people fit to be free would stand such a system of taxation for a single day. And until you adopt a system of direct taxation based upon property instead of population, there can be no free-traders in this country—all must be protectionists of greater or less degree.

The Senator asks another question: Would I propose to do away with the protective system? I would not. The measure of protection which I demand, all I have ever asked for and all I shall ever take, is that measure of protection which measures the difference between the rates of wages paid in this country and the rates paid in foreign countries on the same product. That I believe is due; that I believe would be legitimate, would be healthful; but when you undertake, as in the woolen schedule, to impose a rate of duty which is more than double the entire labor-cost found in the goods, then let me ask the Senator from Massachusetts, who receives the greatest benefit? Does it not go to the manufacturer? If he will show me any way in the world by which labor employed in that factory can get the full benefit of the duty levied and the protection given, then I think I will gladly vote with him for it.

Mr. DAWES. Will the Senator do me the favor to condense that answer into a simple yes or no? Will you abolish the protective system or abolish the internal-revenue system when the alternative is presented to you—yes or no?

Mr. MCPHERSON. I am not in the habit of jumping before I reach the stile. When any such question in a legitimate way comes before the Senate as a matter of legislation, I shall take the matter under prayerful consideration, I will say to the Senator.

Mr. DAWES. Will you not let other people do the same?

Mr. MCPHERSON. Certainly.

Mr. DAWES. I state distinctly, and I should like to see the Republican who differs from me, that when that alternative is presented to me I shall vote for the abolition of the internal-revenue system against the abolition of the protective system; and I should like to get as direct an answer from the Senator from New Jersey if I can.

The PRESIDENT *pro tempore*. The title "Alcohol in the industrial arts," being sections 3, 4, 5, 6, 7, 8, 9, 10, and 11 of the committee amendment, has been amended on the motion of the Senator from North Carolina [Mr. VANCE] by adding section 12. The Chair understands the Senator from New Jersey now to move to strike out the entire title as amended, upon which he asks for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. COLQUITT (when his name was called). I am paired with the Senator from Rhode Island [Mr. CHACE].

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY]. I should vote "nay" if he were here.

Mr. MORGAN (when his name was called). I am paired with the Senator from New York [Mr. EVARTS]. If he were present, I should vote "yea."

Mr. PASCO (when his name was called). I am paired with the Senator from Nebraska [Mr. PADDOCK]. If he were present, I should vote "yea."

Mr. PUGH (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS].

Mr. SABIN (when his name was called). I am paired with the Senator from West Virginia [Mr. KENNA], but I have transferred that pair to the Senator from Virginia [Mr. RIDDLEBERGER], and I vote "nay."

The roll-call was concluded.

Mr. CULLOM. I am paired with the Senator from Delaware [Mr. GRAY]. I will transfer my pair with him to the Senator from Rhode Island [Mr. CHACE], so that I may be able to vote, and the Senator from Georgia [Mr. COLQUITT], who is paired with the Senator from Rhode Island [Mr. CHACE], may vote. I vote "nay."

Mr. COLQUITT. I vote "yea."

Mr. BUTLER. I am paired with the Senator from Pennsylvania [Mr. CAMERON]. I should vote "yea" and he would vote "nay" if he were here.

Mr. MANDERSON (after having voted in the negative). Through an inadvertence I voted, not noticing the absence of the junior Senator from Kentucky [Mr. BLACKBURN]. I suggest to the Senator from Florida [Mr. PASCO], who announced a pair between my colleague [Mr. PADDOCK] and himself, that we can transfer our pairs and both vote.

Mr. PASCO. Very well.

Mr. MANDERSON. Then I announce the pair of my colleague [Mr. PADDOCK] with the Senator from Kentucky [Mr. BLACKBURN], and I will let my vote stand "nay."

Mr. PASCO. I vote "yea."

The result was announced—yeas 17, nays 24; as follows:

YEAS—17.

Bate,	Colquitt,	Pasco,	Vest,
Berry,	Faulkner,	Ransom,	Walthall.
Call,	Harris,	Reagan,	
Cockrell,	Jones of Arkansas,	Saulsbury,	
Coke,	McPherson,	Vance,	

NAYS—24.

Aldrich,	Frye,	Mitchell,	Sawyer,
Allison,	Hawley,	Morrill,	Sherman,
Cullom,	Hiscock,	Payne,	Spooner,
Davis,	Hoar,	Platt,	Stewart,
Dawes,	Ingalls,	Plumb,	Stockbridge,
Dolph,	Manderson,	Sabin,	Teller.

ABSENT—35.

Beck,	Chandler,	Gray,	Pugh,
Blackburn,	Daniel,	Hale,	Quay,
Blair,	Edmunds,	Hampton,	Riddleberger,
Blodgett,	Eustis,	Hearst,	Stanford,
Bowen,	Evarts,	Jones of Nevada,	Turpie,
Brown,	Farwell,	Kenna,	Voorhees.
Butler,	George,	Morgan,	Wilson of Iowa,
Cameron,	Gibson,	Paddock,	Wilson of Md.
Chace,	Gorman,	Palmer,	

So the motion to strike out was not agreed to.

Mr. MCPHERSON. I shall reserve my right to move the amendment again in the Senate.

Mr. MORGAN. I rose to give the same notice.

The PRESIDENT *pro tempore*. The enumeration of the sections will be changed to correspond with the amendment made on the motion of the Senator from North Carolina [Mr. VANCE]. Section 13 will be read.

The Chief Clerk read as follows:

SEC. 13. That on and after the 1st day of February, 1889, the following sections shall constitute and be a substitute for Title XXXIII of the Revised Statutes of the United States:

TITLE XXXIII.

DUTIES UPON IMPORTS.

SEC. 2502. That there shall be levied, collected, and paid upon all articles imported from foreign countries, and mentioned in the schedules herein contained, the rates of duty which are, by the schedules and paragraphs, respectively prescribed, namely:

SCHEDULE A.—CHEMICAL PRODUCTS.

1. Acids.—Acetic or pyroligneous acid, not exceeding the specific gravity of 1.047, 1½ cents per pound; exceeding the specific gravity of 1.047, 4 cents per pound.
2. Boracic acid, 5 cents per pound.
3. Chromic acid, 10 cents per pound.
4. Citric acid, 10 cents per pound.
5. Tannic acid or tannin, 25 cents per pound.
6. Tartaric acid, 10 cents per pound.
7. Alcoholic perfumery, including cologne-water and other toilet waters and all alcoholic compounds not specially enumerated or provided for in this act, $2 per gallon and 25 per cent. ad valorem.
8. Alizarine assistant, or soluble oil, or oleate of soda, or Turkey-red oil, 3 cents per pound.
9. Alumina, alum, alum cake, patent alum, sulphate of alumina, and aluminous cake, and alum in crystals or ground, six-tenths of 1 cent per pound.
10. Ammonia.—Carbonate of ammonia, 1½ cents per pound.
11. Muriate of ammonia, or sal-ammoniac, three-fourths of 1 cent per pound.
12. Sulphate of ammonia, one-half of 1 cent per pound.
13. Amylic alcohol, or fusel oil, 10 per cent. ad valorem.
14. Blacking of all kinds, 25 per cent. ad valorem.
15. Blue vitriol, or sulphate of copper, 2 cents per pound.
16. Bone-char, suitable for use in decolorizing sugars, 25 per cent. ad valorem.
17. Borax.—Crude borax, or borate of soda or borate of lime, 3 cents per pound; refined borax, 5 cents per pound.
18. Camphor, refined, 4 cents per pound.
19. Cement.—Roman, Portland, and other hydraulic cement, in barrels, sacks, or other packages, 8 cents per 100 pounds; in bulk, 7 cents per 100 pounds; other cement, 20 per cent. ad valorem.
20. Chalk.—Prepared, precipitated, French, and red chalk, 1 cent per pound; all other chalk preparations not specially enumerated or provided for in this act, 20 per cent. ad valorem.
21. Clays or earths.—Unwrought or unmanufactured, not specially enumerated or provided for in this act, $1.50 per ton; wrought or manufactured, not specially enumerated or provided for in this act, $3 per ton; china clay, or kaolin, $3 per ton.
22. Chloroform, 30 cents per pound.
23. Cobalt, oxide of, 40 cents per pound.
24. Collodion and all compounds of pyroxyline, by whatever name known, 30 cents per pound; rolled or in sheets, but not made up into articles, 40 cents per pound; if in finished or partly finished articles, 40 cents per pound and 25 per cent. ad valorem.
25. Coloring for brandy, wine, beer, or other liquors, 50 per cent. ad valorem.
26. Copperas or sulphate of iron, three-tenths of 1 cent per pound.
27. Dextrine, burnt starch, gum substitute, or British gum, 1 cent per pound.
28. Drugs, such as barks, beans, berries, balsams, buds, bulbs, and bulbous roots, and excrescences, such as nutgalls, fruits, flowers, dried fibers, grains, gums, and gum resins, herbs, leaves, lichens, mosses, nuts, roots and stems, spices, vegetables, seeds (aromatic, not garden seeds), and seeds of morbid growth, weeds, woods used expressly for dyeing, and dried insects, any of the foregoing which are not edible, but which have been advanced in value or condition by refining or grinding, or by other process of manufacture, and not specially enumerated or provided for in this act, 10 per cent. ad valorem.
29. Coal-tar preparations.—All coal-tar colors or dyes, by whatever name known, and not specially enumerated or provided for in this act, 35 per cent. ad valorem.
30. All preparations of coal-tar, not colors or dyes, not specially enumerated or provided for in this act, 20 per cent. ad valorem.
31. Ethers.—Sulphuric ether and spirits of nitrous ether, 30 cents per pound.
32. Butyric ether and other fruit ether, oils, or essences, $1.25 per pound.
33. Ethers of all kinds not specially enumerated or provided for in this act, 75 cents per pound.
34. Extracts and decoctions of logwood and other dye-woods, extract of sumac, and extracts of hemlock and other barks, such as are commonly used for dyeing or tanning, not specially enumerated or provided for in this act, 1 cent per pound.
35. Gelatine, glue, and isinglass or fish-glue, valued at not above 7 cents per pound, 1½ cents per pound; valued above 7 cents per pound, 25 per cent. ad valorem.
36. Glycerine.—Unrefined, of the specific gravity of 1.25 or less at a temperature of 60° Fahrenheit, 1 cent per pound; refined, 4½ cents per pound.
37. Indigo.—Extracts of or pastes of, three-fourths of 1 cent per pound; carmined, 10 cents per pound.
38. Ink.—Writing-ink in casks, or in bottles or jugs holding 1 pint or more, 40 cents per gallon; in bottles or jugs holding less than 1 pint, 50 cents per gallon; otherwise than in casks, bottles, or jugs, 60 cents per gallon.
39. Ink-powders, printers' ink, and all other ink, not specially enumerated or provided for in this act, 30 per cent. ad valorem.
40. Iodine, resublimed, 30 cents per pound.
41. Iodoform, $1.20 per pound.
42. Lead products.—Acetate of lead, white, 5½ cents per pound; acetate of lead, brown, 3½ cents per pound.
43. Litharge, 3 cents per pound.
44. Nitrate of lead, 3 cents per pound.
45. Orange mineral, 3½ cents per pound.
46. Red lead, 3 cents per pound.
47. White lead, dry or in pulp, or ground or mixed with oil, 3 cents per pound.
48. Licorice, extracts of, in paste, rolls, or other forms, 5 cents per pound.
49. Magnesia.—Carbonate of magnesia, medicinal, 4 cents per pound.
50. Calcined magnesia, 8 cents per pound.
51. Sulphate of magnesia, or Epsom salts, one-half of 1 cent per pound.
52. Morphia, or morphine, and all salts thereof, 50 cents per ounce.
53. Oils.—Castor oil, 50 cents per gallon.
54. Cod-liver oil, 15 cents per gallon.
55. Croton oil, 30 cents per pound.
56. Flaxseed or linseed oil, 25 cents per gallon of 7½ pounds weight.
57. Cotton-seed oil, 10 cents per gallon of 7½ pounds weight.
58. Hemp-seed oil and rape-seed oil, 10 cents per gallon.
59. Olive oil, fit for salad purposes, 35 cents per gallon.
60. Seal, whale, and other fish oil not specially enumerated or provided for in this act, 8 cents per gallon.
61. Opium, aqueous extract of, for medicinal uses, and tincture of, as laudanum, and all other liquid preparations of opium, not specially enumerated or provided for in this act, 40 per cent. ad valorem.
62. Paints and colors.—Baryta, sulphate of, or barytes, manufactured, one-fourth of 1 cent per pound.
63. Blues, such as Berlin, Prussian, Chinese, and all others, containing ferrocyanide of iron, dry or ground in water or oil, 6 cents per pound.

Mr. HARRIS. I move that the Senate proceed to the consideration of executive business.

Mr. ALLISON. I appeal to the Senator from Tennessee to allow us to finish the chemical schedule.

Mr. HARRIS. I suggest to the Senator from Iowa that the chief reason which controlled my motion was the fact that the Finance Committee are having a hearing, and will complete it this evening, upon the subject that we have just reached, and I thought perhaps we had as well complete that hearing before we proceeded further.

Mr. ALLISON. I suppose there will be a number of amendments to be offered to the schedule.

Mr. HARRIS. I shall not insist on the motion if the Senator from Iowa prefers to proceed.

Mr. ALLISON. When we finish the reading of Schedule A, I shall yield to the Senator from Tennessee for a motion to go into executive session or to adjourn.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk resumed and concluded the reading of Schedule A, as follows:

64. Blanc-fixe, or satin white, or artificial sulphate of barytes, three-fourths of 1 cent per pound.
65. Black, made from bone, ivory, or vegetable, under whatever name known, including bone-black and lamp-black, dry or ground in oil or water, 25 per cent. ad valorem.
66. Chrome yellow, chrome green, and all other chromium colors in which lead and bichromate of potash or soda are component parts, dry or ground in water or oil, 4½ cents per pound.
67. Ocher and ochery earths, sienna and sienna earths, umber and umber earths, not specially enumerated or provided for in this act, dry, one-fourth of 1 cent per pound; ground in oil, 1½ cents per pound.
68. Ultramarine blue, 4½ cents per pound.
69. Wash blue, containing ultramarine, 3 cents per pound.
70. Vermilion red, or colors containing quicksilver, dry or ground in oil or water, 12 cents per pound.
71. Whiting and Paris white, dry, one-half of 1 cent per pound; ground in oil, or putty, 1 cent per pound.
72. Zinc, oxide of, dry, 1½ cents per pound; ground in oil, 1¾ cents per pound.
73. All other paints and colors, whether dry or mixed, or ground with water or oil, including lakes, crayons, smalts, and frostings, not specially enumerated or provided for in this act, and artists' colors of all kinds, in tubes or otherwise, 25 per cent. ad valorem.
74. Phosphorus, 10 cents per pound.
75. Plaster of Paris, ground or calcined, $1.50 per ton.
76. Potash.—Bichronate and chromate of potash, 3 cents per pound.
77. Hydriodate, iodite, and iodate of potash, 50 cents per pound.
78. Nitrate of potash, or saltpeter, refined, 1 cent per pound.
79. Prussiate of potash, red, 10 cents per pound; prussiate of potash, yellow, 5 cents per pound.
80. Preparations.—All medicinal preparations, known as essences, ethers (solid or fluid extracts), mixtures, spirits, tinctures, and medicated wines, including medicinal proprietary preparations, of which alcohol is a component part, not specially enumerated or provided for in this act, 40 cents per pound.
81. All medicinal preparations, including medicinal proprietary preparations, such as anodynes, cerates, conserves, cordials, decoctions, drops, emulsions, essences, extracts (solid or fluid), infusions, juices, liniments, lozenges, mixtures, mucilages, oils, ointments, oleoresins, pastes, pastilles, pills, plasters, powders, resins, salves, sirups, suppositories, tonics, troches, vinegars, wafers, or waters, of any of which alcohol is not a component part, and not specially enumerated or provided for in this act, 25 per cent. ad valorem.
82. Preparations known as alkalies, alkaloids, distilled oils, essential oils, expressed oils, rendered oils, and all combinations of the foregoing, and all chemical compounds and salts, not specially enumerated or provided for in this act, 25 per cent. ad valorem.
83. Preparations used as applications to the hair, mouth, teeth, or skin, such as cosmetics, dentifrices, pastes, pomades, powders, and tonics, including all known as toilet preparations, not specially enumerated or provided for in this act, 50 per cent. ad valorem.
84. Santonine, $1 per pound.
85. Soap.—Castile-soap, 1½ cents per pound; fancy, perfumed, and all descriptions of toilet soap, 15 cents per pound; all other soaps, not specially enumerated or provided for in this act, 20 per cent. ad valorem.
86. Soda.—Bicarbonate of soda or supercarbonate of soda or saleratus, 1½ cents per pound.
87. Hydrate or caustic soda, 1 cent per pound.
88. Bichromate and chromate of soda, 3 cents per pound.
89. Sal-soda, or soda-crystals, and soda-ash, one-fourth of 1 cent per pound.
90. Silicate of soda, or other alkaline silicate, one-half of 1 cent per pound.
91. Sulphate of soda, or salt-cake or niter-cake, 20 per cent. ad valorem.
92. Strychnia, or strichnine, and all salts thereof, 50 cents per ounce.
93. Sulphur.—Refined, in rolls, $8 per ton; sublimed, or flowers of, $10 per ton.
94. Sumac, ground, three-tenths of 1 cent per pound.
95. Tartar, cream of, and patent tartar, 6 cents per pound.
96. Tartars and lees crystals, partly refined, 4 cents per pound.
97. Tartrate of soda and potassa, or Rochelle salts, 3 cents per pound.
98. Varnishes, including so-called gold size or japan, 40 per cent. ad valorem; and on spirit varnishes for the alcohol contained therein, $2 per gallon additional.

Mr. HARRIS. I now renew my motion.

Mr. MORGAN. I hope the Senator from Tennessee will withdraw it for a second.

Mr. HARRIS. Certainly.

Mr. MORGAN. I desire to make an inquiry of the Senator from

Iowa, who has the bill in charge. I notice that there are ad valorem rates and specific rates upon various articles in the schedule that has just been read. I desire to ask the Senator what is the average ad valorem rate imposed by the schedule upon the various articles therein contained and forming it.

Mr. ALLISON. We have a table in our report showing that rate. It is 29.70 per cent.

Mr. MORGAN. That is the average ad valorem rate upon the chemical schedule?

Mr. ALLISON. Yes, sir.

Mr. MORGAN. That is what I desired to ascertain.

Mr. SHERMAN. I move that the Senate proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. The Senator from Tennessee has already submitted that motion.

Mr. SHERMAN. All right.

The PRESIDENT *pro tempore*. The question is on agreeing to the motion of the Senator from Tennessee.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty-five minutes spent in executive session the doors were reopened, and (at 3 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 6, 1888, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *December* 5, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

The following additional members appeared and took their seats:

Mr. J. N. BURNES, of Missouri.
Mr. J. S. COTHRAN, of South Carolina.
Mr. IRA DAVENPORT, of New York.
Mr. E. H. FUNSTON, of Kansas.
Mr. P. T. GLASS, of Tennessee.
Mr. J. J. HEMPHILL, of South Carolina.
Mr. THOMAS J. HENDERSON, of Illinois.
Mr. E. N. MORRILL, of Kansas.
Mr. C. W. MCCLAMMY, of North Carolina.
Mr. W. D. OWEN, of Indiana.
Mr. B. W. PERKINS, of Kansas.
Mr. CHARLES STEWART, of Texas.
Mr. E. B. TAYLOR, of Ohio.

ACCOUNTS OF DISBURSING OFFICERS, WAR DEPARTMENT.

The SPEAKER laid before the House a letter from the Secretary of War, transmitting reports of inspection of money accounts of disbursing officers, to accompany the annual report of the Inspector-General of the Army for the year 1888; which was referred to the Committee on Expenditures in the War Department, and ordered to be printed.

SUPPLIES FOR THE USE OF THE ARMY.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting reports of supplies purchased by the Quartermaster's Department for the use of the Army for the fiscal year 1888; which was referred to the Committee on Expenditures in the War Department, and ordered to be printed.

SPOLIATION CLAIMS.

The SPEAKER also laid before the House two letters from the assistant clerk of the Court of Claims, transmitting conclusions of fact and of law in certain spoliation claims; which were referred to the Committee on Claims, and ordered to be printed.

ORDER OF BUSINESS.

Mr. STEWART, of Georgia. I ask, by unanimous consent, that the States and Territories be called for the introduction of bills and resolutions.

Mr. DINGLEY. Before that request is granted, I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DINGLEY. Before the House adjourned yesterday, the previous question had been ordered upon the third reading of the bill then pending, providing for the erection of a monument to the memory of Maj. Gen. Henry Knox. The House adjourned before the order for the previous question could be executed. Rule XVII provides that the previous question, if ordered—

Shall have the effect to cut off all debate and bring the House to a direct vote upon the immediate question or questions on which it has been asked and ordered.

Now, my inquiry is, what is the parliamentary effect where the previous question has been ordered on the third reading of a bill and an adjournment has taken place before the execution of that order?

The SPEAKER. The Chair thinks that if the bill to which the gentleman refers had been reached for consideration in its regular order on the Calendar, it would have come over this morning as unfinished business, because it was the business under consideration at the time of adjournment; and the House would not only have proceeded to dispose of the questions to which the previous question applied, but would have continued to consider the bill until its completion. But the bill to which the gentleman refers was made a special order for yesterday—for the one day only. The previous question was ordered upon the pending amendments and on ordering the bill to be read a third time.

It has always been held heretofore that when at an adjournment the previous question has been ordered upon the passage of a bill or resolution it comes up for consideration on the succeeding legislative day, even though it may have been set specially for a particular day; and the Chair can see no logical reason why the same rule should not apply to a bill when the previous question has been ordered at any stage of it, when the execution of that order is pending at the adjournment. But such has not been the late practice of the House. Why the distinction was made the Chair is not able to state; but it has for some time been held that when a measure is set for consideration for one day and the previous question is not ordered on that day upon its passage, its consideration falls with the expiration of the day, and the bill resumes its place on the Calendar and does not come up for consideration as unfinished business. The Chair thinks it was held, perhaps, at one time that under such circumstances the bill would come up the next day for consideration so far as to dispose of the questions on which the previous question had been ordered, and that it would then drop and go back to its place on the Calendar. But the later practice has been the other way; and to avoid the effect of this practice it has been usual in the House, when it was desired that a measure should occupy the time of the House until entirely disposed of, to provide in the order that its consideration be continued from day to day until disposed of. But that was not done in this case. The Chair thinks, therefore, that this bill resumes its place on the Calendar where it was before.

Mr. DINGLEY. I desire to ask the Chair whether the language of the rule is not peremptory.

The SPEAKER. It is; but if the House by its own order has limited the consideration of the measure to a particular day, it has itself prevented the vote from being taken on the next day.

Mr. DINGLEY. I understand the Chair to say that if the previous question had been ordered on the passage of this bill, it would have come up to-day.

The SPEAKER. It would under the practice; and the Chair has already stated that he can see no difference logically between the two cases; but nevertheless the practice of the House has been as stated by the Chair.

Mr. DINGLEY. I am aware, Mr. Speaker, that there has been a difference of practice in respect to this matter, and the latest decisions have been, I understand, as the Chair states.

The SPEAKER. That has been the practice for several years.

Mr. DINGLEY. I have raised the question simply that the point might be decided.

The SPEAKER. The gentleman from Georgia [Mr. STEWART] asks unanimous consent that the States and Territories may be called for the introduction of bills and resolutions for reference. Is there objection? The Chair hears none.

Mr. HOOKER. It is understood that it is for that purpose, and that alone.

The SPEAKER. That is all which can be done under the rule.

PRINTING OF PRESIDENT'S ANNUAL MESSAGE.

Mr. RICHARDSON. I rise to submit a privileged report from the Committee on Printing.

The Clerk read as follows:

"IN THE HOUSE OF REPRESENTATIVES, *December* 3, 1888.

"*Resolved*, That there be printed —— thousand copies of the President's last annual message for the use of the House."

The Committee on Printing have considered the resolution introduced by Mr. MILLS to print —— thousand copies of the President's last annual message for the use of the members of the House, and report the same to the House with the recommendation that it do pass with an amendment filling the blank therein with the words "twenty-five." The estimated cost of printing the said 25,000 copies thereof, with paper covers, is $196.25.

Mr. RICHARDSON. I demand the previous question.

The previous question was ordered, and under the operation thereof the amendment was agreed to, and the resolution as amended was adopted.

Mr. RICHARDSON moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LEAVE OF ABSENCE.

Mr. CHEADLE, by unanimous consent, was granted leave of absence for two days.

CALL OF STATES FOR THE INTRODUCTION OF BILLS, ETC.

Mr. OATES introduced a bill (H. R. 11633) to regulate immigration; which was read a first and second time, referred to the Special Committee to Investigate Immigration, and ordered to be printed.

ALLOTMENT IN SEVERALTY TO UNITED PEORIAS AND MIAMIES.

Mr. PEEL introduced a bill (H. R. 11634) to provide for allotment of land in severalty to United Peorias and Miamies in the Indian Territory; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

DIVISION OF THE STATE OF CALIFORNIA.

Mr. VANDEVER introduced a bill (H. R. 11635) to divide the State of California into two States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CONSTRUCTION OF REVENUE-CUTTER FOR SAN FRANCISCO, CAL.

Mr. MORROW introduced a bill (H. R. 11636) for the construction of a revenue-cutter for San Francisco, Cal.; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

RELIEF OF WRECKED AMERICAN WHALING AND FISHING VESSELS.

Mr. MORROW submitted the following resolution; which was referred to the Committee on Merchant Marine and Fisheries:

Resolved, That the Secretary of the Treasury be requested to inform the House what, if any, relief can be furnished by the Revenue-Cutter Service and the Life-Saving Service to American whaling and fishing vessels wrecked in Bering Sea or the Arctic Ocean, and what, if any, legislation is necessary to make such relief available and effective.

INCOME TAX.

Mr. STEWART, of Georgia, introduced a bill (H. R. 11637) to establish a graduated income tax, the proceeds of which to be applied to the payment of pensions; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

TERM OF COURT AT QUINCY, ILL.

Mr. ANDERSON, of Illinois, introduced a bill (H. R. 11638) to amend an act entitled "An act to provide for a term of court at Quincy, Ill.," approved August 8, 1888; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

RALPH T. MOSES.

Mr. HOLMES (by request) submitted the following resolution; which was referred to the Committee on Accounts:

Resolved, That the Doorkeeper be authorized to employ Ralph T. Moses as assistant folder in the seal-room of the House at a compensation of $2.50 per diem for the present session, to be paid out of the contingent fund of the House, compensation to take effect December 3, 1888.

FORT LEAVENWORTH MILITARY RESERVATION.

Mr. MORRILL introduced a bill (H. R. 11639) to authorize the sale of a tract of land in the Fort Leavenworth military reservation, Kansas; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PUBLIC BUILDING, SALINA, KANS.

Mr. ANDERSON, of Kansas, introduced a bill (H. R. 11640) for the erection of a public building at Salina, Kans.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

INTERSTATE COMMERCE.

Mr. ANDERSON, of Kansas, also submitted the following resolution; which was referred to the Committee on Commerce, and ordered to be printed:

Resolved, That the Interstate Commerce Commission is hereby requested to inform the House at the earliest practicable date, and after prompt and due investigation, in what ways and to what extent railway companies carrying interstate traffic may be or are evading, or, by a "clearing-house" or other form of combination, may be seeking to evade, those provisions of the interstate-commerce act which were intended to secure to the people the benefit of low freight rates as the result of competition among carriers, and also to recommend such practical legislation as, in the judgment of the Commission, shall most effectively prevent any combination of such carriers for the purpose of fixing or maintaining agreed or uniform freight rates.

The Commission is further requested to transmit to the House a stenographic report of its proceedings and of the testimony taken during said investigation.

INTERNATIONAL COPYRIGHT LAW.

Mr. BRECKINRIDGE, of Kentucky, introduced the following resolution; which was referred to the Committee on Rules:

Resolved, That Wednesday, December 19, immediately after the reading of the Journal, be set apart for the consideration of the Senate bill 554 (known as the international copyright bill), not to interfere with the consideration of revenue or general appropriation bills; but this shall be a continuing order until said bill shall have been disposed of.

GOVERNMENT POSTAL TELEGRAPH.

Mr. RAYNER introduced the following resolution; which was referred to the Committee on Rules:

Resolved, That Friday, December 14, be set apart for the consideration of the bill reported by the Committee on Commerce entitled "A bill to provide for the construction of a Government postal telegraph."

NEW STEEL CRUISERS.

Mr. CUMMINGS introduced a bill (H. R. 11641) authorizing the construction of two steel cruisers, to be armed with dynamite guns and torpedo-throwers; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

NEW STEEL RAM.

Mr. CUMMINGS also introduced a bill (H. R. 11642) authorizing the construction of two steel rams, to be armed with heavy rifled dynamite guns and pneumatic torpedo-throwers, and for other purposes; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

LIFE-SAVING STATION IN OREGON.

Mr. HERMANN introduced a bill (H. R. 11643) providing for the establishment of a life-saving station and life-saving crew at the mouth of Coquille River, Oregon; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

REFRACTING TELESCOPE.

Mr. BUTLER introduced a bill (H. R. 11644) to authorize the Secretary of the Navy to construct a refracting telescope under the direction of Theodore Ruggles Timby; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

SIOUX RESERVATION IN DAKOTA.

Mr. GIFFORD introduced a bill (H. R. 11645) to amend chapter 206 of the laws of 1888, approved April 30, 1888, entitled "An act to divide a portion of the reservation of the Sioux Nation of Indians, in Dakota, into separate reservations, and to secure the relinquishment of the Indian title to the remainder;" which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

The SPEAKER. This concludes the call of States and Territories.

NEW STATES.

Mr. SPRINGER. I ask unanimous consent to offer, for immediate consideration, the following resolution. I ask that it first be read.

The Clerk read as follows:

Resolved, That the Committee of the Whole on the state of the Union be discharged from the further consideration of the bill H. R. 8466, a bill to enable the people of Dakota, Montana, Washington, and New Mexico to form constitutions and State governments, and to be admitted into the Union on an equal footing with the original States; and that said bill be a special order immediately after the morning hour on this day and from day to day until disposed of, and be considered in the House as in Committee of the Whole.

Mr. SPRINGER. I desire the Clerk to change the resolution, making it read "after the consideration hour," instead of "after the morning hour." I ask unanimous consent for the adoption of the resolution.

Mr. BAKER, of New York. I desire to make a parliamentary inquiry.

Mr. GROSVENOR. I object to the present consideration of the resolution.

Mr. SPRINGER. I hope the gentleman will not object, but that we may go on with it until it is disposed of.

Mr. GROSVENOR. I was ready all last session to admit Dakota, but the gentleman from Illinois was not anxious for it at that time.

Mr. SPRINGER. I hope the gentleman from Ohio will allow the members representing his party friends on the Committee on Territories to dispose of this matter.

REPRINT OF BILL.

The SPEAKER. The gentleman from Ohio has objected, and declines to withdraw his objection. The gentleman from Mississippi [Mr. HOOKER] asks that the bill (H. R. 11601) for the relief of the Roman Catholic Church of St. Peter's, at Jackson, Miss., be reprinted, stating that there is an error in the original print. If there is no objection, the order will be made. The Chair hears none, and it is so ordered. The regular order is the call of committees for reports.

NEW STATES.

Mr. SPRINGER. I hope the gentleman from Ohio will indicate a time when he would allow this matter to be considered.

Mr. GROSVENOR. The gentleman knows how to get a day.

Mr. SPRINGER. Yes, he does.

Mr. GROSVENOR. There is a Committee on Rules. Let this proposition go to the Committee on Rules.

Mr. BAKER, of New York. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BAKER, of New York. The inquiry I desire to make is whether if this resolution be adopted an amendment would be in order to substitute the Senate bill providing for the admission of South Dakota?

The SPEAKER. The adoption of this resolution would not preclude the offering of amendments under the rules of the House if the bill comes up. While the Chair does not desire to decide in advance, the Chair does not see any reason why an amendment to the bill to provide for the admission of South Dakota would not be in order.

Mr. SPRINGER. I would state to the gentleman from New York [Mr. BAKER] that it would be in order, and that the reason why I ask for the disposition of the resolution now is that he may have an opportunity to offer that resolution and get a vote upon it in the House.

The SPEAKER. The gentleman from Ohio has objected, and the matter is not now before the House.

Mr. SPRINGER. I renew my request and ask if he would set a day next week.

Mr. REED. Mr. Speaker, is it not possible for us to have the regular order?

The SPEAKER. The Chair thinks so. The Chair was proceeding with the regular order.

Mr. REED. I hope the Chair will.

The SPEAKER. The regular order is the call of committees for reports.

CHRISTIAN HEURICH.

Mr. BLAND, from the Select Committee on the Alcoholic Liquor Traffic, reported back adversely the following resolution, with the recommendation that it lie on the table:

IN THE HOUSE OF REPRESENTATIVES, *February* 14, 1888.

Whereas Christian Heurich, a citizen of the United States and of the District of Columbia, and a brewer in the city of Washington, in said District, in a petition to both Houses of Congress makes complaint of and asks redress for certain alleged injury to his business interests arising from the last report of the Department of Agriculture on food and food adulterants, in which report it is stated that certain samples of beer brewed in said city of Washington were analyzed by the said Department, and that some were found to be pure and free from deleterious substances, but without stating the names of the brewers who manufactured them, and thus placing under suspicion the pure and wholesome as well as the impure and unwholesome articles; and

Whereas said Heurich alleges that samples of his beer were analyzed by said Department and published in said report as beer manufactured in Washington with others manufactured there, and that the Commissioner refuses him information as to the result of the analysis of the samples of his beer, so that he might free himself from said suspicion of manufacturing impure articles: Therefore,

Resolved, That the Commissioner of Agriculture be, and hereby is, requested to inform this House on what grounds, if any, he refuses said Heurich the information demanded by him.

There being no objection, the resolution was laid on the table.

ADJUSTMENT OF ACCOUNTS UNDER THE EIGHT-HOUR LAW.

The SPEAKER. The hour for the consideration of bills begins at eighteen minutes before 1 o'clock. The call rests with the Committee on Labor, which has occupied one hour, and has under consideration an unfinished bill.

Mr. TARSNEY. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole for the consideration of Senate bill No. 405.

The SPEAKER. Will the gentleman inform the Chair whether the Senate bill to which he now refers is the one that was under consideration when the Committee on Labor last occupied the floor?

Mr. TARSNEY. I understand that it is.

The SPEAKER. The Chair will investigate the matter and will not deduct from the hour the time so consumed. The Chair asks the question because, under the rules of the House, the Committee on Labor can not now call up another bill, but must proceed with the consideration of the bill which was left unfinished.

Mr. TARSNEY. I refer the Chair to page 10326 of the daily RECORD, of October 11, 1888.

The SPEAKER (after examining the RECORD). The gentleman is correct. The question is on the motion of the gentleman from Michigan [Mr. TARSNEY] that the House now resolve itself into Committee of the Whole on the state of the Union for the further consideration of Senate bill No. 405, providing for the adjustment of the accounts of laborers, workmen, and mechanics arising under the eight-hour law.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. DOCKERY in the chair.

The CHAIRMAN. The House is now in Committee of the Whole on the state of the Union for the further consideration of the bill which will be read.

The bill was read, as follows:

Be it enacted, etc., That whoever, as a laborer, workman, or mechanic, has been employed by or on behalf of the Government of the United States since the 25th day of June, 1868, the date of the act constituting eight hours a day's work, shall be paid for each eight hours he has been employed as for a full day's work, whether engaged at a price per day, or upon piece work, or task work, without any reduction of pay on account of the reduction of the hours of labor.

SEC. 2. That all claims for labor so performed in excess of eight hours per day are hereby referred to the Court of Claims, to be adjudicated upon the basis that eight hours constitute a day's work, and are to be paid for at the price per day as provided for in the first section of this act, and judgment given against the United States in favor of each claimant for the amount found due, to be paid as other judgments of the Court of Claims against the United States; and no statute of limitation, or payment made or receipt given for a less sum per day than the full price of a day's work, as provided in the first section of this act, shall bar the right of recovery: *Provided*, That all suits under this act shall be commenced within two years from and after its passage; and any number of said claimants may join in the same suit: *And provided further*, That any sum allowed or found to be due to any claimant under this act shall only be paid to such claimant in person or by warrant sent to him by mail, if living, and if dead, to his personal representatives.

Mr. BLOUNT. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLOUNT. I wish to know what the status of this bill is as to general debate.

The CHAIRMAN. The Chair is advised that no limit to the debate has been fixed by the House.

Mr. BLAND. I understand that the bill is in the morning hour.

The CHAIRMAN. It is in the morning hour, and there is one hour remaining for the consideration of the bill, an hour having been already occupied.

Mr. TARSNEY. Mr. Chairman, perhaps it may be as well to briefly state here the condition of this bill as we understand it. The bill is the same as House bill No. 1539, with some slight modification. That bill was reported unanimously by the Committee on Labor. It has been debated on the floor of this House, and, so far as I am concerned, I have said upon its merits about all I want to say; perhaps all that the House wishes me to say. But, be that as it may, the bill in like form, with two amendments, passed the Senate, and it comes here now as a Senate bill. The only change made from the House bill is the insertion of the word "agreement" and the insertion of a proviso, as follows:

Provided further, That any sum allowed or found to be due to any claimant under this act shall only be paid to such claimant in person or by warrant sent to him by mail, if living, and if dead, to his personal representatives.

When we had the bill under consideration in the House three months ago a good many persons objected to it because they thought that there were some lobbyists about here, or some lawyers, who might be interested in it. I had not thought of that, but I had thought of this: that if the Government of the United States has incurred an obligation it is in honor bound to pay it. The Government has incurred this obligation. It has broken faith with its employés, and we merely ask now that they be permitted to go to the Court of Claims and have a legal adjudication of their case. That is all that we are proposing. There is no appropriation of money in the bill. It simply provides for a legal construction of the contract between the Government and these parties. The claimants get nothing unless the Court of Claims decides that they should be paid, and in that case I suppose it will have to pass the Appropriations Committee. That is all there is in the bill. The proviso which I have read was inserted in order to obviate one of the serious objections made to the bill when it was under consideration here before. The Senate inserted that proviso. The only other amendment is the insertion of the word "agreement."

Those are the only differences between the House bill and the Senate bill. Now, Mr. Chairman, knowing that our time is limited, I do not care to occupy the attention of the House further on this occasion except to make this remark, that in my humble judgment the Government of the United States is solemnly pledged to the claims of these men. They ought to be paid, and we can not afford to go home leaving these broken promises behind us. I reserve the balance of my time.

Mr. BROWNE, of Indiana. Will the gentleman from the State of Michigan [Mr. TARSNEY] explain in what way the Government of the United States has failed to observe its contracts with its employés?

Mr. TARSNEY. Yes, sir. I have pointed it out.

Mr. BROWNE, of Indiana. Is it anything more than this? There was a law upon the statute-book providing that——

Mr. TARSNEY. Please make an inquiry and not an argument.

Mr. BROWNE, of Indiana. Then I stop with the inquiry I have already made.

Mr. TARSNEY. I will answer the gentleman. On the 25th day of June, 1868, Congress passed an act providing as follows:

Be it enacted, etc., That eight hours shall constitute a day's work for all laborers, workmen, and mechanics now employed, or who may be hereafter employed, by or on behalf of the Government of the United States.

That is all there is in the law. For ten months and twenty-three days it was evidently forgotten or disregarded; but the attention of the then President, General Grant, was called to the matter, and on the 19th of May, 1869, he issued a proclamation directing the enforcement of the law; in other words, directing that eight hours should be taken as eight hours; and during his entire administration that law was regarded. Afterwards, in 1877, there was a change of administration. President Hayes came in, and on June 30, 1877, his Secretary of the Navy, Mr. Thompson, issued an order, a copy of which I have here, which reads as follows:

Under this construction of the law regulating public labor, given by the Supreme Court of the United States, the Department has fixed the rate of labor for mechanics, foremen, leading-men, and laborers on the basis of ten hours a day. All workmen electing to labor only eight hours per day will receive a proportionate reduction of their wages.

Now, there is no decision of the Supreme Court which reaches the question under consideration here.

Mr. BLOUNT. Will the gentleman allow me a question? He says there is no decision of the Supreme Court which reaches the question raised in this bill. I hope the gentleman will state whether the Supreme Court has made any decision upon the eight-hour law, and, if so, what that decision is. If he has the decision at hand, I trust he will read it, in order that the Committee of the Whole may determine whether or not the conclusion which the gentleman has reached is correct.

Mr. TARSNEY. The decision, I repeat, does not reach the case now before this House. We have had this question under consideration before. I do not want to occupy the attention of the House unnecessarily, because we have now only one hour. I simply wish to make this plain statement——

Mr. BLOUNT. Will the gentleman be kind enough to give me a reference to that decision?

Mr. TARSNEY. I will get it for the gentleman.

Mr. BROWNE, of Indiana. I hope the gentleman from Georgia [Mr. BLOUNT] will not interrupt the gentleman from Michigan [Mr. TARSNEY] while he is answering my inquiry.

Mr. BLOUNT. I beg pardon of the gentleman from Indiana.

Mr. BROWNE, of Indiana. The gentleman from Michigan has stated that there is a law on this subject which has been willfully and persistently violated. I desire to know in what way it has been violated.

Mr. TARSNEY. By the officers of the Government disregarding it.

Mr. BROWNE, of Indiana. The gentleman assumes that if the law fixes a day's labor at eight hours, and an employé voluntarily consents to labor ten hours for ten hours' pay, the Government thereby incurs an obligation to pay the employé for the difference between eight hours and ten hours.

Mr. TARSNEY. Ah! you use the word "voluntarily." Go to your navy-yards; go to your arsenals; go to your other Government establishments——

Mr. BROWNE, of Indiana. Will you answer the question as I put it?

Mr. TARSNEY. I am answering you, if you will comprehend what I say. There were those Government employés with starvation staring them and their children in their faces, and they were forced to accept the terms offered to them; they did so under protest. That is what I mean to say.

Mr. BROWNE, of Indiana. I have heard the "starvation" story once or twice before——

Mr. TARSNEY. If you had experienced a little more "starvation" than your appearance would indicate, you would realize the situation better. [Laughter.]

Mr. BROWNE, of Indiana. I think I realize the situation; for I happen to know that the employés in the Government service are better paid than any other class of employés in the United States engaged in corresponding labor. They are paid higher wages and are paid more promptly.

Mr. TARSNEY. I hope the gentleman will not abuse the privilege he has been granted.

Mr. BUCHANAN. Will the gentleman from Michigan permit another suggestion?

Mr. TARSNEY. I yield to the gentleman from New Jersey [Mr. BUCHANAN] for an inquiry.

Mr. BUCHANAN. I merely wish to make a suggestion in connection with the inquiry of the gentleman from Indiana [Mr. BROWNE]. My suggestion is this: In compliance with the terms of the law, the Secretary of the Navy, on March 21, 1878, did direct the employment of these men for eight hours daily, and also directed that where they elected to work ten hours per day, they should receive a proportionate increase of pay. Under that order the men did work for ten hours per day, but did not receive the increase of pay.

Mr. TARSNEY. That is the fact.

Mr. BUCHANAN. The Secretary of the Navy ordered that they should receive the increase of pay, but his orders were nullified by a lot of brass-mounted martinets.

Mr. TARSNEY. The gentleman is correct.

Mr. BROWNE, of Indiana. Does the gentleman from New Jersey maintain that the Government has incurred a legal obligation in this matter?

Mr. BUCHANAN. I so stated on this floor on the 21st of March last. I repeat the statement; it is correct.

Mr. TARSNEY. I am not here now to discuss the equity or justice or propriety of the so-called eight-hour law; but I am here as an American citizen and as a representative of a constituency, to say that when the Government of the United States makes its contract, it is in honor bound to carry it out; and in this case the contract of the Government has been actually nullified—not by the Government itself, but by some officers over here at the other end of the avenue, who assume to know more than the entire House of Representatives.

Mr. SOWDEN. I would like the gentleman to inform the House whether any estimate has been made as to the probable amount of money involved in this bill.

Mr. TARSNEY. Only one, as I remember; and that was embodied in a report of the Secretary of the Navy some time ago; for this is not a new measure. It has been favorably reported in the Senate and in the House three or four times. It has been estimated that as to the navy-yards of the country the cost would be about $3,000,000.

Mr. SOWDEN. How as to the other Departments of the Government?

Mr. TARSNEY. I do not know, nor do I care. I simply say that if we have incurred an obligation, we should, as honorable men, carry it out.

Mr. SOWDEN. As I understand, the obligation exists only so far as the Navy Department is concerned?

Mr. TARSNEY. Oh, no; it exists wherever the law applies. What we propose is that these parties be authorized to go to the Court of Claims and obtain from it a judicial construction of the law. Let that tribunal declare what the liability of the United States is. Then it will come back to you gentlemen who will be here after I retire, and it will go to your Appropriations Committee.

The CHAIRMAN. Does the gentleman yield?

Mr. TARSNEY. I do not yield, but reserve the remainder of my time.

Mr. BLOUNT. I will take the floor and yield to the gentleman from Kentucky [Mr. TAULBEE].

Mr. TAULBEE. Mr. Chairman, I would like to have the attention of the gentleman from New Jersey [Mr. BUCHANAN] and the gentleman from Michigan [Mr. TARSNEY] in regard to a particular feature of this bill which seems to be relied on by them by the statements they have made. The gentleman from Michigan [Mr. TARSNEY] seems to understand that this bill intends to do nothing, and will have the effect to do nothing, except to enforce the obligations of the Government. In other words, the Government is required by this bill to pay its employés according to the contract it made with them when it employed them to do the work. And the gentleman from New Jersey states, if I understood him correctly, and if I do not I wish to be corrected——

Mr. TARSNEY. I rise to a point of order. I am not aware that I have yielded the floor. I expressly reserved my time.

The CHAIRMAN. The Chair understood the gentleman to yield the floor, and to reserve the remainder of his time.

Mr. TARSNEY. I beg the Chair's pardon, but I did not yield the floor. I yielded to an inquiry of the gentleman from Pennsylvania [Mr. SOWDEN], and intended to yield for the same purpose to the gentleman from New Jersey, and regret I did not do so. Now I want to know by what right the gentleman from Georgia stands on the floor claiming to have the right to it.

The CHAIRMAN. The Chair understood the gentleman from Michigan to yield the floor, at the same time reserving the balance of his time, whereupon the gentleman from Georgia claimed the floor, and was recognized by the Chair in his own right.

Mr. TARSNEY. The Chair is mistaken in that regard, or else I certainly am, for I did not intend to yield the floor and do not think that I did.

Mr. BLOUNT. I do not know what the gentleman from Michigan thought he did, but I am quite sure he said that he reserved the balance of his time and went off, and I was then recognized by the Chair and yielded to the gentleman from Kentucky, who was proceeding to address the House. After proceeding to that extent, I inquire whether it is not now too late for the gentleman to insist upon not having yielded the floor.

The CHAIRMAN. The Chair certainly understood the gentleman from Michigan to yield the floor and reserve the remainder of his time.

Mr. TARSNEY. How much time does the gentleman from Georgia ask?

Mr. BLOUNT. I have an hour, and do not want any more.

Mr. TARSNEY. I beg your pardon, you have not an hour, unless the Chair directs otherwise in taking me off the floor when I have not yielded it.

Mr. BLOUNT. We will see.

Mr. TAULBEE. I am ready to proceed.

The CHAIRMAN. The gentleman from Michigan insists that he did not yield the floor——

Mr. ALLEN, of Mississippi. If the gentleman from Michigan did not intend to yield the floor what did he mean by saying that he reserved the balance of his time?

Mr. FARQUHAR. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FARQUHAR. The gentleman from Michigan is entitled to an hour in the hour for present consideration. Whatever mistake may have been made it lies with him to hold his hour and give such time to the opponents of the bill and those in favor of it as he may choose. Would the Chair rule that the gentleman from Georgia now claiming the floor is entitled to the hour?

The CHAIRMAN. The gentleman from Georgia took the floor with the understanding that the gentleman from Michigan had yielded it, reserving the balance of his time, and having been recognized is entitled to an hour.

Mr. FARQUHAR. And consequently he controls that hour.

The CHAIRMAN. He controls the hour, but the Chair would be indisposed to give the hour to the gentleman from Georgia if the gentleman from Michigan insists, as a matter of fact, he did not yield the floor. The Chair is quite positive, however, that the gentleman yielded the floor and reserved the balance of his time.

Mr. FARQUHAR. Then he is entitled to his hour.

The CHAIRMAN. It becomes solely a question of fact.

Mr. TARSNEY. There is no misunderstanding on my part with reference to the matter at all.

The CHAIRMAN. It is solely a question of fact. If the gentleman from Michigan insists that he did not yield the floor and did not reserve the balance of his time, the Chair will be compelled to accept his statements.

Mr. BLOUNT. I ask the record be read as made by the Reporters, and the fact will appear, I think, as it has been stated by the Chair.

Mr. TAULBEE. This does not come out of my time, I trust. [Laughter.]

Mr. TARSNEY. The gentleman has no time.

Mr. BLOUNT. He has the time I yielded to him.

Mr. TARSNEY. The gentleman had no time to yield. [Laughter.]

The CHAIRMAN. Does the gentleman from Michigan insist that he did not yield the floor and reserve the remainder of his time?

Mr. TARSNEY. If this body will be in order a moment I desire to frankly state to the Chair and to the committee that it was not my purpose to yield the time that I had on this subject. It may be possible that some language that I have used has led the Chair into that impression——

Mr. FARQUHAR. That is right.

Mr. TARSNEY. But my purpose was clearly to hold the floor and to pass this bill if possible. I wish to make that statement frankly to the committee.

The CHAIRMAN. The Chair will state that the notes of the Official Reporter conform to the statement the Chair has made, and to the understanding of the Chair——

Mr. BLOUNT. I hope that record will be read.

The CHAIRMAN. But the Chair still hopes that gentlemen will adjust this matter among themselves and divide the time amicably and satisfactorily.

Mr. BLOUNT. The best way to adjust it is to have the facts set before the committee, and I ask to have the Official Reporter's notes read. I do not want anything but my rights under the rule.

The CHAIRMAN. The Chair will cause the notes of the Official Reporter to be read.

The Clerk read as follows:

The CHAIRMAN. Does the gentleman yield?
Mr. TARSNEY. I do not yield, but reserve the remainder of my time.
Mr. BLOUNT was then recognized by the Chair.

Mr. TAULBEE. Do I now proceed? [Laughter.]

The CHAIRMAN. The Chair is of opinion that the statement just read clearly entitles the gentleman from Georgia to the floor under the rules and practice of the House.

Mr. BLOUNT. I have no objection to yielding to the gentleman from Michigan ten minutes if he so desires. [Renewed laughter.]

Mr. TARSNEY. I thank the gentleman from Georgia, and if in order move that the committee do now rise and report this bill favorably to the House.

Mr. TAULBEE. That is not in order, because I have a speech to put in on the subject. [Laughter.]

The CHAIRMAN. The motion of the gentleman from Michigan is not in order, unless the gentleman from Georgia yields for that purpose.

Mr. BLOUNT. I yield to the gentleman from Kentucky for ten minutes.

Mr. BUCHANAN. To facilitate matters, will the gentleman from Georgia answer a question?

Mr. BLOUNT. Not now.

Mr. TAULBEE. The gentleman from Georgia has not the floor to answer a question.

Mr. BUCHANAN. Then will you answer a question?

Mr. TAULBEE. Certainly, if you make it short and easy. [Laughter.]

Mr. BUCHANAN. Very short and very easy. Is it the purpose of the opposition to this bill to consume the remainder of the hour?

Mr. TAULBEE. I am not the "opposition" to the bill, and can not answer the gentleman's question. I am only responsible for my own actions here, and I propose to take in good faith the ten minutes to which I am entitled to explain my position on this question, if the gentleman from New Jersey will content himself, be patient, and listen.

Mr. BUCHANAN. I make the inquiry in entire good faith; for if it is the purpose of the opponents of the bill to consume the remainder of the time, we might as well let the committee rise now and dispose of the matter and go on with something else, as we have but about thirty minutes of the hour remaining.

Mr. TAULBEE. I believe I have the floor, and will now proceed, with the gentleman's consent.

Mr. COX. Will the gentleman yield to me for a moment?

Mr. TAULBEE. Certainly.

Mr. COX. Mr. Chairman, I desire to say this to gentlemen on both sides of the House: That evidently the gentleman from Michigan did make a slip of the tongue when he reserved the rest of his hour. I know that he did not intend to give it up. He could not give it away, for it belonged to the committee, and he supposed when he said he reserved the rest of the time that he could rise up at any moment during the discussion and resume the floor again in his own right.

Now, in view of that fact, and in view of the superior parliamentary knowledge of my friend from Georgia and my friend from Kentucky, I propose to gentlemen to divide the time in such manner that my friend from Michigan will have the closing of the debate, as the rule and good faith prescribe.

Mr. FARQUHAR. And custom also.

The CHAIRMAN. The Chair may be permitted to express the hope that the suggestion of the gentleman from New York will be acquiesced in because of the misunderstanding that has taken place.

Mr. TAULBEE. For my own part I have no time to divide, having but ten minutes yielded to me, a portion of which has been already consumed by the gentleman from New York in discussing a matter without reference to the merits of the bill under consideration and only relating to a suggestion of a compromise. So far as I am individually concerned, I am entirely willing that there shall be a vote on the bill, and I desire to consume the time in my own way to which I am entitled.

If I understood the statement of the gentleman from New Jersey clearly, it is to the effect that this bill has grown out of the transaction had between the officers of the Government and the laborers in the employ of the Government, which transaction was in substance that under the operation of what is known as the eight-hour law an order was issued by the Secretary of War limiting the hours of labor in that Department to eight hours in any day; that the employés in that Department were permitted to labor beyond the period of eight hours, but with the understanding that they should receive additional compensation for the extra labor, and that they have failed to receive the money which they had a right to expect in view of their understanding with the managers and the superintendents of these public works. I want to state in response to that, that I have had occasion to investigate this question on its merits. A similar bill to this was introduced and referred to the Committee on Claims, and to a subcommittee, of which I have the honor to be chairman. I listened to arguments of the ablest claim agents from day to day on this subject, and I read every brief and document submitted to me by them, and I have never discovered in any statement made by the agents of these employés anything in the nature and to the effect of the statement just made by the gentleman from New Jersey.

Mr. BUCHANAN. Well, I had it from the mechanics themselves.

Mr. TAULBEE. I do not believe that such a condition has ever existed; I do not believe that any of these employés have made a claim in good faith based upon such a condition. The purpose and effect of the bill is reached by a proper understanding of the amendment in the Senate bill, which attempts to vitiate a contract made by the managers of these public works and the employés themselves. It is by the insertion of the word "agreement" in the bill which entitles them, if carried out, to collect from the Treasury of the Government an amount equivalent to the difference of compensation they had received for ten hours' labor under their contract, based upon labor of eight hours, and the additional time so employed and occupied by them in labor.

It is going beyond the contract. It is changing the conditions of the contract, and allowing them to receive eight hours' pay for eight hours' work, and two hours' pay for two additional hours so employed and occupied; and, in addition to that, a sum bearing the ratio to the compensation for ten hours a day which two bears to eight. It is simply a gratuity attempted to be given to these employés of the General Government beyond that which the law recognizes, and which their contract implied and expressed.

Now, if this is not the fact, I want the gentleman from New Jersey [Mr. BUCHANAN] or the gentleman from Michigan [Mr. TARSNEY] to explain the effect of the amendment in this bill by inserting the word "agreement," in giving the conditions upon which this money is to be paid. If I have improperly understood that, I am willing for the gentleman from New Jersey or the gentleman from Michigan to correct me now in my time.

Mr. BUCHANAN. What do you desire to know? I spoke of the officers of the Navy Department, and you are speaking of the action of the Secretary of War.

Mr. TAULBEE. The same principle applies to both the Navy and the War Department; and, in addition to that, if this bill shall be passed, it will give to every employé of this Government in every Department, no difference where he is employed, if for more than eight hours, additional pay beyond his contract.

Mr. KERR. Mr. Chairman, while I have been a firm friend of the eight-hour law from the time when the matter first became a prominent question in State and national politics, in 1866 and 1868, I do not think it was the intention of those who passed the eight-hour law to fix the rate of wages or to influence the rate of wages otherwise than as the rate of wages will necessarily be increased by shortening the hours for labor and thereby increasing the opportunities for improvement of the intelligence and character of the laboring men; and I understand it has been decided by the Supreme Court that the eight-hour law was not intended to fix the rate of wages.

I have little doubt that the Government employés along the seacoast who with their agents are anxious for the passage of this bill received fully as much for their services as laborers in other occupations during the time they were employed, and that they have been paid as much as the Government agents agreed to pay them, and that the object of this bill is to give them a legal standing that they would not have under their contracts of employment.

It should have been the policy of the real friends of the eight-hour law to refrain from the performance of extra hours of labor, and those who did so made themselves the active opposers of a system that would, if enforced, be attended with benefits to the laborers of the country; and having been instrumental in setting aside the policy and having received all they expected to receive when they entered on their work, they should not by legislation be given advantages that were denied to other men and higher rates of wages than prevailed in other employ-

ments at the time. If the bill should be so modified as to remove all question that it is simply intended as a gratuity to a class of employés along the seacoast it might be less objectionable, but if so modified it would be found to contain only a barren right to present a claim that equity and justice would be compelled to reject, for I have no doubt the Government paid these claimants all they were entitled to under heir contracts of employment.

Mr. COBB withholds his remarks for revision. [See APPENDIX.]

The CHAIRMAN. The gentleman from Alabama [Mr. COBB] will suspend his remarks. The hour allowed for the consideration of this business has expired, and the Committee of the Whole will rise.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. DOCKERY reported that the Committee of the Whole on the state of the Union, having had under consideration the bill (S. 405) providing for the adjustment of accounts of laborers, workmen, and mechanics arising under the eight-hour law, had come to no resolution thereon.

Mr. ROCKWELL. I ask unanimous consent to extend in the RECORD my remarks on the bill just under consideration in Committee of the Whole.

There being no objection, leave was granted. The remarks are as follows:

Mr. ROCKWELL. Mr. Chairman, during the last session I had the honor to present to the House a petition signed by several thousand workmen, living in about seventy localities throughout the Union, asking for the passage of a bill providing for the adjustment of the accounts of laborers arising under "the eight-hour law." In the RECORD of June 28, 1884, in the first session of the Forty-eighth Congress, will be found my views upon the general subject of readjusting the accounts of laborers arising under the eight-hour law as then expressed in debate. (Volume 69, page 5752.)

The Committee on Labor at first reported the Long bill (H. R. 1539) with certain amendments. Those amendments allowed, among others, the men employed at the arsenals and armories of the country to have their claims adjusted. The workmen employed in these institutions stand in a peculiar position. A brief statement of the facts concerning the workmen at the national armory will show this.

On the 25th of June, 1868, Congress passed an act (15 Statutes, 77) declaring—

That eight hours shall constitute a day's work for all laborers, workmen, and mechanics now employed, or who may hereafter be employed, by or on behalf of the Government of the United States. (Revised Statutes, section 3738.)

The eight-hour law first went into effect at the national armory on July 13, 1868. It was continued in force until August 20, 1868, each man receiving a full day's pay for eight hours' work. From August 20, 1868, until May 22, 1869, the men were reduced one-fifth of their former pay per day, but were allowed to make full pay by working ten hours a day. Subsequently, by act of May 18, 1872 (United States Statutes at Large, volume 17, page 134), money was appropriated and they were paid for the extra two hours' service. Under that act the men at the national armory received $40,438.48. Thus the men were settled with in full up to May 22, 1869, being allowed extra pay for the time worked over eight hours. This act of 1872 was an acknowledgment by Congress of the intention and meaning of the eight-hour law.

On May 22, 1869, an order was published requiring all the men to work but eight hours a day pursuant to a proclamation of the President, May 19, 1869 (16 Statutes at Large, 1127). The men received the full benefit of the law until June 9, 1877.

Thus it appears that for a period of nearly nine years the men were recompensed on the basis of eight hours constituting a day's labor. Up to June 9, 1877, their accounts have been properly adjusted. They make no claim prior to that time, as I am now informed.

On March 27, 1877, there was issued from the "Headquarters of the Army, Adjutant-General's Office," General Orders No. 25, for the information of the Army, a copy of the decision in the case of the United States *vs.* Arthur Martin (No. 401, October term, 1876, United States Reports Supreme Court, 94 (Otto, IV), page 400)—a case arising under the eight-hour law on an appeal from the Court of Claims. Evidently relying upon the court's expressed opinion in that case, namely—

We are of the opinion, therefore, that contracts fixing or giving a different length of time as the day's work are legal and binding upon the parties making them—

the Department required the men at the national armory to sign a contract agreeing to work ten hours a day for a day's wages. This contract reads as follows:

We, the undersigned, employed at the national armory, Springfield, Mass., on behalf of the United States, hereby agree to work ten hours each calendar day, or at the rate thereof, for the sums set opposite our respective names. This contract is made in conformity to General Orders No. 53, Headquarters of the Army, Adjutant-General's Office, June 1, 1877, and can be terminated at the pleasure of the United States or the subscribing party.

Name.	Occupation.	Wages per ten hours.	Witness.

This contract the men were obliged to sign, and to work under until March 1, 1884, when they were again given the full benefit of the law which they now have. Thus their claim is for the two extra hours they were obliged to work under this contract each day for six years, eight months, and nineteen days.

This statement shows a curious state of affairs. After the eight-hour law was passed the workmen at the armory had the benefit of its provisions for a little over one month. Then for about nine months their pay was reduced one-fifth, but they were allowed full pay provided they worked ten hours. Then came the proclamation of President Grant, May 19, 1869, and they had the full benefit of the law for about eight years. Also under the act of 1872 they at length received pay for the extra hours they had been compelled to work. Then came the Martin case, and the Department made them sign the contract to work ten hours. Under this they worked for six years, eight months, and nineteen days. Then came another proclamation, by President Arthur, and since March 1, 1884, they have had the full benefit of the eight-hour law.

In view of the decision of the court it may be claimed that the contract was a legal one, and that they have no remedy. Let us see if they have not an equitable claim on us, however, under all the circumtances. Let us see from the decision of the court how they looked upon the statute in reference to the eight-hour law. I quote further from the opinion:

We regard the statute chiefly as in the nature of a direction from a principal to his agent, that eight hours is deemed to be a proper length of time for a day's labor, and that his contract shall be based upon that theory. It is a matter between the principal and his agent, in which a third party has no interest. The proclamation of the President and the act of 1872 are in harmony with this view of the statute.

Now, then, Congress as the principal directs its agent (in this instance the War Department) to make its contracts on the theory that eight hours shall be a day's labor. The agent deliberately makes the contract upon the theory that ten hours shall be deemed a day's labor. The decision of the court would give the agent the legal power to do so. When, however, the principal, the Government itself, has declared its direction in a formal enactment and is appealed to as against the act of its agent, the Department, can Congress equitably deny the appeal until it has repealed the statute? In other words, the workmen come to Congress and ask that its own direction shall be carried out, that the Department shall not nullify the direction of Congress.

For over six years the Department failed to obey the direction of Congress. Every one knew of the direction upon the statute-book. The workmen knew of it. They knew that at first the difection had been obeyed; that when it had been disregarded and they had been forced to work two hours overtime, that Congress, by the act of 1872, had recognized the justness of their claim, and had paid them for the overtime. They knew that the President had issued a proclamation for the enforcement of the direction of Congress when they had appealed to him. They knew that the President and Congress had, by their action, practically sustained the theory of the eight-hour law for nearly nine years after its passage. When the law was placed on the statute-book they rejoiced with the workmen throughout the country. They could not believe it would be a mockery and a sham. They had a right to expect that the various Departments would follow the direction of Congress.

The direction of Congress since 1868, the date of the passage of the law, has been followed in this instance twelve out of nearly twenty years. When the Department issued an order that the armorers should sign in 1877 a contract to work ten hours a day, although it was contrary to the direction of Congress as expressed in the eight-hour law, there was nothing left for the armorers but to sign it. Here was an order issued by a military department. Sign it or leave. There was no chance for expostulation or a hearing in such a case. The arsenal grounds are a military reservation. The order was to be obeyed. The men were skilled in a single line of labor. The Department said, sign this contract or seek employment elsewhere. The men, relying on the good faith of Congress, signed the contract, believing that as the President had once befriended them, as Congress itself had once compensated them, so again they would be protected. They believed the principal was a higher power than the agent, and they looked to the principal for final justice. As long as the eight-hour law remains on the statute-book it should be enforced. I am not familiar with other claims arising under the proposed bill, but under all the circumstances of this case ought not these workmen at the national armory to be heard and their claims adjudicated?

If the eight-hour law is wrong, repeal it. If it is right, let its directions be followed, its spirit be put into practice. Place not upon the statute-book laws which deceive above all the workingmen of the United States. If you make promises to them, keep them. They are the bone and sinew of the Republic. Their daily toil makes the country more desirable to live in. Gathered from the world or native-born, they are our defense in war, our glory in peace. Loyal to our institutions and our common flag, they ask simply to earn an honest livelihood for themselves and families, fair pay for a fair day's toil. Congress made the original statute. It can enforce it. It can make it up to the workmen where it has not been enforced. The Government, all powerful as it is, must set the example of fair dealing. There is no

escape. We either say to the workmen the direction of Congress in the statute was a hollow mockery, or we must provide some way to pay honest claims.

Mr. TARSNEY. I ask unanimous consent that another hour be allowed to continue the consideration of this bill. There are several gentlemen who desire to say something.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the time for the consideration of the bill just reported from the Committee of the Whole on the state of the Union be extended for one hour.

Mr. BLOUNT. I object.

SETTLERS ON DES MOINES RIVER LANDS.

Mr. PAYSON. Mr. Speaker, I am directed by the Committee on the Public Lands to report back the bill (H. R. 1368) to quiet title of settlers on the Des Moines River lands, in the State of Iowa, and for other purposes, with amendments, and I ask for the reading of the bill and amendments.

Mr. ROWELL. Is that a privileged report? Has not that, on the contrary, been decided to be not a privileged report?

The SPEAKER. It was so decided by the gentleman occupying the chair at the time, but subsequently the report was presented and the point of order again made and reserved by the Chair. The report was ordered to be printed. The gentleman from Illinois now presents the report again, and if the question is made, of course the Chair will consider it.

Mr. ROWELL. I raise the point that this is not a privileged report.

The SPEAKER. The gentleman from Illinois makes the point that this is not a privileged report under the rules of the House. The Clerk will read the bill, after which the Chair will hear the gentleman on the question of order.

The bill and amendments were read.

The amendments are as follows:

Strike out the preamble.

Strike out the word "or," in the seventeenth line of the first section, and insert the word "and."

Insert the word "or" before the word "their," in the twentieth line, and strike out the words "or their proper assigns," next after the word "heirs," in the twentieth line.

In line 2, section 2, after the word "General," insert "as soon as practicable and."

The bill as introduced is as follows:

"Whereas it is alleged that all the lands along the Des Moines River above the mouth of the Raccoon Fork, in the State of Iowa, referred to in the joint resolution of March 2, 1861 (12 Statutes, page 251), as certified to said State improperly by the Department of the Interior, as under the grant of August 8, 1846, and which were treated in the Harvey settlement, of May 20, 1866, as having been sold or otherwise disposed of by the United States, as mentioned or provided in the act of July 12, 1862 (12 Statutes, page 543), to extend the grant of 1846, and for which lands the State, in the Harvey settlement, received and accepted indemnity lands, as provided she might do by the act of 1862, which settlement was fully accepted by the State Legislature March 31, 1868, and confirmed by Congress March 3, 1871, are public lands, as held by the Department of the Interior after Secretary Browning's decision of May 9, 1868, and that by such settlement Iowa, in accepting the indemnity lands as referred to, is estopped from all claim to the lands in place that were improperly certified as river land, or under the act of 1846; and

"Whereas there are many settlers who, believing that the said lands were public lands, entered upon the same in good faith, and with the consent of the Department of the Interior, as pre-emptions and homesteads, and since so doing, and after receiving patents, have been held by the courts as trespassers, or that the lands were reserved from settlement: Therefore,

"*Be it enacted*, That all lands improperly certified to Iowa by the Department of the Interior under the act of August 8, 1846, as referred to in the joint resolution of March 2, 1861, for which indemnity lands were selected and received by the State of Iowa, as provided in the act of 1862, are, and are hereby declared to be, public lands of the United States: *Provided*, That the title of all bona fide settlers under color of title from the State of Iowa and its grantees, or the United States and its grantees, which do not come in conflict with pre-emption or homestead claimants, are hereby ratified and confirmed, and made valid: *Provided further*, That the claims of all persons who, with intent, in good faith, to obtain title thereto under the pre-emption or homestead laws of the United States, entered or remained upon any tract of said land prior to January, 1880, not exceeding 160 acres, are hereby confirmed and made valid in them, their heirs or their proper assigns, and upon due proof thereof, and payment of the usual price or fee, where the same has not been paid, shall be carried to patent: *Provided further*, That the title of all bona fide claims under color of title from the State of Iowa and its grantees, or the United States and its grantees, which do not come in conflict with persons who, with intent, in good faith, to obtain title thereto under the pre-emption or homestead laws of the United States, settled upon the said lands prior to January, 1880, are confirmed and made valid.

"SEC. 2. That it is hereby made the duty of the Attorney-General, within three years after the passage of this act, to institute, or cause to be instituted, such suit or suits, either in law or equity, or both, as may be necessary and proper to assert and protect the title of the United States to said lands and remove all clouds from its title thereto; and until such suits shall be determined, and Congress shall so provide, no part of said lands shall be open for settlement or sale except as hereinbefore provided. And in any suits so instituted any person or persons in possession of or claiming title to any tract or tracts of land under the United States involved in such suits may, at his or their expense, unite with the United States in the prosecution of such suits."

The bill as amended will read as follows:

Be it enacted, etc., That all the lands improperly certified to Iowa by the Department of the Interior under the act of August 8, 1846, as referred to in the joint resolution of March 2, 1861, for which indemnity lands were selected and received by the State of Iowa, as provided in the act of 1862, are, and are hereby declared to be, public lands of the United States: *Provided*, That the title of all bona fide settlers under color of title from the State of Iowa and its grantees, or the United States and its grantees, which do not come in conflict with pre-emption or homestead claimants, are hereby ratified and confirmed and made valid: *Provided further*, That the claims of all persons who, with intent, in good faith, to obtain title thereto under the pre-emption or homestead laws of the United States, entered and remained upon any tract of said land prior to January, 1880, not exceeding 160 acres, are hereby confirmed and made valid in them or their heirs, and upon due proof thereof, and payment of the usual price or fee, where the same has not been paid, shall be carried to patent: *Provided further*, That the title of all bona fide claimants, under color of title from the State of Iowa and its grantees, or the United States and its grantees, which do not come in conflict with persons who, with intent, in good faith, to obtain title thereto under the pre-emption or homestead laws of the United States, settled upon said lands prior to January, 1880, are confirmed and made valid.

SEC. 2. That it is hereby made the duty of the Attorney-General, as soon as practicable, and within three years after the passage of this act, to institute, or cause to be instituted, such suit or suits, either in law or equity, or both, as may be necessary and proper to assert and protect the title of the United States to said lands, and remove all clouds from its title thereto; and until such suits shall be determined, and Congress shall so provide, no part of said lands shall be open for settlement or sale, except as hereinbefore provided. And in any suits so instituted any person or persons in possession of or claiming title to any tract or tracts of land under the United States involved in such suits may, at his or their expense, unite with the United States in the prosecution of such suits.

The SPEAKER. The gentleman from Illinois makes the point of order that this is not a privileged report under the rules.

Mr. HOLMES. I raise the point of order that that point of order is not in order, the same point having been raised at the preceding session and having been fully argued. My recollection is that the Speaker took the question under consideration, and the point is in that condition now, where it rests with the Speaker, it having been argued at the last session on the same point now raised by the gentleman from Illinois.

The SPEAKER. The gentleman from Illinois renews the point of order, and the Chair desires to hear what he wishes to say.

Mr. ROWELL. I desire to say, Mr. Speaker, that I do not wish to add anything to the argument made by the gentleman from New York [Mr. FARQUHAR], but to renew the objection made by him, and further to state that he is fully prepared to discuss this question both on the point of order and on the merits of the bill. I know of no other member who is prepared to discuss the merits of the bill; but he is not here, and I suggest, therefore, this question of order be withheld until the gentleman from New York is present.

Mr. HOLMES. I desire to say that I telegraphed to the gentleman from New York [Mr. FARQUHAR] yesterday that this bill would be called up to-day, or an attempt made to call it up this morning, and if he desired to be heard he had full notice. I do not know any argument which can be made in addition, and unless gentlemen desire further information, the point having been fully argued at the last session, I think we ought now to have the decision of the Speaker.

DIRECT TAX.

Mr. MILLS. I ask, by unanimous consent, only for a moment to have an order entered. It will pass without objection, and it is important that it should be done to-day.

The Clerk read as follows:

Ordered, That Thursday, December 6, Saturday, December 8, and Tuesday, December 11, 1888, immediately after the reading of the Journal, be, and are hereby, set apart for the consideration of Senate bill No. 139, entitled "An act to credit and pay to the several States and Territories and the District of Columbia all the moneys collected under the direct tax levied by act of Congress, approved August 5, 1861," now in the Committee of the Whole House on the state of the Union, and at 4 o'clock p. m. on Tuesday, December 11, the same shall be reported to the House with such amendments as may have been agreed upon in the committee, and the previous question shall then be considered as ordered upon all such amendments, and upon ordering the said bill to be read a third time and upon the passage of the same; and the votes thereon shall then be taken in the House.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection, and it was so ordered.

Mr. HOLMES. If this is a matter that will take up time in discussion, I would ask the gentleman from Texas to withdraw it.

The SPEAKER. The order has been made.

DES MOINES RIVER LANDS.

Mr. PAYSON. Mr. Speaker, I have no desire to consume any of the time of the House in the discussion of the question of order unless the Chair shall indicate a desire on his part to hear argument upon the question; for it seems to me, if I may say so without the slightest disrespect to gentlemen who differ with me in regard to the point here presented, that clause 50 of Rule XI is so plain and so explicit that this bill comes as clearly within the question of privilege therein embodied as anything possibly can come. Unless, therefore, the Chair desires argument or entertains any doubt, I have no desire to consume the time in debating the question of order.

The SPEAKER. As this question is one that has been already decided by a gentleman of long experience in the House, and who was then temporarily occupying the chair, the present occupant of the chair would be very glad of course to hear the views of gentlemen on both sides upon the question of order, as the Chair is now asked to review a decision heretofore made. Hence, if any gentleman has suggestions to offer, the Chair will be very glad to hear them upon the question.

Mr. PAYSON. The first suggestion, then, should come from that side which makes the point of order; and I have nothing to say except in response to what may come from gentlemen who present their objections to receiving this report.

Mr. COX. Mr. Speaker, when this matter came up in the House during the last session of Congress I was temporarily occupying your place. When my friend from Illinois made the point that this bill, which has just been read, presented a question of privilege under the rules, he called upon the Chair to decide that question *eo instanti*. I was about to decide it promptly on a statement made by the gentleman to the effect that the matter had been already considered by the Speaker of the House, and that it was really a question *res adjudicata;* but on reflection, and upon a suggestion made by my colleague from New York [Mr. PARKER], who I am sorry is now absent, I asked the House, and the gentleman from Illinois very cordially concurred in that request, to defer insisting upon the presentation of the matter as a question of privilege until the next day.

That having been done, I gave what time I could to an investigation of the question of privilege in the interim. In the course of that investigation I was led to the conclusion, irrespective of the merits of the question presented, that it was not properly a question of privilege under the rules of the House.

I did not give my reasons for the ruling at length. I only gave such reasons as I thought were pertinent at the time. They were very brief; but afterwards, when the gentleman informed me that he was about to renew the question for your decision, I did make a memorandum of certain points for presentation on the point of privilege.

This, sir, is a matter which involves the fate of every bill introduced in the House. We know that the member who secures the privileged occupancy of the floor in the midst of our multitudinous bills and business has a great advantage.

With fifteen thousand bills introduced and on the Calendar, it is a matter of great advantage under the rules to have a privilege of this kind. Many members have found that to be true, and to their discomfort sometimes.

Considering the greatness of the privilege and the interest of the question, I presume to give to the House my imperfect study on this subject after it had been intimated that the question was to be renewed.

It is with reluctance that I undertake to inform the Speaker of the House in relation to a matter of order under our rules. I but voice the general sentiment of the House when I state that no man has a more judicial and analytic mind than the Speaker, or can better interpret the rules and their meaning and effect. Nevertheless the Speaker who is temporarily in the chair must decide such questions on the moment. He may decide wrong. I asked the gentleman from Illinois, at the time this question was presented and after the decision had been made, to submit this matter to the House; but he declined to do it out of courtesy, though I wish it had been done, for then we would not, perhaps, have been called upon to review a decision of a *pro tempore* Speaker many months after the decision was rendered.

Mr. Speaker, the first point to be considered is whether the point of order should be considered at all. Inasmuch as the question of privilege has once been ruled upon, however imperfectly, is it not too late to revive it? If it can be raised once, it can beraised twice, and *ad infinitum*. Therefore, the business of this body is dependent, not only upon the changeable quality of the Chair, from permanent Speaker to *pro tempore*, and *vice versa*, but upon the change of opinion in the mind of the Chair itself at various phases of its ratiocination, both as permanent and temporary judge of the rules.

Are there any analogies bearing upon this question of new trial or infinite new trials? If so, Mr. Speaker, you will find them in the practice of the courts. I submit that in their proceedings one judge will not review a decision (interlocutory in its nature) which has been before made in the same case by a judge then rightfully holding the same court, even if he thinks it erroneous.

This rule is absolutely uniform among judges, and I instance the following extreme case:

The cause of White *vs.* Miners' National Bank, reported in 102 United States, page 658, was tried in the circuit court of the United States for the district of Colorado by Judge Hallett, judge of the district court of the United States for that district. At that time Hon. S. F. Miller, of the Supreme Court, was assigned to that circuit, and Hon. John F. Dillon was circuit judge. A ruling was made on the trial evidently erroneous, and on which the Supreme Court reversed it, the opinion being rendered by Mr. Justice Miller.

Before appeal under section 987 of the Revised Statutes application was made to Judge Miller, as senior justice of the court, to grant a new trial of this cause for the error in the record. He ruled that in that case, under the comity between judges, he had no more right to overrule Judge Hallett, the district judge, than Judge Hallett had to overrule him, and that in an analogous case he could disregard the ruling, but in that case it was *res adjudicata*.

This would seem to be a close and conclusive analogy, unless the particular rights of parties in court and the relation of Speaker and Legislature are aloof from all analogy. I believe the rights of parties—litigant parties—are the very gravamen of this measure now sought after many months of sleeping to be aroused. Substantially the same care of such rights should obtain whether in the law-making or law-interpreting branch. In the absence of adverse authority on the point, either judicial or parliamentary, it would seem to be conclusive.

If it were otherwise what confusion would ensue. Any Speaker *pro tempore* called in could be so called to rule adversely to the Speaker, and if the Speaker or House were careless, absent, or corrupt he or they could have rulings at pleasure, as varied as Proteus and as unconscionable as Satan.

This is not a matter of small importance, inasmuch as this privilege involves the superior position of this bill over all other bills not so privileged. If, therefore, we have some fifteen thousand bills in a session it is not unlikely that all except a few hundred of them can be tabooed to let this bill forge ahead. This would imply such a dominance by this committee on this class of bills that the large remainder of the bills are thrust aside for this privileged measure. It is not, therefore, a transient matter of inconsequence. As our business does not consummate several thousand bills a session, and as this bill would likely be lost but for the "privilege" claimed, it is by no means a matter of indifference to the other committees of the House and the 324 other members who have bills equally as just in their eyes as this one in the judgment of its promoter.

Suppose you hold, sir—as doubtless you will—that the matter can be reopened for your own opinion, what should that opinion be? I am not vain enough to expect to influence the Speaker, and I speak rather to rescue *ad interim* my hasty judgment from too much disparagement.

Is this bill for the "reservation of the public lands for the benefit of actual and bona fide settlers?" Admitting this to be such a bill, is it, from its nature, such a bill as to require a strict or a loose construction of the rule? Or since its privilege of "report at any time," is it of such a superior quality that the thousands of other bills shall be set aside till this is considered?

I maintain that Rule XI contemplated the meaning attached to the phraseology used as well by the administration as by the legislation for our landed system.

What is a reservation? It is public land reserved from settlement for schools, Indians, etc. This meaning the preamble of the bill recognized—till the preamble was stricken out. There were many vicissitudes in the titles recited in the lost preamble. But the preamble illustrates the meaning of the measure. It gives the interpretation of the author of the bill. Why was it stricken out?

The preamble states that many settlers believed the lands were public; that they entered on them in good faith; and that then they found out in the courts that they were trespassers.

Now, how can these lands be a reservation of public lands for the benefit of actual settlers if this preamble were true?

Oh! but the bill—this bill itself—declares them to be public lands, but it also shows that they were not. It lacked this very legislation to give them such a status! And how? To gain a "privilege" by writing words in the bill which give a quasi jurisdiction.

Then, the bill ratifies the titles of settlers—titles either from Iowa or the United States.

Is there in this relation such a reservation of public lands for settlers as Rule XI meant? No. It gives title to others not in conflict. In conflict with what and with whom? Why, with pre-emption and homestead claimants; and then it proceeds to quiet title under pre-emption.

Again, the bill provides that the Attorney-General should bring suits—suits for what? For actual settlers? Yes; and something more. It joins other persons in the suits. Thus it takes away the privilege, for the lack of "privilege" in one substantial regard destroys the "privilege" altogether. This proposition is well settled.

The last section of the bill is fatal to the "privilege;" for it is not even of remote kindred to the rule. The rule provides only for the reservation of public lands, and not in behalf of those claiming under the United States against private parties. It forces others to the worry and expense of further litigation, so as to conclude these other private parties and quiet title against them after judicial determination.

This is the unostentatious but main object of the bill. It is the essence, the *sine qua non*, the "end-all and be-all" of the legislation sought. This is not privileged.

The Germans say: "If the devil gets hold of a hair he will drag in the whole body."

Mr. HENDERSON, of Iowa. This bill wants to get hold of the devil's hair.

Mr. COX. That is not a legal argument, and hardly a good illustration.

Mr. HENDERSON, of Iowa. Well, it is a sound one.

Mr. COX. So here, the devil, who always works best by the aid of "cunning old lawyers" and statutes, seizes a privileged hair or so. Then he grips them. It is his "privilege" to grip them, but he should not pull in the body with them.

The gentleman from Illinois in a former debate called the first section the "germ" of the bill. What is a germ? It is a first principle or seed out of which grows something else. So that if the first section is a germ, it is but the seed or origin out of which is to grow the litigation, which is the paramount object, but it is not the same in substance as the pretended and privileged object. It may be that a forest of oaks has its germ in an acorn, but who would think of dragging into a bill as to a "privileged" acorn questions as to all other objects

of the vegetable kingdom? How attach to such a bill a code of forest-culture? Why not, by a parity of reasoning, tack on to such a bill a tariff on dye-stuffs since they are made out of acorns?

The gentleman argued (page 1945)—after quoting a bill prohibiting unlawful inclosures for the benefit of those who sought (not those who had, but who sought) to acquire homes upon public lands—that the litigation provided in this bill "cut no figure," as it was subsidiary and subordinate to the main proposition. If it cuts no figure it has no privilege.

Will it be said that the litigation proposed, if isolated, would be privileged under Rule XI? No. Certainly not, if the litigation has no reference to reservations. Then how can it be dragged into the matter so as to pass on it, by the vigor of certain recitals and provisos? It is because the courts say these settlers are not bona fide, that the bill seeks litigation to give them a quality not their own. Can a committee, by using terms in their bill or report, change the relation of those litigants or parties so as to make their bill privileged? There is no fair way of making this bill privileged except by striking out the unprivileged part; and then the bill would be worthless for the objects it seeks; and that is the touchstone of its privilege.

Is it not within the Speaker's province, on a question of this nature, to examine all the published records, so as to ascertain whether the lands involved are reservations, or whether they have another quality? If this be so, can it not be ascertained whether or not the recitals in the bill or report of this committee are correct?

If such recitals are to govern, why may not a committee, at any moment, become privileged by simply declaring any area of land to be public domain. The declaration of the committee does not make the fact; but it would seem to create the privilege, in the opinion of the gentleman.

A recital of certain land in Long Island or in Galveston, in which the Government never had any title, coupled with the statement that it is a part of the public domain, would that bring it within the question of privilege?

The question of privilege must be decided, therefore, by referring to the records of the country. It must be a matter of history.

If the lands in question ever belonged to the public domain, I assert that the record will show that they have been taken away from that category by acts of Congress. The record of this House will show it. It shows the record of the original grant and of subsequent grants. The records of the executive department show the same thing. The records in the judiciary of the United States show the same thing.

No man can, be he ever so good a lawyer, examine these records without being satisfied thoroughly that these lands are not a part of the public domain. If this bill should become a law it could not relate to public lands, however much, on a superficial glance from the bill itself, the same may seem.

The rule which gives this privilege was intended to affect a class of settlers who are special beneficiaries of the Government with respect to the public lands. It was never intended to go beyond that and assist remote litigation.

So far as any personal bias is concerned, I could have had none in relation to bona fide settlers; for I believe I am the only one in this House left, except, perhaps, my honored friend from Indiana [Mr. HOLMAN], who voted for the homestead law. I never voted to despoil for railroad purposes the public domain. I have a uniform record in favor of the settlement of our domain by those who desire to improve it, to make it their home.

When I made the decision in this case I had no idea of the merits, if any were involved in the bill. The only reference to it during the first debate of a significant character was that made by the introducer of the bill, the gentleman from Iowa [Mr. HOLMES], who declared that it was a bill to reserve the rights of settlers and protect the public lands against this corporation, which has already robbed the United States of several hundred thousand acres of land.

For this he was called to order by the gentleman from Alabama [Mr. WHEELER], who insisted on stating that the company obtained the land without one dollar of compensation, and, he added further, that the settlers were held in the courts to be trespassers. This is all that was developed as to the merits in the debate on the point of order.

In conclusion, Mr. Speaker, let me say that although these remarks may lack in cogency, and although they may not influence your judgment, yet they may in some future possibly serve some good purpose when a case is presented lacking the *argumentum ad misericordam* on behalf of those evicted squatters. That purpose may be to prohibit under the rules important and menacing matters not privileged, because some subordinate matters are privileged, so that thus the predominating feature of a measure which is unprivileged may have advantages to which neither by the rule nor the sympathetic and humane reason of the rule are they entitled.

Hence it is that I ask to print with these remarks some other points to which I have not fully adverted.

Mr. HOLMES. I trust that the suggestion of the gentleman from New York as to printing on the point of order will be made general, so that all members may avail themselves of that privilege.

The SPEAKER. If there be no objection, all gentlemen who desire to print on this question of order will be permitted to do so.

There was no objection, and it was so ordered.

Mr. PAYSON. I think I can make myself understood, Mr. Speaker, in less time than has been consumed by the gentleman from New York in reading so much of his carefully prepared argument as he has read.

Two questions only are presented by the gentleman from New York in reference to the pending matter. The first one is, whether under the facts he has stated, and as to which I concur, it is within the province of the Speaker to reconsider or review a decision made by the distinguished gentleman from New York when he occupied the position of Speaker *pro tempore*. I do not regard it as essential, Mr. Speaker, to consume a single moment's time in discussing that question. If it shall be held to be the law that whenever a decision is once made by any occupant of the position which you hold, that it can never be revoked, then no matter how absurd the decision which shall have been rendered upon any question, it stands, like the laws of the Medes and Persians, for all time to come, or so long as the rules which were in existence at the time the decision was made shall be operative in this body.

I think it is not necessary to do more than state the facts, and that it is needless to argue a proposition so absurd as that.

The report was presented, and the gentleman from New York, as Speaker *pro tempore*, sustained a point of order as to the question of privilege, and the report was withdrawn, as it may be properly done at this time; so it is in precisely the same condition now as if it had not been presented. That is all there is of that. It is now presented *de novo*, with, of course, this condition staring us in the face, that the gentleman from New York had decided adversely on the question of privilege when he occupied the chair.

Now, the first question is as to whether it is a privileged question. It seems to me that is clear. Section 49 of Rule XI reads:

The following-named committees shall have leave to report at any time on the matters herein stated.

And coming down to the Committee on Public Lands it reads:

The Committee on Public Lands, * * * bills for the reservation of the public lands for the benefit of actual and bona fide settlers.

That is the language of the rule, and the question is whether this bill comes within that rule. I assume for the purposes of this argument, Mr. Speaker, that it is utterly immaterial what the individual judgment of members of the House, or of the Speaker himself, may be as to the decisions of the courts or any judicial tribunals of the country upon any question connected with the subject-matter of this bill. The bill must be examined, and the decision of the Chair must be based upon the bill as it is presented. The bill as presented recites the fact that there are certain pieces of land in the State of Iowa which are thereby declared to be public lands, and that the lands that are thus declared to be public lands shall be opened for settlement in the hands of homestead or pre-emption settlers.

Perhaps I had better read the bill, so as to get the language exactly correct:

That all the lands improperly certified to Iowa by the Department of the Interior under the act of August 8, 1846, as referred to in the joint resolution of March 2, 1861, for which indemnity lands were selected and received by the State of Iowa as provided in the act of 1862, are, and are hereby declared to be, public lands of the United States.

There is the germ of this bill. The preamble to which the gentleman from New York refers has been stricken from it; but if it were retained, it only recites a state of facts in its different clauses so as to show why this land is thus declared to be public lands.

Because by improper action on the part of certain officers of the Interior Department these lands were placed in what is known under the public-land laws as a state of technical reservation, so that no valid settlement could be initiated, and because such reservation has never been rescinded, therefore the attempts to effect settlement under the homestead and pre-emption laws and to make valid settlements have been inoperative.

Therefore this bill recites that in view of the fact that this said reservation was erratic, it is revoked or removed, and the lands are declared to be public lands, and parties who are themselves in possession as homestead or pre-emption settlers may claim their rights and interests are validated under this law. There is a provision in this bill on which the gentleman dwells, which is the permission to institute suits under section 2. That is only incident to and in connection with the principal portion of the bill. After the bill declares, as it does, that the lands are public lands, it provides how they shall get adjudication in reference to it, and it is only incident to the main provision contained in the bill. Section 2 provides that suit shall be instituted by the Attorney-General of the United States to enforce the provisions of the law, and that is only incident to the main provision.

Now, the gentleman from New York says that it will be and that it would be a question of ingrafting upon a bill that was privileged a system of forestry for the United States. True, and that was done in regard to a bill coming from the Public Lands Committee last Congress; and I am not so certain but that the gentleman from New York

was occupying the chair when it was passed by this House and sent to the Senate. This is a bill to preserve "in reservation for the benefit of all actual settlers" these lands. It is to be decided whether it is a privileged question, and as to whether certain lands in the State of Iowa are public lands and are to be so held. The second point is that those who are in possession of them as homestead or pre-emption claimants can hold them, and I may say in passing that everybody knows, as well as I do, that under the homestead law and under the pre-emption law no one can make a claim to public lands except by actual settlement on the land itself, and that it comes within the law of this House to make this a privileged question, it seems to me the statement of the proposition is the strongest argument that can be made in its favor.

Mr. ADAMS. Mr. Speaker, the first position taken by the gentleman from New York [Mr. COX] is that a point decided heretofore by a presiding officer of the House or of the Committee of the Whole ought to be regarded as *res adjudicata*. My colleague [Mr. PAYSON] thinks that that position is untenable and does not deserve consideration. I agree that it is untenable, but I think the eminence and acknowledged ability of the gentleman from New York render it important to take special notice of the doctrine he advances. It is dangerous doctrine, fraught with serious inconvenience to this House. It is all the more dangerous because of the distinguished source from which it comes.

I trust, Mr. Speaker, that in deciding the pending question of order you will expressly disapprove of the doctrine of *res adjudicata* as announced by the distinguished gentleman from New York. During the last two Congresses we have suffered great inconvenience on several occasions because Chairmen of the Committee of the Whole have been unwilling to go into the principles of the rulings they made, but have contented themselves with relying on some previous decision of some previous Chairman.

The analogy which the gentleman from New York finds between the decision of a presiding officer of this House and the decision of a judicial tribunal is entirely fallacious. There is no real analogy between the two cases. Even courts sometimes overrule their own decisions. They are reluctant to do so, I admit. The reason is this: When a decision has been made by a court, private parties may make, and are presumed to make, the decision a guide for their own conduct. They enter into contracts on the faith of it. It would not be fair to change the ruling without very solid reason. But what analogy is there between that case and this?

No contracts are made by individuals on the faith of the ruling of a chairman on a point of order under the rules of the House. The question of private right does not intervene; and, therefore, the doctrine of *res adjudicata*, or rather the underlying reason of that doctrine, does not apply.

I believe that from the very beginning of the Forty-ninth Congress, when we made some radical changes in the rules, which gave rise to much discussion, it would have been far better if every Chairman of the Committee of the Whole had examined the principle of every ruling that he made, instead of relying on precedent.

I distinctly remember that one or two decisions hastily made soon after the change in the rules involved the business of this House in confusion for almost a year. I most earnestly hope, Mr. Speaker, that if you decide in this case to affirm the former decision of the gentleman from New York [Mr. COX] it will be because you believe in the soundness of his decision, and not merely because a former presiding officer has made a ruling in the same or in an analogous case, which, however erroneous it may in fact be, must stand as *res adjudicata* merely because it has been made.

Mr. HOLMAN. Mr. Speaker, I desire to say a few words on this subject. I dissent entirely from the view expressed by my friend from New York [Mr. COX]. I hold that the doctrine of *res adjudicata* of the courts is wholly inapplicable to current discussions on questions of order in a legislative body. That doctrine is one of positive law, recognized in judicial proceedings, for the protection of private rights and for the purpose of securing definite and final results. It is a final determination of specific issues; it can not apply in a legislative body, for the manifest reason that it belongs to a judicial proceeding. It is the outgrowth of a legal controversy between specific parties, and is the final result of judicial deliberation.

Mr. HENDERSON, of Iowa. And upon issues joined.

Mr. HOLMAN. And upon issues joined.

Mr. WEAVER. And it applies only to that case.

Mr. HOLMAN. But in a legislative body judicial deliberation is scarcely possible; points of order must be decided upon the spur of the moment and not upon deliberation. My friend from New York [Mr. COX] had no opportunity for investigating the provisions and the scope of this bill as would be necessary to enable him to bring into play that judicial power which he possesses in a very eminent degree. But, Mr. Speaker, I call the attention of my friend from New York to this fact. The question involved here is *res adjudicata*. It had already been finally adjudicated by this House under the present rule, and if the decision pronounced by my distinguished friend is to stand as the law of the House, then what? Why, a leading decision where the same question of order was raised, under the same rule of the House, upon substantially the same facts, would be overruled, the general current of decision of the House under this rule overthrown. For the purpose of securing harmony in the records of the House it is highly important, as I think, that the decision upon this point of order should be made in harmony with the general current of decisions of the House.

I refer especially, Mr. Speaker, to the decision made by the Chair on the question of order raised on the general land bill at the last session. The general purpose of that bill, the general scope of it, was to secure the public lands to actual settlers, but it necessarily involved a vast amount of other matters: protection of coal fields from monopoly, protection of water courses from monopoly, protection of forests from destruction, and a multitude of other incidental matter. That bill bristled with legislative provisions which are prominent and yet only incidental, and, in some cases, only remotely incidental, to the general purpose of protecting to the actual settlers the public lands, yet the point of order was overruled; whereas this bill contains but a single subject-matter and the provisions directly necessary to secure the purpose sought to be attained, namely, that certain lands heretofore granted by Congress to a corporation shall be restored to the public domain and secured for the benefit of actual settlers.

My friend says that the main object of this bill is to give these settlers a standing in court, but that is a mere incident, and it is a remote incident and yet a necessary incident. My friend misapprehends the object of the bill entirely. I can readily see the grounds upon which that decision of my friend was made; it was a misapprehension on the spur of the moment of the purpose of the bill. My friend says that the Supreme Court held that these settlers had no standing in court, that they were trespassers, and that the object of the bill was to give them such standing. And it is true that the object of the bill is to give them a standing in court. Why? For the purpose of securing these lands to the benefit of the settlers upon them.

The incident of giving them by the second section of the bill a standing in court is designed simply to carry out and accomplish the main purpose of the bill—to secure these lands for the benefit of actual settlers as against the corporation to which the grant was made. The bill contains just three provisions—one declaring the forfeiture; another providing that the lands occupied shall remain the property of the persons in possession; and thirdly, a provision to carry that second proposition into effect. So that the application of the rule of the House to this bill is free from any trouble. The misfortune was that my distinguished friend from New York had not the time necessary for a careful consideration of the scope and purpose of the rule of the House and the purpose sought to be accomplished by the bill. I think the House and the country are fortunate in the fact that the question of the construction of this particular rule has been so often before the Speaker of the House that he has had occasion to consider it carefully in all its details as well as purpose of its adaptation. I think my friend from New York will see that it is far better the regular course of decision should be maintained and the records of the House made perfect than that an incidental decision, made upon the spur of the moment, should unsettle the current ruling and leave the subject open for future controversy.

The SPEAKER. The Chair thinks that questions of order which affect merely the proceedings in the House and do not, like judgments of courts, conclude the rights of parties, are always open for re-examination and decision; and therefore the present occupant of the chair has never hesitated to overrule his own decisions when convinced that they were wrong.

The point made by the gentleman from New York is that this is not a bill for the reservation of public lands for the benefit of actual settlers. That is a question which has arisen very frequently under the fiftieth clause of Rule XI of the House, and the Chair has invariably placed a very liberal construction upon that rule. In view of the object which the rule was intended to accomplish, the Chair thought that was the proper policy to be pursued, leaving to the House at all times the right to pass or reject any bill upon which the question might arise. Of course it is not the province of the Chair to express any opinion as to the merits of this bill or as to whether, if passed, it will accomplish the object contemplated by it.

It is sufficient, in the judgment of the Chair, if the bill shows upon its face that its purpose is to reserve public lands for the benefit of actual settlers. The bill refers to, and if passed can affect only, those lands which were "improperly certified" by the Secretary of the Interior to the State of Iowa. Even if the Chair were called upon to decide whether the lands affected by the bill are public lands or not, it appears it would affect none except those, as the Chair has already said, which were improperly certified; and of course if they were improperly certified, they are still public lands of the United States.

The second section, which directs the Attorney-General to institute suits, provides simply a means for the accomplishment of the object which the bill contemplates; and the Chair thinks that the point raised by the gentleman from New York, that non-privileged matter can not be connected with privileged matter in a bill, does not arise in this instance. The Chair has always held, and will continue to hold, that non-privileged matter can not be connected with privileged matter, unless it be something which is essential to the accomplishment of that part of the bill which is privileged; and the Chair thinks that is the

case here. With great respect for the opinion of the gentleman from New York who presided when this question was presented before, the Chair feels constrained to hold that this is a matter of privilege, and so decides. The gentleman from Illinois [Mr. PAYSON] is entitled to the floor.

PRINTING BILL FOR ADMISSION OF SOUTH DAKOTA, ETC.

Mr. SPRINGER. Before my colleague [Mr. PAYSON] proceeds, I want to ask unanimous consent for an order to print the Senate bill for the admission of the State of South Dakota into the Union and the organization of the Territory of North Dakota. This bill as passed by the Senate has never been printed. I desire to ask that the Committee on Territories be discharged from the further consideration of the bill and that it be printed, and recommitted to the committee.

The SPEAKER. Is there objection to that request? The Chair hears none.

Mr. SPRINGER. Now I ask also that an order be adopted in regard to the consideration of that subject.

Mr. PAYSON. Let the proposed order be read.

The SPEAKER. The order will be read, after which the Chair will ask for objection.

The Clerk read as follows:

Resolved, That the Committee on Territories be discharged from the further consideration of Senate bill No. 185, being a bill to provide for the admission of the State of South Dakota into the Union and for the organization of the Territory of North Dakota; and that said bill be made a special order, to be considered in the House as in Committee of the Whole, immediately after the hour for the consideration of bills on to-morrow, and from day to day until disposed of, with leave to offer as a substitute therefor, House bill No. 8466; and that thereafter the bills relating to the admission of Montana, Washington, and New Mexico shall be in order in the House in like manner until disposed of.

Mr. PAYSON. This has been read simply for information?

The SPEAKER. That is all.

Mr. PAYSON. I object to its consideration at this time.

The SPEAKER. The resolution is not before the House. The gentleman from Illinois [Mr. PAYSON] is entitled to the floor.

DES MOINES RIVER LANDS.

Mr. PAYSON. Mr. Speaker, the report which has been made on the bill, which comes from the Committee on Public Lands, embraces some thirty-six printed pages. I do not intend at this time to do more than state the substance of it. I assume the subject-matter of the bill is familiar to most of the members of the House, and especially to those not serving their first term in this Congress, from the fact this bill and the relief which is proposed under it have been in one form or other pending in one or both Houses of Congress for the last sixteen years.

Beginning with the Forty-third Congress and coming down to this time there has not been a time in the history of Congress that a bill looking to the relief of the beneficiaries of this bill has not been pending in one House or the other.

More than that, there has been, as I recollect it, but one adverse report to the proposition to extend some relief to those who are to be benefited by this bill.

I do not take time to go into a detailed history of the legislation in the two Houses, but the bill has passed first in one House and then in the other, until in the Forty-ninth Congress it passed this House by a substantially unanimous vote. It passed the Senate, I believe, with only four dissenting votes, went to the President of the United States, and by him, after a casual examination of less than two days, was vetoed. It came back to Congress, passed the Senate, notwithstanding the veto, and on reconsideration in this body received a vote of one hundred and sixty-odd to ninety; failing, however, to receive the necessary vote of two-thirds, it did not become a law notwithstanding the veto.

But the point I make now is, there never has been a time in the history of this legislation that measures proposed in the bill have not had substantially the unanimous support of both sides in both Houses of Congress.

I content myself, therefore, Mr. Speaker, at this time with giving an epitome barely upon which this important bill is based, and then, unless something is offered in opposition to it, will ask a vote of the House on it after some observations from gentlemen from the State in which citizens live who are directly affected by the provisions of the bill.

I may say I have an earnest desire this bill shall speedily pass, from the fact those who are to be benefited by it, because of technical conditions in the public-land law, and in the situation in which they are placed, are placed in such a position that at this very hour, as I am advised by members from Iowa—men who, some of them, twenty years ago, on the invitation of the officers of the Interior Department of this Government, went in good faith on these lands, paid their money into the Treasury of the United States, where it now remains, and who have had for almost an entire generation a patent for the lands on which their homes have been made, are to-day being evicted from them and turned out into the highway at this inclement season of the year, enduring hardships which awaken the deepest sympathy from me. And I am in receipt, and have been since I have been in attendance in this Congress, of letters that purport to be written by citizens of the United States who are in this condition, of whom I never heard until I received these letters, and who make these pitiful statements to me; and the statements they have made to me are confirmed by the gentleman from Iowa [Mr. WEAVER] and the gentleman from Iowa [Mr. HOLMES], who have some personal knowledge of the condition of affairs there.

Briefly, the situation out of which the necessity for this bill has arisen is this: In 1846 a grant of public land was made by the Congress in aid of the improvement of the Des Moines River, in the State of Iowa, and it was provided in the bill that alternate sections of the public land on either side of the river for 5 miles in width, to be selected by a commission jointly appointed by the Secretary of the Interior and the governor of Iowa, should be granted to aid in the improvement of the navigation of that river by a system of dams and locks.

Without stopping to read the bill, it is enough to state here, in substance, that the grant so made is what is known in the public-land law as a grant *in præsenti*, and it was provided in the bill that as the work progressed the lands would be certified to the State to be sold, and the proceeds of the sale to be applied to the further prosecution of this work of improvement of the river. The land which was thus granted in contemplation of law, and in the judgment of men who framed and passed the bill, was limited to lands lying upon either side of the river and south of the forks of what is called the Raccoon River, or, as it is commonly called there, the "Forks of the Coon." The State of Iowa commenced the prosecution of the work of improvement by establishing a board of public works, and was proceeding to construct the improvement in its own way and through its own agencies.

A year or two later, for some reason, that plan of improvement was abandoned, and a contract was let to a corporation called the Des Moines Railroad and Navigation Company, by which the company agreed, in consideration of the grant of land made by Congress to the State, that it would itself proceed to construct the works and improve the river, as was then in contemplation. They commenced the work upon the river. A certain amount of money was spent in this direction, and I may say in passing that there is some dispute as to the amount, but only a commencement was made, and the work was barely commenced when a question was raised as to the proper construction of the law by which the grant was made.

It was contended on the one side that the grant was limited by the forks of the Coon, the point at which the city of Des Moines is located, and which is about the center of the State, from the mouth of the river to the northwest corner of the State—that this point was the limit of the grant; while it was claimed by the navigation company that the grant extended to this extreme northwestern corner of the State, and that they were entitled, in accordance with their contract under the grant, to about double the amount of land in contemplation when the bill passed Congress. Finally, the officers of the Interior Department were called upon to decide the question, and it was decided by the Secretary of the Interior that the grant carried no land further north than the forks of the Coon, and that all of the lands further north than this, involving some 270,000 acres, were still public lands.

But in the mean time, under the assumption which the people of Iowa entertained that the grant did extend further north and west, the State opened a land office and sold a portion of the lands beyond the point I have indicated to the extent of some 55,000 acres; that is to say, lands lying north of the point at which the Interior Department held that the grant terminated. When the Interior Department decided that the grant extended no further north the improvement company, which had expended a certain amount of money—the amount being immaterial, and which, as I have said, has been disputed, for they had practically done nothing in the way of substantial improvements; they had put in some dams, etc., preliminary to the work, and had a plant provided for the prosecution, but no substantial improvement of the river had been made—they threw up their contract and refused to go on unless they were assured that they would get the lands on either side of the river, not only adjacent to the river north of the forks of the Coon but the lands lying along this same line to the extreme northern boundary of the State. As the Interior Department had already decided that the grant did not extend further north, the work was abandoned, and it has not been prosecuted since.

Then came a question as to the settlement between the navigation company and the State of Iowa; and the State of Iowa, on the 18th day of May, 1856, by its Legislature, provided for the making and executing by the governor of the State of a deed of all the lands to the navigation company that it got under the act of Congress, and for the settlement and adjustment of all claims between the navigation company and the State of Iowa arising under the contract to which I have referred. A copy of these papers is set out in full in the report and substantially in the exact words I have quoted here. The deed which was executed by authority of the State of Iowa purported to convey only the lands "granted by the act of Congress approved August 8, 1846." So that upon the face of the deed itself, and under the decision of the Secretary of the Interior, as well as under the accepted understanding by the authorities of the State of Iowa, all the lands which could pass by that deed were those lands lying between the forks of the Coon and the mouth of the river. That deed was executed and delivered.

But, Mr. Speaker, remembering what I said awhile ago, that upon the assumption that the grant to the State did extend farther north, the State of Iowa had sold some 55,000 acres of land to citizens of the State, assuming that it had the right to sell. Now, by the decision of the Interior Department and by the accepted interpretation of the statutes, the titles to lands thus sold were invalid.

About that time a case got into the courts, and the Supreme Court of the United States decided—the decision being quoted here in the report, and what is commonly known as the Litchfield case—that the decision of the Interior Department was the correct interpretation of the law, and that the State took nothing by its grant except lands lying on either side and between the forks of the Coon and the mouth of the river.

Then came the necessity for further legislation to protect the people who had purchased the 55,000 acres from the State of Iowa, and so an appeal was made to Congress by some member of the Iowa delegation—I do not now remember his name, because it is a matter of the earlier history of legislation upon this subject; but the result was the passage in 1862 of a joint resolution by Congress, cited in the report, providing for the validation of the rights of all "bona fide purchasers" of these lands from the State of Iowa, and the only persons who were beneficiaries of that legislation, or who were contemplated in the legislation when it passed, were the citizens of the State of Iowa who had purchased a part and parcel of the 55,000 acres from the State. This is clear from the records and the action of the State officials.

A while later there came a dispute between the State of Iowa and the United States as to how much land in acreage, indemnity or otherwise, the State was entitled to under this grant, and another made under another bill for the benefit of certain railroad companies; and there was also another act passed prior to the act to which I have just referred, donating certain lands for educational purposes, and some of these identical lands covered by the pending bill were lands which had been selected for that purpose by the State of Iowa. In order to provide a general adjudication of the whole matter of difference an act was passed by the Iowa Legislature providing for what is known as the "Harvey settlement," that is for the adjudication between Iowa and the United States of all these questions, and a claim was presented by the representatives of the Des Moines Company for some of the lands north of the fork of the Coon under the old contract. This claim, however, was rejected by the authorities of Iowa and by the officers of the Interior Department as well as by Congress, because when the Harvey settlement was made it was a settlement in regard only to lands falling to the State under the joint resolution of March 2, 1861, and the act of July 12, 1862. It was a complete adjustment of the disputes between Iowa and the United States growing out of these several grants, and the navigation company was not regarded as coming within the provisions of the resolution of 1861 as a purchaser.

So things were going along smoothly, but in the mean time it was held out by the Department that this land was public land. And because of the decision in the Litchfield case, and because the Secretary of the Interior had invited settlers to come upon it, very many people—the gentleman from Iowa sitting near me can tell better than I how many, but at any rate a large number of families—went upon this land and initiated homestead and pre-emption settlements. They made their settlements at that time under the pre-emption law. They paid their money into the Treasury, and, after a lapse of six months, patents issued to many of them, and many of them have been in possession of them from that day to this.

A little later on came another question. The navigation company was disrupted, and all of its assets passed into the hands of those who bought them at the sale of its assets. These gentlemen who succeeded to the assets of the bankrupt concern set up a claim that, under a certain condition of the law in Iowa, they were entitled to be treated as the bona fide purchasers under the legislation of 1862, to which I have referred. So suit was initiated in the State of Iowa, and it went to the Supreme Court of the United States.

The Supreme Court decided in the case, which is known in the history of this transaction as the Wolcott case—a full copy of which I have inserted in this report—holding in that case that the claimants in any lands under the navigation company, not only south of the fork of the Raccoon but north of it, held valid title, and that they were entitled to be treated as purchasers of the State of Iowa; and this case has been treated as a precedent from the time of this decision down to now. It has been insisted, and is insisted to-day in the courts, that this is a rule of property that we can not go behind.

The difficulty in the situation is this: I have insisted, time and time again, and I have asserted it upon this floor for many years, that the Wolcott case was a collusive case, gotten up between holders of the navigation company's title and dummy defendants, so that the case could be adjudicated in some of the courts of this country, and upon such decision they could base their claims as holders of adverse title, and that statement is based upon the record of that case.

Here is the statement of the agreed case between the attorneys for Wolcott and attorneys for the defendant:

The lot in question is one section of land, which is selected and approved by the Secretary of the Treasury, and duly certified by the governor of the State to the President, according to the second section of the act, and was duly sold and conveyed, among other parcels of lands, by the State to the defendants.

There is the agreement in the record upon which the Supreme Court decided that the navigation company had good title; and there is not the first sentence in that admission that is true in fact.

In addition, it was never before contended that there was an acre of land above the forks duly certified under the act of 1846 by the governor of the State to the President, or that there ever was an acre of this land in dispute that had been duly sold and conveyed to the navigation company or anybody claiming by, through, or under it.

And need I say to lawyers who are giving me the honor of their attention that where an agreed case is made, and the case made by the plaintiff against himself, the court can do nothing else than give judgment for the defendant? And that has been the condition of that Wolcott case down to this time.

Mr. HERBERT. Will the gentleman permit me a question?

Mr. PAYSON. Certainly.

Mr. HERBERT. If the facts are not as stated in that agreement, how is it that the Wolcott case has been treated as a precedent for every other case?

Mr. PAYSON. I will come to that presently. It has been decided and the decision remains. To show that it was a collusive case I will state that the cost of the litigation was paid by the successful party, as appears by the records here almost within the sound of my voice. The costs were paid by the party that won the suit. "A trumped-up case," as suggested by my friend, Governor GEAR, who has had very much to do with this matter. There are other cases of the same character that have got into the courts, and in every case but one it has the car-mark upon it of being collusive litigation that the parties manufactured to bolster up the claim of title.

Mr. WILSON, of Minnesota. Was not the question that this was a collusive case made in the subsequent cases before the Supreme Court of the United States, and did not the court decide that there was no basis for the charge?

Mr. PAYSON. Not in my knowledge or observation.

Mr. WILSON, of Minnesota. As you assert it so distinctly, I take your word for it.

Mr. PAYSON. I speak with some caution as to that point. I have been examining this question for four different sessions of Congress, and I have never heard from any one at any time until the question was made by the gentleman from Minnesota that such a decision had been made, if the question implies that it had been made.

I have asserted this frequently, and have asserted it in the presence of the lawyers of the navigation company time after time, and never had them dispute it. I have asserted it in the room of the Committee on Public Lands. The question may have been so presented, but I do not recall it, and feel sure it was never decided that the Wolcott case was not collusive. But resuming, this certification of lands which was made by the General Government to the State of Iowa was made by the Secretary of the Interior about 1848 or 1849. He doubted his right to make the certification, and made a "conditional certification" to the State of Iowa, simply making and signing a list of reservations of rights under the certification; and the difficulty, as I assert, of those who have gone in and attempted to initiate settlements upon these lands occurs because the courts have uniformly held, and I think correctly, that this conditional certification by Mr. Secretary Stuart was a technical "reservation" of those public lands from settlement, and that no valid settlement could be initiated upon these lands until that "reservation" was revoked either by Congress or by the Interior Department.

If I make myself understood I will try to get this in a nutshell. The public lands were there. By this certification, conditional as it was, according to the decisions of the court (and I repeat myself to say that I think that decision was correct), there was virtually a reservation of those public lands as against the rights of settlers until, either by the action of the Interior Department or paramount action by Congress, such as is sought by this bill, that reservation should be revoked. It has never been done by the Interior Department, and now it is asked here. Whenever a settler undertakes to go into court upon the certificate of an entry that he made before the decision that these lands were in a state of reservation he is met by the statement, "That land was reserved at the time the land officers took your money and gave you a certificate of entry, and for that reason you have no standing in court upon which we can determine whether you have a valid right to the land or not."

There have been hundreds of instances, as the records of our committee show, where applications were received and afterwards repudiated on the part of the Land Office; instances where settlers sought to make, initiate, and perfect claims, and the action of the Land Office was based upon the ground that the courts had decided that until the condition of reservation was revoked no settler could make a valid entry upon those lands.

There is another question which has never been presented in any of this litigation in the cases in the courts which I think decisive for the settler. The constitution of the State of Iowa—the old constitution first, and the same provision which was carried into the constitution of 1851—provides in express terms that the State of Iowa shall not accept from

the General Government for any purpose any grant of public land upon which there is a settler claiming a settlement right; and in defiance of that constitutional provision, or rather without any regard to the right of settlers who were upon these lands, the State of Iowa assumed to take title to one half of the lands, and the claims made to the other half are under the State of Iowa as the grantee of the United States in disregard of that provision of the constitution of the State. That question, I say, has never been presented in any litigation in connection with this matter. Whenever the settler would undertake to set it up the case would not get that far, because, as lawyers will readily understand, when the court decided that the land being in a state of "reservation," no settlement right could be initiated upon it, that ended the question as to the settler, without reference to the merits of his claim.

Now, what does this bill propose to do? It is a bill of peace. It proposes to recognize what is the fact, that there are three classes of claims to all these lands:

First, the claims of the settlers under the general land law, as against which this state of reservation exists, which prevents them from having a standing in court. They are beneficiaries in this bill. It proposes in terms to declare these lands public lands as to them. When that is done by this bill, the state of reservation will be wiped out and the lands will be placed, in so far as Congress can place them, in precisely the condition in which they would have been if they had never been certified by the Interior Department. The bill declares that they are public lands and that those parties who attempted to initiate pre-emption or homestead rights upon them prior to the 1st day of January, 1880 (that condition being made to prevent persons from coming in and acquiring a speculative interest since the matter has been recently pending in Congress), shall be protected.

Second. Another class of claimants are the holders in good faith of the navigation company's title in possession. To remove the blight of uncertainty of title we agree that persons in possession claiming under the navigation company, whose claims do not conflict with the rights of bona fide settlers under the general land law, shall have their claims validated.

Third. We agree that the claims of those who hold the navigation company's title in good faith of lands not in possession, and the rights of parties who are claiming in any way under the State of Iowa, shall be validated.

Therefore this bill concludes and settles, without any chance for further legislation or litigation, the title of all lands that are not in the actual possession of bona fide settlers under the general land law; and as to those settlers we simply give them a standing in court and allow them to litigate with the holders and the claimants of the navigation company's title adverse to them the questions which I have briefly referred to here, in order that they may have a rehearing in the courts.

This bill does not pretend to divest anybody of any vested right. We could not do that if we sought to do it. We recognize the condition in which we are and validate everything as to which this unfortunate controversy has attached, except the title to tracts of lands in actual possession of settlers in good faith under the public-land laws by entries made prior to June 1, 1880; and as to them we give them the poor boon of going into the courts of the United States to enforce their claims, free from any technical obstruction by reason of the state of reservation which has existed during all these years. That is all.

Now, as to the wrongs that have been perpetrated, as to the evils that have resulted, as to the inconvenience and the distress which are at this very hour being inflicted upon citizens of the State of Iowa by the holders of these speculative titles, some of which have been purchased, to my certain knowledge, as I have it from the men who bought them, at less than $3 an acre, upon which they are trying to-day to extort $10, $15, and $20 an acre for a compromise with the farmers who have been in possession of the lands for a generation—as to these matters we simply say, "You may go to the courts;" and the only inconvenience that this bill imposes upon anybody is the inconvenience of a lawsuit with a settler to determine these questions free from embarrassment by other issues. That is all there is about it.

The second section of the bill provides, as in justice it ought, that the Attorney-General shall take the initiative in this matter; that as soon as practicable, but within the two years, the Attorney-General shall begin a suit to test the validity of this matter with reference to some of these titles which are thus held by actual settlers in possession; and the parties may join in the suit if they choose and be represented by their own counsel.

This measure does not involve the United States in the expenditure of a single dollar. It imposes an additional duty upon gentlemen connected with the Department of Justice, many of whom, I think, could perhaps take this added duty without very much interference either with their comfort or their pleasure.

This is a matter of simple justice in behalf of poor men in whose interest the doors of Congress have been opened time and time again; but the necessary legislation has not heretofore been had because of the great amount of public business pending in one House or the other, except in the last Congress, when the President vetoed the bill upon grounds which I regard as not very substantial, but which I do not care now to discuss, as this bill meets the point that the President made, that a simple bill allowing action where action can not be had would not be objectionable. This bill does this.

I have agreed, Mr. Speaker, to yield a few minutes to the gentleman from Iowa [Mr. WEAVER], and his colleague [Mr. HOLMES], who desire to make statements with reference to some matters of which they have personal cognizance. I take pleasure in yielding to those gentlemen.

But I venture the confident hope that before this session to-day shall end this bill will pass without any substantial amendment, by a substantially unanimous vote, and tidings of joy be carried to the humble homes of the poor people in Iowa who will be benefited by our action.

The SPEAKER *pro tempore*. The gentleman from Illinois [Mr. PAYSON] has twenty-five minutes remaining.

Mr. PAYSON. I reserve that time, and yield first to the gentleman from Iowa [Mr. WEAVER] so much time as he may desire.

Mr. WEAVER. Mr. Speaker, after the very clear and fair statement of the gentleman from Illinois [Mr. PAYSON], I do not think it proper for me to delay the vote upon this bill. I know from personal observation and from the history of the neighborhood affected by this bill that a very great hardship is now being perpetrated upon people occupying the land in dispute. The law and the facts as stated by the gentleman from Illinois can not be gainsaid or disputed. I decline to occupy further time, trusting that the bill may pass, and pass unanimously. [Cries of "Vote!" "Vote!"]

The SPEAKER *pro tempore*. Does the gentleman from Illinois [Mr. PAYSON] reserve the rest of his time?

Mr. PAYSON. I do.

Mr. McRAE. I ask the Clerk to read an amendment which I desire to offer to this bill.

The Clerk read as follows:

Strike out all of section 1 after the word "settlers," in lines 10 and 11, and insert the following:

"To not exceeding one quarter-section to each is hereby confirmed and made valid, and upon due proof of the entry, settlement, and cultivation, and the payment of the usual price or fee when the same has not been paid, shall be carried to patent."

Mr. McRAE. Mr. Speaker, I have no objection to so much of the bill as provides for a forfeiture of the grant, nor do I take issue with my friend from Illinois [Mr. PAYSON] as to any of the main facts stated. There is doubt as to whether the bill if passed will accomplish what appears to be desired or not, but as far as I am concerned I am willing to pass it and to leave the legal questions to be settled by the courts.

If with a legislative declaration of forfeiture the courts will reverse their decisions against the settlers, then we ought not to hesitate to make it. It is about the only way to settle the matter as long as the settlers will be satisfied with nothing else. The grant ought not to have been made, and I think ought to be forfeited if it can be, and I would make it broad and emphatic as far as the original beneficiaries are concerned. As between them and the Government there are no equities at all. But I do not desire in making such declaration to do an injustice to a class of settlers now upon some of the land in question by reason of bona fide purchases. To prevent this I have offered this amendment. I ask the careful attention of the friends of the bill to the language of the provisos to the first section.

Mr. PAYSON. If the gentleman will read the first proviso, he will see that there can not be any conflict, because there is this express declaration:

Provided, That the title of all bona fide settlers under color of title from the State of Iowa and its grantees, or the United States and its grantees, which do not come in conflict with pre-emption or homestead claimants, are hereby ratified.

Mr. McRAE. That is just what I object to, and intended to read it. I want the gentleman's attention. Mark the words, "which do not come in conflict with homestead or pre-emption claimants." Now, Mr. Speaker, there are honest settlers upon some of this land who have bought and paid for it, whose title does come in conflict with homestead and pre-emption claimants who are not on it and have never been. The effect of the bill will be to confirm the title in claimants under the public-land laws against actual settlers if they hold by purchase.

Mr. PAYSON. Oh, no; that is not the intention; that is not the proper construction of the language.

Mr. McRAE. It may not be the intention, but it is what the language means, and that will be the effect if it becomes law.

Mr. PAYSON. My friend will agree that under the homestead law a homestead claim can not be valid after the expiration of six months without actual occupancy of the land; and if a person is in actual occupancy as a claimant under the homestead law, this provision would protect him as against a claimant under the State of Iowa.

Mr. McRAE. The fault of this proviso is that it does not require the claim to be valid in the beginning, nor does it require occupancy, but seeks to confirm the title of every person who has made a claim under the pre-emption or homestead law even against actual settlers who reside upon the land. The language has that effect. If such is not the intention, why not accept the amendment? All I want is to protect all the settlers residing upon the land. It should make no difference whether they have purchased from the navigation company or claim as pre-emptors. I would drive none from their homes. If there be

such settlers upon the land, they ought to be protected. If there be none, the amendment is harmless.

Mr. HOLMAN. Will not the object of my friend be accomplished by inserting the word "prior" in the thirteenth line before the word "pre-emption?"

Mr. McRAE. That will accomplish my purpose in part only. No man who wants to protect the settlers can object to the amendment I propose, because I seek to make no discrimination in favor of or against anybody.

Mr. PAYSON. Suppose that out of the 55,000 acres sold by the State of Iowa when it was assumed that it had title, somebody, twenty-five or thirty years ago, bought in good faith 320 acres of land, and went into possession of it. Your amendment would cut such a person out of one quarter-section.

Mr. McRAE. Certainly not. I am proceeding upon the theory of the bill that the land is public land and was in fact improperly certified. The policy of our homestead law is to give one quarter-section to each settler, and no more. I would confirm no sales except to settlers, and to them only what they are entitled to as such. In the case you state the purchaser would lose the whole 320 acres if claimed by persons under the homestead and pre-emption laws if the bill remains as you have it. My amendment would give him 160 acres.

Mr. PAYSON. Then I misunderstood what the gentleman proposes. Let it be read again.

Mr. McRAE. It confirms it to the settlers without distinction.

Mr. PAYSON. Perhaps I did not catch it accurately. Let it be read again.

Mr. WEAVER. Yes, let it be read again so we can understand it.

Mr. McRAE's amendment was again read.

Mr. PAYSON. That cuts out every purchaser from the State of Iowa.

Mr. McRAE. It cuts out no purchaser who is a settler.

Mr. PAYSON. And compels them to pay again.

Mr. HOLMES. And under it they can not get 160 acres——

Mr. McRAE. One at a time. It compels no one to pay again, and of course the confirmation extends to less than 160 acres if the purchase was for less. But if the land is public land, and there should be other land unoccupied adjoining, such a settler could easily take such quantity as when added to the tract purchased would not exceed 160 acres. There appears to be more anxiety about the confirmation than the forfeiture.

Mr. HOLMES. It would not mend the matter, even under the gentleman's own idea. The amendment gives them, and they could only get under it what they have.

Mr. McRAE. Then what objection have you to it? Should they not have that which they have bought, paid for, and occupy?

Mr. HOLMES. Why, it is mere surplusage.

Mr. McRAE. If the amendment is surplusage, then there is much more in the provisos proposed to be stricken out. Suppose we strike them all out as surpluslage and leave a clean, simple forfeiture.

Mr. HOLMES. Not at all.

Mr. McRAE. I wish to say, Mr. Speaker, that I have investigated this case closely, and I know there are some settlers who purchased from the navigation company and those holding under it who, with their families, are upon the land as actual settlers; and I believe that under the bill as it is it will be possible for claimants to their homes not in possession to dispossess them and drive them off. The friends of the bill will avow no such purpose and do not expect such result, but such will be the result.

Now, if the gentlemen from Iowa, with this statement of the matter on my part, are willing to take the risk, I shall not complain. I call your attention to the danger and warn you against the injustice.

Mr. HOLMAN. Why not insert the words "prior and bona fide" before the word "pre-emption?" By so doing it would avoid that trouble entirely.

Mr. McRAE. I am willing to do that and have such an amendment, but I want to go further still. Even if the claim under these laws was prior and the claimants were not on the land when those who are purchased it, I would still protect the man who actually makes his home on the land. I am for the actual settler everywhere, and against the world, as far as the public domain is concerned. Why have you used the word "claimant" in reference to homesteaders and the word "settlers" in reference to purchasers?

Mr. PAYSON. It is simply, if the gentleman will permit me, that purchasers of title from the State of Iowa, when the State assumes to have title, did not have to go into possession under any law whatever. They could be purchasers from the State of Iowa without being settlers upon the land, which could not be the case under the pre-emption and homestead laws, as there can be, as the gentleman knows, no valid pre-emption or homestead claim except accompanied by settlement within a certain time.

Mr. McRAE. Your language is in conflict with the bill itself, and confirms the statement and the point I have already made.

Mr. PAYSON. Not at all.

Mr. McRAE. Let us see. The point I make on you is this——

Mr. PAYSON. Perhaps a better answer to the gentleman from Arkansas could not be made than the statement that this is the same bill presented by the Senators from Iowa in the United States Senate, and by the members of the House representing the people directly in interest, and after careful examination by the best lawyers in the State of Iowa, and they are all very well satisfied with the phraseology of the bill.

Mr. WEAVER. And the settlers themselves are satisfied with it.

Mr. PAYSON. As my friend, General WEAVER, has stated, the settlers themselves will indorse it.

Mr. WEAVER. It has been indorsed by the Settlers' Union.

Mr. McRAE. I do not know anything about the Settlers' Union, and I do not know anything about the prior bill; but I do know that the settlers who have gone upon these lands and settled in good faith, under the language contained in the bill are liable to be driven from their homes.

Mr. PAYSON. The gentleman in that respect differs from all those gentlemen who represent the settlers who are interested in this matter.

Mr. GEAR. Every one of them.

Mr. PAYSON. What objection has the gentleman from Arkansas to offer when the citizens of Iowa, the Iowa delegation, and the settlers upon the lands are themselves satisfied?

Mr. McRAE. It does not make any difference to me what may be the opinion of other gentlemen. In dealing with public lands and settlers' rights I prefer to act on my own judgment. The friends of the bill in the presentation of the question appear to forget that there are two classes of settlers, whose interests may conflict.

Mr. GEAR. But the settlers are willing to take the risk that the gentleman thinks will be taken.

Mr. McRAE. But there are two classes of settlers, one who hold their lands by reason of purchase, and another class who are claimants under the homestead or pre-emption law. The latter class is amply protected by the bill, but I fancy that the former, resting on his purchase and possession, has had but little to do with the Settlers' Union, and knows nothing about the effect of the proposed legislation upon him. When this bill becomes a law, he will wake up with a lawsuit.

Mr. HOLMAN. I hope the gentleman from Arkansas will submit the motion to insert before the word "pre-emption," in line 13, the words "prior bona fide," so that it will read, "which do not come in conflict with prior bona fide pre-emption or homestead claimants."

Mr. McRAE. Certainly. I think that proper, but not at this time.

Mr. PAYSON. I am content with that.

Mr. McRAE. I have that prepared already, and I will move it after the pending amendment is determined, if it should fail. If it is adopted, that is unnecessary.

Mr. HOLMAN. I only suggest that, because it is usual to perfect the text of the bill first before moving to strike out.

Mr. McRAE. I am entirely indifferent as to that. But the amendment would not meet the objection I make to the provisos. Let us examine the words of the first proviso:

That the title of all bona fide settlers under color of title from the State of Iowa.

Now, that does not refer to homesteaders and pre-emptors, but to purchasers who are not homesteaders.

Mr. HOLMAN. But there could not be bona fide homestead claimants.

Mr. McRAE. Let me read the proviso:

That the title of all bona fide settlers under color of title from the State of Iowa, and its grantees, or the United States and its grantees, which do not come in conflict with pre-emption or homestead claimants, are hereby ratified and confirmed and made valid.

Mr. PAYSON. Read the whole proviso.

Mr. McRAE. Here are these settlers who are now upon the lands, having paid their money for them, must yield under this provision to any "claimant" who has a right or conceives he has a right to it under the homestead or pre-emption law, although he may not have been upon the lands for years. No proof of occupancy is required; nothing but a claim. The further language of the provision is this:

Provided further, That the claims of all persons who, with intent, in good faith, to obtain title thereto under the pre-emption or homestead laws of the United States, entered and remained upon any tract of said land prior to January, 1880, not exceeding 160 acres, are hereby confirmed and made valid in them, or their heirs, and upon due proof thereof and payment of the usual price or fees, where the same has not been paid, shall be carried to patent.

Now, it does not matter how long he remained upon the lands or whether he was qualified or not. If he was upon the lands and made a claim prior to the 1st of January, 1880, under this he has a claim, and the actual bona fide settler and purchaser who had been invited by the acts of Congress and by the State of Iowa and the decisions of the courts to so purchase must yield to a class of claimants who are not even in possession.

Then it goes on:

Provided further, That the title of all bona fide claimants under color of title from the State of Iowa and its grantees, or the United States and its grantees, which do not come in conflict with persons who, with intent, in good faith, to obtain title thereto under the pre-emption or homestead laws of the United States.

So we see that down to the end preference is given to claimants under the public-land laws, no matter whether they have made a settlement

or not. If they make their claims, they are paramount to the rights of the actual settler who has paid his money for the lands and is in actual occupancy.

Mr. PAYSON. But will the gentleman permit a suggestion?

Mr. McRAE. Certainly.

Mr. PAYSON. If the gentleman will read a little further down, he will find that this only includes those who settled upon the lands prior to January, 1880.

Mr. McRAE. I have read that. The bill is so much the worse for that language. It does not require the settlement to be continuous. If he made a claim at all prior to January, 1880, and another man came along and made the purchase from the navigation company under the laws of the State and under the authority of Congress, and has gone upon the lands and made his settlement there, the claimant who made the prior claim and abandoned it will take the lands, to the exclusion of the man who has paid his money and improved the lands and who has been upon them all the time. The bill as you have it does not require continuous settlement, and that is one of the main objections I have to it.

Now, it is only to prevent discriminations of one class against the other that I have said anything. All the amendment means, and all it seeks to accomplish, is to prevent such discrimination. If there be no purpose to give preference to one class against the other, whence the objection to the amendment? I have nothing more to say. [Cries of "Question!"]

Mr. HOLMES. Mr. Speaker, in the twenty years that this matter has been under discussion I have never heard an equitable presentation of the case made in behalf of the Des Moines Navigation and Railroad Company, and I do not expect to.

The gist of the case is this: There was a grant made to this company conditioned upon its performance of certain acts therein named. These acts have not been performed. It has been the habit heretofore to forfeit grants of land to railroad companies or corporations where they have not performed the conditions on which the grant was made; and I desire to say that the Des Moines company never received a patent to an acre of these lands. If they had complied with the conditions of the grant they would have received the patent.

The governor of Iowa, it is claimed, made a deed of the lands to the company; but the governor of Iowa had no such right, because the certificates have never been issued which preliminarily conveyed title by a compliance with the grant. He had no such right—first, because the condition had not been complied with; and, second, because section 7 of article 11 of the constitution of Iowa renders it impossible that any such conveyance should be made; and I wish to call the attention of the House to that clause of the constitution for a moment. Article 11 of the Iowa constitution provides that—

> The General Assembly shall not locate any of the public lands which have been taken or may be granted by Congress to this State, and the location of which may be given by the General Assembly, upon lands actually settled, without consent of the occupant. The extent of the claim to such occupant so exempted shall not exceed 160 acres.

Now, Mr. Speaker, these lands have been held by a system of chicanery from the time this law was passed in 1846 to the present time. Judge Black very properly characterized it in the case of Litchfield against the Dubuque and Sioux City Railroad Company, 23 Howard, U. S. There never has been an equity in this case; there never has been any performance of the conditions; and yet gentlemen argue against the passage of this bill upon simply no equities whatever.

Now, I presume that the gentleman from Arkansas desires his amendment shall obtain; but his amendment disintegrates this bill entirely. There is not a redeeming clause in that amendment that has not been discussed by these settlers, and it is not what they desire. They are being evicted by United States marshals in the dead of winter. Their crops are being taken and appropriated by these parties who claim these lands.

Mr. Snell, one of these owners, who purchased a large quantity of these lands from the Burroughs estate, is attended by United States marshals and posses, who are walking arsenals, with their pockets full of ejectment writs; they are ejecting these claimants while the snow is on the ground in the middle of winter. I tell you there has been no cruelty, even in Ireland, to excel that practiced in these evictions. It would require the eloquence of Edmund Burke and such a voice as denounced the cruelties of Warren Hastings adequately to portray the wrongs these settlers have suffered at the hands of these men. We had a report by a committee of the Legislature that investigated this subject and made a report as to the condition of these lands, showing that whereas they had voted themselves $1,000,000 worth of stock at that time, but $167,000 had been raised in actual cash.

On the contrary, there has been more damage done to mill-sites and permanent improvements on the river than any benefit that has been received, even if the improvements had been completed by the expenditures of this company. And besides, this company had already received land below the Raccoon Fork to more than three times the amount they had expended. This grant, in 1862, when it was made, projecting the grant above the Raccoon Fork, expressly provided that it should only be earned when that improvement was made to the Raccoon Fork, and that it was made as provided in the act of 1846. Why, in connection with this very bill, when it passed this House, there were one or two members expelled on the ground of corruption, and I have never listened to or read touching all the proceedings of Congress a matter more redolent with corruption than that which attended the passage of this bill through Congress. I could particularize, but do not think it necessary to do so.

These lands are held by honest settlers who have lived upon them for years. The Government has their money in its Treasury, and I know there is enough statesmanship in this House to give these men their just dues in connection with this bill. This bill is somewhat different, as reported by the Committee on Public Lands, from the bill that was vetoed by the President during the Forty-ninth Congress, and materially different. I regret to say that the word "assigns" is stricken out. I would prefer that it should have remained, but we are satisfied with this bill, if it is deemed wise in the opinion of the House to amend it so as to conform with the Senate bill. And as I would much rather that the bill should pass than listen to my own voice I now yield the floor. [Cries of "Vote!" "Vote!"]

Mr. WHEELER withholds his remarks for revision. [See Appendix.]

Mr. WHEELER. Now, Mr. Speaker, I move to amend by substituting the bill which I send to the desk.

The SPEAKER *pro tempore* (Mr. McCREARY). An amendment is not now in order. The committee amendments are pending, and there is also an amendment pending offered by the gentleman from Arkansas [Mr. McRAE]. The question first is upon the amendment proposed by the committee.

Mr. HOLMAN. Before that motion is put, I move to insert before the word "pre-emption" the words "prior bona fide." Why not insert also "settlers" instead of "claimants?"

Mr. PAYSON. I have no objection to that.

Mr. McRAE. Will the gentleman consent to strike out "claimants" wherever it occurs in the bill and insert "settlers?"

Mr. PAYSON. No, I will not agree to do that all the way through, but in this one case I do not object.

Mr. HOLMES. Some of these people have been driven off and are temporarily absent, so that "claimants" is the proper word to use.

Mr. McRAE. Not where it comes in conflict with "settler."

The SPEAKER *pro tempore*. The regular order of proceeding is to take the vote first upon the amendments proposed by the committee. If there be no objection, those amendments will be voted upon in gross.

The question being taken, the amendments reported by the Committee on the Public Lands were agreed to.

Mr. McRAE. I presume it is proper to perfect the text of the bill before voting on my main amendment. I have some amendments which I would like to offer with that view.

The SPEAKER *pro tempore*. The question is first upon the amendment of the gentleman from Indiana [Mr. HOLMAN], which will be read.

The Clerk read as follows:

> Insert, before the word "pre-emption," in line 13, the words "prior bona fide;" so as to read: "which do not come in conflict with prior bona fide pre-emption or homestead claimants."

The amendment of Mr. HOLMAN was agreed to.

Mr. McRAE. I now desire to move to amend——

Mr. PAYSON. Mr. Speaker, is there not already one amendment pending offered by the gentleman from Arkansas [Mr. McRAE]?

Mr. McRAE. There is; but I desire now to offer an amendment to perfect the text, in view of the adoption of the amendment of the gentleman from Indiana [Mr. HOLMAN]. I ask that my amendment be read.

The Clerk read as follows:

> Strike out the words "prior to January 1, 1880" wherever they occur in the bill.

Mr. McRAE. Mr. Speaker, since the adoption of the amendment moved by the gentleman from Indiana [Mr. HOLMAN] there can be no objection, it seems to me, to the amendment I have just submitted. As the amendment of the gentleman from Indiana limits it to prior pre-emption or homestead claimants, there is no necessity for fixing this arbitrary date, January 1, 1880.

Mr. PAYSON. Let me appeal to the gentleman from Arkansas. Does he not remember the claim was made before the Public Lands Committee that since this measure had been recently agitated in Congress many persons, for speculative purposes, have been making pretended entries or claims which ought not to be recognized? By striking out the language to which the gentleman refers we only run the risk of letting those people in to keep up still further the agitation of this question without doing anybody any good. I hope the gentleman's amendment, if insisted upon, will be voted down.

Mr. McRAE. The gentleman shakes his head impatiently, but I insist that since the adoption of the amendment of the gentleman from Indiana allowing preferences to prior pre-emptors and homesteaders there should be, I submit, no objection to this proposition.

Mr. PAYSON. Let us have a vote.

The question being taken on the amendment of Mr. McRAE, it was rejected; there being—ayes 16, noes 78.

The SPEAKER *pro tempore*. The Clerk will now report the next amendment in order, being one offered some time since by the gentleman from Arkansas [Mr. MCRAE].

The Clerk read as follows:

Strike out all of section 1 after the word "settlers," in lines 10 and 11, and insert "to not exceeding one quarter-section to each is hereby confirmed and made valid, and upon due proof of the entry, settlement, and cultivation, and the payment of the usual price or fee, when the same has not been paid, shall be carried to patent."

The question being taken, the amendment was rejected; there being—ayes 18, noes 79.

Mr. PAYSON. I now move the previous question on the engrossment and third reading of the bill.

Mr. WHITE, of New York. I hope the gentleman from Illinois [Mr. PAYSON] will allow me five minutes.

The SPEAKER *pro tempore*. Does the gentleman withdraw the motion for the previous question?

Mr. PAYSON. I yield to the gentleman from New York five minutes of my time.

Mr. WHITE, of New York. I thank the gentleman. Mr. Speaker, if the proposition were to make it the duty of the Attorney-General, waiving the question of the statute of limitations, to bring a bill in equity by which action the Wolcott case should be tried upon a question of fraud and as having been obtained by collusion, I should most gladly support the bill. This is not a new question to me. I was in Iowa at the time all these early decisions were being made. I had knowledge of the course of the litigation from beginning to end; and with all deference to my esteemed friend from Illinois, I think that the report of the committee does not fully meet the points which should have been met. One of those points is that Secretary of the Interior Ewing, in 1850, expressly withdrew all these lands from settlement under either the homestead or pre-emption law, which order has been continued from time to time until now, as is expressly stated by Mr. Justice Miller in a case recently decided by him, in which he reviewed this matter. So that the settlers claiming to have gone upon these lands under the homestead or pre-emption law have done so without color of authority from the General Government.

Mr. HOLMES. That being the case, why did the land officers of the Government take those men's money and permit them to make those entries?

Mr. WHITE, of New York. I believe the equities in many cases are with the settler. If you will bring this case up properly, I am in favor of a measure which shall test the question, and if any ground can be obtained by which the courts can arrive at a result different from what has been the decision of the United States Supreme Court for twenty years, I should rejoice at it.

Mr. PAYSON. That is just what this bill proposes to do.

Mr. WHITE, of New York. The committee, then, has been very unfortunate in the selection of the terms to accomplish the object, for the provision of the first section is that—

The title of all bona fide settlers under color of title from the State of Iowa and its grantees, or the United States and its grantees, which do not come in conflict with pre-emption or homestead claimants, are hereby ratified and confirmed and made valid.

Not a bill of peace, as the gentleman said, but a decree rendered by a legislative body against the decisions and the decrees and the judgments of the Supreme Court of the United States, which had been continued uniformly from the time the act of Congress of 1861 was passed, which was passed in view of the decisions made in 1860 in the Leitchfield case, 23 Howard, 66.

Mr. HOLMAN. In favor of whom? In favor of the corporations' grantees? They are against the settlers so far as they have been made on the ground mentioned, that pre-emption and homestead settlers had no standing except on land which had been reserved by order of the Secretary of the Interior. Is not that so?

Mr. WHITE, of New York. That is one of the grounds.

Mr. PAYSON. Is the language of the proviso which the gentleman from New York has read that to which he refers and which he thinks is unfortunate?

Mr. WHITE, of New York. I refer to the different provisos in the first section of the bill.

Mr. PAYSON. Let me call the gentleman's attention to the proviso in the succeeding section, and ask him whether that is not what he refers to and not the proviso which he has read?

Mr. WHITE, of New York. I will come to that. I was about to say the next proviso is barred by the decision of the Supreme Court.

Mr. PAYSON. But it would not be barred if the proviso in the first section were to become the law in reference to the public lands. That removes the bar, and they could be properly recognized by the courts.

Mr. WHITE, of New York. The mistake of my friend is this: During the time they were withdrawn by the Secretary of the Interior there could be no rights initiated.

Mr. PAYSON. That is what I wish to say.

Mr. WHITE, of New York. But you wish to give them the right.

Mr. PAYSON. We recognize them as public lands as if all the time they had been public lands.

Mr. WHITE, of New York. I do not suppose my objection will make much difference in the vote, but I wish to say that this bill undertakes to do what no legislative body can do as between two contending third parties. It undertakes to declare valid the title in one litigating party against another litigating party.

Mr. PAYSON. Not at all. The gentleman is wrong. I know he means to be right, and generally is, but all this bill proposes is to declare the title valid as between the United States on the one side and the State of Iowa and this corporation on the other. And we let them law it out notwithstanding. That is what the gentleman is in favor of, as I understand.

Mr. WHITE, of New York. I am not in favor of attacking a decree otherwise than for fraud. I do not know whether there was fraud here or not. The gentleman's statement would have great weight with me if he says there was fraud. But he is in error when he asserts that the Supreme Court has not had that question before them. In Williams *vs.* Baker, 17 Wallace, 144, the court passed on the proposition far enough to hold that all questions were presented by parties in interest other than the parties to the record.

The SPEAKER *pro tempore*. The gentleman's time has expired.

Mr. WHITE, of New York. I have been so much interrupted that I have not been able to finish the statement I desired to make.

Mr. PAYSON. I will yield to the gentleman one minute longer, or two, if he desires it.

Mr. WHITE, of New York. One minute will be enough. I desire to say if you are to adhere to the principle of *stare decisis* then we should adhere to the decision made in 1886 in the case of Ballard against the Des Moines Railroad Company, which was passed upon by a man who saw the first shovelful of dirt thrown up by that navigation company when it attempted to improve the navigation of the Des Moines River, a man who has been familiar with the entire grants made by the Congress of the United States, a man who has taken part in the decisions of the Supreme Court in every case decided after the time of the Litchfield case, decided in 1860.

It is the duty of every court and every legislature to bow to that decision until that decision is attacked for fraud. It is the duty of everybody in the United States to bow to the decision of that court, and that decision runs through eight cases, made in each case as it arose through a period of twenty years.

I object to the terms of this bill, because it usurps judicial functions and undertakes by legislative decree to overthrow the decisions of the courts of the United States, which is obnoxious to the genius of our laws and repugnant to the Constitution.

Mr. GEAR. I would like to ask the gentleman a question.

Mr. WHITE, of New York. Certainly.

Mr. GEAR. You say these questions were decided by a gentleman who saw the first shovelful of earth thrown on that improvement?

Mr. WHITE, of New York. Yes, he was in Iowa almost at the very beginning of this work, in 1846, I believe. I refer to Justice Miller.

Mr. GEAR. I beg pardon; he was not there until eight years later.

Mr. WHITE, of New York. It is immaterial as to the exact date, and you may call that a figure of speech if you will. [Laughter.] There is no doubt that since this litigation sprang up he has been an honored citizen of Iowa as well as an honored member of the Supreme Court of the United States.

Mr. HENDERSON, of Iowa. We are not trying Justice Miller now.

Mr. WHITE, of New York. I wish, in this connection, to insert an extract from the opinion of the Supreme Court in the case of Bullard *vs.* The Des Moines Railroad, from 122 United States Reports, page 170, *et seq.*:

On April 6, 1850, Secretary Ewing, while concurring with Attorney-General Crittenden in his opinion that the grant of 1846 did not extend above the Raccoon Fork, issued an order withholding all the lands then in controversy from market "until the close of the then session of Congress," which order has been continued ever since, in order to give the State the opportunity of petitioning for an extension of the grant by Congress. This court has decided in a number of cases in regard to these lands that this withdrawal operated to exclude from sale, purchase, or pre-emption all the lands in controversy, and unless the case we are about to consider constitutes an exception, it has never been revoked.

In 1856 Congress granted to the State of Iowa for the purpose of aiding in the construction of several railroads across that State from the Mississippi to the Missouri River every alternate section, as shown by odd numbers, of the lands on each side of said roads, each of which when the line was fixed crossed the Des Moines River and ran through the lands which the State claimed had been granted to it for the purpose of improving the navigation of that stream.

Pending this controversy between the State of Iowa and the authorities of the United States as to the extent of the grant, a suit was brought by one of these railroad companies that the question might be decided by this court. The case is reported as the Dubuque and Pacific Railroad Company *vs.* Litchfield (23 How., 66), decided in 1860, and it was held that the grant did not extend above the Raccoon Fork.

As soon as this decision was made, the State, through its Congressional delegation, sought the action of the Congress of the United States to obtain the passage of an act which would secure the grant to the State and its grantees in the full extent which they believed Congress had originally intended by the act of 1846. That the propriety of some action by Congress and the demand for it was pressing is obvious, when we consider that the Des Moines Navigation Company, under contract with the State, had spent large sums of money beyond what they had received from the State, and beyond the value of the lands certified to the State by the Secretary. The work, with all the materials and implements on hand, was suspended; and the danger of the works being swept away and ruined by floods in the river was imminent. The whole subject was before Congress; but without waiting to dispose of it entirely that body, by way of immediate relief, passed the following joint resolution, approved March 2, 1861 (12 Statutes, page 251):

"That all the title which the United States still retain in the tracts of land along the Des Moines River and above the mouth of the Raccoon Fork thereof, in the State of Iowa, which have been certified to said State improperly by the Department of the Interior, as part of the grant by act of Congress, approved August 8, 1846, and which is now held by bona fide purchasers under the State of Iowa, be, and the same is hereby, relinquished to the State of Iowa."

At the next session of Congress a statute was passed, approved July 12, 1862, which provided as follows:

"That the grants of lands to the then Territory of Iowa for the improvement of the Des Moines River, made by the act of August 8, 1846, is hereby extended so as to include the alternate sections (designated by odd numbers) lying within 5 miles of said river, between the Raccoon Fork and the northern boundary of said State; such lands are to be held and applied in accordance with the provisions of the original grant, except that the consent of Congress is hereby given to the application of a portion thereof to aid in the construction of the Keokuk, Fort Des Moines and Minnesota Railroad, in accordance with the provisions of the act of the General Assembly of the State of Iowa, approved March 22, 1858." (12 Stat., 543.)

By this joint resolution and this act of Congress, the United States relieved so far as it could the misfortune of the construction of the grant to the Territory of Iowa of 1846, made by this court, and ratified the construction which had always been claimed by the State.

During all this controversy there remained the order of the Department having control of the matter, withdrawing all the lands in dispute from public sale, settlement, or pre-emption. This withdrawal was held to be effectual against the grant made by Congress to the railroad companies in 1856, because that act contained the following proviso:

"That any and all lands heretofore reserved to the United States, by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purpose whatsoever, be, and the same are hereby, reserved to the United States from the operation of this act, except so far as it may be found necessary to locate the routes of said railroads through such reserved lands, in which case the right of way only shall be granted, subject to the approval of the President of the United States." (11 Stat., 9.)

See Wolcott *vs.* Des Moines Company (5 Wall., 681), and Williams *vs.* Baker (17 Wall., 144) in which cases is also to be found a very full and clear recital of the history of the Des Moines grant controversy.

In May, 1860, the Commissioner of the General Land Office sent to the registers and receivers of that office at Des Moines and Fort Dodge the following printed notice:

"Notice is hereby given that the land along the Des Moines River, in Iowa, within the claimed limits of the Des Moines grant, in that State, above the mouth of the Raccoon Fork of said river, which has been reserved from sale heretofore on account of the claim of the State thereto, will continue reserved, for the time being, from sale or from location, by any species of scrip or warrants, notwithstanding the recent decision of the Supreme Court against the claim. This action is deemed necessary to afford time for Congress to consider, upon memorial or otherwise, the case of actual bona fide settlers holding under titles from the State, and to make such provision, by confirmation or adjustment of the claims of such settlers, as may appear to be right and proper.

"JOHN S. WILSON,
"*Commissioner of the General Land Office.*

"GENERAL LAND OFFICE, *May* 18, 1860."

It will thus be seen that, notwithstanding the decision of the Supreme Court of the United States in the winter of 1860, the Land Office determined that the reservation of these lands should continue, for the purpose of securing the very action by Congress which the State of Iowa was soliciting, and it is not disputed by counsel for the appellant in this case that this was a valid continuation of such reservation, and that during its continuance the pre-emptions under which the plaintiff claims could not have been made. But it is argued that the joint resolution of 1861 terminated this condition of suspense, and in and of itself ended the withdrawal of these lands which had been established and continued since the controversy originated between the State and the Federal Government as to the extent of the grant. This is the only foundation on which plaintiff's title to the land in controversy in this case rests.

We do not think the joint resolution had the effect to end the reservation of these lands from public entry. Whether we consider the purpose of the original order, its long continuance, and that it has been held, in the face of an act of Congress granting lands for public purposes to the railroads already mentioned, to constitute such a withdrawal as that act excepts from the operations of the grant, and that up to the present time no pre-emptions or sales have been finally recognized as valid by the Department or by the courts, it would be very extraordinary if the joint resolution should have that effect. It does not purport to act upon all the matters which were in controversy between the State and the General Government. It certainly did not act upon all the claims and matters in question then pending before Congress in regard to these lands. It was indeed a very limited disposition of a part of the matter which Congress supposed might then be acted upon with safety without further investigation.

It was simply the recognition of the title which had passed to the grantees of the State of Iowa in regard to the lands which had been certified by the proper authorities of the General Government to the State under the act of 1846, and which, by the decision in Dubuque and Pacific Railway *vs.* Litchfield, had been held to be unwarranted by the statute. Congress, urgently pressed by parties who were innocent purchasers under the State, passed the resolution to this extent in the last days of the session, securing to such purchasers, so far as the United States could do so, their title to the lands that they had bought under the sanction of this action of the Department.

The broader and larger question of the title to the lands within 5 miles of the Des Moines River above Raccoon Fork which had not been certified to the State, and which were declared by the decision of Dubuque and Pacific Railroad *vs.* Litchfield not to be included within the grant of 1846, Congress retained for further consideration, and at its next session, after this joint resolution was passed, it completely disposed of the whole subject, so far as it was within its power to do so, by validating the grant of 1846 to the full extent of the construction claimed by the State of Iowa. If the order of the Commissioner of the General Land Office of May 18, 1860, was in force up to the passage of the joint resolution, it is not possible to perceive why it terminated then. It was declared by the Commissioner that the order or notice was made to protect these lands from location by any species of scrip or warrant, notwithstanding the decision of the Supreme Court, to afford time for Congress to further consider the case.

This is not the way in which a reservation from sale or pre-emption of public lands is removed. In almost every instance in which such a reservation is terminated, there has been a proclamation by the President that the lands are open for entry or sale, and in most instances they have first been offered for sale at public auction. It can not be seen from anything in the joint resolution that Congress either considered the controversy ended or intended to remove the reservation instituted by the Department. Its immediate procedure, at the next session, to the full consideration of the whole subject, shows that it had ceased to deal with it; that the reason for this withdrawal or reservation continued as strongly as before, and it can not be doubted that the subject was before Congress as well as before its committees; and that the act of July 12, 1862, was, for the first time, a conclusion and end of the matter so far as Congress was concerned.

The title of the plaintiff therefore rests upon settlements upon odd sections of land within 5 miles of the Des Moines River, which were reserved from sale or pre-emption at the time the settlements were made. Two of the settlements, which are the foundation of plaintiff's title, were made in May, 1862, only a few days before the passage of the act of July in the same year, and one of the settlements under which the plaintiff claims was made after the passage of that act. The title was transferred by that act to the State of Iowa for the original purpose of the grant of 1846.

The object of this bill is to have a declaration of the court that the title of the plaintiff under these settlements and pre-emptions is superior to the title conferred by Congress on the State of Iowa and her grantees under the act of July 12, 1862. If the lands were, at the time of these settlements and pre-emption declarations, effectually withdrawn from settlement, sale, or pre-emption by the orders of the Department which we have considered, there is an end of the plaintiff's title, for by that withdrawal or reservation the lands were reserved for another purpose, to which they were ultimately appropriated by the act of 1862, and no title could be initiated or established because the Land Department had no right to grant it. This proposition, which we have fully discussed, will be found supported by the following decisions, which are decisive of the whole controversy: Dubuque and Pacific Railroad *vs.* Litchfield, 23 How., 66; Wolcott *vs.* Des Moines Co., 5 Wall., 681; Homestead Co. *vs.* Valley Railroad, 17 Wall., 153; Williams *vs.* Baker, and Cedar Rapids Railroad *vs.* Des Moines Navigation Company, 17 Wall., 144; Wolsey *vs.* Chapman, 101 U. S., 755; Dubuque and Sioux City Railroad *vs.* Des Moines Valley Railroad, 109 U. S., 329, 334.

The judgment of the supreme court of the State of Iowa, founded on the same view of the subject as above set forth, is therefore affirmed.

Mr. PAYSON. I now move the previous question upon the engrossment and third reading of the bill.

Mr. McRAE. I desire to offer a further amendment, and the gentleman will probably save time by hearing it.

Mr. PAYSON. I will allow the amendment to be read for information, and withdraw the demand for the previous question for that purpose.

The Clerk read as follows:

Strike out the words "and remained," in the seventeenth and eighteenth lines of the first section, and insert after the word "across," in the nineteenth line, the following: "And remained continuously thereon."

Mr. PAYSON. Let us have a vote upon the amendment.

Mr. McRAE. I wish to be heard for a moment upon it.

Mr. HOLMES. I trust it will be voted down.

Mr. McRAE. I desire to say that the effect of the amendment would be simply this: that instead of only requiring the homestead settler or pre-emptor to have entered the land prior to 1880, it will require him to have entered upon it prior to that time and have remained upon it continuously until the time for the filing of his claim. That is the effect of it. It has been said that that was the purpose of the original proposition. I only want to give the language such shape as to protect the people upon the lands and exclude people who present claims but who are not occupants and have not been occupants of the land. [Cries of "Vote!" "Vote!"]

The question was taken; and on a division there were—ayes 29, noes 73.

So the amendment was rejected.

Mr. PAYSON. I move the previous question on the engrossment and third reading of the bill.

The previous question was ordered.

The Clerk read the title of the bill, as follows:

A bill (H. R. 1368) to quiet title to settlers on the Des Moines River lands, in the State of Iowa, and for other purposes.

Mr. PAYSON. I now move the previous question on the passage of the bill.

Mr. WHEELER. I sent an amendment to the desk which I understood was to be voted upon.

Several MEMBERS. Oh, no.

The SPEAKER *pro tempore*. The Chair three times distinctly stated the motion of the gentleman from Illinois [Mr. PAYSON], and nothing was said about the amendment of the gentleman from Alabama. The question now is upon the motion made by the gentleman from Illinois [Mr. PAYSON], which is the previous question on the passage of the bill.

Mr. HOLMAN. Before that vote is taken I wish to make this suggestion. I understood the gentleman from Alabama [Mr. WHEELER] sent up a proposed substitute, and the chairman made the remark that it would be pending, but that the vote would not be taken then.

The SPEAKER *pro tempore*. The Chair stated when the gentleman sent up his amendment that it was not in order, and when the gentleman from Illinois [Mr. PAYSON] moved the engrossment and third reading of the bill the Chair stated three times what the motion was, so as to give sufficient notice to the gentleman from Alabama and other members.

Mr. HOLMAN. But it seems it would be but proper and fair to have a vote upon this. What does the gentleman from Illinois [Mr. PAYSON] say to this?

Mr. PAYSON. I am the best-natured man in the world, and would be glad, if possible, to grant the request of the gentleman from Alabama, but I shall have to insist upon my motion.

Mr. WHEELER. I now move to recommit the bill, with instructions to the Committee on the Public Lands to report it back with the substitute as an amendment to this bill.

Mr. PAYSON. I understand the previous question is ordered, and that this can not be done.

Mr. SPRINGER. It can when the previous question is pending, or before.

The SPEAKER *pro tempore*. The question is on the motion of the gentleman from Alabama, which is to recommit the bill with instructions.

Mr. WHEELER. Should it not be read?

Mr. McMILLIN. Certainly.

The SPEAKER *pro tempore*. Let it be read.

The Clerk read as follows:

Be it enacted, etc., That the United States will indemnify and pay to the original settlers or their heirs and legal representatives who, prior to January 1, 1880, in good faith, for the purpose of purchasing, pre-empting, or securing homesteads, entered upon any lands lying along the river Des Moines, in the State of Iowa, above and north of the Raccoon Fork, which were listed and certified to the State of Iowa under an act approved August 8, 1846, entitled "An act granting certain lands to the Territory of Iowa in aid of the improvement of the navigation of the Des Moines River in said Territory," and which said lands were afterward, namely, on the 18th day of May, 1858, sold and conveyed to the Des Moines Navigation and Railroad Company by an indenture of that date signed by Ralph P. Low, governor, and attested by Elijah Sells, secretary of state, by John Davis, his deputy; and said indemnity shall be determined, ascertained, and paid as follows:

First. To every settler who in good faith entered upon any of said lands as aforesaid, and who after judgment of eviction against him in favor of the title emanating from the State of Iowa under said indenture of May 18, 1858, was compelled to or did buy in the outstanding title to protect himself, there shall be paid the amount of the consideration actually paid by him therefor, not to exceed the sum of $5 per acre of said land.

Second. To every settler who in good faith entered upon any of said lands as aforesaid, and who after judgment of eviction against him in favor of the title emanating from the State of Iowa under said indenture of May 18, 1858, being unable or unwilling to buy in said outstanding title, accepted the sum adjudged him by the court, under the occupying claimants law of the State of Iowa, for the value of his improvements, and surrendered the lands, there shall be paid the difference between the sum so paid and accepted by him for his improvements and the value of such lands at $5 per acre.

Third. To every settler who in good faith entered upon any of said lands as aforesaid, and who has had judgment of eviction against him, but has not been put out of possession nor accepted in payment for his improvements the value thereof as established by the courts under the said occupying claimants law, there shall be paid the amount of the consideration he shall have actually paid to buy in the said outstanding title emanating from the State under said indenture of May 18, 1858, not to exceed the sum of $5 per acre, when he shall have in good faith purchased the same by a valid executed instrument in writing. But when such settler is unable or unwilling to buy in the outstanding title and prefers to accept the amount established by the courts as the value of his improvements and abandon said land occupied by him, he shall be paid the difference between the value of his improvements so established by the courts under the occupying claimants law of the State of Iowa and the value of the land at the rate of $5 per acre, upon his executing a valid release of said lands to the plaintiff in the judgment of eviction: *Provided further*, That the limitation of $5 per acre, where it is mentioned in paragraphs first, second, and third of the first section of this act, shall not apply to those settlers who occupied said land prior to the publication of the decree of the Supreme Court of the United States in the case of Wolcott *vs.* Des Moines Company, published in 5 Wallace Reports, page 681 *et sequentes;* but all persons who settled upon said lands prior to the publication of said decision shall be entitled to full compensation for all losses they sustained by their acceptance of the invitation of Secretary Browning to settle upon said lands.

SEC. 2. The circuit and district courts of the United States within the State of Iowa shall have jurisdiction of all such claims for indemnity by said settlers. Said claims may be presented, duly verified, and prosecuted in said courts as demands at law against the United States. No bond for costs shall be required, and no docket fee, continuance, judgment, or other fee shall be charged or entered against any person presenting a claim under this act unless the court is satisfied the claim was presented in bad faith and without probable cause. Said petition shall take precedence of all other civil causes and shall be heard and disposed of by the court without delay. The filing of the petition in the office of the clerk of the court shall be sufficient notice to the United States, and the district attorney for the district shall take notice thereof and at once appear. The petition shall contain a description of the tract of land involved and a statement of all the facts on which the claim to indemnity is based. If the court adjudges the petitioner to be entitled to indemnity it shall set forth, in its judgment, the facts found by it on which such judgment is founded. A duly authenticated transcript of the record in said case shall be sent to the Secretary of the Interior, who, upon receipt thereof, shall forthwith ascertain if the land described therein was part of the land listed and certified to the State of Iowa under said act of August 8, 1846, and if so, a certificate of said fact by the Secretary shall be attached to said transcript; and thereupon the Secretary shall forward said transcript to the Secretary of the Treasury to be filed there, and shall draw a warrant upon the Secretary of the Treasury for the amount of the indemnity and payable to the person shown in said transcript, and deliver the same to the person entitled, which said warrant shall be paid by the Secretary of the Treasury out of any funds not otherwise appropriated, and thereupon the judgment in said court shall be satisfied.

All demands for indemnity under the provisions of this act must be filed in court within three years from and after the date of the approval of the act, and if not so presented and filed they will be and are hereby barred. In case of minority or disability, said petition may be presented and prosecuted by guardians, next friends, and so forth, in accordance with the practice in Iowa, but such minority or disability will not avoid the limitation stated herein.

During the reading,

Mr. HOLMAN said: I ask to dispense with the reading of the proposed substitute.

Mr. McMILLIN. I think if it is to be voted upon it ought to be read.

Mr. WHEELER. I want it read.

Mr. PAYSON. The request is that by unanimous consent the reading be dispensed with, and it can be printed in the RECORD.

Mr. WHEELER. Will the gentleman consent to have the bill recommitted?

Mr. McMILLIN. I think that so important a matter should be read before it is acted upon.

The reading of the proposed substitute was concluded.

The SPEAKER *pro tempore*. The question is on the motion of the gentleman from Alabama, which is to recommit the bill with instructions to report the bill back with this amendment.

The question was put; and the Chair announced that the noes seemed to have it.

Mr. WHEELER. Division.

The House divided; and there were—ayes 11, noes 113.

Mr. WHEELER. No quorum.

Mr. HOLMAN. This is a subject which can come up to-morrow morning for discussion.

Mr. WHEELER. I desire to say but one word. I feel it is my duty, as a matter of courtesy to Mr. PARKER, that this bill should go over until to-morrow, and that he should be heard. That is my purpose in making this request.

Mr. PAYSON. What earthly good would that do?

Mr. WHEELER. I think it is a courtesy due to Mr. PARKER.

Mr. PAYSON. I telegraphed the gentleman from New York yesterday, and he was fully advised at our expense. [After a pause.] I demand the yeas and nays.

Mr. McMILLIN (to Mr. PAYSON). Withdraw the call for the yeas and nays and let the vote be taken by tellers.

Mr. PAYSON. I withdraw the demand for the yeas and nays for the present.

The SPEAKER *pro tempore*. The Chair will appoint as tellers the gentleman from Alabama [Mr. WHEELER] and the gentleman from Illinois [Mr. PAYSON].

The tellers took their places.

Mr. PAYSON. I wish to make a parliamentary inquiry. I understand that the question is on ordering the previous question on the passage of the bill.

The SPEAKER *pro tempore*. No, sir. It is on the motion of the gentleman from Alabama [Mr. WHEELER] to recommit the bill with instructions to the Committee on Public Lands to report it back with the amendment offered by him.

The House divided; and the tellers reported—ayes 5, noes 160.

So the motion was not agreed to.

Mr. PAYSON. I now move the previous question on the passage of the bill.

The previous question was ordered, and under the operation thereof the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. PAYSON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

REPRINT OF BILLS.

On motion of Mr. SPRINGER, by unanimous consent, the bill (S. 139) to refund the direct tax, with the report thereon, was ordered to be reprinted.

Also, the bill (H. R. 10614) to organize the Territory of Oklahoma, with the report thereon.

ORDER OF BUSINESS.

Mr. HOLMAN. I move that the House do now adjourn.

ANNUAL REPORT OF THE ATTORNEY-GENERAL.

The SPEAKER laid before the House a letter from the Attorney-General, transmitting his annual report; which was referred to the Committee on the Judiciary, and ordered to be printed.

ENROLLED BILLS SIGNED.

Mr. KILGORE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (S. 2040) to establish a land office at Folsom, in the Territory of New Mexico; and

A bill (S. 3475) granting the use of certain lands in Pierce County, Washington Territory, to the city of Tacoma, for the purpose of a public park.

IMPROVEMENT OF THE NAVIGATION OF THE CUMBERLAND.

Mr. WASHINGTON, by unanimous consent, offered the following resolution; which was considered and adopted:

Resolved, That the Secretary of War be requested to transmit to the House of Representatives the report of a board of engineers appointed to examine and report upon a plan for improving the navigation of the mouth of the Cumberland River where it empties into the Ohio, and any other information upon that subject which may be on file in the War Department, with his recommendations thereon.

LEAVE TO PRINT.

Mr. COBB. I ask unanimous consent to extend in the RECORD the remarks which I made to-day on the bill relating to claims under the eight-hour law.

Mr. BUCHANAN. I ask unanimous consent that leave be made general.

There was no objection, and it was so ordered.

The motion to adjourn was then agreed to; and the House accordingly (at 4 o'clock and 30 minutes p. m.) adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. C. S. BAKER: A bill (H. R. 11646) granting a pension to Mary Wildman Herrick—to the Committee on Pensions.

By Mr. MOFFITT: A bill (H. R. 11647) for the relief of Ruth C. Wood—to the Committee on Invalid Pensions.

By Mr. MORRILL: A bill (H. R. 11648) authorizing the payment of $132.26 to Everard Bierer—to the Committee on Claims.

Also, a bill (H. R. 11649) authorizing the construction of a bridge across the Missouri River between the city of Leavenworth, in the State of Kansas, and Platte County, in the State of Missouri—to the Committee on Commerce.

By Mr. PAYSON: A bill (H. R. 11650) for the relief of Jackson E. Young—to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. C. H. ALLEN: Petition of the Citizens' Newspaper Company of Lowell, Mass., for the passage of an international copyright bill—to the Committee on Patents.

By Mr. HARE: Petition of 70 citizens of Wilbarger County, Texas, and the Indian Territory, praying for the establishment of a Federal court, and for other purposes—to the Committee on the Judiciary.

By Mr. TAULBEE: Petition of W. T. Havens, of Mount Sterling, Ky., in relation to international copyright bill—to the Committee on Patents.

SENATE.

THURSDAY, *December* 6, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

DANIEL W. VOORHEES, a Senator from the State of Indiana, appeared in his seat to-day.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting a statement from the Director of the Mint, made in conformity to a resolution of the Senate of May 1, 1888, in regard to purchases by the Government of silver bullion, and stating that the quotations of India council bills in London so far enter into the determination of the market price of silver bullion in the United States as those quotations enter into the market price of silver bullion in London, etc.

Mr. STEWART. That document is very lengthy, and I ask that it may lie on the table. I should like to examine it.

Mr. COCKRELL. I hope the Senator will consent to have it printed. I should like to see the details as to amount of bullion that has been offered, and the prices.

Mr. STEWART. Very well; I have no objections to its being printed.

The PRESIDENT *pro tempore*. The communication, with the accompanying papers, will be printed and laid on the table, if there be no objection. The Chair hears none, and it is so ordered.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Treasurer of the United States, transmitting, in compliance with the requirements of section 311 of the Revised Statutes of the United States, fair and accurate copies of the accounts rendered to and settled with the First Comptroller, for the fiscal year which ended June 30, 1888.

The PRESIDENT *pro tempore*. This communication is accompanied by exhibits too voluminous to be placed on the desk, which can be seen on the floor at the right of the Chair. What disposition shall be made of it?

Mr. MANDERSON. I move that it be referred to the Committee on Printing. I think it has not been customary to publish that document.

Mr. EDMUNDS. The letter of the Treasurer will be printed, but not the accompanying document.

Mr. MANDERSON. Not the accompanying document.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

COURT OF CLAIMS REPORT.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Court of Claims, transmitting the conclusions of fact and of law and the opinion of that court filed April 2, 1888, in the matter of the schooner Jane, being a French spoliation claim; which was read.

The PRESIDENT *pro tempore*. The communication will be printed. Shall it be referred to the Committee on Claims or to the Committee on Appropriations?

Mr. HALE. I think it should go to the Committee on Appropriations.

The PRESIDENT *pro tempore*. It will be so referred, if there be no objection.

CERTIFICATES OF ELECTORAL VOTES.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a communication from the Secretary of State, transmitting, in pursuance of the provisions of the act of Congress of February 3, 1887, a copy of the official ascertainment of the electors for President and Vice-President appointed in the State of Kansas at the election held therein on the 6th of November, 1888, as certified by the governor of the State.

This being an entirely new proceeding, the Chair will ask the opinion of the Senate as to the disposition to be made of the letter of transmittal and the accompanying certificate, whether they shall be entered on the Journal or placed in the archives of the Senate.

In addition to the one presented, the Secretary of State has forwarded similar certificates from the State of Maryland, the State of North Carolina, and the State of Georgia.

Mr. HOAR. May I inquire whether those documents purport to be merely certificates of the appointment of the electors?

The PRESIDENT *pro tempore*. It might be well to have the letter of transmittal and one of the certificates read. The Chair has not examined the papers sufficiently to state what the contents are.

Mr. DAWES. Does the new law require a copy to be transmitted to the President of the Senate?

The PRESIDENT *pro tempore*. The provision of the law is that—

At the first meeting of Congress thereafter, he—

The Secretary of State—

shall transmit to the two Houses of Congress copies in full of each and every such certificate so received theretofore at the State Department.

If there be no objection the letters of transmittal, with the accompanying certificates, will be referred to the Committee on Privileges and Elections.

Mr. EDMUNDS. I think the letters of transmittal had better be printed, so that we may have them as a document to refer to.

The PRESIDENT *pro tempore*. In each case?

Mr. EDMUNDS. In each case.

The PRESIDENT *pro tempore*. As a document, or printed in the RECORD?

Mr. EDMUNDS. The letter of transmittal in each case ought to be printed, so as to go into the proper files.

The PRESIDENT *pro tempore*. In the RECORD?

Mr. EDMUNDS. Not in the RECORD, but as a document.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

Mr. COCKRELL. Would it not be well enough to have one of them read, so as to go into the RECORD?

Mr. EDMUNDS. I have not the least objection.

Mr. COCKRELL. Let one of them be read.

The PRESIDENT *pro tempore*. The letter of transmittal first laid before the Senate will be read.

The Chief Clerk read as follows:

DEPARTMENT OF STATE, *Washington, December* 5, 1888.

SIR: I have the honor to transmit herewith, in pursuance of the provisions of the act of Congress approved February 3, 1887, a certified copy of the final ascertainment of the electors for President and Vice-President appointed in the State of Kansas at the election held therein on the 6th of November, 1888, as certified to me by the governor of the said State.

I have the honor to be, sir, your obedient servant,

T. F. BAYARD.

Hon. JOHN J. INGALLS,
President pro tempore of the Senate of the United States.

The PRESIDENT *pro tempore*. The certificate will now be read.

The Chief Clerk read as follows:

UNITED STATES OF AMERICA, DEPARTMENT OF STATE.

To all to whom these presents shall come, greeting:

In accordance with the provisions of the act of Congress approved February 3, 1887, I certify that the following is a true copy of the certificate of the final ascertainment of the electors for President and Vice-President appointed in the State of Kansas at the election held therein on the 6th of November, 1888, as received by me from the governor of the said State:

THE STATE OF KANSAS, EXECUTIVE DEPARTMENT.
Topeka, November 30, 1888.

I, John A. Martin, governor of the State of Kansas, do hereby certify that, in pursuance of the laws of the State of Kansas, electors of President and Vice-President were chosen by the voters of the State at the general election held on Tuesday, the 6th day of November, A. D. 1888, and that for the purpose of canvassing the result of said election, the State board of canvassers, consisting of the governor, secretary of state, auditor of state, treasurer of state, and attorney-general, met at the office of the secretary of state on Monday, November 26, A. D. 1888, as provided by law, and proceeded to examine and make a statement of the whole number of votes given at such election for electors of President and Vice-President of the United States, which statement they certified to be correct, and subscribed their names thereto; and that said board of canvassers did thereupon determine what persons, by the greatest number of votes, were elected to the office of electors of President and Vice-President of the United States, and did indorse and subscribe on such statement a certificate of such determination, and did file the said statement, so certified and indorsed, in the office of the secretary of state.

I do further certify that the final ascertainment made under and in pursuance of the laws of the State of Kansas, as appears from the original statement, certificate, and indorsements on file in the office of the secretary of state, is that the

persons hereinafter named received the votes set opposite their respective names for the office of electors of President and Vice-President of the United States, to wit:

Names of persons voted for.	Number of votes received.	Names of persons voted for.	Number of votes received.
John L. Waller	182,845	Cyrus Corning	37,788
Eugene F. Ware	182,887	T. D. Fraser	34,659
Alonzo W. Robinson	182,890	D. O. Markley	34,679
Frank R. Ogg	182,892	J. L. Shinn	37,708
Thomas P. Anderson	182,904	P. B. Maxon	37,718
John Madden	182,886	L. G. Frybarger	37,306
Delbert A. Valentine	182,857	Albert Fuller	37,695
James B. McGonigal	182,832	Charles Rumsey	36,917
Willis G. Emerson	182,636	J. H. Byers	6,779
J. L. Grider	102,739	W. H. Ransom	6,777
John Sheridan	102,745	J. N. Scouller	6,767
B. A. Seaver	102,730	W. H. Lemon	6,770
C. E. Benton	102,728	Miles Brown	6,769
E. A. Scammon	102,727	J. H. Thompson	6,767
John E. Watrous	102,728	Charles Fairfield	6,764
W. C. Buchanan	102,728	C. H. St. John	6,766
W. D. Covington	102,708	W. M. Friedly	6,758
B. F. Milton	102,710	R. J. St. Clair	2,896
John Davis	37,787	Robert B. Frye	2,858

I further certify that it was ascertained by the State board of canvassers, in pursuance of law, that John L. Waller, Eugene F. Ware, Alonzo W. Robinson, Frank R. Ogg, Thomas P. Anderson, John Madden, Delbert A. Valentine, James B. McGonigal, and Willis G. Emerson, having received the greatest number of votes cast at the general election held on the 6th day of November, A. D. 1888, for electors of President and Vice-President of the United States, are the duly chosen and appointed electors of President and Vice-President of the United States for the State of Kansas.

In testimony whereof I have hereunto set my hand and caused to be affixed the great seal of the State.

Done at the city of Topeka, this 30th day of November, A. D. 1888.

[GREAT SEAL OF KANSAS.] JOHN A. MARTIN.

By the governor:

E. B. ALLEN,
Secretary of State.

In testimony whereof I, T. F. Bayard, Secretary of State of the United States, [SEAL.] have hereunto subscribed my name and caused the seal of the Department of State to be affixed.

Done at the city of Washington this 4th day of December, A. D. 1888, and the Independence of the United States of America the one hundred and thirteenth.

T. F. BAYARD.

Mr. SHERMAN. The sending to us of these papers is an entirely novel proceeding, arising, I suppose, under the recent act. I think the whole proceeding is extra-constitutional. As to whether it is an infringement of the Constitution I shall not venture to express an opinion; that is a matter to be considered hereafter. Certainly, however, this is a new proceeding, and I think the Committee on Privileges and Elections ought to examine into it.

What is to be done with these papers? The Constitution provides that each State under its own laws shall provide for the election of electors for President of the United States. The Constitution also provides that those electors shall meet at the place appointed and shall vote, and their votes shall be sent to the President of the Senate.

If these are merely papers sent here for our information as a legislative body, they seem to be entirely useless, because the papers upon which we shall act and upon which the people of the United States act in the election of electors are transmitted to the President of the Senate, and are the evidence of the election; and no law of Congress can change that routine of business.

I do not know, therefore, what benefit these papers will be when sent to the committee, or what use there is in the proceeding, or whether we have any authority by law to require the States to send the papers. It is a question to be considered.

Mr. EDMUNDS. I think the matter is a very simple one. The Constitution, as the Senator from Ohio states, says that the electors shall be appointed under the authority of the Legislatures of the States, and in such a way as the Legislature of each State pleases to adopt. It then says that the action of the electors thus appointed shall be sealed up and transmitted to the President of the Senate, and there the Constitution stops on the subject of the State's action in doing and sending. As to how it shall be sent, and what means of identification and proof that it is the action of the State are to be resorted to, the Constitution is silent until you turn to another clause of it, and that other clause is that Congress shall have power to make all laws necessary to the execution of all the powers of the Government, and everything that is to be done under the Constitution.

Therefore, the founders of the Constitution at the first or second Congress after it assembled did provide by an act of Congress for what the governors of the States should do in order to show to the President of the Senate or to Congress, where the votes were to be counted, what had been the action of the State, and how the President of the Senate should know that the papers that came to him were the action of the State, and that is the certificate of the governor under the great seal.

So everybody supposed and supposed rightly, I humbly submit that it was within the power of Congress (not touching the right of the State to elect her electors in any manner her Legislature chose to declare) to pass any law that should appear to be necessary to find out what the State has done; and that is all the last act does, just like the first act that was ever passed upon the subject. It only enlarges the degree of security and certainty that the counting power, whatever it may be here, is to know what the State has done; and so, as one precaution against the loss of papers and such occurrences, the Congress required that the governor of the State should send to each House of Congress an official copy of the State proceedings in finding out who had been elected electors. That does not interfere with any State power at all. It is only the mode of our knowing, when the time comes to count, that we have the proof that the people whose names appear inside the sealed envelopes are the people who by the certificate of the governor and the secretary of state and the canvassing boards in the State received the greatest number of votes. That is all there is to it that I can see.

Mr. HOAR. If the Senator will pardon me for one suggestion in addition to that, was it not also intended to provide for the promptness of putting this matter upon the public record, so that there could be no tampering with it under any stress of political temptation or any danger of loss?

Mr. EDMUNDS. That would certainly be a very good additional reason.

Mr. SHERMAN. I do not care to discuss any constitutional question. There have been divisions on this subject without respect to party and without reference to sections, I may say, in regard to the constitutional mode of selecting electors of President of the United States.

I wish simply to call the attention of the Senate to the novelty of this proceeding. This is not in pursuance of the old law referred to by the Senator from Vermont, but it is a new proceeding looking to the exercise of the power by Congress, interfering with the votes of electors and with the proceedings in regard to the vote of electors.

As a matter of course, no harm is done by having this information upon our files, but what is the ultimate benefit of it when Congress has nothing to do with it, according to my view of the Constitution? It has nothing to do with the appointment of electors except simply as spectators to witness the opening and counting of certain papers. However, no harm is done by the proofs being sent here, except that it is an apparent assertion of the power of Congress to control in some way, or interfere with, or to pass upon the votes of the electors, which I deny.

Mr. HOAR. I think it is perhaps proper to state at this time the main purpose of the act providing for the proceedings in the case of the election of President and Vice-President, which was passed in the last Congress.

That act was originally drawn by the Senator from Vermont [Mr. EDMUNDS], though it happened to me to report it from the Committee on Privileges and Elections, of which that Senator was not a member. It was, however, very carefully scrutinized by the members of that committee. The measure was before the Senate two or three Congresses, and it was passed with substantial unanimity in the last Congress.

It was reported to the Senate from the Committee on Privileges and Elections. There was a difference of opinion in that committee in regard to one clause in the bill, the Senator from New York [Mr. EVARTS] having an opinion differing from the majority of the committee. That matter of difference was very fully discussed, and the bill then referred again to the committee, and reported anew, and passed with general acquiescence.

The main new feature which that bill introduced by law was that it declared affirmatively what a majority, I suppose, of both Houses believed to be the constitutional result, that the final decision of a State upon the question who were lawfully appointed its electors should be henceforth controlling and binding upon the power here which was to count the vote, without entering at this time upon the question whether that was to be done by the President of the Senate or by the two Houses of Congress.

That bill provided that when a State had appointed a tribunal that should be the final power in the State for ascertaining the result of the choice of electors, the decision of that tribunal should be binding upon the power that has to make the count here. That provision in the law was the result of very thorough consideration. I am not aware that there was a single member of either House of Congress who doubted the constitutionality or the propriety of that provision.

In order to have, in advance of the constitutional proceeding of counting the vote, the evidence of the ascertainment of the result by the local tribunal of the State, the tribunal established by the State for that purpose, it was necessary to make a new provision, which did not exist in the old law, for transmitting the proceedings and the result of that local State action; and as Congress is not always in session the convenient method of doing it was to require the certificate of the proceedings of the State tribunal, whatever it is, to be sent to the Secretary of State, and by him to be sent to both Houses of Congress when they are in session.

That is all. It does not in the least interfere with the constitutional process. It does not interpose any claim of any new legislative power

over that constitutional process, but simply provides in a convenient way for the prompt and the sure recording of a public fact, to wit, the action of the State tribunal.

Mr. BLAIR. Before the Senator takes his seat I should like to inquire of him whether the recent act in any way interferes with the requirement of the Constitution that the State authority shall transmit to the President of the Senate the original certificate?

Mr. HOAR. That is a provision for transmitting the proceeding of the electors, their vote, and it is not in the least affected by the new provision. This is a proceeding for transmitting the result, the final action of the State tribunal which determine the appointment.

Mr. BLAIR. So the original evidence of the action of the electors will come into the possession of the Senate and not be sent to the executive department of the Government?

Mr. EDMUNDS. Oh, certainly.

Mr. HOAR. It will come to the President of the Senate.

Mr. BLAIR. Certainly. So I supposed.

Mr. HOAR. It will come into the possession of the Senate, as I understand. I do not understand that it comes to the Senate as a legislative body. It comes to the President of the Senate as a constitutional officer. Then, I suppose, when the President of the Senate receives from the State of Kansas the certificate of the result and the action of its electors he will place them in a secure place of deposit, unopened, until the time for counting the vote arrives. Then he will open the votes in the presence of the two Houses of Congress and the constitutional process will go on.

The PRESIDENT *pro tempore*. If there be no objection, the letters of the Secretary of State, with the accompanying certificates, will be referred to the Committee on Privileges and Elections.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a bill (H. R. 1368) to quiet title of settlers on the Des Moines River lands, in the State of Iowa, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 3475) granting the use of certain lands in Pierce County, Washington Territory, to the city of Tacoma for the purposes of a public park; and it was thereupon signed by the President *pro tempore*.

DES MOINES RIVER LANDS.

The bill (H. R. 1368) to quiet title of settlers on the Des Moines River lands, in the State of Iowa, was read twice by its title, and referred to the Committee on Public Lands.

Mr. PLUMB. Concerning the bill from the House which a moment ago was referred to the Committee on Public Lands, I suggest, as the subject has been considered by that committee and reported upon by it in the shape of a bill which is now on the Calendar, designed to accomplish the same purpose which is in view in the House bill, that this bill go on the Calendar, thereby avoiding the necessity of any further action by the committee.

The PRESIDENT *pro tempore*. The order of commitment will be reconsidered if there be no objection, and the bill placed on the Calendar. It is so ordered.

Mr. PLUMB. I give notice that at an early day I shall ask the Senate to proceed to the consideration of the bill.

PETITIONS AND MEMORIALS.

Mr. EDMUNDS presented the petition of Dr. Jasper P. Newton and other citizens of Benson, Vt., praying for the passage of an act granting arrears of pension to E. R. Reed, of Poultney, Vt., late of Company A, Twenty-first Massachusetts Infantry; which was referred to the Committee on Pensions.

He also presented the petition of John Anketell, of Tilton, N. H., praying for the adoption of an amendment to the Constitution of the United States empowering Congress to enact a uniform law of marriage and divorce for the entire country; which was referred to the Committee on the Judiciary.

Mr. MANDERSON presented a memorial of band musicians of David's Island band, United States Army, a memorial of the United States Engineer band at Willets Point, New York Harbor, and a memorial of the United States Fourth Artillery band at Fort Adams, Rhode Island, remonstrating against the passage of the bill prohibiting United States bands from playing outside of posts; which were referred to the Committee on Military Affairs.

Mr. HALE presented the petition of S. S. Marble and other citizens of Maine, praying that James J. Johnson be allowed an increase of pension; which was referred to the Committee on Pensions.

Mr. PLUMB presented resolutions adopted by a mass meeting held at Douglas, Kans., and resolutions adopted by the Oklahoma convention, held at Wichita, Kans., favoring the organization of the Territory of Oklahoma; which were referred to the Committee on Indian Affairs.

Mr. GORMAN presented the petition of Samuel E. Sherwin, of Washington County, Maryland, praying for certain relief of the estate of Thomas Sherwin, deceased; which was referred to the Committee on Claims.

THE MEAT PRODUCT.

Mr. PADDOCK. I am instructed by the Committee to Audit and Control the Contingent Expenses of the Senate to report favorably, with an amendment, the resolution submitted yesterday by the Senator from Missouri [Mr. VEST], and I ask for its present consideration.

The PRESIDENT *pro tempore*. The resolution will be read.

The resolution was read, as follows:

Resolved, That the special committee created at the last session of the Senate to examine the questions touching the meat product of the United States, and especially as to the transportation of beef and beef cattle, and the sale of the same in the cattle markets, stock-yards, and cities, and whether there exists or has existed any combination of any kind, either on the part of the Trunk Line Association or the Central Traffic Association or other agencies of transportation, or on the part of those engaged in buying, selling, or shipping meat products, by reason of which the prices of beef and beef cattle have been so controlled or affected as to diminish the price paid the producer without lessening the cost of meat to the consumer, be continued, with power to sit during the sessions and recess of the Senate, at such times and places as it may determine, and shall have power to send for persons and papers, and also to employ a stenographer and a sergeant-at-arms; all necessary expenses of said committee to be paid out of the contingent fund of the Senate; and said committee shall report to the Senate by bill or otherwise.

The PRESIDENT *pro tempore*. The amendment proposed by the committee will be stated.

The CHIEF CLERK. On page 2, line 3, after the word "sessions," it is proposed to strike out the words "and recess of the Senate," and in lieu thereof to insert:

And during any recess of the Senate prior to December, 1889.

So as to read:

Be continued with power to sit during the sessions and during any recess of the Senate prior to December, 1889, at such times and places as it may determine, etc.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution? The Chair hears none, and the question is on agreeing to the amendment.

Mr. PLUMB. The existence of the committees of this body terminates by operation of rule on the 3d day of March. The question in my mind is whether the resolution really carries the committee itself beyond that time. I think it was so designed, and it may be that it does. I only call attention to the matter with a view that there may be no dispute hereafter in regard to it. Probably, however, that dispute would arise in a practical way, more particularly in regard to the auditing of accounts.

Mr. DAWES. It has been done.

Mr. PLUMB. The Senator from Massachusetts suggests that such things have been done. I agree to that. The only question in my mind is whether the language employed does carry the committee beyond the 4th of March. As now constituted the terms of four members out of the five expire on the 3d day of March. It may be presuming something to suppose that they will be re-elected. Whether they are re-elected or not, they are not Senators after the 3d of March until they are sworn in, and it might require some more particular phraseology than that employed in the resolution in order to cover that contingency.

Mr. DAWES. In a case somewhat similar to this a member of the Senate elect was continued over upon a committee by special reference. The chairman of the Committee on Indian Affairs in the last Congress was continued in charge of a special committee by name. The Senator from Alabama [Mr. MORGAN] drew the resolution, and if I remember aright it was stated somewhat in this way: "In charge of the present chairman of the Committee on Indian Affairs." The term of the chairman of the Committee on Indian Affairs expired on the 3d of March, and he was simply a Senator-elect after that time until December.

Mr. PADDOCK. The Committee on Contingent Expenses was somewhat embarrassed by the aspect of the situation presented by the Senator from Kansas. Nevertheless, it felt like deferring to the judgment of the Senator who introduced the resolution and of older Senators, and concluded that under the circumstances it would be well to report the resolution favorably.

Mr. VEST. In drawing the resolution I followed the precedent of the Senate, which has simply been to declare that the committee still exists. As to the vacancies that may occur by reason of subsequent election or by any casualty, death or otherwise, those vacancies would be filled, as they have always been filled, by the President of the Senate. That has been, I believe, the unvarying practice, and I consulted the best authority on the subject.

It seems to me when the resolution declares that the committee exists, that is sufficient. As to the *personnel* of the committee, that may change, as we all know, and if a change occurs the remedy can be easily found in the power of the Senate. I do not know any other words I could have used except to say that the committee shall be continued.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the committee.

The amendment was agreed to.

The resolution as amended was agreed to.

SELECT COMMITTEE ON RELATIONS WITH CANADA.

Mr. PADDOCK. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report favorably the resolution submitted yesterday by the Senator from Massachusetts [Mr. HOAR], with a similar amendment, and I ask for its present consideration.

The PRESIDENT *pro tempore*. The resolution will be read.

The resolution was read, as follows:

Resolved, That the Select Committee on Relations with Canada be continued with all the authority conferred by resolution at the last session, and with power to sit during the recess of the Senate and report at the December session in 1889.

The PRESIDENT *pro tempore*. The amendment proposed by the committee will be stated.

The CHIEF CLERK. It is proposed to amend the resolution by striking out all after the word "session," in the sixth line, and inserting:

And with power to sit during any recess of the Senate prior to December, 1889, the necessary expenses of such committee to be paid from the contingent fund of the Senate.

The PRESIDENT *pro tempore*. If there be no objection to the present consideration of the resolution, the question is on agreeing to the amendment proposed by the committee.

The amendment was agreed to.

The resolution as amended was agreed to.

MESSENGER FOR COMMITTEE ON FOREIGN RELATIONS.

Mr. PADDOCK. From the Committee to Audit and Control the Contingent Expenses of the Senate I report without amendment the resolution submitted yesterday by the Senator from Ohio [Mr. SHERMAN], and I ask for its present consideration.

The PRESIDENT *pro tempore*. The resolution will be read.

The resolution was read, as follows:

Resolved, That the Sergeant-at-Arms of the Senate be, and he is hereby, directed to appoint a messenger for the Committee on Foreign Relations, whose services shall be devoted exclusively to the business of said committee, and that the messenger so appointed shall be selected by said committee.

Mr. PLUMB. I object to the consideration of the resolution.

The PRESIDENT *pro tempore*. The resolution will go over under the rules.

BILLS INTRODUCED.

Mr. MANDERSON (by request) introduced a bill (S. 3669) for the establishment of a national patho-biological laboratory; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. BLAIR introduced a bill (S. 3670) to organize bureaus of information relating to employment, occupation, wants, means of livelihood, and homes; which was read twice by its title.

Mr. BLAIR. I move that the bill be referred to the Committee on Education and Labor, and I should be glad if the Senate would examine its provisions with some care when it shall have been printed.

I have become satisfied myself that the legislation of Congress in the establishment of a Bureau of Labor, and the legislation which bears upon the interest of the working people of the country more specifically, largely fails of effect from the fact that the information which is obtained comes very late, and that it fails largely to be of that specific and practical character which is necessary for the accomplishment of the full amount at least of real good that ought to be obtained.

This is an effort to supplement and to render efficient our existing expenditure and existing laws, and to provide, as I think, for something further that is really needed for carrying out the legislative purposes of the country in that regard.

I think it is generally conceded that a great part of the misery which exists in this world is owing to the fact that those who are able to relieve it remain in ignorance of it. It is certainly true that in our country there is a vast amount of evil and misery and want and suffering existing which would be relieved if it could be called to the attention of the wealthier people of the land; and it may be that it is necessary that there should be a greater degree of legislation and State action for the full carrying out and the proper working of the principles of our civilization.

This bill is designed as an advance step in that direction. It will be found, I suppose, to be subject somewhat to the criticisms of the conservative people of this country, but I invite that criticism and that discussion which in the end will result in the enactment of this bill, or something like it, into a law.

I cut the following slip from a newspaper recently, and the newspapers, as we know, are the source of most of the information that is of value which we have in this country:

DEATH RATHER THAN DEBT—AN HONEST DIE-CUTTER OUT OF MONEY HANGS HIMSELF.

[Special to the Washington Post.]

NEW YORK, *November* 28.

Robert Albrecht, an aged German die-cutter, has of late had difficulty in making a living at his trade, owing to the loss of skill which comes with age. Albrecht has always been proud of his honest record, that he always paid his way. The fact that he was likely to run in debt because of infirmity preyed on his mind, and to-day he was found dead, having hanged himself to a bed-post after writing on the wall of his squalid room: "Two dollars and fifty cents I owe now for rent."

Albrecht left a note giving his tools to a friend, who will sell them and pay the $2.50 rent.

A fact of that kind occurring in the United States of America, after all we have done in the way of self-glorification, a fact like that occurring, as it could only have occurred, for the reason that the circumstances were not known, is a most painful argument in favor of the enactment of some law and the adoption of some provision which shall bring to the collective knowledge of those who can relieve want and distress in this country the existence of such specific instances; and that is of course, as compared with many that may be developed, a matter of by no means the most serious importance.

Mrs. Stowe has written us these words:

Half the misery in the world comes of want of courage to speak and to hear the truth plainly in a spirit of love.

I hope that the bill may be examined, and I shall press it upon the attention of some future Congress if we are unable to obtain action at the present time.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Education and Labor.

Mr. PAYNE introduced a bill (S. 3671) authorizing the President to appoint and retire William G. Galloway with the rank and grade of captain of infantry; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FAULKNER introduced a bill (S. 3672) to amend the act giving the approval and sanction of Congress to the route and termini of the Anacostia and Potomac River Railroad, in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 3673) to authorize the construction of a bridge across the Eastern Branch of the Potomac River from the foot of South Capitol street, in Washington, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 3674) to amend "An act to incorporate the Georgetown and Tennallytown Railway Company of the District of Columbia," which was received by the President August 10, A. D. 1888, and became a law without his approval; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 3675) granting a pension to Mrs. Mary F. Snider; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 3676) to create the Lincoln land district, in the Territory of New Mexico; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. STEWART introduced a bill (S. 3677) to open abandoned military reservations in the State of Nevada to homestead entry; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Lands.

Mr. JONES, of Arkansas, introduced a bill (S. 3678) for the relief of Sterling H. Tucker and others; which was read twice by its title, and referred to the Committee on Claims.

Mr. REAGAN introduced a bill (S. 3679) for the free coinage of silver, and for other purposes; which was read twice by its title, and referred to the Committee on Finance.

Mr. HOAR introduced a bill (S. 3680) granting a pension to John Shannon; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BUTLER introduced a joint resolution (S. R. 119) proposing an amendment to the Constitution of the United States providing for changing the term of office of President and Vice-President from four to six years; which was read twice by its title.

Mr. BUTLER. I ask that the joint resolution lie on the table for the present.

The PRESIDENT *pro tempore*. That order will be made.

AMENDMENT TO A BILL.

Mr. MITCHELL submitted an amendment intended to be proposed by him to the bill (H. R. 4792) to pension J. W. Porter; which was referred to the Committee on Pensions, and ordered to be printed.

PUBLIC BUILDING AT WICHITA, KANS.

Mr. PLUMB submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be directed to report to the Senate what amount of the money appropriated for the erection of a public building at Wichita, Kans., has been expended, together with the respective dates and objects of such expenditure.

SETTLEMENTS WITH OREGON.

Mr. MITCHELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be, and is hereby, directed to transmit to the Senate copies of the settlements made between the United States and the State of Oregon on account of the sum of $70,268.08 heretofore appropriated by Congress to reimburse said State on account of the Modoc Indian war hostilities therein; and

Second. Copy of settlement on account of the sum of $5,271.10 appropriated by Congress to reimburse said State on account of the 15 per cent. rebate of Oregon's quota ($35,127.42) of the direct tax levied upon such State under the act of Congress approved August 5, 1861.

Third. Copy of settlement on account of so much of the 5 per cent. of the net proceeds of the cash sales of public lands therein which, together with the deduction made by the United States from said $70,268.08, constituted the alleged offset of $35,127.42 with which said direct tax was paid, with copies of all drafts issued in all the foregoing.

LOUIS RIEL.

Mr. BLAIR. I wish to say in connection with a matter of investigation before the Committee on Foreign Relations touching the circumstances of the death of Louis Riel (a subject presented by me prior to the adjournment of the last session), that I have received a statement of facts in that case from a citizen of Nebraska, Mr. W. F. Bryant, a responsible gentleman, an attorney at law, which is important, I think, for the consideration of the committee.

A question was raised as to whether Mr. Riel was a citizen of the United States, whether he was a person who could be naturalized, whether the forms of naturalization took place or not. This memorial settles that fact and shows that he was of Caucasian blood on the mother's side, and on the father's side was descended from a grandfather or a great-grandfather who was an Indian. So there is no question whatever of the fact or alleged fact that he was an American citizen.

The other allegations were, as the Senate will remember, of a very serious character, and the resolution proposed that the President or Department of State be called upon to explain the facts with reference to the allegations at that time made as to the conduct of our Government when applied to to see to the vindication of this American citizen's rights.

It will be remembered that it is alleged that he was executed without due process of law, being an American citizen, and at the time of his trial an insane person, and that the President and the Secretary of State were strongly urged by responsible people, who gave them full information of the facts, to interfere to arrest the course of the proceedings which resulted in his unjust death.

The resolution went to the committee, though it was in form merely asking for information from the executive department as to what had been done in the matter. It was thought best that the committee should examine the question before the Department or the President should be called upon for information. I trust that the fact that the election is over, if no other fact, will secure the action of the committee and a full investigation of the facts.

This statement is brief, and I will either read it to the Senate or ask permission to have it printed in the RECORD and referred to the Committee on Foreign Relations.

The PRESIDENT *pro tempore*. The Senator from New Hampshire asks that a statement which he presents may be printed in the RECORD. Is there objection?

Mr. HARRIS. Is it in the nature of a memorial?

The PRESIDENT *pro tempore*. The Chair is not able to state.

Mr. BLAIR. It is a memorial, a statement of facts in reference to this case.

Mr. HARRIS. I do not want to object and force the Senator to read it, but we are putting a great many things into the RECORD which might very much better be left out and let the RECORD be a transcript of the actual proceedings of the body.

Mr. BLAIR. I can make it a part of the proceedings of the Senate.

Mr. HARRIS. I know the Senator can, and I shall not force him to do it.

Mr. BLAIR. I will say to the Senate that this is no light, trashy, irrelevant matter; it is a brief, pointed, terse statement of facts bearing upon the merits of this case.

Mr. SHERMAN. The paper presented is no doubt an important statement, and it had better be referred to the Committee on Foreign Relations, and it ought to be printed.

Mr. BLAIR. That is all I ask.

Mr. SHERMAN. I do not think it ought to be printed in the RECORD, but printed as an ordinary document, so that it may be sent out to those who make inquiries about it. Such a course is better for the RECORD, better for the Senate, and more in accordance with precedents.

Mr. BLAIR. I am not particular about that. I will save the Senator further suggestion by agreeing to his proposition.

The PRESIDENT *pro tempore*. The memorial will be received, printed as a document, and referred to the Committee on Foreign Relations.

THE REVENUE LAWS.

The PRESIDENT *pro tempore*. If there be no further morning business, the Calendar, under Rule VIII, is in order.

Mr. ALLISON. I move that the Senate resume the consideration of the tariff bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

The PRESIDENT *pro tempore*. The reading of the amendment proposed by the Committee on Finance will be proceeded with.

The Chief Clerk resumed the reading of the amendment, beginning with line 255 of section [12] 13, on page 96, as follows:

SCHEDULE B.—EARTHENWARE AND GLASSWARE.

99. Common brown earthenware, stoneware, and crucibles, not ornamented or decorated, 20 per cent. ad valorem.

100. China, porcelain, parian, and bisque, earthen, stone, and crockery ware, including plaques, ornaments, charms, vases, and statuettes, painted, tinted, enameled, printed, or gilded, or otherwise decorated or ornamented in any manner, 55 per cent. ad valorem; if plain white, and not ornamented or decorated in any manner, 50 per cent. ad valorem.

101. All other earthen, stone, and crockery ware, white, glazed, or edged, and other manufactures composed of earthy or mineral substances, not specially enumerated or provided for in this act, 50 per cent. ad valorem.

102. Tiles and brick, other than fire-brick, not glazed, ornamented, painted, enameled, or decorated, 20 per cent. ad valorem; ornamented, glazed, painted, enameled, or decorated and encaustic, 45 per cent. ad valorem.

Mr. MCPHERSON. In respect to paragraph 102 I desire to call the attention of the committee to the phraseology of the paragraph, which reads:

Tiles and brick, other than fire-brick, not glazed, ornamented, painted, enameled, or decorated, 20 per cent. ad valorem; ornamented, glazed, painted, enameled, or decorated and encaustic, 45 per cent. ad valorem.

The same words are used on line 273 that are used on line 272, and I want to call attention to the words "and encaustic." It seems to me as though that language qualified all that precedes it after the semicolon in line 273. In order to make it plain it should read "ornamented, glazed, painted, enameled, decorated," with a comma after "decorated," "and all encaustic tiles," because the committee will see that the language "painted, enameled, or decorated," referring to glazed tiles, is not necessary.

There should be a comma after the word "decorated," and the word "all" should be inserted after the word "and," so as to read in this way:

Ornamented, glazed, painted, enameled, or decorated, and all encaustic tiles.

That would then separate the two distinctions.

Mr. ALDRICH. There is no objection to that amendment, although the repetition of the word "tiles" is not necessary.

Mr. MCPHERSON. I think it will not do any harm to put in the word "tiles," because encaustic tiles are a separate and distinct manufacture. Therefore, if you use the full term in addition to the other, the ornamented or decorated and all encaustic tiles, that would certainly make it clear.

Mr. ALDRICH. The paragraph refers to both brick and tiles when decorated and ornamented, and it will also refer to both brick and tiles if encaustic. The word "tiles" ought not to be there.

Mr. MCPHERSON. Very well.

The PRESIDENT *pro tempore*. The Secretary will report the amendment proposed by the Senator from New Jersey.

Mr. MCPHERSON. Let me state it again. I move to insert a comma after the word "decorated," and to insert the word "all" between the words "decorated and" and the word "encaustic."

The PRESIDENT *pro tempore*. The amendment will be now stated.

The CHIEF CLERK. In line 274, after the word "decorated," it is proposed to insert a comma, and after the word "and" and before the word "encaustic," to insert "all;" so as to read:

Tiles and brick, other than fire-brick, not glazed, ornamented, painted, enameled, or decorated, 20 per cent. ad valorem; ornamented, glazed, painted, enameled, or decorated, and all encaustic, 45 per cent. ad valorem.

The amendment was agreed to.

The Chief Clerk resumed and continued the reading, as follows:

103. Fire-brick, not glazed, enameled, ornamented, or decorated in any manner, $1.25 per ton; glazed, enameled, ornamented, or decorated, 45 per cent. ad valorem.

104. Gas retorts, $3 each.

105. Slate.—Slates, slate-pencils, slate chimney-pieces, mantels, slabs for tables, and all other manufactures of slate, not specially enumerated or provided for in this act, 30 per cent. ad valorem.

106. Roofing-slates, 25 per cent. ad valorem.

Mr. MCPHERSON. Before proceeding further I wish to make a single statement with respect to Schedule B, containing both earthenware and glassware products.

This is, to my mind, an increase of duties over the existing tariff. There is quite a difference between the rates proposed in the Senate bill and those that were proposed in the House bill. I believe that the legislation which has been recommended in this bill by the Finance Committee for the better collection of the customs duties, which will be found in the after part of the bill beginning on page 197, and entitled "Collection of duties on imports," and the advantage found in that method of collection of duties will increase the rates of duty or the protection upon both glass and pottery ware to the extent of at least 10 per cent.

There has been great undervaluation, all admit, in both glass and pottery ware. If we are successful in accomplishing the result we have aimed at in preventing undervaluation, as we think will be accomplished by this bill in the provisions contained in the report of the committee—I speak now of the provisions for the better collection of the duties on imports—the effect will be to increase the duties on glass and pottery ware, at least the protection to the manufacturers, more than 10 per cent. It will be remembered that we prevent undervaluations; we do away with the damage allowance, which amounts to a very large sum on perishable goods; we also impose a duty upon the crates or packages. We also propose another method of determining values. They are to be determined at the place of original shipment rather than at the port of final shipment, as in the existing law. For instance, the duty will be levied, if the goods are manufactured in the central part of Germany, at the

price prevailing in the place where they are originally shipped, and not at the port of final shipment as now.

More than that, there is a certain amount of profit upon which a duty is to be levied, and there is an increase of duty upon the whole pottery and glass schedule. If the supplemental bill which is found attached to the Senate bill shall become a part and portion of the law, if it shall happen to pass both Houses of Congress and become the law of the land, there will be an increase of duty instead of a diminution—a very large increase. There is no diminution in the existing rates in the substitute as set forth in this schedule, but there is the additional advantage which I have stated.

Now, I think that if it is allowable to grant a large bounty to any industry there is good reason for giving it to both the pottery and the glass industries. The major part of the value of the product consists of labor. A reference to the census report of 1880 will show that the labor cost in pottery and glassware is more than double the entire labor cost in the woolen and cotton industries; and I can see a reason, if there is any case calling for an increase of duty, why it should be given to pottery and glassware instead of other industries. But when it is found that there is to be an increase by reason of the prevention of undervaluation and by the doing away with the damage allowance, which is also a part of the protection, and by imposing duties on the packages, and all these things, it seems to me as though the rates proposed by the committee were greatly in excess of what the rate should be.

I speak of this as an industry of my own State, and one of its principal industries. I do not believe the factories need this amount of protection. I think the Mills bill accorded them all the protection that they need in order to compete successfully with such industries anywhere. I do not know but that I would desire to change perhaps some of the classifications that follow in the House bill, but it would seem almost impossible for me, desiring to give a fair measure of duty to this industry—a great one in my own State—to get out of this measure such a provision governing that case as I think would be satisfactory to myself.

I simply rose to make this statement for the information of the Senate, and to call attention to the fact, as we pass through this bill, that the provisions for the administration of the customs department as found in the supplemental bill will tend to add greatly to the protection of all the industries covered by this entire measure.

Mr. HOAR. Mr. President, I have to leave the Senate Chamber for a few minutes, and I desire simply to ask the Senator who has this bill in charge to allow me to reserve the right to go back to this glass schedule if it shall be necessary. I do not think it will be, but I desire to bring to the attention of the Committee on Finance a suggestion in regard to a certain manufacture of glass used in the making of spectacles, to have it put on the free-list. I do not expect to do it without bringing it first to the attention of the Committee on Finance. So I should like to reserve the right to go back to this schedule if it shall become necessary.

Mr. MCPHERSON. I desire to say another word before we proceed with the discussion of this measure and the reading of the bill further.

It will be remembered by the Senator having charge of the bill that it was reported to the Senate but a very few days before our adjournment in October, and that none of the members of the committee on this side of the Chamber really knew what the measure contained when it was reported. They were not present while it was being formulated by the majority of the committee. Owing to the fact that a Presidential election has intervened since the time when the bill was reported to the Senate and that the session has only just commenced, it has been impossible for me at least, with the multitude of things that I have had to do, to investigate and compare the details of the measure about which I knew nothing when it was reported to the Senate. Therefore I shall reserve my right at some future time during the consideration of this bill by the Senate to offer amendments to the pottery and glass schedule if I shall find that I desire to do so. I do not mean to make any opposition to it now, because I have not prepared my amendments; and more than that, I supposed this bill was being read solely to enable the committee having charge of it on the other side of the Chamber to perfect it by offering amendments which they themselves desired to offer.

Mr. HARRIS. Mr. President, upon the point suggested by the Senator from New Jersey, I desire to submit to him and the Senate a comparative statement made by the Treasury Department based upon the importations of 1887. On the first articles in this schedule those from paragraphs numbered 99 to and including 106, I find the average ad valorem equivalent to the duties collected is 56.75 per cent. Under the House bill the average equivalent is 44.49 per cent.; under the Senate substitute it is 51.95 per cent. Then from numbers 107 to and including 111, glassware, I find that the average rate of duty collected in 1887 under the existing law was 94.26 per cent.; under the House bill it would be 82.93 per cent.; under the Senate substitute 94.26, exactly the same as under the existing law. From number 112 to and including 113, glassware, the average rate of duty under existing law is 48.67 per cent.; under the House bill 48.67; under the Senate substitute 48.67; no difference there between the three. On number 114, being cast polished plate-glass unsilvered, etc., I find the rate of duty there under existing law is 101.32 per cent.; under the House bill 101.32; under the Senate substitute 101.32; all the same. On number 115 the rate of duty collected under existing law was 24.95 per cent.; under the House bill 24.58; under the Senate substitute 24.95; a small fraction of difference between the House bill and the Senate substitute in respect to that article. On numbers 116, 117, and 118 I find that the rate of duty collected is 59.14 per cent.; under the House bill 59.43; under the Senate substitute 59.14; and that completes this schedule.

I simply wanted to put on the record the exact difference, so far as this schedule is concerned, between the rate of duty under the existing law, the rate of duty imposed by the House bill and the rate of duty proposed by the Senate substitute.

Mr. MCPHERSON. Then, according to the statement made by the Treasury Department, I am quite correct in my assertion that with the advantages that must necessarily follow by reason of the improved administration of the custom-houses, the new elements upon which this tax is to be based, there will be an increase of duty under the Senate bill above present rates in both the glass and pottery schedules. There will have been scarcely any diminution of duty if I am correct in the estimate I place upon the advantage found in the portion of the bill to which I have referred, while there is a very small diminution by the House bill.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk resumed and continued the reading as follows:

GLASS.

107. Plain green, and colored, molded or pressed, and plain flint and lime glass bottles, holding not less than 1 pint, and demijohns, and carboys (covered or uncovered), and other plain molded or pressed green and colored and flint or lime glassware, not specially enumerated or provided for in this act, 1 cent per pound. Plain green, and colored, molded or pressed, and plain flint and lime glass bottles, and vials holding less than 1 pint, 1½ cents per pound.

108. All articles enumerated in the preceding paragraph, if filled, and not otherwise provided for in this act, and the contents are subject to an ad valorem rate of duty, or to a rate of duty based upon the value, the value of such bottles, vials, or other vessels shall be added to the value of the contents for the ascertainment of the dutiable value of the latter; but if filled, and not otherwise provided for in this act, and the contents are not subject to an ad valorem rate of duty, or to a rate of duty based on the value, or are free of duty, such bottles, vials, or other vessels shall pay, in addition to the duty, if any, on their contents, the rates of duty prescribed in the preceding paragraph: *Provided*, That no article manufactured from glass described in the preceding paragraph shall pay a less duty than 40 per cent. ad valorem.

109. Glass and glassware of all kinds (not including plate-glass, silvered, or looking-glass plates, or cylinder crown, or common window-glass, hereinafter specially provided for), when cut, engraved, painted, colored, printed, stained, gilded, or otherwise ornamented or decorated, and hand, pocket, or table mirrors, not exceeding in size 144 square inches, with frames or cases of whatever material composed, or without frames or cases, 45 per cent. ad valorem.

110. All cut, engraved, painted, or otherwise ornamented or decorated glass bottles, decanters, or other vessels of glass shall, if filled, pay duty, in addition to any duty chargeable on the contents, as if not filled, unless otherwise specially provided for in this act.

111. Unpolished cylinder, crown, and common window-glass not exceeding 10 by 15 inches square, 1½ cents per pound; above that, and not exceeding 16 by 24 inches square, 1¾ cents per pound; above that, and not exceeding 24 by 30 inches square, 2½ cents per pound; all above that, 2¾ cents per pound.

Mr. ALDRICH. Before we pass this schedule, I suggest that in paragraph 109, line 309, the word "unpolished" should be inserted before "cylinder."

The PRESIDING OFFICER (Mr. COCKRELL in the chair). The amendment of the Senator from Rhode Island will be stated from the desk.

The CHIEF CLERK. On page 98, paragraph 109, line 309, before the word "cylinder," insert the word "unpolished;" so as to read:

Glass and glassware of all kinds (not including plate-glass, silvered, or looking-glass plates, or unpolished cylinder crown or common window-glass, hereinafter specially provided for).

Mr. ALDRICH. There should be a comma after "cylinder."

The PRESIDING OFFICER. That will be considered part of the amendment.

The amendment was agreed to.

The Chief Clerk resumed the reading, as follows:

112. Cylinder and crown glass, polished, not exceeding 16 by 24 inches square, 4 cents per square foot; above that, and not exceeding 24 by 30 inches square, 6 cents per square foot; above that, and not exceeding 24 by 60 inches square, 20 cents per square foot; above that, 40 cents per square foot.

113. Fluted, rolled, or rough plate-glass, not including crown, cylinder, or common window-glass, not exceeding 10 by 15 inches square, three-fourths of 1 cent per square foot; above that, and not exceeding 16 by 24 inches square, 1 cent per square foot; above that, and not exceeding 24 by 30 inches square, 1½ cents per square foot; all above that, 2 cents per square foot; and all fluted, rolled, or rough plate-glass, weighing over 100 pounds per 100 square feet, shall pay an additional duty on the excess at the same rates herein imposed.

114. Cast polished plate-glass, unsilvered, not exceeding 10 by 15 inches square, 3 cents per square foot; above that, and not exceeding 16 by 24 inches square, 5 cents per square foot; above that, and not exceeding 24 by 30 inches square, 8 cents per square foot; above that, and not exceeding 24 by 60 inches square, 25 cents per square foot; all above that, 50 cents per square foot.

115. Cast polished plate-glass, silvered, or looking-glass plates, not exceeding 10 by 15 inches square, 4 cents per square foot; above that, and not exceeding 16 by 24 inches square, 6 cents per square foot; above that, and not exceeding 24 by 30 inches square, 10 cents per square foot; above that, and not exceeding 24 by 60 inches square, 35 cents per square foot; all above that, 60 cents per square foot.

116. But no looking-glass plates, or plate-glass, silvered, when framed, shall pay a less rate of duty than that imposed upon similar glass of like description not framed, but shall pay in addition thereto 30 per cent. ad valorem upon such frames.

117. Plate-glass, silvered or unsilvered, and cylinder, crown, or common win-

dow-glass, when beveled, etched, engraved, stained, colored, or otherwise ornamented or decorated, shall be subject to a duty of 10 per cent. ad valorem in addition to the rates otherwise chargeable thereon.

118. All manufactures of glass or of which glass shall be the component material of chief value, not specially enumerated or provided for in this act, 45 per cent. ad valorem.

Mr. PLUMB. I ask the Senator from Iowa having this bill in charge whether under paragraph 115 there is imposed a duty upon the German glass, silvered, imported into this country, which is used, I think, almost if not quite exclusively for articles of furniture?

Mr. ALLISON. We make distinctions in that paragraph between the different sizes of glass.

Mr. PLUMB. Is not the German article that which is used in this country in looking-glasses?

Mr. ALLISON. I suppose that the great body of that character of glass is imported from Germany and Belgium.

Mr. PLUMB. Is a similar article manufactured in this country at all? I have been told by a furniture manufacturer that he was constrained to use the German article because the American was not silvered; that is, it was not covered on the back with quicksilver which was durable. It seems to me that if that constituted a class of goods which was not manufactured in this country it might be proper to consider whether the duty can not be reduced without in any way affecting the manufacture here of articles of glass.

Mr. ALLISON. I do not see why it can not be manufactured here.

Mr. PLUMB. I have been told, but I know it is a subject of dispute, that the silvering of glass in this country is not durable. You can take your thumb-nail and rub it off, and therefore in articles of furniture the German or foreign glass is exclusively used by our dealers, at all events by those who design to produce an article having any permanent value.

Mr. ALLISON. I would say to the Senator that the duty on the first article mentioned in item 115 is not changed by the proposed substitute. Under the existing law the ad valorem rate of duty is 10.85 per cent., which does not seem to be a very heavy duty. It may be that because of that light duty the silvering done in this country is not as substantial as that done abroad. This silvering process is not a difficult process in any sense of the word.

Mr. PLUMB. My recollection is that the same manufacturer to whom I before referred told me that it added to the cost of a glass in an ordinary bureau between two and three dollars of duty, and constitutes a very important item in the cost of an ordinary bed-room set of furniture.

Mr. ALLISON. The highest rate of duty in paragraph 115 is found in lines 359 and 360. That is, "all glass above 24 by 30 inches and not exceeding 24 by 60 inches square." That is a very high character of glass. The rate there is 78.49 per cent., the highest in that paragraph. Twenty-four by 30 inches would be a very large-sized glass. I do not think any furniture-maker would ever get a glass larger than 24 by 30 inches. On that grade the rate of duty fixed here is 27.57 per cent. ad valorem, and the cost is 36 cents a square foot; so that I do not see precisely how that statement can be reconciled.

Mr. PLUMB. I may be mistaken as to the amount. I know it was stated as being very burdensome, and I was asking whether the article I was speaking of was enumerated in this paragraph 115. That is the part of the cost I wanted to get at.

Mr. ALLISON. Now, take a glass 16 by 24 inches square. The rate of duty is 6 cents a square foot under existing law, and not changed. The cost of that is 2 cents a square foot, and the ad valorem duty 18.44 per cent. It seems to me that that can not be a very heavy burden on anybody. The House bill puts what are called "German looking-glass plates" on the free-list. Of course it can not be separated from the same kind of glass made elsewhere. It is on the free-list in the House bill, but it is not designated in our bill. Of course you can not tell what are German looking-glass plates from any other such plates. Looking-glass is made in Belgium precisely in the same way that it is made in Germany and polished with silver. I do not suppose that clause was ever inserted for any practical purpose, but I do not know what the purpose was.

The Chief Clerk resumed and continued the reading, as follows:

SCHEDULE C.—METALS.

Iron and steel:

119. Iron ore, including manganiferous iron ore, also the dross or residuum from burnt pyrites, 75 cents per ton. Sulphur ore, as pyrites, or sulphuret of iron in its natural state, containing not more than 3½ per cent. of copper, 75 cents per ton: *Provided*, That ore containing more than 2 per cent. of copper shall pay, in addition thereto, 1½ cents per pound for copper contained therein: *And provided further*, That in levying and collecting the duty on iron ore no deduction shall be made from the weight of the ore on account of moisture which may be chemically or physically combined therewith.

120. Iron in pigs, iron kentledge, spiegeleisen, wrought and cast scrap iron, and scrap steel, three-tenths of 1 cent per pound; but nothing shall be deemed scrap iron or scrap steel except waste or refuse iron or steel that has been in actual use and is fit only to be remanufactured.

121. Bar-iron, rolled or hammered, comprising flats not less than 1 inch wide nor less than three-eighths of 1 inch thick, eight-tenths of 1 cent per pound; round iron not less than three-fourths of 1 inch in diameter, and square iron not less than three-fourths of 1 inch square, nine-tenths of 1 cent per pound; flats less than 1 inch wide, or less than three-eighths of 1 inch thick; round iron less than three-fourths of 1 inch and not less than seven-sixteenths of 1 inch in diameter; and square iron less than three-fourths of 1 inch square, 1 cent per pound.

122. Round iron, in coils or rods, less than seven-sixteenths of 1 inch in diameter, and bars or shapes of rolled iron, not specially enumerated or provided for in this act, 1.1 cents per pound: *Provided*, That all iron in slabs, blooms, loops, or other forms less finished than iron in bars, and more advanced than pig-iron, except castings, shall be rated as iron in bars, and pay duty accordingly; and none of the above iron shall pay a less rate of duty that 35 per cent. ad valorem: *Provided further*, That all iron bars, blooms, billets, or sizes or shapes of any kind, in the manufacture of which charcoal is used as fuel, shall be subject to a duty of not less than $22 per ton.

123. Cast-iron pipe of every description, nine-tenths of 1 cent per pound.

124. Cast-iron vessels, plates, stove-plates, andirons, sadirons, tailors' irons, hatters' irons, and castings of iron, not specially enumerated or provided for in this act, 1.2 cents per pound.

125. Castings of malleable iron not specially enumerated or provided for in this act, 1½ cents per pound.

126. Anvils, or parts thereof, of iron or steel, 2 cents per pound.

127. Iron or steel anchors, or parts thereof of iron or steel, mill-irons and mill-cranks of wrought-iron, and wrought-iron for ships, and forgings of iron or steel, or of combined iron and steel, for vessels, steam-engines and locomotives, or parts thereof, weighing each 25 pounds or more, 1.8 cents per pound.

128. Axles, parts thereof, axle bars, axle blanks, or forgings for axles, whether of iron or steel, without reference to the stage or state of manufacture, 2 cents per pound.

129. Blacksmiths' hammers and sledges, track tools, wedges, and crowbars, whether of iron or steel, 2½ cents per pound.

130. Beams, girders, joists, angles, channels, car-truck channels, TT columns and posts or parts or sections of columns and posts, deck and bulb beams, and building forms, together with all other structural shapes of iron or steel, 1.1 cents per pound.

Mr. PLUMB. I should like to interrogate the Senator from Iowa somewhat on paragraph 130. Does that cover what are known in this trade as steel beams; that is, the beams which are used in the erection of large buildings?

Mr. ALLISON. Yes, sir.

Mr. PLUMB. I call his attention to the fact that there has been a very close corporation formed consisting of all the manufacturers, as I understand, some six or eight in number, in the United States, whereby the price of these articles has been made not only uniform, but has been largely enhanced. In the construction of the capitol building at Topeka, Kans., the contractor found that he was able to save, I think, some twenty or twenty-five thousand dollars by purchasing articles of this kind abroad and shipping them to this country; and the contractors for the state-house in Texas saved between one hundred and fifty and two hundred thousand dollars by a similar purchase. One of the contractors for the Texas state-house told me that when the question of purchasing the beams for that building was under consideration his superintendent applied to all the manufacturers of steel beams in the United States for prices and received from each one of them a reply naming the same price; and it was found impossible to get up any competition or in any way to break the price, so they were constrained to go abroad to save this very large sum of money, which they did. I have no doubt that the price of these beams is much larger than it ought to be, and that if there is no other way of breaking up this combination it ought to be reached by a sensible reduction of the duty.

These manufacturers were not willing to enlarge their production and thereby meet the entire American demand, but preferred to manufacture a limited supply at enormously increased profits, and that, I think, is a feature of the iron manufacture in this country to a very considerable extent. That is to say, those who manufacture these articles, beams, do not care to supply the entire American market, but prefer to supply only that portion of it which they can supply at an enormous profit, and they have allowed without cause the foreign manufacturers to bring into this country a very large supply of manufactures of iron and steel, underselling the American manufacturers unnecessarily.

I was told by a thoroughly responsible gentleman some six or seven years ago, who was the agent of a manufacturer in Sheffield, that he imported into Chicago, and shipped from Chicago to Pittsburgh, and sold at Pittsburgh in competition with the Pittsburgh manufacturers, picks, mattocks, crowbars, and other implements that go to make up what is called a railroad kit, on which the lowest duty then, I think, was 45 per cent. ad valorem, and the Pittsburgh manufacturers did not care enough about the American market at large to enter into competition for it, but allowed all these articles to be manufactured outside and brought into this country, because they could manufacture something else and make an enormous profit by reason of the protection afforded by the tariff.

While, of course, it is desirable that all articles of this kind should be manufactured in this country, for which we have the most ample natural facilities, there ought to be a corresponding obligation on the part of those who are protected by the tariff that they shall supply this market, and that they shall not limit themselves in their efforts to supply this market to those things for which they can get the highest prices, allowing a very large supply of articles of the same general character to come into the country from outside and be sold here in this market. If this result can not be reached in any other way, I am in favor of doing it by reducing the duty, and thereby putting them into active competition as to everything which they do manufacture with the foreign manufacturer. I therefore move as one step, somewhat in the dark I suppose, to reduce the duty to 1 cent per pound in place of 1.10 cents per pound.

The PRESIDING OFFICER. The Senator from Kansas moves an amendment, which will be stated from the desk.

Mr. PLUMB. I will move to make that eight-tenths of a cent per pound in place of 1 cent per pound, on line 447, page 104.

ADJOURNMENT TO MONDAY.

Mr. BUTLER. Pending that, I move that when the Senate adjourn to-day it adjourn to meet on Monday next.

The PRESIDING OFFICER. The Senator from South Carolina moves that when the Senate adjourn to-day it be to meet on Monday next.

Mr. ALLISON. I hope the Senator from South Carolina will not insist on that to-day. I think it very important that we should make some progress with this bill. We can adjourn over perhaps from to-morrow.

Mr. HARRIS. I am not so sure, I will suggest to the Senator from Iowa, that we shall not make more progress with the bill by adjourning over to-day than we shall by continuing in session.

Mr. BUTLER. We generally do; that has been my experience.

Mr. ALLISON. I ask the Senator to withdraw his motion for the present until we see what progress we make during the day.

Mr. BUTLER. It may be too late then to make the motion. Of course I do not feel like insisting upon it in the face of the opposition of the Senator who has charge of the bill, and yet I submit to him that between this and Monday we can all have an opportunity to examine the bill carefully, and perhaps in that way we shall get rid of a good deal of talk which would otherwise perhaps necessarily take place, particularly when we know nothing about it. I always observe that there is more talking when we are unfamiliar with a subject than when we are familiar with it.

Mr. ALLISON. If the Senator would devote himself between now and Monday for nine or ten hours each day to the study of this measure I might feel constrained to yield, but I am afraid the Senator may find other occupations.

Mr. BUTLER. The Senator has loaded himself up so thoroughly that, of course, I can never expect to approach the weight which he is carrying; but still I might manage to get on a small amount between now and Monday.

Mr. ALLISON. I hope the Senator will not press his motion now.

Mr. HARRIS. Mr. President, several Senators have approached me——

The PRESIDING OFFICER. Debate is proceeding by unanimous consent.

Mr. HARRIS. Of course I know the motion is not debatable, but quite a number of Senators have approached me saying they very much desired a little time to look into and scrutinize this bill before proceeding further with it. We are getting on with it very rapidly, and I think it is not an unreasonable request of the Senator from South Carolina to adjourn over.

The PRESIDING OFFICER. Is the Senate ready for the question on the motion of the Senator from South Carolina that when the Senate adjourns to-day it adjourn to meet on Monday next? [Putting the question.] The ayes appear to have it.

A division was called for, and the ayes were 19——

Mr. HARRIS. The Senator from Iowa will not ask for a further division, I am sure.

Several SENATORS. Give it up. Give it up.

The PRESIDING OFFICER. Does any Senator call for a further division?

Mr. ALLISON. Yes, sir.

The noes were 11.

The PRESIDING OFFICER. On this question the ayes are 19 and the noes 11—no quorum voting.

Mr. HARRIS. That involves the calling of the roll.

The PRESIDING OFFICER. The Secretary will call the roll.

Mr. ALLISON. Is the roll being called on the motion to adjourn over?

The PRESIDING OFFICER. The roll is being called to ascertain whether there is a quorum present or not.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Dolph,	Ingalls,	Reagan,
Allison,	Edmunds,	Jones, of Arkansas,	Saulsbury,
Bate,	Eustis,	McPherson,	Sherman,
Berry,	Faulkner,	Manderson,	Stewart,
Blackburn,	Frye,	Mitchell,	Stockbridge,
Blair,	Gibson,	Morgan,	Teller,
Call,	Gorman,	Morrill,	Vest,
Chandler,	Gray,	Paddock,	Turpie,
Cockrell,	Hale,	Palmer,	Voorhees,
Coke,	Harris,	Pasco,	Walthall.
Cullom,	Hawley,	Payne,	
Davis,	Hiscock,	Plumb,	
Dawes,	Hoar,	Pugh,	

The PRESIDING OFFICER. Forty-nine Senators have answered to their names, and there are one or two present who have not answered. The question is on the motion of the Senator from South Carolina that when the Senate adjourn to-day it be to meet on Monday next. Senators will please rise and stand until counted.

The question being put, there were on a division—ayes 24, noes 16.

Mr. EDMUNDS. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BLAIR (when his name was called). I am paired with the Senator from Mississippi [Mr. GEORGE]. If he were present, I should vote "nay."

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE]. If he were present, I should vote "nay."

Mr. EDMUNDS (when his name was called). I am paired with the Senator from Alabama [Mr. PUGH], whom I do not see in the Chamber, and as this appears to be substantially a party division I withhold my vote.

Mr. FAULKNER (when his name was called). I transfer the pair I have with the Senator from Pennsylvania [Mr. QUAY] to the Senator from Virginia [Mr. DANIEL], and vote "yea."

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL], but on this question I vote "yea."

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. EDMUNDS. I see that my friend from Alabama [Mr. PUGH] is present in the Chamber. I vote "nay."

Mr. DAVIS. I see that the Senator from Indiana [Mr. TURPIE] is present, and I vote "nay."

The result was announced—yeas 28, nays 20; as follows:

YEAS—28.

Bate,	Eustis,	McPherson,	Reagan,
Berry,	Faulkner,	Manderson,	Sabin,
Blackburn,	Gibson,	Morgan,	Saulsbury,
Butler,	Gorman,	Paddock,	Teller,
Call,	Gray,	Payne,	Turpie,
Cockrell,	Harris,	Plumb,	Vest,
Coke,	Jones of Arkansas,	Pugh,	Voorhees.

NAYS—20.

Aldrich,	Dawes,	Hawley,	Palmer,
Allison,	Dolph,	Hiscock,	Platt,
Chandler,	Edmunds,	Hoar,	Sherman,
Cullom,	Frye,	Mitchell,	Stewart,
Davis,	Hale,	Morrill,	Stockbridge.

ABSENT—28.

Beck,	Colquitt,	Ingalls,	Sawyer,
Blair,	Daniel,	Jones of Nevada,	Spooner,
Blodgett,	Evarts,	Kenna,	Stanford,
Bowen,	Farwell,	Pasco,	Vance,
Brown,	George,	Quay,	Walthall,
Cameron,	Hampton,	Ransom,	Wilson of Iowa,
Chace,	Hearst,	Riddleberger,	Wilson of Md.

So the motion was agreed to.

THE REVENUE LAWS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

The PRESIDING OFFICER. The question recurs upon the amendment of the Senator from Kansas [Mr. PLUMB]. Will the Senator from Kansas restate his amendment?

Mr. HARRIS. Before the Senator from Kansas offers his amendment I want to call his attention to a fact in respect to "beams, girders, joists, angles, channels," etc. During the last fiscal year there were imported into this country of the articles referred to in the clause proposed to be amended by the Senator $164,403 worth. The average rate of duty under existing law collected upon them was 102.75 per cent. The rate of duty proposed by the House bill averages 49.32 per cent., which is six-tenths of 1 cent per pound. The rate of duty proposed by the Senate substitute is equivalent to an ad valorem of 90.42. I suggest to the Senator that the rate of duty of five-tenths or six-tenths of a cent per pound is certainly quite as much as should be imposed upon that class of articles. I simply wanted to give him the facts as to the amount imported.

Mr. PLUMB. I have the table before me. I move to strike out "one and one-tenth cents per pound" and insert "eight-tenths of 1 cent per pound."

The PRESIDING OFFICER. The amendment will be reported.

The CHIEF CLERK. It is proposed to strike out, in lines 446 and 447, the words "one and one-tenth cents" and insert "eight-tenths of a cent;" so as to read:

130. Beams, girders, joists, angles, channels, car-truck channels, TT columns and posts or parts or sections of columns and posts, deck and bulb beams, and building forms, together with all other structural shapes of iron or steel, eight-tenths of a cent per pound.

Mr. HARRIS. Has there been any agreement that this substitute shall be treated in offering amendments as an original bill? In other words, would an amendment to the amendment of the Senator from Kansas be in order? It would not unless there has been an agreement that the committee amendment shall be treated as the original bill, because an amendment to the amendment proposed by the Senator from Kansas would be an amendment in the third degree.

Mr. PLUMB. I will withdraw my amendment in order to enable the Senator to offer his amendment first.

Mr. HARRIS. Then I move to insert "six-tenths of 1 cent" instead of "eight-tenths," which I believe the Senator from Kansas moved, and that will amount to a duty of 49.32 per cent.

The PRESIDING OFFICER. The Senator from Kansas [Mr. PLUMB] withdraws his amendment, and the Senator from Tennessee [Mr. HARRIS] offers an amendment which will be stated.

The CHIEF CLERK. In lines 446 and 447 it is proposed to strike out the words "one and one-tenth cents" and insert "six-tenths of 1 cent;" so as to read:

130. Beams, girders, joists, angles, channels, car-truck channels, TT columns and posts or parts or sections of columns and posts, deck and bulb beams, and building forms, together with all other structural shapes of iron or steel, six-tenths of 1 cent per pound.

Mr. HARRIS. The whole question now is whether we shall impose a duty of 49.32 per cent. ad valorem or 90.42 per cent. ad valorem upon this class of articles. That is the whole question involved in the amendment.

Mr. ALLISON. I hope the amendment offered by the Senator from Tennessee will not be agreed to. There is undoubtedly some force in the statement made by the Senator from Kansas that in past years, there being but few manufacturers of this class of steel, some arrangement as to prices was made; but the information of the committee on this subject is that new manufactories are establishing themselves in this country, so as to supply the market for these beams, etc.

It is also true that a portion of the articles enumerated in this paragraph are mere ordinary iron beams, such as are used in fire-proof structures; but a great many of them are articles of special length and special shape, and require considerable expense in the preparation of the plant for their manufacture.

This proposition of the Senator from Tennessee goes really to the root of this whole iron and steel schedule. The steel of the character described in this paragraph is made, of course, from pig-iron and from blooms or billets of steel that are prepared from pig-iron. We have a rate of duty first upon the iron ore, next upon the pig-iron, and next upon the billets from which these shapes are made. The lowest rate of duty on billets is half a cent a pound under this measure, or within one-tenth of a cent of the rate proposed by the Senator from Tennessee; and if the steel of these billets shall be of such a character as to cost exceeding a cent a pound the duty upon the billets is to be six-tenths of a cent per pound.

Mr. HARRIS. Will the Senator allow me to ask him a question right in that connection?

Mr. ALLISON. Yes.

Mr. HARRIS. The billet or the bloom is the raw material of this beam or joist maker, is it not?

Mr. ALLISON. Yes, sir.

Mr. HARRIS. It comes to him charged with the cost of production and with such increase of price as the duty imposed upon it may give. Now, does the Senator from Iowa maintain that the manufacturer of these billets and blooms into beams needs and must have a protection of over 90 per cent. in order to enable him to convert these billets and blooms into the beam or joist?

Mr. ALLISON. I only maintain this: The committee was satisfied that the rate of duty prescribed here would enable these beams to be manufactured in our own country upon sharp competition, and we reduced the duty, as the Senator will see, from the existing rate, the existing rate being 1¼ cents per pound.

Mr. HARRIS. One hundred and two and seventy-five one-hundredths per cent.

Mr. ALLISON. Yes, 102.75 per cent. I have no doubt that if this duty is maintained upon these shapes of steel, in a very short time the competition will be sufficient to bring down the price in the cost of production, if it is not so now. Therefore, this was the judgment of a majority of the committee after full examination of the question.

I trust the amendment of the Senator from Tennessee will not prevail, nor do I think the amendment of the Senator from Kansas should prevail.

Mr. ALDRICH. Mr. President, the rate proposed in the amendment of the Senator from Tennessee is the rate of the House bill, six-tenths of a cent a pound; and if there is any one item of that bill which is more indefensible than any other, I think it is the rate it put upon structural forms of iron and steel. The rate upon bar-iron, from which iron beams must be made, both by the Senate and House bills, is from eight-tenths to a cent and one-tenth of a cent a pound. The Senator from Kansas shakes his head, but he will find that he is mistaken. If the duty on iron beams is to be reduced to six-tenths of a cent a pound, the duty upon bar-iron, from which they are produced, and the duty on pig-iron must be reduced very greatly, and the duty on iron ore must be reduced to make it all harmonious and symmetrical.

Take the item of steel beams. The suggestion of the Senator from Tennessee is to make the duty upon steel beams six-tenths of a cent per pound. The duty by this measure upon the steel billets, from which these beams must be made, is seven-tenths of a cent per pound. If the duty on beams is reduced, there must be a reduction of duty on all the other forms of steel. If that is done, it will necessarily involve a recommittal of this bill to the Committee on Finance or an abandonment of it. It certainly is an abandonment of the protective feature of the measure to reduce the rate on iron and steel beams to six-tenths of a cent a pound. There is no more justice in it than there would be in making it three-tenths of a cent a pound with four-tenths of a cent duty upon pig-iron.

The Senator from Kansas says there is a combination between the manufacturers of structural iron and steel in this country. This is the state of affairs, as I understand it to be: There has been developed within the past few years an enormous demand for structural iron and steel for building purposes, a demand greatly in excess of the producing capacity of the plants which are engaged in this business; but there is nothing difficult in the production of iron and steel beams, and all the large Bessemer-steel works of the country are now considering the question—one or two of them have plants, I think, in process of erection—of extending their business to do this.

So there is no reason under heaven, with a reasonable amount of protection, why every manufacturer of steel in the United States should not be engaged in the business of manufacturing structural steel; and that competition among American producers will in time reduce the price to a proper limit I have no doubt whatever.

Now, if the Senator from Kansas means to say that because there is a combination at the moment which advances the price of iron or steel above what he thinks is a proper one, and he proposes to obviate that by a reduction in duty, which will give the entire business to foreign producers—which would be certainly the effect of this amendment, and the foreign producers at this moment are in a combine amongst themselves, as has been shown by documentary evidence submitted in this and the other House of Congress—if he is desirous of bringing about that state of affairs, he must do it with his eyes open.

There is no more reason for reducing the duty upon structural forms of iron and steel to a rate below that fixed upon other forms of iron and steel by this measure than there is for reducing the duty upon any other item. There is no trust or combination among makers which can not eventually be prevented from enhancing prices by competition in this country; and I have no doubt that will be the result at an early day. I do not think at the present moment that the prices of iron and steel are excessive. I think the state of affairs to which the Senator from Kansas alluded existed a few years ago, but does not exist at the present time.

Mr. HARRIS. Mr. President, I desire to know if the Senator from Iowa and the Senator from Rhode Island are prepared to maintain that a duty of over 90 per cent. is necessary to enable the people of this country to convert blooms and billets into these joists and structural forms? The provision in the House bill imposes a duty of 49.32 per cent. The provision in the Senate substitute imposes a duty of over 90 per cent. Now, can it be pretended that a duty of 90 per cent. is necessary, even if the principle be conceded that it is proper to give such protection as may be necessary to encourage the manufacturer here? Is 90 per cent. necessary, and can it be pretended that if you impose a duty of 90 per cent., which protects the home manufacturer to the extent of 90 per cent. as against foreign competition, that the small number of persons engaged in the production of these articles here will not continue to combine as they have combined heretofore, and demand the full measure of the price enhanced by the imposition of the 90 per cent. duty, or, in other words, the users of that material in this country will be compelled to pay 90 per cent. more than they would otherwise have to pay but for the imposition of this duty?

Mr. REAGAN. Mr. President, the amount of iron of the kinds included in this clause that was imported the last year only reached $13,513,000 in value. That was under a duty amounting to 102.75 per cent., which therefore must have been a restraint upon large importations of the articles. When we recall the great number of public and private buildings into which iron of this description goes as a part of the structure, "beams, girders, joists, angles, channels, car-truck channels, T T columns and posts, or parts or sections of columns and posts, deck and bulb beams," etc., and that all these classes of iron go very extensively into buildings, public and private, and into bridges and other structures, we shall see the importance of this question.

The amount of iron of this kind which must go into use is enormous and must continually be enormous. Looking at that fact and at the unlimited resources of iron and coal in our country, can it be possible that the manufacturers of such iron can not make it successfully here when a subsidy is given to them equal to the amount offered by the amendment of the Senator from Tennessee of 49.32 per cent., nearly 50 per cent.? If they can not make such iron with the vast resources of iron and coal which we have with a protection of $50 on the hundred of other people's money, it seems to me they ought to go out of business. When, added to this, the country is met by a combination which puts any price it chooses upon those who are making buildings or bridges on their own account or who are compelled by their contracts to make public buildings or bridges, it will be seen that it is fully a large enough duty to allow them within a fraction of 50 per cent. on such iron. If we are to put it at 90 per cent., making the iron that goes into buildings and bridges and other structures cost nearly double what it could be purchased for in foreign countries, or what it could probably be made for in this, it will be seen that it creates an enor

mous monopoly. If there is any one thing in which the American people are more interested at this particular time than in any other, it is in being rescued from the grasp and oppression of monopolies.

This measure, as framed by the Senate Finance Committee, aids monopolies. When we talk of protection, legitimate protection simply would mean what would enable people to manufacture here, not what would enable them to exact the last possible farthing that can be exacted by the exclusion of similar articles from trade in this country.

I understood the Senator from Rhode Island to refer to the fact that combinations existed with reference to such things in other countries. If they do, it seems to me that that would not be an argument against a reasonable rate of duty here, but an argument in its favor, because if combinations are formed there, that fact aids whatever duty may be imposed here in giving to our manufacturer of such kinds of iron a greater chance to supply our own people.

I submit, Mr. President, that 49.23 per cent. is a very high duty, and that there can be no difficulty with American manufacturers under such a duty manufacturing all that this country wants and having the advantage over foreign manufacturers. There can be no question that with the duty proposed to be imposed by the Senator from Tennessee our manufacturers would have the advantage of all other manufacturers of this description of iron, and it would relieve to that extent the people against enormous duties and would to that extent relieve them against the effects of the combinations through which it is intended improperly to extort from them money that ought not to be extorted from them.

Mr. ALDRICH. Mr. President, I rise only to say a word. The percentages to which both the Senator from Tennessee and the Senator from Texas have alluded are based upon false values of goods from the other side. The unit of value is given in the table to which the Senator from Tennessee refers—a cent a pound, or about $24 a ton for iron and steel beams. I take it for granted that neither of those Senators will undertake to say that that is a fair valuation, or anything like a fair valuation, for structural iron and steel. The Senator from Ohio who sits in front of me [Mr. PAYNE] must know as well as I do that the valuation is one that is very largely below the real valuation on the other side.

Mr. HARRIS. My statement, if the Senator will allow me, was based upon the statement of the Treasury Department upon the importations of the year ending June 30, 1888.

Mr. ALDRICH. I understand that perfectly, but the information upon which that is based is furnished by the invoices which are made by the gentlemen upon the other side, and what I say in regard to this item, and almost every other, is that they are very largely undervalued, and that that does not in any sense represent the true value which the Senator from Tennessee or any other buyer would have to pay for these or similar goods in Belgium, in England, or in Germany, and that therefore all calculations of percentages based upon such values are entirely erroneous.

Mr. HARRIS. Do I understand the Senator to say that the Treasury Department has no accurate information as to the value of importations into this country?

Mr. ALDRICH. They may have accurate information, but it does not necessarily follow that the tables which they sent here are the true values. Take the article of lime. The importations of lime in 1887 are put upon the basis of 30 cents a barrel. Take wood-pulp; the average value, according to the table sent here by the Treasury Department, is $22 a ton. Nine-tenths of that was wood-pulp which sold at from $75 to $100 a ton and only paid 10 per cent. duty.

It ought to be as well known to the Senator from Tennessee as to myself, because it is a notorious fact, that nine-tenths of the goods imported into this country are very largely undervalued, and that while the tables sent here by the Treasury Department are not falsely represented by the Treasury Department itself, they represent a false value of the goods or a value which is not a correct one.

Mr. HARRIS. Can the Senator from Rhode Island furnish me any method by which we can approximate with anything like the same degree of certainty the value of importations into this country as the report of the Secretary of the Treasury as to the values upon which import duties were collected?

Mr. ALLISON. I can furnish the Senator from Tennessee, and he can be readily furnished by many other Senators upon this floor, with a very much better basis for fixing the rate of duties in the market values in the various markets of the world of these articles of structural iron and steel.

Mr. HARRIS. Where an ad valorem duty is imposed, is it not the duty of the Treasury Department to ascertain the value in order to fix the amount of the duty?

Mr. ALDRICH. There is no ad valorem imposed here.

Mr. HARRIS. I say where an ad valorem is imposed. Where a specific duty is imposed, it does not matter what the value of the article may be.

Mr. ALDRICH. Where an ad valorem rate is imposed, it is the duty of the Treasury Department to obtain the correct value, of course; but that is based on the invoices and on the foreign valuation fixed by the importers themselves.

Mr. HARRIS. It being the duty of the Treasury Department to ascertain the value in order to fix the amount of duty when it has so ascertained it, I say that is the most reliable information that can be had upon the subject.

Mr. ALDRICH. Does the Senator from Tennessee mean to say that if I should produce him quotations from all the leading markets of Great Britain, Germany, and Belgium that structural iron and steel were worth $40 per ton, he would still insist that a valuation of $20 per ton was more nearly correct?

Mr. HARRIS. I mean to say that, it being the duty of the Treasury Department to ascertain the value of imports, it presumably resorts to all the evidences enabling that Department to decide justly and truly what the value is; and when it has decided, that decision is entitled to more credit than any statement which can come from any other source.

Mr. ALDRICH. But they do not send us the opinion of the Treasury Department as to what the value is. They simply send the transcript from the records of the Department of the invoices which are made by foreign importers and sent here as to value.

Mr. HARRIS. Are the invoices conclusive?

Mr. ALDRICH. They are conclusive in the absence of addition by the appraisers.

Mr. HARRIS. Conclusive in the absence of any other evidence?

Mr. ALDRICH. I do not say "any other evidence."

Mr. HARRIS. I understood the Senator to mean that. Is that what he means?

Mr. ALDRICH. No, sir; I do not mean that. I say they are conclusive in the absence of any addition by the appraising officers of the customs.

Mr. HARRIS. Then the appraising officer appraises in the light of all the information he has in respect to the value?

Mr. ALDRICH. He does, and it is a notorious fact that the appraised values of imported goods are 25 to 50 per cent. below their real value.

Mr. HARRIS. It being the duty of the appraising officer to appraise and ascertain the values, does he not presumably arm himself with all the best information attainable upon the subject? If so, and he fails to fix a proper value, I see no alternative but to argue that it is corrupt in him to have made a false report in the light of such information as he has; and that is not to be presumed.

Mr. HOAR. Mr. President, I have had some occasion—I have had no experience in this matter myself—to hear the result of the experience of a large number of persons who know as much about this subject as any persons in the country, I should suppose; I mean the business men of the city of Boston and the Commonwealth of Massachusetts. I undertake to say, as a perfectly notorious fact, which every man acquainted with the subject knows, that it would be as safe to take the opinions of the horse-dealers of this country as to the value of the horses they have to sell as to take these foreign invoices which the Treasury is compelled in many instances to accept as to the value of goods that are imported.

Mr. ALDRICH. In this particular case there is no occasion for the Treasury Department to ascertain the correctness of the invoice values, because the duties are specific. I say that in answer to the suggestion of the Senator from Tennessee. Therefore there is no occasion for an examination, and there is a temptation, which has certainly been taken advantage of in this case, to place the value very greatly below what the real value is.

Mr. BUTLER. I do not suppose there is any doubt about the fact that in a large number of cases where goods are brought into this country from foreign countries the effort is very often made to undervalue them. I do not think there is any doubt about that; but the Treasury Department, as I understand, has adopted several methods within its reach to correct this abuse. The invoices of imported goods are first approved by the American consuls residing in the foreign countries from which they are sent; but that is not of itself conclusive.

It has come within my knowledge in a number of cases where invoices have been brought to consuls to be certified before the importers could bring their goods to this country, that those officials have transmitted to the collecting officers at New York and Boston and other offices the actual values of those goods, which, as I have just said, in very many cases are above the amount certified by the owner and importer of the goods. When those facts are ascertained by the Treasury Department and those notifications are sent to the appraising officers, it must be the fault of the appraising officers if there is an undervaluation, because they get the actual values at the point from which the goods were shipped. So I can not see, where the proper inspecting officers are sent, as they are sent from this country all over Europe for the purpose of ascertaining these very facts, why there should be so much complaint of undervaluation; and I do not agree with the Senator from Rhode Island that there is such an abuse in that direction as he claims. The importers, I have no doubt in the world, would be delighted to swindle the Government of the United States out of its revenues by undervaluation.

Such attempts have been made for years and years. I have no doubt further that there is even now a great abuse of that kind; but our offi-

cers ought to be able to ascertain the actual value of the imported articles by means of the consular reports and by the inspectors and special agents sent by the Treasury Department abroad for the purpose of ascertaining the actual valuation.

Mr. PLUMB. Mr. President, on the subject of valuation referred to by the Senator from Rhode Island, I desire to call attention to the articles in the preceding paragraphs and the statement in the table which accompanies the report of our Finance Committee in regard to the percentage of valuation on blacksmiths' hammers and sledges, track tools, etc. If this estimate of valuation by the Treasury Department is entirely unreliable in the case of steel beams, whereby the value has been put far below what it should be, what does he say about the valuation of blacksmiths' hammers, and so on, where the valuation is very much higher? It seems to me that there should not be any very wide discrepancy.

I have no doubt there is room to say that there is some; but at $24 a ton, which the valuation stated in this table represents, I do not think that is very far wide of the mark, because steel rails have been bought at any time during the past year in England for much less than $24 a ton, or during most of that period, at all events. I do not see myself why there should be this enormous duty upon this article, being six times what it is upon blacksmiths' hammers, sledges, and so on, the labor in the production of which per pound is greater than in the production of steel beams. I admit there is not the same necessity for strength, and that in the forging of a very large beam or article of manufacture there is more liability to flaw, and so on, and there must be greater care exercised, no doubt. Of course the tariff is higher, but why should it be six times higher?

Mr. ALDRICH. The rate on hammers is just as high.

Mr. PLUMB. I am speaking in proportion to their value, the ad valorem duty. The equivalent, according to the statement made up by the committee, in the one case is 15.81, or less than 16 per cent.; and in the other case it is 102.75 per cent. There is a difference of six times, and this stands out here with a bold prominence which attracted my attention at once. In addition to that, my knowledge of the fact that this combination had existed and that it had, as I believe, unduly increased the price of these articles to the American consumer, led me to propose to reduce the duty still further below what is proposed by the committee.

I know one of the contractors of the Texas state-house told me that they got the same reply as to prices from all the manufacturers in this country, with no suggestion of any competition or anything of that kind; in fact, they found there was no competition; the price could not be broken, and the manufacturers were entirely indifferent whether they sold or not.

Mr. ALDRICH. The Senator will allow me to say that the price upon the other side was $24 a ton, and a duty of $27 a ton makes $51; and as the price here is $81, it strikes me that affords quite a margin of profit to somebody.

Mr. PLUMB. That is so, and I presume that will appear so to any one, except the manufacturers, and yet these manufacturers will not scruple to take it if they can get it. The Senator ought to have more acquaintance with them than I have; but I venture to say that they will take $30 a ton, and they will take $40, if they can get it.

Mr. ALDRICH. Does the Senator from Kansas state that it is larger than $30 a ton? There has been but $164,000 worth of these articles imported.

Mr. PLUMB. I do not know about that; but I can imagine a condition of things whereby these people have got the particular forms necessary for use in the kind of buildings being erected in this country, and by making up the combination which I have suggested they were enabled for the time being at least to control the market and realize these enormous profits.

That leads me to say that one of the features of these combinations is that certain people will get enormous profits in a short time and as long as they possibly can, and when they get themselves sated, they will shut down, and they will always do that rather than run the risk of raising the wages of their laborers. The Senator from Colorado [Mr. TELLER] says that somebody else will begin then; but we do not want to continue that condition of things. We want a more uniform state of things. We do not want enormous profits to-day to be followed by knock-down prices to-morrow. We want the relation of the law to this form of manufacture, as with the other forms, to be such as will give us as early as possible a uniform price, and that uniform price which, while yielding profit to the manufacturers, affords decent and proper wages to the laborer, and no more. I agree to all the Senator said about the effects of the protective system; but I do not propose, so far as I am concerned, in the maintenance of the protective system to give undue profit to the manufacturers, and I propose myself with the light I can get to determine what their profit ought to be and the relation of that profit to the duty; and as much as I respect the Senator from Rhode Island, I am not willing to have him say here, and conclude me, that we have got to abandon this measure if we change any item in the report of the committee. I understood the Senator to say that if we reduced the duties here we had either to recommit the bill or recast the entire schedule. I do not think so.

Bar-iron does not enter into the manufacture of these steel beams, at least not to an appreciable degree, and the duty on bar-iron, therefore, has no relation to this duty, and the duty on bar-iron, according to the schedule of the committee, is much less than it is on steel beams.

Mr. ALDRICH. How can iron beams and girders be made except from bar-iron?

Mr. PLUMB. The beam is rolled by itself; that is the larger part of it. It is a separate article, just like the steel rail.

Mr. ALDRICH. I should like to know how an iron beam can be made without an iron bar.

Mr. PLUMB. It is not an iron bar, and the Senator will see that his own bill describes an iron bar as a different thing, and imposes a different duty. Therefore it is not the same manufacture at all. Bar-iron is one thing, and these beams, girders, joists, channels, TT columns and posts, etc., are a different thing, and the one might be admitted free of duty without practically affecting the trade in the other. The Senator will find that bar-iron, according to the table furnished with the report of the committee, only has imposed upon it a duty of 48.61 per cent. Now you propose to more than double that on these steel beams. I say that the mere statement of itself calls on the committee to defend its action.

Mr. ALDRICH. The statement which the Senator has last made shows the utter absurdity of his position. He says that the duty upon bar-iron is only fixed here at 48.61 per cent., while the duty of 1.1 cents per pound is 100 per cent. on iron beams and girders, which must be made from bar-iron. There is no other possible way in which they can be made.

I suppose there is a certain amount of seriousness in the argument which the Senator from Kansas has been making. Does he mean to say that there being a profit of $30 a ton upon the importation of these steel and iron beams would make any difference if a combination were possible on this side to effectuate that result, whether the duty was 1.1 cents a pound or six-tenths of a cent? If the condition of things is possible by which $30 per ton profit can be made, certainly the difference in duty does not enable them to do that. It must be some cause outside of the tariff. It must be some extraordinary demand or some fact by reason of which manufacturers can not produce the articles from the other side and bring them here. It certainly is not dependent upon the duty, which in itself is not equal to the amount of profit.

The Senator must see that reducing the duty from 1.1 cents to six-tenths or eight-tenths of a cent per pound would not cure that evil. He says that one of these articles could be put upon the free-list without affecting the other. I think the Senator from Kansas upon consideration will have to modify that statement, because if bar-iron or steel billets are put upon the free-list and a duty of six-tenths of a cent is maintained upon iron and steel beams, no iron and steel will be imported in the form of beams; they will be brought as bar-iron or steel billets, and *vice versa*. The competition is so great and the natural laws of trade are such that when you reduce the rate of duty upon any article in this iron or steel schedule below the normal rate or below the symmetrical rate to which it is entitled, as in the case of tin-plates, you immediately destroy that industry or you destroy the symmetry of the bill, and you prevent justice to the American manufacturer.

That is simply what I stated. As I said, if this duty is reduced to six-tenths of a cent a pound upon the motion of the Senator from Tennessee, it will necessarily involve a recasting and modification in every item of the measure of the committee, if we mean to be just—and that is certainly what the committee mean to be—and they have fixed this rate after long investigation, because they thought it was necessary for the protection of the American manufacturer. And I will say here that so far as I am concerned, I care not whether the average shown by the Treasury Department is 49 per cent. or 149 per cent., if it is necessary for the protection of the American manufacturer, conceding that the industry is entitled to protection, it shall have my vote and my support.

Mr. PLUMB. Mr. President, the Senator has introduced steel billets as an element in the manufacture of steel, which is true, but that was not introduced before. I was speaking of bar-iron. Let us see what bar-iron is:

> Bar-iron, rolled or hammered, comprising flats not less than 1 inch wide nor less than three-eighths of 1 inch thick.

The Senator does not mean to say that bar-iron of that kind enters into the manufacture of steel beams?

Mr. ALDRICH. That is exactly what I say—not less than 1 inch. It may be 20 inches.

Mr. PLUMB. I take issue with the Senator on that. I understand that that means an entirely different thing from these beams and girders formed in special form. They are not bars in any sense.

Mr. ALDRICH. But the beams must be made from bar-iron, and can be made in no other way. Bars are the raw material from which the beams are made.

Mr. PLUMB. I take the questions of valuation and rate of duty here as shown by the report of the committee, and while I might perhaps be willing to say with as much fervor as the Senator from Rhode Island that whatever is necessary I will vote to maintain, I do say the

onus is on the committee to show that a duty of 90 per cent. is necessary in one case, being six times more than that on the ordinary form of iron manufacture.

Mr. ALDRICH. I suggest to the Senator from Kansas that the committee are in no sense responsible for the figures which are placed here as the ad valorem rates. Those are the ad valorem rates furnished by the Treasury Department. They are based upon valuations which I say are false and misleading, and so far as the committee is concerned we disclaim any responsibility as to the character of the figures.

Mr. PLUMB. Is it not a little singular that they are only false and misleading in one case, while lower down there is a 16 per cent. rate, and in paragraph 131 as low as 31 per cent., and that in this particular paragraph 130 there should be this conspicuous error, which the Senator says exists, up to 102 per cent.?

Mr. ALDRICH. I thought I made myself understood that all of them are misleading or liable to be misleading.

Mr. PLUMB. But the theory is that it is the interest of the foreign importer to reduce the value; and if that be so, it seems that certainly is disputed by paragraph 129.

Mr. ALDRICH. There are only $1,450 of value of the article the Senator mentions imported into this country. It might have been some particular form of the large amount of tools mentioned in paragraph 129. It furnishes no guide whatever of any nature or description as to the proper duties to be levied upon these articles, and if the Senator from Kansas will give the subject investigation as intelligent and faithful as I know he can do, he will certainly arrive at the same conclusion.

Mr. PLUMB. Thereupon, Mr. President, I move that the Senate adjourn.

Mr. PLATT. Will the Senator withhold that motion for a moment that I may make a motion to recommit a bill?

Mr. PLUMB. I withdraw it.

JOHN H. NEWMAN.

Mr. PLATT. Just at the close of the last session I objected to the consideration of a bill for the relief of John H. Newman, deceased. It is Calendar number 2094, House bill 834. Since that time considerable evidence has been submitted to me pro and con, and, with the consent of the Senator from Arkansas who made the report [Mr. JONES], I move the recommitment of the bill and the reference to the committee of the papers which I have.

I desire to say that I do not wish to delay the consideration of the case by this motion, and I would like to have the order of the Senate that when the committee has examined and reported the bill it will take the place which it now occupies upon the Calendar.

The PRESIDENT *pro tempore*. The motion of the Senator from Connecticut can only be entertained by unanimous consent. If there be no objection, the bill named, with the accompanying papers submitted by the Senator from Connecticut, will be recommitted, the understanding being that when again reported it shall resume its place upon the Calendar. The title of the bill will be read.

The SECRETARY. A bill (H. R. 834) for the relief of the heirs of John H. Newman, deceased.

MATTHEW W. BERRYMAN.

Mr. COCKRELL. I hope the Senator from Kansas will withdraw his motion until I can ask for action on a motion to reconsider House bill 925 for the relief of Matthew W. Berryman, made during the last session, and the bill recommitted to the Committee on Military Affairs.

The PRESIDENT *pro tempore*. The bill having passed the Senate and having been recalled from the other House, the motion to reconsider the vote by which the bill was passed will be agreed to if there be no objection, and also the vote by which the bill was ordered to a third reading, and the bill recommitted.

Mr. COCKRELL. I now present papers which I ask may be referred to the Committee on Military Affairs with the bill.

The bill, with the accompanying papers, was referred to the Committee on Military Affairs.

THE REVENUE LAWS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

Mr. PAYNE. I ask permission of the Senator from Kansas [Mr. PLUMB] to make a single remark before adjournment upon a point that has been raised in the discussion of the tariff.

I have had occasion to know something about the manufacture of structural iron, and there may be some facts pertaining to that which do not affect the application of duties to most other forms of manufactures of iron and steel.

There are but two or three rolling-mills in the country that are equipped to manufacture many classes of structural iron. We have one at Pittsburgh, the Carnegie works; they are prepared to manufacture all sizes and all forms. I believe the machinery in one of the mills in Chicago has this year been enlarged for the purpose of meeting the increased demand that is now made for that article in recent structures.

I had occasion in my own case to ascertain these facts. We have five or six rolling-mills in Cleveland, and one of them is among the largest steel and iron rolling mills in the United States. I happened to be associated with that enterprise in the directory, and have urged the enlargement of the works to fill orders for structural iron and steel, but they have not done it on account of the very great cost and the amount of capital that would be required for it. They can not afford to do it because it requires so large an investment for the construction of the plant. There would have to be a great many patterns and a great variety of sizes of steel used for this purpose. There is, however, a large and increasing demand.

I do not know how it is in the Atlantic cities, in New York and Philadelphia, but I suppose they probably have works adapted to rolling the various sizes of structural iron. The contractor for a moderate-sized building in my city would be compelled to purchase a large proportion from the Carnegie works at Pittsburgh. It requires an immense amount of money and an innumerable variety of patterns to enable them to do it, and that is the reason why there is so little competition. The whole Western country is dependent upon the Carnegie works for iron structures. Contractors who take orders for the erection of buildings requiring many sizes of structural iron and steel are compelled to obtain their material from the Carnegie works.

I have to say to the honorable Senator from Kansas that I know of no combinations in the country in the manufacture of this structural iron and steel. If there are such combinations, I have not heard of them. I know that Carnegie will give prices to all works and all contractors alike, and our contractors who take contracts to erect a public building that requires such articles must pay them the price that they demand. There can not be much competition, and I do not think that in the case of structural iron it would be safe to reduce the duties that the committee have reported; and, for one, I shall be compelled to sustain the committee on that point.

PENSIONS TO ARMY NURSES.

Mr. PLUMB. I renew my motion.

Mr. BLAIR. I wish to call attention to a bill if the Senator will yield.

Mr. PLUMB. I yield.

Mr. BLAIR. I wish to call the attention of the Senator from Missouri [Mr. COCKRELL] to Calendar number 273, Senate bill number 373, for the relief of women enrolled as Army nurses, and to ascertain from him whether he has yet received the long hoped for information from the War Department with reference to that bill?

Mr. COCKRELL. I have not received it and have despaired of receiving it, but shall not ask further delay upon the matter when the case is reached regularly in its order.

Mr. BLAIR. Then, as I understand, the Senator is ready to proceed so far as that matter is concerned with the consideration of the bill at any time.

Mr. COCKRELL. Yes, sir.

The PRESIDENT *pro tempore*. The Senator from Kansas [Mr. PLUMB] moves that the Senate do now adjourn.

The motion was agreed to; and (at 3 o'clock and 3 minutes p. m.) the Senate adjourned until Monday, December 10, 1888, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *December* 6, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

The following additional members appeared and took their seats:

Mr. JOHN H. ROGERS, of Arkansas.
Mr. RALPH PLUMB, of Illinois.
Mr. GEORGE T. BARNES, of Georgia.
Mr. WILLIAM H. HATCH, of Missouri.
Mr. F. M. SIMMONS, of North Carolina.
Mr. R. H. M. DAVIDSON, of Florida.
Mr. W. BOURKE COCKRAN, of New York.
Mr. M. L. CLARDY, of Missouri.
Mr. DAVID WILBER, of New York.
Mr. T. R. STOCKDALE, of Mississippi.
Mr. G. E. BOWDEN, of Virginia.

CONTINGENT EXPENSES OF THE WAR DEPARTMENT.

The SPEAKER laid before the House a letter from the Secretary of War, transmitting a statement of the expenditures for contingent expenses of that Department for the fiscal year 1888; which was referred to the Committee on Expenditures in the War Department.

TESTS OF IRON AND STEEL.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Ordnance, a report by Lieutenant-Colonel Parker, commanding the Watertown arsenal, of tests of iron and steel and other materials for industrial purposes; which was referred to the Committee on Appropriations, and ordered to be printed.

ACCOUNTS SETTLED BY THE FIRST COMPTROLLER.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting copies of accounts rendered to and settled by the First Comptroller of the Treasury for the fiscal year 1888; which was referred to the Committee on Expenditures in the Treasury Department.

CLAIMS UNDER THE BOWMAN ACT.

The SPEAKER also laid before the House letters from the assistant clerk of the Court of Claims, transmitting a list of cases of claims for stores and supplies furnished the United States during the late civil war, under the provisions of the Bowman act, which have been dismissed by the court for want of jurisdiction; which was referred to the Committee on War Claims, and ordered to be printed.

SPOLIATION CLAIMS.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting conclusions of law and of fact and the opinion of the court in certain spoliation claims; which was referred to the Committee on Claims, and ordered to be printed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. NEWTON, for two weeks, on account of ill health.

To Mr. NUTTING, indefinitely, on account of sickness.

To Mr. O'NEILL, of Missouri, for eight days, on account of important business.

RESIGNATION OF HON. PERRY BELMONT.

The SPEAKER. The Chair will state to the House that he has received a communication from the Hon. PERRY BELMONT, announcing that he has sent to the governor of New York his resignation as a member of the House of Representatives from the First Congressional district of that State, and the Clerk will therefore be directed to omit his name hereafter from the roll-call.

DISTRIBUTION OF THE PRESIDENT'S MESSAGE.

Mr. MCMILLIN. Mr. Speaker, I am instructed by the Committee on Ways and Means to report a resolution providing for the distribution of the President's message, and I ask that it be referred to the Committee of the Whole House on the state of the Union, where the message has already been referred.

There was no objection, and it was so ordered.

Mr. MCMILLIN. If the gentleman having in charge the special order for to-day does not desire to press it immediately, I will ask his permission to make a motion that the House now go into Committee of the Whole for the purpose of disposing of this resolution. I do not think it will take more than five minutes.

Mr. CASWELL. All right.

Mr. MCMILLIN. Then, Mr. Speaker, I move that the House do now resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering the resolution which has just been reported from the Committee on Ways and Means.

The motion was agreed to; and the House accordingly resolved itself into Committee of the Whole, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole on the state of the Union for the consideration of the resolution which the Clerk will read.

The Clerk read as follows:

Resolved, That so much of the annual message of the President of the United States to the two Houses of Congress at the present session as relates to our foreign affairs, including appropriations therefor, together with the accompanying correspondence and documents, the British-American fisheries, the Alaska-Columbian coastal boundary, our Samoan interests, Chinese and Japanese indemnity, Chilian war claims of American citizens, the regulation of issue of passports and reorganization of the consular service, be referred to the Committee on Foreign Affairs.

That so much of said message and accompanying documents as relates to the public debt and the public revenues, to the national finances, to the revenue provisions of treaties with Mexico and other countries, the commercial relations with foreign countries having connection with revenue questions, the necessity of the limitation of the revenues of the Government to its economical administration, to the wants and condition of the Treasury and the reduction of its surplus, be referred to the Committee on Ways and Means.

That so much of said message and accompanying documents as relates to the appropriation and expenditure of the public moneys for the support of the Government., *i. e.*, for legislative, executive, and judicial expenses, for sundry civil expenses, for fortifications, for the District of Columbia, for pensions, and for all deficiencies, be referred to the Committee on Appropriations.

That so much as relates to the judiciary of the United States, and touching legislation affecting the Department of Justice, be referred to the Committee on the Judiciary.

That so much as relates to the commerce of the United States, national or interstate, be referred to the Committee on Commerce.

That so much as relates to agriculture, including appropriations therefor, be referred to the Committee on Agriculture.

That so much as relates to the Army of the United States, including appropriations therefor and to providing an armament for defense on the seacoast, be referred to the Committee on Military Affairs.

That so much as relates to the Navy of the United States, and the reconstruction of our naval establishment, including appropriations therefor, be referred to the Committee on Naval Affairs.

That so much as relates to postal affairs, including appropriations therefor, be referred to the Committee on the Post-Office and Post-Roads.

That so much as relates to the public domain and legislation to prevent frauds and revive the homestead policy in the disposal of our public lands, be referred to the Committee on Public Lands.

That so much as relates to the care, education, and management of the Indians be referred to the Committee on Indian Affairs.

That so much as relates to pension laws and their modifications and revision be referred to the Committee on Invalid Pensions.

That so much as relates to the District of Columbia and suggested legislation be referred to the Committee on the District of Columbia.

Mr. MCMILLIN. I move the adoption of this resolution.

Mr. GROSVENOR. I rise to a parliamentary question.

The CHAIRMAN. The gentleman will state it.

Mr. GROSVENOR. I could not hear the reading of this entire resolution, and I wish to inquire whether it is proposed to refer any part of the President's message to the Committee on Reform in the Civil Service.

The CHAIRMAN. The Chair is unable to advise the gentleman. The gentleman from Tennessee [Mr. MCMILLIN] moves that the committee rise and report this resolution to the House with the recommendation that it be adopted.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union, having had under consideration the annual message of the President of the United States, had recommended the adoption of the resolution which he was directed to report to the House.

The resolution was adopted.

Mr. MCMILLIN moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

REFUND OF DIRECT TAX.

Mr. CASWELL. In accordance with the order made yesterday, I desire to call up Senate bill No. 139, providing for a refund of the direct tax of 1861.

The SPEAKER. The gentleman from Wisconsin [Mr. CASWELL] moves that the House now resolve itself into Committee of the Whole——

Mr. OATES. Before that question is put, Mr. Speaker, permit me to say a word. I have learned from a good many gentlemen on each side of the Chamber that they would be glad to have a change in the order in regard to this bill, as they desire no session of the House on next Saturday, wishing to devote that day to Department business. I therefore ask unanimous consent that the order be modified so as to substitute Tuesday for Saturday, and Wednesday for Tuesday.

The SPEAKER. Is there objection to the request that the vote be taken on this bill on Wednesday next, instead of Tuesday, and that Saturday be omitted from the order; the order in other respects to stand just as it is?

Mr. CASWELL. It has been suggested to me that Saturday be dropped out entirely, and that we consume only to-day and Tuesday upon this subject.

Mr. WEAVER. I think that would be better. Does not the gentleman from Alabama [Mr. OATES] think that would allow sufficient time?

Mr. OATES. No, we can not agree to that, as a number of gentlemen have indicated a desire to speak on this subject.

Mr. CASWELL. I see no objection to the proposition of the gentleman from Alabama.

The SPEAKER. If there be no objection, the order will be modified as proposed. The Chair hears none.

Mr. OATES. Mr. Speaker, one word further before proceeding with this question. I was not in my seat yesterday when this order was made, or I should have asked some understanding in regard to one or two other points. With the view of facilitating proceedings and securing greater harmony I ask, in the first place, unanimous consent that any gentleman who desires to do so may either extend his remarks or print remarks in the RECORD touching this bill.

The SPEAKER. Is there objection to the request just stated by the gentleman? The Chair hears none.

Mr. OATES. Now, Mr. Speaker, the regular order of proceeding in Committee of the Whole will be, of course, first, to consider and vote upon amendments of the committee or other amendments seeking to perfect the text of the bill. I desire consent that other amendments which are intended to be offered may be presented, read, printed in the RECORD, and considered as pending, to be offered formally and voted upon in the usual order, and that general debate be concluded at some hour to be agreed upon on Tuesday.

The SPEAKER. The gentleman from Alabama asks unanimous consent that all gentlemen having amendments to offer to this bill in Committee of the Whole on the state of the Union have leave to do so, and that such amendments be considered as pending, to be voted upon in their order when reached. Is there objection to this request?

Mr. GROSVENOR. Will that carry amendments over into the House, so that they can be voted upon by a yea-and-nay vote?

The SPEAKER. The Chair thinks that when the previous question is considered as ordered under the rule adopted yesterday, all amendments which may be pending would be embraced in the operation of the previous question, and would have to be voted upon.

Mr. REED. I think the gentleman from Alabama [Mr. OATES] should confine his request to the printing of these amendments, for un-

til they are printed the House can not know to what it is giving its consent.

Mr. OATES. I will state for the information of gentlemen on the other side that there are several members who desire to speak upon amendments to be offered, and such remarks would not be in order if the offering of the amendments must be postponed. Of course the amendments would not be formally offered, and could not be, until we begin to act under the five-minute rule.

Mr. REED. Any gentleman under the order already adopted can state what his amendment is, and discuss it quite as well as under his proposed modification that it shall be printed and voted on. I suggest the gentleman confine his request at present to the printing of his amendments and afterwards ask the consent of the House as to a vote on them.

Mr. OATES. I prefer they shall be considered as pending, not formally offered, but printed for the information of the House.

Mr. CASWELL. How is that?

Mr. OATES. That they shall be printed in the RECORD and considered as pending, but not formally offered.

Mr. CASWELL. That is to omit the reading, but to print them in the RECORD?

Mr. REED. That modifies the agreement which has been already made, which was that we were to vote on the amendments already offered; was it not?

Mr. OATES. Amendments to the text of the bill would come first.

The SPEAKER. Any amendment presented with the understanding it is to be considered as pending would have to be voted on unless there is action on the part of the House to the contrary.

Mr. OATES. My desire is that the amendments shall be considered as pending and to be voted on.

Mr. CASWELL. Let them be offered and printed in the RECORD so that we may know what is to be offered, and then let them be voted upon as the House may determine.

The SPEAKER. The gentleman from Wisconsin [Mr. CASWELL] objects to the request made by the gentleman from Alabama in its present form, and suggests it be confined at present to the offering and printing of amendments in the RECORD.

Mr. DINGLEY. That the amendments shall be offered simply for printing in the RECORD, as I understand it.

Mr. FARQUHAR. That is all.

Mr. CASWELL. That is my suggestion.

The SPEAKER. Is that modification agreed to?

Mr. MCMILLIN. What is it?

The SPEAKER. The Chair will state it again. The gentleman from Wisconsin [Mr. CASWELL] objects to the request of the gentleman from Alabama [Mr. OATES] in the form in which it is made, but suggests that gentlemen desiring to do so may present amendments to the bill and have them printed in the RECORD; the understanding to go no further at present.

Mr. OATES. I prefer it in the form in which I originally proposed it.

Mr. CASWELL. There are so many objections to that I can not consent to it.

Mr. OATES. I will say, Mr. Speaker, that I do not desire to take any advantage, but my object is merely to facilitate the business of the House. I wish gentlemen having amendments to offer may be allowed to put them in and have them printed in the RECORD; that they shall not be formally offered until the proper time, under the rules, to be voted on.

Mr. RYAN. If offered under the order, then they are pending and must be voted on.

Mr. CASWELL. And to that I can not consent.

Mr. OATES. I have myself amendments which I desire to offer.

Mr. REED. I would suggest to the gentleman from Alabama to send his amendments up to the desk and to ask unanimous consent as to those amendments. All the objection now is as to acting in the dark.

The SPEAKER. Under the order no amendments can be voted on in the House except as reported by the Committee of the Whole House on the state of the Union. The modification suggested by the gentleman from Alabama would result in having the amendments voted on which are to be considered as pending.

Mr. REED. The original agreement was made as an abridgment of time so we might come to action on the bill. It is very desirable the understanding unanimously agreed to by the House should be carried out at this time. No one has any objection to make to any concessions which may be reasonable, but we wish to know what they are before they are agreed to.

Mr. OATES. So far as I know, Mr. Speaker, no one wishes to put in any amendments with a view to killing time. We wish to conform to the order of the House in good faith. We wish to have the bill reported from the Committee of the Whole House on the state of the Union in good faith with such amendments as may be adopted. The modification I have suggested to the original order is with a view to facilitate the business of the House.

Mr. REED. Send up your amendments and have them read.

Mr. ROGERS. I ask the attention of the gentleman from Alabama for a moment. It is probable—more than probable—that the amendments which are now proposed to be offered by him will cover an amendment to this bill that I myself desired to offer; but until I have heard his amendments read I do not wish to give my consent to any arrangement which will deprive me of the right if I shall desire to submit the amendment.

Mr. REED. Perhaps we had better go on under the present arrangement.

Mr. OATES. I think my amendment covers the amendment of the gentleman from Arkansas, as I understand it.

Mr. ROGERS. I think it very likely it does, as I left my amendment with the gentleman from Alabama at the last session. Still I do not desire to be precluded from the right to offer an amendment.

The SPEAKER. The proposition of the gentleman from Alabama is not confined to his amendment, but embraces all.

Mr. REED. And that is just the trouble about it. It is too vague and indefinite.

Mr. BURROWS. Mr. Speaker, I wish to inquire if the terms of the proposition submitted by the gentleman from Alabama are not so sweeping as to preclude, if accepted, the possibility of even raising points of order against any of the amendments which may be offered and which may be liable to a point of order?

The SPEAKER. The Chair thinks so, unless that right is expressly reserved; because if the amendments are considered as pending it will then be too late to interpose the point of order.

Mr. OATES. I do not desire to prevent the point of order being made against any amendment.

Mr. BURROWS. But the terms suggested by the gentleman are so broad that I think they would preclude all points of order.

Mr. CASWELL. I see no harm in consenting that the amendments may be presented and printed in the RECORD. But beyond that I do not think it wise to go.

The SPEAKER. The Chair has already submitted that request to the House, and so far there has been no response. The Chair will again submit the request. Is there objection to the request of the gentleman from Wisconsin [Mr. CASWELL] that any amendment which any member desires to offer may be presented now, or in committee after the House has gone into committee, and be printed in the RECORD?

Mr. FARQUHAR. For information.

The SPEAKER. That is the request of the gentleman from Wisconsin.

Mr. WILSON, of Minnesota. Do I understand that if that arrangement be adopted it would preclude the offering of amendments at a later date than the present time?

The SPEAKER. Not at all.

Mr. CASWELL. That is not the intention.

The SPEAKER. Is there objection to the request?

Mr. OATES. Mr. Speaker, if the gentleman would modify his request so as to allow amendments which I desire to offer to be printed in the RECORD and considered as pending——

The SPEAKER. That has been objected to, but the Chair will again submit the request. Is there objection to the request of the gentleman from Alabama, that the amendment he now desires to offer may be printed and regarded as pending?

Mr. GROSVENOR. The objection is to the use of the words "considered as pending."

Mr. HOLMAN. But subject to the point of order.

Mr. CASWELL. We desire to reserve all points of order against any amendment.

Mr. OATES. I consent to that modification.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. REED. The understanding is that they are to be presented now?

The SPEAKER. Now or after the House has gone into Committee of the Whole. It can be done by consent now.

Mr. REED. But let it be understood, if this agreement is made, that they are to be presented at once, and not to be offered all along the line.

The SPEAKER. The Chair has stated that they may be offered now or after the House has gone into Committee of the Whole.

Mr. GROSVENOR. The objection to the words "considered as pending" has not been withdrawn.

Mr. OATES. I have only asked that this order apply to the amendments that I shall myself offer at this time.

Mr. GROSVENOR. If I knew the character of the amendments and the number of them, I might consent to withdraw the objection.

Mr. OATES. There are but four of them.

Mr. REED. Then let them be read.

Mr. OATES. I will offer them at the proper time, if this agreement is entered into.

Mr. GROSVENOR. We must know what they are.

The SPEAKER. No agreement has been made. Objection is made by the gentleman from Alabama to the request of the gentleman from Wisconsin; and the gentleman from Ohio objects to allowing the amendments proposed by the gentleman from Alabama to be considered as pending.

Mr. CASWELL. I move that the House resolve itself into Committee of the Whole House on the state of the Union to consider the special order.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House, Mr. SPRINGER in the chair.

The CHAIRMAN. The Clerk will now report the title of the special order fixed for consideration to-day.

The Clerk read as follows:

A bill (S. 139) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861.

The bill was read at length.

Mr. CASWELL. Mr. Chairman, the merits of this bill are so well understood that it would be but a useless consumption of time to occupy the attention of the committee in further explanation. Later on, in the course of the debate, when new questions arise under the amendments proposed to the bill, I shall perhaps desire further time upon the floor to explain. For the present, I will state to the committee that this bill simply proposes to refund to the States and to individuals that portion of the direct tax levied in 1861 which was collected, and to remit the collection of the uncollected portion of the tax. I have made a careful computation of the amount which the bill will carry and find it to be $15,227,632.03. This does not include the 15 per cent. commissions which were allowed to the States, or to those who paid the tax. The bill further provides, as I have said, that the amount which is now uncollected shall be canceled, which amount will be $2,562,401.29. For the information of the House I will submit and have printed in the RECORD a letter from the Comptroller, dated March 2, 1888, giving a very carefully prepared statement of the condition of this matter, so far as he is able to do so, and I will accompany it with the tables submitted by him and also the computation which I have myself made, showing the amount to be refunded to each State, and the amount that would be canceled still remaining due from the States.

There are only two amendments pending. These amendments were submitted by the Judiciary Committee when they had the bill under consideration and made their report. One is adding the words "collected by offsets or otherwise," so that where an offset was made upon the fund and the United States had the benefit of it, the money will be paid to the State the same as though they paid the money. The other has reference to State agents; so that the money may be paid directly to the State, and not to State agents. These are the only two amendments that are now pending.

The letter and tables to which I have referred are as follows:

TREASURY DEPARTMENT, FIRST COMPTROLLER'S OFFICE,
Washington, D. C., March 2, 1888.

SIR: Your letter of the 27th ultimo to the Secretary of the Treasury has been referred to this office.

In reply I have to state that the report of the committee appointed to examine the direct-tax accounts was approved by this Department, and adjustments have been made as recommended, as shown in the inclosed statement, and which gives all balances due to the United States on account of direct tax uncollected. The accounts of the States and Territories not therein named are balanced and closed. From an estimate made in this office it appears that to pay back the direct tax proper to the several States and Territories, after deducting the amounts credited under acts of Congress and amounts paid back under appropriations for the 15 per cent. and the amounts of the judgments for certain set-offs obtained in the Court of Claims, there will be required (approximately) $15,035,000.

An estimate of the amount required to pay the amounts collected by the direct-tax commissioners, incidental to the tax, namely, penalties, interest, costs, and the amounts involved in the sales and redemptions of land, etc., would involve months of labor and would require the examination of many hundred claims for the refund of money collected under the direct-tax laws that have been passed upon during the last twenty-five years.

Respectfully, yours,

M. J. DURHAM, *Comptroller.*

Hon. L. B. CASWELL,
House of Representatives, Washington, D. C.

Statement in relation to direct tax.

Name of State or Territory.	Amount of direct tax charged.	Amount of tax collected by direct-tax commissioners from citizens.	Amount collected from the State by set-off of amount due to the State.	Total amount collected and credited.
Alabama	$529,313.33		$22,520.24	$22,520.24
Arkansas	261,886.00	$154,701.18		154,701.18
Florida	77,522.67	4,766.26		4,766.26
Georgia	584,367.33	82,427.47	35,555.42	117,982.89
Louisiana	393,886.67	314,500.84	71,385.83	385,886.67
Mississippi	413,084.67	69,584.55	43,740.11	113,324.66
North Carolina	576,194.67	377,452.61		377,452.61
South Carolina	363,579.67	222,396.36		222,396.36
Tennessee	669,498.00	392,004.48		392,004.48
Texas	355,106.67	180,841.51		180,841.51
Virginia	729,071.02	442,408.09		442,408.09
Wisconsin	519,688.67		{*454,944.84 / †73,153.26}	528,098.10
Colorado	22,905.33			22,189.96
Utah	26,982.00			
Washington	7,755.33			4,268.16

* Collected from State. † Credited, equal 15 per cent.

Statement in relation to direct tax—Continued.

Name of State or Territory.	Balance of tax uncollected and due to the United States.	Balance overpaid and due to the State.	Amount of judgment recovered in Court of Claims on account of offsets.	Balance due the United States after said judgments are charged back in direct-tax account of the State.
Alabama	$506,793.09		$18,285.03	$525,078.12
Arkansas	107,184.82			
Florida	72,756.41			
Georgia	466,384.44			
Louisiana	Balanced.		71,385.14	71,385.14
Mississippi	299,760.01		41,453.91	341,213.92
			131,124.08	
North Carolina	198,742.06			
South Carolina	141,174.31			
Tennessee	277,493.52			
Texas	174,265.16			
Virginia	286,662.93			
Wisconsin		$8,409.43		
Colorado	715.37			
Utah	26,982.00			
Washington	3,487.17			

I have carefully computed the amount which will be refunded to the States and Territories under this bill, the amount of commissions allowed, and the amount unpaid and which will be canceled, and I submit the statement for the use of the House:

States and Territories.	Amount levied.	Amount collected and to be refunded.	15 per cent. commission allowed.	Balance due to be canceled.
Alabama	$529,313.33	$22,520.24		$506,793.09
Arkansas	261,883.00	154,701.18		107,184.82
California	254,538.67	222,955.41	$31,583.26	
Colorado	22,905.33	22,189.96		715.37
Connecticut	308,214.00	261,981.90	46,232.10	
Dakota	3,241.33	3,241.33		
Delaware	74,683.33	70,332.83	4,350.50	
District of Columbia	49,437.33	49,437.33		
Florida	77,522.67	4,766.26		72,756.41
Georgia	584,367.33	117,982.89		466,384.44
Illinois	1,146,551.33	974,568.63	171,982.70	
Indiana	904,875.33	769,144.03	135,731.30	
Iowa	452,088.00	384,274.80	67,813.20	
Kansas	71,743.33	60,981.83	10,761.50	
Kentucky	713,695.33	606,641.03	107,054.30	
Louisiana	385,886.67	385,886.67		
Maine	420,826.00	357,702.10	63,123.90	
Maryland	436,823.33	371,299.83	65,523.50	
Massachusetts	824,581.33	700,894.14	123,687.19	
Michigan	501,763.33	426,498.83	75,264.50	
Minnesota	108,524.00	92,245.40	16,278.60	
Mississippi	413,084.67	113,324.66		299,760.01
North Carolina	576,194.67	377,452.61		198,742.06
South Carolina	363,570.67	222,396.36		141,174.31
Missouri	761,127.33	646,958.23	114,169.10	
Nebraska	19,312.00	19,312.00		
Nevada	4,592.67	3,903.77	688.90	
New Hampshire	218,406.67	185,645.67	32,761.00	
New Jersey	450,134.00	382,614.83	67,519.17	
New Mexico	62,648.00	62,648.00		
New York	2,603,918.67	2,213,330.86	390,587.81	
Ohio	1,567,089.33	1,332,025.93	235,063.40	
Oregon	35,140.67	29,869.57	5,271.10	
Pennsylvania	1,946,719.33	1,654,711.43	292,007.90	
Rhode Island	116,963.67	99,419.11	17,544.56	
Tennessee	669,498.00	392,004.48		277,493.52
Texas	355,106.67	180,841.51		174,265.16
Utah	26,982.00			26,982.00
Vermont	211,068.00	179,407.80	31,660.20	
Virginia	729,071.02	442,408.09		286,662.93
West Virginia	208,479.65	181,306.93	27,172.72	
Washington	7,755.33	4,268.16		3,487.17
Wisconsin	519,688.67	446,535.41	73,153.26	
Total		15,227,632.03	2,206,985.67	2,562,401.29

Now, Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman has occupied four minutes of his time.

Mr. OATES withholds his remarks for revision. [See Appendix.]

Mr. OATES. I ask the Clerk to read my first amendment.

The Clerk read as follows:

SEC. —. That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit and pay to each State a sum equal to the amounts collected therein respectively as a tax or duty on raw cotton under the provisions of the act approved July 1, 1862, and the supplemental and amendatory acts thereto; which sums when so credited and paid shall be accepted and held by such States to be disposed of as their respective Legislatures elected next after such payment may direct.

Mr. OATES. Mr. Chairman, the amendment which the Clerk will next read is one which I propose to offer, if the one just read, the adoption of which I prefer, be not adopted.

The Clerk read as follows:

SEC. —. That any citizen of the United States who owned raw cotton grown or produced in any one or more of said States, and who was required by any officer or agent of the United States to pay, and did pay, on such cotton any money as a duty or tax under the act approved July 1, 1862, or the act supplementary thereto approved July 13, 1866, entitled "An act to reduce internal taxation and to amend an act entitled 'An act to provide internal revenue to support the Government and pay interest on the public debt, and for other purposes,' approved June 13, 1864, and acts amendatory thereof," may at any time within two years after the approval of this act file his or her petition and bring suit in the Court of Claims against the United States for the recovery of the money so paid and collected from him or her as a duty or tax on said cotton; and the said Court of Claims shall hear all legal evidence and render judgment in such case; and within sixty days thereafter either party—the petitioner or the United States—shall have the right of appeal from such judgment to the Supreme Court of the United States for decision therein.

Mr. OATES. Mr. Chairman, I propose also to offer at the proper time the amendment which the Clerk will next read.

The Clerk read as follows:

SEC. —. That the right of action in the Court of Claims, under the provisions of the captured and abandoned property acts, be, and the same hereby is, revived and extended for one year from and after the passage of this act, including all cases of seizures under said acts, or under color thereof, either before or after June 30, 1865, without regard to any statute of limitations; and all claims for such property not filed in said court within that period shall be forever barred: *Provided, however*, That where any of such claims have been filed before the Secretary of the Treasury, and proof taken in relation thereto, under the provisions of the fifth section of the act of May 18, 1872, the proof so taken, whether upon the part of the Government or the claimant, where it is made to appear by affidavit that the witnesses are dead or can not be found, shall be used in evidence in the said Court of Claims as though taken in pursuance of the rules of said court; and that the Secretary of the Treasury, upon the call of said court, on the motion of either party, shall transmit said proofs and all the papers in the case to the said Court of Claims; and all judgments rendered in favor of the claimants shall be paid out of the captured and abandoned property fund, as provided by section 3689 of the Revised Statutes.

That in the trial of causes before the Court of Claims no person shall be excluded as a witness because he is a party to or interested in the same; and any claimant or party in interest in any suit may be examined as a witness on the part of the Government, and when refusing so to testify, or willfully testifying falsely, shall not be entitled to relief; and the testimony of such witness may be used by either party.

That if it shall appear to the court, in any case, that testimony has been duly taken by either party prior to the passage of this act, or that testimony taken in any other case under the rules of the court is pertinent to the issues involved, the same, so far as relevant, may be used in other cases pending in said court.

Mr. OATES. Mr. Chairman, this amendment, which will be offered at the appropriate time, is the substance of a bill now on the Calendar which the Judiciary Committee, through its chairman, the gentleman from Texas [Mr. CULBERSON], has reported to the House. Its object is to enable parties making claim to moneys which are a part of the captured and abandoned property fund to go into the Court of Claims and make proof for the purpose of obtaining the money to which they may be entitled. The Supreme Court has held that this fund, now amounting to some $10,000,000, does not belong to the Government of the United States, but is held in trust for these parties. The previous law on this subject having expired by limitation, there is now no law by which these parties can go into court, make proof, and obtain their money.

The next proposition which I desire to have read is one referred to by the gentleman from Arkansas, which is designed to come in as a proviso to the bill.

The Clerk read as follows:

Provided, That the Secretary of the Treasury, in making payment and settlement with any State, shall take into account and set off against the amount made due by this act to such State any amount which may be due by such State to the United States under an act approved June 23, 1836, entitled "An act to regulate the deposits of public money."

Mr. OATES. Now, Mr. Chairman, I ask unanimous consent that these amendments be printed in the RECORD.

The CHAIRMAN. They will be printed in the RECORD as part of the gentleman's remarks.

Mr. OATES. I prefer to have them printed independently for the information of the House, as I may withhold my remarks.

The CHAIRMAN. The gentleman asks unanimous consent that these amendments be printed in the RECORD. Is there objection? The Chair hears none.

Mr. OATES. How much time have I remaining?

The CHAIRMAN. The gentleman has occupied thirty minutes.

Mr. OATES. I reserve the remainder of my time.

Mr. CASWELL. The amendments just read were, as I understand, read only for information and were not regularly offered.

The CHAIRMAN. They were read as part of the remarks of the gentleman from Alabama.

Mr. OATES. I ask the attention for a moment of the gentleman from Wisconsin [Mr. CASWELL].

Mr. CASWELL. I am here.

Mr. OATES. I suppose the debate is to alternate on the one side and the other. If no one is ready to speak on the other side of the House, I would like to be informed of that fact.

Mr. CASWELL. We are entirely willing gentlemen on the other side should speak if any one is prepared to go on.

The CHAIRMAN. The Chair will recognize any gentleman on either side who is prepared to go on with the debate at this time on either side. [Cries of "Vote!"]

Mr. OATES. I will yield the floor to the gentleman from Georgia [Mr. BARNES] who is ready to proceed.

Mr. BARNES. Mr. Chairman, when I consider the important constitutional questions which are involved in the consideration of the measure before the House, I confess that I approach the argument with well-warranted misgivings. These misgivings do not come from any want of confidence in the soundness of the positions which I will this day assume. They spring rather out of distrust in my ability to present the argument in their behalf with the force which they merit, and from the knowledge that there is an indisposition in governments as well as individuals to afford adequate remedy for the wrongs and errors which they may inflict.

In the treatment of the question, however much repetition there may have been of certain points in the discussion heretofore, it is well, at least, at the outset, to understand what is the real question before us. The act of July 5, 1861, imposed a tax of $20,000,000 on the United States, and in accordance with the constitutional provision in regard to the subject of direct taxation, assessed it among the States in proportion to population.

That tax, let me call attention at the commencement of my remarks, Mr. Chairman, was a tax not levied on land as so many acres, but it was a tax levied on the value of the land, on the value of the improvements, on the value of the dwellings, and the value of lots of ground in the cities. This is an important distinction necessary to be borne in mind in the consideration of the act.

The act of 1862, amendatory of the act of 1861, was an act which had for its object the more rigorous enforcement of the collection of this tax in what were known as "the insurrectionary States." The operations under this act are fully set forth in the following table, marked A:

EXHIBIT A.—*Statement of the condition of the direct-tax accounts of the several States and Territories of the Union under eighth section act August 5, 1861, as appears from the books of the Register's Office, February 18, 1888.*

15 per cent. allowance.	State or Territory.	Amount imposed, etc.	Amount collected, etc.	Balance due United States.
	Alabama	$529,313.33	$22,520.24	$506,793.09
	Arkansas	261,886.00	154,701.18	107,184.82
(*)	California	254,538.67	254,538.67	
	Colorado	22,905.33	22,189.96	715.37
$46,232.10	Connecticut	308,214.00	261,981.90	
	Dakota	3,241.33	3,241.33	
†4,350.50	Delaware	74,683.33	70,332.83	
	District of Columbia	49,437.33	49,437.33	
	Florida	77,522.67	4,766.26	72,756.41
	Georgia	584,367.33	117,982.89	466,384.44
171,982.70	Illinois	1,146,551.33	974,568.63	
135,731.30	Indiana	904,875.33	769,144.03	
67,813.20	Iowa	432,088.00	364,274.80	
(*)	Kansas	71,743.33	71,743.33	
107,054.30	Kentucky	713,695.33	606,641.03	
	Louisiana	385,886.67	385,886.67	
63,123.90	Maine	420,826.00	357,702.10	
65,523.50	Maryland	436,823.33	371,299.83	
123,687.19	Massachusetts	824,581.33	700,894.14	
75,264.50	Michigan	501,763.33	426,498.83	
16,278.60	Minnesota	108,524.00	92,245.40	
	Mississippi	413,684.67	113,324.66	299,760.01
114,169.10	Missouri	761,127.33	646,958.23	
(‡)	Nebraska	19,312.00	19,312.00	
(*)	Nevada	4,592.67	4,592.67	
32,761.00	New Hampshire	218,406.67	185,645.67	
67,519.17	New Jersey	450,134.00	382,614.83	
(§)	New Mexico	62,648.00	62,648.00	
390,587.81	New York	2,603,918.67	2,213,330.86	
	North Carolina	576,194.67	377,452.61	198,742.06
235,063.40	Ohio	1,567,089.33	1,332,025.93	
(*)	Oregon	35,140.67	35,140.67	
292,007.90	Pennsylvania	1,946,719.33	1,654,711.43	
17,544.56	Rhode Island	116,963.67	99,419.11	
	South Carolina	363,570.67	222,396.36	141,174.31
	Tennessee	669,498.00	392,004.48	277,493.52
	Texas	355,106.67	180,841.51	174,265.16
	Utah	26,982.00		26,982.00
31,660.20	Vermont	211,068.00	179,407.80	
(‖)	Virginia	729,071.02	442,408.09	286,662.93
	Washington	7,755.33	4,268.16	3,487.17

* Payments made on account 15 per cent. allowance for cost of assuming collection, namely:

To California, September 10, 1884	$31,583.26
To Kansas, August 3, 1882	10,761.50
To Nevada, September 3, 1884	688.90
To Oregon, September 16, 1884	5,271.10

† In part on compromise.

‡ Nebraska—

Amount collected	4,281.60
Amount allowed by First Comptroller, March 27, 1884, under act August 7, 1862	15,030.40
	19,312.00

§ New Mexico: Amount allowed by First Comptroller, March 27, 1884, under act July 1, 1862 — 62,648.00

‖ Section 1, joint resolution February 25, 1867, authorized the Secretary of the Treasury to transfer $208,479.65 of the amount originally imposed on Virginia to the State of West Virginia.

L. W. REID, *Acting Register.*

EXHIBIT A.—*Statement of the condition of the direct-tax accounts of the several States and Territories of the Union, etc.*—Continued.

15 per cent. allowance.	State or Territory.	Amount imposed, etc.	Amount collected, etc.	Balance due United States.
*$27,172.72	West Virginia	$208,479.65	$281,306.93	
39,346.43	Wisconsin	519,688.67	528,098.10	
2,124,874.08		20,000,018.19	15,360,490.48	
	Total indebtedness of States, etc.			$2,562,401.29
	Deduct balance due Wisconsin			8,409.43
	Net indebtedness to the United States			2,553,991.86

*Section 1, joint resolution February 25, 1867, authorized the Secretary of the Treasury to transfer $208,479.65 of the amount originally imposed on Virginia to the State of West Virginia.

L. W. REID, *Acting Register.*

The column headed "15 per cent. allowance" shows the credit allowed States which assumed the payment of the tax for the expenses of collection. It will be seen that, including this allowance, about $17,500,000 have been paid and about $2,500,000 remain uncollected.

The purpose of the bill on your table is to execute a release as to the tax uncollected, and to refund the tax which has been collected to those who have paid it. Considered in that mere statement of the question, without regard to constitutional principles, as a mere isolated question, there is an appearance of equity in the claim. But it is true in reference to all taxes that they are never wholly collected. If taxes are to be refunded on the ground that a part remains unpaid, then there is an end to all taxation, and I may say to all government.

But neither justice nor right nor constitutional principles will permit the question of the repayment of this tax to be considered separate and apart from the repayment of other taxes which this Government has imposed and collected. One of the amendments which have been read proposes to amend this bill by restoring the taxes collected on cotton during and immediately after the war. It is to the consideration of the equities involved in this proposed amendment that I now desire to invite your attention.

In 1862 the Congress of the United States imposed a tax of half a cent per pound on cotton. In 1864 it increased that tax to 2 cents per pound. In 1866 Congress passed a further act increasing the tax on cotton to 3 cents a pound.

I now annex tables, taken from the report of the minority of the committee, which will show the operation of these acts, where the tax was collected, the States which paid it, and the amounts paid; and from these it will appear, Mr. Chairman, that the great bulk of what was known as the cotton tax was paid under the last of these acts.

EXHIBIT B.—*Table showing the total amount of cotton tax collected within each State and Territory.*

States.	Amount.	States.	Amount.
Alabama	$10,388,072.10	Missouri	$592,098.36
Arkansas	2,555,638.43	New Jersey	3,656.42
California	430.04	New York	867,942.68
Connecticut	193.64	North Carolina	1,959,704.87
Florida	918,944.98	Ohio	447,127.12
Georgia	11,897,094.98	Pennsylvania	78,535.06
Illinois	379,144.42	Rhode Island	2,421.73
Indiana	92,727.22	South Carolina	4,172,420.16
Kansas	286.15	Tennessee	7,873,460.71
Kentucky	553,327.45	Texas	5,502,401.24
Louisiana	10,098,501.00	Utah	1,375.34
Maryland	51,349.52	Virginia	825,856.87
Massachusetts	66,679.30		
Mississippi	8,742,995.93	Total cotton tax	68,072,388.99

Collections of duty on cotton for the years 1863 *to* 1868, *both inclusive.*

[Taken from the books of the office of the Commissioner of Internal Revenue.]

For the fiscal year ending June 30, 1863	$351,311.48
For the fiscal year ending June 30, 1864	1,268,412.56
For the fiscal year ending June 30, 1865	1,772,983.48
For the fiscal year ending June 30, 1866	18,409,654.90
For the fiscal year ending June 30, 1867	23,769,078.80
For the fiscal year ending June 30, 1868	22,500,947.77
Making the aggregate sum of	68,072,388.99

The total amount collected was over $68,000,000, of which my own State paid nearly twelve millions, of which the South paid more than sixty-four millions, and of which more than forty-six millions was collected under the act of July 13, 1866.

The land tax, Mr. Chairman, was a general tax, a legal tax, a constitutional tax. It was laid on all the States of the Union, and in proportion to the population of each State. It was laid in strict accordance with all the forms and rules prescribed by the Constitution.

The tax on cotton was essentially a special tax. It was an illegal tax: it was an unconstitutional tax. I say it was a special tax because, Mr. Chairman, while the land tax affected property generally throughout the whole Union, the other, the cotton tax, was one imposed upon a special product peculiar to a portion of the Union. In fact, the laws of climate interposed and confined its production to eleven States. It singled out a special agricultural product. With the exception of one other agricultural product, that of tobacco in its raw state, no other agricultural product was a subject of taxation. Wheat, corn, wool, rye, oats, hay, pease, beans, potatoes, products common to the whole country, were exempt. It was therefore special in its operation. It was a step backwards in the history of civilization. In all civilized nations, so far as I have been able to examine the question, the annual products of the soil have long since ceased to be the subject-matter of taxation. This tax act singled out this product. It was therefore special and partial in its character.

But, Mr. Chairman, I say this cotton tax was to all intents and purposes, and in its effect, a special land tax also on the cotton lands of the South. It was a direct tax as that term was understood by the framers of the Constitution. It could not have been laid in any other manner than that prescribed by the Constitution for laying direct taxes. Let me say, sir, that when we approach the discussion of those clauses in the Constitution which bear on the subject of taxation, we should approach the investigation of the proper construction to be placed upon them somewhat in that spirit of jealousy with which our fathers framed them. There was no subject upon which our fathers were so peculiarly and specially jealous as they were with regard to the powers which should be conferred upon the Congress of the United States bearing on the subject of taxation.

Why, sir, I have been forcibly reminded as I approach the investigation of this question with what Burke said in his great speech in regard to the character of the colonists made in the British House of Commons before the battle of Lexington. He called the attention of the House of Commons to the fact in the then pending struggle with America, that the colonists were descendants of Englishmen, that they had emigrated from England when the love of freedom was most predominant in the character of Englishmen, that if they were devoted to liberty it was not to liberty in the abstract, but to liberty according to English ideas and on English principles. He said that in the history of England in every struggle for freedom the contest, unlike the contests in the ancient commonwealths, had turned on the question of taxing. He told the House of Commons that the American colonies had drawn in these ideas with their life-blood; and he told them further that however much liberty might be safe or might be endangered in twenty other particulars, they would not be much pleased nor alarmed.

But, he said, this love of liberty, as with you, is fixed and attached on this specific point of taxing. Here they felt its pulse, and as they found that beat they thought themselves sick or sound. Such was the character of our fathers, as described by no less a statesman than Edmund Burke, before they had been tried by the fires of the Revolution.

Mr. Chairman, it is with the same spirit of jealousy that I would examine the clauses of the Constitution which confer the taxing power. These colonies had fought the whole power of Great Britain for seven long years without conferring any power of taxation whatever on the central government.

When they came to frame the Constitution they gave to Congress, it is true, the power of taxation almost—I will not say quite, because the Constitution forbids me to say so—almost unlimited as to subject-matter. The power of taxation was conferred in the first clause of the eighth section and first article of the Constitution, in these words:

> The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

The question has been raised as to whether the term "taxes" as here used includes all taxes of every possible conceivable kind, which can not be described as duties, imposts, excises, and export taxes, or whether under this term only direct taxes were intended.

It is unnecessary at this time to discuss this question. For my part I doubt whether any tax can be laid which is neither a duty, nor an impost, nor an excise tax, nor a direct tax, nor an export tax. The limitations expressed in the clause were, first, as to the purposes of taxation. This provision limited the exercise of the power as to all the taxes, whether falling under the general term of taxes, or of duties, imposts, and excises, to the three distinct purposes—of paying the debts, providing for the common defense, and general welfare of the United States. The second limitation applied only to duties, imposts, and excises. Wherever any taxes were laid in any of these three forms, then it was provided that in the exercise of the power Congress should see that they should be uniform throughout the United States.

The convention further imposed a positive prohibition on the taxing power in these words: "No tax nor duty shall be laid on articles exported from any State." It was broad and comprehensive. It made no difference whether it was a tax or a duty. The prohibition applied positively to both. Neither should be laid on articles exported from any State.

We come now to another prohibition. This prohibition applied to the manner in which the tax should be laid. It is in these words:

> No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

That census was provided to be taken in the third clause of the second section of the first article of the Constitution, in these words:

Representatives and direct taxes shall be apportioned among the several States which may be included within this Union according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years in such manner as they shall by law direct.

Here was a distinct manner, clearly pointed out, in which capitation or other direct taxes must be laid. They could not be laid in any other manner. There was no discretion whatever. The prohibition was positive that in this manner, and in this manner only, could they be laid. If laid in any other manner, the law would be clearly unconstitutional.

This provision in the Constitution was the result of compromise. No other provision in the Constitution elicited so much contention. The Revolution had been fought on the idea that taxation should not exist without representation. This referred entirely to internal taxes—not to duties on imports. This clearly appears from the examination of Franklin before the House of Commons. (See Bigelow's Franklin, volume 1, page 477.) The success of the Revolution established the principle that taxation and representation should go together.

This clause in the Constitution, that taxation should be in proportion to representation, was a corollary from this idea. The proposition as originally reported to the convention was that "taxation shall be in proportion to representation." But this was seen to be inapplicable, and it was changed so as to read, "that direct taxation ought to be proportioned to representation." The restriction of the taxation which should be proportioned to representation to direct taxation shows how closely the ideas developed during the struggle with Great Britain were followed in framing the Constitution. They saw clearly that taxation generally could not be proportioned to population; but, unwilling to trust the subject to the discretion of Congress, they restricted the power of levying direct taxes to a certain invariable rule, which they regarded as the best measure of wealth, and therefore provided that these taxes should always be in proportion to population as fixed by the census, and also provided, in estimating numbers, that five slaves should be counted as three white persons.

This much of the history of the clause I have thought proper to introduce prefatory to the inquiry of what was understood by direct taxes. I will not inquire here what political economists understand by direct and indirect taxes. But what did the framers of the Constitution understand by direct taxes?

The inquiry was made in the convention while this question was up for consideration as to what was understood by the term "direct tax," and we are told by Mr. Madison that no answer was given to the inquiry. We are told by Luther Martin, in the account he gave of the convention to the Maryland Legislature, that it was stated in the secret deliberations of the convention that the clause in reference to taxation, where used in connection with the words "excise, imposts, and duties," was meant to be understood as a direct tax; that all the other taxes, imposts, excises, and duties were to be uniform, and that all other taxes must necessarily be direct taxes, and consequently taxes according to the prescribed provisions of the Constitution, to be apportioned among the States according to population.

What, then, were direct taxes? It has been generally assumed by all the commentators on the Constitution that direct taxes are to be limited to lands, and that the capitation tax applies to persons. Chief-Justice Marshall, in discussing the subject in the Virginia convention, described direct taxes as taxes on lands, slaves, stock, and a few other articles. It is to be presumed, as he was addressing a convention composed in large part of Virginia planters of that day, that in speaking of stock he meant the usual stock on and pertaining to a Virginia plantation. (Elliott's Debates, volume 3, page 229.)

Mr. Madison said:

It is represented to be oppressive that the States who have slaves and make tobacco should pay taxes on these for Federal wants, when other States who have them not would escape. But does the Constitution on the table admit of this? On the contrary there is a proportion to be laid on each State, according to its population. The most proper articles will be selected in each State. If one article in each State should be deficient, it will be laid on another article. Our State is secure on this foundation. Its proportion will be commensurate to its population. It is a constitutional scale which is an insuperable bar against disproportion, and ought to satisfy all reasonable minds.—*Elliott's Debates*, volume 3, page 307.

Now, the first case that came before the Supreme Court of the United States bearing on this subject was the celebrated case of Hylton *vs.* The United States, where the question before the court was simply whether or not a tax on carriages was a direct tax. But there fell from some of the judges certain opinions in the course of their remarks, from which we can gather, possibly, what was understood to be direct taxation by the framers of the Constitution.

Justice Chase uses this language:

I am inclined to think, but of this I do not give a judicial opinion, that the direct taxes contemplated by the Constitution are only two, to wit, a capitation or poll tax, simply without regard to property, profession, or any other circumstance, and a tax on land. I doubt whether a tax, by general assessment of personal property within the United States, is included within the term "direct tax."

I turn, however, to Justice Patterson, who was one of the members of the convention which framed the Constitution, and one of the prominent and conspicuous members of it. He states:

The Constitution declares that a capitation tax is a direct tax; and both in theory and practice a tax on land is deemed to be a direct tax. In this way the terms "direct taxes" and "capitation and other direct tax" are satisfied. It is not necessary to determine whether a tax on the product of land be a direct or indirect tax. Perhaps the immediate product of land, in its original and crude state, ought to be considered as the land itself; it makes part of it, or else the provision made against taxing exports would be easily eluded. Land independently of its produce is of no value.

If we tax the value of land then we must have regard to its products.

Again he says:

A sum is to be laid on the landed property in the State, but by whom and by what rule? Shall every acre pay the same sum, without regard to its quality, value, situation, or productiveness? This would be manifestly unjust.

Here we see again that in determining the tax on the land we must have regard to the products in estimating the value and determining a just basis of taxation.

Now, let us look for a moment and see how those statesmen who came immediately after the Revolution framed the earliest direct-tax acts. The first direct-tax act was the act of 1798. That imposed a tax on the valuation of land and apportioned it among the States, and imposed a capitation tax on slaves. The act of 1813, 3 Statutes at Large, page 22, and the act of 1815, 3 Statutes, page 164, taxed land and slaves, and taxed them both as realty in connection with each other. They did not impose a capitation tax on the slaves. They imposed a tax on slaves and the land together. The language is that whenever a direct tax shall be laid the same shall be assessed and laid on the value of all lands, lots of ground, with their improvements, dwelling-houses, and slaves, which several articles, subject to taxation, shall be enumerated and valued by the respective assessors at the rate each of them is worth in money. They treated the labor as part of the realty.

Now, I put the inquiry right here at this stage of the argument that if the labor which gave value to the land was to be taxed as part of the realty because it was part of the realty, how will you escape the conclusion that the product, which is the joint fruit of that land and of that labor, both of which in law are realty, can be other than realty? The conclusion is irresistible. To deny it is to claim that the offspring is different in nature from its parentage. The argument is unanswerable in the mere statement of it. It may be avoided, but it can not be met.

I wish now to invite attention to the views on these statutes expressed by Chief-Justice Chase, a judge whom I regret was not upon the bench when the case was argued about the constitutionality of the cotton tax. Let us see what he says in his comments—and I should have liked to have had on the bench at that time a man of his equipoise of mind.

In the case of Veasie Bank *vs.* Fenno, in 8 Wallace, where the question was whether or not the tax of 10 per cent. on the amount of the notes of any State bank paid out is a direct tax, he enters into a discussion as to what is a direct tax. He says:

We are obliged, therefore, to resort to historical evidence and to seek the meaning of the words in the use and in the opinion of those whose relations to the Government and means of knowledge warranted them in speaking with authority.

And, considered in this light, the meaning and application of the rule as to direct taxes appears to us quite clear.

It is, as we think, distinctly shown in every act of Congress on the subject.

In each of these acts a gross sum was laid upon the United States and the total amount was apportioned to the several States according to their respective numbers of inhabitants as ascertained by the last preceding census. Having been apportioned, provision was made for the imposition of the tax upon the subjects specified in the act, fixing its total sum.

In 1798, when the first direct tax was imposed, the total amount was fixed at $2,000,000; in 1813 the amount of the second direct tax was fixed at three millions; in 1815 the amount of the third at six millions, and it was made an annual tax; in 1816 the provision making the tax annual was repealed by the repeal of the first section of the act of 1815, and the total amount was fixed for that year at $3,000,000. No other direct tax was imposed until 1861, when a direct tax of $20,000,000 was laid and made annual; but the provision making it annual was suspended, and no tax except that first laid was ever apportioned. In each instance the total sum was apportioned among the States by the constitutional rule, and was assessed at prescribed rates, on the subjects of the tax. These subjects, in 1798, 1813, 1815, 1816, were lands, improvements, dwelling-houses, and slaves; and in 1861 lands, improvements, and dwelling-houses only. Under the act of 1798 slaves were assessed at 50 cents on each; under the other acts, according to valuation by assessors.

This review shows that personal property, contracts, occupations, and the like have never been regarded by Congress as proper subjects of direct tax. It has been supposed that slaves must be considered as an exception to this observation. But the exception is rather apparent than real. As persons slaves were proper subjects of a capitation tax, which is described in the Constitution as a direct tax; as property they were, by the laws of some if not of most of the States, classed as real property, descendible to heirs. Under the first view they would be subject to the tax of 1798, as a capitation tax; under the latter they would be subject to the taxation of the other years as realty. That the latter view was that taken by the framers of the acts after 1798 becomes highly probable when it is considered that in the States where slaves were held much of the value which would otherwise have attached to land passed into the slaves. If, indeed, the land only had been valued without the slaves, the land would have been subject to much heavier proportional imposition in those States than in States where there were no slaves; for the proportion of tax imposed on each State was determined by population, without reference to the subjects on which it was to be assessed.

The fact, then, that slaves were valued under the acts referred to, far from showing, as some have supposed, that Congress regarded personal property as

a proper subject of direct taxation under the Constitution, shows only that Congress, after 1798, regarded slaves for the purposes of taxation, as realty.

It may be rightly affirmed, therefore, that in the practical construction of the Constitution by Congress, direct taxes have been limited to taxes on land and appurtenances and taxes on polls or capitation taxes.

It will be seen that Judge Chase here includes as subject-matter of direct taxation, not the land alone, but land and appurtenances. Now, if in the view of any opponent of this amendment annual crops are not to be regarded as part of the land, it certainly can not be denied that nothing could be more appurtenant to land than the annual crops which spring from the soil.

But if it is a correct proposition that the slave was to be considered as realty because he added to the value of the realty, and the tax was not upon the land, so many acres, but upon the value of the land, how are you to escape from the conclusion that a tax on products is a tax on land? Is the land of value without the products? Does not the product increase the value of the land? If you impose a tax on the land, you tax the products of the land. If you tax the product of the lands, you tax that which gives value to the land; you do in fact tax the value of the land. Having seen what were the views of the framers of the Constitution, as expressed by some in the debates on the Constitution, as set forth in the opinions of eminent judges, as discoverable from our early legislative history, let us see what were the prevailing opinions in England at or about the time of the formation of the Constitution.

The opinions of our fathers on questions of taxation were unquestionably formed to a great extent on the history of and the then existing status of English taxation.

I think the views which I have expressed are fully supported by reference to English history. I have endeavored to give the subject close investigation. I can nowhere find that agricultural products were taxed in England, with the single exception of tithes. I am strengthened in this belief from the fact that one of the ablest Senators the Republican party ever gave to the American Senate announced the same conclusion in a speech made in the Senate in 1866. I refer to Hon. John B. Henderson, of Missouri. He quotes some authorities I have been unable to procure, and I have been able to obtain access to some from which he does not quote. The conclusions which he reached were that agricultural products were never assessed and placed in the tax-lists. They were taken into consideration as affecting the value of lands, those lands producing most being regarded as most valuable; but they were never rated and taxed in addition to the lands on which they grew.

There is but one exception, that of hops, and this exception proves the rule. Blackstone gives a list of articles subject to excise duty in England in his time just prior to the American Revolution. The only agricultural product named is hops. Senator Henderson gives as the reason for this exception:

The cultivation of this article was regulated by law as the cultivation of tobacco now is in France. The article was never exported, and could be, and was, protected by a heavy import duty on the foreign article. There was not enough of the article produced for home consumption.

These reasons sufficiently explain why this article was excepted, and strengthens the correctness of the statement that agricultural products were not a separate subject-matter of taxation.

The ancient taxes were the scutage, the hidage, and the tailage. These were succeeded by what were called subsidies, and these in turn by what were called periodical assessments. Senator Henderson quotes that subsidies was a money tax on persons, levied in proportion to their wealth, lands being valued according to their rental or productions, and taxed at four shillings per pound and goods at two shillings eight pence per pound.

Blackstone, published 1765, says, page 312:

These periodical assessments, the subsidies which preceded them, and the more ancient scutage, hidage, and tallage were to all intents and purposes a land tax, and the assessments were sometimes expressly called so.

The land-tax act, passed in the reign of William and Mary, 1692, took the place of these ancient taxes.

Burns's Justice, published 1769, volume 3, page 17, says:

The land tax hath succeeded into the place of the ancient fifteenths and subsidies, and the land-tax acts are framed in many respects after the manner of the ancient subsidy acts.

Macaulay says:

The Commons resolved that a new and more accurate valuation of estates should be made over the whole nation, and that on the rental thus ascertained a pound rate should be paid to the government. Such was the origin of the existing land tax. The valuation made in 1692 has remained unaltered down to our time.

Now, this was the land tax of England in force at the time of the commencement of the American Revolution, and at the time of the formation of our Constitution. Under this law a very large variety of subjects were embraced. They include lands, tenements, manors, springs, tolls, tithes, annuities, and a great number of other specific matters. But agricultural products are not included.

Adam Smith, in his Wealth of Nations, published 1776, Edinburgh edition of 1828, page 391, says:

When, instead either of a certain portion of the produce of land, or of the price of a certain portion, a certain sum of money is to be paid in full compensation for all tax or tithe, the tax becomes in this case exactly of the same nature with the land tax of England.

These views from law writers, historians, and political economists on the subject of taxation of lands or products are in entire consonance with the ancient common law of England. Let me add the authority of one other great name in support of the position that the products or profits of the land are one with the land. Says Lord Coke:

If a man seised of lands in fee by his deed granteth to another the profit of those lands, to have and to hold to him and his heires, and maketh *livery secundum formam chartæ*, the whole land itselfe doth passe; *for what is the land but the profits thereof?* For thereby vesture, herbage, trees, mines, and all whatsoever parcell of that land doth passe. (Coke on Littleton, L. 1, C. 1, section 1; Fee-simple, 4b.)

Now, it was from such sources that our fathers must have derived their opinions on the subject of land taxation. With them lands and the profits of land were one and the same. They did not know of agricultural products as a subject-matter of taxation independent of the land itself. They merely regarded products as imparting additional value to the land and the value of the land as the subject-matter of taxation.

A few words on tithes and I dismiss this branch of the subject. Tithes under the old Hebrew law show that in their origin and in practice they were a tax on land. The tithes were the tenth part of the annual products, taken from the lands of the other tribes and contributed to the Levites. No land was assigned to the Levites in the general distribution; but in lieu of land—and in payment of their duties connected with the priesthood—tithes, made a burden on the rest of the land, were assigned to them. This was their share in the land, and had they been paid in money instead of kind they would have been, in the language of Adam Smith, of exactly the same nature as the land tax of England.

Let us now return and examine more specifically the cotton-tax act of 1866. The act was approved July 13, 1866. It imposed no tax on any cotton produced prior to that time. It imposed no tax on any cotton on which any tax had been levied, paid, or collected. But there had been a tax, either levied, paid, or collected under prior acts, on all cotton produced in the United States, of crops prior to the crop of 1866. All the cotton of previous crops was then specially excepted from the operations of this act of July 13, 1866. The act then provided that on and after the 1st day of August, 1866, there should be paid by the producer, owner, or holder a tax of 3 cents per pound. The language, "3 cents per pound," and the subsequent provisions in reference to the weight of the cotton, are mere rules for measuring or fixing the amount of the tax.

It was provided further that this tax should be and remain a lien thereon in the possession of any person whomsoever from the time this law took effect (that is, from the 1st day of August, 1866), or such cotton was produced as aforesaid, until the same should have been paid. Here is a positive declaration of the statute that this tax should be a lien from the 1st day of August, 1866, although the amount was to be subsequently ascertained.

The tax was actually laid on cotton on and after the 1st day of August, 1866; that is, when the cotton was in the field growing. That was the time when this tax was laid on the cotton. It was further provided by the fifth section of the act that this crop of 1866 was not to be removed from and after the 1st of September, 1866, from the place where it was produced without the payment of the tax. It was not a tax that was appurtenant; it was a tax upon part and parcel of the land. Would you tax potatoes when they were in the soil, embedded in the earth, and then say that it was not a tax upon the land? Would you tax trees which grow upon the land, forming a part and parcel of the soil, and say that that was not a tax upon the land? Will you tax wheat or cotton growing in the field, part and parcel of the soil itself, and say that that is not a tax upon the land?

It seems to me, Mr. Chairman, that I have made good the position that this, being a tax imposed on the cotton while it was still growing, was in fact a tax upon the land itself. Suppose there had been a prohibition in the Constitution of the United States against laying any tax upon land, and you had imposed a tax on the products which grow upon that land, would you not be taxing the value of the land? How do you escape the conclusion that a tax on the products which impart value to the land is a tax on the value of the land?

Mr. CASWELL. Will the gentleman permit a question?

Mr. BARNES. Yes, sir; and I will try to answer it.

Mr. CASWELL. Can you draw a distinction between a tax upon cotton and a tax upon tobacco?

Mr. BARNES. None whatever; and I do not propose to make a distinction so far as the raw, unmanufactured tobacco is concerned—the tobacco in its crude state. I say such a tax would be illegal and unconstitutional.

I do not believe it was ever contemplated to tax the annual products of land in this country, except as a land tax. That was the position of Senator Henderson, as I understand, when he argued the constitutionality of this measure; and no attempt was made to answer him in the American Senate. I again say to the gentleman from Wisconsin [Mr. CASWELL] that there is no distinction; the two classes of tax when the taxes are laid on raw products are the same in reason and on principle.

This tax, bear in mind, is not a tax on land; it is a tax on the value of land; the product is a part and parcel of that value. When this tax

was laid on cotton growing in the fields, it was just the same as if a tax had been laid on wheat in the fields. So far as I have been able to find, there is no civilized country where a tax is laid on annual products; and in speaking to-day in the interest of the cotton planter I am speaking equally in the interest of the grower of wheat, of potatoes, of Indian corn, or any other product.

To tax the value of the land, and then impose another tax on the product which gives it its value, is to impose an additional tax on the land. There is no telling but that in the course of time, when some other chapter of history may arise, if this tax is to be held a legal and constitutional tax, there may be, by some combination of interests on this floor or in the other Chamber, a tax proposed on wheat or Indian corn. If so, and I should be here then, I would stand then, as I stand now, ready to oppose such a tax on the annual products of land as vicious, illegal, and unconstitutional.

Mr. Chairman, I humbly conceive that I have shown that a tax on the annual products of land is a tax on the land itself. I think I have shown that the statesmen who framed the Constitution so regarded it. I think I have shown that it was so regarded by some of our earliest and by one of the most eminent of our later judges. I think that it has been so treated in the early legislation of the country. I think that it has been so regarded in English legislative history. I think I have shown that the most eminent political economists have regarded taxes on annual products as of the same nature as the tax on land, and I think, Mr. Chairman, I have established that the act of 1866 in its imposition of the tax on cotton has laid the tax while the cotton was part and parcel of the land. The conclusion is inevitable that the tax on cotton was a tax on the value of the land. If so, it was a direct tax. As a direct tax it could not be laid unless in proportion to the census which the Constitution provided should be taken. It was not so laid, and not being so laid, I am authorized in pronouncing it an illegal and unconstitutional tax. In the view which I take of this question, I might here, Mr. Chairman, dismiss the subject from all further consideration.*

But there are those who insist that this was a duty imposed on the cotton. If so, Mr. Chairman, it was not such a uniform duty as was required by that clause of the Constitution which prescribes that all duties, imposts, and excises shall be uniform throughout the United States. A uniform duty could have been laid on wheat, tobacco, or corn, because they could at least have been grown throughout the United States. But it was impossible to single out an article which under the laws of climate could only grow in a certain section and impose a peculiar burden of taxation on that article, and then claim that the tax was uniform throughout the United States. In the case of Gilman *vs.* The City of Sheboygan (2 Black, 510) the Supreme Court of the United States quote with approbation the following language used by the supreme court of Ohio in the case of The Exchange Bank of Columbus *vs.* Hines (3 O. S. Rep., 1), wherein that court says:

> Taxing is required to be by a uniform rule, that is, by one and the same unvarying standard. Taxing by a uniform rule requires uniformity not only in the rate of taxation but also uniformity in the mode of assessment upon the taxable valuation. Uniformity in taxing implies equality in the burden of taxation, and this equality of burden can not exist without uniformity in the mode of assessment as well as the rate of taxation. But this is not all. The uniformity must be coextensive with the territory to which it applies. If a State, it must be uniform all over the State. If a county or city tax, it must be uniform throughout the extent of the territory to which it is applicable. But the uniformity in the rule required by the Constitution does not stop here. It must extend to all property subject to taxation, so that all property may be taxed alike, equally, which is taxing by a uniform rule.

Now, can it be said that a tax imposed on a single agricultural product, which under the laws of climate could not possibly be produced outside of a given number of States, when all other agricultural products, with but one exception, and which could be produced anywhere throughout the Union, were exempt, is a uniform tax, a uniform duty as contemplated by the Constitution? Is this an imposition of the burdens of taxation equally throughout the country? Is this the spirit of equality which this clause of the Constitution was intended to subserve?

But there is still another provision of the Constitution under which this cotton tax is unconstitutional. I refer to the clause prohibiting the imposition of any tax on exports. The language of the clause is:

> No tax or duty shall be laid on articles exported from any State.

As I have elsewhere said, it made no difference whether it was a tax or a duty. The prohibition applied positively to both. Neither should be laid on articles exported from any State.

If there is any one article of American produce which is specially and pre-eminently an article of export it is the article of raw, unmanufactured cotton. From four-fifths to five-sixths of American cotton goes abroad. Its price is regulated at Liverpool, in a foreign market. Early after the close of the war it came into competition then with the untaxed raw product of India and other countries, where its production had been greatly stimulated during the war. The tax paid by the planter here was not paid back in any price increased to that extent, for the price which ruled in Liverpool controlled the price here, and Liverpool was beyond the jurisdiction of your tax. Had you repealed the cotton tax at the time it would not have reduced the price in Liverpool. The tax paid by the planter was so much taken out of his profits, for which he was never reimbursed.

The planter's cotton was an article of export; it was raised for export; it was intended for export; it was in fact exported. Congress by this act imposed a tax on it, which the Constitution in positive terms prohibited. There was a reason for this prohibition on Congress. It was intended to prevent Congress from favoring the articles of production in one section rather than another. In a very able speech on this question, made in this House in 1887, Mr. MCRAE quoted from Mr. Ellsworth on this subject in the debates in the convention. I beg to reproduce that quotation here:

> There are solid reasons against Congress taxing exports. First, it will discourage industry, as taxes on imports discourage luxury. Secondly, the produce of different States is such as to prevent uniformity in such taxes. There are indeed but a few articles that could be taxed at all, as tobacco, rice, and indigo, and a tax on them alone would be partial and unjust. Thirdly, the taxing of exports would engender incurable jealousies.

Judge Story, in his Commentaries on the Constitution, says the object of this clause was to prevent any possibility of applying the power to lay taxes or regulate commerce injuriously to the interests of any State so as to favor or aid another. If Congress were to lay a duty on exports from any State it might unreasonably injure or even destroy the staple productions or common articles of that State. (Story's Commentaries, section 1014.)

But the Congress of the United States found it possible to impose the onerous duty of 3 cents per pound on this article of export. If it could do this, and thus unreasonably injure this product, it could do more, and utterly destroy the cotton interests of the South.

But Congress was determined that by no possibility whatever should this cotton be exported without paying an export duty.

Section 5 of the act of 1866 reads:

> *And be it further enacted*, That it shall be unlawful from and after the 1st day of September, 1866, for the owner, master, supercargo, agent, or other person having charge of any vessel, or for any railroad company, or other transportation company, or for any common carrier, or other person to convey, or attempt to convey, or transport any cotton, the growth or produce of the United States, from any point in the district in which it shall have been produced, unless each bale or package thereof shall have attached to or accompanying it the proper marks or evidence of the payment of the revenue tax, etc.

Now, this cotton, five-sixths of which was not only intended to be, but was actually, exported from the country, could not be moved either by the owner, the common carrier, or any other person, unless this license fee was paid. Why, sir, Chief-Justice Marshall, in the case of Brown *vs.* Maryland, said that the license fee required by the State of Maryland from any man attempting to sell an article of import was a violation of that clause of the Constitution of the United States which prohibited a State from imposing a tax on imports. Here is a constitutional provision prohibiting Congress from imposing any export duty; yet this law undertakes to provide that you shall not move this cotton to the port for export until this license fee has been paid.

There is no escape from the conclusion that this was a tax on exports. You can not vary the form and change the substance. The prohibition is general; it is intended to prohibit any interference with any article of export from any State. You can not, to paraphrase the language of Chief-Justice Marshall in Brown *vs.* Maryland, treat the prohibition, which is general, as if it were confined to a particular mode of doing the forbidden thing.

But I must do the Congress which passed the act the justice to say that they clearly intended to be understood as imposing this tax on an article which they knew would be exported. Knowing from the past history that four-fifths or five-sixths of the cotton raised in the United States would be exported in a raw, unmanufactured condition, they nevertheless provided in the first section of the act of 1866, that no drawback shall in any case be allowed on raw or unmanufactured cotton of any tax paid thereon, when exported in the raw or unmanufactured condition.

They were determined there should be no mistake about it. This raw, unmanufactured cotton should not be exported without paying duty. There are many articles raised or manufactured in the United States, some of which are disposed of here, and others exported abroad. It would have been an easy matter to have devised some legislative plan by which cotton exported abroad should have been relieved from the payment of this duty or tax. In the case of manufactured tobacco stamps were devised as a means of separating and identifying the tobacco intended for export from that which was to be sold in the home market, and relieving it from the tax imposed by the internal-revenue act. (See 92 United States, page 375.)

There was but one way to have avoided the constitutional prohibi-

*The argument made in the House was strictly on legal and constitutional grounds. I now add here opinions of eminent publicists, showing the viciousness of taxing annual crops by the effect of tithe laws. McCulloh on Taxation, page 178, says: "Tithes practically operate as a premium on idleness, and as a heavy and constantly increasing tax on industry. They obstruct the progress of improvement, and by preventing the cultivator from deriving the entire advantage of superior skill and increased exertion, discourage his efforts, and contribute to render him indolent and indifferent."

"Tithe," says Adam Smith, page 377, "is always a great discouragement, both to the improvements of the landlord, and the cultivation of the farmer. The one can not venture to make the most important, which are generally the most expensive improvements, nor the other to rear the most valuable, which are generally, too, the most expensive crops, when the church, which lays out no part of the expense, is to share so largely in the profit."

Dr. Paley, volume 2, page 105, edition of 1819, says: "Of all institutions adverse to cultivation and improvement, none is so noxious as that of tithes. Tithes are a tax not only upon industry, but upon that industry which feeds mankind, upon that species of exertion which it is the object of all wise laws to cherish and promote."

tion against the taxation of exports. That was to have provided for the payment in the form of a drawback to the producer or owner of the amount which he might have paid on the cotton whenever the cotton was exported. As this was not done it is manifest that it was the clear intention of Congress to impose a duty on exports. Such a duty so imposed, it is needless to say, was illegal and unconstitutional.

Mr. Chairman, I fear I have detained this committee too long, but I have not detained you one moment longer than the importance of the subject demands. I make no plea on account of the impoverished condition of our people. I say that the Government has collected money under the form of taxes from the cotton States of the South, under acts which I believe I have demonstrated to be partial, special, illegal, and unconstitutional. If this be true, then the money paid has been unjustly exacted and most wrongfully collected. It has been exacted and has been collected in violation of the compromises in the Constitution which your fathers and mine made in convention assembled. Wrongfully collected, every principle of justice, of law, and the Constitution requires its return.

Mr. Chairman, an impression is abroad that the Supreme Court of the United States has pronounced an opinion on the constitutionality of the cotton tax. This is a mistake. There was a case before the court, argued in an early year after the war, in which the question of the constitutionality of the cotton tax was raised. There were but eight judges on the bench. They were equally divided on the question, and therefore no decision was made. The act imposing the tax has long since been repealed, and there is therefore now no way in which a case can be made, taken to the Supreme Court, and a decision be obtained on the constitutionality of this question.

The act imposing this tax was passed amid the passions engendered by fratricidal strife. Its constitutionality was argued before the Supreme Court without a single representative at the time from the section most deeply interested on the bench. Judges are but men. The heat arising from the flames of civil war could still be felt. Yet when the case was argued there were four of the eight judges prepared to decide that this cotton tax was an illegal and unconstitutional tax. If my argument has failed to establish the correctness of the same proposition, these circumstances can not fail to bring into your minds a deep conviction that this cotton tax was of most doubtful constitutionality. I cease to argue the question. I put to you the inquiry, will you restore a tax the legality and constitutionality of which is unquestioned and refuse at the same time the restoration of another tax which the Supreme Court of the land under such circumstances was unable to decide was unconstitutional?

Mr. ENLOE. I wish to have the amendment which I send up to the Clerk's desk read and printed in the RECORD, and to be considered at the proper time.

Mr. ENLOE'S amendment was read, as follows:

SEC. —. That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit and pay to each State a sum equal to the amounts collected therein, respectively, as a tax or duty on raw cotton under the provisions of the act approved July 1, 1862, and the supplemental and amendatory acts thereto, which sums when so credited and paid shall be accepted and held by such States to be refunded and distributed to the parties who produced the cotton and actually paid said tax, through the agency of such legal tribunals as the Legislatures of the several States may establish or empower; and it shall be held sufficient proof to entitle the claimant to recover for him to show by competent and sufficient testimony that he raised the amount of cotton upon which he claims to have paid taxes, and that he, through himself or others, paid taxes upon said amount to the Government in any year between the years 1863 and 1868, inclusive. Claimants shall have three years within which to file their claims after the several Legislatures shall have established competent tribunals or clothed existing tribunals with power to take jurisdiction and to adjudicate their claims; and all claims not filed within three years shall be forever barred. Any portion of the money that may remain in the hands of any of the States after paying all established claims shall be turned over to the custodians of the common-school fund of the several States, and be constituted a part of said fund, to be used as other school funds of the States are used.

The CHAIRMAN (Mr. DOCKERY in the chair). The Chair understands the request of the gentleman from Tennessee to be that his amendment shall be printed in the RECORD and be considered as pending.

Mr. FARQUHAR. I understood the gentleman from Tennessee merely to ask that his amendment be printed in the RECORD.

The CHAIRMAN. The Chair understood the gentleman to ask that his amendment be considered as pending.

Mr. ENLOE. My object merely is to get my amendment printed in the RECORD, so members may address themselves to it during the debate, and to have an opportunity to speak on it on Tuesday.

Mr. CASWELL. I do not object to the printing of the amendment in the RECORD, but I do object to its being considered as pending.

Mr. ENLOE. All I wish is that it shall be printed in the RECORD, to be considered if other amendments are to be offered.

Mr. CASWELL. We do not object to printing the amendment in the RECORD.

Mr. ENLOE. I ask for nothing more.

The CHAIRMAN. There is no objection, and it is so ordered.

Mr. KERR. Mr. Chairman, I desire to be heard for a few moments in regard to the question of refunding the cotton tax, and to put on record my opposition to the claim for the refunding of that tax. The main objection I see to it is this: That while the tax might have been paid by the producers of cotton at the time, it is also a fact that they received much larger prices for their cotton, and the consumers of the cotton paid that much more for it. In fact, the price of cotton was enhanced so that the producers were really benefited and gained an advantage during all of the years that the tax was levied. They received more, over and above the tax on the cotton, during the years that this tax prevailed, than they have ever received since, and if anybody suffered from the tax it was the consumers of the cotton product, and not the producers of cotton in the Southern States. So that, Mr. Chairman, even if there was an evasion or violation of the Constitution in levying the tax, as has been claimed by the gentleman from Georgia, the remedy that ought now to be applied should be applicable to the consumers of the product, and not to the men who raised it. So that to remedy the wrong is now impossible. I know some of our friends on the other side would say that this argument militates somewhat against the views and theories of some Republicans that the tariff is not a tax. But the tariff is levied upon an entirely different basis, and the same rules that are applicable to that would not apply to the cotton tax, which was necessarily a tax upon consumers, for all cotton had to pay the tax.

In regard to the refunding of the direct tax, as proposed by this bill, I confess that I seriously question the policy of doing so. I do not like the policy of the Government levying a tax of twenty millions of dollars and paying 15 per cent. for collecting it, and then going to work after the money has been expended in collecting it and paying it all back. I think, as a rule, it would be a decidedly bad policy, and I confess I have great hesitation in voting for this bill, but shall do so in obedience to the very general desire of my constituents. I am also afraid that should it be refunded it will be a source of great annoyance to future Legislatures of my State, for the people who paid the tax will be inclined to regard the State as their trustee, and will want the money paid them in person. I make this statement, Mr. Chairman, in order that I shall be perfectly understood in the vote I shall cast upon this question.

Mr. BLAND. It is one of the instances in which the consumer pays the tax, is it?

Mr. KERR. Yes; the cotton tax was.

Mr. MILLIKEN. Mr. Chairman, I rise only to submit a few remarks, for I do not expect to enter into a discussion of all the propositions which were so eloquently and forcibly laid down by my friend from Georgia [Mr. BARNES], who, whether he has a good or a bad cause, always argues it so well that every one who listens to him can not fail to be thoroughly entertained, and who never fails to give us a great amount of valuable information and the best kind of logic, no matter how hard a road he has to travel so far as the merits of his case are concerned.

I shall confine myself to a single remark, for there is but one thing that I wish to say in this connection, and that is, that there is no comparison whatever between the cotton tax and the tax which we propose to refund by this bill. The cotton tax was levied, and all who produced the cotton paid the tax. There is no complaint here that anybody held back and did not pay his share of the tax. It was uniformly collected. There is nobody in default about it. If the cotton tax fell upon one section of the country rather than upon another section, it was simply because the cotton was produced in one section and could not be in another.

Mr. BARNES. That is the reason it was levied.

Mr. MILLIKEN. And the same reason would apply to the tobacco tax. One section of the country produces that, and the other sections do not, or to a very limited extent. Is that any reason for refunding that tax? You might apply the doctrine of my friend to the entire internal-revenue tax. Take the tax upon whisky, for instance. My State is not taxed. Why? Because it produces no whisky. The tax upon beer does not apply to the State of Maine, because we produce none. Certain sections of the country produce it; they pay the tax upon it; it happens that it falls upon certain localities, but is that any reason for refunding the tax?

But, Mr. Chairman, the bill under consideration has a very much wider and broader scope. This tax was laid upon all the States of the Union. It was levied for the purpose of meeting the great expenditures of money at that time rendered necessary by the existing civil war between the States; and a part of the States obeyed the law and paid the tax. To use a common phrase, they put their portions into the pot. Another part of the States paid either none of the tax or only a portion of it. This tax was made to bear equally upon all of the States. Now it seems to me to be a proposition as clear as the light of day, and one which can not be evaded by any constitutional discussion, or by anything else, that either one of two things should occur—either the States which failed to pay the whole of the tax, failed to come up to the requirements of the law, failed to put their portion in, and failed to pay their share of the tax, should now come up and pay it in full, or else that the States that did pay the tax should have it refunded to them.

The position of my friend from Alabama [Mr. OATES] is this—and I have great regard for him, but it amounts simply to this—that while he would not have his State come up and pay its portion of the tax, at

the same time he would be willing to have it reap its portion of the fruits derived from those who did pay the tax.

That is what there is of the question. That is all there is in it, and when my friend comes and introduces, as an amendment, a provision to pay the cotton tax back, somebody else will propose to pay the whisky tax, and somebody else will want to pay the tobacco tax. That will involve the whole matter, and it is simply to escape from a plain, square meeting of the question whether those who failed to pay shall come up and pay their portion, or else those who did pay shall have their portion paid back; and that he who did not pay shall not himself partake of the value of that which was paid by others. It is simply a proposition as to whether justice or injustice shall be done.

Mr. OATES. Defeat the bill and pay none.

Mr. MILLIKEN. Oh, we will not defeat the bill; we will pass the bill if we get votes enough.

Mr. OATES. Mr. Chairman, there are a greater number of gentlemen opposed to this bill ready to speak than there are of those who favor it. It occurs to me that it would not be quite fair for the opponents of the bill to go on and speak to-day and consume their half of the time, and the advocates of the bill to have all day Tuesday to reply. I suggest, then, in fairness, that the time be equally divided each day. If the advocates of the bill do not want to consume any time to-day, why those who are ready to speak in opposition can go on now. All I want about it is perfect fairness, and I presume my friend from Wisconsin [Mr. CASWELL] does not want any more than that.

Mr. CASWELL. I do not think there will be any trouble about it.

Mr. OATES. I simply want to call the attention of the House to that.

Mr. CASWELL. I see no objection to the suggestion.

Mr. OATES. I ask, by unanimous consent, that that be the agreement; that the time be equally divided each day between those who desire to advocate the bill and those who are opposed to it.

The CHAIRMAN. The Chair will endeavor to arrange it in that way, according to custom.

Mr. OATES. According to custom, I believe the time is to be equally divided. I only ask that it be equally divided each day.

The CHAIRMAN. The Chair will endeavor to do so.

Mr. GROSVENOR. Will the gentleman from Alabama approve of a motion that the committee rise now for the balance of this day?

Mr. OATES. Oh, no. There are others ready to address the committee. You see the order of the House limits this discussion to a certain length of time, and there are a greater number of opponents of the bill who wish to speak than there are of the advocates. That is certainly the case to-day. But the opponents of the bill do not want to consume this entire day, and the advocates of it all day Tuesday. That is not fair.

Mr. CASWELL. I think there is no objection to the understanding that the time shall be equally divided each day, and if other gentlemen prepared to speak can go on, they can do so this afternoon. If not, those on this side can go on. We will have no trouble about that.

Mr. STEWART, of Georgia. Mr. Chairman, the bill under consideration proposes to credit and pay back to the several States and Territories all sums of money collected under the direct tax levied by act of Congress approved August 5, 1861.

The large sum of money carried by this bill, as well as the grave constitutional question involved, are sufficient reasons why this measure should receive careful consideration by every member upon this floor. The bill provides that the General Government pay to the several States and Territories certain sums of money. This language would seem to imply that the relation of debtor and creditor exists.

If the tax collected under the act of 1861 was constitutional and legal, those who paid it, whether as States or individuals, have no valid claim against the General Government, and the General Government is under no legal obligation to the States or Territories on account of the imposition and collection of said tax. What court or constitutional lawyer has ever doubted the constitutionality of the tax act of 1861? I know of none. It must, therefore, follow that the language of the bill is illogical, and by implication seeks to declare a legal right which does not exist. If the General Government does not owe, and if the States and Territories, as well as individuals, have no right to demand this sum of money, then it must follow that this is an effort by the General Government to donate to the States and Territories more than $17,000,000. We learn from the sayings and conduct of those who established the General Government and who framed the Federal Constitution that the States delegated certain powers to the General Government, which are enumerated in the Federal Constitution, and we maintain that among all the grants of power, as well as the objects contemplated by them, no authority can be found in the Constitution for such legislation as is proposed by this bill.

In the debates which were had at the time the Constitution was adopted it will appear that for a time it was contended that no power should be conferred upon the General Government to levy and collect taxes, but that the same should be reserved to the States, and many contended that this was the most dangerous of all powers; that the purse and sword would go together, and that this would enable the rich and strong to grow richer and do this by oppressing the poor. Were the words then spoken prophetic? If we are to engage in such legislation as this, what is it we can not claim to do under the Constitution?

Our Federal compact has stood the test of an hundred years. It is "hoary with age and venerable with wisdom." It has laid the foundation upon which has been erected the grandest republic known among all the civilized nations of the earth. Shall we now ruthlessly disregard its sacred limitations? I most solemnly protest. While it may suit the convenience of some or subserve the partisan purposes of others to pass this bill, I trust that a majority of the members upon this floor, inspired by feelings of patriotism, will rise above party and with a fixed purpose for the maintenance of constitutional right vote against this measure.

Our friends on the other side of the Chamber contend that, as only part of the tax imposed by the act of 1861 was collected, they are now, after a quarter of a century has elapsed, justified in taking a sum of money from the Treasury of the United States and paying it over to the States or individuals from whom taxes were collected in 1861. There is no force whatever in this argument. If a State or municipality imposes and collects a tax for a legitimate purpose, and by omission or other cause fails to collect from some person subject to taxation, will it be contended that such omission to enforce a law will justify a State or municipality in paying a sum of money to those from whom taxes were legally collected? And in this connection let it be borne in mind, if we have the power to take seventeen millions of money from the Treasury and pay it out under this bill, it must necessarily follow that we have the power to levy a new tax in order to raise money to meet the necessities created by this bill. And who would for a moment contend that we have such authority? If the friends of this measure contend that this bill should be enacted into law because it tends to equalize burdens heretofore imposed by the Government, then it would logically follow that all taxes heretofore assessed or imposed which were excessive or burdensome should be returned.

And if we are to enter upon this class of legislation, why not commence with the tax act of 1789, or with the expenses incurred by the war of 1812, and especially give attention to the discriminations made by the bank deposit of 1835, when it is well known that the amounts received by some of the States have never been returned, and I call attention to a notable case, that of the cotton tax of 1866. A more invidious and oppressive tax than this was never imposed by the despotic governments of the Old World.

This tax, I fear, was imposed in a spirit of oppression; and, in many cases, collected in a spirit of mendacity. I think this statement entirely justifiable when we remember what was the true condition of the country when this tax law was enforced. The South had emerged from one of the most sanguinary struggles known in all history. The face of the land was scarred with new-made graves; the curling smoke of the invaders' torch had scarcely been dissipated; the widow's wail and orphan's cry were heard upon every hill-top and in every vale; want and desolation were seen and felt on every hand; the Federal Government, dominated by the Republican party, imposed a tax upon one Southern product and from it collected into the Treasury about $68,000,000.

By the common consent of mankind I am sure this is regarded as one of the most oppressive and iniquitous taxes ever imposed. Its constitutionality was called in question, and when the question was presented to a Republican Supreme Court, consisting of eight members, they were equally divided in opinion. This tax law was so odious that by the force of public opinion it was soon swept from the statute-books; and notwithstanding all this when appeals have been made to a Republican Congress to have this money thus collected returned to its rightful owners all such appeals, if not spurned, have been treated with indifference. A Republican Congress has ever failed to see that equalization was needed here.

My friend from Alabama, Colonel OATES, has given notice that he will offer an amendment to the bill under consideration directing that this cotton tax be returned to those who paid it, and I shall watch with deepest solicitude the conduct and votes of the friends of this direct-tax bill when they come to vote on this amendment. Will not those who vote in favor of this tax bill be committed to a line of policy which will impel them to vote for this amendment, and if they should vote against the amendment will not their conduct be not only inconsistent but stultify every sense of propriety?

Gentlemen, in the name and in the behalf of the almost impoverished farmers of the Southland from whom you collected this tax, I appeal to your sense of justice and right and demand that this ill-gotten money be returned. If you can rise above party and return this cotton tax, then shall we have convincing proof that the passions of 1861–'65 have well-nigh died out, and that it is your desire that a spirit of fraternity and good-will shall dwell within all our borders. Much more might be said with reference to this cotton tax, but my friend from Georgia [Mr. BARNES] has made an argument touching this matter which is unanswered and in my opinion unanswerable. I therefore beg to call attention to additional reasons why the bill under consideration should not become a law.

The late war has cost more than $6,000,000,000; the burdens which it imposed were necessarily unequal. Will the precedent created by the

passage of this bill be urged hereafter as a reason why we should undertake to equalize the expenses incurred by the late war? Who can tell?

Not many years ago the Congress of the United States passed an income-tax law, and under its provisions many thousands of dollars were collected, and mostly from one portion of the country; and how long will it be before those who paid that tax (encouraged by the passage of this bill) will be making appeals to Congress to have the income-tax returned? Standing here to-day I would sound this note of warning: Let the friends of this measure stop and think how dangerous must be the consequences which must necessarily follow the adoption of this measure.

Aside from the insurmountable constitutional objections to this bill, it contains provisions which will necessarily lead to inevitable confusion, and for this reason is most objectionable. Take its application to the State of Georgia as an illustration. Under the act of 1861 there was collected from the individual citizens of Georgia about $83,000, ranging in sums from 50 cents to $20. By the provisions of this bill this fund is to be held by the governor of Georgia in trust for the term of six years, so as to allow parties to present their claims; and at the end of six years that part of the fund unclaimed is to belong to the State.

The governor is not a bonded officer, and his term of office does not extend through six years. The State of Georgia never paid any part of this tax, and suppose at the end of six years $40,000 of this fund should be unclaimed (as no doubt most of those who paid this tax are either dead or removed to other States), upon what principle of law or equity can it be insisted that $40,000 or any other sum of money should be taken from the Treasury of the United States and donated to Georgia when it is not claimed that the State ever paid one dollar of this tax?

The truth is that the whole scheme contained in this direct-tax bill reduced to its last analysis is nothing more nor less than an effort to take from the Treasury of the United States money collected from the people and make a donation of the same. Every lawyer, every writer on constitutional law, as well as every writer on the power of taxation, knows and has often declared that this Government has no power or authority legally to raise a sum of money by taxation or otherwise for the purpose of making a donation. This is boldly and baldly an effort to perform an act based upon the principle that "might makes right." Let those who participate in such conduct remember that the people whose money you are attempting wrongfully to dispose of will hold you to an account; you will be tried before the bar of public opinion; and while public opinion does not execute it can execrate.

Mr. Chariman, if it were not for the fact that we have an overflowing Treasury, I doubt very much whether this measure would ever have been presented to this House for consideration. It constitutes one of the many schemes which have been devised to deplete the Treasury, so as to charge a Democratic administration with prodigality, and at the same time prevent any reduction of taxation. I denounce this measure as unwise legislation. It is not warranted by the Constitution. As a precedent it is dangerous; as a party measure it is most pernicious; as an equitable claim it is unjust; as based upon legal right it is a monstrosity.

Mr. CASWELL. Mr. Chairman, I know of no one on this side of the House who desires to take part in the discussion to-day, and if there are no gentlemen on the other side who wish to be heard, I shall move that the committee do now rise. If there is any one, however, who is prepared to proceed, I shall be very glad to have him occupy the time now.

Mr. HOOKER. Mr. Chairman, I had hoped to hear something from the advocates of this bill explanatory of a proposition which is certainly novel in its character, and I believe for the first time in the history of this country made upon the presentation of the pending bill. But it appears that there are no gentlemen upon the other side of the Chamber among the many gentlemen who favor the measure, who are prepared to give a reason for the extraordinary proposition which is now presented, to take from the Treasury of the United States the back taxes paid by the States of this Union to be distributed among the several States of the Union by which they were paid.

I do not wonder, sir, that there should be no one to defend such a proposition. I say that it is a novel one. It is one which, so far as I am aware, has never yet been presented up to the present time in the history of our country.

As has been well said by my distinguished friend from Alabama [Mr. OATES], who makes the minority report from the Judiciary Committee, in his challenge to the opposition to say under what clause of the Constitution this power is assumed by the Congress of the United States, there does not exist in the general grant of power to levy taxes any power to take back the taxes which have once been paid into the public Treasury; for if that power does exist under the general clause of the Constitution which grants to the Congress of the United States as the legislative department of the Government the power to levy taxes, duties, imposts, and excises, to pay the public debts and provide for the common defense and the general welfare of the United States—I say if there is any power in this grant of the Constitution to impose a tax, who is prepared to argue that under that same clause in the Constitution the power exists to take taxes already paid out of the public Treasury to be refunded?

That is the proposition, the naked, distinct, unequivocal proposition of this bill: to put the hand of the authors of this bill, or the beneficiaries of this bill, into the public Treasury and to take back the taxes, money already paid under the law, and divide it among the several States. And upon what ground, sir, is it proposed to be done? I say the clause of the Constitution which authorizes it can not be pointed out.

Mr. Chairman, the power of taxation is the most tyrannous power with which any government can possibly be invested, and we are all familiar with the fact that when our ancestors had emerged from the successful struggle for liberty, the Revolutionary war, the rebellion against the mother country, and were prepared to found a government of their own, in adopting the confederate form of government, the confederation of the States, they absolutely declined in that constitution first adopted after the war of the rebellion to concede the power of taxation to the Federal Government at all; and in the debates in the convention which framed the Constitution under which we now live, as well as the debates in the several State conventions, upon the question of the adoption or the rejection of the Constitution, the gravest question which was discussed, both in the general convention and the conventions of the respective States, was that of conceding to the General Government the power of taxation.

It was well said by a distinguished gentleman whose remarks I have just read, in the debates in the New York State convention, that to concede the power of taxation to the Federal Government upon all subjects and upon all kinds of property would be to have two legislatures imposing taxation upon the States, and a necessary conflict of jurisdiction between them. I have said, sir, in the first government established after the war of the Revolution the concession of the power of taxation was refused to the Federal Government.

But experience demonstrated the fact that thirteen different Legislatures of the thirteen different States were ill prepared to lay a tax for the support of the General Government. The consequence was that under the Articles of Confederation the quotas of the several States, as called for by the Federal Government, were not furnished to the General Government; and the great argument made in the convention of the General Government, as well as in the conventions of the different States, for the grant of power of taxation to the Federal Government was that the States would not levy the tax, and the quota required from each State would thus not be forthcoming when the necessities of the Government should require it.

It was the force of this argument that impelled the framers of the Constitution, with guarded language, to concede for the first time the power to the Federal Government to levy taxes, duties, imposts, and excises, and they tried to guard the grant of that power, sir, by the terms of the Constitution enumerated in this grant, that it should only be exercised for three purposes, namely, to pay the public debt, to provide for the common defense, and the general welfare of the country. It is true that in the concluding clause of this paragraph of the Constitution the power to pass all laws needful for carrying into effect the power thus conceded to the Federal Government was also given to Congress, but it went no further.

I repeat, therefore, that both in the debates in the general convention that adopted the Constitution as well as in the debates in all the States on the question of its adoption or rejection by the States (because it provided in its own terms that it was to become the constitution over the States when nine of the original thirteen States should have ratified it in their conventions, and then, Mr. Chairman, only to become a constitution over the States which ratified it and none others), it was required that this power conceded to the General Government of taxation be for the purposes I have enumerated, and none others.

That concession was made for the reasons I have indicated, but this bill proposes to take back a portion of a tax imposed on lands by the act of 1861 out of the common Treasury of the United States and divide it among the States, confiding it to the executives of the respective States in trust for a period of six years to be handed back to the persons from whom it was originally derived.

Mr. Chairman, where now are the people who paid it? The theory upon which this bill proceeds is that you are going to refund this money, to give it back to those people who paid it. They will not be found easily, and yet this bill proposes to take from the Treasury all of this money derived by the taxing power of the Government, and paid by each individual tax-payer in the respective States where it was collected, and give it back to the States and not to the individuals, for I apprehend the individuals will not be found.

Where is the power to do it? I have said that nowhere in the Constitution is it conceded. The power to levy taxes, duties, imposts, and excises is conceded; but nowhere, by construction or otherwise, can you evoke from the Constitution or any phrase or paragraph in it the power to take out of the common Treasury taxes that have already been paid, unless they have been illegally or unconstitutionally paid.

If this tax, therefore, was levied by the Congress of the United States in 1861 and thus paid into the Treasury of the United States, by what authority can you take it out now and hand it back to the

States? And if you can do it—as has well been said by my friend from Alabama [Mr. OATES]—if you can do it with reference to one species of taxation, why can not you do it with reference to all? If you can do it upon the principle of equalizing taxation among the people of this country, then you can give back and equalize the tax for the war of 1812, and you can go back still further and equalize the taxes of the war of the Revolution itself. What limit is there, sir, to this power of Congress to equalize taxes if the power exists in regard to this particular and specific tax? Where, then, is the limit; where is the restraint? You will find it nowhere; but it will give unlimited power to any future Congress to go back and equalize every tax which is being paid into the Treasury to-day under any of the internal-revenue taxes of the country, which are direct taxes.

Is it not, therefore, an assertion of power which does not exist under the Constitution, and the setting of a precedent, Mr. Chairman, that will be dangerous in the extreme if this bill should become law? There is no limit to it. There was a tax, sir, imposed upon incomes during the late unfortunate war between the States. That is a species of taxation which the great parliamentarian of England said in regard to all direct taxation, was the most just of all, but which you long since repealed, because the prediction of Mr. Williams, in the speech he made in the New York convention adopting the Constitution, has been fulfilled; for he said that if this power of taxation was granted, this Government would become a government of the wealthy men of the country, and the power of taxation would be exercised in their behalf.

Have we not reached a consummation of that prediction made by this gentleman in the convention of New York? The income tax has long since been repealed. There may be many who did not pay the income tax. That very portion of the country which you say did not pay a part of this direct land tax did not pay income tax, and I raise a note of warning here to-day that if you pass this bill in regard to the refunding of this direct tax it will not be long before it will be said that that portion of country which by reason of the war could not be reached and where the tax-gatherer could not go to collect the income tax, ought to pay its fair proportion of that tax.

And if you can go back to that tax, then you can go back to every other, and the dangerous precedent will be set of the Congress of the United States investing itself, outside of the Constitution, with authority conferred neither by the terms of the instrument nor by necessary implication to carry into effect granted power, and you will have an example set of going back to equalize any taxation that the majority of Congress may think, in their judgment, ought to be equalized. I call the attention of gentlemen upon the opposite side and warn them that if this measure shall become law, there will be no end to corrections of what may be called unequal taxation.

It will be extended back to other species of taxation that you can say have been paid in one portion of the country and not in another. I do not like, Mr. Chairman, to go outside of the very question which the bill itself presents. This is simply a question of the power of Congress by an act to go into the Treasury of the United States and take out tax money paid a quarter of a century ago for the purpose of dividing it between the States themselves in trust for the people who paid it. If, as I have said, you can do this in reference to this tax, then you can do it with reference to all. And why should it not be done with reference to all? If at any future time it shall be said any species of taxation has operated unequally upon this country, why shall you not make a proposition to take the money from the Treasury and divide it?

Suppose that the unjust and excessive taxation under which the country has been groaning for years had not been imposed upon it, suppose there were now no surplus, would the honorable gentleman who represents the majority of the committee that reported this bill dare to propose that a tax should be imposed on the people for the purpose of returning the money which is alleged to have been unequally paid in this case? And, yet, if you possess the power to take the money out of the Treasury and divide it amongst the people who paid this tax, upon the ground that there are others who did not pay it, why would you not have the power to levy a tax to raise money for the same purpose? Yet I venture to assert that the honorable members of the committee who favor this bill would hardly dare propose that a law should now be enacted for the purpose of levying a tax to repay taxation unjustly or unequally collected from the people. Nevertheless the principle in both cases is the same.

I repeat, if the power exists to pay out the money which is in the Treasury now and devote it to this purpose, then the power exists to levy a new tax to make this repayment. And if that is the case you may introduce a law to make uniform the income tax which was at one time imposed in this country; and so with regard to every other form of direct taxation under the excise laws, the taxes operating upon wine, spirits, beer, brandy, tobacco, and every other article that was a subject of such taxation.

But, Mr. Chairman, the power does not exist to take the money out of the Treasury for this purpose. The pretext on the face of this bill is that you are going to return the money to the persons who paid it, but that is only a pretext. You know that you will never do that; you know that it is incapable of being done; you know that not one in a thousand of the men who paid this tax will be beneficiaries under this bill if it shall become a law. You know that the money will go to the States for the purpose of being appropriated, after the expiration of your trust period of six years, in the discretion of the State Legislatures, and thus a precedent will be set by which the most dangerous legislation that can possibly be imagined may be enacted by the Congress of the United States.

It was well said, sir, by that great judge, Chief-Justice Marshall, in an early case decided in the Supreme Court of the United States, the case of The State of Maryland *vs.* McCullough, that the power of taxation was the most tyrannous power that any government could be intrusted with, and that it might be used to destroy; and if those who feel an interest in this question will examine the debates in the various State conventions, and especially in the great State of New York, they will find that the argument against the policy of conceding the power of taxation to the Federal Government was predicated upon the idea that the power of taxation might, in the language of Chief-Justice Marshall, be used to destroy.

To-day, if this bill becomes a law, there will be no restraint upon the legislative power to impose hundreds of millions of dollars of taxes such as have been imposed within the last quarter of a century not needed for any legitimate purposes of government, not needed for any purpose of honest and economical administration. The prediction of the debater in the convention of New York, Mr. Williams, will be verified, and I say that the history of this country now demonstrates that the Government of the United States exercising the taxing power upon the theory of this bill, holds the power of the purse and may lay taxes to the absolute destruction of the people of this country.

The debater in the New York convention reminded that body that, if the power of laying taxes without limit was conceded to the Federal Government, the power of the sword ever accompanied the power of the purse, and that the Government, which had an unlimited right to levy taxes, would have an unlimited right to raise armies and to arm and equip them, and thus the free Government of the United States would be clothed with a power as dangerous, as despotic, as autocratic in its character as that possessed by the most powerful despotism of the Old World.

There is no one now, I presume, who would contend that the power of taxation should be used in that way; but where is the limit? How are you going to restrict it? The discretion and conscience of the legislator will be the only restriction if you are going to set this precedent of "equalizing" taxation in this manner. It has been well said by my distinguished friend from Alabama [Mr. OATES]—better said than I can say it—that if you are going to equalize taxation at all, certainly you ought not to begin with a tax which everybody concedes was legally and constitutionally laid, legally and constitutionally collected, legally and constitutionally expended.

If you are going to equalize taxation on principles of common justice, honesty, and equity, you ought to begin with those taxes which, as conceded by the common consent of mankind and the judgment of every fair-minded man, have been illegally and unconstitutionally laid. Sir, while the war was going on, in 1861, and even after the war had terminated, by amendments to the original law, the Congress of the United States selected a particular article produced in the Southern States alone, the article of cotton, and levied a tax of 3 cents a pound upon it.

If the Government of the United States possessed the power to levy this taxation in time of war, there can be no man so bold as to assert that it possessed it in time of peace, after the war had closed. If in time of peace the Congress of the United States can levy a tax upon a product of any one particular region of the country, then, as has been well said by my learned friend from Georgia [Mr. BARNES], you may levy a similar tax upon all other products; and if you may do this, then the power of taxation may indeed be said to be, in the language of Chief-Justice Marshall, the power of destruction. What authority or right has the Government of the United States to go into a State, seize upon a particular product of the soil and make it the subject of taxation?

Sir, we had direct taxation for a brief period only after the war of the Revolution; that law continued in force for only a year, having been swept off the statute-book in 1801. In 1812 we again resorted to that form of taxation, but in five years it passed away. During our late war direct taxation was again resorted to in 1861 and 1862; and much of that taxation has been swept away, though some portion still remains upon the statute-book. It was in 1861–'62 that the tax on cotton was originally imposed; but in 1866, when the war had terminated, Congress passed another law on this subject, still more punitive in its character than the original act itself, selecting a single product of a particular region of the country and subjecting it to onerous and oppressive taxation.

A case arising in the United States court at Memphis which presented the question of the constitutionality of this tax went to the Supreme Court of the United States, but unfortunately for the country, unfortunately for the Constitution, unfortunately for the liberties of the tax-payers, this court was equally divided upon the question; and under the rule which prevails alike in the Supreme Court and in the State tribunals of last resort, the equal division of the court amounts to an affirmance of the judgment of the inferior tribunal. Thus there

was a failure to obtain from the Supreme Court an authoritative determination of the question of the constitutionality of the cotton tax. The judgment of the court below stood as the judgment of the higher court, so far as the parties in interest in that litigation were concerned.

But to-day there lies in the Treasury of the United States $68,000,000, collected under that law which certainly could not commend itself to the gentlemen who advocate this measure upon the doctrine of equality, justice, honesty, and fair dealing—collected from the people of the Southern States at a time when they were scarcely able to bear any taxes. We were just recovering from the devastating effects of a great war between the States; we were struggling to place ourselves again in a position in which our people could earn a livelihood, to keep body and soul together, to support their wives and little ones; we were struggling to rehabilitate our States; we were struggling to emerge from a condition of poverty to which no other people have ever been reduced, and which no other people have ever borne with the fortitude, the manliness, and I may say the womanliness with which our people in the South bore their condition. It was then that you imposed this cotton tax which the amendment of my friend from Alabama [Mr. OATES] proposes to refund. You imposed it after the war as well as during the war. After awhile you repealed it. Why was it repealed? Was it from a returning sense of justice and conscience on the part of those who had imposed it? If it was a right tax, a necessary tax, a constitutional tax, why was it not maintained? Ah, you dared not continue it. Why? Because the very same principle which you invoked when you unjustly and iniquitously laid this tax upon that product would authorize a tax upon the wheat in the fields of the West and the North, and upon every product of your farms. I presume it was the returning sense of justice, the reproach of conscience against that unjust, oppressive, and onerous tax which induced the Congress of the United States to repeal it.

Now, if you intend to commence the return of taxes which have been unequally, unjustly, unconstitutionally imposed, my friend from Alabama properly invites you to begin with this unjust taxation which you imposed upon the cotton farmers of the South during and immediately after the war. You derived from that taxation $68,000,000, lying in your Treasury to-day. Will you not submit to the Supreme Court of the United States the question whether that money has been placed there rightly or not? Will you deny such an appeal? Will the friends of this measure now refuse to permit the court of last resort, the court to whose adjudications we all bow in ready obedience, to pass upon this great constitutional question?

There is one tribunal in this country that is the repository of the safety and the liberties of the citizen. No great standing armies are necessary in the United States of America to protect our liberty and our independence; we have merely the skeleton of an army in time of peace; but there is one tribunal, the tribunal of law, which regulates liberty by law and which adjudges all constitutional questions; and to the decisions of that tribunal the citizens all over the land bow in obedience.

When that tribunal decided after the late unfortunate conflict between the States regarding the first thing they had to do, as they were bound to do, as they were coerced to do, was to recognize the great principle of home rule and community independence, which lies at the foundation and is the corner-stone of our constitutional Union, and in accordance with that great principle that great tribunal decided this was an indissoluble Union composed of indestructible States. And hence when they made that decision every man in the United States of America from Maine to California bowed in obedience to the rule of law proclaimed by the tribunal of last resort.

If you will not take as an amendment to this bill the proposition of my friend from Alabama [Mr. OATES] and allow that court to decide on the constitutionality of your cotton tax, if you will not adopt it as an amendment to this bill, then will you dare to refuse the proposition he makes to give to that oppressed and tax-ridden section of our country, reduced by the disasters of war, at least the right to have the decision and adjudication of that court of last resort upon the propriety of returning the $68,000,000 you now hold in your Treasury?

Not only that, Mr. Chairman, but my friend from Alabama proposes an amendment to this novel and extraordinary bill, to test the sincerity of the men who advocated it on the ground of justice, equity, and fair dealing. He proposes that you shall allow another fund called "the captured and abandoned property fund," which originally amounted to $35,000,000, collected from the Southern States after the war, and the cotton sold by the firm of Drexel & Co. in the great city of Philadelphia, and which, after taking out what the collectors of the tax took to defray expenses, left $34,000,000—to let the Supreme Court of the United States decide whether the cotton thus sold, making up a fund never to be mingled with the other funds in the Treasury of the United States, but to remain there as a fund liable to be called for by the people who owned the cotton at the time when the Government took it and sold it and put the proceeds into the Treasury—will you refuse, I ask, to accept that proposition and let the Supreme Court decide whether the act was constitutional or not?

The gentleman from Alabama proposes that as an amendment to this bill, which you on every principle of equity, justice, and fair dealing ought to accept. He proposes you shall give to every man who owns a part of that captured and abandoned property fund the right to go into the tribunals of the Government and establish his right to it and obtain judgment for it.

It was well said by that man whom I cherish in my memory with as much regard and affection as I do any of the distinguished men who lived before my time in our history—it was said by the late Justice Story, of Massachusetts, long before you created the Court of Claims, with its small, qualified jurisdiction—I remember to have heard him say that while in the most despotic government in the Old World a citizen, however humble he might be, had the right to walk into the tribunals of that government and sue it and compel it to pay his just claims, it was a shame and disgrace to the greatest and freest government on earth that there was no tribunal in which a citizen of the United States could present his claim and ask to be heard in its maintenance. To a limited extent you have removed that shame from the country by clothing the Court of Claims with limited jurisdiction. Why should not every citizen of the United States have the right to enter the tribunals of the Government and establish his claim against the Government and have it paid?

And what argument can you make against the proposition of my friend from Alabama to allow this remnant of the fund, magnificent in its proportions, which you took from the Southern people after the war and put in the Treasury—what reason can you give, what conscience to deny the rights of the citizens to go to your own tribunal and prove simply that what is there belongs to them, especially when the Supreme Court has declared it constitutes a sacred fund to remain there forever until paid to the people entitled to it?

I have spoken longer than I intended upon this question, Mr. Chairman, but there seemed to be none upon the other side who desired to be heard, and with the permission of the committee to extend in the RECORD, with a view to copying some expressions of others upon the subject whose judgment is better than my own, I leave the question for the further consideration of the committee. [Applause.]

The CHAIRMAN. The gentleman has occupied thirty-seven minutes of his time.

Mr. ANDERSON, of Illinois. I ask consent to have printed in the RECORD two amendments to be offered to the bill at the proper time.

Mr. CASWELL. To be printed for information only.

There was no objection.

The amendments of Mr. ANDERSON, of Illinois, are as follows:

Amend by adding the following section:

"SEC. —. That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit and pay to the State of Illinois a sum equal to the amount of 2 per cent of the net proceeds of the lands sold by authority of Congress after January 1, 1819, within said State of Illinois."

Amend by adding the following sections:

"SEC. —. That for the purpose of raising the money herein appropriated in the foregoing section, there shall be levied, collected, and paid during the year 1889 upon the annual gains, profits, or income of every person residing or owning property in the United States, and of every banking company, trust company, savings institutions, insurance, gas, bridge, express, telegraph, steam-boat, ferry-boat, canal, manufacturing, navigation, or railroad company or corporation, whether derived from any profession, trade, employment, business, or vocation carried on in the United States or elsewhere, or from any other source whatever, if such annual gains, profits, or income exceed the sum of $25,000, a duty of 3 per cent. on such annual gains, profits, or income over and above said sum of $25,000; and upon the annual gain, profits, or income, rents, and dividends accruing upon any property, security, and stocks owned in the United States by any citizen of the United States residing abroad and not in the employment of the United States, and by every foreigner, there shall be levied and collected a duty of 1 per cent. additional to the rates above imposed.

"SEC. —. That in estimating said annual gains, profits, or incomes, all other State and local taxes lawfully assessed upon the property or other sources of income from which said annual gains, profits, and incomes are or should be derived shall be first deducted; and the duty or income tax herein provided for shall be assessed and collected upon the income for the year ending the 31st day of December next preceding the time for levying and collecting said duty; that is to say, on the 1st day of May, A. D. 1889.

"SEC. —. That the Secretary of the Treasury of the United States is hereby authorized and empowered to adopt and prescribe such rules and regulations as will enable him to carry into effect this act."

Mr. CASWELL. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (S. 139) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861, and had come to no resolution thereon.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. CLEMENTS, from the Committee on Appropriations, reported a bill (H. R. 11651) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1890, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. BRECKINRIDGE, of Kentucky. All points of order are reserved.

CHANGE OF REFERENCE.

Mr. LANE. Mr. Speaker, the Senate bill which I send to the desk

was incorrectly referred to the Committee on Invalid Pensions. It does not refer to the late war.

The SPEAKER. The title will be read.

The Clerk read as follows:

A bill (S. 3135) granting an increase of pension to Eliza J. Alexander.

Mr. LANE. I ask to have this bill referred to the Committee of the Whole House on the Private Calendar for the reason that the Committee on Pensions have reported a similar bill, which is now on the Calendar.

There was no objection, and it was so ordered.

And then, on motion of Mr. BRECKINRIDGE, of Kentucky (at 3 o'clock and 27 minutes p. m.), the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. BOUTELLE: A bill (H. R. 11652) granting a pension to Mary E. Wadleigh—to the Committee on Invalid Pensions.

By Mr. CHIPMAN: A bill (H. R. 11653) to restore Thomas J. Spencer to rank of captain—to the Committee on Military Affairs.

Also, a bill (H. R. 11654) to restore Thomas J. Spencer to certain brevet rank—to the Committee on Military Affairs.

By Mr. COMPTON: A bill (H. R. 11655) to amend an act giving the approval and sanction of Congress to the route and termini of the Anacostia and Potomac Railroad, in the District of Columbia—to the Committee on the District of Columbia.

By Mr. RICHARDSON: A bill (H. R. 11656) for the relief of pressmen employed in the Government Printing Office—to the Committee on Printing.

By Mr. WILLIAMS: A bill (H. R. 11657) to pension Henry Klockenbring—to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. C. R. BRECKINRIDGE: Petition of Abraham Flener, of Monroe County, Arkansas, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. T. M. BROWNE: Petition of the publishers of the Muncie (Ind.) Herald, against the international copyright bill—to the Committee on Patents.

By Mr. CANNON: Remonstrance of H. J. Dunlop, of Champaign, Ill., and of G. F. Howard, of Paris, Ill., against the international copyright bill—to the Committee on Patents.

By Mr. FORNEY: Petition of L. D. Agnew, administrator of James R. Dorsey, of Cherokee County, Alabama, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. LODGE: Petition of John S. Flanagan and others, citizens of Charlestown, and of A. B. and H. R. Champlin, of Massachusetts, against Senate bill 554—to the Committee on Patents.

Also, petition of Fannie B. Damon and Mary V. Pierce, of Maine, for the relief of Anna Ella Carroll—to the Committee on War Claims.

By Mr. CHARLES STEWART: Petition of sundry citizens of Houston, Tex., for the removal of duty on dental and surgical goods—to the Committee on Ways and Means.

By Mr. WASHINGTON: Petition of administrator of John Thompson, deceased, of Davidson County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

HOUSE OF REPRESENTATIVES.

FRIDAY, *December* 7, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

The following additional members appeared and took their seats:

Mr. RICHARD W. TOWNSHEND, of Illinois.

Mr. GEORGE W. STEELE, of Indiana.

Mr. RICHARD GUENTHER, of Wisconsin.

Mr. JOHN H. O'NEALL, of Indiana.

NAVAL MUSEUM.

The SPEAKER laid before the House a communication from the Secretary of the Navy, in response to a resolution from the House calling for information relative to the proposed establishment of a naval museum in the city of Washington; which was referred to the Committee on Military Affairs, and ordered to be printed.

COAST AND GEODETIC SURVEY.

The SPEAKER. During the last session the House passed a Senate resolution providing for the printing of a number of copies of the report of the Coast and Geodetic Survey, and it seems that the resolution has been mislaid and was never transmitted to the Senate. If there be no objection, an order will be made directing a duplicate copy to be made, so that it may be transmitted to the Senate.

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. THOMAS, of Kentucky, indefinitely, on account of important business.

ADJOURNMENT OVER TO MONDAY.

Mr. MCMILLIN. I move that when the House adjourns to-day it be to meet on Monday next.

The question was put, and the Speaker announced that he was unable to determine the result.

Mr. THOMPSON, of Ohio. Does that interfere with the pension session of to-night?

The SPEAKER. It does not. It is when the House adjourns to-day.

Mr. WHITE, of New York. Will it interfere with the debate on the direct-tax bill?

The SPEAKER. Not at all. The order was changed yesterday, substituting Tuesday for Saturday and Wednesday for Tuesday.

Mr. MCMILLIN. That was done in order to adjourn over from to-day.

The motion was agreed to.

ORDER OF BUSINESS.

Mr. MCCREARY. I ask unanimous consent that Thursday, December 13, immediately after the reading of the Journal, be set apart for the consideration of bills reported from the Committee on Foreign Affairs, in such order as the committee may designate.

Mr. HOLMAN. I hope the gentleman from Kentucky will indicate the character of the bills proposed to be acted upon.

Mr. DINGLEY. I hope, further, that he will make it after the consideration hour.

Mr. MCCREARY. I have no objection to that.

Mr. TOWNSHEND. I hope that Wednesday will be set apart for the consideration of bills from the Military Committee.

Mr. MCCREARY. That will not be in order as an amendment, but as a separate proposition.

Mr. TOWNSHEND. I desire to have a day set apart for the consideration of bills from the Military Committee.

Mr. SPINOLA. If the gentleman from Kentucky will specify the bills I will not object. Otherwise I shall feel it my duty to object.

Mr. MCCREARY. The first bill that I desire to call up on that day is the Senate bill which came from the Committee on Foreign Affairs last session, which was unanimously reported to this House and is now on the Calendar, providing for the celebration of the four hundredth anniversary of the discovery of America by Columbus. That is the first bill; that bill has already passed the Senate. It is very important that action should be taken on that bill this session, in order that proper application may be made to the Legislatures of the various States, which will probably take such action as to participate with us.

Mr. SPINOLA. Will the gentleman provide that his resolution shall specify that very bill?

Mr. MCCREARY. Yes, sir.

Mr. SPINOLA. Then I withdraw opposition.

Mr. WEAVER. Mr. Speaker, there are important measures now, which under the rules of the House have precedence over everything else, and which are of more importance than this, notwithstanding there is a patriotic sentiment connected with it; and I must object until that business shall have been disposed of.

The SPEAKER. The gentleman from Iowa objects.

RELIEF OF WRECKED WHALING AND FISHING VESSELS.

Mr. DUNN. I ask to make a privileged report from the Committee on Merchant Marine and Fisheries.

The Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, *December* 5, 1888.

Resolved, That the Secretary of the Treasury be requested to inform the House what, if any, relief can be furnished by the Revenue-Cutter Service and Life-Saving Service to American whaling and fishing vessels wrecked in Bering Sea or the Arctic Ocean, and what, if any, legislation is necessary to make such relief available and effective.

The resolution was agreed to.

Mr. DUNN moved to reconsider the vote by which the resolution was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

INVALID PENSION BILL.

Mr. FORAN, from the Committee on Appropriations, reported a bill (H. R. 11658) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1890, and for other purposes; which was referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Mr. BRECKINRIDGE, of Kentucky. I reserve all points of order upon that bill.

SMALLS AGAINST ELLIOTT.

Mr. CRISP. I am directed by the Committee on Elections to report back the contested-election case of Robert Smalls against William Elliott, from the Seventh district of South Carolina, and I desire to give notice that at an early day, after the report of the committee and the views of the minority shall have been printed, I shall ask the House to consider this case.

Mr. ROWELL. On behalf of the gentleman from Iowa [Mr. LYMAN], I ask leave to present the views of the minority, to be printed with the report of the committee.

There was no objection, and it was so ordered.

THE REPORT OF THE SMITHSONIAN INSTITUTION.

Mr. COX, by unanimous consent, offered the following resolution; which was read, and referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there be printed of the report of the Smithsonian Institution and of the National Museum for the year ending June 30, 1888, in two octavo volumes, 16,000 extra copies, of which 3,000 copies for the use of the Senate, 6,000 copies for the use of the House of Representatives, and 7,000 copies for the use of the Smithsonian Institution.

ORDER OF BUSINESS.

Mr. LANHAM. I demand the regular order.

The SPEAKER. The regular order is demanded. This being Friday, the regular order is the call of the committees for reports on bills of a private nature.

Mr. LANHAM. I move to dispense with the call of the committees.

The motion was agreed to.

Mr. LANHAM. Mr. Speaker, it will be remembered that at the last session, toward the close of the session, we adopted a plan, by common consent, whereby on Fridays the roll of members was called in alphabetical order, and gentlemen, as their names were called, were each allowed to call up a bill for consideration, which was considered unless objected to by five members. That rule operated somewhat to the satisfaction of the House, and I desire now to take the sense of the House as to the continuation of that plan of procedure during the remainder of this session. Accordingly I have prepared and will send to the Clerk's desk a resolution which I ask to have considered at the present time.

The resolution was read, as follows:

Resolved, That when the House resolve itself into Committee of the Whole House for the consideration of business on the Private Calendar upon this Friday and future Fridays of this session, the order of procedure shall be for the Clerk to call the roll of members in alphabetical order, beginning where the call ended at the last session, and that each member, when his name is reached in the call, shall be permitted to call up for consideration on the Private Calendar one bill, other than a pension bill, and the same may be considered by the Committee of the Whole House unless five members shall object to such consideration.

The SPEAKER. Is there objection to the present consideration of this resolution?

Mr. KILGORE. I object.

Mr. SPINOLA. I object.

Mr. RICHARDSON. I would ask the Chair how far we had proceeded with the call. I suppose the names of the gentlemen who object have been already reached and passed.

The SPEAKER. That call takes place in the Committee of the Whole, where the present occupant of the chair does not preside, and therefore he is unable to answer the question. Is there objection to the request of the gentleman from Texas [Mr. LANHAM]?

Mr. SPINOLA. I reserve the right to object, unless the gentleman from Texas [Mr. KILGORE] objects.

The SPEAKER. The gentleman from Texas [Mr. KILGORE] has objected, as the Chair understands.

Mr. WHEELER. I would like to inquire whether the objection comes from a gentleman whose name has already been reached in the call.

The SPEAKER. The Chair has stated that he is unable to answer that question.

Mr. CLARDY. I want to ask the gentleman from Texas [Mr. LANHAM] whether he proposes to interfere with the unfinished business.

Mr. LANHAM. I do not.

Mr. KILGORE. I want to say that my name has never been called on this Calendar, and I hope it never will be while I am a member of Congress. I never want to have a private claim; I never have had one; and I object.

Mr. RICHARDSON. The gentleman's name was reached and he called up the bill to charter the Nicaragua Canal Company. I was in the chair at the time.

Mr. LANHAM. Do I understand that my colleague [Mr. KILGORE] objects to the resolution?

The SPEAKER. The gentleman [Mr. KILGORE] has objected several times.

Mr. KILGORE. Mr. Speaker, I make the point of order on this resolution.

The SPEAKER. There is no point of order to be made. The gentleman from Texas [Mr. LANHAM] asked unanimous consent, and the resolution requires unanimous consent, which has not been given.

Mr. LANHAM. I will state to my colleague that the resolution the adoption of which I have just asked provides that if five members object to the consideration of any bill it shall not be considered.

Mr. KILGORE. If the resolution were modified so as to provide that one objection should be sufficient——

The SPEAKER. The gentleman has objected to the consideration of the resolution, and the matter is terminated.

Mr. LANHAM. I move that the House resolve itself into Committee of the Whole on the Private Calendar.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. MCMILLIN in the chair, and proceeded to the consideration of business on the Private Calendar.

MARITIME CANAL COMPANY OF NICARAGUA.

The CHAIRMAN. The Clerk will report the title of the bill which comes over from last session as unfinished business.

The Clerk read as follows:

A bill (S. 1305) to incorporate the Maritime Canal Company of Nicaragua.

Mr. CLARDY. There is an amendment pending.

Mr. SPINOLA. I would like to inquire how this bill gets to the head of the list.

The CHAIRMAN. The bill was under consideration when the House was last in Committee of the Whole on the Private Calendar, and comes up now as unfinished business. The Clerk will read the pending amendment, offered by the gentleman from Iowa [Mr. FULLER].

The Clerk read as follows:

Strike out all of section 2 after the word "company," in line 3, and add to the section the following:

"The directors hereinafter described, with the approval of the majority of the stockholders, may adopt regulations and by-laws not inconsistent with the provisions of this act; but no amendment to or change in the by-laws shall be made except by a majority vote of the stockholders, either personally or by proxy, and at a meeting held for the purpose. At least twenty days' notice of any such meeting shall be published in a newspaper of general circulation in the city where the principal office of the company is located."

Mr. HOLMAN. I believe the bill itself has not yet been read.

The CHAIRMAN. The Chair is informed by the Clerk that the bill was read when under consideration at the last session.

Mr. HOLMAN. I think the bill had better be read again.

The CHAIRMAN. The gentleman can have the bill read by taking the floor and having it read in his own time.

Mr. HOLMAN. Well, I will ask the reading of the bill in my own time.

The CHAIRMAN. The gentleman from Indiana is recognized and demands the reading of the bill in his time. The Clerk will report the bill.

The Clerk proceeded to read the bill.

Mr. DINGLEY (interrupting the reading). Mr. Chairman, has not this bill been once read?

The CHAIRMAN. It has been; but the gentleman from Indiana [Mr. HOLMAN] has taken the floor and demanded the reading of the bill in his time. The gentleman from Indiana has five minutes.

The Clerk resumed the reading of the bill.

Mr. SPINOLA (interrupting the reading). Mr. Chairman, I rise to a parliamentary inquiry. I wish to know whether it is in order to offer amendments as the bill is now being read, or when it will be proper to do so.

The CHAIRMAN. The gentleman from Indiana has taken the floor in his own right for the purpose of debate, and the bill is being read as a part of his remarks. An amendment at this time would not be in order.

The Clerk resumed the reading of the bill, which was continued until the expiration of the five minutes of Mr. HOLMAN.

Mr. PERKINS. I ask that the residue of the bill be read in my time.

The CHAIRMAN. The gentleman from Kansas [Mr. PERKINS] is recognized, and asks that the reading of the bill be continued in his time.

Mr. HOLMAN. I rise to a question of order. Does the Chair hold that the five-minute rule is now operating? I think that I have the floor for an hour.

The CHAIRMAN. As the Chair now remembers, this bill, when the committee rose on a former day, was being read for the purpose of amendment and discussion under the five-minute rule. The Chair, however, will make examination as to that point while the reading of the bill is continued.

Mr. DUNN. The Chair is correct. I was in charge of the measure at that time, and that was the order.

The Clerk continued and concluded the reading of the bill, which, with an amendment heretofore adopted by the Committee of the Whole to section 5, is as follows:

A bill to incorporate the Maritime Canal Company of Nicaragua.

Whereas, to facilitate commercial intercourse by water between the Atlantic and the Pacific States as well as with foreign nations, it is deemed desirable for the public interest of the United States that a ship-canal be constructed between the Atlantic and Pacific Oceans, on what is known as the Nicaragua route: Therefore,

Be it enacted, etc., That Frederick Billings, Charles P. Daly, Daniel Ammen, Francis A. Stout, Horace L. Hotchkiss, Edward F. Beale, Hiram Hitchcock, C. Ridgely

Goodwin, A. C. Cheney, J. F. O'Shaughnessy, H. C. Taylor, J. W. Miller, A. S. Crowninshield, A. G. Menocal, Charles H. Stebbins, T. Harrison Garrett, Jules Aldige, R. A. Lancaster, Alfred E. Mills, Gustav E. Kissell, Horace Fairbanks, George H. Robinson, Alfred B. Darling, Joseph E. McDonald, James Roosevelt, Christian Devries, Frederick F. Thompson, Henry A. Parr, and such other persons as may be associated with them and their successors are hereby constituted and created a body corporate and politic in deed and in law, by the name, style, and title of "The Maritime Canal Company of Nicaragua," for the construction, equipment, management, and operation of a ship-canal from the Atlantic to the Pacific Ocean either entirely through the territory of the Republic of Nicaragua or through Nicaragua and in part through the territory of the Republic of Costa Rica, with such collateral, connecting, or cross canals as may be necessary to connect therewith, and to exercise such other powers as have been conferred by the Government of Nicaragua by the concession of that Republic to the Nicaragua Canal Association, through Mr. A. G. Menocal, its representative, and dated the 23d day of March, A. D. 1887, and finally approved by the legislative and executive authority of the Republic on the 20th, 23d, and 24th days of April, A. D. 1887, and such powers as the Republic of Costa Rica may confer of the same kind as those named in said concession; and the said Maritime Canal Company of Nicaragua, by that name shall have perpetual succession; may sue and be sued, plead and be impleaded, defend and be defended in all the courts of law and equity within the United States; may make and have a common seal; and shall have and possess the rights, powers, and privileges usually possessed by similar companies. It may receive, purchase, hold, and convey such real and personal estate, property, and rights of property, or concessionary rights as may be necessary to carry into effect the purposes of this act; may issue stock to the amount of the value thereof in payment therefor, and the stock so issued shall be declared and taken to be full-paid stock and not liable to any further calls or assessments; may do all lawful things to secure the full enjoyment of the powers, privileges, rights, benefits, and grants contained in any canal concession so made by the Republic of Nicaragua or to be made by the Republic of Costa Rica, as aforesaid; and to aid in the construction of said canal and to carry out the purposes of this act, the said Maritime Canal Company of Nicaragua is hereby authorized to issue its bonds, and to secure the same by mortgage on its property and rights of property of all kinds and descriptions real, personal, and mixed, including its franchise to be a corporation. The principal office of said corporation shall be in the city of New York, and all legal process may be served upon the person who may at the time be in charge of said office or upon the attorney of said company, whose name and address shall be certified by the president of the company; and such certificate shall be filed in the office of the Secretary of State of the United States.

SEC. 2. That the capital stock of said company shall consist of not less than one million shares of $100 each, with the right to increase the capital stock to two million shares of $100 each, upon the vote of two-thirds of the stock of said company at any time outstanding, which shares shall in all respects be deemed personal property and shall be transferable in such manner as the by-laws of said corporation may provide. Five incorporators, who shall be chosen by a majority of the number from those named in this act, shall have power to open books of subscription to the capital stock of said company in the city of New York, and at such other places in the United States, Nicaragua, or elsewhere as they may designate, who shall receive all subscriptions for stock; and no stock shall be transferable except upon the books of the company provided for that purpose. The said incorporators shall give thirty days' notice of the time and place of the opening of said books, by publication in one daily newspaper in New York City, and one newspaper in Managua, Nicaragua, and one in San José, Costa Rica, if the said canal should be in part in the territory of that Republic. Sixty days' previous notice shall be given of the payment required, of the time and place of payment by publication in one daily newspaper in the city of New York and in one newspaper in Managua, Nicaragua, and one in San José, Costa Rica, if the said canal should be in part in the territory of that Republic; and in case any stockholder shall neglect or refuse to pay, in pursuance of such notice, the stock held by him may be sold to the highest bidder for cash, according to the regulations to be made therefor in the by-laws of said company. The directors hereinafter provided for may adopt regulations and by-laws not inconsistent with the provisions of this act.

SEC. 3. That the affairs of the said company shall be managed by a board of directors, fifteen in number, who shall hold their office for three years and until their successors are duly chosen and qualified, and a majority of whom shall be citizens and residents of the United States. At the first election five shall be chosen by the stockholders for one year, five for two years, and five for three years, and at each annual election thereafter five shall be chosen by the stockholders for three years. The said board shall elect from its number a president who shall be a citizen and resident of the United States, and one or more vice-presidents of the company, who shall hold office for such terms as the by-laws of said board may provide and until their successors are duly elected and shall have qualified.

SEC. 4. That for the management and disposition of the stock, property, estate, and effects of the said company, the board of directors may make such by-laws, rules, and regulations as may conform to the authority granted in such canal concession or concessions, and not be inconsistent with this act or the laws of the United States or the existing treaty stipulations of the United States with the Government of Nicaragua or of Costa Rica, if the said canal should be in part in the territory of that Republic; and may fix the time for election of directors, and in case of vacancy in said board, caused by death, resignation, or otherwise, may fill the same. No person shall be a director who is not a stockholder, and any one ceasing to be a stockholder shall cease to be a director. All meetings of stockholders shall be held at the office of the company in the city of New York, and at least one such meeting shall be held in each year; but failure to elect directors on the day appointed by said by-laws shall not be deemed to dissolve said company, but such election may be holden on any day appointed thereafter by the directors first giving thirty days' notice thereof, in manner aforesaid. The directors, of whom eight, including the president, shall be a quorum, shall have full power touching the election or appointment of all officers of the company, and said officers shall hold office at the will and pleasure of said board.

SEC. 5. Nothing in this act contained shall be deemed or construed to in any wise restrict or impair any right of the United States under any treaty in force with the Republic of Nicaragua. And nothing in this act shall be held or construed to in any manner involve the United States in any pecuniary obligations whatever other than in respect of the payment of tolls, as provided for in this act.

SEC. 6. That Congress shall at all times have the power to alter, amend, or repeal this act, when in its judgment the public good may so require.

The CHAIRMAN. The question is on the amendment of the gentleman from Iowa [Mr. FULLER], which has already been read.

Mr. CLARDY. I think there is no opposition on the part of the Committee on Commerce to the adoption of that amendment.

The question being taken, the amendment was rejected.

Mr. CLARDY. If no further amendments are to be offered, I ask that the committee rise and report the bill to the House.

Mr. SPINOLA. Are amendments now in order?

The CHAIRMAN. They are.

Mr. SPINOLA. I move to amend by striking out all after the word "therewith," in the twenty-first line of the first section, down to and including the word "concession," in line 32. The language which I propose to strike out is as follows:

And to exercise such other powers as have been conferred by the Government of Nicaragua by the concession of that Republic to the Nicaragua Canal Association, through Mr. A. G. Menocal, its representative, and dated the 23d day of March, A. D. 1887, and finally approved by the legislative and executive authority of the Republic on the 20th, 23d, and 24th days of April, A. D. 1887, and such powers as the Republic of Costa Rica may confer of the same kind as those named in said concession.

Mr. Chairman, I make this motion to amend the bill for the reason that we are conferring power and authority we know nothing of; we are conferring, sir, power on a corporation to do something which some other government may authorize it to do without knowing anything at all about it. Now we should protect ourselves against such danger as may be involved in the incorporation of any company of that character.

Mr. CLARDY. We were not able to hear just exactly what the gentleman's amendment is.

The CHAIRMAN. The gentleman from New York will send his amendment to the Clerk's desk in writing, and it will be again read.

Mr. SPINOLA's amendment was again read.

Mr. CLARDY. Mr. Chairman, I trust that amendment will not be adopted. In the absence of concessionary right these people could not undertake to build this canal. They can not enter even into the undertaking without such concession, and I trust, therefore, the amendment will be voted down.

Mr. SPINOLA. Mr. Chairman, I do not see what the Congress of the United States has to do with making an agreement between a private corporation which has no real, no legal existence to-day and a foreign government. Now, if this is to be a mere stock-jobbing concern, the quicker we learn that fact the better.

I see no good objection which can be honestly urged why this amendment should not prevail. How many members are there on the floor of this House who know what is the agreement between this Maritime Canal Company and the Government of Nicaragua? How do we know what we are to protect and confirm, and what powers and authority we are to confer?

I think, sir, the amendment is a proper one and ought to prevail. It ought to prevail for the protection of everybody who expects to invest one dollar in this enterprise, if it is to be honest in its operations.

Why, sir, a failure has taken place a little south of this line of a French company which has been conducted by the most distinguished and experienced engineers in the world. Now, this is an attempt to get up another enterprise of a similar character, and to ask the American people to invest their money in it under the sanction of this act of Congress which is proposed to be passed by the Congress of the United States. I trust, for the reasons I have stated, that the amendment will prevail.

Mr. COX. Mr. Chairman, I do not know any facts upon which my colleague can make his statement that this is a stock-jobbing bill.

Mr. SPINOLA. I did not say it was; I said that probably it might be.

Mr. COX. I do not know of any probability which could lead the gentleman to designate the bill as a future stock-jobbing measure. The stock authorized by it may be placed and more or less affected in our bourses and exchanges. I do not know about that; I know nothing of its pecuniary relations except what is disclosed by the bill and report.

This bill or one of similar object was reported several Congresses ago from the Committee on Foreign Affairs, of which I was then chairman. That bill was reported by Mr. Morton, then of New York, our present Vice-President-elect. Then I had occasion to study its constitutionality and practicability.

I do not judge this enterprise by the condition and probable failure of the Panama Canal Company, for if there ever was a stock-jobbing scheme which probably will ruin the deluded men who undertook, who have subscribed for and paid their money for its stock and construction, that Panama Canal Company is one. I propose in the short time allowed to discuss the bill.

It has two branches. First, its constitutionality, and, second, its feasibility.

First. Can Congress create such a corporation?

Under Article I, section 8, of the Constitution, Congress has power to regulate commerce with foreign nations and among the several States. The Supreme Court has interpreted this clause frequently. Chief-Justice Marshall decided the leading case of Gibbons *vs.* Ogden (9 Wheat., first volume). He upheld the power of Congress to provide for "commercial intercourse between nations and parts of nations in all its branches." Navigation was embraced, according to that decision, within the words of the Constitution. There was no limitation on the species of commercial intercourse. It could be "exercised to the utmost extent." When the sovereignty of Congress is recognized, though limited to specific objects, it is plenary as to these objects.

There has been a close adherence to this leading case both in the Federal and State courts.

These cases include commerce carried on by corporations as well as by individuals. Mr. Justice Field recognized this (8 Wallace, 182, 183)

in the case of Paul *vs.* Virginia. He recognized the utility of corporations in the commercial world. They were contemporaneous with the formation of the Constitution, the grant of power having made no reference to the instrumentality by which this commerce should be carried on. "It is general, and includes alike commerce by individuals, partnerships, associations, and corporations."

Afterwards, in the case of The United States *vs.* Marigold (9 Howard, 567) Mr. Justice Daniel said that the Constitution warranted legislative discretion on all and every subject of commerce.

In other cases, which might be quoted, it was held that either interstate or foreign commerce was within the purview of our organic law. Even as late as the case of Lord *vs.* Steam-ship Company (102 U. S. Reports, 544) the court interpreted the constitutional clause as to extra-territorial commerce, and the cases then decided had reference to commerce in a foreign country, including navigation as well as traffic.

There can be no doubt that if this corporation is a facility for such commercial intercourse and navigation, it is within the constitutional clause.

It is, therefore, unnecessary to inquire whether this bill is constitutional under the "general defense" clause of the Constitution. This brings me to the

Second proposition: That this proposed charter affects the commerce of the whole world, and including especially our own. The obstacle, if any, would be the lack of acquiescence in the foreign country through which the proposed facility of commerce, or the proposed canal, is to pass. There is no obstacle in this case, as Nicaragua has given her stipulation in that regard.

How will this matter affect our maritime traffic?

First, it does what Maury intended should be done by his scientific induction and experiment in making a map of the ocean, showing its varied currents. That is, it leads commerce away from the old routes upon the ocean; it discovers and constructs new and shorter routes. That this is so has already been explained by the committee which has proposed the measure.

Without considering any other route, or the relations of any other country to this or any other route, I may be allowed to say that if this enterprise be successful, it will enable our country to compete successfully with the other hemisphere, not only with the Pacific coast of our own country, but with the coast of North and South America generally. The vessels of Europe now have ten days of an advantage over us in time and 2,000 miles in distance in reaching the western coast of North and South America. In sailing around Cape Horn we are at a great disadvantage compared with the vessels of the world. This canal will place the city I represent 2,500 miles nearer to San Francisco than Liverpool is. It is of especial advantage to our Southern cities. I need not dilate upon the advantages by which we would be enabled to trade for the eastern coast and nations of Asia through this shorter water route.

It does not matter, in this connection, whether we shall be exclusive users of the canal or not. The advantages to the company are apparent, and the advantages to our country are paramount. They will not be lessened by making the canal neutral.

This company asks no money and no monetary credit of the Government. The bill as now pending absolutely forbids any moneyed responsibility. It stands, therefore, very unlike other transit routes, which have been becoming running sores, by reason of the munificence of Congress in granting them lands and credit, and the flagrant breaches of the trusts created by statute.

It has been contended in some pamphlets which I have read, that the scheme is so grand and the probable results are so great that Congress ought not to give a charter without some monetary or other compensation.

The scheme does look grand. The capital stock is to be one hundred millions, with the right to increase it to twice that amount. It has advantages connected with the reception, purchase, and conveyance of real and personal estate. And I do not well see how this corporation could effectuate its grand ends for the improvement of our commerce, especially that which is beyond our control, without having the Federal ægis thrown over it. The Panama Railroad is no longer within our control. The proposed Panama Canal is becoming a fruitful failure in spite of all the efforts of its great projector by lottery—nay, in spite of the French Government—and other schemes to prop it.

All that this charter proposes is to endow this company with the power to do its own business. It binds the Government to nothing, except such action as will throw a shield over our citizens who will invest their means in its construction.

Other gentlemen at the last session expanded, and very properly, and none more so than the distinguished gentlemen from Kentucky [Mr. MCCREARY] and from Mississippi [Mr. HOOKER] upon the vast trade which this country would and should secure between the Atlantic and Pacific ports of the United States; in fact, between our country and the Pacific islands and Asiatic coast. They have given you in tonnage and in dollars the immense values now existing, and they have made a horoscope of our splendid future in this direction.

Sir, these ideals of future advancement southward are not new to me. Years ago, when the Mexican treaty of Mr. Robert McLane, our minister to France, was sent to Washington for confirmation, and afterwards when we discussed our Central American and other policies, I gave my feeble help to those projects. The civil conflict came along to disturb and terminate these projects. One great bugbear stood in the way. It was the Clayton-Bulwer treaty.

The gentleman from Tennessee, who has made the minority report, has done me the honor to quote from a report I made from the Foreign Affairs Committee upon this topic. I take back not one word in that report as to the propriety and necessity of the resolution I reported for abrogation of the Clayton-Bulwer treaty. Our traditions, and especially the doctrine known as the "Monroe doctrine," should not stand in the way of that freedom of intercourse which belongs to us as the leading power on this continent, not only for our own connection with our own territory but with foreign countries.

The report to which the gentleman refers was made to this House on the 16th of April, 1880. It was made to the Forty-sixth Congress, second session, and is numbered House Document 1121.

The committee, of which I was the chairman, obtained jurisdiction of the question by reason of two resolutions: one in relation to the interoceanic canal, and the other with reference to the "Monroe doctrine." The report quoted with satisfaction the message of the then President, Hayes, and from which the gentleman from Tennessee has made an extract in his own report. It demanded American control for the route. We agreed with the President as to the necessity of the canal, and I still agree with him. The extract from my report will show this accord. Our committee at that time protested against British arrogance, and denounced the ill-omened Clayton-Bulwer treaty, which had been violated by that power. It recited the various stages of diplomacy, which show that although we were compromised by the treaty, yet that Great Britain had violated it so frequently that it was practically nullified. Still it existed.

The President advised its abrogation, and the committee authorized me to report a resolution of that tenor, for the Clayton-Bulwer treaty, although it was practically inept, still remained as a cloud over the interoceanic transit, which we desired should be shared by no other power. It was purely a diplomatic question. The influence of Congress which was sought on that occasion was simply moral, and, if you please, intended to exercise the influence of one co-ordinate branch upon another. Diplomacy has failed to rid us of the incubus of that treaty, and I do not know that that treaty should stand as an obstacle to the accomplishment of the great ends sought by the pending measure, nor am I prepared to say that the amendment proposed by the gentleman from Tennessee would be other than a prejudice and an impediment to the success of the objects of the measure.

The main question is, will this canal be controlled substantially by Americans, and will our Government have the paramount influence for all the purposes connected with commerce; and, in case of war, with that neutrality, without which a grand highway, like that proposed, would be rather a hurt than a help in the interchanges of mankind?

Mr. Chairman, I believe not only that our own commerce between our Atlantic and Pacific ports, but between the Orient and Occident, will be benefited by this canal. It will be a competitor for trade—a useful competitor with our trans-continental railways. It will be a useful competitor with any other canals. It therefore helps the trade of the people of the United States, among themselves, north and south, inland and on the coast, as well as our commerce with other and foreign nations. If there be any one thing more than another that the United States wants to-day to secure its advancing prosperity, it is the revival of that shipping and commerce which bears our surplus products to all the world. If we can not do this by domestic or Federal legislation, let us bestow on our enterprising citizens, the chartered panoply of the Republic. Let its protection go out over the world and draw the resources of other nations to our shores. [Applause.]

I favor the bill and shall oppose any suggestion which would break down its scope, force, and effect. It will not only help that great metropolis which I have the honor in part to represent, but it will be of incalculable benefit to the whole country in the revival of those interchanges, which is now the great desideratum for our country. [Applause].

It is said by Humboldt that the discoverers of the western world sailed by the light of the Southern Cross. Their religion, which was that of the Catholic Church, gave pious enthusiasm to their adventure. The stories of those days read like marvels, even to us in these days of steam and electricity. But so long as the Southern Cross shines in the heavens, so long will the wonders of this nation be led by its light, for it is loftier and more beautiful, as an emblem of that commerce which produces civilization and Christianity, than any Pharos which was ever erected by the genius of man to guide adventure over the uncertain elements of the sea.

Mr. FARQUHAR. Mr. Chairman, it is very evident to the friends of this bill that the amendment proposed by my friend from New York, General SPINOLA, is calculated to leave the bill in the condition of the play of Hamlet with Hamlet left out. I do not suppose, sir, that this Congress cares to debate matters which have taken place in the past twenty years as to the charters of these various Nicaraguan com-

panies. It is plain to us now, as set forth in the minority report of this committee, that to the gentleman from New York [Mr. SPINOLA], and to others, every line of concession by Nicaragua is laid plainly before this Congress for its consideration. We are not either at loose ends or in the dark as to what Nicaragua desires, nor what is conceded to this maritime canal company. These matters are well understood.

This bill, Mr. Chairman, stands simply in this way: the friends and incorporators and the movers of this great canal company project have come to the National Legislature for the purpose of obtaining a charter. Those who are the enemies or the pretended enemies of this bill can not make either any capital or headway in their opposition by opposing it on this floor on simply the merits that the United States will give the guaranty of money or otherwise, anything they ought not to give to this company or to any other private corporation.

That argument is of no avail. The question simply lies here with me. I can have no interest, particularly in the district I represent, only as the interest of that district is affected by the whole commerce of the United States. Now, at the first glance at this bill there is one idea, one strong, great, determined commercial proposition, and that is this: Build this great Nicaraguan route and you place in advantage the whole of the coastwise commerce of the United States, as between 3,000 and 3,500 miles the European ship has to sail before it reaches our competing line. Open this route to the governments of South America, and the whole trade of the Indies is in the hands of the United States. It does more than that. While this coastwise trade has been concentrated in New England and New York, I am willing now for the rehabilitation of our Southern commerce that New Orleans shall enter into the strife for the prize of the two Americas south of us and their magnificent trade. [Applause.] And I hope, sir, when this bill shall have passed, such an impetus will have been given to the coast marine of the South that out of the iron and coal of Alabama shall be built the 3,000 or 4,000 ton steamers which can reach the prize, the commerce the Nicaraguan Canal will place in the lap of the South. [Applause.] I say that with all due sense of what may be the outcome of the future, whether this Congress or another Congress shall pass a free-ship bill or a subvention bill. Let us show to the congress of the three Americas, when it meets in this city, that instead of empty phraseology and resolutions of comity and of good will, this Congress has opened to the two Americas south of us a highway costing a hundred millions of dollars backed up by the sentiment and good will of the Fiftieth Congress of the United States. [Applause.]

Mr. WEAVER. Mr. Chairman, in my judgment this bill is one of the most important measures that have been before the American Congress for a decade. It is of transcendent importance to the commerce of the whole country. It bears the same relation to the trade of America that the discovery of the Cape of Good Hope bore to the commerce of the Old World. The discovery of the Cape of Good Hope turned the commerce of Asia away from the cities of the Mediterranean to the cities of London and Liverpool. The completion of this great canal will turn the commerce of the Orient away from the cities of Liverpool and London to our shores and to the cities of the United States. [Applause.] It will give us more than 3,000 miles of advantage, and we can trust American pluck and enterprise to do the rest. I hope this measure will pass. I regard it as one of great importance, so important, indeed, that I venture to hope it may pass this body unanimously. [Applause.]

Mr. MAISH. In my judgment the discussion upon the merits of this measure is somewhat premature. The gentleman from New York [Mr. SPINOLA] proposes an amendment which I think it is entirely proper for this House to adopt. He proposes to strike out of the bill an amendment that was made by the Senate, which proposes to confer on this corporation all the powers that were conceded to Mr. A. G. Menocal, and all the powers of a similar kind that may be conceded to the corporation by the Republic of Costa Rica.

Mr. WILSON, of Minnesota. I beg pardon. Has the gentleman from Pennsylvania read the bill?

Mr. MAISH. I think I have.

Mr. WILSON, of Minnesota. Look at the bill.

Mr. MAISH (reading):

And such powers as the Republic of Costa Rica may confer of the same kind as those named in said concession.

Perhaps I was a little inaccurate in not mentioning the Republic of Costa Rica.

Mr. WILSON, of Minnesota. They strike out "or may be."

Mr. MAISH. "Or may be" is not stricken out in the bill I have. This House is asked to adopt an amendment of the Senate conferring all these powers on this corporation now granted by the concessions made by the Government of Nicaragua and which may be conferred by Costa Rica.

Mr. CLARDY. The words "may be" were stricken out. The gentleman has not got the right bill.

Mr. MAISH. Why does not the committee give us bills that show us what is before the House? This House is not informed as to what is before it. Now, it is very apparent that when the friends of this bill first introduced it they did not consider it necessary to possess these powers, for they were not contained in the original bill.

The amendment proposed by the gentleman from New York [Mr. SPINOLA] is to strike out this amendment because the powers are not set out in the bill. They should certainly be included, so that we may know what is granted. But here we are referred to the concession. I think, therefore, the House should adopt the amendment of the gentleman from New York; or at least the committee should incorporate the concession as part of this measure, so that we may know what powers are granted. I think that the amendment is reasonable and proper. I am not opposed to this bill; but I do not want to confer upon this or any other corporation indefinite or unlimited power such as conferred in this measure. I venture to say there is not a constitution in any of the States that would authorize the granting of a charter like this. Further, there is no provision in this bill that one cent of the capital stock shall be paid. I have never heard of a charter being granted in the States where it was not provided that at least a portion of the capital stock shall be paid.

Mr. ADAMS. The question now before the committee is not on the merits of the bill as a whole. The question now before the committee is on the merits of the amendment proposed by the gentleman from New York. As I understand the sentiment and opinions of that gentleman he is not opposed to the bill; he is not opposed, therefore, to conveying to certain persons the powers of a body corporate for the "construction, equipment, management, and operation of a ship-canal from the Atlantic to the Pacific Ocean," but he is opposed, apparently, to the conveyance of certain additional powers, known or unknown.

Now, in the first place, as I understand, the additional powers to be conferred are now known, because it is proposed to strike out the words "or may be." So that the only additional powers to be conferred on this corporation in addition to the powers involved in the words which I have read from the bill are the powers which have already been specified in what is known as the Menocal concession from the Nicaraguan Government.

I think, as I understand the copy of that concession which I have in my hand, that there are certain of these powers conveyed by that concession. Possibly what is to be implied in this language of lines 16 and 17, "the construction, equipment, management, and operation of a ship-canal."

For instance, article 23 of that concession mentions certain lands which that company can hold. We can not object to their holding these lands. We have no power to concede these lands to this company, but this corporation have the power to hold lands; otherwise they could not hold them. When we create a corporation they can not exercise powers unless we give them those powers, and to give them power to maintain and operate a ship-canal would not give them power to hold a concession of land outside of the route line. Therefore it is contended that certain powers shall be exercised by this corporation outside of this, which will be involved in the language prior to or preceding the language which the gentleman proposed to strike out.

Article 23 recites the concession of land which this company is to hold, but which it might not have power to hold if they simply had power to construct, equip, and operate a canal. Article 26 relates to the mines of stone, gold and silver ores, and other metals, to which the company shall have certain rights.

Now, we desire that that company shall have the right to control those mines if that republic chooses to concede it; and yet the power to own and control those mines might not be involved or implied in lines 17 and 18 of this bill, giving the power to construct, operate, and maintain a ship-canal. I find also in article 25 a similar provision; also in article 26, in article 43, and in article 45. So far as I have been able to examine the bill, certain powers are provided for which it would be for our interest that this company should enjoy, yet which would not be implied in the mere power to construct, equip, and operate a ship-canal from the Atlantic to the Pacific. Therefore the gentleman from New York, who proposes this amendment, will see that it is necessary that this company shall not only have the power to operate, but that, in order to make the enterprise effective, the company must have the right to exercise additional powers which have been already conceded and which are perfectly definite and ascertainable.

Mr. CLARDY. I trust, Mr. Chairman, that we shall now have a vote on this amendment.

Mr. SPINOLA. Mr. Chairman, I have listened to the remarks of my two colleagues from the State of New York, and I can not but admire them. They are broad, statesmanlike, and comprehensive, and I agree with those gentlemen on the general principle which they have set forth. But, Mr. Chairman, this is a measure which is to go before the American people, and by which we are to convey away the rights of the people to a certain extent, and all I ask at the hands of this House in defense of those rights is that this bill shall be perfected.

I am as much in favor of increasing the commerce of this country as any man upon the floor of this House, and I will go as far toward carrying out that idea as either of my colleagues; but I do not wish to lend myself, upon any buncombe idea whatever, to the passage of a measure which some day may rise to plague us. This bill presents a very grave question for the consideration of the Congress of the United States, and we should move with great caution, and should perfect the bill so that when we transmit it to the gentlemen who are to act under it we shall

know that we have done our duty fairly and honestly and have held out no false inducements to persuade people to invest in this enterprise under the idea that the Congress of the United States has given it sanction. Up to this time this company is not a company at all. Although the promoters of it procured the passage of an act through the Vermont Legislature exactly in conformity with the bill now before us, yet they did not dare to proceed under that enactment of the Vermont Legislature, and now they come back here to us and ask us to take the same bill and pass it blindly.

I ask the Congress of the United States to make this bill a perfect measure, and when that is done no gentleman on this floor will vote for it more cheerfully than I will. But let us be a little guarded in acting upon this bill. I understand this character of legislation, understand it thoroughly. Gentlemen can come here, where there are three hundred and twenty-five members upon this floor, and introduce a measure like this, and although the committee who report the bill may understand it very well, we all know that very few of us have had an opportunity to give sufficient attention to it to familiarize ourselves with all its provisions. We are asked here to confirm and ratify and perpetuate powers which have been conferred by another government upon a private corporation. That is what this bill asks for. And, Mr. Chairman, there is gross disagreement among the "doctors" themselves who have brought us this bill. They have presented three different measures upon this same subject, and it was only by accident that I found out this was the bill before us.

Mr. MAISH. I will ask the gentleman from New York to tell us which is the right bill.

Mr. SPINOLA. I do not know with certainty, but I suppose it is the one I have in my hand, which is called the Senate bill. But there are also two others. This shows that there is very great disagreement between the two Houses, and also among the members of our own committee, and is it not reasonable and natural that a difference of opinion should exist among members on the floor, who perhaps have not had sufficient time to examine the bills in detail? For my own part, I only ask that this measure shall be perfected so as to be a measure that no gentleman shall be ashamed of when passed, a bill that can not be footballed all over the country, or over the world, upon the allegation that the Government of the United States is standing behind it and is its sponsor and guardian. There is a great deal connected with this measure which has come to my ears that I do not wish to refer to here.

Mr. BAKER, of New York. Will my colleague permit me to ask him whether in his judgment there is anything in this bill by which the faith or credit of the United States is pledged to this corporation?

Mr. SPINOLA. Only by implication. It is implied. Every word in the bill carries with it that implication, and it will be used by the gentlemen who are negotiating this enterprise when they go abroad for the money to construct the work. They will use the argument that they have a charter granted by the Congress of the United States and approved by the President of the great Republic.

Mr. REED. Will the gentleman state what words in the bill indicate that?

Mr. SPINOLA. The whole of this section indicates it. Every line in the bill would indicate it. It is the grant of a charter by the United States Congress.

Mr. REED. When your State of New York grants a charter, do you understand that it thereby loans its credit?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HOLMAN obtained the floor and said: If the gentleman from New York [Mr. SPINOLA] desires to continue, I will withhold my remarks.

The CHAIRMAN. By unanimous consent the gentleman from New York may be permitted to continue his remarks.

Mr. CLARDY. I hope we shall have a vote.

Mr. SPINOLA (to Mr. CLARDY). Why, my friend, you have all day. Let us take time. This is an important measure; and we have only begun its consideration.

A MEMBER. It is important enough to occupy a day.

Mr. SPINOLA. Certainly; important enough to occupy a week.

Mr. WEAVER. I will not object to extending the time of the gentleman from New York [Mr. SPINOLA] if the extension be only for five minutes.

The CHAIRMAN. Is there objection to permitting the gentleman from New York to continue his remarks for five minutes? The Chair hears none.

Mr. SPINOLA. I would say to the gentleman from Maine [Mr. REED] that the State of New York has granted so many charters, for which more than once that State has had occasion to blush, and the State, with its great character, immense resources, and untold wealth, has been so frequently referred to as a guarantor of the genuineness of the charters granted, that the State has from time to time——

Mr. REED. Perhaps the gentleman in the confusion did not apprehend my question. It was whether, when the State of New York grants a charter, it carries with it any implication of State aid?

Mr. SPINOLA. It does not.

Mr. REED. Well, this is nothing but a charter of that kind.

Mr. SPINOLA. But this carries with it the inference——

Mr. REED. From what?

Mr. SPINOLA. From every line in it.

Mr. REED. Well, which particular line?

Mr. SPINOLA. Read every section of it——

Mr. REED. Which particular section?

Mr. SPINOLA. The bill grants to certain individuals the power to form a corporation and to construct a canal between the two oceans.

Mr. REED. Does that imply a loan from the Government?

Mr. SPINOLA. No, sir, not a loan; I have not said that.

Mr. REED. What else is it, then, which gives it that character? I want to know, for my own information and that of the House, on what the gentleman bases his position.

Mr. SPINOLA. I base it upon the whole bill.

Mr. REED. But upon no particular words which are in the bill?

Mr. SPINOLA. No, because they have been too cautiously avoided. The framers of the bill understood that they could not——

Mr. REED. It looks to me as though they had not only "cautiously avoided" it, but had actually avoided it.

Mr. SPINOLA. Ah, they have dodged it. They have left it for the drummers and "heelers" to explain to foreign capitalists and to capitalists of our own country that the Government has given a charter, and that under this charter they are acting——

Mr. REED. May I call the gentleman's attention to the fact we have already adopted an amendment on this subject—

And nothing in this act shall be held or construed to in any manner involve the United States in any pecuniary obligations whatever other than in respect of the payment of tolls as provided for in this act.

As the bill contains no words committing the United States to any liability, and as this express amendment has been adopted to guard against any such thing, how could we protect ourselves any further?

Mr. SPINOLA. That is similar to the language used in the act providing for the centennial exhibition; but afterward they came back and the Government had to make good——

Mr. REED. The Government had to make good?

Mr. SPINOLA. The Government did make good——

Mr. REED. Oh, the gentleman is as much out in his history as he is in his law. The Government refused to make it good.

Mr. SPINOLA. But the parties came here for it.

Mr. REED. Oh, "came here!" You can not expect to prevent men from asking the earth.

Mr. O'NEILL, of Pennsylvania. I simply want to say to the gentleman from New York, what I have already stated on various occasions in this House, that the one million and a half of dollars in connection with the centennial celebration was paid by the people of Philadelphia and not by the Government. Now, while I am on my feet I will ask——

The CHAIRMAN. The time of the gentleman from New York has expired. The gentleman from Indiana [Mr. HOLMAN] is recognized.

Mr. HOLMAN. Mr. Chairman, at the outset of my remarks I ask that an amendment, which I wish to offer at the proper time, to the first section of the bill may be read.

The Clerk read as follows:

Provided, however, That nothing in this act contained shall be so construed as to commit the United States to any liability whatever for or on account of said company; nor shall the United States be held in any wise liable or responsible in any form or by any implication for any debt or liability in any form which said company may incur, nor be held as guarantying any engagement or contract of said company, or as having assumed, by virtue of this act or otherwise, any responsibility for the acts or proceedings of said company in any foreign country or contracts and engagements entered into in the United States.

The CHAIRMAN. Unless this is offered as an amendment to the pending amendment it is not now in order.

Mr. HOLMAN. I believe I will offer that as an amendment to the amendment.

Mr. HOOKER. I rise to a point of order. We want to hear this discussion—those of us who have not made up our minds on the question—and if the Chair will preserve order we will listen.

The CHAIRMAN. The Chair will endeavor to preserve order. Gentlemen desiring to converse will retire to the cloak-room. The House will come to order.

The first question is on the amendment of the gentleman from New York [Mr. SPINOLA], on which debate is exhausted.

Mr. HOLMAN. I offer my amendment as an amendment to that amendment of the gentleman from New York.

Mr. DUNN. A point of order right there.

The CHAIRMAN. The gentleman will state it.

Mr. DUNN. Is it in order to offer as an amendment to constitute part of a bill an amendment which is to strike out part of the bill? Is that possible?

The CHAIRMAN. It is substituting this in its place.

Mr. DUNN. If he will offer that as a substitute it is a different thing instead of as an amendment to it.

The CHAIRMAN. He offers it in the nature of a substitute.

Mr. HOLMAN withholds his remarks for revision. [See Appendix.]

Mr. CLARDY. Mr. Chairman, I will not consume the time of the committee with any extended discussion of this question. I desire simply to reply briefly to the suggestions of the gentleman from Indiana

that this is a new departure in American legislation. While that is true to a certain extent, it can not be said that this is a new attempt to establish commercial relations between the people whom we seek to benefit by the construction of this canal or by authorizing a company to do so.

In 1849 gentlemen belonging even to the political party to which my friend from Indiana belongs did not regard the construction of this canal as an unwise project, nor did they disbelieve in the doctrine that Congress, under the constitutional provision referred to by my friend, had the power to authorize a company to construct it. In that year we had the celebrated treaty known as the Hise-Selva treaty, which imposed upon the Congress of the United States the duty of awarding a charter to an American company which might undertake the construction of this great canal. That question was discussed by Mr. Webster, Mr. Clay, Mr. Benton, Mr. Buchanan, and by other distinguished statesmen of the day, and no gentleman then argued that the Congress of the United States had not the power to grant the charter that it is proposed here to grant to this canal company.

Mr. HOLMAN. But that was an act in which the President of the United States and the Senate alone were concerned under the treaty-making power.

Mr. CLARDY. That is very true; but it is a most singular coincidence, I think, that while that treaty, which never in fact became a treaty, because it was not approved by the Senate, has been discussed by all the leading statesmen of this country, nobody ever suggested that Congress had not the power to grant the right to construct the canal, and no gentleman who takes the trouble to read the reports submitted by the Committee on Commerce on this subject will doubt for a moment, or if he doubts, his doubt will be removed, that this power does exist, and that Congress has the constitutional right to exercise it.

This bill, Mr. Chairman, does not go to the extent that my friend from Indiana seems to apprehend. It does not propose that the Government of the United States shall guaranty any of the bonds or shall be responsible or liable for the value of any of the stock of the company; and if a future Congress, as the Congress which preceded the centennial appropriation did, sees proper to assume an obligation that does not rest upon Congress or the American people, I know of no way of preventing that Congress from doing so. I do not believe that all virtue will die with the present Congress, and I know that all virtue will not die with the Fifty-first Congress.

Mr. KELLEY. Permit me to say that Congress assumed no responsibility about the centennial at Philadelphia. They exacted the repayment of the last cent of money advanced in aid of that enterprise.

Mr. CLARDY. I understand that.

Mr. KELLEY. And the gentleman probably refers to the New Orleans exposition. The Philadelphia exposition cost nothing to the Government.

Mr. CLARDY. I ought perhaps to have known better than to have referred to Philadelphia in this body. [Laughter.]

But, Mr. Chairman, I repeat that there is no provision in the pending bill that does not affirmatively show that the Government is in no wise to become involved or responsible for this enterprise; and an amendment which I regard as a work of supererogation has been already adopted, expressly negativing the idea that the Government shall under any circumstances become involved in any obligation on this account. I ask a vote on the question.

Mr. BLOUNT. I regret that so important a measure as this should only have debate under the five-minute rule for its consideration. In the Forty-seventh Congress this subject was before the Committee on Foreign Affairs, and Mr. Menocal and certain associates of his, as corporators of a charter, were before that committee, urging that Congress should at that time avail itself of the great privileges then afforded by a cession from the Nicaraguan Government or they would pass away forever. They seem not to have passed away; neither have the gentlemen nor the scheme. The same parties are living, and are here to-day indoctrinating Congress by methods and schemes which are not new to persons who have had anything to do with public affairs.

The facts are that this bill simply asks for a charter, but this by no means provides that these parties, who understand well the methods of legislation, are to stop here. They undertook in the outset to get the Government to indorse the bonds of their company. They found that that created opposition that might result in absolute failure, and they withdrew it, and they are here to-day in this form.

Now, sir, reference has been made to the action of the Government in regard to the centennial exposition. It is well known that the first step here was an invitation to other nations to participate in that exposition.

It was alleged and believed that the Government was in no manner bound by it, but some gentlemen representing the concern by reason of that invitation were here and at the other end of the Capitol in the succeeding Congress, and they and their friends were everywhere molding public opinion to the point that the American people were morally bound to aid that exposition. And they triumphed. Gentlemen say that Philadelphia never asked for any contribution.

The gentleman from Illinois [Mr. SPRINGER] placed an amendment on that appropriation bill designed to protect the Government against any claim that it was a donation, which was opposed by the friends of the measure. It finally prevailed, and my recollection of it is that by virtue of that amendment suit was brought and the matter went before the Supreme Court of the United States, which determined that Philadelphia was not entitled to it. My personal knowledge is that gentlemen from Philadelphia came before the Committee on Appropriations and urged, notwithstanding that decision, that it was nothing but right that the Government should release it. Now, sir, this is but an illustration. You begin to-day with a charter. Why, there is no question but these gentlemen may operate under a charter of New York or some other city.

Why have they gone on year after year when they have failed to get anything through Congress? Why have they passed by the State governments and charters and never sought aid anywhere but at this Federal Capitol? Sir, it simply means that the Government shall, as they will allege, be committed to this scheme if this bill shall pass. Then the next step will be an indorsement of the bonds of this company.

If, sir, I am correct in the proposition, that they need no charter from the Federal Government, and that they may obtain it from the States; if these difficulties are likely to arise in the future in the matter, involving the Federal Government, why not let this matter alone? This project will not be abandoned, will not be destroyed because they may not get through such a bill as they expect. They will be here in other Congresses.

Mr. HOLMAN. Will the gentleman allow a question?

Mr. BLOUNT. If it is not too long.

Mr. HOLMAN. When the scheme was first put on foot, and when the concession was made by Nicaragua, had not the gentlemen obtained a charter from the State of New York?

Mr. BLOUNT. I can not say, Mr. Chairman, as to that.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. RAYNER. I only desire to say a few words in reference to the proposition advanced by the gentleman from Indiana [Mr. HOLMAN] in regard to the legality and constitutionality of this measure. After a thorough examination of this question the committee examining it came to the conclusion that Congress had an undoubted right to charter this company for the purposes specified in the charter and for the purposes specified in the concession made by the Government of Nicaragua.

Now, Mr. Chairman, there can be no question as to the right of Congress, under the power to regulate commerce between the States, and to regulate commerce with foreign nations, to give this company the charter the bill proposes to give them, and to place in that charter every provision which it now contains.

This question is *res adjudicata*, has been deliberately passed upon by the Supreme Court of the United States in a number of cases similarly situated, and is no longer open to discussion. In the leading case of Gibbons *vs.* Ogden the Supreme Court held that under the power to regulate commerce between the States and with foreign nations we had a right to do every act which was necessary for the purpose of regulating commerce between the States and with foreign nations, and in the celebrated case of McCullough *vs.* The State of Maryland, where the question came up, what right Congress had to incorporate a national bank, the Supreme Court held that Congress had the right to incorporate a national bank for the purpose of regulating commerce between the States or for the purpose of regulating commerce with foreign nations—that it had the right to incorporate a corporation or to do anything else that might be necessary for the purpose of carrying out the general power vested in it to regulate commerce between the States or with foreign nations.

Now, the whole question is, Is this a regulation of commerce between this country and foreign nations? Is the incorporation of a company to cut a canal through this isthmus a regulation of commerce between the United States and foreign nations; or is it a regulation of commerce between the States? If it be either, then Congress has the right to incorporate a company for this purpose.

Mr. COX. And it is both.

Mr. RAYNER. Yes, it is both. It is a regulation of commerce between the States and it is a regulation of commerce between this country and foreign nations.

Why is it a regulation of commerce between the States? And why is it a regulation of commerce between this country and foreign nations? It is a regulation of commerce because it expedites commerce between the different States, because it expedites by thousands of miles commerce between foreign nations and American ports. Now, where does the objection come in that we are dealing with a doubtful constitutional question, when in two leading cases, in Vezey *vs.* Moore (14 Howard) and in the case of Lord *vs.* The Steam-ship Company (102 United States Reports) the question was raised whether this Government had a right to incorporate a company to do an extraterritorial act, and in both cases the Supreme Court held that Congress had that right. We have the right, so far as that is concerned, to incorporate a company to cut a canal through Italy. We have the right to incorporate a railroad company to build a railroad through Russia, provided it is a regulation of commerce between Russia and the United States. That is the test. The test is not the place where the act is done. It

is not the locality that decides the constitutional question. The question is, is it a regulation of commerce? If it be a regulation of commerce it matters not where the act is done. We have the right to authorize the performance of an extraterritorial act, provided it accomplishes the purposes set forth in the Constitution. The authority of Congress to build a railroad through Russia would not amount to much if Russia did not give a concession to the railroad company to use lands for the purpose of building its road. What does the right to construct this canal through the republics of Central America amount to unless those republics give the rights that are necessary to the purpose of executing the powers which Congress vests in this company?

These are all different questions from the naked question of the constitutional power of this body to incorporate a company or to permit an individual to do an extraterritorial act.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOOKER. I will yield to the gentleman, with the understanding that the gentleman from Georgia [Mr. BLOUNT] shall have his time afterwards.

Mr. RAYNER. There is only one other thing, Mr. Chairman, that I want to say, and that is that I think the whole discussion presents a very remarkable proposition. What does this company ask for? Why, as the gentleman from Maine [Mr. REED] has said, is it possible that when a State or when Congress grants a charter to a company for the purpose of performing a certain act it pledges in any degree or in any manner its faith to the company for the performance of that act? If that is so, then the different commonwealths of this Government are day after day and hour after hour pledging their faith to thousands of corporate charters that are authorized by the Legislatures of the individual States. What does this company want? It does not ask for a dollar of credit. It does not ask for a dollar of bounty. It does not ask for a single solitary thing except a naked charter of incorporation, and the charter of incorporation that is asked for contains an express provision that this Government does not pledge its faith or incur any obligation on behalf of the company that it so incorporates.

Why all these objections? They amount to nothing. Are we never coming to the point of permitting American commerce to grow when the parties who are willing to help it grow come to Congress and merely ask us to do what any other government upon the face of the civilized globe would be perfectly willing to do—to give to these people a simple charter (without the appropriation of a cent of money) to enable them to carry out one of the greatest enterprises that has ever illustrated the pages of history. There is nothing in this charter that now binds or can hereafter bind the Government. The charter is not worth the paper upon which it is written unless the company receives and acts upon the concessions that the republics of Central America have already given to it. What does the charter amount to? I say give men who propose to embark in enterprises of this kind as many charters as they want. I say that whenever a body of responsible men come to the Congress of the United States and say that they are willing to risk their fortunes in an enterprise of this sort it is our duty to give them authority to do so, and it is a miserable policy which opposes such a grant and would prevent us from giving to such persons a right from which we might derive such immense benefits as I see before us in this measure.

It is but a short time since America controlled the tonnage of the world. We had more registered tonnage than any nation of continental Europe. To-day our flag has disappeared from the ocean; our ships have vanished from the sea. You have presented to you now a means of doing something to restore and revive that commerce, to expedite by thousands of miles the traffic and the commercial intercourse among the nations of the earth. There is not a single objection that I have heard, legal or practical, which to men of advancing mind should form the slightest obstacle to the passage of this measure. [Applause.]

Mr. KERR. Mr. Chairman, I for one am decidedly in favor of the United States giving at least its encouragement to the creation of an interoceanic canal. I think it would be decidedly bad policy for this Congress to say, by a refusal to incorporate this company, that it does not propose to give any encouragement in that direction.

The gentleman from Indiana [Mr. HOLMAN] made the objection that we would in some way involve ourselves in foreign complications if we authorized the incorporation of this company. I think there is no line of policy better settled in American history in the last fifty or sixty years than that this country is pledged to maintain its ascendency in the political affairs and commerce of the western continent, and that we ought, by our influence to do what we can to maintain the ascendency of this Republic in the commerce between the Atlantic and Pacific Oceans, so far as the Government can do it. The policy of non-intervention was only urged in reference to the affairs of the eastern continent.

A provision which has been incorporated in this bill declares clearly that we are not by this measure to incur any financial responsibility for this corporation. Gentlemen say that we may hereafter do this. The act of encouraging the organization of such an enterprise as this is one thing, but the act of pledging the finances of this Government to the enterprise is another thing; and for my part I am not yet prepared to take the latter step. But, so far as encouragement is concerned, I think we ought to give it, and do so speedily.

The objection is made that this company is already incorporated under the law of one of the States. I think there is very great reason to doubt whether the charter of a State is of any validity in Nicaragua or in any foreign country, because the States have no authority outside of their own jurisdiction; but, by virtue of a provision of the Constitution which gives to the United States Government control over foreign commerce and makes that control exclusive, I think it follows logically that we have exclusive control in the organization of companies to operate outside of the United States, and that consequently it is necessary, in order to make the charter of any validity, that such a company should be incorporated under the authority of the Government of the United States. The recent decision of the Supreme Court would seem to lead to this conclusion, for, if the States can not control interstate commerce, how can they grant charters to control foreign commerce?

There have been objections urged to this incorporation which I would like to hear answered. It has been stated that the only object of this charter is to create a corporation which does not intend to do anything, which intends to be inoperative, in the interest of the Panama Canal. If such an objection has any foundation in fact, if any one knows that such is the object of this incorporation (and it is being stated quietly on this floor), we ought to know it. I would like to hear from the chairman of the committee in reference to that subject.

Mr. CLARDY. I did not hear the question of the gentleman from Iowa [Mr. KERR]. I am under an obligation to yield to the gentleman from Georgia [Mr. BLOUNT].

Mr. KERR. My question is whether this company is not being incorporated in the interest of the Panama Canal, and simply for the purpose of preventing other companies from taking efficient measures to construct a canal in that region.

Mr. CLARDY. I answer emphatically, no. The Panama Canal Company has been fighting this enterprise. I yield to the gentleman from Georgia [Mr. BLOUNT].

Mr. KERR. I asked the question for information—not that I know anything about the matter myself.

Mr. SPINOLA. What has changed the opinion which the gentleman from Iowa [Mr. KERR] expressed last session?

Mr. KERR. I have not changed my opinion on this subject.

Mr. SPINOLA. You stated at that time a good reason for not favoring this enterprise.

Mr. KERR. No, sir; you are mistaken.

Mr. BLOUNT. Mr. Chairman, the gentleman from Maryland [Mr. RAYNER] in concluding his eloquent speech remarked that a failure to give this charter would deprive the country of fruitful results which would otherwise inure to our commerce, and that the proposition could only be opposed by those who are not of the class of "advancing minds." Sir, there are certain taunts which we are getting familiar with, which originate in sources—I say it with no disrespect to any gentleman on the floor—generally known as "the lobby."

Whenever there is opposition to any scheme it is intimated that there is a lack of breadth of thought on the part of gentlemen who oppose it. Whenever there is a disposition to scrutinize a measure there is a lack of "advancing mind." Sir, such intimations will not restrain me from an honest and fair discussion of any proposition.

Now, sir, I say that I deny what the gentleman from Maryland [Mr. RAYNER] has stated. I assert it is competent—and it has never been questioned by the gentlemen asking for this charter—for any State government in the United States to give a charter for this very purpose. I have heard these gentlemen time and again before the Committee on Foreign Affairs in urging the granting of this charter, and they have never failed to concede that under a State charter they could go forward and organize a company, receive subscriptions, elect a board of directors, and go on with this great work which they tell us will redound so much to the advancement of American commerce.

Mr. CLARDY. Does the gentleman say this company?

Mr. BLOUNT. I mean to say that Mr. Menocal, who got this concession, was there arguing before that Committee on Foreign Affairs in the Forty-seventh Congress to which I have alluded. I mean to say that Mr. Phelps and other naval officers interested then and interested now in this concession were there urging the granting of a charter.

Mr. RAYNER. Had they not a right to do that?

Mr. CLARDY. Not under the same company.

Mr. BLOUNT. If I had the time, Mr. Chairman, I would be glad to yield the floor, but my time is limited and I will need it all.

Now, Mr. Chairman, what is the object of it? If they can do this under any one of the States, why, then, this persistent refusal to go to any one of the States to get this great charter and do this great work for the advancement of American commerce? Why this persistence? I ask. It must be, sir, because there is something else than that which appears on the face of it.

When they shall have obtained this charter these gentlemen, intelligent and learned, not provincial, men of the world, not American citizens alone, but men who have traversed the earth; men who have had

connection with great business interests, with great moneyed corporations throughout the world, these men have an object in it when they fail to take a charter from one of the State governments and ask that the Congress of the United States shall grant them this act of incorporation.

They know, sir, they can and they expect to use this charter for the purpose of having the power of this Government with them in the conduct of their affairs upon that Isthmus. They mean to come to this Congress, as has been done by others, to have the Government aid, as the phrase is, to carry out this object; they intend to come here and ask the Government to go further and to maintain it—to maintain it by contributions in the matter of issuing and guarantying its bonds.

They mean to put it on the ground indicated by the gentleman from Maryland [Mr. RAYNER], that this Government is interested in the commerce of the world, and is so to regulate our relations with it and to do whatever may be necessary for the advancement of that commerce. I do not think I overstrain the language of the gentleman.

It is said the majority of the directors are to be American residents. That may be true, but under the scheme presented before it was argued——

[Here the hammer fell.]

Mr. BUCHANAN. Mr. Chairman, it is well known that the first session of the present Congress did not adjourn. It did nothing of the kind, but dwindled away, as it were, and in the twilight hours of those last lingering days this bill was brought up for discussion; and my recollection is at that time it was stated nothing was asked of the General Government except the mere act of incorporation. Now the debate has seemed to drift away from the amendment offered by the gentleman from Indiana [Mr. HOLMAN], which in my judgment secures in explicit language in the act itself the object as stated then by the framer of the bill.

It is said that they need no indorsement of their bonds, no assumption of any obligation on the part of the Government of the United States.

I ask if that is the case. I ask the gentleman in charge of the bill why he does not at once accept the amendment of the gentleman from Indiana, and no longer render this House obnoxious to the charge read from that desk on last Monday, that the Congress of the United States fritters away too much of its time over private business.

Mr. CLARDY. In answer to the gentleman from New Jersey, if he expected an answer from me——

Mr. BUCHANAN. Certainly I did.

Mr. CLARDY. I will say that the amendment presented by the gentleman from Indiana is, not only substantially but almost in identical language, the amendment that has been already adopted to this bill; and I do think that a square amendment to the bill negativing the idea that the Government of the United States under any circumstances should become responsible for any of the operations or obligations of the company ought to be enough and should be satisfactory without the surplusage which is employed by the proposed amendment of the gentleman from Indiana.

Mr. BUCHANAN. May I ask when the amendment of which the gentleman speaks was adopted to the bill?

Mr. CLARDY. Some time in last October.

Mr. BUCHANAN. During the last session?

Mr. CLARDY. About the close of the last session.

Mr. BUCHANAN. Ah! In those "twilight days" to which I have alluded. Will the gentleman be kind enough to explain the provisions of that amendment?

Mr. CLARDY. It has been read several times to-day.

Mr. BUCHANAN. I am aware of that, but so much confusion has prevailed in committee that but little could be gleaned from the reading of any papers.

Mr. CLARDY. I will send the amendment to the desk and ask to have it read again.

Mr. BUCHANAN. I hope the gentleman will do so, and that we may have order while it is being read.

Mr. CLARDY. This amendment, I will state, was offered by the chairman of the Judiciary Committee [Mr. CULBERSON], and was adopted as a part of the bill.

The amendment was read, as follows:

At the end of section 5 add:

"And nothing in this act shall be held or construed to in any manner involve the United States in any pecuniary obligations whatever other than in respect to the payment of tolls as provided for in this act."

Mr. CLARDY. This amendment, it will be seen, covers the point suggested by the gentleman from Indiana.

Mr. MAISH. May I ask that all of the other amendments which have been adopted to the bill be read?

Mr. CLARDY. I ask that the pending question be first disposed of.

Mr. HOLMAN. I ask consent to withdraw the amendment which I have offered temporarily until after the amendment for which it has been offered as a substitute is disposed of.

There was no objection.

The CHAIRMAN. The question is on the amendment of the gentleman from New York [Mr. SPINOLA].

The question was taken, and the amendment was rejected.

Mr. HOLMAN. I now offer the amendment which I send to the desk.

The CHAIRMAN. This amendment has already been read.

Mr. PAYSON. Let it be read again.

The Clerk read as follows:

Provided, however, That nothing in this act shall be so construed as to commit the United States to any liability whatever for or on account of said company; nor shall the United States be held in any wise liable or responsible in any form or by any implication for any debt or liability in any form which said company may incur, nor be held as guarantying any engagement or contract of said company, or as having assumed, by virtue of this act or otherwise, any responsibility for the acts or proceedings of said company in any foreign country, or contracts or engagements entered into in the United States.

Mr. HOLMAN withholds his remarks for revision. [See Appendix.]

Mr. MCADOO. With the most profound respect for the gentleman from Indiana [Mr. HOLMAN], I must entirely dissent from his general objection to this bill. I do not think that the constitutional objections advanced by him are at all tenable. I believe that they have been very ably and fully answered by the distinguished gentleman from Maryland [Mr. RAYNER]. The regulation of interstate and international commerce is a very broad power. Now, one point that the gentleman from Indiana makes is that it was the policy of our fathers that this Republic should not become entangled with foreign nations, and he declares that this bill will entangle us with foreign nations in South America and in Europe. The mistake that the gentleman makes in this is in ignoring the fact that foreign nations are now entangled with our rights and policy. We are now on the defensive. A canal through the Isthmus of Panama or through the Central American country will eventually be cut. The growth of population on the whole Pacific coast demands it.

The French nation are now constructing the Panama Canal, and we are confronted with the duty of protecting American rights there. Why, the very logic of the situation is this, that the tremendous foreign interests that are growing up in this whole region if the Panama Canal is built, or if any canal or any mode of traversing this Isthmus is constructed under foreign patronage, this Government must inevitably be entangled in protecting American interests against foreign supremacy which will then reign in these regions.

The day a canal is completed under a foreign flag, that day, willingly or unwillingly, we must of necessity be on the defensive to maintain our proclaimed determination to support the Monroe doctrine and curb European power in the Americas. We can not be indifferent. The canal must come, and come it should under American auspices.

This bill, to my mind, properly amended is a wise and a patriotic one. There will be a canal there. You can not stop it. It will have to be built by private enterprise with tremendous capital, or by Government. As between the two evils, the building of a governmental canal with taxes taken from the people and the building of a canal by private enterprise, I am in favor of individual effort and combination. But the canal must be built. The extraordinary growth of our own Pacific coast, the tremendous increase in population of the South American countries demand it.

Look at the startling growth of the Argentine Republic! A canal, or some mode of getting across the Isthmus so as to avoid the long voyage around the Horn, is the absolute logic of events, and in order that we may protect our rights in that region I am in favor of giving to an American company, with as carefully guarded provisions in the bill as the gentleman from Indiana can inject into it, the power to build such a canal under the ægis of our Government if necessary, but without committing the Government to any financial scheme of guarantying bonds such as was adopted in the case of the exposition at Philadelphia.

Why, look at it! The governments of Europe are already awake to the situation. This canal is necessary in order to enforce the Monroe doctrine. The governments of Europe are land hungry. The population of Europe is congested. They are looking for land, military, commercial, and political outlets in every quarter of the globe. India has been exhausted. Russia is assuming control of the vast territories in the eastern part of Europe and Western Asia. She is threatening English, Turkish, and Oriental supremacy alike. The eyes of all Europe are turned to this continent, and the feeble republics of South America can only be preserved from foreign aggressions and from subservience to foreign interests by the moral, political, the financial, and, if necessary, the military power of the great Republic of America. [Applause.]

Why, Mr. Chairman, the flag of Britain is already posted on naval stations at this very center. Spain, in Cuba, has military control of the great Gulf and our Mississippi Delta. France is getting a foothold there; and Bismarck, having accomplished the unity of the German Confederacy, and having laid down its military and financial policy, is now finding an outlet for the German arm and the German brain in South America and in the islands of the Pacific. Yet we are asked to remain supinely neutral! I preach no blatant jingoism. I am a conservative of the conservatives, but I am neither blind, deaf, nor unobserving.

We only ask to mind our own affairs and make happy our own people; but the bedeviled and tottering systems of Europe look with jealous eyes on these Americas. We have nothing to do with the cruelty, pomp, and artificiality of European politics, but the millions

of freemen on these continents will never permit the flags of monarchical power to float on additional acquisitions on these continents. In the Northern Pacific, in the Southern Pacific, and the islands of the great Gulf we are alive to the restless activity of European aggression, open or insidious.

I would not have this great Republic embark in any wild and visionary foreign enterprise. I have contempt for wild and rhetorical declamations on un-American interference in foreign affairs. I have never believed in these dazzling foreign ventures. Our fathers wisely abjured them. We have no quarrel with Europe; but these nations must never be allowed to dominate a rod of free America. But I know that God has given us these continents as a heritage, and coupled with a duty to mankind to secure and preserve in both of the Americas, from the mystic grandeur of the northern seas to the unknown lands of Terra del Fuego, a republican form of government, a refuge for all who love liberty without license and hate the tyranny of purse or sword, and a territory pure and uncontaminated by the influence of foreign power, and therefore I favor in substance this bill. [Applause.]

Mr. PHELAN. Mr. Chairman, I agree with those gentlemen who most heartily dissent from the methods which have been adopted by the friends of this measure for the purpose of forcing it through the House. The statement has been made that this measure has been discussed *ad nauseam*, in spite of the fact that up to the present time, with the single exception of some few hours of the last session of this House and a short debate in the Senate of the United States, there has been no discussion of it upon the floor of Congress. The question is too large and the interests involved are too intricate and complicated to admit of anything like a just, fair, and comprehensive discussion upon this occasion. This bill involves every interest which we have in connection with what is called the Monroe doctrine, and I desire to say to the gentleman from New Jersey [Mr. MCADOO], who has just concluded his remarks, that although he undertook to defend this bill, every word that he said, every sentiment that he advanced, was really in opposition to the measure which is now pending before this House. Gentlemen who favor this bill have carefully avoided giving the House an opportunity to discuss it, although it is a measure which demands frank and full and critical discussion. It is impossible in the brief time allotted me to enter into anything like an adequate discussion of the interests and the questions involved. The gentleman from Maryland [Mr. RAYNER] has undertaken with one remark to settle what is called the constitutional issue involved in this measure.

He has said that it is *res adjudicata*, that the question has been already passed upon by the Supreme Court of the United States. He makes that statement in spite of the fact that this question has never been before the Supreme Court of the United States, and also in spite of the fact that it has been the policy of this Government from the beginning up to the present time never under any circumstances to grant a charter for the purpose of bringing a corporation like this into existence. Under the interstate and foreign-commerce clause of the Constitution the idea of jurisdiction necessarily goes with any grant of power. We have jurisdiction of the instrumentalities of commerce. We have jurisdiction under the interstate-commerce clause of the territory of the United States. The gentleman has referred to the cases of Gibbons *vs.* Ogden, Vesey *vs.* Moore, and Lord *vs.* The Steam-ship Company, but the principle involved in every one of those cases was that the Federal Government had jurisdiction as well over the territory as over the instrumentalities of commerce.

Upon that principle, to expedite commerce is to regulate it. Gentlemen might go a little further and hold that to promote commerce is to expedite commerce, and to expedite commerce is to regulate it. And in this kind of a springing-board argument they might go further, and say that to increase commerce is to promote it, to promote commerce is to expedite it, to expedite commerce is to facilitate it, and to facilitate commerce is to regulate it. Under this form of reasoning there is absolutely no field from which the Federal Government would be shut out. Under our power to establish post-offices and post-roads it would be entirely within the power of the United States Government to establish a farm for the purpose of raising horses, because horses are useful in carrying the mails. The Government could enter into any kind of business, I care not what, which might directly or indirectly facilitate the exercise of any grant of power.

Sir, we have no jurisdiction over the territory of Nicaragua. I care not what concession we may receive from that Republic, that concession does not give us authority to go beyond the power which has been granted to Congress by the Constitution of the United States.

For myself I hope that the bill now pending will be voted down, or at least postponed until this House has had fair and legitimate opportunity to examine and discuss it in all its bearings. I would especially call the attention of the House to the fact that at this time and under these circumstances we are called upon to inaugurate a policy totally and radically new, and, though I have not time to prove it, I will say absolutely and entirely antagonistic to all precedent on this subject and hostile to the very best interests of the Government of the United States.

Mr. DAVIS. Mr. Chairman, to-day the construction of a ship-canal between the Atlantic and the Pacific Oceans is a necessity to our commerce, and to my mind this fact demonstrates its constitutionality.

Let us consider for a moment the advantages of this route and the great and growing traffic that it would accommodate. It lessens the distance between our Atlantic and Pacific ports 7,000 miles, two and one-third times the distance across the Atlantic, and it also saves the tempestuous and dangerous voyage around Cape Horn.

The Suez Canal, which has revolutionized the commerce of Europe, only shortens the distance to India about 4,000 miles. This route shortens the distance from our Pacific coast to Liverpool 6,000 miles, and from Callao, South America, it lessens the distance to western European ports 4,000 miles, and the distance to our own Atlantic coast nearly the same. It would also greatly diminish the distance of our eastern ports from the Pacific islands, and could not fail to largely increase our trade with them. An immense impetus would be given to the trade of our own Pacific coast and that of South America. The lumber export of Washington Territory and Alaska would soon become of great magnitude. When it is seen that sailing vessels leaving Europe for San Francisco, which can now only make one round trip in a year, will then be able to do that and return to San Francisco in the same time, the advantages of this transit will be obvious.

The Suez Canal was opened to commerce in 1870. In that year 486 ships passed through, aggregating a tonnage of 436,609. Its receipts were $1,031,865. In 1880 the number of ships was 3,307; tonnage, 5,775,861, and the receipts were $13,702,413. The Nicaragua Canal possesses a great advantage over the Suez Canal, which would lead to its more rapid development. The latter can only be used by steam-vessels on account of the peculiarly difficult and dangerous navigation of the Red Sea, while the former can not only be used by them, but will undoubtedly lead to a large and rapid increase of this class of vessels.

The Chiefs of the Bureau of Statistics for 1879 and for 1885 give the number of vessels and their tonnage which would have used this route as the most convenient during those years, respectively. In 1879, 2,647 vessels, with a tonnage of 2,671,886; in 1885, 4,139 vessels, aggregating a tonnage of 4,252,434. At this rate of increase at the date of the possible completion of the canal its business would amount to more than 6,000,000 tons, and equal the present traffic of the Suez Canal. It has substantial advantages for our merchant marine and particularly for our sailing vessels over the Panama route, should that ever be completed, which is extremely improbable. The Nicaragua route between our Atlantic and Pacific coasts would be 600 miles shorter than that by the Panama Canal, and it would also be north of the region of calms and baffling winds, within which the latter is situated. Then the magnificent fresh-water lake which forms a part of the route would furnish commodious and safe shelter for vessels of any tonnage.

Our naval squadrons, which it is probable in the future may be found more frequently in the Caribbean Sea and upon both coasts of Central America, could remain here when not needed for active service, and would last a much longer period of time in the fresh waters of the lake than when exposed to the corroding influence of the sea. It would indeed furnish for our Navy a safe and permanent harbor of refuge, unlike and superior to any existing harbor. What are the objections to this project? So far as its engineering features are concerned, or the feasibility and efficiency of the proposed canal, there is no serious question.

The ground is taken by some who profess to favor the canal that the grant of this charter should be accompanied with a renewed and vigorous assertion of the Monroe doctrine. One objection to this is that it would defeat the project. Perhaps this is a sufficient objection. We certainly ought not to desire by the barren assertion of a doctrine to prevent its conversion into a fact through the virtual union of our Atlantic and Pacific coast lines. This canal will be built by an American company with a national charter which provides that the president and a majority of the directors shall be citizens and residents of the United States.

It seems to me that the building of a canal across the Isthmus by a purely American company under the patronage and prestige and authority of our Government is a practical and most forcible illustration of the Monroe doctrine. It is an announcement to the world that American citizens with the sanction of their Government propose to connect the two oceans and to control if necessary the passage between them. Is not this better than a mere declaration of a policy which did not prevent France from attempting to build the Panama Canal? Declarations which are not accompanied or followed by corresponding action only excite contempt. Great Britain created her colonial system and established her power in every quarter of the globe, not by high-sounding claims of dominion, but by quiet occupation, secured through the enterprise of her subjects, whom she was very sure to protect whenever and wherever their interests were assailed.

We have already explicitly notified Great Britain that we consider the Clayton-Bulwer treaty abrogated by her violation of its terms. A restatement of our position and a fresh assertion of the Monroe doctrine attached to the charter of a private company would be inopportune, undignified, and impolitic. In closing these brief remarks let me urge

that the rapid and extraordinary development of the world's commerce demands this direct route and will not longer brook the cost, delays, and dangers incident to a detour around the South American continent. Let us unite these immense oceans which wash the shores of the New and the Old World and form the great highways of commerce to the most frequented and the most remote regions of the earth.

Let it be the glorious work of the Fiftieth Congress, which completes one hundred years of our legislative history, to remove the barrier between these oceans and strike the fetters from the limbs of commerce which she has been compelled to wear for these three hundred years. Let us crown the closing years of this grandest of the centuries with what will prove to be the noblest of its achievements; and, believe me, sir, that we and our children will be proud and grateful that we have been enabled to contribute toward this result—a result which since the hour when the daring Spaniard, "standing upon a peak in Darien," gazed upon two oceans and two continents has been the dream of genius, the prophecy of science, and the hope and demand of civilization. [Applause.]

(During the delivery of the foregoing remarks, when the five minutes of Mr. DAVIS had expired, Mr. DALZELL obtained the floor and yielded his time to Mr. DAVIS, who resumed and concluded his speech.)

Mr. COBB obtained the floor.

Mr. CLARDY. I desire to ascertain whether we can not arrive at some agreement as to the time to be consumed in the discussion of this amendment. I do not wish to interfere with the gentleman from Alabama [Mr. COBB], but suggest that we limit discussion on this amendment to ten minutes, to be equally divided between the two sides.

Mr. PAYSON and others. Oh, no.

Mr. SPINOLA. I object.

The CHAIRMAN. Objection is heard.

Mr. CLARDY. Then I move that the committee rise for the purpose of limiting debate.

The CHAIRMAN. The Chair had recognized the gentleman from Alabama. The gentleman from Missouri [Mr. CLARDY] will be recognized next.

Mr. COBB. Mr. Chairman, as an amendment to the amendment of the gentleman from Indiana, I offer the following:

And this proviso shall be printed on every bond, contract, certificate of stock, or other obligation issued by said company.

The object of this amendment is apparent. It is to prevent any person who may become possessed of any of the bonds, contracts, or certificates of stock issued by this company from being misled as to the obligation which the United States Government assumes in the premises, but may have notice conveyed upon the bonds themselves of the fact that the Government is in no way responsible for any of the obligations of the company.

I can not, of course, Mr. Chairman, enter at any length into this discussion in the time to which I am limited. I take it we are agreed here in the wish that there may be at some time in the near future a water communication constructed between the Atlantic and the Pacific along this proposed route. I apprehend further that we are agreed in the desire that this water communication shall be controlled by citizens of the United States; but when it comes to the methods to be pursued in effecting this desirable object we do not agree.

We have had, according to my conception, very latitudinarian views expressed here to-day as to the power of the Congress of the United States over matters of this kind. According to the gentleman from New York [Mr. COX] and the gentleman from Maryland [Mr. RAYNER] Congress can exercise any power whatsoever that may be conceived to be necessary for the purpose of facilitating interstate commerce or commerce with foreign powers. If their views are correct, Congress may authorize the construction of a line of railroad from here to the Pacific, and along the whole line may, in exercise of the power of eminent domain, seize and condemn, for the purpose of its construction, the land within the States through which the road passes. I apprehend those gentlemen will not be willing to go to that extent; and if not, how can they claim that Congress may authorize the construction of a line of travel when in that construction there must be the purchase and holding of property even beyond the United States?

The grant of corporate rights is the bestowal to some extent of governmental privileges and powers; and no government can, with propriety, attempt to make such bestowal unless it can secure through its own laws and administration the exercise of the powers granted.

In order to show that the attempt is made to confer authority which the Government of the United States itself can not exercise, and the exercise of which it can not secure to others, look at one or two provisions of the bill. Here is one in which it is said that this corporation "may receive, purchase, hold, and convey personal and real property and rights of property."

Now, what authority has the Congress to convey to any corporation or to any person the right to acquire and hold property in any State in the American Union? None whatever. No such grant of power is found in the Constitution. If there is no power in the Government of the United States to confer upon a corporation the right to acquire and hold property in the States, and to secure the exercise of that right, how much more conclusive becomes the argument when you attempt to go beyond the domain of the United States and its authority.

In this bill it is provided that the proposed corporation may acquire property in a foreign country where we have no authority whatever. You can not enter one of the States and confer this right. Much less can you exercise it in a foreign government. Not only that, but you undertake to convey to the corporation authority to issue bonds and secure the same by mortgage on its property and rights of property. Property where?——

The CHAIRMAN. The gentleman's time has expired.

Mr. HOLMAN. I hope the gentleman's time will be extended for five minutes longer.

Mr. CLARDY. Mr. Chairman, I wish to say that so far as I am concerned myself, I am willing to accept the amendment offered by the gentleman from Indiana. My only objection is the one I stated awhile ago; that is, that it is covered by an amendment already adopted. But if this amendment is adopted, then I think the amendment of the gentleman from Alabama [Mr. COBB] an eminently proper one, and I shall offer no objection to that.

The CHAIRMAN. The question first recurs on the amendment to the amendment of the gentleman from Alabama [Mr. COBB].

Mr. COBB's amendment to the amendment was agreed to, and then Mr. HOLMAN's amendment as amended was adopted.

Mr. BLAND. I offer the amendment which I send up to be read as a substitute for the sixth section of the bill.

The Clerk read as follows:

Congress hereby reserves the right to alter, amend, or repeal this act, and to regulate the tolls or tariff rates for transportation of persons or property by this company or its assigns.

Mr. BLAND. Mr. Chairman, I offer that for the purpose of making certain the power of Congress to regulate the tolls of this company without the necessity of repealing, altering, or amending the charter. Under section 6 as it is in the bill the only power on the part of Congress is to repeal or amend the charter. It does not give the power to regulate the tolls of this company. I think we ought to reserve the right to regulate the charges of this company, and hence I have offered my amendment as a substitute for section 6 as it is in the bill.

Mr. MILLIKEN. I rise to ask the gentleman from Missouri if he would put his money into any enterprise and leave to somebody else the question of regulating what profit he should receive on the investment?

A MEMBER. You do that in railroad companies.

Mr. BLAND. Mr. Chairman, the day has passed in this country when the people of the United States are willing that Congress, or any of the State Legislatures, shall create an individual—a corporation—which is greater than the Government itself. I demand, sir, the exercise of the power on the part of Congress to regulate the traffic of this company, and if we are to create a corporation bigger than the Government and Congress itself, and authorize it to exercise power of itself in violation of the law, or which can not be controlled by Congress, then I hope that this bill and every similar bill, all measures that mean the enactment of such legislation as that, will be rejected by this body.

Mr. MILLIKEN. Mr. Chairman, I expected the gentleman from Missouri to make just exactly that same speech. It is identically the old speech which he has been making here ever since I have been in Congress—an attack upon corporations, and the assertion of the right of Congress to control private property.

Now, the only objection which I have to the amendment which the gentleman from Missouri offers is that it goes to the very vitality of the bill itself. In other words, if the amendment is adopted, what reasonable man would put up his money to build the canal? When men invest money in enterprises of this character they expect remuneration from it. It is a risk and may be a total loss. I agree with the gentleman that Congress should have the right to regulate the corporations it creates to a certain extent, but when you say that Congress shall have the right at any time to fix the fares and the rates and the tolls upon a railroad or a canal that somebody else is going to build with his own money, then I ask the gentleman where is the reasonable man or the man who would take ordinary care of his own affairs and of those who are dependent upon him who will venture his money in such an enterprise as that? Who will embark his means in an enterprise where the right to regulate what he shall receive for his investment is left to somebody else, and where other men shall say whether he shall receive 1 per cent. or 5 per cent. or no per cent. at all? It is not even reasonable.

Mr. BLAND. I am quite willing that the gentleman from Maine, who seems upon all questions here to represent monopoly, should represent it to-day on this question.

So far as I am concerned I propose to stand here, as I have stood in the past, demanding that Congress shall at all times preserve its right to control and regulate traffic in this country both as to transportation and the rate to be charged by any corporation which is authorized by Congress.

Mr. MILLIKEN. I do not belong to any corporation in this country. I have not a dollar's interest in any corporation in this country.

I am not any more in favor of monopoly than the gentleman from Missouri himself. This word "monopoly" has been used as a scarecrow to defeat many interests, and people have been frightened by the use of the word. If I believed that there were men here who had capital to invest who would invest it to build this canal across the Isthmus and at the same time allow somebody else to say whether they shall reap any profit or not, or whether that investment shall be profitable or a dead loss, I might be willing to agree with the gentleman from Missouri that Congress should be allowed to regulate the tolls to be charged upon the canal. But I do not believe that there can be found within the limits of the United States men who will put their money in to build this great canal across the Isthmus, a matter of so much national importance to this country, and at the same time allow this body or any other body to say whether they shall reap a profit on the investment or not.

The CHAIRMAN. The question is on the substitute for the sixth section proposed by the gentleman from Missouri.

Mr. BLAND. I offer that as an amendment.

Mr. HOLMAN. I hope the gentleman from Missouri will agree to offer this as an addition to section 6.

Mr. BLAND. I will ask its adoption as an amendment to the sixth section.

The question was taken; and on a division there were—ayes 72, noes 62.

So the amendment was adopted.

Mr. MAISH. I beg to offer the following additional amendment.

The Clerk read as follows:

Provided, That the construction of said ship-canal shall be commenced in good faith within three years, and be completed within ten years; and a failure to comply with this proviso shall cause a forfeiture of the franchise granted by this act.

Mr. KERR. I ask a division of that proposition, and a vote upon the limitation of three years and ten years separately. I agree to the first, but the limit of ten years I do not think ought to prevail.

The CHAIRMAN. The Chair thinks the question is divisible, and the gentleman is entitled to a separate vote. The first question is on agreeing to the limitation that the work shall be commenced within three years.

The amendment was adopted.

The question recurred on the second portion of the amendment, limiting the time of completion to ten years.

The question was taken; and on a division there were—ayes 49, noes 54.

Mr. HOLMAN. I make the point that no quorum has voted.

The CHAIRMAN. The point of order being made that no quorum has voted, the Chair will order tellers.

Mr. HOLMAN and Mr. CLARDY were appointed tellers.

The committee again divided.

During the count,

Mr. CLARDY said: Mr. Chairman, the point of no quorum is withdrawn upon the condition that we shall consent to a yea-and-nay vote in the House on this amendment, and a yea-and-nay vote upon the passage of the bill as well.

The CHAIRMAN. The Chair will state that the committee can not bind the House.

Mr. CLARDY. I hope the agreement will be made.

The CHAIRMAN. The Chair will state that the notification made by the gentleman from Missouri is all that can be done.

Mr. HOLMAN. But he can not be heard.

Mr. CLARDY. Mr. Chairman, I will again state for the information of the committee that the point of no quorum has been withdrawn by the gentleman from Indiana upon condition that we assent to a yea-and-nay vote upon this amendment in the House, and to a yea-and-nay vote upon the passage of the bill as well.

The CHAIRMAN. The Chair will state that the Committee of the Whole can not bind the House to an agreement of that kind; but if the members constituting the House itself constitute the committee, the understanding will probably be as effective.

Mr. BLOUNT. I think a majority of the committee will determine the matter.

The CHAIRMAN. Does the gentleman from Georgia renew the point of no quorum?

Mr. BLOUNT. I do.

The CHAIRMAN. The gentleman from Indiana [Mr. HOLMAN] withdraws the point of no quorum, and the gentleman from Georgia [Mr. BLOUNT] renews it.

The count was concluded; and the tellers reported—ayes 63, noes 103.

So the latter part of the amendment was not agreed to.

The CHAIRMAN. The Chair thinks it but proper that the Clerk should report that portion of the amendment that has been rejected.

The Clerk read as follows:

And be completed within ten years, and a failure to comply with this proviso shall cause the forfeiture of the franchises granted by this act.

The amendment as adopted will read as follows:

"*Provided*, That the construction of said ship-canal shall be commenced in good faith within three years."

Mr. WILSON, of Minnesota. I offer the following amendment:

The Clerk read as follows:

After section 2 add the following:

"SEC. 3. That no certificates of stock shall be issued until at least 10 per cent. of the same shall be fully paid for in money at the par value of said stock, and the money deposited in the treasury of said company, and said stock so subscribed shall not be assignable until the whole of the same shall be so paid in, and no payment on account of capital of said company shall be made except in money; and said company is hereby prohibited from returning or rebating any part of the money so paid. No bonds in excess of the amount of capital paid and received shall be authorized or issued until such paid capital shall amount to the sum of $5,000,000. No part of the capital stock paid in shall be at any time withdrawn or returned to the stockholders or in any manner diverted from the proper uses of the corporation. Every person violating or aiding in the violation of the foregoing provision shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine not exceeding $10,000, or by imprisonment not exceeding five years, or by both of such punishments, in the discretion of the court."

Mr. WILSON, of Minnesota. Mr. Chairman, I am in favor of this bill, but I desire the amendment which has just been read incorporated. I have no doubt, sir, that a canal across that Isthmus will be built within a short time, and I feel equally certain that the United States should permit no foreign country to build or control that canal. I think that is manifest public policy. I have listened with strict attention to the argument of the gentleman from Indiana [Mr. HOLMAN] and other gentlemen that we have no power under the Constitution to grant such a charter as this, and I must admit that, while I entertain doubts, I have not been convinced by their arguments. Indeed, no one can satisfactorily discuss that question in the limited time allowed to a speaker under this order (five minutes). But I incline very strongly to the opinion that the United States has the right to create this corporation, or the right to build the canal; and if I were sure that the United States could build and operate it without any jobbery, I am not ready to say that I would not favor that, so strongly am I impressed with the conviction that it is a work whose importance can hardly be overestimated. But, Mr. Chairman, we all know what has been the effect of the issuance of stock that represents no capital.

It is an injustice to the whole people to permit any corporation created to act as a common carrier to issue one dollar of stock except as the evidence of and to the amount of the capital actually paid into its treasury. Nothing has worked greater injustice to our people, and especially to the people of the West, than such fraudulent issues of unpaid-for stock. Nothing has so embarrassed the adjustment or regulation of freight charges.

Certificates of stock ordinarily soon pass out of the hands of the original holders into the hands of bona fide holders for value, who have neither knowledge nor means of knowledge that such certificates are not what they purport to be—certificates of actual stock of the company. The purchaser of such certificates reasonably expects and insists that the tolls or freights charged by the corporation shall be fixed and kept so high as to pay a reasonable rate of interest on all the stock issued. If so, the people are compelled to pay interest on a fictitious capital, on certificates of stock issued without consideration; if not, the bona fide purchaser of such stock, without any fault or negligence on his part, is deprived of any return for his money.

Wrong and injustice to the whole people, or to the purchaser of such stock, can only be prevented by preventing the issue of stock beyond the amount of money actually paid in. We should learn wisdom from the past.

Mr. WHEELER. Before this is finally acted upon I desire to have an opportunity to express myself as thoroughly in favor of the purpose of this bill. I believe, Mr. Chairman, in progress, in advancement, in civilization, and in development, and when gentlemen come here and simply ask the House of Representatives and the Senate to give their sanction to an enterprise which has for its purpose the opening of that great gateway of commerce, I do not think it is good statemanship to hesitate in giving one kind word to a matter which materially involves the best interest of our people.

There is nothing so important to the progress of American civilization as the development of American commerce, and nothing will do more to develop American commerce than the opening of this great highway between the Atlantic and the Pacific Oceans. All that is asked of this Government is that it give its legislative sanction; to say to the world, as it were, that this project is a legitimate effort to develop the commerce of the world, because the success of this enterprise will not benefit one section alone, nor will its great benefits be confined to one country, but it affects the whole civilized world; and when such a request is made, I submit that American intelligence demands such recognition of the enterprise of its citizens; and this is really all that is proposed by the bill. This is all, Mr. Chairman, I desire to say on the subject. I will not further delay action. I hope the bill will pass, and this great project be put under way with the utmost possible promptitude.

Mr. SPINOLA. Mr. Chairman, in order that there be no misunderstanding in regard to my position on this bill I desire to say that if its advocates will put it in proper form, if they will ingraft upon it the proper safeguards to protect the people who will invest their money and at the same time protect the Government, it shall have my vote with pleasure. As to the amendment which has been offered, it is a wholesome and a prudent one. It is a proposition to put a check upon the

floodgates by which almost every corporation in every State in our country has been swamped with watered stock. Take our great Pacific railroads; they got money enough out of the Government to construct them, and yet their stock and bonds were swelled to hundreds of millions. Now, this is a proposition to establish a corporation with a capital of $100,000,000, with the right to double it.

Why, sir, the immortal Jackson, when he gave the order to remove the deposits from the United States Bank, took the position that there was danger to the liberty of the people from a great corporation like that, although its wealth amounted only to about $30,000,000; but here is a proposition to ingraft upon our statute-book authority for a corporation with $100,000,000 of capital, with the right to double it and also with the right to augment it further by borrowing hundreds of millions more. Does every gentleman upon the floor of this House understand the fact that the people behind this enterprise have stated over their own signatures to the House that the work can be constructed for $74,000,000? Seventy-four million dollars is what they say will complete the whole work, yet now they come and ask us to give them a charter for a company with a capital of $200,000,000, with the right to bond unlimited. Have you not examples enough before you within the borders of our own country to warn you to halt, to pause and consider what you do before you pass this bill? The requirement of the paying in of 10 per cent. in cash is a proper thing. There are other provisions in this bill in regard to the stock which they have a right to issue. They can take it out of the treasury and pay it out for swamp lands or anything else they please. We have had enough of that kind of business in the State of New York, and as a member of this House from that State I can not consent to vote for a bill which would ingraft upon the statute-book of the nation any such legislation as this.

When they issue their stock let it be for money. The stock should be issued to the people who subscribe for it upon the payment of their cash, and it should not be issued simply upon the turning over of some unimportant or valueless lands. Therefore I am in favor of this amendment because it is a wise and wholesome one and I believe it should be adopted by this House. [Cries of "Vote!" "Vote!"]

The amendment was agreed to.

Mr. BAYNE. Mr. Chairman, I desire to offer an amendment to come in on line 42. Just before the word "value," in that line, I propose to insert the words "fair and reasonable."

Mr. CLARDY. Mr. Chairman, I have looked at this amendment and I see no objection to it, and I do not think any gentleman will object to it.

Mr. PAYSON. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. PAYSON. If the amendment just proposed by the gentleman from Pennsylvania [Mr. BAYNE] shall be adopted in the Committee of the Whole will it be in order to move to strike out so much of the bill as occurs after the word "act," in line 41, down to and including the word "assessment," in line 44, which will include this amendment?

Mr. BAYNE. The proposition should be perfected before it is voted upon.

The CHAIRMAN. The Chair thinks it would be competent to move to strike out the portion of the bill including the amendment, provided the motion included more; but it would not be competent to move to strike out those words alone.

Mr. PAYSON. That was my idea, but I wanted to be certain about it.

The amendment of Mr. BAYNE was agreed to.

Mr. STOCKDALE offered the following:

After section 2 insert the following:

"*Provided*, That the concessions of the Nicaraguan Government, or any part thereof, shall not be changed, nor shall the company here chartered release the Government of Nicaragua from any of said concessions without the consent of the Government of the United States first obtained; and any violation of this provision shall operate as a forfeiture of the franchise of the company."

Mr. STOCKDALE withholds his remarks for revision. [See Appendix.]

Mr. STOCKDALE. I have not concluded my remarks and will take the advantage of extending them in the RECORD. [Cries of "Vote!"]

Mr. HOLMAN. I ask that the request made by the gentleman from Mississippi [Mr. STOCKDALE] in reference to the extension of remarks in the RECORD be made general.

The CHAIRMAN. That had better be done in the House.

Mr. DINGLEY. Mr. Chairman, in parliamentary practice there are two well-recognized ways to defeat a measure, one by direct opposition to the measure itself, and the other by offering amendments to fritter it away and thus indirectly defeat it.

With all due deference to the gentlemen who have offered amendments—some entirely proper—to this bill, it does seem to me as if there is a settled purpose on the part of some gentlemen to defeat it in an indirect way. While admitting the importance of the object sought, at the same time tend practically to defeat it.

The gentlemen who propose to construct this canal have obtained from the Nicaraguan Government certain important concessions, and they come to Congress simply for the purpose of obtaining an act of incorporation for that company. They do not ask that this Government shall be responsible for a single dollar. They are willing, as has been said already, that there may be a provision in the charter taking away all possibility of liability on the part of the Government.

If the object to be obtained is an important one, if it is agreed, as I think it is, that the Nicaraguan Canal is of the utmost national importance, this Congress should either be prepared to grant an act of incorporation to the gentlemen who propose to control it with their own means and the concessions obtained from Nicaragua, or go forward and make suitable appropriations for the construction of the canal by the Government itself. No one, however, supposes that the Government of the United States is either now or hereafter to appropriate the large amount of money required for the construction of a canal across the Isthmus, the lowest estimate of cost being $65,000,000 and the probable cost $100,000,000. If a canal is built at all it must be built by private means. If done by private means, in consequence of the magnitude of the operation, the gentlemen who are to be associated for that purpose must have an act of incorporation, and in order to make that act of incorporation effective in raising money it must have the recognition of the Government of the United States or of some other well-known government, in order to give it character sufficient to raise funds abroad. It is agreed that the act of incorporation shall contain a provision that the Government shall not be liable for a single dollar of outlay.

Now, if the Government is not prepared to enter upon this work itself, and it is conceded that it is not, what reasonable objection can there be to granting an act of incorporation, exempting the Government of the United States from liability, couched in such terms as will give success to this enterprise?

There have been already attached to the bill amendments which must in some measure militate against the success of the enterprise, and others more injurious are to be offered. The concession of Nicaragua provides that Nicaraguan vessels in her coastwise trade shall be charged only 50 per cent. of the regular toll, and we have already provided by amendment that the Congress of the United States may fix these tolls.

The CHAIRMAN. The gentleman's time has expired.

Mr. HERBERT was recognized.

Mr. SPINOLA. I hope the gentleman from Maine will be permitted to proceed.

Mr. DINGLEY. I would like to have a few minutes longer.

Mr. HERBERT. If I can be next recognized I have no objection to the gentleman's proceeding.

The CHAIRMAN. Is there objection to permitting the gentleman from Maine to extend his remarks for five minutes longer?

There was no objection.

Mr. DINGLEY. Mr. Chairman, as I was about to say, the amendment which has been adopted, giving authority to the Congress of the United States to regulate the tolls upon this canal, seriously militates against one of the conditions of the concession, because the Congress of the United States may provide a fixed toll, and that this toll shall be uniform, when the concession itself provides that the toll charged to Nicaraguan vessels engaged in the coastwise trade shall be only 50 per cent. of the tolls charged to other vessels. So we may go on with these amendments—amendments however just and proper they might be if the canal was to be built on our own soil, yet which tend to defeat the objects we have in contemplation in granting the charter.

There has been properly included in the bill a provision reserving to Congress the right to repeal, alter, or amend the charter, and this reservation affords sufficient protection against an improper use of the powers granted the company, and renders it unnecessary to attach other conditions which can do us no good, but which may deter capital, always timid, from running the risks of an enterprise of this magnitude.

Now, we are agreed that it is exceedingly important that a canal should be constructed to connect the two oceans at the earliest possible day. The gentleman from Massachusetts [Mr. DAVIS] has stated the reasons which make this project so important that I need not repeat them. It is important, not simply that we may have a short route for trade with the East and with the western coast of South America, but it is peculiarly important to the citizens of the United States, because such a canal gives to our vessels in the coastwise trade an important advantage. The trade by water between the Atlantic and the Pacific States, which now goes round Cape Horn or is broken at the Isthmus, is a coastwise trade, and none but the vessels of the United States can participate in it. Therefore, the opening of this canal will give to vessels of the United States engaged in the trade between the Atlantic and Pacific States the sole advantage, because they have the exclusive trade.

It will shorten the route of our vessels which now go round the Horn, as has been stated, 7,000 miles. It is an advantage from this point of view, and it is so great that we ought not to throw any obstacle in the way of the success, and the speedy success of such an enterprise. Let the conditions that we would attach to the bill be reasonable, and let them be such as will further the enterprise and secure its ultimate success, and not hamper and retard it.

I can not understand why gentlemen in a matter of this kind—a matter in which the United States is not to invest or make itself liable

for a single dollar—should press for the attachment of conditions the inevitable effect of which will be to prevent the successful completion of the great enterprise. We are liable, sir, to play the part of the "dog in the manger" in this enterprise, for assuredly we can not stand here preventing the success of this canal scheme and have the whole world look patiently on and permit us to do nothing ourselves or allow nothing to be done by others towards its completion very much longer.

The time is not far distant when some other nation of the world will in some manner take hold of this enterprise, if not directly, by the incorporation of a private company, composed not simply of alien stockholders and alien citizens, but having its place of business and the majority of its directors in some other country.

This canal, built by an American company, with its principal place of business in this country, with the majority of its directors American citizens, will in effect be an American company and subject so largely to our control that we shall have the same advantages accrue from the enterprise that would accrue from a Government canal without the expenditure.

Let us not then seek to attach to this bill unnecessary amendments that will have the effect of defeating the greatest enterprise of modern times. However great an enterprise was the Suez Canal—and the results which have flowed from it have been great—yet the plan of connecting the Atlantic and the Pacific Oceans by means of a canal is far higher in importance and far greater in the magnitude of the results to flow from it than the Suez Canal.

Let us rise to the importance of the subject here presented. Let us sink petty prejudices and narrow fears and grant such generous conditions as will secure the success of an enterprise of such magnitude as requires our friendly interest, and not the jealous antagonism of the Congress of the American people.

[Here the hammer fell.]

Mr. HERBERT rose.

Mr. CLARDY. Before the gentleman from Alabama proceeds, I would like to ask if we can not agree to some limitation of the discussion on this bill?

Mr. PAYSON. Not at this time.

Mr. CLARDY. We have been discussing the sections indiscriminately, but I would ask to limit debate on the second section.

Mr. PAYSON. No.

Mr. CLARDY. I would suggest that the limitation be fixed at ten minutes.

Mr. PAYSON. I object to the limitation.

Mr. CLARDY. I regret that we can not agree to fix some time.

Mr. PAYSON. We can not agree to limit the debate now.

The CHAIRMAN. The gentleman from Alabama is recognized.

Mr. HERBERT. Mr. Chairman, I am not sure that this committee fully comprehends the great importance of the step which it seems we are about to take. The gentleman from Maine has just said that unless this charter is granted by the Congress of the United States, unless these corporators, in other words, have back of them this great and powerful Government, this enterprise now projected will be a failure. What does that mean? Will a corporation created by a State fail simply because, as has been said here, a charter from a State can not give sufficient dignity to the enterprise? No, sir. The real objection these gentlemen have to a State charter is that no State has the power to defend the rights it grants.

A charter is wanted from this Government because when Congress grants it, and when under it citizens of the United States have entered upon the work of constructing this canal, the United States Government will be behind them and bound, just as much as if it had pledged itself in the act of incorporation, to protect and defend the enterprise it will have authorized and inaugurated.

In other words, the Government of the United States is to undertake a protectorate over this canal, be the consequences and complications that may arise out of it what they may. Are we prepared to take that step? I am not here now to say that we ought not to do it, but if we do, we ought to do so with our eyes open.

Mr. BRECKINRIDGE, of Kentucky. Will the gentleman let me ask him a question?

Mr. HERBERT. Certainly.

Mr. BRECKINRIDGE, of Kentucky. Is the duty of the General Government any greater to defend the rights and protect the property and persons of their citizens under a concession from the state of Nicaragua without the grant of a charter than it would be if granted? Or is not the duty embraced in the relation of the citizen with the Government?

Mr. HERBERT. I was about to state as one step in my argument that very proposition—that it is the duty of the Government to protect its citizens in their rights of person and property in every country in the world; it does not matter in what land or under what laws these rights arise. One of the first acts of this Administration was to send a fleet down to protect the property of our citizens when imperiled by a revolution in Costa Rica. All men admitted that this was our bounden duty without stopping to inquire how the rights of our citizens were acquired. If this be true, then my next proposition is, if I may use the expression, that the Government is doubly bound to protect its citizens who shall invest their money deliberately sanctioned by a charter granted by Congress.

We bind ourselves to them by a solemn contract. Here it is: They tell us by their friends on this floor that they are not satisfied with a State charter and that if we do not grant a charter they will not undertake the work. If we do grant the charter they say they will construct the canal. We grant on condition they undertake the work. They do undertake it; comply with its condition. What element of an express direct unequivocal contract of protection is wanting? Every court in the world would decree this to be a contract binding this Government to protect and defend that canal. Why, sir, we even reserve the right to regulate tolls. Now, what does all this mean? What are to be the results of this step we are invited to take?

In 1850 or 1851 the Clayton-Bulwer treaty was made. Great Britain and the United States agreed at that time to exercise a joint protectorate over any interoceanic railroad or canal or water way that was to be built along this route. It was expected at that time that these two nations, Great Britain being the strongest naval power in the world, would be able easily to protect any company that might build a way across the route now proposed. Now, that Clayton-Bulwer treaty——

Mr. RUSSELL, of Massachusetts. Or by the Isthmus, also.

Mr. HERBERT. No; it only contemplated the Nicaragua route.

Mr. RUSSELL, of Massachusetts. Under that treaty the railroad was built.

Mr. HERBERT. No canal was built. Nothing was done under that treaty. The United States has claimed several times, through its Secretary of State, that the treaty was practically defunct, and that we were no longer bound by it; but Great Britain has never acknowledged it. Great Britain to-day claims that this is a binding treaty.

Mr. DUNN. Great Britain has violated it herself.

Mr. HERBERT. I do not propose to discuss that. I am simply adverse to this difference between the two countries as one of the complications likely to arise through our undertaking to make ourselves a protectorate of that route.

Mr. CLARDY. Do we not do it under the treaty of 1867 between this Government and the Government of Nicaragua?

Mr. HERBERT. I do not think so.

Mr. CLARDY. I think we do.

Mr. HERBERT. No question has arisen or will arise until we incorporate this company, for the gentlemen who are at the head of the enterprise tell us nothing will be done unless we give them a charter.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr CLARDY. I move that the committee do now rise, with a view to limiting debate.

Mr. HERBERT. Mr. Chairman, I ask leave to continue for five minutes.

The CHAIRMAN. The gentleman from Alabama asks leave to continue his remarks for five minutes. Is there objection? The Chair hears none.

Mr. HERBERT. Now, Mr. Chairman, I was about to say this, that when Great Britain and the United States jointly agreed by that Clayton-Bulwer treaty that they would protect any way across an interoceanic route that might be constructed across there, they were amply able to do it. Their combined navies were ample and sufficient without addition or re-enforcement. How are we situated to-day? We undertake this task by ourselves.

We have not and will not have for years a navy that will be able to defend that canal. In my opinion, unless we enter upon some foreign scheme that will involve complications of this kind, we shall never need a navy as great as that of England or of France or of the other great European nations; certainly not until a war with some of those nations is threatened.

But when we undertake to guaranty the neutrality of this canal and to protect it, we will require, in the first place, a naval station at the east end of the canal and a naval station at the west end, and then we will require a navy that will cost from fifty to seventy-five, or perhaps one hundred million dollars a year, in order to be able to cope with the great navies of Europe. Either that, or we must acquire the territory between our own country and Nicaragua; we must annex Mexico, with its mongrel hordes, and Guatemala and Honduras, with their black-and-tan populations.

We must have all the countries that lie between us and the canal, in order that we may be able to march our armies there. We can not protect the canal without either a navy which will be able to cope with the proudest navies in the world, or else some means of marching our armies to the spot in case of necessity.

I think all these consequences may come—I fear, I may even say, they are likely to come from the adoption of this scheme. It is a proposition to enter upon a new policy—something often discussed, but never yet accomplished—a departure from the traditional policy of the country, no entangling alliances with foreign nations.

Now, Mr. Chairman, the question is, Are we prepared to take such a step? These corporators know full well that when we grant them this charter, then the Government will be bound to protect them.

Are we willing to assume the conesquences which may follow

The work is a very important one, important especially to the section I have the honor in part to represent. I do not even say that I shall vote against it, yet I have not been able so far to see my way to support it. I do think, sir, that it ought to be discussed thoroughly, and that before we take a step like this we ought to weigh well the consequences that may ensue.

Mr. McCREARY. Mr. Chairman, I am in favor of every movement which will improve our commercial and social relations with the republics of Central and South America, and I am therefore heartily in favor of the bill now under consideration. I see no reason for the alarm which the gentleman from Alabama [Mr. HERBERT] has expressed. I see no "Trojan horse" in this movement which will in any way endanger the real interests of our Republic.

It seems to me that this bill has now all the safeguards that are necessary, and that it ought to pass. At the last session of Congress the amendment offered by the gentleman from Texas [Mr. CULBERSON] was adopted. It declared that—

Nothing in this act shall be held or construed to in any manner involve the United States in any pecuniary obligation whatever, other than in respect to the payment of tolls as provided for in this act.

And to-day an amendment similar to that has been introduced by the gentleman from Indiana [Mr. HOLMAN] and has been adopted. I think, therefore, that we have all the safeguards on that point that we need. As regards the assertion that the bill is of doubtful constitutionality, presented by some gentlemen, I see nothing in the bill to justify such an assertion. I have failed to hear any member upon this floor show that there is anything in the bill that is unconstitutional.

And as regards the proposition of the gentleman from Alabama [Mr. HERBERT] who has just taken his seat, that if we pass this bill and incorporate this company our Government will have to protect the company, the answer is that under international law we will extend to such a corporation only the attention and protection we would extend to the interests of any citizen of the United States who might be harshly or unjustly treated in any foreign country. Therefore I think there is no ground for that objection.

Nicaragua and her sister Central American republics have a strong disposition to affiliate their interests with the interests of our Republic. The geographical position of the republics of Central America, the fact that they have adopted constitutions in many respects similar to ours, and the fact that they are connected with us by land have induced the people of Nicaragua and of the other republics of Central America to be anxious to cultivate more intimate commercial and social relations with us; yet it seems that our Government and our people are tardy and timid in taking proper action.

It seems that when we are asked simply to incorporate a company to build a ship-canal, that is desired by the citizens of Nicaragua and needed by millions of people and intended to connect the waters of the Atlantic Ocean with the waters of the Pacific Ocean, and thereby improve and facilitate commerce, there are found those who are opposed to the concession.

There is no appropriation of money in this bill. There is nothing in it which will compel us in the future to appropriate money out of the Treasury of the United States to aid this enterprise. The people of Nicaragua have long been desirous for the construction of this canal, and they look to us first among the nations of the earth to take up the work and assist in carrying it through, so far as granting these powers asked for in the bill are concerned.

They do not ask any money. They simply ask this Congress, the Congress of the greatest Republic in the world, to come forward and assist in this great movement by granting a simple act of incorporation in which citizens of the United States occupy a conspicuous place. They have been asking this for years, and if we delay much longer we will see them turn to other countries for these powers and for this assistance. It is a lamentable fact that most of the commerce and trade of the republics of Central America and of South America now goes to Europe, when most of it should come to this country.

In this country we have a surplus of nearly every farm product, and the market for our surplus lies south of us in the republics of Central America and South America; and I am in favor, sir, of doing everything that is proper towards encouraging the friendship that should exist between our Republic and the republics of Central America and of South America, and of encouraging and strengthening our commercial relations with the people of those republics.

The passage of this bill is in the line of progress, improvement, and advancement, both for our country and our neighboring countries. I believe the time has come when we should turn our minds away from party hostilities and political strife to the grander and broader and more patriotic questions of enlarged commercial facilities, improved business relations, and extended markets for our home products; and the passage of the bill under consideration is therefore proper and necessary.

Mr. CLARDY. With the view of limiting debate, I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. TURNER, of Georgia, having taken the chair as Speaker *pro tempore*, Mr. MCMILLIN reported that the Committee of the Whole House on the Private Calendar having had under consideration the bill (S. 1305) to incorporate the Maritime Canal Company of Nicaragua, had come to no resolution thereon.

Mr. CLARDY. I move that the House resolve itself into Committee of the Whole House for the further consideration of Senate bill 1305, and pending that motion I move that all debate on the bill and amendments be limited to thirty minutes.

Mr. HOLMAN. Mr. Speaker, can that motion be made as to the whole bill? It seems to me it should be confined to some particular section of the bill. It can not apply to any portion of the bill which has not already been the subject of amendment.

Mr. WEAVER. I suggest to the gentleman that when by unanimous consent we have been considering this bill in a general way it is too late now to raise the point.

Mr. HOLMAN. I think there has been no consent upon the subject except, I presume, by acquiescence. There has been no express consent. No consent has been asked or obtained except by implication.

Mr. CLARDY. The section under consideration is the last section, at any rate.

Mr. SPINOLA. Not by any means.

Mr. PAYSON. There is pending an amendment to the second section.

Mr. SPINOLA. And quite a number of amendments are yet to be offered to the first section.

Mr. CLARDY. We recurred to the second section by unanimous consent.

Mr. HOLMAN. I think that under our rules when a bill contains a number of sections and is considered in an informal way, as this bill has been, different portions having been under consideration and made the subject of amendment, the true mode of procedure after all is for the gentleman having charge of the bill to move to close debate on successive sections. Certainly debate could not be closed in this way upon the whole bill.

Mr. CLARDY. I make my motion.

Mr. BLOUNT. I can not conceive how it can be in order under our rules to move to close debate on the whole bill. The rule contemplates simply that the gentleman in charge of a bill may have the right to move to close debate on a given amendment or on a given paragraph and amendments thereto.

The SPEAKER *pro tempore*. The present occupant of the chair understood the gentleman from Missouri to move, pending the motion to go into Committee of the Whole, that debate be limited to twenty minutes on the pending section.

Mr. BLOUNT. I understood differently.

Mr. HOLMAN. The gentleman from Missouri sought to have his motion apply to the whole bill.

Mr. CLARDY. I did not hear the statement just made by the Chair.

Mr. BLOUNT. As the gentleman from Missouri did not hear the statement, I will take the liberty of saying that, according to the understanding of the Chair, the gentleman from Missouri moved to limit debate to twenty minutes upon only a single section of the bill.

Mr. CLARDY. In my motion I embraced the entire bill and amendments.

The SPEAKER *pro tempore*. The Chair would indicate to the gentleman from Missouri [Mr. CLARDY] that in the opinion of the Chair it is hardly in order now to move to limit debate upon the entire bill.

Mr. CLARDY. I move, then, to close debate—upon what section were we engaged?

Mr. MCMILLIN. The second section is the one to which the pending amendment relates.

Mr. CLARDY. I move that all debate on the second section and amendments thereto be limited to ten minutes.

Mr. PAYSON. I rise to a parliamentary inquiry. The gentleman from Pennsylvania [Mr. BAYNE] moved an amendment to come in after the word "value," in line 42, page 3 of the bill, which amendment was adopted. While the amendment was pending I made a parliamentary inquiry of the then occupant of the chair whether it would be in order after the adoption of that amendment to move to strike out certain lines of the first section. The Chair stated that it would be and agreed to recognize me for that purpose. I have been on my feet a number of times seeking for that recognition, but have not received it.

Mr. CLARDY. I beg pardon of the gentleman from Illinois [Mr. PAYSON]. I will modify my motion so as to reserve his rights in this matter.

The SPEAKER *pro tempore*. What is the motion of the gentleman from Missouri?

Mr. CLARDY. I move that all debate on the first section and amendments thereto be limited to ten minutes.

Mr. PAYSON. Does that include only pending amendments, or also amendments to be offered?

Mr. CLARDY. Pending amendments and those yet to be offered to the first section.

The SPEAKER *pro tempore*. The gentleman from Missouri [Mr. CLARDY] moves that the House resolve itself into Committee of the

Whole House for the further consideration of Senate bill 1305; and pending that motion, moves that all debate on the first section be limited to ten minutes.

Mr. BAYNE. On the first section and all amendments thereto?

Mr. PAYSON. Is that motion debatable?

The SPEAKER *pro tempore*. A motion to limit debate is not debatable.

Mr. PAYSON. I desire to suggest, if I may be allowed a word, that the time proposed seems to me altogether too brief.

This bill, Mr. Speaker, comes up now practically for the first time.

The SPEAKER *pro tempore* (Mr. TURNER, of Georgia, in the chair). For what purpose does the gentleman rise?

Mr. PAYSON. I rise for the purpose of making a statement.

The SPEAKER *pro tempore*. The Chair hears no objection, and the gentleman will proceed.

Mr. PAYSON. Mr. Speaker, this bill is presented practically for the first time to-day, for although called up during the last session of Congress, very many members of the House, indeed more than a majority of them, were not in attendance. I recollect the accounts of it in the newspapers, for I have not read the report of the proceedings in the RECORD. It was only prevented from passing at that time by the earnest opposition of the gentleman from Tennessee [Mr. WASHINGTON], who insisted, as I think very properly, that a bill of this magnitude ought not to be considered in the absence of a quorum.

I regard this bill as important as any which has been presented so far during this Congress. Several amendments I know are to be offered which are not antagonistic to the purposes of the bill, and in my judgment to limit the debate on the pending section of the bill, as well as upon these amendments, to ten minutes is unseemly. It seems to me that sufficient time should be given to gentlemen who do not oppose the project, but who object to the terms in which it is proposed, in order that they present the question from their point of view. I think, therefore, the time should be extended to some more reasonable limit.

Mr. SPINOLA. Say half an hour.

Mr. PAYSON. Very well; I will suggest that debate be extended to thirty minutes on the pending section and the amendments thereto.

Mr. DUNHAM. I move that the House take a recess until 8 o'clock this evening.

The House divided; and there were—ayes 41, noes 74.

Mr. SPINOLA. No quorum.

The SPEAKER *pro tempore* appointed as tellers Mr. DUNHAM and Mr. CLARDY.

Mr. LANHAM. I rise to a parliamentary inquiry. If we take a recess now, would not this bill be the unfinished business on next Friday in the Committee of the Whole House on the Private Calendar?

The SPEAKER *pro tempore*. The Chair thinks it would.

Mr. LANHAM. Then I suggest that by unanimous consent we agree to take a recess until 8 o'clock this evening, as it is very evident we can not accomplish anything further this evening.

There was no objection.

Mr. MATSON rose.

The SPEAKER *pro tempore*. Before announcing the result the Chair will hear what the gentleman from Indiana has to say.

Mr. MATSON. I ask, by unanimous consent, Mr. Speaker, to change the order for the evening session this evening and for Friday evening sessions hereafter, so as to have the meeting at half past 7 instead of 8 o'clock, and the adjournment at 10 o'clock instead of half past 10.

There was no objection, and it was ordered accordingly.

The SPEAKER *pro tempore*. The Chair put the question to the House on the request for unanimous consent by the gentleman from Texas [Mr. LANHAM] that the House take a recess, and there was no objection, so that the House has determined to take a recess.

Mr. ROGERS. I addressed the Chair several times in order to introduce a resolution calling for information which is of pressing importance.

The SPEAKER *pro tempore*. The Chair would like to oblige the gentleman from Arkansas, but knows of no way to recall the action taken by the House by unanimous consent, and which has already been announced.

The House accordingly (at 4 o'clock and 27 minutes p. m.) took a recess until 7.30 p. m.

EVENING SESSION.

The recess having expired, the House (at 7 o'clock and 30 minutes p. m.) was called to order by Mr. MCMILLIN, who directed the reading of the following communication:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,
Washington, D. C., December 7, 1888.

SIR: Hon. BENTON MCMILLIN is designated to preside at the session of the House this evening as Speaker *pro tempore*.

J. G. CARLISLE, *Speaker.*

Hon. JOHN B. CLARK,
Clerk, House of Representatives.

ORDER OF BUSINESS.

Mr. MATSON. I move that the House now resolve itself into the Committee of the Whole House on the Private Calendar for the consideration of bills under the special order.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the Private Calender (Mr. DOCKERY in the chair).

Mr. MATSON. Mr. Chairman, I ask unanimous consent that the order of proceeding this evening may be the same as that at the close of the last session; that is to say, that the names of members be called in their alphabetical order, beginning where the roll was last ended, and that each member as his name is called be permitted to ask consideration of a bill.

There was no objection, and it was so ordered.

NANCY A. HAYES.

Mr. FUNSTON (when his name was called). I ask consideration of the bill (S. 3144) granting a pension to Nancy A. Hayes.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Nancy A. Hayes, widow of Josiah E. Hayes, late lieutenant-colonel of the Twelfth Regiment Kansas Volunteers.

The report (by Mr. MORRILL) was read, as follows:

The report of the Senate Committee on Pensions is adopted, and the passage of the bill is recommended.

SENATE REPORT.

The claimant under this bill is Nancy A. Hayes, widow of Josiah E. Hayes, deceased, late lieutenant-colonel of the Twelfth Regiment Kansas Volunteers. The soldier enlisted September 30, 1862, and was discharged June 30, 1865. At the battle of Jenkins Ferry, Ark., April 30, 1864, while commanding his regiment, he was wounded in the left leg, near the thigh, causing amputation. He was captured by the enemy and taken to Princeton, Ark., and was held a prisoner until released, February 24, 1865, at mouth of Red River.

He died March 8, 1881, and at date of his death was in receipt of a pension of $30 per month. On May 19, 1881, the claimant made application for widow's pension, alleging "that the soldier suffered amputation of left leg near the hip-joint. Over one year afterwards the leg was cut open and a piece of the ball removed, and he was never entirely free from pain, and was seldom able to sleep unless under the influence of opiates." The Commissioner of Pensions rejected the claim May 14, 1884, on the ground "that the soldier's death, caused from disease of lungs, was not a result of the amputation of a leg for which he was pensioned, nor is it otherwise shown to have been due to his military service."

Dr. Thomas Hammil swears—

"That he was frequently called upon to treat soldier when suffering from the effects of his wound. His leg was amputated near the hip-joint, and more than a year after the operation the wound broke out and a piece of lead was taken from the stump one-half the weight of a minie-ball. He never was able to wear an artificial limb. Believes disability from wound constantly increased, and was a constant sufferer and totally unfit for any labor; that he needed continued care, especially at night, and that he seldom slept, on account of pain from the stump of his amputated limb; that during his last year valvular disease of the heart set in, and in opinion of affiant disease of heart is caused by the breaking down of the nervous system from constant pain in his amputated leg."

Dr. E. G. Ward swears—

"That he first saw the soldier March 3, 1881; found him suffering from acute croupous pneumonia, involving lower lobe of right lung, and valvular disease of heart, which, owing to the rapid heart-action, it was impossible to locate with certainty, though the murmur was due to mitral stenosis. This heart complication was so grave as to warrant at once an unfavorable prognosis. Also suffered intensely from pain in the stump of amputated leg; complained also of constant twitching of the muscles of the stump. This pain and twitching prevented him from getting any good rest. The amount of lung involved in the pneumonia process was not large. The pulse, temperature, and respiration all indicated a mild attack of pneumonia, and but for the complications mentioned there would have been no reason to have expected a fatal termination. Death occurred on March 8—five days after affiant began to treat him."

George B. Lord, in a letter to the Commissioner of Pensions, states—

"That he was present at the death of Colonel Hayes, and had known him intimately for years before, and while he may have taken cold at Eureka Springs, where he died, it had very little, if anything, to do with his death. He died from those nervous pains caused from the amputation of his leg, from which we had expected many times in the last few years of his life that he would die. Each one of the nervous spells (and he had them often) seemed to weaken him, and when the last came his vitality was so reduced that he was not able to recover. There is not a particle of doubt in my mind * * * that the cause of Colonel Hayes's death * * * was directly traceable to his service in the late war and the loss of the leg."

Your committee are of the opinion that the theory of Mr. Lord is reasonable, and taking into consideration the prison experience of the soldier, which unquestionably tended to weaken and impair the constitution so as to be unable to ward off disease, recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

GEORGE A. GLOVER.

Mr. GALLINGER (when his name was called). I ask consideration of the bill (H. R. 11223) to increase the pension of George A. Glover.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the limitations and provisions of the pension laws, the name of George A. Glover, late a private in Company C, Thirteenth Regiment New Hampshire Volunteers, and pay him a pension of $30 per month in lieu of that he is now receiving.

The report (by Mr. GALLINGER) was read, as follows:

George A. Glover served as private of Company C, Thirteenth Regiment New Hampshire Volunteers, from August 13, 1862, to June 8, 1865. He is now a pensioner at the rate of $8 per month for chronic diarrhea, ulcers on back and limbs, and results of the former. He claims disease of liver and general debility as additional results of the diarrhea, but this claim has been denied by the Pension Bureau.

Dr. T. Hiland, under date of January 28, 1888, testifies:

"That Glover is unable to perform mental or physical labor, or to walk any distance; has a feebleness of action of heart pointing towards fatty degenera-

tion, enlarged liver, poor digestion, diarrhea more or less all the time. There is an ulcer in rectum above sphincter; brain works feebly; there are no marked symptoms of softening, but a feebleness and uncertainty about walking which does not seem to be spinal alone; depends upon others for decisions about the most ordinary events of life; is a broken-down man, with no hope of regaining health. Pensioner's condition is undoubtedly due to chronic malarial dysentery."

The Concord board of examining surgeons describe similar symptoms and conditions, and state:

"That if this man's record proves that since leaving the service he has suffered from chronic diarrhea, making it probable that the ulceration of the rectum is a result, he is entitled to a rating as below for his present disabilities. His general appearance is bad, his nutrition is imperfect, and he is undoubtedly incapacitated for the performance of any manual labor. Rate total, second grade, for ulceration of the rectum and results."

The fact that pension has been allowed and is now paid for chronic diarrhea is sufficient evidence that pensioner has suffered therefrom ever since discharge. Disease of liver as well as of heart are no unfrequent sequences of chronic diarrhea.

The writer of this report is personally acquainted with the pensioner and his condition, and has been for some years, and it is his professional opinion that the present pitiable condition described by the several surgeons is entirely due to the existing chronic diarrhea and disease of rectum.

Pensioner did receive a slight injury a few years ago, but it is clearly shown by the report of the special examiner that it in no way added to or aggravated the disability contracted in the service and line of duty.

It is also personally known to the author of this report that pensioner by reason of his inability to perform labor of any kind is dependent for his support upon the earnings of his wife.

Your committee are of opinion that the increase asked for should be granted, and therefore report favorably on the bill and ask that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

WILLIAM T. UNDERWOOD.

Mr. HUNTER (when his name was called). I ask consideration of the bill (H. R. 9172) granting a pension to William T. Underwood.

The bill was read at length.

The report (by Mr. HUNTER) was read, as follows:

The claimant enlisted March 9, 1865, and was honorably discharged June 6, 1865. In application, filed September 12, 1870, he alleges scrofula in neck and head, leaving the neck stiff and contracted; on or about May 16, 1865, also took measles, and by exposure said measles settled in his lungs, causing cough and serious injury to those organs. The claim was rejected on the ground that the disease, scrofula, and results existed prior to enlistment. The claimant was drafted and forced into the service, and although the seeds of the disease may have been in the system, the committee believe that the radical change in the soldier's manner of life aroused the latent malady into action.

We therefore submit a favorable report, and recommend the passage of the bill.

Mr. KILGORE. I did not understand from the reading of the report when this soldier enlisted.

The CHAIRMAN (Mr. ALLEN, of Michigan, in the chair). The Clerk will read that portion of the report.

The Clerk read as follows:

The claimant enlisted March 9, 1865, and was honorably discharged June 6, 1865.

Mr. KILGORE. It occurs to me that March 6, 1865, was just about taking-up-hat time of the war. [Laughter.] I will have to "kick" about that. I give my friend from Kentucky an opportunity to withdraw the bill, otherwise I shall be compelled to make the point of order of no quorum.

Mr. HUNTER. I withdraw the bill, and will offer another.

ELI GARRETT.

Mr. HUNTER. I ask consideration of the bill (H. R. 9163) granting a pension to Eli Garrett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed and authorized to put the name of Eli Garrett, formerly of the United States Navy, on the pension-roll, subject to the limitations and provisions of the pension laws.

The report (by Mr. HUNTER) was read, as follows:

Eli Garrett, the claimant, served in Company F, Eighty-fourth Tennessee Volunteers (subsequently the Twenty-eighth Tennessee Volunteers), Confederate Army, from December 1, 1862, until in September, 1863, when he was captured by the Federal Army. While a prisoner of war he enlisted in the naval service of the United States at Rock Island, January 22, 1864. He served on the Ohio from that date to July 9, 1864; on the Sabine from July 10, 1864, to August 23, 1864, and on the Ohio from August 24 to September 8, 1864, when he was honorably discharged for disability.

On the 3d day of March, 1877, an act of Congress was approved which amended the pension law so as to remove the disability of those who, having participated in the rebellion against the authority of the United States, afterwards enlisted in the Army of the United States and became disabled.

Under this act the claimant in April, 1878, applied to the Pension Bureau for pension by reason of disease of heart incurred in line of duty while serving on the United States steamer Ohio, in July or August, 1864.

His claim was rejected on the ground that the provisions of the act of March 3, 1877, applied only to those Confederates who enlisted in the Union Army, and that it did not apply to an enlistment in the Union Navy.

The honorable Commissioner of Pensions, in his annual report for 1887, recommends as follows (page 20, annual report 1887):

"I beg to call attention to the fact that the act of March 3, 1877, discriminates unjustly against claimants who, having previously served in the Confederate Army, subsequently served honorably in the United States Navy."

He then quotes the act, and adds:

"The addition of the words 'or Navy' makes the law fair to all classes intended to be covered by it."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

JESSE J. CLARK.

Mr. JOHNSTON, of Indiana (when his name was called). I ask consideration of the bill (H. R. 9654) granting an increase of pension to Jesse J. Clark.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Jesse J. Clark, late a private of Company I, Thirty-first Regiment Indiana Volunteer Infantry, on the pension-roll at the rate of $20 per month, in lieu of the pension of $4 per month which he is now drawing.

The report (by Mr. CHIPMAN) was read, as follows:

The claimant herein is now on the pension-roll at the rate of $4 per month for disability caused by gunshot wound of right arm. From June 8, 1865, he was allowed a pension of $6 per month until December 6, 1882, for disease of lungs. At that date $2 for disease of lungs was discontinued, leaving his pension since that date at $4 per month. August 15, 1887, he made application for increase on account of increased disability in said right arm, alleging that he was almost entirely deprived of its use. He also alleged that he has pain in left breast almost constantly, takes cold easily, coughs and spits up freely at such times and sometimes raises blood; arm pains a good part of the time, worse in bad weather and worse after using. The claim was rejected on account of insufficient evidence to establish the allegations.

The medical examinations since 1865, and other testimony filed with the papers, indicate that the soldier is nearly totally disabled from manual labor by reason of gunshot wound of right arm, and that the disease of lungs for which he was pensioned still exists and is gradually growing worse.

In the opinion of the committee the relief asked for in the bill ought to be granted, and we therefore submit a favorable report and recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MRS. ELLA M. GROVER.

Mr. HERMANN (when his name was called). I ask consideration of the bill (S. 2254) to increase the pension of Mrs. Ella M. Grover.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Ella M. Grover, widow of Cuvier Grover, late colonel of the First United States Cavalry, and pay her a pension at the rate of $50 a month in lieu of that she is now receiving.

The report (by Mr. SAWYER) was read, as follows:

The bill proposes to increase the pension of the widow of Cuvier Grover, who died June 6, 1885, while holding the rank of colonel of the First Regiment United States Cavalry. She is now a pensioner at the rate of $30 per month, the highest rate allowable under the general pension laws.

Cuvier Grover entered the service in 1846. At the breaking out of the late war he held the rank of captain, but was soon promoted to brigadier-general of volunteers. In that rank he served with the Army of the Potomac in the Virginia Peninsula campaign. Took part in the siege of Yorktown and battle of Williamsburgh. For gallant services in the latter he was brevetted lieutenant-colonel in the regular Army. For like services in the battle of Fair Oaks he was brevetted colonel. General Grover was at the battles of Savage Station, Glendale, and Malvern Hill. In the Northern Virginia campaign of 1862 he took part in the action at Bristoe Station and second Bull Run.

From December 30, 1862, to July, 1864, he commanded a division of the Nineteenth Corps in the Department of the Gulf and participated in the occupation of Baton Rouge and Port Hudson, where he commanded the right wing of the besieging army. From August to December, 1864, he commanded a division of the Nineteenth Corps in the Shenandoah campaign, and on October 16 he was brevetted major-general of volunteers for gallantry at the battles of Winchester and Fisher's Hill. He was severely wounded in the battle of Cedar Creek on the same day. From January to June, 1865, General Grover was in command of the district of Savannah, and in March, 1865, he was brevetted brigadier-general and major-general in the regular Army. From the close of the war until his death General Grover served most of the time on the frontier posts.

The immediate cause of his death was hemorrhage of the lungs, arising from pulmonary abscess, after having been a sufferer from nervous prostration for many years, unquestionably due to his long and faithful field services during the late war, and great exposures to which he was subjected at different times, as shown by the testimony of members of his staff and medical officers of the Army. In particular was he a great sufferer from facial neuralgia, due to extraordinary exposure during the Banks campaign.

Mrs. Grover has a very limited income, with three small children to provide for. The long and gallant services of her husband heretofore referred to, which are made more conspicuous by the testimonials of his superior officers, on file with your committee, would seem to entitle her to the relief asked for, which Congress, in many other cases less meritorious, has so cheerfully granted.

For these reasons the accompanying bill is returned with the recommendation that it do pass.

Mr. KILGORE. I did not understand from the reading of the bill the amount of increase asked. This is a bill, I believe, to increase a pension. What amount is proposed to be given?

The CHAIRMAN. It is proposed to increase the pension from $30 to $50 per month.

Mr. KILGORE. If my friend will agree to put it at $45 per month I will not make any row about it.

Mr. HERMANN. Under the conditions stated, I accept the suggestion, and thank the gentleman from Texas for his courtesy.

The CHAIRMAN. The gentleman from Texas moves to amend the bill by striking out "$50" and inserting "$45."

The amendment was adopted.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

JAMES S. HARDEN.

Mr. LANDES (when his name was called). I ask consideration of the bill (H. R. 11378) granting a pension to James S. Harden.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of James S. Harden, of West Salem, Ill., late a private in Company D, One hundred and ninety-third Regiment Ohio Volunteers.

The report (by Mr. LANE) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 11378) granting a pension to James S. Harden, beg leave to report:

They have considered this case and find from the testimony that James S. Harden enlisted February 18, 1865, and was discharged August 4, 1865. The application for a pension was rejected in the Department for the reason that the injuries were not the result of the soldier's service in the Army.

The claimant states that he was injured in the hip and back caused by a log falling on him in May, 1865. Regimental surgeon testifies that the soldier was injured as stated, and that he saw him in his quarters and sent him to the hospital. Captain Goble testifies that the soldier was hurt or injured, but he is unable to state how he was injured. Comrade L. T. Johnson testifies that the soldier was injured as he states, and that he was with him at the time assisting him to carry the log.

Several other witnesses testify to the injury. Dr. Hetzler testifies in the record that in 1865 the soldier came to him shortly after discharge for treatment for his leg and back, and he could do nothing for him; that the movement of the hip joint was impaired, and muscles wasted, etc. There is some testimony in the record tending to prove that the injury complained of was due to rheumatism, but against this prior soundness is shown, and your committee, from a careful consideration of the testimony, arrive at the conclusion that the soldier's injuries are due to his army service, and therefore report the bill back with a recommendation that the same do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

GEORGE S. THWING.

Mr. LAWLER (when his name was called). I ask consideration of the bill (S. 2240) for the relief of George S. Thwing.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-rolls, subject to the provisions and limitations of the pension laws, the name of George S. Thwing, formerly of Company E, First Regiment New York Marine Artillery.

The report (by Mr. LANE) was read, as follows:

Your committee have considered this case and have adopted the Senate report herein as their own report, and in view of the facts of this case recommend that this bill do pass.

[Senate Report No. 909, Fiftieth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 2240) for the relief of George S. Thwing, have examined the same, and report:

The case of the claimant under the bill is peculiar and lamentable. He was private in Company E, First Regiment New York Marine Artillery, having enlisted in May, 1862, at the age of eighteen years. While in service at New Berne, N. C., in November, 1862, he was furnished a leave and pass from the provost-marshal for fifteen days to visit the camp of the Thirty-ninth Illinois Volunteers, located about 5 miles from New Berne. While crossing the country in that direction he was arrested and taken to the headquarters of the Fifty-seventh Massachusetts Volunteers, where in spite of his leave and pass he was accused of being a spy and struck on the head with the butt-end of a musket in the hands of the adjutant of that regiment. He was placed in the guard-house, and it was several weeks before he could communicate with the officers of his regiment.

The injury resulted in insanity, and, after confinement in different hospitals as a lunatic for about six months, he was discharged from the service. He has since then been subject to insane attacks which last from weeks to months, rendering him incapable of regular labor and obliging him to live free from noise and excitement, and depending on relatives for support. His injury is described by the superintendent of the insane hospital of Cook County, Illinois, as a lesion apparent in right frontal region, extending from hair line down to external angle of right orbit, and his malady is termed "recurrent insanity."

On presentation of the case at the Pension Office it was rejected under the technical significance which has been given to the law on the ground that the injury was not incurred in the line of duty.

The case is different from that where a soldier on leave meets with an accident, or receives an injury at the hands of civilians, or in the ordinary course of business or pleasure. This soldier was engaged on a lawful errand, undertaken with the approval of his superiors. He was provided with safeguards which, certifying to his character, made his person inviolable to assault on the part of any officer or man wearing the uniform of the Army. The Government in sanctioning the use of leaves and passes virtually guaranties, within their limitations, the lawful possessor in their peaceful use and protection, and especially against the acts of its own representatives. No higher crime is known to the service than the violation of the free conduct and protection of a pass. The injury in the case under consideration is lifelong and irreparable. It is an injury for which there is no legal remedy. The claimant, in presenting his case to Congress, has taken the only course for relief open to him.

The committee approve the bill and recommend it for passage.

Mr. KILGORE was recognized.

Mr. BRECKINRIDGE, of Kentucky, addressed the Chair.

Mr. KILGORE. I yield to the gentleman from Kentucky.

Mr. BRECKINRIDGE, of Kentucky. Since the gentleman from Texas yields to me, I will state that I was going to make this remark: It seems, when this matter is boiled down to plain English, that an officer of the United States Army lawlessly struck a soldier on leave, from which an injury, permanent in its character, resulted. It is therefore due to that soldier to give him a pension, according to the theory on which this bill is framed.

Now, it seems to me that this is a very broad ground, and makes a very dangerous precedent in present legislation. That is the whole case in substance. This soldier, on leave of absence, is lawlessly assaulted by a man who was in the service of the Federal Government as an adjutant of a regiment. From the result of that assault the injury was incurred for which a pension is sought.

It was an absolutely lawless assault, without any justification at all; an act for which that man could have been punished and ought to have been punished. Now, this is not a technicality of the Pension Office. I do not know under what administration nor in what manner they rejected that application as not being an injury received in the line of duty. It is perfectly clear that it was not received in the line of duty any more than any other lawless assault made upon a soldier who was in camp or who was on leave. It does seem to me that it is stretching the charity of the Government, for it is a pure gratuity, given without any lawful excuse that there was an injury received in the line of duty. It was a perfectly lawless assault; and upon this ground any soldier who happened to receive an injury in the Federal service during the four years of that war by a lawless assault is entitled to a pension. It simply means that every Federal soldier is entitled to a pension whenever he becomes unable to support himself.

Mr. LAWLER. Is it not shown that he received it in the service and in the line of duty when it is shown he was traveling under a pass? I think the report shows that.

Mr. BRECKINRIDGE, of Kentucky. As I understood the report, the facts are that the soldier received a leave of absence for fifteen days; was wrongfully arrested and carried to the headquarters of the Fifty-seventh Massachusetts Regiment, and that while there he was struck on the head by the adjutant of that regiment. It was clearly and absolutely an unjustifiable assault, and the result of that blow was a permanent lesion, producing insanity at intervals, which has been the cause of rendering the man incapable of supporting himself. These are the facts, and, as you see, the injury that man is suffering from is clearly the result of the blow given by the adjutant. What is the ground, therefore, upon which we are to grant this pension? Only strip it so that we may know what we are doing; and it is that every Federal soldier who has become, by reason of an assault of anybody, incapable of taking care of himself is to receive a pension.

Now, if Congress is ready in every case to put on the pension-roll a man who was a soldier and is incapable of supporting himself, I am not prepared to say that I will not vote to do it; but I am prepared to say that I am not willing to erect as a precedent that this is a proper ground to put it upon, and that he received it in the line of duty.

Mr. SPOONER. I would like to call the attention of the gentleman from Kentucky to the fact that it is in line with other cases where pensions have been granted to soldiers who have been injured by wanton assaults of their comrades, the parties injured not being in fault, not being the aggressor, and not bringing the assault upon themselves.

Mr. BRECKINRIDGE, of Kentucky. I know that there have been precedents made here, some of which are incapable of being followed without any propriety. There are cases that have run along a line of margin, and cases that did lie upon a doubtful margin; and I have not failed to give the benefit of the doubt to a soldier who served his country.

I recollect a case where a man was shot in the back accidentally by some soldier before he was mustered into the service. He went from here to the valley of the Shenandoah, and I thought he should receive his pension, although not mustered into the service, on the ground that he was on the march to the enemy. I thought he received a blow sufficient to give him his pension. I would not stand upon the technical ground that he had not been mustered into the service; but this looks like going further than we should go.

Mr. SPOONER. I know nothing of the merits of this particular case——

Mr. BRECKINRIDGE, of Kentucky. Neither do I.

Mr. SPOONER. Except what I have gathered from the report; but it is in the line, as I suggest, of many cases in which the rule of action has been to proceed upon the theory, as I understand, that when the soldier has enlisted in the service he is thereby put in a position where, by reason of the brutality of a comrade, or the brutality of his superior officer, if you please, he is liable to be injured in that service; and I think that the Committee on Invalid Pensions in the consideration of cases of that kind have, as far as my recollection and knowledge go, invariably reported in favor of granting pensions where the party in such case was not himself in the wrong and not the aggressor, recognizing that in such a case the soldier was in the service of his country, and thereby was in a position where he incurred the injury by reason of the brutality of his superior officer. In such cases no question has been raised of his being in line of duty.

Mr. BRECKINRIDGE, of Kentucky. It seems to me that this is going very far to pay a pension on a ground that is perfectly indefensible. I can understand the propriety of paying a pension to a soldier who has been hurt improperly by his superior officer, acting at the time in the line of duty, and the superior officer overstepping his position. But where a man has been injured in a private renconter with a comrade, to say that he shall be pensioned for service rendered to his country in a time of war, seems to be a contradiction in terms. He may be an object of charity, but certainly the pension-roll does not become a demonstration of honorable service to the country when it is filled with the names of persons who are put there because they have been worsted in a fight with a comrade.

Mr. SPOONER. The gentleman drifts a little away from the facts in this case. He was not in a quarrel with any one.

Mr. BRECKINRIDGE, of Kentucky. I am speaking of the precedent set by such legislation.

Mr. SPOONER. The precedent that I spoke of was this: Where a young fellow enlisted in the Army, and before he joined his regiment was assaulted in the night time by some ruffians there, who jumped upon him and broke his ribs without the least fault upon his part, he not having entered upon any quarrel and not having been in any sense the aggressor. What should the Government do in such a case?

The committee, looking at it, I think, in a fair and intelligent manner, said in effect: "Here is a boy who entered the service—a dangerous service—and was put into these barracks where he was in a position for this assault to be committed upon him—a boy taken away from the quietude and safety of his home life and put into the Army, where there were brutal men as well as good men," and the committee thought that an injury incurred in such manner and under such circumstances ought to be compensated for in some way by the Government which in good faith the man went out to serve. It seems to me that is a case in the same line as that, and that it is correct in principle.

Mr. BRECKINRIDGE, of Kentucky. I do not mean to say that there are not cases which come so near the dividing line that we ought to give the claimants the benefit of the doubt, but I do mean to say that it is not a good precedent, that it is not in the line of good legislation, nor is it in the line of creditable distinction to our soldiers, to put on the pension-roll persons who are put there really as mere objects of charity and not for the reasons which are laid down in the pension law.

Mr. SPOONER. I do not think that we here who favor proper pensions are very much inclined to stickle upon the question whether they shall be granted as a matter of charity, when charity is needed by the pensioner, or granted simply on the ground of honorable service.

Mr. FINLEY. If the gentleman [Mr. BRECKINRIDGE] will allow me I think I can make a suggestion which will throw some light upon this case. The Pension Bureau itself would have granted a pension to this man only that under its rulings it held that he was not in the line of duty when he was on a leave of absence. His claim was rejected on that ground. During this Congress divers cases have passed this House which had been rejected in the same way at the Pension Office; cases where the injury incurred was not attributable to the fault of the party. The Department ruled in such cases that the claimant was not in the line of duty when he was on leave of absence. That was the ground of objection in this case, and I think there were more than twenty-five bills in similar cases passed by the House during the last session relieving parties whose claims had been rejected under a like ruling of the Department.

Mr. BRECKINRIDGE, of Kentucky. In response to what my friend and colleague from Kentucky [Mr. FINLEY] has said, I desire to say that of course Congress must act as a sort of court, not as a court of revision or appeal, but as an additional court to the Pension Bureau, and I recognize that it is our duty in a great many cases to give pensions to persons who are not entitled to them by the letter of the pension law and whose claims have been legally and properly rejected by the Pension Bureau, but in each case the presumption is against the applicant.

Congress has made a system of pension laws, which system includes the classifications which the Congress has heretofore thought proper. Now, if a claimant does not bring himself within those classifications, it must be presumed that he is not entitled to a pension, and the burden is upon him to show to Congress that he is entitled to a special act granting him a pension. Therefore, every case, in a certain sense, stands upon its own bottom, and ought not to become a precedent for succeeding legislation, because each is a case in which Congress says: "This is exceptional; we grant a pension in this case for a special reason." Now, it struck me when the report in this case was being read that it was a case which ought not to be made one of those exceptions. I have no feeling about it, and I do not expect to make any further opposition to the bill than merely to call the attention of the House to the character of the case.

Mr. LAWLER. Mr. Chairman, I wish to say that the soldier who is to be the beneficiary of this bill was in the service, and was there attacked by an agent of the Government and injured. The Senate committee gave the case a great deal of consideration, and upon an examination of all the facts they were satisfied that a pension ought to be granted and that it should have been granted some time ago. The case is reported here by one of the most careful members of our Pension Committee, Judge LANE, of Illinois, a gentleman so careful and cautious that many of the cases committed to his charge have been reported adversely and not more than two out of ten probably favorably.

I say this in justice to him. The claimant in this case has been in the poor-house and has been depending upon charity, and he is to-day in the Cook County hospital. I think the committee have viewed the case properly even from a technical point of view, holding that while the Pension Office was debarred from granting a pension in such a case, Congress might properly grant one. Why is any pension case brought into Congress? Is it not because of some technicality which prevents the case being allowed in the Pension Office? I have been here on many occasions when bills have been passed which have been afterwards approved by the President in cases not so deserving as this one. I had hoped that as this man has been for so many years without a pension, no opposition at this late day would be made to the proposition.

Mr. BRECKINRIDGE, of Kentucky. I do not intend to interpose any objection which will prevent the consideration of the bill, nor shall I call for a quorum. I simply desired to call attention to the question involved in this case.

Mr. LAWLER. Well, I am willing to let this case go to the President; he looks pretty carefully into these matters, and I am willing to abide the result of his action.

Mr. KILGORE. From the reading of this report I understand this claimant was injured by an assault committed upon him by the adjutant of a Union regiment. Is not that correct?

Mr. LAWLER. While on leave of absence of fifteen days he suffered this injury at the hands of a fellow-soldier.

Mr. KILGORE. Now, if he had been assaulted by the adjutant of a rebel regiment there would have been a great deal more merit in the case. I agree with my friend from Kentucky that this bill proposes to carry the rule a little too far. I dislike very much to interfere with the case of my friend from Illinois [Mr. LAWLER], but to pass a measure of this kind is going a little too far in the granting of pensions.

It has been suggested by the gentleman from Illinois that the President can dispose of this matter. The President did dispose of a good many pension bills. He sat on a good many of them, and sat on them pretty heavily; and he sat on a good many cases that looked like cases of mere camp-followers, deserters, and bounty-jumpers—men not worthy of pensions.

It has been said that I antagonize all pensions. That is not true. I have never antagonized in this House a worthy case within my knowledge. There may be cases of men who did not do their duty in the war, but who have become good citizens since the war. A man may have deserted from the Army, and yet may afterward have acted the part of a good citizen. It is not every man who can "face the music" in battle. Such a man becoming a good citizen since the war may have become an active politician, Democratic or Republican. If a Democratic politician, he has some Democratic friend ready to espouse his cause and seek to procure him a pension. If he is a Republican politician, the same result follows on that side.

Now, I do not believe in granting pensions under any such influences. I do not believe in granting pensions to anybody except those who deserve them. Three things at least ought to concur to enable a man to claim successfully the bounty of the Government. First, he ought to have served the Government in the war; secondly, he should have been disabled; and thirdly, he should be indigent. He should have been disabled in the service—in the regular line of his duty—not in an altercation with a comrade or a superior officer, because it is not reasonable to assume that in such a case the blame is entirely on one side. I am inclined to go further than my friend from Kentucky and to resist the passage of this bill. I regret to have to do so, but that is the way I feel about it.

The CHAIRMAN. The question is on laying this bill aside to be reported to the House with a favorable recommendation. [The vote was taken.] The ayes seem to have it.

Mr. KILGORE. I call for a division.

The question being again taken, there were—ayes 32, noes 3.

Mr. KILGORE. I shall have to make the point of no quorum.

The CHAIRMAN. The gentleman from Texas makes the point of no quorum. The Chair will appoint as tellers the gentleman from Texas [Mr. KILGORE] and the gentleman from Illinois [Mr. LAWLER].

Several MEMBERS (to Mr. LAWLER). Withdraw the bill.

Mr. LAWLER. I serve notice upon gentlemen that I will not withdraw this bill. They may work on the feelings of the gentleman from Texas [Mr. KILGORE] if they wish to. [Laughter.]

The committee again divided; and the tellers reported—ayes 27, noes 1.

The CHAIRMAN. Is the point of no quorum further insisted upon? [A pause.] As the point is not insisted upon, the ayes have it, and the bill is laid aside to be reported to the House with a favorable recommendation.

ORDER OF BUSINESS.

The CHAIRMAN. The Chair asks the attention of the Committee of the Whole to the reading of Rule XXVII.

The Clerk read as follows:

After six days from the commencement of a second or subsequent session of any Congress, all bills, resolutions, and reports which originated in the House and remained undetermined at the close of the last preceding session shall be in order for action, and all business before committees of the House at the end of one session shall be resumed at the commencement of the next session of the same Congress in the same manner as if no adjournment had taken place.

The CHAIRMAN. The Chair desires to call attention to the fact that under this rule Senate bills only are in order for action to-night. Four House bills have already been considered by the committee. The Chair was advised of the terms of this rule, but for the moment it passed from memory.

Mr. LONG. Can we not, by unanimous consent, agree that, as to those bills which have passed, the rule may be waived?

The CHAIRMAN. The Chair is of opinion that the rule should be enforced.

Mr. LONG. I notice that the rule does not expressly forbid the consideration of this class of business. It provides that certain bills shall be in order during the first six days of a second session, but it does not say that certain other measures shall not be in order. Will the Chair have the rule read again?

The CHAIRMAN. The Chair will state that he has consulted the Speaker of the House and entertains no doubt whatever as to the proper construction of the rule. The Clerk will again read the rule, as requested by the gentleman from Massachusetts.

The rule was again read by the Clerk.

The CHAIRMAN. The Chair was about to suggest that by unanimous consent the House bills already considered be allowed to retain their places on the Calendar.

Mr. ALLEN, of Michigan. Does that rule become operative before the six days have expired?

The CHAIRMAN. The Chair thinks that in view of the rule nothing but Senate bills will be in order at this session.

Mr. LONG. The rule, however, does not so expressly state.

The CHAIRMAN. The Chair would again suggest that he has consulted the Speaker of the House, and has no doubt as to the correctness of the ruling. Unless, therefore, some better plan be suggested, by unanimous consent the four House bills already considered by the committee will be allowed to retain their places on the Calendar.

Mr. LONG. Can they not be reported?

The CHAIRMAN. The difficulty is that if you report them to the House a point of order will send them to the Calendar of unfinished business.

The Chair is of opinion that the plan suggested will relieve the situation of all embarrassment.

Mr. BRECKINRIDGE, of Kentucky. I am no parliamentarian, but it seems to me that it might be done in this way: By having no report made from Committee of the Whole at all. Let the committee go on with its business, and let the report of the business to-night and that of next Friday night be made on that evening.

The CHAIRMAN. But the action of the committee must be reported in some shape to the House to-night; and therefore, unless there be objection, the order suggested by the Chair will be entered.

There was no objection, and it was so ordered.

MRS. MARY M. GIBSON.

Mr. MAISH. Mr. Chairman, if in order, I beg leave to call up at this time the bill (S. 2129) to increase the pension of Mary M. Gibson, widow of Commander William Gibson. This bill, I will say, was made a special order during the last session; and I would like to know if it may now be called up.

The CHAIRMAN. It can not be called up now. It has been considered already by the Committee of the Whole, and the Chair is informed by the Clerk that it is now on the special Calendar.

CATHERINE TATE.

Mr. MCKINNEY called up the bill (S. 2483) granting a pension to Catherine Tate.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Catherine Tate, widow of John Tate, late of Company C, First Vermont Heavy Artillery.

The report (by Mr. GALLINGER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2483) granting a pension to Catherine Tate, having considered the same, beg leave to adopt the Senate report as their own, as follows:

"The applicant's husband, John Tate, enlisted November 20, 1863, and was discharged October 2, 1865, for gunshot wound to left hand. He was pensioned at the time of his death, June 18, 1885, at the rate of $16 a month for said wound. The widow's claim was rejected on the ground that the fatal disease of the soldier, congestion of the lungs, was not due to the service.

"The evidence shows that Tate, at enlistment, was a sound man. While lying on the field wounded he contracted a severe cough; when he returned home on a furlough, according to the testimony of Morton Abbott, who had long been acquainted with him, 'his health was poor and he had a bad cough, looked pale and was poor in flesh, and to all appearance suffering from a lung difficulty. Saw him after his discharge; he was still in feeble health and coughed badly; complained of pain in his side.' A comrade, Edwin B. Bardwell, testifies that soldier was sound at enlistment; was with him in hospital at Montpelier, Vt.; soldier then had 'very severe cough, and his health was very poor; hardly able to walk about.'

"The testimony of those who worked with Tate from the time of his discharge until his death shows that he was frequently sick, and never ceased to have a severe cough, often spitting blood, and often complaining of his health.

"Edwin R. Stevens testifies to having sat up nights with Tate; he coughed a great deal and raised offensive matter from his lungs; some of the doctors said he had gangrene of the lungs and others consumption.

"Tate was compelled often to employ medical attendance, from the time of his discharge down. The presumption is strong that the fatal disease was the result of the cough which, it is well established, he contracted in the line of duty, and your committee recommend the passage of the bill. Senate bill 1981, which is duplicate of the present one, is indefinitely postponed."

Your committee recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MRS. LOUISA WARD.

Mr. MOFFITT called up the bill (S. 2639) granting a pension to Mrs. Louisa Ward.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place upon the pension-roll, subject to the provisions and limitations of the pension laws, the name of Louisa Ward, mother of Edgar A. Ward, who served as a private in Company H, Twelfth Iowa Infantry.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2639) granting a pension to Mrs. Louisa Ward, submit the following report:

The Committee on Pensions in the Senate, in their report, show clearly that claimant is the mother of Edgar A. Ward, of Company H, Twelfth Iowa Volunteers, who died from wounds received at battle of Shiloh. The soldier died in service at the age of twenty. Claimant is in destitute circumstances, with an aged husband, and no income or property.

This case comes entirely within the rules of the committee and of Congress, and they therefore recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

WILLIAM H. H. WELSH.

Mr. MORRILL called up the bill (S. 2842) granting an increase of pension to William H. H. Welsh.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of William H. H. Welsh, late of Company F, Thirty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $18 per month, in lieu of the pension he is now receiving.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2842) granting an increase of pension to William H. H. Welsh, submit the following report:

The report of the Senate Committee on Pensions is hereby adopted and the passage of the bill recommended.

[Senate Report No. 1318, Fiftieth Congress, first session.]

The claimant was a private in Company F, Thirty-first Regiment Indiana Volunteer Infantry. He was pensioned originally at $4 per month for "gunshot wound of left foot and left ankle." This has been increased to $6 per month, the amount he is now receiving. On November 28, 1887, he made application for increase of pension on the above disabilities and resulting sciatic rheumatism and neuralgia of hip and leg. This claim for increase was rejected by the Commissioner of Pensions, February 8, 1888, on the ground that he was receiving the full amount of pension, $6 per month, to which he was entitled for the then existing degree of disability resulting from pensioned cause—gunshot wound of right foot and left ankle, as was shown by the result of the medical examination had under the claim for increase, January 4, 1888, by the board of examining surgeons at Fredonia, Kans.; sciatica or neuralgia of leg and hip was not accepted as a result of the pensioned cause, as alleged.

Since the rejection of the claim, February 8, 1888, the claimant has presented to the Pension Office considerable additional testimony, which would seem to be convincing that he was entitled to some additional increase at least.

Dr. Cyrus Z. Duvall swears that he has treated the claimant for neuralgia at two or three different times during the month of September, 1874, also in September, 1877, and in April, 1878; that he believes that said disease was caused in part or, to say the least, was aggravated from a wound on the ankle, received while in the Army; that he believes, from personal observation, that said disease has since developed into constitutional neuralgia.

Dr. David R. Campbell, a physician of twelve years' experience and practice, swears that he has been acquainted with claimant since March, 1885:

"The claimant has been suffering from neuralgia ever since, and has been getting worse from year to year, and during the last year has not been able to work, and has been confined to his house a good portion of the time. I visited him June 16 and December 11, 1885, and January 20, 1888. I have prescribed for him at various times for said neuralgia, but it has done no permanent good. The neuralgia is worse in left hip and leg, and in my judgment is caused by a gunshot wound in left ankle. He also had a gunshot wound of right foot. By reason of the above-mentioned wounds, and the neuralgia, which, in my opinion, is caused or aggravated by said wounds, the claimant is not able to perform any manual labor."

John H. Richey and C. M. Waggoner, neighbors, swear that "claimant is not able to perform any manual labor."

M. S. Robertson, clerk of the district court of Greenwood County, Kansas, swears to an acquaintance of fourteen years, and that the claimant has never been able to do a full man's work, and that a great part of the time wholly unable to do any work, his ailment being in the form of rheumatism or neuralgia, and at times he would be confined to his bed, and that he is not now able to perform any manual labor.

John W. Storke swears to an intimate acquaintance of fourteen years; that he has been suffering from neuralgia or something of that character, but he has been getting worse for the last few years, and for the last year or two he has not been able to perform manual labor of consequence. Has always understood that the neuralgia was caused by gunshot wounds received while in the Army. I get this understanding from statements made by the soldier and by physicians who have attended him.

The board of examiners at Fredonia, Kans., January 4, 1888, conclude their report by saying the wounds are comparatively insignificant. There is no atrophy of legs, and rate as follows: Injury to the right foot, one-eighteenth; injury to the left ankle, one-eighteenth; sciatica, four-eighteenths; equal to six-eighteenths.

If the sciatica is the result of the wounds received in battle, as alleged, and that he is now, as appears from the recently filed testimony—pretty conclusive—that the claimant is unable to perform manual labor, his present rating is too low. The physicians, who are of the opinion that such is the fact, are reputable gentlemen of good standing in their profession and as citizens. They have had personal observation of the case for years, and their opinion, in the judgment of the committee, is worth more than that of a board of examiners, who only see a man a few minutes, and equal, at least, to the medical reviewer, who renders an opinion from a paper report.

Your committee recommend that the bill do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

CAROLINE M. M'DOUGAL.

Mr. NEAL called up the bill (S. 3397) granting an increase of pension to Caroline M. McDougal.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and

limitations of the pension laws, the name of Caroline M. McDougal, widow of the late Admiral David P. McDougal, United States Navy, at the rate of $100 per month, on account of her total blindness and the necessity of constant personal attendance and assistance.

The report (by Mr. BUTLER) was read, as follows:

The Committee on Pensions, to whom was referred the bill (S. 3397) granting an increase of pension to Caroline M. McDougal, adopt the Senate report in this case and recommend the passage of the bill.

[Senate Report No. 2211, Fiftieth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 3397) granting an increase of pension to Caroline M. McDougal, have examined the same, and report:

The claimant is now in receipt of a pension of $50 a month by special act passed during the Forty-seventh Congress, and now asks that that pension be increased to $100.

A precedent for this increase exists in the case of the widow of General Gabriel R. Paul, whose pension was increased from $50 to $100 at the beginning of this session; and in the case of Mrs. McDougal there is the further consideration, not present in the case of Mrs. Paul, that she is now totally blind, and requires the personal aid and attendance of other persons, much of the time of two.

A copy of the report made in the Forty-seventh Congress is appended hereto, exhibiting the services performed by Admiral McDougal and the other considerations upon which this application is based.

Your committee, in view of all these facts, recommend the passage of the bill.

The following is taken from former reports when original pension was allowed:

Rear-Admiral McDougal entered the Navy in 1823, and passed successively through all the grades to that of commodore on the active-list, in which latter grade he was honorably retired on attaining the age of sixty-two. During his forty-three years of active service he filled with credit all the positions to which a naval officer is ever assigned in the grades through which he passed, and whether as a subordinate officer, as commander of a vessel, of a naval station, or of a squadron, left an unblemished record. In 1863, whilst in command of the Wyoming, on the Asiatic station, he was ordered to avenge an insult to our flag offered by the Prince of Negato, who had rebelled against the liberal policy of the Tycoon toward western nations, and had fired upon vessels bearing our flag. Commander McDougal's vessel, carrying but six guns, and with a crew of about one hundred and sixty men, had to encounter a hostile force, consisting of six shore batteries, masked on commanding heights, and mounting three guns each, a steamer of two, a bark of six, and a brig of eight guns, making in all thirty-four guns, mostly 32-pounders, and worked and supported by a force of eleven hundred men.

The battle had to be fought in a narrow strait, full of dangers from sunken rocks and rapid currents, which his enemy was perfectly familiar with, but of which Commander McDougal had no chart. Yet, notwithstanding the appalling dangers of the situation—a combined land and sea force aggregating seven times as many men and working nearly six times as many guns as he had, and with the certainty of torture and death if captured, he engaged and destroyed his enemy, achieving a victory which, if ever equaled in our country's history, has not been excelled. From 1869 to 1871, the day of his honorable retirement from active service, he commanded the South Pacific squadron. Of his forty-three years on the active-list, thirteen were spent on shore duty and twenty-four at sea; a greater proportion of arduous duty than has been performed by any officer senior to him in the service, with a single exception. During his life he never received any recognition for his services except a routine promotion on the retired-list, which carried with it none of the emoluments of the grade.

Mrs. McDougal is much in need. Congress has on many occasions made precedents. Not to go further back than 1876, the following instances are cited in which this has been done: In 1876, to the widow of Commodore Elliott; in 1877, to the widows of Admirals Bell and Winslow; in 1878, to the widow of Admiral Wilkes; in 1879, of Commodores Frailey, Gallagher, and McKeever, and of Admiral Stringham; in 1880, of Admiral Davis; in 1881, of Admiral Paulding, and Commodores McCauley and Guest; and finally, last winter and summer, to the widows of Admirals Goldsborough, Hoff, Reynolds, Lardner, Spotts, and Rodgers, Commodore Wood, and Rear-Admiral Beaumont.

David McDougal was appointed a midshipman in the Navy, July 1, 1828; August 20, 1828, ordered to the naval school at New York; May 16, 1829, detached and ordered to the New York station; April 21, 1830, detached and ordered to the Boston; December 15, 1832, warranted as a midshipman; October 4, 1833, permitted to attend the naval school at Brooklyn; May 14, 1834, ordered to examination preliminary to promotion; June 14, 1834, promoted to passed midshipman; March 11, 1836, ordered to the receiving-ship at New York; July 1, 1836, ordered to the sloop Natchez; February 16, 1839, detached and granted leave; March 16, 1839, ordered to the receiving-ship at New York; September 14, 1839, detached and granted leave of absence; December 14, 1839, ordered to the Consort; October 12, 1840, detached from the Consort and will remain on duty with Lieutenant Glynn, working on charts; February 19, 1841, detached from duty on charts; February 25, 1841, promoted to lieutenant; May 19, 1841, ordered to the Fulton; December 6, 1841, detached and ordered to the Falmouth; March 21, 1843, detached on account of ill-health; July 18, 1843, ordered to the Falmouth; January 27, 1844, detached and granted leave of absence; June 29, 1844, ordered to the Michigan; January 16, 1847, detached and ordered to the Mississippi; war with Mexico, at capture of Vera Cruz; June 11, 1847, detached from the home squadron and granted leave of absence; February 30, 1848, ordered to the St. Mary's; March 8, 1848, transferred to the Bainbridge; July 6, 1850, detached and granted leave of absence; June 18, 1851, ordered to the Michigan; March 2, 1854, detached and ordered to command the store-ship at San Francisco, Cal.; April 10, 1854, assumed command of the Warren; served on the John Hancock from February to August, 1856; January 24, 1857, promoted to commander; October 26, 1857, detached from the command of the Warren, and ordered to the navy-yard, Mare Island, California; May 11, 1861, detached and ordered to New York; May 27, 1861, ordered to command the Wyoming. While in command of this vessel engaged six batteries and three vessels of war at Simonosaki, Japan, on the 16th of July, 1863, sinking a brig and exploding the boilers of a steamer, with a loss of 11 killed and wounded aboard of the Wyoming; March 2, 1864, promoted to captain; July 20, 1864, detached from command of the Wyoming, and placed on waiting orders; October 17, 1864, took temporary command of the navy-yard, Mare Island, California; August 11, 1866, detached and placed on waiting orders; April 24, 1867, ordered to command the Pensacola; July 17, 1867, detached and placed on waiting orders; December 2, 1867, ordered to command the Powhatan; June 12, 1869, promoted to commodore; December 23, 1869, detached from command of the Powhatan and ordered to command the South Pacific squadron; September 27, 1871, placed on the retired-list; February 28, 1872, detached from command of the South Pacific squadron and placed on waiting orders; July 5, 1876, commissioned as rear-admiral on the retired-list from the 24th of August, 1873.

He died at San Francisco, Cal., on the 7th of August, 1882.

There has also been filed with this committee a certificate, under oath, of a medical inspector of the United States Navy to the following effect:

"I, the undersigned surgeon, United States Navy, hereby certify that I was the attending physician of the late David McDougal, rear-admiral, United States Navy, for many years prior to and at the time of his death, which occurred August 7, 1882, in this city. The said David McDougal died of Bright's chronic disease of the kidneys; and I further certify that said disease had been contracted by him while in the line of duty as an officer of the United States Navy.

"W. E. TAYLOR.

"Dated San Francisco, August 31, 1883."

Your committee recommend that the bill do pass.

Mr. KILGORE. I did not understand from the reading of the report exactly what this proposes. I believe it is proposed to increase from $50 to $100 per month.

Mr. NEAL. That is the provision of the bill.

Mr. KILGORE. I do not understand the name of the claimant or the nature of the claim.

Mr. NEAL. McDougal. It is the widow of Rear-Admiral McDougal.

Mr. KILGORE. I do not think that I can agree to let that bill pass.

Mr. NEAL. I call the attention of the gentleman from Texas to the fact that this widow is absolutely helpless, totally blind, and requires the attendance all the time of one person and frequently of two, as shown by the report in the case. Her husband served in the Navy for forty-two years. It is a most meritorious case.

Mr. KILGORE. If you will say $75, I will let it go through.

Mr. BUTLER. Oh, no!

Mr. NEAL. Let it go through at one hundred.

Mr. KILGORE. I think not; say $75.

Mr. NEAL. Imagine you can see this poor old woman, totally blind, helpless, and requiring the constant attention of two individuals, and I am sure you will not object.

Mr. KILGORE. But she can live on $75 a month.

Mr. NEAL. I do not know that she can. She has to provide for this attendance. I do not know anything except what is shown by the report. The report shows that she is in needy circumstances. She can not last but a year or two.

Mr. BUTLER. I hope the gentleman from Texas will let this pass. I know it is a very meritorious case.

Mr. KILGORE. Well, what does the gentleman from Indiana [Mr. CHEADLE] say?

Mr. NEAL. Never mind that; let the bill pass.

Mr. BUTLER. It is all right.

Mr. KILGORE. Very well.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

PHILIP RAY.

Mr. O'NEILL, of Pennsylvania. I would like very much to call up the bill (S. 1614) granting a pension to Philip Ray. It passed both Houses at the last session of Congress, but, unfortunately, it did not pass this House in time for the President to act upon it. It went to the President but was one of the bills that was not acted upon. It got to the Executive Mansion about a day or two before we adjourned on the 20th of October. Now, I would like to call it up and pass it again.

Mr. MCMILLIN. I will state only with a view of keeping ourselves in regular order that the bill is not before Congress, according to the gentleman's own statement.

Mr. O'NEILL, of Pennsylvania. I know it is not before Congress, but I have given a statement of the facts as to its situation.

Mr. MCMILLIN. I have no disposition to do injustice to my friend from Philadelphia, but I feel that it is proper that we should at least keep within the forms of legal proceeding.

LEMUEL S. SKINNER.

Mr. PETERS. I ask consideration of the bill (S. 2666) granting a pension to Lemuel S. Skinner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Lemuel S. Skinner, late of Company I, One hundred and twenty-third New York Volunteer Infantry.

The report (by Mr. MORROW) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2666) granting a pension to Lemuel S. Skinner, submit the following report:

The report of the Senate Committee on Pensions in this case sets forth the facts fully, and is therefore adopted and the passage of the bill recommended.

[Senate Report No. 1306, Fiftieth Congress, first session.]

Claimant enlisted in Company I, One hundred and twenty-third New York Volunteer Infantry, August 11, 1862, and was mustered out of the service June 26, 1865.

The records of the War Department show him treated while in the service for chronic diarrhea and intermittent fever.

The claim was rejected March 3, 1879, because claimant was unable to furnish evidence of origin or treatment in the service or at discharge.

* * * * * * *

In affidavit filed February 9, 1888, claimant states that when he became convalescent from chronic diarrhea he was placed in charge of the linen department of the laundry in the hospital at Jeffersonville, Ind.; that many thousand soldiers were sent to said hospital from the battle of Nashville, Tenn., which occurred on the 15th day of November, 1864, and while in the discharge of his duty, trying to supply the demand for clean linen, his strength was overtaxed, and from the strain occurring under the circumstances hernia was incurred.

In affidavit filed August 16, 1886, Catharine Skinner and Rhoda Wimer, of Washington County, New York, testify that claimant was a sound man at the date of his enlistment into the service.

In affidavit filed August 3, 1883, O. S. Wilson, acting assistant surgeon, United States Army, testifies that he was surgeon in the United States General Hos-

pital, located at Jeffersonville, Ind., and that some time in May, 1864, one Lemuel S. Skinner came under his treatment for chronic diarrhea and inguinal hernia; that he at once ordered claimant to use a truss as the only cure for his hernia; that claimant had the appearance of having been a robust man prior to his enlistment into the service.

In affidavit filed August 16, 1886, J. D. Sherman, a comrade, testifies that claimant was a sound man at the time of his enlistment, and that he sustained a hernia of his right side while in the service and in the line of his military duty.

In affidavit filed October 16, 1886, W. G. Fisher, a comrade, testifies that claimant was treated for rupture while in the service.

In affidavit filed December 8, 1886, Albert Shiland, second lieutenant Company I, One hundred and twenty-third New York Volunteer Infantry, testifies that he was made aware, through information that he deemed reliable, that claimant sustained a rupture of his right side while in the service and in the line of duty, and that he had been compelled to wear a truss ever since.

In affidavit filed September 4, 1884, George S. Sherman, of Cambridge, N. Y., testifies that claimant was sound at the time of his enlistment into the service, but since his discharge from the Army to the year 1875 claimant has been in ill health and unable to perform manual labor.

In affidavit filed September 4, 1884, J. L. Kelley, of Burlington, Iowa, testifies that in the spring of 1887 claimant was in his employ, and had a severe attack of chronic diarrhea, disabling him to ride in the saddle, and consequently had to abandon his occupation.

In an examination made by the board of United States surgeons at Burlington, Iowa, May 14, 1884, claimant is rated one-half on account of hernia of right side and one-fourth on account of chronic diarrhea. In examination made February 24, 1886, claimant is given a total rating for hernia.

Claimant has a record of chronic diarrhea in the service, and the testimony of his second lieutenant and two comrades, showing the origin of hernia in the line of duty, and the testimony of the surgeon who treated him for the same while in the service. This, in the opinion of your committee, is conclusive proof that the applicant's disabilities are of Army origin, and that he is entitled to a pension on account of both disabilities alleged by him.

The committee therefore recommend the passage of the bill.

The bill was ordered to be laid aside to be reported to the House with the recommendation that it do pass.

ELIZA J. ALEXANDER.

Mr. SHERMAN. I call up for consideration the bill (S. 3135) granting an increase of pension to Eliza J. Alexander.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Eliza J. Alexander, widow of Francis Alexander, formerly lieutenant in United States Navy, from $25 to $50 per month, from and after the passage of this act.

Mr. CHEADLE. In order to save time, I give notice that I shall call a quorum on that bill.

Mr. SHERMAN. Then, Mr. Chairman, I withdraw the bill.

WINEMAH RIDDELL.

Mr. FINLEY. I ask unanimous consent to call up the bill (S. 2126) to pension Winemah Riddell. I could not find the bill when my name was called, and I would now like to call it up.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky to consider this bill at this time? The Chair hears none.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Winemah Riddell, and to pay her, from and after the passage of this act, during life, the sum of $12 per month.

The report (by Mr. FINLEY) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 2804) to pension Winemah Riddell, having considered the same, report as follows:

The report of Hon. A. B. Meacham, chairman special commission to the Modocs, upon the late Modoc war, and contained in the report of the Commissioner of Indian Affairs for the year 1873, shows that the objects to be attained by the Modoc Peace Commission were—

"First, to ascertain the causes which have led to the difficulties and hostilities between the United States troops and the Modocs; and, secondly, to devise the most effective and judicious measures for preventing the continuance of these hostilities and for the restoration of peace.

"Messengers were employed to visit the Modocs and arrange for a meeting: First, Bob Whittle and wife, Matilda (an Indian woman), were sent February 19 with instructions to announce to them the presence of and desire of the commission to arrange for a council meeting with the view of adjusting the difficulties that existed and to prevent a reopening of hostilities; also to ascertain with whom the Modocs would prefer to arrange the contemplated council.

"Whittle and wife returned on the 20th, and reported the Modocs willing and anxious to 'meet Riddell and Fairchilds to conclude details' for the proposed meeting. Fairchilds was intrusted with the message, and accompanied by Riddell and Artina (a Modoc woman), visited the Modoc camp, a distance of 20 miles from headquarters, with a 'message to Modocs,' as follows: 'Fairchilds will talk for the commission; what he agrees to we will stand by. He can not tell you any terms, but will fix a time and place for a council talk, and that no act of war will be allowed while peace talks are being had; no movements of the troops will be made. We come in good faith to make peace. Our hearts are all for peace.' This message was signed by Meacham, Applegate, and Case, with the approval of General Canby.

"Fairchilds and party returned on the 23d, and reported the Modocs as willing and anxious for peace, but had not arranged for a meeting, because they were 'unwilling to come out of the lava-beds.'

"This proposition was not agreed to, but a request for Judge Steele, of Yreka, to visit them was made, and in compliance he was sent for, with the hope on our part that, from his intimate acquaintance with these people, he might secure the meeting. Judge Steele arrived at headquarters of commission on the 4th of March, and the board of commissioners were called together, now consisting of Applegate, Case, Meacham, and Judge Roseborough, who had been added at the request of General Canby. Steele, being present, accepted the mission as messenger to arrange for the meeting of commission and the Modocs, but unwisely was authorized to offer terms of peace, which was 'a general amnesty to all Modocs on condition of their full and complete surrender, and consent to remove to a distant reservation within the limits of Oregon or California.'

"He was further instructed to say to them that 'General Canby would make peace and conclude terms.'

"On the 5th of March, in company with Riddell and Toby Fairchilds, and R. H. Atwell as reporter, Judge Steele visited the Modoc camp.

"Failing to secure a meeting of the commission and Modocs, made then, under instruction, the proposition above referred to, also stating that General Canby was authorized to conclude the arrangement for the surrender and removal. The propositions were not well understood and created some discussion among the Modocs.

"Captain Jack, speaking for the people, accepted the terms offered, though protests and evidences of dissatisfaction were evidently made. Steele had not, however, seemed to have been aware of this fact, for on his return to headquarters he reported that 'peace was made; they accept.' A general feeling of relief followed, couriers were summoned to bear dispatches, when Fairchilds, who had been with Steele, declared that 'there was some mistake; the Modocs have not agreed to surrender and removal.' The Modoc messengers who had accompanied Steele and party to headquarters were questioned, when it was discovered that some misunderstanding existed. Steele, however, confident that he was correct, proposed to return to the Modoc camp and settle the matter beyond question. On Steele's second visit Fairchilds declined going, fearing, as he said, 'that the Modocs would feel outraged by Steele's report.'

"Atwell again accompanied Steele, who, on arrival, or soon thereafter, discovered that a great mistake had been made in reporting the first visit. The demonstrations were almost of hostile character. He was accused of reporting them falsely and working against their interests. His long acquaintance with Captain Jack and Scar-faced Charley, and consequent friendship, saved him and party from assassination, these two men and one or two others standing guard over him throughout the night. The following morning he averted the peril by proposing to return and bring the commission with him, and on this promise he was allowed to depart. On his return to headquarters he made a full report of the visit, stating the facts above referred to, and warning the commission of the danger of meeting the Modocs except on equal terms and on neutral ground, and expressing the opinion 'that no meeting could be had, no peace could be made.'

"The substance of these reports and conclusions was forwarded to the honorable Secretary of the Interior, who replied as follows:

"'WASHINGTON, D. C., *March* 5, 1873.

"'I do not believe the Modocs mean treachery. The mission should not be a failure. I think I understand their unwillingness to confide in you. Continue negotiations. Will consult the President, and have the War Department confer with General Canby to-morrow.

"'C. DELANO.

"'To A. B. MEACHAM,
"'*Fairfields Ranch, via Yreka, Cal.*'

"On the day following Steele's return from the second visit a delegation of Indians from the Modoc camp arrived. Mary (sister of Captain Jack), acting as messenger, proposed that if General Canby would send wagons to meet them, the Modocs would all come out and surrender on the terms proposed by Steele on the first visit. General Canby, then acting under the authority of the vote of the commissioners transferring the whole matter to his care, accepted the proposition and named a day on which the final surrender should be consummated. However, before the time appointed messengers arrived from the lava-beds, asking for further time, to arrange for leaving camp, alleging that they were then burying their dead and could not come at the time appointed, but would comply at a subsequent period.

"General Canby appointed another day, and assured the messengers that unless they were faithful to the compact he would take steps to compel compliance.

"The day before the appointed time Toby Riddell informed General Canby of intended treachery on the part of the Modocs, saying 'no Modocs come; may be come to steal teams; they no give up.' Her warning was not accredited.

"The wagons were sent. Applegate, sanguine of the surrender, resigned and returned to his home, believing that 'peace was made.' Mr. Case, who had been relieved at his own request, had also left headquarters. Messengers had been sent to the Department at Washington announcing the anticipated result, and the whole country was rejoicing, when, late on the evening of the appointed day, the wagons sent out by General Canby returned without the Indians. All of which was made known to the Department. Further negotiations seemed to be hopeless; nevertheless, knowing the anxiety for a peaceable solution of the troubles, we continued to seek a meeting. Instructions were received from headquarters from the honorable Secretary of the Interior, 'to continue negotiations,' and further continuing the commission, General Canby moved headquarters to 'Van Bremens,' and with him the commission moved.

"Soon after, Dr. Thomas was added to the commission, also L. S. Dyar, United States Indian agent, of Klamath. Meanwhile a herd of Indian horses had been captured by Major Biddle, notwithstanding the commission had informed the Modocs, through messengers, that no act of war would be permitted. Failing to arrange on satisfactory terms for a council meeting, the commission was notified by General Canby of the intended movement of troops nearer the Modoc camp. The movement was made and headquarters again changed, this time to the foot of the bluff, and within 2 miles of the Modoc stronghold. On the 2d of April the commission, including General Canby, met the Modocs for the first time, about midway between the Modoc camp and headquarters. No conclusions were arrived at, a severe storm coming up compelling adjournment, not, however, until an agreement had been made for the erection of a council-tent.

"Riddell and his wife, Toby, expressed the opinion, on our return to camp, that treachery was intended; but the warning was not respected. On the 4th of April a request was made by Captain Jack for me to meet him and a few men at the council-tent. After a consultation with the board I went, accompanied by Judge Roseborough and J. A. Fairchilds, Riddell and his wife Toby, as interpreters.

"The Modoc chief was accompanied by six warriors and the women of his own family. He (Jack) remarked that he felt afraid in presence of General Canby and Dr. Thomas, saying, 'But now I can talk.' He reviewed the whole question from the beginning, mentioning the Ben Wright treachery, the insults of the Klamath Indians while his people were on the reservation, the failure of Captain Knapp, the acting agent of Klamath, to protect him, and his several removals while there, but made no complaint of want of subsistence, denied ever killing horses for food, but insisting that Agent Knapp 'had no heart for him;' complained that Superintendent Odeneal had not visited him, and that Odeneal's messengers had promised to come again before bringing soldiers; that Major Jackson had attacked him before he was up in the morning of November 29, 1872; complained also of the citizens taking part in the battle at that time, declaring that had 'no citizens been in the fight, no Indian women and children would have been killed, no citizens would have been murdered,' saying his young men had done a great wrong while in hot blood, but that he could not control them any more than bad white men were controlled by American law; and feeling that he could never live in peace with the Klamaths, but wanted a home 'just the same as a white man on Lost River, the soldiers taken away and the war would stop.'

"On being assured that, since blood had been spilled on Lost River, he could never have it in peace, unless the Lost River murderers were given up for trial, he abandoned the request so far as his old home was concerned, saying, 'I give up home; give me this lava-bed; no white man will ever want it.' Again assured that no peace could be made or soldiers removed while his people remained in the lava-bed, but was informed that a new home would be given

him, and provision made for clothing and subsistence. He was unwilling to surrender his men who killed the citizens, saying that the 'governor of Oregon had demanded their blood, and that the law of Jackson County would kill them;' remarking that the 'law was all on one side, was made by the white man, for white men, leaving the Indian all out,' finally declaring that he could not control his people, and that he would die with them if no peace was made.

"No terms were agreed to or further meetings arranged for at that time.

"On the day following Toby Riddell was sent with a proposition to Captain Jack to surrender with such others as might elect to do so. He declined the terms. On her return the messenger was warned of the intended treachery, which she reported to the commissioners and General Canby. This warning was not treated with the respect due the informer. Dr. Thomas questioned a Modoc afterward as to the truth of the report, which being denied, and the name of the author demanded, he replied, 'Toby Riddell.' The same party, of whom Dr. Thomas had made inquiry, was informed by General Gillem 'that unless peace was made very soon the troops would be moved up nearer the Modoc stronghold, and that one hundred Warm Spring Indians would be added to the army within a few days.' All of which was reported in the Modoc camp.

"On the 8th of April a messenger visited the commission, asking for a 'peace talk,' saying that six unarmed Modocs were at the council tent in the lava-bed, anxious to make peace, and asking the commission to meet them.

"The signal officer at the station overlooking the lava-beds reported the 'six Indians, and also in the rocks behind them twenty other Indians, all armed.' Treachery was evident, and no meeting was had; further negotiations appeared useless and unsafe.

"On the morning of the 10th of April a delegation from the Modoc camp arrived with renewed propositions for a meeting. The terms proposed were, that if the commission, including General Canby and General Gillem, would come next day to the council-tent, unarmed, to meet a like number of unarmed Modocs, thus proving the confidence of the commission in the Modocs, 'that they (the Modocs) would all come to headquarters and surrender on the day following.' Dr. Thomas, who was then acting as (temporary) chairman, submitted the propositions to General Canby. After consultation, they decided to accept.

"On the fatal morning of Friday, April 11, the commission held a meeting, and the propriety of keeping the appointment was discussed; Dr. Thomas insisting that it was a duty that must be performed; General Canby saying 'that the importance of the object in view justified taking some risk;' Commissioners Dyar and Meacham recounting the evidences of premeditated treachery, and giving opinions adverse to the meeting. The interpreter, Frank Riddell, appeared before the board, and repeated the warning given by Toby, his wife, and saying further, 'that if the meeting must be had, he wanted to be free from responsibility; that he had lived with Toby for twelve years, and she had never deceived him; that if the commission went, it should be armed.' However, General Canby and Dr. Thomas insisted that the compact should be kept, the general remarking that from the signal-station a strict watch had been kept, and 'only five Indians, unarmed, were at the council-tent;' and further, that a 'watch would be kept on the council-tent, and in the event of an attack the army would come to the rescue.'"

Without following further the report, the result of the appointment above referred to is more comprehensively stated in a lecture prepared by Colonel Meacham, and which he delivered in Park Street Church, Boston, Mass., on the 24th of May, 1874, the substance of which is as follows:

"The preparations for keeping the appointment were being made when Winemah Riddell and her husband made a last protest against the fulfillment of the unwise compact. Dr. Thomas was unwilling to abandon the effort. Commissioner Dyar agreed with me (Colonel Meacham) that the meeting should not take place. General Canby maintained his views, and gave orders for a watch to be kept at the signal station; then, giving some private instructions to his secretary, he dressed in full uniform, without arms, and called for Dr. Thomas. Together they walked off, side by side, towards the peace-tent, 1 mile away. Having failed to dissuade them from going, I had no honorable alternative but to follow. * * *

"I prepared to go, and caught the halter of my horse, intending to mount, when Winemah, unable to suppress her fears, snatched the halter, and winding it around her waist, threw herself upon the ground and cried most earnestly, 'Do not go; you will be kill. The Modocs mad now. Meacham, you no go.' Her entreaty moved me, and I relaxed my grasp of the halter, and calling to General Canby and Dr. Thomas, went to them and renewed my protest against going unarmed.

"They were immovable. I then, for the first and only time in my life, made use of my fraternal relations to induce them to assent to a promise on my part, as chairman of the commission, to withdraw the army if we found satisfactory evidences of premeditated treachery. This proposition was emphatically rejected also.

"Seeing no alternative, I returned to the commissioners' tent, handed my valuables to Mr. Fairchilds, and securing a promise from him that if my body should be badly mutilated it should be buried in the rocks of the lava-beds and not sent to my family, I sought again to mount my horse, when Winemah caught me by the coat and endeavored to detain me.

"Firmly refusing to remain in camp, I bade Winemah and her husband follow, and rode off to the council tent in the lava-beds, accompanied by Commissioner Dyar. Winemah parted with her boy, and with steady nerve mounted her horse and joined Mr. Dyar and myself. Mr. Riddell hastily arranged his business affairs, and also joined us on his danger-fraught ride.

"General Canby and Dr. Thomas were the first of our party to arrive. They were greeted by the Indians with extreme cordiality, General Canby giving to each a cigar. Instead of five unarmed men, including Scar-faced Charley, as promised by Boston Charley in negotiating for the council, we found eight well-armed desperadoes, including the notorious cut-throats Hooker Jim and Black Jim. Captain Jack seemed anxious and ill at ease, and did not exhibit the friendship the others of his party pretended.

"General Canby was calm and thoroughly self-possessed. Dr. Thomas did not appear to note any suspicious circumstances, but was endeavoring to impress the Indians with his good intentions. I made my election to abide by the consequences. I knew that the horse beneath me was one of the fleetest in the Modoc country, and notwithstanding the rocky trail could carry me out of danger with a few bounds, which he seemed more than willing to make at the slightest invitation. I made up my mind that Canby and Thomas should not be endangered by cowardly flight on my part.

"Withdrawing my overcoat and hanging it upon the horn of the saddle I dismounted, dropping the rope-halter to the ground, leaving his horse free. Mr. Riddle secured Winemah's horse, and we all gathered round the council-fire.

"Before the talk began I sat down facing the chief and opened the council by referring to the proposition made the day before by Boston Charley, and continued by saying that we were ready to complete the arrangement for peace. Captain Jack asked if we were willing to remove the soldiers from the lava-beds and give his people a home in the country. I felt that if his demand was met we could escape, and although General Canby had refused to allow me to make this promise, I thought that, convinced as he must be of intended treachery, he would feel justified in assenting to the request. Cautiously turning to him I asked him to talk. After a moment's waiting he rose and stood erect. Every eye was upon him. All seemed to feel that if he assented to the withdrawal of the army the trouble would be passed over.

"Whether General Canby realized the situation with all its fearful possibilities and would not swerve even then from his purpose, or if he still thought the Modocs had not the desperate courage to execute this plan, can never be known. If he said the soldiers can be removed, the phantom would pass as a dream. If he said they should not be withdrawn, the phantom must soon become a terrible reality. With dignity that was peculiar to that brave soldier, he firmly pronounced his own death-sentence as well as that of Dr. Thomas, by saying that the 'soldiers could not be withdrawn.'

"Again and again the Modoc chief repeated the demand for the removal of the soldiers. General Canby, having once refused, was mute. Turning to Dr. Thomas, who was sitting at my left, I asked him if he wished to talk. The doctor dropped forward on his knees, and made the last proclamation of peace. He assured the Modocs that he was a friend to them; that God had sent us to them as messengers of peace.

"The Modoc chief leaned forward and touched me on the arm. He once more declared that no peace could be made until the soldiers were taken away, as he rose and turned his back to General Canby. I believe that to this time Captain Jack had hoped it would be granted, and thereby bloodshed avoided. Schonchin sprang to the seat vacated by Captain Jack, and in loud, angry tones repeated the ultimatum. Winemah had thrown herself on the ground in front of Dr. Thomas and was interpreting Schonchin's speech at the moment when Captain Jack gave the signal, 'Kau-tux' (All ready). Almost at the same instant the Modoc yell broke from the rocks and two braves sprang forward, bearing rifles.

"Captain Jack drew a pistol and shot General Canby, the ball striking him in the face. 'Ellen's man' joined him in the attack. General Canby did not fall until he had run 40 or 50 yards, when a shot struck him in the back of the head. His assailants came upon him, and, shooting him again, stripped him of his clothing, turned his face downward, and then left him.

"Dr. Thomas received a shot from the hand of Boston Charley. He sank slowly, catching by his right hand. He was permitted to get upon his feet and stagger away a few rods, his murderers taunting him with not believing Winemah, jeering him, and ridiculing his religion and the failure of his prayers. Finally, pushing him down, they shot him through the head, stripped him, and turning him also upon his face, gathered up the dripping garments, and joined the other murderers at the council fire.

"Dr. Dyar, having his horse for a cover when the attack was begun, made good his escape, although pursued by Hooker Jim. Mr. Riddell escaped by running, covered by Scar-faced Charley's rifle, who declared that it 'was unworthy of a Modoc to kill unarmed men.' Simultaneously with the attack on General Canby and Dr. Thomas, Shonchin sprang to his feet, and, drawing both a knife and a pistol, shouted 'Chock-e-la' (Blood), pointed at my head and discharged the pistol, the bullet tearing through the collar of my coat and vest. Before the next shot Winemah was between him and his victim, grasping his arms and pleading for my life. I walked backwards 40 yards while my heroic defender struggled to save me. Shacknasty Jim joined Schonchin in the attack, while Winemah, running from one to the other, continued to turn aside the pistols aimed at me until I went down.

"After I fell I raised my head above the rock over which I had fallen, and at the instant Schonchin aimed at me so correctly that this shot struck me between the eyes and glanced out over the left eye, which was blinded. A shot from Shacknasty Jim struck me on the right side of the head over the ear, which stunned me and I became unconscious. From Winemah and Scar-faced Charley I learned that Shacknasty Jim robbed me of my clothing in part, notwithstanding Winemah's expostulations; that while Jim was unbuttoning my shirt collar one of the other murderers came up with a gun and pointing at my head was just in the act of touching the trigger when Jim pushed the gun up and said, 'Don't shoot any more. Him dead; he not get up; I him hit high up; save the powder.' Having taken my coat, pants, and vest, they left me, saying to Winemah, 'Take care of your white brother.' Winemah wiped the blood from my face and straightened my limbs, believing me dead.

"Boston Charley drew a knife, which, however, was a dull one, and began the difficult task of scalping a bald-headed man, and what added to the difficulty was the strong arms of Winemah, grasping him and hurling him, as though he was but a boy, to the rocks beside me. But Boston had Modoc persistency, and springing to his feet, with his pistol he struck her a blow upon the head, at the same time threatening to shoot her should she again interfere, and resumed the delicate task. Winemah, dazed by the blow for a moment, in half bewilderment saw the dull blade cutting down to the bone, while Boston, enraged and impatient, set one foot upon the back of my neck, and muttering curses in broken English, succeeded in cutting a circle almost around the upper part of my head, and had already so far lifted the scalp that he had inserted the fingers of his left hand beneath it, preparatory to tearing it off, when Winemah, recovering her presence of mind, resorted to strategy, shouting exultingly, 'Kap-ko Bostee-na-soldier' (Soldiers coming), and Boston left his work unfinished."

From the foregoing statement of facts, it is evident that had the Modoc peace commissioners listened to the persistent persuasions of Winemah Riddle, reiterated by her over and over again, the families and friends of the lamented Dr. Thomas and General Canby would not have been called upon to mourn their atrocious death; and in view of the fact that Winemah Riddle saved the life of such a useful and noble man as Col. A. B. Meacham, and proved herself to be the friend of the white man at the risk of her own life, your committee feel constrained to report these facts for the consideration of the House, with the following amendment: In line 7 strike out the words "twenty-five dollars" and insert in lieu thereof "twelve dollars;" and, with the bill so amended, beg leave to submit the facts, with the bill, for action of the House. The committee being equally divided, their report is adverse to the passage of the bill, but recommend the same be placed on the Calendar and printed.

During the reading of the report

Mr. THOMPSON, of Ohio, said: I move that the further reading of the report be dispensed with.

Mr. KILGORE. Oh, no. Let it go on.

The reading of the report was concluded.

Mr. KILGORE. Mr. Chairman, there is an adverse report in that case, as I understand. I do not believe in going back on a committee in an important matter like this; and besides that, there are thousands of cases on the frontier of Texas which are just as meritorious as this. If it was for a general law, permitting these people to go before a proper court or officer and prove up their cases so as to give them a reasonable pension, I do not know that I would make objection. But such claims are generally managed by unscrupulous men who take charge of these claims, and not only manipulate them through, but collect the money. That is my experience so far as claims for the relief of Indians on the frontier are concerned. I have lived many years on the frontiers of Texas, and I know of numbers of cases where Indians have espoused the cause of the white man, and know there are thousands of cases on the frontier as meritorious as this; so that I can not

see any cause for singling out one such case. And then, again, we have also an adverse report on this case; and I would feel compelled to obstruct the passage of the bill.

Mr. FINLEY. If the gentleman will allow me to explain the case I will get him out of his error. There was an adverse report as read, the House committee being divided 4 and 4. It was not a full committee, and the chairman of the committee voted for the bill. The same bill has passed the Senate and has gone before the committee of this House, and the report is there again adopted. The Senate bill has been before the committee, and they indorsed the action of the Senate. Now, it can not be considered, as I think, an adverse report in the case. I trust my friend from Texas will not interpose an objection. I want to appeal to him in a few words. There is not only a precedent cited there, as far back as 1834, cases of the Cherokee Indians and the Creek Indians, parallel with this, or substantially so. I would also call his attention to the case of Pocahontas, where she made a rescue, having appealed only to her father, and he, the chief, risking nothing at all. Her friendship for the white man has been everywhere read of and lauded by this entire nation of people.

Here is an Indian woman who risked her life against her own friends and her own tribe and tried to save the lives of good and grand men, and would have saved the men who perished there, and also the lives of upwards of thirty others who were killed in consequence of that transaction, and the lives of a hundred gallant soldiers. I trust that in such a case the gentleman will not interpose an objection. I know he is a good man; he has a kind heart and means to do what is right, and I trust that he will withdraw his objection and let this bill follow the usual course.

Mr. KILGORE. I appreciate the fact of this woman's fidelity to the white people on that occasion, and as much as any man living I deplore the massacre of the distinguished soldier who was slain there, and the sufferings that were consequent upon the transaction. But that is not the question here. The question is, ought Congress to single out one of perhaps ten thousand meritorious cases and grant a pension in that instance, leaving the balance unprovided for? I think not. Besides, this woman is a married woman now. She has a husband living—a white man. So she has derived that much benefit from the affair, if he is the right sort of a white man.

Mr. FINLEY. I will say to the gentleman that the report discloses the fact that they were married at the time this tragedy occurred.

Mr. KILGORE. Married at the time? Well, that fact breaks somewhat the force of the case made for the heroic nature of the deed. [Laughter.]

As for the gentleman's reference to Pocahontas, she married a white man, and has become the ancestress of probably a greater number of distinguished persons than any other woman that ever lived in this country; so she has been amply rewarded for all that she ever did for Capt. John Smith, if that transaction ever took place, for they tell us now it is all a fiction. [Laughter.]

Mr. Chairman, I can not agree to the passage of this bill. I do not think it is just to thousands of others who might present equally meritorious cases. If Congress would pass a general law reaching all cases of this kind, I do not believe I should object to it, but I can not let this bill pass.

Mr. MANSUR. Will the gentleman from Texas instance one other case as meritorious as this—just one?

Mr. KILGORE. I could instance a hundred, if I had time to think them up, cases that have occurred on the Texas frontier. Besides, this is going outside of the regular rule for granting pensions. The rule is to grant pensions to people who served in the Army and who were injured there, and who are needy, but if we are to go outside of the rule and grant pensions to everybody who has on any occasion seen proper to favor or to undertake to protect our soldiers, I can not agree to it.

Mr. FINLEY. Then I ask unanimous consent that the bill be ordered to a third reading, and that it go over to be voted upon in a full House.

Mr. KILGORE. I can not agree to that.

Mr. FINLEY. What will you agree to, then?

Mr. KILGORE. Well, I will agree to let you withdraw the bill.

Mr. FINLEY. Is that all?

Mr. KILGORE. That is all I can agree to to-night.

Mr. FINLEY. I suppose, Mr. Chairman, that as the gentleman from Texas controls this body, we shall have to submit. I withdraw the bill.

ELIZA J. ALEXANDER.

Mr. SHERMAN. Mr. Chairman, I again call up the bill which I withdrew awhile ago (S. 135) granting an increase of pension to Eliza J. Alexander. I propose to offer an amendment which will obviate the objection to the bill.

The CHAIRMAN. The bill has been read. The Clerk will now read the report.

The report of the Senate Committee on Pensions was read.

Mr. SHERMAN. I move to amend the bill by striking out in line 6 the word "fifty" and inserting "thirty."

Mr. MCMILLIN. I would ask the gentleman who calls up this bill to state the ground upon which an increase of pension is sought. I think there is nothing in the report to justify it. I may have overlooked it, but I tried to give close attention to the report and I failed to hear anything which removes the case from the general category of other cases on the pension-roll.

Mr. SHERMAN. Inasmuch as the Clerk made a mistake and read the wrong report, I will ask that he now read the House report. It is fuller, and sets out the facts more clearly than the one which was read.

The CHAIRMAN. The Chair is advised that the committee reported an amendment striking out "$50" and inserting "$40." The gentleman from New York now moves to amend by striking out "$50" and inserting "$30."

Mr. MCMILLIN. I have no objection to that amendment; if the bill is to pass I think it very important the amendment should be adopted. But I was seeking to get at the foundation of this claim. As I have said, I see nothing to place it in a different category from very many other cases; and there does not seem to be presented any reason which ought to be sufficient to induce Congress to make a distinction in favor of this claimant. The relations of the applicant are mentioned in the report, and mentioned in a very honorable way; but a similar case might be presented in behalf of many other pensioners.

Mr. SHERMAN. This is an old lady without a male relative in the world. Her husband served in the Navy with unusual distinction for a quarter of a century. Besides, her father and her brother, after very honorable careers, died in the naval service. The lady is to-day without a child or any male relative on whom to depend. She is seventy years of age. I think these circumstances present a sufficient reason in favor of the claim.

Mr. MCMILLIN. But the gentleman will not insist that this is a more meritorious case than one where the husband was killed in battle.

Mr. SHERMAN. Yes, I do. This is a case where there are three relatives who have died in the service.

Mr. MCMILLIN. I supposed that the strongest claim which any woman could present in favor of a pension would be that her husband had been killed in the service of the country.

Mr. SHERMAN. But where a father and a brother have also given their lives for their country, it adds to the claim.

The CHAIRMAN. The question is on the amendment of the gentleman from New York [Mr. SHERMAN] to strike out "$50" and insert "$30."

The amendment was agreed to.

Mr. MCMILLIN. Now, Mr. Chairman, as the gentleman from New York states that the House report is more explicit than the one which was read, I hope we shall hear that report. I would be glad to obtain more explicit information as to the merits of this case.

The CHAIRMAN. The Clerk will read the House report.

The Clerk proceeded to read the report, which is as follows:

The claimant, Mrs. Alexander, is in receipt of a pension at the rate of $25 per month as the widow of Francis Alexander, formerly a lieutenant in the United States Navy. She applies to Congress for relief by granting her an increase of pension to $50 per month, upon the ground of the services of her husband, of her brother, and of her father, all of whom were eminent officers in the United States Navy.

The services of these officers are shown by the following statements furnished by the honorable Secretary of the Navy, namely:

"NAVY DEPARTMENT, *Washington, June* 12, 1888.

"Francis Alexander was appointed midshipman May 27, 1835; August 15, 1835, ordered to the West India squadron; July 6, 1838, granted three months' leave; September 13, 1838, ordered to the Ohio; December 3, 1838, detached and placed on waiting orders.

"December 18, 1838, ordered to the navy-yard, New York; May 25, 1839, ordered to the Brandywine; August 19, 1841, detached from the Grampus and granted leave; October 13, 1841, admitted to the Naval School, Philadelphia; June 9, 1842, ordered to the steamer Missouri; July 14, 1842, warranted as passed midshipman, from June 22, 1841. October 19, 1843, detached and ordered to the rendezvous, Norfolk; July 23, 1844, detached and granted leave.

"September 2, 1844, ordered as naval storekeeper at Porto Praya; July 10, 1846, detached from duty as naval storekeeper at Porto Praya; June 28, 1847, ordered to the receiving-ship, Boston; May 22, 1848, detached and placed on waiting orders.

"May 24, 1848, warranted as master, from 29th April, 1848. October 28, 1848, ordered to the Raritan, 10th November; March 7, 1849, promoted to lieutenant from date.

"He died on board the Raritan, at sea, May 11, 1849.

"George W. Young was appointed a midshipman in the Navy on the 19th of October, 1841; November 26, 1841, ordered to the receiving-ship at Norfolk; January 5, 1842, detached and ordered to the Levant; June 18, 1842, detached and leave; June 28, 1842, ordered to the Constitution; March 14, 1843, detached from the Brandywine and to the Levant; April 29, 1847, detached and leave; June 2, 1847, to the Naval Academy; July 24, 1848, detached and to the Portsmouth; September 29, 1848, warranted a passed midshipman from the 10th of August, 1847; June 28, 1851, detached from the Portsmouth and leave; September 30, 1851, to the receiving-ship at Norfolk; October 15, 1851, detached and ordered to the St. Lawrence; April 21, 1855, detached and leave; July 27, 1855, to duty on the Coast Survey; September 14, 1855, promoted to master; September 15, 1855, promoted to lieutenant; November 14, 1855, detached from Coast Survey schooner Gallatin and to receiving-ship at Baltimore; December 21, 1855, detached and ordered to the Despatch; July 1, 1856, detached and placed on waiting orders; July 11, 1856, detached and ordered to the release; October 2, 1856, detached and wait orders; October 21, 1856, ordered to the receiving-ship at Norfolk; January 9, 1857, ordered to the East India squadron; May 31, 1859, detached from the Minnesota and leave; August 19, 1859, to the receiving-ship at New York; November 23, 1859, detached and ordered to the Portsmouth; August 2, 1861, detached from the prize brig Falmouth and wait orders; September 16, 1861, ordered to the Lancaster; July 16, 1862, promoted to lieutenant-commander; July 20, 1864, detached from the Wyoming; September 12, 1864, to navy-yard, Philadelphia; October 4, 1864, detached and to command the Maratanza, North Atlantic blockading squadron; June 17, 1865, detached and wait orders; August 11, 1865, to the

navy-yard, Mare Island, Cal.; June 2, 1866, detached and ordered as general inspector of supplies at navy-yard, Mare Island; July 25, 1866, promoted to commander, to rank from date; [under the act of July 25, 1866, made by selection from the grade who have rendered the most efficient and faithful service during the war of the rebellion and who possess the highest professional qualifications and attainments;] March 8, 1867, detached and to command the Suwannee.

"Had performed twenty years and four months' sea service.

"Died on board the Suwannee at sea, August 30, 1867.

"John Jay Young was appointed a midshipman in the Navy on the 1st of January, 1812; June 23, 1812, ordered to the Congress; May 25, 1814, resigned; June 17, 1814, reinstated; December 21, 1814, granted furlough; April 1, 1815, ordered to the frigate Java; September 19, 1816, to the schooner Noumeh; February 26, 1817, ordered to the Hornet; September 17, 1817, ordered to schooner Asp; December 15, 1817, ordered to the Hornet; February 17, 1818, ordered to the Cyane; September 27, 1819, to the naval rendezvous, Baltimore; March 28, 1820, promoted to lieutenant; May 23, 1821, ordered to the schooner Shark; December 30, 1822, ordered to report at New York; November 11, 1824, granted three months' leave; August 10, 1825, ordered to the Hornet; November 1, 1826, detached from Hornet and granted leave; December 3, 1828, ordered to the Hornet; August 11, 1829, granted sick leave.

"While discharging his duties on board the sloop-of-war Hornet, he met with an accident which resulted in the loss of both of his legs, as is shown by the following extract from a letter from Commodore Charles G. Ridgely, commanding the West India squadron, dated July 10, 1829, at Pensacola, Fla.:

"'I have the honor to report the arrival of the Hornet, Captain Norris, yesterday, the 9th instant, after a laborious cruise of fifteen weeks off the north side of Cuba, during the whole of which time she has been actually engaged in giving convoy from Havana and Matanzas, and occasionally searching the keys with her boats. Captain Norris reports that in firing to bring to a suspicious vessel, which proved to be a vessel from Havana to Matanzas with slaves on board, the gun recoiled with such violence that Lieutenant Young had both his legs so dreadfully shattered as to require amputation just below the knee. It therefore became necessary, to preserve the life of so deserving an officer, to put into Havana and land him, and procure for him suitable accommodations and surgical attendance.'

"February 1, 1832, ordered to duty at Norfolk, Va., as superintendent of the Naval Hospital, and continued in charge until July 21, 1840; promoted to commander, to rank from April 15, 1840; October 22, 1840, ordered to rendezvous at Norfolk; November 1, 1843, detached and wait orders; May 2, 1844, ordered to command rendezvous at Baltimore; September 13, 1855, placed on the reserved-list; December 3, 1864, ordered to command naval rendezvous, Brooklyn, N. Y.; February 21, 1865, detached and wait orders; March 2, 1867, promoted to commodore on retired-list.

"Died at Brooklyn, N. Y., November 4, 1875."

It will be observed that the husband of the applicant died nearly forty years ago. By his death Mrs. Alexander became dependent upon her brother and father. The brother remained unmarried and died in March, 1867, holding the rank of commander at the date of his death.

For many years prior to the death of the claimant's father, Commodore John Jay Young, he was in very feeble physical condition from the effects of the wounds and loss of his legs. His daughter was his constant attendant and companion.

The deaths of these three officers left Mrs. Alexander without the protection of any male relative. They had all rendered their lives to the service of their country.

Your committee are of the opinion that the country should afford a competent pension to Mrs. Alexander while she may live, and therefore report back the bill to the House with the recommendation that it do pass, amended, however, by striking out the word "fifty," in line 6, and inserting in lieu thereof the word "forty."

Before the reading of the report was concluded,

Mr. MATSON said: I rise to a privileged motion. I move that the committee now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. McMILLIN having taken the chair as Speaker *pro tempore*, Mr. DOCKERY reported that the Committee of the Whole House, having had under consideration the Private Calendar, had directed him to report various Senate bills with sundry recommendations.

SENATE BILLS PASSED.

Bills of the following titles, reported without amendment from the Committee of the Whole House on the Private Calendar, were severally taken up, ordered to a third reading, read the third time, and passed:

A bill (S. 3144) granting a pension to Nancy A. Hayes;

A bill (S. 2240) for the relief of George S. Thwing;

A bill (S. 2483) granting a pension to Catherine Tate;

A bill (S. 2639) granting a pension to Mrs. Louisa Ward;

A bill (S. 2842) granting an increase of pension to William H. H. Welsh;

A bill (S. 3397) granting an increase of pension to Caroline M. McDougal; and

A bill (S. 2666) granting a pension to Lemuel S. Skinner.

The bill (S. 2254) to increase the pension of Mrs. Ella M. Grover (having been reported from the Committee of the Whole House with amendment) was taken up, the amendment agreed to, the bill as amended ordered to a third reading, read the third time, and passed.

Mr. MATSON moved to reconsider the several votes by which bills reported from the Committee of the Whole House were passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. MATSON. I move that the House do now adjourn.

The question being taken, there were—ayes 4, noes 5.

Mr. MATSON. I call for tellers.

Tellers were not ordered.

So the motion to adjourn was not agreed to.

GENERAL S. W. PRICE.

Mr. CARUTH. I ask unanimous consent for the consideration at this time of the bill (S. 433) granting an increase of pension to General S. W. Price.

Mr. MATSON. That is too important a bill to be passed in this way. I shall object to its consideration now.

Mr. CARUTH. Then I withdraw the bill.

Mr. MATSON. I move that the House adjourn.

The motion was agreed to; and accordingly (at 9 o'clock and 55 minutes p. m.) the House, in pursuance of its previous order, adjourned till Monday next.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. G. A. ANDERSON: A bill (H. R. 11659) granting a pension to Anna Kuffer—to the Committee on Invalid Pensions.

By Mr. JEHU BAKER: A bill (H. R. 11660) for the relief of Martha E. Flesschert—to the Committee on Claims.

By Mr. BLAND: A bill (H. R. 11661) for the relief of William Jackson, Amanda Querry, and Wilkins Querry, heirs of Gibson Jackson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 11662) for the relief of Henry Hake—to the Committee on War Claims.

By Mr. BINGHAM: A bill (H. R. 11663) granting a pension to Mrs. M. Josie McClain—to the Committee on Invalid Pensions.

By Mr. BOUND: A bill (H. R. 11664) granting a pension to M. M. Muckler—to the Committee on Invalid Pensions.

By Mr. BURNETT: A bill (H. R. 11665) granting a pension to Charles H. Morse—to the Committee on Invalid Pensions.

By Mr. J. E. CAMPBELL: A bill (H. R. 11666) for the relief of William T. Moore—to the Committee on Military Affairs.

By Mr. DUNHAM: A bill (H. R. 11667) for the relief of John Boyle—to the Committee on Military Affairs.

Also, a bill (H. R. 11668) for the relief of Mrs. Maria McMurdic—to the Committee on Claims.

By Mr. GIFFORD: A bill (H. R. 11669) for the relief of Harriet Young—to the Committee the on Public Lands.

By Mr. HOWARD: A bill (H. R. 11670) granting a pension to Alexander Bushnell—to the Committee on Invalid Pensions.

By Mr. O'FERRALL: A bill (H. R. 11671) for the relief of A. B. Hunton—to the Committee on War Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. ARNOLD (by request): Petition of H. N. Phillips, of Hope Valley, R. I., against the international copyright bill—to the Committee on Patents.

By Mr. BLAND: Petition of William Jackson and others, heirs of Gilson Jackson and Lavisa Jackson, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. BOUND: Remonstrance of C. M. Bowman and others, of Lebanon, Pa., against the passage of an international copyright bill—to the Committee on Patents.

By Mr. BUNNELL: Petition of druggists of Honesdale, Pa., for repeal of the internal-revenue law classing druggists as liquor dealers—to the Committee on Ways and Means.

By Mr. DAVENPORT: Petition of S. H. Parker, of Geneva, N. Y., against the international copyright bill—to the Committee on Patents.

By Mr. GIFFORD: Petition of N. C. Nash, of Canton, and of B. M. Price, of Iroquois, Dak., against the passage of the international copyright bill—to the Committee on Patents.

By Mr. HARE: Petition of sundry citizens of Wise County, Texas, for the establishment of a branch Federal court—to the Committee on the Judiciary.

By Mr. HEARD: Petition of heirs of Alexander Barclay, of Benton County, Missouri, for reference of their claim to the Court of Claims—to the Committee on War Claims.

By Mr. D. B. HENDERSON: Petition of L. M. Goen, against the international copyright bill—to the Committee on Patents.

By Mr. KERR: Petition of David Brant, against the passage of the international copyright bill—to the Committee on Patents.

By Mr. O'FERRALL: Petition of John W. Fisher, of Shenandoah County, Virginia, one of the heirs of Isaac Fisher, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. SENEY: Memorial of New York Board of Trade, in favor of naval reserve bill—to the Committee on Naval Affairs.

Also, remonstrance of John M. Myers and E. B. Myers, of Tiffin, Ohio, against the international copyright bill—to the Committee on Patents.

By Mr. SPOONER: Petition against the passage of the international copyright bill—to the Committee on Patents.

By Mr. W. L. WILSON: Petition of Samuel J. Rowland, of Jefferson County, West Virginia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

SENATE.

MONDAY, *December* 10, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

THOMAS M. BOWEN, a Senator from the State of Colorado; EPHRAIM K. WILSON, a Senator from the State of Maryland; CHARLES B. FARWELL, a Senator from the State of Illinois; JAMES F. WILSON, a Senator from the State of Iowa; WILLIAM M. EVARTS, a Senator from the State of New York; JOHN W. DANIEL, a Senator from the State of Virginia; and JOHN E. KENNA, a Senator from the State of West Virginia, appeared in their seats to-day.

The Journal of the proceedings of Thursday last was read and approved.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of State, transmitting a note from the minister of Chili, communicating a request of the speaker of the Chilian Chamber of Deputies for a regular exchange of publications between the legislative bodies of the United States and Chili; which, with the accompanying papers, was referred to the Committee on Printing, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of September 14, 1888, a report of the Chief of Engineers in regard to the navigation of the Detroit River and the St. Clair Flats, at the mouth of the St. Clair River, etc.

The PRESIDENT *pro tempore*. The communication, with accompanying papers, will be referred to the Committee on Commerce, if there be no objection.

Mr. PLATT. My recollection is that the resolution calling for that information was introduced by the chairman of the Committee on Interstate Commerce, the Senator from Illinois [Mr. CULLOM], and if so, perhaps he would like to have it referred to that committee. Perhaps it had better lie on the table until he comes in.

The PRESIDENT *pro tempore*. The communication will lie on the table until the Senator from Illinois comes in, if there be no objection.

Mr. PLATT. He will be here in a few minutes.

The PRESIDENT *pro tempore* subsequently said: The communication from the Secretary of War, with accompanying papers from the Chief of Engineers, laid over to await the arrival of the Senator from Illinois [Mr. CULLOM], will be referred to the Committee on Commerce.

Mr. CULLOM. I think it ought to go to that committee.

The PRESIDENT *pro tempore*. That reference will be made.

Mr. CULLOM. It relates to water ways.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, in answer to a resolution of the 5th of December, 1888, in relation to alleged outrages and restraints of liberty committed upon Alaskan Indian females or other persons in Alaska.

The PRESIDENT *pro tempore*. The communication will be referred to the Committee on Indian Affairs, if there be no objection.

Mr. PLATT. I would prefer that it should not be referred at present. It seems to embrace a matter which the Committee on Territories might as well consider as the Committee on Indian Affairs, and I prefer that it should lie on the table.

The PRESIDENT *pro tempore*. The resolution to which this is an answer was offered by the Senator from Massachusetts [Mr. DAWES], the chairman of the Committee on Indian Affairs.

Mr. PLATT. With his consent, I should like to have it printed and lie on the table until I can have some conference with him as to the reference of it.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

Mr. DAWES. I have none.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Attorney-General, transmitting a general statement of all the appropriations placed under the Department of Justice which were available, and those from which payments were made, during the fiscal year ending June 30, 1888, as required by section 3 of the act approved June 30, 1888, etc.; which, with the accompanying papers, was ordered to lie on the table and be printed.

CERTIFICATES OF ELECTORAL VOTES.

The PRESIDENT *pro tempore* laid before the Senate four communications from the Secretary of State, transmitting certified copies of the final ascertainment of the vote for President and Vice-President of the United States of the States of Alabama, New Jersey, Missouri, and Louisiana; which were ordered to be printed, and, with the accompanying certificates, to lie on the table.

COURT OF CLAIMS REPORT.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Court of Claims, transmitting the conclusions of fact and law filed by that court under the act of January 20, 1885, in certain French spoliation claims; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. HOAR presented the petition of Lucy C. Morse, widow of Ralph W. Morse, late second lieutenant in Second Maine Volunteers, praying to be allowed increase and arrears of pension; which was referred to the Committee on Pensions.

Mr. DANIEL presented the petition of W. H. H. Thackston, M. D., and other citizens of Virginia, praying for the removal of the duty on dental and surgical goods; which was referred to the Committee on Finance.

He also presented the petition of the Virginia Packing Company and other citizens of Roanoke and other places in Virginia, praying for the passage of a law providing for the payment of drawback on tinplate; which was referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. BERRY. I am instructed by the Committee on Public Lands, to whom was referred the bill (S. 3648) to allow persons who have abandoned or relinquished their homestead entries to make another entry, and for other purposes, to report it favorably with amendments.

Inasmuch as this bill passed both Houses of Congress during the last session without objection, and was not signed by the President for the want of time, I presume, I am instructed by the committee to ask for its present consideration.

The PRESIDENT *pro tempore*. The Senator from Arkansas asks that the bill reported by him may be now considered. It will be read at length for information subject to objection.

The Chief Clerk read the bill.

Mr. EDMUNDS. That is a very important bill, Mr. President. I think the amendments had better be printed and the bill go on the Calendar.

The PRESIDENT *pro tempore*. The amendments will be printed and the bill placed on the Calendar.

Mr. BERRY. I am directed by the Committee on Public Lands to report back adversely the bill (S. 3647) to allow persons who have abandoned or relinquished their homestead entries to make another entry, and for other purposes; and the bill (S. 3652) to allow persons who have abandoned or relinquished their homestead entries to make another entry, and for other purposes. These bills relate to the same subject-matter and are precisely the same bill as the one reported favorably. All three having been introduced and the one recommended to be passed, the committee ask that these two bills be indefinitely postponed.

The bills were postponed indefinitely.

Mr. DOLPH. By direction of the Committee on Public Lands I report back favorably the bill (S. 3646) for the relief of William R. Wheaton and Charles H. Chamberlain, of California. Inasmuch as the bill passed both Houses at the last session of Congress and was sent to the President on the 10th of October, but failed to receive his approval, and therefore failed to become a law, I am instructed by the committee to ask that the bill be placed upon its passage now.

Mr. EDMUNDS. It had better go on the Calendar, Mr. President. I should like to see it. I do not remember that bill.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. DOLPH, from the Committee on Public Lands, to whom was referred the bill (H. R. 11042) for the relief of Motier Howe, reported it without amendment, and submitted a report thereon.

JUDICIAL PROCEEDINGS IN UTAH.

Mr. EDMUNDS. I am directed by the Committee on the Judiciary to report a resolution, and to ask for its present consideration.

The PRESIDENT *pro tempore*. The resolution will be read.

The Chief Clerk read as follows:

Resolved, That the Attorney-General of the United States be, and he is hereby, directed to communicate to the Senate as soon as may be all information in his possession concerning the execution of the provisions of section 17 of the act of Congress approved March 3, 1887, entitled "An act to amend an act entitled 'An act to amend section 5352 of the Revised Statutes of the United States, in reference to bigamy, and for other purposes,' approved March 22, 1882," and that he report also the names of all officers of the United States who have had any connection with the execution of said section and in what capacity, and what compensation has been claimed by them or agreed to be paid to them, and what compensation, if any, they have received, and whether any of such persons at the same time have held any other office or employment under the United States, and, if so, what.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. COCKRELL. I should like to hear some explanation of it.

Mr. EDMUNDS. The explanation is that by the seventeenth section of the act of 1887 the Attorney-General was directed to cause proceedings to be instituted in the proper courts to forfeit to the United States for the ultimate use of schools in Utah the property of the corporation called the Church of the Latter-Day Saints in that Territory which that corporation should have been found to have acquired contrary to law.

It appears from the newspapers and from correspondence I have received that the Attorney-General did direct such proceedings to be instituted in the courts of Utah, and they were instituted. It is stated that the judge in charge appointed the marshal of the Territory to be the receiver of this property. The marshal of course was the executive

officer of the court who made the seizure of whatever property the judicial proceedings applied to, and he was appointed receiver.

It is alleged that the district attorney of the United States was immediately employed by the marshal as his private and particular counsel as receiver, and that the property, or some of it, has been sold and a fund obtained, and that now proceedings are going on by the marshal in his character as receiver, and by the district attorney of the United States in his character as private counsel to the receiver, to get what is alleged to be an enormous and exorbitant allowance out of this fund for their services as receiver and as counsel to the receiver, etc.; and that the school board, who would have charge of the interest in the ultimate fund if it should be held forfeitable and applicable to schools, have been obliged to employ private counsel to resist these demands of the marshal and district attorney of the United States (both of whom, I will humbly suggest, ought to be on the other side of any such question), in their attempt to get what is alleged to be enormous slices out of this fund.

Therefore the Committee on the Judiciary thought it was due to the Attorney-General and due to the public interests that we should have full information as to what has been going on there.

Mr. COCKRELL. I think so, too.

Mr. CULLOM. I simply want to say that I have had letters indicating the same state of facts stated by the Senator from Vermont.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution? The Chair hears none, and the question is on agreeing to it.

The resolution was agreed to.

POWERS OF ATTORNEY-GENERAL IN PATENT CASES.

Mr. EDMUNDS. I am instructed by the Committee on the Judiciary, which was directed at the former session of the present Congress to inquire and report to the Senate whether in the then state of the law the Government has the power, or the Attorney-General of the United States the authority, to institute judicial proceedings to vacate a patent for an invention on any ground whatever, to report back the resolution with the statement that while the matter has been in the committee and pressed out of consideration by other more practical questions, we are advised and believe that the Supreme Court of the United States has settled the question in the affirmative, and has held that it is within the competence of the President of the United States in the due execution of the laws, and through his direction of course the Attorney-General, to institute a suit without any special act of Congress to vacate a patent for an invention upon any ground that affects the public interest or affects the regularity of the issue of the papers. We therefore ask to be discharged from the further consideration of the matter.

The PRESIDENT *pro tempore*. The report will be received, and the committee discharged from the further consideration of the resolution.

REPORT OF SECRETARY OF THE SENATE.

Mr. MANDERSON. I am directed by the Committee on Printing to report back the annual report of the Secretary of the Senate as to receipts and expenditures with the recommendation that the usual number be printed. I make that motion, and ask for its present consideration.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

PRESIDENT'S ANNUAL MESSAGE, ETC.

Mr. MANDERSON. I am directed by the Committee on Printing to report back the resolution to print 1,000 extra copies of the message of the President, with the reports of the heads of Departments without the appendices, and I ask for its present consideration.

The PRESIDENT *pro tempore*. The resolution will be read.

The resolution submitted by Mr. MORRILL December 5, 1888, was read, as follows:

Resolved, That there be printed in pamphlet form, for the use of the Senate, 1,000 copies of the annual message of the President and the reports proper of the heads of the Departments, Comptroller of the Currency, Director of the Mint, and the Treasurer of the United States, without the appendices.

The PRESIDENT *pro tempore*. If there be no objection to the present consideration of the resolution, the question is on agreeing to the same.

Mr. COCKRELL. I should like to ask in what form the documents are to be printed.

Mr. MANDERSON. In pamphlet form.

Mr. COCKRELL. Each one of them separately, or all in one volume?

Mr. MANDERSON. All together, in one pamphlet, the President's message and the reports proper of the heads of Departments. I may add that the cost of printing a thousand copies is under $500, being about $304 or $305.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

The resolution was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House requested the Senate to furnish the House with a duplicate copy of Senate concurrent resolution to print 5,000 additional copies of the report of the Superintendent of the United States Coast and Geodetic Survey, the original having been lost.

The message also announced that the House had passed the following bills:

A bill (S. 2240) for the relief of George S. Thwing;

A bill (S. 2483) granting a pension to Catherine Tate;

A bill (S. 2639) granting a pension to Mrs. Louisa Ward;

A bill (S. 2666) granting a pension to Lemuel S. Skinner;

A bill (S. 2842) granting an increase of pension to William H. H. Welsh;

A bill (S. 3144) granting a pension to Nancy A. Hayes; and

A bill (S. 3397) granting an increase of pension to Caroline M. McDougal.

The message further announced that the House had passed the bill (S. 2254) to increase the pension of Mrs. Ella M. Grover with an amendment, in which it requested the concurrence of the Senate.

BILLS INTRODUCED.

Mr. BERRY introduced a bill (S. 3681) granting the right of way to the Fort Smith, Paris and Dardanelle Railway Company to construct and operate a railroad, telegraph, and telephone line from Fort Smith, Ark., through the Indian Territory, to or near Baxter Springs, in the State of Kansas; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Indian Affairs.

Mr. BLACKBURN introduced a bill (S. 3682) for the relief Mrs. Anna E. Pennebaker; which was read twice by its title, and referred to the Committee on Claims.

Mr. SHERMAN introduced a bill (S. 3683) granting a pension to Mrs. Angeline Taylor; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT introduced a bill (S. 3684) to provide for the erection of a building for the use of the Geological Survey; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. CULLOM introduced a bill (S. 3685) granting a pension to Martin Baer; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FARWELL introduced a bill (S. 3686) appropriating prize-money due the survivors of Farragut's fleet for captures made on the Mississippi River in April, 1862; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also (by request) introduced a bill (S. 3687) to increase the salaries of the Chief-Justice and associate justices of the Supreme Court of the United States; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the Judiciary.

Mr. HAWLEY introduced a bill (S. 3688) granting a pension to Edward M. Lees; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PADDOCK introduced a bill (S. 3689) for the relief of Frederick Freidley; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. WILSON, of Iowa, introduced a bill (S. 3690) to authorize the Secretary of the Navy to contract for the construction of a refracting telescope of sixty inches aperture under the directions of Theodore Ruggles Timby; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. HISCOCK introduced a bill (S. 3691) to provide for the payment of certain claims heretofore allowed, and so forth; which was read twice by its title and referred to the Committee on Claims.

He also introduced a bill (S. 3692) for the relief of sailors and soldiers who have lost both hands or both feet, and providing for other specified disabilities; which was read twice by its title, and referred to the Committee on Pensions.

Mr. JONES, of Arkansas (by request), introduced a bill (S. 3693) to amend chapter 206 of the laws of 1888, approved April 30, 1888, entitled "An act to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations and to secure the relinquishment of the Indian title to the remainder;" which was read twice by its title, and referred to the Committee on Indian Affairs.

INDEBTEDNESS OF PACIFIC RAILROADS.

Mr. MITCHELL. I submit an amendment in the nature of a substitute for the bill (S. 3401) to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," approved July 1, 1862; also to amend an act approved July 2, 1864, and also an act approved May 7, 1878, both in amendment of said first-mentioned act; and to provide for a settlement of claims growing out of the issue of bonds to aid in the construction of certain of said railroads, and to secure to the United States the payment of all indebtedness of certain of the companies therein mentioned.

I ask that the proposed substitute be printed and referred to the Select Committee on the President's Message transmitting the Report of the Pacific Railway Commission.

I beg leave to say in regard to the proposed substitute that its purpose is to provide in one piece of legislation for the adjudication and ascertainment of the present indebtedness, and for a refunding and security of the indebtedness of the Union Pacific Railroad Company, the Kansas Pacific Railway Company, the Central Branch Union Pacific Railroad Company, and the Central Pacific Railway Company, as the successors of the Central Pacific Railroad Company of California, and the Western Pacific Railroad Company, to which subsidy bonds of the United States were advanced in aid of the construction of the Pacific Railroads and branches.

The PRESIDENT *pro tempore*. The bill has been reported. Does the Senator desire a reference of his amendment to the special committee, the bill having been reported?

Mr. MITCHELL. I desire a reference of the proposed substitute to the committee, so that they may consider it.

The PRESIDENT *pro tempore*. It will be so ordered if there be no objection.

COMMITTEE ON INTERSTATE COMMERCE.

Mr. CULLOM submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Interstate Commerce be, and it is hereby, directed to continue the investigation ordered to be made by the resolution of the Senate of August 3, 1888, and such committee is hereby given all the authority conferred by said resolution and power to sit during any recess of the Senate prior to December, 1889, the necessary expenses of such investigation to be paid from the contingent fund of the Senate.

THE SAMOAN ISLANDS.

Mr. FRYE submitted the following resolution; which was read:

Resolved, That the Committee on Foreign Relations be instructed to inquire into the condition of affairs in the Samoan Islands so far as it affects the interests and rights of American citizens resident or doing business there; the relations of the United States with and their obligations to said islands under existing treaties; the necessity of maintaining their neutrality or independence, and our duty in this regard; what steps have been taken in this direction by our Government, and what further action, if any, is demanded. To this end said committee shall have power to send for persons and papers, administer the necessary oaths, employ stenographers if required, cause its proceedings to be printed from time to time for its own use; and the expenses thereof shall be paid out of the contingent fund of the Senate upon vouchers to be approved by the chairman of said committee, and by the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. FRYE. Mr. President, in my judgment a thorough, careful investigation of the subject referred to in this resolution is an imperative necessity at this time, although I admit it may disclose an exceedingly discreditable chapter in the history of American diplomacy.

The interests of the United States in the preservation of the independence of Samoa no American citizen can question for a moment. These islands are the dominating power in that portion of the Pacific Ocean and the center of commerce. They are about as far from the Sandwich Islands as the Sandwich Islands are from San Francisco, and about 1,300 miles from Australia. They are in the line of all our commerce with New Zealand and Australia.

A long while ago we obtained a concession of one of the most magnificent harbors in the world in those islands, and we established a coaling station. We made a treaty with Samoa in 1878, and Great Britain and Germany in the following year each made a treaty. It was understood and agreed that the independence and neutrality of these islands should be forever preserved. In 1886 Germany and England made an agreement for the preservation of their absolute neutrality.

The King of the Samoan Islands, Milatoa, was a very warm friend of the United States, so warm a friend that it provoked the jealousy of the German business men of that island. He was a warm friend because he looked upon us as bound under our obligations to him to maintain the independence of that country, and he received that impression from article 5 in our treaty, which I desire to read:

If unhappily any differences shall have arisen or shall arise between the Samoan Government and any other government in amity with the United States, the Government of the latter will employ its good offices for the purpose of adjusting these differences upon a satisfactory and a solid foundation.

In 1886 Tamassi rebelled against Milatoa, the King of Samoa. Milatoa could have put down the rebellion in a day's time. He would have had no difficulty at all. He is the king of one of the bravest people to be found in that part of the world. But our representatives in Samoa and the representatives of Great Britain, desiring to prevent bloodshed, called the attention of Milatoa to the obligations of the United States and of Great Britain under the treaties, and persuaded him to do absolutely nothing, and to allow Tamassi's rebellion to proceed as far it could. It was a feeble one, unaided, and its procession could not be long. So King Milatoa did nothing, thus affording Germany a pretense, which she subsequently availed herself of.

But trouble was brewing in Samoa. Complaints came to the State Department from our consuls there. We sent a commissioner out there, Mr. Bates, from Wilmington. An investigation was made. Finally it was considered an absolute necessity that there should be some settlement of these matters, and a conference was agreed upon to be held in the city of Washington in 1887 between the United States, Great Britain, and Germany.

That conference was held. The representatives of those three Governments were present.

In the progress of the conference the German representative demanded or asked that Germany might control absolutely these islands for five years. Secretary Bayard refused to comply with such an unreasonable request as that urged by the German ambassador or the German minister. The conference took a recess. It did not dissolve; it simply took a recess; and while that recess was in being a German fleet, in less than ten days, sailed for Samoa, entered the harbors, took practical possession of the islands, undoubtedly with the consent of Great Britain, undoubtedly with a full understanding in advance with Great Britain that Germany would so act; because, if there had not been an understanding, Great Britain never would have allowed a day to pass without a peremptory demand that the *status quo* should be restored; her fleets would have gone to Samoa, and Germany would have retired. It was an outrage to the United States, and an insult which no great country ought to submit to for a single moment.

I say they took practical possession. They espoused the cause of Tamassi. They seized or rather compelled the surrender of King Milatoa. They deported him to a remote island, and afterwards took him to Berlin, where I understand he is to-day.

They espoused, I say, the cause of Tamassi. They placed him in power in that island. They appointed a German consular clerk his premier. They boycotted American business men. They picketed with German guards the American consulate. They hauled down, or compelled to be hauled down, the American flag. They committed every conceivable outrage upon these poor people who were friends of Milatoa. They seized them, incarcerated them in jails; sent them off to remote islands; killed some. They broke up the business of the American business men there. They treated our consul with contempt. They imposed fines, levied taxes, violated the agreed neutrality of the municipality in which the public buildings were erected by contributions from each of the nations.

Finally when that government was apparently established that fleet sailed away leaving Tamassi in power.

I understand very well indeed that our Secretary of State defined distinctly to the Germans or to the German authorities the position assumed by the United States, but having done so he has rested absolutely from that time to this, and nothing has been done to restore the rights of American citizens in Samoa or prevent the aggressions of Germany.

A short time ago Madaaffa, a legitimate successor to Milatoa (which Tamassi was not), raised troops, friends of Milatoa, and, as I understand from the last advices, gave battle to Tamassi, routed him, conquered him absolutely, and a legitimate king is to-day on the throne of Samoa.

But by the same steamer came the news that the German fleet is once more sailing for Samoa. What for no one knows, but from the policy which Germany has illustrated in those islands for the last two years no one has any reason to believe other than this, that Germany intends to take now absolute possession. And why should she not? Great Britain interposes no objection, and the United States of America has done absolutely nothing within the last five or six months in relation to it. Why should not Germany then assume that the United States and Great Britain are ready to permit her to take possession of those islands—she undoubtedly intends to do so—and raise the German flag over them?

Mr. President, it is well undoubtedly to fit out ships of war and send them down to that poor, weak Republic of Hayti, a half dozen of them, if you please. It is well enough for this great Republic, when Mexico takes and imprisons some American tramp, to threaten war, even to go to the very ragged edge of it. But would it not be more consistent with the dignity and power of this Republic to protect the rights of its citizens against equals—a country like Germany or a country like England? One vessel seized in Hayti; hundreds of vessels seized by Canada. One backed by Great Britain; the other backed by no one.

In my judgment, the American people demand, if we are to show our power as a country, that we shall exhibit it against our equals, not against our inferiors.

Mr. President, I ask for the present consideration of this resolution, and I hope the Committee on Foreign Relations will be active and industrious in finding out the condition of things in these islands and determining what duty requires of the United States.

Mr. GRAY. Mr. President——

The PRESIDENT *pro tempore*. The Chair would state, before the Senator proceeds, that under the rule all resolutions constituting a charge upon the contingent fund of the Senate should be referred to the Committee to Audit and Control the Contingent Expenses of the Senate. But that provision can be waived by unanimous consent. The Senator from Delaware will proceed.

Mr. GRAY. I do not know, Mr. President, that I should object to the present consideration of the resolution offered by the Senator from Maine; but under the circumstances and because of the attitude assumed by the Senator from Maine and of the remarks with which he chose to accompany the presentation of his resolution, I shall feel called upon to object to its present consideration, and ask that it shall go, as suggested by the Chair, to the Committee on Contingent Expenses of the Senate.

Whether the Government of the United States under this impulse

of jingoism (which I use for want of a better word to characterize the feeling which seems to be rampant now in regard to our foreign affairs) should interfere in the matters that concern the islands of the Pacific Ocean and should embroil itself with the powers of Europe, governments where foreign affairs are controlled by the executive entirely, without the intervention of the legislative branch of the government, is a question to be determined by the people of the United States through the Senate and House of Representatives in Congress assembled. Fortunately no such power was ever lodged with the Executive of the United States or in any of the Executive Departments as to commit this great Government to a foreign policy that predicated the use of force or of the war powers of the Constitution except by the consent and authorization of Congress.

If we are to embark upon a policy of territorial aggrandizement or of entangling alliances contrary to American precedents and American traditions, it will be well to have the resolution discussed before the American people in the halls of Congress, but there is certainly no power lodged with the Executive or in any of the Executive Departments to commit the Government of the United States to a policy that involves the assertion of physical force in interference in matters of that kind without the consent of Congress and without legislation by the Senate and the House of Representatives.

Notwithstanding the statements of the Senator from Maine, I am not as yet aware that any American interest or the rights of any American citizen are affected here otherwise than they are affected in any foreign country when a revolution takes place.

So it seems to me that if this general policy is to be inaugurated we may as well discuss it upon the resolution of the Senator from Maine as in any other way or at any other time. But I simply want to enter my *carcal* against the criticisms which he has seen fit to accompany his resolution in regard to the conduct of the State Department, which had no power, and could not, without the most flagrant usurpation, pretend to commit the Government of the United States and its people to a policy that antagonized all its former traditions and history.

I therefore shall object to the present consideration of the resolution, for it is an important one, and I ask that it may be referred to the Committee on Contingent Expenses.

Mr. FRYE. Of course, Mr. President, I shall be obliged to assent to the reference suggested.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

COLUMBIA RIVER IMPROVEMENT.

Mr. MITCHELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War be, and he hereby is, directed to inform the Senate what action has been taken in pursuance of a clause in the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," received by the President July 31, 1888, and which subsequently became a law without executive approval, authorizing and directing the Secretary of War to appoint a board of three engineers from the United States Army to examine the obstructions to navigation in the Columbia River at The Dalles and Celilo Falls, and at Three and Ten Mile Rapids, and to report thereon, and which authorized and directed the Secretary of War to transmit such report to Congress at this session, with his views and those of the Chief of Engineers, United States Army, thereon.

MESSENGER FOR COMMITTEE ON FOREIGN RELATIONS.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a resolution introduced by the Senator from Ohio [Mr. SHERMAN], and reported from the Committee to Audit and Control the Contingent Expenses of the Senate, which comes over under objection from a former day.

The resolution was considered by unanimous consent, and agreed to; as follows:

Resolved, That the Sergeant-at-Arms of the Senate be, and he is hereby, directed to appoint a messenger for the Committee on Foreign Relations, whose services shall be devoted exclusively to the business of said committee, and that the messenger so appointed shall be selected by said committee.

THE REVENUE LAWS.

The PRESIDENT *pro tempore*. If there be no further morning business that order is closed.

Mr. ALLISON. I move to proceed to the consideration of the revenue bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue, the pending question being on the amendment proposed by Mr. HARRIS to the amendment of the Committee on Finance in Schedule C, metals, lines 446 and 447, to strike out the words "one and one-tenth cents" and insert "six-tenths of 1 cent;" so as to make the clause read:

130. Beams, girders, joists, angles, channels, car-truck channels, TT columns and posts, or parts or sections of columns and posts, deck and bulb beams, and building forms, together with all other structural shapes of iron or steel, six-tenths of 1 cent per pound.

Mr. MCPHERSON. I desire to ask the Senator from Iowa, who has charge of this bill, and the Senate also, to give consent to go back to the beginning of the metal schedule, Schedule C. My reasons for making this request are many. In the first place, I think we ought to begin at the bottom to make some reduction, and it will be very much easier for us to take intelligent action on the bill if we can first know whether the Senate will or will not consent to make some reduction in the clause which precedes the one now under consideration.

It will be seen that on a valuation of something over $55,000,000 of importations in 1887 under the metal schedule, the Senate bill only makes a reduction of duty of about $100,000, based upon like importations. There is an increase of duty on very many things where there should be a decrease, as I think I shall be able to make plain.

I therefore desire to go back to the beginning of Schedule C in order that I may offer some amendments to the bill preceding the paragraph now under consideration. I make the motion that we begin with the reading of the bill this morning at the commencement of Schedule C, on page 101.

Mr. ALLISON. If the Senator will allow me a moment, I do not see why we should go back and begin again with the reading of Schedule C. Schedule C has already been read up to the one hundred and thirtieth paragraph. If the Senator desires to offer some amendments to this schedule back of paragraph 130, for myself I will not interpose an objection. I suppose that can be done by unanimous consent. The Senator perhaps was not here when that portion of the bill was read, and if he desires to offer an amendment after the pending amendment is disposed of I shall not object myself.

Mr. MCPHERSON. Then, I desire to offer an amendment on page——

The PRESIDENT *pro tempore*. The Senator will pause one moment. The pending question is on the amendment that has just been stated by the Secretary.

Mr. REAGAN. On that amendment I desire to make a few remarks.

The PRESIDENT *pro tempore*. The request of the Senator from New Jersey can not be entertained except by unanimous consent.

Mr. MCPHERSON. I ask unanimous consent.

The PRESIDENT *pro tempore*. The Senator from Texas objects.

Mr. REAGAN. I have no objection, but I desire to make a few remarks on the section to which that amendment is offered, and I understood the Senator from Iowa [Mr. ALLISON] to say he would have no objection, after we had acted upon this amendment, to going back.

Mr. MCPHERSON. The Senator from Texas will permit me to suggest that we shall then reach that particular paragraph, and the action of the Senate on the amendment I propose to offer would probably have some effect upon the Senator from Texas in concluding his judgment.

Mr. REAGAN. I have a reason for desiring to submit my remarks at this stage of the debate, and it will not affect the action desired by the Senator from New Jersey.

The PRESIDENT *pro tempore*. The Senator from Texas is recognized by the Chair as entitled to the floor on the pending question, the amendment of the Senator from Tennessee [Mr. HARRIS].

Mr. REAGAN. Mr. President, pending the question of adjournment at the last meeting of the Senate the Democratic Senator from Ohio [Mr. PAYNE] expressed some views which it seems to me ought not to pass without notice. In the discussion of the paragraph of the bill then and now under consideration he observed that there were but two or three rolling-mills in the country that are equipped for the manufacture of many classes of structural iron. He mentioned that the Carnegie works at Pittsburgh were prepared to manufacture all sizes and all forms of this description of iron. He mentions that a contractor for a moderate-sized building in Cleveland would be compelled to purchase a large portion of such iron from the Carnegie works, and that the whole western country is dependent on the Carnegie works for iron structures.

Now, when it is remembered that of the iron and steel "beams, girders, joists, angles, car-truck channels, TT columns and posts, or sections of columns and posts, deck and bulb beams, and building forms, with other structural forms of iron and steel," many millions of dollars' worth are required annually in the construction of public and private building, bridges, etc., and when it is remembered that the Government subsidy allowed to the makers of these descriptions of iron and steel, in the form of a duty on imports, is now 102.75 per cent.—that is, that for every $100 worth made and sold the manufacturer gets $102.75 of other people's money; and when it is remembered that capital is so abundant in this country as to seek investment in 3 per cent. Government bonds; and when we remember the unlimited supply of iron and coal in this country, and that thousands of laborers seek employment without being able to find it, we can hardly fail to be surprised at the statements made by the Senator from Ohio.

I do not assume to challenge directly what he said on this subject; but under all these circumstances it seems strange that those who have millions of dollars invested in bonds which yield from 3 to 4½ per cent. should not invest them in a business like this, which pays over 100 per cent. Possibly this may be explained by reference to the practice now prevalent of forming syndicates and trusts in all the great departments of production and commerce in this country to enable the parties engaged in them to limit production and supply and to dictate prices to consumers.

This Mr. Carnegie mentioned by the Senator is a person who it is understood has in a few years made a fortune of many millions of dollars

in the establishment referred to by the manufacture of structural iron and steel. Indeed, it seems he has become so rich by the help of an American protective tariff that he can not afford to spend his summers with plain American people, and that he has purchased or built a splendid castle in his native Scotland, where he can enjoy life in a sort of royal splendor and entertain distinguished American tourists of the high-protection persuasion, and from whence he can air them in his coach and four with liveried drivers in lordly style.

I thought the Senator not quite fortunate in introducing Carnegie as a sample of self-sacrificing patriots engaged in trying to build up an American infant industry. And it occurred to me at the time that if the Senator from Iowa [Mr. ALLISON] and the Senator from Rhode Island [Mr. ALDRICH], who are two special champions of this bill, were Episcopalians, when their Democratic friend from Ohio came to their relief by introducing Carnegie, they might well desire to amend the common prayer by adding, "From our friend, good Lord, deliver us."

Such a provision as the one under consideration ought not to pass without the attention of the country being called to the fact that the American people are now required by a high protective tariff to pay $202.75 for every $100 worth of these descriptions of iron and steel which now go into use in this country. It is proposed by the House bill to reduce the duty on such articles to 49.32 per cent., thus offering the high bonus of nearly $50 on every $100 worth which go into use. This, it seems to me, is unnecessarily high. But the Senate committee in the bill now before us proposes to fix the rate of duty at 90.42 per cent., and thus to give a bonus of more than $90 of other people's money to the manufacturer of every $100 worth which go into use.

Very recently we have heard a great deal in this Chamber and elsewhere about the protection of the interests of agriculture and about securing good wages for labor. Republican Senators propose to accomplish these desirable ends through the instrumentality of the bill before us by a system of class legislation and by the creation of grinding monopolies in nearly or quite every branch of manufacturing industry. And it seems they are to have some Democratic help.

On woolen goods they propose to give protection as they term it, ranging from 70.67 to 186 per cent.; cottons, from 35 to 50 per cent.; hemp and jute goods, from 60 to 166.66; iron and steel, from 33 to 100 per cent., and so on.

And this is proposed when the country is crying out against class legislation and monopolies, when the people see and know that such a policy is creating a large class of millionaire men and corporations, and when these favored classes are by trusts and combinations redoubling their vast wealth and aiding high protection to impoverish the middle classes of the people and to reduce the poorer classes to the condition of tramps and paupers. Senators may refuse to recognize the poverty, debt, and discontent which pervades the agricultural and working classes everywhere. But such a course is not statesmanship; it is in aid of selfishness, avarice, unpatriotic greed. Wise and patriotic legislators would recognize such a condition of things and remedy it by the adoption of a just policy, and thus prevent the dangers which must follow continued injustice and oppression.

This policy of fostering the interests of classes of citizens at the expense of the country at large has gone on until agriculture has become a degraded pursuit and the sons of farmers seek any employment which will relieve them from the cultivation of the soil. And labor in this country is steadily sinking to the degraded condition in which it is found in the Old World.

Among the many wise and judicious utterances of President Cleveland in his recent annual message to Congress is the following:

Our farmers, long-suffering and patient, struggling in the race of life with the hardest and most unremitting toil, will not fail to see, in spite of misrepresentations and misleading fallacies, that they are obliged to accept such prices for their products as are fixed in foreign markets where they compete with the farmers of the world; that their lands are declining in value while their debts increase; and that without compensating favor they are forced by action of the Government to pay, for the benefit of others, such enhanced prices for the things they need that the scanty returns of their labor fail to furnish their support or leave no margin for accumulation.

In another portion of that message he says:

We discover that the fortunes realized by our manufacturers are no longer solely the reward of sturdy industry and enlightened foresight, but that they result from the discriminating favor of the Government, and are largely built upon undue exactions from the masses of our people. The gulf between employers and the employed is constantly widening and classes are rapidly forming, one comprising the very rich and powerful, while in the other are found the toiling poor.

Senators may choose to disregard the grave and solemn warnings implied in these utterances, but every day's experience will burn them into the hearts of the people. And in this connection it should not be forgotten that the American people are now too enlightened and have drank too deeply at the fountain of liberty to be enslaved by bands of greedy Shylocks, wise and cunning and unscrupulous though they be, and willing as they have shown themselves to be to corrupt the very fountains of justice.

The constitutional duty is devolved on Congress to provide revenues for the support of the Government and for the payment of the public debt. But the bill before us makes this but a secondary object, and makes the protection of domestic manufactures its controlling purpose. This policy is not authorized by the Constitution, and is operating to withdraw the money of the country from the channels of trade, cripple industry, and add to the hardships of labor. And it is stimulating extravagant, wasteful, and corrupt legislation, as was abundantly demonstrated during the last session of Congress.

I need not argue to prove the evil effects of such a policy.

The House bill proceeds on the theory that it is for revenue, but in truth it is a high protective tariff. The bill before us, the Senate substitute, has protection for its main object, and is greatly more objectionable than the House bill as a measure of protection; and its protection is for the benefit of a comparatively few persons at the expense and by the sacrifice of the interests of the great body of the people.

The House bill has for its aim to reduce the surplus of revenue by the reduction of taxes. The Senate bill aims to reduce the surplus of revenue by making duties so high as to exclude imports; a reactionary policy at war with the enlightened spirit of the age, and against the true interest of all commercial nations. It is a negation of justice and wise policy for the benefit of narrow selfishness and debasing and corrupting avarice and greed.

On this subject I make the following quotation:

I am in favor of such a revenue as shall be equal to all the just and reasonable wants of the Government; and I am decidedly opposed to all collection or accumulation of revenue beyond this point. An extravagant Government expenditure, and unnecessary accumulation in the Treasury, are both, of all things, to be most studiously avoided.

Our protectionist friends are doubtless ready to exclaim that this view is another quotation from President Cleveland or some free-trader. Not so. It is the well-matured expression of Daniel Webster, an avowed protectionist, who was also an honest patriot and a great statesman; made in the course of a speech delivered at Niblo's Saloon in New York on the 15th of March, 1837, pursuant to a formal invitation and in a great meeting, of which Chancellor Kent was chairman.

But why proceed in this line of discussion? No amount of facts, reason, or argument will convince the beneficiaries of unjust legislation that they ought not to be made rich off of the labor and earnings of other people. They will balance the moral and political account by putting the shame of such a course in one pocket and the gold derived from such practices in the other. There is no use to appeal to them to observe the rules of justice and right. And the people must, at last, if they would save themselves, secure protection by superior numbers and their ballots.

The issue between a tariff for protection and a tariff for revenue is an issue between a limited class and the general body of the people, between money and men, between selfishness and patriotism, between injustice and justice; and if the people are worthy to be free the correct settlement of this question can not much longer be delayed. I hope the amendment of the Senator from Tennessee may prevail, though I should have liked it better if it had proposed a duty of 30 per cent. instead of 49.

Mr. MCPHERSON. Now, Mr. President, I move, as no objection has been offered to my doing so, on page 102 of the bill, line 393, to strike out "three-tenths of 1 cent per pound," and insert the words "six dollars per ton."

The PRESIDENT *pro tempore*. The Chair can not entertain the motion except by unanimous consent. Is there objection?

Mr. HARRIS. As that amendment is in respect to items appearing in the bill before the item that the Senate now has under consideration, in order that the Senator from New Jersey (if the Senator from Iowa consents to go back to that item) may test the sense of the body upon the amendment he proposes, I will temporarily withdraw the amendment that is now pending, so as to give the Senator from New Jersey the opportunity to offer his amendment.

Mr. MCPHERSON. I will state my purpose in offering the amendment. I propose to offer a series of amendments beginning at the bottom, at the lowest stage of manufacture, in order, if reductions are made there—and I trust and believe they will be made—that the result will be to make some difference as to the measure of duty that ought to be imposed upon the other preparations or manufactures of iron all the way through the schedule.

If it is the purpose of the other side of the Chamber to reduce this metal schedule only to the extent of $100,000 under this measure, as based upon the importations of 1887, then let the country and the Senate understand it. If this great schedule, in which the duties have been higher perhaps than any other and more oppressive upon the people, is not to be reduced at all, then let us understand it; but certainly the first thing to do would be to reduce the price of the iron in pigs if we propose to make further reductions in the bill. Therefore I move, on line 393, to strike out the words "three-tenths of 1 cent per pound" and insert "$6 per ton."

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Tennessee [Mr. HARRIS] having been withdrawn, the Senator from New Jersey [Mr. MCPHERSON] moves to amend as will be stated.

The CHIEF CLERK. On page 102, lines 393 and 394, it is proposed to strike out the words "three-tenths of 1 cent per pound" and insert in lieu thereof "$6 per ton;" so as to read:

Iron in pigs, iron kentledge, spiegeleisen, wrought and cast scrap-iron, and scrap-steel, $6 per ton.

Mr. McPHERSON. This would be a reduction of 72 cents per ton upon iron in that shape and form. This is the provision for $6 per ton as contained in the House bill. It is quite high enough, and by making that reduction of 72 cents per ton upon iron in that state of preparation we shall be enabled to make some further reductions without any particular injury to the industry whatever.

A tariff of $6 per ton upon iron certainly represents a great deal more than the entire labor cost involved in the manufacture of the iron, and then leaves in addition quite a large margin to the manufacturer. Therefore, if this reduction is made it may be followed by other reductions which will not interfere materially with the manufacturers of different kinds of iron, as provided in this bill.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from New Jersey.

Mr. McPHERSON. Let us have the yeas and nays.

The yeas and nays were ordered.

Mr. ALLISON. Before the vote is taken I wish to call the attention of the Senator from New Jersey to the fact that the amendment proposed by him is not the House provision. The House provision reduces the duty upon pig-iron and iron kentledge. The Senator from New Jersey proposes to make the reduction apply to all forms of scrap iron and scrap steel, and I understand the Senator from New Jersey to give as the reason for this particular amendment that it may influence his vote when he shall come to the amendment proposed by the Senator from Tennessee. The amendment proposed by the Senator from New Jersey, I think, does not materially affect the amendment proposed by the Senator from Tennessee one way or the other.

The PRESIDENT *pro tempore*. Is the Senate ready for the question?

The Secretary proceeded to call the roll.

Mr. CAMERON (when his name was called). I am paired with the Senator from South Carolina [Mr. BUTLER]. If he were present, I should vote "nay."

Mr. COLQUITT (when his name was called). I am paired with the Senator from Rhode Island [Mr. CHACE]. If he were present, I should vote "yea."

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE]. If he were present, I should vote "nay."

Mr. EVARTS (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN]. If he were present, I should vote "nay."

Mr. HALE (when his name was called). I am paired with the Senator from Kentucky [Mr. BECK].

Mr. KENNA (when his name was called). I am paired on all questions with the Senator from Minnesota [Mr. SABIN].

The roll-call was concluded.

Mr. CULLOM. I announce the pair of the Senator from Colorado [Mr. TELLER] with the senior Senator from Louisiana [Mr. GIBSON].

Mr. CHANDLER. I am paired with the Senator from New Jersey [Mr. BLODGETT] not now in his seat. If he were present, I should vote "nay."

Mr. PADDOCK (after having voted in the negative). I should like to inquire if the Senator from Louisiana [Mr. EUSTIS] has voted?

The PRESIDENT *pro tempore*. He is not recorded.

Mr. PADDOCK. I have a general pair with the Senator from Louisiana, and I therefore withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from Nebraska withdraws his vote.

Mr. CALL. I am paired with the Senator from Colorado [Mr. BOWEN]. If he were present, I should vote "yea."

Mr. WALTHALL. I desire to announce that my colleague [Mr. GEORGE] is paired with the Senator from New Hampshire [Mr. BLAIR].

Mr. CAMERON. My colleague [Mr. QUAY] is paired with the Senator from West Virginia [Mr. FAULKNER]. If present, my colleague would vote "nay."

The result was announced—yeas 20, nays 22; as follows:

YEAS—20.

Bate,	Daniel,	McPherson,	Saulsbury,
Berry,	Gorman,	Pasco,	Vance,
Blackburn,	Gray,	Payne,	Vest,
Cockrell,	Harris,	Pugh,	Walthall,
Coke,	Jones of Arkansas,	Reagan,	Wilson of Md.

NAYS—22.

Aldrich,	Farwell,	Manderson,	Sherman,
Allison,	Frye,	Mitchell,	Stewart,
Cullom,	Hawley,	Morrill,	Stockbridge,
Dawes,	Hiscock,	Platt,	Wilson of Iowa.
Dolph,	Hoar,	Plumb,	
Edmunds,	Ingalls,	Sawyer,	

ABSENT—34.

Beck,	Chandler,	Hampton,	Riddleberger,
Blair,	Colquitt,	Hearst,	Sabin,
Blodgett,	Davis,	Jones of Nevada,	Spooner,
Bowen,	Eustis,	Kenna,	Stanford,
Brown,	Evarts,	Morgan,	Teller,
Butler,	Faulkner,	Paddock,	Turpie,
Call,	George,	Palmer,	Voorhees.
Cameron,	Gibson,	Quay,	
Chace,	Hale,	Ransom,	

So the amendment was rejected.

Mr. McPHERSON. I now call the attention of the Senator who has charge of this bill to paragraph 121:

121. Bar-iron, rolled or hammered, comprising flats not less than 1 inch wide nor less than three-eighths of 1 inch thick, eight-tenths of 1 cent per pound.

It is not that I propose to object to the rate of duty there imposed on bar-iron where it is subject to the process of rolling and hammering on such small sizes as are here provided for, but let me compare, if you please, this with the difference in sizes in paragraph 130, which has been under consideration—beams, girders, joists, and all those larger forms of iron which require far less labor in their preparation, the weight is so much greater, the labor so much less, that the committee propose a rate of duty of 1.1 cents per pound on one form where the least labor is performed, and a duty of eight-tenths of 1 cent a pound where there is greater labor employed and greater expense.

That is all I wish to say with regard to paragraph 121; simply to call the Senator's attention to that.

In the proviso contained in paragraph 122, which immediately follows, on line 416, I find:

Provided further, That all iron bars, blooms, billets, or sizes or shapes of any kind, in the manufacture of which charcoal is used as fuel, shall be subject to a duty of not less that $22 per ton.

I desire to move to strike out the word "two," leaving the rate of duty at $20 per ton. That is about the duty, I believe, provided in the House bill, and I can see no reason whatever why there should be a higher rate of duty imposed where charcoal is used as fuel. It would seem to me, unless the purpose be to denude the whole country of forests, that inasmuch as this steel is necessary for certain purposes it would be better to make the rate of duty in such a way as not to be too great an inhibition upon those who wish to use it, and $20 a ton is certainly high enough. If the duty is made $20 per ton it may reduce the cost upon very many of the articles of manufacture into which these blooms and billets are put.

The PRESIDING OFFICER (Mr. DOLPH in the chair). Does the Senator from New Jersey move an amendment?

Mr. McPHERSON. I move to strike out "two;" so as to read:

Subject to a duty of not less than $20 per ton.

Mr. HARRIS. Let the Secretary report the amendment.

The PRESIDING OFFICER. The amendment will be reported.

The CHIEF CLERK. On page 103, line 419, it is proposed to amend the proviso by striking out "twenty-two" before the word "dollars," and inserting "twenty;" so as to make the proviso read:

Provided further, That all iron bars, blooms, billets, or sizes or shapes of any kind, in the manufacture of which charcoal is used as fuel, shall be subject to a duty of not less than $20 per ton.

The PRESIDING OFFICER. The question is on the amendment.

Mr. PLUMB. I should like to ask a question there. Does that imply that somebody has the right to make the duty different from that which the committee have made it here, "not less than $22 per ton," or shall it be as much as $22, or shall it be more? With whom is this discretion lodged?

Mr. ALDRICH. It is not a discretion. It is 1 cent a pound.

Mr. PLUMB. That is to say, if there is anything that has not been enumerated before, it shall bear a duty of not less than $22 a ton. Does not that term "less" imply that somebody may impose a duty not more than $22 a ton? If so, I want to know who that person is.

Mr. HISCOCK. There is a provision in the bill fixing a specific duty upon particular iron. This would not change that specific duty.

Mr. PLUMB. I know; but I understand this is a sort of *omnium gatherum* clause that may take in something which may possibly have been omitted elsewhere by enumeration.

Mr. ALDRICH. The first clause in paragraph 121 fixes the duty on bar-iron at eight-tenths of 1 cent per pound. Taking these two products together, if the bar-iron was made with charcoal-iron it would be $22 per ton instead of eight-tenths of a cent a pound.

Mr. PLUMB. I understand. Would that be by virtue of this proviso?

Mr. ALDRICH. Yes, sir.

Mr. HISCOCK. This is a change to specific rates.

Mr. PLUMB. Would it not be as well to strike out "not less than" and leave it $22 a ton?

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from New Jersey [Mr. McPHERSON].

Mr. McPHERSON. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Colorado [Mr. BOWEN]. If he were present, I should vote "yea."

Mr. COLQUITT (when his name was called). I am paired with the Senator from Rhode Island [Mr. CHACE]. If he were present, I should vote "yea."

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE]. If he were present, I should vote "nay."

Mr. WALTHALL (when Mr. GEORGE'S name was called). My colleague [Mr. GEORGE] is paired with the Senator from New Hampshire

[Mr. BLAIR]. I do not think it necessary that I should repeat this announcement again to-day.

The roll-call was concluded.

Mr. CULLOM. I desire to announce the pair of the senior Senator from Nebraska [Mr. MANDERSON] with the junior Senator from Kentucky [Mr. BLACKBURN]. The senior Senator from Nebraska, if present, would vote "nay."

I also desire to announce that the Senator from Colorado [Mr. TELLER] is paired with the senior Senator from Louisiana [Mr. GIBSON], and will be absent for several days. I take this occasion to announce once for all the pair between the Senator from Colorado and the Senator from Louisiana.

Mr. FRYE. My colleague [Mr. HALE] is paired with the senior Senator from Kentucky [Mr. BECK]. If they were both present, my colleague would vote "nay."

Mr. CHANDLER. I am paired with the Senator from New Jersey, not now in his seat [Mr. BLODGETT]. If he were present, I should vote "nay."

Mr. PADDOCK. I am paired with the Senator from Louisiana [Mr. EUSTIS]. If he were present, I should vote "nay."

Mr. WALTHALL (after having voted in the affirmative). I desire to ask if the Senator from Wisconsin [Mr. SPOONER] has voted?

The PRESIDING OFFICER. The Senator from Wisconsin has not voted.

Mr. WALTHALL. I withdraw my vote, being paired with him. I also inadvertently voted on the last vote.

The PRESIDING OFFICER. The Senator from Mississippi withdraws his vote.

Mr. CAMERON. I am paired with the Senator from South Carolina [Mr. BUTLER]. If at liberty to vote, I should vote "nay."

The result was announced—yeas 18, nays 19; as follows:

YEAS—18.

Bate,	Gray,	Pasco,	Vance,
Berry,	Harris,	Payne,	Vest,
Cockrell,	Jones of Arkansas,	Pugh,	Voorhees.
Coke,	McPherson,	Reagan,	
Daniel,	Morgan,	Saulsbury,	

NAYS—19.

Aldrich,	Edmunds,	Hiscock,	Sherman,
Allison,	Evarts,	Hoar,	Stewart,
Cullom,	Farwell,	Morrill,	Stockbridge,
Dawes,	Frye,	Platt,	Wilson of Iowa.
Dolph,	Hawley,	Sawyer,	

ABSENT—39.

Beck,	Chandler,	Hearst,	Ransom,
Blackburn,	Colquitt,	Ingalls,	Riddleberger,
Blair,	Davis,	Jones of Nevada,	Sabin,
Blodgett,	Eustis,	Kenna,	Spooner,
Bowen,	Faulkner,	Manderson,	Stanford,
Brown,	George,	Mitchell,	Teller,
Butler,	Gibson,	Paddock,	Turpie,
Call,	Gorman,	Palmer,	Walthall,
Cameron,	Hale,	Plumb,	Wilson of Md.
Chace,	Hampton,	Quay,	

The PRESIDING OFFICER. As the vote discloses the absence of a quorum, the roll of Senators will be called.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Davis,	Kenna,	Reagan,
Allison,	Dawes,	McPherson,	Saulsbury,
Bate,	Dolph,	Manderson,	Sawyer,
Berry,	Edmunds,	Mitchell,	Sherman,
Blackburn,	Evarts,	Morgan,	Stewart,
Bowen,	Farwell,	Morrill,	Stockbridge,
Call,	Frye,	Paddock,	Vance,
Chandler,	Gorman,	Pasco,	Vest,
Cockrell,	Gray,	Payne,	Walthall,
Coke,	Harris,	Platt,	Wilson of Iowa,
Colquitt,	Hawley,	Plumb,	Wilson of Md.
Cullom,	Hiscock,	Pugh,	
Daniel,	Hoar,	Ransom,	

The PRESIDING OFFICER. Fifty Senators have answered to their names. There being a quorum present, the question is upon the amendment of the Senator from New Jersey [Mr. MCPHERSON], upon which the yeas and nays have already been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. COLQUITT (when his name was called). I am paired with the Senator from Rhode Island [Mr. CHACE].

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE].

Mr. EVARTS (when his name was called). The Senator from Alabama [Mr. MORGAN] not being present, I withhold my vote.

Mr. QUAY (when his name was called). I am paired with the Senator from West Virginia [Mr. FAULKNER]. If he were here, I should vote "nay."

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. CAMERON. I am paired with the Senator from South Carolina [Mr. BUTLER].

Mr. CHANDLER. I transfer the pair that I have with the Senator from New Jersey [Mr. BLODGETT] to the Senator from Massachusetts [Mr. HOAR], who has not voted, and I vote "nay."

The result was announced—yeas 20, nays 20; as follows:

YEAS—20.

Bate,	Coke,	McPherson,	Saulsbury,
Berry,	Daniel,	Pasco,	Vance,
Blackburn,	Gray,	Pugh,	Vest,
Call,	Harris,	Ransom,	Voorhees,
Cockrell,	Jones of Arkansas,	Reagan,	Wilson of Md.

NAYS—20.

Aldrich,	Dawes,	Hawley,	Platt,
Allison,	Dolph,	Hiscock,	Sawyer,
Bowen,	Edmunds,	Manderson,	Sherman,
Chandler,	Farwell,	Mitchell,	Stewart,
Cullom,	Frye,	Morrill,	Wilson of Iowa.

ABSENT—36.

Beck,	Eustis,	Hoar,	Quay,
Blair,	Evarts,	Ingalls,	Riddleberger,
Blodgett,	Faulkner,	Jones of Nevada,	Sabin,
Brown,	George,	Kenna,	Spooner,
Butler,	Gibson,	Morgan,	Stanford,
Cameron,	Gorman,	Paddock,	Stockbridge,
Chace,	Hale,	Palmer,	Teller,
Colquitt,	Hampton,	Payne,	Turpie,
Davis,	Hearst,	Plumb,	Walthall.

So the amendment was not agreed to.

Mr. MCPHERSON. I now call attention to paragraph 123, which reads as follows:

Cast-iron pipe of every description, nine-tenths of 1 cent per pound.

If, sir, you will turn to the importations of cast-iron pipe during the year 1887, there were in quantity 1,699 pounds which came to this country at a value of $58.83. Of the hundreds of thousands of tons of cast-iron pipe used in this country for all purposes less than a single ton was imported. There are different sizes of pipes. It is a kind of freight more easily handled than any other. It could come very largely in ballast. It is one of those things that represent the very lowest possible labor cost in its manufacture. The duty under existing law is 1 cent a pound, and, as the illustration shows, absolutely prohibitory, only $58 worth of iron pipe having been imported into the country in 1887, and the number of hundreds of thousands of tons used can scarcely be computed.

The committee on the other side of the Chamber have taken a gigantic stride downward. They have reduced it one-tenth of 1 cent a pound, the very first stopping place they could find between 1 cent a pound and a reduction. In other words, the prohibitory tariff on cast-iron pipe is to be continued, and the people of this country are to be compelled to pay this excessive tax of $22.40 per ton upon every ton of it imported. The cast-iron pipe manufacturers have formed also a trust or a combination, under which the price of cast-iron pipe is the foreign cost plus the tariff and all expenses.

Now, Mr. President, I think a little less protection will answer that industry. I move to strike out the word "nine" and insert "six," so as to make the duty on pipe six-tenths of a cent per pound.

The PRESIDING OFFICER. The amendment will be reported.

The CHIEF CLERK. On page 103, line 420, it is proposed to strike out "nine-tenths" and insert "six-tenths;" so as to read:

Cast-iron pipe of every description, six-tenths of 1 cent per pound.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from New Jersey [Mr. MCPHERSON]. [Putting the question.] The noes appear to have it.

Mr. MCPHERSON. Let us have the yeas and nays on that. That is an important question.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. COLQUITT (when his name was called). I am paired with the Senator from Rhode Island [Mr. CHACE].

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE]. If he were present, I should vote "nay."

Mr. DAVIS (when Mr. SABIN'S name was called). My colleague [Mr. SABIN] is paired with the Senator from West Virginia [Mr. KENNA].

The roll-call was concluded.

Mr. CULLOM. The senior Senator from Maine [Mr. HALE] is paired with the senior Senator from Kentucky [Mr. BECK].

Mr. HOAR. The pair which was transferred to me by the junior Senator from New Hampshire [Mr. CHANDLER] with the junior Senator from New Jersey [Mr. BLODGETT] is transferred again to him, and those two Senators are paired. I vote "nay."

Mr. CAMERON. I am paired with the Senator from South Carolina [Mr. BUTLER].

Mr. PADDOCK. I am paired with the Senator from Louisiana [Mr. EUSTIS].

The result was announced—yeas 19, nays 24; as follows:

YEAS—19.

Berry,	Faulkner,	Morgan,	Saulsbury,
Call,	Gorman,	Pasco,	Vance,
Cockrell,	Harris,	Pugh,	Vest,
Coke,	Jones of Arkansas,	Ransom,	Voorhees.
Daniel,	McPherson,	Reagan,	

NAYS—24.

Aldrich,	Edmunds,	Hoar,	Quay,
Allison,	Evarts,	Mitchell,	Sawyer,
Bowen,	Farwell,	Morrill,	Sherman,
Cullom,	Frye,	Palmer,	Stewart,
Dawes,	Hawley,	Platt,	Stockbridge,
Dolph,	Hiscock,	Plumb,	Wilson of Iowa.

ABSENT—33.

Bate,	Chandler,	Hearst,	Spooner,
Beck,	Colquitt,	Ingalls,	Stanford,
Blackburn,	Davis,	Jones of Nevada,	Teller,
Blair,	Eustis,	Kenna,	Turpie,
Blodgett,	George,	Manderson,	Walthall,
Brown,	Gibson,	Paddock,	Wilson of Md.
Butler,	Gray,	Payne,	
Cameron,	Hale,	Riddleberger,	
Chace,	Hampton,	Sabin,	

So the amendment was rejected.

Mr. MCPHERSON. It seems to me that if, in a case of this kind, so apparent as this one, in which the duty is so very high, with no importation, and with apparently no intention upon the other side of the Chamber to do justice to the consumers of any kind of metal, is to stand, all opposition might as well cease to this bill. If a case so apparent as the one I have stated is to receive the united vote of that side of the Chamber, it is scarcely worth while to offer any further amendments to the bill. The Senator from Iowa [Mr. ALLISON] nods his head. Then we are to understand, I suppose, that the manufacturers of iron pipe may appear before a committee of the Senate, and may fix any price they wish upon their product, without any regard to what the consumer may say about it. In other words, the manufacturer of iron pipe may fix his own price upon his manufactured goods. It seems to me as though the time must come when perhaps the consumer will have something to say about it.

As I said before, here is an absolutely prohibitory duty. The consumption of this kind of goods is perhaps greater than that of any iron product upon the whole list by private individuals, and it is also used by corporations in great water-works. A duty of $22.50 a ton is here imposed upon it. The cast-iron pipe industry is able, under this bill, to fix its own terms and nobody can interfere.

Now, I will offer one further amendment to see if a single step downwards may be taken, even so small as one-tenth of 1 cent per pound. I will ask to make it eight-tenths of a cent instead of nine-tenths. I shall be able then to form some kind of an idea whether it is intended to stick rigidly to this measure, all common sense to the contrary notwithstanding.

The PRESIDING OFFICER. The proposed amendment will be reported.

The CHIEF CLERK. On page 103, line 420, it is proposed to strike out "nine-tenths" and insert "eight-tenths;" so as to read:

Cast-iron pipe of every description, eight-tenths of 1 cent per pound.

The PRESIDING OFFICER. The question is upon the amendment of the Senator from New Jersey.

Mr. MCPHERSON. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. COLQUITT (when his name was called). I am paired with the Senator from Rhode Island [Mr. CHACE].

Mr. DAVIS (when Mr. SABIN'S name was called). My colleague [Mr. SABIN] is paired with the Senator from West Virginia [Mr. KENNA].

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. CAMERON. I am paired with the Senator from South Carolina [Mr. BUTLER]. If he were present, I should vote "nay."

Mr. DAVIS. I am paired with the Senator from Indiana [Mr. TURPIE].

The result was announced—yeas 21, nays 23; as follows:

YEAS—21.

Bate,	Faulkner,	Pasco,	Vest,
Berry,	Gray,	Pugh,	Voorhees,
Call,	Harris,	Ransom,	Wilson of Md.
Cockrell,	Jones of Arkansas,	Reagan,	
Coke,	McPherson,	Saulsbury,	
Daniel,	Morgan,	Vance,	

NAYS—23.

Aldrich,	Edmunds,	Hoar,	Sawyer,
Allison,	Evarts,	Mitchell,	Sherman,
Bowen,	Farwell,	Morrill,	Stewart,
Cullom,	Frye,	Palmer,	Stockbridge,
Dawes,	Hawley,	Platt,	Wilson of Iowa.
Dolph,	Hiscock,	Quay,	

ABSENT—32.

Beck,	Chandler,	Hampton,	Plumb,
Blackburn,	Colquitt,	Hearst,	Riddleberger,
Blair,	Davis,	Ingalls,	Sabin,
Blodgett,	Eustis,	Jones of Nevada	Spooner,
Brown,	George,	Kenna,	Stanford,
Butler,	Gibson,	Manderson,	Teller,
Cameron,	Gorman,	Paddock,	Turpie,
Chace,	Hale.	Payne,	Walthall.

So the amendment was rejected.

Mr. MCPHERSON. Mr. President, I want to call the attention of the committee to paragraph 124:

124. Cast-iron vessels, plates, stove-plates, andirons, sad-irons, tailors' irons, hatters' irons, and castings of iron, not specially enumerated or provided for in this act, 1.2 cents per pound.

Here are articles very small in size, very little in weight, on which the committee have imposed a duty of only 1.2 cents a pound as compared with the protection afforded to cast-iron pipe in paragraph 123 of nine-tenths of 1 cent per pound, where the weights in the case of cast-iron pipe are so great that they even have to use derricks to move them; and really the cost of making an entire iron pipe 10 to 12 feet long in point of labor is about equal to making a stove-cover or an iron kettle. Would it be right for me to inquire why this discrimination is made? Would it be right for me to assume that the poor fellows who are engaged in the small industries have not contributed so liberally to the campaign fund of the Republican party as those in the larger industries? Or what is the reason? Why should there be such a discrimination made in favor of the cast-iron pipe industry as against the poor fellow who makes kettles and pots, and pieces of stoves, and hatters' irons, and andirons, and tailors' irons? As that seems very low compared with paragraph 123 I dare not touch it.

Now, Mr. President, we will proceed to paragraph 126, beginning with line 429:

126. Anvils, or parts thereof, of iron or steel, 2 cents per pound.

I move to strike out "two" and insert "one and one-half."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. At the end of line 429 it is proposed to strike out the word "two" and insert the words "one and one-half;" so as to read:

Anvils, or parts thereof, of iron or steel, 1½ cents per pound.

The PRESIDING OFFICER. The question is on the amendment of the Senator from New Jersey.

Mr. MCPHERSON. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. COLQUITT (when his name was called). I am paired with the Senator from Rhode Island [Mr. CHACE].

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. CAMERON. I am paired with the Senator from South Carolina [Mr. BUTLER].

Mr. EDMUNDS. I am paired with the Senator from Alabama [Mr. PUGH], whom I do not see in the Chamber at this moment. I therefore withhold my vote.

The result was announced—yeas 21, nays 21; as follows:

YEAS—21.

Bate,	Daniel,	McPherson,	Vance,
Berry,	Faulkner,	Morgan,	Vest,
Blackburn,	Gorman,	Pasco,	Voorhees.
Call,	Gray,	Ransom,	
Cockrell,	Harris,	Reagan,	
Coke,	Jones of Arkansas,	Saulsbury,	

NAYS—21.

Aldrich,	Evarts,	Morrill,	Stewart,
Allison,	Farwell,	Palmer,	Stockbridge,
Bowen,	Frye,	Platt,	Wilson of Iowa.
Cullom,	Hiscock,	Quay,	
Dawes,	Hoar,	Sawyer,	
Dolph,	Manderson,	Sherman,	

ABSENT—34.

Beck,	Davis,	Ingalls,	Sabin,
Blair,	Edmunds,	Jones of Nevada,	Spooner,
Blodgett,	Eustis,	Kenna,	Stanford,
Brown,	George,	Mitchell,	Teller,
Butler,	Gibson,	Paddock,	Turpie,
Cameron,	Hale,	Payne,	Walthall,
Chace,	Hampton,	Plumb,	Wilson of Md.
Chandler,	Hawley,	Pugh,	
Colquitt,	Hearst,	Riddleberger,	

So the amendment was not agreed to.

Mr. MCPHERSON. I now call attention to paragraph 127, a most important one, and a most important one also when you consider the amount of importations during the past year:

127. Iron or steel anchors, or parts thereof of iron or steel, mill-irons and mill-cranks of wrought-iron, and wrought-iron for ships, and forgings of iron or steel, or of combined iron and steel, for vessels, steam-engines, and locomotives, or parts thereof, weighing each 25 pounds or more, 1.8 cents per pound.

We have heard much of late in this Chamber about an attempt to increase the importance of the merchant marine. We have heard much of the destruction of the American shipping industry. Here is a duty imposed upon these articles which is absolutely prohibitory. I say "absolutely," because I think I am not too extravagant in my statement when out of all the different articles included in this item of the schedule the value placed upon the entire importations in 1887 was only $3,393. The rate of duty imposed then was 2 cents a pound under existing law. That was prohibitory. The rate that I intend to ask for I think will also be prohibitory practically, but at the same time it will prevent the trusts and combinations from charging within half a cent a pound of what they do now under existing law. Therefore I

move to strike out "1.8 cents a pound" and put in "1½ cents a pound."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to strike out in line 436 the words "eight-tenths" and insert "one-half;" so as to read:

One and one-half cents per pound.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from New Jersey. [Putting the question.] The noes appear to have it.

Mr. HARRIS. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. SAULSBURY. I shall vote for that amendment, though I would have preferred that the Senator should have made the rate of duty 1 cent instead of 1½ cents per pound. It is true, as he has stated, that we have heard here of the necessity of building up our shipping interests, and Senators have gone so far as to desire to tax the Treasury of the United States for the purpose of doing that in the way of subsidies. Here is an opportunity now to relieve the ship-building interests by reducing the tariff rates upon such iron materials as go into ships. Yet Senators who have clamored loudest for subsidies to aid our commerce, to aid our shipping interests, are now voting steadily against any reduction of the duties upon these materials which go into ships, and which reduction would aid to some extent in the construction of vessels and in the advancement of our commercial interests.

If the Senator from New Jersey will allow me to amend his amendment, I will offer to amend by reducing the duty to 1 cent per pound. These heavy articles, in addition to the duty, will have to pay very considerable freight if they are brought here from abroad, and even the 1 cent duty, in my opinion, would not permit as large an importation of these articles as ought to be allowed.

The trusts that we have heard of in the newspapers of the country, as well as from the Senator from New Jersey this morning, are combining to put up the prices wherever there is an exclusion of importation. It is so with sugar, and it is so with every interest in this country; and if you keep up these high rates of duty and prohibit the importation of these articles so necessary to the commerce of the country, these combinations and trusts will put up the price of these goods and thus take from our shipping industry and from others the advantages they ought to have in their business. I therefore move to amend the amendment of the Senator from New Jersey and ask that the duty be reduced to 1 cent a pound.

Mr. MCPHERSON. I would call the attention of the Senator from Delaware to the fact that the rates of duty have already been fixed by a vote in the Senate this morning upon other paragraphs in this metal schedule, and fixed at a very high rate. While I think that 1 cent a pound would be a sufficient protection, I simply propose 1½ cents in order to keep the bill as nearly proportionate as possible. I am unwilling for my part to have a rate of duty imposed in one particular paragraph of this schedule which is absolutely prohibitory and which gives to the manufacturer a monopoly of the business or the right to fix the prices at which his goods shall be sold, and at the same time fix the price of his competitor's goods. I am unwilling to have one more monopoly built up and then reduce the rates very much below the proportionate rate in some other industry. If the surplus is to be reduced by prohibitory tariff, let it extend to the entire list.

Mr. SAULSBURY. We have a duty to perform. If the other side of this Chamber choose to fix the duties on certain articles at enormous rates, we on this side of the Chamber, representing, as I believe, the great interests of the people of this country, have a duty to perform to the country, and whether we are successful in it or not, we ought not to shrink from performing it, for we are, as I said, laboring in the interests of the people of the country. I therefore insist upon amending the amendment of the Senator from New Jersey so as to reduce the rate to 1 cent per pound.

The PRESIDING OFFICER. The Senator from Delaware moves to amend the amendment offered by the Senator from New Jersey. The Secretary will report the proposed amendment to the amendment.

The SECRETARY. It is proposed to strike out "and one-half;" so as to read:

127. Iron or steel anchors, or parts thereof or iron or steel, mill-irons and mill-cranks of wrought-iron, and wrought-iron for ships, and forgings of iron or steel, or of combined iron and steel, for vessels, steam-engines, and locomotives, or parts thereof, weighing each 25 pounds or more, 1 cent per pound.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Delaware to the amendment of the Senator from New Jersey. [Putting the question.] The noes appear to have it.

Mr. HARRIS. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. COLQUITT (when his name was called). I am paired with the Senator from Rhode Island [Mr. CHACE].

Mr. VEST (when his name was called). I am paired with the Senator from Kansas [Mr. PLUMB]. I should vote "ay" if he were here.

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. HARRIS. I wish to ask if the Senator from Maryland [Mr. WILSON] is recorded as having voted?

The PRESIDING OFFICER. He is not.

Mr. HARRIS. Is the Senator from Iowa [Mr. WILSON] recorded?

The PRESIDING OFFICER. He is.

Mr. HARRIS. I call the attention of that Senator to the fact of the absence of the Senator from Maryland.

The PRESIDING OFFICER. Both Senators appear to be out of the Chamber now.

Mr. HARRIS. I understood they were generally paired. That was the reason I called attention to it. I supposed the Senator from Iowa was in the Chamber.

Mr. ALLISON. My colleague [Mr. WILSON, of Iowa] is out of the Chamber now. I am quite sure if he were here he would respect his pair.

Mr. HARRIS. I am quite sure of that, too.

Mr. ALLISON. If the Senator can not suggest some other Senator to pair with my colleague, I will pair with the Senator from Maryland myself.

Mr. HARRIS. Very well.

Mr. ALLISON. I withdraw my vote, and pair with the Senator from Maryland [Mr. WILSON].

The PRESIDING OFFICER. The Senator from Iowa withdraws his vote.

Mr. CAMERON. I am paired with the Senator from South Carolina [Mr. BUTLER].

The result was announced—yeas 20, nays 23; as follows:

YEAS—20.

Bate,	Coke,	Jones of Arkansas,	Reagan,
Berry,	Daniel,	Morgan,	Saulsbury,
Blackburn,	Eustis,	Pasco,	Turpie,
Call,	Gray,	Pugh,	Vance,
Cockrell,	Harris,	Ransom,	Voorhees.

NAYS—23.

Aldrich,	Edmunds,	Manderson,	Sawyer,
Bowen,	Farwell,	Mitchell,	Sherman,
Cullom,	Frye,	Morrill,	Stewart,
Davis,	Hawley,	Paddock,	Stockbridge,
Dawes,	Hiscock,	Palmer,	Wilson of Iowa.
Dolph,	Hoar,	Platt,	

ABSENT—33.

Allison,	Colquitt,	Ingalls,	Spooner,
Beck,	Evarts,	Jones of Nevada,	Stanford,
Blair,	Faulkner,	Kenna,	Teller,
Blodgett,	George,	McPherson,	Vest,
Brown,	Gibson,	Payne,	Walthall,
Butler,	Gorman,	Plumb,	Wilson of Md.
Cameron,	Hale,	Quay,	
Chace,	Hampton,	Riddleberger,	
Chandler,	Hearst,	Sabin,	

So the amendment was rejected.

Mr. MCPHERSON. The question now recurs, I believe, on my motion.

The PRESIDENT *pro tempore*. The question now recurs on the amendment proposed by the Senator from New Jersey.

Mr. FRYE. Mr. President, I do not like to allow this opportunity to pass without thanking the Senator from Delaware [Mr. SAULSBURY] and also the Senator from New Jersey [Mr. MCPHERSON] for their great interest in the American merchant marine and its revival. I like to see that spirit manifested, and I will assume that their amendments have been offered with a view to furnish cheaper iron for the building of ships for the merchant marine of the United States; but I desire to call their attention to the fact that there has been a law on the statute-book for a good many years which admits, free of duty, all foreign materials used in the building of ships for the merchant marine except angles and bars, and that they are provided for in this present bill.

Mr. GRAY. I should like to ask the Senator from Maine if the legislation to which he refers is not confined to a rebate of duty on the materials used for vessels to be employed in the foreign trade?

Mr. FRYE. What is called and known as the "merchant marine," about which, and about which alone, has anything been said in the Senate of the United States in favor of subsidies or assistance in any way.

Mr. GRAY. I was asking for information. The Senator from Maine has not answered my question, at least I do not understand that he has.

Mr. FRYE. Of course it is for ships used in the foreign service.

Mr. GRAY. I know it applies beneficially to the coastwise trade.

Mr. ALDRICH. It does to the extent that that trade is between the Atlantic and the Pacific ports. It applies to the domestic service between the Atlantic and Pacific ports.

Mr. SAULSBURY. I desire to ask whether the enactment of this bill into a law, fixing the duties upon articles which enter into ships and vessels, will not of itself be a repeal of the very law to which the Senator from Maine referred?

Mr. FRYE. No; it will not.

Mr. SAULSBURY. It is a subsequent act, and it does not make any exception with reference to that law.

Mr. ALDRICH. If the Senator from Delaware will look at section

2510 of the Revised Statutes as amended on page 195 of the bill which he holds in his hand—I assume he is asking for information—he will find that the law is re-enacted in this bill.

Mr. SAULSBURY. The paragraph applies not only to vessels, but applies also to mill-irons and some other things besides iron used in vessels and ships. I say, however, that while we are attempting to build up the merchant marine, while we are desiring to build up our commerce, we ought not to tax any of those things which enter into any class or description of vessels. This goes into locomotives and steam-engines of every description, mill-irons and mill-cranks of wrought iron, as well as those things which enter into the construction of ships and vessels.

The PRESIDENT *pro tempore*. The yeas and nays having been ordered, the roll-call will proceed.

The Secretary proceeded to call the roll.

Mr. VEST (when his name was called). I am paired with the Senator from Kansas [Mr. PLUMB].

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. CAMERON. I am paired with the Senator from South Carolina [Mr. BUTLER]. If he were present, I should vote "nay."

Mr. DAVIS. My colleague [Mr. SABIN] is paired with the Senator from West Virginia [Mr. KENNA].

Mr. COLQUITT. I am paired with the Senator from Rhode Island [Mr. CHACE].

The result was announced—yeas 18, nays 24; as follows:

YEAS—18.

Bate,	Coke,	McPherson,	Saulsbury,
Berry,	Eustis,	Morgan,	Turpie,
Blackburn,	Gray,	Pasco,	Vance.
Call,	Harris,	Pugh,	
Cockrell,	Jones of Arkansas,	Reagan,	

NAYS—24.

Aldrich,	Dolph,	Hoar,	Palmer,
Allison,	Edmunds,	Ingalls,	Platt,
Bowen,	Farwell,	Manderson,	Sawyer,
Cullom,	Frye,	Mitchell,	Stewart,
Davis,	Hawley,	Morrill,	Stockbridge,
Dawes,	Hiscock,	Paddock,	Wilson of Iowa.

ABSENT—34.

Beck,	Daniel,	Jones of Nevada,	Spooner,
Blair,	Evarts,	Kenna,	Stanford,
Blodgett,	Faulkner,	Payne,	Teller,
Brown,	George,	Plumb,	Vest,
Butler,	Gibson,	Quay,	Voorhees,
Cameron,	Gorman,	Ransom,	Walthall,
Chace,	Hale,	Riddleberger,	Wilson of Md.
Chandler,	Hampton	Sabin,	
Colquitt,	Hearst,	Sherman,	

So the amendment was rejected.

Mr. MCPHERSON. Mr. President, before proceeding to offer an amendment to the next paragraph, I should like to ask the Senator from Rhode Island, who called our attention to the exemption in section 2510, on page 195 of the bill, if he will say to me that there has been no change in that section from the existing law touching exemptions.

Mr. ALDRICH. Angles, bars, and billets of iron and steel have been added to the provisions of the section.

Mr. MCPHERSON. Does the present law make any provision for the admission of wrought iron for plates for ships when used in the foreign trade, and also for beams and girders and everything employed in the construction of the hull of a vessel?

Mr. ALDRICH. The present law, as the Senator will see in section 2510, beginning in line 2689 of this bill, provides for the admission of iron and steel plates.

Mr. MCPHERSON. I understand; but I simply want to say that it seems to me as though there was a great big nigger in the wood-pile. Section 2510 limits, as I understand it, the exemption to such an extent that it is practically valueless in so far as it affects the paragraph now under consideration. Section 2510, to which our attention has been called, provides that in case these vessels are to be used in the foreign trade the material for their construction shall come in free of duty, and that paragraph 127, which we now have under consideration, shall not apply. As I understood the exemption, it allowed wrought-iron for ships, when intended to be used in the foreign trade, to come in under the exemption. Am I correct?

Mr. ALDRICH. Certainly.

Mr. MCPHERSON. Then I call attention to section 2510. Let me read it.

SEC. 2510. All lumber, timber, hemp, manila, wire rope, and iron and steel rods, bars, spikes, nails, plates, angles, bars, and bolts, and copper and composition metal which may be necessary for the construction and equipment of vessels built in the United States for foreign account and ownership or for the purpose of being employed in the foreign trade—

I need not go any further—

and upon proof that such materials have been used for such purpose, no duties shall be paid thereon.

But maintaining still the duty under paragraph 127 on all the wrought-iron used in the construction of ships, the beams, the girders, the frames are left out of the exemption. In other words, if inventive genius were paid at public cost to devise some way to conceal the facts, it could not have accomplished it better than it has been accomplished by taking paragraph 127 conjointly with the amended section 2510, as found on page 195 of the printed bill.

I have heard some criticisms made within the past few days and I have read some criticisms in the newspapers about the dilatoriness of Senators upon this side of the Chamber, and their manifest indifference to everything that was being done and allowing the other side of the Chamber to proceed with the consideration of this bill without offering even a protest against the extravagant duties levied here, which are prohibitory and under which great trusts and combinations may be formed. Now, I wish to call the attention of that side of the Chamber and of the whole country to this fact: When the House bill was referred to the Finance Committee, a subcommittee was appointed, of which I was not a member, which proceeded to take testimony and formulate a tariff bill. They formulated a bill which, so far as I am concerned, I never saw until on one occasion I was invited to attend a meeting of the whole committee and hear it read. It occupied a single hour or more in its reading. I know nothing of what it contained except by a cursory examination. That bill was reported to the Senate. A few days after the report was made the Senate adjourned and we went home to enter into a political campaign. Speaking for myself I have had no opportunity since to examine the bill until we were forced to meet it on the first day of the present session and the Senators on the other side continue to force it upon us.

Therefore it is that if opposition has not been made to this legislation it simply arises, I think, from the fact that the Senators who composed the subcommittee on this side of the Chamber, and others of us in whose hands is lodged the responsibility to detect its errors and its faults, and I may say further its misfortunes—because I do not think there ever could be such a misfortune inflicted upon the people of this country as to have this tariff bill placed upon the statute-books of the country as a rule and guide for governing taxation, and in my opinion it would bankrupt the whole country in less than five years—have not yet had a full opportunity to scan and consider the details of this measure.

Mr. HARRIS. If the Senator from New Jersey will allow me, in connection with the suggestion he has just made, I desire to state once again a fact which I have stated once or twice on this floor before, that the Democratic members of the subcommittee of the Committee on Finance knew no more of the provisions of the substitute reported by that committee than did the Senator from New Jersey or any other Senator. The Democratic members of the subcommittee were called at the same time the Senator from New Jersey was called to a meeting of the full committee, and then for the first time the Democratic members of the subcommittee ascertained the provisions of the substitute reported by that committee.

Mr. MCPHERSON. That is as I supposed, and that I understood not only from the Senator from Tennessee, but from the Senator from North Carolina. The Senator from Kentucky [Mr. BECK] was absent and ill, and therefore he had no opportunity whatever to familiarize himself with the measure.

Mr. President, as we proceed with the consideration of this bill we perceive certain things are being done here, not in an open, bold way, as they ought to have been done, but we find lodged in one section of the bill something which is concealed in another part. I suppose, sir, it would do no good to ask that the consideration of this whole matter be postponed until after the holidays, in order that some of us might have an opportunity to study it, which we have not had up to this time. In order to bring the matter before the Senate, I will move now that the consideration of the bill be postponed until after the holiday recess, to be taken up the first day after the recess.

Mr. ALDRICH. Mr. President, a single word as to the last statement made by the Senator from New Jersey.

Prior to the adjournment of the Senate before the recess the Senator from Missouri whom I now see in front of me [Mr. COCKRELL] and several other Senators on that side of the Chamber charged the Committee on Finance with unduly delaying their report upon the bill which came to us from the House of Representatives, stating in the course of their charge that we had taken a longer time to consider the bill in the committee than had ever been taken before, or for a great many years, in the consideration of a tariff bill.

The measure which is now under consideration is a new bill, an entire revenue measure, affecting every item of the customs revenue and a number of items of the internal revenue. The original bill was before the Committee on Finance sixty days from the time it passed the House of Representatives until it was reported by the subcommittee to the full committee. It was reported to the full committee on the 25th of September, nearly three months ago, and if it was a dereliction of duty on the part of the members of the subcommittee that they took sixty days to prepare this measure and present it, what have those gentlemen to say if they are not able to understand it now after nearly three months have elapsed from the time when it was first brought to their attention?

As to the other point made by the Senator from New Jersey, I con-

fess it seems to me a little misty, but as near as I could understand his idea it was that while section 2510 proposes to remit the duties upon certain kinds of iron and steel used in the construction of ships, the paragraph now under consideration proposes to assess a duty upon all iron and steel used in the construction of ships, and this provision would render the other provision nugatory. Was that what the Senator from New Jersey meant to say?

Mr. MCPHERSON. The Senator from New Jersey meant this, that when the question was stated the Senator from Rhode Island rose in his seat and called attention to the fact that that exemption was made in a certain section of the bill, but the Senator from Rhode Island was very careful not to state also to the Senate, as I claim it was his duty to do, exactly the modification the committee made in that exemption, that they had exempted 99.99 per cent. of everything that the present law contains. I say that it was the duty of the Senator from Rhode Island, when he rose to point out to this side of the Chamber that the exemption still continued, to tell us exactly what they had done.

Mr. ALDRICH. The Senator from New Jersey shows as little knowledge in regard to the statement which he has made with regard to this item in the bill as he has shown as to all the other features which he has discussed. Instead of restricting the number of articles of iron and steel that can be used in the manufacture of ships, in section 2510, free of duty, we have greatly enlarged it by the provisions of this bill. We have inserted plates and angles and bars, instead of restricting it. So if the bill becomes a law a very greatly increased number of articles of iron and steel can be used free of duty in the construction of ships for the foreign trade, and for the trade between the Atlantic and Pacific ports of the United States. Paragraph 127 does not apply so far as the assessing of duty upon iron and steel used in such ships is concerned. For iron and steel used in the construction of ships for the foreign trade, and for the domestic trade between the Atlantic and Pacific ports, section 2510 proposes a remission of duties.

The PRESIDENT *pro tempore*. The Chair can not entertain the motion made by the Senator from New Jersey as submitted.

Mr. COCKRELL (to Mr. MCPHERSON). Fix a specific day.

Mr. MCPHERSON. I then move that the further consideration of the bill be postponed until the 10th day of January next.

The PRESIDENT *pro tempore*. The Senator from New Jersey moves that the further consideration of the bill be postponed until the 10th day of January next. Is the Senate ready for the question? [Putting the question.] The noes appear to have it.

Mr. MCPHERSON. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DAWES. I should like to inquire of the Senator from New Jersey whether he does not apprehend that the condition of the surplus is such as to bring peril upon the country and make it necessary for us at the earliest possible moment to remedy that evil?

Mr. MCPHERSON. I did not understand the Senator; I was otherwise engaged.

Mr. DAWES. I was inquiring of the Senator whether he did not have some apprehension that disaster was coming upon the business interests of this country because of our long neglect of remedies for the surplus accumulating in the Treasury, and whether we ought not to have addressed ourselves to this early and constantly and without interruption? Is it not a condition and not a theory that confronts us?

Mr. MCPHERSON. I will say to the Senator from Massachusetts that his question is hardly worth an answer except in this form: I make the motion in the interest of enabling that side of the Chamber to hasten the consideration of their bill. I think we shall progress much faster by giving the time from now until the 10th of January, particularly to those of us on this side of the Chamber who claim not to be conversant with the details of the bill as much as we ought to give it intelligent consideration. I think it will hasten its consideration in the Senate.

Mr. DAWES. It is for purposes of education, is it?

Mr. MCPHERSON. It is for purposes of education. It has been an educational campaign all the way through, and it seems you are still ignorant.

Mr. DAWES. I suggest that the Senator accompany it with a provision for commentators and teachers.

Mr. HARRIS. I rise for the purpose of asking my friend from New Jersey to withdraw his motion to postpone the consideration of the bill, for the present at least. It is a motion that he can make subsequently if he should choose to do so.

Mr. MCPHERSON. At the request of the Senator from Tennessee, I ask the privilege of withdrawing my motion.

The PRESIDENT *pro tempore*. The motion is withdrawn. The reading will proceed.

Mr. MCPHERSON. Line 437, paragraph 128, reads:

Axles, parts thereof, axle bars, axle blanks, or forgings for axles, whether of iron or steel, without reference to the stage or state of manufacture, 2 cents per pound.

I move to strike out "2 cents per pound" and insert "1½ cents per pound."

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In line 439 it is proposed to strike out the word "two" and insert "one and one-half;" so as to read:

128. Axles, parts thereof, axle bars, axle blanks, or forgings for axles, whether of iron or steel, without reference to the stage or state of manufacture, 1½ cents per pound.

The PRESIDENT *pro tempore*. Is the Senate ready for the question on agreeing to the amendment proposed by the Senator from New Jersey?

Mr. MCPHERSON. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB]. If he were present, I should vote "yea."

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. EDMUNDS. I am paired with the Senator from Alabama [Mr. PUGH]. He is not in the Chamber, and I withhold my vote.

Mr. COLQUITT. I am paired generally with the Senator from Rhode Island [Mr. CHACE], but my pair having been transferred to the Senator from New Jersey [Mr. BLODGETT], I therefore vote. I vote "yea."

Mr. DAVIS. My colleague [Mr. SABIN] is paired with the Senator from West Virginia [Mr. KENNA].

Mr. CAMERON. I am paired with the Senator from South Carolina [Mr. BUTLER]. If he were present, I should vote "nay."

The result was announced—yeas 22, nays 26; as follows:

YEAS—22.

Bate,	Colquitt,	McPherson,	Turpie,
Berry,	Eustis,	Morgan,	Vance,
Blackburn,	Faulkner,	Pasco,	Voorhees,
Call,	Gray,	Ransom,	Wilson of Md.
Cockrell,	Harris,	Reagan,	
Coke,	Jones of Arkansas,	Saulsbury,	

NAYS—26.

Aldrich,	Dolph,	Ingalls,	Sawyer,
Allison,	Evarts,	Manderson,	Sherman,
Bowen,	Farwell,	Mitchell,	Stewart,
Chandler,	Frye,	Morrill,	Stockbridge,
Cullom,	Hawley,	Paddock,	Wilson of Iowa.
Davis,	Hiscock,	Palmer,	
Dawes,	Hoar,	Platt,	

NOT VOTING—28.

Beck,	Daniel,	Hearst,	Riddleberger,
Blair,	Edmund,	Jones of Nevada,	Sabin,
Blodgett,	George,	Kenna,	Spooner,
Brown,	Gibson,	Payne,	Stanford,
Butler,	Gorman,	Plumb,	Teller,
Cameron,	Hale,	Pugh,	Vest,
Chace,	Hampton,	Quay,	Walthall.

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The CHIEF CLERK. Paragraph 131——

Mr. VEST. Has there been any vote by yeas and nays or otherwise upon paragraph 130?

The PRESIDENT *pro tempore*. No vote has been taken upon paragraph 130.

Mr. HARRIS. The motion to amend that paragraph was withdrawn to enable the Senator from New Jersey to offer some amendments to previous parts of the bill, I will state to the Senator from Missouri, intended to be renewed when that paragraph is reached.

Mr. VEST. Paragraph 130 is in regard to the tariff duty upon beams, girders, etc.

Mr. HARRIS. Has that clause been reached in the bill?

The PRESIDENT *pro tempore*. It has.

Mr. HARRIS. Then I renew my amendment. I moved the other day to reduce the rate to six-tenths of a cent per pound.

The PRESIDENT *pro tempore*. It has been reached, unless the Senator from New Jersey desires to propose an amendment to paragraph 129.

Mr. MCPHERSON. I will offer no amendment to paragraph 129.

The PRESIDENT *pro tempore*. Then the amendment proposed by the Senator from Tennessee, having been temporarily withdrawn, will now be submitted. The amendment will be stated.

The CHIEF CLERK. In lines 446 and 447 it is proposed to strike out "one and one-tenth cents" and to insert "six-tenths of 1 cent;" so as to read:

130. Beams, girders, joists, angles, channels, car-truck channels, TT, columns and posts or parts or sections of columns and posts, deck and bulb beams, and building forms, together with all other structural shapes of iron or steel, six-tenths of 1 cent per pound.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Tennessee [Mr. HARRIS].

Mr. VEST. The average rate of duty on these articles under the existing law is 102.75 per cent. The average rate of duty proposed by the House bill is 49.32 per cent. The rate of duty proposed by the Senate substitute is equivalent to either an ad valorem rate of 90.42 per cent. or of 91.66 per cent. The experts differ as to the amount, but

it is either the one or the other, and for the purposes of my few remarks I am willing to accept either as the proper ad valorem duty.

The Senator from Rhode Island declared upon Thursday last that this was a crucial point in this bill. He said that if the amendment proposed by the Senator from Tennessee prevailed it would strike down the whole tariff schedule as to metals, and would necessitate the bill being sent back to the Committee on Finance. For one, sir, utterly opposed to the present tariff, utterly opposed to anything else than a tariff for revenue with the equitable and fair arrangement of such protection as is necessary under such a tariff, I accept the issue tendered by the Senator from Rhode Island. There is no better point in this bill upon which we can test the directly antagonistic systems and determine whether the principles enunciated by the Committee on Finance and by the Republican party are to prevail as to this entire legislation.

I repeat deliberately, there is no point in this bill upon which the two parties can join battle more fairly, more deliberately, and more fully than upon this item. Steel beams enter into the construction of the larger buildings in our towns and cities. Year by year their consumption is increasing, because the danger from fire is avoided, because the decay of wood-work is avoided, not only in the construction of the larger buildings of the country but in the construction of bridges built for railways and other traffic.

What is the taxation upon this most important article of production in the United States? In 1887, when there was one of the periodic and constantly recurring conflicts between labor and capital in this country, when that exemplar of the protective system who has been so often alluded to upon this floor, Mr. Carnegie, with a mixed nationality in both Scotland and the United States, had a difficulty with his workmen in regard to their wages, they entered into an arbitration to determine what would be a just and equitable basis between the employer and the employed in the manufacture of steel rails and of steel beams. Finally, after the usual amount of aggression upon one side and defense upon the other, and *vice versa*, an article of agreement was entered into between the Knights of Labor representing Mr. Carnegie's employés and himself and his associates that the price of labor in turning pig-iron into steel rails at the Edgar Thomson Works, of which Mr. Carnegie is the principal, amounted to $4.09 on the ton. If it is necessary I can produce that agreement in the Senate.

I anticipate the reply to my assertion as to that agreement, for it was made here in October by the Senator from Rhode Island and the Senator from Iowa; and it was to the effect that whilst the labor of turning a ton of pig-iron into steel rails was $4.09, that figure ignored entirely the cost of the labor, because we should, to use the language of the Senator from Rhode Island, go back to the mine and take the cost of the iron as it came from the earth and the cost afterwards of changing it into pig-iron, so that the cost of changing a ton of pig-iron into steel rails, although it might be $4.09 a ton, as I have stated, did not at all represent the amount of the cost of labor in the transaction.

It seems to me, with the greatest respect to the Senators from Iowa and Rhode Island, that the proposition is utterly absurd and without the shadow of logical foundation. The pig-iron came to the manufacturer of steel rails a finished product. The cost of the pig-iron had paid all the antecedent cost of manufacture, and it would be just as forcible as an argument to say that if the tailor who makes my coat is to be protected we are not to take as a basis of calculation the cost of the cloth as it comes to the tailor shop, but we are to go back to the wool of the sheep, to the cost of the shearing, to the cost of the washing, to the cost of the carding, and all this is to be added to the cost of the cloth, although the tailor has already paid it.

Four dollars and nine cents, by every rule of arithmetic and logic, was the cost of labor in turning a ton of pig-iron into a ton of steel rails in the Edgar Thomson Steel Works in 1887, as agreed upon by employer and employed. It was further agreed between the Knights of Labor and Mr. Carnegie that the labor cost of steel beams was 30 per cent. more than that of steel rails. That would make on a ton $1.23, which added to $4.09 would make $5.32 as the cost of labor in making a ton of steel beams. The cost of putting down a ton of steel beams in the United States of foreign make was, in 1887, $26.88, exclusive of the tariff duty.

If I understood the position of the Republican party in the late canvass, reiterated in every Republican paper and by every Republican speaker, it was to the effect that the tariff imposed for the protection of American labor was intended as an equivalent for the difference between the cost of labor abroad and the cost of labor in the United States and a fair profit to the employer. Everywhere our Republican friends denied most emphatically the charge that they intended to put money into the pockets of the capitalists and manufacturers, and their only cry was protection to American labor and the building up of American industries.

The cost of labor in steel beams is, as I have said, $4.09, with 30 per cent. added, or $5.33 per ton. If that amount be doubled to cover the difference between the cost of labor in making a ton of steel beams in this country and in England, it would make in round numbers a protective tax, or an equivalent to make up the difference between the price of labor in this country and abroad of $11. Make it $12, or even make it $15, and then put on a fair profit of $5 a ton to the capitalist, or $10 a ton, and what would be the result? Would it be anything like the result that we reach now from the tariff taxation proposed in the Senate substitute or in the existing law?

The selling price in the United States in 1887 was 3.3 cents per pound, making $66 to the ton, when it did not cost more than $28.02. The production of the Carnegie works for 1887 was in steel beams 30,000 tons, and at the estimate which I have put of $5 profit per ton Mr. Carnegie and his associates pocketed $1,000,000 clear annual profit upon this item of their production alone.

The Senator from Rhode Island admits that there is a trust in regard to steel beams, but he says it will be discontinued if we keep this enormous tariff tax upon the statute-book, and that domestic competition will at last destroy the trust. I think I have heard the distinguished Senator from Ohio [Mr. SHERMAN] say that the remedy for a trust was to decrease the tariff tax, but here we have a decrease from the existing tariff of only the difference between 102.75 per cent. and 91 per cent., and an increase from 49.62 per cent., under the Mills bill, to 91.66 per cent. under the Senate substitute.

Mr. President, this trust is hoary with age. For sixteen years it has existed in the United States. How much longer will it exist? One million of dollars clear profit annually upon this article of steel beams to one company alone gives no assurance that the trust yielding such profits will be abandoned.

There is no point in this bill at which the two parties can meet face to face more fairly than upon this item of the bill.

Mr. SHERMAN. Mr. President, I wish now once for all to state the grounds of my several votes on the details of this measure, because I take it that it is neither the pleasure of the Senate nor of public interest for us to waste time in repeating over and over again the same arguments upon different clauses of the bill.

Undoubtedly the Mills bill, as it is called, represents the general sentiment of the Democratic party. That bill was passed after full debate in the House of Representatives by nearly the aggregate vote of the Democratic party, and it receives the approval of the great body of Democrats in the Senate. The bill that is now upon our table, called the Senate bill, has also been approved by Republican Senators who have had the opportunity to investigate it, to examine it in all its details. It has met their approval and has been carried by them before the people of the United States, and been there debated, advocated, and supported.

There are some fundamental differences between the two bills, without looking into the details. The one looks to a tariff for revenue only; the other looks to a tariff for protection as well as for revenue. What the precise definition of a tariff for revenue only is I shall not undertake to give. I shall allow gentlemen on the other side of the Chamber to do that themselves. We know what a tariff for protection means from our standpoint at least. It is a tariff the rates of which are so fixed as not to prohibit importations, but to secure a sufficient revenue from importations and also by every provision of it to extend protection, encouragement, and hope, and to invite free competition among American producers. That is our idea of a protective tariff. This bill we claim represents and embodies a protective tariff as distinguished from a purely revenue tariff.

Take up the schedule of metals alone as a sample of the whole. What are the provisions of this schedule? On the whole there is a reduction of about 10 per cent. of the present duties. On this particular item of beams, girders, and other structural forms for building purposes there is a reduction of more than 10 per cent.; it is about 12 per cent. It is from 1¼ cents a pound down to 1.1 cents a pound, or fifteen hundredths.

Therefore it is a reduction of about 12½ per cent. So it is on most of the leading items of the schedule.

But there are some peculiar features of this particular clause which ought to excite the attention of the Senator from Missouri. It necessarily embraces a large variety of articles for building bridges, mills, ships, and buildings of all kinds, the use of which is largely increasing. It therefore embraces a great variety of articles of very different values. Some of these beams would be worth $70 or $100 a ton in our market; some of them probably could be made in this country for $40 or $50 a ton, and perhaps less.

If it were possible to classify these articles so as to make an ad valorem rate depending upon the value of each article, that would be more just, but it is impossible to do that. The experience of the Government of the United States with ad valorem duties, especially on articles of varying value, is not satisfactory. Evidence has been produced before the Senate by a committee of the Senate to show that in every case the ad valorem duties are evaded and avoided. Therefore the committees, both of the House and the Senate, have felt it to be their duty to establish specific duties on the metal schedule almost all through. The Mills bill has specific duties also. On the article in this particular paragraph it imposes six-tenths of a cent a pound. The Senate committee propose eleven-tenths of a cent a pound, a difference in degree, but it must be remembered that each propose a specific duty on a great variety of articles of very different cost and value, but all alike intended for a common use in the structure of buildings.

The ordinary heavy beams that are made for house-building and

bridge-building are not very expensive. Hitherto they have been only made by four or five manufacturers, but the number of manufacturers is constantly increasing. Some of these articles do not cost so much per pound as other forms of iron, perhaps not so much as even the common bar-iron. Why? Because in some cases the molten metal is transferred directly from the furnace to a convertor, and there, by the Bessemer process, is converted into steel, and then is put into the form of ingots or blooms, or other large form of iron, and either rolled into the form of beams, girders, or the like, or, where special forms are required, the molten metal, being converted into steel, is put into molds of a particular form or pattern. All this involves great expense, first, in the costly plant necessary for such heavy masses, and secondly, in preparing the form or patterns. But this is not all. After these special forms have been cast they then must be shaved or planed by great, mammoth machines, by which the chip is taken off the iron or steel as easily but not so rapidly as the shaving is taken off the wood. Then they must be bored or punched. In some cases, for certain purposes, they must have steel caps and a steel plate that is put over them of a different kind and of finer material, so that in some cases these forms, especially in ship-building, will cost two or three times as much as the ordinary beam, etc.

Therefore, you have as to these articles to prescribe a rate of taxation that will not only protect the manufacturer of the beam of the ordinary forms needed for house-building, but also all those special shapes designed for ship-building or for bridge-building, or for various forms of work.

The Senator from Missouri has fallen into a trouble which sometimes occurs. He assumes that the statement of the average value of imported iron of this form is a test to show what ought to be the proper duty on all the class of articles embraced here. That is not correct, and these two items taken together will show that it is not correct. For instance, the one hundred and twenty-ninth paragraph says:

Blacksmiths' hammers and sledges, track tools, wedges, and crowbars, whether of iron or steel, 2½ cents per pound.

That is a pretty high rate of duty. Under that rate of duty there have been but very few articles brought into this country, but those articles were of the value of 15.8 cents per pound. They were probably special tools of a particular kind for a particular trade that have not been made here. They were worth 15.8 cents a pound, and they were brought in from abroad.

As there were but very few of those articles, and only of the very highest cost, brought in, when you come to estimate the unit of value, or what is called the equivalent ad valorem duty, you find that on that article the present rate of duty is only 15.81 per cent. ad valorem, which is a very low rate of duty. The reason is that the American producer already occupies the field, commands the markets, and makes all the blacksmiths' hammers and sledges made in this country, and thousands of them are exported, because we have, by long experience, so demonstrated our ability in this particular class of industry that we export them, and very few are imported. Therefore the statement that the duty is only equivalent to 15.81 per cent. ad valorem is erroneous.

So it is with the next item. Under the existing law the duty is 1¼ cents a pound on the forms of beams, girders, joists, angles, etc. There are imported only the cheaper qualities of these articles, the very cheapest, those that will probably be made by the single continuous process of converting pig-iron into steel through the converter and then into the ingot. In such cases the articles imported from abroad are only of the very cheapest kind, and it would appear the duty was very high, but as the rate of duty applies not only to the cheapest articles, but also to the most expensive, so as upon the general average to secure protection to all branches of this varying valued kind of goods, the ad valorem rate, as a matter of course, would appear to be erroneous when based only on the cheaper forms.

Therefore when the Senator says that the present duty is 102 per cent. he falls into an error, because that is based upon the importation of the cheaper grades of these articles, the only kind that are imported now from Europe, where they are sometimes the refuse of iron, sometimes defective iron which is passed through their great machine-shops into the forms of beams, girders, etc., and where the defects of the iron from the very size of the article produced are disguised.

So these tables, though perfectly correct in point of fact, showing the value of articles imported in both cases, yet are erroneous and misleading. The average duty on these articles, beams and structural articles made for building purposes, is really much less than 102 per cent.; it is much less than 90 per cent., and probaby it is not over 50 or 60 per cent. based on real average values, which is about the average of the iron schedule.

So with the article of hammers; instead of being 15 per cent., as laid down by these tables, it is actually probably 50 or 60 per cent., and these figures though not intended to mislead, do mislead.

Now, take this paragraph, and it probably is as good an illustration of the difficulty of fixing rates of duty on these articles of iron as any other. Although these articles vary immensely in value, in size, in shape and form, they must be embraced in one list. You can not undertake to define and separate all the various articles and put a specific rate of duty on each one of them, because sometimes even the ordinary girders may be for a particular use, of refined steel; they may require the strongest tensile power, or they may be of the rudest form and material, yet they must be admitted at the same rate when brought to our custom-house. We can not undertake to fix a different rate of duty upon the same article, one made with the very strongest and finest steel, of strength and power, the other by its bulk and metal made only to uphold weight. You can not provide different rates of duty to meet these various contingencies; you must take a general rate.

Here in this schedule the committee recommend eight-tenths of a cent a pound on bar-iron, nine-tenths of a cent a pound on other forms of iron or steel, and 1 cent a pound on still different iron, and they recommend on these structural forms 1.1 cents. Perhaps they may be a little too high on some, but certainly not too high on forms of these same articles. They therefore took what they regarded to be an average rate which would give protection to the manufacturer of all grades of these articles. If they put this article down so low as bar-iron, for instance, then no article of higher class and higher cost put into structural form for ship-building would be manufactured in this country, but it would be all imported from abroad.

The rate is therefore fixed not upon the cheapest articles, such as we can manufacture easily in this country, but it is fixed upon the average or perhaps the superior article of these forms of iron; and it must be so necessarily.

But the Senator says that under the present law at 1¼ cents a pound there has been a monopoly, and Mr. Carnegie has had that monopoly. Mr. Carnegie seems to be the man who is drawn in here to represent monopolies. I do not know anything about that; it may be so; but there is this about him: Mr. Carnegie was the first man in this country who applied the continuous process in the manufacture of steel. He may have had the benefit of inventions; probably he had patents and protected himself in various ways. He had an immense establishment with great capital there in Pittsburgh, and he took the ordinary iron ore, put it into a furnace, smelted it, drew it from that furnace, transferred it at once to a convertor, and then by this new process converted it into steel, and then rolled it into these great beams, etc. He may have been protected by patents.

I desire to break down all monopolies. I desire to take from him every advantage that he possesses not secured to him by law. We can not take away from him his patents. So far as they protect him he must enjoy them. We have no more right to take his property in a patent than we have a right to take your homesteads or your farms. We can wait until the time expires, and the time has expired, as we are informed, in nearly all these patents; and now there is a sharp and growing competition in the production of all these forms of valuable and useful materials. These articles are increasing tenfold, perhaps more than any other article on the tariff list, in use and value.

They are used now for ordinary buildings, so that private families wishing to protect themselves from fire use these steel beams; and so far as the cheaper forms of steel beams are concerned they do not cost probably more than the ordinary forms of bar-iron. When you take other forms of iron, other forms of structural work, they do cost a great deal more. As you know, all this expensive work of planing, preparing, and fitting has to go through a great machine-shop. It has to be put under the power of great machines. The man or men who first applies this power, or invents new devices for cheapening cost or saving labor is apt to make money. When time makes invention the common property competition comes in and reduces prices. You have got to make your law to encourage all kinds of industry, leaving the disposition of the product and its division among its producers to the law of demand and competition.

The people of this country are beginning to adapt their industries to that necessity, and now in Cleveland, in Chicago, instead of six or eight establishments, as was stated here in the debate last Thurday, there are about twenty of these establishments. They are being started in different places, and as the demand for these articles increases in this country, they will be made. This duty is only intended to protect them in the outset. The time is not far distant when all these structural forms, multiplied to an amazing extent, will be used for all the ordinary purposes of building, not only in the ordinary buildings in the country, but in every other form of construction.

As wood decays, is burned up and is destroyed and rises in price, iron is becoming cheaper and cheaper, and iron therefore is becoming the common building article used in the country. If you will only give the American manufacturer a chance, an inducement to enter with large capital in large establishments for the manufacture of these structural works, you will reduce the price.

That is about all I have to say. The Committee on Finance, through its subcommittee, have carefully analyzed all these different forms and articles made of metal. They have endeavored to classify them. They have heard the men who are interested in making them; they have heard the men interested in using them. They could have no motive in the world to favor Mr. Carnegie or anybody else.

The object is to fix such rates as will induce the manufacture of these things. This rate, in my judgment, is probably a little higher than the average, and a little more perhaps than I would be willing to

make it. Yet after all it is better to take the judgment of this committee, given when they are considering and equalizing and molding these various grades so as to secure equal and exact justice among the different producers of this country—it is far better for us to vote to sustain them in their classification of these rates than blindly, upon haphazard debate here in the Senate, without the information they possess, undertake to change or modify them to conform to the particular ideas expressed by a single Senator here, without probably as much information as they had about it.

Mr. CULLOM. And then confuse the whole schedule.

Mr. SHERMAN. And then confuse the whole schedule. If you reduce these structural works below a rate that is fair and just, then the manufacturers would only go into those branches of the iron trade that are profitable, where they can compete with England and Belgium.

I will say here, too, that it is not England; it is Belgium. Belgium is now supplying structural forms to Great Britain, and it has been a matter of complaint in England that the Belgians have superseded them in this important branch of the iron industry.

Now, we desire to compete with them, and we will do so if you give inducements to our home producers, the manufacturers at our large cities, in St. Louis, Chicago, and the West, especially where they are able to build and mold these great structural forms. Pittsburgh is now the center, because they have had many advantages. It must be remembered, too, that as the foundation of the large fortune Mr. Carnegie has probably made—I do not know anything about it, but taking the statement as true—he has reaped greatly the advantage of natural gas. He has had the most subtle fluid, the most powerful genius that has ever yet been evoked by man, to heat his fires. He has by ingenious mechanism transferred the raw iron ore laid in his blocks into every form of structural device, having capital enough to make it. We do not wish to build him up, but we wish to induce others to engage in competition with him.

The Senator from Missouri says something about trusts. I believe that the form of contracts between corporations commonly known as trusts is one of the most dangerous and subtle inventions of man to cheat, or rather to take advantage of the wants of the people of this country. I am, therefore, in favor of breaking up these trusts. I believe that agreements between corporations to raise the price of any article, whether it is whisky or sugar or anything else, and especially to increase the cost of any of the necessaries of life, is wrong, contrary to the spirit of the common law of England, and against public policy.

I will do anything to unite with others in striking down these trusts, but the best way to do it is by competition, by inviting competition, for nothing is so surely a destruction of a trust as free and open competition. Where a few manufacturers can combine together and undertake to regulate the prices and advance them beyond a reasonable rate, then I say let others have all chance to compete, and have a temptation and the promise of support in our law that will induce them to build works to compete, and so break down these trusts.

If that is not sufficient, I am willing also to go to the extent of passing a law that will prevent and punish as a crime these trusts to raise the cost of the necessary wants of life. That is all I have to say about it.

Senators may be surprised that on this side of the Chamber we have followed in almost every case the recommendation of the committee, but I submit to you whether it is not wiser for us to take the judgment of the committee on matters of detail—not of principle, but on matters of detail as to whether this rate should be lowered and that should be increased—rather than to take any information that we can gather here in the Senate of the United States.

I believe that the issue between the two parties has been fairly made. The Senator from Tennessee [Mr. HARRIS], with a sagacity that has always marked him since I have known him in public life, struck the nail on the head when he moved to lay this bill on the table. The majority of the Senate refused to lay it on the table. That is an expression of its opinion that it is a better bill than the Mills bill, and the principle of this bill having been determined, it is far better for us to leave the details to the committee that framed it.

If it should appear that there is a plain, palpable error in the classifications we ought to correct it, and if we can not do it in that way we ought to recommit the bill until they will report such schedules as will suit the common judgment of the Senate. But the Senate having decided that they were satisfied with the general principles of the bill as against the Mills bill, our Democratic friends ought to be satisfied. Let them abide the judgment of the people upon this question, which so far as it can be expressed upon such a question has been expressed in favor of the system of protection to American industries. That system is more beneficial in all its results to the people of the South, represented so largely by the Senators on the other side, than to any other portion of our country.

Give to Birmingham, Ala., the same opportunity to make these structural forms. I know from my observation that they have there in Alabama better facilities for this kind of work than in almost any other place, because they have the raw material for the manufacture of iron nearer at hand than I have ever seen anywhere else. They have the coal near by, the iron ore near by, and the limestone near by, and they have now, I am told, more furnace power in Birmingham or in the neighborhood round about in North Alabama than they have at Pittsburgh. They can make these forms there, and the people who go down there to help them develop their country can show them how to make them, and let them undersell the Pittsburgh people or any other. That is the only way to bring down the price of these articles.

To lower the rate of duty, in my judgment, would only be to invite increased importation, for with the rate of duty at 1¼ cents a pound there has been imported goods to the value of $168,000; and a great many more of this kind of goods will be imported if you should reduce the duty one-half. The result would be that we would be flooded by this form of production from both England and Belgium, and there would be no temptation, no inducement for our people to embark in this enterprise.

I, therefore, shall vote to sustain the committee, although if I had been drawing the bill myself, as I have said, I think probably 1 cent a pound would be nearer the general average.

Mr. VANCE. I move that the Senate adjourn.

The PRESIDENT *pro tempore*. The Senator from North Carolina moves that the Senate adjourn. ["No!" "No!"]

The question being put, it was declared that the noes appeared to prevail.

Mr. VANCE. I ask for the yeas and nays.

Mr. ALLISON. The Senator from Tennessee [Mr. HARRIS] spoke to me a while ago respecting an early adjournment, stating there were some reasons why an early adjournment was required to-day. For myself I consent to that adjournment.

Mr. HARRIS. I ask that the question be taken without the yeas and nays.

The PRESIDENT *pro tempore*. The Senator from North Carolina moves that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 52 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, December 11, 1888, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *December* 10, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Friday was read and approved.

ADDITIONAL MEMBERS.

The following additional members appeared and took their seats:

Mr. HAYES, of Iowa.
Mr. ANDERSON, of Mississippi.
Mr. MORSE, of Massachusetts.
Mr. COLLINS, of Massachusetts.
Mr. CARLTON, of Georgia.
Mr. SYMES, of Colorado.
Mr. CULBERSON, of Texas.
Mr. GREENMAN, of New York.
Mr. MCSHANE, of Nebraska.
Mr. LYMAN, of Iowa.
Mr. NORWOOD, of Georgia.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. ANDERSON, of Illinois, for ten days, on account of important business.

To Mr. O'FERRALL, indefinitely, on account of sickness.

To Mr. WHITTHORNE, indefinitely, on account of illness.

CHANGE OF REFERENCE.

The SPEAKER. The bill (S. 3462) granting a pension to John Watson was improperly referred to the Committee on Invalid Pensions. It should go to the Committee on Pensions; and if there be no objection the proper order will be made in regard to it.

There was no objection, and it was so ordered.

PURCHASES OF REAL ESTATE, DISTRICT OF COLUMBIA.

Mr. TAULBEE. Mr. Speaker, I ask unanimous consent to introduce a resolution at this time for present consideration.

The SPEAKER. The resolution will be read, subject to objection.

The Clerk read as follows:

Whereas it is stated in certain newspapers that the commissioners of the District of Columbia have, in recent purchases of real estate within and for the use of the District of Columbia, paid to and through certain agents appointed or employed by them prices above that asked or received by the vendors or owners of such property, contrary to law: Therefore,

Resolved, That the Speaker of the House of Representatives appoint a special committee of five members to investigate the matter and report to the House in writing at any time by bill or otherwise; and that said committee be furnished a stenographer by assignment by the Speaker from the roll of stenographers now in the employ of the House; and that they be authorized to employ a clerk at a compensation of $6 a day, to be paid out of the contingent fund of the House; and that said committee be authorized to sit during the sessions of the House, and authorized to administer oaths, and send for persons and papers.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. WILKINS. That had better go to the Committee on Rules.

Mr. TAULBEE. I ask consent to make a brief statement in this respect. I wish to state that a resolution covering a part of this ground has been heretofore introduced and referred to the Committee on Rules, and I trust that the Committee on Rules as well as the other members of the House will understand, in view of the difficulties that that committee has heretofore had in procuring the attendance of a quorum and the combination of other circumstances preventing the consideration of such resolutions at the last session and at this session as well, that there is no intention on my part, nor have I any such desire, to reflect in any degree upon that committee. I appreciate the difficulties that have surrounded them. I apprehend that the members will readily understand also that in a case like this expedition should be had in the matter of the investigation, if any is to take place at all. This is the short session of Congress, and this investigation would necessarily cover a period of several days. Afterwards, if in the course of the investigation anything is found incorrect in the matter alleged in the resolution regarding these purchases, it would be necessary perhaps for the House to take some other proceedings covering the question.

The SPEAKER. The gentleman from Ohio has objected.

Mr. WILKINS. Yes, sir; let it go to the Committee on Rules.

Mr. BREWER. I would suggest that this resolution be referred to the Committee on the District of Columbia.

The SPEAKER. The gentleman from Michican moves its reference to the Committee on the District of Columbia.

Mr. TAULBEE. One word. I think the Committee on Rules has jurisdiction of such questions as this; but so far as I am individually concerned, if there is any reason whatever why the resolution should go to the District Committee, where it does not belong, rather than to the Committee on Rules, where it does belong, I shall not even ask a vote upon it. I have no objection whatever to it going to any committee that will give it fair and speedy consideration.

The question being taken, the motion of Mr. BREWER was agreed to; and the resolution was referred to the Committee on the District of Columbia.

ORDER OF BUSINESS.

The SPEAKER. The regular order is the call of the States and Territories for the introduction and reference of bills and joint resolutions.

PAY, ETC., GOVERNMENT EMPLOYÉS.

Mr. WHEELER submitted the following resolution; which was read, and referred to the Committee on Rules:

Resolved, That Thursday, December 13, Saturday, December 15, and should two days be insufficient for the disposal of the bills, Tuesday, December 18, be, and are hereby, set apart for the consideration of the bill (H. R. 8189) "to determine the final balances of accounts due to and from the United States Government, and for other purposes;" the bill (H. R. 164) "for the appointment of a joint committee of both Houses of Congress to inquire into existing irregularities, if any, in the compensation of the employés of the Executive Departments and bureaus of the Government;" the bill (H. R. 9518) "providing for leave of absence of officers and employés in the customs service of the Government who receive per diem compensation;" the bill H. R. 9767, "A bill authorizing the Secretary of War to appoint a board of engineers to investigate certain claims for damages done to planted oysters in Raritan Bay in 1881;" the bill (H. R. 11392) "to authorize and direct the Secretary of War to establish signal stations on the West India Islands;" the bill (H. R. 6127) "to determine and increase the pay of watchmen in the Treasury Department," and bill (H. R. 11530) "to authorize the establishment of camps for yellow-fever refugees, and for other purposes."

PAY OF MARSHALS AND DEPUTY MARSHALS.

Mr. ROGERS submitted the following resolution; which was read, and referred to the Committee on the Judiciary:

Resolved, That the Attorney-General of the United States be, and he is hereby, requested to inform the House of Representatives whether in his opinion there will result any embarrassment or delay in the administration of the law in the courts of the United States because of the following proviso attached to the appropriation for the payment of the fees and expenses of United States marshals and deputies for the fiscal year ending June 30, 1889, namely:

"*Provided*, That not exceeding $300,000 of this appropriation may be advanced to marshals, to be accounted for in the usual way, the residue to remain in the Treasury, to be used, if at all, only in the payment of the accounts of marshals in the manner provided in section 856 of the Revised Statutes."

PORT OF DELIVERY AT LOS ANGELES, CAL.

Mr. VANDEVER introduced a bill (H. R. 11672) to establish a port of delivery at Los Angeles, Cal.; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PORT OF ENTRY AT SANTA BARBARA, CAL.

Mr. VANDEVER also introduced a bill (H. R. 11673) to establish a port of entry at Santa Barbara, State of California; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

IRRIGATION.

Mr. VANDEVER also introduced a resolution calling upon the Secretary of War for report of Maj. A. M. Miller, United States Army, on irrigation; which was referred to the Committee on Military Affairs.

LIGHT-HOUSES AND FOG-SIGNAL STATIONS ON PACIFIC COAST.

Mr. MORROW introduced a bill (H. R. 11674) to establish certain light-house and fog-signal stations on the Pacific coast; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PENSIONS TO SOLDIERS AND SAILORS.

Mr. LAWLER introduced a bill (H. R. 11675) granting pensions to soldiers and sailors and widows of soldiers and sailors over sixty years of age; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

At the request of Mr. LAWLER, the bill was read at length for information.

EXPENDITURES IN PRESIDENTIAL AND CONGRESSIONAL ELECTIONS.

Mr. HOLMAN submitted a resolution directing an inquiry into allegations that large sums of money have been voluntarily contributed and expended in various ways for the purpose of influencing and controlling Presidential and Congressional elections, to be referred to the Committee on the Judiciary for investigation.

The SPEAKER *pro tempore* (Mr. TURNER, of Georgia). The Chair would state to the gentleman from Indiana that that motion is not in order upon this call.

Mr. HOLMAN. I will withhold it.

CRIMES AGAINST THE ELECTIVE FRANCHISE.

Mr. HOWARD introduced a bill (H. R. 11676) punishing crimes against the elective franchise; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

AMENDMENT OF ACT TO REGULATE COMMERCE.

Mr. MORSE introduced a bill (H. R. 11677) to repeal an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts in addition thereto or amendatory thereof; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

LIGHT-HOUSES AND FOG-SIGNALS ON THE LAKES.

Mr. CHIPMAN introduced a bill (H. R. 11678) providing for the erection of sundry light-house and fog-signals in Lakes Erie, Huron, Michigan, and Superior; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

BRIDGE ACROSS THE DETROIT RIVER.

Mr. CHIPMAN also introduced a bill (H. R. 11679) to authorize the construction and maintenance of a high railroad bridge across the Detroit River, at Detroit, in the State of Michigan; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

ARMORED CRUISER.

Mr. CHIPMAN also introduced a bill (H. R. 11680) providing for an armored cruiser; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

FORTIFICATIONS AT NEW YORK, BOSTON, AND OTHER PORTS.

Mr. CHIPMAN also introduced a bill (H. R. 11681) authorizing the construction of fortifications for New York, Boston, Charleston, S. C., San Francisco, and other ports, and for acquiring plans, patents, machinery, and electrical apparatus by purchase, and for other purposes; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

TERRITORY OF NORTH DAKOTA.

Mr. MACDONALD introduced a bill (H. R. 11682) to provide for a constitutional convention in the Territory of North Dakota; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

LIGHT-SHIP AND FOG-SIGNAL AT SANDY HOOK.

Mr. CLARDY introduced a bill (H. R. 11683) for the establishment of a light-ship with a fog-signal at Sandy Hook, New York Harbor; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

REVIVING GRADE OF LIEUTENANT-GENERAL OF THE ARMY.

Mr. TIMOTHY J. CAMPBELL introduced a bill (H. R. 11684) reviving the grade of lieutenant-general in the United States Army; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

IMPORTATION OF CONTRACT LABOR.

Mr. COX introduced a bill (H. R. 11685) to amend chapter 184 of the laws of 1885, entitled "An act to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia," as the same was amended by chapter 22 of the laws of 1887, approved February 23, 1887; which was read a first and second time, referred to the Special Committee on the Investigation of Foreign Immigration, etc., and ordered to be printed.

COMPENSATION OF UNITED STATES DISTRICT ATTORNEYS, ETC.

Mr. COWLES offered the following resolution; which was read, and referred to the Committee on Rules:

Resolved, That Thursday, December 15, 1888, immediately after the reading of the Journal, be set apart for House bill 9908, being a bill relating to the compensation of United States district attorneys, marshals, deputy marshals, circuit and district court clerks and commissioners; this order to be a continuing

order until the same be disposed of; not to interfere with prior special orders or general appropriation bills.

BUILDING REGULATIONS IN THE DISTRICT OF COLUMBIA.

Mr. ROMEIS (by request) introduced a bill (H. R. 11686) relating to the building regulations of the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

BRIDGE ON YOUNG'S BAY, OREGON.

Mr. HERMANN introduced a bill (H. R. 11687) providing for the construction of a bridge on Young's Bay, in the State of Oregon; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PACIFIC RAILROADS.

Mr. OUTHWAITE offered a resolution providing for days for the consideration of House bill 8184, to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," approved July 1, 1862; also to amend an act approved July 2, 1864, and also an act approved May 7, 1878, both in amendment of said first-mentioned act; and to provide for a settlement of claims growing out of the issue of bonds to aid in the construction of certain of said railroads, and to secure to the United States the payment of all indebtedness of certain of the companies therein mentioned.

The resolution was referred to the Committee on Rules.

TO MAKE COLUMBUS, OHIO, A PORT OF DELIVERY.

Mr. OUTHWAITE also introduced a bill (H. R. 11688) to constitute Columbus, Ohio, a port of delivery, and to extend the provisions of the act of June 10, 1880, entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," to said port of Columbus; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

REVOLUTIONARY DOCUMENTS.

Mr. KELLEY introduced joint resolution (H. Res. 237) providing for an appropriation for Revolutionary documents; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

BUILDING FOR UNITED STATES GEOLOGICAL SURVEY.

Mr. SOWDEN introduced a bill (H. R. 11689) for the erection of a public building for the use and accommodation of the United States Geological Survey upon the Government reservation in the city of Washington, in the District of Columbia; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

CORN MILLS FOR CHEROKEE INDIANS.

Mr. PATTON introduced a bill (H. R. 11690) to erect certain corn mills in the Indian Territory for the benefit of the Cherokee Indian Nation; or, in lieu thereof, to pay to them what such mills would cost; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

CHEROKEE INDIANS.

Mr. PATTON also introduced a bill (H. R. 11691) to reimburse certain Cherokee Indians for transporting themselves from North Carolina to the Indian Territory and subsisting themselves there for one year after their arrival; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

SECTION 2166, REVISED STATUTES.

Mr. SPOONER introduced a bill (H. R. 11692) amending section 2166 of the Revised Statutes, concerning the naturalization of aliens honorably discharged from the naval service; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SECTION 555, REVISED STATUTES.

Mr. HEMPHILL introduced a bill (H. R. 11693) to amend section 555 of the Revised Statutes relating to the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

NATIONAL CEMETERY, DOVER, TENN.

Mr. WASHINGTON introduced a bill (H. R. 11694) to construct a road to the national cemetery at Dover, Tenn.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

BRIDGE ACROSS EASTERN BRANCH.

Mr. LEE introduced a bill (H. R. 11695) to authorize the construction of a bridge across the Eastern Branch of the Potomac River from the foot of South Capitol street, in Washington, D. C.; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

THE PROPOSED STATE OF IDAHO.

Mr. DUBOIS introduced a bill (H. R. 11696) to provide for the formation and admission into the Union of the State of Idaho, and for other purposes; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The regular call of States and Territories being now concluded, the Chair will recognize for the introduction of bills and resolutions gentlemen who were not in their seats during that call.

ABANDONED HOMESTEAD ENTRIES.

Mr. TURNER, of Kansas, introduced a bill (H. R. 11697) to allow persons who have abandoned or relinquished their homestead entries to make another entry, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

OMAHA, DODGE CITY AND SOUTHERN RAILWAY COMPANY.

Mr. TURNER, of Kansas, also introduced a bill (H. R. 11698) to authorize the Omaha, Dodge City and Southern Railway Company to build its road across the Fort Hays military reservation; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

ELECTION OF PRESIDENTIAL ELECTORS AND OF REPRESENTATIVES.

Mr. MCADOO introduced a joint resolution (H. Res. 238) proposing an amendment to the Constitution of the United States for uniformity as to the day for choosing Presidential electors, and forbidding the voting for any other officers save Representatives in Congress at said election; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

ROAD THROUGH ARSENAL GROUNDS, AUGUSTA, ME.

Mr. MILLIKEN introduced a bill (H. R. 11699) authorizing the Secretary of War to continue the road through the United States arsenal grounds at Augusta, Me., and allow the same to be used by the public; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

DIGEST OF ELECTION CASES.

Mr. CRISP introduced a resolution providing for the preparation, printing, and binding of the usual number of copies of the Digest of Election Cases of the Forty-eighth, Forty-ninth, and Fiftieth Congresses, etc.; which was referred to the Committee on Accounts.

The SPEAKER *pro tempore*. The call for the introduction of bills and resolutions is now concluded.

PURITY OF ELECTIONS.

Mr. HOLMAN. I ask unanimous consent to present for consideration at this time the resolution which I sent to the desk.

The Clerk read as follows:

Whereas it is publicly charged in the public press and otherwise that in general elections of recent years, involving the election of President and Vice-President of the United States and members of Congress, large sums of money have been voluntarily contributed and expended in various ways for the purpose of influencing and controlling such elections; and

Whereas such contributions and expenditures tend to debase the elective franchise, corrupt the ballot-box, and impair the vigor and purity of our free institutions: Therefore,

Resolved, That the Committee on the Judiciary be, and are hereby, instructed to investigate the said charges and to inquire what legislation is necessary and proper to suppress such contributions and expenditures and to preserve and maintain the freedom and purity of the elective franchise, with authority to report at any time by bill or otherwise.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this resolution?

Mr. DINGLEY. Reserving the right to object, I desire to ask the gentleman from Indiana whether he will consent to modify his resolution by inserting after the words "investigate the said charges" the words "and also whether officials of the United States have made such contributions."

Mr. HOLMAN. Why, that is covered fully by the resolution.

Mr. DINGLEY. Not specifically; and it is very important that such a clause be inserted, because the responsibility of officials of the United States making contributions to such funds is greater than that of the mere private citizen.

Mr. HOLMAN. I must insist that the resolution is broad enough to cover and does cover the matter mentioned by the gentleman from Maine [Mr. DINGLEY].

Mr. HOPKINS, of Illinois. Why not make the matter sure by inserting the words proposed?

Mr. HOLMAN. I have no objection.

Several MEMBERS. Regular order.

The SPEAKER *pro tempore*. The regular order, having been demanded by several gentlemen, is equivalent to an objection.

Mr. HOLMAN. I ask unanimous consent that the resolution be referred to the Committee on the Judiciary.

Mr. DINGLEY. Do I understand that the gentleman accepts my modification?

Mr. HOLMAN. I have no objection to it, but the regular order is called.

The SPEAKER *pro tempore*. The Chair will state to the gentleman

from Maine that objection having been made to the consideration of the resolution, the gentleman from Indiana now asks that it be referred to the Committee on the Judiciary. Is there objection?

Mr. WILKINS. I object to the modification.

Mr. HOLMAN. I am simply asking that the resolution be referred.

Mr. WILKINS. Then I have no objection.

Mr. DINGLEY. Do I understand that the gentleman from Indiana accepts the modification?

Mr. HOLMAN. Gentlemen have called the regular order. I have no objection myself to the modification, but ask for the reference as objection is made to present consideration.

The SPEAKER *pro tempore*. Is there objection to the reference of the resolution to the Committee on the Judiciary? The Chair hears none; and it will be so referred.

ADMISSION OF A FOREIGN PUPIL TO MILITARY ACADEMY.

Mr. TOWNSHEND, by unanimous consent, introduced a joint resolution (H. Res. 239) authorizing the Secretary of War to receive for instruction at the Military Academy, at West Point, Henry Lecomte, of Switzerland; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

Mr. HEARD. Mr. Speaker, I ask, by unanimous consent—not having been in the House when my State was called—to introduce a bill for reference.

The SPEAKER *pro tempore*. The Chair hears no objection, and the gentleman will send his bill to the Clerk's desk.

CHANGING NAME OF STREET.

Mr. HEARD introduced a bill (H. R. 11700) changing the name of Caroline street to that of Irving Place, in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

ADVANCE PAY FOR DECEMBER.

Mr. SPRINGER. I ask by unanimous consent to introduce joint resolution (H. Res. 236) making provision as to the payment of the officers and employés of the two Houses for the month of December, 1888.

The SPEAKER *pro tempore*. The resolution will be read subject to objection.

The Clerk read as follows:

Resolved by the Senate and House of Representatives, etc., That the Secretary of the Senate and the Clerk of the House of Representatives be, and they are hereby, authorized and instructed to pay the officers and employés of the Senate and House of Representatives their respective salaries for the month of December, 1888, on the 20th day of said month.

Mr. SPRINGER. This is the usual resolution.

The SPEAKER *pro tempore*. Is there objection to the consideration at this time of the resolution which has been read?

Mr. OATES. We have not been able to hear the resolution.

The resolution was again read.

The joint resolution was read a first and second time, ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. SPRINGER moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

BRANCH FOLDING-ROOM.

Mr. RICHARDSON submitted the following resolution; which was referred to the Committee on Accounts:

Resolved, That the Doorkeeper of the House be, and he is hereby, authorized and directed to continue the lease of the house No. 225 Pennsylvania avenue, northwest, for a branch of the folding-room for one year from January 1, 1889, the expenses of the same to be paid out of the contingent fund of the House.

BUREAU OF HEALTH.

Mr. LAGAN, by unanimous consent, introduced a bill (H. R. 11723) to create a bureau of health and to prevent the introduction and extension of contagious and infectious diseases in the United States; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed, and also to be printed in the RECORD.

The bill is as follows:

A bill to create a bureau of health and to prevent the introduction and extension of contagious and infectious diseases in the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established in the Department of the Interior a bureau of health.

There shall be appointed by the President, by and with the advice and consent of the Senate, a chief commissioner of health of the United States, who shall, under the direction of the Secretary of the Interior, organize and manage the bureau of health herein established, and may employ such assistants and clerks as may be necessary, with the approval of the Secretary of the Interior. The Secretary of the Interior shall provide suitable offices for the bureau of health. The chief commissioner of health of the United States shall be paid an annual salary of $5,000, and shall hold his office until he shall have attained the age of seventy years, unless sooner removed by the President.

SEC. 2. There shall be appointed by the President a health commission to be composed of twenty members, to be divided into six sections, as follows: Five commissioners for the (1) yellow-fever section; three commissioners for each of the following sections: (2) cholera section, 3; (3) typhoid-fever section, 3; (4) scarlet-fever section, 3; (5) small-pox section, 3; (6) diphtheria section, 3. The members of each section shall be experts in the disease to which their section is devoted. Each commissioner shall receive an annual salary of $1,200, and may reside at his usual residence except when called into active duty under the provisions of this act.

These several sections shall be charged with directing the investigation by the commissioner of health into the cause, origin, and mode of extension and measures to prevent the respective diseases to which they are named. Each section shall formulate methods and rules for the prevention of the respective diseases with which they are charged, to be submitted for the revision and approval of the whole health commission at its annual meeting hereinafter provided for

The health commission shall designate five of their number, three of whom shall constitute a quorum, to be known as "the quarantine commission." This quarantine commission shall examine into the methods of State and local quarantines at the various seaports of the United States and report to the health commission as to the efficacy or non-efficacy of the same. The quarantine commission shall also be charged with the duty of investigation into and recommendation to the health commission the best manner of equipments and methods of procedure for the various national quarantine stations which are now or may be hereafter constructed. Upon the report of the quarantine commission to the health commissioner that the quarantine service at a port or ports of the United States is inefficacious or negligent in its management, the health commissioner is empowered and commanded to direct the United States collector of customs of that port to refuse entry to any vessel or goods or persons from any place infected with any contagious or infectious disease into such port unless said vessel, goods, or persons shall have undergone the quarantine process prescribed at the national quarantine station or at that of some other port of the United States whose quarantine service has not been condemned by the quarantine commission.

SEC. 3. The entire health commission shall meet annually in Washington, D. C., in the month of April, on a day to be fixed by the chief commissioner of health of the United States, and at its session he shall preside; and at said annual session the health commission shall adopt plans for the prevention of the introduction into the United States of contagious and epidemic diseases, and the prevention of their spread, and make rules and regulations for interstate quarantine and for the non-interference with interstate communication during a threatened epidemic, and preparations for the suppression of a threatened epidemic.

SEC. 4. Whenever an epidemic of (1) yellow fever, (2) cholera, (3) diphtheria, (4) typhoid fever, (5) scarlet fever, or (6) small-pox is threatened and the governor of any State shall call upon the chief commissioner of health of the United States to that end, he shall immediately, with the assistance of the section of the health commission devoted to that particular disease, enforce and carry out the methods, rules, and regulations adopted by the health commission for that disease under the third section of this act, and as far as possible in co-operation with the local and State sanitary authorities, and to that end the section of the health commission so called into action shall have the disbursement of the Federal appropriation for the prevention and suppression of contagious diseases, on the approval of the Secretary of the Interior.

SEC. 5. The bureau of health and the chief commissioner of health and section of the health commission called into active duty under the foregoing provisions shall co-operate with and, so far as it lawfully may, aid State and municipal boards of health in the execution and enforcement of the rules and regulations of such boards to prevent the introduction of contagious or infectious diseases into the United States from foreign countries and into one State from another.

SEC. 6. It shall be the duty of the bureau of health to obtain information of the sanitary condition of foreign ports and places from which contagious and infectious diseases may be imported into the United States, and to this end the consular officers of the United States at such ports and places as shall be designated by the chief commissioner of health, shall make to him weekly reports of the sanitary condition of the ports or places at which they are respectively stationed, according to such forms as he may prescribe; and the bureau of health shall also obtain, through all sources accessible, weekly reports of the sanitary condition of ports and places within the United States, and shall make an investigation into the nature, cause, origin, and means of prevention of contagious and epidemic diseases, as well as the causes and conditions of the particular outbreaks of such diseases in the United States, and shall publish and transmit to the medical officers of the Marine-Hospital Service, to collectors of customs, and to State and municipal health officers and authorities weekly abstracts of its sanitary reports, and to them, and to the public, as far as possible, the results of its investigations into the causes and means of prevention of epidemic diseases; and it shall make to the Secretary of the Interior an annual report of its operations, with such recommendations as it may deem important, for transmission to Congress.

SEC. 7. The bureau of health shall annually issue to the consular officers of the United States and to the medical officers serving at any foreign port and otherwise make publicly known the rules and regulations made by the health commission for the prevention of the introduction of contagious and infectious disease into the United States and from one State into another. The consuls shall promulgate such rules in their respective ports and places, and shall promptly inform the chief commissioner of health of the United States when any vessel destined to a port of the United States has not obeyed such rules.

SEC. 8. The President is authorized, when requested by the section of the health commission called into active duty or by the chief commissioner of health, to detail officers from the several Departments of the Government or employ persons from civil life for temporary duty to act under the directions of said chief commissioner of health or section of the health commission on active duty, to carry out the provisions of this act and the rules adopted by the health commission; and such officers shall receive no additional compensation except for actual and necessary expenses incurred in the performance of such duties.

SEC. 9. The members of the health commission when attending the annual session shall be paid their actual expenses, going and returning, and the members of the section called in active duty under section 2 shall be paid their actual expenses while engaged in such active duty.

SEC. 10. It shall be unlawful for any vessel from any port where any contagious or infectious disease exists, or having on board any infectious disease, to enter any port of the United States, except in accordance with the rules adopted by the health commission, and the certificate of the United States consul at such port shall be *prima facie* evidence of the existence of such disease in the foreign port where he is stationed. Any such vessel which shall enter or attempt to enter a port of the United States in violation of this act shall forfeit to the United States a sum to be awarded in the discretion of the court not exceeding $1,000, which shall be a lien upon such vessel, to be recovered in any district court of the United States where said vessel may be found. In all such proceedings the United States district attorney for such district shall appear on behalf of the United States, and all such proceedings shall be conducted in accordance with the laws and rules governing cases of seizure of vessels for violation of the revenue laws of the United States.

SEC. 11. It shall be unlawful for any person to obstruct commerce or intercourse between the States, or between the United States and foreign countries, except in accordance with the rules of the health commission, or to obstruct the section of the health commission when called into active duty in the performance of its duties, and any violation of this section shall be a misdemeanor, and on conviction the person so offending shall be fined not exceeding $1,000 and imprisoned not exceeding six months in the discretion of the court.

SEC. 12. To pay the first year's salaries and expenses of the bureau of health

and health commission and the construction of such disinfecting appliances and appurtenances as the health commission may deem advisable, the sum of $100,000, or so much thereof as may be necessary, is hereby appropriated to be disbursed under the direction of the Secretary of the Interior, on estimates to be made by the chief commissioner of health and to be approved by the Secretary of the Interior.

In case of an epidemic of a contagious or infectious disease, and a section of the health commission is called into active duty, the sum of $500,000, or so much thereof as may be necessary, is hereby appropriated, to be drawn and expended under the direction of the Secretary of the Interior, to enable such section of the health commission called into active duty to suppress the disease and prevent its spread and to enforce the rules of the health commission, provided for and adopted under section 3.

SEC. 13. The following acts are repealed: (1) An act to prevent the introduction of contagious or infectious diseases into the United States, approved 29th April, 1878 (chapter 66, page 37, volume 20); (2) an act to prevent the introduction of infectious or contagious diseases into the United States, and to establish a national board of health, approved 3d March, 1879 (chapter 202, volume 20, page 484); (3) an act to prevent the introduction of contagious and infectious diseases into the United States, approved 2d June, 1879 (chapter 11, volume 21, page 5).

REPRINTING OF BILLS.

Mr. HATCH. I ask by unanimous consent that bill H. R. 11027, defining "lard," also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of compound lard, and the bill (H. R. 11266) for the establishment of a pure-food division in the Department of Agriculture, to provide for the inspection of live-stock about to be slaughtered at slaughter-houses, canning, salting, packing, and rendering establishments, the carcasses or products of which are intended for human consumption in any State or Territory other than where slaughtered, or for exportation to foreign countries, to prohibit the introduction of adulterated or misbranded food or drugs into any State or Territory or the District of Columbia from any other State or Territory or foreign country, and for other purposes, be reprinted, the entire edition having been exhausted.

There was no objection, and it was ordered accordingly.

LEAVE OF ABSENCE.

Mr. FISHER, by unanimous consent, was granted indefinite leave of absence on account of illness.

DISTRICT BUSINESS.

The SPEAKER *pro tempore*. This being Monday and the call of States having been concluded, the next business in order is the consideration of reports from the Committee on the District of Columbia.

Mr. HEMPHILL. I desire to call up the bill (H. R. 6676) to create a board of audit to adjust all claims for special damages by reason of public improvements in the District of Columbia, for the purpose of having it recommitted to the Committee on the District of Columbia.

There was no objection, and the bill was taken up and recommitted to the Committee on the District of Columbia.

PROMOTION OF ANATOMICAL SCIENCE.

Mr. HEMPHILL. I ask to call up the bill (H. R. 5042) for the promotion of anatomical science, and to prevent the desecration of graves in the District of Columbia, for the purpose of having an order entered that the bill be reprinted.

Mr. TAULBEE. This, I understand, is the bill for the promotion of anatomical science, is it not?

Mr. HEMPHILL. Yes, it is.

Mr. TAULBEE. Then I would like to inquire of the gentleman whether the penalties provided in the bill are going to be made applicable to those who attempt to resurrect this bill at this time?

Mr. HEMPHILL. That matter has not yet been determined. I will see the gentleman later on that subject.

The SPEAKER *pro tempore*. Is there objection to ordering the bill to be reprinted?

There was no objection, and it was ordered accordingly.

The SPEAKER *pro tempore*. Is there any further business from the Committee on the District of Columbia?

Mr. HEMPHILL. There is no further business from that committee to-day.

DISTRICT APPROPRIATION BILL.

Mr. CLEMENTS. I move that the House resolve itself into Committee of the Whole on the state of the Union for the purpose of proceeding to the consideration of the bill (H. R. 11651) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1890, and for other purposes.

The motion was agreed to; and the House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. BLOUNT in the chair.

Mr. CLEMENTS. I ask that the first reading of the bill for information be dispensed with.

There was no objection, and it was ordered accordingly.

The CHAIRMAN. The Clerk will proceed to read the bill by paragraphs for amendment.

The Clerk proceeded to read the bill, as follows:

Be it enacted, etc., That the half of the following sums named, respectively, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and the other half out of the revenues of the District of Columbia, for the purposes following, being for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1890, namely:

GENERAL EXPENSES.

For salaries and contingent expenses:

For executive office: For two commissioners, at $5,000 each; one engineer commissioner, $924 (to make salary $5,000); one secretary, $2,160; one clerk, $1,500; one clerk, $1,400; two clerks, at $1,200 each; one messenger, $600; one messenger, $480; one driver, $480; one inspector of buildings, $2,400; one assistant inspector of buildings, $1,200; one assistant inspector of buildings, $1,000; one clerk, $1,600; one clerk, $900; one messenger, $480; one janitor, $700; one steam engineer, $900; one property clerk, $1,600; one clerk, $900; one clerk, $720; one messenger clerk, $600; one messenger, $480; three watchmen, at $480 each; one chief inspector of plumbing, $2,000; two assistant inspectors of plumbing, at $1,000 each; one harbor master, $1,200; for rent of property yards, $1,000; for contingent expenses, including printing, books, stationery, and other necessary expenses, $3,000; in all, $44,064.

For assessor's office: For one assessor, $3,000; two assistant assessors, at $1,600 each; one special-assessment clerk, $1,700; one clerk, $1,200; two clerks, at $1,000 each; one clerk, at $1,000, in charge of records; one license clerk, at $1,200; one inspector of licenses, $1,200; one assistant or clerk, $900; one clerk and messenger, $900; for contingent expenses, including printing, books, stationery, detection of frauds on the revenue, and other necessary items, $1,000; in all $17,300.

For collector's office: For one collector, $4,000; one cashier, $1,800; one bookkeeper, $1,600; four clerks, at $1,400 each; three clerks, at $1,200 each; one messenger, $600; for contingent expenses, including printing, books, stationery, and other necessary items, $1,000; in all, $18,200.

For necessary expenses in the collection of overdue personal taxes by distraint and sale or otherwise, and for other necessary items, $1,000: *Provided:* That hereafter the fees and cost of proceeding collected by the collector of taxes under the act of March 3, 1877, for making distress and sale of property for personal taxes in arrears, shall be deposited by said collector in the Treasury of the United States as other revenues of the District are deposited.

For auditor's office: For one auditor, $3,000; one chief clerk, who shall hereafter, in the necessary absence or inability of the auditor from any cause, perform his duties, without additional compensation, $1,800; one book-keeper, $1,800; one clerk, $1,600; two clerks, at $1,400 each; three clerks, at $1,200 each; one messenger, $600; for temporary clerk-hire, $1,000; for contingent expenes, including books, stationery, and other necessary items, $300; in all, $16,500.

For attorney's office: For one attorney, $4,000; one assistant attorney, $2,000; one special assistant attorney, $1,200; one law clerk, $1,200; one messenger, $200; for rent of office, $100; for contingent expenses, including books, stationery, printing, and other necessary items, $400; for judicial expenses, including the printing of briefs and witness fees in District cases before the supreme court of the District of Columbia, $2,500; in all, $11,600.

For sinking-fund office, under control of the Treasurer of the United States: For one clerk, $1,500; one clerk, $900; for contingent expenses, including books, stationery, printing, and miscellaneous items, $300; in all, $2,700.

For coroner's office: For one coroner, $1,800; for contingent expenses, including jurors' fees, stationery, books, blanks, removal of deceased persons, making autopsies, and holding inquests, $700; for services in care of morgue, $300; in all, $2,800.

For market-masters: For two market-masters, at $1,200 each; one market-master, $900; for hire of laborers for cleaning markets, at rate not exceeding $100 per market, $300; contingent expenses, repairs and painting, and other necessary items, $1,000: in all, $4,600.

For engineer's office: One chief clerk, $1,900; one clerk, at $1,600; one clerk, at $1,400; four clerks, at $1,200 each; one clerk, at $900; one computing engineer, $2,400; one inspector of asphalt and cements, $2,400; one messenger, $480; one inspector of gas and meters, $2,000; one superintendent of streets, $2,000; one superintendent of roads, $1,400; one superintendent of lamps, $900; superintendent of parking, $1,200; one assistant superintendent of parking, $700; one assistant engineer, $1,600; two assistant engineers, at $1,500 each; one draughtsman, $1,200; three inspectors of streets and sewers, at $1,200 each; three rodmen, at $780 each; three axmen, at $650 each; one messenger clerk, at $600; two messengers, at $480 each; two laborers, at $360 each; in all, $40,650.

For contingent expenses, including books, stationery, binding and preservation of records in the engineer's and surveyor's offices, printing, maintaining and keeping in good order the laboratory and apparatus in the office of the inspector of gas and meters, and in the office of the inspector of asphalt and cement, and other necessary items, $4,800.

That overseers and inspectors, temporarily required in connection with sewer, street, or road work, or the construction and repair of buildings and bridges, or any work done under contracts authorized by appropriations, and all expenses incidental to or necessary for the proper execution of said work, shall be paid out of the sums appropriated for said work and for the time actually engaged thereon; and the commissioners of the District, in their annual report to Congress, shall report the number of such overseers and inspectors, and their work, and the sums paid to each, and out of what appropriation.

STREETS, AVENUES, ALLEYS, AND ROADS.

For work on sundry streets and avenues named in Appendix "CC," Book of Estimates, for the fiscal year 1890, and for resurfacing and repairing of Pennsylvania avenue from First to Seventeenth streets northwest, $617,000, to be expended in the discretion of the commissioners on streets and avenues specified in the schedules named in said appendix and on Pennsylvania avenue and in the aggregate for each schedule as stated herein, namely:

General schedule: Including the work of resurfacing and repairing of Pennsylvania avenue from First to Seventeenth streets northwest, $244,500.

Georgetown schedule: Thirty-seven thousand dollars.

Northwest section schedule: One hundred and forty-five thousand dollars.

Southwest section schedule: Fifty-eight thousand dollars.

Southeast section schedule: Fifty-eight thousand dollars.

Northeast section schedule: Seventy-four thousand five hundred dollars.

That under appropriations contained in this act no contract shall be made for making or repairing concrete or asphalt pavement at a higher price than $2 per square yard for a quality equal to the best laid in the District prior to July 1, 1886, and with same depth of base.

Grading streets, alleys, and roads: For grading streets, alleys, and roads not otherwise provided for, at a price not to exceed 10 cents per cubic yard, $15,000.

Mr. SPINOLA. I rise to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SPINOLA. After this bill is read through will it be in order then to go back and offer amendments?

The CHAIRMAN. It will not, as the bill is now being read by paragraphs for amendment, and if the gentleman has one to offer he must offer it at this time.

The Clerk read as follows:

Repairs to pavements: For repairs to concrete pavements, with the same or other not inferior material, $90,000.

Permit work: For the improvement and repair of alleys and sidewalks and the construction of sewers and sidewalks of such form and materials as the commissioners may determine under the permit system, $100,000: *Provided,*

That the property owners requesting such improvements shall pay one-half of the total cost: *And provided further*, That the commissioners of the District of Columbia are authorized in their discretion to order such of the above enumerated work as in their opinion is necessary for the public health, safety, or comfort, and to pay the total cost of such work from said appropriation, one-half of the cost of such work so done, including material and labor, shall be charged against and become a lien upon the property abutting upon the line of such improvement, and shall be levied pro rata according to the area of each lot or part of lot abutting upon such improvement within sixty days after making such assessment, and in order to reimburse said appropriation so expended one-half of the cost of such work so done, including labor and material, shall be charged against and become a lien upon the property abutting upon the line of the said work, and shall be levied pro rata upon said property upon such terms and regulations as to notice to proprietors and the method and terms of such notice as shall seem to the commissioners of the District of Columbia right and proper, due notice of such terms and regulations being given by publication thereof in some newspaper published in the city of Washington for such time as said commissioners shall prescribe, and the one-half so charged against such abutting property shall be paid as follows: One-third of the amount within sixty days from the date of service of notice of such assessment, without interest; one-third within one year, and the remaining third within two years from the date of service of notice of such assessment, and interest shall be charged at the rate of 10 per cent. per annum from the date of service of such notice on all amounts that shall remain unpaid at the expiration of thirty days after the service of the notice of such assessment: *Provided*, That if any property so assessed shall become subject to sale for any other assessment or tax whatever, then the assessment levied under this act shall become immediately due and payable, and such property may be sold therefor, together with the accrued interest thereon to the date of such sale, together with the costs of advertising and sale; and any property upon which such assessment and accrued interest thereon, or any part thereof, shall remain unpaid at the expiration of two years from the date of service of notice of such assessment shall be subject to sale therefor under the same conditions and penalties as are imposed by existing law for the non-payment of general taxes, and the material purchased under this appropriation shall be bought after due advertisement therefor, as required by existing law.

Repairs streets, avenues, and alleys: For current work of repairs of streets, avenues, and alleys, $30,000.

Repairs county roads: For current work of repairs of county roads and suburban streets, $45,000.

Constructing county roads: For construction of county roads and suburban streets, as follows:

For Pennsylvania avenue extended to Bowen road, $25,000;
For Canal road, from Free to Chain Bridges, $13,000;
To complete pavement of Fourteenth street extended to top of hill, $10,000;
To grade and regulate Sheridan street from Seventh to Ninth streets, $3,000;
To widen and regulate Brightwood avenue, $5,000;
For Rock Creek Church road, $5,000;
To grade and regulate Seventeenth street from Park street to Piney's Branch, $1,000;
To grade and regulate Washington street, Anacostia, $3,000;
To grade and regulate Jackson street, Anacostia, $3,000;
To grade and regulate Jefferson street, Anacostia, $3,000;
To grade and regulate Adams and Taylor streets from Harrison to Jefferson street, $4,400;
For Howard avenue, $1,000;
For Bunker Hill road, $8,000;
For River road from Tennallytown west, $5,000; in all, $89,400.

CONDEMNATION OF STREETS, ROADS, AND ALLEYS.

For condemnation of streets, roads, and alleys, $10,000.

And the commissioners of the District of Columbia are authorized and directed to condemn a sufficient amount of ground at the intersection of Sixteenth and U streets and New Hampshire avenue from squares 175, 176, north, 177, 189, and 190, for the purpose of constructing a circular reservation, the same to be called Hancock Circle: *Provided*, That the said ground can be acquired without public expense.

Mr. CLEMENTS. I move the following amendment.

The Clerk read as follows:

On page 11, after line 16, insert "to grade and regulate Fourth street, east, extended, to Bunker Hill, $10,000."

Page 12, line 15, strike out "eighty-nine" and insert "ninety-nine;" so it will read:

"In all, $99,400."

The amendments were agreed to.

The Clerk read as follows:

Surveys of the District: For completion of surveys of the District of Columbia with reference to the extension of various avenues to the District line, $10,000.

Care of bridges: For ordinary care of bridges, including keepers, oils, lamps, and matches, $3,400; for construction and repairs of bridges, $10,000; in all, $13,400.

SEWERS.

For cleaning and repairing sewers and basins, $33,000.
For replacing obstructed sewers, $12,000.
For main and pipe sewers, $75,000.
For suburban sewers, $40,000.

CURRENT EXPENSES, STREETS, AVENUES, AND ALLEYS.

Sprinkling, sweeping, and cleaning: For sprinkling, sweeping, and cleaning streets, avenues, alleys, and suburban streets, $85,000: *Provided*, That no expenditure hereunder shall be made at a price higher than 27 cents per 1,000 square yards for streets and avenues, and 30 cents per 1,000 square yards for alleys.

For the Parking Commission: For contingent expenses, including laborers, cart-hire, trees, tree-boxes, tree-stakes, tree-straps, planting and care of trees on city and suburban streets, whitewashing, care of parks, and miscellaneous items, $18,000.

Lighting: For illuminating material, lighting, extinguishing, repairing, and cleaning lamps on avenues, streets, roads, and alleys, and for purchasing and erecting new lamp-posts and replacing such lamps and lamp-posts as may be damaged or unfit for service, $115,000: *Provided*, That no more than $20 per annum for each street-lamp shall be paid for gas, lighting, extinguishing, repairing, and cleaning, under any expenditure provided for in this act; and said lamps shall burn not less than two thousand six hundred hours per annum; and the commissioners are authorized, in their discretion, to substitute other illuminating material at the same or less price, and to use so much of the sum hereby appropriated as may be necessary for that purpose: *Provided further*, That the commissioners of the District of Columbia shall not be authorized to make any contract for gas or other illuminating material, in accordance with the provisions of this paragraph, for any longer period than one year.

Mr. ATKINSON. I rise to make a point of order against that portion of the bill beginning on page 15, line 9, after the word "power."

The CHAIRMAN. That part of the bill has not yet been reached.

Mr. BUCHANAN. I desire to offer an amendment to the part of the bill which has just been read.

The Clerk read as follows:

Page 14, line 17: Strike out "two" and insert "three;" so that it will read, if amended:

"And such lamps shall burn not less than three thousand six hundred hours per annum."

Mr. BUCHANAN. I will state the object and purport of that amendment. This paragraph provides a payment of not more than $20 per annum for each street-lamp in use in this city. In the first place, that is an enormous figure to pay for that service, judging from the price paid in other cities for similar service. I know it to be much larger than is paid in some other cities for continuous service. The paragraph goes on to provide that these lamps shall burn not less than two thousand six hundred hours per annum, which simply amounts to this: that when, according to the almanac, we should have a bright moonlight night, but according to the weather we have darkness, these lamps need not be and will not be burning. I move, therefore, to strike out "two thousand" and insert "three thousand," so that we will have an average of ten hours out of the twenty-four when these lamps shall be burned at the price fixed. This would enable those gentlemen whose avocation calls them out late at night to have the light of the street-lamps to find their way to their customary places of residence, and the expenditure that is provided for the service, $20 per annum, is quite ample.

Mr. CLEMENTS. I desire to say only a word, and that is that the provisions in this bill on this point are strictly in accordance with the recommendations of the commissioners of the District of Columbia, the administrative authority of the District, and in accordance with what has been the law for several years past.

As to the amount, $20 per annum allowed for each lamp, that was reduced a few years ago from $22, and has been standing at this figure for some time past. I doubt the propriety of an act increasing largely the number of hours per annum that these lamps shall be burned without at the same time increasing in the same proportion the amount to be paid for them per annum.

I have no desire to continue the discussion, and ask a vote on the amendment.

The question was taken; and on a division there were—ayes 30, noes 31.

Mr. BUCHANAN. Inasmuch as this committee loves darkness better than light, I shall not insist upon a further vote on the amendment, but shall accept the decision of the committee as final.

Mr. SPINOLA. I offer an amendment to strike out a part of the paragraph on page 14, which I send to the desk.

The Clerk read as follows:

Page 14, line 18, after the words "per annum" strike out down to and including the word "purpose" in lines 21 and 22.

Mr. SPINOLA. I make that amendment, Mr. Chairman, simply for the reason——

Mr. CLEMENTS. Before the gentleman proceeds I wish to interpose a point of order upon the amendment.

The CHAIRMAN. What point of order does the gentleman make?

Mr. CLEMENTS. That it changes existing law.

Mr. SPINOLA. That it changes existing law? Well, then, let us see.

The CHAIRMAN. The Chair will request the gentleman from Georgia in charge of the bill to state the existing law.

Mr. CLEMENTS. I will send it to the desk.

Mr. SPINOLA. If the gentleman will allow me a few moments I will give the reasons for proposing the amendment, and perhaps there may be no objection. I ask the attention of the committee for a little while.

The language in the bill confers a very extraordinary power upon the commissioners, a power which in my judgment should not be granted. If they need any such authority let them come to Congress and give their reasons for asking it, and let Congress then determine the question. But to ingraft upon a bill of this character such extraordinary power looks to me entirely out of place. It provides that there is authority, in their discretion, to substitute other illuminating material at the same or less price. It gives them the right to go outside and dicker with people, a power which we should confer upon no one unless in each individual instance Congress shall deem it wise to do so. It can not affect the bill, and in my judgment it would materially improve it to adopt the amendment.

Mr. CLEMENTS. I wish to say only this, that this clause is contained in the bill of the last year and in preceding appropriation bills, and is designed simply as a safeguard. Suppose, for instance, that the companies furnishing gas-light should decline to do so. In that event this gives the commissioners of the District of Columbia discretion to use some other illuminating material. It is put in as a safeguard, and although it has been in the bills for years past, it never has been resorted to. I see no harm in keeping it in the present bill. I send to the Chair the existing law.

The CHAIRMAN. The Clerk will read the present law.

The Clerk read as follows:

And the commissioners are authorized, in their discretion, to substitute other illuminating material at the same or less price, and to use so much of the sum hereby appropriated as may be necessary for that purpose.

Mr. CLEMENTS. That is the language of the current law.

The CHAIRMAN. The Chair is of opinion that the simple striking out of the language in the bill referred to by the gentleman from New York does not repeal the law that has been read. It may be proper to insert the language, but the question of striking it out is one for the committee to determine.

Mr. SPINOLA. Although that clause may be a part of the existing law as it stands to-day, in my judgment it is nevertheless a dangerous authority. The excuse for retaining it given by the gentleman from Georgia does not, in my opinion, reach the merits of the case. If the gas company at Washington fails to carry out the provisions of its charter and fails to furnish gas for public purposes, the charter should be forfeited.

Mr. CLEMENTS. But that would not furnish illumination to the people in the mean time.

Mr. SPINOLA. There is no danger of the gas manufacturers of Washington letting go of a good thing that they have in furnishing gas here. They have the softest snap here, as I understand it, of any city in the Union, and they are not going to let go of it.

The question was taken on Mr. SPINOLA'S amendment, and it was disagreed to.

The Clerk read as follows:

For electric lighting, including necessary expenses of inspection, on one or more of the principal streets of the cities of Washington and Georgetown, $35,000: *Provided*, That no more than 40 cents shall be paid for each light per night burning from sunset to sunrise, and each arc light shall be of not less than 1,000 actual candle power, and no wires for the operation of public or private electric lighting shall be erected or maintained on or over any of the streets or avenues of the cities of Washington and Georgetown after September 30, 1890, but the commissioners of the District of Columbia may authorize the temporary erection and maintenance of such wires in cases of necessity: *Provided further*, That the commissioners of the District of Columbia shall make and enforce such regulations for the construction, maintenance, and operation of apparatus for electrical purposes as they may deem advisable, and such regulations so made shall have the same force and effect within the District of Columbia as if enacted by Congress: *And provided further*, That the commissioners of the District of Columbia shall report to the first session of the Fifty-first Congress what deduction may be made for electric lighting both for annual and for five-year contracts, and that they be authorized to invite proposals for supplying said light at reduced rates, and in this they are not limited to any one system.

Mr. ATKINSON. I make the point of order against so much of this paragraph on page 15 as begins on line 9, after the word "power," and ending on line 15, before the word "provided." It is the portion of the section directing that no overhead wires shall be put up after the 30th of September, 1890. That seems to change existing law, Mr. Chairman, and is out of order, as I believe, upon this general appropriation bill.

Mr. CLEMENTS. If I understood the gentleman correctly, he makes a point of order upon that paragraph. I have to say in reply that it is simply a limitation upon the appropriation. It is a direction in this appropriation bill for the electric lighting, and it provides the manner in which it can be done. It is not, therefore, a change of existing law which is obnoxious to the rules. It simply regulates the manner in which money shall be used for a purpose which is recognized under prior law.

Mr. ATKINSON. In response to the gentleman from Georgia, I desire to say that this paragraph of the bill is not in harmony with any appropriation. It is not germane to this appropriation bill for electric lighting, nor is there any limitation at all upon the expenditure of money for that purpose; but on the contrary it is legislation applying to a bill of the District, pure and simple, without any reference whatever to the appropriation at the beginning of the paragraph. It prohibits the erection of any additional wires. It also prohibits the maintenance of those that are in position. It affects the whole overhead electric lighting system in the city of Washington, and has no reference at all to the appropriation. It goes much further than that, and the committee, under the rule, has exceeded its powers by fixing this provision on their bill.

Mr. HENDERSON, of Iowa. Mr. Chairman, I desire to say, as I understand it, the date "1890" should be "1889." I will ask the gentleman from Georgia [Mr. CLEMENTS] if I am not correct in that?

Mr. CLEMENTS. That is an error. The gentleman from Iowa is correct.

Mr. HENDERSON, of Iowa. There is no existing law that will prevent us from making this limitation. This appropriation is for the year ending June 30, 1890, so that it is thus our intention to make this limitation upon expenditures which are now provided for. We are here appropriating money for electric lighting. That is the purpose of this appropriation bill; but we say we will not allow that money to be expended upon wires that are put overhead. The purpose of the committee is, as fast as it can be done, to take down this system of wires that are overhead and compel them to be laid under the ground. Now, it was our opinion that this provision or limitation was clearly within the powers of the committee to say how this money shall be expended. We are willing that it shall be expended for electric lighting where the wires are laid under-ground, but we will not let it be expended for wires run overhead; and it seems to me that is the whole purpose of the bill.

Mr. ATKINSON. The gist of the gentleman's argument seems to be that this appropriation does not cover the period at which these wires are to be taken down; but the bill will cover a period after September 30, 1890. It is provided in this bill that the wires shall not be maintained after September, 1890, but this appropriation will be expended before that time.

The CHAIRMAN. The Chair is of the opinion that at this time private parties holding rights may construct wires, and that this provision would change the law in that manner; and therefore it is a change of existing law in that respect. The Chair does not think it necessary to examine further than that particular point, as it seems to determine this question. The Chair sustains the point of order.

Mr. ATKINSON. I have another point of order against the portion of the section beginning at the word "that," fifteenth line, and extending to the words "provided further," on line 21.

Mr. HENDERSON, of Iowa. I want to offer an amendment at this point covering the point of the gentleman, as the Chairman has sustained it.

The CHAIRMAN. The gentleman from Pennsylvania will not be precluded by the amendment from being heard on the point of order.

The Clerk read as follows:

After the word "power" in line 9, page 15, insert "and no part of this appropriation shall be used for electric lighting after September 30, 1889, by means of wires erected or maintained that are over any of the streets or avenues of the cities of Washington and Georgetown."

Mr. ATKINSON. I make the point of order against that amendment.

The CHAIRMAN. The gentleman will state the point of order.

Mr. ATKINSON. I make the point of order under the latter clause of paragraph 3 of Rule XXI, "nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto." The Chair has just ruled that the paragraph in the bill is not in order, and it has been stricken out. This amendment is to effect precisely the same as the paragraph that has already been ordered to be stricken out on my point of order, and is obnoxious to the same rule. It changes existing law as to the right of private parties to maintain private wires.

The CHAIRMAN. The Chair is inclined to think the point of order well taken.

Mr. DINGLEY. In reference to the point of order I wish to remind the Chair that it has been repeatedly held by Chairmen of the Committee of the Whole that a limitation might be put upon the use of an appropriation made for a particular purpose. I call the attention of the Chair to the fact that there have been repeated rulings in that direction, and it seems to me that a limitation of this kind would not be obnoxious to the rule.

The CHAIRMAN. The Chair thinks otherwise. Appropriations are made in pursuance of law——

Mr. HENDERSON, of Iowa. If the Chair will indulge me, there is no law which requires the wires to be put overhead.

The CHAIRMAN. Under the operation of law it is permissible to do so.

Mr. HENDERSON, of Iowa. We have appropriated money for electric lighting. That is all we have done. There is no law which requires that the wires shall be placed either overhead or under-ground. Now we appropriate the money for this purpose with a proviso that we do not wish it to be expended in overhead wires. We simply put a limitation on this appropriation.

The CHAIRMAN. Yes, but if it were not for this limitation the Chair thinks the commissioners might use the money for overhead wires, and if so, this qualification does change existing law in the opinion of the Chair.

Mr. HENDERSON, of Iowa. I wish to call the attention of the Chair to the fact that we can withhold the appropriation altogether, unless the money is to be expended for a system of lighting which we approve, namely, one in which the wires are under-ground. There may be a limitation upon our action in this direction if there is any action prohibiting the putting of wires under-ground; but the gentleman from Pennsylvania [Mr. ATKINSON] can not lay his hand upon any such statute. In fact there is no statute requiring them to be placed either overhead or under-ground. Now we come to appropriate the money for lighting by this system and we say that not a dollar of it shall be expended upon a plan involving overhead wires. That is all.

Mr. ATKINSON. That is not what is stated in the bill. There is no provision in the bill that this money shall be expended only for means of lighting by under-ground wires. There is no allusion whatever to under-ground wires in the bill so far as any limitation upon the expenditure is concerned. But the provision goes beyond the period covered by the bill. The bill appropriates only for expenditures up to the 30th of June, 1890, whereas this provision is that after the 30th of September, 1890, no overhead electric wires shall be kept in place.

Mr. HENDERSON, of Iowa. If the gentleman will permit me, I will say that he is talking now upon an erroneous state of facts—that "1890" is a mistake which will be corrected and changed to "1889."

Mr. BREWER. But that clause has been stricken out.

Mr. ATKINSON. It has been stricken out by the decision of the Chair, and the amendment intended to cover the same thing has been ruled out; so that we have already passed this paragraph. If the committee desire to offer any amendment to their own bill at the proper time, there can be no objection to it; but it is not before the House now, this matter having been already decided by the Chair.

Mr. HENDERSON, of Iowa. This paragraph having been stricken out, we are at the very point to add this amendment, and any member of the House has the right to move the amendment. The only question before the Chair now is whether the amendment which I have offered changes existing law.

The CHAIRMAN. That is what the Chair understands to be the only question.

Mr. HENDERSON, of Iowa. And I would invite the attention of my friend from Pennsylvania [Mr. ATKINSON] to that question, and ask him to mention some existing law which this amendment traverses in any way.

Mr. ATKINSON. I understood that the gentleman's amendment had been already ruled out by the Chair upon the ground that it would change existing law.

The CHAIRMAN. The Chair has not ruled finally upon the amendment. The Chair announced his opinion, but the gentleman from Iowa [Mr. HENDERSON] expressed a desire to be heard.

Mr. ATKINSON. I was so far back in the hall when the amendment was read that I did not hear it distinctly, and I should like to have it reported again.

Mr. CLEMENTS. I understand that by the ruling of the Chair the part of this paragraph after the word "power" down to the proviso has been ruled out. The gentleman from Iowa proposes now to amend the paragraph by inserting after the word "power" the amendment which has been read by the Clerk. The amendment is very different from the language which the Chair has ruled out. That provision positively required that the wires should be put under-ground. It was mandatory. But this amendment simply provides that the money shall be appropriated, provided it be used in a certain manner, but that otherwise it shall not be used. Such a provision does not change existing law. There is no existing law that compels an appropriation to be made at all for electric lighting.

I apprehend it would be perfectly competent for the House, if it saw proper, to make no appropriation for this purpose—to leave out the matter entirely. I think this case comes within the repeated rulings made heretofore, that in making an appropriation it is entirely in order to place a limitation or condition upon such appropriation; in other words, in this case we may provide that the wires upon which the money is to be expended shall be put under-ground; that otherwise the appropriation shall be nugatory. There is no existing law requiring the electric lighting of this city to be done by any particular system of overhead or under-ground wires; there is no law making any provision either way.

I will add that this is a provision intended for the comfort and safety of the people. It is proposed to require that these dangerous wires be placed where they will be least dangerous; and this limitation, it seems to me, falls within the repeated rulings to the effect that it is competent for us to impose limitations or conditions upon the appropriations of money which we may make, provided we change no existing law; and I apprehend the gentleman on the other side will not be able to point out any law which is repealed or changed by this provision.

The CHAIRMAN. The Chair will entertain the amendment.

Mr. ATKINSON. In addition to what I have already said, and in reply to the gentleman in charge of this bill, I wish to say that while it may be true that I can not point out any existing statute which authorizes the construction of overhead wires, yet the common-law right permitting a man to erect any structure he pleases when not forbidden by law is a right enjoyed by every citizen of this District.

The CHAIRMAN. The Chair begs leave to suggest that this does not touch the question of private rights at all; it relates to the lighting of the city by the official authorities.

Mr. ATKINSON. I would be glad to have the amendment reported.

The Clerk read as follows:

After the word "power," in line 9, page 15, insert "and no part of this appropriation shall be used for electric lighting after September 30, 1889, by means of wires erected or maintained on or over any of the streets or avenues of the cities of Washington and Georgetown."

Mr. ATKINSON. That changes the whole purport of the paragraph, and it is not open to a point of order. I admit that, and I do not care to antagonize the proposition.

The question being taken on the amendment, it was agreed to.

Mr. ATKINSON. Now, Mr. Chairman, I wish to make a point of order against that portion of the paragraph beginning with the word "that," in line 15, and ending with the word "Congress," in line 21. The language to which this point of order applies is the following:

That the commissioners of the District of Columbia shall make and enforce such regulations for the construction, maintenance, and operation of apparatus for electricial purposes as they may deem advisable, and such regulations so made shall have the same force and effect within the District of Columbia as if enacted by Congress.

This gives the commissioners power to enact a general law in reference to all electrical machines and the transmission of electricity in the entire District of Columbia. It is not germane to the appropriation, and it changes existing law. It is therefore in violation of the rule which I have already brought to the attention of the Chair.

The CHAIRMAN. Does the gentleman from Georgia [Mr. CLEMENTS] wish to be heard on the point of order?

Mr. CLEMENTS. I hope that the gentleman from Pennsylvania [Mr. ATKINSON] will not insist on his point of order. This provision is intended for the safety and comfort of the people of this District. It seems to me there certainly ought to be power lodged in the District commissioners or some other responsible authority to regulate a matter which involves the safety of the lives of the people of the District.

Mr. ATKINSON. In response to the gentleman in charge of the bill I wish to say that there is a committee to which all matters relating to the safety and health of the people of this District should be referred.

The CHAIRMAN. Does the gentleman insist on the point of order?

Mr. ATKINSON. I do.

The CHAIRMAN. The Chair sustains the point of order.

Mr. ATKINSON. I also make a point of order on the next clause of this paragraph.

The CHAIRMAN. The Clerk will read the clause upon which the gentleman makes the point.

The Clerk read as follows:

And provided further, That the commissioners of the District of Columbia shall report to the first session of the Fifty-first Congress what deduction may be made for electric lighting both for annual and for five-year contracts, and that they be authorized to invite proposals for supplying said light at reduced rates, and in this they are not limited to any one system.

Mr. ATKINSON. I submit that this provision is not germane to the purposes of an appropriation bill.

Mr. HENDERSON, of Iowa. I am very much surprised that my friend from Pennsylvania should make a point of order on this proviso. The proviso is in this language:

And provided further, That the commissioners of the District of Columbia shall report to the first session of the Fifty-first Congress what deduction may be made for electric lighting both for annual and for five-year contracts, and that they be authorized to invite proposals for supplying said light at reduced rates, and in this they are not limited to any one system.

It is claimed that the lighting of this city can be done much more cheaply for the people than it is now done.

The object of this proviso on the part of the Committee on Appropriations is this: The committee desire to get all the information from the commissioners they can possibly obtain in order to make appropriations hereafter. It is not changing any law; it is a proviso simply calling for information. There is now no law preventing the commissioners giving us information. There is no law which prevents the Committee on Appropriations inviting information. It is a different provision from the last one, where the gentleman from Pennsylvania made a point of order, and where perhaps it was well taken. Here we are seeking by this provision to invite information from the commissioners which will enable us intelligently to appropriate money in the next Congress. It repeals no law.

Mr. ATKINSON. Beside asking for information, Mr. Chairman, this goes further and authorizes the commissioners to invite proposals for supplying light at reduced rates. I presume that might be construed as a power to enter into contracts with authority of Congress, and without any other power except what is here given in this proviso of the bill. On that account I think it is objectionable. If the committee desire to have information from the commissioners of the District, I have no doubt they can get it by calling upon the commissioners for that purpose. I did not know it was necessary for Congress to pass an act authorizing the committee to make such a call and to have the commissioners make report. This proviso goes further, as I have already said, and authorizes them to invite proposals, presumably to be followed by a contract, and that is, as I understand, no part of the functions of this committee.

Mr. HENDERSON, of Iowa. There is no trouble about the committee inviting proposals. They have the power to do that under the existing law. We are not seeking to exercise that power, but merely inviting these commissioners to bring certain information before the next Congress, in order to enable them to act intelligently in the premises, and that is all the proviso does. There is scarcely an appropriation relating to the District under the old rules or under the present rules which has not more or less provision for the purpose of inviting the special attention of the commissioners to matters we want to have done with a view to more intelligent action in the future.

Mr. SPINOLA. Let me inquire whether it would not obviate the objection of the gentleman from Pennsylvania to insert the words "providing that before entering into any contract the commissioners shall make report to Congress."

Mr. HENDERSON, of Iowa. That would change existing law if those words should be inserted, as they now have that right.

Mr. SPINOLA. What, then, is the use of asking for this information, if they have that right now?

Mr. HENDERSON, of Iowa. The term provided for in the bill will bring it to next year, when our duty to make provision will come in. I have no objection to adding the gentleman's amendment, but it will make it subject to the point of order of the gentleman from Pennsylvania.

Mr. SPINOLA. I do not wish to do that, but I simply offer it to obviate, if possible, the gentleman's objection.

Mr. CLEMENTS. I do not think that the rule which the gentleman from Pennsylvania [Mr. ATKINSON] invokes applies to the extent which he seems to think it does. This is no proposition to repeal an existing law, and it is no proposition to enact a new law, but simply giving authority and direction to the commissioners of the District of Columbia to furnish the next Congress with information upon which they may act more intelligibly and justly.

It is said now that the amount paid for electric lighting is excessive. It was cut down from sixty-five to fifty, and yet, compared with the cost of lighting in other cities, it is alleged to be even now more than it ought to be. On the other hand, it is claimed by those engaged in the business that they have lost money this year. The purpose is, therefore, to obtain information to be submitted to the next Congress in order to make this appropriation intelligently. And what can be the motive of the gentleman from Pennsylvania to invoke this point of order I can not understand, as we are seeking this information only in the interest of economy and for the purpose of reducing these lighting expenses in the interest of the tax-payers of the country as well as of the District.

We are seeking to do it justly in regard to those who furnish the light, and what objection the gentleman from Pennsylvania can find to a proposition calling for and eliciting the information upon the subject which will enable the House to act advisedly, I am unable to understand. It seems to be but one more of the series of objections which he has been interposing this morning at every point along the line wherever we seek to regulate this monopoly in the interest of economy and in justice to the tax-payers. The gentleman will have to take the responsibility of the position he assumes, which in effect is in the interest of extravagance and in opposition to the interest of the tax-payers.

But I insist, Mr. Chairman, that this point of order on this particular paragraph is not well taken. It is not subject to the rule, for the reason that it does not change existing law or enact any new law, but simply calls for information upon the subject.

Mr. ATKINSON. I desire to say, Mr. Chairman, in response to what has been said by the gentleman from Georgia, who has just spoken, that he has no more right to question my motives than I have to question his. I make no point of order here in the interest of any monopoly, and perhaps I am as anxious to secure economy in public expenditures as the gentleman from Georgia himself. He has no right to assume that I advocate extravagance while he is the champion of economy.

Mr. CLEMENTS. I did not undertake to question the integrity of the gentleman's motives or purposes. I am only speaking of the effect of them. He is making a point of order against the efforts of the committee to reduce expenditures as well as to protect the lives and property of our people. I say that in such a position he must be responsible as against the efforts of the committee to secure economy.

Mr. ATKINSON. I make points of order against what I believe to be out of place here. I believe that the Committee on Appropriations has exceeded its authority in presenting these propositions to the House; and if they desire the enactment of legislation in the interest of economy, let them do it by reference to the appropriate committee, and not by an effort to take charge of the business which properly belongs to the other committees of the House, and over which this committee has no legitimate jurisdiction.

My points of order I have made in good faith. Two of them have been sustained by the Chair, and I believe that the last point I have made is not only entitled to be considered, but that it will also be sustained by the Chair.

The CHAIRMAN. The Chair desires to ask the gentleman from Iowa if he claims that at this time it is competent for the commissioners of the District of Columbia to report what deduction may be made for electric lighting, both for annual and for five-year contracts, and are authorized to invite proposals for supplying said light at reduced rates?

Mr. HENDERSON, of Iowa. They can undoubtedly advertise to receive bids under the existing law. But they are not empowered to make any new contracts. This provision of the bill, however, does not authorize the making of any contracts, but simply authorizes them to receive bids with a view to determining what reductions may be made in this expenditure, so that we may know what may be done in that direction hereafter.

There is a feeling in the committee that it can be done at a much less expense than has heretofore been paid; and in order to test the sincerity of those parties who have made offers to put in the plant and do the work, we ask that the commissioners of the District may invite proposals and obtain bids if possible, and furnish the result of their efforts in that direction for the information of Congress.

Permit me to suggest also in this connection, in justice to my friend from Pennsylvania, that we are not seeking in this to usurp any rights or functions belonging to the District committee. They can come in and make any law they choose bearing upon the subject. Nor are we seeking to repeal any existing law, but simply asking for information for the purpose of properly considering the matter by the House hereafter, and taking such steps in the light of that information as may be advisable.

So far as the other provisions are put in, that is to say, those which have been stricken out on the point of order, we knew perfectly well that they were subject to the point of order when it was made. But there are many provisions put into appropriation bills which we know are subject to the point of order if insisted upon; but, as a rule, they commend themselves so strongly to the approval of members that no objection is made to them in many cases. Any member, however, has the right to make the point of order against such provisions at any time, and certainly good faith will be conceded to our friend from Pennsylvania, than whom no member is more active in preserving the rights of the people against monopolies or otherwise. But in this amendment, which is not subject to the point of order, because it changes no existing law, we only seek information which will be valuable hereafter.

The CHAIRMAN. The Chair thinks, so far as the matter of making the report of the reduction which can be made in the cost of electric lighting both for annual and for five-year contracts is concerned, that it is certainly competent for the commissioners to make such report now. So far as their inviting proposals for supplying such light at reduced rates is concerned, the Chair does not understand that this provision goes beyond the language of it or authorizes the acceptance of any of the proposals which may be made. In other words, it does not involve the making of contracts at all. The Chair overrules the point of order, and sustains the amendment of the gentleman from Iowa.

The amendment of Mr. HENDERSON, of Iowa, was adopted.

The Clerk read as follows:

PUBLIC SCHOOLS.

For officers: For superintendent first six divisions, at $2,700; superintendent seventh and eighth divisions, at $2,250; one clerk to superintendent of first six divisions and secretary to board of trustees, $1,200; one clerk to superintendent of seventh and eighth divisions, $800; messenger to superintendent first six divisions, $300; messenger to superintendent seventh and eighth divisions, $200; in all, $7,450.

Mr. HOPKINS, of Illinois. I offer the amendment I send to the desk.

The Clerk read as follows:

In line 17, on page 16, strike out "twenty-seven hundred" and insert "three thousand dollars."

Mr. CLEMENTS. I make the point of order that this changes existing law.

Mr. HOPKINS, of Illinois. The amendment is not susceptible to the point of order. There is no statute law fixing the salary of this superintendent.

Mr. CLEMENTS. The current appropriation bill is the law on the subject, and by that the salary is fixed at the sum provided in this bill. There is no statute law authorizing the appropriation in the bill at all—nothing but the existing law of the appropriation bill, which is the prevailing law as bearing upon the subject. The amendment is a change of that law, and hence is obnoxious to the point of order.

Mr. HOPKINS, of Illinois. The law of the appropriation bill fixing the salary of a superintendent under such circumstances as this is not such law as is contemplated by the rule, where it provides that no provisions in an appropriation bill shall change existing law. This is manifest, because, if it were so, one Congress could by its appropriation bills bind the acts here for a hundred years on a subject of this kind. It is only where there is existing statute law upon the subject, and that is modified by the appropriation, that it becomes subject to the point of order. That does not exist in the present case, and hence the objection of the gentleman can not be sustained.

The CHAIRMAN. The Chair sustains the point of order.

Mr. HOPKINS, of Illinois. Mr. Chairman, one moment——

The CHAIRMAN. The Chair has decided previously upon the point of order, and the Clerk will read.

The Clerk read as follows:

For teachers: For teachers, not to exceed seven hundred and forty in number, including teachers of manual training-schools, to be employed at a rate of compensation not to exceed the rate provided by the present schedule of salaries, and at an average salary not to exceed $670, $495,800; and no increase in salaries paid to teachers in grades now receiving $900 or more except in cases of promotion to fill vacancies occurring before or after the passage of this act and except in salaries to principals of normal, manual-training, and country schools, and no increase in the number of teachers in any of such grades shall be made, and the minimum compensation shall not be less than at the rate of $300 per annum, and the names of and actual compensation paid to each teacher under this provision shall be reported to Congress at the beginning of each regular session by the commissioners: *Provided*, That in assigning salaries to teachers, no discrimination shall be made between male and female teachers employed in the same grade of school and performing a like class of duty.

For teachers of night schools, who may also be teachers in the day schools, $5,000.

For contingent expenses of night schools, $500.

For janitors and care of buildings and grounds: For care of the High-School Building, $1,600; of the Jefferson Building, $1,400; of the Stevens Building, $1,100; of the Franklin Building, $1,100; of the Force, Seaton, Henry, Webster, Gales, Peabody, Wallach, Garnett, Sumner, Analostan, Curtis, and Dennison Buildings, at $900 each; of the Lincoln and Miner Buildings, at $800 each; of the Abbott, John F. Cook, and Randall Buildings, at $700 each; of the Amidon, Addison, Cranch, Morse, Brent, Bannaker, Blair, Wormley, Anthony, Bowen, Maury, Weightman, Bradley, Blake, Carberry, Giddings, Towers, Magruder,

Phelps, and Twining, and eight new eight-room school buildings, at $500 each; of the Mott, Hillsdale, Anacostia, Thompson, and Lovejoy Buildings, at $250 each; of the Mount Pleasant, McCormick, Potomac, Greenleaf, Hamilton Road, Chamberlain, High Street, Montgomery Street, and Threlkeld Buildings, at $165 each; for care of smaller buildings and rented rooms, at a rate not to exceed $18 per annum for the care of each school-room, $5,376; in all, $41,311.

For rent of school buildings and repair shop, $10,000.

For repairs and improvements to school buildings and grounds, $20,000.

For contingent expenses, including furniture, books, stationery, printing, insurance, and other necessary items, $22,500.

For fuel, $24,000.

For the purchase of tools, machinery, material, and apparatus, to be used in connection with instruction in manual training, $10,000.

For furniture for new school buildings, $7,000.

For erection of new school buildings and purchase of sites therefor, as follows: One in third school division, one in fifth school division, one in seventh school division, and one in eighth school division, $140,000: *Provided*, That no one of the foregoing school buildings shall be constructed with less than eight rooms.

For addition to Washington High School, $40,000.

For erection of colored High-School Building and purchase of site therefor, $60,000.

For erection of buildings and purchase of sites therefor, and for additions to school buildings in sixth school division, as follows: Erection of one eight-room school building and purchase of site therefor; one four-room school building and purchase of site therefor at Hillsdale; one two-room school building and purchase of site therefor at Good Hope; and for additions to the Mott, the Benning's, white, and the Benning's, colored, school buildings, $59,000.

Mr. TAULBEE. In view of the fact that the subsequent paragraph of this bill may be obnoxious to a point of order, I desire now to offer that section as an amendment to this one, with an additional amendment to it, which I want to send to the Clerk's desk.

Mr. CLEMENTS. The amendment would not be in order until the section shall have been read, and there may be no point of order made.

Mr. HENDERSON, of Iowa (to Mr. TAULBEE). Reserve the right to offer the amendment.

The Clerk read the amendment, as follows:

In line 13, on page 20, amend by adding the words "or through other persons not regular dealers in real estate in the District of Columbia, or through such regular dealers who have not had the property for sale continuously from the date of the passage of this bill, and in no case shall a commission be paid to more than one person or firm, or greater than the usual commission."

Mr. ATKINSON. I make the point of order against the paragraph and the amendment on the ground that it changes existing law. I believe that the purchase of real estate by the commissioners of this District should be carefully regulated by law, and that it should be done in accordance with some rules formulated by act of Congress.

Mr. TAULBEE. I rise to a point of order. I have no objection to a discussion of the merits of this amendment and the paragraph; but I would call the attention of the gentleman from Pennsylvania [Mr. ATKINSON] to the fact that he is proceeding to a discussion of the merits of this question when he only makes the point of order. Now, I have nothing to say against his point of order provided my amendment shall be considered. My amendment is offered to the paragraph following that read by the Clerk.

Mr. ATKINSON. I think, Mr. Chairman, that the gentleman's point is well taken, but as my motives were questioned a little while ago——

Mr. TAULBEE. Not by me.

Mr. ATKINSON. I concluded to say this upon the floor, that I disclaim any improper motives in making this point of order.

Mr. TAULBEE. I do not think that was necessary.

Mr. ATKINSON. Perhaps not with you. I do not say it was. The point of order I make is that this paragraph, on page 20, beginning at line 11 and ending at line 13, and the amendment are not germane to an appropriation bill, and that they change existing law.

The CHAIRMAN. Does the gentleman make the point of order upon the amendmennt of the gentleman from Kentucky or on the paragraph?

Mr. ATKINSON. On the paragraph first.

Mr. CLEMENTS. I understand this paragraph had been read and the amendment offered to the next paragraph, and I make the point of order that it is too late to make this point of order.

The CHAIRMAN. The Chair is under the impression that the gentleman from Pennsylvania [Mr. ATKINSON] was endeavoring to make the point of order, and that he was on his feet at the time for that purpose when the gentleman from Kentucky [Mr. TAULBEE] offered his amendment.

Mr. CLEMENTS. I did not understand the gentleman to make any objection until the gentleman from Kentucky [Mr. TAULBEE] had offered his amendment.

The CHAIRMAN. The Chair thought at first that the gentleman had waited until the amendment of the gentleman from Kentucky [Mr. TAULBEE] had been offered, but is now under the impression that the gentleman from Pennsylvania [Mr. ATKINSON] was trying to get the floor and make the point of order.

Mr. ATKINSON. I expected to make the point of order when the gentleman from Kentucky offered his amendment.

The CHAIRMAN. The Chair thinks it is too late to make it on the paragraph. The gentleman, however, makes the point of order on the amendment of the gentleman from Kentucky [Mr. TAULBEE].

Mr. TAULBEE. If the paragraph goes in, does the gentleman from Pennsylvania expect to make the point of order on my amendment?

Mr. ATKINSON. Yes, sir. Mr. Chairman, I rise to a parliamentary inquiry. I think I have the right to make the point of order against the paragraph as amended, if the amendment of the gentleman from Kentucky shall prevail.

The CHAIRMAN. The Chair would not like to answer that question until the point shall have been made, because the amendment is likely to be discussed.

Mr. ATKINSON. If my point of order is held to be too late on the paragraph, I do not wish to make the point of order on the amendment.

The CHAIRMAN. The Chair desires to state that the impression made upon the Chair was, that the gentleman from Pennsylvania was endeavoring to obtain the floor to make the point of order when the amendment was offered. The Chair was so informed by gentlemen around the desk, and on that state of facts would not try to cut the gentleman off; but as the gentleman has declared that it was his "intention" to do so, being a matter of intention, the Chair does not feel it fair to admit the point of order now.

Mr. HENDERSON, of Iowa. Mr. Chairman, I would like to make a few remarks on the subject of the amendment.

Mr. TAULBEE. I would like to inquire of the gentleman from Iowa if he desires to occupy the time in opposing or supporting the amendment?

Mr. HENDERSON, of Iowa. I will oppose it for the purpose of making some remarks.

Mr. TAULBEE. If you are going to consume the time in favor of the amendment, it might put me in a little awkward attitude.

Mr. HENDERSON, of Iowa. Mr. Chairman, the provision under consideration is as follows: "That hereafter the commissioners, in making purchases of sites for schools or other purposes, shall do so without the employment of agents." Then comes the amendment of the gentleman from Kentucky [Mr. TAULBEE]. Now, in justice to the commissioners, I want to offer a few observations on this subject. It came to my attention, as it came to the attention of other gentlemen, that there was discussion in the press indicating that in the purchase of these sites for public buildings there was something wrong, that agents were buying property, at, for instance, $5,000, and then selling it to the District at $6,000, or at some advance; the impression being given that the man who bought first from the owner took the property in his own name and then sold it through the commissioners to the District and made a profit which should have gone to the benefit of the District.

I offered an amendment myself in the Committee on Appropriations for the purpose of requiring these purchases to be made directly by the commissioners and to cut off any such intermediate agencies. Afterwards the commissioners came before us and assured us that no such system obtained, or had obtained, in their administration of the District affairs; that in no instance had the purchase been made by A acting as an agent for the commissioners and the title passed to him, and then the property conveyed to the District. They said that that had not been their system at all. They stated, however, that they had employed agents to obtain information as to what sites they could buy for school purposes. They found it difficult, they said, to get property when it was known that the purchases were to be made for school purposes. For instance, A, owning a piece of land, might be perfectly willing to sell it to B, or to the District, provided it was not to be used for a school-house, but if it was to be used for a school-house he would not sell it.

The commissioners said they were compelled sometimes to look up these pieces of property without letting the public know, or without letting the party who might have the property for sale know, that it was intended to be used for school-house purposes. But the main point I want to impress upon the House is that the fact, or the supposed fact, which was in my mind when I offered the amendment, and the idea which controlled us in putting the amendment into the bill, was that two sales were made in these cases before the property went to the District, and we wanted to prevent that.

There is nothing in the provision which has just been ruled upon and which stands in the bill so far that will prevent the employment of agents to obtain all the information that is required. It does not provide for the employment of a man to draw the deed, or of a notary to take the acknowledgment, or for any other incident to the main matter; but the object of this proviso is that when the mind of the party owning the real estate is to meet the mind of the representative of the District to complete the contract, that final culminating act shall be between the other party and the commissioners without the employment of an intermediary. I asked the commissioners to make a statement of what their method was in purchasing these sites, inasmuch as it had been a subject of discussion in the public press, and, in pursuance of that request I have had handed to me a statement, which I now ask the Clerk to read for the information of the House.

The Clerk read as follows:

In the purchase of school sites the commissioners have always found it best, for many reasons, and principally because by so doing they can purchase the most eligible sites upon the best terms, to make such purchases with the assistance of some one who has had experience in real-estate dealings.

In purchasing the sites for which appropriations were made by the last Congress and by the present Congress at its last session, the practice mentioned has been pursued. There being no fund provided for the employment of an

agent, there has been no such employment or appointment in the strict sense of that term, that is, no one has been engaged with a promise of compensation to make purchases of sites for the public-school buildings. It being impossible for many reasons beside the reason of policy, for the commissioners to give the personal attention required in the selection of such sites, and the ascertainment of proper parties to whom application was to be made for purchase, it being frequently necessary, in order to obtain the quantity of ground needed for a site, to purchase several lots, and to that end to apply to several owners, and it being the case often that guardians of infants and trustees in charge of estates stood in the place of such owners, recourse has been had to men versed in real-estate matters to do the work required. Of course, such men could not be expected to render such services without recompense, and as the commissioners had no authority to make that recompense, such persons when so used had to look to the vendor of the lot selected for payment of whatever the services rendered were worth.

How this payment was effected the commissioners could not know. It was sufficient that the property was what was wanted for the purposes of the public school provided for, was free from incumbrances, presented a good title, and that the price asked was fair and reasonable. All of these requisites have been carefully scrutinized, and the assistance of the best advice resorted to by the commissioners. The location of the site with reference to its fitness for school purposes is determined upon by the trustees and superintendent of public schools; it is inspected as to matters of grade, shape, size, and character of foundation by the inspector of buildings of the District; the vendor furnishes an abstract of title which has to be approved by the attorney for the District, and executes a deed approved by the same officer. When this has all been done the purchase money is paid to the party who by the abstract of title or some other satisfactory evidence is shown to be the owner of record. What he does with this money the commissioners have no means of knowing, and it does not concern them what amount he pays to any one for effecting the sale.

The order pursued in making the purchase is as follows: The portion of the school district where it is deemed best that the school shall be located is designated by the authorities having the matter relating to schools in their charge, and their selectfon is signified to the board of commissioners or to the member of that board having the schools in charge. This commissioner, together with the trustee of the division in question and the superintendent of schools, then examines the plats of squares and lots in and about the location designated, and selects such as are deemed most appropriate. The assistance of an expert in real-estate matters is then called in, and his assistance invoked to secure the best possible site on the most advantageous terms. Out of the lots reported by him a selection is made, an offer in writing is obtained, giving price, etc., and if thought proper, is submitted to the board of commissioners; reference is made to the inspector of buildings, and if a satisfactory report by that officer, after formal inspection, is made, the offer is accepted. Then follows the abstract of title, deed, and payment of the money.

All of the papers mentioned above are filed with the accounting officer of the Treasury Department, and form a part of the voucher upon which the payment of the purchase money is made.

Mr. HENDERSON, of Iowa. Mr. Chairman, I gladly give opportunity for this statement of the commissioners in connection with this subject to be heard in the House, and I desire to say further that in offering this amendment, or in incorporating it in the District appropriation bill, there was no purpose whatever to reflect in any way upon the integrity or the character of the commissioners. But, seeing discussion touching this matter of the purchase of sites, a discussion which began after our bill was formulated by the subcommittee and too late for us to investigate the matter, we thought it safe not only for the District and for Congress, but also for the commissioners themselves, to put in the proviso which is here incorporated, and which, as I have already said, was in no sense intended to reflect on the District government.

Mr. TAULBEE. Mr. Chairman, I move to strike out the last word. I can not understand that the document just read by the Clerk has anything to do with the merit of this amendment. I am very sorry, indeed, that this discussion of the transactions which have been had during the last few months is brought up in connection with the consideration of this paragraph. I am not surprised, however, in view of the fact that an effort has been made to investigate these matters, and in view of the concessions made in the paper just read, to find that the District commissioners should attempt to forestall an investigation. I saw the articles published in the papers with reference to these purchases, and I must say that I read them with a great deal of incredulity. I noticed, however, in the Evening Star of a week ago last Friday, an article purporting to state the commissioners' side of the question, and, taking for granted that that article contained the truth, I say that the transactions had through the persons employed by the commissioners amount to an offense against the law—constitute a crime, really—and I can not see that the situation is made any better as explained by the document just read from the Clerk's desk. Now, am I to understand the gentleman from Iowa [Mr. HENDERSON] as meaning to say that the commissioners have agreed to pay a greater price for these sites thus purchased than was asked by the owners of the property if it was not to be used for school purposes?

If so, I maintain that the persons who have reaped the profits of this transaction have done so by deceiving and defrauding those affected by the purchase—the owners of the adjacent property. I would not be a party to any such transaction. It is a breach of faith, a breach of propriety, on the part of any public officer to be instrumental in the purchase of property through any such strategem or by any such method as would induce the owners of that property to accept a less price than they would if they knew for what purpose the property was to be used.

Now, all this explanation of what has transpired has nothing to do with the merits of my amendment or the paragraph to which it relates. The amendment I have offered proposes simply that if these purchases are to be made of any persons other than the owners of the real estate, they must be made through regular dealers in real estate in this city, and in that event these dealers must have had control of the property from the date of the passage of this bill; and it is further provided that no commission shall be paid except the usual and ordinary commission, which I think a highly proper provision in the event that the commissioners are compelled to purchase this property through the mediation of real-estate dealers. I believe the amendment I have offered will obviate the recurrence of such transactions as have transpired or which are said to have transpired during the current fiscal year.

I am willing that the merits of the resolution which I have introduced shall be discussed when it comes up for consideration; but if members of this House are to be induced to believe that no transaction which the commissioners may have had with real-estate agents or other persons in this District is of such a character as ought to be investigated, then it would be proper to save the time of this House by forestalling that investigation and smothering that resolution or those resolutions before the committees where they are now pending. That is one question and will be considered when it comes up. This is another question. I believe that the gentleman from Iowa will agree that my amendment, offered to this paragraph of the bill, will obviate these occurrences in the future, will prevent any such transactions hereafter——

[Here the hammer fell.]

Mr. TAULBEE. I move to amend *pro forma* by striking out the last two words. I do not believe the gentleman from Iowa would want to cover up any transaction of any public officer which would look like "crookedness;" and I am sorry to see the District commissioners, for whom I have a high personal regard, sending documents to the House of Representatives in anticipation of an investigation which is as far remote as it is possible, probably, for an investigation to be, where a committee has a resolution for consideration and it is not privileged. But this investigation of what has been done heretofore will come on soon enough. I promise the gentleman from Iowa that I will pursue it until the good conduct of the commissioners is clearly demonstrated by an ascertainment of the facts, or until their bad faith is exposed by an investigation of these transactions. Now, I do not understand the gentleman from Iowa to oppose my amendment. I think it would better accomplish the purpose which the committee seems to have in view.

Mr. HENDERSON, of Iowa. I move to amend by striking out the last three words.

The CHAIRMAN. The Chair will consider the pending *pro forma* amendment as withdrawn, and the gentleman from Iowa will be regarded as renewing it.

Mr. HENDERSON, of Iowa. I do not quite understand the line of the remarks of my friend from Kentucky [Mr. TAULBEE]. This may be because I have been ignorant of the fact that he has introduced a resolution to investigate somebody. I regret that I do not keep track of his movements so closely as to be "posted" on all such matters. I confess I was ignorant of the fact that the gentleman had introduced any resolution on this subject.

Mr. TAULBEE. If the gentleman had been in his seat this morning, he would have known that I did introduce a resolution and asked for its immediate consideration, but objection was raised by the gentleman from Ohio, and on motion of another member it was referred to the Committee on the District of Columbia.

Mr. HENDERSON, of Iowa. Well, Mr. Chairman, I had no knowledge of the gentleman's resolution.

Mr. TAULBEE. Another similar resolution was introduced last Tuesday.

Mr. HENDERSON, of Iowa. I trust the gentleman will allow me to finish my remarks. I knew nothing of the gentleman's resolution. I did not know he was after anybody's "scalp." My first knowledge of this matter was obtained from his remarks just now. So that, so far as my remarks are concerned, I want him to understand distinctly that I am not a party to any effort to "forestall" investigation or "cover up" anybody's transactions.

I stated that I offered the amendment to this bill which required these transactions to be direct between the property-owner and the commissioners; but I desired it distinctly understood that the amendment was not offered as any reflection upon the commissioners. I have not been able to follow the controversy in the newspapers at all; I do not know what their charges are. I stated in my opening remarks that the committee had made no investigation, but we put this provision in as a safety-valve in order that, in case of any difficulty, everything might be kept in a safe channel. I stated that in opposing the gentleman's amendment I did so for the purpose of being heard. I do not know that I shall object to its adoption. I want everything made as clear and strong as it can be in order that all proper interests may be safe and that these transactions shall be clean. I have no scintilla of information to indicate that they have not been clean so far as the commissioners are concerned; but learning that there were charges and counter-charges and defenses, I offered this amendment to the original bill.

Now, so far as this statement which was read by request goes of this being an effort on the part of the commissioners to forestall investigation, that can not be so.

Mr. TAULBEE rose.

Mr. HENDERSON, of Iowa. Just wait until I get through. In

view of what had appeared in the papers, when the commissioners came before us I asked them in reference to their mode of doing business. After it was given verbally I then asked them to reduce it to writing, and they brought it in here this morning. It, therefore, was not made to forestall any resolution of investigation, but was done at the suggestion of a member of the Committee on Appropriations.

I did not know about the gentleman's resolution; I suppose, however, it is in the interest of good government. If so, I will say to him that if these commissioners have been doing wrong I will follow him in curtailing their power to do so.

I wish gentlemen to understand that this amendment offered by myself was not intended as a reflection on the commissioners, and the statement I had read this morning is in no sense offered in order to forestall any investigation. If the gentleman has offered a resolution for an investigation it will of course have to take its chances. If the gentleman has any question to ask me I will yield to him to ask it. If he has no question to ask I will yield the floor.

Mr. TAULBEE. Mr. Chairman, while I have no question to ask the gentleman from Iowa, yet I wish to remark that if he had read the RECORD of last Wednesday he would have known that my resolution of investigation was introduced in the House last Tuesday. And certainly that was ample notice to the country of an effort to investigate.

But I have no desire to discuss the merits of the resolution of investigation. Neither do I have any prejudice against the commissioners, nor do I desire to cast any reflection upon them.

The CHAIRMAN. The gentleman's time has expired.

Mr. TAULBEE. I desire to be heard in opposition to the amendment.

The CHAIRMAN. But the gentleman's time has expired.

Mr. TAULBEE. I desire now to be recognized in opposition to the *pro forma* amendment.

Mr. SPINOLA. I will take my time and yield it to the gentleman from Kentucky.

The CHAIRMAN. The gentleman from New York takes the floor and yields his time to the gentleman from Kentucky, and he will proceed.

Mr. TAULBEE. Now, I want it to be understood that I cast no reflection upon the commissioners; but I think it is apparent, and it will be demonstrated when the examination of this transaction can be had by this House or by the committee, that most strenuous efforts and struggles to smother it have been made. I make that prediction without any desire to reflect on the gentleman or any other member of this House.

Mr. HENDERSON, of Iowa. I ask the gentleman where he gets his information?

Mr. TAULBEE. I do not desire to reflect on the gentleman in that particular; I will wait for future events to demonstrate if the proposed investigation should be entered upon.

Mr. HENDERSON, of Iowa. I wish to say to the gentleman from Kentucky that I know nothing about the resolution to which he refers.

Mr. TAULBEE. Do not take up my time; the gentleman has already said that. If the gentleman had attended to the proceedings this morning he would know all about it.

Mr. HENDERSON, of Iowa. When your resolution comes up for consideration I will vote then as I think right.

Mr. TAULBEE. Mr. Chairman, I say the resolution I have introduced is not the only evidence of such transactions in the nature of taking the people's money, and taking it wrongfully, by certain men. If $711, as appears by the newspaper report, has been taken by a man not a dealer in real estate, if one single cent has been taken from the taxes collected from the people, and which I have helped to make up, then I take it that man should be compelled to pay that money back.

If a profit of $1,100 in the purchase of another site for a school building has been had by an individual who has been designated by the commissioners to stand between the commissioners and the property-owners, I maintain that he should be compelled to pay that amount back. These are some of the purposes that I had in mind, and explain in part the objects sought to be attained by the investigation proposed. If these transactions never occurred, the ascertainment of that fact will only operate to vindicate the commissioners from the charge which the newspapers of the country have made against them in connection with these purchases; and I would be much more delighted to find them vindicated than to find that their transactions had been other than clean and straight.

The question was taken; and on a division there were—ayes 10, noes 7.

So the amendment was adopted.

Mr. BREWER. I now raise the point of order against the clause as amended.

The CHAIRMAN. The Chair overrules the point of order, as it is too late to make it now.

Mr. ATKINSON. I move to strike out the paragraph as amended.

The CHAIRMAN. Does the gentleman desire to be heard?

Mr. ATKINSON. I do.

The objection to this paragraph and the amendment also, or to the amended paragraph, is that it does not go far enough. I believe that no officer of the United States, here or elsewhere, should be permitted to purchase real estate at private sale, but that on the contrary there should be a general law in this District providing a means to take private property for public uses when it is needed; and that, in my judgment, is the only way such property should be taken. This paragraph and the amendment do not go to the extent of forbidding the purchase of real estate at private sale. The bill provides no machinery for the condemnation of real estate needed for the District purposes, but on the contrary it in effect admits the propriety of the purchase of real estate by the commissioners in person, and not by agents or any other person.

I believe that the commissioners of the District of Columbia are men of the very highest character. I should not utter a word on this floor that would impugn their character. But it seems to me that they are permitted here by that provision to exercise a very dangerous power, and one which might be used improperly, and they are always open to censure for doing such things as it is alleged they have done; that is, the purchase of private property whether through agents or not. On that account I think we should strip the bill of this paragraph, and that some carefully considered measure should be presented from the appropriate committee pointing out specifically just how such property may be acquired for District purposes.

The question being taken on the motion to strike out the paragraph as amended, there were, on a division—ayes 18, noes 27.

So the motion was rejected.

The Clerk read as follows:

That the plans and specifications for each of said buildings, and for all other buildings provided for in this act, shall be prepared by the inspector of buildings of the District of Columbia, and shall be approved by the Architect of the Capitol and the commissioners of the District, and said buildings shall be constructed by the commissioners in conformity therewith.

FOR METROPOLITAN POLICE.

For one major and superintendent, $2,700; one captain, $1,800; two lieutenants, inspectors, at $1,500 each; one chief clerk who shall also be property clerk, $1,800; one clerk, $1,500; one clerk, $900; four surgeons for the police and fire departments, at $480 each; for additional compensation for privates detailed for special service in the detection and prevention of crime, $1,440, or so much thereof as may be necessary; nine lieutenants, at $1,320 each; twenty-two sergeants, at $1,140 each; one hundred and forty-five privates, class 1, at $900 each; one hundred and forty privates, class 2, at $1,080 each; nineteen station-keepers, at $720 each; nine laborers, at $480 each; one messenger, $700; one messenger, $500; one major and superintendent, mounted, $240; one captain, mounted, $240; twenty-five lieutenants, sergeants, and privates, mounted, at $240 each; one van-driver, $360; one ambulance-driver, $480; one assistant ambulance-driver, at $300; five drivers of patrol-wagons, at $360 each; in all, $362,340.

For rent of police headquarters and station at Anacostia, $1,200; for fuel, $2,000; repairs to stations, $1,800; miscellaneous and contingent expenses, including stationery, books, telegraphing, photographs, printing, binding, gas, ice, washing, meals for prisoners, furniture and repairs thereto, beds, bed-clothing, insignia of office, purchase and care of horses, police equipments and repairs of same, harness, forage, repairs to vehicles, van, ambulance, and patrol wagons, and expenses incurred in prevention and detection of crime, and other necessary items, $14,000; remodeling station-house and for building for cells and lodging-rooms, third precinct, $7,000; stable for horse and patrol-wagon, and for grading yard and making gateway, third precinct, $2,500; remodeling station-house and for building for cells and lodging-rooms, fifth precinct, $7,000; purchase of lot adjoining fifth precinct station-house, $2,500; police signal and telephone system in fifth, seventh, or eighth precincts, including, horse, wagon, harness, and other necessary items, $4,500; for stables to accommodate the stock and vehicles for said system, $2,500; twelve additional stations for patrol service in sixth and ninth precincts, $2,400; for setting patrol boxes, $200; horse, harness, wagon, and mattress, $675; electrical apparatus for ninth precinct, $250; ambulance, $300; horse, $250; harness, $65; in all, $49,140.

FOR THE FIRE DEPARTMENT.

For one chief engineer, $1,800; one fire-marshal, $1,000; one clerk, $900; two assistant chief engineers, at $1,200 each; ten foremen, at $1,000 each; eight engineers, at $1,000 each; eight firemen, at $840 each; two tillermen, at $840 each; eleven hostlers, at $840 each; sixty-eight privates, at $800 each; six watchmen, at $600 each; one veterinary surgeon for all departments of the District government, $400; in all, $100,140.

For repairs to engine-houses, $2,000; repairs to apparatus and new appliances, $3,000; purchase of hose, $3,000; for fuel, $2,000; purchase of horses, $3,000; forage, $5,500; purchase of one chemical engine, $2,250; contingent expenses, including office-rent, horseshoeing, furniture, fixtures, washing, oil, medical and stable supplies, harness, blacksmithing, labor, gas, and other necessary items, $7,500; in all, $28,250.

TELEGRAPH AND TELEPHONE SERVICE.

For one superintendent, $1,600; one electrician, $1,200; two telegraph operators, at $1,000 each; three telephone operators, at $600 each; one expert repairman, $960; two repairmen, at $720 each; two laborers, at $400 each; in all, $9,800.

For general supplies, repairs, new batteries and battery supplies, telephone rental, wire, extension of the telegraph and telephone service, repairs of lines, purchase of poles, insulators, brackets, pins, hardware, cross-arms, gas, fuel, ice, record-books, stationery, printing, office-rent, purchase of horses and harness, washing, blacksmithing, forage, extra labor, new boxes, and other necessary items, $7,000.

That the commissioners of the District of Columbia shall not hereafter permit or authorize any additional telegraph, telephone, electric lighting, or other wires to be erected or maintained on or over any of the streets or avenues of the cities of Washington and Georgetown, and all laws or parts of laws which may be in conflict with this provision are hereby repealed: *Provided*, That the commissioners of the District may, hereafter, under such reasonable conditions as they may prescribe, authorize the wires of any existing telegraph, telephone, or electric light company now operating in the District of Columbia, or any electric light company with whom contract may be made for the public lighting, to be laid under any street, alley, highway, foot-way, or sidewalk in the District, whenever in their judgment the public interest may require the exercise of such authority, such privileges as may be granted hereunder to be revocable at the will of Congress without compensation.

Mr. ATKINSON. I make the point of order against the last paragraph, beginning on page 24, line 21, and ending with line 12 on page 25.

The CHAIRMAN. What point of order does the gentleman make?

Mr. ATKINSON. That it changes existing law.

Mr. CLEMENTS. This is undeniably a new provision, but in the opinion of the committee it is a clause in the interest of the public comfort and safety, which I hope the gentleman from Pennsylvania will not see proper to seek to have ruled out on the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

HEALTH DEPARTMENT.

For one health officer, $3,000; six sanitary inspectors, at $1,200 each; two food inspectors, at $1,200 each; one inspector of marine products, $1,200; for one clerk, $1,800; one clerk, $1,400; two clerks, at $1,200 each; one clerk, $1,000; one messenger, $540; one pound-master, $1,200; laborers, at not exceeding $30 per month, $1,440; one ambulance driver, $480; and for contingent expenses, including books, stationery, fuel, rent, repairs to pound and vehicles, forage, meat for dogs, horseshoeing, painting, and other necessary items, $4,000; collection and removal of garbage, $20,000; in all, $48,060.

Mr. HOPKINS, of Illinois. I make the point of order against that provision, that it changes existing law. I mean that portion of it fixing the amount at $20,000 for the removal of garbage, in line 4 on page 26.

Mr. CLEMENTS. That changes no law. It is merely a question of the amount that shall be allowed.

Mr. HOPKINS, of Illinois. I invoke the ruling of the Chair enforced lately when I desired to increase the salary of the superintendent of schools.

The CHAIRMAN. The Chair overrules the point of order.

The Clerk read as follows:

COURTS.

For the police court: For one judge, $3,000; one clerk, $2,000; one deputy clerk, $1,000; two bailiffs, at $3 per day each; one messenger, $900; one doorkeeper, $540; United States marshal's fees, $1,400; contingent expenses, including compensation of a justice of the peace acting as judge of the police court during the absence of said judge, not exceeding $300; books, stationery, fuel, ice, gas, and other necessary items, $800; for witness fees, $3,000; in all, $14,518.

Defending suits in claims: For necessary expenses in examination of witnesses and procuring evidence in the matter of claims against the District of Columbia in the Departments, and defending suits against said District in the Court of Claims, to be expended under the direction of the Attorney-General, $2,500.

Writs of lunacy: To defray the expenses attending the execution of writs *de lunatico inquirendo*, and commitments made thereunder, in all cases of indigent insane persons committed to the Government Hospital for the Insane by order of the executive authority of the District of Columbia under the provisions of the act approved March 3, 1877, $2,000.

INTEREST AND SINKING FUND.

For interest and sinking fund on the funded debt, exclusive of water bonds, $1,213,947.97.

MISCELLANEOUS EXPENSES.

For rent of District offices, $3,600; for general advertising, $3,000; for books, and repairs of books for register of wills, $200; to enable the register of wills to complete the assorting, briefing, indexing, and filing the records of his office, and reproducing the administration and guardian dockets, prior to 1879, including clerical service and purchase of file-holders and books, $1,000; printing, checks, damages, forage, care of horses not otherwise provided for, horseshoeing, fuel, ice, gas, repairs, insurance, rebinding and repairing records, and other general necessary expenses of District offices, $7,000; in all, $14,800.

EMERGENCY FUND.

To be expended only in case of emergency, such as riot, pestilence, calamity by flood or fire, and of like character, and in all other cases of emergency not otherwise sufficiently provided for, $5,000: *Provided*, That in the purchase of all articles provided for in this act no more than the market price shall be paid for any such articles, and all bids for any of such articles above the market price shall be rejected.

FOR REFORMATORIES AND PRISONS.

For Washington Asylum: For one intendant, $1,200; one matron, $600; one visiting physician, $1,080; one resident physician, $480; one clerk, $600; one baker, $420; one overseer, $800; five overseers, at $600 each; one engineer, $600; one assistant engineer, $350; one second assistant engineer, $300; five watchmen, at $365 each; one blacksmith, $300; one hostler and ambulance-driver, $240; one female keeper at workhouse, at $300; one female keeper at workhouse, at $180; two cooks, at $120 each; three cooks, at $60 each; one nurse, $180; four nurses, at $60 each; one teacher, $300; in all, $13,415.

For contingent expenses, including improvements and repairs, provisions, fuel, forage, lumber, shoes, clothing, dry goods, hardware, medicines, repairs to tools, cars, tracks, steam-heating and cooking apparatus, painting, and other necessary items and services, $40,000.

For Reform School: For one superintendent, $1,500; assistant superintendent, $900; teachers and assistant teachers, $3,500; matron of school, $600; three matrons of families, at $180 each; superintendent of chair-shop, $660; farmer, $480; engineer, $396; baker, cook, shoemaker, and tailor, at $300 each; two dining-room servants, seamstress, chambermaid, and laundress, at $144 each; florist, $360; watchmen, not exceeding five in number, $1,140; secretary and treasurer of board of trustees, $600; in all $12,596.

For support of inmates, including groceries, flour, feed, meats, dry goods, leather and shoes, gas, fuel, hardware, table ware, furniture, farm implements and seeds, harness and repairs to same, fertilizers, books, stationery, plumbing, painting and glazing, medicines, medical attendance, stock, fencing, repairs to buildings, and other necessary items, including compensation, not exceeding $900, for additional labor or services, and for transportation and other necessary expenses incident to securing suitable homes for discharged boys, not exceeding $500, all under the control of the commissioners, $26,000.

For grading, draining, and permanently improving grounds, $600.

For coal-vaults, $1,000.

For the Industrial Home School: For maintenance of inmates and salaries of superintendent and employés, the promotion of industries, and general repairs, and other necessary expenses, all under the control of the commissioners, $10,500.

Transportation of paupers and prisoners: For transportation of paupers and conveying prisoners to the workhouse, $1,000.

For support of the insane:

For support of the indigent insane of the District of Columbia in the Government Hospital for the Insane in said District, as provided in sections 4844 and 4850 of the Revised Statutes, $85,000.

For charities:

For relief of the poor, $15,000.

For the support and maintenance of the Columbia Hospital for Women and Lying-in Asylum, $15,000.

For the Women's Christian Association, $4,000.

For the National Association for Destitute Colored Women and Children, $9,000.

To enable said association to care for colored foundlings, $1,000.

For the Children's Hospital, $5,000.

For St. Ann's Infant Asylum, $6,000.

Mr. CLEMENTS. I offer the amendment I send to the desk.

The Clerk read as follows:

After line 18, on page 31, insert "to complete the erection of additional accommodations for the use of St. Rose's Industrial School, $5,000."

The amendment was adopted.

The Clerk read as follows:

For maintenance of the Church Orphanage Association of St. John's Parish of the District of Columbia, $1,500.

For the Washington Hospital for Foundlings, for maintenance, $7,000.

Association for Works of Mercy, for purchase of lot, $3,000; for maintenance and repairs, $2,500; in all, $5,500.

For the National Homeopathic Hospital Association of Washington, D. C., for maintenance, $5,000.

For maintenance of the National Temperance Home, $1,500.

Mr. CANNON. I offer the amendment I send to the desk.

The Clerk read as follows:

On page 32, in line 7, strike out the word "one" and insert "two."

Mr. CANNON. This is the provision for the maintenance of the National Temperance Home, and increases the amount to $2,500. I think there is no objection to the amendment.

The amendment was adopted.

The Clerk read as follows:

That hereafter the several institutions included under the heads of asylums, reformatories, industrial schools, and charities named in the annual appropriation acts for the support of the District of Columbia shall report to the commissioners of the District, on or before the 1st day of October of each year, a full and detailed account of receipts and expenditures, and all their operations, and said commissioners shall transmit the same to Congress at the beginning of each regular session, with such suggestions and recommendations as they may deem pertinent, together with estimates for maintaining the same.

WATER DEPARTMENT.

The following sums are hereby appropriated to carry on the operations of the water department, to be paid wholly from its revenues, namely:

For one chief clerk, $1,500; two clerks at $1,400 each; one clerk, $1,000; one superintendent, $1,600; one draughtsman, $1,500; one messenger, $600; one inspector, at $3 per day, $936; six inspectors, at $900 each; contingent expenses, including books, blanks, stationery, forage, advertising, printing, and other necessary items and services, $3,000; in all, $18,366.

For engineers and firemen, fuel, material for high service, in Washington and Georgetown, pipe distribution to high and low service, including public hydrants, fire-plugs, material and labor, repairing and laying new mains, and lowering mains, $86,000.

For interest and sinking fund on water-stock bonds, $44,610.

For interest on account of increasing the water supply, as provided in the act of July 15, 1882, $33,399.91.

For sinking fund on account of increase of water supply, under act of July 15, 1882, $53,015.73.

SEC. 2. That said commissioners shall not make requisitions upon the appropriations from the Treasury of the United States for a larger amount during the fiscal year 1890 than they make on the appropriations arising from the revenues, including drawback certificates, of said District.

SEC. 3. That the Treasurer of the United States is hereby directed and authorized to apply such portion as may be deemed expedient of any surplus which may remain at the close of the fiscal year 1889, and of each fiscal year thereafter, of the general revenues of the District of Columbia in excess of one-half of those appropriations, payable equally out of the revenues of the District and the United States, to the payment of the balance yet remaining unpaid of the debt of the District of Columbia created by the act approved July 15, 1882, entitled "An act to increase the water supply of the city of Washington, and for other purposes:" *Provided*, That the amount of said surplus shall first be reported to the commissioners of the District of Columbia and the Treasury of the United States by the First Comptroller of the Treasury when called upon to do so.

Mr. HEMPHILL. I raise the point of order against the third section, on page 35, that it is new legislation.

Mr. CLEMENTS. I hope the gentleman will not insist upon that, and that he will hear me one moment. This is identical with a provision passed by the House unanimously at the last session to provide against the accumulation of the surplus. There is a debt bearing a rate of 3 per cent. interest which the people of the District have to pay. It seems bad policy to allow this surplus to lie and accumulate while the District is paying this rate of interest. I think it is perfectly safe to say that there will be ample money to carry on all the business of the District, and let this money go to in part liquidate this debt. I hope the gentleman will not insist upon the point of order. The provision was passed upon unanimously by the House at the last session, and was lost in the Senate.

Mr. HEMPHILL. I raised the point of order, Mr. Chairman, upon the ground that the debt which this is intended to provide for was created in 1882 for the express purpose of providing water facilities for this city; and it was provided in that act that the debt which the District of Columbia incurred in making these improvements should be paid in twenty-five years, by regular installments until paid, out of the surplus water rents which were received from those citizens of this District who enjoyed these additional facilities. The money which will be appropriated under this section, if it pass, is raised by taxation from the property-holders in the District of Columbia. There are many people

here who did not enjoy any of the water facilities and other improvements that have been made.

It is unfair to them to take the money which has been raised by taxation through a levy of the District commissioners and apply it to the payment of a debt which was created for the establishment of waterworks which are enjoyed by a portion of the people only; and it is on that ground that I raise the point of order. I believe my friend from Georgia [Mr. CLEMENTS] does not contend that it is not objectionable to the rule. I have raised the point of order because there are special provisions under the law for paying this debt in a regular, orderly way, with the rents for the water which are subject to the debts for these water-works, and by which the debt will be paid by those for whose benefit it has been incurred; whereas, if this bill passes with this provision in it, there are a number of people outside of the city of Washington and Georgetown, in the District of Columbia, who will pay their taxes on the liquidation of this debt, while they are receiving no benefit from it; and it was not contemplated in the original act that they should pay any portion of it.

Mr. CLEMENTS. I submit that it is not subject to a point of order. It is public money belonging to the District. This is an appropriation bill, and it is simply an appropriation of money for the extinguishment of a debt. There are other appropriations in the bill for the sinking fund. This simply provides for the partial payment of another debt. It does not interfere with the continuation of the payment of the balance of that debt by whatever is left after the payment of this surplus.

There is provided by existing law a regular sinking fund. It is in addition to that, and is simply to appropriate the surplus money of the District of Columbia for the payment of this debt. I think at the beginning of the fiscal year there was to the credit of the District of Columbia over $700,000, and at the end of this fiscal year there will probably be not less than $1,000,000 of idle surplus. What does the gentleman propose to do with this money?

Mr. HEMPHILL. This section provides—

That the Treasurer of the United States is hereby directed and authorized to apply such portion as may be deemed expedient of any surplus which may remain at the close of the fiscal year 1889, and of each fiscal year thereafter, of the general revenues of the District of Columbia in excess of one-half of those appropriations, etc.

Now, this bill purports to be a bill making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1890, and for other purposes. Well, now, if this is something that has not already been provided for by law, then it can be enacted in this bill; otherwise it can not.

The rule expressly provides "that no appropriation shall be reported in any general appropriation bill, or be in order in any amendment thereto, for any expenditure not previously authorized by law." Now, it can hardly be contended that there is any general law upon the subject of authorizing the diversion of the surplus money in the hands of the commissioners for the payment of a debt that the people of this District owe. If there is such a law, then this section is surplusage, and ought to be stricken out; but if there is no such law, then it is substantially new legislation, and can not be carried on an appropriation bill. If the gentleman desires to remedy the effect of an accumulating surplus, and if there is more money in the hands of the District commissioners than is necessary, they can lessen expenditures and not divert money which has been raised for one purpose to the payment of a debt which is already specifically provided for, and by other people, who are not receiving the benefits of that debt.

Mr. CANNON. I would like to say a word on this point of order.

Mr. CLEMENTS. Does the gentleman from South Carolina [Mr. HEMPHILL] think it is not good Democratic doctrine to pay out the surplus in discharge of honest indebtedness?

Mr. HEMPHILL. Yes; but not out of money that has been provided for another purpose.

Mr. CANNON. I would like to say a word about this point of order, and, to make myself understood in saying that I think that substantially this section is not subject to the point of order, I want to call the attention of the Chair to the fact that some years ago it was thought to be necessary that there should be an extension of the water system of the District. The District had not the money to pay for it, and an appropriation was made from the general Treasury of the United States, by way of advance to the District, to make these improvements. Also, it was provided, as I recollect, that the water rent should be used to make a sinking fund looking towards the payment of this debt, or this advance of money by the United States made from the Federal Treasury.

The money was advanced by virtue of that appropriation and the water system was extended. As the years have rolled around there has been accumulated from taxation, as the gentleman from South Carolina [Mr. HEMPHILL] has said, a surplus amounting, as stated by my colleague on the committee, from Georgia [Mr. CLEMENTS], to about $700,000. This constitutes a fund from which some gentlemen —not the mass of the people of the District, but various special interests—are desirous of having liberal appropriations made, which, in our judgment, are not judicious. Now, it occurs to me that it is competent, as the gentleman from Georgia [Mr. CLEMENTS] has said, to appropriate money from year to year to pay the debts of the District. This provision does not propose to change the law which levies a water rent for this service; by no manner of means. It simply takes the money in the Treasury and appropriates it to the payment of a debt which the District owes.

I am inclined to think that possibly there is one clause or one provision in this section which may render it subject to a point of order, and if the Chair should so hold, then I hope my colleague from Georgia [Mr. CLEMENTS] will offer the amendment free from that provision. It is to be found in lines 16 and 17: "and of each fiscal year thereafter." This is an annual appropriation bill, providing for the expenditure of money for the carrying on of the affairs of the District and the payment of the debts of the District for this fiscal year; and perhaps this provision is subject to the criticism which the gentleman from South Carolina [Mr. HEMPHILL] makes upon it, that it proposes to make a permanent appropriation of the surplus, not only for this year, but for future years. But I think that if the Chair will examine the question closely he will find that, with the modification I have suggested, the provision is unquestionably in order.

If it were proper, I would be glad to discuss the merits of this proposition. The objection of the gentleman from South Carolina does not commend itself to me when he says that this fund was raised by general taxation and that this is a proposition to relieve people who consume water from the burden of paying for it. I would reply that this surplus is in the Treasury and not drawing interest, and that this debt is owing by the District, and that it is in the line of good legislation and of economy that this $700,000 should be applied to the payment of that debt, as it may be, and the payment of interest stopped, instead of being allowed to constitute a fund to beget extravagant expenditures, which are not intended for the benefit of the many in the District, but for the benefit of the few, who often seek appropriations, as I am compelled to believe, for the purpose of advancing property in limited sections of the District rather than for the general good.

I believe that the Chair, upon a full and fair examination, will see that this clause is not subject to the point of order, and if the question is evenly balanced in the mind of the Chair, then I trust that, in the line of economy and in the interest of sound public policy, he will throw the doubt, if there be any, in favor of the clause and not against it.

Mr. HEMPHILL. I concur most heartily in what the gentleman from Illinois says about the desirableness of economy in public expenditures. We are all great professors of political economy here.

Mr. CANNON. But you do not practice it.

Mr. HEMPHILL. Many of us do not always practice what we preach, but I am satisfied that if the Chair will examine this section he will find that not only are the words referred to by the gentleman from Illinois objectionable under this clause of Rule XXI to which I have referred, but that the whole provision is so. The gentleman has referred to the fact that this is not new legislation, or would not be if these words were stricken out, but the rule provides for two things which can not be put into an appropriation bill. One is an appropriation for an expenditure not previously authorized, and the other is new legislation. Now, if this expenditure has been previously authorized, this appropriation of the surplus to the payment of this debt, then if the gentleman from Illinois can put his hand on the law which authorizes it, that will settle the question.

Mr. CLEMENTS. If the gentleman will yield to me, I will have that law read now.

Mr. HEMPHILL. If there is such a statute, it settles the question.

Mr. CLEMENTS. I will ask the Clerk to read what I send to the desk, a part of the act of 1885 relative to this debt.

The Clerk read as follows:

And that the Treasurer of the United States, as sinking-fund commissioner of the District of Columbia, shall, after paying the interest of the funded indebtedness of the District, including the interest on the water bonds, out of the combined funds, invest the balance thereof on account of the several sinking funds in such bonds of the District of Columbia, including the water bonds, as he may deem most advantageous. * * *

To pay the interest on one-half of all moneys already advanced and that may be advanced to July 1, 1885, by the United States, excepting the amount advanced for constructing fish-ways under the provisions of an act approved July 15, 1882, entitled "An act to increase the water supply of the city of Washington, and for other purposes," $30,000, or so much thereof as may be required, said amount to be drawn from the Treasury only on the requisition of the Treasurer of the United States.

Mr. HEMPHILL. Has not the Clerk made a mistake in reading what has just been read?

Mr. CLEMENTS. I will ask the Clerk to read the residue of the paragraph.

The Clerk read as follows:

Provided, That hereafter it shall be the duty of the commissioners of the District of Columbia to include in their annual estimates for the expenses of the water department an estimate to be made by the Treasurer of the United States of the amount necessary to refund in not less than twenty-five annual installments one-half of the amount advanced by the United States under the said act of July 15, 1882, with interest on said amount at the rate of 3 per cent. per annum, computed annually on the principal sum remaining unpaid, in all $186,349.

Mr. CLEMENTS. I desire to call attention to the fact that there is an existing law creating this debt; the money was advanced by the Government to pay the whole expense originally; and up to this time all that has been expended has come out of the general Treasury of the United States. After a portion of the money had been expended, the

act from which the Clerk has just read was passed in order to secure a repayment of the District's half of that indebtedness. It was provided that this repayment should be made in not less than twenty-five annual installments, and that the commissioners of the District should make estimates for this purpose. They have made estimates in accordance with that act.

There is existing law by which this debt has been created; there is existing law providing for the payment of the debt in not less than twenty-five annual installments; a portion of those installments have already been paid; there is yet due by the District on that debt about $1,000,000. Now, what law do we contravene when we simply propose in this bill to pay more than the amount required to pay this indebtedness in twenty-five annual installments? Here is a surplus arising under existing law; here is a debt created by existing law, and provision made for its payment. We propose simply in effect an increase of that sinking fund—an application of the surplus to this indebtedness. The Chair will observe that the act simply fixed the minimum number of annual installments; it did not limit the amount which might be paid on this indebtedness at any given time.

Mr. HEMPHILL. Does the gentleman think that the law which has been read covers this case?

Mr. CLEMENTS. I do.

Mr. HEMPHILL. It seems to me to have no application to it. It simply provides, as the Chair will observe, that the Treasurer of the United States shall apply the surplus to the payment of a number of different kinds of bonds. The provision now under discussion undertakes to appropriate the whole surplus to a particular class of bonds.

Mr. CLEMENTS. The law provides for these among others.

Mr. HEMPHILL. Is it not a change of law to take away the discretion of the Treasurer under that statute to apply this money to the payment of a number of different classes of bonds and provide that he shall apply the whole surplus to these specific bonds?

Mr. CLEMENTS. That act simply provides a sinking fund to pay several different debts; and it provides that this indebtedness shall not be paid in less than twenty-five annual installments.

Mr. HEMPHILL. And this provision which you propose to adopt in this bill would take away the right of the Treasurer to apply this surplus to several different kinds of bonds and would make the surplus applicable to a particular class of bonds, not only for this year but for years to come.

Mr. CLEMENTS. Not at all; we provide for all the other bonds provided for in that act. The sinking fund is kept up. We do not propose to interfere in any way with the sinking fund in regard to other indebtedness.

I call attention to the further fact that the existing law does not require this debt to be paid out of any specific revenue, but out of the general revenues of the District.

Mr. HEMPHILL. Upon that point I would like to read to the Chair the language of this bill on page 33:

The following sums are hereby appropriated to carry on the operations of the water department, to be paid wholly from its revenues.

That has been the law as provided in every one of these appropriation bills—that the expenses of the water department are to be paid wholly from the revenues of that department. That was the original plan upon which the department was organized, and it has been followed ever since. This is a change from the original purpose and from the provisions of every preceding appropriation bill as well as from the very appropriation bill which the gentleman is now seeking to put through the House.

Mr. CANNON. Will the gentleman allow me an inquiry right there?

Mr. HEMPHILL. Yes, sir.

Mr. CANNON. What is there in the law to prohibit Congress from taking surplus money belonging to the District and appropriating it in payment of the debts which the District owes?

Mr. HEMPHILL. Well, sir, the rule of the House prohibits you from doing that very thing under existing law.

Mr. CANNON. I do not so understand.

Mr. HEMPHILL. If there is to be any appropriation of this money in this way, it must be by a separate act of Congress, not by a provision in a general appropriation bill; because this is not in accordance with any expenditure previously authorized by law.

Mr. CANNON. I submit to the Chair and to the gentleman from South Carolina that here is $700,000 in the District treasury, so to speak, not appropriated to any purpose and subject to appropriation of Congress acting for the District. Now, the District owns the money, and what is there in the law to prevent the appropriation under the rules of the House of that money, now lying idly in the Treasury, to the payment of a debt now due? In other words, the power that made the debt carried with it the power to pay it. As the debt is due, and we have the money to pay it, to my mind, according to the plainest principles of common sense, and I was going to say according to the plainest principles of common honesty, these rules do not mean, and can not be made to mean, that we are prohibited from passing an appropriation to apply the moneys now on hand to the payment of the debt.

Mr. HEMPHILL. I will state to the gentleman from Illinois that if he had listened to the law which was read by the gentleman from Georgia [Mr. CLEMENTS], in charge of the bill, he would have learned that this surplus has been already appropriated. If this means anything at all it appropriates it in a different manner to a specific debt.

Mr. CANNON. The gentleman can not find any rule which prohibits under a general appropriation bill, or anywhere else, the use of idle money toward the payment of a debt already due. Such construction on this or any other rule of the House is to my mind simply absurd.

Mr. HEMPHILL. The gentleman is entitled to his own opinion.

Mr. CANNON. That is my opinion.

Mr. HEMPHILL. Then, according to the gentleman, why could you not appropriate the surplus in the Treasury to the payment of any bonds? Can you do that? The rule says it must be expended. If you can use the money there, why can not you levy taxes and use them?

The CHAIRMAN. Does the gentleman claim that the act of 1882 providing for the extinguishment of these water bonds has been repealed by the act of 1885?

Mr. CANNON. The act of 1885?

The CHAIRMAN. No, the act of 1884.

Mr. CANNON. The act of 1884, as I recollect, created a sinking fund for the purpose of this indebtedness. Let me look at the act of 1884.

The CHAIRMAN. The Chair thinks this changes existing law, and sustains the point of order.

Mr. ROWELL. I ask unanimous consent to recur to page 9 of the bill for the purpose of offering an amendment to line 9 on that page. My purpose is to raise the appropriation for permit work from $100,000 to $200,000.

Mr. CLEMENTS. I feel constrained to object to that request. Acting on the part of the full committee, I would not feel warranted in agreeing to it.

Mr. ROWELL. I simply desire to say that I was not present when these pages were read or I should have offered the amendment.

The CHAIRMAN. Objection is made.

Mr. CLEMENTS. I move that the bill be laid aside to be reported to the House with the recommendation that it do pass.

The motion was agreed to.

PENSION APPROPRIATION BILL.

Mr. FORAN. I call the next appropriation bill on the Calendar, the bill (H. R. 11658) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1890, and for other purposes.

I will state in reference to this bill that it is identically the same bill as that passed by the House and Senate last year. It is the same law with this single exception, that the amount for rent, which in last year's bill was $18,200, has been reduced to $17,000 in this bill. The Commissioner of Pensions reports that the item for rent in the city of Washington has been reduced about $900. There will be a reduction by reason of the transfer of the pension agency from Syracuse to the public building at Buffalo, N. Y., and also perhaps a reduction by reason of the completion of the public building at Des Moines, Iowa. In all other respects the two pension bills are the same, except that some provisos in last year's bill have been omitted from this because they are now existing law.

I ask unanimous consent to dispense with the first formal reading of the bill, and that it be read by paragraphs for debate and amendment.

There was no objection, and it was so ordered.

The Clerk read as follows:

Be it enacted, etc., That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June 30, 1890, and for other purposes, namely:

For Army and Navy pensions as follows: For invalids, widows, minor children, and dependent relatives, and survivors and widows of the war of 1812, and with Mexico, $80,473,000: *Provided*, That the appropriation aforesaid for Navy pensions shall be paid from the income of the Navy pension fund so far as the same may be sufficient for that purpose: *And provided further*, That the amount expended under each of the above items shall be accounted for separately: *And provided further*, That hereafter all United States officers now authorized to administer oaths are hereby required and directed to administer any and all oaths required to be made by pensioners and their witnesses in the execution of their vouchers for their pensions free of charge.

For fees and expenses of examining surgeons for services rendered within the fiscal year 1890, $1,000,000. And each member of each examining board shall, as now authorized by law, receive the sum of $2 for the examination of each applicant whenever five or a less number shall be examined on any one day, and $1 for the examination of each additional applicant on such day: *Provided*, That if twenty or more applicants appear on one day, no fewer than twenty shall, if practicable, be examined on said day, and if fewer examinations be then made, twenty or more having appeared, then there shall be paid for the first examinations made on the next examination day the fee of $1 only until twenty examinations shall have been made.

Mr. HOLMAN. Mr. Chairman, I believe the language used here in reference to examining surgeons is the same as the present law, and I suggest to the gentleman from Ohio that this provision, having been in the bill three or four years, ought to be made a permanent provision. I will therefore, with his consent, move to strike out the words in line 14 of the bill, "as now authorized by law," and insert, after the word "shall," the word "hereafter;" so that it will read:

And each member of each examining board shall hereafter receive the sum of $2, etc.

Mr. FORAN. There is no objection to that.

The amendment was adopted.

The Clerk resumed and concluded the reading of the bill, as follows:

For the salaries of eighteen agents for the payment of pensions, at $4,000 each, $72,000. For clerk-hire, $178,000: *Provided*, That the amount of clerk-hire for each agency shall be apportioned as nearly as practicable in proportion to the number of pensioners paid at each agency.

For fuel, $750.

For lights, $750.

For stationery and other necessary expenses, to be approved by the Secretary of the Interior, $16,000.

For rents, $17,000.

Mr. FORAN. I move that the bill be laid aside to be reported to the House with the recommendation that it do pass.

The motion was agreed to.

Mr. CLEMENTS. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. TURNER, of Georgia, having taken the chair as Speaker *pro tempore*, Mr. BLOUNT reported that the Committee of the Whole House on the state of the Union, having had under consideration the District of Columbia appropriation bill and the pension appropriation bill, had directed him to report the same to the House with sundry amendments.

BILLS PASSED.

The SPEAKER *pro tempore*. The Clerk will report the title of the first bill reported from the Committee of the Whole.

The Clerk read as follows:

A bill (H. R. 11651) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1890, and for other purposes.

Mr. CLEMENTS. I ask unanimous consent that the amendments reported from the Committee of the Whole may be considered and voted upon together.

There being no objection, the amendments were considered and adopted.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. CLEMENTS moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER *pro tempore*. The Clerk will report the title of the next bill reported from the Committee of the Whole.

The Clerk read as follows:

A bill (H. R. 11658) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1890, and for other purposes.

The amendment recommended by the Committee of the Whole was adopted.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. FORAN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

And then, on motion of Mr. MCMILLIN (at 3 o'clock and 50 minutes p. m.), the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. HARMER: A bill (H. R. 11701) for the relief of the building and mutual loan associations of the District of Columbia—to the Committee on the District of Columbia.

By Mr. ADAMS: A bill (H. R. 11702) granting a pension to Louis Woerner—to the Committee on Invalid Pensions.

By Mr. BURNES: A bill (H. R. 11703) granting a pension to Patrick Feeley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11704) granting a pension to Banner Brunnuit—to the Committee on Invalid Pensions.

By Mr. BLAND: A bill (H. R. 11705) to increase the pension of C. M. Mathews—to the Committee on Invalid Pensions.

By Mr. CASWELL: A bill (H. R. 11706) granting a pension to John Voit—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11707) granting an increase of pension to Gertrude Northop—to the Committee on Invalid Pensions.

By Mr. CATCHINGS: A bill (H. R. 11708) for the relief of Allie V. Askew, administratrix of W. W. Neeley, deceased—to the Committee on War Claims.

Also, a bill (H. R. 11709) for the relief of Caroline C. Hedges—to the Committee on War Claims.

Also, a bill (H. R. 11710) for the relief of Aaron Stanton and James C. Brandon, executors of Charlotte S. Brandon, deceased—to the Committee on War Claims.

By Mr. DOCKERY: A bill (H. R. 11711) granting a pension to Nona J. Tillery, minor child of Wyatte L. Tillery—to the Committee on Invalid Pensions.

By Mr. GEAR: A bill (H. R. 11712) granting a pension to Jacob Kappenhofer—to the Committee on Invalid Pensions.

By Mr. HARE: A bill (H. R. 11713) for the relief of William R. Baker—to the Select Committee on Indian Depredation Claims.

By Mr. HERMANN: A bill (H. R. 11714) to provide increase of pension to James Waters, formerly of Captain Weatherbye's Company of Pennsylvania Militia, war of 1812—to the Committee on Pensions.

By Mr. HOLMAN: A bill (H. R. 11715) increasing the pension of Moses Crawford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11716) granting a pension to Joseph M. Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11717) granting a pension to Mildred Pate—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11718) granting a pension to Johanna Knab—to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 11719) granting a pension to Stephen Damacher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11720) granting a pension to Pauline T. Carpenter, widow of Lee Carpenter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11721) making an appropriation of $1,950 to reimburse Messrs. Crumbo & Melcher for money lost on their contract for the construction of a roadway from New Albany, Ind., to the national cemetery near that place—to the Committee on Claims.

By Mr. HOVEY: A bill (H. R. 11722) for the relief of Elizabeth J. Small—to the Committee on Invalid Pensions.

By Mr. LAWLER: A bill (H. R. 11724) for the relief of Martin Keating—to the Committee on War Claims.

By Mr. MATSON: A bill (H. R. 11725) granting a pension to Bennett J. Crowder—to the Committee on Invalid Pensions.

By Mr. MILLIKEN: A bill (H. R. 11726) granting a pension to S. U. Fletcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11727) for the relief of Mary C. Stevens—to the Committee on Invalid Pensions.

By Mr. MOFFITT: A bill (H. R. 11728) granting a pension to Delia W. Monshall—to the Committee on Invalid Pensions.

By Mr. NICHOLS: A bill (H. R. 11729) for the relief of Christopher G. Holt—to the Committee on War Claims.

By Mr. PHELPS: A bill (H. R. 11730) granting a pension to Catherine Flicke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11731) granting a pension to Eliza J. Booth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11732) granting a pension to Ellen O'Malley—to the Committee on Invalid Pensions.

By Mr. PLUMB: A bill (H. R. 11733) granting a pension to H. W. Wixom—to the Committee on Invalid Pensions.

By Mr. ROGERS: A bill (H. R. 11734) for the relief of John L. Green—to the Committee on War Claims.

Also, a bill (H. R. 11735) to amend an act entitled "An act to authorize the Fort Smith and Choctaw Bridge Company to construct a bridge across the Poteau River, in the Choctaw Nation, near Fort Smith, Ark."—to the Committee on Commerce.

By Mr. SAWYER: A bill (H. R. 11736) granting a pension to Margaret M. Nugent—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11737) granting a pension to Rebecca D. Vedder—to the Committee on Invalid Pensions.

By Mr. SHERMAN: A bill (H. R. 11738) granting a pension to Sarah McTavey—to the Committee on Pensions.

By Mr. SIMMONS: A bill (H. R. 11739) for the relief of William Merrick, of North Carolina—to the Committee on War Claims.

By Mr. SNYDER (by request): A bill (H. R. 11740) for the relief of E. F. Gobel, of Illinois—to the Committee on Claims.

By Mr. CHARLES STEWART: A bill (H. R. 11741) granting a pension to Alexander M. Boatright—to the Committee on Pensions.

By Mr. STONE, of Kentucky: A bill (H. R. 11742) for the relief of J. G. Peebles—to the Committee on War Claims.

Also, a bill (H. R. 11743) for the relief of George W. Craig—to the Committee on Invalid Pensions.

By Mr. SYMES: A bill (H. R. 11744) for the relief of Dr. Edward Dunscomb—to the Committee on War Claims.

By Mr. O. B. THOMAS: A bill (H. R. 11745) granting a pension to Oscar N. Lampson—to the Committee on Invalid Pensions.

By Mr. TOWNSHEND: A bill (H. R. 11746) to pension Elias W. Welden—to the Committee on Invalid Pensions.

By Mr. WHEELER: A bill (H. R. 11747) to appropriate $500 to pay balance of rent of court building in Huntsville, Ala., for the year 1888—to the Committee on Claims.

By Mr. YODER: A bill (H. R. 11748) granting a pension to John S. Long—to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. CATCHINGS: Petition of Mrs. C. W. Partee, of Quitman County, Mississippi, for herself and other heirs of Mrs. Mary J. Jackson Hord, for reference of their claim to the Court of Claims—to the Committee on War Claims.

By Mr. CLARDY: A bill to improve the harbor of St. Louis, Mo.—to the Committee on Rivers and Harbors.

By Mr. COX: Memorial of the committee on centennial celebration

of Washington's inauguration at New York City—to the Committee on the Judiciary.

By Mr. CUTCHEON: Petition of J. H. Hawkins and 13 others, and of J. Eason and 14 others, of Ensley, Mich., in favor of pure food and lard—to the Committee on Agriculture.

By Mr. DIBBLE: Papers in the claim of E. Sherod Metz, of Lexington, S. C.

By Mr. FRENCH: Petition of James C. English and others, asking an appropriation for building breakwater in harbor of New Haven, Conn.—to Committee on Rivers and Harbors.

By Mr. HARE: Petition of sundry citizens of Montague County, Texas, for the establishment of a Federal court, etc.—to the Committee on the Judiciary.

By Mr. HOUK: Petition of E. E. McCroskey, of Knoxville, Tenn., relative to duty on coal—to the Committee on Ways and Means.

By Mr. LEE: Petition of L. H. Luckett, of Edmund Hogg, and of South Fork Grange, of Loudoun County, and of Grange No. 34, of Cuckoo, Va., in favor of pure lard and food—to the Committee on Agriculture.

By Mr. MILLIKEN: Petition of Mary C. Stevens, for a pension—to the Committee on Invalid Pensions.

By Mr. O'DONNELL: Petition of A. J. Courtright and others, citizens of Jackson and Calhoun Counties, Michigan, in favor of pure lard—to the Committee on Agriculture.

By Mr. PETERS: Petition of John C. Evans, late private Company H, Twenty-first Kentucky Infantry, for relief—to the Committee on Invalid Pensions.

Also, petition and papers in the case of Daniel Danielson, for a pension—to the Committee on Invalid Pensions.

By Mr. PLUMB: Petition of Mrs. Annie Lucas, for compensation as laundress to Union and Patent Office hospitals—to the Committee on Claims.

By Mr. ROGERS: Petition of Thomas B. Paine and of John L. Green, of Arkansas, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. TOWNSHEND: Affidavit to accompany House bill for the relief of W. H. Bladis—to the Committee on War Claims.

By Mr. VANDEVER: A bill for the improvement of San Diego Harbor, California—to the Committee on Rivers and Harbors.

By Mr. WILLIAMS: Petition of Henry Klockenbring, for an original invalid pension—to the Committee on Invalid Pensions.

The following petitions against the passage of the international copyright bill were received, and severally referred to the Committee on Patents:

By Mr. J. E. CAMPBELL: Of William S. McMush, of Moscow, Ohio.

By Mr. COX: Of B. Koenig, of New York City.

By Mr. CUTCHEON: Of George S. Stout and others, of Michigan.

By Mr. DUNN: Of E. D. Estes, of Corning, Ark.

By Mr. GEAR: Of Nauer & Lorsheter, of Fort Madison, Iowa.

By Mr. GIFFORD: Of C. Boyd Barrett, of Aberdeen, Dak., and of Kanause & Bents, of Woonsocket, Dak.

By Mr. HAUGEN: Of F. W. Phillips, of Schmitz & Muette, and of M. B. Kimball, of Wisconsin.

By Mr. JACKSON: Of C. W. Hazzard, of Monongahela City, Pa.

By Mr. KENNEDY: Of E. B. Lewis, of H. S. Taylor, and of T. E. Haywood, of Ohio.

By Mr. LONG: Of A. H. Fuller, of Brockton, Mass.

By Mr. NUTTING: Of A. M. White, of Auburn, N. Y.

By Mr. PHELPS: Of Edward B. Haines, of Paterson, N. J.

By Mr. PLUMB: Of J. V. Park, of Joliet, Ill.

By Mr. RICE: Of George K. Shaw, editor of the Evening Star, of Minneapolis, and of E. F. Barrett, publisher of the Democrat, of Stillwater, Minn.

By Mr. HENRY SMITH: Of A. A. McIntire and George A. Workham, of Independence, Wis.

By Mr. STAHLNECKER: Of J. G. P. Holden, of Yonkers, N. Y.

By Mr. STEPHENSON: Of W. H. Holmes, of Waupaca, Wis.

By Mr. CHARLES STEWART: Of C. P. B. Medlenka, of Houston, Tex.

SENATE.

TUESDAY, *December* 11, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

JONATHAN CHACE, a Senator from the State of Rhode Island, appeared in his seat to-day.

COAST AND GEODETIC SURVEY REPORT.

The PRESIDENT *pro tempore* laid before the Senate the following message from the House of Representatives; which was read:

IN THE HOUSE OF REPRESENTATIVES, *December* 7, 1888.

Ordered, That the Clerk be directed to request the Senate to furnish the House with a duplicate copy of Senate concurrent resolution to print 5,000 additional copies of the report of the Superintendent of the United States Coast and Geodetic Survey, the original having been lost.

The PRESIDENT *pro tempore*. The request will be complied with, if there be no objection.

MRS. ELLA M. GROVER.

The PRESIDENT *pro tempore* laid before the Senate the amendment of the House of Representatives to the bill (S. 2254) to increase the pension of Mrs. Ella M. Grover, which was, in line 6, before the word "dollars," to strike out "fifty" and insert "forty-five."

Mr. DAVIS. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

REPORT OF COAST AND GEODETIC SURVEY.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting the report of the Superintendent of the Coast and Geodetic Survey for the year 1888; which, on motion of Mr. SHERMAN, was, with the accompanying report, referred to the Committee on Printing.

REPORT OF COURT OF CLAIMS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Clerk of the Court of Claims, transmitting, in pursuance of section 1057 of the Revised Statutes of the United States, a statement of judgments rendered by that court for the year ending November 30, 1888, the amounts thereof, the parties in whose favor rendered, and a brief synopsis of the claims upon which those judgments were rendered; which, with the accompanying report, was referred to the Committee on Appropriations, and ordered to be printed.

DISTRICT ELECTRIC WIRES.

The PRESIDENT *pro tempore* laid before the Senate a communication from the president of the commissioners of the District of Columbia, transmitting the report of Maj. Charles W. Raymond, Corps of Engineers, United States Army, engineer commissioner of the District of Columbia, on the subject of the best method of removing all electric wires from the air or surface of the streets, avenues, and alleys, and the best method of interring the same under-ground, and such legal regulation thereof as may be needed, and what manner of conduit should be constructed and maintained, etc., which report was adopted by the board; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of the board of managers of the Temporary Home for Sailors and Soldiers, Grand Army of the Republic, of the District of Columbia, praying that an appropriation of $2,500 be made to sustain that institution; which was referred to the Committee on Appropriations.

Mr. PLUMB presented a petition adopted by a meeting of late soldiers of the Union Army held recently in Elk County, Kansas, praying for the passage of certain pension legislation; which was referred to the Committee on Pensions.

Mr. CHANDLER. I present the petition of J. Joyner and 194 other citizens of South Carolina, who state that they are twenty-one years of age, and male residents of the county of Orangeburgh and the voting precinct of Zeigler, and are legally qualified to register and vote; that on the 6th day of November, 1888, they presented themselves at said voting precinct in order to vote for Presidential electors and member of Congress, and that they were denied the right to vote. The petitioners state that they made every reasonable effort to become qualified to vote according to the registration laws of the State, but were denied an equal chance and the same opportunity to register as was accorded to other of their fellow-citizens. They state that they intended to vote for the Republican electors and for S. W. McKinlay for member of Congress.

The petitioners pray that Congress shall investigate the facts stated and the practical workings of the registration and election laws of South Carolina, and devise some means to secure to the petitioners the free exercise of the rights guarantied to them by the constitution of South Carolina and the laws and Constitution of the United States.

I desire to have the petition referred to the Committee on Privileges and Elections, and I present a letter addressed to myself to be transmitted to the committee with the petition, the letter making some statements with reference to the circumstances which have led to the preparation and presentation of the petition.

The PRESIDENT *pro tempore*. The petition and accompanying letter will be referred to the Committee on Privileges and Elections, if there be no objection.

Mr. FARWELL presented the petition of Sarah J. Hay, widow of Morgan Hay, late of Company G, Forty-third Indiana Volunteers, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. ALLISON presented the memorial of Charles Haas and 15 other citizens of Willets Point, New York Harbor, remonstrating against the passage of the bill to prevent band musicians of the United States Army from accepting musical engagements, or from entering into competition with civil musicians; which was referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. PADDOCK, from the Committee on Pensions, to whom was referred the bill (H. R. 855) for the relief of the heirs of Jacob Cramer, asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs; which was agreed to.

Mr. TURPIE, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 2667) for the relief of Ida M. Howell; and

A bill (S. 3072) granting a pension to John J. Gorham.

Mr. TURPIE, from the Committee on Pensions, to whom was referred the petition of Thomas H. Shelter and others, praying that a pension be granted to Mrs. Elizabeth New, submitted a report thereon, accompanied by a bill (S. 3694) granting a pension to Elizabeth New; which was read twice by its title.

He also, from the same committee, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 1240) granting a pension to Lyman H. Walker; and

A bill (S. 2841) granting an increase of pension to Josiah Edwards.

THE SAMOAN ISLANDS.

Mr. PADDOCK. I am instructed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by the Senator from Maine [Mr. FRYE] yesterday, to report it favorably, without amendment. I ask for its present consideration.

The PRESIDENT *pro tempore*. The resolution will be read.

The Chief Clerk read the resolution, as follows:

Resolved, That the Committee on Foreign Relations be instructed to inquire into the condition of affairs in the Samoan Islands so far as it affects the interests and rights of American citizens resident or doing business there; the relations of the United States with and their obligations to said islands under existing treaties; the necessity of maintaining their neutrality or independence, and our duty in this regard; what steps have been taken in this direction by our Government, and what further action, if any, is demanded. To this end said committee shall have power to send for persons and papers, administer the necessary oaths, employ stenographers if required, cause its proceedings to be printed from time to time for its own use; and the expenses thereof shall be paid out of the contingent fund of the Senate upon vouchers to be approved by the chairman of said committee, and by the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. COCKRELL. That is the resolution, I believe, that the Senator from Maine submitted yesterday. The Senator from Delaware [Mr. GRAY] is not present, and I ask, if it be convenient, that the resolution may lie over until other matters can be transacted.

Mr. FRYE. Will the Senator from Delaware be present this morning?

Mr. COCKRELL. He is in the city. I met him at one of the Departments a few minutes ago. I suppose he will be here soon.

Mr. FRYE. I have no objection to the resolution lying over until the Senator from Delaware comes in, but I am exceedingly anxious that the committee shall receive to-day the authority proposed to be given.

Mr. COCKRELL. I have no disposition to delay it.

The PRESIDENT *pro tempore*. The resolution will lie on the table temporarily.

Mr. GRAY entered the Chamber.

The PRESIDENT *pro tempore*. Does the Senator from Delaware [Mr. GRAY] object to action upon the resolution reported this morning from the Committee to Audit and Control the Contingent Expenses of the Senate, which was submitted yesterday by the Senator from Maine [Mr. FRYE]?

Mr. GRAY. I have no objection. I have just at this moment heard that the resolution was reported from the Committee on Contingent Expenses. I did not suppose that the resolution would be reported so soon. So far as the facts which the resolution is, I suppose, intended to elicit, I am not informed about them; I have had no opportunity to be informed about them in detail. I think that the resolution had better be passed, and we shall then get the facts before the Senate in some shape.

Mr. FRYE. I am obliged to the Senator. I desire to have the resolution passed immediately, for certain reasons.

The PRESIDENT *pro tempore*. If there be no objection, the resolution having been reported this morning and read at length, the question is on agreeing to the same.

The resolution was agreed to.

BILLS INTRODUCED.

Mr. VEST (at the request of Mr. BUTLER) introduced a bill (S. 3695) to amend section 555 of the Revised Statutes of the United States relating to the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PLUMB introduced a bill (S. 3696) to authorize the Omaha, Dodge City and Southern Railway Company to build its road across the Fort Hays military reservation; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3697) granting a pension to Franz Heil, alias Sebastian Kerber; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 3698) granting a pension to William Brockelsby; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. VANCE introduced a bill (S. 3699) to amend the laws relating to land titles in the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. WALTHALL introduced a bill (S. 3700) granting a pension to Mary E. Gresham; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CAMERON introduced a bill (S. 3701) granting a pension to David Shook; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. ALLISON introduced a bill (S. 3702) granting a pension to David Bevan; which was read twice by its title, and referred to the Committee on Pensions.

Mr. RANSOM introduced a bill (S. 3703) for the relief of John D. Thorne; which was read twice by its title, and referred to the Committee on Claims.

Mr. CAMERON introduced a joint resolution (S. R. 120) authorizing Capt. George S. Anderson, Sixth Cavalry, to accept from the President of the French Republic a diploma conferring the decoration of Chevalier of the National Order of the Legion of Honor; which was read twice by its title, and referred to the Committee on Foreign Relations.

WITHDRAWAL OF PAPERS.

On motion of Mr. STEWART, it was

Ordered, That A. S. Lee have leave to withdraw from the files of the Senate his petition and statement of his account against the United States for rent, no adverse report having been made.

EXPENSES AT YORKTOWN CELEBRATION.

Mr. COCKRELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War be, and he hereby is, directed to furnish the Senate, at his earliest convenience, with a full account of the expenditures made by the late General W. S. Hancock, in the fall of 1881, under the direction of the Secretary of War, in entertaining the French officers and others invited to assist at the centennial celebration of the surrender of the British army at Yorktown to the combined forces of the United States and France, together with copies of all papers and correspondence on file in his Department touching the same; and also advise the Senate whether the said General Hancock, or his estate, ever received any reimbursement of such expenses in whole or in part.

NEW YORK, LAKE ERIE AND WESTERN RAILROAD COMPANY.

Mr. MCPHERSON. If the morning hour is ended, I desire to call up for consideration a bill on the Calendar.

The PRESIDENT *pro tempore*. If there be no further morning business, that order is closed, and the Calendar under Rule VIII being in order, the Senator from New Jersey moves to proceed to the consideration of a bill.

Mr. MCPHERSON. I move to take up Senate bill 779, Calendar number 1887.

The PRESIDENT *pro tempore*. The title of the bill mentioned by the Senator from New Jersey will be stated.

The CHIEF CLERK. Order of Business 1887, a bill (S. 779) for the relief of the New York, Lake Erie and Western Railroad Company.

The PRESIDENT *pro tempore*. The bill will be read at length for information.

The Chief Clerk read the amendment proposed by the Committee on Post-Offices and Post-Roads, which was to strike out all after the enacting clause of the bill and to insert:

That the Court of Claims shall, notwithstanding the lapse of time, be authorized to take jurisdiction of and adjudge the claim of the New York, Lake Erie and Western Railroad Company for the transportation of the mails of the United States from January 1, 1874, to June 30, 1877, upon routes (old numbers) numbered 1201, 1207, and 1208, said claim being based upon contracts between the United States of America (acting in that behalf by their Postmaster-General) and the president of said railroad company, signed and acknowledged by John A. J. Creswell, Postmaster-General, on the 10th day of January, 1874, and by P. H. Watson, president of said company, on the 20th day of April, 1874.

Mr. MCPHERSON. I desire to offer some amendments.

Mr. CULLOM. May I inquire from what committee the bill comes?

Mr. MCPHERSON. It comes from the Committee on Post-Offices and Post-Roads. I wish to say for the information of the Senate that the committee have reported it favorably; that it is a matter in dispute both as to law and fact, and I have a letter from the Department preferring that the whole matter should be referred to the Court of Claims. Both parties have decided upon that course as a settlement of these matters of law and fact.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill? If there be none, it is before the Senate as in Committee of the Whole. The reported amendment having been already read at length, the further reading will be waived, if there be no objection. The question is on agreeing to the amendment reported by the Committee on Post-Offices and Post-Roads.

Mr. MCPHERSON. I desire to amend in line, 6 of the amendment, after the word "Company," by inserting the words "successor of the Erie Railway Company."

The PRESIDENT *pro tempore*. The amendment to the amendment will be stated.

The CHIEF CLERK. In line 6, after the word "Company," it is proposed to insert "successor of the Erie Railway Company;" so as to read:

That the Court of Claims shall, notwithstanding the lapse of time, be authorized to take jurisdiction of and adjudge the claim of the New York, Lake Erie and Western Railroad Company, successor of the Erie Railway Company, for the transportation of the mails of the United States, etc.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment to the amendment.

Mr. SAWYER. I think that the amendment is all right. The matter was examined very thoroughly before the committee.

The amendment to the amendment was agreed to.

Mr. MCPHERSON. In line 11, after the word "upon," I move that the word "alleged" be inserted, so as to read "being based upon alleged contracts."

The PRESIDENT *pro tempore*. The proposed amendment to the amendment will be stated.

The CHIEF CLERK. In line 11, after the word "upon," it is proposed to insert the word "alleged;" so as to read:

Said claim being based upon alleged contracts between the United States of America (acting in that behalf by their Postmaster-General) and the president of said railroad company, signed and acknowledged by John A. J. Creswell, Postmaster-General, etc.

Mr. SHERMAN. Will not that relieve this claimant from the necessity of proving the contract? If the bill simply says that the claim shall rest upon alleged contracts, it may relieve the claimant from the necessity of proving the contracts.

Mr. MCPHERSON. The contracts have been admitted both by the Department and by the railroad company.

Mr. SHERMAN. Then why use the word "alleged?"

Mr. MCPHERSON. Very well; I will withdraw the amendment to the amendment.

Mr. COCKRELL. I should like to suggest to the Senator from Ohio that the question is a legal question as to whether these are contracts or not in law; and the Postmaster-General suggests that the word "alleged" be inserted so that the court will pass upon the question as to whether these are contracts in law.

Mr. SHERMAN. Does the Government of the United States deny that the paper is a legal contract?

Mr. COCKRELL. The contracts were made. There is no question about that. But there were some of the requisites that the Department claimed had not been complied with, and therefore did not make it a legal, binding contract, and that question is to be submitted. By putting in the word "alleged" it leaves that question open for the court to determine.

Mr. MCPHERSON. That was an omission on the part of the officers of the Government in not filing the contract in the Sixth Auditor's office, as required by law. But the contracts were in possession of the Department, and the neglect was altogether in the Post-Office Department and not on the part of the Erie Railway Company.

Mr. SAWYER. I think the Senator from New Jersey is right about that.

Mr. MCPHERSON. So there is no particular reason why the word "alleged" should not be inserted.

The PRESIDENT *pro tempore*. The Senator from New Jersey withdraws the proposed amendment to the amendment.

Mr. REAGAN. I will renew the amendment to the amendment.

Mr. SHERMAN. I have no objection to it if it is recommended by the Postmaster-General.

Mr. COCKRELL. It is recommended by the Postmaster-General.

Mr. MCPHERSON. If it is insisted upon, I renew it.

The PRESIDENT *pro tempore*. The proposed amendment to the amendment will be stated.

The CHIEF CLERK. In line 11, after the word "upon," it is proposed to insert "alleged;" so as to read:

Said claim being based upon alleged contracts between the United States, etc.

The amendment to the amendment was agreed to.

Mr. MCPHERSON. In line 13, after the word "said," I move to strike out the word "railroad" and to insert "Erie Railway;" so as to read:

And the president of said Erie Railway Company, etc.

The amendment to the amendment was agreed to.

Mr. MCPHERSON. In line 17, after the word "said," I move to insert "Erie Railway;" so as to read:

And by P. H. Watson, president of said Erie Railway Company.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 11651) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1890, and for other purposes;

A bill (H. R. 11658) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1890, and for other purposes; and

Joint resolution (H. Res. 236) to pay the officers, clerks, and employés of Congress their salary for December on December 20, 1888.

THE REVENUE LAWS.

Mr. ALLISON. I move that the Senate proceed to the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

The PRESIDENT *pro tempore*. The Calendar under Rule VIII being in order, the Senator from Iowa moves that the Senate proceed to the consideration of House bill No. 9051.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue, the pending question being on the amendment proposed by Mr. HARRIS to "Schedule C, Metals," lines 446 and 447 of the amendment of the Committee on Finance, to strike out the words "one and one-tenth cents" and insert "six-tenths of 1 cent;" so as to read:

130. Beams, girders, joists, angles, channels, car-truck channels, TT columns and posts or parts or sections of columns and posts, deck and bulb beams, and building forms, together with all other structural shapes of iron or steel, six-tenths of 1 cent per pound.

Mr. VEST. Mr. President, the Senator from Ohio [Mr. SHERMAN] yesterday announced the proposition that the recent election had settled the subject of tariff taxation, and, to use nearly his own language, that the principle having been settled, the details of legislation ought to be left to the majority of the Finance Committee.

I have not the slightest disposition, sir, to discuss the result of the last election or to thrash old straw. I have my own personal opinion as to the causes of that result; and I may be permitted to say in passing that I do not think the tariff issue contributed to the success of his party so much as the Senator from Ohio seems to think. The Democratic party increased its majorities in the large manufacturing districts, and the result of the election was brought about principally where the tariff had no immediate effect. In my judgment, whatever it may be worth, "the solid South" and the shadow of the war brought about that result more than the question of tariff taxation.

But let that be as it may, speaking for myself and for no one else, I am not disheartened by our defeat. If the Senator from Ohio and his party think that the election has settled the question of the tariff in this country, a greater mistake was never made by mortal men. It will last as long as this country endures, because it involves a fundamental difference as to a construction of the Constitution, aside from the policies of the Government. If the position of the Republican party of to-day be the correct one, that unlimited taxation can be used for the purposes of protection, the conflict will never cease, because that, in my judgment, is the subversion of the fundamental principles of the Government together with its autonomy.

I have no disposition to go into the discussion of this matter, but I simply make that remark as a statement of my own opinion and as a rule that will govern my action as a public man. So long as I live and can lift my voice, I shall protest against this system as now advocated by the Republican party of the country; and unless I am mistaken in the American people, unless I have studied human nature in vain during a life now verging upon sixty years, the triumph of the Democratic party is just as certain in the course of time as that I stand here in this Senate Chamber to-day.

But what I wish to say particularly is that although the Senator from Ohio may be right in stating that the election was a triumph of the protective principle, I absolutely deny, in the most emphatic terms, that it settled the details of tariff legislation. The people of the United States at that election did not mean to indorse the Senate Finance Committee substitute now pending here. The details of the measure, as a matter of course, were left to be adjusted afterwards; and that question is now pressing upon us in every item of this bill, and for myself I shall exercise my unquestionable right to criticise and to oppose, whenever my judgment and conscience dictate, any provision in the pending bill, although it takes the remainder of this session, because in my judgment the highest duty of every Senator now is to scrutinize closely every paragraph in the bill, and to discuss it if necessary, and to vote upon it intelligently afterwards.

The Senator from Ohio made a statement in which he is very far wrong, or else I am. He stated that in this metal schedule the duties had been reduced 10 per cent. upon the whole schedule. I hold in my hand the reports of two experts. One comes from the Ways and Means Committee of the House of Representatives, prepared under the direction of the Committee on Ways and Means, by the clerk of that committee, and the effect of the Senate substitute as compared with the Mills bill and with existing legislation is as follows:

On metals, which is Schedule C, the average ad valorem duty upon the whole schedule is 45.89 per cent. under the existing tariff, and under the substitute reported by the Finance Committee it is 55.17 per cent. If that be not correct, I then refer to a report made by the

Treasury Department upon Schedule C, of metals. Upon the present dutiable value, at rates under existing law under the metal schedule, the duty is 40.56 per cent.; under the House bill it is 26.99 per cent.; under the Senate bill it is 40.37 per cent. What authority the Senator from Ohio has to say that the duties are decreased under the Senate substitute I should like to know.

Mr. ALDRICH. Mr. President——

The PRESIDENT *pro tempore*. Does the Senator from Missouri yield?

Mr. VEST. Certainly.

Mr. ALDRICH. The Senator from Missouri has read from two authorities which he states are experts.

Mr. VEST. I suppose they are.

Mr. ALDRICH. The difference between those is the difference between 40 and 55 per cent. as to the effect of the pending measure. Now, which of those is correct, if either, and what reliance can be placed on either?

Mr. VEST. I will go back to the figures in order to answer the assertion of the Senator from Rhode Island. The difference is stated at 40 or 50 per cent. I think that is the difference stated.

Mr. ALDRICH. As read by the Senator from Missouri, the rate proposed by the Senate bill in one case is 40 per cent. and in the other case it is 55 per cent.

Mr. VEST. Under the estimate which came from the Ways and Means Committee of the House, the present tariff under the metal schedule is 45.89 per cent. ad valorem, and under the pending substitute it is 55.17 per cent., which is a difference of about 10 per cent.

Mr. BLACKBURN. An increase?

Mr. VEST. An increase in the Senate substitute of 10 per cent., which makes no difference of 40 or 50 per cent., as the Senator from Ohio states. Under the estimate which comes from the Treasury Department of duties collected under the existing tariff, and amount of duties based upon importations for the fiscal year 1887, the estimate upon present dutiable values, at rates under existing law, is 40.56 per cent., and under the Senate bill it is 40.37 per cent., so that there is no 40 or 50 per cent. difference in either estimate.

Mr. ALDRICH. The Senator from Missouri fails to catch my point. The statement which he read, prepared by the Committee on Ways and Means of the House of Representatives, states that the average ad valorem rate assessed by the Senate bill is 55 per cent. The statement which he read from the Treasury Department, prepared, as he says, by two experts, states that the rate of the Senate bill upon the metal schedule is 40 per cent. and a fraction. What I desire to call his attention to is, which of those statements does he believe to be correct, if either, and why does he believe either of them to be correct?

Mr. VEST. It matters not to me whether these arithmetical calculations are correct or not. I am not a tariff expert, and I accept the result of these calculations, coming from the Treasury Department of the United States or from the clerk of the Committee on Ways and Means of the House of Representatives, for just what they are worth after examination. The point I make is that there is no reduction of 10 per cent. under the Senate substitute, as stated by the Senator from Ohio.

Mr. ALDRICH. If the Senator from Missouri will look at the bill itself, and look at the comparison of rates, he will find that the statement of the Senator from Ohio is correct. For instance, in the very items we have been considering, the paragraph now under consideration proposes to reduce the rate on steel beams and other forms of structural iron and steel from 1¼ to 1.1 cents a pound. If the Senator will look at the items themselves, instead of some general average of rates of the nature he has alluded to, he will find that the statement of the Senator from Ohio is fully borne out by the changes which are made.

Mr. VEST. Do I understand that the Senator from Rhode Island says that under this metal schedule there is a reduction of 10 per cent. upon existing duties in the bill which the Senator from Iowa reported from the Committee on Finance?

Mr. ALDRICH. What I mean to say is that on a large number of items the reduction is very much in excess of 10 per cent.

Mr. VEST. I want the average of the whole schedule.

Mr. ALDRICH. That is an absolute impossibility for any man in this Chamber or outside of it to arrive at; and, as the Senator from Massachusetts [Mr. HOAR] suggests, it would be an absolute absurdity to make the statement.

Mr. SHERMAN. Will the Senator allow me a moment?

The PRESIDENT *pro tempore*. Does the Senator from Missouri yield to the Senator from Ohio?

Mr. VEST. Certainly.

Mr. SHERMAN. I wish to state that point more clearly. What I stated I think is absolutely correct as to the reduction, taking the articles that are largely imported into the country, for instance, railroad iron. Take steel rails, one of the largest items. The duty on steel rails is reduced a little more than 10 per cent., from $17 a ton down to $15 and something. Take this very large item we are now debating, one of the most difficult to manage, because, as I stated yesterday, it is difficult to have a uniform rate—there is a reduction of a little over 12½ per cent.

Take all the leading branches of the iron trade, especially those articles which are commonly made, those which enter into common consumption, and the Senator will find that there is a reduction. I know, if you take the items all through and make a general average upon the different articles, it will probably only show a very slight reduction, but that is not the proper basis, I believe, of estimating a reduction. However, by taking these items one by one, especially those articles largely imported, you will find a reduction in the rate of duty of about 10 per cent. I stated that the reduction was 10 per cent. of the duty, not 10 per cent. of the value of the article.

Mr. VEST. As a matter of course I referred to the duty. I did not read what the Senator from Ohio stated yesterday, but I made that the basis of what I stated this morning.

Mr. SHERMAN. At the same time I do not think any one can state accurately the reduction of the rate of duty, because there are so many different ways of computing it and estimating it. It is very difficult, because if you take the average importations the reduction might be put at one rate. If you take the average rates of reduction proposed, then it may be different. There is a reduction, however, on the iron schedule, according to our understanding, as I stated.

Mr. VEST. I have never been able myself to find out exactly what was the increase or reduction in this bill, and therefore I have relied upon experts; and both the experts I have followed state most emphatically that there is no reduction, but an increase over the present duty. What I proposed to answer was the statement of the Senator from Ohio made upon yesterday. He said:

> On the whole—

That is, on the whole schedule—

> On the whole there is a reduction of about 10 per cent. of the present duties. On this particular item of beams, girders, and other structural forms for building purposes there is a reduction of more than 10 per cent.; it is about 12 per cent. It is from 1¼ cents a pound down to 1.1 cents a pound, or fifteen hundredths.
>
> Therefore it is a reduction of about 12½ per cent. So it is on most of the leading items of the schedule.

Let us see if that statement is true. I am not able, as I said, from the want of the necessary technical knowledge, to go into a dissection of each item; but I take what these experts have stated, and they are either the most ignorant and pretentious creatures that ever existed in this country, or else there is a great error existing somewhere upon this subject.

Here is what the expert says in regard to the whole schedule, answering that portion of the Senator's statement that upon the leading articles there has been a reduction: Item 134. "Chains less than three-eighths of an inch in diameter, as trace-chains, etc., are raised from 44.37 per cent. to 53.57 per cent."

Mr. ALLISON. Will the Senator allow me to interrupt him upon that point?

Mr. VEST. Certainly.

Mr. ALLISON. The item of chains which he has just read is not a leading item in this bill, nor does it include trace-chains at all. It is a small chain, smaller than any trace-chain in use. We did make a small addition to the duty here, but it is a matter of no consequence.

Mr. VEST. There is also an increase I believe upon other articles.

Mr. ALLISON. On every other article of chains the duty is reduced by our proposed substitute, and most of those articles are not touched by the Mills bill.

Mr. VEST. Does the Senator from Iowa state that this item does not include trace-chains? Does he mean to say that no trace-chains are less than three-eighths of an inch in diameter?

Mr. ALLISON. I mean to say that I do not believe there are any trace-chains less than three-eighths of an inch in diameter.

Mr. VEST. That is a question of actual knowledge and observation, and without being an agricultural expert myself, my obsevation and knowledge are quite different. I was a farmer once in my life, and I think I know what a trace-chain is.

Mr. ALLISON. I wish the Senator could bring one of them in here.

Mr. VEST. I do not pretend to set up myself as an authority to the grangers upon this particular item, but if there are not trace-chains with links less than three-eighths of an inch in diameter I relinquish all claims to knowledge of the instrumentalities used in agriculture. My friend may be an expert, but he has certainly in use an article of chains in Iowa which are entirely different from those used in Missouri.

The next item is "cotton-ties and hoops for baling, two-tenths cent more than the hoop-iron from which it is made (one and one-tenth cents) increasing the revenue over $240,000 and raising the duty from 35 per cent. to 108 per cent."

What does my friend say about that?

Item 144. "Sheets of iron or steel thinner than No. 9 and taggers' iron are raised from 30 per cent. to above 60 per cent., more than doubling the duty, the increase following the thin sheets through the various processes of pickling, cold-rolling, etc."

Mr. ALLISON. "Thinner than No. 9." Is that the statement there? If it is, it is an error. There is no such thing in the bill.

Mr. VEST. "Thinner than No. 9."

Mr. ALLISON. It should be "No. 29."

Mr. VEST. Very good.

"146. Cold-rolled steel sheets, thinner than No. 29 wire gauge, are increased from 41.60 per cent. to 75 per cent. ad valorem, and taggers' iron, pickled, etc., from 39.18 per cent. to 61.11 per cent."

Item 150. "Fence-wire rods of steel now paying 45 per cent. duty, smaller than No. 5, are raised to six-tenths cent per pound, or 54 per cent., if No. 6, and 1¼ cents if smaller than No. 6."

"151. Iron and steel wire, worth over 10 cents per pound, are raised to 45 per cent. They now bear specific rates, but the rate proposed is ad valorem, and higher in all cases."

"153. Steel ingots, cogged ingots, blooms, slabs, die-blocks or blanks, billets, now 45 per cent., are made five-tenths of a cent per pound when valued at 1 cent or less, an increase from 45 to 60 and 80 per cent., according to the value of the various descriptions. When the value reaches 4 to 7 cents the rate is left at 2 cents, above 30 per cent. on importations of 1887, but above 13 cents in value the rate is changed again to ad valorem and made 45 per cent., more than doubling the present rate of 3½ cents per pound."

"159. Circular-saw plates are increased from 37.32 per cent. to 45 per cent. (from 4 to 7 cents in value), though circular saws are left with only 30 per cent. duty."

"163. Bronze powder, now 15 per cent., is made 15 cents per pound, equivalent to about 30 per cent. ad valorem."

"172. Table-knives"—that is something I presume we can understand without the testimoney of an expert—"table-knives, now at 35 per cent. duty, are put at 20 cents per dozen, when valued at $1 or less; valued at $1 to $3, 50 cents per dozen; and valued at $3 to $8, $1 per dozen; and valued over $8 per dozen, $2 per dozen, and in addition 25 per cent. on all. It is impossible," says this expert, "to accurately calculate the effect of this new classification, but it will be seen that knives worth 50 cents per dozen will under this provision pay 70 per cent.; those worth $1.50 per dozen will pay 63 per cent.; worth $5 per dozen, pay 50 per cent.; worth $20 per dozen, pay 40 per cent."—the higher the price the lower the duty—"and after $10 per dozen value is reached the rate is less than at present. On the cheapest cutlery imported the rate will be far beyond 100 per cent.; the effect has been estimated at an increase of one-half, or 52 per cent."

"Pen-knives and pocket-knives," item 173, "the rate is changed from 50 per cent. to 50 cents per dozen blades and 25 per cent., which leaves the rate unchanged when the import value is $8 per dozen on four-blade knives, but increased on lower grades. A boy's 10-cent knife of two blades would have the duty quadrupled; a cheap three-bladed knife would be raised 200 per cent., and the average knife in common use be much increased. It is estimated the duties on average imports are increased by this provision to 65 per cent. instead of 50 per cent."

"181. Double-barreled breech-loading shotguns, rate changed from 35 per cent. to $10 each and 25 per cent. A ten-dollar gun would thus pay 125 per cent. instead of $3.50, as now; while a three-hundred-dollar gun would pay $85 instead of $105 duty, as under the present law. If average importations be valued at a little over $35 each, the increase in duties would be one-half, and on this basis the estimate is made."

Right in this connection I wish to read a communication which I received this morning. It bears on that item of the bill and is rather important. It is addressed to me personally.

To Hon. GEORGE G. VEST, *Senator:*

The undersigned, among whom are probably the largest importers of foreign pocket and table cutlery and foreign breech-loading shotguns, enter this as their earnest protest against the passage of the Senate tariff bill, by which the increase of the duties on this class of goods is contemplated to an extent that is extreme, that is unreasonably large, that is, in fact, so entirely out of line as to be unworthy of consideration for a moment. This paper represents the signatures of every wholesale dealer in the city of St. Louis, and is their most earnest protest against the passage of the bill. We sincerely trust that you will use your best efforts to defeat the same.

It is signed by "Simmons Hardware Company, by E. C. Simmons, president," one of the largest hardware establishments in the United States—by all odds the largest in the Western country; "Hilyer Hardware Company, E. Hilyer, president; A. F. Shapleigh Hardware Company, per A. F. Shapleigh, president," another very large concern; "Witti Hardware Company, Otto H. Witti, president; E. C. Memham Arms Company, by E. C. Memham, president; C. O. B. McClean; and Caruth & Byrnes Hardware Company, per Daniel W. Caruth, president."

These gentlemen are not members of my party, except one or two of them, within my knowledge. The rest are Republicans. They voted the Republican ticket and contributed to the campaign fund which carried the city of St. Louis against us at the last election. I commend their statement to the earnest consideration of my friends who have charge of this bill.

We are not particularly interested in shotguns in the State of Missouri, but we are interested in cutlery—in cheap knives and forks. According to the statement of these gentlemen, made from whatever motive—I take it to be a good one—these increases which I have read are beyond all sort of proportion to the rest of this bill.

I come now to the next item given by this expert:

"191. Small screws, one-half inch and less, are increased from 44.59 per cent. to over 52 per cent.

"194. Type metal changed from 20 per cent. ad valorem to 1½ cents per pound. In the Senate majority report is a statement that would indicate an increase to more than 50 per cent. ad valorem. The estimate is based on the strength of the statement in the report, at 50 per cent. duty, an increase of 150 per cent., as calculations were made in the same document on reductions in the House bill."

As I have stated, I am not an expert, but I have a right to assume that these calculations are correct. They are authoritative; they come from men who have devoted their lives to this sort of calculation; and I must rely upon these statements for what they are worth. If they are worthless, let it be shown. If they are not, then the Senator from Ohio was utterly mistaken in his statement that there was a reduction of 10 per cent. on the whole metal schedule.

The Senator from Ohio made another statement which astonished me somewhat. It was to the effect that a chance should be given to the rest of the manufacturers of steel beams and the other items mentioned here in order that competition might break down the existing trust. Mr. President, that trust has existed in this country for sixteen years. I read this morning an article in the Steel Bulletin from two of the manufacturers in this trust avowing its existence. They called it a combination, and said that their customers did not complain of it, and it was nobody's else business. The Senator from Kansas [Mr. PLUMB] has it now. The existence of the trust is admitted, and yet the Senator from Ohio says, "Keep up the duties; continue the trust, and in the course of time and in God's providence somebody will break it up outside of Congress and by the natural laws of trade and competition." If it has lasted for sixteen years, if one establishment like Mr. Carnegie's, as I showed yesterday, is making a million dollars a year upon this single article of production alone, what right have we to imagine that there will be any disruption of this unlawful combination, for it is nothing else, that keeps up the price of these articles all over the country?

I am not in the habit of reading newspaper articles and I do not entirely agree politically with the paper from which I shall read, but I wish to read from the New York Times a statement in regard to this matter which I think is worthy of attention. It is an answer to my friend from Iowa. I ask his attention to it.

The PRESIDING OFFICER (Mr. CULLOM in the chair). The Senator from Missouri calls the attention of the Senator from Iowa.

Mr. ALLISON. To what?

Mr. VEST. Nothing, except I want to call the Senator's attention to an answer to a remark which he made when this debate was pending in the Senate last Thursday.

Mr. ALLISON's remark that we have quoted—

Which was this—

That the amendment "went to the root of the whole iron and steel schedule," and said that he "had no doubt that if the present rate of duty were maintained competition would be sufficient in a short time to break down the prices."

It is the same statement that was made yesterday by the Senator from Ohio, and which is the salient point in this entire argument.

Mr. ALLISON's remark that we have quoted involved an admission that prices have been unjustly raised by a ring agreement, and was not in accord with Senator SHERMAN's doctrine that combinations "may and ought to be met by a reduction of duty." The combination of beam manufacturers was first exposed in the Times, and we have repeatedly directed attention to the existence of this "combine" and the effect of its operations upon prices and the use of steel and iron in buildings. Mr. ALLISON professes to be confident that if the present duty (about 100 per cent.)—

It is more than that—

shall not be disturbed the ring price will be broken by competition "in a short time." A correspondent writing to the Times in defense of the combination, and apparently connected with one of the factories, said a few weeks ago:

"You say that a combination was formed among the makers of beams two or three years ago. The fact is that there has been for sixteen years, with the exception of an interval about eight or ten years ago, an agreement to maintain prices."

For sixteen years, and the Steel Bulletin says the same thing over the signatures of some of the men who are in it. There never has been any pretense that the combination did not exist and that its object was not to maintain prices.

I know an instance in which a gentleman applied to all the manufacturers in the United States for an estimate upon a large number of steel beams and steel and iron structures, and then bought finally abroad, and not one of these American manufacturers pretended to say that he could not do the work. The price was the same by all of them, but they were utterly indifferent whether he took their proposition or not. He found he could get the work done abroad, freight included, cheaper than he could in this country, and he did send abroad and made his contract there. But the point I state is that not one of them pretended that he could not do the work. They simply said, every one of them, "Our price is the same." When he went from one to the other he found the same price, showing that this combination existed beyond all question.

A combination that has existed for sixteen years seems to be in very little danger of yielding to the forces of competition. What does Mr. ALLISON mean by "a short time?" Ten years? Sixteen years? Is there anything in the history of the beam ring that points to a revival of competition in the near future, or to a reduction of the ring price if the present duty shall be retained?

This price is 3.3 cents per pound, or $73.92 a long ton.

I stated yesterday that it was $66. That was my information. I do not really know the difference between a long ton and a short ton.

Mr. ALLISON. The former is 2,240 pounds and the latter 2,000 pounds.

Mr. VEST. I stated that upon the long ton, 2,240 pounds, it was $66. I further stated, and I challenge any contradiction of it, that at the Edgar Thomson works, according to the agreement as to the prices between the employer and the employé, those works must have made in one year upon 30,000 tons of steel beams and steel forms $1,000,000 clear profit, allowing them, not $28.02 per ton, which was the actual cost of manufacture at the works, but giving them $33, adding $5 to the $28 either as a reasonable profit or to cover all error.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. VEST. Certainly.

Mr. ALDRICH. I understand the Senator to now state that the profit upon steel beams, upon the basis which he has just stated, is at least $33 per ton.

Mr. VEST. Yes.

Mr. ALDRICH. Upon a selling price of $66?

Mr. VEST. Yes.

Mr. ALDRICH. And upon that statement the Senator challenges contradiction?

Mr. VEST. Yes, as to the cheapest article of steel beams, and I am only calling attention to that.

Mr. ALDRICH. I will state upon the authority of the superintendent of a company engaged in the manufacture of steel beams in the State of New Jersey, owned largely by the present mayor of the city of New York—owned by him entirely, I think, in connection with his brother-in-law, Mr. Edward Cooper, late mayor of New York—that the average cost of making steel beams from pig-iron is more than $40 a ton in excess of the cost of pig-iron itself, the average cost of pig-iron, I suppose, being now $16 a ton. The superintendent of that establishment further states—the cost in Trenton being more than $40 a ton for manufacturing steel beams from pig-iron—that the cost in Belgium does not exceed one-half of that sum, making the difference between the cost of producing steel beams from pig-iron in Belgium and in Trenton $20 a ton, or almost equal to the rate proposed by this bill.

Mr. HOAR. What does the difference consist in?

Mr. ALDRICH. The difference consists, of course, in the cost of labor in this country. I make that statement upon the authority of the superintendent of Cooper & Hewitt's establishment in Trenton, N. J., and I place it by the side of the statement now made by the Senator from Missouri.

Mr. VEST. Very good, Mr. President. I have a statement before me publicly made, never contradicted, which was based upon the sealed agreement made by Mr. Carnegie and the Knights of Labor in 1887.

Mr. ALDRICH. The agreement to which the Senator now alludes refers to steel rails.

Mr. VEST. It does not refer to steel rails.

Mr. ALDRICH. I ask the Senator to read it and see.

Mr. VEST. He says:

It is well known, sir, that the steel-beam industry of this country to-day is in a trust; and I have further shown that the average price of these steel beams imported into this country during the year 1887, upon which duties were levied, was 1.2 cents per pound, or $26.88 per ton, and that the duty upon them under the existing tariff is 1½ cents per pound, or $28.88 per ton, the duty exceeding the value of the imported article $2 per ton. The output of these steel beams at the Edgar Thomson Steel Works during the year 1887 averaged about 100 tons per day, or 30,000 tons per annum, and the difference between the cost of its production, $33 per ton, and $66 per ton, the selling price, leaves a margin of $33 per ton, or $1,000,000 profit on this one product alone.

It was not $33 under that agreement; it was $28.02; but $5 was added.

Mr. ALDRICH. Will the Senator be kind enough to state from what he is reading?

Mr. VEST. I read from a speech of Hon. WILLIAM L. SCOTT, an iron and steel manufacturer, and I read it because it was made publicly. He challenged contradiction, and it stands to-day for whatever it is worth. It comes from an expert in that business. It stands, after an acrimonious personal debate, uncontradicted by the facts, and I can not give any better authority.

Now, Mr. President, if the Republican party mean what they say when they declare that the only tariff protection they need is to cover the difference between the cost of labor in this country and abroad, and to give a reasonable profit to the manufacturer, how can they defend this sort of legislation? Why, sir, what is the difference in labor in making a ton of steel beams in this country and in England? Here it costs $5.33; abroad it can not possibly cost more than half as much. Suppose you put in $5.33 margin, to cover the difference in labor over the $26.88 which the rails cost put down in this country, and then give the manufacturer $10 for profit, does it bring about any such enormous duties as are put into this bill?

But Senators say—the Senator from Ohio conspicuously—"Give the manufacturers a chance." Give them a chance! Why, they have had a chance for sixteen years, and here is the output to-day; here is the result—a gigantic devil-fish, in the shape of a trust, covering this whole country and every manufactory in it, putting enormous amounts of money into the pockets of these men at the expense of the people in the name of American labor and protecting infant industries!

I have another document here. It ought to be authority. It is the Tariff League Bulletin, the organ of the extreme protectionists of the United States, and this is of date September 14, 1888, and it is an attack upon the President, as usual, on account of his position on the tariff, and a denunciation of him as a man utterly unworthy of public confidence and a disgrace to his high position because he dared to say one word against this same white elephant of protection. In the argument in answer to the President's message, which says the tariff is a tax, which everybody supposed it to be until this campaign, the editor says:

Canada is our nearest neighbor. It can buy of all the nations of the earth and discriminates in its tariff against none.

That is true, because it is one of the idiosyncracies of the English Government that they permit their colonies to tax the mother country, and English goods go into Canada under the same tariff duty that goods go in from this or any other country.

Mr. HOAR. Will the Senator inform me how they tax the mother country if the consumer pays the tax?

Mr. VEST. I mean to say that the same tariff duty is levied upon English goods that is levied upon American goods entering the ports of Canada.

Mr. HOAR. I am very glad to have the Senator's admission that this is a tax on the mother country. I quite agree with him.

Mr. VEST. I am not disposed to lose time in any play upon words. As to whether it is a tax upon the consumer or not, is another branch of the subject that I am not now considering. I have simply stated the fact that goods which go from the mother country into the colonies of Great Britain go in under the same tariff duty that is imposed upon goods coming from any other country.

If it buys of the United States it must be because it can buy here to better advantage, or at least with equal advantage. It does buy of us very largely of articles which, according to President Cleveland, are increased in cost by an amount "corresponding" with the duty on foreign articles "of the same kind." Here, then, is official proof that the President's statement, repeated every day by his friends, is not true. We select only a few of these articles imported by Canada from the United States. The curious reader can greatly enlarge the list by studying the official reports, and he will find by extending his researches to other countries that about $150,000,000, or about one-fourth of our exports to foreign countries, are composed of manufactured articles which, according to the President, we never could export, because the price in this country is increased nearly or wholly by the amount of the duties.

One-fourth of our exports, amounting to $150,000,000 in manufactured products, is carried from this country abroad, according to this statement.

Among our exports to Canada in 1887 are the following, omitting any less than $10,000—

Giving the amount of the exports, which, I will say, according to the reports for 1888 that I have before me, amount this year to over $36,000,000 in manufactured goods that were carried from this country into Canada.

Scythes	$12,504	Stoves	$19,724
Spades and shovels	12,424	Wire covered with cotton, etc.	78,536
Other similar implements	46,994	Files and rasps	35,912
Locomotives	69,804	Saws	55,395
Engines	42,809	Carpenters' and other mechanics' tools	194,300
Builders', cabinet-makers', harness-makers', etc., tools	430,594	Brass manufactures	182,385
Carriage hardware	86,694	Buggies	23,605
House-furnishing hardware	203,815	Farm wagons	9,718
Hollow-ware, tinned or glazed, etc	96,183	Pleasure carts, etc	10,546
Locks	69,845	Railway cars	139,836
Sewing-machines	158,507	Children's carriages	94,668
Other machinery	1,065,501	Other carriages	11,875
Charcoal pig-iron	77,420	Parts of carriages	79,511
Other pig-iron	129,375	Britannia manufactures	46,326
Steam pumps	20,836	Gas fixtures	62,196
Scales	24,381	Optical instruments	49,246
Watches	26,579	Tin wares	119,645
Watch cases	123,400	Tin-foil	17,022
Watch actions	139,019	Brass wire	24,418
Steel for saws	30,074	Copper	38,229

The total exports from this country to Canada in 1887 amounted to over $30,000,000, and consisted chiefly of manufactured goods. We have given the articles in which metals are the most important element of cost, because we have this list readily before us, and because it includes the products of mechanical work, the highest class of labor which is most liberally protected by duties. But it will be seen on examination of the Government reports that the entire list of exports includes almost every variety of American manufacture, including furniture, $355,000; cotton goods, $175,000; woolen goods, $225,000, and all kinds of household utensils; glassware, etc., $240,000; musical instruments, etc., $170,000; paper, $134,000; boots and shoes, leather manufactures, etc., $230,000, and builders' hardware, etc.

The manufacturers who, according to the Senator from Ohio, want a chance to compete in this country go to Canada and are brought in competition face to face with the English manufacturers, both paying the same duties, and sell $36,000,000 worth of American manufactured products in that market. If they can do it there, why not here? If they beat the English manufacturer in an English colony under the same duties, standing face to face in free, open competition, why do they need this enormous protection at home? I shall be obliged to any Senator who will answer that simple proposition.

According to the Senator from Ohio these manufacturers of ours want a chance. He says in his speech, which I have before me in the RECORD, give them a few years more and they will be able to compete with the whole world and with each other. Why, Mr. President, they are exporting from this country according to this editor $150,000,000 in manu-

factured products, $36,000,000 to Canada alone, the largest portion of these exports being articles included in this metal schedule; and yet these enormous duties are to be kept up, kept up for the sole purpose, as I charge, of increasing the profits of these manufacturers without one single effect upon the consumers of the country except to increase the cost of building material.

The Senator from Ohio says that I am mistaken in the remarks that I made here yesterday, because they were based upon the cheapest sort of steel beams. Those are the sort of beams I am interested in. I am not here for the purpose of protecting the man who wants to put a classical scene in iron or steel upon the front of his building. I am here in the interest of the people of this country who use the plain, the plainest sort of steel beams in the construction of business houses and bridges.

My colleague calls my attention to one point. I do not want to misquote this article. It says:

> The curious reader can greatly enlarge the list by studying the official reports, and he will find by extending his researches to other countries that about $150,000,000, or about one-fourth of our exports to foreign countries, are composed of manufactured articles which, according to the President, we never could export, because the price in this country is increased nearly or wholly by the amount of the duties.

We have heard a great deal about the decrease of prices in this country. There was not a great oration made on the Republican side during the last canvass in which the American consumer was not told how articles had gone down in price in the United States, but not one of these orators ever dared to show how the same articles had gone down during the same time in England, a free-trade country. I have the list, and at the proper time I intend to put it in the RECORD, to show that the decrease has been greater in England in those same articles that they say the tariff has decreased in cost to the American consumer.

But the Senator from Ohio said that I was mistaken in what I stated, because there were more valuable forms of steel and iron which cost a great deal more than those of which I spoke yesterday, and that this bill included these more valuable productions. Mr. President, the fair argument is on the cheapest article. If the Senate Finance Committee are not able to formulate a bill which makes a distinction between the higher and lower cost in these articles, between the articles that cost the higher and the lower amounts, that is not my fault. I took the lowest, the cheapest article, because a larger quantity of that article is consumed in this country than of the other.

The man who proposes to build a plain business house, and puts into it two-thirds of his capital, does not spend anything upon the structural metallic gewgaws that we see on some of the houses in the city of Washington, built by capitalists who are anxious to find some way to spend their money. The man who builds a bridge out in my country does not put on it figures of Diana the Huntress or the Apollo Belvedere. He wants something substantial, something as cheap as possible, and it is in regard to these beams and forms that I take my position and make my argument.

I say this taxation is enormous. Why, Mr. President, when men come out in their own organ, in the Steel Bulletin, and announce definitely the existence of this trust and say, "What are you going to do about it? Our customers do not complain; what business is it of yours?" are we to be told by the Finance Committee, who reported this bill, that we must take their declarations and their conclusions in regard to these matters and ignore what we see and what we know and what the people of this country feel in their daily transactions?

I said yesterday, and I repeat, there is not one single item in this bill that emphasizes more distinctly and fully the difference between the two parties upon this question. Here is an unnecessary tax. Here is a tax which is piling up colossal fortunes, putting money into the pockets of a few manufacturers. The Senator from Ohio says these manufacturers are increasing in number. Ah, Mr. President, but as they increase they increase the profit of the trust. Not one of them in this country can to-day compete with that trust. The whole business of this country is conducted by trusts. There is not a single article of absolute necessity to the people but is controlled by these trusts, and yet the Senator from Ohio says, continue the tax and by some sort of necromantic, magical, nebulous process that no man can understand the trust will go to pieces and other manufacturers will compete.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Tennessee [Mr. HARRIS].

Mr. GORMAN. Let the amendment be read.

The PRESIDING OFFICER. The amendment will be reported.

The CHIEF CLERK. On page 104, lines 446 and 447, it is proposed to strike out the words "one and one-tenth cent," and insert "six-tenths of 1 cent;" so as to read:

> 130. Beams, girders, joists, angles, channels, car-truck channels, TT columns and posts or parts or sections of columns and posts, deck and bulb beams, and building forms, together with all other structural shapes of iron or steel, six-tenths of 1 cent per pound.

Mr. GORMAN. Mr. President, I should have liked very much to have had an opportunity, in the consideration of this bill, to consider each of the various amendments proposed upon its merits. For one I have never had an extreme view either in the matter of the reduction or the increase of duties, but the country expected that there would have been a moderate decrease in the rates and revenues made by a bill so framed as to relieve the inequalities of the present tariff without interfering with the capital invested or the labor employed in the manufactures; but in the midst of a campaign and for political purposes, as I have no doubt, this bill has been framed, its basis being a reduction of the revenue on two or three articles—tobacco and sugar principally—and the remainder of it framed for the purpose of unduly increasing the profits of certain manufacturing industries; and we are met to-day in the Senate, when a proposition is offered to modify or reduce or correct a single item in this bill, with the avowed statement that it can not be done; that the majority of the Senate will not consider the bill item by item, but vote solidly to keep it as it is.

Now take this article under consideration. I have no question, from my knowledge of the iron-beam business, that 1 cent a pound would have been ample, and possibly more than was necessary, to protect that industry and all the labor employed in it. My impression is, and my belief has been always, that the amendment offered by the Senator from Tennessee proposing six-tenths of a cent was too great and too radical a reduction at this time; but I am forced, it seems, by the Republican majority to accept their proposition or vote against all reductions.

Mr. ALDRICH. Mr. President, as one member on this side of the Chamber I would like to disclaim entirely occupying any such position as that which the Senator is now describing.

Mr. GORMAN. I accept the statement of the distinguished Senator from Ohio [Mr. SHERMAN], who stated upon the floor that this bill ought to be accepted in its details as it came from the Committee on Finance; and we have had the statement of the Senator from Tennessee [Mr. HARRIS] and of the Senator in the rear of me from New Jersey [Mr. MCPHERSON] that the bill was framed in the Committee on Finance by three of its members alone, three of the Republican members of the committee, and framed at a time, as we all understand, to draw sharply the line between the North and South in the great contest through which we have just passsed. What I complain of is that under the statement of the Senator from Ohio, a leading member of that committee, we are not to have the opportunity to vote intelligently upon the merits of this question except by party lines.

Mr. ALLISON. The Senator from Maryland will allow me one moment. I entirely agree with him that this bill should be discussed in detail upon the merits of each item, and so far as I am concerned as a member of the Finance Committee I disclaim any idea that this bill is immaculate in its provisions at this moment. I expect for one that the Finance Committee itself will, before this bill is concluded, offer several amendments to its provisions. I think there are several defects in it that have already been disclosed in debate and by the examination of witnesses who have come before us.

I think myself, and I will say it now, that the steel-beam makers can get along with 1 cent a pound duty on steel beams, and at some proper time, with the consent of the Finance Committee, I shall be glad to make that motion if I can do so.

Mr. MCPHERSON. Why not vote on this motion?

Mr. ALLISON. I am going to vote on this motion when we get to the vote. I am not in favor of the motion.

I do not want to interrupt the Senator from Maryland further except to say that for myself I disclaim presenting a bill here that is to be put through upon party lines or for party reasons or for party purposes. I shall listen with pleasure to any criticism that may be made upon the details of this measure. In its general framework it is a bill intended to protect American industry and American labor, to use a common phrase here, and as to its details I stand ready to listen to amendments and to vote for them if they convince my judgment that the rate named is either too high or too low. I think some of these items are too low, and I have no doubt I shall vote to raise them. I think some are too high, and I shall vote to reduce them.

I only rose to say this much in response to the Senator's remark respecting the attitude of the Republican members of the Finance Committee.

Mr. GORMAN. I am very glad to have the statement of the Senator from Iowa, that the bill is not perfect.

Now, the Senator from Iowa understands perfectly, as all of us do, that when this bill was framed as a substitute for the one coming here from the other House, in the midst of a heated campaign, when the object of the party to which the Senator belongs, and of which he is a leading member and one of its most astute managers—he knew success could not be had in the election unless in drawing this bill it should be so framed as to excite the cupidity of the manufacturers beyond anything they had dreamed of before; unless his party could show to them that there were increased profits in this legislation proposed to be considered by the Senate, there was no earthly hope for the success of his party, and that the reductions of the revenue should come from another section of the country. Under the circumstances, it is no wonder that such a bill was framed.

It is no wonder that there are more than one hundred items upon which there is an increase over the present war tariff, under which the manufacturers have all lived and prospered. There is not a schedule from the iron industry through to the end of the bill where there is not

an increase of duty on something that they produce. We all understand it was for a political purpose, and we all understand how it was possible for the Senator from Iowa, at the time and under the circumstances, to press this measure, but I do not understand why it is after the election.

But the Senator from Iowa continues to do as he has done in the last ten days in the consideration of his bill, to vote his party as a unit upon every question and prevent us from reducing these duties where a reduction will not hurt the manufacturing interest of the country.

If the Senator is convinced that his bill is imperfect, as he now states; if he believes now that there are amendments that ought to be made to it, why not recommit the bill to the Committee on Finance and bring forth a measure that is somewhat more perfect? If he will not do that, why does he insist that his party shall vote down every amendment offered by a Democrat, whether it be right or wrong, and hold out to us only the hope that hereafter the Committee on Finance may bring in an amendment covering the very case?

Mr. President, I do not believe it wise or proper. I do not think there is any interest in the country that demands that this matter should now be considered in a mere partisan spirit. I for one am ready to take up every item in this bill and consider it and vote for it upon its merits. I can not vote for the amendment of the Senator from Tennessee, because I believe that amendment is too radical, but I do want a reduction in the duty on that particular article. Everybody who is familiar with the facts is perfectly well aware that it can be reduced at least to 1 cent, as the Senator from Iowa has now admitted, with perfect safety, and so it runs through the balance of these schedules.

I did not intend to debate this bill, but rose only for the purpose of saying that owing to the manner in which the measure is proposed to be considered by the Senator from Iowa and his party, by voting down every amendment offered from this side of the Chamber, there is nothing left for those of us who desire to pursue a conservative course except to vote for amendments for reduction, as I have done in some cases, where, if the measure were being considered upon its merits and not by a party vote, I would probably have voted otherwise.

If the Senator from Iowa and his political associates have determined to continue the consideration of this bill in the same spirit which has been evinced to-day the country will understand that they do it not with the hope of passing the bill, but because they know it never can be accepted elsewhere, and it will be as equally well understood that they desire to defeat legislation at this session of Congress and to keep open a question which affects every business interest in the country.

You have the power to do it. You can, and probably will, keep this question before Congress for the next year. There will be ample time for the Democratic party to convince the country that their demand for a reduction of the taxes on the necessaries of life can be complied with and yet give ample protection to American industries to the full extent of the difference in the cost of labor and yield a fair profit to the manufacturer.

The distinction, and the sharp distinction, has been made by the Republican party through its action in this body, not only in making the rate of duties sufficient to protect the difference in the cost of labor, but by excessive duties building up these monopolies far beyond anything that has ever been dreamt of even during the times of war.

Now, Mr. President, look at the schedule in this bill and you will see some fifty or one hundred articles on which there is an increase of duty. I have here on this paper some of the increases taken from the statement furnished from the Treasury Department. I will have them inserted in the RECORD. This statement shows the present duty and rate proposed by the Senate bill. I think, unless my friend from Iowa has gone over that schedule carefully, he will be amazed at the immense, the outrageous, and the uncalled-for increases that have been made not only in the iron schedule, but taking the cotton schedule, the most enormous and extraordinary increases have been made in nearly every article in that schedule, also, while manufacturers flourish now and want nothing better than to be let alone, and when there are no interests in the country that have been demanding an increase.

Mr. President, it was probably too much to expect that so soon after the election we could consider this question merely as a business proposition, and yet I confess that I did hope that the members of both parties would not feel bound to adhere to all the propositions presented during the last session; that we would be able by fair consideration, conciliation, and compromise—for it is impossible to perfect a great revenue measure affecting every interest in the country without concession and compromise—to pass a bill reducing the revenues of the Treasury. But the majority of this body have decreed otherwise. I regret it and I believe the people of the country will be disappointed, but the responsibility must rest upon the gentlemen on the other side of the Chamber, who are soon to come into possession of all the branches of the Government.

Mr. MCPHERSON. I wish to call the attention of the Senator from Tennessee [Mr. HARRIS], whom I do not now see in his seat, to the fact that his amendment proposes to reduce the protection afforded to the manufacturers of beams, etc., as found in this paragraph, even below that found in the House bill. It will be remembered that the House bill reduces the duty on pig-iron somewhat below the Senate bill. It will be remembered that yesterday the Senators on the other side of the Chamber refused to entertain a motion to reduce the duty on pig-iron.

It will be remembered also that in other and different preparations of iron and in more advanced stages which are used in the manufacture of beams and girders that side of the Chamber refused a modification of the duty. When the Senator from Tennessee proposes six-tenths of a cent a pound on beams and girders he puts it much below the average structure of the House bill. I call his attention further to the fact that the amendment he offers places this item entirely out of proportion with the other provisions and paragraphs in the metal schedule of the bill which have already been voted in the bill by the Senate.

A single word with respect to the debate which has taken place this morning on the Senate bill. I can scarcely believe that the Senators on the other side of the Chamber meant anything more than to simply make a campaign argument for the manufacturers of the country when this measure was reported to the Senate.

I can not believe that a great political party in this country, claiming to be first in intelligence and in patriotism, in honesty and in justice to all sections of the country and all the people of the country, in a time of profound peace, with an overflowing Treasury, of which the Secretary of the Treasury was warning us day after day and asking us to assist him in getting rid of it, would bring a tariff bill before the Senate that is 15 per cent. higher on the average than the tariff bill proposed by the honorable chairman of the Finance Committee, the senior Senator from Vermont [Mr. MORRILL], in 1861 and 1862, and that was a time of war, when the Treasury was bankrupt, when we were confronted with a great war and nobody knew when or how it was to end.

I think I quote correctly the language of the distinguished Senator on that occasion when, in bringing his bill before the House of Representatives and asking for an increase of duty, he stated the purpose, and what was it? Why, said he, "The Treasury is bankrupt; we want an increase of revenue; the Government must have it; we are spending millions of dollars every day above the receipts of the Government, and we demand more revenue."

As near as I can find out from the record made here, there was scarcely a dissent upon any side of the Chamber to an increase of the duties. The honorable Senator from Vermont then said, "I do not offer this bill because the industries of the country need more protection; experience has proved that they have all the protection they need." What was the average rate of protection then? Less than 20 per cent. at that time, and the increase was made so that the average during the four years of war from 1861 to 1865 was scarcely greater than 30 per cent.; and here, now, in time of profound peace, with an overflowing Treasury, with great trusts and combinations formed all over this country, which this high protective tariff helps to keep in operation and to keep in force and to aid, the Finance Committee of the Senate come before this body with a bill which proposes to increase the taxes upon the people greater than they are now, and far greater than any tariff bill has ever before proposed.

I say I can not believe that it was brought in for any other purpose than a campaign purpose; and when the Senator from Maryland [Mr. GORMAN] compliments that side of the Chamber upon the magnificent victory they gained, I want to say this, that to my mind it was obtained by the most disgraceful methods that were ever brought before a free people.

No sooner was this tariff bill brought before the Senate than there were items taken from it; each individual industry was furnished with a slip of paper containing a comparison between the two bills, which was read by the owners of the factories before their employés; it was shown that the Senate bill proposed to increase the duties, and thereupon said the owner of the factory, "If we get an increase of duty we will give you an increase of wages."

What was the result? Why, it was a sermon preached to a poor man depending upon his daily labor for the necessaries of life. But good care was taken when the schedule was furnished for a certain particular industry, that another schedule for another industry, which greatly increased the cost of living to said employé, was not furnished them. No, no, they had no business with that; they had no use for that. They were simply wanted to know how much the duty was increased upon the particular industry in which they were employed.

Coupled with that came the statement, "You increase the duties and we will increase the rate of wages; the House bill lowers wages to you." That was the way this campaign was conducted. Upon one side it was a campaign of education, I admit, because we were convincing or attempting to convince the consumers that it was for their interest, that it was for the interest of labor, that it was for the interest of the manufacturers themselves to have lower rates of duty, to have raw materials placed upon the free-list, and in that way give more hours and better wages to labor by not killing the consumption, as the Senate bill proposes to do by causing high prices for products, but rather increase consumption at home and extend the area of our markets to all other parts of the earth. That was the policy of education that we proposed, and in some of the States of the Union, I am glad to be able to say, that policy met with the acceptance and concurrence of the people.

I want to say further that when the people have become as well edu-

cated in other States the result will be that there will be an overwhelming majority in favor of a moderate reduction. Now, let me say to my friends on the opposite side of the Chamber, it was a campaign of self-interest and nothing more, a campaign to secure votes, and I expected when this Senate met on the 3d day of December to see this bill thrown overboard. I had no expectation that it would be brought before the Senate for its serious consideration. I thought it could not be possible after these industries have lived and grown and strengthened themselves for twenty-four years since the war that there was any necessity for giving to three hundred thousand factory-owners in this country the right to impose 15 per cent. more upon the products of their factories than before. It seems I thought better of the Republican party than it deserved.

It was a campaign of deceit. Why, sir, Republican orators were traveling all over this country and scaring the laborer, or attempting to do it. The laborer in factories will some time find out, if he has not yet reached that point, that when the duties are high, when trusts and combinations are formed as they are formed now and protected by high rates of duty to prevent foreign importation, the manufacturers can meet together, determine the output of the factories, and fix the price for which their goods shall be sold. They can also in the same breath fix the wages of labor, and the laborer practically becomes the slave of the man who employs him. The man who gives me employment, which I must have or starve, that man is my master, let me call him what I may.

There was no reasonable objection to be found to the policy of the House bill. It did not propose to reduce the tariff on dutiable articles to any very great extent. It was based upon the broad catholic principle of letting the manufacturers have their raw material cheap and then maintain a protective duty for the labor employed in the factories, thereby giving our producers the entire home market of 65,000,000 people, and as well the markets outside of this country with 500,000,000 more consumers who want to buy of us.

Now, to go back to the pending question, I wish to say to the Senator from Tennessee that, considering, as we must, the absolute refusal to make reductions on the material which enters into these beams and girders, the amendment he proposes reduces the duty very much below the reductions in the House bill, which I consider very extreme, and considering at the same time the whole structure of this bill, for one, if it be the determination of that side of the Chamber to maintain the highest rates of duty all through in every schedule and upon every manufactured article, I am not willing to pick out one industry and reduce it far below a point that will keep it in proportion with others.

In other words, if high protection be the policy, I do not intend by my vote to strangle an industry of my State and give high protection to the industries of a neighboring State. New Jersey is entitled to fair play, and that she must have. New Jersey is largely engaged in the manufacture of structural iron.

Therefore I can not vote for the amendment offered by the Senator from Tennessee.

Mr. ALLISON. Mr. President, a Senator just now remarked to me that the speech of the Senator from New Jersey [Mr. MCPHERSON] was a little too late for the last election and a little too early for the next, and I think there is some force in that statement. But the Senator from New Jersey winds up very well, and I think for one I can take a little scolding from the Senator from New Jersey and the Senator from Maryland [Mr. GORMAN] when they conclude their arguments by stating that they will vote against the amendment of the Senator from Tennessee [Mr. HARRIS]. But there are a few things which I think might as well be understood now as at any other time respecting this bill; and one is, that those who prepared this measure and presented it to the Senate did not prepare it in the spirit disclosed in the bill which was sent to us from the House of Representatives; and when the Senator from New Jersey says that he supposed this measure, as soon as this session began, would be laid aside, it shows what he supposed all the time was involved in its preparation and its presentation.

Mr. President, there never has been a time when the present Committee on Finance did not know that a revision of the present tariff was absolutely necessary and that a reduction of the revenue was necessary, and those of us who had the responsibility of this bill took up the schedules in the tariff and considered them item by item upon our responsibility as Senators, and not for the base purpose of making party capital, as I believe has too much characterized some attempted legislation on this subject.

This measure was prepared upon the idea that the American people should have fair and reasonable protection as respects the wages of labor and as respects the industries established in this country. When the Senator from New Jersey says that these schedules were read in the manufactories in order to make the laboring men vote the Republican ticket, it may be a truthful statement; but I am quite sure that no such effort was made on the part of the Committee on Finance; and if those interested in the success of this great principle adopted that method of reaching the people, I have no objection to it. But I think it very clear that there are some places where these schedules were not read, and those places probably were the rum shops of New Jersey. I do not think they interested themselves particularly in these schedules during the last election.

Mr. FRYE. Particularly in Hudson County.

Mr. ALLISON. I do not know about the counties, but I mention that as an illustration in answer to the remarks of the Senator from New Jersey.

Mr. FRYE. The whole majority was in Hudson County, being over 8,000 there, while the whole majority in the State was not much over 7,000.

Mr. ALLISON. I have refrained, as Senators know, from a partisan discussion of this bill or any of its details not only now but when the bill was reported to the Senate in October. I stated distinctly then on behalf of the committee that this measure was presented as the best solution the committee could make of a difficult problem in its details, and that there were doubtless defects in the scheme which, when pointed out to the committee, either by those interested in the subject, whether as consumers or producers of articles, the Committee on Finance would be ready to hear and ready to make such modifications and changes as further inquiry should seem to make necessary.

The Senator from New Jersey knows perfectly well that our committee-room has been open to his constituents and to the constituents of every other Senator on this floor for the purpose of enabling us to gather information respecting the detailed items of this bill, and therefore I only repeat to-day in the presence of the Senator from Maryland what I stated on this floor many times during the discussion in October, that we were ready to amend this bill wherever it seemed necessary to amend it after a further examination.

Now, as to the framework of the bill, we started out with the idea that it should be a bill looking to the interests of the citizens of this country and not the interests of citizens of any other country. We intended to make this bill fairly protective to American interests, American producers, and American laborers, and we did not look in fixing the details of the measure to whether we raised a schedule 1 per cent. or 10 per cent., or reduced it 1 per cent. or 10. We intended in framing the measure that it should be a bill which would encourage the production of articles in our own country rather than in other countries. That is the principle of it; and when the Senator from Maryland says now he has picked out of it a number of items showing an increase of duties, he has stated nothing new to the subcommittee or the Committee on Finance. In this very iron and steel schedule now under consideration we have increased a large number of items, and where we have made increases we have made them because upon the representations made to us we found that American producers of iron and steel at the rate existing under the present law could not compete with foreigners upon terms of equality, and when we found such a condition existing we raised the rate of duty, and there are a number of cases where that is done.

Now, the Senator from Maryland and the Senator from New Jersey, as well as the Senator from Missouri, state that we are encouraging trusts and combinations by this process. The Senator from Missouri in his argument has stated that upon steel beams the profit is $33 a ton. Is there a man of sense who does not know that if there is that profit in the manufacture of steel beams, the six, or seven, or eight, or ten manufacturers who are now prepared to manufacture steel beams will have competition in our own country? Is it the theory of those who believe in protection to American industry that a half-dozen parties can continue for a long period of time to make large profits upon any single industry? Here is the State of Alabama, with natural resources for the production of iron unsurpassed in this country or any other. If a profit of $33 per ton, or one-third of $33 per ton, can be made by the production of beams from pig-iron, is it possible that the capitalists of this country and the owners of iron will not take advantage of that fact and commence the manufacture of these articles?

As I stated the other day—and while I am upon this subject I will state it now—it is true that for some years the manufacture of structural iron was confined to a few manufacturers. It is also true that from time to time the manufacturers engaged in the manufacture of iron and steel have been enlarging their works so as to take in this particular class of manufacture, and although there has been an agreement with respect to prices in the past years, it was stated to the Committee on Finance that there are four manufactories now producing structural iron and steel that are not in this agreement as respects prices. It is perfectly well known that new establishments are being erected in the West for the purpose of making structural iron and steel, and that one or two of them have been opened during the past year, and that others will be during this winter. Thus the competition in this country will bring down the price nearly to the cost of production. Does the Senator from Missouri believe that the great iron interest of his own State, the enterprising and energetic men of his State, will allow the Phœnix Iron Company, or the Pennsylvania Steel Company, or the Union Iron Company of Pittsburgh, to make $33 a ton upon this simple class of production without entering into the manufacture of it themselves?

Mr. VEST. Will the Senator permit me a word?

Mr. ALLISON. Yes, sir.

Mr. VEST. When steel rails in this country were selling at the enormous price, $85, $90, and even $100 a ton, the Vulcan Iron Works

of my State went into a contract with the steel-rail trust which then existed and received $500,000 each year for three years not to run, and they closed down; and that is the ordinary proceeding of these trusts all over the country.

Mr. ALLISON. I am not discussing trusts.

Mr. VEST. I am.

Mr. ALLISON. Very well. The Senator can take his own time to do it. I am only calling attention to the fact that with the enterprise, the energy, the activity we have in this country, the men engaged in a particular manufacture will not allow two or three men or a half-dozen men to make $30 a ton or one-third of that sum on any particular class of iron or steel. It is absurd to talk about it.

These people are gradually enlarging their works, and I have no doubt, if we could ascertain the facts to-day, that structural iron and steel is sold in this country at not a very large profit. It may have been sold and doubtless has been sold at a large profit. I take *cum grano salis* the statement, made in the House of Representatives, if you please, that one firm made a million of dollars in a single year upon structural iron and steel. The Senator from Missouri says he takes that as true because it has not been denied. I have no doubt it has been denied. I have no doubt of its untruthfulness.

But the idea of this iron and steel schedule is—and it may as well be understood in the beginning—to give such protection to our own people as will encourage the production of the great body of articles that are used from iron and steel in this country. That is the aim and purpose of this metal schedule. I understand it to be the aim and purpose both of the Senator from New Jersey and the Senator from Maryland, because they both warned the Senator from Tennessee that they would not go to a point where our own people can not successfully manufacture these articles.

The Senator from Maryland stated that he was surprised to see this bill conducted in the manner in which it is conducted—on a partisan scale. Why, Mr. President, who is doing that? Certainly not this side of the Chamber. What spectacle did we see yesterday? We saw the spectacle of the Senator from New Jersey standing in his place and offering clauses of the Mills bill *seriatim* to items in this bill, whether they were wise or otherwise. We saw him offering amendments where the ad valorem duty was only 17 per cent., merely because he found a different rate in the Mills bill. I sat in my seat without responding to his remarks yesterday with reference to this matter, and there has not been a single amendment offered to this bill thus far that has not been taken body and breeches from the Mills bill. If Senators on the opposite side of the Chamber are going to confront us at every stage of the proceeding with the Mills bill, I give them my word, so far as I am concerned, that they shall have enough of it.

This bill differs from the House bill, which the Senator from New Jersey offered yesterday *seriatim*, in the fact that it does not come here with the indorsement of any party, or of a national convention, or of a national committee, or of an executive message. It comes here with no force and power except that force and power which comes from argument in this body as respects its detailed provisions.

The Senator from New Jersey complains that the bill is now brought in for consideration. What would he have said if when this session began the Committee on Finance had set aside this bill and gone to the consideration of other business, in the face of the promise we made in the Senate, and the promise we made in good faith, that this bill should be considered at this session of Congress? What has been the progress of the bill? I have endeavored day by day to have it considered. Motions for adjournment have come early and often from that side of the Chamber. Yesterday I was requested to consent to an early adjournment for a reason which I will not make public here, but for a reason which has disclosed itself in an attack all along the line upon this bill this morning.

If Senators on that side of the Chamber have come in this morning invigorated and refreshed by the consultation which the newspapers state that they had last night, if they come here with a determination to fight this bill in every inch and in every item, and for the purpose of going over this Presidential election—in other words, dying hard again after they have been killed once [laughter]—if that is their policy during this session of Congress, in order that there shall be no legislation upon the tariff question, in order that the Senate shall not send to the House of Representatives its judgment as respects this great question of the tariff, so be it. For one, as a member of the Finance Committee, I can stand here as long as they can; I can stand early adjournments if they insist upon them; and if they want to attack these items and show up the enormities and atrocities of this bill, so be it. I think the Committee on Finance will be able to give a reason at least for the various provisions of this bill as we come to them, and I am ready to discuss each and every one of them, and if on the whole the discussion discloses that these items are unjust to the consumers of our country or the manufacturers or the laborers, I stand here as ready as any gentleman on that side of the Chamber who is honest in his purpose to make amendments to the bill. I do not intend to run it as a partisan machine; but if it is to be run as a partisan machine on that side of the Chamber, as indicated this morning after the caucus of yesterday, let it come from that side of the Chamber, and I give notice that so far as I have authority with reference to this measure, I shall ask for its consideration every day in the morning hour and at 2 o'clock until disposed of.

Mr. MCPHERSON. A single word in reply to the Senator from Iowa. In the first place he charges me with having yesterday proposed as amendments to the Senate bill now under consideration items found in the Mills bill. I plead guilty to that charge, and because the items I found in the Mills bill were such as I believed ought to be incorporated in the Senate bill. I began at the basis of the whole metal schedule and proposed to reduce it in accordance with what I thought true justice to all interests. I believed that $6 per ton was duty enough upon pig-iron. I believed a duty of $20 a ton was enough upon iron and steel forms manufactured by use of charcoal. If those amendments had been agreed to, it would have permitted certain reductions to be made in the metal schedules all the way through. I want the Senator from Iowa to understand that I am not committed in any shape or form to the House bill known as the Mills bill with respect to the dutiable-list.

Mr. ALLISON. I know that.

Mr. MCPHERSON. When I signed the minority report I expressly stated that I was not committed to any particular policy of tariff revision, but I am committed to a fair and proper policy of tariff revision and shall insist upon it, whatever any other Senator on this side or that side of the Chamber may do.

I exceedingly regret the unfortunate reference which the Senator from Iowa has seen fit to make to the rum interest, as he is pleased to call it, of the county of Hudson and State of New Jersey. I do not know what that had to do particularly with the electoral ticket or the national campaign. I should suppose that the so-called "rum interest" of New Jersey, or even of other States, for that matter, if they had consulted their own personal benefit, would have been found voting with the Republican party, which is in favor of freer rum rather than reduce the duties upon the necessaries of life.

But I think it is more complimentary than otherwise to what the Senator is pleased to call "the rum interest of New Jersey" to find their votes in favor of cheaper blankets, cheaper clothing, and willing instead to pay a little higher price for their rum. That is what they have done in this campaign, and the Senator wonders why the free-rum platform of the Republican party failed in its purpose.

The Senator from Maine who sits nearest me [Mr. FRYE] *sotto voce* undertook to tell the Senate exactly what the majority had been in the county of Hudson. If the Senator was in his seat I would like to inform him that the majority given in the county of Hudson was a legitimate, honest majority; a vote cast by an honest, intelligent people; by honest methods, for honest purposes. Can you say as much for other States?

There was not a single manufacturing district in my State which did not give an increased Democratic vote, even above the natural increase of the voting population. The great silk district, located in the county of Passaic, gave a largely increased Democratic majority, or rather reduced the Republican majority one-half, which is only another way of saying it. The county of Essex, which for extent and variety of manufacturing interests stands pre-eminently the first county of the Union, considering its population, heretofore strongly Republican, gave a largely increased Democratic vote; giving Mr. Cleveland a majority, whereas in 1884 it gave 1,600 majority for Blaine.

The pottery district did not give an increased majority against us. The great glass district in South New Jersey, although they are immediately under the eye of the Pennsylvanians and controlled in a measure by the Pennsylvania tariff heresy and subject in a great measure to Pennsylvania methods—and since this campaign has ended we have heard very much about those methods—I say the glass district also gave an increased Democratic vote.

This revolution in sentiment was not confined to the county of Hudson, where a great increase of the Democratic vote was found, but in every manufacturing district of the State and among every variety of manufacture the Democratic vote increased.

To say that rum did all this is a very grave indictment of a people who never yet saw the necessity of depriving any citizen of the State of his natural rights or abridged his personal liberty to keep him sober. Can Iowa say so much?

Now, Mr. President, a single question and I have done. The Senator from Iowa undertakes to vindicate his bill. I want to ask that Senator if he finds any necessity existing for a higher rate of duty upon all articles in this country in 1888 under the conditions that now exist than was necessary in 1861 and 1862, when we were confronted by a great war? I await his answer.

Mr. ALLISON. Why, Mr. President, does the Senator require an answer to a question of that character?

Mr. MCPHERSON. I think it needs an answer.

Mr. ALLISON. Whether I regard a higher duty necessary now upon all articles of consumption in this country than was imposed in 1861! Of course I do not. But whatever duty is necessary to maintain our industries in competition with similar industries in other countries I maintain is necessary now, if we believe in fostering our own industries. Therefore, that being the general principle, it is necessary or at least

it is wise for us to ascertain, if we can, what that line is, and that is what I supposed this bill contains. If the Senator from New Jersey proclaims now that he is not in favor of that, then he must be in favor of the other proposition, which is that we shall open our markets to the free and unimpeded importations of the products of producers of other countries, thus placing us upon a level with them.

Mr. MCPHERSON. I have often heard it stated——

Mr. MORRILL. Will the Senator allow me a single word?

Mr. MCPHERSON. Certainly.

Mr. MORRILL. It is manifest that we require a much larger revenue than we did in 1861 and 1862 on account of the doubling of the growth of the country. It takes a larger amount to support a government of 65,000,000 than one of 30,000,000. Our pension list is more now than the whole expenses of the Government were in 1861 and 1862.

Mr. MCPHERSON. The Senator from Vermont proposes now, because the present tariff is yielding too much revenue, to prevent any revenue coming into the Treasury through such an increase of duties as will prevent importations! No, Mr. President. I have heard the argument here and elsewhere by gentlemen on that side of the Chamber that the reason for this increase of duties was because of the increased wages paid to American workmen. They are bolder now, and some of them cry out for prohibitory tariffs in the interest of the factory owner.

When the question is asked, why do you want a protective tariff? the farmer of the Senator's own State might rise up and ask why capital engaged in a manufacturing industry was any more entitled to protection than the capital employed in his farm, which has no protection at all. And that would be a very natural and proper question to ask. Ah, but says the Senator in reply, it is to protect the labor employed in that industry.

Now we turn to the census of 1880, which is taken to be a true and faithful report because it was a report copied from the books of the factories themselves, which declares for instance upon this metal schedule that the entire labor cost, not the difference between the rates of wages paid here and the rates paid abroad, which should be the basis of course upon which this estimate is founded, but the entire labor cost is less than half the duty you impose upon the article itself. Who then gets the benefit? Nobody can get it but the owner of the factory, and here the Senator from Iowa stands in his place and demands the extra cent, or half a cent or one-tenth of a cent.

Take the woolen schedule, if you please. Under the census of 1880 the entire labor cost in the woolen factories was less than 19 per cent. of the cost of the goods, and to-day the Senator from Iowa comes in here with a bill proposing a rate of duty of 35 and 40 per cent., three times the difference paid for wages in this country above the current rates in other countries; and yet he is not satisfied with that!

Take the cotton schedule. Twenty-one per cent., so says the census of 1880, represents nearly the entire labor cost of the goods, and what is the duty? Thirty-five to 40 per cent. in this bill, and even as high as 50 per cent. And yet the cry is protection to American labor, which labor never gets. Who ever knew of wages being increased in a highly-protected industry that was not drawn out of it by organizations of labor striking for a larger share of the bounty than was accorded them?

I did not believe until the Senator told me to-day that he was at all serious in his determination to press this bill to a vote, because I did not believe the industries of this country could stand it. I do not believe the factory owners can stand it. Certainly the consumer can not, and the labor employed in the factories hereafter under these high rates of duties perhaps may be able to work one half the time on full pay and the other half on half pay, or half time, or both, owing to overproduction and a want of a market, because the high price of the goods kills consumption.

What I found fault with was that almost every single industry in this country was able to come and rap at the door of the Finance Committee and get a hearing before that committee, and I never learned that any very great number of consumers of goods or the labor employed in our factories were there and had much consideration. The wool-grower was supposed to know what he wanted and he was given 1 cent a pound more tax upon his product. The woolen manufacturer was supposed to know what he wanted, and he was enabled to fix the rate to give him a monopoly of the business or satisfactory profits by fixing the tax upon his competitor's goods. That is the way in which this whole thing has been built up; and when we find fault with it and say it is wrong as a matter of policy, then the Senator from Iowa makes answer—as he has made answer to-day—which in short is no answer at all.

Now, I want to submit to the other side of the Chamber, if that is the best reason you can give, had you not better refer this bill to the committee again to be revised? The campaign is ended; the effect has been felt; labor has been frightened to a certain extent, because labor has not been educated up to the standard and did not see it as the people of Hudson County, New Jersey, happened to see it, that it was better to have cheap clothing and cheap blankets than free whisky. Let us have a longer discussion of it. I think that it is just as well to get along under the existing tariff as it is rather than increase the rates, and therefore I would infinitely prefer the present tariff, conditions and all, to your theory.

Mr. ALDRICH. Mr. President, the several Senators who have spoken on the other side of the question have expressed a desire that we should proceed to the discussion of this measure and of its various provisions upon the merits which they present, and that each of these provisions should be discussed without regard to the others. I propose in what I shall say to accommodate them, and to call the attention of the Senate to some of the practical aspects of the discussion of the amendment which is now pending, which have been disclosed in the remarks of the Senator from Missouri [Mr. VEST], the Senator from Maryland [Mr. GORMAN], and the Senator from New Jersey [Mr. MCPHERSON].

The Senator from Missouri reads from a speech made in the House of Representatives by Hon. WILLIAM L. SCOTT, of Pennsylvania, who, the Senator from Missouri states, is a large iron and coal merchant or manufacturer, an expert in matters of this kind. The statement of Mr. SCOTT is to this effect, that steel beams can be produced in this country, and are produced in this country, at a cost of $28.02 per ton, the foreign cost being $24 a ton, and the difference between the foreign cost and the domestic cost $4 a ton. If this statement is true or approximately true, the rate now suggested by the Senator from Tennessee [Mr. HARRIS] is not only amply protective to the steel-beam industry in this country, but it is greatly in excess of the rate required. Certainly if structural iron and steel can be produced in this country, according to the statement which has been read by the Senator from Missouri, for $28 a ton, and the cost on the other side is $24, $13.44 a ton, which is the rate proposed by the Senator from Tennessee, is excessive; and if, as the Senator from Maryland and the Senator from New Jersey say, they only desire to equalize conditions in this country, they are bound not only to vote for the amendment of the Senator from Tennessee but to seek to have that rate reduced.

I will say frankly for myself that I occupy precisely the position which the Senator from Maryland says he occupies. I only ask that the people of this country, the producers of this country, shall live under equal conditions; that equal facilities shall be afforded them as to their competitors on the other side of the water.

Is this statement made by the Senator from Missouri, based upon a speech of a member of the House of Representatives, true or anywhere near true? Will the Senator from New Jersey rise in his place and say that he believes it? Will the Senator from Maryland say that he believes it? Will any Senator say that he believes that statement to be approximately true? Then why is it brought here as the basis of our action upon a serious matter of this kind, affecting great industries in this country? I have stated, upon the authority of the superintendent of a large manufacturing concern in the State of the Senator from New Jersey, that the cost of producing steel beams from pig-iron is more than $40 a ton. Does the Senator deny that statement, or does the Senator from Maryland deny that statement? There is a difference between $12 a ton, between the statement of the member of the House of Representatives from Pennsylvania, and that of the superintendent of the Cooper & Hewitt Works, in the city of Trenton, N. J. Which of those is correct? I believe that a man who is engaged in the practical manufacture of these goods, even though a Democrat, will tell the truth about it, and that it does cost $40 a ton above the cost of pig-iron to produce steel beams and these forms of structural iron.

Now, if the Senator from Maryland and the Senator from New Jersey are willing to vote for a rate which will equalize the cost between the two countries, based, as it is, upon the greater cost of labor in this country, then I am with them; and upon the definite information that the committee had they fixed the rate as they did, and if the Senators believe with us that the facts I have stated are correct——

Mr. GORMAN. Where does the Senator get his figures upon which this statement is based? I should like to hear the statement of the Senator from Rhode Island and have him show his calculations.

Mr. ALDRICH. I have already stated it, and I will restate it: The superintendent of Cooper & Hewitt's works in Trenton stated to me that the cost of making steel beams above the cost of pig-iron was $40 a ton, and that the cost in Belgium for doing the same work was not more than half that sum, or $20 a ton.

Mr. GORMAN. Now I should like to ask the Senator from Rhode Island whether that statement is based upon the average cost, taking all the different classes of beams made at that factory, known to be of the highest character in this country? I ask whether he does not know that that is not a fair statement of the average cost of beams in this country? I agree with the Senator from Rhode Island that the statement made by the Senator from Missouri is upon the lowest class of beams.

Mr. ALDRICH. Will the Senator allow me? Does he believe any beams of any character can be made in this country for $28 a ton?

Mr. GORMAN. I have no question that the lower class of beams can be made for about $28 a ton, but in discussing this question, as I said a moment ago, you do not want it on political lines or on the mere statement of some individual. I am asking a Senator who has investigated this subject whether he does not know and believe to-day that the rate which has been reported of 1.1 cents is too high upon all the articles embraced in this item.

Mr. ALDRICH. I will answer the Senator's first question first. He asks if the difference in cost between Belgium and Trenton is upon the average of all the products of the mill. Undoubtedly it is, and it is the average of the product of the Trenton mill that is covered by the clause under consideration. It is, of course, all the goods produced by the Trenton mill which are covered by the item under consideration. I think that is a sufficient answer to the first question.

In regard to the other question, I will say that the committee in the first instance fixed this rate at 1 cent a pound. Afterwards, upon the statement of one of these manufacturers, it was increased to 1.10 cents. My own impression agrees with that of the Senator from Iowa, that these people can probably live upon 1 cent a pound, and at the proper time I shall vote for an amendment to make the rate a cent a pound.

But what I was trying to call to the attention of the Senate was that if they believe the statement of the Senator from Missouri, the rate now proposed is altogether too high, instead of being too low.

One other word about the combination among the manufacturers of steel beams in this country. The Senator from Iowa has already stated that there are three or four large corporations now engaged in the manufacture of structural iron and steel that are not members of this combination. The combination itself is not in any sense a trust. The business of these concerns is not pooled. It is simply a combination, which may last twenty-four hours or may last twenty years, to regulate the price so far as the members of the combination are concerned. One of the three or four largest steel concerns in the United States that are engaged in the manufacture is the North Chicago Rolling Mill Company, of which the Senator from Illinois knows the character as well as myself. It is one of the largest concerns in the United States. It is now engaged in making structural iron, and is not a member of this combination. I have no doubt myself that all the large works of the country will soon be engaged in the manufacture of structural iron and steel, and the competition thus engendered will regulate prices sufficiently in this country.

Mr. GORMAN. The Senator from Iowa takes advantage of the movement for an early adjournment yesterday, which my friend from Texas [Mr. REAGAN] says was about 4 o'clock, to intimate that gentlemen on this side of the Chamber after conference yesterday have come in today to open fire on this bill all along the line, and intimates it was the decree of the caucus that the Democrats are to contest his bill, item by item, and prevent its passage.

I think I have a perfect right to say—and I believe it to be true of every gentleman on this side of the Chamber, although I have no right to speak for anybody but myself—that after the declaration of the Senator from Ohio yesterday, in which he said that we ought not to be astonished at the fact that those on the other side of the Chamber followed blindly the recommendation of the committee upon every item of the bill, because they thought it was wise to do it (that was the intimation; I do not mean the exact language), coupled with the fact that upon every vote upon every amendment that was offered there was a strict party vote, some of us thought it was time for consultation, as my friend from Iowa and his associates are understood through the public press to have had their consultation, and we naturally came to the conclusion that it was time for us to move as a party on this side.

But I stated further what I complained of was the attitude of Senators on the other side. I say now with great frankness that there is no party intention to obstruct your legislation, but if you insist in pressing through this bill without listening to the reasons in any case for a change, you are simply fighting the battle of the last campaign over again. You know too well the history of legislation to suppose that, with a measure pressed with such a motive and intent, it will be possible for you to pass the bill at this session; and you press it with that knowledge, and, as I have a right to assume, for the purpose of defeating the consummation of any measure looking to a reduction of taxation.

Mr. President, the Senator from Iowa makes another statement, that if the Senator from New Jersey and myself are sincere in our desire to fix a rate of duty that will not interfere with the capital invested in these great enterprises, or the labor employed in them, that that is his object and that is the object of the bill. I say it goes away beyond it. The present tariff laws were made by the Republican party. It has been its boast that it promoted every industry in the land. Our claim has been that in many instances it has laid an onerous tax away beyond the necessities of the case, and the result has been monopoly, combinations, and trusts.

The country has been more than satisfied that the duties heretofore levied are more than are required to protect American industries. The Senator from Iowa knows there was an excuse for his bill before November last on the line on which his party was then, with the pledges made by himself, and the declaration made over and over again by every prominent member on the other side and often by the Senator from Iowa, that the existing tariff rates did require reduction and modification. Instead of reductions in duties you presented a substitute for the House bill just at the height of the excitement of a Presidential canvass.

When calm deliberation was impossible there was party advantage to be gained. Then you went away beyond the demand of any business interest or any party platform and increased the war tariff. You have increased the rates that you yourselves made in 1883, under which the manufacturers have been prosperous, ay, have reaped larger returns than those of any other country upon the face of the globe. Now, I say to you that this attempt to add to those rates, to increase these duties on one hundred or more articles, yes, two hundred of them, is wrong, is against the interests of the people of the country.

Now, I take up one or two of these schedules, and I should like to know from the Senator from Iowa how he can reconcile the increase on these articles with his declaration that he is for a reduction of these taxes when it can be done without impairing the capital invested or labor employed. They have not asked for more protection, but here are some of the increases. Taggers' iron or steel. The present rate of duty is 39.18 per cent., and you have increased it to 64.24 per cent. ad valorem, based upon the imports of 1887. You have taken all iron or steel valued at more than 10 cents and have increased the ad valorem duty from 13.86 and 10.97 to 45 per cent. ad valorem.

I will not read the whole of the list, but I will have this statement published.

Steel ingots, cogged ingots, you have increased from 45 per cent. ad valorem to 63.07 per cent. Strips of iron or steel from 52.63 to 56.48 per cent. Steel circular-saw plates from 37.32 to 44.77 per cent.

You have increased brass bedsteads and other household furniture from 35 per cent. to 45 per cent.; britannia-ware from 35 to 45 per cent.; iron bedsteads from 35 to 45 per cent.; umbrella and parasol ribs from 40 to 45 per cent. You have increased the duties on horses and mules from 20 per cent. ad valorem to 31.66, on cattle from 20 per cent. ad valorem to 37.21, and on cattle for breeding purposes, which are now free, you put a duty of 17.69 per cent., all in the interest, as a matter of course, of the farmers. On hogs you increased it from 20 per cent. to 21.10 per cent.

Now take the cotton schedule. You have cotton thread and yarn valued at over 25 cents and not exceeding 45 cents a pound from 42.31 per cent. to 50.75 per cent., and valued at 60 cents a pound and not over 70 cents from 50.89 to 50.90.

So it runs through this entire schedule where there are more than a hundred increases in the rates of duty, and yet the Senator from Iowa says we have no right to complain, and when we do complain he intimates that it is for partisan purposes, and when we object to these increases we are charged with being against the American laborer.

I repeat again that I am in favor in this legislation of so adjusting the tariff as to give entire protection to the capital invested and the labor employed in American industries, but I never will consent to these enormous increases which are now made by this bill, when there is no interest in the country that demands them and when they are made only for the purpose of increasing the profits of a comparatively few people who are engaged in those industries.

Paragraph Senate bill.	Articles.	Ad valorem equivalents at new rates based upon importations for fiscal year 1887.	
		Existing law.	Senate bill.
		Per cent.	*Per cent.*
2	Acids, boracic:		
	Commercial	80.51	94.58
	Pure	59.48	94.58
10	Ammonia:		
	Carbonate of	20.00	26.45
11	Muriate of, or sal ammoniac	10.00	14.90
12	Sulphate of	20.00	24.66
19	Cement:		
	Roman, Portland, and other hydraulic, in packages (barrels), in bulk	20.00	31.68
23	Cobalt, oxide of	20.00	27.29
34	Extracts and decoctions of logwood and other dye-wood	10.00	14.96
	Extract of sumac	20.00	25.75
	Hemlock bark, extract of, for tanning	20.00	50.00
35	Glue, valued above 7 cents per pound	20.00	25.00
37	Indigo, extracts of	10.00	10.50
45	Lead, orange mineral	70.00	82.08
54	Cod-liver oil	25.00	28.19
59	Olive oil	25.00	38.84
60	Whale and other fish oil, not otherwise provided for	25.00	30.18
64	Blanc-fixe, or satin white, or artificial sulphate of barytes	25.00	33.22
65	Frankfort black	20.00	25.00
75	Plaster Paris, ground or calcimined	20.00	21.40
85	Soap, castile	20.00	21.71
98	Varnishes, spirit varnishes, for the alcohol contained therein	95.30	123.79
102	Tiles, encaustic	35.00	45.00
103	Fire-brick, glazed, enameled, ornamented or decorated	20.00	45.00
131	Boiler or other plate iron or steel, etc.	31.01	39.69
134	Chains, less than three-eighths of 1 inch in diameter	44.37	53.25
144	Sheets of iron or steel, common or black, etc., thinner than No .29 wire gauge	30.00 30.00	68.97 64.25
146	Sheet, of iron or steel, pickled or cleaned by acid, thinner than No. 29 wire gauge	41.60	81.14
	Taggers' iron or steel	39.18	64.24

Paragraph Senate bill.	Articles.	Ad valorem equivalents at new rates based upon importations for fiscal year 1887. Existing law.	Senate bill.
		Per cent.	*Per cent.*
150	Wire rods, rivet, screw, nail, fence, etc., valued at 3 cents or less per pound	40.66	47.55
151	All iron or steel wire valued at more than 10 cents per pound	13.86 / 10.97	45.00 / 45.00
151	Iron or steel covered with cotton, etc., valued at more than 10 cents:		
	Smaller than No. 10 and not smaller than No. 16 wire gauge	12.00	45.00
	Smaller than No. 16 and not smaller than No. 26	11.86	45.00
	Smaller than No. 26	22.17	45.00
	Galvanized iron or steel wire (except fence wire), valued at more than 10 cents:		
	Smaller than 16 and not smaller than 26	15.40	45.00
	Smaller than 26	10.82	45.00
153	Steel ingots, cogged ingots, blooms and slabs, etc.:		
	Valued at 1 cent per pound or less	45.00	63.07
	Valued at above 7 cents per pound and not above 10 cents	30.07	30.62
	Valued at above 10 cents and not above 13 cents	19.58	45.00
159	All iron or steel bars, etc., not otherwise provided for:		
	Bars of iron or steel:		
	Valued above 7 cents and not above 10 cents per pound	30.92	31.44
	Valued above 10 cents per pound	17.55	18.80
	Strips of iron or steel:		
	Valued at 4 cents per pound or less	52.63	56.48
	Valued above 7 cents and not above 10	31.71	32.22
	Valued above 10 cents	12.43	13.32
	Sheet steel:		
	Valued at 4 cents per pound or less	52.05	52.19
	Valued above 7 cents and not above 10	31.87	32.39
	Valued above 10 cents	10.17	10.90
	Steel circular-saw plates:		
	Valued above 7 cents and not above 10 cents per pound	37.32	44.77
	Valued above 10 cents	33.72	35.70
160	Antimony, as regulus or metal	10.00	12.00
174	Gold-leaf	28.17	37.55
190	Quicksilver	10.00	14.33
191	Screws, commonly called wood-screws, one-half inch and less in length	44.59	52.02
195	Zinc or spelter, block or pigs	46.35	54.07
213	Osier and willow baskets	30.00	35.00
	Rattans and reeds, manufactured, but not completed articles	10.00	35.00
225	Glucose or grape sugar	20.00	36.92
198	Manufactures, articles, or wares, not specially enumerated or provided for, composed wholly or in part of iron, steel, lead, copper, nickel, pewter, tin, zinc, gold, silver, platinum, or any other metal, whether partly or wholly manufactured:		
	Brass bedsteads and other house furniture	35.00	45.00
	Britannia ware	35.00	
	Iron bedsteads and other house furniture	35.00	
	Japan ware of all kinds, not elsewhere specified	40.00	
	Plate and gilt ware, not elsewhere specified	35.00	
	Umbrella and parasol ribs, etc., or parts thereof	40.00	
226	Cigars and cheroots	107.94	116.11
	Cigarettes and paper cigars	134.87	151.94
232	Horses and mules	20.00	31.66
	Horses for breeding purposes	Free.	13.39
233	Cattle	20.00	37.21
	Cattle for breeding purposes	Free.	17.69
234	Hogs	20.00	21.10
	Hogs for breeding purposes	Free.	3.48
235	Sheep for breeding purposes	Free.	25.31
236	All other live animals, not otherwise provided for, for breeding purposes	Free.	20.00
241	Beans	10.00	24.26
276	Macaroni, vermicelli and all similar preparations	Free.	35.39
286	Pease, green or dried, etc	20.00	26.14
*287	Rice flour or meal	20.00	31.82
295	Vegetables of all kinds, prepared or preserved, not otherwise provided for	30.00	35.00
302	Still wine, in casks	71.57	85.88
	Vermuth, in casks	77.63	93.15
312	Ginger ale	20.00	37.56
	Cherry juice, prune juice or prune wine, and other fruit juice, not otherwise provided for, containing not more than 24 per cent. of alcohol	20.00	55.96
313	Cotton thread, yarn, warps or warp-yarn not wound in spools, etc.:		
	Valued at over 25 and not exceeding 40 cents per pound	42.30	50.75
	Valued at over 40 and not exceeding 50 cents per pound	45.38	52.18
	Valued at over 50 and not exceeding 60 cents per pound	45.21	50.64
	Valued at over 60 and not exceeding 70 cents per pound	50.89	50.90

*Other forms of rice largely reduced.

Paragraph Senate bill.	Articles.	Ad valorem equivalents at new rates based upon importations for fiscal year 1887. Existing law.	Senate bill.
		Per cent.	*Per cent.*
318	Cotton cloth, exceeding 150 and not exceeding 200 threads per square inch, counting the warp and filling:		
	Not bleached, dyed, colored, etc	56.19	65.55
	Bleached	55.76	62.72
	Dyed, colored, stained, etc	49.23	54.15
	Not bleached, dyed, colored, etc., valued at over 8 cents per square yard	40.00	45.00
	Bleached, valued at over 10 cents per square yard	40.00	45.00
	Dyed, colored, stained, etc., valued at over 12 cents per square yard	40.00	45.00
319	Cotton cloth, exceeding 200 threads per square inch, counting the warp and filling:		
	Not bleached, colored, dyed, etc	57.54	64.73
	Bleached	51.88	57.07
	Dyed, colored, stained, etc	48.40	54.46
	Not bleached, dyed, colored, etc., valued at over 10 cents per square yard	40.00	45.00
	Bleached, valued at over 12 cents per square yard	40.00	45.00
322	Cotton damask, clothing (ready-made), and articles of wearing apparel, including hemmed handkerchiefs	38.77	40.00
333	All manufactures of flax, hemp, jute, or other vegetable fiber, except cotton, etc.:		
	Valued at 5 cents per pound or less:		
	Jute yarns	35.00	47.50
	Valued above 5 cents per pound:		
	Flax yarns	35.00	40.00
	Yarns of China grass	20.00	40.00
	Hemp yarns	35.00	40.00
	Grass cloth and other manufactures of jute, ramie, China, and sisal grass	35.00	40.00
	Sail duck, or canvas for sails	30.00	40.00
	Sheetings, Russia and others	35.00	40.00
	Brown and bleached linens, ducks, canvas, paddings, cot-bottoms, diapers, crash, huckabacks, handkerchiefs, and lawns	35.00	40.00
	Seines and seine and gilling twine	25.00	40.00
	Other manufactures of flax, jute, hemp, or manila	35.00	40.00
	Other manufactures of grass	30.00	40.00
336	Laces and insertings, flax or linen	30.00	50.00
	Embroideries of flax or linen	30.00	50.00
340	Oil-cloth for floors, stamped, painted, or printed, including linoleum	40.00	40.38
346	Wool, hair of the alpaca, goat, etc., valued at 30 cents or less per pound	54.78	60.25
	Washed, valued at 30 cents or less per pound	58.51	64.36
	Scoured, valued at 30 cents or less per pound	74.11	81.52
	Combing wool, value 30 cents or less per pound	43.23	47.55
	Scoured, value 30 cents or less per pound	66.18	72.79
348	Carpet wool, value over 12 cents per pound	27.69	33.23
	Scoured	22.79	27.35
354	Woolen cloths, valued above 80 cents per pound	68.91	75.15
	Woolen shawls, valued above 80 cents per pound	65.41	68.26
	Composed wholly or in part of worsted, etc	61.53	68.26
	Yarns, woolen and worsted:		
	Valued above 30 and not above 40 cents per pound	67.90	133.60
	Valued above 40 and not above 60 cents per pound	68.08	104.32
	Valued above 60 and not above 80 cents per pound	69.08	98.30
	Valued above 80 cents per pound	68.79	72.90
	Manufactures not otherwise provided for, made wholly or in part of wool:		
	Valued above 80 cents per pound	64.46	69.74
	Manufactures of worsted, hair of the alpaca, goat, etc.:		
	Value exceeding 30 and not above 40 cents per pound	69.38	148.06
	Value exceeding 40 and not above 60 cents per pound	68.28	104.70
	Value exceeding 60 cents per pound	71.99	88.73
	Balmorals:		
	Valued above 30 and not above 40 cents per pound	67.72	130.44
	Valued above 40 and not above 60 cents per pound	65.59	99.48
	Valued above 60 and not above 80 cents per pound	68.15	77.20
	Valued above 80 cents per pound	66.35	77.20
355	Flannels, valued above 80 cents per pound	73.02	86.93
	Blankets, valued above 80 cents per pound	70.30	79.48
	Hats of wool, valued above 80 cents per pound	52.07	55.82
356	Women's and children's dress goods, coat linings, Italian cloth, etc., composed in part of wool, worsteds, etc., valued at above 20 cents per square yard	59.06	73.48
357	Same, composed wholly of wool, worsted, etc.:		
	Weighing 4 ounces or less per square yard	82.96	92.51
	Weighing over 4 ounces per square yard	69.68	73.92
	Bunting	80.75	90.32
	Clothing, ready-made, and wearing apparel, not otherwise provided for	51.18	64.18
359	Cloaks, dolmans, etc	67.74	72.74
377	Silk, laces, and embroideries	50.00	60.00
	Clothing, ready-made	50.00	60.00
	Shawls	50.00	60.00

Paragraph Senate bill.	Articles.	Ad valorem equivalents at new rates based upon importations for fiscal year 1887.	
		Existing law.	Senate bill.
		Per cent.	*Per cent.*
377	Hats, caps, and bonnets	50.00	60.00
	Hosiery	50.00	60.00
379	Blank-books	20.00	25.00
381	Manufactures of paper, or of which paper is component of chief value, not otherwise provided for	15.00	25.00
389	Brushes and brooms of all kinds, including feather dusters	25.00	30.00
414	Lime	10.00	34.66
415	Alabaster, glass, and paste	10.00	25.00
	Amber and wax	20.00	25.00
436	Freestone, granite, sandstone, etc., hewn, dressed, or polished	20.00	25.00
	Burr-stones, manufactured or bound up into mill-stones	20.00	25.00
440	Clocks, and parts of	30.00	45.00
	Coach and harness furniture of all kinds, saddlery, etc	35.00	45.00
	Musical instruments of all kinds	25.00	45.00

Mr. VEST. Mr. President, I do not know that it would constitute a high crime or even a misdemeanor if the Democratic Senators had gone into caucus upon this bill last evening, and it does not appear to me a matter of sufficient importance to either contradict or affirm that statement. We had the right to do so, and followed the practice of both parties in the Senate if we did, and it is our business and nobody else's.

But the Senator from Iowa is unfortunate in his use of that assumed fact. He says that it was agreed in that caucus to attack this bill to-day all along the line, to use a military expression. The record of the Senate is rather against that assertion.

Mr. ALLISON. The Senator will allow me to say that if I made that statement it was rather an inadvertence. I stated that there was a caucus and then an attack all along the line. I did not put the two together. I left that to be inferred.

Mr. VEST. I did not hear the Senator.

Mr. ALLISON. I stated that yesterday there was a caucus and to-day an attack all along the line. That was the statement I made.

Mr. VEST. I caught the military part of it and heard "all along the line."

Now, Mr. President, the records of the Senate rather militate, to use another expression in the way of battle, against that assertion. The Senator from New Jersey [Mr. MCPHERSON] offered all his amendments yesterday morning before the caucus. The Senator from Iowa forgets it, but I made "a few feeble remarks" also before the caucus, attacking this very item 130, and the Senator from Ohio [Mr. SHERMAN] replied to me, and thereupon came the motion to adjourn. So my friend is exceedingly unfortunate in his use of this caucus matter.

It may be that the Democratic party was killed, and is now dying hard, but I take great encouragement from the example set us by the distinguished Senator from Iowa. He has been killed twice in Republican national conventions as a candidate for the Presidency, but a livelier corpse I have never seen than he has been here to-day. [Laughter.] Let me assure my friend that the old Democratic party, though slightly disfigured, is still in the ring—to use another fighting phrase. We have been killed so often in the last one hundred years that the charge has become monotonous, but I observe in the light of history when election time comes around each recurring four years the poor old party is still there, exciting as much animosity and as much vituperation as it did in the preceding canvass, and let me assure my friend that it will be ready the next time and on this identical question of unlimited taxation under pretense of protecting American labor and American markets.

I want to read from another tariff authority, because if we can do nothing else even in our moribund and dying condition we can make up the record. I quote from a very high authority in the Republican party, the Steel and Iron Bulletin, the bulletin of the American Iron and Steel Association, the same association that was called upon in 1887 by the then Secretary of the Treasury, Mr. Manning, to give the items and details of the manufacture of steel rails and of steel beams, and which association applied to the Edgar Thomson Works, of which Mr. Carnegie was president, to give that information, and his reply was that he declined to do so. It was most remarkable, if he was only making the small and modest profit which the Senator from Rhode Island [Mr. ALDRICH] said he was making, that he declined to go into details at all and peremptorily refused to open his books.

In the same line, not of presumption but of statement, I want to read what these gentlemen say who are in this trust. They call it a "combination," a modest, domestic sort of word:

It has been charged—

They say—

that a "trust" exists—

This comes from "The Phœnix Iron Company, George Gerry White, secretary; New Jersey Steel and Iron Company, Fred. J. Slade, treasurer; A. & P. Roberts & Co., Pencoyd Iron Works, Philadelphia, Pa., August 1, 1888." Here is their own defense, and if I could not, if there were a penal statute against trusts, convict every one of them and put them in the State prison upon this statement I would surrender my license as a practicing attorney and never go into court again. Listen to their defense, made by these three leading manufacturers:

It has been charged that a "trust" exists among the makers to maintain an exorbitant price for this product. It is true that to prevent ruinous competition there have during the past sixteen years, with a single interval, been agreements of various kinds between the makers of beams to maintain the price at a figure that would yield a fair profit.

Now, mark that language. There still exists a trust. There has been, they say, for the past sixteen years, with a single interval—that was eight or nine years ago—this agreement to do what? To maintain prices at what they call "a fair profit." We know what a manufacturer's fair profit is. I quote from a deceased member of this body, who was in entire accord with his Republican associates, Senator Miller, of California, who said that the standard of the American manufacturer was to get the cheapest labor and sell the product at the highest price, and that is what they mean by "a fair profit."

We claim that the public have no right to the products of labor at a less price than will yield a fair profit on that labor. We claim, also, that when prices fall below the point at which this can be secured it is the natural right of any man to agree with his competitors to maintain prices at a fair figure.

The Senator from Rhode Island tells us that three or four manufacturers of this country are not in this trust. Mr. President, there are several gentlemen in this country engaged in the meat product, in selling the meat product, that do not belong to the Chicago trust, but they are about as absolutely impotent to-day against that giant monopoly as an infant in the cradle or "mewling and puking in the nurse's arms."

The very essence of these trusts, the very basis of their existence, is the enormous power of their capital aggregated together, which can strike down all competition except where for a mere show they permit that competition nominally to exist. Who does not know that to-day there is not one pound of beef in this country that is not controlled by that combination in Chicago? And yet we are told these trusts only want "a fair profit," and have a natural right to their profits under the laws of this country and of God himself.

I saw in a newspaper this morning that an attempt had been made to blow up a distillery in Chicago by dynamite sticks, and the proprietor charges that it is done by the whisky trust, and says he is prepared to prove it in open court.

I saw in the papers three days ago that the Anaconda Copper Works in Montana had closed and twenty-five hundred men, in the middle of winter, are thrown out upon the streets, houseless and homeless, and without pay—twenty-five hundred men—and it was done because the copper syndicate had made it to the interest of those gentlemen to close down and produce no more copper under the existing condition of the market.

Who does not know that there is a sugar trust in this country? Who does not know that there is hardly a single article that enters into the daily life of the American citizen that is not now under the control of these octopi, these commercial devil-fish that are crushing out the life of all legitimate commerce and trade throughout the United States? With this very admission here upon record in their own organ, that they exist without any apology; with the open, defiant announcement that they intend to exist and have the natural right to do this thing, speeches are made here and apologies for these combinations, and we are told that our demand upon this side of the Chamber that the Republican party shall carry out its profession to put a tariff tax upon American products which will be an equivalent for the difference between the cost of labor in this country and abroad, is an impudent assumption and not to be tolerated for a moment.

Why, sir, when the chairman of this subcommittee, my friend from Iowa, admits that he is now willing to reduce this tax and accept a duty of 1 cent, he gives away the entire argument, and that ought to be the end of it. My friend from Alabama [Mr. MORGAN] suggests to me a pertinent question: "Why did not they do that before the election?" But that is going back into ancient history.

Mr. ALLISON. I will answer that "pertinent question." Does the Senator from Alabama, who suggests this to the Senator from Missouri, think that we can not alter this bill because we reported it here as a committee? In the very nature of things, I will say to the Senator from Alabama in all seriousness, many items in this bill will undoubtedly be changed. The committee will change items in this bill, or propose to change them, both in the way of reducing and increasing.

Mr. MORGAN. The drift of my suggestion was simply that at the rate of taxation contained in the bill as reported from the Committee on Finance there would be a very much larger amount of fat fried out of these people than there could be at a lower rate. The heat would not be as great, and I supposed there would be no inconvenience now in enduring the fire.

Mr. ALLISON. On that theory of course that would be a personal question, but I did not know we were going upon that theory at this time.

The PRESIDENT *pro tempore*. The question is on the amendment

of the Senator from Tennessee [Mr. HARRIS], which will be again read.

The CHIEF CLERK. In lines 446 and 447 it is proposed to strike out "1.1 cents" and insert "six-tenths of 1 cent."

Mr. PAYNE. Is the motion to strike out and insert divisible?

The PRESIDENT *pro tempore*. A motion to strike out and insert is not divisible.

Mr. VEST. I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. PUGH (when Mr. BUTLER'S name was called). The Senator from South Carolina [Mr. BUTLER] and the Senator from Pennsylvania [Mr. CAMERON] are absent and paired on this question.

Mr. CALL (when his name was called). I am paired with the Senator from Colorado [Mr. BOWEN]. If he were present, I should vote "yea."

Mr. WALTHALL (when Mr. GEORGE'S name was called). My colleague [Mr. GEORGE] is paired with the Senator from New Hampshire [Mr. BLAIR].

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL]. If he were present, I should vote "yea."

Mr. CULLOM (when Mr. TELLER'S name was called). The Senator from Colorado [Mr. TELLER] is paired with the Senator from Louisiana [Mr. GIBSON].

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. FAULKNER. I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. HALE. I am paired with the Senator from Kentucky [Mr. BECK].

Mr. CHANDLER. I desire to announce the pair of the Senator from Virginia [Mr. RIDDLEBERGER] with the Senator from New Jersey [Mr. BLODGETT].

The result was announced—yeas 20, nays 29; as follows:

YEAS—20.

Bate,	Colquitt,	Morgan,	Turpie,
Berry,	Eustis,	Pugh,	Vance,
Blackburn,	Gray,	Ransom,	Vest,
Cockrell,	Harris,	Reagan,	Voorhees,
Coke,	Jones of Arkansas,	Saulsbury,	Wilson of Md.

NAYS—29.

Aldrich,	Edmunds,	Manderson,	Sawyer,
Allison,	Evarts,	Mitchell,	Sherman,
Chace,	Frye,	Morrill,	Stewart,
Chandler,	Hawley.	Paddock,	Stockbridge,
Cullom,	Hiscock,	Palmer,	Wilson of Iowa.
Davis,	Hoar,	Payne,	
Dawes,	Ingalls,	Platt,	
Dolph,	McPherson,	Plumb.	

ABSENT—27.

Beck,	Cameron,	Hale,	Riddleberger,
Blair,	Daniel,	Hampton,	Sabin,
Blodgett,	Farwell,	Hearst,	Spooner,
Bowen,	Faulkner,	Jones of Nevada,	Stanford,
Brown,	George,	Kenna,	Teller,
Butler,	Gibson,	Pasco,	Walthall.
Call,	Gorman,	Quay,	

So the amendment was rejected.

Mr. ALLISON. Mr. President——

The PRESIDENT *pro tempore*. The Chair will interrupt the Senator to lay before the Senate some bills and a joint resolution from the House of Representatives for reference.

HOUSE BILLS REFERRED.

The joint resolution (H. Res. 236) to pay the officers, clerks, and employés of Congress on December 20, 1888, was read twice by its title, and referred to the Committee on Appropriations.

The bill (H. R. 11651) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1890, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

The bill (H. R. 11658) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1890, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

THE REVENUE LAWS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

Mr. VEST. On page 104, line 447, paragraph 130, I move to strike out "and one-tenth," and strike out the word "cents" in the same line and insert "cent;" so as to make this duty "1 cent per pound."

The PRESIDENT *pro tempore*. The amendment will be reported.

Mr. ALLISON. I desire——

The PRESIDENT *pro tempore*. Let the amendment be first stated from the desk.

The CHIEF CLERK. In line 447 it is proposed to strike out "and one-tenth cents" and insert "cent" in lieu thereof; so as to read:

130. Beams, girders, joists, angles, channels, car-truck channels, TT columns and posts or parts or sections of columns and posts, deck and bulb beams, and building forms, together with all other structural shapes of iron or steel, 1 cent per pound.

Mr. ALLISON. I was recognized by the Chair when the Chair laid before the Senate some other business, having sought the floor with a view to offer the identical amendment which the Senator from Missouri has offered. I shall support it, and had the authority of the committee to offer it; and I gave notice of it, I will say, to the Senate early this morning.

Mr. HARRIS. Let that amendment be again reported.

The PRESIDENT *pro tempore*. It will be again read.

The Chief Clerk read the amendment of Mr. VEST.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Missouri [Mr. VEST].

The amendment was agreed to.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read the next item of the matter proposed to be inserted by the amendment of the Committee on Finance, as follows:

131. Boiler or other plate iron or steel, except saw-plates hereinafter provided for, not thinner than No. 10 wire gauge, sheared or unsheared, and skelp iron or steel sheared or rolled in grooves, valued at 2 cents per pound or less, 1 cent per pound; valued above 2 cents and not above 3 cents per pound, 1.2 cents per pound; valued above 3 cents and not above 4 cents per pound, 1.6 cents per pound; valued above 4 cents and not above 7 cents per pound, 2 cents per pound; valued above 7 cents and not above 10 cents per pound, 2.8 cents per pound; valued above 10 cents and not above 13 cents per pound, 3½ cents per pound; valued above 13 cents per pound, 45 per cent. ad valorem: *Provided*, That all plate iron or steel thinner than No. 10 wire gauge shall pay duty as iron or steel sheets.

Mr. HARRIS. I should like to ask the Senator from Iowa why it is that the duty upon the articles in paragraph No. 131 is increased from 31.01 per cent. to 39.69 per cent.?

Mr. ALLISON. Why it is increased?

Mr. HARRIS. Yes, why it is increased? What is the necessity for that increase upon that class of articles?

Mr. ALLISON. This item of iron skelp is a very small item in the schedule, as shown by the amount imported in 1887. The object of a change in classification was to more nearly equalize the rate with the value. It turns out that in making up this schedule of several rates the aggregate rate is 39.69 per cent., according to the Treasury statement. There is very little in it. I do not think myself that on the importations that would be found to be true. If there was an exactly equal amount of iron or steel imported of each class, I suppose that would be true. I do not think any harm will come from it.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

132. Boiler or other tubes, or pipes, or flues, or stays of wrought iron or steel, 2½ cents per pound.

133. Bolts, with or without threads or nuts, or bolt-blanks, and finished hinges or hinge-blanks, whether of iron or steel, 2½ cents per pound.

134. Chain or chains of all kinds, made of iron or steel, not less than three-fourths of 1 inch in diameter, 1.6 cents per pound; less than three-fourths of 1 inch and not less than three-eighths of 1 inch in diameter, 1.8 cents per pound; less than three-eighths of 1 inch in diameter, 3 cents per pound.

Mr. VANCE. In line 474 I move to strike out "three" and insert "two," being the duty on trace-chains, chains less than three-eighths of an inch in diameter.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from North Carolina will be read from the desk.

The CHIEF CLERK. In line 474 it is proposed to strike out "three" and insert "two;" so as to read:

Less than three-eighths of 1 inch in diameter, 2 cents per pound.

Mr. VANCE. That is an increase of about 25 per cent. on the present duty, which is 2½ cents a pound on a class of iron-ware that is more in common use perhaps, and is more especially used by the agricultural classes than almost any other kind of iron. I see no reason in the world why the duty should be increased upon that, especially as the product that is made by the plow that is drawn by the trace-chain has to be sold in the free-trade markets of the world, and therefore, it seems to me, they should have at least a reasonable chance on the other end.

Mr. ALLISON. The Senator from North Carolina is mistaken in supposing that the item to which he calls attention refers to trace-chains. There are no trace-chains involved in this amendment. No chains of the size mentioned here could possibly be used as trace-chains. They are used largely and chiefly as little chains of luxury. Ladies use them for their dogs, and they are used for ornaments, and but a very small number of them are made. There are none or few of them made in this country, I think none now; but it was supposed, on the representations of those supposed to know the details of this business, that if we could equalize the labor of producing these chains—for they are not produced by machinery at all; they are produced on an anvil and with great care by the labor of the artisan—we might, by increasing the duty somewhat upon these little dog-chains or ladies' chains, secure possibly the manufacture of them here. They are all imported now. It is a matter of no moment as respects the amount involved. A very small amount is imported, but all that are used here are imported.

For myself, I think the rate of duty is a little high as proposed here, but it does not affect the question in which the Senator from North Carolina is interested.

Mr. VANCE. I should like the Senator from Iowa to point out to me in what portion of the bill the duty on trace-chains is provided for if it is not in this item?

Mr. ALLISON. The item immediately preceding.

Mr. VANCE. These are less than three-eighths of an inch thick. If the Senator ever plowed with a mule or a horse and had ever seen a trace-chain and helped hitch one up, he would know that it was made of iron less than three-eighths of an inch in thickness; and I think if he would look at the amount of importation of this article he would be convinced that there are not dogs enough in America to have required this amount of chains, 1,243,202 pounds of the value of $70,000, yielding $31,000 taxes, all for the purpose of chaining dogs, none of which is iron less than three-eighths of an inch in thickness. The dogs must be remarkably strong and severe in the country of the Senator from Iowa that will require a chain of that size, ladies' dogs especially, ladies' pets, chained with a chain that a mule could not break [laughter], three-eighths of an inch in thickness and 1,243,202 pounds of them imported, and that, I am told, is not a trace-chain, but that immediately preceding, less than three-fourths of an inch thick, and not less than three-eighths of an inch thick, is the chain which is called the trace-chain.

Mr. President, it would require a chain even thicker and stronger than that to detain the man who would believe that that was an accurate description of a trace-chain. [Laughter.] At all events, sir, respect for the ladies and for the canine pets which require such fastenings as this, I think, would induce the Senate to reduce that tax a little. It is now 44 per cent. and this duty makes it 53; and whether that chain is used for fastening the pets of ladies or whether it is used for pulling the plow in the field, the duty is equally in either case too high. There is no reason for increasing it unless it is that it may be considered an infant industry. This business of chaining lap-dogs to ladies may have some connection with industry. [Laughter.] At all events, I move to reduce it to 2 cents.

Mr. HAWLEY. I have heard a great deal about trace-chains ever since 1872, when I first had the honor of entering Congress. I should like to know as a matter of mere statistics how many trace-chains an ordinary farmer consumes in the course of a day, to say nothing of a year. I judge it is a matter of daily diet; he lives on trace-chains and salt, judging by the ordinary free-trade argument. A pair of trace-chains costs about 50 or 75 cents, and I think with fair work on a farm they would last about four or five years. I went to a hardware store and inquired, and the hardware dealer showed me the best he had on his list, and they were 75 cents a pair. That is very cheap, cheaper than it was before you had tariffs. I think the ordinary consumption of a poor North Carolina farmer is not such as to impose a very severe burden.

Mr. VANCE. How long a trace-chain would last is manifestly a begging of the question. The question we have to decide here is what is a reasonable rate of taxation to be imposed upon the American citizen for articles in daily use, not how long do they last. If they would last forty years it does not affect the question.

Mr. HAWLEY. If it lasted forty years and the duty raises the price 10 cents, that is a quarter of a cent a year that a man pays to support his country.

Mr. VANCE. It is very little, but is as well worth contending for on the part of the farmer as it is on the part of the greedy manufacturer, who would perish if he did not have this to help him against foreign competition.

Mr. VEST. I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Colorado [Mr. BOWEN]. If he were present, I should vote "yea."

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. WALTHALL (when Mr. GEORGE's name was called). I desire to announce for the last time to-day that my colleague [Mr. GEORGE] is paired with the Senator from New Hampshire [Mr. BLAIR].

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL]. If he were present, I should vote "yea."

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. DAVIS. I desire to state that my colleague [Mr. SABIN] is paired with the Senator from West Virginia [Mr. KENNA].

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

The result was announced—yeas 23, nays 25; as follows:

YEAS—23.

Bate,	Cockrell,	Daniel,	Gray,
Berry,	Coke,	Eustis,	Harris,
Blackburn,	Colquitt,	Gorman,	Jones of Arkansas,
McPherson,	Ransom,	Turpie,	Voorhees,
Morgan,	Reagan,	Vance,	Wilson of Md.
Payne,	Saulsbury,	Vest,	

NAYS—25.

Aldrich,	Dolph,	Manderson,	Sherman,
Allison,	Evarts,	Mitchell,	Stewart,
Chace,	Frye,	Morrill,	Stockbridge,
Chandler,	Hawley,	Paddock,	Wilson of Iowa.
Cullom,	Hiscock,	Palmer,	
Davis,	Hoar,	Platt,	
Dawes,	Ingalls,	Sawyer,	

ABSENT—28.

Beck,	Cameron,	Hampton,	Quay,
Blair,	Edmunds,	Hearst,	Riddleberger,
Blodgett,	Farwell,	Jones of Nevada,	Sabin,
Bowen,	Faulkner,	Kenna,	Spooner,
Brown,	George,	Pasco,	Stanford,
Butler,	Gibson,	Plumb,	Teller,
Call,	Hale,	Pugh,	Walthall.

So the amendment was rejected.

Mr. ALLISON. During the debate I sent for a gauge showing the size of this chain. I have it here. [Exhibiting.] If any Senator will measure and say that trace-chains are involved in this paragraph I shall be glad to have him explain it. It is a very small chain, as I have said.

Mr. FRYE. About the size of my watch-chain?

Mr. ALLISON. About the size of the Senator's watch-chain. The Senator's watch-chain is not quite three-eighths of an inch in diameter.

Mr. JONES, of Arkansas. It seems to me the difference between the Senator from North Carolina and the Senator from Iowa depends upon how the chain is to be measured. If the measure relates to the rod on which the chain is made the Senator from North Carolina is right. If the measure gives the entire link in the chain, then the Senator from Iowa is right in saying it could not be a trace-chain.

Mr. ALLISON. The chain must pass through that wire gauge [indicating]. There it is. This is a well-known commercial term, No. 5 wire.

Mr. JONES, of Arkansas. I should like to know how the Senator from Iowa arrives at that conclusion. There is nothing in the bill to determine that that is the fact. We have simply his *ipse dixit* in the matter.

Mr. ALLISON. It does not say the links of the chain. If the Senator thinks it means the links of the chain, and not the chain, then there would be some doubt about it; but the chain must be less than three-eighths of an inch in diameter that passes through that gauge. If any Senator will pass any of these watch-chains around me through that gauge, then I will admit that I am mistaken.

Mr. JONES, of Arkansas. If the measure of three-eighths of an inch applies to the entire link and goes across the entire loop, then the Senator from Iowa is right; but if, as it seems to me under this bill it is bound to mean, it applies to the rod upon which the chain runs, then the Senator from North Carolina is right. I should like to know how the Senator from Iowa can undertake to say that that is the meaning of the bill.

Mr. GRAY. If the Senator from Arkansas will allow me, I wish to call attention to the language of paragraph 134, which seems to me necessarily to mean just what he says it means:

> Chain or chains of all kinds, made of iron or steel, not less than three-fourths of 1 inch in diameter, 1.6 cents per pound.

That refers, it seems to me, by the necessary juxtaposition of words, to the iron of which the chain is made.

Mr. FRYE. It does exactly the opposite.

Mr. GRAY. Manifestly it would be quite impossible to have a chain, on the theory of the Senator from Iowa, 5 inches in diameter made of iron not thicker than a cambric needle.

Mr. DAWES. I think that comma is a very dangerous thing. Commas have provoked more trouble in tariff bills than anything else. I suggest to the Senator from Iowa that we change the phraseology a little. It depends entirely upon the certainty that when the bill is engrossed the comma will be there.

Mr. JONES, of Arkansas. Another thing which it seems to me would indicate that the Senator from Iowa is not correct in his construction of this paragraph is the fact that the importations under the three sizes of these chains is $6,000 under the largest size, $8,000 under the next larger, and $70,000 under the extremely small-sized chain. If that is the chain meant, a toy chain, a chain simply large enough to hold a dog, there certainly could not have been this immense importation under that size while the others amounted to nothing. If the Senator's construction of this paragraph is right, it would seem that trace-chains would come in under the larger size, and of those there were but $6,000 worth imported into the United States, while of the toy chains, if he construes it right, there were $70,000 worth.

Mr. ALLISON. I do not think there is much force in the argument of the Senator, because the rate of duty upon this class of chains now is 2½ cents a pounds. That is the highest rate of duty. My information, derived from people who understand this business, is that none of these chains are made in this country, and that they are what the Senator calls mere toy chains.

If, as the Senator from North Carolina seems to think, this relates to

the links of the chain and not the chain, I shall go with him for reducing somewhat this duty, and if he will allow the paragraph to be passed over, we will look into it further and see what there is of it.

Mr. VANCE. Very well, sir.

Mr. HARRIS. Suppose we compromise it by putting the rate back to 2½ cents a pound, as it now exists.

Mr. FRYE. We ought to know.

Mr. COCKRELL. We ought to know.

Mr. HARRIS. That is true.

The PRESIDENT *pro tempore*. By unanimous consent, paragraph 134 is informally passed over for future consideration. The reading will proceed.

The Chief Clerk read as follows:

135. Forged shotgun barrels, rough-bored, 10 per cent. ad valorem.

136. Forgings of iron or steel, or forged iron and steel combined, of whatever shape or in whatever stage of manufacture, not specially enumerated or provided for in this act, 2.3 cents per pound: *Provided*, That no forgings of iron or steel, or forgings of iron and steel combined, by whatever process made, shall pay a less rate of duty than 45 per cent. ad valorem.

137. Hoop, or band, or scroll, or other iron or steel, valued at 3 cents per pound or less, 8 inches or less in width, and less than three-eighths of 1 inch thick and not thinner than No. 10 wire gauge, 1 cent per pound; thinner than No. 10 wire gauge and not thinner than No. 20 wire gauge, 1.1 cents per pound; thinner than No. 20 wire gauge, 1.3 cents per pound: *Provided*, That hoop or band iron, or hoop or band steel, cut to length, or wholly or partially manufactured into hoops or ties for baling purposes, barrel hoops of iron or steel, and hoop or band iron or hoop or band steel flared or splayed, shall pay two-tenths of 1 cent per pound more duty than that imposed on the hoop or band iron or steel from which they are made.

Mr. COKE. I move to strike out the proviso in paragraph 137, beginning in the middle of line 491, down to and including line 497. The statement of an expert who has analyzed this bill goes to the effect that this proviso——

Mr. JONES, of Arkansas. If the Senator from Texas will allow me to request a favor, I ask that he withdraw his amendment for the purpose of allowing me to move another one.

Mr. COKE. What other amendment does the Senator propose?

Mr. JONES, of Arkansas. I propose to move to strike out all after the word "shall," in line 495, and to insert the words "be admitted free of duty," for the purpose of asking, first, that this item of hoop-iron cut to lengths for ties for baling purposes shall be admitted free of duty. The effect of the Senator's amendment would be to put it on the same basis as other hoop-iron. I do not think that is proper. I think the first thing we ought to do is to admit it free of duty, and I make that motion.

Mr. COKE. I prefer to make my motion to amend first, because if the proviso should not be stricken out it would then leave the paragraph ready for the amendment of the Senator from Arkansas.

Mr. HARRIS. If the Senator from Texas and the Senator from Arkansas will allow me, I will state that the amendment of the Senator from Texas being to strike out the entire proviso, the amendment of the Senator from Arkansas would be first in order, because it tends to perfect the text which the Senator from Texas proposes to strike out.

Mr. COKE. Very well, then; I will allow the Senator from Arkansas to move his amendment.

Mr. JONES, of Arkansas. I move to strike out all after the word "shall," in line 495, down to the end of the paragraph, and to insert the words "be admitted free of duty."

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Arkansas will be stated.

The CHIEF CLERK. In line 495, after the word "shall," it is proposed to strike out all down to and including the word "made," in line 497, as follows:

Pay two-tenths of 1 cent per pound more duty than that imposed on the hoop or band iron or steel from which they are made.

And to insert in lieu thereof the words:

Be admitted free of duty.

So as to make the proviso read:

Provided, That hoop or band iron, or hoop or band steel, cut to length, or wholly or partially manufactured into hoops or ties for baling purposes, barrel hoops of iron or steel, and hoop or band iron or hoop or band steel flared or splayed, shall be admitted free of duty.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Arkansas [Mr. JONES].

Mr. JONES, of Arkansas. Yesterday when the Senator from Ohio [Mr. SHERMAN] declared that his idea was that the Senate should follow implicitly the lead of the subcommittee of the Senate Committee on Finance, I had no hope of any amendment being made to this bill, but supposed that it would be passed by the power of the majority and sent to the other House, without any idea on their part that it would become a law, but for the purpose of accomplishing political ends that they had in view. The declaration of the Senator from Iowa to-day that he is willing to amend the bill where it operates unjustly has given me some hope that possibly we may have some corrections made which should be made.

We have been very much in the habit of asserting our very great desire to take care of the interests of the laborers in this country, and we have only been anxious to levy so much of the tariff tax as is necessary to advance the interests of those engaged in labor. Some years ago upon a revision of the tariff which was made almost absolutely, I believe I may say absolutely, by members of the Republican party, many of whom have been prominent in this present movement, the tariff on cotton-ties was fixed at 35 per cent. It has remained at 35 per cent. from then until now. The proposition now presented to the Senate is to increase that tax from 35 per cent. to an ad valorem tax of about 108 per cent., according to the calculations of the Treasury experts. The duty paid upon importations of this character last year was $121,098.95, and the estimate made by the Treasury experts is that if the present proposition shall be adopted the import duties paid upon this article hereafter will be $364,012.48, while we profess to have a desire to reduce the revenue—an increase of the revenues by nearly a quarter of a million dollars, and a tax levied upon an article which enters in a large measure into the preparation of the cotton crop for market.

I am satisfied that if I could make the members of the Senate understand the conditions under which those who produce the cotton of this country labor, they would believe that there was as much necessity for this class of labor having some sort of protection as any class in the United States; and I now ask the Senate to protect these people from what seems to me to be a most iniquitous and outrageous wrong.

Those people have never dreamed of eight hours a day for labor. They wear the coarsest clothes, and live on the commonest food, and labor as long as daylight will allow them to see how they are to work. Their product is prepared for market, and the price is fixed in the markets of the world where it comes in competition with the product of Egyptian and Brazilian and Indian labor. Against those there is no chance for them to have protection, and all that we can do is to give them what they are absolutely bound to have in order to prepare their product for market at the lowest possible price.

It seems to me that instead of increasing the price of cotton-ties by raising the duty, it would be good policy and fair treatment towards this class of people to give them their cotton-ties free of duty. My impression is that this article is not manufactured to any very great extent in the United States. I ask the Senator from Iowa if I am correct in that impression, as I am not an expert on this subject and am not informed accurately about it.

Mr. ALLISON. A good many cotton-ties were made in the United States some years ago, but it is now impossible to make them in competition with Belgium and Germany with the rate of duty imposed by law.

Mr. JONES, of Arkansas. None are now made here?

Mr. ALLISON. I think very few, if any.

Mr. JONES, of Arkansas. Then if no cotton-ties are made here, we interfere with no American industry by putting this article on the free-list. As the $121,000 which is collected by the Government from the cotton-growers of the country is not needed, and as it does not interfere with any interest already in existence in the United States, I appeal to the fairness of Senators, I appeal to their consideration for the class of people who are engaged in cotton-growing, to yield them this pittance, and allow them to buy their cotton-ties at the lowest price at which they can be bought, when they are compelled to sell their product in the markets of the world in competition with cotton produced by the cheapest labor on earth and without any sort of protection.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Arkansas [Mr. JONES].

Mr. HARRIS. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DAWES. I should like to make an inquiry of the Senator from Arkansas for information. Are these cotton-ties sold by the pound as cotton after having been put upon the bale? When cotton is sold in the market, are they weighed as part of the cotton and sold at that price?

Mr. JONES, of Arkansas. I have heard that question asked before, and I have heard good men assert that such was the case; but the facts are these: The price of cotton in the United States is practically fixed in Liverpool. When cotton rises in Liverpool it rises here; when it falls in Liverpool it falls here; and the American price of cotton is about as much under the Liverpool price as the freight and other transportation expenses and the tare of which we have heard, would all together make. The universal practice in the Liverpool market is to deduct 6 pounds out of a hundred.

Mr. MORGAN. Twenty-four pounds on a bale.

Mr. JONES, of Arkansas. Six pounds out of a hundred are deducted in the Liverpool market. From a 400-pound bale 24 pounds are taken off, and from a 500-pound bale there is a deduction of 30 pounds.

Mr. DAWES. That is for ties and bagging?

Mr. JONES, of Arkansas. Yes, sir; for ties and bagging. That is the tare that comes off. So when the price of cotton is fixed in the United States it is fixed with reference to that practice, and while, as a matter of fact, the bagging and ties are weighed on the bale of cotton, the price is reduced by so much as is necessary to cover the tare that will be taken from it in the European market.

Mr. DAWES. Is it the same in the United States that it is in Liverpool?

Mr. JONES, of Arkansas. While there is absolutely no tare taken off in the United States, the tare is provided for by the difference in

price, and while the cotton producer gets nominally the weight of his bagging and ties in the sale, still the price is lowered so much, and he absolutely gets nothing for the bagging and ties on the cotton.

Mr. DAWES. That is, when the sale is made in Liverpool?

Mr. JONES, of Arkansas. When the sale is made anywhere.

Mr. HARRIS. The Liverpool price fixes the price here.

Mr. DAWES. I ask for information, because I have heard that the bagging and ties were paid for.

Mr. JONES, of Arkansas. The Senator certainly did not pay good attention to what I said, or else I was unfortunate in making myself understood.

Mr. DAWES. I have heard, as the Senator states, that cotton-ties were sold for so much cotton, and I inquired in good faith for information. I should like to know, while the price is fixed in Liverpool, whether the custom of deduction which he says prevails in Liverpool prevails in the United States?

Mr. JONES, of Arkansas. So many pounds per bale are not taken off in the United States, but as much as the weight of ties and bagging bears to the whole amount of the bale is deducted in the price, so that the producer of cotton gets nothing for bagging and ties either in this market or in Europe.

Mr. HARRIS. It is an absolute loss.

Mr. ALDRICH. The modest proposition now made by the Senator from Arkansas would accomplish two results. It would provide that hoop-iron when manufactured into cotton-ties should be free of duty, and that hoop-iron when not manufactured into cotton-ties should pay from 1 cent a pound to 1.4 cents a pound.

Mr. JONES, of Arkansas. Will the Senator allow me to correct him? My purpose is to have the ties cut in links for baling made free, whether they are used to bale cotton or hay.

Mr. ALDRICH. I will accept the suggestion of the Senator from Arkansas, that hoop-iron, when made into ties for baling hay or cotton, is to be free of duty, but when not manufactured into ties it is proposed that it shall pay a duty of from 1 cent a pound to 1.4 cents a pound.

That is the first thing to be accomplished. The next thing is that ties for baling hay and cotton would be free of duty, while ties for other purposes, under hoop-iron imported for other purposes, would pay a duty, as I have already stated, of from 1 cent to 1.4 cents a pound.

The fairness and equity of the proposition must be apparent from this statement. The terms of the provision as reported from the committee are simply these, that hoop-iron imported into this country of certain sizes and dimensions, whether it is used in Southern States or in Northern States, whether it is used for baling cotton or for baling hay or for any other conceivable purpose, shall pay the same rate of duty. That is all there is in the Senator's proposition.

Mr. BERRY. I should like to ask the Senator from Rhode Island why this increase was made from 35 per cent. to 108 per cent. ad valorem? What necessity is there for it? If this article is not manufactured in the United States, and no protection is thereby afforded to any industry now in operation, why is this increase from 35 per cent., by the present law, made to 108 per cent. ad valorem, unless it is for the very reason that the principal amount of it is used in the South, and it was the intention of gentlemen to discriminate against that section of the country?

Mr. DAWES. I should like to inquire of the Senator from Arkansas, who is familiar with this subject, if there is any reason why a cotton-tie could not be made as cheaply in this country as abroad?

Mr. JONES, of Arkansas. The Senator from Massachusetts and I would perhaps differ very widely in our opinions on that question. So far as I am concerned, I believe a great many things can be produced just as cheaply in this country as they can be produced abroad if the idea that runs through the Mills bill were allowed to prevail and our manufacturers could get free raw material and such things as they are compelled to use on the same terms as a manufacturer abroad can get them. But when we saddle them with a tax upon every solitary thing they use, from the machinery they have to the buildings they employ, of course it is utterly impossible for them to produce the article as cheaply.

So I propose to make the point and call the attention of the Senate to a distinct article of commerce well recognized and understood, which the Senator from Rhode Island, who sneered so forcibly at my suggestion just now as being absurd and ridiculous, admits is not manufactured in the United States, the duty upon which I have shown is a very great hardship on the class of people who eat their bread from the sweat of their faces all the days of their lives, and who by testimony taken before his committee were shown to get less for the amount of work they do than almost any other class of people in this country. I ask that the mailed hand we have heard so much about may be lightened from them to some limited extent, and, as there was no necessity for any American manufacturer having any tax levied upon them, that they might be allowed to have this article duty free.

Mr. ALDRICH. I will now answer the question of the junior Senator from Arkansas [Mr. BERRY]. He asks, why increase the duty upon the article of cotton-ties, especially as it can not be made in this country? The present duty of 35 per cent. upon cotton-ties is one of those anomalies and inequalities which it is the object of this bill to remedy. The decision of the Treasury Department which placed the duty on cotton-ties originally at 35 per cent. was undoubtedly an erroneous decision, that is, erroneous in the fact that it did not carry out the intention of Congress.

The intention was that cotton-ties should pay the same duty as other hoop-iron. The rate of 35 per cent. has been continued for the reason that there has been no power that could remedy it. This is the first opportunity that we have had to remedy that defect. It is a defect. I think every Senator here will understand that a tie for one use ought not to pay a less rate of duty than a tie for another use; that it certainly is not the purpose of tariff legislation to discriminate against one part of the country or in favor of one class of people, however deserving they may be, as against another class of people.

As to the fact of the ties not being made in this country, they can not be made in this country for the reason that the duty is 35 per cent.

Mr. DAWES. They used to be made in this country.

Mr. ALDRICH. They used to be made in this country when they were protected the same as other hoop-iron was protected, and they can be made in this country, as every one of them will be made in this country, three months or six months after this bill becomes a law.

There is not a single article in the iron and steel schedules but that its production would cease in this country if we should reduce the duty out of proportion to the article from which it is made. Take pig-iron, for instance; if we should put down the duty on pig-iron to $3 a ton, leaving other grades the same; or take steel rails, if we should put the duty on steel rails at half the sum that we put the duty on pig-iron and other products of iron and steel, within six months the production in this country would cease, for the reason that the duty would not be adequate, and would not bear the proper relation to the other duties in the bill. That is the simple story of cotton-ties. There is nothing about them difficult to make. They can be made here, and they will be made here if the duty is made ample.

Mr. VANCE. Mr. President, in answer to the inquiry of the Senator from Arkansas I will state that the object of raising the duty from 35 per cent. to 108 per cent. ad valorem of course is to protect the industry engaged in the manufacture of these cotton-ties. If this doctrine of protection is worth anything it should apply to all articles.

The Senator from Rhode Island says that it is not the business of Congress to discriminate between one industry and another. Certainly it is not the business of Congress to discriminate between one industry and another, but if the maker and grower of cotton is engaged in an industry as well as the man who is engaged in manufacturing the ties that bind the cotton together, then he is entitled to the same protection, to the same care, to the same zeal on the part of the Senator from Rhode Island that the man is who is engaged in making the ties that bind the cotton.

The man who grows the cotton has to sell that cotton in competition with all the cotton grown in this world, in a free-trade market. It so happens that the ties which bale his cotton are not made in this country. Now, why not protect him? Why not encourage him in his struggle in the free-trade markets of the world by allowing him to buy the ties that bind his cotton as free and as little subject to tax as possible, especially when those ties are made in a foreign country? Why discriminate against his interest is the great question?

The Senator from Rhode Island says this is the first chance they have had to remedy this defect. This bill is the first chance that the farmer has had, and I fear that he is likely to have a very small chance.

The Senator from Ohio yesterday pleaded that the manufacturers of this country should have a chance. I was struck with that plea. It went to my heart. They are the down-trodden class, sir. They have had no chance in this country; that is, to the full extent of their desires. There is still a little money left in the pockets of the consumers, and in Heaven's name give the manufacturer a chance at that, and when there is none left, then he will not desire any chance. But do give him a chance.

It so happens that nature has favored by climate and soil the grower of this American cotton so that he stands a chance to compete with all the cotton-growers of the world notwithstanding the difference in the price of labor. Give him a chance. Strengthen that one item of production in this country that constitutes the largest item in all of your foreign exports. Strengthen the hands of the man who contributes nearly one-half of all your foreign exports, who maintains your exchanges with foreign nations, who maintains the balance of trade in your favor, by at least giving him an opportunity to buy free of tax the iron which wraps his cotton and fits it for market, especially when it is not guilty of the profanation of interfering with the profits of anybody in this country, because the ties are not manufactured here.

Mr. President, if this proposition is rejected, I shall say that it is proof to show to the American people that there is only one class of industry in this country that is entitled to the care and zeal of the Senators on the other side. If they are in earnest in protecting American industries, in Heaven's name let them protect the oldest industry, the most important industry, the greatest industry that has ever sustained and blessed mankind, the industry of the man who abstracts riches from the bosom of mother earth.

Mr. BERRY. Mr. President, in some remarks made by the Senator

from Rhode Island several days ago in his effort to have the tax taken from alcohol used in the arts and in medical preparations, he said if that tax was removed it would relieve a large number of persons who consume this article; that it would give them relief, and he had supposed that some Senators upon this side of the Chamber would favor it. Here is an effort to take off the tax of 35 per cent. that now exists on an article that is used by a large portion of the farmers of this country, and in which the colored people, too, are interested, of whom the Senator and his party claim to be the special friends and champions.

They are compelled to buy these cotton-ties, now bearing a tax of 35 per cent., and yet the Senator from Rhode Island, who seemed anxious to relieve the consumer of alcohol, not only refuses to grant this relief to the farmers of the South, but he proposes an addition to that tax, making it instead of 35 per cent. 108 per cent. ad valorem, and then he appeals to me and says, would the Senator from Arkansas discriminate between the people of any section of this Union? and that, too, when his committee has reported a bill here that reduces taxes only upon articles that are produced in the South, and upon the only articles upon which it is claimed the South receives any benefit from the protective laws—rice and sugar. He cuts them heavily, and comes forward to increase the tax on this necessary article, cotton-ties, used entirely by the people of the South, and yet claims that there is nothing sectional in the bill, but that the committee has so framed it as to discriminate against the interests of no part of the American people.

Mr. President, if this amendment is voted down, as was said by the Senator from North Carolina, it will show a clear purpose upon the part of Senators on the other side of the Chamber to tax the farmers of this country without benefiting any other citizens of the United States. It is admitted that these ties are not manufactured in the United States. It is admitted that this tax is not necessary for the protection of any industry now existing, yet they propose to put a tax of 108 per cent., more than double the value of the cotton-ties themselves, upon the farmers who are compelled to buy them, without compensating any other American citizens throughout this broad Union.

If that be justice, if that be the character of the bill that they intend to force upon the Senate, then the Senator from North Carolina should have answered the Senator from Iowa to-day, as I hoped he would do, when he made his threat to continue this bill day by day, by saying that we would be here opposing the measure at every stage until the third day of March before this iniquitous bill should be forced upon the people of this nation.

Those are my views in regard to it, and when the vote is taken it will disclose the fact whether they intend to keep up the sectional difference and force the passage of a bill so clearly unjust to the farmers of the Southern States.

Mr. DAWES. Mr. President, I, for one, desire to see cotton-ties as well as every other article that enters into consumption in this country, produced as cheaply as it is possible to produce them in this country. For that reason I desire to see everything produced in this country which can be produced here.

When cotton-ties were manufactured in this country they were as cheap as they are to-day. The reduction of the tariff drove this manufacture out of the country. The Senator from North Carolina is desirous of keeping it out of the country and depending upon the foreigner to set the price for the cotton-ties.

Mr. MORGAN. Will the Senator allow me to inquire of him when that reduction which he speaks of was made, and how much it was?

Mr. DAWES. The Senator from Rhode Island has just explained it. I am not able to give the main points. The reduction arose from a construction in the Treasury Department of the United States, and not from the enactment of law. It was a reduction caused by a ruling which put cotton-ties into another class, and brought the duty on them down so low that the production of the cotton-ties in this country ceased and the foreigner had the monopoly of our market, and to-day can set his own price upon cotton-ties.

My theory is—it may be wrong; the Senator from Arkansas thinks it is wrong, and that is why he opposes the policy which I advocate—my theory is——

Mr. JONES, of Arkansas. I should like to ask the Senator a question.

Mr. DAWES. In one moment. My theory is this: Put this duty at the rate fixed in the bill and the production of cotton-ties will spring up in this country, and the market of this country will be supplied at home at a rate as low as the ties can possibly be obtained abroad, and that notwithstanding the fact that labor abroad is a great deal cheaper than it is here. The fact that this great market is at the command of the producer in this country will so multiply the production here as to bring the price down to a level as low as it is now, and the Senator from Arkansas or the Senator from North Carolina will have American ties as cheap as he now has foreign ties, and along with that he will have the production of them in this country and all that follows such production here.

He will have those who consume cotton in the various forms of cotton production multiplied all around by that very circumstance. The market for his cotton at home will be increased, and the market for everything that he produces from his land will be increased by that operation.

The Senator is mistaken if he supposes that the intent or the purpose of anybody desirous of putting up this duty is to put a tax upon the consumer of cotton-ties. It is because we do not believe that the duty is a tax upon the consumer.. The history of tariff duties proves that they are no tax upon the consumer, but have had the contrary effect in every respect and in relation to every product protected in our own market and in our own production against the interference of foreigners.

Mr. VANCE. I should like to ask the Senator from Massachusetts why we can not have cotton-ties made in this country now as cheaply as they are made abroad? He says we could if we had the tax high enough to keep the foreigner out. Why can we not do it now? Will the Senator answer me that question?

Mr. DAWES. Because the foreigner having our market at his disposal and at his command can put into this market at any price he pleases the cotton-ties he makes until every incipient manufactory of cotton-ties here is squelched out and extinguished, and when that is done he can set a compensatory price upon his products at home.

Mr. VANCE. Then it seems that the tax, after all, is what should enable the American manufacturer to make cotton-ties cheaper than the English now make them, and that tax it seems is not a tax either. It is a tax high enough to enable the manufacturer to get rich on making ties here, but it is not sufficiently a tax to cause any payment to be made by the man who uses the cotton-ties. That is to say, if you have three plates on the table and you put another one down, that makes two, it does not make four, and the tax added on the cotton-ties would absolutely make them cheaper to the man who pays for them, and in some inscrutable, mysterious way, known only to the depths of "protection to American labor" as exhibited in the subcommittee of the Committee on Finance of the Senate, it would enable him to get rich and keep out the foreigner, although there is no tax!

Mr. DAWES. If the Senator can not see that the foreign producer can make the consumer pay the tax only when he can command his market, and when the market is supplied at home he will be obliged to pay it himself—if the Senator from North Carolina can not see that, he is beyond cure.

Mr. JONES, of Arkansas. I sought to interrupt the Senator from Massachusetts awhile ago in the course of his first remarks in order to ask him a question. He made the statement that prior to this tax of 35 per cent. being put on cotton-ties they were produced in this country and sold as cheaply as they are now. I wanted to ask him if the American manufacturer of cotton-ties could sell at the present price at that time, why he can not do it now, and what is the use of having a tax put upon cotton-ties now that will have the effect of increasing the price threefold, if it has any effect at all?

Mr. DAWES. I will tell the Senator why. When the manufacturer produced them under our tariff he had the home market under his command. When that tariff was taken off, the foreigner, who can produce them by cheaper labor, cheaper than he can, filled the market in his place.

Mr. JONES, of Arkansas. The statement of the Senator was that the American manufacturers could make cotton-ties, and did sell them, as cheaply as they are sold now. If they could afford to sell them at a given price then, they can afford to sell them at the same price now.

But I wish to correct an impression which seemed to be intended to be conveyed by the Senator from Rhode Island. I wanted to interrupt him some time since before the discussion went along as far as it has done. In view of his statement that we ought not to attempt to make a rule that applied to one section of the country and did not apply to another, I want to call his attention again to the fact that there is nothing sectional in my amendment, and that no effort on his part can put that construction upon it. I will read the proviso as it would stand if the Senate should adopt the amendment I have proposed:

Provided, That hoop or band iron, or hoop or band steel, cut to length, or wholly or partially manufactured into hoops or ties for baling purposes, barrel hoops of iron or steel, and hoop or band iron or hoop or band steel flared or splayed, shall be admitted free of duty.

So there is no effort to make anything sectional in this proposition. I did not only intend that cotton-ties should be admitted free, but that the farmers of this country who produce hay and who propose to put ties around it might be allowed to have ties free of duty, especially when the Senator admits that there is no American industry now engaged in producing this article, and when the statement made by the Committee on Finance was that the prime necessity that presents itself to us for consideration now is a reduction of the revenue.

The bill that we have under consideration as it came to us from the House of Representatives is said to be a bill "to reduce taxation and simplify the laws in relation to the collection of the revenue." When the Finance Committee reported a substitute they did not propose to change the title of that bill, as they should have done. As is manifest from the course pursued by the opposite side of this Chamber, the proper title to the bill would have been "a bill to increase taxation, but to reduce revenue." The intention is that the burden of tax shall not be any less upon the consumers all over the country; that the burden of taxation upon the sixty million people here shall not be one whit lighter than it was before; but they propose only to interpose some man, some highway robber, on the roadside between the tax-payers and the vaults of the Treasury to prevent the tax going into the tills

of the Government. There is an increase of taxation where there is a proposed reduction of revenue. There is no pretense of reduction of taxation, and in the report made by the Committee on Finance that accompanies this bill they state that their purpose is to reduce revenue. They nowhere state that they propose to reduce taxation.

Mr. DAWES. Mr. President, the Senator from Arkansas takes a position which is worse than free trade itself, for he proposes to discriminate against American labor and to give the foreign laborer the advantage, because the Senator proposes to put a duty on the unmanufactured article and make the manufactured article free for the purpose of giving the laborer abroad an advantage over the laborer at home.

I should suppose that our Southern friends, so largely and vastly interested in the production of cotton, would desire to have everything pertaining to the production and carrying to market of cotton at their own doors, at home, and not depend upon anybody but themselves for the production of everything that pertained to the marketing of their product. One would suppose that would be the desire on the part of these men.

It is the desire of all intelligent and enterprising producers in this country to have everything that enters into their production and which they must use, produced at their door, knowing that every mile added to the distance between them and what they use is a dead loss to them everywhere. I should suppose that nobody would be so zealous as the cotton producers of this country to devise some way by which cotton-ties should be produced at their very doors. I should expect to see those who represent Birmingham and that section of country, just waking up, as it were, in a new birth, to a new career in this world, would desire to see it half full of producers of cotton-ties rather than to send abroad and depend upon the foreigner for their production; but least of all should I expect to see them discriminating against American labor. The truth is when one gets upon that road there is no knowing where he will go or how far he will go. Absolute free trade would be better to-day than free manufactured articles with a duty upon the unmanufactured articles that enter into them.

Mr. BERRY. Will the Senator answer a question?

Mr. DAWES. I will if I can.

Mr. BERRY. I desire to ask the Senator if he does not consider a proposition to make the laborers engaged in raising cotton in the Southern States pay double price, pay 105 per cent. upon the articles which they are compelled to have, a discrimination against their labor; or is it only the labor engaged in manufactures that he desires to protect? And is he willing, in order to give protection to a few men engaged in manufactures, to levy 100 per cent. tax upon an article that every farmer throughout the South is compelled to buy?

Mr. DAWES. The Senator goes upon the theory that the duty is a tax on the consumer.

Mr. BERRY. There is no doubt about that.

Mr. DAWES. A duty can not be a tax upon the consumer, but must be paid by the foreigner if he finds the product here. If he can have our market at his own command, then, of course, he can make the consumer pay the duty. Otherwise he has to pay it himself. There is the error that lies at the bottom of all the opposition to a protective tariff.

Now, sir, I am not discriminating against labor when I am endeavoring to find employment for labor. Employment is the only remedy against all the evils and ills which labor bears in this country, and he who can give to the laborer two days' work where he had but one before confers the same blessing upon him that he does who makes two blades of grass grow where one grew before.

Mr. BERRY. The Senator proposes in order to give the laborer two days of work to make him work at half price one day in order to give him work another day.

Mr. DAWES. He does not work at half price when he has enough to do.

Mr. MCPHERSON. I have been listening very attentively to this debate. I came into the Chamber this morning in the full belief—and I had been told it so often that I could not fail to remember it—that the Republican party in this country was the great friend of the colored man. I remember on the only occasion on which I ever had an opportunity to visit the South I saw an ancient colored man who had served in the war, crippled, diseased, ill-clad, apparently ill-fed, who came to a little station where the train stopped with a little cart that wobbled all over the road. Upon that cart was a single bale of cotton. The animal drawing the cart furnished him with the means of subsistence, a cow. I questioned him and was informed that his bale of cotton represented the proceeds of a year's labor.

I suppose nobody will deny that the major part of the cotton crop of the South is grown by the colored people, who were once held in slavery, and who are now working for themselves. The proceeds of a year's labor are necessarily very small. The soil does not yield large returns, and therefore laborers get but little in return.

I would suppose if there was any class of labor in the world that ought to be entitled to some consideration from the people of this country, especially from the law-makers of this country, and more particularly from those who set themselves up as the protectors, especially of that kind of labor, it ought to be the colored people.

I do not use an extravagant expression when I say that perhaps those very colored people produce five-sixths of the cotton grown in the South. Of the entire cotton crop five-sevenths of it is exported. If they were to import, if you please, the hoop-iron, and pay the duty upon it, and were to export it again in the same packages, they would be required to pay nothing; they would get a rebate from the Government. What are they compelled to do? They are compelled to bale the cotton, because the Liverpool market will not take it unless it is baled.

Under the rules made by the Cotton Exchange they are required to bag it and to put on hoops. What is done with the hoops on which the duty is paid? The hoops are given away, because when a bale of cotton is weighed, 24 pounds, the tare, are taken from the bale, for which they receive nothing. In short, the requirement upon them in placing their product upon the market is one that can not be avoided. They get nothing in return for it. It is thrown away and is absolutely valueless to them. They get nothing for it.

Now, I wish to know, if there is an article upon the whole tariff-list where by right and duty, and in justice to that great body of poor colored people, concession should be made, is it not upon the duty that they pay upon the hoops which bale their cotton, to say nothing of the other great products, the products of the country which are baled and barreled up and sent away, the hay, the fish, everything that goes abroad and swells very largely the exportation of our products? All these products must be sold in the openest market in the world, against the competition of the world.

When you get into the London or Liverpool markets, which by reason of England's prominence are great distributing reservoirs all over the world, you are there met by the products of every nation, of every people, and of every clime. You are obliged to sell your product in that open market. So also is this poor colored man obliged to sell the single bale of cotton that he has made as the product of a year's labor in that open market, and get nothing either for the original cost of the hoop or the duty he has paid upon it.

The Senator from Massachusetts says that notwithstanding the indirect bounty that this Government has offered to the manufacturer of hoops during all these years, it has failed to produce a hoop industry, and notwithstanding the duty has been 35 per cent. ad valorem upon the value of the hoop, no hoops are made. I want to know if any Senator will rise in his place and tell me that is the value placed upon iron in the State of Alabama, right in the very heart of the cotton industry of this country, with its limestone, with its coal, with inexhaustible beds of iron, and with all the products that enter into its consumption—if hoop-iron can not be made under a protective duty of 35 per cent. ad valorem? I tell you I think they could get rich at it. You need not ask me, then, the question why hoop-iron is not made. I will answer it in advance. It is simply because as long as you impose a duty of $17 a ton upon steel and iron rails they can make more money in manufacturing that kind of iron than they can in manufacturing hoop-iron.

Mr. ALDRICH. Will the Senator allow me?

Mr. MCPHERSON. In a moment; as soon as I get through.

It is now proposed to raise the duty from 35 per cent., and I wish to say that there is not a single article upon the iron schedule if you will reduce it down to 35 per cent. but what will be made in this country in abundance. If you make no discrimination between hoop-iron and steel rails or iron rails, one at 35 per cent. ad valorem and the other at $17 a ton, you will soon find plenty of industries to make the hoop-iron.

Mr. ALDRICH. Will the Senator allow me a moment?

Mr. MCPHERSON. Yes.

Mr. ALDRICH. The Senator from New Jersey voted an hour ago against the proposition of the Senator from Tennessee [Mr. HARRIS] to reduce the duty on steel beams to six-tenths of a cent a pound, which he said was equivalent to 49 per cent. ad valorem. Why is he not willing now to have this duty increased above 35 per cent. ad valorem upon an article which is more expensive to make?

Mr. MCPHERSON. I am very sorry that I have been so unfortunate as not to have made the Senator from Rhode Island understand me. After all that I have attempted to say to-day, the Senator seems to be just as ignorant of what I intended as before I started.

Mr. ALDRICH. I think I do understand the Senator.

Mr. MCPHERSON. I will explain——

Mr. ALDRICH. One of those industries is in New Jersey and the other is not.

Mr. MCPHERSON. Not at all. If you are going to make a tariff bill in which you keep the rates of duty through ten or twelve pages of this bill in the same schedule at a rate of duty higher than I think it ought to be, I am not disposed, whenever you reach an industry of my State, to go to work and fight to get that down and leave the others out. Fair play is my motto.

When you will make a proportionate tariff bill I will stand with anybody in this Senate to reduce down the industries of my State on a fair and proper level with each and every other one; and there is not a single manufacturer in my State who is not willing to-day, if it is necessary to reduce the surplus, to bear his just proportion of that reduction.

But, sir, if there is any reason on earth—and there seems to be none in the opinion of the gentlemen on the other side of the Chamber—why we should put anything on the free-list, the reason exists more strongly than in anything else that I can see why we should put hoop-iron on the free-list. But it is now proposed to raise the duty to 108 per cent., as the Senator from Massachusetts thinks that the manufacturers can not live at 35; that they have gone out of business at 35. We make it 108, which is adding $300,000 to the tax of the poor colored people of the South, because, after all, they have to pay it.

Then the industry can live. Well, let us see, how much does it require? During the past year the entire value of the hoop-iron imported was $345,097, and we are told that the entire cost on all the hoops for all the barrels, for all the bales, and everything else is about one-third of Carnegie's profits in a single year. Therefore it is safe to say that a single factory could make all the hoop-iron. Suppose the factory employed two or three hundred men. Then that would distribute to the owner of that factory and his three hundred men, whatever the number might be, $300,000 additional tax upon the poor colored man who makes the bale of cotton. This is too contemptible for argument. I shall vote this time for the colored man.

Mr. COCKRELL. I move that the Senate proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. The Senator from Missouri moves that the Senate proceed to the consideration of executive business.

Mr. ALLISON. I hope the Senator will withdraw that for a few minutes to see if we can not dispose of this question.

The PRESIDENT *pro tempore*. Does the Senator from Missouri yield?

Mr. COCKRELL. No, sir; I think we had better have an executive session.

Mr. ALLISON. I hope the Senator will yield for a few moments. I should like to go on with the bill until 5 o'clock.

Mr. HARRIS. You can not get a vote by 5 o'clock.

Mr. COCKRELL. Let us have an executive session.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Missouri.

Mr. HOAR and Mr. ALDRICH called for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Colorado [Mr. BOWEN]. If he were here, I should vote "yea."

Mr. FAULKNER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

Mr. KENNA (when his name was called). I am paired on all questions with the Senator from Minnesota [Mr. SABIN].

Mr. PASCO (when his name was called). I am paired with the junior Senator from Illinois [Mr. FARWELL].

Mr. KENNA (when Mr. SABIN'S name was called). I announced my pair with the Senator from Minnesota [Mr. SABIN]. It has been arranged, however, to transfer that pair to the Senator from Kentucky [Mr. BECK], so that the Senator from Maine [Mr. HALE] and myself can vote. I therefore desire to vote "yea."

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. HARRIS. As pairs are being announced, I was requested by the Senator from Indiana [Mr. VOORHEES], if there was a division of the Senate, to announce that the Senator from Vermont [Mr. MORRILL] and the Senator from Indiana are paired on any question that may arise.

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

The result was announced—yeas 20, nays 25; as follows:

YEAS—20.

Bate,	Eustis,	Kenna,	Reagan,
Berry,	Gorman,	McPherson,	Saulsbury,
Blackburn,	Gray,	Morgan,	Vance,
Cockrell,	Harris,	Pugh,	Vest,
Coke,	Jones of Arkansas,	Ransom,	Wilson of Md.

NAYS—25.

Aldrich,	Dolph,	Hoar,	Sawyer,
Allison,	Edmunds,	Ingalls,	Stewart,
Chace,	Evarts,	Manderson,	Stockbridge,
Chandler,	Frye,	Mitchell,	Wilson of Iowa.
Cullom,	Hale,	Paddock,	
Davis,	Hawley,	Palmer,	
Dawes,	Hiscock,	Platt,	

ABSENT—31.

Beck,	Colquitt,	Jones of Nevada,	Sherman,
Blair,	Daniel,	Morrill,	Spooner,
Blodgett,	Farwell,	Pasco,	Stanford,
Bowen,	Faulkner,	Payne,	Teller,
Brown,	George,	Plumb,	Turpie,
Butler,	Gibson,	Quay,	Voorhees,
Call,	Hampton,	Riddleberger,	Walthall.
Cameron,	Hearst,	Sabin,	

So the motion was not agreed to.

Mr. COKE (at 4 o'clock and 45 minutes p. m.). I move that the Senate do now adjourn.

The PRESIDENT *pro tempore* put the question, and declared that the "noes" appeared to prevail.

Mr. COKE. I call for the yeas and nays on the motion.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Colorado [Mr. BOWEN].

Mr. CHACE (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT].

Mr. FAULKNER (when his name was called). I transfer the pair I have with the junior Senator from Pennsylvania [Mr. QUAY] to the junior Senator from Virginia [Mr. DANIEL], and I vote "yea."

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL].

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER].

Mr. CULLOM. The Senator from Rhode Island [Mr. CHACE] is paired with the Senator from Georgia [Mr. COLQUITT]. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

The roll-call having been concluded, the result was announced—yeas 22, nays 23; as follows:

YEAS—22.

Bate,	Faulkner,	McPherson,	Turpie,
Berry,	Gorman,	Morgan,	Vance,
Blackburn,	Gray,	Pugh,	Vest,
Cockrell,	Harris,	Ransom,	Wilson of Md.
Coke,	Jones of Arkansas,	Reagan,	
Eustis,	Kenna,	Saulsbury,	

NAYS—23.

Aldrich,	Dolph,	Hiscock,	Platt,
Allison,	Edmunds,	Hoar,	Sawyer,
Chandler,	Evarts,	Ingalls,	Stewart,
Cullom,	Frye,	Manderson,	Stockbridge,
Davis,	Hale,	Paddock,	Wilson of Iowa.
Dawes,	Hawley,	Palmer,	

ABSENT—31.

Beck,	Chace.	Jones of Nevada,	Sabin,
Blair,	Colquitt,	Mitchell,	Sherman,
Blodgett,	Daniel,	Morrill,	Spooner,
Bowen,	Farwell,	Pasco,	Stanford,
Brown,	George,	Payne,	Teller,
Butler,	Gibson,	Plumb,	Voorhees,
Call,	Hampton,	Quay,	Walthall.
Cameron,	Hearst,	Riddleberger,	

So the Senate refused to adjourn.

Mr. STEWART. Mr. President, I have listened with some attention to the discussion which has taken place on the tariff question, and it occurs to me that the objections to this bill that I have heard are generally pleas for special privileges. It is assumed that somebody in this country has a right to cheaper commodities than can be produced by free labor in this country, that there are those entitled to some special privileges of that kind; and a moment ago the Senator from New Jersey [Mr. MCPHERSON] put in that plea for the colored man, that he is entitled to cheaper cotton-ties than can be manufactured in this country. That plea may be carried too far. If you put it in against everything that is manufactured, then you deprive everybody of work.

Mr. JONES, of Arkansas. Will the Senator allow me to interrupt him a moment?

Mr. STEWART. Certainly.

Mr. JONES, of Arkansas. My position is not what is stated by the Senator, but my position is that neither the colored people nor any other class of people in this country ought to be taxed to raise money that the Government does not need. That is it.

Mr. STEWART. I do not believe myself in the people of this country, when they can get money from other countries, bearing all the burdens of taxation, whether they are white or colored. I am willing that foreigners should pay a portion of the burdens of this Government for the privilege of peddling here.

There is another error in what has been assumed. It is assumed that duties are a tax and nothing else than a tax. What has been removed from the internal revenue is treated as no tax at all. That is not a tax because it is paid exclusively by our people for the privilege of doing business here, for the privilege of manufacturing something. Our people pay it, and therefore it is not a tax! Our friends appear to regard nothing as a tax unless it is paid by foreigners. I think that it is just as well to tax foreigners, if we can, for the privilege of manufacturing articles for sale here, as it is to tax our own people, and I would rather do it. The internal revenue is a tax upon our own people.

I think this is a pretty good bill, but it does not come quite up to my theory of a protective tariff. I believe that the tariff upon everything that can be produced in this country with ample competition should be practically prohibitory, and let none but the rich enjoy luxuries from abroad, provided there can be fair competition among producers in this country.

This talk about our tariff raising trusts here because they exist in our country seems to me very fallacious. For instance, it has been said

that the cotton-ties we use could all be manufactured by one establishment in this country. If that be so, why can not they be manufactured by one establishment in some other country? And would not that trust in another country be as oppressive as it would if it were here, and more so, and particularly if you put it out of the power of the people of this country to compete with those other people and allow that trust to prevail?

There is hardly an article that is manufactured in a foreign country which is not manufactured by a monopoly, and our friends do not seem to realize the evil of monopolies in other countries. They would break up manufactures here to break up monopolies, and they would drive them to other countries. How are they going to deal with them there? Through the State Department? That has not been always successful in making other countries do right.

This argument, this plea for cheaper commodities than can be produced with free labor in this country, leads to the abolishment of all duties. If an article can be produced in this country, with ample competition, if any one of sixty million people can engage in it—for it is open to sixty million people—the plea that you want a cheaper article because you are not willing to allow the people of the United States to manufacture and you are not willing to pay the price that it can be produced for here when sixty million of free people are competing for it, is to say that you desire slave labor somewhere, that you want some special privileges, and I say let the man who wants slave labor to produce anything for him go to a slave country and let him have all the disadvantages of slavery; let him go where there is cheap labor, where there are cheap men, where ignorance and tyranny prevail. Let him go there if it is slave labor and cheap labor that he desires; but no man who lives in a country as free as this is, with its boundless resources, and its sixty millions of people to compete with each other, has a right to say "I ought to have special privileges."

The privilege of this free country, the privileges of our institutions, the privileges of our vast resources are sufficient, and the plea that somebody wants cheaper articles than our free people can produce is a special plea, is a selfish plea. There might be something in the plea if every other people on earth had not taken precaution to close their markets against us. It is not cheap labor alone that our people have to contend with. When you reduce the price of labor to the level of other countries, to the level of Europe, you have not reached the bottom if you have free trade.

You have got then to reduce the price of labor here again until you can compete against foreign tariffs. Show me the country where its labor, such as it is, cheap as it is, is not protected by high tariffs. Every country in Europe and all the colonies of Great Britain, which are open to the trade of the world—I exclude India, which is practically under a close corporation, so that it does not count—all of them have tariffs on an average as high as ours and higher. Behind those tariffs they have slave labor, many of them, and our laborers to reach their markets must not only be reduced down to their level of labor, but must compete with their protective tariffs.

I have examined somewhat the tariffs of all the countries. Great Britain is differently situated from any other country. She has a fixed market for her commodities, tariff or no tariff. She has nearly a third of the inhabitants of the earth that are bound to trade with her. The consequence is that she can maintain establishments and her people can invest in manufactures with a guaranty of fixed markets. Consequently when any country without a tariff attempts to manufacture, she can send it cheap commodities for the time being until she has destroyed the enterprise.

Germany tried that fairly. The history of Germany ought to teach us something. After the empire had been consolidated they had practically no general tariff law. Many of the little countries that were incorporated in the empire practicaHy had free trade, and not many years ago, in 1877, the balance of trade againt Germany was very large, some $300,000,000, if I recollect aright. It was ascertained, although labor in Germany was as cheap as in England, that they could not start manufactories in Germany against England, because England had her manufacturing establishments, had fixed markets, and she could send her surplus and stock the German market; and on investigation it was found by Germany that it was necessary to have a protective tariff as against England; and the best tariff speech I have ever read was made by Bismarck in explaining the situation.

France within the last few years found herself, with her cheap labor and ingenuity, in the same situation. She had no fixed market to compete with England, and England with her vast establishments could throw her surplus into France. France raised her tariff. Austria has done it; Russia has done it, and they all have done it. Now, it is proposed in America that we shall take down our tariff and open our markets to all the world, and our free labor is to compete not only against the cheap labor of Europe, but against the tariffs that they have built up against our labor.

There are no foreign markets for the United States, I say again, except for such commodities as the countries buying them can not produce themselves. You will not increase the markets of the United States, but by tearing down the tariff that has built up this country you will take the gold and silver money that we have and leave us impoverished, without manufactures and without industries.

The idea in this country of discussing the question of a reduction of the tariff when all the markets of the world are closed against us seems to me too insane for any American statesman to consider.

This bill as reported by our committee is in the right direction. It has made many duties specific that were formerly ad valorem, and ad valorem duties are subject to all the frauds imaginable. They can not be enforced. Undervaluations are a great drawback to the collection of revenue and one of the sources of demoralization to this country. This measure is admirably drawn as against undervaluations. It has made many duties specific that were ad valorem, and provided checks and balances that are invaluable. The idea which has been suggested that this bill was a mere political expedient, that we did not intend to pass it, seems to be a reflection upon the common sense of the opposition.

Does the Senator from New Jersey think that any set of gentlemen would go to the labor of perfecting a scheme for the benefit of the country which guards against a thousand evils and meets a demand universal, and now throw it away after the verdict of the people, after he says it was read in the shops throughout the country and appealed to as an electioneering argument? After, I say, it has been read in the shops and among the people as an electioneering argument and they decided that they wanted it, it seems to me that we should misrepresent not only our party but the people of the United States if we should say, after they have given a fair verdict on this question, that we propose to cheat them out of the judgment. They have rendered the verdict, and we are here now to enter the judgment. We propose to stay here and do it if it takes all winter.

EXECUTIVE SESSION.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 5 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, December 12, 1888, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate the 11th day of December, 1888.

MINISTER TO SPAIN.

Perry Belmont, of New York, to be envoy extraordinary and minister plenipotentiary of the United States to Spain, *vice* Jabez L. M. Curry, resigned.

PROBATE JUDGES.

John Houston, of Garfield County, Territory of Utah, to be judge of probate in said county, *vice* David Cameron, whose term has expired, as provided by section 19, chapter 397, volume 24, Laws 1887, United States Statutes at Large.

Francis A. Hammond, of San Juan County, Territory of Utah, to be judge of probate in said county, *vice* J. R. Barton, whose term has expired, as provided by section 19, chapter 397, volume 24, Laws 1887, United States Statutes at Large.

William C. McGregor, of Iron County, Territory of Utah, to be judge of probate in said county, whose term has expired, as provided by section 19, chapter 397, volume 24, Laws 1887, United States Statutes at Large.

William T. Stewart, of Kane County, Territory of Utah, to be judge of probate in said county, *vice* John Rider, whose term has expired, as provided by section 19, chapter 397, volume 24, Laws 1887, United States Statutes at Large.

James A. Melville, of Millard County, Territory of Utah, to be judge of probate in said county, *vice* T. C. Callister, whose term has expired, as provided by section 19, chapter 397, volume 24, Laws 1887, United States Statutes at Large.

Samuel Francis, of Morgan County, Territory of Utah, to be judge of probate in said county, whose term of office has expired, as provided by section 19, chapter 397, volume 24, Laws 1887, United States Statutes at Large.

James A. Stark, of Piute County, Territory of Utah, to be judge of probate in said county, *vice* R. A. Allen, whose term has expired, as provided by section 19, chapter 397, volume 24, Laws 1887, United States Statutes at Large.

The nomination of William G. Stark to the above-named office, which was made and confirmed at the last session of the Senate, was erroneous, no person of that name being a resident of Piute County, Utah.

Thomas S. Watson, of Wasatch County, Territory of Utah, to be judge of probate in said county, *vice* T. S. Watson, whose term has expired, as provided by section 19, chapter 397, volume 24, Laws 1887, United States Statutes at Large.

R. W. Cross, of Weber County, Territory of Utah, to be judge of

probate in said county, *vice* L. W. Shurtleff, whose term has expired as provided by section 19, chapter 397, volume 24, Laws 1887, United States Statutes at Large.

INTERNAL-REVENUE COLLECTORS.

Andrew G. Chapman, of Maryland, appointed under a temporary commission during the recess of the Senate, to be collector of internal revenue for the district of Maryland, to succeed Joseph K. Roberts, deceased.

George Washington Hensel, of Pennsylvania, appointed under a temporary commission during the recess of the Senate, to be collector of internal revenue for the ninth district of Pennsylvania, to succeed John T. MacGonigle, deceased.

ASSISTANT COMMISSIONER OF INDIAN AFFAIRS.

John J. Enright, of Detroit, Mich., who was commissioned during the recess of the Senate, to be Assistant Commissioner of Indian Affairs, *vice* Alexander B. Upshaw, resigned.

SUPERINTENDENT OF INDIAN SCHOOLS.

Samuel H. Albro, of Fredonia, N. Y., who was commissioned during the recess of the Senate, to be superintendent of Indian schools, as provided in section 8 of the act approved June 29, 1888, to fill an original vacancy.

INDIAN INSPECTOR.

James C. Saunders, of Fort Smith, Ark., who was commissioned during the recess of the Senate, to be an Indian inspector, *vice* Morris A. Thomas, resigned.

INDIAN AGENTS.

Charles E. Vandever, of Indiana, who was commissioned during the recess of the Senate, to be agent for the Indians of the Navajo agency, in New Mexico, *vice* Samuel S. Patterson, removed.

Samuel T. Leavy, of Kentucky, who was commissioned during the recess of the Senate, to be agent for the Indians of the Yankton agency in Dakota, *vice* John F. Kinney, resigned.

RECEIVERS OF PUBLIC MONEYS.

T. A. Dunlava, of Fisher, Minn., who was commissioned during the recess of the Senate, to be receiver of public moneys at Crookston, Minn., *vice* Lars K. Aaker, resigned.

George McGowan, of Burns, Oregon, who was commissioned during the recess of the Senate, to be receiver of public moneys at Drewsey, Oregon (a newly established office), to fill an original vacancy.

Frank F. Randolph, of Huron, Dak., who was commissioned during the recess of the Senate, to be receiver of public moneys at Watertown, Dak., *vice* Downer T. Bramble, deceased.

REGISTERS OF LAND OFFICES.

Joseph G. McCoy, of Wichita, Kans., who was commissioned during the recess of the Senate, to be register of the land office at Wichita, Kans., *vice* Frank Dale, resigned.

Robert J. Slater, of Pendleton, Oregon, who was commissioned during the recess of the Senate, to be register of the land office at Drewsey, Oregon (a newly-established office), to fill an original vacancy.

ASSISTANT APPRAISER OF MERCHANDISE.

Edward R. Wolgamuth, of Pennsylvania, to be assistant appraiser of merchandise in the district of Philadelphia, in the State of Pennsylvania, to succeed George H. Hoffman, removed.

UNITED STATES CONSUL.

Howard Ellis, of Ridgewood, N. J., to be consul of the United States at Rotterdam, *vice* Richard Stockton, resigned.

APPOINTMENT IN THE REVENUE SERVICE.

Capt. Joseph W. Congdon, of Rhode Island, appointed under a temporary commission during the recess of the Senate, to be a captain in the revenue service of the United States, to succeed Capt. David A. Constable, deceased.

POSTMASTERS.

James M. Ward, to be postmaster at Tulare, in the county of Tulare and State of California, in the place of Napoleon B. Witt, resigned.

Jeremiah G. Fowler, to be postmaster at Milledgeville, in the county of Baldwin and State of Georgia, in the place of Jeremiah G. Fowler, whose commission expires December 20, 1888.

Harriett L. Vedder, to be postmaster at Washington, in the county of Washington and State of Kansas, in the place of James S. Vedder, deceased.

Gilbert H. Cooper, to be postmaster at Sag Harbor, in the county of Suffolk and State of New York, in the place of Hannibal French, sr., whose commission expires December 11, 1888.

Richard A. Dearborn, to be postmaster at Salem, in the county of Marion and State of Oregon, in the place of William H. Odell, whose commission expires December 11, 1888.

Nicholos Mackin, to be postmaster at Emlenton, in the county of Venango and State of Pennsylvania, in the place of Henry A. Hamilton, whose commission expires December 22, 1888.

Mrs. Belle P. Chreitzberg, to be postmaster at Georgetown, in the county of Williamson and State of Texas, in the place of Daniel S. Cheesher, resigned.

Mrs. M. W. Morrow, to be postmaster at Abilene, in the county of Taylor and State of Texas, in the place of Haynes H. Harden, whose commission expires December 11, 1888.

Emil Drews, to be postmaster at Lancaster, in the county of Grant and State of Wisconsin, in the place of Theodore A. Burr, whose commission expires December 20, 1888.

Myron Reed, to be postmaster at Waupaca, in the county of Waupaca and State of Wisconsin, in the place of George M. Chamberlain, whose commission expires December 11, 1888.

Fred P. Shannon, to be postmaster at Carbon, in the county of Carbon and Territory of Wyoming, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1888.

PROMOTIONS IN THE ARMY.

Inspector-General's Department.

Capt. Peter D. Vroom, of the Third Cavalry, to be inspector-general, with the rank of major, December 10, 1888, *vice* Farnsworth, deceased.

Judge-Advocate-General's Department.

Capt. Edward Hunter, of the First Cavalry, to be judge-advocate, with the rank of major, December 10, 1888, *vice* Curtis, promoted.

Capt. George B. Davis, of the Fifth Cavalry, to be judge-advocate, with the rank of major, December 10, 1888, *vice* Gardiner, retired from active service.

Quartermaster's Department.

First Lieut. Robert Craig, of the Fourth Artillery, to be assistant quartermaster, with the rank of captain, December 10, 1888, *vice* Forsyth, promoted.

Subsistence Department.

Capt. Douglas M. Scott, of the First Infantry, to be commissary of subsistence, with the rank of captain, December 10, 1888, *vice* Cushing, promoted.

First Lieut. Charles Hay, of the Twenty-third Infantry, to be commissary of subsistence, with the rank of captain, December 10, 1888, *vice* Whitehead, deceased.

APPOINTMENT IN THE ARMY.

William Joseph Larkin, of Illinois, to be post chaplain in the Army of the United States, December 10, 1888, *vice* Kendig, retired from active service.

HOUSE OF REPRESENTATIVES.

TUESDAY, *December* 11, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Monday was read and approved.

The following additional members appeared and took their seats:

Mr. CANDLER, of Georgia.
Mr. LIND, of Minnesota.
Mr. MAHONEY, of New York.
Mr. GAINES, of Virginia.

ORDER OF BUSINESS.

The SPEAKER. Under the order of the House, this day, immediately after the reading of the Journal, is set apart for the consideration of the bill known as the direct-tax bill, the title of which the Clerk will read.

The Clerk read as follows:

The bill (S. 139) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861.

Mr. CASWELL. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill, the title of which has just been read.

The motion was agreed to.

REFUNDING OF DIRECT TAX.

The House accordingly resolved itself into Committee of the Whole, Mr. MCCREARY in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of the bill the title of which the Clerk will read.

The title of the bill was again reported.

After a pause,

Mr. TOWNSHEND. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TOWNSHEND. What has become of the hour in which reports are to be made?

The CHAIRMAN. Under a resolution adopted by the House this

day was set apart, after the reading of the Journal, for the consideration of the bill the title of which the Clerk has read.

Mr. TOWNSHEND. Immediately after the reading of the Journal?

The CHAIRMAN. Immediately after the reading of the Journal, for to-day and to-morrow.

Mr. TOWNSHEND. Would it be in order to ask unanimous consent that gentlemen having reports to make from committees may be permitted to file them with the Clerk?

The CHAIRMAN. The House is in Committee of the Whole, and therefore that motion would not be in order.

Mr. HOPKINS, of Illinois. When this bill that is now under consideration was before the House at the last session I gave somewhat at length my views in regard to the objections raised against its passage. I do not care to repeat to-day what I said at that time. The objections which have been made at this session of course are substantially the same as those which were urged last session. The purpose for which I rise is more particularly to notice some of the reasons which are urged in favor of the amendment proposed by the gentleman from Alabama [Mr. OATES] to tack upon the bill an amendment to refund the so-called cotton tax. I listened with a good deal of interest and considerable pleasure to the legal argument made by the gentleman from Georgia [Mr. BARNES] the other day upon that subject. It was able and ingenious, and yet, Mr. Chairman, as it seemed to me, it came short of that conclusiveness which would warrant members of this House in voting to refund to the people who paid the cotton tax, which amounts to $68,000,000 in round numbers, that vast sum of money.

Now, in the first place, Mr. Chairman, this amendment, coming as it does, is a little peculiar. It has no relation to the direct tax which is embodied in the Senate bill. It is simply placed upon this as an amendment, as a rider, by indirection, and, it seems to me, to defeat the refunding of the direct tax rather than to obtain a refund of this money under this amendment. If there is any merit in the position which is taken by the gentleman from Georgia [Mr. BARNES] and the gentleman from Alabama [Mr. OATES] in regard to the refunding of the cotton tax, it would be better to present that in a separate and distinct bill, so that it can be determined upon its merits. If it has any merits it will receive favorable consideration; if it is without merit, then it can be just as well considered in a separate bill as by the method which is resorted to in the amendment of the gentleman from Alabama [Mr. OATES].

Now, Mr. Chairman, the objections which are urged against these laws which levied a tax on cotton are three, as I understand them. The gentleman from Georgia [Mr. BARNES] claims that under section 8 of Article I of the Constitution they violate the last clause of that section, where it says:

Duties, imposts, and excises shall be uniform throughout the United States.

And he further claims that it is also violative of the provision of the Constitution which requires that—

No capitation or other direct tax shall be laid unless in proportion to the census or enumeration hereinbefore directed to be taken.

Also that it is violative of this clause, that—

No tax or duty shall be laid on articles exported from any State.

Mr. Chairman, I have examined with a good deal of care these various sections of the Constitution and decisions of the Supreme Court bearing upon, illustrating, and explaining them, and it seems to me that these laws under which the cotton tax was levied and collected are not obnoxious to any of the objections which have been urged against them. The power of levying a tax is full and unqualified under the Constitution itself as to the extent and as to the articles upon which the tax shall be levied.

The gentleman from Georgia, however, claimed that inasmuch as cotton is only grown in a certain section of our country, therefore a tax upon cotton was violative of this last clause of section 8, Article I, of the Constitution.

It will be remembered that during the discussion the gentleman from Wisconsin [Mr. CASWELL] very pertinently asked him this question: If it is violative of the Constitution so far as the cotton tax is concerned, will not the same argument apply to the tax upon tobacco? and the gentleman was compelled to admit that it would.

Mr. TURNER, of Georgia. Will the gentleman pardon a suggestion at that point?

Mr. HOPKINS, of Illinois. Yes, sir.

Mr. TURNER, of Georgia. I want to call the gentleman's attention to the fact that the tobacco tax is different from the tax on raw cotton because the tax upon tobacco is levied on the manufactured article and is therefore an excise tax.

Mr. HOPKINS, of Illinois. I will come to that further on; but I will say now that the tobacco tax as originally levied was upon the leaf, and was just as much of a tax upon the raw product while that law was in existence as the tax upon cotton itself.

Mr. Chairman, I was about to say when interrupted that there is not a single article produced in any section of the country but could be exempted from an excise tax upon the principle announced by the gentlemen on the other side. There is no single article that is produced in all the States and Territories of the Union upon which an excise tax could be levied if that argument is sound. But we are not limited to reasoning from the Constitution or to illustrations derived from it. I think the Supreme Court of the United States has settled this whole question and has put it beyond debate. In the hard-money cases, so called, which were decided by the Supreme Court in 1884 (U. S. Reports, 112, 594) the court, speaking of this very clause of the Constitution, said:

The uniformity here prescribed has reference to the various localities in which the tax is intended to operate. "It shall be uniform throughout the United States." Is the tax on tobacco void because in many of the States no tobacco is raised or manufactured? Is the tax on distilled spirits void because a few States pay three-fourths of the revenue arising from it? The tax is uniform when it operates with the same force and effect in every place where the subject of it is found. The tax in this case, which, as far as it can be called a tax, is an excise duty on the business of bringing passengers from foreign countries into this by ocean navigation, is uniform, and operates exactly alike in every port of the United States where such passengers can be landed. It is said that the statute violates the rule of uniformity and the provision of the Constitution that "no preference shall be given, in the regulation of commerce or revenue, to the ports of one State over those of another," because it does not apply to passengers arriving in this country by railroad or other inland mode of conveyance; but the law applies to all ports alike, and evidently gives no preference to one over another, but is uniform in its operation in all ports of the United States. It may be added that the evil to be remedied by this legislation has no existence on our inland border, and immigration in that quarter needed no such regulation. Perfect uniformity, perfect equality of taxation in all the aspects in which the human mind can view, is a baseless dream, as this court has said more than once. * * * Here, then, is substantial uniformity within the meaning and purpose of the Constitution.

Now, taking this decision as a text, it shows that this tax upon cotton was absolutely uniform. Wherever the cotton was found the same tax was levied upon it per pound, whether it was in Alabama or in Louisiana, in Illinois or in New York. I hold in my hand and will insert in my remarks a statement from the Internal-Revenue Bureau showing that this tax which is objected to was collected from twenty-six different States and Territories, and that in all of those States and Territories where the tax was levied and collected it was uniform; that is, the same amount per pound in Georgia and in Utah; the same amount per pound was levied and collected in Illinois that was levied and collected in the Carolinas. That is the uniformity which the Supreme Court says is required by the provision of the Constitution to which I have referred.

The following is a list of the States in which taxes on cotton were collected, and the several amounts collected in each, to wit:

States.	Amount.	States.	Amount.
Alabama	$10,388,072.10	Mississippi	$8,742,995.93
Arkansas	2,555,683.43	Missouri	592,098.36
California	430.03	New Jersey	3,656.42
Connecticut	193.64	New York	867,942.68
Florida	918,944.98	North Carolina	1,939,704.87
Georgia	11,897,094.98	Ohio	447,127.12
Illinois	379,144.42	Pennsylvania	78,535.06
Indiana	992,727.22	Rhode Island	2,424.73
Kansas	286.15	South Carolina	4,172,420.16
Kentucky	553,327.45	Tennessee	7,873,460.71
Louisiana	10,098,501.00	Texas	5,502,401.24
Maryland	51,349.52	Utah	1,375.34
Massachusetts	66,679.30	Virginia	825,856.87

I apprehend, Mr. Chairman, that with that decision before us it is unnecessary to take up further time in demonstrating that the objection raised by the gentleman from Georgia is untenable.

The next objection urged against this tax is that it was an export tax. If it was an export tax, we all grant that it was in violation of the Constitution and was void, and that the money collected under it should be returned. Let us look at that question. What is an export tax? An export tax is something that is levied upon goods that are shipped from this country to a foreign country; not from one State to another, but from this country to another country; and such a tax only attaches when the goods are prepared to be shipped abroad.

If the goods are not shipped, no tax is levied. The distinction between an export tax and an excise tax is this: An excise tax attaches to articles regardless of any condition; an export tax attaches only under certain conditions, and those conditions are that the goods are shipped abroad. Now, with that explanation and understanding of the law—and it can not be gainsaid by anybody—I ask the Chairman and members of this committee whether or not this tax was levied upon cotton that was exported, or whether it was levied upon all cotton alike? That is the crucial test.

Mr. HERBERT. Let me answer the gentleman from the law.

Mr. HOPKINS, of Illinois. Wait one moment; you will have your own time.

Mr. HERBERT. The law shows that it was collected on exported cotton.

Mr. HOPKINS, of Illinois. The law shows that it was collected on every pound of cotton that the officers could get hold of, regardless of whether that cotton was to be consumed at home or abroad. The Constitution does not contemplate that goods which may possibly be shipped abroad shall not be taxed. Any goods which are produced,

manufactured, or used in this country are liable to be exported; and the mere fact that some portion of them may go abroad does not render the law taxing such goods violative of this section of the Constitution. Suppose, for example, every pound of cotton on which this tax was collected in these twenty-six different States and Territories during these various years, under the acts from 1863 to 1868, had been consumed in this country; the tax would have been collected and placed in the Treasury of the United States just the same. And it will not do to say that simply because some of these goods may have gone abroad, therefore no tax can apply to them, because there is not an article manufactured or produced, either by agricultural or any other form of industry, which may not, under some circumstances, be shipped abroad.

Mr. LONG. Whisky and tobacco may go abroad.

Mr. HOPKINS, of Illinois. Yes, as the gentleman from Massachusetts [Mr. LONG] suggests, whisky and tobacco may be shipped abroad; and the same argument which applies to cotton would apply to them.

Mr. HERBERT. Will the gentleman allow me to say——

Mr. HOPKINS, of Illinois. You will have your time.

Mr. HERBERT. A drawback is allowed on whisky and tobacco exported, but not on cotton.

Mr. HOPKINS, of Illinois. Mr. Chairman, I can not permit myself to be interrupted; my time is limited.

But, to go a little further, there is another question presented. These gentlemen from the Southern States have assumed that their people paid this tax, and that it was thus a drain upon the States which were once in insurrection. I say that the facts are directly the contrary of that. The records of our country show that the loyal and patriotic States of the North, under all these revenue laws, paid taxation largely in excess of what was paid by the States of the South.

When this matter was first before Congress and the advisability of levying a tax upon cotton was urged, all the arguments which have been presented here by the gentleman from Georgia [Mr. STEWART] and the gentleman from Alabama [Mr. OATES] were then urged against this law. All the authorities which have been cited in this debate were cited then. But it was the deliberate judgment of Congress that cotton was a proper subject of taxation. It was the deliberate judgment of the various Congresses that enacted these laws during the years from 1863 to 1868 that cotton should pay a certain tax in order to help in sustaining the arm of the Government and to pay some of this enormous debt that was contracted to suppress the rebellion and to maintain the Union in its integrity. But it was not claimed in the argument at that time that the Southern people were to pay this tax upon cotton. The wisest and the ablest statesmen of that time contended that it was a tax which would be levied upon the consumer, and not upon the producer. I have in my hand an extract from a speech made by Mr. Harding, of Illinois, one of the able and distinguished Democrats of that State, a gentleman who opposed the levying of these taxes. In that speech he said:

> The tax will ultimately be extorted from the toiling millions of our country. I protest against indirect taxation of the absolute necessaries of life. My constituents are clothed almost exclusively in cotton goods. They sleep on cotton; they walk in cotton; and no matter what the price of corn is, they pay the tax.

Mr. Marshall, another distinguished member of the House at the time these laws were under consideration and when the propriety of their enactment was being discussed, said:

> I am opposed on principle to the whole tax; at least I think, if there is any at all, it should be very small in amount; and it is for this reason, that in raising revenue to support the Government we should endeavor, as far as possible, to impose the burdens of the Government upon the wealthy, and not upon the poor. The cotton fabrics of the country are consumed almost exclusively by the laboring white men of the country and by the poor freedmen. The wealthy man who can afford to wear fine linen will pay no part of it; but the poor and humble men at the South and the West and at the East and all over the country will bear the burden of the tax that is imposed by the provisions of this bill.

That was the judgment of the leading men of the House as well as of the Senate as to where the burden of this tax would rest.

A further fact which proves that the Southern people did not pay it is this: Before the war cotton which was selling at 10 cents a pound, at the time the tax was levied upon it was ranging from 25 cents to a dollar a pound.

A MEMBER rose.

Mr. HOPKINS, of Illinois. I can not be interrupted.

The demand for cotton was greater than the product itself. Now, it is the consumer under such conditions who pays the tax and not the producer. Never did we have such fabulous prices for cotton as during the very period when the Government of the United States was seeking to raise a small portion of its revenue by taxing this product, and this tax, as I have observed before, was paid by the consumers of the country North and South, East and West, and not by the people down there where the cotton was raised.

I have listened, until I have grown tired, to the arguments of these gentlemen at the South insisting they have been tax-ridden by the laws of our country. The record shows with the same population the people of the North have paid five to ten dollars under the internal-revenue laws of the country to one dollar paid by the people at the South. I hold in my hand a statement and comparison made under the internal-revenue laws of the amount paid during this period up to 1870 by some of the Southern States and the same by an equal number of Northern States. It is as follows:

According to census of 1870 Rhode Island had about 30,000 more population than the State of Florida. Florida is a cotton-growing State, Rhode Island is not.

According to the reports of the returns made from collections under internal-revenue laws Rhode Island paid $25,024,953; Florida, from other sources than cotton, $538,508.

According to the same census Alabama had a population of 996,992 persons, New Jersey a population of 906,096 persons, or 90,000 less than Alabama. Alabama is a cotton-growing State, New Jersey is not.

The collections made in Alabama from other sources than cotton were $3,812,910, while the collections from New Jersey for the same period were $48,524,642.

The population of Georgia by the census of 1870 was 1,184,109 persons; Michigan, by the same census, had a population of 1,184,059 persons.

There were collected from other sources than cotton in Georgia $6,520,515, while in Michigan, with a little less population, as you observe, there was collected $24,099,806.

Including cotton tax, the amounts collected from the several States above named are as follows:

Florida shows a total tax of	$1,457,453
Rhode Island a total tax of	25,027,378
Alabama a total tax of	14,200,982
New Jersey a total tax of	48,528,298
Georgia a total tax of	18,417,610
Michigan a total tax of	24,099,806

Let us go a step further and take the State of Georgia, the State from which the gentleman comes [Mr. STEWART], who said the other day that it had been tax-ridden. Let us look at that for a moment. It had a population under the census of 1870 of 1,184,109 persons. Michigan had a population under the same census of 1,184,059 persons. The population of these two States under the census of 1870 is nearly equal. Under the internal-revenue laws of our country, exclusive of the cotton tax, Georgia paid the small sum of $6,520,515, as against $24,995,080 in the State of Michigan. Why is not Michigan contending this tax levied there and collected in that State should be refunded? Why is it she is not here claiming the tax on various iron and copper and salt and other industries in that State should be refunded? The same argument that brings Georgia here through her Representatives insisting this cotton tax should be refunded would call the Representatives of Michigan to insist the $24,000,000 collected from that State should also be refunded.

I had the collector of internal revenue make a statement of the amount of tax collected in my State as compared with Georgia from 1870 to 1880. It is as follows:

Statement showing the receipts from several objects of taxation in Georgia and Illinois from 1871 *to* 1880.

Fiscal year ending June 30—	Distilled spirits.		Tobacco.	
	Georgia.	Illinois.	Georgia.	Illinois.
1871	$123,139.65	$10,666,828.82	$233,483.72	$2,294,143.56
1872	159,157.69	12,431,430.06	213,965.94	1,994,050.72
1873	145,029.41	13,727,790.43	244,972.45	1,962,290.87
1874	152,193.55	12,411,924.62	173,192.52	2,210,851.83
1875	151,455.67	14,111,459.50	168,300.66	2,622,838.50
1876	152,856.29	19,821,368.38	153,057.16	2,955,972.32
1877	129,763.11	18,220,734.66	95,885.55	2,819,813.55
1878	206,246.53	16,072,539.33	61,980.04	2,829,805.58
1879	185,360.05	16,052,206.72	69,036.54	2,656,061.85
1880	191,550.18	19,589,253.97	74,147.04	2,493,226.67
Totals	1,596,732.13	153,105,536.49	1,488,021.62	24,839,055.45

Fiscal year ending June 30—	Fermented liquors.		Gross receipts of railroads, express companies, etc. *	
	Georgia.	Illinois.	Georgia.	Illinois.
1871	$6,530.31	$183,603.73	$27,746.44	$161,450.66
1872	5,737.61	514,019.13		
1873	7,645.43	542,070.32		
1874	6,675.41	573,201.80		
1875	6,741.48	555,809.48		
1876	6,775.18	576,060.90		
1877	8,664.61	541,872.54		
1878	7,198.01	571,580.12		
1879	10,409.43	618,420.94		
1880	12,729.92	767,013.67		
Totals	79,127.39	5,743,652.63	27,746.44	161,450.66

*Repealed by act of July 14, 1870.

Statement showing the receipts from several objects of taxation in Georgia and Illinois from 1871 *to* 1880—Continued.

Fiscal year ending June 30—	Sales.*		Special taxes.†	
	Georgia.	Illinois.	Georgia.	Illinois.
1871	$14,430.80	$183,143.10	$64,431.48	$393,773.17
1872				
1873				
1874				
1875				
1876				
1877				
1878				
1879				
1880				
Totals	14,430.80	183,143.10	64,431.48	393,773.17

Fiscal year ending June 30—	Income—individuals.‡		Income—corporations.‡	
	Georgia.	Illinois.	Georgia.	Illinois.
1871	$97,031.58	$332,063.44	$83,198.46	$78,328.20
1872	53,192.86	195,748.81	80,619.01	313,522.25
1873	16,938.66	79,051.77	1,511.75	4,739.49
1874				
1875				
1876				
1877				
1878				
1879				
1880				
Totals	167,163.10	606,864.02	165,329.22	396,589.94

Fiscal year ending June 30—	Gas.§		Aggregate receipts.	
	Georgia.	Illinois.	Georgia.	Illinois.
1871	$8,841.33	$142,168.64	$736,944.02	$15,119,609.02
1872	8,357.19	124,220.28	583,160.18	15,799,667.30
1873	1,241.73	19,194.22	477,959.90	16,493,169.34
1874			384,622.55	15,419,720.89
1875			388,226.84	17,634,626.71
1876			362,726.44	23,730,694.18
1877			278,879.30	21,870,203.14
1878			333,519.90	19,668,791.32
1879			322,770.60	19,470,641.75
1880			322,074.18	23,035,614.49
Totals	18,440.25	285,583.14	4,190,883.91	188,242,738.14

*Repealed by act of July 14, 1870.
†Repealed May 1, 1871, by act of July 14, 1870.
‡Expired by limitation December 31, 1871.
§Repealed August 1, 1872, by act of June 6, 1872.

I find from this table that there has been collected in the State of Illinois during this period, under our internal-revenue laws, the amount of $188,242,738, against the sum of $4,190,000 collected in the State of Georgia.

Again, sir, if the argument should prevail that it is the producer who pays this tax and not the consumer, then the State of Illinois is paying and has paid to support the Government $188,000,000, in round numbers, against four million and some odd hundred thousand dollars paid by the State of Georgia for the same period. If that argument is to prevail, you can see the inequality; and I cite the facts to show you that instead of its being the producer it is beyond all question the consumers all over the country who pay the tax. We helped to pay the tax that was levied on cotton, and every person in the State of Illinois and elsewhere throughout the country paid his proportion of that tax precisely as did the people of the State of Georgia; and I take it that upon the whisky tax collected in Illinois the people in the State of Georgia pay their proportion with the people of Illinois.

But, Mr. Chairman, another argument has been urged by the gentleman from Georgia why this tax should be refunded to the people of his State. He insists that it is a tax upon the land itself. Now, under the decision of the Supreme Court of the United States a direct tax is limited to realty and to the poll-tax. The gentleman from Georgia insisted that because the tax was levied upon a product of agriculture that it is, therefore, a tax upon the soil that produces that product, and claims that in the whole history of this country and England there is no precedent for it. Mr. Chairman, any student of English constitutional history, and especially any lawyer who has read Blackstone's Commentaries, knows that excise taxes were imposed in England of the very character of this cotton tax. Under the statutes that were enacted during the time of George II, an excise tax was levied upon hops precisely as it was levied in this country upon cotton. Hops are a product of the soil under the same condition that cotton is a product of the soil. It is manifest, therefore, to any student of history that precedents are against the position assumed by the gentleman from Georgia.

Now, fortunately for us, Mr. Chairman, the Supreme Court of the United States has settled that question also. In 6 Wallace, 594, the savings-bank case, the court held that a franchise tax upon the bank proportioned to the amount of its deposits is not a tax upon the Government securities in which these deposits are invested. In other words, that a tax on the amount of money received as interest on the Government bonds is not a tax of the bank itself, which is by law exempted from taxation.

Anybody who will take the time and trouble to examine the decision in full will find that it meets exactly and fully the point raised by the gentleman from Georgia.

But the argument the gentleman made on that occasion would lead the members of this body to believe that this is a tax which was levied upon the soil while the cotton was growing. That is not the case, as I understand it. There was, it is true, his coincidence, that this cotton tax was upon the statute-books of the country at the time, and necessarily so, that the cotton was growing, but, as I have said, that was a necessity of the case itself, for we find that the cotton tax existed from the year 1863 to 1868. That, however, is the only connection between the growing cotton and the tax. Anybody who will examine the subject will find that the intention of Congress was to levy, and the act did levy, a tax upon the cotton that had been gathered, ginned, and placed in bales or packages ready for market; that the tax was levied not upon the raw material itself, but upon the product after the hand of labor had added an additional value to it. It was the joint product of the soil and the labor of man, precisely as articles of manufacture are the joint product of the skill of man and of nature. There is no difference between them, and I defy anybody to follow this out and show there is. The very fact that we find portions of this cotton in Illinois, where we do not grow it, and in fifteen of the different States of the Union where cotton is not produced, is ample evidence to the mind of any man who reasons that the tax was levied upon the cotton with the additional value that was given to it by the hand of man.

Mr. LONG. How does this differ from the tobacco tax?

Mr. HOPKINS, of Illinois. There is no difference. The principle is precisely the same.

But I go a step further. I contend that there is no clause in the Constitution of the United States exempting the products of agriculture from taxation under the excise law of the country any more than there is to exempt the products of manufacture. I contend that as a mere question of constitutional right there is absolutely no difference between them. As a question of expediency the fathers of the Constitution, and the great men who followed them in giving us legislation, refrained from levying a tax upon the product of the soil. But I contend, sir, that when this tax was levied the exigency of the country warranted it. It was a case of absolute necessity. We were plunged in the midst of a domestic war, a causeless war of colossal proportions. One portion of the country was arrayed in arms against the General Government. To suppress that rebellion brought sorrow and suffering into millions of homes at the North. It required the patriotic people of the North to submit to all forms of exorbitant taxation on all business pursuits and upon every article they had or produced, and I say that it was but scant justice for the General Government to reach out and declare that this product that had this enormous value because of the great demand for it all over the world should pay a portion of that tax in restoring this country to its rightful status, and giving to these very people the blessings that they now enjoy under this great Republic. [Applause.]

Mr. ALLEN, of Mississippi. Mr. Chairman, as there are grave constitutional questions and grave questions of governmental policy involved in the proposition to refund to the States the direct tax, there seems to be a general desire to hear my views on this important matter [laughter], and this being my first public utterance since the late campaign, in which I took so conspicuous a part, what I have to say will be listened to with attentive interest. [Laughter.]

It is not my purpose to repeat what has been so well said by others against the constitutionality of the proposed legislation. The party to which I am proud to belong has always insisted that the powers of Congress to collect taxes and appropriate the same when collected were limited by the Constitution, and that the only safe rule is to keep at least within the spirit of such limitations.

Upon an examination of this sacred instrument I fail to find either in its letter or spirit any power which authorizes Congress to appropriate the money carried by this bill. What is the proposition? It is to pay back to the several States that paid the same what is known as the direct tax—a tax that, it is admitted, was constitutionally levied, collected, and expended twenty-odd years ago.

I have heard the advocates of the measure discuss it time and again, but have not heard from any of them an attempt to show its constitutionality; but I must remind my friend from Alabama [Mr. OATES], who raises the question of the constitutionality of the measure, that a great many of the members on this floor have very slack views on the Constitution. They seem to think there is such a thing as constitutional limitation when applied to a measure some one else wants passed and they do not, but that it was never intended that it should stand between them and anything they want done.

Their idea of the Constitution seems to be about as well defined as

were those of a witness I once heard testify in Mississippi as to the interest he was taking in a prosecution. It was in the trial of the case of the State *vs.* Eubanks, in Itawamba County, Mississippi. [Laughter.] I was the leading counsel for the defense in that case—you have all doubtless heard of it. [Laughter.] I asked one of the witnesses for the State if he was not taking a very great interest in the prosecution. His answer was, "Only so far as necessity, civilization, and agreement of his family extended."

I then asked him how far "necessity, civilization, and agreement of his family" extended. He said, "Just as far as morality would lead." I then asked him how far morality would lead, when he replied, "Morality should exist throughout all civilized worlds." [Great laughter.] Now, his answers to these questions were about as explicit as the ideas many gentlemen on this floor seem to have of constitutional limitations; they think they only go so far as necessity, civilization, and agreement of a member's constituents extend. [Laughter.]

I do not agree with the gentleman from Georgia [Mr. STEWART], who said the other day that the object of the friends of this measure was to pile appropriations for which to hold this Democratic administration responsible. I think he misapprehends the true object of the gentlemen who favor this bill. I think their real object is to get the money for their States which this bill carries, and if ever passed at all it will be passed by a combination or sort of pool of those members from those States, who are more particular about getting the money than how they get it.

But I indulge the hope that this Democratic administration will never be responsible for this bill, even should it pass this House.

Mr. Chairman, the reasons urged why this tax should be refunded are not that it was not properly, legally, and constitutionally collected and expended; but it stands alone upon the ground that of the $20,000,000 levied only about seventeen and a half millions were collected; and that as some of the Southern States did not pay their part of the tax, the other should therefore be refunded.

It will be remembered that at the time this tax should have been paid the Southern people could not find the tax-collectors of the United States. Many of them were out on the hunt of them, but they were not to be found. They were at least inconvenient of access.

Now let us see where the logic of the position assumed will lead us. It is that whenever a tax is levied and for any reason it is not all paid the Government should pay back what has been collected. In other words, that in States where a poll-tax is levied if any persons should fail to pay (as many always do) the State should pay back what is collected in order to equalize the matter; or, to take a case in point for which this would be a precedent on the part of the General Government, as all know, the Government taxes all distilled alcoholic spirits, and many hundreds of millions of dollars have in the last twenty-five years been paid into the United States Treasury as such tax. But suppose some mountaineer locates his still at the head of some sequestered hollow in the mountains, and, in order to have quiet that he may do his work well, observes the necessary secrecy to prevent being disturbed by revenue officers, and after he has perfected some good fruit brandy or corn whisky, and in his anxiety to minister to the thirst and wants of his fellow-men, he puts some of this on the market, forgetting to go by and see the revenue collector. [Laughter.]

Now, if such things have happened, then the logic that demands the refunding of the direct tax would require that all the money collected on whisky or brandy under the internal-revenue laws should be refunded in order to equalize those who have paid with those who have not. No, sir; there are almost always some who do not pay their part of a levy of taxes; some who purposely evade it, and some who are unable to pay, but that is no reason why a tax, constitutionally levied and collected of those who do pay, should be returned to them; and if this were a constitutional measure it would be a bad precedent.

Mr. Chairman, many of the gentlemen who have spoken in favor of refunding this tax have referred to the times and conditions under which it was levied and collected—that it was for the purpose of carrying on the war and crushing out the rebellion. We all understand what that is brought in for, but I can not for the life of me see what it has to do with the question. The argument, if it amounts to anything, only goes to show that these gentlemen think it was levied and expended for a proper purpose.

There are but few questions presented in this House but this same argument is made to do duty. I am not going into any discussion of that question. I hope I will be excused to-day from again shaking hands across the "bloody chasm." I have done that until I have corns on my hands [laughter]; nor do I intend to mingle any tears in sentimental poetry over the union of the blue and the gray. This is all very well for a summer pastime, but I find that it does not amount to much for the practical purposes of a campaign or for legislation [laughter]; but I will say here what I have often thought since I have been a member of this body, and that is that the many wrongs, inequalities, hardships, injustices, and oppressions of the unhappy period to which reference is so often made, can never be undone, corrected, or equalized; nor do I believe any good can be accomplished by discussing them.

Take the matter under consideration for an illustration. The people who paid this tax are not many of them the people who would receive the benefits of this measure. The population of the States that paid it have greatly changed by deaths, births, and removals. Many of those who paid their taxes in the States that did pay have removed to States that did not pay, and *vice versa;* so you see this proposition could not secure equality.

Many of those who suffered most by what happened then have passed away, and others are fast going the same road. I, therefore, for one, am in favor of "spitting on the slate" and rubbing out. Let us as far as possible forget all that is unpleasant or irritating in the past, and devote ourselves more to the present and the hopeful future.

But, Mr. Chairman, if we are going into the business of righting the wrongs of the past, and if in order to right one of those wrongs you must return a tax that was properly collected, simply because it was not all collected, then I want to call your attention for a few moments to the cotton tax; that, I think, I can demonstrate was wrongfully and unjustly collected.

It seems to me that when the constitutionality of this tax was brought in question before the Supreme Court of the United States soon after the war, when the prejudices against the section on which it fell were at their height, the fact that that court was equally divided on the question of its constitutionality, that four out of eight of the judges were of the opinion that it was an unconstitutional tax, would be enough at least to give our friends, who now contend for its constitutionality, pause; and to show that the arguments against its constitutionality are not frivolous or far-fetched.

But whether it was against the letter of the Constitution or not, I do not believe any fair-minded man can read the debates that preceded the adoption of the Constitution without coming, as I have done, to the conclusion that it was clearly against the spirit of that sacred instrument. There was no portion of the Constitution that provoked more debate or was sought to be guarded with more jealous care than that portion relating to the taxing power of the General Government; and the fear that unequal taxation or such as might bear more heavily on one section of the country than another seems to have received the special attention of the authors of that instrument, and we are informed that those who represented the agricultural States were specially anxious on this subject, and when objection was made that such unequal burdens might be put upon some States or sections under the Constitution, Mr. Alexander Hamilton, replying to such objections, said:

> Where is the difficulty? Where is evil? They never can oppress a particular State by unequal impositions, because the Constitution has provided a fixed ratio, an uniform rule by which this must be regulated.

And Mr. Madison, the great expounder of the Constitution, in answer to the suggestion that States which had slaves and made tobacco might be taxed while others which had them not might escape, denied positively that such a thing could happen. He said:

> On the contrary, there is a proportion to be laid on each State according to its population. This is a constitutional scale which is an insuperable bar against disproportion, and ought to satisfy all reasonable minds.

Cotton was not mentioned in that debate as one of the products of a certain section that might be unjustly dealt with, but it was because we then produced but little, if any, of it; but if we had then had the "cotton States" it would doubtless have figured in that debate.

There are many others who took part in that debate who might be quoted, but this is sufficient to show what was then understood by the framers of the Constitution. Now, it is no answer to the objection to this measure to say that the law was uniform and applied to every State in the Union. The fact remains that it was a tax on the production of cotton, and that cotton is only produced in the South. The terms of the law may be uniform, but its application and effect were of necessity confined to the Southern States. Nor does the fact that a small amount of this tax was paid in Northern States alter the case at all, for wherever and whenever cotton was raised and sold after the passage of this law, it was sold with the burden of the tax upon it, and sold by the producer for its market price, less the tax if the same had not been paid.

It was not, therefore, a tax equal or uniform in its effect, and, as has been said, it was the first and only instance in which this Government has ever levied a tax on a raw product of agriculture; and it levied and collected this at a time that the section that paid it was without representation in Congress. The tables read by the gentleman from Illinois [Mr. HOPKINS], showing that some of the States of the Union paid largely more taxes into the Treasury under the internal-revenue system than others, do not affect or answer this argument at all, for those were taxes paid on manufactured articles that he shows were in reality paid at last by the consumers, who are scattered over all the States, and bear no analogy to the cotton tax.

Mr. Chairman, as hard as it is to surprise me after my experience here, I must confess I was surprised at the position assumed by the gentleman from Iowa [Mr. KERR] and the gentleman from Illinois [Mr. HOPKINS], that the tax on cotton was a tax on the consumer, and not on the producer. Sir, when I see two such great leaders in the Republican party, two members of Congress contending on this floor that a duty on imports is not a tax on the consumer, but that a tax on raw materials in the hands of the producer is a tax on consumption and not on production, I can readily see how it was we were not

able to succeed in our late "educational campaign" in a few short months. [Applause on the Democratic side, and great laughter.]

The tax was a charge on the cotton in the hands of the man who produced it, and had to be paid. Now, will some gentleman please inform me how the tax added anything to its value? The producer had it to pay? Where was the price enhanced by the tax? The price of cotton is not fixed in this country; it is fixed in the markets of the world, the great center of the cotton market being Liverpool. The price is regulated by just two things, supply and demand and the manipulation of speculation. The purchaser in Liverpool or in New York does not pay one cent more for it because it has paid a tax. Do you not see that if we could tax cotton in Mississippi, and then make the consumer pay the tax, we would resort to this scheme to raise our revenue, and make outside countries pay all taxes?

Now, with import duties just the reverse is true; the price of the article imported is fixed in open market abroad, but in order to sell it here the importer must pay in addition to the price it costs him abroad the import duty to get it in here, and this he adds to the price and makes the consumer pay it. I have hopes of these gentlemen; they are learning. They have learned that one sort of tax comes out of the consumer and one out of the producer; when they learn which is which they will be all right. They only missed it in which tax it was that came out of the consumer.

Now, I have always regarded the gentleman from Iowa [Mr. KERR] as a tolerably honest though a muchly misguided man. [Laughter.] He expressed great doubt about the propriety of refunding the direct tax, but said he would vote for it in obedience to the wishes of his constituents; but said he would vote against refunding the cotton tax, regardless of its constitutionality, because it came out of the consumers and could not be returned.

Now, I think I have convinced him that he is misguided. I hope he will convince me by this vote that he is honest. [Laughter.] Now, Mr. Chairman, I want to inform this House that I am an expert on the question of the cotton tax. I know more about it than any of the statisticians from whom gentlemen have gotten their figures. I was one of the leaders in the movement that produced the cotton that paid that tax. [Laughter.] I was the conductor that pulled the bell-cord over an old army mule that helped to make that cotton. [Laughter.] I hoed the lead row in one of the cotton-fields of the South.

I know all about the operation of that tax. Gentlemen say that the records show that cotton was much higher while the tax was in force than ever before or since. I think I have already shown that the tax did not make it higher. The cotton that was on hand at the close of the war had generally found its way into the hands of speculators and did the people who needed it most but little good. That what was produced afterwards, on which this tax fell most harshly and unjustly, was not produced at a profit, farming wrecks of that period will demonstrate. I remember particularly about the crops of 1866 and 1867. Eighteen hundred and sixty-six was a very wet year and a most disastrous year to the cotton-planters. The crop was very small and but few farmers made expenses.

In 1867 the farmers expected good prices and made their calculations accordingly, and I remember distinctly that most all of the cotton that year passed out of the hands of the producer at very unremunerative prices. It was sold by the producers largely at from 9 to 12 cents per pound. It is true that later in the season, when most of it had left the hands of the men who made it and paid the tax, it went up to as high as 28 cents per pound, but the tax-payers did not get the benefit of this advance.

There is another thing I wish to inform you: there are over $68,000,000 of that cotton tax in the United States Treasury, and I doubt if much more than half that was collected from the people ever found its way into the Treasury. More than $8,000,000 of that in the Treasury was collected from the people of Mississippi, and I know that the revenue officers stole a large portion of what was paid by the people of my State, and the United States Treasury never got it.

Mr. Chairman, I will not attempt to describe the desolation that met the Confederate soldier on his return home after the war. The desolate homes, desolate farms, the wasted fortunes, and the roofs that "let in the sunshine and the rain," have all been so often and so pathetically described in poetry, painting, and song, that I shall not attempt it here. Nor is it my purpose to argue and contend with you gentlemen about the causes that had taken them away from their homes.

For the purposes of this argument you can call it their "crime," their "sin," or their "folly." Do not understand me as speaking of this desolation for the purpose of blaming or censuring anybody for it. I am not after getting up a discussion as to what was right or wrong about that. I know war is war, but what I do want to illustrate to you is that it was a "condition and not a theory that confronted us." [Great laughter.]

If you could have seen the horses and tools with which we had to go to work! The most of our horses were branded "I. C." Now, I do not expect the gentleman from Iowa [Mr. KERR] knows what an I. C. horse is.

Mr. KERR. I do not.

Mr. ALLEN, of Mississippi. I. C. means inspected and condemned. They were army horses that had been condemned as no longer fit for service, and were branded I. C. so that private individuals could own them.

Mr. TURNER, of Georgia. Although they could not see at all. [Laughter.]

Mr. ALLEN, of Mississippi. No; a great many of them did not see at all, as the gentleman from Georgia aptly suggests.

With such stock as this, worn-out plows and hoes, amid all these cheerless surroundings, the poor Confederate soldier set to work to make the cotton that was burdened with this tax and that has from that day to this contributed so much to your national prosperity. I hope I may be pardoned if I lay aside my usual modesty [laughter] and indulge in some personal reminiscences pertaining to these hard times. I do not like to speak of myself, but I do sometimes overcome my well-known modesty in order "to point a moral or adorn a tale." [Renewed laughter.]

When I went home and went to making cotton I must admit that I enjoyed some advantages over many of my comrades in my neighborhood. My brother, older than I, was a shifty man and a good trader, and in some trade he had come in possession of a box of paper collars. [Laughter.] He was always kind to me, and he gave me three of them; he did not charge me, of course. These collars enabled me to dress better than most of the boys [laughter], and they looked very nice on my homespun shirt.

You know you can make a paper collar go a good ways by being careful and turning it when one side becomes discolored [laughter]. So I made these last a good while and was somewhat envied by those who were less fortunate; but it was my great desire to be able out of my first cotton crop to purchase me a black coat. Now, to show you how the hopes and aspirations of some of our best young men were blasted [laughter], when I sold my cotton and had to pay 3 cents a pound tax on it, I was not able to buy the coat, so it forced me to borrow one to use on Christmas occasions. This caused a coolness for several years between the friend from whom I borrowed and myself. [Laughter.] You see, a crowd of us threw in and bought a bunch of fire-crackers, and it resulted in burning a small hole in the coat, and being an accommodation, Bailee, my friend, thought I did not use ordinary diligence to prevent the injury. [Laughter.]

Now, Mr. Chairman, jesting aside, I shall at the proper time offer an amendment to this bill to return the cotton tax to the States whose people paid it, to be by them used as an educational fund and dedicated alone to educational purposes. I am opposed to the effort to return it to the individuals who paid it, because I know this is impracticable.

It is true there are some large planters who paid the tax who have their receipts, and there are probably some other receipts that are held by speculators or syndicates, who got them up in the hope of some day collecting them; but the great mass of the poor toiling people, both white and black, who produced this cotton, have no receipts, and I am opposed to doing the very partial justice that could be done by returning the money to the individuals unless justice can be done to those who stand most in need of it. I think this could be better accomplished by devoting the money to educational purposes in the South. The children of the parties who paid it would get more of the benefit of it in this way than any other, and beside it might help to solve a great problem with us.

In our recent tariff discussion here gentlemen on the other side were constantly taunting us of the South with our poverty and with the great wealth of the North, and they sometimes talked about the number of illiterates at the South. Now, gentlemen, I have been in the North and I know it is rich and powerful; I know as compared with the North we are poor indeed.

You of the North get nearly all the eighty-odd millions paid for pensions, you get almost all the benefits of protection, you get enormous amounts from our section in interest and dividends. Now I appeal to you, if you are going into the tax-refunding business, to do a simple act of justice to us and give us back what went into the Treasury, of this cotton tax, for the purpose of educating the children of the poor of the South. You claim to be anxious about the illiteracy in that section; here is your chance to remedy it by a simple act of justice.

I think I have shown this was an unjust tax, and I am sure that gentlemen on the other side who have had so much to say about the magnanimity of the General Government in its treatment toward us after the war will not attempt to justify the imposition of this tax on a particular section as a legislative punishment for our part in the war. Come up now, gentlemen, and show your good feeling for us.

[Here the hammer fell.]

Mr. TURNER, of Georgia. I ask that the time of the gentleman from Mississippi be extended by unanimous consent.

Mr. EZRA B. TAYLOR. Of course we have no objection to an extension of the time, but it must come out of the time allotted to that side.

Mr. TURNER, of Georgia. If I may be recognized now, I will yield to the gentleman from Mississippi any length of time he may desire.

The CHAIRMAN. The gentleman from Georgia has thirty minutes.

Mr. CASWELL. I simply call attention to the agreement heretofore made, that the time is to be equally divided upon this question during each day that the discussion runs.

Mr. TURNER, of Georgia. I will yield from my own time to the gentleman from Mississippi.

Mr. ALLEN, of Mississippi. There are some other things I desire to say, but I can have an opportunity under the five-minute rule.

Mr. SENEY. Mr. Chairman, the legislation proposed by the bill now before the House can not be intelligently understood unless we have in mind the condition of the country at the time this direct tax was levied and in part paid. We were then in the midst of a great civil war, and to maintain the Union side in that struggle vast sums of money were required. The public Treasury was empty and the public credit was low. The revenues of the Government, sufficient in peace, were insufficient in war. Bonds were made, paper money issued, duties on imports increased, internal taxes imposed, and a direct tax was levied. This direct tax, amounting to $20,000,000 a year, was levied in August, 1861, and apportioned to the States and the Territories and the District of Columbia, as follows:

States and Territories.	Amount.	States and Territories.	Amount.
Alabama	$529,313.33	Nebraska	$19,312.00
Arkansas	261,886.00	Nevada	4,592.67
California	254,538.67	New Hampshire	218,406.67
Colorado	22,905.33	New Jersey	450,134.00
Connecticut	308,214.00	New Mexico	62,648.00
Dakota	3,241.33	New York	2,603,918.67
Delaware	74,683.33	North Carolina	576,194.67
District of Columbia	49,437.33	Ohio	1,567,089.33
Florida	77,522.67	Oregon	35,140.67
Georgia	584,367.33	Pennsylvania	1,946,719.33
Illinois	1,146,551.33	Rhode Island	116,963.67
Indiana	901,875.33	South Carolina	363,570.67
Iowa	452,088.00	Tennessee	669,498.00
Kansas	71,743.33	Texas	353,106.67
Kentucky	713,696.33	Utah	25,982.00
Louisiana	385,886.67	Vermont	211,068.00
Maine	429,826.00	Virginia	729,071.02
Maryland	436,823.33	West Virginia	208,479.65
Massachusetts	824,581.33	Washington	7,775.33
Michigan	501,763.33	Wisconsin	519,688.67
Minnesota	108,524.00		
Mississippi	413,084.67	Total	20,000,000.00
Missouri	761,127.33		

Most of the States assumed the payment of their shares of this tax, and for so doing the law provided a discount of 15 per cent. It will be observed that the law required the payment of $20,000,000 each year; but it is to be remarked that no payments or collections were made, except for the year ending in August, 1862. It is to be remarked, also, that the law has no provisions respecting the time it shall continue in force, nor has the law, to my knowledge, been repealed.

At the Treasury Department the books show that $17,359,685.51 of this tax is paid and $2,640,314.49 thereof is unpaid. These books show also that twenty-seven States, two Territories, and the District of Columbia paid in full, and that eleven States and two Territories are delinquent. The Territory of Utah paid nothing and the Territory of Washington owes nearly one-half of her tax. Colorado is in arrears. Alabama owes $511,028, having paid $18,285. Arkansas paid about 60 per cent. and owes 40 per cent. Florida paid less than $5,000 on her tax of $77,522. Georgia paid $117,982 and owes $466,384. From Louisiana $71,385 is due. The State of Mississippi paid $111,038 and owes $302,046. North Carolina paid $377,452 and South Carolina $222,396, and the former still owes $198,742 and the latter $141,174. Texas paid $180,841 and owes $174,265. Tennessee paid $392,004 and still owes $277,493; and Virginia paid $442,408 and owes $286,662.

Mr. Chiarman, with this condition of the direct-tax account there is great discontent. The eleven non-paying States and two non-paying Territories and their 13,209,325 people are apparently satisfied, but the twenty-seven paying States and two paying Territories and the District of Columbia and their 36,813,460 people are dissatisfied. The tax-paying States do not complain of the law under which this direct tax was levied, but they do complain of the manner in which the law has been executed. The fact is before us that the administration of this law has not been uniform. Against twenty-seven States the law has been enforced and against eleven States it has not been enforced.

One State has paid less than 4 per cent. of her tax, another State less than 7 per cent., another about 20 per cent., another 27 per cent., two States less than 33 per cent. each, one about 52 per cent., two 61 per cent. each, while from all of the other States full payment was exacted. Had this law been executed differently these inequalities would not exist, and that they do exist is proof that great injustice has been done. The fact that some of the States have paid their respective shares of this tax and other States have not suggests that some legislation is needed to make equal the burdens imposed by the direct-tax law of 1861. Whether or not Congress, at this late day, ought to compel the delinquent States to pay what they still owe of this direct tax is a question which ought to be thoughtfully considered.

These tax debts, for obvious reasons, ought to be either collected or released, and what is to be done in this respect ought to be done now. If we were to insist on their collection, the delinquent States could not in fairness complain, nor could they of right complain if, to the sums they ought to have paid twenty-six years ago, interest be added from then until payment is made. It is safe to assume that no part of these delinquent taxes will be voluntarily paid, and for several reasons their payment ought not to be enforced.

Twice did Congress suspend the collection against the non-paying States; the first time in July, 1866, until January 1, 1868, and again in July, 1868, until January 1, 1869, and since the last suspension, now twenty years ago, nothing has been done upon the part of the Government to compel either of the non-paying States to make good its deficiency. Indeed it would seem that all purpose to collect these arrearages was long ago abandoned by the Treasury Department, and this policy, whether it be wrong or be right, appears to have had the favor of Congress, if not the approval of the people.

Again, the delinquent States were greatly impoverished by the war, and to exact from them at this time two and a half million dollars would be no inconsiderable hardship. Then, again, the Government is not in need of money unless it be to make larger the large idle surplus now in the Treasury. While there may be no intention at this time to collect these unpaid taxes, yet the obligation to pay them is in full force; and unless it be otherwise enacted it is possible, if not probable, that their payment may be enforced at some future day. The intention of which we speak, as long as it exists, is perhaps as an effectual release from the payment of what is due as any law we might pass for that purpose. Still, in the absence of a statute remitting these debts, the questions before us to-day will remain open, and as the years come and go be more and more difficult to close.

Sir, the equalization of the burdens imposed by the direct-tax law of 1861 ought not to be longer delayed. The plan of equalization proposed by the bill now under consideration seems to be equitable and just, and no reason occurs to me at this time why it should not have a cordial support.

The bill, it will be noticed, proposes to refund all of the direct tax paid, and it proposes also to remit all that is unpaid. This is equitable, this is just.

If it were proposed to refund what has been paid without remitting what is unpaid, or if it were proposed to remit what is due without paying back what has been paid, then the bill would be manifestly inequitable and unjust and would have no favor at my hands. To the eleven delinquent States and to the two delinquent Territories this bill is a generous measure. It is generous because it releases them from the payment of a large sum of money which they owe to the Government, and which the Government, if so disposed, could compel them to pay.

The bill is just because it proposes to refund what has been paid as well as remit what is unpaid. The seemingly settled purpose of the Government not to collect this delinquent tax creates an obligation, equitable at least, to refund all taxes paid, and to this obligation we ought not to be indifferent. This controversy is between States having equal claims to legislative regard. Upon the basis of perfect equality all existing differences may be readily and satisfactorily adjusted. If we can put the States upon an equal footing respecting this direct tax our whole duty is done. This bill if enacted into a law will place each and every State where it stood in 1861, when this direct tax was levied. As every court in our country treats copartners or the members of a corporation where assessments are made to promote a common interest and some are paid and some are not paid, so let us treat the States in legislating respecting these paid and unpaid tax levies.

Mr. Chairman, the purpose of this measure is grossly misrepresented to the people. In the newspapers and at political gatherings it is said that this bill is a mere raid by the so-called loyal States upon the Treasury of the United States.

Read the bill; read also the law imposing the tax, and then examine the direct-tax account and it will be seen that the so-called disloyal States will receive their due proportion of the money. The loyal States, including Delaware, Kentucky, Maryland, and Missouri, paid $15,022,773 of this tax, and therefore they would be entitled to receive this sum. The disloyal States paid $2,336,911 and would get back this sum, and in addition would be released from their existing obligation to pay $2,305,727. In other words, to the disloyal States the bill, if it becomes a law, has a value of $4,642,638, and if twenty-seven years' interest be added to their unpaid tax, then the value is $6,747,915, and to the loyal States the value is $15,022,773.

These facts show plainly that the eleven disloyal States have more to get out of this so-called scheme than the twenty-seven loyal States.

It is true, sir, that this bill if it becomes a law will take from the Treasury surplus $17,359,685.51, but it will be observed that this money is not to be wasted or squandered or go into individual or corporate hands, for the bill directs that it be paid to the States, and by the States it will be used in the interests of their tax-paying people.

The money this bill appropriates belongs to the people, and the sooner it is legislated out of the Treasury and into their pockets the better it

will be for the Government, and better, too, will be the condition of the country. This money the people need, and for it the Government has no use. In the Treasury at Washington it does harm rather than good, while in the different State treasuries it will help in no small degree to lighten the tax burdens of the people. The State of Ohio paid $1,332,025.98 of this direct tax, and if this sum be paid back it will go into her treasury and thus directly benefit all of her people.

The direct tax paid by other States, if returned, will go into their treasuries and thus benefit all who pay taxes under their laws. Refunding to the States what they paid to the Government as a direct tax during the war will directly or indirectly benefit each and every one of our people. Is it wrong to return to the States for the use of their people money which the Government has but does not need? Fifty-two years ago the Treasury had idle money in its vaults. Through the States it was returned to the people, and the law under which this was done had the approval of President Jackson. Was Andrew Jackson a Treasury raider, or was he what history tells us, a bold and determined champion of the rights of the people?

The raising of revenue by a direct tax is in no particular favor with the American people. While the Constitution provides for laying such a tax, it is worthy of remark that but twice in our history have direct taxes been levied. In 1812 Congress laid a direct tax, and again in 1861. These years are remembered as years of war. When we are at peace, at peace with ourselves and the rest of the world, other methods for raising revenue are employed. A levy of a direct tax in war, and for war purposes only, has every appearance of a compulsory loan. This tax, it will be remembered, was not collected from the people, but the amount of the tax, less 15 per cent., the loyal States paid to the Government. Were these payments advances? Ohio laid no tax upon her people to pay her share of the direct-tax levy. By a pledge of her credit she had raised money and used it in putting her sons into the Union Army until her advances for the Government footed up in the millions.

From Ohio's account against the Government for these advances an amount equal to the amount of her direct tax was taken and put to her credit. Is Ohio raiding on the Treasury in asking that what she thus advanced to the Government be paid back?

Mr. Chairman it, will be remembered that this bill passed the Senate at the last session after a brief debate and with only ten opposing votes. When the bill reached the House in April last it met with an opposition which resulted in what is known to parliamentary bodies as a deadlock, and this deadlock continued for ten consecutive days. During this period it was quite apparent that the House by more than a two-thirds majority favored the bill, but the small minority opposing it succeeded by divers and sundry parliamentary maneuvers in preventing its passage; and, strange to say, Representatives from the non-paying States led in these revolutionary movements.

Upon what ground Virginia objects to reducing her debt $286,662, or to opening her empty treasury to receive $442,408, we are wholly uninformed. We know well that if that old commonwealth had more money and less debt far greater would be her prosperity. If there are any reasons why Tennessee, North Carolina, Georgia, and Mississippi are unwilling to be discharged from what they owe the Government, aggregating $1,244,665, to say nothing of twenty-seven years' interest upon this sum, or to receiving what this bill proposes to pay them, $998,476, they have not been stated in the course of this debate. And the State of Alabama, why does her opposition to refunding and remitting this direct tax have such a determined and desperate form?

Sir, we can not forget that this direct tax was levied for the defense of the Government against armed efforts to destroy it. To the State of Alabama the Government appealed for help. What help did Alabama give? The direct-tax roll says $18,285.03—a sum less than that paid by either of the five counties composing my Congressional district—a sum less than that paid by either of the other eighty-three counties in Ohio with possibly three exceptions. But Alabama has a right to oppose this bill, and to oppose it for the reason stated by one of her Representatives on this floor, that it is a $17,000,000 raid on the Treasury, and that Representative has a right also to ask the House to support his two amendments to the bill, which propose two raids on the Treasury, one for $68,000,000 and the other for $10,000,000, and in which Alabama's interest, according to the gentleman's statement, is $10,000,000.

Mr. Chairman, in the course of this debate much has been said about the Constitution of the United States, but no more, perhaps, than is said about that instrument in most of the debates of this body. The Constitution, for mere talking purposes, is a great favorite, not only in the House, but in the Senate. As a rule, whenever a measure of importance is before us we are reminded by some one that the Constitution is in the way of making it a valid law. In construing the fundamental law of the Government all law-makers feel that they are at home. In the country debating societies the same feeling is to be seen. It must be that some debate on the Constitution at a country schoolhouse, or it may be in Congress, was in the mind of him who wrote:

> If Webster from his grave
> Could to this place repair
> And hear the Constitution thus explained,
> Great God, how he would swear!

Sir, the enemies of this bill tell us that Congress has no constitutional power to make it a law. Point out, say the honorable gentlemen, the clause of the Constitution which authorizes Congress to remit or refund a tax legally laid. We read in the Constitution that Congress has sole power to lay and collect taxes, duties, imposts, and excises, to pay debts and provide for the common defense and general welfare of the United States. From this clause alone it is clear that the taxing power of the Government is vested in its legislative department, and therefore it is that over the subject of taxation, from first to last, the Congress of the United States has exclusive, if not absolute, power.

If this be the power of Congress respecting taxation, it necessarily follows that Congress has the same power to remit or to refund a tax that it has to lay and collect it. If Congress can not remit a tax or refund a tax, then it has not either exclusive or absolute power over the subject of taxation. If the power to remit or refund a tax be not in Congress, then it has no existence. What an oversight upon the part of the Constitution-makers, and what an opportunity for Constitution-amenders. The power to refund or remit a tax is a law-making power. Upon the well-settled principle that the less is in the greater, the power to remit and refund is in the power to lay and collect. The power to remit or refund is a part of the power to lay and collect. From the express power to lay and collect the power to refund and remit is necessarily implied. The power to remit or refund a tax is but an incident to the power to lay and collect it.

From whence comes the power of Congress to suspend the collection of a tax if not from the same clause of the Constitution which authorizes it to be laid and collected? Twice did Congress suspend the collection of this direct tax, and its power so to do no one has questioned. If Congress may suspend the collection of a tax, why may it not refund a collection or remit what is not collected? The direct-tax law of 1861 is still upon the statute-book, and therefore its force at this time is the same that it was on the day it was enacted. Unquestionably Congress has power to repeal the law, and if this were done, what would be the effect of the repeal upon the uncollected portions of this direct tax? In my judgment, the repeal of the law would remit every dollar and every cent.

Then, upon the question of remitting the unpaid part of this tax it is plain that Congress has power so to do, either by a law remitting the tax or by repealing the law levying the tax. What would be the effect upon the collected portions of this direct tax if the law imposing the tax was repealed, presents a question more difficult to determine. While it may be that the repeal of the law would not place the Government under a legal obligation to refund what it received while the law was in force, yet, having repealed the law and thereby remitted what is unpaid, in good conscience and just judgment it could not retain what had been paid.

But we are told by those opposing this bill that in the courts of the country a tax legally levied and voluntarily paid can not be recovered back, and therefore they argue that a tax thus levied and paid can not be refunded by Congress. That the judicial power of the Government can give no relief in such a case is no reason why the relief is not to be had elsewhere. The courts may relieve against an illegal tax, but against a legal tax relief must come from the power imposing it. In the one case the power is in the courts, and in the other case the power is in Congress. The Congress, as well as the courts, may relieve against an illegal tax before or after it is paid. In refunding a tax because it was illegally assessed, or for other cause, or for no cause at all, Congress exercises taxing power, and in so doing neither the executive nor judicial power can, of right, interfere.

But the more active opponents of this measure give us reason to believe that they are not sincere when they say Congress has no constitutional power to make it a law. Their two amendments to the bill show their purpose to get out of the Treasury what are known as the proceeds of property captured from the enemy during the war, amounting to $10,000,000, and what is known as the cotton tax, amounting to $68,000,000. In effect these gentlemen say to the friends of this bill, "Vote for our amendments and we will change our views and believe as you believe, that there is power in the Congress to remit and refund a legal tax, and we will so vote." The time at my command does not permit a discussion of the validity or the invalidity of the cotton tax, or the propriety of voting the amount of the tax out of the Treasury. At some other time, if the opportunity offers, my views upon this subject may be presented to the House.

Another objection made to this bill is that if this tax be refunded now it will not reach the hands of those who paid it twenty-seven years ago. So far as twenty-seven States are concerned the money will go back to the same place it was paid out in 1861. The sum of $15,022,773 which these States paid as their direct tax was in 1861 in their State treasuries for State purposes, and for the same purposes it is proposed by this bill to put back an equal amount in 1888.

The people of 1861 made the public debt, yet the people of 1888 are obligated for its payment. We appropriate money for purposes which had no existence at the time the money was paid into the Treasury. The surplus revenue distributed to the States in 1836 was money which had been collected from the people in former years. Duties on im-

ports are now and then refunded and in some instances years after their payment. The duty is paid by the importer, but he gets the duty back when he sells the import, so that he is not out a penny, but in case the duty or a part of it is refunded the importer gets it, and puts it low down in his pocket, for it is his clear gain.

Less than five years ago duties were levied upon a heavy importation of silk goods. The importer thought the duty excessive and unauthorized, but he paid it under protest. He, however, was not out a cent, for he got back the duty he paid when he sold the goods to the jobber. The importer sued for the excess, recovered it, and with the money he is importing more silk. This case was heard of frequently in the late political campaign. Of this case the opponents of this bill, if consistent, must say that the excessive part of the duty ought not to be refunded because the importer, instead of those who in the end wear out his goods, gets the money.

Mr. Chairman, no wrong will be done if we remit and refund this direct tax. The Constitution will not be violated, nor will any statute law be broken. This measure carries benefits for the whole people, and it is their interests that our legislation ought to promote. It is to be hoped, sir, hoped confidently, that neither the jealousies of sections nor the memories of the past will be in the way of this House being generous to the erring and just to those who did not go astray.

During the delivery of the foregoing remarks the hammer fell.

Mr. HOLMAN. I ask unanimous consent that the time of the gentleman be extended.

The CHAIRMAN. The time is regulated by the agreement.

Mr. OATES. The extension can not be had under the agreement, because the debate is limited. The side on which the gentleman is speaking can, of course, yield him time.

Mr. TIMOTHY J. CAMPBELL. I ask that the gentleman's time be extended.

The CHAIRMAN. The gentleman from Wisconsin is controlling the time on that side.

Mr. SENEY. I might assert my rights under the rules of the House as a member of the Judiciary Committee and occupy an hour, but I desired only a few moments longer to conclude what I have to say.

Mr. CASWELL. I will yield to the gentleman five minutes of my time.

Mr. SENEY resumed and concluded his remarks as above.

Mr. BUCKALEW. Mr. Chairman, this subject of the distribution of public moneys or property of the Government among the States is by no means a new one. It has slumbered for fifty years, but it is again revived when, as in 1835 and 1836, there is a surplus of money in the Treasury, and attention is directed to plans for expending it without a severe reduction of the public taxes. From 1832 to 1837 this subject of distribution was more or less under consideration in both Houses of Congress.

It was proposed to distribute the public lands among the States. It was more frequently proposed to distribute their proceeds, either the gross amount received by the Treasury or the net amount after deducting the cost of survey and sale, and a bill passed both Houses distributing the proceeds among the several States and Territories in proportion to their representative population. Passing at the end of a session of Congress, the President of the United States had not an opportunity to examine it. He retained the bill, and was greatly abused for what was denominated a "pocket veto." At the commencement of the next session he sent in a message, which I could desire that every gentleman on this floor had read, in which he met this question of distribution and treated it in a masterly manner.

There is the document in the collection of Presidential vetoes lying before me, although it was not strictly a veto; but all gentlemen can there find and read it, a message transmitted to the two Houses of Congress on the 5th of December, 1833.

Subsequently it was proposed instead of distributing the proceeds of the public lands, that the money should be deposited with the several States, as you would deposit money in a bank, to be drawn for as the public expenditure might require, upon order of the Secretary of the Treasury. That bill on its face made the several State treasuries places of deposit for the public money subject to the order of the financial officer of this Government. In that form the bill became a law—the deposit act as I have stated it to be.

The public-land moneys were to be paid over to the State in five installments under that act at recurring periods of time. Three of those installments were paid, but when the fourth payment fell due Congress interposed and arrested its payment, providing that the payment should be deferred for upwards of a year, and provided that the fund might be recalled only at the pleasure of Congress instead of by the Secretary of the Treasury—requiring an act of the law-making power to withdraw the money from the States instead of the action of the Secretary of the Treasury as before.

The fourth installment was never paid, nor was the fifth; and the power of Congress to withdraw this money from the States—that is, to order it to be paid over for public, national, purposes—that power has never been exerted. Over fifty years have passed, and not a dollar has been recalled, even in the utmost stress of public necessity during the war of the rebellion. No State has been called upon for its deposit fund, to wit, the first three installments which had been paid to it. Now, about 1837 it was also proposed that this Government in another form should use the public moneys for State purposes; that it should assume the debts of the several States, mostly incurred for purposes of public improvement. That was proposed, and a resolution hostile to it in the Senate, and denouncing it as unauthorized by the Constitution and of a corrupt nature, passed by a vote of only 24 to 17, so rampant had become the appetite for public money created in the States at a time when they were engaged in public improvements and other matters involving an extraordinary outlay.

Public opinion had so grown and strengthened in this direction of calling upon this Government to pay the State debts out of the public money that there were 17 votes against 24 in the Senate. But times of disaster came, and the firm position of President Jackson had called attention to this great subject. It was considered, and from that time to this, or until a year since, as far as my information extends, nobody has proposed to deplete the Treasury of the United States to any extent to supply the State treasuries with public moneys.

The deposit act of 1836 proved to be of a mischievous nature by its effects. It went out like a political pestilence into every portion of our country, and I speak advisedly. A large part of the $40,000,000 of State debt heaped up in my own State was produced by that deposit—by a moderate amount of public money not raised by State taxation, but received by my State from the United States. The Legislature broke loose, became wild, and not only spent that money, but heaped up millions afterwards under the impetus it had produced. That was the result of the deposit act upon Pennsylvania in 1836 and subsequent years; and I for one, as a representative of that great State, protest against throwing this two millions of money into the Legislature of that State, to embarrass and perhaps to debauch its action.

Instead of desiring my State to receive its proportion of this money I deprecate its reception, and, as far as my voice goes, will oppose it. I think it was in Ohio, the State from which the able gentleman comes who has just addressed the committee [Mr. SENEY], that the money was loaned out to the counties by the Legislature; dribbled out for this and that local purpose. Here are gentlemen on this floor from Kentucky who can tell you, going back to that former time, how the act operated in that State—mischievously and badly. Public opinion was formed strongly and decidedly against that act all over the United States, and the men who proposed it, the men who started it, instead of becoming Presidents or becoming high officials of the Government, were discredited by the results of the act, and I well remember that in 1844 it was one of the main charges that appealed to public opinion and caused the defeat of a candidate for President that he had supported the distribution of United States money among the States and thus supported a dangerous and unconstitutional proceeding.

Now, take my own State at the present time. We have our financial system well established and well understood. While under the laws taxation is authorized by counties and cities for local purposes, the main sources of State revenue are corporation taxes and licenses. You take the great railroads of my State. Their chief offices are located in Philadelphia—the Pennsylvania Railroad, the Reading Railroad, and many others. There are also great corporations located at Pittsburgh. These companies have their lines and improvements throughout the State. We do not tax them locally. The railroad is taxed upon its capital stock and business. Its lines and improvements throughout the State are not taxed for local purposes.

The corporations are taxed where their principal offices are located, and when the State imposes State burdens or State taxation upon them it is paid in Philadelphia, doing justice to the rest of the State. The State government is supported by the great corporations in Philadelphia and a few other points to a great extent. Thus our system works equally—local taxation upon local property and improvements; general taxation in the State upon corporations, in addition to licenses. The money is virtually raised for State outlay, to the general advantage of every locality that escapes contribution.

What does this bill do? It pays these two millions or a little less over to the State of Pennsylvania. What? Relief to corporations that are able to pay and not to the people of my State! It is to relieve the corporations and not the people.

Two years ago a bill adjusting taxation was prepared by a very able commission, was reported to the Legislature, and passed both houses; but from some accident it did not become a law; it was not signed by the president of the senate. Because of that there was some temporary inconvenience. That gave a pretense for argument in favor of getting the money somewhere else. The governor was obliged to curtail some of the appropriations; but all this is past. The Legislature will be in session in three weeks, and the error respecting the bill will be corrected and our tax system go on regularly.

Then there is an alternative; the question is whether this two millions is to relieve the corporations of Pennsylvania from bearing just State burdens or whether the money is to be applied by the Legislature to extraordinary purposes. Well, to what? Nobody knows. No one can foretell what will be done with it if it is not applied to ordinary State purposes in relief of the corporations, unless it is to be applied to hazardous or questionable measures. I do not desire to see the

wisdom and integrity of the State Legislature tempted by the acquisition of a large sum of money and a renewal of the experiment of the deposit act of 1836.

Now, sir, in this connection I will ask the Clerk to read a passage describing the results of distribution under the deposit act of 1836, which is found in Benton's Thirty Years' View, volume 1, page 39.

The Clerk read as follows:

This was the end of the distribution schemes which had so long afflicted and disturbed Congress and the country. Those schemes began now to be known by their consequences—evil to those they were intended to benefit, and of no service to those whose popularity they were to augment. To the States the deposit proved to be an evil, in the contentions and combinations to which their disposition gave rise in the General Assemblies—in the objects to which they were applied—and the futility of the help which they afforded.

Popularity hunting, on a national scale, gave birth to the schemes in Congress; the same spirit, on a smaller and local scale, took them up in the States. All sorts of plans were proposed for the employment of the money, and combinations more or less interested, or designing, generally carried the point in the universal scramble. In some States a pro rata division of the money, per capita, was made; and the distributive share of each individual being but a few shillings, was received with contempt by some and rejected with scorn by others. In other States it was divided among the counties, and gave rise to disjointed undertakings of no general benefit. Others, again, were stimulated by the unexpected acquisition of a large sum to engage in large and premature works of internal improvement, embarrassing the State with debt, and commencing works which could not be finished.

Other States, again, looking upon the deposit act as a legitimate fraud to cover an unconstitutional and demoralizing distribution of public money to the people, refused for a long time to receive their proffered dividend, and passed resolutions of censure upon the authors of the act. And thus the whole policy worked out differently from what had been expected. The States and the people were not grateful for the favor; the authors of the act gained no Presidential election by it; and the gratifying fact became evident that the American people were not the degenerate Romans or the volatile Greeks, to be seduced with their own money—to give their votes to men who lavished the public moneys on their wants or their pleasures—in grain to feed them or in shows and games to delight and amuse them.

Mr. BUCKALEW. Mr. Chairman, the difficulty and embarrassment of a surplus in the Treasury of the United States are, by this act, to be transferred to and to be felt in the treasuries of the thirty-eight States or governments of States. When you have made that transfer have you abated the evil? Have you discharged the mischief from the United States? On the contrary, will you not have increased it immensely and brought into the discussion an infinite variety of local and selfish interests all over the country with which the subject is not now disturbed, but which will certainly be awakened by the passage of this bill?

But this is a refunding bill, I am told; and I am told also that it is completely covered by a just construction of the tax-power of the Government. Doubtless, sir, you may exonerate citizens or States from the payment of taxes or other dues to this Government. Doubtless, also, even though the money has been paid into the Treasury, if the United States does not need it for the purposes for which it was raised, you may return it, provided you do so equally and justly, to those who have contributed the money. But we have presented here no such question as either of these. We have here this state of facts, and the question arising upon them, namely, that Congress, by the exercise of a constitutional power, in 1861, called for this money from the people of the several States, accepting afterwards, in certain cases, payment by the States themselves, as representing their own people and prepared to meet the quotas imposed upon them.

By constitutional authority you levied this tax. By constitutional power you collected it, or received it into the Treasury. But the case does not stop there. By like constitutional power you expended this money; you applied it to the several constitutional objects to which you were authorized to apply it. The money was expended, and then the powers of Congress regarding the entire transaction were ended and complete. If you can go back now and upon the pretext of doing abstract equity between the different States, restore to certain States this money (a little less than sixteen millions, I believe, with the 15 per cent. for collection deducted), if you can now pay out these $16,000,000 from the Treasury, where does the money come from? Is it the fund received in 1861, and which was expended twenty-seven years ago for public objects? Or is it the money which the present people of the United States, through the channels of Federal taxation, paid into your Treasury in the year 1888?

You take the contributors, the tax-payers, into your Treasury in 1888, and impose upon them the burden of returning to the tax-payers of 1861 moneys then paid and which were constitutionally expended, the benefits of that expenditure having been received and enjoyed by those tax-payers at that time. Is this equality? Is this justice? Is this equity? Is this sensible or even allowable public policy? A new generation has arisen; new forms of taxable property have come into existence. Penniless boys have earned great wealth by industry and ability, and are now contributing their money to the public Treasury—on what principle? That it will be spent for constitutional purposes, to carry on the Government.

Have you any moral right to take their money and go back twenty-seven years and hunt up another class of tax-payers who paid money into the Treasury, and make this payment to them when they at the time got the full advantage of what they paid in the protection of the Government, possibly in the very preservation of our Union? I deny your right to do this upon any principle of equity, justice, or reason.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. BUCKALEW] has expired.

Mr. OATES. I desire that the gentleman from Pennsylvania may have time enough to conclude his remarks.

Mr. BUCKALEW. I thank the gentleman, but I will not proceed further.

Mr. EZRA B. TAYLOR. I move that the committee rise.

The motion was agreed to; and the Speaker having resumed the chair, Mr. MCCREARY reported that the Committee of the Whole on the state of the Union, having had under consideration the bill (S. 139) to credit and pay to the several States and Territories and to the District of Columbia all moneys collected under the direct tax levied by act of Congress approved August 5, 1861, had come to no resolution thereon.

ELECTORS OF PRESIDENT AND VICE-PRESIDENT.

The SPEAKER laid before the House letters from the Secretary of State, transmitting certified copies of the final ascertainments of the electors for President and Vice-President appointed in the following-named States at the election held in the said States respectively on the 6th day of November, 1888, to wit: New Jersey, Kansas, Alabama, Louisiana, Missouri, Maryland, North Carolina, and Georgia; which were laid on the table, and, with the accompanying documents, ordered to be printed.

DIPLOMATIC CORRESPONDENCE DURING THE REVOLUTION.

The SPEAKER also laid before the House a letter from the Secretary of State, submitting an estimate of an appropriation to enable Francis Wharton to make searches for diplomatic correspondence of the United States during the American Revolution; which was referred to the Committee on Appropriations, and ordered to be printed.

FURNITURE FOR PUBLIC BUILDINGS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the chief clerk of that Department of appropriation to supply new public buildings with furniture; which was referred to the Committee on Appropriations, and ordered to be printed.

APPROPRIATION FOR PUBLIC PRINTING.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Public Printer of an immediate appropriation for public printing for the current fiscal year; which was referred to the Committee on Appropriations, and ordered to be printed.

EXCHANGE OF GOVERNMENT PUBLICATIONS WITH CHILI.

The SPEAKER also laid before the House a letter from the Secretary of State, transmitting a letter from the minister of Chili communicating request of the Chilian Chamber of Deputies for a regular exchange of publications between the legislative bodies of the two countries; which was referred to the Committee on the Library, and ordered to be printed.

EXPENDITURES FOR REVENUE-CUTTER SERVICE.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a statement of expenditures for the revenue-cutter service during the fiscal year, 1888; which was referred to the Committee on Appropriations, and ordered to be printed.

W. L. PINNEY.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Attorney-General of appropriation to pay W. L. Pinney for services as stenographer in the trial of certain Apache Indians in Arizona; which was referred to the Committee on Appropriations, and ordered to be printed.

PAYMENT OF COSTS OF UNITED STATES MARSHAL.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Attorney-General of an appropriation to pay costs adjudged against A. A. Wilson, United States marshal, District of Columbia; which was referred to the Committee on Appropriations, and ordered to be printed.

COAST AND GEODETIC SURVEY.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a report from the Superintendent of the Coast and Geodetic Survey of the operations of the survey for the fiscal year ending June 30, 1888; which was referred to the Committee on Appropriations, and ordered to be printed.

POSTAGE-STAMPS, ETC., FOR NATIONAL MUSEUM.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting supplemental estimate of an appropriation for postage-stamps and foreign postal-cards for the use of the National Museum for the fiscal year 1890; which was referred to the Committee on Appropriations, and ordered to be printed.

OVERPAYMENTS OF INTEREST ON INDIAN TRUST BONDS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a report of the First Comptroller relative to the adjustment of the accounts of the State of Louisiana with the

United States in respect to overpayments of interest on State bonds held as Indian trust funds; which was referred to the Committee on Appropriations, and ordered to be printed.

NATIONAL MILITARY AND NATIONAL MUSEUM.

The SPEAKER also laid before the House a letter from the Secretary of War, in response to a resolution of the House calling for information relative to the proposed national military and national museum; which was referred to the Committee on Military Affairs.

CONTINGENT FUND, POST-OFFICE DEPARTMENT.

The SPEAKER also laid before the House a letter from the Postmaster-General, transmitting reports relative to disbursements of the contingent fund, compensation to employés and time employed, the finances of the Department, contracts other than for carrying the mails, and to postal business in foreign countries; which was referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

REMOVAL OF ELECTRIC WIRES FROM THE SURFACE OF THE STREETS.

The SPEAKER also laid before the House a letter from the president of the Board of Commissioners of the District of Columbia, transmitting a report by Maj. Charles W. Raymond, Corps of Engineers, United States Army, on the subject of the best method of removing all electric wires from the air or the surface of the streets; which was referred to the Committee on the District of Columbia, and ordered to be printed.

SPOLIATION CLAIMS.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting conclusions of law and of fact in certain spoliation claims; which was referred to the Committee on Claims, and ordered to be printed.

JAMES R. SHIRLEY.

The SPEAKER also laid before the House a letter from the clerk of the Court of Claims, transmitting a copy of the findings of fact by the court in the case of James R. Shirley, administrator, etc., against the United States; which was referred to the Committee on Claims, and ordered to be printed.

JUDGMENTS OF COURT OF CLAIMS.

The SPEAKER also laid before the House a report from the clerk of the Court of Claims of judgments rendered by the Court of Claims for the year ended November 30, 1888, with a synopsis of the cases in which they were rendered; which was referred to the Committee on Appropriations, and ordered to be printed.

DEPARTMENTAL EXHIBITS, PARIS EXPOSITION.

The SPEAKER also laid before the House a joint resolution (S. R. 115) authorizing the Departments of the Government to use articles in their possession for exhibition at the Paris exposition of 1889; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

LEAVE TO PRINT.

The SPEAKER. The gentleman from Indiana [Mr. HOLMAN] asked by unanimous consent to extend his remarks in the RECORD on the bill (H. R. 5615) to incorporate the Maritime Canal Company of Nicaragua. [After a pause.] The Chair hears no objection, and it is so ordered.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced agreement to the amendments of the House to the bill (S. 2254) to increase the pension of Mrs. Ellen M. Grover. Also, that the Senate had passed a bill (S. 779) for the relief of the New York, Lake Erie and Western Railroad Company, in which concurrence was requested.

Also, that, in compliance with the request of the House, a duplicate copy of concurrent resolution to print 5,000 additional copies of the report of the Superintendent of the United States Coast and Geodetic Survey had been transmitted to the House.

REPRINTING BILL.

The SPEAKER. The gentleman from Mississippi [Mr. STOCKDALE] asked by unanimous consent that the bill (H. R. 5615) to incorporate the Maritime Canal Company of Nicaragua be reprinted, the numbers on file having become exhausted. [After a pause.] The Chair hears no objection, and it is so ordered.

DIRECT TAX.

Mr. EZRA B. TAYLOR moved that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of resuming the consideration of the special order.

The committee resumed its session, Mr. MCCREARY in the chair.

The CHAIRMAN. The House is now in the Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 139) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861.

Mr. ELLIOTT withholds his remarks for revision. [See Appendix.]

Mr. HERBERT withholds his remarks for revision. [See Appendix.]

Mr. GROSVENOR withholds his remarks for revision. [See Appendix.]

Mr. WHITING, of Michigan. Mr. Chairman, when this measure was before the House last spring I was so strongly opposed to it that I felt justified in engaging in filibustering in order to defeat its passage, while the friends of the measure held so tenaciously to it that it required almost the unanimous action of the Democrats to even defer consideration until after election.

Why did the Republicans so strongly press this bill at that time? Every man in the House knows that it was a part of a well-concerted scheme to defeat tariff legislation and to arouse sectional animosities in order to carry the election, and I believe that this, with other appeals to prejudice and selfishness, was more thoroughly relied upon than an intelligent understanding of the tariff.

The pretext that it is to adjust inequalities between States will not, I think, bear intelligent scrutiny.

Who in this broad land but a partisan will desire to pay out fifteen and a half millions of the people's money from the national Treasury in both an unconstitutional and an unjust way in order to exact indirectly from a part of the country two and a half million dollars when the conditions which have existed since the tax was laid have in a natural way prevented its forcible collection, and even precluded with any degree of magnanimity its payment?

Let us see what the effect of the return of the direct tax would be. In Michigan, for instance, it would return $426,000. The State has about 500,000 voters. So that if this money went directly to the voters it would give about 85 cents to each voter; but as in most of the States, including Michigan, it goes directly to the State treasury, it has the direct effect of saving just so much State taxation, and therefore practically goes only to those who own property. In Michigan some two or three hundred of the largest property-owners would save in State taxation say about $300 each. Yet in most instances these men neither paid any of the tax in 1862, nor have their contributions toward the surplus proposed to be voted out by this bill been but very little larger than the thousands of men in the State who will get nothing.

Is this then either just or wise? I think it will hardly be claimed, and I think it is about time that the members of this House learned that we have a President who will not sanction such legislation, for in his last message he makes use of the following language:

> There should be no scheme accepted as satisfactory, by which the burdens of the people are only apparently removed. Extravagant appropriations of public money with all their demoralizing consequences should not be tolerated, either as a means of relieving the Treasury of its present surplus, or as furnishing a pretext for resisting a proper reduction in tariff rates.

Again he says:

> Existing evils and injustice should be honestly recognized, boldly met, and effectively remedied.

Mr. Chairman, it seems to me that the time has arrived when Congress should agree upon some plan of paying out the surplus, so that the labor of the country may be employed. The inability of honest men who have families dependent upon them for the bare necessities of life to find employment is most sorely threatening the business interests of the country, and even the peace and conscience of every good citizen.

In my judgment the return of the direct tax will not induce the beneficiaries to even spend an extra dollar. It will simply disappear like a stone falling into the water. But if a well-defined plan of internal public improvement should be promptly inaugurated, dealing fairly with all parts of the country, it would prove a source of great relief to the poor first, and would act directly as a check to further business depression. Mr. Chairman, such a great work is not only thoroughly practicable, but is knocking at the door for action. The President in the message above referred to uses the following language.

> A bill, proposed by the Postmaster-General, was introduced at the last session of the Congress, by which a uniform standard in the amount of gross receipts would fix the right of a community to a public building to be erected by the Government for post-office purposes. It was demonstrated that, aside from the public convenience and the promotion of harmony among citizens—invariably disturbed by change of lensings and of site—it was a measure of the highest economy and of sound business judgment. It was found that the Government was paying in rents at the rate of from 7 to 10 per cent. per annum on what the cost of such public buildings would be. A very great advantage resulting from such a law would be the prevention of a large number of bills, constantly introduced for the erection of public buildings at places, and involving expenditures, not justified by public necessity. I trust that this measure will become a law at the present session of Congress.

Mr. Chairman, this bill provides for the erection of post-office buildings in the smaller cities and villages, thereby recognizing rights which in the past have been entirely ignored. Who dare deny the right of the smaller towns to appropriations commensurate with their needs? The larger cities are supported by the smaller ones, and the smaller ones are more injured and inconvenienced by the frequent changes of sites than the larger ones. The construction of the buildings would call for American material and American labor, and in all parts of the country. While it would be carried into operation by a Republican administration, I would most cheerfully give it my support.

Mr. Chairman, I can only account for the desire at this time on the part of the Republicans to pass the refund of the direct tax on the basis that they wish to be consistent with their ante-election record. This is

not compatible with the welfare of the country I hope they may anticipate somewhat now the responsibilities they must soon assume. [Applause.]

Mr. ENLOE. Mr. Chairman, the proposition to refund the direct tax is neither sustained by law nor by precedent.

It is generally safe to assume that Congress has furnished some precedent for almost any illegal appropriation of public money that may be contemplated, but the nearest approach to a precedent for this bill was the loan of the surplus to the States in 1836. There is all the difference in law between the two propositions that there is between a loan and a gift.

The surplus of 1836 was divided into loans to the States in proportion to the population, so that the distribution of the loan was equitable and just.

The money then in the Treasury was the revenue resulting from taxation, and Congress refused to redistribute it except as a loan to the States on the ground that there was no constitutional authority vested in Congress to distribute the surplus revenue.

The Constitution directs Congress in the appropriation of the revenues by the enumeration of the purposes for which taxes may be collected, and there is no grant of power, expressed or implied, which would warrant the collection of taxes for distribution among the States or the people.

The direct tax was a constitutional tax. It was levied to carry on the war for the suppression of the rebellion. Some of the States and Territories collected the tax from their citizens and paid it into the Federal Treasury, less 15 per cent. reserved for the cost of collection. Certain other States and Territories took advantage of the terms of the act of Congress and assumed and paid the tax, less 15 per cent., in accordance with the terms of the act of Congress. The Southern States were at the time beyond the jurisdiction of the Federal Government so far as the collection of the tax was concerned. They were in the Union for the purposes of taxation, and out of it for the purposes of reconstruction. Wherever the Federal armies had restored the jurisdiction and authority of the Government the tax was collected from individuals or enforced against the lands, often resulting in great hardships and outrageous wrongs.

Only $17,359,685.51 of the twenty millions levied were ever collected. After the war the collection was stopped. From time to time the subject was revived in Congress up to 1868, when by common consent the matter slept. So it stood for nearly twenty years—the act unrepealed, the balances uncollected, the States which had not paid in full standing charged with the unpaid balances. Now, Mr. Chairman, why is it that this Congress is moved to pass this bill? No one will deny that it is never too late to refund money illegally collected; but it is not pretended that this bill is predicated upon the illegality of the tax. Then upon what legal ground does it rest? Will some friend of the measure enlighten the House on this question? I have listened to the arguments of the advocates of this bill, I have examined the report of the Committee on the Judiciary, the repository and source of legal light in this body; and I have listened and looked in vain for precedent or law to justify it.

I think the morals and the law of this case may be summarized in a sentence. It will not be found in the Constitution, but it will be found in the moral code of many people, and it is the maxim which animates more than one measure before this body. I commend it to the majority of the Committee on the Judiciary as a substitute for the report in this case. It is—

> The good old simple plan,
> That he should take who has the power,
> And he should keep who can.

The majority of the committee almost insinuate against the constitutionality of the direct tax, but it is only the shadow of an insinuation. Their report says.

> Direct taxation under the provisions of the Constitution is onerous by reason of the means required to collect it, and bears unequally because it is apportioned among the States according to population without regard to the means of payment.

There is no impeachment of the constitutionality of the tax in that report. It is merely a general complaint against the inequality of direct taxation "under the provisions of the Constitution."

The excuse for the existence of this measure is contained in another sentence of the brief report by the majority of the committee, which alleges that—

> A feeling of injustice in bearing unequally the burdens of the Government has become wide-spread and is increasing.

The inequality of the burdens of the Government is then the only pretext for the existence of this bill.

The friends of the measure stand in the attitude of asking Congress to assume and to exercise the power to correct inequalities in the burdens of the Government. They ask it now only in this particular case, but the rule once established would embrace all inequalities, and to that I am sure I would not object from any selfish motive if it could be made mandatory in the Constitution upon Congress to make such corrections; but I distrust the justice and the integrity of any legislative body acting independently of and in violation of the Constitution.

I take it as a sound proposition that taxes should be uniform, and that the burden should rest equally upon all the people of all the States. I believe that a tax is a burden to be borne, and not a blessing to be sought, though some of our political teachers hold the reverse.

I will admit that a tax collected for a wise public purpose, while it is in one sense a burden, it may prove in its proper use a blessing. Government is a system of burdens and benefits, and regard should be paid to the principle of uniformity in the disbursement as well as in the collection of taxes. If some States pay much more than they receive, and other States receive much more than they pay, the inevitable result must be the impoverishment of the one class and the enrichment of the other.

The complaint which the committee lodges against the operation of the direct tax will also lie against the internal-revenue tax, but the greatest inequality and the grossest injustice of all arise from the operation of our tariff system.

Like much of the legislation of Congress since 1860, it seems to be based upon the idea that the Government must take care of the rich, that God will take care of the poor.

The committee is right in declaring that—

> A feeling of injustice in bearing unequally the burdens of the Government has become wide-spread, and is increasing.

This feeling is not engendered by the quarter-of-a-century-old memories of the inequalities of the direct tax, but it is the outgrowth of existing conditions. It is not seeking the correction of the inequalities of a dead tax, but it is demanding the correction of the inequalities of the tariff system now in operation. The trusts organized behind the protective tariff wall levy tribute at will on the people of the United States. They limit production that they may tax consumption.

God created everything necessary for man's comfort, and created it in such abundance that individual industry under His laws would command enough for individual comfort, but the Republican party has suspended the operation of the divine law, and substituted the monopolistic law of selfishness and greed. The devout citizen who returns thanks to his Creator for the abundance of His gifts has had the scope of his vision so narrowed by Republican legislation that the burden of his prayer must be thanks that He has made the sunlight, the air, and the water in such abundance that no trust can be formed to sell to the people sunlight by the square yard, air by the mouthful, and water by the drop.

Inequality and injustice are written all over the present tariff system, and it is a curious spectacle to see gentlemen ranting over the inequalities of the burden of the direct tax who rejoice in riveting upon the people the unequal burdens of a system unparalleled in the history of iniquitous legislation. The direct-tax bill is a subterfuge and a fraud. It is a false pretense.

Professedly aimed at the inequalities of the burdens of government, it is inspired by the monopolies and trusts, and aimed at the perpetuation of their power to exact tribute from the people.

It is the entering wedge to open up the Treasury surplus for distribution, not upon the principle of equality and justice, but upon the log-rolling and jobbing principle.

The Treasury surplus is a dangerous menace to the power of the trust. That "wide-spread" and "growing," feeling for which the majority of the committee have so much regard must be checked, or monopoly must go. How can it be checked? The inequalities of the burdens must be reduced by an honest revision of our taxing laws, or the Treasury surplus must be thrown to the public whale.

Early in the first session of this Congress we were confronted with this bill. It made its escape from the Committee on Rules and became a privileged question. It was wedged in ahead of the tariff bill. It was used to deadlock the House for the longest period in the history of the Congress.

I did everything in my power to defeat it then, and I will do all that I can honorably do to defeat it now. If I had the power I would veto its passage.

It is not a bill *sui generis*, but on the contrary it is one of a series to follow it.

It is inspired by the dominant political influence in this Government—the money power—a power which has neither politics nor religion and recognizes no law but the law of increase. It was, in its present organized forms, the creature of Republican legislation, but it has acquired such proportions and such power that it has become the master of the party which fostered it.

The creation of law, it has become the creator of laws. It makes and unmakes Presidents, Cabinets, and law-makers. It rules the interests of the Republic with an iron rod of home manufacture. It has thrown itself into the scales against the public will, and debauched popular government by making the freeman's ballot a commercial commodity.

Under a false and fraudulent pretense of a desire to equalize the burdens of government, it inspires this bill to perpetuate greater inequalities. Of all the series of similar measures, this is given the precedence as the most promising. It appeals to the cupidity of more States and more people. It puts more "pork" in the barrel for everybody, and hence it is pushed to the front. The gentleman from Ohio [Mr.

GROSVENOR] very properly says that the great principle involved in this bill is a question of dollars and cents.

There is a vast army of unthinking people who care not how the Treasury is filled so that they may see a prospect of individual or local benefit to result from the emptying of it.

The monopoly and the trust demand the refunding of the $17,359,685.51 direct tax because it will deplete the Treasury.

The same power is demanding the passage of the $25,000,000 swamp-land bill for the same reason. It is clamorous for the payment of $30,000,000 more for the French spoliation claims. Though it thrives on ignorance and fattens on corruption, it joins the clamor of the philanthropic Blair bill brigade and demands the payment of $78,000,000 for the centralization of the Government.

With patriotic fervor it lifts its voice with the grand army of Treasury raiders and demands the payment of $250,000,000 for pensions to the dependent relatives of soldiers, and $250,000,000 more for arrearages of pensions.

Under the military talent of organized wealth these measures are formed in the shape of a V, with the direct-tax bill in front to break the columns of tariff reform, empty the Treasury, and substitute a deficit for the existing surplus. I hope that the accomplishment of these iniquitous designs will not lie at the door of this Congress.

Later on I propose to test the sincerity of the professions of the friends of this bill, if given an opportunity to do so.

Early in the first session of the present Congress I presented a bill which has every merit possessed by this bill, or claimed for it, and it is in addition a constitutional measure. I allude to the bill to refund the cotton tax. I have given notice of an amendment, published in the RECORD of last Saturday, which embodies the substance of that bill. It proposes to refund to the States the cotton tax received from them respectively, as shown by the books of the Treasury Department, to be applied, as far as practicable, to the repayment of individuals who actually produced the cotton, and any unclaimed balances to go to the common-school fund.

This tax amounted to $68,072,388.79.

The following table shows the amount of the cotton tax collected from the different States:

Alabama	$10,388,127.12	Mississippi	$8,742,995.93
Arkansas	2,555,638.43	Missouri	592,098.36
California	430.04	New Jersey	3,656.42
Connecticut	193.64	New York	867,942.68
Florida	918,944.98	North Carolina	1,959,704.87
Georgia	11,897,094.98	Ohio	447,127.12
Illinois	379,144.42	Pennsylvania	78,534.06
Indiana	92,727.22	Rhode Island	2,424.73
Iowa	.27	South Carolina	4,172,420.16
Kansas	486.15	Tennessee	7,873,460.71
Kentucky	553,327.45	Texas	5,570,401.25
Louisiana	10,098,501.00	Utah	1,375.34
Maryland	51,349.52	Virginia	825,856.87
Massachusetts	66,679.30		

It was a tax on the labor of the South. Owing to the fact that a portion of the cotton crops on hand at the time the tax was levied had passed into the hands of merchants in other States some of the tax was collected from States that do not produce cotton, but if the amounts collected from the cotton-growing States, as shown by the books of the Treasury Department, were refunded it would approximate the justice of the case, though a distribution of this tax to the cotton-producing States on the basis of production as shown by the census of 1870 would be a closer approximation to justice.

The cotton tax stands alone in the history of legislation as a monument of legislative injustice. It was levied on a raw product, the immediate product of the soil, in the hands of the producer. It is a contemptible quibble to say that he did not have to pay the tax until he shipped the cotton, because the producer of cotton is never a manufacturer of cotton, and he was compelled to ship it in order to sell it.

The tax on tobacco is not a parallel case. The tax on tobacco is levied on the manufactured product, which may be made anywhere. The tax on whisky is levied not on the grain, the raw material from which it is made, but it is levied on the manufactured product. Objectionable as these taxes may be they are not obnoxious to Article I, section 8, of the Constitution of the United States, which declares that—

All duties, imposts, and excises shall be uniform throughout the United States.

A tax on oranges, hemp, or rice could not be an uniform tax. Neither could a tax on cotton, which is produced mostly in the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia, and to a limited extent in Missouri and Kentucky. Corn would furnish the most uniform basis for a tax of any of the agricultural products, but the idea of taxing it would not be tolerated for a moment. Why make an exception of cotton?

This tax, Mr. Chairman, was not only in conflict with the provision of the Constitution just cited, but there is another clause which should have protected the cotton-planter against such an imposition. I allude to the third prohibitory clause in the Constitution of the United States, which says:

No tax or duty shall be laid on articles exported from any State.

At the present time more than two-thirds of this product is exported from the United States, and at the time this tax was laid almost the entire crop was exported from the States where it was grown.

These provisions of the Constitution were incorporated by the framers of that instrument for the protection of the people of the different States against the unrestrained exercise of the taxing power by Congress. The requirement of uniformity in laying taxes is a safeguard to prevent combinations on sectional lines or combinations among special interests to so shape revenue legislation as to impose the burdens of Government upon certain States to the exclusion of others.

If the constitutionality of this tax can be sustained, then the Congressional conscience is the repository of the taxing power of the Constitution, and the most destructive power known to civil government is to be exercised according to the self-interest or the caprice of politicians. I hope that this Government has not reached that point of decadence, and God forbid that it ever should.

The reason for this legislation, this dangerous innovation upon all recognized rules of taxation, must be found outside of the Constitution. It was not an unnatural idea for the time of its birth. It was conceived when the States at which it was aimed were engaged in a desperate struggle with the States whose representatives enacted it. It took root in the passions and prejudices that warped the judgments and swayed the minds of men in the midst of civil war. It stands as a constant threat against the right of the people of all the States to have taxes levied with uniformity, and it is a constant menace to the rights and interests of those States whose peculiar products are raised largely or exclusively for export.

It is a standing invitation for the stronger to combine against the weaker to set in motion the destructive machinery of unequal taxation. It is a relic of war legislation that ought to be reconsidered, and restitution be made.

If the circumstances which constitute the equities of the case are to be considered, they furnish very powerful and persuasive reasons why we should restore this tax to those who paid it.

The gentleman from Ohio [Mr. GROSVENOR] undertook to read a lecture to the gentleman from Georgia [Mr. STEWART] because he spoke of the matter of equity. Now, if this bill for refunding the direct tax stands on any other ground than that of equity I want to know where he finds the law or the precedents to justify it. Why, sir, no gentleman who has addressed the House has advanced a single legal argument to show that this bill rests upon any other ground than upon the equities growing out of the inequalities of the collection or the tax.

And when we come to deal with all the equities alluded to by the gentleman from Ohio, the people of this country will want to rip up the public credit act of 1869, which changed the contract between the bondholder and the people, adding by that change $500,000,000 to the burdens of the tax-payers; and there are many similar equities in the legislation of the Republican party which they will want to adjust.

I say, sir, that we have the right to present the equities of this case, and if this bill goes through, then the cotton-tax provision should go through with it.

But, Mr. Chairman, I do not propose to go through with the entire argument on the equities at this time. There are, however, some other things which I wish to say in addition.

The Southern States had been swept by fire and sword. When the bulk of this tax was collected the country from which it came presented a picture of ruin and desolation that would have moved to pity any but the heart of a demon. A brave people had lost in the grandest struggle of the ages, and there was little left to many of them but life and honor. The magnanimous terms tendered by the great leader of the successful armies revived hope and stimulated a brave people to begin the work of rebuilding their wrecked fortunes.

The story of their struggles for citizenship and honest local government is a part of history. The cotton tax was a trifle to the local burdens imposed while they were getting back into the Union under reconstruction, after millions of men and money had been sacrificed to establish the proposition that a State could not secede from the Union. As I have before stated, they were in the Union for the purposes of taxation, and only out of it for the purposes of reconstruction.

Their churches, common schools, universities, colleges, manufacturing industries, and the millions of dollars which their products annually give to the commerce of the world, all bear testimony to their progressive spirit, and emphasize their identity with all that is noblest and best in the Republic.

Even now the illegal cotton tax is but a trifle compared to the inequality of burdens imposed upon them by the operation of existing laws. They pay more than one-third of the taxes for the support of the Government, but when the taxes are distributed again in the shape of legal appropriations they receive only a small percentage of the benefits.

Take the matter of public buildings. The report of Mr. Mahone, submitted to the Senate February 8, 1886, shows that in all the expenditures for public buildings from the foundation of the Government, they received only $13,679,219.60 out of an expenditure of $84,590,191.22. This is only a sample of the whole list of the appropriations for public purposes, and not as strong as might be adduced.

The following table shows the amount expended for public buildings in the States named from March 4, 1789, to March 4, 1885:

Alabama	$640,402.07	South Carolina	$3,337,591.98
Arkansas	309,317.73	Tennessee	1,423,073.62
Florida	234,776.94	Texas	344,973.43
Georgia	500,850.05	Virginia	936,341.53
Louisiana	5,182,249.24		
Mississippi	234,859.89	Total	13,679,219.60
North Carolina	482,783.12		

Total expenditure in the United States for the same time, $84,590,-191.22.

Equality of burdens and equality of benefits is what we want. Now let us look for a moment to the matter of pensions. The report of the Commissioner of Pensions for 1888 shows that the Government has paid out on this account since the close of the war $963,086,444.72. To this fund the cotton-producing States, whose product was singled out as the subject of unconstitutional taxation, have paid over $320,000,000. That sum represents approximately their part of this burden. Let us see what represents their distributive share. It is less than 6 per cent. of the amount paid in, so that on the pension account since the cotton tax was collected the excess of their burdens over their corresponding benefits amounts to over $300,000,000. That amount of money has been taken away from them by the taxing power of the Government never to return again, except in the shape of loans that draw interest against labor.

The report of the Commissioner of Pensions for 1888, first quarter, shows the payment of $13,832,697.33 for current pensions, which at the same rate would make $55,331,789.32 per annum.

Of this latter sum the annual payments to the Southern States, respectively, would be as follows:

Alabama	$162,456.06	North Carolina	$175,066.60
Arkansas	390,526.00	South Carolina	60,902.00
Florida	124,696.00	Tennessee	982,234.00
Georgia	145,382.92	Texas	400,899.00
Louisiana	151,463.88	Virginia	481,734.48
Mississippi	114,178.00		

The payments of arrearages, etc., would be distributed, I suppose, on about the same basis.

The annual pension appropriation bill for 1889 carried $81,758,700, and the one for 1890, which passed the House yesterday, carried $81,-757,500. The pro rata share which will be paid to the States named aggregates each year less than 6 per cent.

Even this might be passed without comment as one of the results of the war if this were all; but it will continue the same way for the next three-quarters of a century, and hundreds of millions more will go to the same side of the account.

The tariff system is another constant drain on every agricultural community. The glowing descriptions of the prosperity and happiness of the laboring man under this system read well in the newspapers, but the agricultural labor of this country fails to realize the truth of the picture. Mortgaged homes, empty pockets, and diminished profits too often represent the true condition of the farmer.

If the revenues were collected on a per capita basis the tax would amount to over $6 per head for every man, woman, and child, paid to the Government, and four times as much more paid in obedience to the exactions of monopolies and trusts which exist in only a portion of the States.

This discrimination in the distribution of the burdens of government ought to cease, and the "equality" which the majority of the Committee on the Judiciary so much desires should be substituted for it. It must eventually come or "the communism of wealth" will create new agencies for the distribution of property.

The Southern States are not on the mendicant list, and justice demands that the sixty-eight millions of cotton tax which belongs to them shall be refunded before the poison of centralization is injected into the heart of our system of government on the hypocritical pretense of charity and philanthropy.

When we take into consideration the fact that Southern State bonds are nearly all held by Eastern capitalists, that our municipal, county, and railroad bonds are nearly all in foreign hands, that the bulk of the life and fire insurance of the Southern States is carried by foreign companies, that the pension money nearly all goes from us to swell the volume of capital which draws interest against our labor, that the boasted benefits of the protective-tariff system drain the agricultural population to enrich the favored few in the great manufacturing centers, the wonder is not that the Southern States are poor in comparison with the more favored States, but that they can survive such conditions, even with all their enterprise and with all their great natural resources.

If the great and rich States of the Union, into whose coffers the wealth of the nation has been drained for a quarter of a century, are becoming impatient on account of the inequality of the burden of the direct tax, is it not time that the Southern States, out of the multitude of their burdens, should at least be heard with patience, and justly to demand the return of the unconstitutional cotton tax?

Poise the cause in justice' equal scales,
Whose beam stands sure, whose rightful cause prevails.

The time having expired, on motion of Mr. MCMILLIN, by unanimous consent, Mr. ENLOE's time was extended until he had concluded his remarks.

Mr. GROSVENOR. I ask the gentleman from Tennessee who has just addressed the committee, upon what ground he characterizes the cotton tax as an unconstitutional enactment?

Mr. ENLOE. If the gentleman had listened to my argument he would not have asked that question.

Mr. GROSVENOR. I wish to know whether the gentleman is arguing against the decision of the Supreme Court of the United States.

Mr. ENLOE. I am not, because there has been no decision in favor of the constitutionality of the act.

Mr. GROSVENOR. Why do you not sue to recover your money if there is no decision as to its constitutionality? Why do you not prosecute your claim?

Mr. ENLOE. Why do you not open the Court of Claims?

Mr. GROSVENOR. Why do you not go to the Supreme Court?

The CHAIRMAN. The gentleman from Wisconsin is entitled to the floor.

Mr. ENLOE. I yield the balance of my time to the gentleman from Ohio [Mr. GROSVENOR].

Mr. CASWELL. I yield ten minutes of my time to the gentleman from South Carolina [Mr. DIBBLE].

Mr. DIBBLE. Mr. Chairman, I propose simply to occupy the time allotted to me to give a few figures in relation to the amount which has been contributed by the State of South Carolina, which I have the honor to represent in part on this floor, to the Treasury of the United States under the operation of this law. I do this because I did not have the opportunity to interrupt gentlemen in their statements when they were limited in time, and because the erroneous statement has been made that South Carolina is in arrears in this matter.

The direct-tax commissioners in South Carolina, it will be remembered, did not make during the time of executing their office full returns and reports to the Treasury. They did not pay into the Treasury of the United States all the moneys collected. They were not required so to do, for the money in some cases was to be paid out in other directions under the law. But we find that the moneys which were paid into the Treasury of the United States were distinguished under special accounts, and we have the covering warrants under which the money was actually received as an unerring guide showing to which of these accounts that money was to be accredited.

There are several varying and conflicting statements made on an investigation in the Treasury twenty years after the event, which charges the State of South Carolina with a deficiency. But I propose to show by the cotemporary action of the commissioners themselves that these statements are wrong, and that the quota of the State of South Carolina has not only been paid, but overpaid. It was so reported by Secretary Folger, and was also so reported by First Comptroller of the Treasury Lawrence, and the vouchers in the Treasury Department bear out the assertion.

When I say that some of the money collected was to be paid in other ways, and not into the Treasury of the United States, I do not allude to the direct tax itself. That was to be paid into the Treasury; but it will be remembered that in South Carolina there were tax sales of land, to actual purchasers, and certain lands were also offered for sale and bid in by the United States, the portion so bid in by the United States being some of it resold, and some leased, while some is still held by the United States Government.

The direct-tax commissioners for South Carolina, who began to make their collections in 1863, returned the money into the Treasury of the United States, a part of it to the credit of the State's quota and a portion to their own credit as commissioners, for the amounts they had to account for on resales and leases of property. I have here, and will print with my remarks, certified statements from the Register of the Treasury which show by the numbers, dates, and amounts of the warrants that the sum of $377,961.30 was covered into the Treasury to the credit of the State of South Carolina under the direct-tax act; and that at the same time, cotemporaneous with that return to the Treasury of $14,000 more than the quota to the credit of the State, there was also turned in to the credit of the direct-tax commissioners in the discharge of their other duties from resales and leases of lands during the same period of time, the sum of $93,417.29.

The following letter, from Hon. W. S. Rosecrans, Register of the Treasury, is submitted:

TREASURY DEPARTMENT, *February* 11, 1886.

DEAR SIR: In compliance with your verbal request of to-day I inclose herewith, first, a statement of warrants covered into the Treasury to the credit of the State of South Carolina on account of direct tax, acts of August 5, 1861, and June 7, 1862, as appears from the books of this office.

Also, second, a statement of warrants covered into the Treasury to the credit of the tax commissioners of the State of South Carolina on account of direct taxes, under the same act, from which it appears that the former amounts to $377,961.30 and the latter to $93,417.29.

Trusting they will cover the ground of your wishes I remain,

Very truly, yours,

W. S. ROSECRANS, *Register.*

Hon. SAMUEL DIBBLE,
House of Representatives, Washington, D. C.

The following is a duplicate of one of the inclosures, which was mislaid after I received it:

Statements of amounts of direct tax covered into the United States Treasury by the State of South Carolina pursuant to the acts of August 5, 1861, and June 7, 1862, giving the number, date by quarters, and the amount of each warrant.

No. of warrants.	Dates.	Amounts.
21	Fourth quarter, 1863	$8,035.06
18	First quarter, 1864	39,000.00
13	Second quarter, 1864	51,066.07
		89,101.13
12	Third quarter, 1864	230.00
44	First quarter, 1865	6,282.88
14	Second quarter, 1865	9,739.58
18	....do	3,240.00
27	....do	126,162.58
		145,655.04
521	Fourth quarter, 1865	23,000.00
522	....do	4,444.09
647	....do	12,943.37
618	....do	26,700.00
292	First quarter, 1866	2,297.45
293	....do	8,000.00
687	....do	13,029.75
335	Second quarter, 1866	8,500.00
474	....do	4,000.00
525	....do	30,800.00
		133,714.57
350	Third quarter, 1866	$1,200.00
590	....do	1,500.00
263	First quarter, 1867	790.56
637	Second quarter, 1867	6,000.00
		9,490.56
		377,961.30

L. W. REID, *Acting Register.*

TREASURY DEPARTMENT, REGISTER'S OFFICE, *December 7*, 1888.

Statement of warrants covered into the Treasury to the credit of the direct-tax commissioners of the State of South Carolina on account direct tax per acts August 5, 1861, and June 7, 1862.

No.	Date.	Amount.
11	Second quarter, 1863	$19,364.87
369	First quarter, 1864	2,000.00
	Fourth quarter, 1865	68.77
762	First quarter, 1866	135.37
821	Third quarter, 1866	203.50
887	First quarter, 1867	93.15
741	Third quarter, 1867	29,610.00
115	First quarter, 1868	201.58
618	....do	800.00
808	....do	1,000.00
532	Second quarter, 1868	2,000.00
621	....do	898.50
818	....do	1,200.00
276	....do	4,033.76
230	Third quarter, 1868	3,600.00
397	Fourth quarter, 1868	1,000.00
419	First quarter, 1869	360.00
173	....do	65.59
420	....do	1,434.50
874	....do	235.00
402	Second quarter, 1869	1,696.75
617	....do	1,000.00
884	....do	1,000.00
523	Third quarter, 1869	3,000.00
795	....do	2,000.00
375	Fourth quarter, 1869	500.00
842	....do	1,000.00
296	First quarter, 1870	1,677.07
297	....do	1,000.00
29	....do	3.72
711	....do	1,000.00
710	....do	1,000.00
483	....do	1,200.31
298	Second quarter, 1870	1,000.00
299	....do	1,000.00
501	....do	1,000.00
815	....do	1,000.00
558	Third quarter, 1870	1,000.00
673	Fourth quarter, 1870	14.63
285	....do	1,000.00
528	....do	500.00
374	First quarter, 1870	2,514.71
1169	....do	5.51
	Total	93,417.29

ROS. A. FISH, *Assistant Register.*

TREASURY DEPARTMENT, REGISTER'S OFFICE, *February 11*, 1886.

Then there were other sums collected from resales and leases; but, as stated before, they were not required to be turned into the Treasury, but were to be turned over to certain officials in the administration of the school funds and in the discharge of obligations incurred under the freedmen's act, and in various other ways. So that this does not represent the entire total collected by the direct-tax commissioners in that State. They admit in their very imperfect reports that they received from sales to private parties (that is, the original tax sales) $28,232.29. Up to the 3d day of May, 1880, Commissioner Raum, of the Internal-Revenue Bureau, reported that the resales of lands bid in by the United States up to that time represented in the actual cash received $315,677.86.

The direct-tax commissioners admit in their account, so far as turned in, in a statement made by them, that the absolute collections in cash made in the city of Charleston, S. C., and in other portions of that State where the tax was voluntarily paid without sale of lands, represent the sum of $238,207, and after the matter was turned over to the collectors of internal revenue and the direct-tax commissioners were relieved, Internal-Revenue Commissioner Rogers reported to Comptroller Lawrence, in 1883, that the amount received by the Internal-Revenue Department was $43,475.62, making a total of $625,000 in actual cash received from the State of South Carolina.

There were other items, which I have not been able to get, from which they realized moneys, but the particulars can not be obtained. So it can not be said that South Carolina has not contributed her quota. The truth is she turned into the Treasury on account of the quota, as shown by the covering warrants, $377,000, when her quota was only $363,000, and from the profits made by the Government on the lands bid in by the Government there was turned in in cash up to the close of the fiscal year 1869, nineteen years ago, $93,417.29, besides the moneys that have been turned in by the internal-revenue collectors since, and besides the money which the direct-tax commissioners collected and turned over to certain school-fund commissioners and to the Freedmen's Bureau, as well as other moneys which they collected, of which there is no account that can be made accurately by the Treasury on account of defective returns. But we have, of actual cash received, a total of $625,000, as I have just shown you.

That, Mr. Chairman, is the condition of South Carolina, and I think it is but a measure of justice, as the Constitution of the United States prescribes that there shall be equality in these taxes, and since it would be a great hardship to enforce the collection of this tax upon the impoverished States of the South, that the moneys actually received by the Government should be paid back to the States that have paid the tax. I confess that it seems to me this is in compliance with the Constitution of the United States.

Now, sir, a word as to the cotton tax, and I say this mainly on account of the remarks of the gentleman from Illinois to-day [Mr. HOPKINS], in which he compares the payments made into the Internal Revenue Office from States such as Rhode Island and Illinois with those from Florida and Georgia, and attempts to draw the conclusion that the State of Illinois and other Northern States have contributed largely in excess of the State of Georgia and other Southern States to the support of the Government.

Now, there appears to me this distinction: The internal-revenue tax is paid by the consumer. The 50 cents a gallon on whisky certainly enhances the price of whisky to the consumer; but in the case of cotton, the tax was, in effect, paid by the producer of that article. In the case of the articles of whisky, tobacco, and other products taxed under the internal revenue, the market for them was protected from any interference and interruption elsewhere by the fact that all goods coming from abroad of the same nature were not only subject to the tariff duty but had to pay the same internal-revenue tax as the home product. But as to cotton, it was a product the price of which has been fixed from time immemorial, as every man who has had anything to do with it knows, by the prices in the Liverpool market.

There the taxed cotton of the South came into competition with the cotton of Brazil, Egypt, India, and other cotton-producing countries, which did not have any such burden upon them, and the price was established on the sum total of the crop of the world. At that time, Mr. Chairman, owing to the condition of affairs, the crops of India, Brazil, and Egypt had grown during the war to meet the demands of the consumers of the world, and largely exceeded their present proportion of the world's cotton production. Our crop had been diminished in the Southern States by legislative restriction of the amount to be produced year by year, and from causes growing out of the state of the country. For that reason, the Liverpool market fixing the standard, we got no more for our cotton because of this tax upon it, and therefore it must have come out of the producers. So that its burden fell upon the Southern planters of cotton, while the internal taxes fell upon the consumers.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. CASWELL. I would like to reserve the balance of my time until to-morrow, and yield the floor to the gentleman from Minnesota, if he is prepared to go on to-night.

Mr. OATES (to Mr. CASWELL). Have you any objection to the committee rising?

Mr. CASWELL. No; I have no objection to the committee rising if the gentleman from Minnesota is not prepared to go on to-night.

Mr. MCRAE. Mr. Chairman, before the committee rises I wish to ask leave to print in the RECORD two amendments for information.

Mr. CASWELL. Is it for information?

Mr. MCRAE. Only for information; and I will not ask that time be taken to read them.

Mr. CASWELL. Then I yield for them to be offered.

The CHAIRMAN. The gentleman from Arkansas asks leave to have the amendments printed in the RECORD. Is there objection? The Chair hears none.

Mr. MCADOO. I rise to make a parliamentary inquiry. Is it necessary, in order to have amendments considered, to present them now?

The CHAIRMAN. Amendments may be offered without objection and printed. That is what I understand to be asked by the gentleman from Arkansas.

Mr. MCADOO. I desired to know, as I want to offer an amendment to-morrow.

There was no objection.

The first amendment is as follows:

SEC. —. That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit and pay to each State a sum equal to the amounts collected therein respectively as a tax or duty on raw cotton, under the provisions of the act approved July 1, 1862, and the supplemental and amendatory acts thereto, which sums, when so credited and paid, shall be accepted and held by the States in trust, first, for such of the producers who paid said tax or duty, or their legal representatives, as may make claim to and prove their identity, and the amount of taxes paid, in two years after the passage of this act; and, second, the remainder, if any, to be held and used only as a permanent free-school fund.

SEC. —. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this act: *Provided*, That any State accepting the trust hereby created is prohibited from paying any part of the funds received to any person, syndicate, or corporation except the producers who paid the taxes on cotton grown by them, or their legal representatives; and in no case shall the payment be made to an assignee of such claim.

The second amendment is as follows:

SEC. —. That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit and pay to each State a sum equal to the amounts collected therein respectively as a tax or duty on raw cotton, under the provisions of the act approved July 1, 1862, and the supplemental and amendatory acts thereto, which sums, when so credited and paid, shall be accepted and held by the States in trust as a permanent school fund.

Mr. ELLIOTT. I ask unanimous consent that the amendment which I send to the Clerk's desk may be printed in the RECORD.

There was no objection.

The amendment is as follows:

SEC. — That it shall be the duty of the Secretary of the Treasury to pay to such person as shall in each case apply therefor, and furnish satisfactory evidence that such applicant was at the time of the sales hereinafter mentioned the legal owner, or is the heir at law or devisee of the legal owner of such lands as were sold in the parishes of St. Helena and St. Luke's, in the State of South Carolina, under the said acts of Congress, the value of said lands in the manner following, to wit: to the owners of the lots in the town of Beaufort, the value assessed thereon for taxation by the United States direct-tax commissioners for South Carolina; to the owners of lands which were rated for taxation by the State of South Carolina as being usually cultivated, or capable of cultivation, $10 per acre for each acre thereof returned on the proper tax-book; to the owners of all other lands, $1 per acre for each acre thereof returned on said tax-book: *Provided*, That in all cases where such owners, or persons claiming under them, have redeemed or purchased said lands, or any part thereof from the United States, they shall not receive compensation for such part so redeemed or purchased, but they shall receive whatever amounts were paid by them to the United States for such redemption or purchase: *And provided further*, That in all cases where said owners have heretofore received from the United States the surplus proceeds arising from the sale of their lands, such sums shall be deducted from the sum which they are entitled to receive under this act.

SEC. —. That in all cases where persons, while serving in the Army or Navy or Marine Corps of the United States, purchased any of said lands under section 11 of the act of Congress approved June 7, 1862, and such lands afterwards reverted to the United States, it shall be the duty of the Secretary of the Treasury to pay to such persons as shall in each case apply therefor, or to their heirs at law, devisees, or grantees in good faith and for valuable consideration, whatever sum was so paid to the United States in such case.

SEC. —. That before paying any money to such persons the Secretary of the Treasury shall require the person or persons entitled to receive the same to execute a release of all claims and demands of every kind and description whatever against the United States arising out of the execution of said acts, and also a release of all right, title, and interest in and to the said lands.

SEC. —. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $850,000, or so much thereof as may be necessary to pay for said lots and lands, which sum shall include all moneys in the Treasury derived in any manner from the enforcement of said acts in said parishes, and not otherwise appropriated.

SEC. —. That section 1063 of the Revised Statutes is hereby made applicable to claims arising under this act without limitation as to the amount involved in such claim.

Mr. CASWELL. I now move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having taken the chair, the Chairman (Mr. MCCREARY) reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (S. 139) to refund the direct tax, and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

Mr. ENLOE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (S. 3397) granting an increase of pension to Caroline M. McDougal;

A bill (S. 3144) granting a pension to Nancy A. Hayes;

A bill (S. 2842) granting an increase of pension to William H. H. Welsh;

A bill (S. 2666) granting a pension to Lemuel S. Skinner;

A bill (S. 2639) granting a pension to Mrs. Louisa Ward;

A bill (S. 2483) granting a pension to Catharine Tate; and

A bill (S. 2240) for the relief of George S. Thwing.

ORDER OF BUSINESS.

Mr. MCMILLIN. I move that the House do now adjourn.

Mr. PEEL. I ask that the gentleman from Tennessee will withdraw that motion for a moment. I ask unanimous consent to have a resolution read and adopted.

The SPEAKER. The resolution will be read, after which the Chair will ask for objection.

The Clerk read as follows:

Resolved, That January 10, 1889, immediately after the reading of the Journal, be set apart for the consideration of measures reported by the Committee on Indian Affairs in such order as may be presented by said committee, not to interfere with appropriation or revenue bills, and if in any case whatever said day shall not be so used, this order be continued from day to day until so occupied.

Mr. MCCREARY. I ask to amend the resolution.

Mr. SPRINGER. I will object to this, unless it is provided that it shall not interfere with the Oklahoma bill, as well as revenue bills.

Mr. PEEL. Well, I accept that.

The SPEAKER. The gentleman from Arkansas accepts the amendment. The gentleman from Kentucky suggested an amendment. [After a pause.] Is there objection? The Chair hears none, and the question is on agreeing to the resolution.

Mr. BUCHANAN. Is that not subject to amendment?

The SPEAKER. It is, if the gentleman asks for consideration of it.

Mr. BUCHANAN. I move to strike out "Indian Affairs" and insert "Invalid Pensions."

Mr. MCMILLIN. The gentleman asked unanimous consent for its passage, not for consideration.

The SPEAKER. What was the request of the gentleman from Arkansas? There was such confusion that the Chair did not hear.

Mr. PEEL. My request was for unanimous consent to pass it.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

So the resolution was agreed to.

Mr. MCCREARY. I desire to offer a resolution and ask unanimous consent to set apart Thursday, the 18th of December, immediately after the reading of the Journal, for the consideration of bills reported from the Committee on Foreign Affairs,

Mr. BUCHANAN. Is that unanimous consent to have the order made?

Mr. MCCREARY. It is.

Mr. BUCHANAN. I object.

Then, on motion of Mr. MCMILLIN (at 4 o'clock and 55 minutes p. m.), the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. E. P. ALLEN: A bill (H. R. 11749) to place the name of James M. Fuller on the pension-roll—to the Committee on Invalid Pensions.

By Mr. BAYNE (by request): A bill (H. R. 11750) granting an increase of pension to Thomas Smith—to the Committee on Invalid Pensions.

By Mr. BIGGS: A bill (H. R. 11751) to remove the political disabilities of Henry B. Davidson—to the Committee on the Judiciary.

By Mr. CLARDY: A bill (H. R. 11752) for the relief of Cogswell & Co.—to the Committee on Claims.

By Mr. FORD: A bill (H. R. 11753) granting a pension to H. A. Hydorn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11754) granting a pension to Joseph Hart—to the Committee on Invalid Pensions.

By Mr. MAISH: A bill (H. R. 11755) for the relief of Ferdinand Wetzel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11756) for the relief of Richard Thrush—to the Committee on Invalid Pensions.

By Mr. MATSON: A bill (H. R. 11757) granting a pension to Rebecca H. Lyon—to the Committee on Invalid Pensions.

By Mr. O'DONNELL: A bill (H. R. 11758) for the relief of Joseph Whitaker—to the Committee on Military Affairs.

By Mr. PETERS: A bill (H. R. 11759) to correct the military record of Hosea Stone—to the Committee on Military Affairs.

By Mr. SHIVELY: A bill (H. R. 11760) granting a pension to Dennis Kane—to the Committee on Invalid Pensions.

By Mr. T. L. THOMPSON: A bill (H. R. 11761) for the relief of General George Stoneman—to the Committee on Military Affairs.

By Mr. WISE: A bill (H. R. 11762) to remove the political disabilities of J. H. Rochelle—to the Committee on the Judiciary.

By Mr. YOST: A bill (H. R. 11763) for the relief of J. Henry Rives—to the Committee on Claims.

Changes in the reference of bills improperly referred were made in the following cases, namely:

A bill (H. R. 11323) to place the name of Charles T. Strocklien on

the pension-roll—from the Committee on Military Affairs to the Committee on Invalid Pensions.

A bill (H. R. 11448) for the relief of William F. Denmure—from the Committee on Military Affairs to the Committee on Naval Affairs.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. C. E. BROWN: Memorial for the removal of the charge of desertion, by James Mays, late of Company G, St. Louis Legion, First Regiment Missouri Volunteers in the Mexican war—to the Committee on Military Affairs.

By Mr. DUNHAM: Petition of Maria McMurdie, in reference to bill number 11668—to the Committee on Claims.

Also, petition of John Boyle, of Chicago, for release from charge of desertion—to the Committee on Military Affairs.

By Mr. HOUK: Petition of A. G. Cadle, of Tazewell, Tenn., for payment of his war claim—to the Committee on War Claims.

By Mr. MAISH: Petition of 37 citizens of Cumberland County, Pennsylvania, for a pension to Richard Thrush, late of Company D, Seventy-seventh Regiment Pennsylvania Volunteer Infantry—to the Committee on Invalid Pensions.

By Mr. JONES: Petition of J. J. Simpkins, of Monroe County, Alabama, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. O'DONNELL: Petition of Joseph Whitaker, late private in the Forty-ninth Ohio Volunteers, with others, for his relief—to the Committee on Military Affairs.

By Mr. PERKINS: Petition of citizens of Independence, of Piatt, and of Creston, Iowa, in case of Anna M. Pifer, daughter of Cornelius Pifer, late private Company F, Second Regiment Illinois Volunteer Cavalry—to the Committee on Invalid Pensions.

Also, petition of Mrs. W. F. Privett, of Shelby County, Tennessee, heir of Mrs. E. T. Harvey, for reference of her claim to the Court of Claims—to the Committee on War Claims.

Also, resolutions of a meeting of Union soldiers of Elk County, Kansas, for the passage of the service-pension bill—to the Committee on Invalid Pensions.

By Mr. RYAN: Resolution of a convention held at Wichita and at Douglas, Kans., in favor of the organization of Oklahoma—to the Committee on the Territories.

By Mr. SYMES: Petition for land office in Colorado at Akron—to the Committee on the Public Lands.

The following petitions against the passage of the international copyright bill were received, and severally referred to the Committee on Patents:

By Mr. DALZELL: Of Gust. Blockinger, of Homestead, Pa.

By Mr. R. H. M. DAVIDSON: Of Commercial Publishing Company of Pensacola, Fla.

By Mr. DORSEY: Of A. N. Bohn, of Tilden, Nebr.

By Mr. KERR: Of J. W. Merrill, of State Centre, Iowa.

By Mr. KETCHAM: Of William Bryan & Son, of Hudson, and of D. Browne, of Poughkeepsie, N. Y.

SENATE.

WEDNESDAY, *December* 12, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

H. H. RIDDLEBERGER, a Senator from the State of Virginia, appeared in his seat to-day.

The Journal of yesterday's proceedings was read and approved.

REPORTS OF COMMITTEES.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (S. 2530) granting a pension to Robert Kelly, reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. STEWART (by request) introduced a bill (S. 3704) to provide for the construction of pneumatic torpedo-throwers to be used in the fortification and defense of certain harbors in the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FAULKNER introduced a bill (S. 3705) for the relief of the trustee of St. Joseph's Catholic Church at Martinsburgh, W. Va.; which was read twice by its title, and referred to the Committee on Claims.

Mr. PADDOCK introduced a bill (S. 3706) to establish two additional land districts in the State of Nebraska; which was read twice by its title, and referred to the Committee on Public Lands.

C. B. WILSON.

The PRESIDENT *pro tempore*. If there be no further morning business, the Secretary will report the first bill on the Calendar under Rule VIII at the point last reached in its consideration.

The bill (H. R. 5080) for the relief of C. B. Wilson was announced as first in order, and it was considered as in Committee of the Whole. It proposes to give credit to C. B. Wilson, postmaster at Buena Vista, Colo., for $225, money-order funds remitted by him to the post office at Denver, Colo., in accordance with the postal rules and regulations, and mislaid or lost in the post-office at Denver.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES ALBERT BONSACK.

The next bill on the Calendar was the bill (H. R. 593) for the relief of James Albert Bonsack.

Mr. TELLER. I ask that that bill may go over.

The PRESIDENT *pro tempore*. It will go over under the rule, and will take its place on the Calendar under Rule IX.

Mr. JONES, of Arkansas. I hope there will be no objection to the bill retaining its place on the Calendar.

The PRESIDENT *pro tempore*. The bill will be passed over without prejudice, if there be no objection.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to the resolution of the Senate of September 25, 1888, to print additional copies of the report of the Superintendent of the United States Coast and Geodetic Survey for the year ending June 30, 1887.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 7935) for the relief and civilization of the Chippewa Indians in the State of Minnesota, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. PEEL, Mr. HUDD, and Mr. NELSON managers at the conference on the part of the House.

The message further announced that the House had passed the bill (H. R. 11764) making an appropriation to supply a deficiency in the appropriation for the contingent expenses of the House of Representatives; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore*:

A bill (S. 2240) for the relief of George S. Thwing;

A bill (S. 2483) granting a pension to Catharine Tate;

A bill (S. 2639) granting a pension to Mrs. Louisa Ward;

A bill (S. 2666) granting a pension to Lemuel S. Skinner;

A bill (S. 2842) granting an increase of pension to William H. H. Welsh;

A bill (S. 3144) granting a pension to Nancy A. Hayes; and

A bill (S. 3397) granting an increase of pension to Caroline M. McDougal.

THE REVENUE LAWS.

The PRESIDENT *pro tempore*. The next bill on the Calendar will be stated.

Mr. ALLISON. I move that the Senate proceed to the consideration of House bill 9051.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue, the pending question being on the amendment proposed by Mr. JONES, of Arkansas, in paragraph 437, line 495, of the matter proposed to be inserted by the Committee on Finance, after the word "shall," to strike out all down to and including the word "made," in line 497, as follows:

Pay two-tenths of 1 cent per pound more duty than that imposed on the hoop or band iron or steel from which they are made.

And to insert in lieu thereof the words:

Be admitted free of duty.

So as to make the proviso read:

Provided, That hoop or band iron, or hoop or band steel, cut to length, or wholly or partially manufactured into hoops or ties for baling purposes, barrel hoops of iron or steel, and hoop or band iron or hoop or band steel, flared or splayed, shall be admitted free of duty.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Arkansas [Mr. JONES], on which the yeas and nays have been ordered.

Mr. BERRY. Mr. President, before the vote is taken on the amendment proposed by my colleague I wish to reply to some observations made by the Senator from Massachusetts [Mr. DAWES] yesterday.

The Senator from Massachusetts stated, as I understood him, that if the tax on cotton-ties was increased it would be paid by the importers and not by the purchasers. I desired to ask him, if he had been present in his seat, whether he intended to deny in the Senate that if, in addition to the 35 cents now paid by each importer upon each dollar's worth of cotton-ties imported into the United States, 73 cents more, levied by this bill, are added to that, the importer would add that 73

cents to the price that he would charge the purchaser of the cotton-ties. Does he not know that if the importer is compelled to pay 73 cents more upon each dollar's worth of cotton-ties at the custom-house in New York he will add that 73 cents to the price for which he sells it to the the planter?

This proposition to increase the tax on cotton-ties illustrates as much as any other item in this bill the absolute injustice of the whole protective idea that runs through the bill. Here is an article which it is admitted is not manufactured in the United States; an article which if the tax is taken off will not injure any business now in operation in the United States; will destroy no manufactory and reduce no man's wages; a tax that is not needed for public purposes in any way whatever; but it is proposed by the Senate bill to force the farmers, who are compelled to buy these ties, to pay 108 per cent. upon the amount of their purchase for no purpose whatever so far as has been disclosed by this bill or by its advocates. There is no infant industry to be protected, although the Senator from Massachussetts intimates that it was for the purpose of providing for one hereafter to be born.

The proposition is now to force these people to pay this money with no benefit to accrue to any one hereafter. In other words, it is asserted by the Senator from Rhode Island [Mr. ALDRICH] that these cotton-ties can not be manufactured at the price that the cotton producer is now paying for them. They therefore say that he shall pay 73 cents more upon every dollar's worth of cotton-ties in the hope that it may induce some one in America to engage in the manufacture of these ties.

Can the Senators upon the other side of the Chamber believe that that is not discriminating against any portion of the people of this Union? Is it not a direct discrimination against the farmers of the country, and that, too, without benefiting any laborers in any part of the Union?

This is the reason why we so seriously object to this proposed increase of duty. This is the reason why we believe it is absolutely unjust to the farmers of the country, and that it ought not to be forced upon this bill.

The Senator from Iowa [Mr. ALLISON] said yesterday that wherever we have opposed these items it was simply a proposition to fight the election over again. I say to him that we intend to fight it over again. If he thinks that the late election settled the question that such injustice as is involved in this cotton tax shall be continued without a fight, then he mistakes the temper of the farmers of this country. The fight is not over, but has just begun. A majority of those who cast their votes on the 6th day of November voted for Grover Cleveland and not for General Harrison. It is true that under our peculiar electoral system General Harrison was elected and Cleveland defeated, but the majority of the people of this country do not believe that Congress has a right to force by law from the farmers of this country 108 per cent. tax on an article that they are compelled to buy, and to place that money in the Treasury of the United States when the Government has no need for it whatever, when it can not be used, when we already have more than we know what disposition to make of.

The Senator from New Jersey [Mr. MCPHERSON] said yesterday that he was in favor of so shaping this bill as to afford protection. I say so far as I am concerned in that idea I do not agree with him. I am in favor of passing the bill in such a way as will produce revenue only, and not one dollar more than is necessary for the economical administration of the Government. Here is a proposition to increase the revenue not needed, that can not be used, and that, too, upon an article that every Senator is bound to admit is necessary for the farmers of this country.

I hope that the amendment proposed by my colleague will on a yea-and-nay vote be adopted, because there is no feature in this bill that is more absolutely inequitable and unjust to a large part not only of the farmers of the South but the farmers in the Western States than the paragraph now under consideration before the Senate.

Mr. HISCOCK. Mr. President, for myself I undertand that the Senate substitute is a political measure, and I understand that the division between the Democratic party and the Republican party upon the tariff is a political division. I expected that the Mills bill, to which the Senate substitute is proposed as an amendment, would have received the unanimous support of the other side of the Chamber.

Several Senators here have alluded to the fact that they knew nothing of the details of the Senate substitute until it was reported to the Finance Committee. It was publicly announced in that committee by leading Democrats upon it that they proposed to stand by the Mills bill in all its features, and all that they wanted of us was to present our substitute to it. The Democratic national convention had approved the bill. President Cleveland in his letter of acceptance approved it, and criticised the Republicans at the other end of the Capitol for their opposition to it. I do not know that the Senator from New Jersey said that he proposed to stand by the House bill, and I do not remember that he said that they did not care to know the provisions of our bill, but that declaration was made so often in the committee that it does seem to me that he must have heard and acquiesced in the statement made by his colleagues upon that committee. We were never asked by them to be allowed to unite with us in the consideration of the Senate substitute.

As the Republican members of the committee, we prepared the bill from a Republican standpoint, illustrating by it, as we believed, the principles of our party and the faith and wishes of the members of our party respectively. The bill was presented here, and it went to the country, in my State at least, as an illustration of the Republican platform on the question of protection.

I supposed that when we came into this Chamber the other side would be content with offering their amendments to the bill, and that they would do what they have done, offer as amendments the provisions of the House bill. Now they criticise the manner in which the Senate bill was presented and discuss the provisions of the bill upon the merits. I am entirely willing to meet them in the discussion of the bill upon the merits, but I want it distinctly understood that upon the merits I discuss it from an entirely different standpoint from what they do. I believe in a bill which shall afford adequate and complete protection to all the American industries which may be so successfully prosecuted in this country as to supply our American markets; and more than that, I am willing to depend upon American competition to force down the prices in a market which is assured to American producers; but I am not, in opposing the amendment offered by the Senator from Arkansas proposing to put hoops for baling cotton upon the free-list, to rely upon that principle.

I will in this discussion of the amendment call the attention of the Senator from Arkansas and the Senator from New Jersey to the Mills bill, and base my argument in opposition to the amendment upon the provisions of that bill, which has had the high indorsement that I have mentioned of it.

This provision, paragraph 137 of the substitute for the Mills bill, provides customs duties upon four classes of hoop, band, or scroll iron. Upon the first class the duty is now fixed at 1 cent per pound. Our substitute proposes the same duty. This is the raw material for a more finished product. The Mills bill makes no change; it leaves it at 1 cent a pound. The next class indicated in the substitute under the present law is 1.4 cents per pound. The Mills bill does not change that. It passed under the severe scrutiny of the gentlemen who had charge of this branch of legislation at the other end of the Capitol and they made no change of the present law. The Senate substitute reduces the rate of duty one-tenth of a cent a pound. We are lower than they are in reference to this class of raw material, which, I believe, is the absolute raw material from which cotton-ties are made. The present law is 1.2 cents a pound. The Mills bill does not reduce it, but the Senate substitute does reduce it one-tenth of a cent a pound. This is the raw material cotton-ties are made from.

Now, then, we come to the sectional character of the House bill and the sectional character of the amendment which has been offered here. The amendment proposes to lift cotton-ties alone out of the next or third classification, upon which the House bill and Senate substitute both have fixed a duty of 1.3 cents a pound, and put them alone upon the free-list. So far as the raw material is concerned from which the ties are made, we have provided a greater reduction than was made by the Mills bill. I should like to have some Senator upon the other side explain this, and why it is that these appeals are made. The proviso which is contained in the House bill is as follows:

Provided, That all articles not specially enumerated or provided for, whether wholly or partly manufactured, made from sheet, plate, hoop, band, or scroll iron herein provided for or of which such sheet, plate, hoop, band, or scroll iron shall be the material of chief value, shall pay one-fourth of 1 cent per pound more duty than that imposed on the iron from which they are made, or which shall be such material of chief value.

The Senate proviso is as follows:

Provided, That hoop or band iron, or hoop or band steel, cut to length, or wholly or partially manufactured into hoops or ties for baling purposes, barrel hoops of iron or steel, and hoop or band iron or hoop or band steel flared or splayed, shall pay two-tenths of 1 cent per pound more duty than that imposed on the hoop or band iron or steel from which they are made.

We make a greater difference than is made by the Mills bill between the raw material and the finished product, but the final result or rate is the same upon the advanced manufacture and manufactures advanced no more but as much as these cotton-ties. The amendment proposes to retain them upon the dutiable-list and put the cotton-ties on the free-list. I hope that some Senator will enlighten this Chamber upon the reason for the proposed legislation, what justice there is in it, what fault they can find with the rates of duty that are fixed by this clause, and what occasion they have for criticising the increased duty for the advancement in the manufacture of all the goods, including cotton-ties, and why discriminate between goods equally advanced in manufacture.

The appeal of the Senator from New Jersey [Mr. MCPHERSON] is especially on account of the colored people of the South. Well, I say to the Senator from New Jersey there is another way except through this amendment that he could do more complete justice to the colored people of the South. Other advocates of the amendment base it entirely upon their affection for the farmer, and tell us how grievously he is oppressed by it.

Let us look at the oppression that under this provision of the bill, if it should be adopted into law, the Southern planter will be subjected to. A bale of 500 pounds of cotton costs him 20 cents for the ties; perhaps a trifle more than that. A large ad valorem rate of duty has

been indicated here as imposed upon them, and what is claimed in reference to that, in view of the fact which I will state, illustrates the unsatisfactory appraisal of goods at the custom-house, which forms the basis for the ad valorem rate. If Senators will take the actual market value of these cotton-ties and the rate of duty which is imposed upon them, they will discover that it is about 75 or 80 per cent. ad valorem. At least that is the evidence which was submitted to the committee that had charge of the preparation of this substitute. Twenty cents a bale upon 500 pounds of cotton is the full cost, duty and all, which is paid by them for baling the cotton in the first instance.

I grant for the purpose of the argument that this cost comes from the cotton-planter as much as transportation to a foreign market. I have no doubt that both that and the bagging are included in the cost to him, and I am not going to make any argument against that position. I will concede that all the oppressed farmer loses in the purchase of the cotton-ties is an absolute tax upon him. The evidence before the committee was that when the cotton-ties were used and taken from the bales at the Liverpool market they could be sold there for two-thirds their original value. There was no dispute about that fact. Two-thirds of their cost is reimbursed to him, and about 6 cents or 7 cents at the outside is the full cost to the abused planter, to the colored people, the friends of the Senator from New Jersey, of the cotton-ties which are placed upon his bale of cotton of 500 pounds.

Mr. McPHERSON. Would it interrupt the Senator if I should ask him a question?

Mr. HISCOCK. Oh, no.

Mr. McPHERSON. I should like to ask the Senator if that is a fair way of stating this question, either to the Senate or to the country? Is it a fair thing to say that because the hoops upon a bale of cotton do not cost more than 20 cents the price of 20 cents may not be extortionate? Is it a fair thing to say that when the bale of cotton goes to Liverpool and there enters in consumption in the factories of England, and the hoops are thrown away, the poor cotton-planter is permitted then to have some benefit upon it, when in reality perhaps the same hoops are remolded over and sent back, and he is again compelled to pay his 108 per cent. duty?

Let me illustrate it a little more forcibly——

Mr. HISCOCK. If the Senator is going to make a speech, perhaps he had better make it in his own time.

Mr. McPHERSON. Let me illustrate——

The PRESIDENT *pro tempore*. Does the Senator from New York yield to the Senator from New Jersey?

Mr. HISCOCK. I think I have done so.

Mr. McPHERSON. I was shown a knife yesterday by a distinguished member of the House of Representatives. The cost to him of that knife in the wilds of California, after it had been imported from England, had been confronted by a custom-house officer at the port of New York, and paid its duty, and paid the freight——

Mr. HISCOCK. If there is to be a speech made in mine, I can not yield further.

The PRESIDENT *pro tempore*. Does the Senator from New York yield to the Senator from New Jersey?

Mr. HISCOCK. No; if there is to be a speech made on knives I will not yield.

Mr. McPHERSON. Will not the Senator yield to me in justice——

The PRESIDENT *pro tempore*. The Senator from New York is entitled to the floor and declines to yield.

Mr. McPHERSON. Then I wish to make an appeal——

The PRESIDENT *pro tempore*. One moment. The Senator from New Jersey must not proceed. The Senator from New York declines to yield.

Mr. HISCOCK. I shall be disposed to yield to the Senator from New Jersey for any question that he may be pleased to ask which is pertinent to the discussion of the subject before the Senate; but if I take any part in the discussion of the duties upon knives, it will be when we reach that point in the bill. In reply to the question which he did ask me, whether I regarded this form of discussion in which I have engaged as proper, I say to him most emphatically that I do.

Mr. McPHERSON. Mr. President——

Mr. HISCOCK. When there is an attempt made here upon the floor of the Senate——

The PRESIDENT *pro tempore*. The Senator from New York will pause one moment. The Senator from New Jersey rises.

Mr. McPHERSON. I wish to call the attention of the Senator from New York, if he will permit me——

The PRESIDENT *pro tempore*. Does the Senator from New York yield to the Senator from New Jersey?

Mr. HISCOCK. Yes, to have my attention called to something.

Mr. McPHERSON. I wish to call the Senator's attention to the fact that I have asked him no question. He did not permit me to finish my question.

Mr. HISCOCK. If the Senator, when it is printed, will look in the RECORD, he will discover that he did ask me a question, and the question which he addressed to me was as to the propriety of the argument in which I was engaged. As I understood his question, it was whether what I was stating was an answer; whether it was fair to oppress, however slightly it might be; the point, as I understood it, being whether it made any difference if the duty which was imposed or the loss which followed from it was large or small if it was extortionate. I believe it was entirely proper to follow the line of argument I did in view of the pathetic appeals that were made by Senators for the farmers, and especially for the colored farmers, on account of the extortion in this bill.

I believe there is a principle underlying this bill. Senators are not discussing it upon that principle when they confine their argument to one particular item which is covered by this proviso. Their argument is purely sectional, and it is an appeal for a section when they confine it to a class of goods which are used in one section only; and when they urge here that it is an unnecessary or an onerous tax put upon an industry of the section that they represent, I have the right to demonstrate to the Senate just how much they pay, just how much the burden is, just what it is which inspired the species of sectional legislation at the other end of the Capitol, and inspires the amendments which are offered here in a line with the legislation at the other end of the Capitol. I repeat that the full cost of the cotton-ties for a bale of cotton to the cotton-planter is 7 cents to 500 pounds of cotton.

Mr. BERRY. If the Senator will allow me——

The PRESIDENT *pro tempore*. Does the Senator from New York yield to the Senator from Arkansas?

Mr. HISCOCK. I do.

Mr. BERRY. The Senator misstates the figures. The cost, according to my understanding, is about 20 cents (a fraction more than that) for the ties upon each bale, and not 7 cents, as has been stated by him

Mr. HISCOCK. What I stated was that the full cost of baling a bale of cotton originally is a fraction over 20 cents to the bale.

Mr. BERRY. For the ties alone?

Mr. HISCOCK. And the ties, after they have been removed from the bale, are sold for two-thirds of their original value.

Mr. BERRY. If the Senator will permit me, I will state that, whether they be sold at that or any other price, no benefit comes to the cotton-planter, but that he loses entirely both ties and bagging, the original cost to him.

Mr. HISCOCK. If the Senator will look at the prices given for the cotton and the amount which is deducted for tare, the number of pounds that are deducted for the bagging, for the cotton which is supposed to be injured, and for the cotton-ties which are around it, he will discover that he is entirely mistaken in that statement, and that in deducting the tare in the weight of the cotton a full allowance is made for the money which should come back into the hands of the cotton-planter for the ties. A full allowance is made to him for the money that is received from the sale of these hoops.

Mr. BERRY. Will the Senator permit me to interrupt him?

Mr. HISCOCK. Certainly.

Mr. BERRY. I do not understand the facts as stated by the Senator from New York to be the true facts. However, if they were true, the argument of the Senator is that instead of robbing the farmers of the South of 20 cents a bale we are robbing them of only 7 cents a bale, and therefore we have a right to take this small amount because it is small.

Mr. HISCOCK. Mr. President, we have been through with the canvass in which upon the Democratic hustings throughout this country we have heard this cry about the robbery of the tariff. The Northern States that are largely in favor of a protective tariff were specially invaded last fall by gentlemen who have indulged in this sort of declamation, "the robberies of the tariff." A verdict has been taken upon that; it has been rendered by the people. You will have a chance four years from now to try it over again.

This is not the time nor is this the place so soon after this full discussion, so soon after the rebuke of this sort of declamation, to indulge in it again, and I imagine it will have no effect upon this side of the Chamber, nor will it have any effect upon the country. If we were confronting another national election, or State election, or a Congressional election, I should welcome all expressions of that kind from Senators as we welcomed those that were made by them previous to the adjournment of Congress in the discussion of this subject. We do not believe it is a robbery. We believe in building up American industries, and we believe that we have the raw material here from which to make these cotton-ties. We believe that this industry here can be so successfully established with home rivalry, that the effect will be to force down the price of cotton-ties to a point heretofore unknown in their history, as it has with reference to the other products of our manufacturing industries; and it is upon that broad ground that we have put this provision in the bill. If it was an industry that could not be successfully prosecuted here, if we had not the raw material, the labor, and the capital with which to make them, no proposition would come from the committee to increase the duty upon this class of goods. But if the Senator believes that it is a robbery he must believe that it was a robbery that formulated the Mills bill. The proviso in that bill covering all other classes of goods equal as to the cost and somewhat kindred in their form contains the same principle. Why contest the principle here?

Mr. JONES of Arkansas. Will the Senator allow me a moment?

The PRESIDENT *pro tempore*. Does the Senator from New York yield?

Mr. HISCOCK. Certainly.

Mr. JONES, of Arkansas. The reason is perfectly obvious why, in the Mills bill, there was no proposition to interfere with hoop-iron as such. Capital has been invested in this country in the production of that article. It is a common thing, whenever there is a proposition to reduce the tariff anywhere, for gentlemen who think as my friend the Senator from New York does on these economic questions to urge that you ought not to reduce the tariff because American citizens have been induced by the laws as they stand to invest capital in the production of this or that or the other article; and the argument would be that as Americans have invested money in the production of hoop-iron, there should not be a material reduction of the tariff duty on that article, because Americans are producing it. But there is not one single dollar of American capital invested in producing cotton-ties and ties for baling hay, and the bands that are cut for the purpose of making hoops on barrels; and the fact that there is no money invested in producing them was a good reason why there should be a difference in the provisions as to the two articles.

Mr. HISCOCK. The Senator from Arkansas entirely mistakes the argument upon which protection is based. With the commencement of this Government those in favor of protection have advocated it to develop new industries equally with protecting those already established. Wherever we have believed it possible to develop a new industry, so that its product might fill the American market and supply it, protectionists have always been in favor of it.

Mr. JONES, of Arkansas. To what extent does the Sonator desire to go on that line?

Mr. HISCOCK. I desire to go to the farthest extent.

Mr. JONES, of Arkansas. To the production of oranges and bananas?

Mr. HISCOCK. Certainly, sir. You can not indicate a thing, a fruit, a product of our soil, that can be produced in this country equalizing the cost of labor and capital elsewhere, but that I am in favor of the protection of that industry. I am not in favor of producing oranges in the State of New York, nor of affording that protection which would make the raising of oranges a profitable industry in the State of New York. I am not in favor of the protection of an industry of any kind that can not be made so successful in the country as to supply the home market.

But, Mr. President, I did not enter upon this discussion this morning intending to consume nearly the time which I have occupied. My object was to demonstrate the unfairness, the want of principle, if you please, underlying the amendment now offered; and by reference to the bill which gentlemen upon the other side stand here favoring, to dispose of the question whether there is any unreasonable duty or any unnecessary duty imposed upon these cotton-ties. The Mills bill recognizes the fact that the duty is no more than it should be. I have no doubt the investigations that were made by the gentlemen who had charge of that bill led them to recognize that this rate of protection should be given to kindred goods, those in the same advanced stage of manufacture. And I proposed to demonstrate further, in answer to the pathetic appeals which have been made for the farmers, the poor planters of the South, for the colored people of the South, that in no sense is this provision which we have incorporated in the bill a burden upon them or upon the industry in which they are engaged.

Mr. REAGAN Mr. President, it seems to me that the radical mistake made by the gentlemen who are advocating high protection is that they do not consider agriculture an American industry That appears to me to be the great mistake which is made, and they consider agriculture the proper field upon which to levy tribute for all other industries.

Mr. President, of the 17,000,000 people in the United States who by the census of 1880 were found to be engaged in gainful occupations, about 8,000,000 were engaged in the business of agriculture. Another important fact to be mentioned in connection with that is that of the more than $700,000,000 of exports of last year, $523,000,000 worth were agricultural products. I did not think of this question coming up in this form, and I am not prepared to show the value of the farms in this country, the amount of the money invested in farms, agricultural implements, and the means of carrying on agriculture.

Mr. JONES, of Arkansas. If the Senator will allow me, I will make a statement of what the last census shows about that.

Mr. REAGAN. I should be glad to have the Senator make that statement.

Mr. JONES, of Arkansas. The capital invested in farming and farming implements in the United States, according to the last census, was $12,104,081,440; and in manufacturing the total amount invested was $2,700,000,000—more than four times as much invested in farming as there was in manufacturing.

Mr. REAGAN. I am obliged to the Senator from Arkansas for making the statement.

Mr. HAWLEY. The Senator will allow me to make a single suggestion. It would be very desirable under these figures, I should think, that there should be some more money put into manufacturing.

Mr. REAGAN.. I did not understand the Senator.

Mr. HAWLEY. I think, from the statement made, that it would be desirable for the general happiness and prosperity of the country that there should be more money put into manufactures.

Mr. REAGAN. I do not propose to go into that question now further than to state that already under the high bonus given by protective tariffs to manufacturing interests we have more money invested in manufacturing and more factories in existence than can have continued employment, and therefore there is no room for the investment of more money in manufactures. The tariff legislation has put everything in this bill so upon stilts that we can only rely mainly upon our own country for the consumption of our manufactures. We can not go into the markets of the world to any great extent, as we might do under reasonable legislation on this subject. The friends of high protection prefer limiting the field of plunder to the United States rather than adopt a liberal policy which would give them the markets of the world and employ their capital and their machinery constantly and give constant and steady employment to the labor engaged in manufactures.

But that was not the point that I started out to discuss. I rose to call attention to the fact that these Senators seem not to recognize agriculture as an American industry, that pursuit which gives employment to more people, which invokes the investment of larger amounts of capital than any other in this country; that employment which was once honorable, and commanded the attention and respect of the young men growing up in this country, but which is now a degraded occupation to such an extent that the young men in the country will not work on a farm if they can get other employment. The men who own the farms are year by year having to mortgage them to meet indebtedness growing out of the exactions levied upon them through the instrumentality of a protective tariff. Why has the Senator from New York made the observation that he was for the protection of every product of the American soil? Does he propose to protect this great interest?

Mr. HISCOCK. What interest is that?

Mr. REAGAN. The Senator said he was in favor of protecting every product of American soil.

Mr. HISCOCK. I say I am in favor of protecting every product of American soil which may be made large enough, taking into account climatic influences, the soil, and all that, to supply the American market. I am not in favor of protecting the production of oranges or lemons in New York.

Mr. REAGAN. That is hardly an answer to the suggestion I made.

Mr. HISCOCK. In Florida I would.

Mr. REAGAN. I said nothing about lemons and oranges in New York at all, but I was speaking of the largest of the exports that go from this country—cotton, much the largest article exported from this country, commanding the labor of millions of men who depend upon the raising of cotton for their living as much as the gentleman's constituents depend upon the manufacture of manufactured products for their living.

Mr. HISCOCK. I will state one line of protection, one way in which I would protect the cotton-planters. I would have them have here upon American soil a market for the cotton which enters into every single piece of cotton fabric which is used in this country and save to them the cost of transportation from here to the other side. I believe if the Senator wants to protect them he can do far more in that direction by relieving them of the tax of this transportation than he can in striking out this insignificant tax upon the cotton industry of 3 cents at the outside upon 500 pounds of cotton.

Mr. REAGAN. If I understand the position of the Senator from New York it is that in order to protect the raisers of cotton we must put the duty on manufactured cotton goods so high as to secure to the makers of cotton a higher market price for their cotton.

Mr. HISCOCK. I suggested to the Senator from Texas a way in which, in my opinion, he can render the producers of cotton a more signal service in advancing the price of their cotton or relieving them of a tax upon their cotton than by spending all his strength of body and mind in his assaults upon this provision of the bill and in an attempt to procure sectional legislation upon this bill.

Mr. REAGAN. I believe I stated correctly what the Senator's plan was. Let us look at the facts upon which that proposition rests. We make, I believe, about 7,000,000 bales of cotton a year. The American manufacturers consume less than 2,000,000 of them, I believe—I am speaking in general terms and may not be precisely accurate, but I am not far wrong. Now, will the manufacturers of cotton raise the price of raw cotton to conform to the rate of duty imposed upon manufactured goods? Is there a Senator, is there a man in all this broad land, who believes any such thing? On the contrary, the manufacturer pays the price for raw cotton which is fixed by the market price in Liverpool, where the larger portion of this cotton is marketed.

Mr. CHACE. Will the Senator allow me to ask a question?

Mr. REAGAN. Certainly.

Mr. CHACE. Do I understand the Senator to say that the price of cotton is fixed in Liverpool?

Mr. REAGAN. Substantially.

Mr. CHACE. What is the evidence of that?

Mr. REAGAN. It is well known that the price is established there, it is shown by the price current, and it is a fact that that is the great cotton market of the world.

Mr. CHACE. But does not the Senator know that the cotton crop

of this country is sold in the city of New York five times over every year?

Mr. REAGAN. I know there is a sort of gambling going on in the pretended purchase and sale of cotton without a bale of cotton being owned or handled there by the persons pretending to sell and buy.

Mr. CHACE. And nine-tenths of it is done by the producers of cotton in the South.

Mr. REAGAN. That remark is hardly justified by facts; and the men thus engaged are guided in fixing the prices at which they propose to buy and sell by what they understand the Liverpool market will be, and not what the New York market will be, for the price of cotton is fixed by the Liverpool market.

Mr. CHACE. If the Senator from Texas will allow me, I wish to say—and I can prove it by the record—that over and over again the price of cotton in the market of New York has been higher than in Liverpool. That is a simple fact, and if the Senator was familiar with the market reports he would know it to be so. It has occurred not once or twice, but twenty, fifty, or a hundred times.

Mr. JONES, of Arkansas. And that is because the New York dealer believes there will be a rise in Liverpool.

Mr. REAGAN. The stock gamblers may have on occasions made mistakes and raised prices above what the producers can get in this country or elsewhere, but to assume that the New York market controls the Liverpool market, I was about to say would be absurd, but I should not like to say that the Senator would be guilty of stating anything absurd. We all know, however—it is not worth while to argue the question—planters, manufacturers, and merchants all know that the price is controlled by the price in Liverpool and not in New York.

Mr. CHACE. How do you know it when it is not a fact?

Mr. REAGAN. I will not enter into a contention with the Senator about what the facts are.

Mr. CHACE. If the Senator will look at the market reports he will find that it is occurring constantly.

Mr. REAGAN. I will not argue with the Senator about that. The Senate will judge whether he or I is right, and the country will judge, and no argument he can make will change that judgment.

Mr. CHACE. But it is a question of record. Can you not take the record, the market reports? I do not make the assertion on my own authority, but I say it can be easily demonstrated by the market reports, that over and over again the price of cotton has been higher in New York than in Liverpool on the same day.

Mr. MORGAN. On "spots" or "futures?"

Mr. CHACE. Both.

Mr. MORGAN. I deny that.

Mr. REAGAN. I know that the skill of those interested in class legislation exceeds the skill of almost any other class of people, sharpened, as it is, by the love of money. I do not propose to go into that.

Mr. CHACE. This is done by the Southern cotton men to force up the market.

Mr. REAGAN. I will ask the Senator to excuse me; we can not agree on that. I was trying to call attention to the fact that this great interest, which employs such a vast amount of money, such a vast amount of labor, in a vocation which is taxed for everything that goes to the support of the various favored interests, is again to be taxed, not as now, 35 per cent. ad valorem, but 108 per cent. ad valorem, as I understand the tax is to be as proposed by the Senate bill on this necessary article.

What reason is there for that? The Senator from New York chooses to say that it is sectional. Why, Mr. President, it is true that latitudes and longitudes are sectional, and perhaps the products of the different parts of the country are sectional; but here is a great interest of the country that is entitled to common fairness in the consideration of the public interests. The labor and capital which go into the making of cotton are as much entitled to the favor of Congress, and more, because so much larger than the interests which ask that that production be taxed for their protection beyond what is reasonable and just.

The Senator from New York said the North was in favor of protection. Does he mean by that to say sectional protection? He observed that we had taken the verdict of the American people on this question. It is true that the Republican party was successful in the recent Presidential election. It is true that the question of protection and a tariff for revenue were important questions in that contest; and yet it is true, in my opinion, that but for two other things, entirely outside of that question, the Republicans would have been defeated instead of being successful. One of them was the veto of the dependent-pension bill by the President, which indicated his wisdom, his statesmanship, his justice, and patriotism, but it encountered the self-interests of a sufficient number of men alone to have beaten him for the Presidency in the close division between parties.

Another is on a subject which may give a lesson to American statesmen—the subject of civil-service reform. But for the discontent in New York and Indiana on that single question, my opinion is that Mr. Cleveland would have been elected, independent of the tariff question; and, take the two together——

Mr. CHACE. Does the Senator mean discontented because the President did not carry out his pledges?

Mr. REAGAN. The discontent was not because he did not carry them out, but because he extended the principle of the law to offices not embraced in its terms and kept too many Republicans in office, which the law did not require him to do.

Mr. CHACE. Those Republicans who voted for him four years ago were very much dissatisfied inasmuch as he did not carry out his part of the bargain, because he failed to carry out his civil-service-reform pledges.

Mr. REAGAN. I know that has been said for party purposes, but history will not write it down that way.

Mr. DAWES. Does the Senator mean to say that the President's party deserted him because he would not break his pledges?

Mr. REAGAN. No, sir; I do not mean that and did not say that.

Mr. DAWES. What does the Senator mean?

Mr. REAGAN. If the Senator will possess himself in patience a moment he will see what I mean. I mean that it was his duty to carry out the law, to execute the law of Congress, but it was not his duty to extend the spirit of the law to other appointments and to other officers not embraced in the law itself.

Mr. DAWES. He said he would, did he not?

Mr. REAGAN. He did, but——

Mr. DAWES. And he kept his pledges, and enough of his party went back on him, because he kept his pledges, to defeat him.

Mr. REAGAN. The Senator I will not say is sharp, because he is a very pleasant gentleman; but I mean to say that there was discontent with the President's doctrine of civil-service reform, and the Senator himself will get plenty of evidence on that subject in a very short time. He will get abundant evidence of discontent with that doctrine of civil-service reform.

Mr. HISCOCK. The Senator from Texas will allow me to say that I think he will fail to find any evidence whatever in the State of New York of any discontent in the Democratic party with the President of the United States on account of his policy in respect to civil-service reform for the last year of his administration. If there is any discontent on that subject existing in New York, I have never met it, and I say to him it does not exist. They were entirely satisfied with the President and he has received the entire approval of his party on that question for the year preceding the election.

Mr. REAGAN. Now, Mr. President, I am perfectly willing to submit to interruption for any question that is propounded to me, but I do not care to be being interrupted in the middle of every sentence for the injection of speeches, which I think do not rest on facts. The Senator from New York may be very good authority for Republican policy, Republican doctrine, and Republican opinions, but I profess to know as much as he about Democratic policy and opinions.

Mr. HISCOCK. Does the Senator from Texas know of a discontented Democrat in New York—I mean discontented with Mr. Cleveland's policy with respect to civil service during the last year?

Mr. REAGAN. I have stated, and I have no occasion to restate it except in answer to what the Senator has said, that if the President had limited his action simply to carrying out the law and had not extended it to the exclusion of Democrats from offices to which they could have been appointed, in my opinion the result would have been different. That policy, I believe, changed enough votes to secure his defeat in the recent election. The Senator can have his opinion; I have mine, and that opinion is not shared by me alone. I will say to the Senator that he will have the test put upon him very soon about civil service, and the Republican advocates of an honest and earnest execution of the civil-service law who made themselves so conspicuous on that side of the Senate will get an opportunity to reread some of their speeches on that question during the next session of Congress. I have no doubt of it.

In presenting these things I simply mean to say that whether the President was right or not in vetoing the dependent-pension bill and in extending the operation of the civil-service law, in my opinion if his position had been different on those questions he would have been re-elected President without reference to the tariff issue. I presented these points for the purpose of showing that in my view the tariff question did not of itself control the result, while it had a most important influence on it. But whether it did or not, for twenty-odd years the protectionists, through the possession of newspapers and the employment of able writers, have been indoctrinating the American people into a belief in certain fallacies which by the debates of this Congress will be exploded. One of those fallacies is that high protection gives high wages. Now, sir, I do not think a grosser fallacy could enter the mind of man. If labor is scarce and there is a great demand for it its market value will be higher; if labor is abundant and the demand for it small its market value will be lower. If the country is prosperous the price of labor will be higher; if it is in an adverse condition the market value of labor will be lower. If money is abundant the price of labor will be higher; if money is scarce the price of labor will be lower.

Things like these control the price of labor, which, like any other commodity, brings simply what the market calls for, and is entirely independent of the question of whether duties are high or whether duties are low. I admit that when gentlemen get $50 of other people's money for every $100 of their own they are able to pay higher wages. But

do they? Will they? I presume the practical experience of every Senator will teach him that there is no probability of any such thing occurring.

Mr. HOAR. Does the Senator from Texas think that people pay higher wages when they are able or when they are not able to do so?

Mr. REAGAN. Mr. President, they are able to pay higher with one set of the conditions I have mentioned. They are under the necessity of paying higher wages when labor is scarce; they are able to pay higher wages when the country is prosperous; they are able to pay higher wages when money is abundant; but the way in which the Senator presents it would be simply going off from the main issue which I am trying to present.

That is one of the fallacies with which the American people have been inoculated, and which we mean they shall understand the other side of before this contest ends; it was not ended by the last election. It is but begun, and it will go on.

Another one of the fallacies was that the encouragement of domestic manufacturers gave us a market for agricultural products. That is the great stock argument, and has been for years, in favor of protection; and yet, as I stated in my remarks a little while back, after supplying all the demands of the local market, of merchants, of manufacturers, business men, and all others, last year there was $523,000,000 worth of agricultural products exported, being 74½ per cent. of all our exports, and that embraced perhaps $250,000,000 worth of cotton exported, and aided to give us the balance of trade and to swell the annual accumulation of gold in the Treasury of the United States.

It is the policy of these gentlemen, the reactionary policy, of making the tariff so high as to exclude imports, to build, as some gentlemen said during the canvass, a Chinese wall around this country, so that these $523,000,000 of agricultural products which were exported would have to rot upon the soil. It would have been a loss to the owners; it would have bankrupted this country. That would have been the effect of such a policy, and just to the extent to which this policy of the exclusion of imports goes it tends to the very evil to which I am referring.

That is another of the fallacies; and one other to which I will call attention, and to which I invite the attention of the Senate, is the assumption that agriculture is not one of the industries of this country. That industry which has over a billion dollars invested in it; that industry which 8,000,000 of the 17,000,000 of the American people are engaged in gainful occupations; that industry which does more to build up the manhood, the independence, and the respectability of the people of the American Republic than any other, is not only to be ignored, not fostered, not protected, but is to be made the source from which every class interest and every monopoly is to draw its advantages, its wealth, its immense fortunes.

Mr. HISCOCK. Right in that connection—it is well to have attention called to it here—that the agriculturist is not unmindful of the attentions that he has received, I call the Senator's attention to the fact that New York State went to Harlem River with 85,000 majority. That part of the State is fairly agricultural.

I call his attention to the 30,000 majority in Iowa—fairly agricultural. I call his attention to the 75,000 or 80,000 majority in Kansas—fairly an agricultural State. I call his attention to the agricultural districts of Michigan. I say to the Senator from Texas the agriculturists do not understand that they are being neglected and they do not understand that those who advocate the doctrines that the Senator from Texas does are their prophets; and I want to say to him that, so far as the agriculturist is concerned in the Northern States, he ranks beneath no other class in point of education, in point of a full and complete understanding of the necessities and needs of the great industry in which he is engaged.

Mr. REAGAN. I stated a little while ago, if the Senator had remembered it, that for twenty-odd years the protectionists had been engaged in educating the people to believe certain fallacies, and the Senator states the fruits of that education when he tells us of agricultural States that vote to plunder themselves for the benefit of class interests different from their own.

Mr. HISCOCK. The agriculturists of the North can listen to arguments on both sides, they hear both sides of this question, and they have sat as the judges of the arguments upon this great question, and they have seen themselves thrive where those industries that are protected are established. They have seen their markets established: they have seen that they were not compelled to depend upon a foreign market for their prosperity and for the sale of their goods. It has been built up around them and we have felt that they enjoyed the blessings of this protective system.

As I said a moment ago, they have heard both sides. Those believing as the Senator does in our State have discussed the question with them, and in this last canvass it has been a forum in which those from his State and sister States believing as his State does have had a fair and a complete hearing. It is because our people recognize the blessings of this protective system that they are wedded to it. Go among them, if you please. Look at their wealth, look at their increase of wealth during the last two decades, and in that is found the reason. Look at the increase of their educational facilities, and in that also is a reason.

Mr. REAGAN. I do not wish to yield further. I did not yield for a speech.

The PRESIDENT *pro tempore*. The Senator from Texas declines to yield further.

Mr. HALE. If the Senator from Texas will allow me a moment, in connection with the remark of the Senator from New York upon the people reading both sides, I wish to suggest also to the Senator from Texas that the President's message, which was largely an appeal to the farmers upon this issue, was more extensively circulated among the farmers of the North and the Northwest by the Democratic committees than any other document that has been before the people for years, the circulation being millions upon millions, which the farmers read and answered in the election.

Mr. REAGAN. I am aware, sir, that the President's message was very extensively circulated; but I go back to the point of my first statement, that the people have been educated wrong, and in a single canvass of a few months there has not been time to correct the errors into which they had been led; but I assure the Senator, without any attempt at prophecy, but resting alone upon reason and a sense of justice, that he will find that the American people are not going to make a permanent policy of plundering the agricultural and laboring and professional classes for the benefit of manufacturers to the extent of from 30 to 100 per cent. as a permanent policy.

Mr. DAWES. We all agree with you as to that.

Mr. REAGAN. I am glad to have the verbal agreement suggested by the Senator from Massachusetts, but I should be more delighted if Senators would only put it in the bill we have before us.

Mr. DAWES. We have got it in now.

Mr. REAGAN. In response to what was said by the Senator from New York [Mr. HISCOCK] about the prosperity of the farmers of the North, I regret that I did not anticipate that such a question would arise for discussion to-day, so that I might have shown what is partially shown in Mr. Blaine's book, the enormous increase of wealth in the manufacturing States, the relative depression in the non-manufacturing States of the West and South, and the fact that the people of the manufacturing States own a very large portion of the property in the non-manufacturing States of the Northwest which have been mentioned, and among them the State from which my friend the Senator from Iowa comes. The manufacturing capitalists and other capitalists in the East who urge this legislation hold mortgages enough upon the land and the farms and homes of Ohio, of Indiana, of Illinois, of Michigan, of Iowa, of Wisconsin, and of Minnesota, if they were enforced, to bankrupt those States to-day.

Mr. ALLISON. Mr. President, I can not speak for Michigan or for Ohio, but I assure the Senator from Texas that the farmers of Iowa were never more prosperous than they are now and never better able to pay any debts they owe.

Mr. CULLOM. The same is true of Illinois.

Mr. REAGAN. That may be, but that does not alter the fact that to-day the farms are mortgaged for I do not know how much, but for many millions. The farms of Iowa are mortgaged to Eastern capital extorted from the people through class legislation for the promotion of class interests. But, Mr. President, this discussion was unexpected to me and I shall not pursue it further.

CONTINGENT EXPENSES OF HOUSE OF REPRESENTATIVES.

Mr. HALE. I desire to call up the House bill making appropriations for the contingent fund of the House of Representatives, and to ask that it be put on its passage, as the need for it is immediate in the other branch of Congress.

The PRESIDING OFFICER (Mr. PALMER in the chair). The bill will be laid before the Senate.

The bill (H. R. 11764) making an appropriation to supply a deficiency in the appropriations for the contingent expenses of the House of Representatives was read twice by its title.

Mr. HALE. The Committee on Appropriations has informally considered this bill and recommend its passage.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to appropriate $12,000 to supply a deficiency in the appropriation for miscellaneous items and expenses of the special and select committees of the House of Representatives for the fiscal year 1889.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, in response to a resolution of the Senate of August 26, 1888, concerning certain canceled desert-land applications; which, on motion of Mr. STEWART, was referred to the Committee on Public Lands.

CHIPPEWA INDIANS.

The PRESIDENT *pro tempore* laid before the Senate the action of the House of Representatives non-concurring in the amendments of the Senate to the bill (H. R. 7935) for the relief and civilization of the Chippewa Indians in the State of Minnesota, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

On motion of Mr. DAWES, it was

Resolved, That the Senate insist on its amendments to the said bill disagreed to by the House of Representatives, and agree to the conference asked by the House on the disagreeing votes of the two Houses thereon.

By unanimous consent, it was

Ordered, That the conferees on the part of the Senate be appointed by the President *pro tempore*.

The PRESIDENT *pro tempore* appointed Mr. DAWES, Mr. JONES of Arkansas, and Mr. STOCKBRIDGE.

THE REVENUE LAWS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue, the pending question being on the amendment proposed by Mr. JONES, of Arkansas.

Mr. McPHERSON. Mr. President——

Mr. HISCOCK. If the Senator from New Jersey will allow me one moment, I should like to say——

The PRESIDING OFFICER (Mr. PALMER in the chair). Does the Senator from New Jersey yield?

Mr. McPHERSON. The Senator from New Jersey declines to yield to the Senator from New York.

The PRESIDING OFFICER. The Senator from New Jersey is entitled to the floor.

Mr. McPHERSON. Mr. President, a few moments ago I believe I asked the same courtesy from the Senator from New York to be allowed to finish a statement which I had commenced to make and he refused me the privilege of finishing it. In my own right I will now complete my statement.

The Senator from New York was making a severe criticism on some observations of mine on yesterday with respect to this paragraph of the bill, and he called attention to the fact, and he seemed to argue as though it were a virtue which ought to be appreciated and recognized, that, inasmuch as the entire cost of hooping a bale of cotton did not exceed 20 cents, nobody had the right to complain. I undertook to illustrate this fallacy by an illustration which I thought was very apt. A day or two ago I was shown a knife purchased in the wilds of California. It was manufactured abroad, it paid a duty, it paid transportation not only across the ocean but across the continent. The purchase price of the knife was 10 cents, and a very respectable-looking knife indeed it was. The retail price of the knife 6,000 miles from the place of manufacture was 10 cents.

Now, the Senator from New York, as a member of the Finance Committee of this body, proposes a tariff duty on that knife of 233 per cent., and yet upon the same hypothesis which he has employed in the discussion of this bill, I presume he would say, "What right have you to find fault with a duty of 233 per cent. on a knife that costs only 10 cents?"

That is the illustration I intended to make. I am glad now to have the opportunity of doing so. In other words, if it costs only 20 cents to hoop a bale of cotton, who has the right to complain? But when you come to multiply that 20 cents by 7,000,000 bales of cotton, all of which have to be baled, you make up quite a large sum.

When the Senator undertakes to make it appear also that this is a sectional matter he forgets to remember that the whole product of the cotton crop as compared with the other benefits that are to flow in this paragraph to the immense hay crop of this country, which, I think, statistics will prove is even more valuable than the cotton crop, the immense amount of products which are packed in barrels, which is also found in this proviso, he will find that this amendment is not quite so sectional as he is anxious to make it appear to be.

I only rose for the purpose of completing my illustration upon the knife. Now, I want to state ——

Mr. BLAIR. Upon the cotton-tie question I am not informed. I should like to ask the Senator what the cotton-tie costs a pound, or about what it costs a pound.

Mr. McPHERSON. I do not know. It is not important. It is an ad valorem duty we are dealing with.

Mr. BLAIR. It may not be important, but if it is important I wish to know how to vote on my side of the Chamber. I wish to inquire the cost of the cotton, the price at which cotton is ordinarily sold by the man who uses the ties upon it.

Mr. McPHERSON. We were informed in the discussion on the floor on yesterday by Senators who live in the cotton country and claim to be conversant with the whole affair that these cotton-ties are largely imported; in fact all the ties used are imported.

Mr. BLAIR. I was only inquiring the price of cotton.

Mr. McPHERSON. And that on ties there is now a duty paid by the owners of the cotton of 35 per cent., and further, that these cotton bales go to Liverpool, where there is a tare for the ties of 24 pounds a bale, for which the man who grew the cotton and paid for the ties gets nothing back. In other words, it is an absolute loss to him.

Mr. President, I simply want to call attention to the fact that the structure of this entire bill has a perfect illustration and exemplification seemingly in the tin-plate industry. Here is an industry which under the indirect bounty offered by this Government to manufacturers of tin-plate during all these years has amounted to almost $6,000,000 tax a year upon the people, and with this indirect bounty the Government has offered to encourage a tin-plate industry, there is not to-day a single dollar of American capital nor a single American laborer employed in the manufacture of the product. All of our fruits, all of our vegetables, all our meats, all our fish, and all other products must needs be packed in these tin cans. The people who consume the product necessarily pay the tax of 1 cent a pound; the Government receives a revenue of $6,000,000 a year, and the Government does not need it.

Now, for one, I think that that tax might reasonably be remitted and left with the people to fructify their industries, for certainly the people need the money, rather than to pay it over to the Government in a tax year after year upon the absolute necessaries of life, and a tax which the Government does not need.

I also thought that perhaps there might be a point where in absolute justice we might make remission in this tax. We find a duty upon the iron used for cotton-ties of 35 per cent. ad valorem, which certainly is more than full compensation for all the labor employed in its manufacture. I have thought that that duty might be allowed to remain as it is if we could not succeed in getting the article upon the free-list, which, to my mind, would be infinitely better; and when I undertook to make that plain to the Senator from New York he refused to listen. Now, I wish to extend proper courtesy to the Senator from New York, and I will yield the floor to him.

Mr. HISCOCK. I am greatly obliged to the Senator from New Jersey. I did not desire the floor for the purpose of asking him a question. There was a remark that I thought would properly follow the remarks of the Senator from Texas [Mr. REAGAN], and therefore what I proposed to say was rather in reply to a suggestion of his than to any question that I desired to ask the Senator from New Jersey.

Mr. MORGAN. Mr. President, I think this cotton-tax question can be argued upon its own merits aside from any effect of the late Presidential election, because I feel pretty sure that no part of the people of the United States have passed judgment upon the question whether a cotton-tie ought to come in free of duty or not. That is a question which is somewhat peculiar owing to the situation of the market in which we are obliged to sell the cotton crop. I have been somewhat surprised this morning to hear the Senator from Rhode Island [Mr. CHACE] assert that the market in Liverpool was not the controlling market of the cotton crop of the United States. I had never heard that assertion made before in any part of this country, either by any intelligent man or by anybody else. I believe it is a conceded fact that the markets for the excess of products made in the United States, wheat, corn, pork, lard, beef, or what not that we have for disposal are regulated by the European markets. The cotton crop has its clearing-house, if I may call it so, for all nations of the earth in the city of Liverpool, and it is there that the cotton of all the nations is priced.

While there may be fluctuations, owing to speculative efforts in the city of New York or elsewhere in the United States, which sometimes run the price of cotton up for a day or two a point beyond what it is in the Liverpool market, when we come to take the aggregate prices of the Liverpool market and the markets of the United States, not in New York only, but in the manufacturing districts and in all the places of the United States where cotton is sold, we find that the Liverpool market controls absolutely. It certainly controls the wheat and corn market and the provision market or the market in regard to any other great agricultural product where we produce a very large excess above our needs at home.

I must assume, however much I may differ from the Senator from Rhode Island, that the market in Liverpool for cotton does fix the price of it in every hamlet in the United States, and fixes it also in every factory and in every great city of the United States as a permanent thing. Not only does it fix the market, but other arrangements are made in respect of the packing of cotton and the sale of it in the city of Liverpool which are followed implicitly in every mart in the world where any cotton is sold. Now, to illustrate this, we find that hemp bagging has disappeared as a wrapping of cotton, gone entirely out of use. It might be supposed that this was due to the fact that jute bagging or some other form of cotton-baling was cheaper than hemp. That is not the reason, Mr. President. The Liverpool merchants have decreed against hemp bagging because the manufacturers in England have discarded it, the reason being that the shives in the hemp bagging get into the delicate machinery for cotton spinning, break it up, and make it a very inconvenient and destructive material for putting up this important crop. Nothing of that sort is found in the jute bagging, and hence the substitution of jute for hemp to such an extent that I suppose it would now be impossible to market a bale of cotton in the city of Liverpool wrapped in hemp bagging. For a reason not quite so important, but one growing out of convenience more than anything else, hemp rope and jute rope, or any other kind of rope, have been substituted by the iron cotton-tie, that being a safer method of putting up the bale of cotton, protecting it better against fire and against the weather, and being in many respects much more convenient than the cordage with which the bales were theretofore put up.

The price of cotton being regulated in Liverpool, the manner of its packing being regulated there, the manner of marketing cotton being regulated in Liverpool, the rest of the world necessarily follows suit in

respect to every one of these particulars in regard to the preparation of cotton for market and in respect of the price of cotton. We find that the Liverpool merchants deduct a tare of 24 pounds per bale upon cotton which averages 450 pounds, according to the selling standard in Liverpool. They do it arbitrarily, but they have the power to do it because they control the market, five-sevenths of the cotton produced in the United States being sent to Liverpool for a market of necessity, because we have no market for this surplus anywhere else.

It is worthy of remark also that the spinners in Germany and in France buy very largely their cotton from Liverpool, so that the control of the manner of sale and of the conditions upon which cotton is to be sold in those countries is as much in the hands of the Liverpool merchants as is the control of the market in the United States. They deduct 24 pounds tare from every bale. Now, I wish to observe in this connection that if the people of the United States had the power to handle their own crops, if they could concentrate the capital that is necessary to handle this crop and withhold it from the market except upon such terms and conditions as they chose to put it out for the consumption of the world, these arbitrary regulations that exist in Liverpool could not possibly affect our condition in regard to this market; but unfortunately we are not in that situation. My mind looks to the future, to a point of time, I hope not in the far distant future, when by concentrated capital and arrangement the people of the South, or the people of the United States I will say, will have the power to control this enormous crop, of such great value to our country, to that extent that they will prescribe the terms and conditions upon which it shall be marketed, and not be compelled to go in a beggarly way to foreign markets, there to take what they choose to put upon us as the rule governing the disposition of the crop.

But here stands the fact that five-sevenths of the cotton crop of the United States must be disposed of in Liverpool, and then the other fact that this gives the Liverpool merchant and spinner the power to demand of us that we shall deduct from every bale of cotton 24 pounds, without respect to the condition in which it arrives at market. A good bale has as much deducted from it as a bad bale. A bale wrapped in jute or in cotton cloth must sustain an equal reduction; that is, 24 pounds of cotton are taken out of the weight of the bale, which, at 10 cents a pound, amounts to $2.40 off the value of every bale of cotton. It is needless for us to inquire why this is done. All that we know about it is that this $2.40 worth of cotton upon the estimate that I have made is absolutely lost from the bale. Who accounts for it? Nobody. Who gets the profit of it? If there is any profit in it, or saving in it at all, it is gained by the merchant, or by the spinner—ultimately, I suppose, by the spinner in Europe. How does that affect the planter, the man who grows the cotton? It affects him in this way, that his bale of cotton which weighs 524 pounds or 424 pounds is sold as a bale weighing only 500 pounds or 400 pounds.

Therefore the price of the entire bale of cotton is regulated by this tax. Who ever raises a bale of cotton weighing 524 pounds understands perfectly well that if it is worth 10 cents a pound he must lose 24 pounds of cotton or $2.40 of its value. This tare, therefore, being deducted on account of the weight of the bagging and ties is the same loss to the farmer as if this covering were good cotton.

It is found that the loss from stain or from the cotton being in any way damaged on the surface forms ordinarily a very small part of the estimate of tare of 24 pounds per bale. I think, Mr. President, that that is a misfortune to the cotton-grower against which we have no power to guard by legislation, because we are prohibited by the Constitution from putting an export tax upon cotton. We are bound to have free trade, under the Constitution, in cotton. We are bound to send it abroad to foreign countries without levying any duty upon it in our marts which we could compel foreigners to pay, as the Brazilians compel us to pay a duty that goes into their treasury upon every pound of coffee exported from that country to the United States.

We are obliged by the Constitution to have literal free trade in our cotton productions, as we are also in respect of wheat and corn and pork and other products that are grown more largely in the Northern and Western States. More than that, this free-trade feature in regard to the cotton sale and exportation compels it to seek markets at places where people are alleged to be paupers, where they are alleged to be so poor, so broken down or weighed down with adversities——

INDEBTEDNESS OF PACIFIC RAILROADS.

The PRESIDING OFFICER. Will the Senator from Alabama suspend until the Chair makes an announcement? There is a special order for this hour to-day, the title of which the Secretary will state.

The SECRETARY. A bill (S. 3401) to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," approved July 1, 1862; also to amend an act approved July 2, 1864, and also an act approved May 7, 1878, both in amendment of said first-mentioned act; and to provide for a settlement of claims growing out of the issue of bonds to aid in the construction of certain of said railroads, and to secure to the United States the payment of all indebtedness of certain of the companies therein mentioned.

Mr. ALLISON. That order was made subject to the tariff bill.

The PRESIDING OFFICER. Undoubtedly; but the Chair wished to reserve any rights the Senator from Maine [Mr. FRYE] might claim for it.

Mr. FRYE. I trust I shall be pardoned for a moment. I desire to ask the Senator from Iowa who has the pending bill in charge whether or not he insists upon going on with it to its completion?

Mr. ALLISON. I feel obliged to insist upon it.

Mr. FRYE. And he will not yield for the consideration of this funding bill?

Mr. ALLISON. I can not.

Mr. FRYE. Then will the Senator from Alabama pardon me a moment?

Mr. MORGAN. Yes, sir.

Mr. FRYE. I do not understand that it is necessary to make an assignment of this bill to any particular time. I understand that it comes up really every day at 2 o'clock as an assignment from day to day under the rule. Does the Chair so understand?

The PRESIDING OFFICER. The Chair is uncertain whether that be the case or not.

Mr. HARRIS. The Senator will allow me to suggest that it remains a special order. Of course the unfinished business takes precedence of it until the unfinished business is disposed of, but when the unfinished business is disposed of this bill will be the first special order in point of time. If this is the first special order made it will be before the Senate no matter on what day that state of facts may exist.

Mr. REAGAN. I ask the Senator from Tennessee, if there are other special orders, however, having precedence of it, does it not affect the relation of those special orders to this?

Mr. HARRIS. Not at all, for they take precedence in the order in which they were made special rather than in the order of days upon which they were to be considered as special orders. That is, the first special order made in point of time would be the first order of business.

Mr. FRYE. Then the Senator from Tennessee does not understand that any advantage is gained by having this bill assigned to a day forward?

Mr. HARRIS. I think not.

Mr. FRYE. That was my impression.

The PRESIDING OFFICER. It holds its place after the unfinished business is concluded.

Mr. FRYE. If the Chair so holds, I make no further request.

WASHINGTON AQUEDUCT TUNNEL.

Mr. EDMUNDS. I crave leave at this time to offer a concurrent resolution, and I ask for its consideration.

The PRESIDENT *pro tempore*. If there be no objection, the resolution will be received and read.

The resolution was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That the existence and powers of the joint select committee in respect to the Washington Aqueduct tunnel and the water supply of Washington, created by the concurrent resolution of the two Houses passed October 8, 1888, be continued during the present session of Congress to such time after January 1, 1889, as shall be necessary, in the judgment of said committee, for the complete execution of its duties.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. HOAR. I should like to ask the Senator from Vermont to explain to the Senate whether it is the purpose of the resolution to give to members of the present House whose term of office will expire after the 4th of March an authority analogous to that of committees of the body, and if so, on what foundation the authority rests?

Mr. EDMUNDS. Certainly not, Mr. President. It is not the purpose and it is not the scope of the resolution. My friend did not hear it correctly. It provides simply that the existence and powers of this committee shall continue during the present session of this Congress until such time after the 1st day of January, when its powers now are to expire, as shall be necessary to complete its work.

Mr. HOAR. Let the resolution be read again.

The PRESIDENT *pro tempore*. The resolution will be again read.

The Chief Clerk read the concurrent resolution.

Mr. HOAR. My attention was not called to the resolution until the reading had partly progressed, and I did not observe the limitation which seems to be there. I desire, however, to say, as I have said something about it heretofore, that I doubt very much the expediency or the wisdom of having such a service as this imposed upon a joint committee of the two Houses. I think each House had better deal with a subject by itself, as a general rule, and that is the general practice; but as this committee has begun its duties, of course it should be allowed to complete them.

Mr. EDMUNDS. I agree entirely with the Senator from Massachusetts in regard to the general propriety of each House conducting its own investigations in its own way and under its own authority. I was not in the city when this committee was finally appointed, and found myself a member of it much against my own wishes, and endeavored to get excused but without success. However, finding myself a mem-

ber of it I thought it a duty to execute the will of the Senate and the House of Representatives to the best of my ability.

The committee since the adjournment of Congress has been from time to time strenuously and deliberately engaged in pursuing this investigation. There are nearly 4 miles of tunnel, and it requires a long period of time, with the utmost that can be done, to ascertain the present condition of its lining, etc., which work is being executed under our direction with the utmost possible dispatch consistent with the certainty which we think Congress desired us to come to about it.

It is quite impossible for our engineers to complete the examination of the work that has been done before the 1st day of January, and it will take some time afterwards. The committee, therefore, desiring to execute what the two Houses have imposed upon them to do, in the best manner they were capable of, thought it fit to suggest that we must have more time to accomplish it.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

The resolution was agreed to.

TREATY WITH GREAT BRITAIN.

Mr. RIDDLEBERGER. I have found out what I did not know before I came here—I have been away until to-day—that the resolution for the consideration of the treaty between the United States and Great Britain in open session and the resolution to amend the rule in regard to the consideration of the extradition treaty, which, as is well known to Senators, are one and the same thing, have been reported without recommendation. I give notice that I shall move every morning in the morning hour to take up the resolutions for consideration, but I shall endeavor not to interfere with the business after the morning hour. I think there was an agreement or an understanding that the Senate would consider the matter somewhere about the first Monday of December, and I should like to get it under consideration.

Mr. MORGAN. I beg to suggest to the Senator from Virginia that as I remember it is a matter which belongs to the executive session of the Senate and not the legislative session.

Mr. RIDDLEBERGER. But the resolution to consider the treaty in open session is on the open Calendar.

Mr. MORGAN. I did not know that.

Mr. RIDDLEBERGER. I beg your pardon, sir; it is. I know that it was always put into executive session before it was considered, but the motion was made in open session. If my suggestion interferes with the remarks of the Senator from Alabama I shall wait until to-morrow.

Mr. MORGAN. I would prefer to proceed with my remarks now.

Mr. RIDDLEBERGER. Very well.

THE REVENUE LAWS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue, the pending question being on the amendment of Mr. JONES, of Arkansas.

Mr. MORGAN. The people to whom we sell this cotton, Mr. President, are alleged to be paupers, so poor and so weighed down with governmental and other difficulties and misfortunes that they are willing even to labor for their daily bread at rates of wages which our people here can not afford to take and which we are not willing to impose upon our people in our tariff legislation. You send our cotton crop out under this free-trade arrangement amongst paupers and beggars and lazzaroni to find a market among a people unable to buy to any great extent and certainly unable to buy it at any fair price, and yet those very people have the pricing of the whole crop; not only that which is carried abroad, but every pound that is manufactured in the United States.

The spinners and weavers in the Northern States, or elsewhere in this country, receive the advantage of a depressed price put upon that crop, by necessity, through the inability of the poorer people of other parts of the world across the ocean, including all upon the continents of Europe, Africa, and Asia, to pay a fair price for it, hence the depression in the prices of this staple in our vaunted home market. They do not seem to object to that at all. On the contrary, they are willing not only to buy cotton, flour, and provisions from the people of the United States at the prices of the foreign market, but go to one of them to sell a bale of cotton for the purpose of being spun into cloth or thread and they will at once quote upon you the Liverpool market, and when you investigate what the Liverpool market means you find that it means the measure of the capacity of the poorest class of people in the world to buy that which we produce, and at their own prices—regulated by their poverty. That is the situation as to every agricultural production, and that can not be altered, unfortunately, unless we determine not to produce a surplus. We can not change it. The Constitution is in the way of any change; and it will never be changed, as I remarked a while ago, until the people of the South reach that degree of prosperity or that degree of unity and harmony in their financial combinations that they will control the sale of the cotton crop of the United States.

It occurs to me, Mr. President, that it is a heartless thing, yes, a very cruel and a very heartless thing, for gentlemen who profit continually by the low prices of cotton in foreign marts thus caused and thus enforced against us, to want to lay heavier burdens upon the cotton-planter than he now bears. I do not come into this Senate as a beggar for the cotton-planter. I do not put up a plea for the few thousands or hundreds of thousands or millions of dollars we have to spend and throw away under this system of law, but what I claim is justice, and I claim at least humanity in the action of those men who are profiting continually by a state of affairs which we can not help and which is put upon us by the power of foreign communities. These loud declaimers for a home market for the farmer know that the home market in which they purchase all their necessary food and clothing has its list of prices fixed on the other side of the ocean by people who, they assure us, are paupers and are not able to pay a fair price for anything we can send to their markets.

Mr. ALDRICH. Will the Senator from Alabama allow me to ask a question?

Mr. MORGAN. Certainly.

Mr. ALDRICH. In case of an increase of duty upon cotton-ties, does the Senator from Alabama think the cotton-planter would feel the increase?

Mr. MORGAN. I have not any more doubt about it than I have that I am bound to pay for a meal's victuals when I go to a hotel and inscribe my name on the register.

Mr. ALDRICH. And that burden will finally rest upon him?

Mr. MORGAN. I say that, in the beginning and in the end, it will rest upon him, and nobody can take it off him by any fair logic. Certainly the experience of the country shows this. If there is any logical process by which men can deceive themselves into a belief of that kind, as implied in the Senator's question, it is utterly futile and not worthy of the consideration of a mind that professes to be governed by common sense.

I think, sir, that under these peculiar conditions it is the duty of the Senate of the United States in framing a tariff bill to try to lift this burden off this people, and not, as is done by the bill of the Finance Committee of the Senate, raise the duty 100 per cent. The House bill proposes to make this article duty free. The amendment which is offered here proposes to make it duty free. The Senate Finance Committee bill takes the duty as it was before and adds 100 per cent. to that duty. There is no reason for it. There can be none unless there is still some remaining disposition on the part of our friends in the Northern States to retaliate upon our pocket-books for some disagreements that have existed between us heretofore, or that may now exist politically. I would recommend Senators to retaliate on something else besides the pocket-books of the people of the South, which are very thin, very meager, and especially that they will not extend their retaliation to the pocket-books of the negroes.

Now, what is this cotton crop about which we are talking? This year it rates at about 7,000,000 bales, which is rather a short crop. It may run two or three hundred thousand bales beyond that. What was it in 1860? Scarcely 3,000,000 bales. What has caused this increase in the amount of production of cotton? The negroes have been turned loose; that system of labor which was supposed to have been thoroughly organized and to have gotten out of that race of people the last bit of physical exertion they were capable of has been dissolved. The women of that race no longer work in the fields, except where they prefer to do it. The children are not engaged in agriculture or anything else, for the Bedouin donkey-drivers in the streets of Alexandria are a more promising set of people to-day than the young negroes who are being raised in the South, and that is not our fault. We made more of them than that when they were in slavery; not that we want the care of that institution restored to us or thrust back upon us, but these are the facts. Who, then, has put on this 4,000,000 additional bales of cotton to our annual production? The white men and white women and white children of the South.

Go through my State, or any other Southern State, and you will find not merely in the fall of the year when the crop is to be gathered, but you will find all through the period of cultivation, the man at the head of his household, with his wife by his side, and his grown daughters, and his little daughters, and his boys following along, he keeping the foremost row with his plow or his hoe, as it may be, and they are cultivating the ground to produce these 4,000,000 bales in excess of what the negroes and planters could raise in 1860. That is the situation, and to these people who are charged here frequently with idleness and unthrift are we and all mankind indebted for the vast increase of this invaluable staple.

I have sympathy for those people, and I profess to be willing to lift the burden off them whenever I have an opportunity, without injustice to the country; and inasmuch as I have not the ability, and I know no man on this floor has the ability, to frame a statute or the part of a statute that will give to any of those people what you call "protection," my duty is to see that we give them relief. You can not protect the man in the cotton-field; no law that you can devise will enable that man to share in the bounty of the tariff enactments of this country, which are falsely called "protection." You can not gather money by taxation from the people of the United States and distribute it by law into the hands of these people through any tariff legislation that you can possibly enact. Then what are you going to do for them? Why, sir, if

protection is a doctrine of the Constitution of the United States, it means protection for the consumer as well as protection for the manufacturer, for I have yet to learn that there is any man or any class of men in the United States who are debarred from an equal participation in the privileges of the Constitution of the country. If the use of the tax laws to gather money out of the hands of the tax-payers and distribute it into the hands of other people is a constitutional use of power connected with taxation, then I claim that it shall be exercised in such a way as that the consumer, the farmer, the cotton-grower shall have his adequate part in that constitutional protection.

If the laborer in this country is entitled to have the tax laws so arranged as to increase his earnings, no laborer is better entitled to this help than the cotton-grower. You can not give it to him by statute. You can not frame a law so as to put his money back into his hands. You can not possibly discriminate in your taxation in his favor by levying a higher tax than revenue demands upon any commodity imported into the United States. That is impossible. Then what is the next thing? What is it my duty to contend for as their representative? That you shall lift the burdens, lift every burden that you can, and let these people have a chance to live, to prosper by that labor which requires the time of the whole year to plant and mature and gather and market the crop.

Upon that principle, Mr. President, if there were no other fact in this case, I should have a thoroughly just and honest and constitutional ground for appealing to Senators to take off the duty upon cotton-ties and cotton-bagging and to allow them to come in free to this country.

It is a sin against justice and against humanity that we should force the growers of cotton to sell their crops, all they can grow, indeed, at prices fixed in the cheap markets of Europe, and then tax them to put money into the pockets of the men who purchase in the home markets their produce at pauper prices, and spin and weave their cotton for sale.

What work is it that these people are doing for the United States of America? Suppose you strike out the amount of money that has been produced annually by the cotton-growers of the United States since 1866 and you can imagine then what would have been the condition of the public debt of this country and of its finances. Sir, this country would have gone to ruin; chaos would have taken possession if its financial condition. You can not strike out the annual production of the cotton-grower without bringing wreck and ruin upon the whole of this land. It is a cash crop, a crop that is marketed for gold in any market of this earth, it makes no odds what may be the difference between gold and other species of circulating medium. It is a crop which, when it is baled up carefully, will keep for five or ten years without any deterioration; not like flour or wheat that the weevil will eat up, or bacon that will grow rancid, or lard that will spoil, or beef that will deteriorate. It is the most reliable commercial crop that was ever grown in any country. It is a crop without which no man in this world can decently or comfortably exist who has got any idea of civilization, even the most faint.

The Hottentot as he hunts the elephant and the rhinoceros and the ostrich through the plains of Africa, must have his cotton turban on his head and his cotton clout about his loins. The wildest Indian in the world, even the Esquimaux up in their cold and frozen zone, is not able to do without it, and if I could pass a decree upon this Senate today that no Senator here during the residue of his natural life should wear an article of cotton clothing, I do not know how I could inflict upon him a more severe discomfort. There is no class of humanity, there is no condition of humanity, there is no zone or latitude or longitude to which the cotton production does not find its way as one of the chiefest of the comforts of mankind, and also the very first civilizer of the human family, as well as the decorator of mankind in the very highest and most beautiful reaches of civilization. It is a commodity of universal use, and we who contribute it in the United States below a certain isothermal line which it will not cross in its growth, are not rendering to the people of the United States anything but profit and strength in all their relations. The contribution from the agricultural fields of the South in this one product alone is equal to the labors of any other class of men that can be named in this world in its beneficial effects upon the Government and upon the social industries and institutions of the people of the United States.

There is still another reason, an American reason, why the spirit of the legislation presented in the majority report of the Finance Committee should be totally reversed. I call it an American reason. Why do I do that? If you remember, during the four years of blockade that occurred while the civil war here was in progress, cotton went up from about 7 or 8 cents in the pound to 50 or 60. During that period the Government of Great Britain and the Governments of Germany and of France all put to work their enormous money power in their vast possessions, colonial and otherwise, in the tropics and in the torrid zone, wherever they had a place that a cotton-plant would grow, they put forth every effort of skill and the power of money and every facility of transportation for the purpose of supplying that necessary staple which was withdrawn by the blockade of the Southern coasts. And yet we find, in spite of all their assiduous efforts, that cotton rose and rose in the markets of the world until it went from 7 cents to 50 cents or even 60 cents a pound in gold in foreign countries.

Mr. JONES, of Arkansas. A dollar.

Mr. MORGAN. I have no doubt it went to a dollar, but I am trying to state everything within the line.

What does that mean? It means that cotton, after all, is an American product, and when I plead for its exemption from this duty I am far more concerned in fastening upon the legislation of this body a principle favorable to the production and manufacture of cotton than I am concerned for the amount of money that we should get rid of under this tax upon cotton-ties or upon bagging. I claim it peculiarly as an American production. Why so? Because, from the facts of physical geography that we did not create and can not undo and that will last while the conformation of the earth is just what it is now, the Southern States of the American Union as far north as the crest of the Appalachian range, and no further north, will have the monopoly of the growth of the cotton plant in that quality that it is most useful in the manufactures which are needed by mankind.

Mr. EDMUNDS. And in the North we have the monopoly of wheat, I suppose.

Mr. MORGAN. You have it now. I am not drawing distinctions between the North and the South. I am trying to convince the honorable Senator from Vermont that I am an American.

Mr. EDMUNDS. Oh, I admit that.

Mr. MORGAN. And that I appreciate this because it is an American production, and that I value it as an American production, and I think that an American Senator ought to be able to get over his sectional views sufficiently to look at it in this broad light.

Mr. EDMUNDS. That is exactly what I think, and when American Senators from Alabama and Vermont agree that they will promote the industries of both States and productions alike and of all the other States, and get over the fallacy that the *doctrinaires* have taught that prices fall if you take off customs duties as a consequence, then we shall get on much better together.

Mr. MORGAN. I do not propose to follow the Senator from Vermont in his black-letter definitions about tariffs and tariff fallacies. They have been with him a long time, and I do not think he will ever get over them. I am sure he will not. I was discussing a different branch of this question entirely, to which his suggestion has not the slightest relevancy at all. I was insisting that by reason of the physical geography of this continent we have the monopoly in the Southern States of the cotton growth—not all the Southern States, but those that reach to the crest of the Appalachian range—and that this fact made it an American production and will continue to make it and hold it as an American production, in monopoly, as long as time shall last unless the configuration of the continent is changed.

These are American facts because God made them such, and we can not justly ignore them.

Now, you may take the oldest red-hill in South Carolina, or Georgia, and fertilize it with any description of fertilization that you please, which is valuable, and you can make more cotton to the acre upon it than you could when it was virgin soil. There are men in the State of Georgia who have taken those old red-hills and by fertilization have made three bales to the acre and gathered them and weighed them and carried them to market and sold them, and yet the richest acre of land in the bottoms of the Mississippi River or the Arkansas River will not make exceeding a bale and a half under the highest cultivation that you can bestow upon it.

Cotton, therefore, in the Southern States is a plant that depends upon the climate, and the climate is caused by the physical geography of the country with its attendant meteorological arrangements, and it is not because of a peculiarity in the soil, nor is it because of the degree of latitude in which the cotton is found, that it is grown successfully. You may search for cotton-fields, going south along the Atlantic coast, and the first one that you will find is in the vicinity of Petersburgh, in Virginia. If you will strike a line due west from that cotton-field, when you get to the Mississippi River or beyond the Mississippi River, you would have to go perhaps 100 miles south of that line before you would strike another cotton-field, showing that it is not the latitude but something else that controls in this matter.

You go on down the foot-hills of the Appalachian range, upon that bench of land that lies between that range and the South Atlantic Ocean, and you will find it a continuous cotton country until you come to Chattanooga, in Tennessee. There you will find a very slight divergence to the north through some of the valleys of the State of Tennessee. You will cross with the cotton line about the northwestern point of the Tennessee boundary into Missouri, and there you will swing down to the Ozark Mountains; and you will follow the crest of the Ozark Mountains far down into Arkansas until you get to Fort Smith. After you have reached Fort Smith you will ascend the Arkansas River into the Cherokee Nation but a few miles until the cotton belt disappears.

It does not appear in Kansas at all, which is a country of great fertility. Then you go on a line from that point to the Cherokee Nation, about to Piedras Negras, on the Rio Grande, and there you find the northern limit and the western limit of this isothermal line which

bounds the cotton-growing region of that country. East and south of this line cotton will mature; north and west of it it will not mature into a good commercial staple.

Now, what is the reason for this? It is obvious, Mr. President, that the shelter of these high ranges of mountains makes the seasons south of them and east of them longer than they are to the west and north of them. It requires a longer season to grow cotton than it does any other plant that is indigenous in the United States.

We have the longer season produced by this and other natural causes. Here come the trade-winds that pass across the Gulf of Mexico, across the South Atlantic, across the Gulf Stream, that give off an enormous amount of moisture with an average temperature of the surface of 83° by the thermometer. They take up the warm moisture from these oceans and seas and waft it to the lands, and at the crest of the Appalachian range they meet the colder currents of air coming to the south, and there the moisture is precipitated that is necessary to produce and nurture the cotton plant.

Here we have a long season. We have heat and moisture in combination, warm rains early in the season that give us this wonderful power of producing cotton in the United States, which is not equaled upon any other of the continents or islands of this earth.

All the great nations have searched the globe in vain to find a cotton region that can in any profitable degree rival this peculiar nursery of the cotton plant, so important to us as a source of national wealth.

Cotton is therefore peculiarly an American production, and in that one fact there is as much of future power and prosperity in this country as you can gather from any other fact on which the future is to depend in respect of our progress. This is not a crop to be ignored or lightly laid aside, nor should those who grow it be maltreated or treated with jealousy or suspicion.

Mr. EDMUNDS. May I ask the Senator a question?

The PRESIDENT *pro tempore*. Does the Senator from Alabama yield?

Mr. MORGAN. I yield.

Mr. EDMUNDS. I should like to ask my friend, the Senator from Alabama, if the precise and first practical question now and here is not whether putting cotton-ties on the free-list will benefit the producer or baler of cotton in respect of reducing the price of those ties?

Mr. MORGAN. Well, I think it will, Mr. President. Perhaps the Senator from Vermont and I differ about that.

Mr. EDMUNDS. But I am on the question whether that is not the precise point that is up for consideration.

Mr. MORGAN. It is not the point of my remarks at this moment. I do not know what is in the Senator's mind. I am discussing this question in my own way. I should be very glad to accommodate the Senator by narrowing my remarks and confining them to his own particular proposition, perhaps; but I prefer to take a more liberal view of it.

I prefer, Mr. President, before coming to the minute suggestion of the Senator from Vermont, that I should confine my remarks to the question whether the planters would get the cotton-tie cheaper under free trade, free of duty, than they would under the tariff, to make some further statements about the general utility, power, and influence of the cotton production. I think if the Senate could have a proper estimate of the value of this crop as an American crop, and of the embarrassments that it is enthralled with in consequence of our constitutional provision and the laws of trade which we are unable as yet to master, there are several things in connection with the cotton industry upon which they would be disposed to relax the severity of their burdens considerably.

I think, for instance, they would be disposed to take off a large part of the tariff duties upon cotton-spinning machinery in order that we might locate our manufactories near to the fields and commence there the spinning and weaving of cotton in its rudimental forms, and particularly that we might be enabled thereby to manufacture the bagging for our cotton, which now costs us $7,000,000 a year, estimating it at a dollar a bale. For this we are dependent entirely on foreign countries, because it is made almost exclusively of jute, not grown here, and a very large portion of which at least is spun and woven in foreign countries.

Mr. RANSOM. No, it is woven here.

Mr. MORGAN. But it is under a trust.

Mr. ALDRICH. What is the article the Senator is now alluding to?

Mr. MORGAN. Jute.

Mr. ALDRICH. What is the article which he says is spun from jute?

Mr. MORGAN. Cotton-bagging.

Mr. ALDRICH. It is all made entirely in this country; it is not made in Europe at all.

Mr. MORGAN. We know since the trust got hold of it that it has been made here. I understand that.

Mr. ALDRICH. There has been no trust at all within three or four months.

Mr. MORGAN. Never mind about the months; it has been here.

Mr. ALDRICH. There has been no trust since June.

Mr. MORGAN. The patient is convalescing, but is not well, and the Senate can, by administering a little tonic here in this legislation, make it entirely well.

Mr. RANSOM. We broke down the trust.

Mr. MORGAN. We broke it down by not buying. That is the way we broke it down. We had to combine against it.

There are various matters of legislation connected with this great American industry of cotton growing that need the attention of this body. That crop and the growers of it need relief; they need help. They can not get it in the form of protection. It is impossible that they can get it in that form. I say that the true policy, one that everybody ought to agree in, is to lift from these people all the unnecessary burdens, to say the least of it, under which they are laboring; and when we find a plethoric Treasury, overflowing with money (and we have no need of revenue for any purpose at all in excess of that we have got now), there can be no good reason, it seems to me, for changing the duties upon cotton-ties so as to make them 100 per cent. greater than they are at present under the act of 1883.

I could proceed in this direction and suggest a number of things, and perhaps before this bill is disposed of these suggestions will be made either by myself or by my colleagues on this side of the Chamber, in which relief can be given to the cotton-growers by modifications of the tariff bill as reported by the majority of the Senate Committee on Finance. For the purpose of justifying in a general way that movement on our part, I took occasion to allude to this as an American crop, as an American monopoly, and as one of the most efficient of all the commercial agencies through which we make exchanges with foreign countries.

It comes nearer being money than any other crop that can be named. Like money, it will keep in spite of weather, heat or cold, in a state of good preservation for years and years. It is always ready when the spinner desires to spin it. So if we have a large excess of cotton in the United States and have the ability to hold it, we could command for it our prices or hold it two and three and four years and make excellent interest upon the investment. That is done very frequently by planters who are forehanded, and that is a method of economy in the use of our resources which, I think, I might very well commend to the intelligence as well as the patriotism of this honorable body. Our people should be enabled to do this by every just measure of legislation that we could devise under the Constitution.

As to its being an American monopoly, there is another fact necessary to be stated in respect of it. I mentioned a while ago the efforts that had been made during our war for the production of cotton by England, by France, by Germany, and I might have included Brazil. Those governments laid themselves out with all the powers that they possessed to grow cotton during the four years' period of our war. Four years is long enough to establish a cotton farm. You have no preparation to make for it, except to bed up your ground and sow your seed and go to cultivating it at the proper season of the year. They had four seasons of experiment there, and what was the result? Great Britain made 500,000 bales of cotton in India, and what next? In making 500,000 bales of cotton she brought on a provision famine in India that was the most excruciating and horrible that history contained any account of. In Egypt the government raised 225,000 bales of cotton, and with the very same effect. Starving laborers in Egypt, whose labor had been diverted from the production of grain crops to cotton, strewed the plains of the Nile with their dead bodies. How was it in Brazil? She made a similar effort and totally failed.

These failures occurred on the part of these great governments when they were deprived of this necessary element of manufacture, of art, of civilization, and of human comfort. Those governments devoted all of their powerful energies to the production of cotton, and in the example which they set through their labors on that occasion they demonstrated beyond question that the United States of America has got the monopoly of the cotton growing of this world; and, quoting as I do from the opinions of men who are more able and experienced than myself, these facts relating to our physical geography and their concurring effect, I believe that I have succeeded in demonstrating before the Senate to-day that this monopoly of the cotton growth in the United States is one upon which we can calculate with absolute certainty. It is, therefore, a feature of our continent, a feature of our Government, a feature of our civilization, in which men from the North ought to feel as much interest as men from the South.

But I protest that there is no industry in this land that is loaded as the cotton industry is with taxation. My estimate is that the people of my State, including a tax of 5 mills levied by the State and not exceeding 2½ mills levied by the county, and including the taxes of the municipalities, pay a tax annually of $11,500,000. A million and a half of people make the average per capita tax in the State of Alabama something like $7.50. That, sir, is an enormous burden upon any people. It certainly is an enormous burden on a people who are confined by the laws of the climate to the production of one leading crop.

It has been suggested, yes urged, on the floor of the Senate, as it has been suggested and urged through the newspapers in the South, and through the writers in periodical magazines, that the people of the South, in order to get rid of this trouble of low prices imposed in foreign

markets, ought to shorten the production of cotton. Mr. President, it is an argument against humanity to speak of shortening up that which no man can do without. The same argument would apply with equal force to the shortening of the wheat crop in the Northern States because of its price abroad, and those men have to toil for it in cold and in heat for the low price of 50 or 60 cents a bushel at their granaries. Statesmanship forbids the suggestion that any agricultural people, or, indeed, any manufacturing, or any fishing people, should shorten up their productions, relax their energies, cut down the amount of human food or clothing that they produce, in order to starve the generations of this earth who do not happen to be of our family, or upon our continent, into the payment of higher prices to us for our labor.

The remedy, Mr. President, is not in the direction of shortening up the crop. That is a remedy that the people of the United States will not accept in respect of any of their industries, whether they are manufacturing or agricultural, or even the industry of timber cutting and timber preparation for market and common use. That argument is opposed to the genius of the American people. While you may make it persuasive and logical upon paper, you can not get anybody to adopt it, or to follow it. The most strenuous exertions will be put forward in every department of human industry in the United States and by every industrious man in this country to produce all that he can out of his daily or his yearly work, and it is not the part of good statesmanship to undertake to check or restrain them in their endeavors to multiply or to increase in this respect.

What, then, is the remedy? It is to take from them burdens, to lift off of them the burdens that are unnecessary, so as to make their industry more profitable and more useful to mankind; and inasmuch as I have suggested, and I hope Senators will reflect upon it, that no man on this floor can put into this tariff bill a single feature of protection in favor of the cotton-planter, I think I have the right, in the name of the American people, and of this great American industry, too, to ask that you will lift the burdens off of it whenever you can do so without damage to the revenues and the Treasury of the United States; and when you have a full and an overflowing Treasury it seems to me it is the right time to take off taxes.

The particular tax in question upon cotton-ties has still another peculiarity, and one that to my mind is quite disagreeable. It has been said here that the iron-makers and iron-manufacturers at Birmingham can supply the raw material cheaper than it can be supplied anywhere else in the United States. There is no doubt about that, and I will add that they can supply better raw material of hematite iron than any other part of the United States. They can not supply a pound of steel under any process of manufacture that is now known at the rates of cost which prevail among our more fortunate producers of steel in the States nearer to Lake Champlain and Lake Superior; but in hematite iron they can make it cheaper than you can make it, of the same quality, at the Cleveland district in England. They can make it cheaper than you can make it in any district in the United States, whether it is charcoal iron or whether it is coke iron. These facts are established beyond dispute and are irreversible.

I am very happy and proud for our whole country that Senators burden their speeches with these new but very important facts. God has blessed Alabama with these benefactions in such degree of bounty that we have no need to rob any other people to enable us to use them.

Now we come to the proposition, why is it that we shall not stimulate our iron-men in Alabama so as to enable them to make our hoop-iron to tie our cotton bales in the neighborhood of these cotton plantations? First of all, they do not need the stimulus. When I find two classes of people in my State, one prospering and the other continually going down, one earning money through tariffs or independently of tariffs and the other losing money continually by the drainage of tariffs, it occurs to me that it is my duty as a legislator, first, to try to relieve those who are in distress. I should first try to build up those industries that need my help before I try to make men richer upon whom God has conferred benefactions of such an extraordinary character that they can get rich in spite of North or South or East or West, Pennsylvania or England.

That is the situation of the iron industry in Alabama. We have there limitless fields of the most superior quality of coking coals. They are accessible by the easiest of engineering to the introduction of railways. They lie hugged in the embrace of great river systems. It is but a short distance to the Mississippi, the Tennessee River skirting the northern boundary of the iron-fields and coal-fields, and the Alabama River skirting the eastern boundary; and the Coosa River, now soon to be opened; the Warrior River, opening right through the heart of the great region. The descending grade for railways from every iron and coal field in the whole of Alabama to the South Atlantic and to the Gulf makes the transportation of our productions to the seaboard a bagatelle compared to the cost of bringing iron ores from Lake Superior, and breaking bulk at Cleveland, and hauling them across the Alleghanies to Johnstown.

These are a few, and only a few, of the reasons which sustain the inevitable fact that Alabama has got the superiority in power of iron production, and can produce hematite iron cheaper than it can be produced in any other part of this world. It is the coal-fields that do it, with fringes of iron ore that lie clear around the coal-fields. These coal-fields, like those in Wales, draw to them the ores to be melted, and would bring them much greater distances.

It is the case in Alabama just as it is in Johnstown, Pa. If our ores, instead of being in absolute juxtaposition with the coal itself, so that a twenty-minutes' haul will bring the material together, were as widely separated as Johnstown is from Duluth, at the western border of Lake Superior, you would still find these ores would be dug out of the earth and would find their way by railways and canals and rivers to this remarkable coal-field in the center of Alabama.

The iron-men of Alabama, thus blessed with these natural facilities, can stand in defiance of tariff legislation and grow rich. They do not need it; not many of them ask it. Nature has put them upon ground where tariffs only create competition with them in the Northern States of this country instead of taking out of competition with them the English iron producer, who can not, after all, come to our country with his pig-metal with any success.

Therefore, when we come to think of what may be done in the way of tariff protection to the iron manufacturers at Birmingham in the matter of making hoop-iron for the binding of cotton-bales, I can find ample reason for voting to take off this tribute levied by the law upon the cotton-planter, and which he is bound to throw away under the rules of trade, without doing the slightest harm to the iron industry of my State. Our interests are mutually dependent, and "live and let live" is our just maxim.

There was a time when iron cotton-ties were made in Alabama, and it was a very good article indeed, a better article than I have ever seen made and brought from Pennsylvania or from England. Why is that trade not there now? The Senator from Rhode Island suggested that it was because of a decision of the Secretary of the Treasury upon the act of 1878, I believe. What act was it under?

Mr. ALDRICH. Under the act of 1864.

Mr. MORGAN. That decision so changed the rate of duty in respect of lengths of iron cut for cotton-ties that it was thrown down to 35 per cent. ad valorem.

Mr. President, there ought to be sincerity in all things. If you can not make cotton-ties in Alabama for a duty of 35 per cent., why is it that in this tariff measure reported by the Committee on Finance we find a number of duties levied upon iron production in the United States and iron manufacturers in the United States that sink far below 35 per cent.? Why is it that you can not make a cotton-tie with 35 per cent. duty when you can make numbers of the articles in this very bill at lower rate ad valorem than 35 per cent.?

Mr. EDMUNDS. What are those articles?

Mr. MORGAN. I shall have to get a paper and read them to the Senator. I did not intend to be very specific about it, but I will call them out to the Senator. There is a table that the Senator from Missouri [Mr. COCKRELL] had.

Mr. EDMUNDS. If it is not perfectly convenient to the Senator, I will waive the inquiry.

Mr. MORGAN. It would be very inconvenient at this moment. There are a number of articles in the bill of iron manufacture which fall below 35 per cent. ad valorem.

The difference between the tariff of 1864 and the tariff of 1883 upon cotton-ties was a very small difference, perhaps not more than 2 or 3 per cent. The duty under the act of 1864, continued in the act of 1883, was 35 per cent. ad valorem. I think it was one and six-tenths of a cent per pound. Cotton-ties were made between 1864 and 1883 in Alabama, and they were largely made there. There was at one time at a little town called Helena, in Alabama, under the charge of Mr. Pell, a cotton-tie-rolling mill. He started off with bright prospects of success, and distributed his ties about in Mobile, Montgomery, Selma, Rome, Georgia, and at Atlanta and other commercial points in reach of a man with small capital, and he sold them with great facility.

At that time, however, there was a patent on the buckle, and he was compelled either to invent a buckle of his own or resort to this other buckle. The name of it I forget, but it is very common among our people in the South; I ought to remember it. So his partner, who was afterward governor of Alabama, invented a buckle and got a patent for it. He put it on his tie and felt that he was out of the woods; he thought that the buckle monopoly which had found its way into the hands of a Pittsburgh firm could not any longer overpower his little rolling-mill at Helena. At that time every cotton-tie in the United States was made in Pittsburgh and made by one company, except those made by Mr. Pell.

When Mr. Pell's partner came out with his patent, putting his buckle on his own cotton-tie and selling it in the marts that I have mentioned, this Pittsburgh company went to these respective places, and with their superior capital they put their cotton-ties on the market at a rate that Mr. Pell could not afford to sell them for, and they held them there, and literally choked his enterprise to death. It was not exactly a trust, but a corporation that had monopolized, through its industry and enterprise in the use of this patented buckle, the sale of all the cotton-

ties in the country. Mr. Pell found that he could not possibly compete with them, and he had to close up his works, very much to the regret of the people of Alabama and of the South generally.

So they got the entire control of the market. Then they concluded, under this tariff of 35 per cent. ad valorem, that they could make their ties cheaper in England than they could make them in the United States. Why was that? It was because they could go to England and buy scrap-iron cheaply—these very ties that the planters have got to pay for and pay a duty upon and throw away. A piece of scrap-iron of this kind worked over and over again gets better every time it is worked; it gets purer and stronger. So this monopoly of the cotton-tie business transferred its work from Pittsburgh to some point in England, and is there now, as I am informed, manufacturing all the cotton-ties that are used in the United States.

The inducement to go there was simply cheap scrap-iron that the planter had paid the duty upon—paid for time and again every succeeding year, and had to throw away. They have the monopoly of the market; they have capital; they have the power over us. They have more money now than any four manufacturers in Birmingham. If you should establish a cotton-tie factory in the city of Birmingham or in that vicinity these men would have nothing to do but to transfer their business back to the same locality and hold it in spite of the men of weaker capital.

This is a mere illustration of the fact that these men, who are largely capitalized in every manufacturing industry, as they are in many of the Northern States, who have long runs of trade, who have their trade established in various parts of the world, extending not merely through the United States but to foreign countries, can come and sit down by the side of a newly-formed company and prevent them from manufacturing; and they do it every day.

The condition of the tariff laws of the United States is such as to invite capital to go into manufacturing as a mere speculation. Take a man who has $500,000 in money; and who has not got it in the Northern States? A man is scarcely respectable there who has not that much money. A man who has $500,000 of money that he desires to invest in any form of manufacture gets up an incorporated company, makes his sons and his sons-in-law vice-presidents and secretaries and treasurers, and pays to each of them a large salary. He provides for the friends of the chief stockholders, if there are more than one in the establishment. They enter upon the business of manufacturing cotton goods. They go to Columbus, Ga., or to Savannah, or to Augusta, or to Birmingham in Alabama, and there they locate their establishment. They have $500,000 of clear capital accumulated, and they are amateur investors; they are investors on speculation. They hire a man who is skilled in spinning and a man who is skilled in weaving and in sizing and in coloring and in all the various branches of cotton-goods manufacture. They put those men as bosses, as managers, in the establishment. They employ skilled workmen, men who have been compelled to acquire their skill from the stress of necessity, who have had to spend their childhood, when they ought to have been at school or in their mothers' laps, from ten years old upward, in acquiring their profession, in learning how to handle machinery, how to spin yarn, how to weave cloth, and how to dye it.

This capitalist aggregates these people in this employment, and when another man who may be himself a spinner or a weaver and who may have $20,000 or $30,000 of money at his command desires to put up a little factory in which he can employ his own family and his neighbors, he finds this mammoth capitalist at his side ready to choke him to death, as this Pittsburgh Cotton-Tie Company choked Pell to death in his little enterprise in Alabama. The common laboring people, no matter what may be their skill, their industry, their virtues, or their necessities, are compelled to bow before the power of capital. It is concentrated, and they have no more chance for their lives than a man would have to breathe in an exhausted receiver.

See how it was in the cotton-seed-oil business in Alabama. A company that had never, perhaps, had a bushel of cotton-seed in ownership in the world, and knew nothing about the growth of cotton or cotton-seed or the manufacture of oil, organized themselves in the city of New York with a capital of $30,000,000, it is said. If they did not have the money they had the credit to make it appear that they had the money and to make it equally available to them. They went around among the cotton-seed-oil factories in the South, and they said to them, "Come into this syndicate, here is stock, stock representing $30,000,000, appraise your establishment, and take stock for it, and come into the general combine;" and they were obliged to do it.

How were they obliged to do it? I will tell you. There was a gentleman of my acquaintance in the city of Montgomery. He had been a Confederate soldier, and like all the rest of us he came out of the war stripped of everything on earth but what the God of nature had given him. He was an industrious, honest, and an honorable gentleman. He was skillful and ingenious. That man went industriously to work and built him up a cotton-seed-oil manufactory. It was a small establishment. His friends loaned him money and perhaps he put $20,000 or $25,000 into it. He went to Genoa and had an understanding with the Genoese merchants that he would sell them cotton-seed-oil at $10 a barrel, 30 gallons each.

He came home and manufactured his cotton-seed oil, and put ten thousand barrels on the train at Montgomery and sent it to Savannah, and there it was put upon a steamer for New York. When the steamer reached New York the cotton-seed trust put ten thousand barrels upon the same ship destined for the same port, and when the man got to Genoa with his oil he was there met with a competitor who had just the same oil that he had and in the same quantity and who offered it upon that market at $9 a barrel instead of $10. All of his profit was in the tenth dollar. He found that it was impossible for him to compete with them. The consequence was that he sold out his oil at a loss of $10,000, and came back home and sold his cotton-seed-oil factory into the hands of the trust.

There are two examples in my own State of the power of capital when it is invested in large masses in manufactures of any kind. In anything that can be handled with machinery and skilled labor they are omnipotent. They meet together, they combine their powers together, and they choke to death any industry that may attempt to rise in their midst. There is not to-day, I dare say, a single establishment in the Northern States where a leading manufactory in wool, or iron, or cotton, or silk, or jute is not capitalized at a sum in excess of $100,000.

The skilled man, it makes no difference what his skill may be, the industrious man, it makes no difference how industrious he may be, is obliged to become a hireling to capital before he can find the opportunity of exerting his skill or his industry. I do not know that we can remedy this condition of affairs. It may have gone too far to remedy it, but if we could diversify the manufacturing industries of this country into a larger number of hands, and if we could free it from the predominance of these awful sums of capital that crush and destroy the vitality of every manufacturing man in the United States, we should be in a much better condition.

Sir, if you take off the tariff, or reduce it, upon cotton-spinning machinery so that the planters in the South with the investment of $20,000 and $25,000 and the work of their own families and their friends of the immediate neighborhood can enter upon the manufacture of cotton goods, you will find that almost every bale of cotton that leaves the South will leave it in the form of yarn instead of the form of lint.

So I plead and I beseech the Senate that, in respect of this great American industry, they will not impose higher burdens upon it than now exist, but that they will turn their faces in a different direction and will reduce the burdens that are now upon it. Here is a bill that raises the tariff upon cotton-ties we have to throw away after we have paid for them, 100 per cent. I will not now discuss the bagging business. That doubtless will engage the attention of many Senators on this side of the Chamber, but I have shown you now why it is that this cotton-tie production has been transferred from this country to Great Britain, and this tax of 100 per cent. upon it is not for the advantage of any man in the United States.

The admission of cotton-ties free of duty is no discrimination against any American manufacturer, because it is confessed on all sides in this Chamber that not one pound of cotton-tie is manufactured in the United States. I will not follow the Senators at this time in their broad statements of what they would do if they had the power in regard to the enactment of tariff laws, or as to the principles upon which they would act in their enactment.

I noticed a very remarkable declaration made yesterday by the honorable Senator from Nevada [Mr. STEWART], who I believe is recognized in the Senate as being one of its leading lights on the Republican side, certainly a man of longer Senatorial experience than almost any one here. He announced, with a boldness that I thought was not only characteristic of him but admirable, his belief in the views he has on the subject of the tariff, in which, however, while he disclaims that his party goes quite as far as he does, I think the honorable Senator is quite mistaken, for I believe that the doctrine stated by him is at the foundation of every vote that is given by the majority on this tariff bill in the Senate. I will read what the Senator from Nevada said:

> I think this is a pretty good bill, but it does not come quite up to my theory of a protective tariff. I believe that the tariff upon everything that can be produced in this country with ample competition should be practically prohibitory, and let none but the rich enjoy luxuries from abroad, provided there can be fair competition among producers in this country.

It has been my fate to be cast among the poor men of this country all my life, and yet I have not lost my desire for luxurious living. I would adopt a policy, if I had the power, quite the reverse of that of the Senator from Nevada. I would put it in the reach of every young man and every young woman in this country to wear not merely respectable clothing, but fine clothing, if their tastes demanded it.

I would put the dainties, and the luxuries of life, even, within the reach of these people if I could do it without giving too much encouragement to laziness and to the pets and favorites of fortune. I do not believe in that doctrine which shuts off an American from any possibility, whether in food, or clothing, or education, or official power, that may be put within his reach. I believe that an American citizen is entitled to the benefits of the laws of this country and entitled to encouragement in trying to raise his condition every time that the opportunity is presented.

Mr. STEWART. Will the Senator allow me to ask him a question?

Mr. MORGAN. I am answering one now the Senator has asked, and I do not know that I can undertake the task of answering any more.

Mr. STEWART. I should be much gratified if the Senator would yield.

Mr. MORGAN. Very well.

Mr. STEWART. I should like to ask the Senator what benefit it would be to the laboring class in this country to have the privilege of buying luxuries abroad if they had no employment here and no money to buy them with, as would be the condition under free trade?

Mr. MORGAN. If we keep on taxing them they will always be in that condition. There is no poor man in this country who can rise out of the rut if you do not take the tax off him to some extent and let him have a chance. The honorable Senator himself, I think, was once a laborer, if I have heard his history correctly stated, and it is one of the most admirable points in his history, the earlier part of his life was spent among the industrial people of this country and he had hard labor to perform. Now behold him in his majesty here, looking like the Sierra Nevadas, on which he lives, in their grandeur, and as prominent in the Senate as the Sierra Nevadas are with their snow-capped tops in the geography of the country. [Laughter.]

Mr. STEWART. It is entirely owing to a protective tariff by which I could get wages enough to start on.

Mr. MORGAN. Behold that Senator now come up to the full enjoyment of the luxuries of life, and behold the magnificent palace with which he has decorated this beautiful city. His fortune has not been perhaps all of it the work of his own hands; he may have profited by tariffs or some other matter; he may have had luck in mining or something of that kind; but I should like to see every American citizen enjoy as fully as the Senator from Nevada does all the luxuries and the splendors of life, and there are millions in this country who are just as well entitled to it as he is or as I am.

I do not believe in this doctrine of taxing a man to make him rich. My opinion of the American character and the American people is that if you will allow them the free and untrammeled enjoyment of the resources of their own genius and the fruits of their own labor they will rise into riches and power and prosperity; and if any are left behind it will be only those who will deserve it.

I believe, Mr. President—and I take occasion here to announce it—in a government that is not rich. I believe in a people who are rich. I believe in keeping the Government of the United States down to its necessary expenditures, and I think that those expenditures ought to be considered with great care in reference to economy. I do not believe that it is right to tax any man to enrich another. I believe that the only legitimate use of the taxing power is to support the Government, economically administered, and not to build up a favored class in this country, or favored classes, at the expense of the toiling millions.

Those are the views that guide me in respect of general legislation upon the tariff subject. I believe that there are no classes in the United States to-day who are so borne down with the oppressions of taxation as the agricultural classes, whether cotton-growers, wheat-growers, or the growers of any other kind of American production. There are 17,000,000 people engaged in this pursuit against about 5,000,000 engaged in manufactures; and yet we find that princely fortunes are made by men who control manufactures. They grow rich in a year. Men spring up into enormous fortunes aggregating $20,000,000 and $30,000,000, who perhaps when they first set foot upon this soil only had a small handkerchief full of clothes and a staff to bear them about upon their shoulders. I do not object to this when it is fairly done; but when I come to count up the number of men that it has taken at a dollar a day to work out these profits in favor of these favored pets of your tariff system, I find that a fortune of $30,000,000 thus accumulated has cost 30,000,000 men a hard day's work.

I believe in that sort of legislation which understands and respects the labor that it costs a poor man to earn a dollar. The men who understand that, the people who understand and feel it, will not be lavish in expenditures and will not attempt to persuade the poor man that they are conferring untold blessings upon him when they are taxing him for the purpose of furnishing him a market, as it is called, or for the purpose of making somebody else rich. Neither will he believe it when he comes to pay for his goods that his family uses, the sugar that they consume, the iron that they must use in their agriculture, the steel implements and all else, even to the school-books with which he educates his children. It is hard to make him believe that if a book costs 75 cents, which, without the tariff, would only cost 50 cents, that that extra quarter of a dollar is paid by somebody that prints it across the water. There is too much nice philosophy in that to bear the test of common sense.

These people, whatever they may have done in the past, are now on the march with a bold and defiant front, and they will continue it until they have compelled the Senate and the House of Representatives and the President of the United States to come down to a just basis of taxation and relieve them from some of the burdens that are loaded upon them so enormously.

I wish in this connection to call attention to a fact, and that is the amount of mortgages that, as is stated, are upon the lands of the people of the Northwest. Before doing that, however, I desire to say that the capitalists in the Northern States, while the carpet-baggers were in force in the South and had the authority over us, were afraid to invest their money upon mortgages in our Southern lands. The result is that there are not many mortgages held in the Northern States upon Southern lands. Nevertheless, they are being mortgaged rapidly and at a terribly usurious rate of interest. Where does the money come from? Who are the mortgagees? The British people. The British capitalists are swarming the South with their money. You can not go to a considerable village in a Southern State to-day but you will find the authorized agents of British capital there loaning money to the people at from 12 to 25 per cent. per annum and taking mortgages for it.

Why are the agriculturists who produce three hundred and odd millions of money a year, and throw it into the exchanges of this country, so crippled and borne down that they are compelled to resort to the same plan that your agriculturists in the North were, to load their estates with mortgages at usurious rates of interest? The Northeastern people, from New York and the East mainly, own the mortgages upon the Northwest, but the British people own the mortgages upon us, and it is getting to be an evil of such dimensions as that the thoughtful men of the South are beginning to inquire whether, after awhile, the British people are not going to dispossess them of their homes, and introduce immigrants from their own country to take possession of these lands.

You find some objections stated occasionally to British immigration into the Southern States, and this is what it means. The people of the South are afraid that their lands are going to be taken from under their feet in virtue of these mortgages by foreclosures, and that the occupants of the land hereafter will be the tenantry of the British landlords. There may come a time even in the South when landlordism will dominate the Southern States and come from England, as landlordism now dominates Ireland and comes from England.

What has been the effect upon your agriculture? It is stated in a speech made in the House of Representatives by Hon. RICHARD P. BLAND, of Missouri, that in Ohio the mortgages amount to $701,000,000, in Indiana to $398,000,000, in Illinois to $920,000,000, in Wisconsin to $250,000,000, in Michigan to $350,000,000, in Minnesota to $175,000,000, in Iowa to $351,000,000, in Kansas to $200,000,000, and in Missouri to $237,000,000. That statement was denied in the House by Mr. BROWNE, from the State of Indiana; and the following is the remark of Mr. BLAND upon this objection being interposed:

Admitting the lowest estimate to be the most correct, it is simply appalling.

This is the estimate of Mr. BROWNE, of Indiana: Ohio, $350,000,000; Indiana, $175,000,000; Illinois, $200,000,000; Wisconsin, $100,000,000; Michigan, $125,000,000; Minnesota, $70,000,000; Iowa, $100,000,000; Nebraska, $50,000,000; Kansas, $50,000,000; Missouri, $100,000,000; in all, $1,295,000,000 of mortgage money upon their lands. Mr. BLAND'S statement was $3,422,000,000.

Take it either way; put the figures down just as low as you can get them, and yet the startling fact comes to the attention of the people of the United States that the agricultural industry of this country, for some cause or other, has been compelled to go deeply in debt, to mortgage the very firesides of the farmers, in order to get money to conduct their operations.

What have these farmers been doing? Speculating in tariff profits? No. Where is the bounty that you have conferred upon them in any particular? Not one stiver out of all the thousands of millions of bounty that have been extracted by the tariff from one class of people and paid to another. You have been putting these people under the leech system of extracting the blood from them continually and precipitating them into the hands of these men, who, after the capital has been accumulated, are able to lend the money upon these mortgages to the people out of whom it has been taxed.

That exhibit shows in the Northwest precisely what is taking place in the South now. Those men who are enabled to accumulate enormous masses of capital from the tariff system and through the financial system of the United States and of England, through commerce, as it is called, have the power to lend money to these men at enormous rates of interest, which they are compelled to mortgage their estates to pay; and I dare say that these mortgages are not being cleared up. A friend called my attention to a humorous remark made by the editor of a Chicago paper the other day, in which there were a large number of foreclosures advertised. The remark was: "These homes will all be bought in the home market." Yes, they will be bought in the "home market." The farmer's home at last finds a home market, and his family the wilderness.

This exhibit shows that the agricultural industries of the United States are under foot and are being trampled out by the money power. The only chance we have to give them relief, as I have frequently remarked since I have had the honor of taking the floor, is to lift the burdens. If some Senator will devise a scheme by which the agriculturist is to receive out of taxation his part of the protection that is prated about on that side of the Chamber, then I shall be prepared for a new experience in life. As I see it, there is not a man on this earth who can devise a principle of tariff taxation or put an amendment in this bill which will relieve the agriculturists of this country to the extent of one cent otherwise than by lifting burdens off of them.

Therefore, Mr. President, I am in favor of low taxation instead of

high. We have an abundant and overflowing Treasury. We have there a fund which stands in that Treasury as a temptation to constant corruption, as an inducement to constant raids, and the sooner we make up our minds to allow the people who earn this money to keep it in their own pockets the sooner we will do justice to ourselves and our constituency.

Mr. CALL. Mr. President, there is a point of view in which this duty upon cotton-ties in relation to cotton has not yet been alluded to which I think worthy of consideration.

The Constitution of the United States prohibits the levying by Congress of any tax upon exports, and it contains a further provision prohibiting the States from levying a tax upon exports. I think it is a proposition which will be conceded by all persons that a tax or duty that is collected exclusively from exports or in chief part from exports to that extent is within the spirit if not the letter of the Constitution.

This subject is not now brought in connection with the tax bill before the Congress of the United States, but has had in the legislation of the States and of Congress consideration before the Supreme Court of the United States. In the case of Almy vs. The State of California, in the year 1860, Chief-Justice Taney decided that a tax imposed by the State of California upon a bill of lading of gold was within the constitutional inhibition upon that subject, and he used this language:

So in the case before us. If the tax was laid on the gold or silver exported, every one would see that it was repugnant to the Constitution of the United States, which in express terms declares that "no State shall without the consent of Congress lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws."

But a tax or duty on a bill of lading, although differing in form from a duty on the article shipped, is in substance the same thing; for a bill of lading, or some written instrument of the same import, is necessarily always associated with every shipment of articles of commerce from the ports of one country to those of another. The necessities of commerce require it. And it is hardly less necessary to the existence of such commerce than casks to cover tobacco, or bagging to cover cotton, when such articles are exported to a foreign country; for no one would put his property in the hands of a ship-master without taking written evidence of its receipt on board the vessel, and the purposes for which it was placed in his hands. The merchant could not send an agent with every vessel, to inform the consignee of the cargo what articles he had shipped, and prove the contract of the master if he failed to deliver them in safety. A bill of lading, therefore, or some equivalent instrument of writing, is invariably associated with every cargo of merchandise exported to a foreign country, and consequently a duty upon that is, in substance and effect, a duty on the article exported. And if the law of California is constitutional, then every cargo of every description exported from the United States may be made to pay an export duty to the State, provided the tax is imposed in the form of a tax on the bill of lading, and this in direct opposition to the plain and express prohibition in the Constitution of the United States.

I also cite the following authorities bearing on this subject:

The prohibition in both cases has reference to the imposition of duties on goods by reason or because of their exportation or intended exportation, or whilst they are being exported. That would be laying a tax or duty on exports, or on articles exported, within the meaning of the Constitution.—*U. S. Reports*, 507.

And so we think they continue to be until they have entered upon their final journey for leaving the State and going into another State. It is true it was said in the case of the Daniel Ball, 10 Wall., 557, 565, "whenever a commodity has begun to move as an article of trade from one State to another, commerce in that commodity has commenced." But this movement does not begin until the articles have been shipped or started for transportation from the one State to the other.—*U. S. Reports*, page 528.

The plaintiff contends that the charge for the stamps required to be placed on packages of manufactured tobacco intended for exportation was and is a duty on exports within the meaning of that clause in the Constitution of the United States which declares that "no tax or duty shall be laid on articles exported from any State." But it is manifest that such was not its character or object. The stamp was intended for no other purpose than to separate and identify the tobacco which the manufacturer desired to export, and thereby, instead of taxing it, to relieve it from the taxation to which other tobacco was subjected. It was a means devised to prevent fraud and secure the faithful carrying out of the declared intent with regard to the tobacco so marked. The payment of 25 cents or of 10 cents for the stamp used was no more a tax on the export than was the fee for clearing the vessel in which it was transported, or for making out and certifying the manifest of the cargo.

* * * * * * *

The point to guard against is the imposition of a duty under the pretext of fixing a fee. In the case under consideration, having due regard to that latitude of discretion which the Legislature is entitled to exercise in the selection of the means for attaining a constitutional object, we can not say that the charge imposed is excessive, or that it amounts to an infringement of the constitutional provision referred to. We can not say that it is a tax or duty instead of what it purports to be, a fee or charge for the employment of that instrumentality which the circumstances of the case render necessary for the protection of the Government.—2 *Otto*, pages 374, 375, and 376.

The construction of this clause, when the power has been directly exercised by the Congress of the United States, by the Supreme Court, Justice Bradley rendering the opinion, although deciding that in the case of tobacco a stamp affixed by the act of Congress upon the tobacco for export was not within the inhibition of the Constitution, because it was a regulation to distinguish the tobacco while in process of exportation, recognized, however, the proposition that a direct tax, a tax upon something invariably associated with the article exported in the act of exportation, would be within the spirit as well as the letter of the Constitution.

Mr. President, it is entirely clear that the article exported is a different thing from that attachment to it or that subject of taxation associated with it which may be necessary for its exportation, and while, therefore, practically, it may not be within the letter of the Constitution, yet it is equally true that if the policy of the Government as provided in its constitutional and organic law be to relieve exportations to foreign countries from taxation and to prohibit the levying of a duty or a tax upon them, then whatever article is the subject of exportation to a foreign country, and whatever article connected with it and necessary in that exportation, ought to be free from any tax or duty or imposition of any kind.

How can you distinguish if the thing taxed in connection with the export is used for that purpose and that purpose only? Where is the distinction? Although it be made out of iron, and although it may be used for some other purpose, yet in its use in connection with this exportation how can you justly distinguish a tax of export, as was done in the case in California by an attempt to tax the bill of lading by taxing the export, by levying a duty upon the imported article imported for the purpose and with the effect and for the use of the exportation of this article alone?

It seems entirely clear to me that the encouragement of exports is not only a constitutional and an organic policy, but is a wise policy on the part of this Government. It has no connection with this question of protection or the contrary, but is connected exclusively with that proposition.

There are exported to foreign countries 5,000,000 of the 7,000,000 bales of cotton grown in this country. There are consumed in this country two-sevenths of the entire production. This article of cotton-ties is imported exclusively for the exportation of the cotton from either the State in which it is made into some other State or to foreign countries, five-sevenths of which form an export to foreign countries.

Where, then, is the propriety, as a matter of policy, of constitutional law, in imposing a duty upon cotton-ties imported for the purpose of exporting a bale of cotton to a foreign country? You must consider unquestionably, as five-sevenths of the total production are for foreign export, that it must give character in any proper legislation to the two-sevenths, and that the regulation of the law, the duty must be imposed with reference to the effect upon the five-sevenths which are the subject of foreign export instead of the two-sevenths which are the subject of local consumption.

It will be noticed, Mr. President, that this provision of the Constitution prohibiting any levy of a tax or a duty upon exports does not relate to a direct tax. It does not say that no direct tax or duty shall be laid on articles exported from any State. It says "no tax or duty," whether direct or indirect, "shall be levied upon any article exported from any State."

I undertake to say, Mr. President, that the proposition can not be denied, if it is taken by itself and argued, that when a cotton-tie is imported into this country and a duty imposed upon it—and five-sevenths of the quantity of cotton-ties imported are used for the purpose of exporting cotton—a tax on that tie is an indirect tax upon that export, is an indirect duty upon that export, and in this point of view it seems to me while there is no American industry to be protected, while it is acknowledged that the purpose is to develop in the future some speculative or industrial interest, while the entire quantity of this article is imported from abroad, that the levy of this tax to be paid out of the exports of the country, five-sevenths of it, which must determine in any wise and proper system of legislation the character of the legislation. Five-sevenths of it to be levied upon the exports of this country is certainly not defensible in any point of view, whether it be as a protective system or as a duty collecting a revenue, for there is no pretense whatever that this tax, whether it be the tax of the original bill or the tax of the Senate substitute, subserves any other purpose than that of taxing the export of five-sevenths of the cotton crop exported for the benefit of a few individuals.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Arkansas [Mr. JONES], upon which the yeas and nays have been ordered. The roll-call will proceed.

The Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Colorado [Mr. BOWEN]. If he were here, I should vote "yea."

Mr. WALTHALL (when Mr. GEORGE'S name was called). My colleague [Mr. GEORGE] is paired with the Senator from New Hampshire [Mr. BLAIR].

Mr. RIDDLEBERGER (when his name was called). I was paired, I think, for a month before the adjournment of the last session with the Senator from Delaware [Mr. SAULSBURY]. I then went home and I have heard that the pair has been transferred to another Senator. Therefore I do not feel at liberty to vote. If at liberty, I should vote "nay."

Mr. TELLER (when his name was called). I am paired with the Senator from Louisiana [Mr. GIBSON]. If he were present, I should vote "nay."

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. GORMAN. I announce my pair with the Senator from Maine [Mr. FRYE].

Mr. PUGH. I should vote "ay" if I were not paired with the Senator from Vermont [Mr. EDMUNDS].

Mr. CULLOM. May I inquire if the junior Senator from Delaware [Mr. GRAY] has voted?

The PRESIDENT *pro tempore*. He is not recorded.

Mr. CULLOM. I stand paired with him. If at liberty to vote, I should vote "nay."

Mr. DAVIS. My colleague [Mr. SABIN] is paired with the Senator from West Virginia [Mr. KENNA].

Mr. MANDERSON. I have a general pair with the Senator from Kentucky [Mr BLACKBURN], who is absent. If he were present, I should vote "nay."

Mr. HALE. I am paired with the Senator from Kentucky [Mr. BECK]. Otherwise I should vote "nay."

Mr. CULLOM. I desire to announce the pair of the senior Senator from Pennsylvania [Mr. CAMERON] with the Senator from South Carolina [Mr. BUTLER]. The Senator from Pennsylvania, if present, would vote "nay."

The result was announced—yeas 18, nays 23; as follows:

YEAS—18.

Bate,	Enstis,	Morgan,	Vance,
Berry,	Faulkner,	Pasco,	Voorhees,
Cockrell,	Harris,	Ransom,	Wilson of Md.
Coke,	Jones of Arkansas,	Reagan,	
Colquitt,	McPherson,	Turpie,	

NAYS—23.

Aldrich,	Dolph,	Mitchell,	Sawyer,
Allison,	Evarts,	Morrill,	Sherman,
Chace,	Farwell,	Paddock,	Stewart,
Chandler,	Hawley,	Palmer,	Stockbridge,
Davis,	Hoar,	Platt,	Wilson of Iowa.
Dawes,	Ingalls,	Quay,	

ABSENT—35.

Beck,	Cullom,	Hampton,	Riddleberger,
Blackburn,	Daniel,	Hearst,	Sabin,
Blair,	Edmunds,	Hiscock,	Saulsbury,
Blodgett,	Frye,	Jones of Nevada,	Spooner,
Bowen,	George,	Kenna,	Stanford,
Brown,	Gibson,	Manderson,	Teller,
Butler,	Gorman,	Payne,	Vest,
Call,	Gray,	Plumb,	Walthall.
Cameron,	Hale,	Pugh,	

So the amendment was rejected.

Mr. COKE. In paragraph 137, line 495, I move to amend by striking out all after the word "shall," down to and including the word "made," in line 497, and inserting "be admitted upon the payment of 35 per cent. ad valorem."

The PRESIDENT *pro tempore*. The amendment will be stated from the desk.

The CHIEF CLERK. In line 495, after the word "shall," it is proposed to strike out the remainder of the paragraph down to and including the word "made," as follows:

Pay two-tenths of 1 cent per pound more duty than that imposed on hoop or band iron or steel from which they are made.

And in lieu thereof to insert:

Be admitted upon the payment of 35 per cent. ad valorem.

So as to read:

And hoop or band iron or hoop or band steel flared or splayed shall be admitted upon the payment of 35 per cent. ad valorem.

Mr. COKE. I desire to say a few words in reference to this amendment.

This is a bill professing to reduce taxation and revenue. As it stands now with reference to this particular item, cotton-ties, it is a very large increase of taxation and will necessarily make a large increase of revenue, because it is admitted that the article is one not made in this country and will have to be imported, and a very much larger duty must of course produce a very much larger revenue in proportion.

The industry upon which this tax is imposed is one that at least should not be discriminated against; it is a great industry in a large section of this country. I venture the assertion that there is not an industry in the country that pays those engaged in it less money. It is a common saying throughout the Southern country that it takes thirteen months to make and gather and market a crop of cotton. It is a crop which is made almost exclusively by labor. There is very little machinery used in the making or preparation of it. The locks of cotton that are taken from the bolls must all be picked with the fingers. Human fingers pick out every lock of cotton entering into the seven million bales that are made in this country. It is all labor; it is incessant labor; it is labor that commences in January and runs frequently into February or March of the next year in making and saving the crop.

Mr. President, the people who make the least money on their labor, who live harder, who labor more hours in the day and more days in the year than any others, are these same people who live by cultivating cotton.

The seven million bales of cotton that go into commerce and help to create the exchanges credited to this country are an immense item, and the people who produce them surely ought not to have unfriendly legislation leveled against them. If no relief can be given them, and it is admitted none can be given by legislation, certainly they should not have additional burdens placed upon them. That crop——

Mr. RIDDLEBERGER. Will the Senator allow me to ask him a question?

Mr. COKE. I should prefer to go on.

Mr. RIDDLEBERGER. It will be a very short question, and will require but a very brief answer.

The PRESIDENT *pro tempore*. Does the Senator from Texas yield?

Mr. COKE. I will yield.

Mr. RIDDLEBERGER. Does the Senator think that those who produce the iron and make the hoops ought to be taxed and let the cotton go free?

Mr. COKE. I will answer the Senator's question, if I think it necessary, before I get through.

Mr. President, this is the great money crop of a large section of the Union, which it takes all the labor of that country to make, which is the most exacting crop that is raised in this country, which is more frequently subject to disaster than any other, to destruction by floods and drought, by the army-worm, the boll-worm, and other destructive insects which attack the cotton crop in some portions of the country every year. I say if we can not legislate to give any relief to the people who make this crop, we surely ought to avoid unfriendly legislation against them; and that this is unfriendly legislation it needs only that the bill be read clearly to perceive.

After fixing the duty upon hoop-iron the paragraph says:

Provided, That hoop or band iron, or hoop or band steel, cut to length, or wholly or partially manufactured into hoops or ties for baling purposes, etc.,

shall pay two-tenths of 1 cent per pound more duty than that imposed upon it cut in any other method or manufactured for any other purpose.

It is a deliberate blow, as it will appear upon the statute-book, if this bill goes into the statute-book as a law, at the great industry of cotton raising in the United States. It can not appear in any other way. Why should this be so? I will refer to a fact or two for the purpose of showing the injustice of the bill as it now stands.

Our friends on the other side of the Chamber have said all through the tariff discussion that the object and purpose of a protective tariff was to enable the manufacturer to pay wages, and good wages, to the American workingman; that capital could take care of itself and needs no protection; that labor and only labor received the benefits of protection.

I have here from the Bureau of Statistics a statement of the per cent. of wages paid in the iron and steel and other industries of this country. I find the per cent. of wages in iron and steel manufactures is 18.77 per cent. The meaning of that is that on each $100 worth of manufactured iron and steel there has been paid out $18.77 for the labor of manufacturing it. This statement comes from the Bureau of Statistics, and is official.

I have besides an estimate taken from the speech of a distinguished Republican made in the House of Representatives in 1878, Hon. H. C. Burchard, of Illinois, afterwards the Director of the Mint, a life-long Republican, who places the per cent. of wages paid in iron and steel manufacture at 17. Mr. Burchard intimated no doubt of the correctness of his figures. The amendment I offer allows 35 per cent. It proposes to let this tax remain as under the existing law, at 35 per cent., and this rate, according to the statement of the Bureau of Statistics as to the amount of wages paid in this industry, and according to the statement of Mr. Burchard, to which I have just referred, will doubly pay back every dollar that is paid out for wages in the manufacture of cotton-ties.

Mr. President, these are the facts and the figures. Eighteen and seventy-seven one-hundredths per cent. is the rate paid for the wages in the iron and steel industry in this country; 35 per cent. is the rate of duty allowed by my amendment to the manufacturers of iron and steel cotton-ties, double the amount paid out for wages, or nearly so. Ought not this to be sufficient? Why should it be increased to 108 per cent. in a bill professing to reduce the revenue, professing to reduce taxation, and that, too, on an item pertaining to an industry that for many years has been more depressed than any other industry in this country?

Mr. HAWLEY. Would the Senator object to my asking him a question or two so that we may arrive at a common understanding about this?

Mr. COKE. Certainly not.

Mr. HAWLEY. I do not know what particular branch of industry the Senator is referring to, but I understand him to say that only 18 to 19 per cent. is paid out for labor. Now, I will take for illustration a ton of iron worth $18. Nineteen per cent. of that, or I will take it at a higher figure——

Mr. COKE. Eighteen and seventy-seven one-hundredths per cent. is the cost of labor.

Mr. HAWLEY. I will make it a trifle larger to save me the trouble of multiplying, etc. Nineteen per cent. would be $3.42, and that leaves $14.58. What bothers me is to know what in the world the manufacturer pays out that $14.58 for.

Mr. COKE. I will say to the Senator from Connecticut that the figures furnished me from the Bureau of Statistics were taken from the Census Reports, the figures being furnished there by manufacturing experts who gave the information, and who in fact wrote the very reports from which the figures are taken.

Mr. HAWLEY. It is evident, I submit, that the Senator has mis-

understood or unintentionally misapplied those figures. Of course it is quite ridiculous to suppose that the raw material in the ton of pig-iron cost $14.58. The raw material was the red dirt inside the mountain, which was worth—I can scarcely get at what it was worth—two or three dollars, perhaps, or it may be one dollar, I will say, for a ton.

Mr. ALDRICH. A ton and a half.

Mr. HAWLEY. A ton and a half the Senator says. It would not cost $2 at the outside, which would be an extravagant estimate for the red dirt out of which this is made. We will say that every other cent of it is labor in some form—by the man who shoveled it into the barrow, and the one who got it down to the train or the sloop on the river, and the one who got it to the furnace, and the one who got it back to another sloop or another railway train, and so on. It is all labor from the red dirt up. It seems to me, with all due respect to the Senator, that it is quite ridiculous to say that only 19 per cent. of that is labor.

I will make a suggestion to help the Senator out. Another man pays $18 for that ton of pig-iron, which is almost wholly labor, and he takes it and puts 19 per cent. on that and sells it for $25 a ton, and makes two or three dollars profit. It is true that what he sells for $25, or $100 we will say, has had 19 per cent. of labor, but that is only the labor he has put on it. We must go back to the original product, the raw material.

Mr. COKE. I have a very brief reply to make to the Senator from Connecticut. I am no expert in these matters; I know very little about them. I take what is told me, what is taught me by others who do profess to know. I can refer the Senator to the speech of Mr. Burchard, made in 1878, in which he discussed this whole question of wages and the per cent. of wages entering into all classes and sorts of manufactures, and he placed the per cent. of wages in the iron and steel manufacture at 17.

Mr. HAWLEY. Just one remark and I will not trouble the Senator further. I say to him that the percentage of labor in the great body of these manufactures is 90 per cent. I will not undertake to prove it now, for I have not the documents with me; but it is 90 per cent. There is plenty of proof in the permanent RECORD, and it is to be got in a hundred places. The Senator from Iowa [Mr. ALLISON] explained it here just before the adjournment.

Mr. COKE. I must put the assertions of the Chief of the Bureau of Statistics, as shown in his official certificate now before me, and of Hon. Mr. Burchard, of Illinois, against the assertions of the Senator from Connecticut. I am not an expert and I can not determine between them, but Mr. Burchard made this speech in the House of Representatives in 1878, and his figures were not controverted in the House.

Mr. HOAR. Perhaps he had "leave to print." [Laughter.]

Mr. COKE. And he was indorsed by a Republican administration, which appointed him Director of the Mint after he had served in the House. He placed the per cent. of wages in the steel industry at 17. The Chief of the Bureau of Statistics places it at 18.77. These gentlemen ought to have known what they were talking about. This is an official table, furnished, at my request, by the Bureau of Statistics, and Mr. Burchard's speech, in which he made the statement to which I have referred, is of record, and in the extended debate that ensued I do not see that it was controverted at all.

So, then, upon these authorities the amount of money necessary to pay the labor for making this particular form of iron manufacture is, say, 19 per cent. Put it, if you please, at 20 per cent. If my amendment is adopted it leaves, then, 15 per cent. clear profit for the manufacturer.

Mr. President, this is about all that I care to say, except upon a point which seems to have interested the Senator from Massachusetts [Mr. DAWES] very much yesterday, with reference to the payment of the duty, who pays it, whether the consumer, the manufacturer, or the foreigner. I am not going to discuss that question. I simply want to read a little authority on it and leave the Senator from Massachusetts to deal with that authority. Mr. Clay, in 1832, speaking of the public debt, said:

> It is so nearly being totally extinguished that we may now safely inquire whether, without prejudice to any established policy, we may not relieve the consumption of the country by the repeal or reduction of duties.

Ex-President John Quincy Adams, when a Representative in the other House from Massachusetts, on May 23, 1832, submitted to the House from the Committee on Manufactures his celebrated report, No. 481, in which he discussed fully who pays the tariff duties, and said:

> But the duty upon the article imported from abroad enabled the domestic producer to enter into competition with the importer from abroad. So long as this competition continues the duty operates as a bounty or premium to the domestic manufacturer. But by whom is it paid? Certainly by the purchaser of the article, whether of foreign or of domestic manufacture. The duty constitutes a part of the price of the whole mass of the article in the market. It is substantially paid upon the article of domestic manufacture as well as upon that of foreign production. Upon one it is a bounty, upon the other a burden, and the repeal of the tax must operate as an equivalent reduction of the price of the article, whether foreign or domestic. * * *
>
> The incidental effect of competition in the market, excited on the part of the domestic manufacturer by the aggravation of duty upon the corresponding article imported from abroad to reduce the price of the article, must be transient and momentary. The general and permanent effect must be to increase the price of the article to the extent of the additional duty, and it is then paid by the consumer. If it were not so, if the general effect of adding to a duty were to make the price of the article upon which it is levied less, the converse of the proposition would also be true, and the operation for increasing the price of the domestic article would be to repeal the duty upon the same article imported—an experiment which the friends of our internal industry will not be desirous of making. We can not subscribe, therefore, to the doctrine that the duties of import protective of our own manufactures are paid by the foreign merchant or manufacturer.

Mr. DAWES. What is the date of that?

Mr. COKE. Eighteen hundred and thirty-two. It is the report of John Quincy Adams. It is report No. 481.

Mr. DAWES. That was fifty-six years ago.

Mr. COCKRELL. Has the principle changed?

Mr. DAWES. Fifty-six years ago! We have had the experience of fifty-six years since then——

Mr. COKE. Yes, I guess we have, but we have never yet had an abler man than John Quincy Adams from Massachusetts.

Mr. DAWES. If the Senator is willing——

The PRESIDENT *pro tempore*. Does the Senator from Texas yield to the Senator from Massachusetts?

Mr. COKE. Certainly.

Mr. DAWES. Does he mean by yielding to interrupt me the moment I begin?

Mr. COKE. I did not know you were proceeding, and beg pardon for the interruption.

Mr. DAWES. I wish to say, sir, that that experience has demonstrated, and the price current of every article affected by a protective duty will prove what I stated, that prices have been going down all the time under the influence of protection. If the Senator can tell me how a man can come into this country when he finds the market occupied and put an addition upon the cost of his article equal to the duty, and make a man side by side who can get it without duty pay the duty—if the Senator can invent a way to make him do it, I should like to hear it.

Another thing. This duty, the Senator says, is not only a tax upon the man who buys the foreign article, but it enables the domestic manufacturer to raise the price of his product to that level.

Mr. COKE. That is what Adams said.

Mr. DAWES. Wait one moment until I get through. If that is so, it enables the domestic manufacturer to put a profit upon his article over and above its cost equal to what we call the tariff or duty. Now, the Senator says that the average duty or tax upon all manufactures consumed in this country is 47 per cent. Two-thirds of all consumed in this country is produced in this country, and, according to the Senator's theory, the producer can add to the cost 47 per cent. He could not build a wall around a manufactory high enough to keep all the capital of the country from going into the production if it could make 47 per cent. out of it.

Whenever the foreigner brings his articles in here and pays the duty and finds the market empty, as he will under free trade, as he will under any tariff that drives out the domestic manufacture, when he finds the market empty, he can charge his duty upon the consumer; but when he finds the market occupied by the American producer, he has got to pay the duty himself and bring himself down to the common price.

Mr. COKE. The Senator, as all protectionists do, claims for the protective tariffs all the advances made by all the elements of civilization in this country for the last one hundred years. That is what he does.

Mr. DAWES. About fifty.

Mr. COKE. He claims for the protective tariff the benefits conferred by all the machinery, by all the inventions, by all the labor-saving appliances that have been invented in a hundred years all over the world.

Mr. President, while the average of the tariff is 47 per cent., I have never taken the position that the entire 47 per cent. is added to the price of all the articles of domestic manufacture. I believe that in various ways that is decreased. I do believe that of that 47 per cent. an average of at least 30 per cent. is placed upon all the manufactured products of this country. This, I think, can be demonstrated.

Mr. DAWES. Now, allow——

Mr. COKE. Will the Senator excuse me for a little while? He made a speech awhile ago. Now, I want to say very little more. I believe that the workingman, for whose interest and benefit it is asserted the tariff is enacted, is the worst-swindled man in this country under it, except the farmer.

Mr. DAWES. Allow me to ask you a question now.

Mr. COKE. I will not right now.

The workingman saves little or nothing of his wages. When the end of the year comes he has expended it all in living. The cost of his living is increased from 30 to 47 per cent., while he receives a pittance of from 18 to 21 per cent. in the different branches of manufacture in which he is employed. The operation of the tariff will after awhile be understood by the plain people of this country. They are being rapidly educated upon it.

Senators say they have a popular verdict approving the Republican tariff scheme; that the question is settled. I tell them they were never more mistaken. The fight has only commenced. The agitation will continue, will go on without ceasing, will not let up, but increase in

warmth and vigor and earnestness until it is settled and determined that there can be no lawful or legitimate taxation except that which aims alone to raise revenue for the support of the Government.

But to return to the amendment I propose. I appeal to Senators not to increase the tax upon the cotton producers of the South, as this bill does, professing at the same time to be reducing taxes, and as the Senate has just refused to lessen the taxes of these people, at least to leave the burden where it stands now under existing law, as my amendment proposes.

Mr. DAWES. Mr. President, the Senator from Texas declined rather brusquely to yield to me after he had answered my suggestion. If it arose from anything that I said which annoyed him, I regret it very much.

Mr. COKE. I assure the Senator that I meant no discourtesy to him. I was simply in the middle of a sentence, and I did not feel like yielding then.

Mr. DAWES. I am sure the Senator knows that whatever I may have said I did not mean to be in any way discourteous to him.

The Senator says that he does not think that all this 47 per cent. is by the operation and effect of the law an addition to the cost of the article on the part of the consumer. The President says it is. The President says that this duty enables the domestic producer to add an equal amount to the cost of his article, so that those who buy the domestic article, as well as those who buy the foreign article, are obliged to pay an equivalent, which goes, he says, into the pocket of the producer and never reaches the Government. Of course, if that be so, it is clean profit. Now, the Senator says he does not agree with the President to that extent, because there are other considerations which enter into the matter, and he does not think that it enables the domestic producer to put on more than 30 per cent. profit. He insists upon it that the American producer is enabled by this tariff duty to put on 30 per cent. profit.

Mr. JONES, of Arkansas. Will the Senator allow me——

Mr. DAWES. Let me get through with this and then I will.

There is nothing to hinder every mortal of the 60,000,000 people in this country going into any one kind of manufacturing; and if you just convince the capitalist that he can make 30 per cent. in the manufacture of articles affected by the tariff, he will not be lending his money out in Iowa and Minnesota by the hundred millions at 6 per cent., as my friend from Texas [Mr. REAGAN], the Senator's colleague, says he is doing. I want to know why it is that $300,000,000 have been loaned out by capitalists in Iowa and other Western States at 6 per cent. interest when the same capitalists can put it into the manufacture of articles covered by the protective duties and make 30 per cent.?

My colleague [Mr. HOAR] suggests, how is it that the Government can get its bonds taken at the low rate of 4 per cent. or 3½ per cent. or 3.65, when the money can be invested in manufactures, under the cover of law, so as to make 30 per cent.? I suggest with due respect, with all respect to my friend from Texas [Mr. COKE], that he is mistaken. There is no truth in that statement. The fact is that the duty is only a tax upon the consumer when the foreign product finds an empty market here, but the object of the duty is to enable the American manufacturer to fill the market, and when the foreigner comes here with his article and finds the market supplied he has to come to the American terms and pay all the additional expense himself. It is as plain as A, B, C.

Besides all this, the statistics are open to my friend which show that the average dividends of all manufacturing establishments for twenty-five years have not exceeded 5 per cent.; and yet the Senator will tell the American people that they are taxed to enable the producer in this country to pocket 30 per cent. profit, and in order to stop that condition of things we must surrender our industries to the foreigner, and let the foreigner, after he has extinguished production here, set the price himself upon that which he sells us.

Mr. VANCE. Mr. President——

Mr. COKE. Will the Senator allow me?

Mr. VANCE. I just want to inquire if the market is empty, so that I can introduce something [laughter], and then I will give way to the Senator from Texas.

The PRESIDENT *pro tempore*. The Senator from North Carolina is entitled to the floor.

Mr. VANCE. I yield to the Senator from Texas.

Mr. COKE. I simply desire to say, in reply to the Senator from Massachusetts, that my proposition was that the consumers pay 30 per cent. more for all they consume by reason of the protective tariff. After the manufacturers pay their $10,000 or $15,000 or $20,000 salaries to their presidents and to their clerks and to all their nephews and all their kinfolks who are employed, I do not mean to say that after doing that they have 30 per cent. to divide among the stockholders in dividends. I simply mean to say that I think it is susceptible of demonstration that the people of this country pay 30 per cent. additional for everything they consume by reason of the existence of the tariff.

Mr. DAWES. Mr. President, I owe an apology to the Senator from Arkansas [Mr. JONES], for I promised to yield to him, and forgot to do so.

Mr. JONES, of Arkansas. I only wanted to call the attention of the Senator to what appeared to me to be a misstatement of facts that I supposed he did not intend to make. He stated that the President of the United States said in his message that the 47 per cent. of duty on the imported article was paid also to the manufacturer of the domestic article. The Senator omitted to state that the language of the President was that in many instances this was the case, and the statement made by the Senator from Texas was exactly in the same line. He said the average was, in his opinion, 30 per cent. He did not undertake to say that in no case was 47 per cent. ever taken.

Mr. DAWES. The language of the President was in one place that nearly the same amount was added to the cost of production by the American producer, and before he got through, being led on by the zeal of the argument, he omitted the word "nearly" and stated that it was the amount.

The Senator from Texas now says that very possibly the manufacturer does not put all that 30 per cent. in his own pocket, but he gives away all but 5 or 6 per cent. of it to his clerks and his presidents and his officials, and does not keep in his own pocket more than 5 per cent. of it, and gives the rest away. To such extremes are men led who start from the false premise that this duty is a tax upon the consumer. It meets the fact at every turn in the history of all the industries of the country which it is obliged to get around in some such way as that.

Mr. HARRIS. Will the Senator from Massachusetts allow me to ask him a question in the line of his suggestion, because I should like to have it explained? We import largely of a given article, to the New York market, say, and we are manufacturing in New York or elsewhere in this country precisely the same kind and the same quality of article; for many years we have imported and are continuing to import, and for the same period we have manufactured and are continuing to manufacture it; and both the imported and the home manufactured article are being sold from day to day in the same market to the same people; do they not sell at the same price?

Mr. DAWES. Very likely. If of the same quality I presume they do sell at the same price.

Mr. HARRIS. Then is it not certain, or if it be not certain, I should be glad to have the Senator's answer, that the importer would not continue from year to year to import and sell unless he made at least a reasonable or some profit upon the transaction after paying the duty? And if the two sell at the same price does not the consumer pay the tax as well upon the home manufactured competing article as he does upon the imported article?

Mr. DAWES. I will tell the Senator a fact which occurred within the last six months in a trade which has been going on in that way for a great many years—the manufacture and importation of woolen goods. A foreign manufacturer came over to this country with $225,000 worth of woolen goods—I know the names of all the parties connected with this transaction—and offered them at so low a rate to a very large producer in this country of ready-made clothing that it surprised him so much that he went among the heavy dealers and got two of them to join him in purchasing the whole amount, and after the check was drawn for that whole amount he asked this foreign producer how much he had made on that sale of $225,000 worth of these goods. "Made!" said he, "I lost $40,000 on it." He was asked, "Why did you bring them here and offer them in our market for $40,000 less than the cost?" The answer was, "They are what is left; we filled our market and have got these over, and it is a dead loss to us unless we can turn it, and every dollar that we can get from it is so much gain." That is the way he can sell by the side of our producer.

Mr. HARRIS. Am I to understand from the answer of the Senator that he thinks all of our importations, or the majority of them, or any considerable proportion of them are simply the refuse stocks left over in foreign countries and sent here to be sacrificed and gotten rid of?

Mr. DAWES. Whether it is a large majority or not I do not know, but I have no doubt that it is a considerable proportion; and in the legitimate trade where the foreign manufacturer is able to come in and compete with the American producer it is attributable to the fact that he can obtain the labor and all the cost that enters into the production of his article so much cheaper that he can pay the duty and bring himself still on a level in the market with the American producer.

Mr. VANCE. Mr. President——

Mr. McPHERSON. If the Senator will yield, I will move that the Senate do now adjourn.

Mr. PLATT. I ask the Senator from New Jersey to withhold that motion for a moment that I may make a request of the Senate.

The PRESIDENT *pro tempore*. Does the Senator from North Carolina yield?

Mr. VANCE. Yes, sir.

The PRESIDENT *pro tempore*. The Senator from New Jersey, the Chair understands, moves that the Senate adjourn.

Mr. McPHERSON. I withdraw the motion.

Mr. PLATT. Mr. President, I am compelled to go to my home in Connecticut to-morrow, to be absent for the rest of the week. There are some items in this bill which we shall come to possibly while I am gone—though I think not—in which I am interested and which I should

like to have passed over. They are paragraphs 171 and 172, about cutlery, and paragraphs 173 and 181 about fire-arms. I wish the Senate would give unanimous consent that if those paragraphs are reached during my absence they may be passed over until my return. I shall be back on Monday.

The PRESIDENT *pro tempore*. The Senator from Connecticut asks that paragraphs 171, 172, 173, and 181 may be passed over informally, should they be reached during the present week, until his return from Connecticut. Is there objection? The Chair hears none.

Mr. MCPHERSON. I renew my motion.

Mr. ALLISON. The Senator from Missouri wanted a brief executive session. I promised him to make that motion at 5 o'clock.

Mr. EDMUNDS. He is not here; let us have it to-morrow.

Mr. VEST. You mean the senior Senator?

Mr. ALLISON. Yes; I mean the senior Senator from Missouri [Mr. COCKRELL]. I will not press the matter.

The PRESIDENT *pro tempore*. The Senator from New Jersey [Mr. MCPHERSON] moves that the Senate do now adjourn.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 13, 1888, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *December* 12, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

The following additional members appeared and took their seats:

Mr. CHARLES H. GIBSON, of Maryland.

Mr. JOSEPH M. CAREY, of Wyoming.

Mr. ISAAC S. STRUBLE, of Iowa.

CORRECTION OF THE JOURNAL OF MAY 21, 1888.

Mr. HATCH. Mr. Speaker, I rise to a question of privilege. In examining the advance sheets of the House Journal of last session as sent to the Public Printer, I find on page 1956 in the proceedings of May 21, 1888, that on my motion to move to suspend the rules and pass House bill 8191, the bill known as "An act to enlarge the powers and duties of the Department of Agriculture, and create an Executive Department to be known as the Department of Agriculture," the published Journal fails to give the title of the bill or its number.

The entry which appears in the Journal is simply this: "Mr. HATCH, under instructions from the Committee on Agriculture, moved to suspend the rules." I find, from an examination of the minutes of the Journal Clerk, that the title and number of the bill were correctly stated by him, but in transcribing the minutes in the Clerk's office and in preparing the Journal for publication those points were omitted and there was no statement of the title or the number of the bill which I moved to pass under a suspension of the rules. The closing line of the entry is: "So the rules were suspended, and the bill was passed;" but there is nowhere a statement of what the bill was. I move that the Journal be corrected, and that the Journal Clerk be instructed to correct the proof-sheets of the printed Journal, so that the statement there shall conform to the minutes and show the number and title of the bill.

The SPEAKER. The gentleman from Missouri [Mr. HATCH] moves that the printed Journal of the proceedings of the House of the 21st of May, 1888, be corrected so as to show the facts as stated by him.

Mr. HATCH. I find upon examination of the RECORD of the proceedings of that day that it is correct, stating properly and in full the motion made by me.

The SPEAKER. The gentleman moves that the printed Journal be corrected so as to state in full the number and title of the bill which he moved to pass, under the suspension of the rules, on the 21st day of May last, and that the Clerk of the House be directed to correct the printed Journal accordingly.

Mr. REED. Mr. Speaker, how does the original Journal describe the transaction?

The SPEAKER. The Chair has not examined.

Mr. REED. It seems to me that a correction of the printed Journal would not be sufficient.

Mr. HATCH. The minutes of the Journal Clerk show the title and number of the bill correctly, but in transcribing the entry from the minutes into the Journal of the House, the number and title of the bill were left out, and they were also left out of the proof-sheets or the copy sent to the Public Printer for publication.

Mr. REED. As I understood the Chair, the motion which is being put is to correct the published Journal. It seems to me that there must be an original Journal, of which the printed publication is only a copy, and if a correction is to be made, I think it ought to be made in the original.

Mr. HATCH. That was my motion, to correct the Journal of the House and also the proof-sheets.

The SPEAKER. Then the Chair did not state the gentleman's motion correctly. The Chair understood the gentleman to move that the Clerk be directed to correct the proof-sheets. The motion of the gentleman from Missouri [Mr. HATCH] is that the Clerk be directed to correct the original manuscript Journal of the House and also the proof-sheets in accordance with what is shown by the manuscript minutes.

Mr. HATCH. And shown also by the indorsement on the bill, which shows that the bill passed the House on the 21st day of May, 1888, under a suspension of the rules.

The motion was agreed to.

ORDER OF BUSINESS.

Mr. HATCH. Now I ask unanimous consent to report a bill back to the House from the Committee on Agriculture.

The SPEAKER. The Chair will first proceed to execute the rule of the House unless some matter of privilege is presented.

RELIEF OF CHIPPEWA INDIANS, MINNESOTA.

The SPEAKER laid before the House a bill (H. R. 7935) for the relief and civilization of the Chippewa Indians in the State of Minnesota, with an amendment of the Senate thereto.

On motion of Mr. PEEL, by unanimous consent, the House non-concurred in the amendment of the Senate and asked for a conference.

The SPEAKER subsequently announced the appointment of Mr. PEEL, Mr. HUDD, and Mr. NELSON as the conferees on the part of the House.

NEW YORK, LAKE ERIE AND WESTERN RAILROAD COMPANY.

The SPEAKER also laid before the House a bill (S. 779) for the relief of the New York, Lake Erie and Western Railroad Company; which was read a first and second time, and referred to the Committee on Claims.

LEAVE OF ABSENCE.

Mr. ANDERSON, of Iowa, by unanimous consent, obtained indefinite leave of absence.

PAYMENT OF UNITED STATES MARSHALS.

Mr. ROGERS. I rise to a question of privilege. I am directed by the Committee on the Judiciary to report back with a favorable recommendation the resolution which I send to the desk and to ask for its consideration now.

The Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, *December* 10, 1888.

Mr. ROGERS introduced the following resolution; which was referred to the Committee on the Judiciary:

"*Resolved*, That the Attorney-General of the United States be, and he is hereby, requested to inform the House of Representatives whether in his opinion there will result any embarrassment or delay in the administration of the law in the courts of the United States because of the following proviso attached to the appropriation for the payment of the fees and expenses of United States marshals and deputies for the fiscal year ending June 30, 1889, namely:

"'*Provided*, That not exceeding $300,000 of this appropriation may be advanced to marshals, to be accounted for in the usual way, the residue to remain in the Treasury, to be used, if at all, only in the payment of the accounts of marshals in the manner provided in section 856 of the Revised Statutes.'"

The question being taken, the resolution was adopted.

Mr. ROGERS moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

DEPARTMENT OF AGRICULTURE.

Mr. HATCH. I now ask unanimous consent to report from the Committee on Agriculture, with the Senate amendments, the bill known as the Agricultural Department bill. I ask that the Senate amendments be non-concurred in and the conference asked by the Senate agreed to.

The SPEAKER. The title of the bill, with the amendments, will be read.

The Clerk read as follows:

House bill No. 8191, to enlarge the powers and duties of the Department of Agriculture and to create an Executive Department to be known as the Department of Agriculture.

IN THE SENATE OF THE UNITED STATES, *September* 21, 1888.

Resolved, That this bill pass with amendments:

Page 1, lines 1 and 2, strike out "established at the seat of government of the United States.

Page 1, line 3, strike out "to be known as the Department of Agriculture."

Page 1, line 12, strike out the word "and" where it occurs a second time.

Page 1, line 14, strike out the word "hereafter."

Page 1, line 16, strike out the word "first."

Page 1, line 17, after "the" where it occurs the second time insert "first."

Page 1, line 19, strike out "law" and insert "laws."

Strike out all of section 5.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. HATCH] that the House non-concur in these amendments and agree to the conference asked by the Senate?

Mr. DINGLEY. Before that question is determined I would like to have the gentleman from Missouri state the substance of section 5.

Mr. OATES. If this is likely to provoke discussion, I must call the regular order.

Mr. HATCH. I am not going to take up any time. I have the floor and will not yield to any one for discussion or consume any time myself in discussing the bill. I will simply answer the inquiry of the

gentleman from Maine [Mr. DINGLEY], who is a friend of the bill. We want to get the bill in conference in order to perfect it.

Mr. DINGLEY. I merely asked the gentleman to state the substance of section 5.

Mr. HATCH. That is the section providing for the transfer of the Weather Bureau service to the new Department. I want to keep that in the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? The Chair hears none; and the order is made.

ORDER OF BUSINESS.

The SPEAKER. The gentleman from Alabama [Mr. OATES], as the Chair understands, demands the regular order.

Mr. CASWELL. I move that the House resolve itself into Committee of the Whole on the state of the Union for the further consideration of the special order, known as the direct-tax bill; and pending that motion I move that the general debate terminate at quarter past 1 o'clock.

The SPEAKER. The gentleman from Louisiana [Mr. BLANCHARD] desires to report the river and harbor bill for the purpose of having it referred to the Committee of the Whole on the state of the Union and printed. Does the gentleman from Wisconsin [Mr. CASWELL] yield?

Mr. CASWELL. I will yield for that purpose.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. BLANCHARD. I am instructed by the Committee on Rivers and Harbors to report the bill which I send to the desk, and to ask that it be referred to the Committee of the Whole House on the state of the Union and printed.

The bill (H. R. 11765) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, was read a first and second time.

Mr. BUCHANAN. I reserve all points of order on that bill.

The SPEAKER. The bill will be referred to the Committee of the Whole on the state of the Union, and ordered to be printed, all points of order being reserved.

CONTESTED-ELECTION CASE—SULLIVAN VS. FELTON.

Mr. O'NEALL, of Indiana. Mr. Speaker, I rise to submit a privileged report,

The SPEAKER. There is a privileged motion now pending.

Mr. O'NEALL, of Indiana. The report I submit is of the highest privilege, being the report in a contested-election case.

The SPEAKER. The report will be sent to the desk.

Mr. O'NEALL, of Indiana, from the Committee on Elections, submitted the report of the committee in the contested-election case of Frank J. Sullivan, contestant, *vs.* Charles N. Felton, contestee; which was ordered to be printed, and referred to the House Calendar.

Mr. ROWELL. I ask leave to submit the views of the minority, to be printed with the report of the committee.

There was no objection, and it was so ordered.

REPORTS OF COMMITTEES.

Mr. MORRILL. With the consent of the gentleman from Wisconsin [Mr. CASWELL] I ask unanimous consent that members having reports to make from the various committees of the House may have leave to present them at the Clerk's desk for proper reference to the Calendars.

There being no objection, it was so ordered.

FILING OF REPORTS.

The following reports were filed by being handed in at the Clerk's desk:

PRINTING OF REPORT OF COMMISSIONER OF EDUCATION.

Mr. RICHARDSON, from the Committee on Printing, reported back favorably Senate concurrent resolution to print 38,000 copies of the report of the Commissioner of Education for 1887–'88; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PRINTING OF SENATE EXECUTIVE DOCUMENT NO. 231.

Mr. RICHARDSON also, from the Committee on Printing, reported back favorably House resolution to print 5,000 copies of Senate Executive Document No. 231, first session of Fiftieth Congress; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PRINTING OF ASTRONOMICAL OBSERVATIONS.

Mr. RICHARDSON also, from the Committee on Printing, reported back favorably House concurrent resolution to print the annual volumes of the astronomical observations of the Naval Observatory for 1886, 1887, 1888; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PRINTING OF REPORT OF SENATE INVESTIGATING COMMITTEE.

Mr. RICHARDSON also, from the Committee on Printing, reported back favorably Senate concurrent resolution to print 6,000 extra copies of the report of the Senate select committee to inquire into the methods of business, etc., in the Executive Departments; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PRINTING OF ADDITIONAL COPIES OF UNITED STATES MAPS.

Mr. RICHARDSON also, from the Committee on Printing, reported back favorably Senate concurrent resolution to print additional copies of the United States map of the edition of 1887 prepared by the Commissioner of Public Lands; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

DISPOSITION OF USELESS PAPERS, EXECUTIVE DEPARTMENTS.

Mr. RICHARDSON also, from the Committee on Printing, reported back favorably the bill (S. 2305) to authorize and provide for the disposition of useless papers in the Executive Departments; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, SOUTH BEND, IND.

Mr. NEAL, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 7393) for the erection of a public building at South Bend, Ind.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

JULIANNA MULLER.

Mr. PIDCOCK, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 917) for the relief of Julianna Muller; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

LAURA A. WATSON.

Mr. MORRILL, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 2246) granting a pension to Laura A. Watson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. ELVIRA PARISH.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 8482) granting a pension to Mrs. Elvira Parish; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARIA N. ABBEY.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 3429) granting a pension to Maria N. Abbey; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JAMES WATTERSON.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2623) granting an increase of pension to James Watterson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

IRENE RUCKER SHERIDAN.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back with amendment the bill (S. 3423) granting a pension to Irene Rucker Sheridan, widow of General P. H. Sheridan; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM HARPER.

Mr. HUNTER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 10922) granting a pension to William Harper; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN GALLAGHER.

Mr. HUNTER also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2690) granting a pension to John Gallagher; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WARREN C. ALDEN.

Mr. CUTCHEON, from the Committee on Military Affairs, reported back favorably the bill (S. 1871) to perfect the military record of Warren C. Alden; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ADVERSE REPORTS.

Mr. WALKER, from the Committee on Invalid Pensions, reported back adversely bills of the following titles; which were laid on the table, and the accompanying reports ordered to be printed:

A bill (H. R. 5199) granting a pension to Harriet Carey;

A bill (H. R. 2571) for the relief of Honora T. Hynes;

A bill (H. R. 2616) granting arrears of pension to W. J. McGlade; and

A bill (H. R. 9938) for the relief of George W. Wilburn.

BRIDGE ACROSS MISSOURI RIVER.

Mr. CRISP, from the Commiteee on Commerce, reported back favorably the bill (H. R. 11649) to authorize the construction of a bridge across the Missouri River between the city of Leavenworth, in the State of Kansas, and Platte County, in the State of Missouri; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BRIDGE ACROSS POTEAU RIVER.

Mr. CRISP also, from the Committee on Commerce, reported back favorably the bill (H. R. 11735) to amend an act entitled "An act to authorize the Fort Smith and Choctaw Bridge Company to construct a bridge across the Poteau River, in the Choctaw Nation, near Fort Smith, Ark.;" which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

THOMAS LANNIGAN.

Mr. STONE, of Kentucky, from the Committee on War Claims, reported back favorably the bill (H. R. 10514) for the relief of Thomas Lannigan; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JAMES M. M'CLELLAND.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported a bill (H. R. 11766) for the relief of James M. McClelland; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WARREN HALL.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported back favorably the bill (H. R. 3228) for the relief of Warren Hall; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

DEFICIENCY CONTINGENT FUND, HOUSE OF REPRESENTATIVES.

Mr. SAYERS. Mr. Speaker, I ask unanimous consent, with the concurrence of the gentleman from Alabama, who yields for that purpose, to submit at this time for consideration a bill, and to ask——

The SPEAKER. But the gentleman from Wisconsin [Mr. CASWELL] has the floor and has a privileged motion pending.

Mr. SAYERS. I make the request also with the concurrence of the gentleman from Wisconsin.

The SPEAKER. The gentleman will state it.

Mr. SAYERS. I ask unanimous consent to introduce a bill in regard to a deficiency in the contingent fund of the House of Representatives for present consideration; and further ask unanimous consent that it may be considered in the House as in Committee of the Whole at this time.

The SPEAKER. The bill will be read, after which the Chair will ask for objections.

The Clerk read as follows:

A bill making appropriations to supply a deficiency in the appropriation for the contingent expenses of the House of Representatives.

Be it enacted, etc., That there be, and hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $12,000, to supply a deficiency in the appropriation for miscellaneous items and expenses of special and select committees of the House of Representatives for the fiscal year 1889.

There being no objection, the bill (H. R. 11764) was read a first and second time, ordered to be considered in the House as in Committee of the Whole, and being so considered, was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. SAYERS moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

REFUND OF THE DIRECT TAX.

Mr. CASWELL. I now renew my motion that the House resolve itself into Committee of the Whole House on the state of the Union to further consider the pending order, and further move that all general debate on the bill be closed within one hour—that is to say, at twenty minutes past 1 o'clock to-day.

The motion to limit debate was agreed to.

The motion that the House resolve itself into Committee of the Whole was then agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the bill the title of which the Clerk will report.

The Clerk read as follows:

A bill (S. 139) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861.

The CHAIRMAN. By order of the House all general debate on this bill will be closed in one hour.

Mr. CASWELL. That time is to be equally divided between the friends and the opponents of the bill. I yield the first half hour in opposition to the bill to the gentleman from Alabama [Mr. OATES].

Mr. OATES. I yield twenty minutes of that time to the gentleman from Minnesota [Mr. WILSON].

Mr. WILSON, of Minnesota. Mr. Chairman, I have listened attentively to all that has been said by the advocates of this bill in this Hall, and from whatever standpoint it is looked at it seems to me bad legislation and a vicious precedent.

By an act of Congress approved August 5, 1861, the United States levied and appropriated among the inhabitants of the several States and Territories a direct tax of $20,000,000, and provided for its collection. Under this act and amendments thereto collections were made from individuals residing in various States; and many of the States assumed the amounts apportioned to their respective inhabitants, receiving a commission therefor of 15 per cent. In some of the Southern States the United States was not able to collect this tax at the time, and some of it has not yet been collected. Of the $20,000,000 there has been collected (including the 15 per cent.) $17,359,685.51.

Congress passed acts from time to time suspending the collection of the remainder. The last of these acts was passed July 23, 1868, and carried the suspension up until January 1, 1869. Since that time no effort has been made to collect any part of this tax except by set-off, which the Supreme Court of the United States has held to be inadmissible. By this bill here under consideration it is proposed to pay to the several States on whose inhabitants this tax was imposed and from whom it was collected a sum equal to the sum collected from them.

The reason or pretext put forward for this is that, as the inhabitants of some of the States have not paid their quota of the tax, the amount collected ought to be paid back to those that have paid. This is a novel doctrine. There perhaps never was a tax laid in any State, county, or city that was enforced against every person or all the property subject to it. To hold that as legal ground for the refunding of such a tax would paralyze any government. No principle or precedent can be cited, I think, in support of such a position.

Nor, when the facts are understood, is there any more reason or ground for the claim that equity or justice requires the repayment.

It needs no argument to prove, for every one admits, that a tax levied on the whole people should be so far as practicable enforced against all or none. If that were the principle underlying this bill it would have my hearty support. But there are other facts than those above stated proper to be considered. That part of the direct tax unpaid is back in the so-called cotton States, against whose citizens it could not be enforced at the time it was collected from the other States. It clearly was the duty of the United States to enforce that or some equivalent tax against the people of those States as soon as practicable, and this was done, as I shall attempt to show.

After the levy of the direct tax, when the power of the Government over the cotton States was restored, it being found difficult and expensive to collect the direct tax, the United States levied a cotton tax of $3 a bale (it was at first $2) on all cotton in those States. By this tax there was collected in the years 1863 to 1868, inclusive—almost all in the three last-named years—over $68,000,000, no corresponding or equivalent tax having been laid on any other property in those or in any other States.

Out of respect for the legislators of that time, and in view of the circumstances, I am constrained to believe that this cotton tax must have been imposed for the purpose of compelling the people of those States to bear their share of a burden which they had before escaped. If this were not so, it would be impossible to resist the conclusion that that tax was most unjust and oppressive. If a tax of $1 a barrel was imposed on all flour manufactures, or $10 a head on every horse or steer, or 25 cents on every bushel of wheat, no other property being taxed, we would at once cry out that it was not only unconstitutional, but intolerably unjust, and it is impossible to distinguish such a tax in principle from the cotton tax.

As to this cotton tax, it should also be said that it has always been claimed that it was unconstitutional, and I must admit that it so seems to me. But I do not propose to discuss the question of the constitutionality of that tax. No one has a right dogmatically to assert that it was or was not constitutional, for in a case properly brought before the Supreme Court of the United States, one of the judges being absent, the court was equally divided on the question—four affirming and four denying the constitutionality of the law. But, whether constitutional or unconstitutional, its justice can only be affirmed on the ground that it was intended as an offset to the burden of some tax which had before been collected from other States.

But it is said that the cotton tax was borne by the consumers and not by the producers or owners, and therefore was a tax on the whole people.

I do not argue that this tax all fell on the people of the cotton States.

It did not. Some of the owners of the cotton doubtless lived in other States, and it may be with truth admitted that the tax more or less enhanced the price of cotton, and therefore was in some small part borne by the consumer. But while it is true, as a rule, that taxes fall wholly or principally on the consumers of the commodity taxed, the rule is subject to reasonable limitations, and is obviously hardly applicable at all where the tax, as in this case, is merely a temporary expedient, not intended or understood to be a rule of taxation.

The fact therefore remains and is indisputable that the burden of this cotton tax was primarily and principally on the inhabitants of those States, and was beyond a question more than an equivalent—yes, more than ten times an equivalent—for the direct tax not collected from them. I have here, and shall incorporate in my remarks in the RECORD, a table showing the sums due the United States on the direct tax, and in what States, and the sums collected on cotton in those States.

Name of State.	Direct tax unpaid.	Cotton tax collected.
Alabama	$511,023.30	$10,388,072.10
Arkansas	107,184.82	2,555,638.43
Colorado	715.37	
Florida	72,762.27	918,944.48
Georgia	466,384.44	11,897,094.98
Louisiana	71,385.83	10,098,501.00
Mississippi	302,046.21	8,742,995.93
North Carolina	198,742.06	1,959,704.87
Tennessee	277,493.52	7,873,460.71
Texas	174,265.16	5,502,401.24
Utah	26,982.00	1,375.34
Virginia	286,662.93	825,856.87
Washington	3,487.17	
South Carolina	141,174.31	4,172,420.16

In round numbers there was back a little over $2,600,00 of the direct tax. There was collected from them over $68,000,000 of the cotton tax.

So far as these States are concerned against whose inhabitants the direct tax was not enforced no fair-minded man can, I think, after an understanding of the facts, affirm that they have escaped their fair share of the burden of taxation, or that it would be equitable to enforce against them payment of the balance of the direct tax which has not been by that name enforced. I doubt whether there would be found a man in this House who would advocate such a proposition or claim that it would be just if that single question were directly presented. Not only would it be unjust to enforce that tax, but it would make a precedent and an argument in favor of the enforcement of the cotton tax; for there is no reason that can be urged in favor of the refunding of the former that may not be urged with greater weight in favor of the refunding of the latter.

It is said by the advocates of this bill on the Republican side of the House that if those against whom the cotton tax was imposed go into the courts and get a decree of the United States Supreme Court that the tax was unconstitutional they will favor the repeal of the law and the refunding of the money collected under it. I can not agree to that proposition. The same reason would require the refunding of many other taxes imposed during the war. Such a proposition should not be entertained for a moment. As I have shown, the basis of this direct-tax bill is a claim merely that this tax was unequal. No one pretends that it was illegal. To make inequality a ground for the restoration of the numerous taxes or assessments of the war is a position so alarming and manifestly untenable as to require no argument in opposition to it. Whoever unsettles the adjustment of those times will open a Pandora's box, out of which will come forth innumerable evils to vex and plague us. Sound public policy requires that none of these questions should be reopened; that none of those taxes paid should be refunded; that those things that were settled by the legislators of those days should remain settled.

The facts above stated show that the direct tax has not, in fact, borne unequally on the non-cotton States, and that the remainder of that tax standing on the books of the Treasury against the people of the cotton States should not be enforced against them.

Mr. Chairman, the equalization of taxation is not the object and would not be the effect of this bill. That is merely the pretext laid hold of by many, at least, of its supporters.

But this disguise will not mislead any one long who carefully considers the facts, or who seeks to discover the influences that are behind the measure. It is one of a series of measures or bills to deplete or empty the Treasury without the payment of one dollar of our debt, or any reduction of taxation. It is an attempt to establish a precedent for the collection of taxes by the General Government for distribution among the States.

This is an old nostrum of the tariff monopolists, a device to enable them to increase or keep up the burden of the taxes on the masses for their own benefit and enrichment. For this there is no warrant in the Constitution of the United States.

The powers of the Federal Government are only such as are granted expressly or by clear implication, and I am unable to find any section or clause of that charter that can fairly be held to give any such power. This reason alone would, of course, be conclusive of my vote on this bill. But even if the unconstitutionality of the measure did not stand in the way, other weighty considerations would constrain me to oppose it. As has been said by one of our ablest writers on economics, David A. Wells—

> Federal taxes, with very few exceptions, are levied on commodities, fall on consumption, and are therefore necessarily paid by the consumer. The burden of such taxes must therefore be disproportionately heavier on the man who from necessity expends all or nearly all of his wages, salary, or other income in mere living than on him who only expends one-half or one-third, or a smaller proportion of his income for like purposes, and lays up the surplus for increasing his resources.

For instance, of the tax collected on lumber, salt, sugar, tin-plate, clothing, and many other articles, the poor man not worth more than a few hundred or a few thousand dollars may pay as much as the man worth as many hundred thousands. Many a man who has hard work to make both ends meet would pay as much of such a tax as Gould, Sage, or Vanderbilt.

The bill is, under a thin and almost transparent disguise, an attempt to inaugurate a system of taxation which will distribute the burdens of the Government on the people in proportion to their needs and consumption rather than in proportion to their wealth or ability to pay—a mode of increasing the taxes of the masses for the enrichment of a few favored classes. In my judgment, no measure more repugnant to the Constitution, to sound economic principles, and to justice has been before this Congress. Its enactment would be a most pernicious precedent.

But, Mr. Chairman, if not one of the foregoing objections existed, I would, as a representative of Minnesota, be constrained to oppose this bill.

The real purpose of the bill, as we have seen, is to distribute the surplus now in the Treasury, making necessary the re-collection of a like sum; for what is thus taken out of the Treasury must be replaced by the taxation of the people. And no person giving the least consideration to the question can fail to see that in an equitable division of this sum Minnesota would be entitled to nearly four times as much as this bill allows her, and will be taxed $4 for every one she receives.

For instance, New Hampshire, with a population of 346,399, is to get $218,406; Maine, with a population of 648,936, is to get $420,926; Connecticut, with a population of 622,800, is to get $308,214; Rhode Island, with a population of 276,513, is to get $116,963; while Minnesota, with a population of 780,773, is to get only $108,524. I might multiply illustrations of its unfairness if necessary. If this surplus is to be divided the division should be made fairly. If we are to proceed in disregard of the Constitution and of public policy I am unwilling that Minnesota shall be put off with less than her share. But I wish to emphasize my position. My radical objection to this bill is that it is repugnant to the Constitution and a precedent for the unfair and unequal imposition of the burdens of the Government.

The CHAIRMAN. The gentleman from Minnesota has occupied fifteen minutes of the time yielded to him.

Mr. OATES. I now yield ten minutes to the gentleman from Iowa [Mr. WEAVER].

Mr. WEAVER. Mr. Chairman, I can not see my way clear to support this bill, and I wish to give in brief some of the reasons why I can not do so.

In the first place, the direct tax was levied in pursuance of the provisions of the Constitution of the United States, and was lawfully levied for a patriotic purpose. In so far as that tax was paid by the States it was properly paid. It can not be said, then, that the amounts paid by the various States and the people thereof constitute in any way a claim against the Government of the United States. It is neither a debt due from the United States to the States themselves nor to the people of the States. Then if there is no equitable or legal obligation on the part of the Government to refund this tax, what does the proposition to refund it amount to?

It is simply a proposition to donate the money to the various States. Now, I deny the existence of any constitutional authority to make such a donation. It was claimed in my State during the campaign that the State was in debt, and the $400,000 that she will get, or about that amount in round numbers, will enable Iowa to pay her debt without assessing the people in the usual way. But, Mr. Chairman, I deny that Congress has any power to appropriate money to pay the debts of the States. Hence I conclude that the proposition in the first place lacks constitutional validity.

In the next place, this is a proposition to pay Southern war claims. The State of Virginia paid $442,000 of this tax. Texas paid $180,000, South Carolina paid $222,000, North Carolina $317,000, Missouri $761,000, Kentucky $713,000, Georgia $117,000; in all, about four and a half millions of dollars out of the seventeen and a half millions collected was paid by the States that were either in open rebellion against the Government of the United States or had furnished troops to the Southern army.

Now, sir, if this were a proposition to refund the tax paid by the States engaged in the rebellion and that furnished troops to the South-

ern army, there would be a howl that would be heard all over the North and all over this country against paying back to those States the tribute extorted from them for the purpose of putting down their own rebellion. That is what this tax was collected for, to assist in putting down the rebellion; and the proposition to pay it back to them is no more, no less, than a proposition to reimburse, in part, the Southern States for their losses incurred during the war. I know it is relieved somewhat, in the estimation of some gentlemen, by the fact that the Northern States get a "divy." But the fact that certain Northern States have pooled their interests does not alter the fact nor add any merit to the bill.

These gentlemen are perfectly willing that this tax shall be paid back to Virginia; perfectly willing that South Carolina shall have the amount which she paid given back to her, provided Iowa, Wisconsin, and Pennsylvania and the other Northern States can have a "divy" in the matter, and can be permitted to put their hands into the Treasury.

Sir, it may as well be admitted now as at any other time that the Southern States did not pay their share in putting down the rebellion. They did not pay their share of the stamp tax, the whisky tax, the income tax, the tax upon the gross earnings of railroads, the tax upon manufactures, or of any other tax levied to suppress the rebellion; and if you are to pay back to the States of the North—the loyal States, if you please—their share of this tax, upon the theory that the South did not pay their fair share, why is it not proper to go into a regular examination of the respective shares paid by the Southern and Northern States, rip up the whole question and have a readjustment, and assess the whole country to pay back to the loyal States all that they paid out for the suppression of the rebellion? This proposition is not only unconstitutional, but highly unreasonable and absurd.

The fact that we have a surplus in the Treasury does not give propriety or justice to this measure. If the Government of the United States owes the States—the States that paid this tax—the amount provided for in this bill, it owes it without regard to whether we have a surplus in the Treasury or not. We are the trustees of the money now in the Treasury. It was collected for certain purposes, and we are in honor bound to thwart all propositions to expend it unlawfully. If we must pay back the seventeen and a half millions collected through the direct tax, let us do so by levying another direct tax for that purpose. Let each State pay its proportion. The money now in the Treasury was collected for different purposes, and belongs to all the people who now live in the United States; and we are trustees to see that it is properly disbursed. It shall never be disbursed in the payment of the amount carried in this bill if my vote can prevent it.

[Here the hammer fell.]

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. OATES. I yield four minutes to the gentleman from Arkansas [Mr. McRAE].

Mr. McRAE. Mr. Chairman, I am opposed to this bill as it comes from the Senate and also as reported from the Judiciary Committee, because I believe it both unjust and unconstitutional. In discussing a similar bill in the Forty-ninth Congress on the 14th day of February, 1887, I made some observations that I will now repeat:

THE DIRECT TAX OF 1861.

It is admitted that the direct-tax bill of 1861 was constitutional. No State paid more of the direct tax than was legally assessed against its citizens. The tax was in no sense a charge against the States in their sovereign or corporate capacity. The only effect of that law was to fix an amount for each State beyond which the United States collector could not go in his collections from the citizens thereof, who alone were liable for such tax. The amount apportioned to each State was assessed against the tax-payers residing therein in proportion to the amount of land each owned, and so it was the individual citizens and not the States who became indebted to the United States. The States who paid it were allowed 15 per cent. for collecting. This was the reason some States assumed it. There was no effort to collect this tax from the citizens of the Southern States at that time. They were in rebellion. No one believed that it would ever be collected. The tax was not a lien upon the land, and was only a debt against the citizens. Many of them were killed in battle, others have since died from natural causes, and nearly all of those who now survive had their property swept away by the war and are insolvent.

The United States finding it impossible to collect the taxes, either during or since the war, from the citizens of the Southern States, have charged the amounts apportioned to each of these States to the States in their corporate capacity, and the accounting officers, by reason of these unwarranted charges, withhold from the States all sums due from the United States, and in this way payment is being coerced without law. The only reason given for this bill is that as the tax was collected in the Northern and not in the Southern States the whole amount, about fifteen millions, should be refunded and credited to the States, and the unpaid three million remitted to the delinquent States. It is said by the friends of the bill that this will equalize the matter and save the United States much trouble and litigation with the Southern States. Many Southern Representatives, believing that it is the only way to relieve their States of these illegal and unjust charges, are disposed to support the bill. Such was the feeling of Southern Senators who voted for the measure.

While I am satisfied that Congress has no power to pass this bill as it comes from the Judiciary Committee, I shall not detain the committee to discuss that point. I fully agree with the views so ably expressed by the gentleman from Alabama [Mr. OATES]:

Section 8 of Article I of the Constitution empowers Congress to lay and collect taxes, duties, imposts and excises for three general purposes, namely: (1) to pay the debts, (2) to provide for the common defense, and (3) to provide for the general welfare of the United States. Can it be said with any degree of truth that these taxes, which were legally laid, collected, and applied a quarter of a century ago, constitute a debt in any sense of that word?

The mere statement of the question is its own refutation. Is this appropriation proposed by this bill for the common defense? Is a single dollar of the money by its terms to be applied to the construction of ships, or purchase of guns and materials of war, or for the erection of forts and providing coast defenses, or to raise, equip, or maintain an army, or in any other wise to provide for the common defense? Nothing of the kind can be discovered among its provisions. On the contrary, it is "to reimburse these States, Territories," etc., money paid in obedience to lawful requirement and applied to the common defense in actual war twenty-five years ago. It is substantially a proposition to give a large amount of money to a part of the States and Territories of the Union; in the language of the bill, "to reimburse" them for money which they as States and Territories did not pay, but which was paid by the land-owners within their borders.

Next let us inquire if the appropriation proposed by this bill falls within the third grand purpose for which the taxing power of the United States may be exercised, *i. e.*, to provide for the general welfare of the United States? We hold, in accordance with sound interpretation and the fundamental principles of the party to which we belong, that this clause does not confer power upon Congress to do whatsoever the majority wills, but to lace Congress up strictly within the powers enumerated in the Constitution and such implied powers as are necessary to be exercised in order to give force and efficacy to those expressed.

In vain do we look through the twenty-eight express grants of power to Congress of the Constitution to find any to which this bill is applicable, or which in any remote degree, by implication or otherwise, confers the power to pass it.

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The powers expressly conferred upon Congress to lay and collect taxes are plenary and unlimited, and if there be no limits to the powers of appropriation, the United States is a government of unlimited power. Such a construction blows up the Constitution as with dynamite, and would change the character of the Government, and in the course of time imperil the liberties of the people. It substitutes the unbridled discretion of Congress for a written constitution which for one hundred years has maintained a government the most marvelous and successful of any in the history of civilization.

The people of this country are more vitally interested in restricting Congress in the matter of appropriations to the powers conferred by the Constitution than they are in any other of the provisions of that great charter, for the reason that these are more frequently transcended and abused, usurpations popularized and disguised by the large amount of treasure disbursed; and thus the money of the people is appropriated by their servants and used for the destruction of their liberties, which the restrictions upon power in the Constitution were intended to preserve. They need not fear the unlimited powers of taxation conferred if the money raised be not misapplied, but appropriated only to the constitutional objects and purposes of the Government. If applied only to these, taxation will soon conform to the necessities created thereby, the burdens of the people will be borne without murmur or complaint, and they will have nothing to fear.

The fatal mistake of the friends of the bill is in assuming that the taxes apportioned to the States under the act of 1861 were due from the States in their political and corporate character, and that the Treasury officials had any legal right or power to charge the amounts thus apportioned to the States that did not assume them. The only argument yet made is based upon this false assumption. The tax was assessed and laid upon the real property of private individuals in the States. The public property of the States was specially exempt from the tax. I will ask the Clerk to read the following extract from a late decision of the Supreme Court of the United States in the Louisiana case, decided October 24, 1887.

The Clerk read as follows:

Nor do we regard the unpaid portion of the direct tax laid by the act of Congress of August 5, 1861, which was apportioned to Louisiana, as constituting any debt to the United States by the State in her political and corporate character, which can be set off against her demands. (12 Statutes, 292, chapter 45.) The act imposed an annual direct tax of twenty millions "upon the United States," and apportioned it to the several States of the Union. It directed that the tax should "be assessed and laid on the value of all lands and lots of ground, with their improvements and dwelling-houses." (Section 13.) It was assessed and laid upon the real property of private individuals in the States. Public property of the States and of the United States was exempted from the tax. Its apportionment was merely a designation of the amount which was to be levied upon and collected from this property of individuals in the several States, respectively.

The provisions of the act are inconsistent with any theory of the obligation of the States to pay the sums levied. It provides for the appointment of officers to assess the property to the different holders, and to collect the tax, and directs with minute detail the proceedings to be taken to enforce the collection, either by a distraint and sale of the personal property of the owners, or, that failing, by a sale of the real property taxed. It allows, it is true, the different States to assume the amount apportioned to them respectively, and to collect the same in their own way by their own officers. Many of the States did thus assume the amounts, and in such cases it may well be considered that for the sums assumed they became debtors to the United States, and, so far as any portion of those sums has not been paid, that they still remain debtors. But, unless such assumption was had, no liability attached to any State in her political and corporate character. The liability was upon the individual land-owners within her limits. The act declares that the amount of taxes assessed "shall be and remain a lien upon all lands and other real estate of the individuals who may be assessed for the same during two years after the time it shall annually become due and payable." (Section 33.)

Louisiana never assumed the payment of the taxes apportioned to her, or of any portion of them. She allowed the Government to proceed by its officers to collect the tax from the property-holders. The amount apportioned to her was $385,886.67; the amount collected from the owners of land was $314,500.84, leaving only a balance of $71,385.83. It is not for us to suggest in what way this balance may be collected. After the war the Secretary of the Treasury was authorized to suspend the collection of the tax in any of the States previously declared in insurrection, until January, 1868, and subsequently this authority was extended to January, 1869. (14 Statutes, 331, section 14; 15 Statutes, 260, chapter 69.) The Secretary acted upon this authority and suspended the collection. It is stated that since 1869 no attempts have been made by the executive department to enforce its collection in those States. Be that as it may, it is enough for the disposition of the present case that the unpaid balance of the tax apportioned to Louisiana constitutes no debt on the part of the State in her political and corporate character to the United States.

Mr. McRAE. This I think ought to forever settle the question of the liability of the States, and sustains the position I assumed before the decision was delivered.

The State of Arkansas bears the same relation to the United States

as far as this tax is concerned as does the State of Louisiana. The charge made and still standing was without authority, but under this decision ought not to stand. Arkansas did not assume the payment of the sum apportioned to her. It, like all the Southern States, allowed the Government to collect the tax from the owners of real estate. The amount apportioned to her was $261,886. The amount collected by the officers, shown by the account as stated by the commissioners appointed to examine such accounts, was $186,736.44, leaving a balance of $77,803.82. The commissioners who collected this tax have failed to account for much of it. I suggest to the friends of the bill that it would be better to proceed against these defaulters than to indulge in threats against States not liable.

The gentleman from Ohio [Mr. GROSVENOR] indulged in some very extravagant talk about defaulting States, and mentioned by name the State of Arkansas. I say to him and to Congress that Arkansas does not owe a dollar to the United States that she is not willing and able to pay. She has honest and legal claims against the United States that more than set off the claim against her. She is anxious for a settlement. And it illy becomes a Representative from Ohio, whose State stands charged with $2,007,260.34, deposited with her under the act of June 23, 1836, while asking for $1,332,025.93 more under this bill, to go out of his way to assail the faith and good name of another State about a matter that could not in the least be affected by this proposition. The people of Arkansas are poor, but they need not and will not go to the State of Ohio to learn honesty, nor beg donations of the General Government. All she asks is fair treatment under the laws and that she shall not be discriminated against in any way.

The gentleman's remarks have not yet appeared and I trust he may modify them before they do.

Mr. CASWELL. Mr. Chairman, it is a common practice among lawyers, at least when there is no defense to a proposition upon its merits, to raise some constitutional question and if possible to accomplish its defeat. I desire the attention of the committee for a few moments while I refer to similar objections which have been raised and very ably argued in this instance upon the other side of this Chamber against the passage of this bill. It may be conceded that no express language can be found in the Constitution which makes provision for the refunding of a tax once levied and collected. But we find a clause which authorizes Congress to provide for the "common defense and general welfare of the United States." Under that provision the Government in the hour of its peril undertook to provide for the common defense and for the welfare of the whole country by laying a tax of $20,000,000 upon the States, or rather upon the landed property of the States. Underlying the question of taxation in this country may be found the principles of equality and uniformity. The gentleman from Mississippi [Mr. HOOKER] a day or two since called our attention to the fact that in the convention which adopted the Constitution much discussion was had over the proposition to apportion taxes among the States, leaving each State to collect the tax in its own way. But fear was had that some of the States might refuse to respond and fail to pay over to the Treasury their just and proper proportion, leaving the Government without remedy and with a depleted Treasury. Hence that plan was abandoned and the authority delegated to Congress to levy and enforce taxes through Federal machinery upon such property as in its wisdom might seem proper within the limits and jurisdiction of any State. In the emergency which occurred when this particular tax was levied the General Government for the first and only time in the history of this country undertook to levy and collect a direct tax. The gentleman from Minnesota [Mr. WILSON] reminds us this morning that there is to be found no precedent for the passage of this bill. I concede it. This is the first and only direct tax that was ever levied upon the real estate of this country by the Federal Government, and it has proved a failure; such a failure, I apprehend, as will be a warning to the people to never attempt the like again.

If the Congress of the United States has the power to provide for the common defense and to lay a tax upon the people for that purpose and to apportion such tax among the several States, observing the rules of uniformity and equality so far as is possible, and if in the process of enforcing that tax it appears to be impossible to complete the collection and enforcement of the tax, has not Congress the authority to retrace its steps? Can it not refund to the States from which collections were made the money which had been received in its efforts to make the collection and thus conform to the principle of equality in laying the burdens of the General Government upon the States? If Congress can take a step forward in the line of raising revenues, has it not the power to retrace that step? May it not suspend the collection of a tax after it is levied? If it can suspend the collection, may it not refund the tax entirely to the source from which it was received?

Suppose in this instance we had made collections from only one-half the States, would any gentleman insist that we could not refund the money which we had received from that half, in order to restore the States to an equal footing? I do not understand how it can be contended that in the plenary powers of the Government to lay taxes there can not be found authority to readjust, refund, and restore equality wherever and whenever necessary.

This is not a Southern question, nor is it a Northern question. Nearly one-half of the Southern States have paid their share of this tax, either by their voluntary act, or by enforcement. Is it right or equitable to require the State of South Carolina, for instance, to pay three or four hundred thousand dollars into the Treasury of the United States for the common defense? Is it right to sell the real estate of her citizens at great sacrifice for the purpose of enforcing the tax, under the circumstances described to us on yesterday by the gentleman from South Carolina [Mr. ELLIOTT], and at the same time allow the State of Alabama to escape altogether? Shall Virginia be compelled to pay the entire sum apportioned to her, and the State of Georgia passed by without the payment of a dollar? What kind of equity is that? Why, then, say this bill works injustice to the Southern States, when one-half of them are beneficiaries, equally with the States of the North, under its provisions?

Of all the States in the South, the State of Georgia is the last that should oppose the passage of this bill upon the floor of this House. She alone of all the Southern States, I think, has assumed by act of her Legislature the payment of this tax, and yet we find her leading the opposition to this most just and equitable measure. Do the gentlemen from Georgia forget that by the act of their own Legislature they are in honor bound to make this payment to the Treasury? There may be some question I concede as to the validity of the act of assumption and the power of the State to assume this tax, and upon that question I desire to say a word

I think it may be stated that all or nearly all of the Northern States of the Union assumed, or attempted to assume, by action of their Legislatures, the payment of this tax. But why did they do it? In the very act of Congress which levied it provision may be found granting to the States express authority to assume the payment. I ask these gentlemen, who can find no authority in the Constitution for restoring this tax to the source from whence it was received, where will they find authority to authorize a State to make this assumption? The tax itself was laid upon the real estate of the people. It was levied against individuals, as has been shown by the gentleman from Arkansas [Mr. MCRAE] in the decision which he sent to the Clerk's desk to be read. As is well known, the States of Louisiana and Mississippi brought actions a short time ago against the United States for the recovery of moneys due to them from the sale of public lands within their borders which the Government had withheld and applied upon this tax in offset. In these cases the Supreme Court held that the tax was against the people and not against the State in its municipal character, and that the offsetting of such moneys in liquidation of the amount of tax still standing against such States was unauthorized.

Now, let me call the attention of the House to a sea of difficulties that may arise, and will arise, under this decision, if we do not pass this bill. Why, sir, nearly one-third, I may assume, of this entire tax which has been realized by the Treasury of the United States has been realized from these offsets. In the light of these decisions, that the tax was against the people and not against the municipality, these offsets were unauthorized and illegal. Action after action may now be brought, and will be brought, against the United States for the recovery of the several sums of money which were due to the States, arising from various sources, but which have been, by the rulings of the Treasury Department, confiscated and applied in offset upon this tax.

It is said, however, that the assumption of this tax by a State changes the rule and obligates the State in its municipal capacity to its final payments, thereby making valid the acts of the Government in offsetting legitimate claims in favor of the States which had assumed the tax. In the case of Louisiana against the United States, reported in 123 United States Reports, the court suggested that such might be the effect, but that precise question was not before the court or involved in that controversy. The State of Louisiana had never assumed payment of the tax. I submit that if sufficient warrant can not be found in the Constitution to enable Congress to refund so much of this tax as has been collected, where shall we find warrant for the act authorizing the several States to assume and pay this tax from the common Treasury?

The tax was laid upon real estate alone, consequently it was against the particular owners thereof. Can the several Legislatures relieve such owners, take from their shoulders the burden and spread it upon the people of the whole State? No argument is required to show that such action would be eminently just, equal, and in the spirit of our system of taxation. But is there express or implied authority in the Constitution of the United States or in the constitution of the several States for such action? This may be very much doubted. If a State under the delegated authority of Congress may exercise this just act of equalization, why may not Congress exercise the right of returning to such of the States as have assumed the burden the money received from them? If, however, we are to apply the rule of strict construction so closely and I may say ably adhered to by the gentleman from Alabama [Mr. OATES], and the gentleman from Georgia, the conclusion is to me irresistible that such acts of assumption are without authority and void. If Congress had no authority to clothe the States with this power, and if they had no right to assume and discharge this burden from their common Treasury, or levy it equally upon all the people, then it is easy to be seen that such assumption was invalid, and a great number of suit will be brought against the United States to recover the moneys du

these States in their municipal character upon the ground that the application of these claims upon the supposed debt against the States was illegal and void.

It may also be said that there are a number of States which have never assumed the tax, and that claims to a very great extent have been offset against such States while the debt existed only against the people. This class of cases are brought squarely within the Louisiana decision, and such application of just sums of money due these States was wholly unauthorized. There can be no question but in such cases the States have a clear cause of action against the United States. This furnishes a strong argument for the passage of this bill and the return of all moneys to the source from which they were received, as well as a speedy payment on the part of the Government of such claims as may be due the States in their own right. If the Government has without the authority of law withheld moneys due these States, and if large sums of money have been received from the several States under the assumed authority attempted to be delegated to them by Congress without constitutional right, the several transactions amount to little more than a loan of money to the General Government for the time being, and the treasuries of the States should be reimbursed as soon as possible. Such a course will save litigation to a great extent, and tend largely to place all the States upon the basis of equality.

The distinguished gentleman from Pennsylvania [Mr. BUCKALEW] deprecates the payment of so much money into the treasury of his own State. He fears the demoralizing effect it may exercise upon the people of his commonwealth. Mr. Chairman, I have no such fear as to its effect upon the people of my State, nor does it seem that there is just cause for the fear he entertains. The entire amount which will be paid to any State can be profitably expended in a single year in lightening the burdens of State taxation, thereby enabling the people to retain in their pockets moneys that would otherwise be required to defray the expenses of State governments.

I have no time to discuss at much length the proposed amendment of the gentleman from Alabama [Mr. OATES]. He proposes to refund the cotton tax, amounting to $68,000,000. He bases this claim upon the unconstitutionality of such tax. He asserts that it was sectional in its character, and consequently illegally laid upon that product. The gentleman from Georgia [Mr. BARNES] urges that it was in effect a tax upon the land that produced the cotton; therefore unequal and unjust. Such may be the effect of the levy. But it can not be said that Congress, in the exercise of its taxing power, may not select such property as it sees fit for the purposes of taxation. This question arose in 1795, when Congress laid a tax upon pleasure carriages. For some reason this species of property was selected and a tax laid upon it for the purpose of obtaining revenues. An action was brought against the owners of carriages to recover a penalty for a neglect to pay the tax. The Supreme Court, in 3 Dall., held, after a protracted discussion, that Congress had full power to lay and collect the tax.

The gentleman from Illinois [Mr. HOPKINS] has already called attention to the case reported in 112 United States Reports, when a similar ruling was had. The court, illustrating, refer to the heavy tax laid upon tobacco, which is grown in only a part of the States. Without hesitation the court seem to sanction the validity of such tax. Why, then, may not Congress levy a tax upon cotton? It is difficult to distinguish the one from the other. In fact, the distinguished gentleman from Georgia [Mr. BARNES] concedes there is no difference.

In conclusion, let me say, Mr. Chairman, it is the well-settled law of this country that the validity of a tax levied upon specific articles does not depend upon the universality of the property taxed, but upon the equality of the tax upon such property wherever found. Before yielding the floor I wish to correct an impression which is so generally entertained, that it will take more than $17,000,000 to comply with the terms of this bill. Such is not the case. It will require but little more than $15,000,000. The 15 per cent. discount allowed whenever payments were made by the States was not "collected" within the meaning of the bill, and should not be included, as it often has been, in arriving at the proper amount to be refunded.

Mr. EZRA B. TAYLOR. Mr. Chairman, I had intended to discuss this matter at more length than I find I may be able to do, for two reasons—chiefly because I have given away such time as I might otherwise have had; and I propose now only to touch here and there a subject incidentally connected with this case.

I think, Mr. Chairman, that the object of this bill, so far as appears from the discussion, has been very much misapprehended. It is not a bill sectional in its purpose or its effect. It is not a bill involving the rights or the injuries of any political party. It is a bill simply and solely for the purpose of settling a vexed question which has been pending for many years, and to settle a partially settled affair of governmental finance.

In 1861, under the pressure of the occasion then existing, a direct tax was levied upon the people of the United States and apportioned among all the States under the provisions of the Constitution. I apprehend that no one now denies that that was then a legal tax, a legal assessment, and is legal and operative to-day. Some of the States have paid that assessment entirely and in full; some have paid it in part, and some have paid it not at all. Now, what are we going to do about it? You gentlemen who oppose the passage of this bill, which is only a settlement of that unfinished business, what do you propose to do about it? Do you propose as a matter of justice to have those States that have paid entirely and those that have paid in part continue in that position without remuneration? And then do you propose that the States which have not paid shall pay nothing; or do you propose to proceed to collect from those States the portion due from them?

Mr. Chairman, these men who are talking so loudly about the Constitution would recognize at once that the very position they take in this matter would be unconstitutional if placed in a statute. Suppose that in 1861 Congress had levied this tax upon the States that have now paid and upon no others; would anybody living fail to recognize that as an unconstitutional enactment? Yet these gentlemen with the Constitution in their mouths insist that the effect of that law shall be precisely what it could not have been made in the act itself by the whole power of Congress and the United States. And they come, as all strict constitutionalists do, with a superior touch of legal humanity about them, above all other people that I ever knew. In their hands the Constitution is always a weapon of offense and defense; and it is nothing else.

Mr. Chairman, we are confronted with a situation. That situation is exactly this: You must either pay back to the States that have paid the money which they have paid, or you must make the States that have not paid pay their share, which is unpaid.

No administration can escape this result. No proper administration of the Government can avoid this fact. It was a tax legal through all its scope. It has been paid in part, and must be paid altogether either by refunding to those who have paid or making those who have not paid pay up.

I say this bill is in the entire interest of the Gulf States which make clamor against it. For if this tax is not refunded to those who paid it then payment will be enforced on the part of those who have not yet paid their share of it. It will not do for them to say, now you have paid your share, do not ask us to pay ours. We say, on the contrary, let us take back our share without interest and we will exonerate you from the payment of your share. In the justice of this all must agree.

Now, Mr. Chairman, what would be the result? We ask simply the naked money paid, not by Ohio alone, but by South Carolina, by Tennessee, by Kentucky, by both Virginias, by North Carolina, and many other of the Southern States, be returned to the States which paid it, or to the individuals who paid it without interest for twenty-six or twenty-seven years. If on the other hand you do not accept that, then the $2,600,000 remaining unpaid is a debt existing, a constitutional debt, which must be paid. That $2,600,000 must be paid by you who have not yet paid it. It must be paid, too, with interest for twenty-six or twenty-seven years. It must also be paid with a penalty attached of 50 per cent. And yet these statesmen, upon whose shoulders that load rests, insist that is trying to do them an injury. We are taking from them three times the burden we have taken from ourselves. We give them the benefit of that advantage.

If I should talk all day on this point I could only say just what I have in reference to this matter. The charge of unconstitutionality against this proposed repayment is to my mind so absurd that I do not believe anybody is really in earnest in making it who has contemplated this subject with any care. They can not be in earnest in saying you can not pay a tax once collected. Every lawyer who sits here knows taxes are being repaid every day. Repeal the tax on tobacco to-day and how many millions of money already collected from that tax would necessarily have to go back to the parties who paid it. This is only an unfinished system of taxation which sooner or later must come to an end one way or the other.

Now, Mr. Chairman, there have been proposed by the committee to which this case was referred only two amendments. I wish to speak of those amendments in the presence of so many members of the committee as do me the honor to listen to me, for it may be a matter of importance to them.

The first amendment is found in the first section of the bill as sent to us from the Senate, and provides for inserting the words "by set-off or otherwise;" so the section will then read:

That it shall be the duty of the Secretary of the Treasury to credit to each State and Territory of the United States and the District of Columbia a sum equal to all collections, by set-off or otherwise, made from said States and Territories and the District of Columbia, or from any of the citizens or inhabitants thereof, or other persons, under the act of Congress approved August 5, 1861, and the amendatory acts thereto.

The insertion of those words was suggested by the Secretary of the Treasury himself.

The second amendment suggested by the committee is to strike out the third proviso of the original bill, which is as follows:

And provided further, That no part of the money hereby appropriated shall be paid out by the governor of any State or Territory, or any other person, to any attorney or agent under any contract for services now existing or heretofore made between the representative of any State or Territory and any attorney or agent. All claims under the trust hereby created shall be filed with the governor of such State or Territory and the commissioners of the District of Columbia, respectively, within six years next after the passage of this act, and all claims not so filed shall be forever barred, and the money attributable thereto

shall belong to such State, Territory, or the District of Columbia, respectively, as the case may be.

The committee supposed at that time, under the information possessed by it, it would be well enough to allow the States to take care of that business without undertaking to interfere with it. For that reason, and that alone, it was proposed to leave it with the States, but from information which came into the possession of the House it was determined to suggest the amendment to strike out this provision. I have called the attention of the committee to it merely for the purpose of saying that if this proposed amendment does not meet with their approbation there are reasons to vote it down and have the original proviso remain as in the Senate bill.

I see as the Chairman is lifting his gavel that my time is expired; I am through, substantially, however, with what I desire to say.

The CHAIRMAN. The time allotted by the House for general debate has expired, and the Clerk will now proceed to read the bill by sections for amendment under the five-minute rule.

The Clerk read as follows:

Be it enacted, etc., That it shall be the duty of the Secretary of the Treasury to credit to each State and Territory of the United States and the District of Columbia a sum equal to all collections made from said States and Territories and the District of Columbia, or from any of the citizens or inhabitants thereof, or other persons, under the act of Congress approved August 5, 1861, and the amendatory acts thereto.

The CHAIRMAN. The question will first recur on the amendment reported by the committee, which the Clerk will read.

The Clerk read as follows:

Insert the words "by set-off or otherwise:" so it will read:

"That it shall be the duty of the Secretary of the Treasury to credit to each State and Territory of the United States and the District of Columbia a sum equal to all collections, by set-off or otherwise, made from said States and Territories and the District of Columbia, or from any of the citizens or inhabitants thereof, or other persons, under the act of Congress," etc.

Mr. MCRAE. I move an amendment to the amendment by inserting, after the word "collections," the words "including penalties;" and I ask the attention of the gentleman in charge of the bill for a moment.

The CHAIRMAN. The Clerk will read the amendment of the gentleman from Arkansas.

The Clerk read as follows:

Insert, after the word "collections," the words "including penalties;" so that if amended it will read:

"That it shall be the duty of the Secretary of the Treasury to credit to each State and Territory of the United States and the District of Columbia a sum equal to all collections, including penalties by set-off or otherwise," etc.

Mr. MCRAE. I hope there will be no objection to the adoption of the amendment. I presume the bill is intended to mean that in the Southern States where collections were enforced by judicial sale, under the amendatory act, and where certain penalties were attached, the same should also be repaid. To illustrate the point, I will state that there is a difference in the accounts as stated between the Government and the various States. In Arkansas there is a difference in this regard of some $40,000. The money was collected and paid in by way of penalties. Now, if this means a sum equal to all collections and penalties it is correct as it is, but in order to make certain that that is the intention of the bill, I would prefer to have the words inserted which I have suggested.

Mr. CASWELL. I hope the committee will not adopt the amendment. This point was fully considered before the Judiciary Committee, and the amendment proposed by the committee, "by set-off or otherwise," was considered to cover every possible contingency. I see no necessity whatever, therefore, for the adoption of this amendment. If there was the least reason in the world I would be willing to accept it; but the words "by set-off or otherwise" cover the whole point.

Mr. MCRAE. I do not understand the objection to the amendment. If in the opinion of the gentleman from Wisconsin it is already covered by the phraseology of the bill, why does he object to inserting language that will make that clear beyond question?

I repeat that in stating the accounts between the Government and some of the States they have not credited the States with the penalties paid. We will find that fact running all through the accounts, and this amendment is in order to correct that inequality.

The question was taken on the amendment of Mr. MCRAE; and there were on a division—ayes 56, noes 86.

So the amendment was rejected.

The amendment proposed by the Committee on the Judiciary was adopted.

Mr. WALKER. I now offer the amendment which I send to the desk.

The Clerk read as follows:

Strike out all after the words "credit to," in the fourth line, down to and including "persons," in line 8, and insert the following:

"Those States and Territories and the District of Columbia a sum equal to the aggregate amount of all collections made from said States and Territories and the District of Columbia, the said aggregate sum of collections to be divided by the present aggregate population of the States and Territories and the District of Columbia paying in the same and the rate per capita found; and when such rate shall be so determined, the Secretary of the Treasury shall credit and pay to each of said States and Territories and the District of Columbia an amount equal to the sum found by multiplying the present population of each of the said States and Territories and the District of Columbia by the per capita rate found; and it is further provided that the Secretary of the Treasury shall credit and pay to those States not assuming and paying the tax the amount collected from them by set-off or otherwise, or from any of the citizens or inhabitants thereof, or other persons."

Mr. WALKER. I offer this amendment, Mr. Chairman, so as to provide that this bill shall do full justice, as I conceive it to be the object of the bill to do justice to those loyal States paying in or assuming the payment of this direct tax.

It is a well-known fact that a man living in New Hampshire, in 1861, and paying his proportion of this tax, having since removed to Nebraska or Kansas, and now aiding in the proposed repayment of the tax, would not get back the amount of the tax paid by him in 1861, and would have to pay into the Treasury by the present proposed repayment an additional sum. I can better illustrate this by some figures which I have at hand. Kansas, for instance, would receive under the bill, $71,743.33. Kansas would pay of this money ($17,500,000), now to be raised by taxation, $450,000, Nebraska $275,000, and Missouri $830,000.

If it is intended to refund only the amount paid under the act, and not the 15 per cent. commissions, Kansas would still pay $400,000, Nebraska $250,000, and Missouri $750,000. If my amendment is adopted, Missouri, having paid in $761,000, including the 15 per cent., would receive $930,000, while New Hampshire, having paid in $218,406.67, would receive $117,180. This illustrates the intention of the amendment.

It does seem to me that if justice is intended to be done to the people of the States and Territories paying in the money in 1861 the amendment ought to prevail.

The intention, I presume, of this measure is to refund certain moneys paid in by certain States, Territories, and individuals, and that it should be done by an equitable process, so that its payment would do equal justice as far as practicable to the various people in the United States who contributed the tax. Now, if the latter proposition is the one which is to receive the most consideration, and it certainly is the one that should receive it, then the amendment ought to be adopted. There are certain of the States, and I call the attention of their members on this floor to it, that will lose by this amendment. To the great States of Indiana and Illinois it will make but little difference, but to California, Iowa, Kansas, Missouri, Michigan, Minnesota, Nebraska, and Wisconsin and other of the States which have largely increased their population it makes a very material difference, as well as to all the Territories. The justice of the amendment will be manifest by a consideration of the fact that these States and Territories have largely increased their populations by the depletion of States in the Northeast, and the Northeastern States would lose therefore in proportion to the population lost, while the Western States would gain in the same proportion.

Mr. EZRA B. TAYLOR. Let me ask the gentleman this question: Does the gentleman think that this money is to be paid to any individuals? If it is to be paid directly to the States by what right can you divert it from the purpose? If it is to be paid back it is not to be paid to anybody but the States that paid it.

Mr. WALKER. I will answer the gentleman from Ohio by asking this: What right have you to take seventeen and one-half millions out of the Treasury, being $400,000 paid by Kansas, $800,000 by Missouri, and $250,000 by Nebraska, and give it to New Hampshire, Maine, and other States? If the gentleman will answer that I will answer him.

Mr. EZRA B. TAYLOR. Simply because we assessed all under the Constitution that could be assessed; that one party paid and the other did not.

Mr. SPINOLA and Mr. COX rose.

The CHAIRMAN. The Chair recognizes the gentleman from New York in front [Mr. SPINOLA].

Mr. SPINOLA. I yield to my colleague.

Mr. COX. I propose to take up a few minutes. The constitutionality of this bill has already been elaborately argued. It is enough to know that it is a matter of doubtful constitutionality in order to vote against it. A matter of doubtful constitutionality is a matter of doubtful morality in the larger sense of that word; but this is a measure of doubtful morality in another sense, and on that my friend from Pennsylvania [Mr. BUCKALEW] dilated yesterday with cogency and illustration.

Although I am not a very old man I can recall very well the distribution which took place under the deposit act of 1836. I remember that in Ohio the money came there and was given to the county commissioners to distribute. They loaned it out to their favorites on bond and mortgage. Very little of it ever came back. It tended to demoralize in many senses.

Now, is there any doubt that by the direct tax of 1861 there was a valid collection of money into the Treasury? In regard to its constitutionality, and as to whether it was right to levy that direct tax, is there any question that the reception of that money was constitutional? But is it right to pay it out? That is another question. Certainly not if inequality results, for equality is the corner-stone of good government, and especially of good economy. Would there not result unequal distribution of this money to the States? Although New York may get two, or perhaps two and a quarter of a million dollars out of

this fund returned to her, nevertheless there would be an inequality in its distribution that is not good morality in legislation or equity in its distribution.

Since 1836, the time of the deposit act; since 1861, the time of the direct-tax act; in fact, ever since the end of our Revolutionary war, there has never been an equality of burdens on the various States; and is it not too late now to recur to this business, rake up old accounts and distractions, and restate the accounts and embitter the distractions? It is the interest of the Republic and its citizens that these accounts should be considered closed and those harrowing associations mitigated. Time should work to a good end the rehabilitation of the people in contentment and brotherhood.

I lived in Ohio in 1861, when this tax was levied on the people I then represented, and perhaps on myself, to some extent. I moved to New York. We get something out of this bill for New York, but am I repaid at all or equally for what was paid in Ohio? By no means. My friend from Missouri has just shown the glaring inequality of the inevitable result of this bill; and that is an absurd and inequitable distribution of the moneys refunded.

Therefore, Mr. Chairman, this project is immoral in the sense that I have used the expression. Because of the inequality in the distribution I will not vote for the measure. Why, if we can resuscitate all these matters, we can revive everything of a kindred nature from the beginning of the Government, including the taxation during the Revolutionary war, during the period of the war of 1812, and the burdens of the civil war. Why, sir, there were four billions of taxation, or of bonds, levied upon the people of this country for the civil conflict, without computing the consequential damages. There is no adequate human acumen to determine the varied burdens upon the many localities of this country. Therefore I say that inasmuch as we are changing and have changed the very body and *personnel* of our people since the time of the Revolution, since we have changed the conditions of our people and the sources of our taxes, we can not reach equality by any distribution to be made by this measure at this late day.

Why, if you are seeking equality in the distribution of those direct taxes, what about other taxes, what about your customs duties? Every one knows that by the very nature of the tariff as a revenue measure there can not be equality in the laying and collection of taxation by such measures. It can not be done owing to the multitude of the various conditions of our citizens and of our country. Owing to the distribution of our population, its constant locomotion, its changes from States to States, and from States to Territories, and from place to place, we can not possibly return this money so as to return the money to those who paid it to the Government; we can not reach equality; therefore, because of the doubtful constitutionality and doubtful morality of the bill and its results, and because of the glaring inequality, which is of its very essence, I will not vote for this measure, whatever may be determined by the committee.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. JACKSON and Mr. SPINOLA addressed the Chair.

The CHAIRMAN. Debate on this amendment is exhausted.

Mr. JACKSON. I move to strike out the last word. Mr. Chairman, there are some features of this debate which, it has occurred to me, it would be worth while to comment upon. I do not think it peculiar that we should have presented and argued with a great deal of persistency and argued with great ability the constitutional question, for we have been used to that. From the inauguration of the rebellion in 1861 all along down, upon every proposition to strengthen the hands of the Government or to sustain its arms we have always had to meet the question of unconstitutionality and illegality, and I care not to comment upon that now.

But I observe that this present question has been argued here as if the Government were about to adopt a policy of levying direct taxes and then returning them. This measure is opposed as if it were to be a precedent, as if we were to adopt it as a rule to be continually levying direct taxes and then returning them. Of course no such question is presented before us, and there is no need of meeting difficulties of that kind in this case. Mr. Chairman, perhaps the best plan to argue a case as plain as this one appears to me to be is simply to state it. We have here a definite proposition, a single case of wrong, and we need to provide the remedy for only this one particular case. There is, however, a line of argument which has been urged here that I wish to call attention to, not so much because it is argued in this particular case as because it seems to be a settled policy adopted by those of the other side who represent the cotton-growing States. It appears to be a general plan adopted to meet all questions that come up in our legislation here. It is this: Every proposition that is made, however just, however right, however it may involve binding obligations of the Government, is met by the proposition of these gentlemen that before they will allow us to enact it into law we must give their particular section some equivalent that they never could expect to get as an independent proposition. No matter what proposition is made by our side, the other side meet it and say, "We can not allow you to do that unless you will allow us so and so."

In this case the bill as reported by the committee is denounced as unconstitutional. But we can readily see how it can be made entirely satisfactory if we will adopt the amendments proposed and return the cotton tax.

If we propose to admit Dakota as a State, they say, "No; you can not do that unless you allow us to bring in New Mexico." If we propose to erect a public building in New York or in Philadelphia, or wherever the Government greatly needs it, they say, "No; you can not have that unless you give us public buildings also in Arkansas and in Texas." This line of policy was carried to an extreme here yesterday by the gentleman from Tennessee [Mr. ENLOE], who says that he is in favor of doing justice and of equalizing matters between the States, but that he wants justice to go further back than this proposition, which only settles the direct tax, and his proposition is what? Why, he points to the money that has been paid for pensioning the Union soldiers; he counts up the immense sum, and he says, "I want justice done to the Southern States." How? From the contrast he draws the fair conclusion is that we should pension the men who fought against the Government. This seems to be the only logical conclusion from the gentleman's remarks. They answer us in this way on all occasions. You can not do anything now in the Congress of the United States unless you allow an equivalent to "our side."

Now, gentlemen, I undertake to say that it is time we should call a halt on that class of propositions. We hear a great deal about the "solid South," and we hear a great deal about sectionalism, but I want to say that it is you gentlemen on the other side who are keeping up that cry, and you alone are responsible for it. Do you suppose that you can keep one-third of the country—you will very soon be less than one-fourth—"solid" on such propositions, and that the other two-thirds—or three-fourths as it soon will be—will not remain solid in opposing them? Do you suppose, do you expect, that the people of this country will stand by and see the Government dishonored——

Mr. ENLOE. I want to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield?

Mr. JACKSON. Yes.

Mr. ENLOE. Did the gentleman say that the "gentleman from Tennessee," meaning me, said yesterday that the Confederate soldiers should be pensioned?

Mr. JACKSON. No, sir; I did not say so. I said that you said you were in favor of doing justice, and that one of the ways you proposed to do justice was to go back and rake over a great many things, and that then you called attention to the pension question and said in substance: "Look how much of that money goes to the North and how little to the South!" and I said that the logical conclusion from your argument was that you wanted "justice" done to the Confederate soldiers in that way. And, Mr. Chairman, I understand the gentleman has a bill, introduced in Congress and now pending, looking somewhat in that direction.

Mr. ENLOE. The gentleman does not understand any such thing if he understands the fact.

Mr. JACKSON. Well, what did you mean when you said that you wanted equality, and that so much money was appropriated for pensions, and that the North had got so much, and for three-quarters of a century was going to get it, and that your section was only getting a very small amount? What did you mean by this? What other meaning could it have beside the one I give it?

Mr. ENLOE. Do not strain yourself; you may explode. [Laughter on the Democratic side.]

Mr. JACKSON. What other soldiers than Confederate soldiers are there to be put in opposition to Union soldiers?

Mr. ENLOE. You have got too much in you, and you are trying to get it out too fast.

Mr. JACKSON. Well, I have the floor, and I have enough in me to meet the gentleman on that proposition or any other that he may present.

Mr. ENLOE. I want the gentleman to represent me correctly; he shall not misrepresent me; that is all there is about it. I do not propose to be misrepresented by any gentleman on this floor.

Mr. JACKSON. Let the gentleman make what he pleases of his statements yesterday. They are printed in the RECORD and can be read by any one. I only want to quote him fairly. He said he wanted these questions leveled up——

Mr. ENLOE. If the gentleman puts in my mouth any such language he misrepresents the facts, and he knows it.

[Here the hammer fell.]

[Cries of "Regular order!"]

Mr. ENLOE. I do not propose to let any man put in my mouth language which I did not use.

Mr. JACKSON. I am unable to hear the gentleman.

Mr. ENLOE. I am talking to the Chair.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. JACKSON] has expired.

Mr. ENLOE. I desire now to make a few remarks myself.

The CHAIRMAN. The gentleman from New York [Mr. SPINOLA] will be recognized next.

Mr. SPINOLA. I will yield to the gentleman from Tennessee if I can get the floor next.

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Tennessee?

Mr. SPINOLA. Provided I can follow the gentleman.

The CHAIRMAN. The Chair will next recognize the gentleman's colleague. Does the gentleman yield?

Mr. SPINOLA. Yes, sir. I will offer a new amendment.

Mr. ENLOE. Mr. Chairman, I was not in the House at the time the gentleman from Pennsylvania made the allusion to me, but my attention was called to the matter when I came in, and I was asked the question whether I had made any such statement as that I desired to pension the Confederate soldiers. I stated that I had not made any such statement, and that no legitimate deduction of that character could be drawn from any remarks which I had made; that it was a gratuitous and false construction of the language I had used. What I argued was that there were equities in this case, and that the people of the Southern States were contributing a much larger proportion of the taxes to the support of this Government than they were receiving in return. I assert that again, and no gentleman on this floor can successfully controvert the proposition. But did I say that I wanted to pension any Confederate soldiers? Did I use language which would bear any such construction?

Mr. JACKSON. Will the gentleman yield for a question?

Mr. ENLOE. Certainly I am willing to hear the gentleman.

Mr. JACKSON. Did not the gentleman from Tennessee introduce a bill here to provide homes for Confederate soldiers at the national expense?

Mr. ENLOE. "The gentleman from Tennessee" did introduce, at the beginning of this Congress, a bill which proposed to donate, if the Legislature of the State would consent, the "Hermitage" in Tennessee, the home of Andrew Jackson, for the establishment of a home for disabled soldiers of the Federal and Confederate armies alike.

Mr. JACKSON. Ah!

Mr. GEAR. Will the gentleman now yield to me for a question?

Mr. ENLOE. Wait until I get through with this other gentleman; one at a time is as many as I want.

Now, Mr. Chairman, I want to say this: I introduced that bill upon the supposition that gentlemen here who have announced themselves in favor of extending the hand of friendship across the "bloody chasm" would be willing, if the State of Tennessee was disposed to join in the movement, to give the home of that patriot, soldier, and statesmen, Andrew Jackson, for the purpose of establishing such a home; that they would be willing to meet us upon half-way ground and do that. I want to say another thing: When I introduced that bill I was not prompted by any Confederate soldier. I want to say, furthermore, that no Confederate soldier from any portion of the South called upon me to introduce that bill. I suggested it myself, and it was done upon the idea that the time had come when these issues of the war should be buried, at least to that extent.

Mr. JACKSON. Did not this bill which the gentleman introduced propose to make an appropriation from the national Treasury for the purpose of erecting that building?

Mr. ENLOE. Yes; certainly it did. Now, what harm has that done to any State or to any individual? What harm can arise to this country from the adoption of it? What warrant does it give to the gentleman to charge me with the desire to pension Confederate soldiers from the Federal Treasury?

Mr. GEAR. Will the gentleman allow me to ask him a question?

Mr. ENLOE. Yes, sir.

Mr. GEAR. Did it not provide that the superintendent of that home should be a Confederate soldier?

Mr. ENLOE. No; it did not. I proposed that General John T. Wilder should be the superintendent of that home, a soldier of the Union Army, who served under General Harrison. [Applause on the Democratic side of the House.]

The CHAIRMAN. The time of the gentleman from Tennessee has expired, and debate on the amendment is exhausted.

Mr. JACKSON. I withdraw my *pro forma* amendment, and move to strike out the last four words.

The CHAIRMAN. The Chair hears no objection, and the gentleman will proceed.

Mr. JACKSON. Now, Mr. Chairman, I still insist that not only the gentleman from Tennessee [Mr. ENLOE] himself by his statements made on the floor of this House yesterday, but also by the bill which he has introduced and by his own admissions here to-day fairly permits the conclusion to be drawn that he is in favor of equality between Confederate soldiers and Union soldiers, so far as their services are concerned. And it is to that proposition I take exception. The gentleman gets up here and disputes it and then confesses it.

Why, sir, I have only to read from the gentleman's speech made here yesterday, and which is printed in the RECORD this morning, to more than sustain what I have said. Let me read it.

Equality of burdens and equality of benefits is what we want.

That is what he said, as I see from his remarks made yesterday and printed this morning. He then continues:

Now let us look for a moment to the matter of pensions. The report of the Commissioner of Pensions for 1888 shows that the Government has paid out on this account since the close of the war $963,086,444.72.

That is what he wants leveled and put on an equality. Does it lie in the mouth of a gentleman to dispute my statements who has a bill here now pending, asking a national appropriation for a soldiers' home to place on an equality, in caring for them, in Tennessee, soldiers of the Union and Confederate soldiers? Gentlemen, you are attempting to have the history of the country written up from 1861 to 1865 as though treason and rebellion were as honored as loyalty to the Government. But you can never do that. The North is not raising these questions. You are the men who are raising them here. We sit here day after day and month after month, and listen to speeches of this character, and but rarely any gentleman on this side replies. I propose to enter my objections here and now. I want the country to know that you are the men that introduce these questions in Congress and keep alive such issues as this. And I want to tell you further that you must fail in your attempts to change the history of the country. The people of this country and the civilized world will never agree, sir, that the men who brought on a causeless war and who raised a rebellion to perpetuate human slavery were right. [Applause.]

We are not asking them to make confessions here. All we ask of them is that they shall observe their parole, that they shall observe the laws of the land, that they shall put themselves on an equality with other people. Let the questions settled by the war remain settled forever. Let us have no more filibustering here or needless delays when bills are presented to do justice to the people who were loyal to the country. I hope soon to see the Government do justice to the soldiers who saved its existence. And if I may be permitted to do so, I will also express the hope that no representative in Congress will ever use as an argument against granting pensions to Union soldiers the fact that the money goes largely to the Northern and Western States. Never let us hear suggestions, as the gentleman says, that there is need of having equality done upon this question between the different States or between Union and Confederate soldiers. Too much in the past has gone unchallenged on this subject. And that is the reason why I have spoken in reference to these matters.

Now, that there may be no misunderstanding, I wish to have printed as a part of my remarks the bill H. R. 1849, which was introduced by the gentleman from Tennessee [Mr. ENLOE] in the House of Representatives on January 4, 1888. It is as follows:

A bill (H. R. 1849) to provide for the location and erection in Tennessee of a branch home for disabled soldiers of the late war, Federal and Confederate, and other wars.

Be it enacted, etc., That the board of managers of the National Home for Disabled Volunteer Soldiers are hereby authorized, empowered, and directed to locate, establish, construct, and permanently maintain a branch of said National Home for Disabled Volunteer Soldiers in the State of Tennessee; and that the sum of $150,000 be, and the same is hereby, appropriated out of any money in the United States Treasury not otherwise appropriated, to be paid to the said board of managers and by them expended in carrying out the provisions of this act.

SEC. 2. That all honorably discharged soldiers and sailors who served in the regular and volunteer forces of the United States in any of its wars, and all honorably discharged or paroled soldiers and sailors who served in the army or navy of the late so-called Confederate States, who are disabled by disease, wounds, or otherwise, and who have no adequate means of support, and by reason of such disability are incapable of earning their living, shall be entitled to be admitted to said home for disabled volunteer soldiers, subject to such similar regulations to those prescribed for admission to existing branches of the National Home for Disabled Volunteer Soldiers.

SEC. 3. That as soon after the approval of this act as practicable, the said board of managers shall secure the necessary lands and commence the erection of suitable buildings for the use of said branch: *Provided*, That the said board of managers may accept, by donation from the State of Tennessee, the property known as the Hermitage, the late home of Andrew Jackson, as a site for said branch home herein provided for.

SEC. 4. That General John T. Wilder, of Chattanooga, Tenn., be, and he is hereby, appointed a manager of the National Home for Disabled Volunteer Soldiers, to serve for five years after the passage of this act; and hereafter the number of managers of the said home, elected by Congress, shall be eleven instead of ten, as at present, one of whom shall be a resident of one of the late so-called Confederate States.

Mr. SPINOLA was recognized.

Mr. OATES. Before the gentlemen from New York proceeds I trust that he, with other gentlemen who participate in this debate, will bear in mind that by order of the House at 4 o'clock this bill is to be reported back with such amendments as may be agreed upon, and I appeal to them, therefore, not to get up any political discussion on this question.

Mr. SPINOLA. Mr. Chairman, the debate has taken a very broad turn in the last few minutes, and has traveled far outside of the real question at issue before us. I shall not now make any allusion to the remarks of the gentleman from Pennsylvania [Mr. JACKSON] who has just taken his seat, although at some future time it may be that I shall pay my respects to him, as well as to some of his associates.

I am here to-day, sir, as one of the representatives of the State of New York, who at the commencement of this discussion was favorable to the passage of this bill. But after having sat here for two days and listened to the debates for and against, I have come to the conclusion that I can not vote for the measure. [Applause.]

Now, sir, in the first place, the direct tax was legally levied, legally collected, and legally paid into the Treasury of the United States, as well as legally taken therefrom and disbursed according to the provisions of the law authorizing it; and the able and distinguished gentle-

man from Wisconsin [Mr. CASWELL] in the discussion this morning—the gentleman who is leading the other side of the House on this question—has admitted in the course of the debate that there is no warrant in the Constitution to refund this tax.

Mr. CASWELL. Will the gentleman permit me there——

Mr. SPINOLA. There being no warrant in the Constitution to return it, as admitted by its own friends, therefore I am forced to vote against it.

Mr. CASWELL. I hope the gentleman will not insist on that understanding of what I have said. He misunderstood me.

Mr. SPINOLA. I have but a few moments, and must decline to be interrupted.

Mr. CASWELL. What I said was that there was no express warrant.

Mr. SPINOLA. Very well, let the gentleman correct it in that manner if he will; let him put in "express warrant," if he sees proper. I do not see that it alters the condition. General Jackson never recognized any such thing when he was administering the government of this country. I stand here to-day, sir, firmly, flatly, broadly on the provisions of the Constitution which our fathers created for our guidance and action. Standing upon the provisions of the Constitution, I propose, as far as I possibly may, under the oath that I have taken here, to support and maintain the Constitution, and to adhere as strictly to that fundamental law as lies within my power; and I do not propose to be diverted or to diverge one iota from that under any circumstances or because of any pretext that may be presented here. [Applause.]

The question presented by this bill and now pending before this committee is one of the most dangerous, in my judgment, that has ever been before Congress since I have been a member of this body.

It is one of the most dangerous because it proposes to open the door in the future to every species of extravagance and for the payment of every demand of a similar character that may be made. There is no politician in this House or outside of it to-day in this country who can foresee what ten years may bring forth. With the example set and the precedent established by the passage of this bill before this Congress and the country, within ten years I venture to predict that the cotton tax will be restored, and it will be justified because of the precedent established here to-day. The internal-revenue taxes collected upon everything, the taxes collected upon manufactured articles, running up into the hundreds of millions of dollars, will be refunded if we open the door by the passage of this dangerous class of legislation. I am opposed, therefore, to its passage.

Why, sir, the Constitution of the United States would not permit us to appropriate a dollar of money for the erection of a public building in a State to be used exclusively for the State; and yet this money is to be taken from the Treasury of the Government and given to the States for just such purposes as that. And the gentleman from Pennsylvania, who was so alarmed for fear that the Confederate soldiers might be paid bounties or taken care of by the General Government, should remember that if this money goes back to the State of Tennessee, if this bill shall become a law and the $400,000 should be paid to that State, it will go into their treasury, to be appropriated for just such objects as they choose. Does my friend wish to give them the privilege of doing that? Does he wish them to appropriate it for the benefit of the Confederate soldiers? I think not. If he does, I do not. I should not vote a dollar from the public Treasury to take care of the Confederate soldiers, and that is another reason why I shall vote against this bill. The thirteen Southern States of the Confederacy contributed to the creation of this fund, and when the money goes back to them it goes into their State treasuries, to be used when, how, and as the States may please. It goes there for what purpose?

Mr. O'FERRALL. To be paid to the individuals who paid it.

Mr. SPINOLA. That is not possible. Nor could it be paid to their representatives. You can not find them. They are scattered to all parts of the country, and the men who paid it can not be found. Many of them are not living, and some even have left no heirs. I say, then, that when this money is paid into the treasury of the State of Tennessee, that State not being able to find the men who paid the tax originally, can appropriate it to any purpose they please. They can build a soldiers' home for the Confederate soldiers and pay it out as they choose. Have the Confederate soldiers asked us for pensions? No. They know that they are not entitled to them, and would not receive them at our hands if any asked for them. But the States of the South can aid them with this fund. Upon all grounds, therefore, that I can suggest, Mr. Chairman, taking the broad views of the gentleman from Pennsylvania also in that same connection, I find nothing to justify me to vote for this bill. And let me tell our friends on the other side of the House, who claim to be the special friends of the soldiers of the Union, that when they go home after having voted here to sustain this measure and pay over this money to the Southern States, they will have an account to settle with the veterans of the Union Army, who will want to know why they paid money to those States to be so used.

The CHAIRMAN. Debate on the pending amendment is exhausted. Without objection, the *pro forma* amendment will be considered as withdrawn.

Mr. BOOTHMAN. I move to strike out the last word.

Mr. Chairman, one of the principal objections urged against the action proposed in this bill is, that where a tax has been levied and partly collected, and that part disbursed, and the Treasury holds a surplus largely in excess of its needs, and which renders it amply able to refund the part collected, and there is nothing to prevent the collection of the remainder of the tax uncollected except the fact that the necessity of the collection no longer exists, the General Government, to which the power to levy and collect has been intrusted by the people, has not the constitutional right to refrain from collecting such remainder, nor to refund the portion already collected.

In the face of such an objection is it not pertinent to inquire what would be the position of gentlemen who urge it in case the proposition was to compel the payment of the unpaid remainder of the direct tax? Would we not expect them to say as an objection to that course, "There is no need of the money, and your proposed action is unjust and oppressive?"

But, Mr. Chairman, is it true that the power which may levy and collect a tax may not constitutionally refund that tax when it is able and willing to do so?

Judge Cooley, than whom no clearer writer or abler jurist, in my opinion, graces the legal world of this Union to-day, in his admirable treatise upon the subject of taxation, at page 753, says:

A general right exists in the State to refund any tax collected for its purposes.

And I apprehend by the term "State" he intends to refer to the body of people exercising sovereign powers, and to whom is confided the power of taxation by the constitution, whether State or national.

It will be admitted by those urging this constitutional objection, that, constitutionally, if a tax is levied and collected, and is used by the Government at all, it must be applied to the purpose or purposes for which it was laid. And I suppose they will also admit that the tax must be uniform in its application; that is, it must have such uniformity at least as will enable it to come within the terms of that constitutional demand, as defined by the courts, that requires that—

All duties, imposts, and excises shall be uniform throughout the United States.

And it must also fall in line with that other constitutional provision which inhibits the laying of any "capitation or other direct tax * * * unless in proportion to the census or enumeration" directed to be taken each ten years. And the tax thus laid must be paid by the States upon which it falls, or there is no uniformity.

Now, suppose that it be true, as a proposition of constitutional law, that no power to refund a tax inheres in and belongs as an incident to the power to levy and collect as conferred by the Constitution upon the General Government. We would find ourselves then in this case in this anomalous position:

A direct tax of $20,000,000 levied upon the several States of the Union by the General Government in the exercise of its constitutional power. Of this amount $15,227,632.03, collected and paid by a portion of the States (to which must be added $2,206,985.67 paid as commissions for collecting), and leaving uncollected $2,562,401.29.

No necessity whatever existing for the collection of this unpaid portion.

A large surplus of useless and unused money now lying idle in the Treasury.

A surplus sufficient, many times, in amount to enable the Government to refund that portion of the direct tax already collected, without in any way interfering with the proper discharge of its other obligations. And yet in the face of these facts, if gentlemen would be consistent, they must hold that to preserve the principle of uniformity, the Government must go on and collect this unpaid portion; that it must add this further amount to the unused and idle sums now in the vaults of the Treasury or loaned to the various banks throughout the country.

Because the Government had once started on the road and had obtained and used a portion of the money authorized to be collected, it dare not let go of that part and must not refrain from collecting the rest, although absolutely unneeded, because that would destroy the principle of uniformity. In other words, you have the constitutional right to levy the tax. But if the necessity for the levy has passed away before the tax is entirely collected you can not then stop, but must go on and collect even though you have no need of the money whatever. For gentlemen will hardly argue that where a portion of the States have paid, another portion should not be required to pay. Certainly so unjust a proposition is repugnant to the sense of fairness and equity possessed by every fair-minded man.

Mr. Chairman, I am of those who believe that good constitutional law is consistent with the dictates of ordinary good hard sense, and the good hard sense of the present situation is to pay back to the Statse that have paid this tax the several amounts by them placed in the national Treasury, to refrain from collecting the unpaid portion of the levy, and thus place all the States upon an equal footing respecting it, and not compel the unnecessary and useless increase of the money in

the Treasury which would result from a contrary course. For in this case the Government, in order to be fair and equal with all of the States, must either go forward or backward. There is no standing still. It must stretch out its strong hand and take more, or it must open its purse and let go of that which it has already taken.

Now, Mr. Chairman, I have not had time, since they were proposed and printed in the RECORD for the information of members, to critically examine the various amendments which the gentleman from Alabama [Mr. OATES] has indicated he will offer to this bill.

But one of those amendments which proposes to set off against the sums due to the several States by the terms of this bill, the amounts due from those States to the General Government by reason of the deposit with them of public moneys under the act of June 23, 1836, I have examined to some extent, and it seems to me the proposition amounts to an invitation to those States to enter into a trade with the General Government whereby the States swap a hundred-dollar dog for two fifty-dollar pups.

Let me illustrate. There was deposited of this public money, under the act of 1836, with the States of Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Tennessee, and Arkansas, which for convenience I will designate as "Group I," the sum of $8,506,960.53, which sum they still hold. This same group of States yet owe on account of the direct tax the sum of $2,284,105.18.

There was also deposited of this public money with the States of Maine, Massachusetts, New York, Pennsylvania, Ohio, Indiana, Illinois, and Michigan, which I will designate as "Group II," the sum of $12,808,232.73, which they still hold. But this group has paid on account of the direct tax the sum of $8,428,875.95. Now suppose the bill passes, amended so as to permit the set-off proposed, how would it leave the two groups of States standing as compared with each other?

"Group I" not having paid the direct tax, would have nothing to receive and nothing to set off, and would still hold the eight and a half million dollars of public money, and would have failed to pay the two and a quarter million dollars of direct tax apportioned to it. In other words, it would make a total sum, in exact figures, of $10,791,065.71, by holding what it has, and refusing to pay what it as justly owes as did any of the States.

While "Group II" having paid the direct tax heretofore, would be required to refund, of this public money deposited with them, the sum of $8,428,875.95, and would still hold on that account $5,016,-123.61. In other words, these eight great Northern States would lose by the transaction as compared with the eight Southern States the sum of $5,774,942.10, and leaving the States that did not pay the direct tax just the amount of the last-named sum better off, because of their dereliction, than would be the States in "Group II" that did pay.

Now how can gentlemen call that a just or equitable proposition? It would seem that whatever may be the ideas of the gentleman from Alabama [Mr. OATES] regarding the inability of the General Government to refund the direct tax, he has no doubt about the entire legality and justice of requiring those States that paid it to now shell out their deposits of public money, leaving the States that did not pay to still hold and enjoy the amounts of that same public money which they with the other States have held since 1837. In other words, "Group I" shall neither pay nor refund, while "Group II" shall both pay and refund.

Again, these deposits of public money were made under a law which provided in substance:

First. That the deposits should be fixed, as to amount to go to each State, by that State's representation in the House and Senate, thus making it equal in distribution.

Second. That it should be refunded upon the demand of the General Government in a certain way, to wit:

(*a*) That ratable proportions should, when needed, be called from the several States (not from a portion of them).

(*b*) That it should only be called for in sums not exceeding $10,000 from any one State in any one month unless thirty days' previous notice had been given, and then only in sums not exceeding $20,000 at any one call.

This proposed amendment would not only be unequal and unjust, but it would violate the contract under which the States accepted the deposits.

It would seem that gentlemen in their frantic desire to escape the logic of their position, and to hold what they have already appropriated, are willing to violate a specific statute and a binding contract. They would consent to a positive wrong in order to avoid a fancied violation of a constitutional provision, which exists only in imagination.

Mr. Chairman, in my judgment the Constitution was framed to enforce, not to prevent, equality between the States and citizens. But, sir, this nation is no stranger to the fact that in every attempt to enforce that equality the Constitution has been invoked to prevent its enforcement. There are always men to be found who can twist some meaning out of some clause or sentence of that revered instrument to assist them in preventing some right action or in strangling some good intent. But it is not often that so palpable an injustice is invoked to render assistance in preventing action and saving the Constitution as the amendment under consideration. It ought to be voted down; and this bill, as it came to us from the Senate, ought to be passed, for it does no injustice, it creates no inequality, it violates no provision of the Constitution, but it is inherently just and right.

Mr. CUMMINGS. I move to strike out the last word.

Mr. Chairman, I shall vote against this bill, and for these reasons: The money, as stated by the gentleman from Ohio, may reach the places from which it was paid in lump to the Government, but it can not find its way to the pockets from which it was first taken. If returned to the State treasuries it will benefit hundreds of thousands who never were directly or indirectly taxed to pay a cent of it. It will benefit hundreds of thousands who were citizens of foreign countries when the taxes were collected.

The money is now in the Treasury of the United States. The United States has a far better claim to it than those who are to profit by scattering it. It took it from the pockets of the people. It can not return it to the original pockets, and it has no right to pay it into other pockets. Much of the money came from the earnings of artisans and mechanics. If paid back into the State treasuries, artisans and mechanics will not be benefited by it. As the gentleman from Michigan justly observed, it will be used to relieve the taxes on real estate, and the Astors and those who own the most real estate will derive the most benefit. The poor man will be left. The proposition thus virtually allows the United States to take money from the pockets of the poor and turn it into the pockets of the rich.

It is claimed that the money should be returned because certain States paid the tax while others failed to do so. The States that failed to pay it, however, paid a special tax amounting to $67,000,000 on a product cultivated exclusively within their borders. This bill carries a little over a fifth of that sum.

If one tax is returned, it is difficult to see why the other should not be returned, after deducting what is due from the recusant States on the direct tax. The same line of argument must apply to both taxes.

Reverse the situation. Suppose a special tax on wheat, cheese, butter, or any other Northern or Western product had been levied as the tax on cotton was levied, and a bill for the return of the cotton tax had been presented, I can easily fancy what a cry would have been raised if the tax on wheat, cheese, and butter had not been included in the bill. The waving of the bloody shirt would not have been a marker.

I know that the passage of this bill will put over $2,000,000 into the treasury of the State of New York, but if unconstitutionally done it would injure the State far more than it would benefit it. The people of New York, sir, expect their representatives to stand by the courage of their convictions, independent of personal considerations. I shall stand by mine.

I shall vote against the bill because I can find no constitutional warrant for it. I shall vote against it because I am estopped from voting for it. I own a bit of real estate in New York, and I am debarred from voting for a bill in which I have a direct pecuniary interest. [Laughter and applause on the Democratic side.]

Last of all, I shall vote against it because it is establishing a precedent that may work incalculable damage to the Republic. [Applause.]

Mr. O'FERRALL. Mr. Chairman, I shall condense in a small compass what I desire to say in regard to this bill.

At the last session I gave this measure my earnest support, and during the long and weary deadlock, resulting from the persistent efforts of gentlemen to defeat it by obstructive tactics, I believe I was ever at my post insisting upon the right of a majority upon a measure of this character to have a direct vote. Reflection since then has only strengthened me in the opinions I then had and in my determination to vote for the bill substantially as it came from the Senate.

Sir, the discussion which has been going on yesterday and to-day has taken a scope far too wide, and language has been used uncalled for and unjustified by the subject under consideration.

And what is this bill and what are the facts which have led up to its introduction?

In 1861 the Government of the United States levied a tax upon the whole country, North and South, for war purposes, and apportioned it among all the States.

To Virginia, the State which I have the honor to represent in part on this floor, she apportioned the sum of $729,071.02; to the other States embraced in the Southern Confederacy she apportioned as follows:

Alabama, $529,313.33; Arkansas, $261,886; Florida, $77,522.67; Georgia, $584,367.33; Louisiana, $385,886.67; Mississippi, $413,084.67; North Carolina, $576,194.67; South Carolina, $363,579.67; Tennessee, $669,498; and Texas, $729,071.02.

This tax was not paid by any of the Southern States as States; but the following sums were collected by the Federal tax-gatherers from certain individuals in these various States:

In Alabama, nothing; Arkansas, $154,701.18; Florida, $4,766.26; Georgia, $82,427.47; Louisiana, $314,500.84; Mississippi, $69,584.55; North Carolina, $377,452.61; South Carolina, $222,396.36; Tennessee, $392,004.48; Texas, $180,841.51; and Virginia, $442,408.09.

It will be observed that the citizens of Virginia paid far more than

the citizens of any other Southern State; that Alabama paid nothing, Florida less than $5,000, while a number of States paid comparatively little.

After the payment of the sums I have just mentioned there still remained as an existing, living charge which could be enforced at any time the following sums:

Alabama, after deducting some offsets, $525,078.12; Arkansas, $107,184.82; Florida, $72,756.41; Georgia, after giving her credit with a claim she has against the Government, $466,384.44; Louisiana, $71,385.14; Mississippi, $341,213.12; North Carolina, $198,742.06; South Carolina, $141,174.31; Tennessee, $277,493.52; Texas, $174,265.16; Virginia, $286,662.93.

To these sums must be added the heavy penalty for non-payment fixed by the levying act and possibly interest; so that Virginia, after her citizens had paid $442,408.09, paid it, too, at a time when they had to make great sacrifices and almost sell their seed-corn to do it, must still have resting over her as a menacing obligation to the Government largely more than a half million of dollars. As one of the representatives of the people who paid this money, as one of the representatives of a State resting under a charge of far more than $500,000, which was liable to be enforced any time, I have hailed with delight this bill as a measure through which the money thus paid can be refunded to those whose energies were strained to the uttermost to meet the demands of the Government nearly a quarter of a century ago, or their legal representatives, and my State, now burdened to her utmost capacity with taxation, can be relieved of the charge to which I have just alluded, which, like a miserable ghost, has been ever rising up before her.

Now, I ask again, what is this bill? It is a bill which proposes to refund to all the States and Territories and the District of Columbia all sums collected as direct taxes under the act approved August 5, 1861, and where it was paid by the citizens thereof to refund directly to them or to their legal representatives, and to remit and relinquish all moneys still due to the United States on the quota apportioned to the respective States and Territories and the District of Columbia.

It provides that all claims of citizens must be filed with the governor of the State or Territory and the commissioners of the District of Columbia, respectively, within six years after its passage, and that all claims not so filed shall be forever barred, and the money attributable thereto shall belong to such State, Territory, and the District of Columbia, respectively, as the case may be. I have quoted from the language of the bill.

Now, Mr. Chairman, what is there in this measure to call forth the violent opposition which it has been meeting in this House?

Equality is equity, and the burdens of taxation should fall alike upon all. Was it right to collect from the people of Virginia hundreds of thousands of dollars for governmental purposes and allow the people of Alabama to escape without the payment of a dollar? Was it right to visit the wasted fields and desolated homes of my State and draw from the little substance left her by the hoof of war large sums of money and exempt other States no worse situated from the raid of the Federal tax-gatherer? What had Virginia done, what had her people done, that she and her people should be compelled to respond to the tax demand of the Government, while Alabama, Florida, Georgia, Mississippi, and Texas were never forced to respond at all, or if at all, only in small measure?

Equality, I repeat, is equity, and the States that did not pay as much in proportion to their assessments as other States ought to be required by the Government to come up now on equal ground or all should be put on an equality by refunding to all the amounts paid.

It seems to me, sir, the Government can not "poise the cause in justice' equal scales" unless it shall pursue one of the two courses I have marked out.

Which is the better course? This bill has adopted it. With a Treasury plethoric with gold and overflowing with the money of the people, drawn from them and from their hard earnings largely in excess of Government demands, it is right that no more shall be taken from any State or section if it can be avoided and the ends of equality and justice attained. It is in this spirit that this bill has been framed.

It draws no money from any State or people. It creates no burden; it sends out no tax-gatherer. It oppresses none, but relieves all resting under the obligation imposed, and it blesses those upon whom the Government laid its hand by returning to them the money collected from them and inflicts no wrong upon any citizen of this great country.

It is hard for me to conceive of any measure which, in my judgment, could carry with it more fairness or equity.

I have heard it said that this money, if the bill should pass, will never reach the parties who paid it. In my own district, sir, I know many who, in agony and almost in rags, with their lands beaten down by the tramp of armies, fences gone and buildings destroyed, with scarcely a beast with which to drive a furrow, paid this tax, and who still live and have burning in their brain the recollections of those times. I know that many of them have passed away, but they have left behind them those who will cherish this act upon the part of the Government as an act of simple and exact justice to them as children and heirs.

But suppose some portion of this fund should never be claimed; in that event it will go into the State treasury and prove a blessing to the whole people of the State by relieving them to that extent from State taxation, or enabling them, if they should so elect, to donate it to charitable or educational purposes.

I have now said all that I desire upon the bill as it came from the Senate. I want now to refer to the amendment offered by the gentleman from Alabama [Mr. OATES] to refund the tax known as the cotton tax.

All my natural inclinations have been to favor this amendment, and I have listened as attentively as possible to all that has been said in advocacy of it, hoping that I might see my way clear to support it; but as the discussion has advanced and the more I have considered it the farther I have found my judgment leading me away from it.

It is insisted that if the direct tax is refunded, the cotton tax ought also to be refunded. To this proposition I can not assent. The direct tax was a tax on land and created a charge on it, and was paid by the land-owner; there was no escaping it; when he paid it, the loss fell directly on him; it did not increase the value of his land, but made him that much poorer; there was no source from which he could be reimbursed; his money was gone, forever gone.

Not so with the cotton tax. It was a tax on raw cotton, an article of merchandise, and it naturally and necessarily entered into the price and increased it.

If the cotton-planter paid the tax, he got it back when he sold to the cotton-buyer, and the buyer got it back when he sold to the manufacturer, and when the manufacturer made it up into a fabric he got it back when he sold the fabric to the wholesale dealer, and the wholesale dealer when he sold to the retail dealer, and the retail dealer got it back when he sold it to the consumer; so the consumer was the man who was affected and not the cotton-planter.

This is in the line of the theory I have advanced as a tariff reformer. I have insisted, and so has every tariff reformer I have heard, that the tariff is a tax upon the consumer, and I can not draw any distinction between a tax levied directly upon the raw material, as was the cotton tax, and indirectly, as is the tariff tax.

Then this amendment proposes, it seems to me, to refund to the wrong man; the planter has already been reimbursed; the consumer is the man who paid the piper and not the man who grew the cotton. It is impossible to reach the consumers, and therefore they must continue to bear the loss which they sustained by the increased price they were required to pay for their clothing and cotton goods.

Again, sir, if the cotton tax should be refunded, why should not all the tobacco tax which has been paid since the war be refunded? Where is the difference in principle? Tobacco is a product of the soil as much as cotton, and a tax on it is as much a tax on agriculture as the tax on cotton.

Virginia's tobacco-planters have paid to the United States Government since 1865 more than $100,000,000 upon their product, and they occupy before the law as high a position and are entitled to as much consideration as the cotton-planters of the cotton States. They are not seeking a refunding of these millions which they have thus paid, but they do ask that they, as well as all others who were drained of their substance to meet the direct tax, shall have it returned.

One word more and I shall have finished. The amendment offered by the gentleman from South Carolina [Mr. ELLIOTT] should, in my opinion, be adopted without a dissenting voice. Surely a just Government will not hesitate to right so great a wrong done to a weak and powerless class of citizens. Surely this Government will not seek to speculate upon the misfortunes of some of its own people by buying their property at a mere song for a debt they were too poor to pay and then sell the property at forty times the amount it paid and hold on to the sale-money. I understand the Government, at a direct-tax sale, bid in houses and lands at a few thousand dollars, then sold these houses and lands for hundreds of thousands, and turned the original owners out without a shingle over their heads or a foot of ground upon which to rest their feet.

If these people were made to feel the heavy hand of the taxing power, if they were deprived of home and shelter, because of the misfortunes of that unfortunate period in our history, which will ever be recorded as the four years of the nation's calamity, let the Government not retain the hoarded thousands and hundreds of thousands which it received above the amount which constituted its lien. It should be content with receiving the tribute it had levied, and should not desire to inflict suffering and misery or speculate upon misfortune and poverty.

I hope this amendment will be adopted, and that the bill as amended will pass.

The CHAIRMAN. If there be no objection, the *pro forma* amendment will be considered as withdrawn.

Mr. WASHINGTON. I move to strike out the last two words.

Mr. Chairman, I shall not discuss the constitutionality of this bill. That has been done so clearly and fully by others that in my brief time I could add but little on that point.

The purpose of this measure is to pay back to the States a large sum of money to which, in my judgment, they have no right in law, equity, or morals. The following table will show the amounts paid by each

State and the sums still due under the operation of what was called the direct-tax act of 1861:

EXHIBIT A.—*Statement of the condition of the direct-tax accounts of the several States and Territories of the Union, under eighth section, act August 5, 1861, as appears from the books of the Register's Office, February 18, 1888.*

15 per cent. allowance.	State or Territory.	Amount imposed, etc.	Amount collected, etc.	Balance due United States.
	Alabama	$529,313.33	$22,520.24	$506,793.09
	Arkansas	261,886.00	154,701.18	107,184.82
(*)	California	254,538.67	254,538.67	
	Colorado	22,905.33	22,189.96	715.37
$46,232.10	Connecticut	308,214.00	261,981.90	
	Dakota	3,241.33	3,241.33	
†4,350.50	Delaware	74,683.33	70,332.83	
	District of Columbia	49,437.33	49,437.33	
	Florida	77,522.67	4,766.26	72,756.41
	Georgia	584,367.33	117,982.89	466,384.44
171,982.70	Illinois	1,146,551.33	974,568.63	
135,731.30	Indiana	904,875.33	769,144.03	
67,843.20	Iowa	452,088.00	384,274.80	
(*)	Kansas	71,743.33	71,743.33	
107,054.30	Kentucky	713,695.33	606,641.03	
	Louisiana	385,886.67	385,886.67	
63,123.90	Maine	420,826.00	357,702.10	
65,523.50	Maryland	436,823.33	371,299.83	
123,687.19	Massachusetts	824,581.33	700,894.14	
75,264.50	Michigan	501,763.33	426,498.83	
16,278.60	Minnesota	108,524.00	92,245.40	
	Mississippi	413,084.67	113,324.66	299,760.01
114,169.10	Missouri	761,127.33	646,958.23	
(‡)	Nebraska	19,312.00	19,312.00	
(*)	Nevada	4,592.67	4,592.67	
32,761.00	New Hampshire	218,406.67	185,645.67	
67,519.17	New Jersey	450,134.00	382,614.83	
(§)	New Mexico	62,648.00	62,648.00	
390,587.81	New York	2,603,918.67	2,213,330.86	
	North Carolina	576,194.67	377,452.61	198,742.06
235,063.40	Ohio	1,567,089.33	1,332,025.93	
(*)	Oregon	35,140.67	35,140.67	
292,007.90	Pennsylvania	1,946,719.33	1,654,711.43	
17,544.56	Rhode Island	116,963.67	99,419.11	
	South Carolina	363,570.67	222,396.36	141,174.31
	Tennessee	669,498.00	392,004.48	277,493.52
	Texas	355,106.67	180,841.51	174,265.16
	Utah	26,982.00		26,982.00
31,660.20	Vermont	211,068.00	179,407.80	
(‖)	Virginia	729,071.02	442,408.09	286,662.93
	Washington	7,755.33	4,268.16	3,487.17
‖27,172.72	West Virginia	208,479.65	281,306.93	
39,346.43	Wisconsin	519,688.67	528,098.10	
2,124,874.08		20,000,018.19	15,360,499.48	
	Total indebtedness of States, etc.			2,562,401.29
	Deduct balance due Wisconsin			8,409.43
	Net indebtedness to the United States			2,553,991.86

*Payments made on account 15 per cent. allowance for cost of assuming collection, namely:

To California, September 10, 1884	$31,583.26
To Kansas, August 3, 1882	10,761.50
To Nevada, September 3, 1884	688.90
To Oregon, September 16, 1884	5,271.10

†In part on compromise.

‡Nebraska—

Amount collected	4,281.60
Amount allowed by First Comptroller, March 27, 1884, under act August 7, 1882	15,030.40
	19,312.00

§New Mexico: Amount allowed by First Comptroller, March 27, 1884, under act July 1, 1862 — 62,648.00

‖Section 1, joint resolution February 25, 1867, authorized the Secretary of the Treasury to transfer $208,479.65 of the amount originally imposed on Virginia to the State of West Virginia.

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It is contended by the friends of the bill that those States which paid should be reimbursed because all did not pay their quotas in full. This is really the only reason seriously urged for its passage. No one in this debate or elsewhere has yet questioned the legality or the constitutionality of the direct tax. It was legally laid and collected, and if you can take this money out of the Treasury to refund this tax it is equivalent to a declaration that the power exists to repay any and all of the taxes paid by the people of the North during the war. The income tax, the internal-revenue taxes were legal and constitutional, but during the war they were only paid by the citizens of such of the States as were within the Union lines; therefore the same reason might with equal propriety be urged for their repayment.

It is to equalize the burdens of the war between the States, they say. I ask why the rich State of New York should now be paid $2,213,330.86 because she contributed that amount twenty-seven years ago to the national Treasury under the direct-tax act of 1861 to carry on the war? If this is justice and equality why is it not equally just to tax the people to-day to reimburse the cities and counties which impoverished their treasuries by raising money to pay bounties to Union soldiers? Why is it not equally just to refund to the citizens of the North what they paid for substitutes to do their fighting? To me one seems to be as just as the other; and if we begin here may we not expect to see succeeding Congresses go to this extent?

The fact has been cited in support of this bill that sums of money have been repaid to Pennsylvania and to other States which taxed themselves and equipped and sent out troops to the war. The repayment of those debts was constitutional and proper, because they were contracted by the States in their sovereign and individual capacity for the protection and general welfare of all, and it was not just that the burden should fall more heavily on the people of one State because of their greater energy and activity for the general defense than on all.

But this tax is of an entirely different kind. It was a national tax, levied on and apportioned among all the States by Congress as required by the Constitution, and because the Northern or loyal States did pay their respective part in full, while the Southern States, which were then out of the Union and beyond the control of Congress, did not pay their quotas, affords no lawful excuse or right under the Constitution for refunding any part of this tax. To refund it is to give to the States a gratuity; to pay something which the Government is under no obligation moral or legal to pay.

On this point I may be pardoned for quoting to our friends on the other side of the House no less an authority than the able Senator from Ohio [Mr. SHERMAN], who, when this bill was under discussion in the Senate last January, said:

> The committee thought, in the first place, that there is no obligation on the part of the United States to pay back this money to any one. Nobody has contended that the United States is indebted either to these States or to the citizens who paid the tax; it is simply a voluntary movement on the part of the United States to pay back this money out of the Treasury, to place that which has been paid by the States themselves in the treasuries of the States, and to pay to the States whose citizens have contributed toward this direct tax the amount that they have paid, leaving it to the States to say whether or not this payment to the State whose citizens have paid a portion of the money creates a trust or an obligation which they will be bound to provide for and see to the distribution of.
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> There is no obligation against the Government or against a State to pay back to the particular individual the tax paid by him—not the slightest legal obligation, scarcely a moral obligation; but that is a question for the State to determine. Some of its citizens have paid this tax and some have not. To the extent that that creates an obligation on the State in receiving this money to its citizens, it is in the nature of a trust or duty; no obligation, however, because the money was legally paid and each citizen only paid his share of the tax levied under the act of the United States through the direct-tax commissioners.

The gentleman from Ohio [Mr. EZRA B. TAYLOR] has said this is a question as to whether the sums paid by the loyal States shall be returned to them without interest or whether the delinquent States shall be made to pay the balances still due from them with interest for twenty-seven years. I am far from being alarmed by that threat.

You have not now—you will never have in any Congress—the power or the votes necessary to force the collection of those unpaid balances. There is no authority to collect them in either the executive or the judicial branch of the Government. That power rests alone with Congress; and were you to attempt to exert it the outraged sense of justice and humanity in the civilized world would cry, "Shame upon you!" You know that this direct tax is not, and has never been, a debt against any Southern State in its capacity as a State. It is not a debt against a State until assumed by the Legislature of the State. No Legislature in any Southern State ever assumed the debt. The Supreme Court has decided in the case of The United States *vs.* Louisiana that it was not a debt of Louisiana and that the Government could not charge against it amounts due to that State. The following is the opinion of the court:

> Nor do we regard the unpaid portion of the direct tax laid by the act of Congress of August 5, 1861, which was apportioned to Louisiana, as constituting any debt to the United States by the State in her political and corporate character, which can be set off against her demands. (12 Stat., 292, chap. 45.) That act imposed an annual direct tax of twenty millions "upon the United States, and apportioned it to the several States of the Union." It directed that the tax should "be assessed and laid on the value of all lands and lots of ground, with their improvements and dwelling houses." (Sec. 13.) It was assessed and laid upon the real property of private individuals in the States. Public property of the States and of the United States was exempted from the tax. Its apportionment was merely a designation of the amount which was to be levied upon and collected from this property of individuals in the several States, respectively. The provisions of the act are inconsistent with any theory of the obligation of the States to pay the sums levied. It provides for the appointment of officers to assess the property to the different holders, and to collect the tax, and directs with minute detail the proceedings to be taken to enforce the collection, either by a distraint and sale of the personal property of the owners, or, that failing, by a sale of the real property taxed. It allows, it is true, the different States to assume the amounts apportioned to them, respectively, and to collect the same in their own way by their own officers. Many of the States did thus assume the amounts, and in such cases it may well be considered that for the sums assumed they became debtors to the United States, and, so far as any portion of those sums has not been paid, that they still remain debtors. But, unless such assumption was had, no liability attached to any State in her political and corporate character. The liability was upon the individual land-owners within her limits. The act declares that the amount of the taxes assessed "shall be and remain a lien upon all lands and other real estate of the individuals who may be assessed for the same during two years after the time it shall annually become due and payable." (Sec. 33.) Louisiana never assumed the payment of taxes apportioned to her, or of any portion of them. She allowed the Government to proceed by its officers to collect the tax from the property-holders. The amount apportioned to her was $385,886.67; the amount collected from the owners of land was $314,500.84; leaving only a balance of $71,385.83. It is not for us to suggest in what way this balance may be collected. After the war the Secretary of the Treasury was authorized to suspend the collection of the tax in any of the States previously declared in insurrection until January, 1868, and subsequently this authority was extended to January, 1869. (14 Stat., 331, sec. 14; 15 Stats., 260, chap. 69.) The Secretary

acted upon this authority and suspended the collection. It is stated that since 1869 no attempts have been made by the executive department to enforce its collection in those States. Be that as it may, it is enough for the disposition of the present case that the unpaid balance of the tax apportioned to Louisiana constitutes no debt on the part of the State in her political and corporate character to the United States.

This tax was a charge against the real estate of the tax-payers in the States. It was to be collected by the United States direct-tax commissioners, and was a lien on the real estate for two years. The lien has expired, the enforcement of the law for the collection of the tax has been indefinitely suspended, and the threat that Tennessee may be called on to pay the $277,493.52, which the books of the Treasury show to be still due from her, has no terrors for me. You say it is necessary to pay this money back in order to balance the books of the Treasury. If that is all, why not close the books and balance the accounts by forgiving the Southern States the amounts charged against them? This would be magnanimous; this would be generous. You call this a measure to equalize the burdens of the war. By the bill you pay to the wealthiest States of the Union about fifteen millions which the Government does not owe them, for which they have no sort of legal claim against the Government. But you close the doors of the Treasury against the man who lost his all in the track of war; you turn your back upon the schools, colleges, and churches which were used as hospitals or laid in ashes to be scattered by the winds of heaven, and tell them their claims are just and equitable, but there is danger that the Treasury might give out if such claims were paid.

Gentlemen speak of equalizing the burdens of the war as if the Southern States had lost nothing by the war. It is as impossible to equalize the burdens of the war as it would be for you by Congressional enactment to bring back to life the thousands of brave men who fell in that struggle. Can you ever rebuild the dwellings, barns, and fences, yea, the cities, that went up in the smoke which marked the track of contending armies? Can you restore the wasted fortunes of those whose accumulations of a century to the amount of more than a thousand millions were wiped out by the stroke of the pen which signed the proclamation of emancipation? Can you replenish the treasuries of States which were saddled with debts of millions and carried to the verge of ruin by the carpet-bag governments which immediately succeeded the war?

I know the States that adhered to the Union, and in some instances their citizens, sustained serious losses and incurred heavy debts, but at the same time the Government was paying out among your people millions of money and nearly a billion in bonds for food and clothing and supplies for the armies, and, on the whole, your people grew rich and prosperous, and their prosperity is evident to us to-day.

Why prate about equalizing the burdens of the war? That is an empty subterfuge, a flimsy cloak to cover the wickedness of this nefarious scheme. Acknowledge the whole truth. Is not this bill but another of those devices to drain the Treasury, to exhaust the surplus, and to avoid the necessity for any revision of the tariff and reduction of taxation?

Ah, Mr. Chairman, so long as by one subterfuge or another the power of Congress to appropriate money can be exercised—no matter what the object for which the appropriation is asked—just so long can the day for a reduction of surplus revenue and a curtailment of unnecessary and unjust taxation be postponed.

Does any one suppose for a moment that this bill would have been brought forward if there were no apparent surplus in the Treasury? Would any advocate of this bill urge the levying of another direct tax of seventeen and one-half millions to refund this one, on the ground that this had not all been paid? I apprehend not. Yet, if this bill be constitutional, there is no question about the power of Congress to raise the money by any methods and powers of taxation authorized by the Constitution. If the funds to pay this sum are taken from the Treasury other money must be raised either by internal revenue or by duty on imports to supply the place of the seventeen and a half millions thus drawn out.

In reality we have no surplus in the Treasury. So long as the Government owes an interest-bearing bond outstanding we have no surplus-strictly speaking, and all money in the Treasury not needed for meet, ing the actual expenses of the Government administered on principles of the strictest economy ought to be applied to the extinguishment of our bonded debt. This is not a parallel case to that of 1836. We then had an actual and a real surplus free from all debts and incumbrances. The able men of that period, among them Jackson and Calhoun, could find no authority in the Constitution for dividing or distributing that money among the States. They finally had recourse to a loan or deposit, and in the Treasury to-day there is still held the note or obligation of each State for the return of the money received. Those States in law and equity are still bound should the Government choose to call for a repayment.

If the chief desire of those who press this bill is to square the books of the Treasury and close old accounts, why not credit the sum which each State paid under the direct-tax act to the amount of the loan each received under the act of 1836? This would relieve the book-keepers at the Treasury of much labor and would wipe out an old score. In order that it may be seen what States shared in the distribution of that fund in 1836, and the amount received by each, I append the following table, which I will not now take time to read:

Amount due from the several States, deposited with them under act of June 23, 1836.

State.	Amount.	State.	Amount.
Maine	$955,838.25	New York	$4,014,520.71
New Hampshire	669,086.79	Pennsylvania	2,867,514.78
Vermont	669,086.79	New Jersey	764,670.60
Massachusetts	1,338,173.58	Ohio	2,007,260.34
Connecticut	764,670.60	Indiana	860,254.44
Rhode Island	382,335.30	Illinois	477,919.14
Michigan	286,751.49	Louisiana	477,919.14
Delaware	286,751.49	Mississippi	382,335.30
Maryland	955,838.25	Tennessee	1,433,757.39
Virginia	2,198,427.99	Kentucky	1,433,757.39
North Carolina	1,433,757.39	Missouri	382,335.30
South Carolina	1,051,422.09	Arkansas	286,751.49
Georgia	1,051,422.09		
Alabama	669,086.79	Total	28,101,644.91

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If, however, gentlemen desire to refund a tax which was illegally and unconstitutionally levied and collected, and which the Government therefore is not entitled to keep, let us refund the cotton tax to the States which paid it. By an act of Congress approved July 1, 1862, and subsequent amendatory acts, a tax was imposed on raw cotton under which there was collected and paid into the Treasury $68,072,388.99. This tax was levied and collected on the cotton wherever found, but the greater part of the burden fell upon the producer. Between the years 1861 and 1868, when the law was repealed, there was collected from the Southern States $64,935,121.56 directly from the producers of cotton, from the planter and cropper, and that at a time when fortunes were ruined, plantations laid waste, and the labor demoralized. Was it not time to call a halt and remit the little, pitiful balance of two and one-half millions of the uncollected direct tax, when the Government had extracted from the cotton-growers of the Southern States more than three times the whole amount of this direct tax?

This cotton tax being a tax on an agricultural product, on a product which could be raised only in one section of the Union, and which therefore could not be borne equally by all the States, was an unconstitutional tax. The Supreme Court of the United States, in a decision in a case which came up from Memphis, Tenn., one judge being absent, was equally divided, four and four, on the question of its constitutionality, and that, too, directly after the war, when men's passions had not cooled and when even Supreme Court judges, who are but men after all, could not look at this question free from bias. The Constitution requires that all taxation shall be uniform throughout the United States. Cotton can only be raised in about eleven States, and as the law required that the tax should be levied and collected before the cotton could be shipped, that precluded the idea of uniformity. There was no similar product taxed in the Northern States, and it is well known that the spirit which actuated the passage of the cotton tax was the desire to place the burden of the war debt on a Southern product. If you wish to equalize some of the burdens of the war, here is your opportunity. Refund the cotton tax.

It was unconstitutionally laid and collected, therefore you have the right and it is your duty under the Constitution to refund it. The Government is bound to repay any tax which it may be ascertained has been illegally collected from the citizen. If the assertion and argument that the cotton tax is unconstitutional is doubted, open the courts and let a test case be made and forever set at rest the question. But if you insist on repaying the direct tax, about the constitutionality of which no man has ever raised a question, then we shall insist that you refund to our people the sixty-eight millions illegally and unconstitutionally collected on raw cotton.

The following table shows the amount of the cotton tax collected from the different States:

Alabama	$10,388,127.12	Mississippi	$8,742,995.93
Arkansas	2,555,638.43	Missouri	592,098.36
California	430.04	New Jersey	3,656.42
Connecticut	193.64	New York	867,942.68
Florida	918,944.98	North Carolina	1,959,704.87
Georgia	11,897,094.98	Ohio	447,127.12
Illinois	379,144.42	Pennsylvania	78,534.06
Indiana	92,727.22	Rhode Island	2,424.73
Iowa	.27	South Carolina	4,172,420.16
Kansas	486.15	Tennessee	7,873,460.71
Kentucky	553,327.45	Texas	5,570,401.25
Louisiana	10,098,501.00	Utah	1,375.34
Maryland	51,349.52	Virginia	825,856.87
Massachusetts	66,679.30		

The State of Tennessee paid $7,873,460.71 as her part of the cotton tax. Give us this if you want to be just as well as generous. But until you are willing to do that do not hope to catch my vote for the more than doubtful proposition to refund to my State the $392,004.48 which was collected from her people under the direct tax. We in Tennessee are not ready yet to desert the Constitution and join a raid on the Treasury for that paltry sum. We are not yet prepared to tax the

young, active laboring men of to-day to repay a tax collected from a generation that is past and gone. We are not ready to rob the women and children of to-day to lock up in endless litigation or in a deathless trust fifteen and one-half millions of the people's money. Most of those who paid this direct tax have joined the silent majority beyond the great river; their heirs or legal representatives are scattered to the four winds; many have no doubt lost all receipts and all recollection of ever having made these payments. Why then deplete the national Treasury and burden the governor of my State with an onerous trust such as this bill carries and put our State to endless litigation auditing the accounts of those who may still live to claim a part of this fund?

[Here the hammer fell.]

The CHAIRMAN. The question is on the amendment of the gentleman from Missouri [Mr. WALKER], which will be read.

The Clerk again read the amendment.

The amendment was rejected.

Mr. JOHNSTON, of North Carolina. I offer the amendment which I send to the desk.

The amendment was read, as follows:

That for eight fiscal years next after the passage of this act there shall be annually appropriated from the money in the Treasury the following sums, to wit: The first year the sum of $7,000,000, the second year the sum of $10,000,000, the third year the sum of $15,000,000, the fourth year the sum of $13,000,000, the fifth year the sum of $11,000,000, the sixth year the sum of $9,000,000, the seventh year the sum of $7,000,000, the eighth year the sum of $5,000,000, which said several sums shall be expended by the several States and Territories under the laws of said States and Territories, providing for public education, to secure the benefits of a common-school education to all the children of school age living in the United States.

That such money shall annually be divided among and paid out in the several States and Territories, and in the District of Columbia, in that proportion which the whole number of persons in each who, being of the age of ten years and over, can not write, bears to the whole number of such persons in the United States; such computation shall be made according to the census of 1880, until the illiteracy returns of the census of 1890 shall be received, and then upon the basis of that census. And in each State and Territory, and in the District of Columbia, in which there shall be separate schools for white and colored children, the money received in such State or Territory, and in the District of Columbia, shall be apportioned and paid out for the support of such white and colored schools, respectively, in the same manner and proportion as is now provided by the laws of each of said States for the education of the children thereof, and in the District of Columbia and the Territories, according to law.

Mr. CRAIN. I make the point of order that that amendment is not germane to this bill.

Mr. JOHNSTON, of North Carolina. I insist, Mr. Chairman, that this amendment is germane to the bill now pending. As I understand it, the object of the bill is to refund to the different States money which has been collected from them under a direct tax, and I insist, sir, that if this Congress has a right to refund that tax, it has a right also to pay to the different States any amount of money it may choose for the purposes of education.

Mr. CRAIN. And to dictate how that money shall be expended?

Mr. JOHNSTON, of North Carolina. Yes, sir.

Mr. CRAIN. You might as well not return it at all.

Mr. JOHNSTON, of North Carolina. I am not talking for the State of Texas now, but for the country at large.

Mr. CRAIN. I am talking for the country at large, too. The State of Texas does not need the money, because her people are not illiterate.

Mr. JOHNSTON, of North Carolina. I insist that the Government of the United States has the right to make this appropriation, notwithstanding the opinion of the gentleman from Texas, because we have now in the Treasury, as I understand from the late report of the Secretary of the Treasury, over a hundred million dollars of surplus money which has been unjustly and unnecessarily collected from the people, and, as was remarked here this morning, that money is held by the General Government as a trustee for the various States, and I insist that it shall be refunded to the States for the purposes set forth in this amendment, and I insist that under the rules of the House the proposition is germane to the proposition which is now pending.

Mr. COLLINS. Is it not germane in another sense—as part of a general raid on the Treasury of the United States to rid it of the surplus?

Mr. JOHNSTON, of North Carolina. Well, sir, I am not taking that position just now. [Laughter.]

The CHAIRMAN (Mr. SPRINGER). The Chair is of opinion that the point of order is well taken, as the amendment embraces a subject different from that under consideration. Under general parliamentary law—the common law of parliamentary bodies—this amendment would be in order——

Mr. JOHNSTON, of North Carolina. I understand we are operating under general parliamentary law.

The CHAIRMAN. But under the rules of this House the amendment is not in order, especially under clause 7, Rule XVI, which provides that "no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment." This is a proposition on a subject different from that under consideration, and is therefore not in order as an amendment to this bill.

Mr. JOHNSTON, of North Carolina. Is not the subject under consideration the appropriation of money? [Laughter.]

The CHAIRMAN. The subject-matter of the pending bill is the return of certain taxes to States that have heretofore paid them. The proposition submitted by the gentleman from North Carolina contemplates making large appropriations from the public Treasury for the support of common schools in the manner provided in the amendment, which is a subject entirely different from that under consideration. The point of order is therefore sustained; the amendment is out of order.

Mr. JOHNSTON, of North Carolina. I dislike very much to dissent from the ruling of the Chair, but on account of the importance of this matter I desire to take an appeal.

The CHAIRMAN. The gentleman from North Carolina appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the committee? [The vote was taken.] In the opinion of the Chair the ayes have it.

Mr. JOHNSTON, of North Carolina. I call for a division.

The CHAIRMAN proceeded to take the question by a rising vote, but before the count was completed Mr. JOHNSTON, of North Carolina, withdrew the call for a division.

So the decision of the Chair was sustained.

Mr. JOHNSTON, of North Carolina. I will now offer an amendment which I think is in order.

The Clerk read as follows:

Add to section 1 the following:

"And it shall be the further duty of the Secretary of the Treasury to refund to each State and Territory of the United States and the District of Columbia, out of the surplus in said Treasury, a sum equal to the proportionate amount of said surplus collected under the internal-revenue laws from said State or Territory and the District of Columbia, each of which said several sums shall be expended by the several States and Territories for educational purposes in the same manner and proportion as is now provided by the law of each of said States for the education of the children thereof."

Mr. JOHNSTON, of North Carolina. I offer that amendment, which I think is germane.

Mr. OUTHWAITE. I make the point of order that the amendment is not germane; for it has the same effect really as an appropriation of money in the Treasury, collected in a particular way, for certain school purposes. In the second place it goes to the extent of directing what shall be done with this money by the States—how they shall use it.

The CHAIRMAN. The gentleman from Ohio makes a point of order against this amendment. The Chair will hear the gentleman from North Carolina on the point of order.

Mr. JOHNSTON, of North Carolina. I hope the Chair will sustain me this time. My amendment goes to the extent of refunding from the Treasury of the United States money now there, unjustly and unequally collected, just as much so, as has been contended on this floor, as this direct tax. My amendment does not propose to make any appropriation, but to refund money now lying in the Treasury, collected under a specific law, just as this bill proposes to refund a certain tax lying in the Treasury, collected under the direct-tax law.

Mr. DOCKERY. Would it not be better to relieve this condition by cutting down taxes?

Mr. JOHNSTON, of Indiana. This amendment proposes to refund another tax in addition to the one which the bill proposes to refund.

The CHAIRMAN (Mr. SPRINGER). The Chair is of the opinion that the amendment proposed by the gentleman from North Carolina is subject to the point of order made by the gentleman from Ohio. While it purports to make an appropriation out of a particular kind of revenues in the Treasury, it is well known to the Chair and to the Committee of the Whole that such revenues are merely a part of the revenues in the Treasury; and this is really an appropriation of revenues now in the Treasury for common-school purposes, which is a subject different from that under consideration. Therefore the amendment is not in order, under clause 7 of Rule XVI, to which the Chair has already referred. For this reason the point of order is sustained.

Mr. JOHNSTON, of North Carolina. I understand the Chair does not rule this amendment out on the ground that it makes an appropriation, but because the object of that appropriation is proposed to be controlled by Congress.

The CHAIRMAN. The Chair rules out the amendment on the ground that this is a bill simply to refund taxes heretofore collected from the States, while the amendment is a proposition for the purpose of supporting common schools in the States—an entirely different subject.

Mr. JOHNSTON, of North Carolina. Then I modify my amendment by striking out that portion of it which directs how the money shall be used.

The CHAIRMAN. The Clerk will read the amendment as modified.

The Clerk read as follows:

And it shall be the further duty of the Secretary of the Treasury to refund to each State and Territory of the United States and the District of Columbia, out of the surplus in said Treasury, a sum equal to the proportionate amount of said surplus collected under the internal-revenue laws from said State or Territory and the District of Columbia.

Mr. OUTHWAITE. I make the point of order that this proposition is not germane to the subject under consideration. The bill we are considering proposes to refund certain taxes collected from the States. This amendment, under the guise of a refund, proposes to appropriate to the States a certain amount of money which happens to have been collected in a certain manner—not money collected from the States or by the States, but money collected by the United States from the people.

The CHAIRMAN. The Chair is in some doubt whether this amendment is obnoxious to clause 7, Rule XVI.

Mr. JOHNSTON, of North Carolina. I think I am entitled to the benefit of the doubt.

The CHAIRMAN. The proposition in the present form is one to distribute the surplus in the Treasury amongst the several States according to the amount paid by the citizens of the several States under the internal-revenue system. The Chair is of the opinion it is not obnoxious to the rule and should be submitted to the committee for consideration, and not suppressed as out of order.

Mr. JOHNSTON, of North Carolina, asked for a division.

The committee divided; and there were—ayes 22, noes 96.

Mr. JOHNSTON, of North Carolina. No quorum.

The CHAIRMAN. The Chair will appoint as tellers Mr. CASWELL and Mr. JOHNSTON of North Carolina.

Mr. JOHNSTON, of North Carolina. I will withdraw my point of no quorum if we can get a vote by yeas and nays on this in the House.

The CHAIRMAN. No arrangement of that kind can be made in the committee.

Mr. JOHNSTON, of North Carolina. It might be by agreement. I want to get a record on this so the country may see who are responsible for keeping the surplus in the Treasury.

The tellers took their places.

Mr. JOHNSTON, of North Carolina, withdrew his point of no quorum.

So the amendment was disagreed to.

MESSAGE FROM THE SENATE.

The committee rose informally; and Mr. RICHARDSON having taken the chair as Speaker *pro tempore*, a message was received from the Senate by Mr. MCCOOK, its Secretary, announcing the passage of bills of the following titles:

A bill (H. R. 5080) for the relief of C. D. Wilson; and

A bill (H. R. 11764) making an appropriation to supply a deficiency in the appropriation for the contingent expenses of the House of Representatives.

DIRECT TAX.

The committee resumed its session, Mr. SPRINGER in the chair.

Mr. ELLIOTT. I now move as an amendment, to come in after the first section, what the Clerk will read.

The Clerk read as follows:

SEC. —. That it shall be the duty of the Secretary of the Treasury to pay to such person as shall in each case apply therefor, and furnish satisfactory evidence that such applicant was at the time of the sales hereinafter mentioned the legal owner, or is the heir at law or devisee of the legal owner of such lands as were sold in the parishes of St. Helena and St. Luke's, in the State of South Carolina, under the said acts of Congress, the value of said lands in the manner following, to wit: to the owners of the lots in the town of Beaufort, the value assessed thereon for taxation by the United States direct-tax commissioners for South Carolina; to the owners of lands which were rated for taxation by the State of South Carolina as being usually cultivated, or capable of cultivation, $10 per acre for each acre thereof returned on the proper tax-book; to the owners of all other lands, $1 per acre for each acre thereof returned on said tax-book: *Provided*, That in all cases where such owners, or persons claiming under them, have redeemed or purchased said lands, or any part thereof, from the United States, they shall not receive compensation for such part so redeemed or purchased, but they shall receive whatever amounts were paid by them to the United States for such redemption or purchase: *And provided further*, That in all cases where said owners have heretofore received from the United States the surplus proceeds arising from the sale of their lands, such sums shall be deducted from the sum which they are entitled to receive under this act.

SEC. —. That in all cases where persons, while serving in the Army or Navy or Marine Corps of the United States, purchased any of said lands under section 11 of the act of Congress approved June 7, 1862, and such lands afterwards reverted to the United States, it shall be the duty of the Secretary of the Treasury to pay to such persons as shall in each case apply therefor, or to their heirs at law, devisees, or grantees in good faith and for valuable consideration, whatever sum was so paid to the United States in such case.

SEC. —. That before paying any money to such persons the Secretary of the Treasury shall require the person or persons entitled to receive the same to execute a release of all claims and demands of every kind and description whatever against the United States arising out of the execution of said acts, and also a release of all right, title, and interest in and to the said lands.

SEC. —. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $850,000, or so much thereof as may be necessary to pay for said lots and lands, which sum shall include all moneys in the Treasury derived in any manner from the enforcement of said acts in said parishes, and not otherwise appropriated.

SEC. —. That section 1063 of the Revised Statutes is hereby made applicable to claims arising under this act without limitation as to the amount involved in such claim.

Mr. MCADOO. I desire to move as an amendment to that amendment what I send up to the Clerk's desk to be read, to come in after the words "Marine Corps."

The Clerk read as follows:

Or who has been honorably discharged from said service.

Mr. MCADOO. A word of explanation seems to be necessary as to the necessity of that amendment to the amendment. The amendment only applies to those soldiers and sailors of the United States actually in the service at the time they bought this land. I wish to extend it to those having been honorably discharged. I represent several constituents who had been in the service of the United States and honorably discharged and on the ground at the time the sale took place, and I think they should have the benefit of this provision as well as those actually in the service.

Mr. ELLIOTT. I supposed my amendment covered all cases of persons belonging to the Army and Navy; and I have no objection to that modification, as it carries out the intention of the amendment.

Now, Mr. Chairman, I beg to state that this is an amendment agreed to by the Judiciary Committee to be accepted as an addition to the bill, and arises out of the enforcement of the direct-tax law in a certain section of the State of South Carolina, to which I called attention yesterday. In brief terms, in 1863 110,000 acres of land and the entire town of Beaufort, containing five hundred lots, with improvements of great value, were sold by the tax commissioners to collect the sum of $11,000 of tax. The Government of the United States "selected" or purchased the entire town of Beaufort, except three lots, and about 60,000 acres of land, which they afterwards resold at a profit of $400,000, as the report of the Secretary of the Treasury will show on page 29 of the committee's report.

The object of the amendment, Mr. Chairman, is to undo an act of injustice to a class of people who alone throughout the United States had their property sacrificed under this act. Let me impress upon gentlemen, and I beg them to bear it in mind, that the Government made a profit of some $400,000 out of the resales and leases of this property, and that there is included in this about $48,000 which was paid by soldiers and sailors of the United States as the first payment upon purchases of property from the Government, which was afterward forfeited to the United States without allowing the purchasers an opportunity to have justice done them.

I hope, therefore, the amendment will be adopted. It has been approved by the Judiciary Committee; it is germane to the bill; is intended to undo one of the grossest acts of hardship that has ever arisen under the operation of law, and must meet the approval of all persons who desire that our legislation shall be equal, exact, and impartial.

Remember, gentlemen, that these people lost their homes, their beautiful homes, in which they and their ancestors had for more than a century led happy lives. We give refuge to the oppressed of all nations; we give free homesteads to our people; shall we refuse this act of tardy and meager justice to an entire community that has been despoiled by the harsh enforcement of our own laws? Can Congress refuse to adopt this measure, and thus proclaim its deliberate determination not to redress this wrong? But a small sum comparatively will be required to accomplish this purpose. It is not a question whether Congress can afford to pass this measure, but whether you can afford not to pass it. You are about to give millions to rich and powerful States who have suffered nothing. What reason can be given for refusing the appeal of these people who have suffered everything?

Again, I repeat, the Committee on the Judiciary have unanimously approved this amendment and authorized its chairman to have it incorporated into this bill, and I ask the chairman, if present, to make that statement in the hearing of the committee.

Mr. WILSON, of Minnesota. Let me ask the gentleman from South Carolina if it be not a fact that when this property was sold it was sold for the amount of the direct tax levied?

Mr. ELLIOTT. Yes; it was sold to pay the tax.

Mr. WILSON, of Minnesota. Very well. Then the title was obtained in this way from the Government. Now, have these parties paid the direct tax?

Mr. ELLIOTT. The Government itself bought the entire town of Beaufort, and afterward resold it.

Mr. WILSON, of Minnesota. That is very true, as the gentleman has stated, but I can not see what difference it makes whether the parties who owned the property paid the tax, or somebody else paid it, so it was collected.

Mr. ELLIOTT. But the Government made a profit of $400,000 on the transaction.

Mr. WILSON, of Minnesota. That is merely a circumstance connected with the sale. Suppose the Government had lost $400,000; that would also have been merely an incident of the sale.

Mr. ELLIOTT. But the Government purchased the property for about $17,000, about one-thirtieth of its assessed value, and could not lose any such sum; and I appeal to the committee, Mr. Chairman, where the Government has gone into the market and bought property and resold it, making this enormous profit, that Congress should appropriate some small additional sum to afford the relief so greatly needed and correct an act of gross injustice. All the members of this committee must appreciate the hardships of the case.

[Here the hammer fell.]

The CHAIRMAN. The Chair understood the gentleman from South Carolina to accept the amendment of the gentleman from New Jersey.

Mr. ELLIOTT. Yes, sir; I accept it as a part of my own.

The question being taken on the amendment of Mr. ELLIOTT as modified, it was agreed to.

Mr. OATES. I now offer the amendment I send to the desk.

The Clerk read as follows:

SEC. —. That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit and pay to each State a sum equal to the amounts collected therein, respectively, as a tax or duty on raw cotton under the provisions of the act approved July 1, 1862, and the supplemental and amendatory acts thereto; which sums, when so credited and paid, shall be accepted and held by such States, to be disposed of as their respective Legislatures elected next after such payment may direct.

Mr. OATES. Mr. Chairman, I desire to say that I do not wish to debate this amendment. The only difference is as to the manner of

distribution of this fund in the event that it is to be returned. As the main question has been fully debated already, I do not wish to say anything further than that I hope it will be adopted.

Mr. ALLEN, of Mississippi. I offer an amendment to the amendment.

The Clerk read as follows:

Amend by striking out all the amendment after the word "States" and insert "to be held and used by them as an educational fund and to be used in the support of free schools in said States."

Mr. McRAE. I desire to offer a substitute for the two amendments.

The Clerk read as follows:

SEC. —. That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit and pay to each State a sum equal to the amounts collected therein respectively as a tax or duty on raw cotton, under the provisions of the act approved July 1, 1862, and the supplemental and amendatory acts thereto, which sums, when so credited and paid, shall be accepted and held by the States in trust, first, for such of the producers who paid said tax or duty, or their legal representatives, as may make claim to and prove their identity, and the amount of taxes paid, in two years after the passage of this act; and, second, the remainder, if any, to be held and used only as a permanent free-school fund.

SEC. —. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this act: *Provided*, That any State accepting the trust hereby created is prohibited from paying any part of the funds received to any person, syndicate, or corporation except the producers who paid the taxes on cotton grown by them, or their legal representatives; and in no case shall the payment be made to an assignee of such claim.

Mr. McRAE. Mr. Chairman, I shall take up very little time in discussing these amendments. I will only call attention to the main points of difference between them, and then proceed generally. The amendment I propose is the bill I introduced in the Forty-ninth Congress and now pending before the Judiciary Committee, and seeks to refund as far as possible the cotton tax to the producers. If they can not be found within the time fixed in the amendment I favor giving the fund to the States in trust for a common-school fund. That is what is meant, and I think it just. I know that many of the producers have preserved their receipts, and if the money was improperly taken from them they ought to have it back. It is theirs, and we have no more right to use it for some other purpose than Congress had to take it in the first place. Let us not use other people's money to create a school fund.

If my amendment is not adopted I am willing to accept that offered by the gentleman from Alabama [Mr. OATES], and if that is rejected then I would take as the next best that proposed by the gentleman from Mississippi [Mr. ALLEN]. I do not propose to enter into any controversy with my friends about the distribution of the fund at this time, for it is very apparent to my mind that the other side of the House does not intend that it shall be refunded at all for any purpose.

Many of our friends who have opposed refunding this tax appear to understand nothing at all about the manner in which the tax was collected nor the effect it had on the price of cotton. Some very absurd statements have been made. I am glad, however, that all the people of the North do not think that the tax was not on the producer but a tax on consumption. I am surprised that any Representative would so assert.

None who are willing to be fair and who will take the time to learn how the market is regulated will take any such absurd position. Perhaps our friends on the other side who have advanced such ideas would give some attention to the opinions of the New York Chamber of Commerce, since they will not listen to those interested. I will therefore ask the Clerk to read the following memorial:

The Clerk read as follows:

MEMORIAL OF THE NEW YORK CHAMBER OF COMMERCE AS TO THE PROPOSED TAX OF 5 CENTS PER POUND ON COTTON.

[May 15, 1866.—Referred to the Committee on Finance and ordered to be printed.]

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

May it please your honorable bodies, the memorial of the Chamber of Commerce of the State of New York respectfully represents that the following report of the select committee appointed by the Chamber of Commerce to consider "the effect of the proposed tax by Congress of 5 cents per pound upon cotton" was this day unanimously adopted as the sense of the chamber and ordered to be transmitted to Congress for their consideration, namely:

They report that the subject is one of vast interest to that section of the country in which cotton is grown, of great national concern, and especially worthy of consideration in view of the political state of the South.

They assume that in an enlightened community of merchants the importance of dealing justly with the South at the present juncture will be deeply felt; and adopt as the sentiment of this community that if any error is committed in our national legislation it should not be on the side of severity. If it is necessary to exclude representatives of the Southern States from the Halls of Congress because of disabilities growing out of the recent war, and measures are to be adopted affecting the industries of a large section and of a numerous people, these measures should be characterized by a spirit of generosity which will take the sting from the declaration that "taxation without representation is tyranny." It should appear in after years, when prosperity in the South takes the place of present adversity, and fraternal relations are again restored in and out of Congress, that in the days of her weakness the North and West did not take undue advantage of the South, discriminating against her industry and imposing burdens too heavy to be borne, but on the contrary that a spirit of magnanimity ruled in the councils of the nation, disposing our legislators to deal generously with the people of the South, thus to aid in restoring them from a state of weakness to a condition of strength.

These are the views that animate the committee; and they are such as in their opinion this chamber should urge upon Congress as of most importance in considering the amount of internal-revenue tax to be levied upon raw cotton.

They are deeply impressed with the feeling, as they suppose all right-minded men are, that the cultivation of cotton should be encouraged by all proper means, and should not be discouraged by onerous taxation. And the committee beg to present some of the reasons which in their judgment are conclusive against a duty of 5 cents per pound on the great Southern product, namely:

1. That the cotton interests in India, Brazil, and Egypt have accumulated large capitals from the high prices of the last three years, while our planters, as a rule, have lost all theirs.

2. That nothing has yet occurred to arrest the extension of cotton production in these countries, and nothing will arrest it short of material and permanent decline in prices hereafter.

3. That in the last five years railroads have been opening to traffic in India, and other means of transportation have been improved; and as the Indian Government guaranties an annual dividend of not less than 5 per cent. to railway stockholders, we must suppose branch railroads will be made wherever they are likely to pay.

4. That during the four years' famine of United States cotton in Europe great improvements have been made in the manufacture of yarns and fabrics from India cotton, so that eminent manufacturers who thought formerly that they could only use American in making their standard fabrics have found that a mixture of four-fifths India and one-fifth American, or even nine-tenths India and one-tenth American, produced the requisite quality; at least, so it is stated on authority which the committee are forced to respect, without being competent to indorse it.

5. That the expenses in the United States of producing, transporting, and selling at the ports, exclusive of tax, must be estimated this year at not less than 13 cents per pound, in case of a yield of two and one-half millions of bales, and about 2 cents more if the yield is two millions, and still more if the yield is less.

It is sometimes said, but very inconsiderately, that the cultivation of cotton in India and Egypt has been a failure. Let us examine this up to the present time, and give the latest possible light upon the question.

The average import into Liverpool from the 1st January to 20th April has been as follows (in bales):

Period.	India.	Egypt.	Brazil.
For three years, 1859 to 1861	116,000	40,000	30,000
For three years, 1862 to 1864	198,000	90,000	54,000
For two years, 1865 and 1866	293,000	144,000	151,000

Quantity known (on April 20, at Liverpool) to be at sea for England from India (in bales):

Date.	1866.	1865.	1864.	1863.	1862.
On April 20 in each year	545,000	305,000	248,000	188,000	184,000
Stock of all kinds of cotton in Liverpool on April 20	820,000	575,000	472,000	203,000	422,000

	India.	Egypt.	Brazil.
Average twelve months' import into Great Britain in ten years, from 1843 to 1852, inclusive (bales)	214,000	70,000	120,000
The like during 1865	1,267,000	334,000	340,000

The above tables show that the production of cotton has been an eminent success in India, Egypt, and Brazil, in quantity; and whatever may be said to the contrary, the quality even of India cotton is good enough to drag down the price of our own growth, as happened in Liverpool last month, to the extent of sixpence sterling per pound, equal to 15 or 16 cents of our money, in less than six weeks.

The natural course seems now to be for cotton to decline, perhaps very slowly, and by fits and starts, until it reaches half its present value, if the growths of 1866 and 1867 are prolific; and it is equally natural to suppose our planters must make two successive crops each of three or four millions of bales, and sell them at very low prices, before the cultivation in the Bombay district will be materially curtailed.

The prospective difficulties of the American planter, even without any tax on cotton, are great; probably greater than he supposes, as both in the North and South there are still lurking ideas that "American cotton is king." For if he secures a large crop he is sure to meet a low price, while if his crop is short, and his earnings therefore small, the cultivation in other countries will continue to increase.

Yet, at this very time, when he is struggling for existence, a tax of 5 cents per pound is proposed, which being practically an export duty, is equivalent to charging him with that amount for the purpose of paying it over to the cultivators of India, Egypt, and Brazil. And still it is expected he is to compete successfully with those growers. Our knowledge of the proposition is mainly derived from the sketch of a bill for amending the internal-revenue act, published some days ago in our papers. We deem it reasonable to suppose that it was first suggested when cotton was worth 50 cents, and expected by some persons to be 60 or 70 cents per pound this summer, while the present average value at the ports of the United States is little more than 30 cents, and if it is to go to 40, it must be from speculation for resale chiefly to our spinners, and because of anticipated failure of the growth of this year.

The bill is based upon the assumption that thirty-four millions of revenue will be derived from this tax, and connects with the recommendation other proposed changes in the law, which are as favorable to the wealthier portions of our country as the tax referred to is oppressive to the South, namely:

1. The reduction of taxes on incomes.

2. A drawback on cotton goods, when exported, of 5 cents per pound, thus increasing the bounty on their production from 2 to 5 cents per pound.

3. The abolition of the tax of $1 per barrel on crude and one-fifth of that on refined petroleum.

There is in these and other modifications suggested in the existing law a want of impartiality which, in the judgment of the committee, is calculated to provoke hostility at the South, and to excite in all honest minds at the North the hope that such a purpose will not prevail. It is not as though the people of the South were prepared to enter into competition with the manufacturers of the North for the benefit to be conferred through the payment of the proposed bounty on cotton goods exported. They are not and can not be for years to come; and the imposition of a discriminating tax which tends to make the rich of the North richer and the poor of the South poorer operates as a discouragement to those who, with heavy hearts but honest endeavor, strive to regain their lost fortunes.

The committee feel that it would be wiser and better to lift up those who are now cast down, and by just and generous legislation to inspire the Southern people with hope of better days rather than by an opposite course to prolong the era of political and commercial distrust.

If it be true that when "one member suffers all the members suffer with it," the committee would urge a more moderate tax than that now proposed, not in the interest of the South alone, but for the common good of all the States of the Union.

M. MAURY.
JNO. S. WILLIAMS.
STEWART BROWN.
A. A. LOW.
PAUL SPOFFORD.

NEW YORK, *May* 10, 1866.

Subsequently it was—

Resolved, As the opinion of this chamber, that the present tax of 2 cents per pound on cotton ought not to be increased.

Respectfully asking the attention of your honorable body to the foregoing, your memorialists will ever pray.

A. A. LOW, *President.*

Attest: GEO. WILSON, *Acting Secretary.*

Mr. MCRAE. I have had this read to show what was thought of the law at the time it was passed. This was the judgment of the greatest commercial body in the United States.

The Legislatures of the cotton-growing States have time and again asked for the refunding of this tax in various ways.

Here is one:

MEMORIAL OF THE LEGISLATURE OF ARKANSAS, ASKING CONGRESS TO PASS AN ACT REFUNDING THE COTTON TAX.

[January 12, 1876.—Referred to the Committee on Ways and Means and ordered to be printed.]

To the honorable Senate and House of Representatives in Congress assembled:

Your memorialists, the senate and house of representatives of the State of Arkansas, represent that—

Whereas the Congress of the United States passed an act which taxed cotton in the years of 1865, 1866, and 1867 from 2½ to 3 cents per pound, and under the operations of said law took from an already impoverished people about $60,000,000, and that said policy tended greatly to impede the speedy renewal of the great industrial interests of the South, and that it was money taken from the pockets of the laboring classes, who were least able to bear it, and to many who had invested their all in cotton brought financial ruin; and

Whereas an unparalleled drought has swept through a large portion of the cotton-growing States, and brought desolation and want in many localities never before experienced in this and the adjoining States; and

Whereas a great financial panic is now existing, and many of the laboring classes of our State can not subsist without assistance; and

Whereas the refunding of said cotton tax would work no hardship to any one, but would enable many poor and desolate families to procure the necessaries of life until they are able to make a crop: Therefore,

Be it resolved by the General Assembly of the State of Arkansas, That we do most respectfully and earnestly memorialize the honorable the Congress of the United States to pass a law refunding the amount of taxes collected on cotton during the years 1865, 1866, and 1867.

Resolved further, That copies of this memorial be forwarded to our Senators and Representatives in Congress assembled, and to the presiding officer in each body thereof.

Approved November 30, 1875.

Here is another:

Whereas there is in the Treasury of the United States a large amount of money placed to the credit of the cotton States, by a decision of the Supreme Court of the United States, declaring the cotton tax imposed and collected unconstitutional, and as various efforts have been made in Congress to agree on a plan of distribution and failed: First, therefore, be it

Resolved by the General Assembly of the State of Arkansas, That our Senators in Congress be instructed and our Representatives be requested to use their efforts to cause said fund to be apportioned among the several States interested on the basis of the number of bales of cotton produced in each State the years for which the tax was collected.

Second. That the General Assembly enters its protest against the proposition to appropriate said fund to the improvement of the Mississippi River as being unjust to the producers who paid said cotton tax.

Third. That copies of these resolutions be transmitted to our Senators and Representatives in Congress.

Approved February 2, 1883.

And here is still a later one asking to make a permanent common-school fund of it. This was renewed by the Legislature of 1887.

Be it resolved by the General Assembly of the State of Arkansas, That our Senators be instructed and Representatives in Congress be requested to use their influence in having the cotton tax, about $67,000,000, distributed to the several States from which it was collected, according to the number of bales of cotton produced in each State during the year the tax was collected.

Second. That said fund so apportioned shall be paid to the treasurers of the respective States from which it was collected, and the same placed to the credit of the common-school fund.

Third. That copies of these resolutions be forwarded to our Senators and Representatives in Congress by the secretary of state.

Approved March 25, 1885.

The people of the South feel satisfied that this tax was unconstitutional. They believe that much of the opposition to refunding it is on account of a prejudice against the section to be benefited by it. And I confess that I share that opinion with them after witnessing the discussion on this bill. You of the other side appear to be anxious about all these old matters if they do not aid the South and will fill your treasuries. You are willing to take $17,000,000 direct-tax money, but unwilling to vote anything on account of the illegal and unjust cotton tax.

Mr. Chairman, I submitted some remarks upon a similar bill that I introduced in the Forty-ninth Congress several times referred to in this debate, and I now call attention to other extracts which I shall incorporate in my remarks to-day. I lay greatest stress upon the points that the tax was both a tax on exports and a direct tax. These points can not, in my opinion, be successfully answered.

THE TAX UNCONSTITUTIONAL.

The only power granted to Congress authorizing the laying and collecting of taxes, duties, imposts, and excises is to be gathered from the following parts of the Constitution:

"ARTICLE I.

"SEC. 8. The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States."

And this power is restricted by the following prohibitory clauses:

"ARTICLE I.

"SEC. 9. * * * No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken. No tax or duty shall be laid on articles exported from any State. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to, or from, one State, be obliged to enter, clear, or pay duties in another."

Taking these provisions together I conclude that Congress has full power to lay and collect all such taxes as are enumerated when necessary for the legitimate purposes of the Government, but always subject to the following restrictions and limitations, namely: Direct taxes must be apportioned; duties, imposts, and excises must be uniform, and that neither Congress nor the States have power to tax exports from any State.

The legality of this tax has never been passed upon by the Supreme Court, and is an open question. One case was appealed to the Supreme Court from Tennessee, but the court was equally divided, and made no decision.

That we may test the legality of this tax, let us ask what kind of a tax it was.

Was it a direct tax? To correctly answer this inquiry we should understand what is meant by this term as used in the Constitution. It is generally understood to be "a tax assessed directly on possessions, incomes, or polls, distinguished from taxes on merchandise or customs and from excises." Justice Chase, in Hylton's case, 3 Dallas, 171, said:

"I am inclined to think that the direct taxes contemplated by the Constitution are only two, namely, a capitation or poll-tax simply, without regard to property, profession, or other circumstances, and a tax on land. I doubt whether a tax by a general assessment of personal property within the United States is included within the term 'direct tax.'"

The real question in this case was whether a tax upon pleasure carriages throughout the United States was constitutional, the same not having been apportioned, etc. The judges all agreed that it was not a direct tax. Justice Patterson in the same case used this language:

"It is not necessary to determine whether a tax on the produce of land in its original and crude state ought to be considered as a part of the land itself; it makes part of it; or else the provisions made against taxing exports would be easily eluded. Land, independent of its produce, is of no value."

This puts the case in its true light; although it may not be decisive of the case, it is strongly persuasive. Following this idea suggested by this learned judge so soon after the adoption of the Constitution and in view of the fact that for more than three-quarters of a century after the adoption of the Constitution no tax was ever laid on the produce of land, I think I might with propriety insist that a tax upon raw cotton, the lien for which commenced the moment the cotton came into being and continued until manufactured for export, is a direct tax. If this position is correct, then it is unnecessary to pursue the argument further, because there was no effort to apportion it according "to the census or enumeration;" but we will consider the other branch of the question, and not rest the issue upon the proposition that it is a direct tax, as we might well do.

NOT UNIFORM.

Passing from this view of the case let us treat it as a duty, as it is called in the acts. As such it should be uniform throughout the United States. The fact that the duty was on raw cotton, which could only be produced in a part of the States of the Union, precludes the idea of uniformity throughout the United States. Of the sixty-eight millions collected under the laws nearly all was collected from citizens of the Southern cotton States, and the citizens of the Northern States paid no tax corresponding to it. When it was stated in the debates upon the Constitution that under the taxing clause certain States having property peculiar to their climate and surroundings might be oppressed, Mr. Madison very promptly and emphatically repudiated the idea, and declared that the Constitution did not admit of it, and insisted that either in the rule of apportionment or of uniformity all States and their interests would be protected. If the cotton tax can be sustained then the rule of uniformity has utterly failed of its purpose and imposes no restrictions on Congress whatever.

TAX OR DUTY ON EXPORTS.

If the tax is found not to be a direct tax, and also found to be uniform throughout the United States, yet is it not a tax or duty on exports and unauthorized? I understand exports to mean commodities conveyed from one country or State to another in traffic, and that the thing is exported when carried out of the country or State. A commodity may clearly be exported from one State into another, and when the market for the article or thing, grown or manufactured, is outside of the country or State where produced or made, then it is an export.

A careful reading of the Constitution and the debates upon it by the delegates who framed and the State conventions that afterward adopted it will, I think, make it perfectly clear that it was intended that no tax was to be laid on articles exported from any State. I desire to emphasize the fact that it does not say from the United States nor any port thereof to a foreign country. When the clause was first proposed the prohibition was against any tax on exports "from the States." This was changed so that no tax or duty could be laid on exports "from any State."

There was a purpose in making this change, and I believe that purpose was to prevent the laying and collecting of just such taxes as the cotton tax. It was not accidentally but purposely amended, and for the evident intention of prohibiting the imposition of any tax on products of a State taken beyond its limits for sale or consumption. Let us remember that the framers of the Constitution, men of learning, who adopted these words with so much care, were delegates of sovereign and independent States, at that time confederated together only, and as such refused to adopt a national consolidated government.

Without reference to how the Union is now regarded in some quarters, it can not be denied that then it was understood by the convention that there was to be no new, but simply a "more perfect Union," an indissoluble Union of independent States, with an enlargement of the power of the General Government clearly defined, but without any attempt at the annihilation of the State governments. They still remained foreign to each other for many purposes. A bill of exchange drawn in one State on a person in another was then and is yet a foreign bill as much as if drawn in Europe. Administrations in one State were foreign as to all others, and the same rule applies to corporations created by the States. A judgment of a court in one State is treated as foreign as to as others. Even the statute laws of one State must be proven in other States as the laws of foreign nations are.

The cotton was produced almost exclusively for export, either to the Northern States or to foreign countries. The strongest proof of this is in the fact that during the years of the rebellion when none could be exported none was grown.

I have stated this much in behalf of what I conceive to be the proper construction to be given to this prohibition, but for my present purpose in this argument I am willing to concede that "exported" means sent out of the United States to foreign countries, for the tax in my opinion was equally unconstitutional, because it was laid on all cotton, whether sent to domestic or foreign markets. The tax or duty was laid on all cotton in the hands of any person whatever, and the payment was required before sending it to market under a severe penalty denounced by the law.

It is perfectly clear that Congress intended to lay the tax upon the cotton for export as well as that used here, because it declares that "no drawback shall in any case be allowed on raw or unmanufactured cotton of any tax paid thereon when exported." As the cotton was grown principally for export to foreign countries and the tax being on all alike, it was necessarily a tax or duty to that extent, at least on exports to foreign countries, and is in plain violation of the fundamental law, which is based upon the soundest reasons, very forcibly expressed by Mr. Ellsworth in the following:

"There are solid reasons against Congress taxing exports: First, it will discourage industry, as taxes on imports discourage luxury. Secondly, the produce of different States is such as to prevent uniformity in such taxes. There are indeed but a few articles that could be taxed at all, as tobacco, rice, and indigo, and a tax on these alone would be partial and unjust. Thirdly, the taxing of exports would engender incurable jealousies."

The tax being on all that was produced, and as it was impossible to know what bales were to be exported, the acts can not be upheld in part even if the United States should determine to confine it to such as was not sent to foreign countries. This principle is clearly announced in the case of Wynehauner *vs.* The People (13 N. Y., 441):

"The general rule on this subject is that where part of a law is in conflict with the Constitution, and that part is entirely separable from the residue, so that other portions of the law can be enforced without reference to it, then the unconstitutional part only will be condemned. But where the legislative provision is indivisible, and the necessary discrimination has, as in this case, to be made at the trial, so that the rights invaded can only be protected by repeated judgments against the validity of the law, although there may be a class of cases to which it might properly apply, the provision is wholly void. The law, therefore, must be revised and the proper discrimination made before it can be enforced."

Indeed, Mr. Chairman, if this decision, which appears to be so well founded in principle and supported by abundant authority, is correct, it would be impossible to hold the tax constitutional, even if it could be shown whether the particular cotton taxed was or was not sent abroad. The provisions of the act were not divisible, and so the whole was void. It would be utterly impossible for any producer who paid this tax to tell whether the cotton upon which he paid was sent beyond the United States or not. The Supreme Court in Brown *vs.* Maryland (12 Wheat., 419) says:

"An impost, or duty on imports, is a custom or a tax levied on articles brought into a country, and is most usually secured before the importer is allowed to exercise his rights of ownership over them, because evasions of the law can be prevented more certainly by executing it while the articles are in its custody. It would not, however, be less an impost or duty on the articles if it were to be levied on them after they were landed. The policy and consequent practice of laying or securing the duty before or on entering the port does not limit the power to that state of things, nor, consequently, the prohibition, unless the true meaning of the clause so confines it. What, then, are 'imports?' The lexicons inform us they are 'things imported.' If we appeal to usage for the meaning of the word we shall receive the same answer. They are the articles themselves which are brought into the country. 'A duty on imports,' then, is not merely a duty on the act of importation, but it is a duty on the thing imported. It is not, taken in its literal sense, confined to a duty levied while the article is entering the country, but extends to a duty levied after it has entered the country."

If the prohibition prevents the States from taxing articles imported, even after entering the territory of the State, would not they be prohibited from taxing articles prepared for export, although not exported? In the one case it would be impracticable to collect until it comes in, and the other after it went out. If the States can not lay the tax on exports, then the United States can not, for the same prohibition exists in the one case as in the other. The cotton was necessarily an export, for there was no sufficient home market for it. It was grown for that purpose.

When does the going out or the exportation begin? Is it when it leaves some port of entry or when it leaves the cotton-press of the farmer? If the former, the prohibition against taxing exports extends alone to the Atlantic and Pacific States, such as have ports of entry, and exports may be taxed in all other States.

Will any one contend that the Government could tax a product grown principally for export while in the hands of the producer and prohibit the shipment to New Orleans until the tax is paid when it could not tax the same product there when ready for shipment? If the right existed at all it commenced when the property came into being and continued until it passed beyond the jurisdiction of the United States, and as it could not continue as to products going out so it never existed at all as to articles grown for the export trade.

Mr. Story, in discussing this clause of the Constitution in his able commentaries on the Constitution, declares that it was the "obvious object of the convention to prevent any possibility of applying the power to lay taxes or regulate commerce injuriously to the interests of any one State so as to favor or aid another." He argued with great force that if Congress were to lay a duty on exports from any one State it might unreasonably injure or even destroy the staple productions or commerce articles of that State. Continuing with the argument, as if he had in his mind the cotton tax now in question, he said: "The inequalities of such a tax would be extreme. In some States the whole of their means result from agricultural exports."

Such, Mr. Chairman, was the condition of the cotton States. Again, in the same connection, he said "the burden of such a tax would, of course, be very unequally distributed. The power is therefore wholly taken away to intermeddle with the subject of exports." He concludes his able exposition of this clause with the statement that "the prohibition extends not only to exports but to the exporter. Congress can no more rightly tax the one than the other."

If I have succeeded in showing the act unconstitutional, then the United States has no more right to retain the money than if no law had ever existed. It of right belongs to the persons from whom it was collected, and I insist upon legal grounds that it should be returned. But whether constitutional or not, it was very unjust to the people who were made to pay it, and ought, as a matter of justice, be refunded. Let us examine for a few moments the inequality of the tax.

NOT A TAX ON CONSUMPTION.

I have heard it charged by persons who were opposed to the refunding of this tax that the producer paid no part of it; that it was like the tax on imports and the tax on whisky and tobacco; that the tax was added to the price and was paid in the end by the consumers. This is not true. The larger part of our cotton is purchased and consumed by countries outside of the United States, and the controlling market for it is Liverpool, the recognized central cotton market of the world.

This being the case, the price there controls the prices elsewhere, and is itself dependent upon many things, such as supply and demand, commercial troubles, and the manipulation of the market. If the crop should be cut short by any cause, or there should be wars so as to affect the centers of trade, these affect prices at Liverpool, and in this way they are regulated at the center, and by it all other markets are regulated. If there is a rise or fall in the price there, it is at once telegraphed to all parts of the world, and there is at once a corresponding rise or fall, as the case may be.

The prices here are governed entirely by the prices there, whether the cotton is held for manufacturing here or for export. The tax affected the price only as so much expense in getting the cotton to the controlling market, and it added nothing to the value in that market. It was the same as if expenses of transportation. The purchasers did not have to pay the tax; it was paid by the producer when he sold, and was forever lost to him. The act was careful to provide for drawbacks to manufacturers for all the tax on cotton manufactured for export. So the manufacturers got the tax on such as was manufactured for export. To this extent it was truly a tax upon the Southern farmer for the benefit of the Northern manufacturer, without any effort to disguise it, as there is in the tariff taxes.

Under these laws raw cotton was made to pay this heavy duty, which fell upon less than one-third of the people residing in only a part of the States, when corn, wheat, and hay, in fact all other productions of the soil of every description paid nothing. A duty upon corn could have been laid with more uniformity than upon cotton, because it was grown and consumed in every State in the Union, and was more profitable to the producer than cotton. Was this exact justice? By what rule of right and justice could Congress say that the black and white laborers of the South should be made to pay a tax on their chief product, amounting in most instances to more than the profit they made upon it, when other laborers were more profitably employed in raising corn, wheat, fruits, and other products in the Northern and Middle States, which were exempt? There is no parallel in history for such a tax.

All the principles of taxation were disregarded. The income of the cotton-grower was first taxed, and in estimating that the amount of sales of all productions of every kind, including cotton, was added; so that the Southern farmer was taxed twice on the value of all cotton produced by him, and this double tax was cumulative to the other taxes required to be paid. The amount paid had no proportion to the value of the cotton.

Cotton that cost 25 cents to produce paid as much as that which only cost 15 cents. The poorest quality of cheap cotton paid as much as the best sea-island. It was laid at a time when not a person who was to pay it was represented in Congress. The heaviest of it was laid and collected after the civil war, with all its desolation and waste, had ceased; and the great bulk of it was collected from a people who had surrendered with the promise that they should be allowed to remain in the Union on the same terms and entitled to the same rights as those of other sections; at a time when the Southern heart was sick and saddened; when grief and sorrow were in every household; when widowhood and orphanage were all over the land; at a time when the horses, mules, farming implements, fences, houses, towns, and cities were destroyed.

The people of these States have submitted uncomplainingly to the results of the war, which swept away a hundred-fold more property than is involved in this bill, and some may be surprised that they should persist in having this piece of injustice righted. The reason for it is natural and is but an illustration of the truth of the statement of Sir Walter Raleigh, made years ago, that "with more patience men endure the losses that befall them by mere casualty than the damages which they sustain by injustice." They give no thought to the losses which come as the result of the war and their defeat, but they and their children after them will complain of this wrong committed after the war in the name of the law; not so much for the loss to them as the injustice.

The laying and collection of this tax was a wrong amounting to an outrage, and I believe the time will come when the great wrong will be righted. No representative government like ours can afford to treat its citizens in such manner. The United States can afford to do right because it is right to do right, and I have such faith in the sense of honor in our people and our institutions as to believe that in the end they will do right.

Mr. STOCKDALE. Is it in order to offer a substitute?

The CHAIRMAN. The gentleman may offer an amendment to this substitute.

Mr. STOCKDALE. That I propose to do. I ask that the amendment which I send to the Clerk's desk be read.

The Clerk read as follows:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit and pay to each State a sum equal to the amount collected therein respectively as a tax or duty on raw or unmanufactured cotton under the provisions of the act approved July 1, 1862, and the supplemental and amendatory acts thereto; which said sums when so credited and paid to said States, provided the moneys shall be accepted and received by each of said States, to be placed in its treasury to the credit of the school fund of said State, to be used or appropriated by said State equally to education of all the educatable children of said State, under the laws thereof.

Mr. STOCKDALE withholds his remarks for revision. [See Appendix.]

Mr. MCRAE. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. MCRAE. It seems to me that this is the same amendment as that proposed by the gentleman's colleague [Mr. ALLEN, of Mississippi].

The CHAIRMAN. Nevertheless it is in order at this time, being offered as an amendment to the substitute. The Chair will not decide whether it is the same as another amendment offered; but that it is in order under the rules of the House there can be no doubt.

The question was taken on the adoption of the amendment to the substitute, and it was rejected.

The CHAIRMAN. The question now recurs on the substitute submitted by the gentleman from Arkansas [Mr. MCRAE], which the Clerk will report.

Mr. MCRAE's substitute was again reported.

Mr. ALLEN, of Mississippi. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ALLEN, of Mississippi. Does not the amendment to the amendment of the gentleman from Alabama [Mr. OATES] come before the substitute for the amendment? I call the attention of the Chair to Rule XIX.

The CHAIRMAN. The point of order is well taken. The amendment to the amendment is first in order, it being the province of the committee first to perfect the amendment before voting upon a substi-

tute therefor. The question, therefore, is upon the amendment submitted by the gentleman from Mississippi.

Mr. ALLEN, of Mississippi. I just wish to detain the committee a minute or two on that motion. I explained in the remarks I made yesterday my reasons for objecting to the proposition submitted by the gentleman from Arkansas [Mr. MCRAE] and others here about the return of this money to the parties that paid it, because it is utterly impracticable to do so. That is, while in a few instances it might reach the pockets of the parties who paid it, this tax bore most oppressively on the poor white and black people of the South who made this cotton that bore the tax, and they never would get a dollar of it.

I have some very good friends and constituents who would be benefited by the adoption of the substitute offered by the gentleman from Arkansas; but I have thousands of other constituents who are just as meritorious and deserving who would not get a dollar. I am opposed to this thing that is constantly going on here of doing justice to one or two or three men while thousands have been wronged that can never have justice done them under the operation of the same law. That is my objection to that proposition. I say if we are going into the refunding business, the best place to put this money is to make a common-school fund of it for the people of that section that need money for that purpose. And I appeal again to gentlemen upon this floor who feel interested in and who are often deprecating the illiteracy in that portion of the country to come up now and give us back something that is justly due for the purpose of educating the children of that portion of the country. I just wish to say one word more, Mr. Chairman.

We have had some heated discussions here this morning. I am very sorry to see that now. If this thing goes on much longer we will have to have another reunion and commingling of the blue and gray.

Now, it is not right for gentlemen to allow themselves to get into a passion on either side of this House and say hard things to each other. I commend to gentlemen on the Republican side the conduct of my friend from Ohio, General GROSVENOR, a man who says that he is utterly without malice or bitterness towards anybody in the world [laughter], a man who would not say anything to hurt anybody's feelings. I listened to his remarks here yesterday, and he put some questions to me as I sat in front of him. He wanted to know if we were not glad that we were back here, and he reminded us that this money that we are now talking about helped to bring us back. Well, we are glad we are back, but we would be a great deal gladder if we did not have such exhibitions of temper as we have had on the other side of the House yesterday and to-day. But, Mr. Chairman, this is a good place to be, and I confess I am glad we are here. I gave you all yesterday some of my early experiences after the war, and when you look back at my surroundings at that time and then look where I am to-day—behold me as I stand here—could there be a better illustration of the possibilities that open themselves up before American youth? [Laughter.] But, Mr. Chairman, as I stand upon this dizzy height to which I have climbed [renewed laughter] and look around me, I must confess to a feeling of astonishment as to how a great many of you gentlemen have got up here with me. [Renewed laughter.]

Now, Mr. Chairman, let us wind this whole thing up over this cotton-tax bill, and let us put on this amendment directing that the money shall go to an educational fund for the people of the South; because I want to tell you gentlemen on the other side another thing: If you go on at this rate paying yourselves back for what you expended in patriotism during the war, the first thing you know the country will not owe you anything. [Great laughter.] I hope, Mr. Chairman, that the amendment I have offered to the amendment of the gentleman from Alabama will be adopted.

Mr. OATES. Mr. Chairman, we had better get a refund of the cotton tax before we get into any controversy as to how we shall distribute it. The amendment which I have offered provides that the States shall hold the money in trust, to be disposed of as the Legislatures elected first after such payment may direct. You see already the differences of opinion that exist here about how the fund should be distributed. If it is refunded, the proper thing would be to allow the people of the States, respectively, to say what disposition should be made of it, and that is what is provided for in the amendment that I have offered. I hope that we shall now have a vote upon it.

The CHAIRMAN. The question is on the amendment submitted by the gentleman from Mississippi [Mr. ALLEN] to the amendment submitted by the gentleman from Alabama [Mr. OATES], which will be again read.

The amendment was again read.

The amendment to the amendment was rejected.

The CHAIRMAN. The question recurs on the amendment proposed by the gentleman from Arkansas [Mr. MCRAE].

Mr. ENLOE. Mr. Chairman, I desire to offer an amendment to that substitute striking out all after the word "State," in the sixth line, and inserting what I send to the desk.

The amendment was read, as follows:

SEC. —. That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit and pay to each State a sum equal to the amounts collected therein, respectively, as a tax or duty on raw cotton under the provisions of the act approved July 1, 1862, and the supplemental and amendatory acts thereto, which sums when so credited and paid shall be accepted and held by such States to be refunded and distributed to the parties who produced the cotton on which such tax was paid, or such person as was the owner of such cotton on October 1, 1862, through the agency of such legal tribunals as the Legislatures of the several States may establish or empower; and it shall be held sufficient proof to entitle the claimant to recover for him to show by competent and sufficient testimony that he raised or on October 1, 1862, owned the amount of cotton upon which such taxes were paid.

Claimants shall have three years within which to file their claims after the several Legislatures shall have established competent tribunals or clothed existing tribunals with power to take jurisdiction and to adjudicate their claims; and all claims not filed within three years shall be forever barred. Any portion of the money that may remain in the hands of any of the States after paying all legally established claims shall remain subject to such disposition of it as the next Legislature assembling thereafter may see proper to make.

The amendment was rejected.

The CHAIRMAN. The question recurs on the substitute offered by the gentleman from Arkansas [Mr. MCRAE].

The substitute was rejected.

The CHAIRMAN. The question now is on the amendment of the gentleman from Alabama [Mr. OATES], which will be again read.

The Clerk again read the amendment.

The amendment was rejected—ayes 64, noes 129.

Mr. OATES. Now, Mr. Chairman, I desire to offer the alternative proposition of which I gave notice, changed so as to provide for a decision of the Supreme Court of the United States on the question of the constitutionality of the laws under which the cotton tax was collected. My object in offering that amendment is simply this: A large majority, perhaps ninety-nine one-hundredths, of the people in the Southern States who paid this tax have an idea that it was a robbery; that it was taken from them under laws which were not in fact laws at all because enacted in violation of the Constitution. It is a matter of general notoriety that a case was made from Tennessee, the case of "Farrington," and brought before the Supreme Court.

It was very ably argued on both sides, and all the questions were raised that could be raised. The first question was whether the tax was a direct tax or an indirect one. If a direct tax, it was admitted on all hands to be unconstitutional. If an indirect one, as was contended for the Government, then the question was whether it was a tax or a duty upon exports from a State, in which latter case it would be in violation of the Constitution. The Supreme Court was equally divided, eight judges sitting, and hence there was no decision rendered, but simply an affirmance of the judgment of the court below in consequence of the equal division of the Supreme Court. Now, if the question is submitted to the Supreme Court, and they hold those laws to be constitutional, then that tax was properly levied and collected, and I would not vote and appropriate one dollar to be returned to any one who paid it.

I do not want any of this money returned if these laws were constitutional; and if the Supreme Court should so decide, the people of the Southern States who are, and for many years have been, clamorous for the return of that tax will be satisfied. If the Supreme Court should hold that the acts were unconstitutional, then, I presume, no man of ordinary sense of justice would say that the money ought not to be refunded.

This amendment simply presents the question in that form, so that within twelve months any one who paid this tax may bring a suit in the Court of Claims, and whichever way the court may decide may have an appeal from the judgment which the court may render to the Supreme Court of the United States; and on such appeal being taken within sixty days, the law for the time being shall be suspended, and no other suit shall be brought until the Supreme Court shall render its decision upon the constitutionality of these acts. I hope this amendment will be adopted.

Mr. CASWELL. The amendment has not yet been read. I have expected every moment the gentleman from Alabama would give us the benefit of the reading.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Alabama.

The Clerk read as follows:

SEC. —. That any citizen of the United States who owned raw cotton grown or produced in any one or more of said States, and who was required by any officer or agent of the United States to pay, and did pay, on such cotton any money as a duty or tax under the act approved July 1, 1862, or the acts supplementary thereto approved July 13, 1866, entitled "An act to reduce internal taxation and to amend an act entitled 'An act to provide internal revenue to support the Government and pay interest on the public debt, and for other purposes,' approved June 13, 1864, and acts amendatory thereof," may at any time within one year after the approval of this act file his or her petition and bring suit in the Court of Claims against the United States for the recovery of the money so paid and collected from him or her as a duty or tax on such cotton; and the said Court of Claims shall hear all legal evidence and render judgment in such case; and within sixty days thereafter either party, the petitioner or the United States, shall have the right of appeal from such judgment to the Supreme Court of the United States for decision therein: *Provided*, That whenever any case is tried before said Court of Claims which fairly presents the question of the constitutionality of said acts laying a duty or tax on raw cotton as aforesaid and an appeal is taken from the decision and judgment of said court to the Supreme Court of the United States, no other suit shall be commenced or prosecuted under this act in said Court of Claims until the said Supreme Court decides such appeal and passes judgment upon the constitutionality of said laws, and in the event that said Supreme Court holds the said acts to be unconstitutional all persons who paid such tax aforesaid shall have two years thereafter to bring their suits in the said Court of Claims as aforesaid.

Mr. CASWELL. I feel compelled to make a point of order on the proposed amendment as not germane to the pending bill.

Mr. OATES. I hope the gentleman will not make any point of order, but will allow a vote to be had upon the amendment. It is certainly a fair proposition.

Mr. BROWNE, of Indiana. Let a vote be taken, if it can be had without further debate.

Mr. LONG. Oh, yes; take a vote.

Several MEMBERS (to Mr. CASWELL). Insist on your point of order.

The CHAIRMAN (Mr. SPRINGER). The gentleman from Wisconsin [Mr. CASWELL] makes a point of order to the effect that this amendment is upon a subject different from that under consideration. The Chair is of opinion that the point of order is well taken.

Mr. OATES. I now offer another amendment, which I send to the desk.

The Clerk read as follows:

Provided, That the Secretary of the Treasury in making payment and settlement with any State shall take into account and set off against the amount made due by this act to such State any amount which may be due by such State to the United States under an act approved June 23, 1836, entitled "An act to regulate the deposits of public money."

Mr. OATES. I desire to say only a few words on this amendment.

Mr. CASWELL. I make the point of order that the amendment is not germane to the bill.

Mr. OATES. I think it is germane. The bill proposes a distribution of money from the Treasury to several States of the Union. This amendment directs the Secretary of the Treasury in making payment, as to how the accounts shall be adjusted; it provides that deposits of money of the United States for which the States are responsible, shall be taken into consideration and set off against the amounts which may be due under this bill; in other words, if any State has received money belonging to the United States, there shall be to that extent a set-off against the amount to which the State may be entitled under the provisions of this bill. I think, therefore, the amendment is clearly germane.

The CHAIRMAN (Mr. SPRINGER). The proposition submitted by the gentleman from Alabama [Mr. OATES] is to the effect that the Secretary of the Treasury, in making payment and settlement with any State, shall take into account and set off against the amount due by this act to such State any amount which may be due by such State to the United States under an act approved June 23, 1836, entitled "An act to regulate the deposits of public money."

The first section of the bill to which this amendment is offered as a proviso makes it the duty of the Secretary of the Treasury to "credit to each State and Territory of the United States and the District of Columbia a sum equal to all collections, by set-off or otherwise, made from said States and Territories," etc.

It appears to the Chair that the bill before the committee, especially in section 1, is for the purpose of adjusting indebtedness between the States and the General Government; and therefore a proposition to extend this adjustment to other indebtedness is upon the same subject as the pending bill. The Chair is of the opinion that the point of order is not well taken; and the amendment is in order. The question is upon agreeing to it.

Mr. OATES. I desire merely to say that, as gentlemen will see, this amendment applies whenever a distribution is to be made to a State under this bill and that State has money of the United States on deposit with it.

The question being taken, the amendment was rejected, there being—ayes 76, noes 138.

The Clerk read the remaining sections of the bill, as follows:

SEC. 2. That all moneys still due to the United States on the quota of direct tax apportioned by section 8 of the act of Congress approved August 5, 1861, are hereby remitted and relinquished.

SEC. 3. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to reimburse each State, Territory, and the District of Columbia for all money found due to them under the provisions of this act; and the Treasurer of the United States is hereby directed to pay the same to the governors of the States and Territories, and to the commissioners of the District of Columbia: *Provided*, That where the sums, or any part thereof, credited to any State, Territory, or the District of Columbia have been collected by the United States from the citizens or inhabitants thereof, or any other person, either directly or by the sale of property, such sums shall be held in trust by such State, Territory, or the District of Columbia for the benefit of those persons or inhabitants from whom they were collected, or their legal representatives: *And provided further*, That no part of the money collected from individuals and to be held in trust as aforesaid shall be retained by the United States as a set-off against any indebtedness alleged to exist against the State, Territory, or District of Columbia in which such tax was collected: *And provided further*, That no part of the money hereby appropriated shall be paid out by the governor of any State or Territory, or any other person, to any attorney or agent under any contract for services now existing or heretofore made between the representative of any State or Territory and any attorney or agent. All claims under the trust hereby created shall be filed with the governor of such State or Territory and the commissioners of the District of Columbia, respectively, within six years next after the passage of this act, and all claims not so filed shall be forever barred, and the money attributable thereto shall belong to such State, Territory, or the District of Columbia, respectively, as the case may be.

The amendment reported by the Committee on the Judiciary to section 3 was read, as follows:

Strike out the following: "*And provided further*, That no part of the money hereby appropriated shall be paid out by the governor of any State or Territory, or any other person, to any attorney or agent under any contract for services now existing or heretofore made between the representative of any State or Territory and any attorney or agent."

Mr. OATES. Mr. Chairman, I want to call attention to this amendment. The proviso which the amendment proposes to strike out was put on the bill in the Senate at the instance of one of the Senators from South Carolina [Mr. BUTLER]; and the purpose of the proviso was to prevent any of this money being paid to attorneys and agents who had been working and lobbying for years to secure the repayment of this direct tax.

Now, the Committee on the Judiciary has proposed an amendment, which has been read, striking out this proviso, and I am opposed to the adoption of the amendment so suggested. I am in favor of the retention of the proviso in the bill which is proposed to be stricken out, so that those whom the States may have employed to secure the refunding of this money may look to the States for their compensation after the act passes, and not to Congress. I hope, therefore, the amendment proposed by the Committee on the Judiciary will not prevail.

Mr. MCMILLIN. Mr. Chairman, I concur fully in what has just been said by my friend from Alabama [Mr. OATES] as to the propriety of the retention of the clause or proviso in the bill which prevents the payment of this money to the claim agents, and shall oppose the amendment to strike it out. It is confessed on all sides that there is a very large proportion of the appropriation contained in this bill already contracted for or claimed by those who have sought to have it passed through Congress. Like the renowned Dilworthy's appropriation, if paid to the claimants, it will be presumed that it took all (or much) of it to get it through Congress. [Laughter.] I think it will not have an injurious effect upon general legislation hereafter to let those who have aided in securing the passage of this bill go to the States and obtain a settlement of their claims through the State authorities after the money is appropriated by Congress. Congress may thereby escape the suspicion of having yielded to the lobby. How much is to go to State agents, claim agents, lobbyists, and others out of the amount appropriated by the bill in payment for services, or alleged services rendered by them in securing this legislation, no man can know. It is charged, and charged openly, and can not be denied, that the amount is great. That is something we all know.

Mr. Chairman, in the five minutes allowed me for the discussion of this bill, I can not hope to show all nor the principal part of its enormities. But I will give some of the reasons why I oppose the passage of the bill. A sufficient reason for me to antagonize it is that I regard the bill as in direct violation of the Constitution. It is a proposition, after a tax has been collected, to repay it; in other words, to collect a tax one day or one year, and pay it back the next. It is safe to assume that one-half the people who paid this tax are dead; many others can never be found, and as a matter of fact you might just as well go to the delta of the Mississippi River and undertake to take up the waters flowing there and distribute each drop back to the rippling rivulet from which it came, as to undertake to distribute this tax exactly among the parties who paid it.

But let us look at another feature of the case and see where this legislation drifts us. There was collected under the revenue laws imposing taxes on manufactures and manufacturers the sum of $425,953,845; and there was collected under what was known as the "income-tax law" $346,967,388.

Who will undertake to say that the same power that has come and engineered this scheme through Congress for the few millions that it contains, can not and will not for the hundreds of millions I have just mentioned again come to the front and be still more potent in demanding that it shall also go back to the parties who paid it? Who is willing to enter upon the policy of collecting the revenues, employing officers for that purpose, simply to turn them back, keeping from the people a portion collected, or collecting from other sources money to pay for their collection and redistribution amongst those who paid them? It was never intended to be one of the actions of Government.

The Constitution provides for the revenues of the Government and the collection of taxes for its support, but for the paying of them back to the people from whom they were constitutionally taken no provision was made and none thought of, even, because it was not supposed that such a folly would ever be perpetrated or even suggested by the American people's Representatives. Where is the constitutional warrant for levying and collection of taxes merely to return them to those from whom they were collected? Are we to say in a few years more that the manufacturers and those who paid the four hundred and twenty-five millions shall come here and have relief, and that those who paid the income tax shall be repaid? How can we refuse them relief if we take this action of Congress as a precedent? The income tax could probably be as easily returned as any other to the persons who paid it, and who can say that if the seventeen or twenty millions involved here can get up such a momentum as to carry it through the Congress, that the three hundred and forty-six millions of income tax paid can not be still more potent to secure its return? Will not the lobby be here then, potent as ever? I warn gentlemen that it is very dangerous ground of legislation upon which we are entering.

I believe it should be resisted firmly in the very beginning, and that this precedent should not be made for the return of taxes constitution-

ally collected. As to the taxes that were unconstitutionally collected or collected by doubtful authority, when it comes to consider them, who that stands by this bill, where the levy was constitutional, who that advocates the refunding of this direct tax, can deny their return? The return of the cotton tax would certainly be more just than this. A majority of the Supreme Court has never been willing to hold that tax constitutional. But we are told that injustice characterized the collection of this tax, and that some sections of the country paid more than others. Mr. Chairman, injustice characterizes the collection of every tax. You can not collect from every individual the tax assessed against him. Some escape by evasion, some by accident, some by death, some in one way, and some in another; and yet because of the fact that there may have been inequality in the payment you can not afford to turn around and refund a tax provided for by the Constitution and which was constitutionally collected. Such a proceeding is unheard of in legislation. When we had a surplus before in the Treasury, before the war, and Congress did not know what to do with it, no man ever dreamed for a moment of turning it back to the States or individuals paying it, and the expedient was adopted of loaning it to the several States. This was chosen because there was no other constitutional mode of redistribution. I can not vote for this bill, believing as I do that it violates the Constitution.

[Here the hammer fell.]

The CHAIRMAN. The question is on the amendment proposed by the Committee on the Judiciary to this bill.

The amendment was rejected.

Mr. WHEELER. I offer the following amendment to this bill.

The Clerk read as follows:

Strike out all after the enacting clause and substitute the following:

"That the sum collected under what is known as the direct-tax law of 1861 be, and the same is hereby, set apart to be specially and specifically applied to the payment of the pensions of the honorably-discharged soldiers of the United States who volunteered prior to the first draft in the war 1861–'65, and who are entitled to pensions under the pension laws, the sum to be first applied to payment of pensions to those soldiers who volunteered under the first proclamation of Abraham Lincoln."

Mr. WHEELER. That is an amendment which I believe every man in this House should support. The gentleman who has just taken his seat has truthfully said that under the law as it now stands it will be impossible to return the money to those persons who paid it. They are dead; they are gone; they can not be found. But, Mr. Chairman, we can find the brave men who composed the 75,000 men who enlisted under the Stars and Stripes under the first proclamation of Abraham Lincoln in 1861, and I insist that this fund, arising as it did from the first tax collected for prosecuting the war, shall be set aside for and applied to that worthy object. I do not propose that this fund shall be applied to pay the pensions of only the disabled survivors of these first 75,000 volunteers, and the widows of those who fell in the conflict, but that, so far as these particular soldiers are concerned, it shall be applied to pay them pensions whether disabled or not. If this idea is not clearly expressed in the amendment I will change the phraseology so that it will, or I will cheerfully accept any amendment that will render my purpose unmistakable.

Mr. HOLMES. Does the gentleman remember that these were three months' men?

Mr. WHEELER. They were the brave men who first enlisted under the flag of our country, and whether they volunteered for three months or longer can make no difference. They enrolled themselves under the banner of their country; they were the first patriots to offer their lives in its service, to discharge what they felt to be their duty, and they should be the first men considered. Here is a fund which you say encumbers the Treasury, and I call upon every member of this House, and especially every member on the other side of the House, to vote for this amendment. I tell you, gentlemen, I have read your speeches in the last campaign. If you keep your promises you must empty the Treasury. I repeat, if you redeem the pledges you have made, in two years after your accession to power you can turn the Treasury wrong side out and shake it, and not one cent will drop. The money will all be gone, and nothing will be left to pay pensions even to those who are now on the rolls.

This is the first time a proposition has been brought forward to give these 75,000 men special recognition. And no one who is committed to the policy of giving pensions to the most meritorious soldiers can vote against it. If he does, then he must stand before the country admitting that he prefers to have this money go to people of wealth and power, who did not participate in the war, rather than give it to those who were first to breast the storm of battle.

Mr. HOLMES. Why is the gentleman from Alabama willing to give it to three-months' men instead of the men who enlisted for three years?

Mr. WHEELER. Because they were first to enlist under the proclamation of President Lincoln. The proclamation called for enlistments for only three months. Had the call been for three years or for ten years or even a longer period they would have been just as prompt to respond. Most of these early volunteers re-enlisted and proved the best soldiers in the Union Army, and it does not become you or any gentleman on that side of the House to cast reflections upon these 75,000 heroes who marched to battle at the first tap of the drum.

Mr. HOLMES. It is not a reflection, but only a comparison.

Mr. WHEELER. Nine-tenths of them re-enlisted and served throughout the war. Gentlemen must remember that when they took up arms there were no bounties, no comparative fortunes, such as were subsequently offered as an inducement to men to endure the hardships and brave the dangers of a soldier's life.

Mr. HOLMES. Is the gentleman from Alabama in favor of paying pensions to the Union soldiers?

Mr. WHEELER. I am in favor of paying suitable pensions to the Union soldiers in meritorious cases. I have always been in favor of the payment of proper pensions.

Mr. HOLMES. Proper pensions!

Mr. WHEELER. Yes, I am in favor of paying proper pensions. The time may come when we shall need soldiers again, and need them promptly. And I ask Congress, now and here, to establish a precedent by giving special recognition and reward to men who sprang to arms at the first call of their country.

[Here the hammer fell.]

[Applause.]

Mr. ALLEN, of Michigan. Mr. Chairman, in reply to the gentleman from Alabama who has just offered this amendment, I wish to say that the States do not propose to pay pensions. The war was for the preservation of the Union; and the United States Government does now, and always will, assume responsibility for such payment. The soldiers of 1861–'65 do not ask that Michigan shall pay half a million dollars to one class of soldiers while New York pays five millions to the same class.

The soldiers of 1861 will not ask to be thus discriminated in favor of, as my friend from Alabama presumes. To be sure, those who enlisted first are entitled to the full meed of praise; and they, the vanguard of the new army, have become the heroic men that my friend pictures. But by contrast, what shall we say of the men who left the old army at the same time and went upon the other side? [Cries of "Good!" and applause on the Republican side.]

Mr. WHEELER. I will inform the gentleman from Michigan that the gentleman left before any proclamation, before any war, and before any possibility of war.

Mr. HOPKINS, of Illinois. But did not he join the Confederate army before being released from a Federal obligation?

Mr. WHEELER. No, sir; he did not. The gentleman was released before he joined the Confederates.

Mr. ALLEN, of Michigan. My friend from Alabama misapprehends me. I thought he was stating a grand truth when he said that those men who joined the new army were entitled to a meed of immortal praise for it, and I simply put over against that truth the interrogatory as to what we should say of the men who left the old army at the same time. I meant no offense. When the Government of the United States assessed this money to the States, those that were loyal paid it, and there was full authority for ordering them to pay it. The people of South Carolina and the people of Alabama were just as much obligated to pay it, but failed to do anything of the kind; and now, not having paid their share, we are in favor of equalizing this matter by refunding to the States that did.

Is there not equity in this? Is this not just? Mr. Chairman, people sometimes wonder why it is that the North was solid at the last election. I will say to my good friend from Alabama [Mr. WHEELER] and to my other good friend from Alabama [Mr. OATES] that one of the prime reasons why the North is solid is that she is afraid of such leaders as they are. Let the young South, let the new South, let the men who are not battle-scarred from their services to the rebellion, let them come up here to represent the South and we shall not have a solid North, but so long as you say to us every time we propose to have pensions for our soldiers that we must raise the money by an income tax or do something else that is unjust or unfair, just so long we shall distrust you and just so long we shall vote you down. [Applause on the Republican side.]

The CHAIRMAN. In the absence of objection the formal amendment will be regarded as withdrawn. The question is on the amendment of the gentleman from Alabama [Mr. WHEELER].

The amendment was rejected—ayes 28, noes 152.

Mr. PHELAN. Mr. Chairman, I offer the amendment which I send to the desk.

The amendment was read, as follows:

SEC. 4. The Secretary of the Treasury is hereby authorized and directed to refund, with 5 per cent. interest per annum from the date of sale, the amounts of money paid by the purchasers of lands sold for the collection of United States direct taxes under act of August 5, 1861, and its amendments, where the tax for which the said land was sold had been paid in part or in full prior to the said sale, and where for this or any other reason growing out of the sale the purchaser failed to get possession of the land so sold, and said claims shall be paid out of any money in the Treasury not otherwise appropriated: *Provided*, That the amount so refunded shall not exceed $50,000 in any one case.

The amendment was rejected.

Mr. CASWELL. Mr. Chairman, I move that the committee do now rise and report the bill to the House.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (S. 139) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861, and had directed him to report the same back to the House with sundry amendments.

The SPEAKER. The question is on agreeing to the amendments reported by the committee, which will be read.

The Clerk read the first amendment, as follows:

In line 5, after the word "collections," insert "by set-off or otherwise."

The amendment was agreed to.

The question next recurred on the following amendment, reported from the Committee of the Whole House on the state of the Union:

SEC. —. That it shall be the duty of the Secretary of the Treasury to pay to such person as shall in each case apply therefor, and furnish satisfactory evidence that such applicant was at the time of the sales hereinafter mentioned the legal owner, or is the heir at law or devisee of the legal owner of such lands as were sold in the parishes of St. Helena and St. Luke's, in the State of South Carolina, under the said acts of Congress, the value of said lands in the manner following, to wit: to the owners of the lots in the town of Beaufort, the value assessed thereon for taxation by the United States direct-tax commissioners for South Carolina; to the owners of lands which were rated for taxation by the State of South Carolina as being usually cultivated, or capable of cultivation, $10 per acre for each acre thereof returned on the proper tax-book; to the owners of all other lands, $1 per acre for each acre thereof returned on said tax-book: *Provided*, That in all cases where such owners, or persons claiming under them, have redeemed or purchased said lands, or any part thereof, from the United States, they shall not receive compensation for such part so redeemed or purchased, but they shall receive whatever amounts were paid by them to the United States for such redemption or purchase: *And provided further*, That in all cases where said owners have heretofore received from the United States the surplus proceeds arising from the sale of their lands, such sums shall be deducted from the sum which they are entitled to receive under this act.

SEC. —. That in all cases where persons, while serving in the Army or Navy or Marine Corps of the United States, or who had been honorably discharged from said service, purchased any of said lands under section 11 of the act of Congress approved June 7, 1862, and such lands afterwards reverted to the United States, it shall be the duty of the Secretary of the Treasury to pay to such persons as shall in each case apply therefor, or to their heirs at law, devisees, or grantees, in good faith and for valuable consideration, whatever sum was so paid to the United States in such case.

SEC. —. That before paying any money to such persons the Secretary of the Treasury shall require the person or persons entitled to receive the same to execute a release of all claims and demands of every kind and description whatever against the United States arising out of the execution of said acts, and also a release of all right, title, and interest in and to the said lands.

SEC. —. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $850,000, or so much thereof as may be necessary to pay for said lots and lands, which sum shall include all moneys in the Treasury derived in any manner from the enforcement of said acts in said parishes, and not otherwise appropriated.

SEC. —. That section 1063 of the Revised Statutes is hereby made applicable to claims arising under this act without limitation as to the amount involved in such claim.

Mr. KERR. Mr. Speaker, I think that ought to be amended so as to provide——

The SPEAKER. But it can not be amended. The order of the House is that the vote shall be taken upon the amendments reported from the Committee of the Whole House on the state of the Union.

The amendment was agreed to—ayes 132, noes 5.

The SPEAKER. The question now is upon ordering the bill as amended to be read the third time.

Mr. JOHNSTON, of North Carolina. Mr. Speaker, I want to make a motion to recommit the bill with instructions.

The SPEAKER. That is not in order. The Clerk will read the latter portion of the order made by the House.

The Clerk read as follows:

And at 4 o'clock p. m. on Tuesday, the same shall be reported to the House with such amendments as may have been agreed upon in the committee, and the previous question shall then be considered as ordered upon all such amendments and upon ordering the said bill to be read a third time and upon the passage of the same, and the votes thereon shall then be taken in the House.

The SPEAKER. It will be observed that under the terms of this order, after the Committee of the Whole has risen and reported the bill, nothing is in order except to take the votes upon those questions on which the previous question has been ordered. The language is, "the votes thereon shall then be taken in the House;" and the Chair thinks the word "thereon" relates to all the questions on which the previous question has been ordered. The question is now upon ordering the bill to be read a third time.

The bill was ordered to a third reading; and it was accordingly read the third time.

The question being on the passage of the bill,

Several MEMBERS. Yeas and nays.

Mr. OATES. On the passage of this bill I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. JOHNSTON, of North Carolina. I would like to make a motion to recommit.

The SPEAKER. The Chair has decided that under the order of the House that motion is not in order. The Clerk will call the roll on the passage of the bill.

The question was taken; and it was decided in the affirmative—yeas 178, nays 96, not voting 50; as follows:

YEAS—178.

Adams,	Dibble,	Kerr,	Rowell,
Allen, Mich.	Dingley,	Ketcham,	Rowland,
Anderson, Kans.	Dorsey,	La Follette,	Russell, Conn.
Arnold,	Dunham,	Laidlaw,	Rusk,
Atkinson,	Elliott,	Latham,	Ryan,
Baker, N. Y.	Farquhar,	Lee,	Sawyer,
Baker, Ill.	Felton,	Lehlbach,	Scull,
Bayne,	Finley,	Lind,	Seney,
Belden,	Fitch,	Lodge,	Seymour,
Biggs,	Flood,	Long,	Shaw,
Bingham,	Ford,	Lyman,	Sherman,
Boothman,	Funston,	Macdonald,	Simmons,
Bound,	Gaines,	Mahoney,	Snyder,
Boutelle,	Gallinger,	Mansur,	Sowden,
Bowden,	Gear,	Mason,	Spooner,
Bowen,	Gest,	Matson,	Steele,
Brewer,	Gibson,	McClammy,	Stephenson,
Brower,	Grosvenor,	McComas,	Stewart, Vt.
Browne, T. H. B., Va.	Grout,	McCullogh,	Struble,
Browne, Ind.	Guenther,	McKenna,	Symes,
Brown, Ohio	Harmer,	McKinley,	Taylor, E. B., Ohio
Brown, J. R., Va.	Haugen,	Merriman,	Taylor, J. D., Ohio
Buchanan,	Heard,	Moffitt,	Thomas, Ill.
Bunnell,	Hemphill,	Morrill,	Thomas, Wis.
Burrows,	Henderson, Iowa	Morrow,	Thompson, Ohio
Butler,	Henderson, N. C.	Nelson,	Thompson, Cal.
Butterworth,	Henderson, Ill.	Nichols,	Tillman,
Campbell, F., N. Y.	Hermann,	Nutting,	Townshend,
Campbell, Ohio	Hiestand,	O'Donnell,	Turner, Kans.
Campbell, T. J., N. Y.	Hires,	O'Ferrall,	Vandever,
Cannon,	Hitt,	O'Neall, Ind.	Wade,
Caswell,	Holman,	O'Neill, Pa.	Warner,
Cheadle,	Holmes,	Osborne,	Weber,
Clark,	Hopkins, Ill.	Outhwaite,	West,
Cogswell,	Hopkins, Va.	Patton,	White, N. Y.
Compton,	Hopkins, N. Y.	Payson,	Whiting, Mass.
Cooper,	Houk,	Perkins,	Wickham,
Cothran,	Hovey,	Perry,	Wilber,
Crouse,	Hudd,	Peters,	Wilkins,
Cutcheon,	Hunter,	Phelps,	Wilkinson,
Dalzell,	Jackson,	Plumb,	Williams,
Darlington,	Johnston, Ind.	Post,	Yardley,
Davenport,	Kean,	Pugsley,	Yoder.
Davis,	Kelley,	Rockwell,	
De Lano,	Kennedy,	Romeis,	

NAYS—96.

Abbott,	Collins,	Landes,	Rogers,
Allen, Miss.	Cowles,	Lane,	Russell, Mass.
Anderson, Miss.	Cox,	Lanham,	Sayers,
Bacon,	Crain,	Lawler,	Shively,
Bankhead,	Crisp,	Maish,	Smith,
Barnes,	Cummings,	Martin,	Spinola.
Barry,	Davidson, Fla.	McAdoo,	Springer,
Blanchard,	Dockery,	McCreary,	Stewart, Tex.
Bland,	Dunn,	McKinney,	Stewart, Ga.
Blount,	Enloe,	McMillin,	Stockdale,
Breckinridge, Ark.	Foran,	McRae,	Stone, Ky.
Breckinridge, Ky.	French,	McShane,	Tarsney,
Bryce,	Glass,	Mills,	Tracey,
Buckalew,	Grimes,	Montgomery,	Turner, Ga.
Burnett,	Hatch,	Morse,	Vance,
Bynum,	Hayes,	Neal,	Walker,
Candler,	Herbert,	Norwood,	Washington,
Carlton,	Hooker,	Oates,	Weaver,
Caruth,	Howard,	Peel,	Wheeler,
Catchings,	Hutton,	Penington,	Whiting, Mich.
Chipman,	Johnston, N. C.	Phelan,	Wilson, Minn.
Clardy,	Jones,	Randall,	Wilson, W. Va.
Clements,	Kilgore,	Richardson,	Wise,
Cobb,	Lagan,	Robertson,	Carlisle, Speaker.

NOT VOTING—50.

Allen, Mass.	Fisher,	Laird,	Reed,
Anderson, Iowa	Forney,	Lynch,	Rice,
Anderson, Ill.	Fuller,	Maffett,	Scott,
Bliss,	Gay,	McCormick,	Stahlnecker,
Brumm,	Glover,	Milliken,	Stone, Mo.
Burnes,	Goff,	Moore,	Taulbee,
Cockran,	Granger,	Morgan,	Thomas, Ky.
Conger,	Greenman,	Newton,	White, Ind.
Culberson,	Hall,	O'Neill, Mo.	Whitthorne,
Dargan,	Hare,	Owen,	Woodburn,
Davidson, Ala.	Hayden,	Parker,	Yost.
Dougherty,	Hogg,	Pidcock,	
Ermentrout,	Laffoon,	Rayner,	

So the bill was passed.

The SPEAKER, at the conclusion of the roll-call, directed that his name be called, and voted in the negative.

Mr. CASWELL. I ask that the reading of the names be dispensed with.

Mr. OATES. I object.

The vote was read.

The SPEAKER. The Clerk will announce the pairs.

The following-named members were announced as paired on all political questions until further notice:

Mr. O'NEILL, of Missouri, with Mr. ALLEN, of Massachusetts.

Mr. GREENMAN with Mr. LEHLBACH.

Mr. WHITTHORNE with Mr. WHITE, of Indiana.

Mr. MORGAN with Mr. PARKER.

Mr. PIDCOCK with Mr. CONGER.

Mr. NEWTON with Mr. GOFF.

Mr. LAFFOON with Mr. MCCORMICK.

The following-named members were announced as paired for this day:

Mr. HALL with Mr. THOMAS, of Kentucky.

Mr. ERMENTROUT with Mr. LAIRD.

Mr. TAULBEE with Mr. BRUMM.

Mr. BURNES with Mr. FULLER.

Mr. CULBERSON with Mr. HAYDEN.

Mr. STONE, of Missouri, with Mr. OWEN.

The following-named members were announced as paired on this bill:

Mr. STAHLNECKER with Mr. RAYNER.

Mr. MOORE with Mr. MILLIKEN.

Mr. ANDERSON, of Illinois, with Mr. YOST on this bill. If present, Mr. YOST would vote for the bill and Mr. ANDERSON, of Illinois, would vote against it.

Mr. FORNEY with Mr. REED on this bill; Mr. REED would vote for the bill; Mr. FORNEY against it.

Mr. GRANGER with Mr. RICE, on this bill. If present, Mr. RICE would vote for the bill, and Mr. GRANGER against it.

Mr. BURNES, by unanimous consent, obtained indefinite leave of absence on account of sickness.

Mr. LEHLBACH. Mr. Speaker, the Clerk read my name among the pairs. I have given no authority for any pair.

The SPEAKER. The pair will be withdrawn.

The result of the vote was announced as above stated.

Mr. CASWELL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced the adoption of the following resolution, in which concurrence was requested:

Resolved by the Senate (the House of Representatives concurring), That the existence and powers of the joint select committee in respect to the Washington Aqueduct tunnel and water supply of Washington, created by the concurrent resolution of the two Houses, passed October 8, 1888, be continued during the present session of Congress to such time after January 1, 1889, as shall be necessary in the judgment of said committee for the complete execution of its duties.

The message also announced that the Senate insisted on its amendments, disagreed to by the House, to the bill (H. R. 7935) for the relief and civilization of the Chippewa Indians in the State of Minnesota; agreed to the conference asked by the House on the disagreeing votes of the two Houses, and had appointed as conferees on the part of the Senate Mr. DAWES, Mr. JONES of Arkansas, and Mr. STOCKBRIDGE.

LAND DISTRICTS IN NEBRASKA.

Mr. DORSEY, by unanimous consent, introduced a bill (H. R. 11766) to establish two new land districts in the State of Nebraska; which was read a first and second time, referred to the Committee on Public Lands, and ordered to be printed.

And then, on motion of Mr. MCMILLIN (at 4 o'clock and 32 minutes p. m.), the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. J. M. ALLEN: A bill (H. R. 11768) for the relief of the estate of Richmond T. Rutledge—to the Committee on War Claims.

By Mr. BUTTERWORTH: A bill (H. R. 11769) for the relief of Edward A. Smith—to the Committee on War Claims.

By Mr. DAVENPORT: A bill (H. R. 11770) for the relief of De Witt C. Amey, late of the One hundred and sixty-fifth New York Volunteers—to the Committee on Military Affairs.

By Mr. HEARD: A bill (H. R. 11771) granting a pension to Thomas F. Robinson—to the Committee on Invalid Pensions.

By Mr. HOLMAN: A bill (H. R. 11772) authorizing the sale of certain land to the Agricultural Press Association—to the Committee on the Public Lands.

By Mr. LANDES: A bill (H. R. 11773) granting a pension to Mary McClane—to the Committee on Invalid Pensions.

By Mr. LANE: A bill (H. R. 11774) granting pension to Mary K. Allen—to the Committee on Pensions.

By Mr. MORRILL: A bill (H. R. 11775) granting a pension to William J. Miller—to the Committee on Invalid Pensions.

By Mr. PEEL: A bill (H. R. 11776) for the relief of Jane M. Clark, widow of James W. Clark, deceased—to the Committee on War Claims.

By Mr. ROGERS: A bill (H. R. 11777) granting the right of way to the Fort Smith, Paris and Dardanelle Railway Company to construct and operate a railroad, telegraph, and telephone line from Fort Smith, Ark., through the Indian Territory, to or near Baxter Springs, in the State of Kansas—to the Committee on Indian Affairs.

By Mr. STONE, of Kentucky: A bill (H. R. 11778) for the relief of William G. Groom—to the Committee on War Claims.

By Mr. WASHINGTON: A bill (H. R. 11779) for the relief of J. Harry Adams—to the Committee on Claims.

By Mr. SYMES: A bill (H. R. 11780) granting an increaseof pension to Joseph Stilwell—to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BAYNE: Petition of Thomas Smith, of Homestead, Pa., for relief—to the Committee on Invalid Pensions.

By Mr. BUTTERWORTH (by request): Petition of John W. Yeoman, of New Orleans, La., for relief—to the Committee on Claims.

By Mr. GALLINGER: Petition of the Baptist State Convention, of New Hampshire, for the enactment of a law to prevent exportation of intoxicating liquors from the United States to the west coast of Africa—to the Committee on Commerce.

By Mr. HOLMAN: Petition of the Agricultural Press Association, for the right to purchase certain land in Montana Territory—to the Committee on the Public Lands.

By Mr. PEEL: Petition for reference of the claim of Jane M. Clark, widow of James W. Clark, and of James M. Clark, to the Court of Claims—to the Committee on War Claims.

By Mr. W. L. WILSON: Petition of S. W. Raney, of James Mason, of George W. Brown, of Delilah Trussell, and of William Ferguson, of West Virginia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

The following petitions against the passage of the international copyright bill were received, and severally referred to the Committee on Patents:

By Mr. E. P. ALLEN: Of S. C. Stacy, of Tecumseh, Mich.

By Mr. BUNNELL: Of citizens of Susquehanna County, Pennsylvania.

By Mr. FORD: Of Charles J. Lockwood, of Sturgis, Mich.

By Mr. SENEY: Of H. Z. L. Mathias, of Galion, Ohio.

By Mr. SEYMOUR: Of Maxwell & Hannaford, of Bessemer, Mich.

By Mr. WICKHAM: Of W. T. Alberson, of Ashland, Ohio.

SENATE.

THURSDAY, *December* 13, 1888.

Prayer by Rev. HERRICK JOHNSON, D. D., of Chicago, Ill.

The Journal of yesterday's proceedings was read and approved.

CERTIFICATES OF ELECTORAL VOTES.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of State, transmitting certified copies of the final ascertainment of the electors for President and Vice-President of the United States appointed by the States of Ohio and Wisconsin; which was ordered to be printed, and, with the accompanying certificates, to lie on the table.

COURT OF CLAIMS REPORT.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Court of Claims, transmitting the conclusions of fact and of law filed by that court under the act of January 20, 1885, in certain spoliation claims; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

COMMITTEE ON EDUCATION AND LABOR.

Mr. CALL. I am requested by the chairman of the Committee on Education and Labor to ask permission of the Senate for that committee to continue their session during the sitting of the Senate to-day.

The PRESIDENT *pro tempore*. It is so ordered if there be no objection. The Chair hears none.

AMENDMENT TO CLAIMS BILL.

Mr. WALTHALL submitted an amendment intended to be proposed by him to the bill (H. R. 2952) for the allowance of certain claims for stores and supplies taken and used by the United States Army, as reported by the Court of Claims under the provisions of the act of March 3, 1883, known as the Bowman act; which was referred to the Committee on Claims, and ordered to be printed.

REPORTS OF COMMITTEES.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (S. 3451) granting a pension to Frank D. Worcester, reported it without amendment, and submitted a report thereon.

COMMITTEE ON INTERSTATE COMMERCE.

Mr. PADDOCK, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, submitted by Mr. CULLOM December 10, 1888, reported it without amendment:

Resolved, That the Committee on Interstate Commerce be, and it is hereby, directed to continue the investigation ordered to be made by the resolution of

the Senate of August 3, 1888, and such committee is hereby given all the authority conferred by said resolution, and power to sit during any recess of the Senate prior to December, 1889, the necessary expenses of such investigation to be paid from the contingent fund of the Senate.

The PRESIDENT *pro tempore*. The resolution will lie on the table until the Senator from Illinois [Mr. CULLOM] comes in. Are there further reports of committees? If there are none, the introduction of bills is in order. [A pause.] If there be no bills to be introduced, resolutions are in order.

CONDITION OF INHABITANTS OF ALASKA.

Mr. DAWES submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be directed to communicate to the Senate such information as may be in the possession of the Department in relation to the condition of the inhabitants of Alaska, and especially of the treatment of Indian women by white people now domiciled in that Territory.

THE SIOUX RESERVATION.

Mr. DAWES submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior be directed to communicate to the Senate a copy of the minutes of the proceedings of the commission lately appointed to obtain the consent of the Indians on the Sioux reservation to the act providing for opening a portion of that reservation.

THE REVENUE LAWS.

The PRESIDENT *pro tempore*. Is there further morning business? If there be none, that order is closed. The first bill on the Calendar under Rule VIII will be reported.

Mr. SHERMAN. Pending that, in the temporary absence of the Senator from Iowa [Mr. ALLISON], I move to take up the tariff bill.

The PRESIDENT *pro tempore*. The Calendar under Rule VIII being in order, the Senator from Ohio moves to proceed to the consideration of House bill No. 9051.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue, the pending question being on the amendment proposed by Mr. COKE, in paragraph 137 of the amendment of the Committee on Finance, beginning in line 495, after the word "shall," to strike out the remainder of the paragraph down to and including the word "made," as follows:

Pay two-tenths of 1 cent per pound more duty than that imposed on hoop or band iron or steel from which they are made.

And in lieu thereof to insert:

Be admitted upon the payment of 35 per cent. ad valorem.

So as to read:

And hoop or band iron or hoop or band steel flared or splayed shall be admitted upon the payment of 35 per cent. ad valorem.

Mr. VANCE. I confess, sir, my very great disappointment at the result of the vote yesterday on the motion to put cotton-ties on the free-list. I thought that the industry in whose behalf that was invoked was one eminently deserving of that favor on the part of the representatives of the people. I have listened to the representations made in this Senate by the advocates of the substitute for the House bill, and their iterated and reiterated statement——

Mr. RIDDLEBERGER. Before the President *pro tempore* vacates the chair, as I see he is about to do, I would like to ask what is before the Senate.

The PRESIDING OFFICER (Mr. BERRY in the chair). The question is upon the amendment proposed by the Senator from Texas [Mr. COKE].

Mr. RIDDLEBERGER. That can not come up in the morning hour except by unanimous consent. I never heard the proposition submitted.

Mr. DAWES. Senators should be in their seats when motions are made.

Mr. RIDDLEBERGER. The Senator from North Carolina rose before I came in here, I admit.

The PRESIDING OFFICER. The bill was taken up on the motion of the Senator from Ohio [Mr. SHERMAN], and is now pending before the Senate.

Mr. SHERMAN. And after the morning business had been concluded.

The PRESIDING OFFICER. And after the morning business had been concluded.

Mr. RIDDLEBERGER. I have nothing more to say except that that is taking advantage of the absenteeism occasioned by the business of the Senate.

The PRESIDING OFFICER. The Senator from North Carolina has the floor.

Mr. VANCE. I was proceeding to say, Mr. President, that I had listened to the iteration and reiteration on the part of the Senators on that side of the Chamber that this was a bill framed in the interest of American industry. The American Government and the revenue by which that Government is supported have received little attention at the hands of those who have prepared this bill, by their own confession. It is provided exclusively in the interest of American industries.

The PRESIDING OFFICER. The Senator will suspend. The Chair hopes that there will be order in the Senate Chamber. The Senator from North Carolina is entitled to the floor.

Mr. RIDDLEBERGER. I beg pardon, if the Chair means to rebuke me. I was asking a question of a Senator. I say that this Senate has not gone through the morning-hour business. I insist upon it that it has not done it.

The PRESIDING OFFICER. The Chair will state to the Senator from Virginia that at the conclusion of the morning business the Senator from Ohio [Mr. SHERMAN] moved that the Senate proceed to the consideration of the bill now pending before it, and the motion was decided by the President of the Senate to have been carried.

Mr. RIDDLEBERGER. It is only fifteen minutes after 12 o'clock now, sir, and I would like to know when the order of morning business was called?

Mr. VANCE. Mr. President, I decline to yield to the Senator from Virginia.

Mr. RIDDLEBERGER. I know you decline to yield to anything.

The PRESIDING OFFICER. The Senator from North Carolina is entitled to the floor and declines to yield to the Senator from Virginia.

Mr. VANCE. Such interruptions would destroy the eloquence of any man living, much more of myself.

Mr. RIDDLEBERGER. I suppose the motion of the Senator from Ohio was well meant.

Mr. VANCE. I will venture to repeat, sir, in the hope that I may be permitted to finish a sentence, that every assertion which has been given to us by the Senators in charge of this bill has been to the effect that it is arranged specially for the benefit of American industry, and it has been the boast of the members of the majority of the Finance Committee that they have not regarded revenue, they have not cared whether they increased or whether they reduced duties; they have looked simply to ascertain what would be the best for the various manufacturing interests of this country, and the bill is framed with that idea.

Now, sir, if agriculture is an industry at all, it will be admitted that even according to their professions it is deserving of their zeal and their diligence in the same proportion that any other industry receives; but if it be contended that it is not an industry, that it is not an American industry, why, then, their view of the provisions of this bill and the idea that dominated them in framing it is perfectly correct. If protection is due to one industry, it is certainly due to another. If protection goes all around and every industry is protected, then it is valueless; because if one man is taxed to aid every other man and every other man is taxed to aid him, they go back in the same hole out of which they went, and no man is benefited. When two men sit down to play cards, if one wins the other must lose. If both win, then no man wins, and they come out even.

The secret of protection is that it only pretends to go all around. There must be careful declarations from time to time that it is universal in its benevolence, and that every man who labors and every man who pursues an industry, as it is called, who produces something, shall equally partake of its benefits; but there must at the same time be a certain class for whom protection is delusive and who are to pay the winnings of the more successful party. I think it is plainly demonstrable in this case that protection is so arranged that all the gains, which are abnormal, made by high protective tariff duties in behalf of manufacturers are the losses of the agricultural community who are not protected. Hence it is that we see here that this bill is arranged without the slightest regard upon the face of the earth for the interests of the agricultural classes of this country.

Take the cotton-planters, who are most interested in the provision which is now under consideration, the proposition to maintain the present rate of duty, without increasing it, upon the ties which wrap their cotton to be sent to market. In this case they not only refuse to give any protection to the cotton-planter, but they propose to increase his burden from a duty of 35 per cent. on the ties, which is now the existing law, to 108 per cent. If you want to be fair, if you want to do justice, it is very true that you can not protect affirmatively by a tax imposed for the benefit of the cotton-planter. A duty levied upon foreign cotton under the idea that it would benefit the cotton-planter of the South would be simply building a dam across a stream to keep the water from running up hill. The only possible way in a case of this kind where you can not protect by affirmative legislation, by the imposition of taxes, is to protect or to encourage by the withholding of taxes.

Mr. RIDDLEBERGER. Mr. President, I rise——

Mr. VANCE. I decline to yield.

Mr. RIDDLEBERGER. But I rise to a point of order.

Mr. VANCE. I do not care what the Senator rises to——

Mr. RIDDLEBERGER. I wish——

Mr. VANCE. I have declined to be interrupted, and I hope the Senator will not be permitted to interrupt me any more.

The PRESIDING OFFICER. The Senator from Virginia is out of order.

Mr. RIDDLEBERGER. I rise to a point of order. That certainly does not interrupt any gentleman.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. RIDDLEBERGER. If the Senator from North Carolina will obey the rule which requires him to take his seat while I do it, I will make the point of order.

The PRESIDING OFFICER. The Senator from Virginia will state his point of order.

Mr. RIDDLEBERGER. I am quite well acquainted with the rules governing parliamentary bodies, which say that when one Senator raises a point of order the other Senator shall take his seat.

Mr. VANCE. I await the action of the Chair.

The PRESIDING OFFICER. The Chair is waiting to hear the point of order made by the Senator from Virginia.

Mr. RIDDLEBERGER. The mere fact that I raise the point of order is sufficient to suggest to the Chair that the other Senator shall take his seat.

The PRESIDING OFFICER. The Senator from Virginia will state his point of order. Otherwise the Chair will recognize the Senator from North Carolina as entitled to proceed.

Mr. RIDDLEBERGER. And I beg the pardon of the Chair and of the Senator when I insist that I will make no point of order until he does take his seat.

The PRESIDING OFFICER. The Senator from Virginia is out of order, and the Senator from North Carolina has the floor.

Mr. RIDDLEBERGER. Because the Senator from Arkansas does not know any better.

The PRESIDING OFFICER. The Senator from Virginia is again out of order. It is a question for the Senate to determine as to its correction.

At this point the President *pro tempore* entered the Chamber and resumed the chair.

The PRESIDENT *pro tempore*. The Senator from North Carolina will proceed.

Mr. VANCE. I was proceeding to state, Mr. President, that in a case where one industry could not possibly be benefited by the imposition of a protective tariff it would be fair to provide such relief as might arise from withholding a tax that would benefit or encourage that industry in lieu of the imposition of a tax. In this case, sir, I have stated that it does not possibly benefit the cotton-planter of the South to impose a tariff duty upon foreign cotton. It would be null and inoperative, of no possible effect; but if he could be relieved from the imposition of a tax which is a weight upon the articles which he has to export, it would to that extent place him upon an equality with the protected manufacturers of the country and would admit him to that extent to the benefit of what is called protection. The cotton-planters of the South are compelled to sell their products in the free markets of the world.

They pay from 75 cents to $1.25 a day for labor to their hands and they have to sell their product in competition with cotton grown in various parts of the world by labor ranging at from 6 to 10 cents per day, and all that the representatives of that cotton-growing interest now ask is a remission of the duty upon the iron ties which envelop their cotton. Is this without precedent? Why, sir, years and years ago, long before I had any acquaintance with the politics of this country, there was a rebate given on salt used in curing fish taken in the deep-sea fisheries of the Northeast for the encouragement of the fishing interests of New England. In addition to that the product when so taken was protected by a tariff duty.

Mr. RIDDLEBERGER. Mr. President, I rise to a point of order.

The PRESIDENT *pro tempore*. The Senator from Virginia will state his point of order. The Senator from North Carolina will suspend for one moment.

Mr. RIDDLEBERGER. And take his seat, as the rules require.

The PRESIDENT *pro tempore*. The Chair will attend to the enforcement of the rules of order. The Senator from Virginia will state his point of order.

Mr. RIDDLEBERGER. When the Senator from North Carolina takes his seat, which is one of the rules of order of the Senate——

The PRESIDENT *pro tempore*. The Senator from North Carolina is not required to take his seat when the Senator from Virginia rises to a point of order. The Senator from Virginia will state his point of order.

Mr. RIDDLEBERGER. Allow me to state that the rules do explicitly say that when a point of order is made on a Senator speaking, the Senator must take his seat; but still I will forego that.

The PRESIDENT *pro tempore*. The Senator will state his point of order.

Mr. RIDDLEBERGER. I say that the morning-hour business was not called this morning before this tariff bill was proceeded with, and that we were entitled to the morning hour in which to appear here. There is no power——

The PRESIDENT *pro tempore*. The Senator from Virginia will now pause. The order of morning business was called by the Chair and its close was announced after the entire list had been gone through with. The bill under consideration was moved by the Senator from Ohio [Mr. SHERMAN], as he had a right to move it. It was taken up. It is now before the Senate as in Committee of the Whole. The question recurs upon the motion of the Senator from Texas [Mr. COKE] to amend the bill. The Senator from North Carolina was recognized and is entitled to the floor. The point of order is not well taken, and the Senator from Virginia will take his seat.

Mr. RIDDLEBERGER. I will ask the Senator, in order to right myself——

The PRESIDENT *pro tempore*. The Senator from Virginia will take his seat.

Mr. RIDDLEBERGER. I will ask——

The PRESIDENT *pro tempore*. If the Senator from Virginia does not take his seat, the Chair will call upon the executive officer of the body to enforce its rules.

Mr. RIDDLEBERGER. Very well.

The PRESIDENT *pro tempore*. The Senator from North Carolina is entitled to the floor.

Mr. VANCE. Mr. President, as I was proceeding to say—which expression I think will constitute the bulk of my speech—there is a precedent for this withholding of taxation in the aid of a struggling industry. The rebate given upon salt used in the deep-sea fisheries of our northeastern coast is a case in point. In 1883 a rebate was given upon salt used in all the tidewater fisheries in the curing of fish in the United States. It was also given on the salt which was used in the curing of beef for exportation and is now upon the statute-book, and the meat-packers of the West are availing themselves of that provision.

For many years the duty has been remitted on lumber which was sawed upon the St. Croix River, in New Brunswick, and floated down from the Province of New Brunswick and around by sea into the ports of the United States, being owned by American citizens, for the encouragement of the industry of lumber-making in the Province of New Brunswick. A rebate is now given of the duty upon spirits made in this country which are exported from this country. Not more than a week has elapsed since this Senate voted to give a rebate upon all spirits made in this country which were used in the arts, for the encouragement of those who made those compounds of which alcohol is the base. For many, many years the duty has been remitted on all materials of a certain class and character about the building of ships, and the duty is still remitted upon all material used in repairing American ships in American ports engaged in foreign trade.

The duty is remitted or a rebate is given upon all tobacco used for exportation to foreign countries. The duty many years ago was remitted on the hides which constitute the raw material of our leather industry, for the purpose of encouraging those who make shoes and leather products. The duty on raw silk was remitted, and it is now permitted to come in free, for the encouragement and in aid of those of our fellow-citizens who have engaged in the manufacture of silk. In fact, the greater part of the free-list, if you will examine it, will be found to consist of articles the duty upon which has been remitted in behalf of and for the benefit of manufacturers, and yet every one of those who have thus had the duties remitted upon the articles which it was necessary to have in their business is protected by heavy tariff duties likewise.

Now, the cotton-planter of this country grows from 6,000,000 to 7,000,000 bales of cotton per annum. His production is increasing, and it is now fair to assume that it amounts to about 7,000,000 bales. Five-sevenths of that cotton goes to foreign countries, and it constitutes over 40 per cent. of the total agricultural products of this country which are exported. In the year 1888 the exports of agricultural products purely amounted to $500,840,086, constituting 73.23 per cent. of all our exports, whilst manufacturers exported but 19 per cent. and a fraction. Of that $500,840,086, which constituted the agricultural portion of the exports of this country, cotton unmanufactured furnished $223,000,000 and cotton and its manufactures furnished $236,000,000, or 34 per cent. of the total exports and over 45 per cent. of the exports of the agricultural products.

And now, sir, was it unreasonable, in consideration of this great product, by far the largest item of exports from this great country, furnishing 34 per cent. of all its exports—was it unreasonable to ask this little favor, that the iron ties which envelop the bales of cotton and hold them together for shipment to foreign countries, should be exempted from any taxation whatsoever? Are the cotton-planters and is the cotton industry not quite as worthy as those who take fish in the deep sea? Is it not quite as worthy an industry as the packing of beef upon the Western plains? Is it not quite as worthy as the building or repairing of ships? Is it not equally deserving of the protective plea of Senators on the other side as the manufacture of leather into shoes or harness or saddles or other leather products? Is it not quite as worthy as the man who manufactures cosmetics, nostrums, hair-dyes, patent medicines, and things of that kind, who are "encouraged" by the use of free alcohol?

If the Senators on that side are willing to say that they prefer to give all the protection of the Government to that class of individuals who are also protected by a high duty on the articles which they make, and leave the cotton-planter to struggle alone in the free, open markets of the world against the cheap labor of the Indian ryot, against the cheap labor of the Egyptian fellah, and all the other cheap labor of the world where cotton is made—I say, if the Senators on that side

consider that industry is not worthy of their protection, not worthy to participate in the benefits of this legislation that is said to be for the exclusive benefit of "American industries," then it is time the people of this country should know that fact. It is time that they should know that Republican Senators and Representatives declare that they will give the man his raw material who makes a patent medicine, that they will give him free raw material who makes a hair-dye, that they will give him his raw material who makes a pair of shoes, that they will give him the raw material who builds a sloop or a schooner, but that they will not give the raw material, nor any portion of raw material, nor any aid whatever by the remission of duties, to the sturdy farmer whose product constitutes 34 per cent. of all the products of this country exported which maintains its balance of trade and its exchanges with foreign nations. If that be the protection to American industry which is to characterize the Republican party in this country, it is time that the sons of toil everywhere should know it.

Compare, if you please, the profits of the farmer with the profits of the manufacturer and see if justice and common decency do not require that some little remission of burdens in the shape of legislative favors should not be extended toward this toiling and worthy class. According to the census of 1880 the value of the product of manufactures was $5,369,667,000 in round numbers; the value of the material used was $3,394,340,000; the amount of wages paid was $947,916,674, making a total of wages and material of $4,342,256,674, with a profit remaining, after deducting wages and material, of $1,027,412,000 on a capital of $2,790,000,000 invested; showing, according to the census report, that the profit obtained by the manufacturers of this country in the year 1880 was within a fraction of 40 per cent., being, as before stated, a profit of $1,027,000,000 on a capital invested of $2,790,000,000. On the other hand, the value of all the agricultural products upon an investment in agricultural material of $12,103,987,000 was only $2,213,402, without any estimate whatsoever for the material used by the farmers and for the wages paid by them.

So on the very lowest calculation that could possibly be made on the basis of the figures given us by the census of 1880 the profits of the manufacturers were four times greater that the profit—yes, eight times greater in proportion to capital invested and numbers engaged, than the profits obtained by the agriculturists of this country; and yet we are constantly told that the manufacturers "must have a chance;" and when a proposition is made to give the farmers, the men who produce 34 per cent. of all the agricultural products exported, the poor relief of the remission of the duty on cotton-ties which envelop their bales, it is not only refused but the proposition is made to increase that burden upon them from 35 per cent., which is the present law, to 108 per cent., as has been so often explained.

Where is there any protection, where is there any justice in it? Where is there any common Christian decency in it? If you are in favor of protecting all interests of this country, protect them by affirmative legislation where you can, and protect and encourage and aid the others as far as possible by a remission of the duties which bear upon them; but if you insist upon heaping this burden of 108 per cent. on cotton-ties upon the already overtaxed men who have to struggle alone in the free markets of the world in order to benefit an industry in this country that manufactures something, in Heaven's name let it be a live industry and not a dead one. There are no cotton-ties manufactured in this country, as has been asserted in this Senate and not denied. Then, in the name of common decency, why impose a duty upon the farmers, that is to be paid now, *in præsenti*, of 108 per cent., in the hope or expectation that peradventure, perchance, perhaps, please God, maybe, some man will some day or another start a cotton-tie manufactory here?

Why, Mr. President, if there was any proof wanting to show conclusively that not only are the agricultural classes of this country neglected but absolutely imposed upon, that they are absolutely expected to pay and to make good the abnormal profits of the manufacturers arising under these protective duties, a slight observation of this Senate substitute would furnish all that is necessary. Not only are the cotton-ties increased, as I have shown, but the trace-chains have been increased from forty-odd per cent. to 56.

It will not do for the Senator from Iowa to apologize as he did the other day, that these were dog-chains. That I believe is perfectly exploded and abandoned. That is the worst come-off that I have seen yet done in the name of protection. The Jews had an old habit, an old ceremonial once a year, of loading a goat with the sins of the people and permitting it to escape into the wilderness. This is an attempt to load a dog with the sins of protection and expiate the sins of protection in that way.

It will not answer. There are not dogs enough in this country to bear the sins of this kind of legislation. Increase the duty on the farmers' cotton-ties, increase the duty on his trace-chains, increase the duty on his iron, and everything that is useful and absolutely necessary in his business, and then proclaim to the American people that this bill is framed in the interest of "American industry," and that wherever you have found it necessary to increase the duties in order to enable a struggling industry to compete with foreign countries you have increased them; adding that you have not considered the idea of revenue and do not care whether it is increased or not. That has been the language of Senators on the other side, and that kind of a bill is expected to satisfy the public demand for the reduction of revenue!

All through this bill you will see reductions made in behalf of other industries, but none in behalf of the farmers. You will see, Mr. President, by looking over that part of the bill which we have not yet come to, that the duty on nails is reduced; the duty on railway fish-plates is reduced; the duty on spikes, nuts, and washers is reduced; the duty on iron and steel wires smaller than No. 10 wire gauge is reduced; the duty on galvanized iron is reduced; the duty on the smaller numbers than No. 10 of iron hoops is reduced, and various other items in the interests of various other classes of the people are reduced; but those things which are especially necessary for agriculture, so far as I am able to see, are not only not reduced, but in many instances are absolutely increased, showing that the framers of the bill understand very well the proposition which I make that where profits are abnormally increased by taxation there is an abnormal loss on the part of somebody else, and the agricultural class, with their investment of $12,000,000,000, spread all over the country, unorganized and helpless, may be made the victims, the prey of this abnormal and unnatural increase in the prices of goods in this country.

The Senator from Missouri [Mr. VEST] yesterday announced that in his opinion the duty on structural iron would draw more sharply the distinction between the principles and practices of the two political parties of this country than any other portion of this schedule. I must think that it could be drawn more sharply right here when I see so plainly that the purpose of this bill is to increase the burden of one industry in the country and to increase the profits of another, and to relieve everything but the industry that can not be benefited by a direct imposition of taxes. I think there is here marked unmistakably the distinction between the parties of this country—the one is for the benefit of the classes and capitalists of this country, and the other is seeking to equalize prices and taxes, and give the farmers and all classes, especially the poor, a fair chance.

I regret exceedingly, sir, as I announced in the beginning of my few remarks, the decision which the Senate came to yesterday in refusing absolutely to remit these duties upon the farmers' cotton-ties. I now trust that the good sense and the sense of generosity and justice that still linger in the breasts of men in spite of the seductions of capital, in spite of the necessities of party, will, to say the least, sustain the motion of the Senator from Texas and not increase these burdens upon the farmer if we can not lower them.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to the concurrent resolution of the Senate providing for the continuance of the existence and powers of the joint select committee in respect to the Washington Aqueduct tunnel and the water supply of Washington after January 1, 1889.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8191) to enlarge the powers and duties of the Department of Agriculture and to create an Executive Department to be known as the Department of Agriculture, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HATCH, Mr. WHITING of Michigan, and Mr. FUNSTON managers at the conference on the part of the House.

The message further announced that the House had passed the bill (S. 139) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861, with amendments; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore:*

A bill (S. 2254) to increase the pension of Mrs. Ella M. Grover;

A bill (H. R. 5080) for the relief of C. B. Wilson; and

A bill (H. R. 11764) making appropriations to supply a deficiency in the appropriation for the contingent expenses of the House of Representatives.

ANDREW J. SMITH.

Mr. COCKRELL. I ask the Chair to lay before the Senate the House bill relative to General A. J. Smith.

The PRESIDENT *pro tempore* laid before the Senate the action of the House of Representatives non-concurring in the amendments of the Senate to the bill (H. R. 2579) authorizing the President to appoint and retire Andrew J. Smith, late colonel of the Seventh United States Cavalry and a major-general of volunteers, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

On motion of Mr. COCKRELL, it was

Resolved, That the Senate insist on its amendments to the said bill disagreed to by the House of Representatives, and agree to the conference asked by the House on the disagreeing votes of the two Houses thereon.

By unanimous consent, it was

Ordered, That the conferees on the part of the Senate be appointed by the President *pro tempore*.

The PRESIDENT *pro tempore* appointed Mr. HAWLEY, Mr. MANDERSON, and Mr. COCKRELL.

WITHDRAWAL OF PAPERS.

Mr. CULLOM. I ask leave to offer at this time, as I have been detained, an order for the withdrawal of papers:

Ordered, That the papers on file in connection with bill for the relief of Thomas J. Spencer be withdrawn from the files of the Senate, the bill not having been reported adversely.

The order was agreed to.

PETITIONS AND MEMORIALS.

Mr. CULLOM. I also ask leave to present a petition. I present the petition of Avis J. Hockey, of Paris, Ill., late of Company G, Eighteenth Regiment Illinois Volunteers, praying for arrears of pension. I move that it be referred to the Committee on Pensions.

The motion was agreed to.

Mr. HOAR presented the petition of Isadora F. Lincoln, of Boston, Mass., widow of Benjamin C. Lincoln, late major of the Second United States Colored Troops, praying for an increase of pension; which was referred to the Committee on Pensions.

Mr. EVARTS presented the memorial of the New York Produce Exchange, praying for an appropriation for an exhibit of the corn product of the United States at the World's Exposition to be held in Paris; which was referred to the Committee on Foreign Relations.

THE REVENUE LAWS.

The PRESIDENT *pro tempore*. House bill No. 9051 is under consideration.

Mr. JONES, of Arkansas. Mr. President——

Mr. RIDDLEBERGER. I rise to a question of morning business.

The PRESIDENT *pro tempore*. The Chair will hear the Senator from Virginia.

Mr. RIDDLEBERGER. I do not want to do more than to call up the resolution which I offered to consider the extradition treaty between this Government and Great Britain in open session. I was this morning mistaken, and mistaken by a report of a committee, in which I was in error. The Chair intimated that he would call in the police if I did not sit down. I think the Republican party did itself credit on what was called the fisheries treaty, and I did not think that when it was suggested from the Republican side of the Senate that the extradition treaty should go over until the first Monday in December, the Republican party meant to break its word.

The PRESIDENT *pro tempore*. The Chair must call the Senator from Virginia to order. The Senator from Arkansas [Mr. JONES] is entitled to the floor.

Mr. JONES, of Arkansas. Mr. President, I propose to occupy the attention of the Senate for only a few minutes; but while we are discussing the propriety or impropriety of adopting the suggestion of the Senator from Texas, that the present rate of taxation upon cotton-ties shall be continued, it seems to me proper that we should recall something of the history of the present rate of taxation.

On the day before yesterday the Senator from Rhode Island [Mr. ALDRICH], who is a member of the subcommittee that framed this bill, used this language in replying to a question submitted by my colleague [Mr. BERRY]. The Senator from Rhode Island said:

The present duty of 35 per cent. upon cotton-ties is one of those anomalies and inequalities which it is the object of this bill to remedy. The decision of the Treasury Department which placed the duty on cotton-ties originally at 35 per cent. was undoubtedly an erroneous decision, that is, erroneous in the fact that it did not carry out the intention of Congress.

The intention was that cotton-ties should pay the same duty as other hoop-iron. The rate of 35 per cent. has been continued for the reason that there has been no power that could remedy it. This is the first opportunity that we have had to remedy that defect.

Mr. President, the first use of cotton-ties, I think, was nearly fifteen years ago. About 1877, or earlier than that, some importers in this country took the ground that they were not taxable as hoop-iron, but should be admitted as a separate article of iron not otherwise provided for, and that under the then existing law the rate of taxation should be 35 per cent. The Treasury Department distinctly decided against this view and held that cotton-ties were dutiable as hoop-iron.

Against this ruling of the Treasury Department the importers took steps to secure a judicial decision. They raised the question in the circuit court for the southern district of New York, and there was a decision of that court in 1878 holding that these ties were admissible at 35 per cent. The Treasury Department immediately after that issued a circular recognizing the binding force of the decision of the court and declaring that these articles should be admitted at the rate of 35 per cent.; but while the distinguished Senator from Ohio [Mr. SHERMAN], I believe, was Secretary of the Treasury the Treasury Department saw fit to overrule this ruling, and said that the facts raised in that court were not such as to justify a change in the tax and that the rate upon hoop-iron should be restored upon cotton-ties. The question was tested in the courts, and it finally went to the Supreme Court of the United States, and in 1883 that tribunal decided that cotton-ties or hoop-iron cut to length for cotton-ties were admissible under the duty of 35 per cent.

So far the statement of the Senator from Rhode Island was perhaps correct, but he omitted to state that in March, 1883, Congress passed a tariff law in which this article was provided for. That act was passed by a Republican Congress. It was passed within three months of the decision of the Supreme Court of the United States holding that this article was taxable at 35 per cent. The decision was fresh in the minds of the members who had charge of the question, and the Finance Committee of the Senate of the United States was composed when that act was passed of exactly the same members as it is now except that Mr. Ferry, then a member of it, is not now in the Senate, and the junior Senator from New York [Mr. HISCOCK] was not then a member of this body, and, of course, was not a member of that committee. The Republican members of that committee, with these two exceptions, were the same that they are now. I think the Senator from Rhode Island [Mr. ALDRICH] himself was a member, and the Senator now in charge of this bill [Mr. ALLISON] was a member; and this was the provision adopted by that committee at that time.

You remember, Mr. President, as every other member of the Senate remembers, and as everybody in this country remembers, that the provision now in the law was made by a conference committee composed of Republicans, that they were not vexed by the presence of a single Democrat, that they were in the majority in both Houses of Congress, and they made the tariff in their own committee-room, knowing full well that it would be passed by a partisan majority in both Houses and practically without discussion, as we understand this bill is to be passed to-day by the Senate. This is the provision contained in the existing law enacted in 1883:

Iron and steel cotton-ties, or hoops for baling purposes, not thinner than No. 20 wire gauge, 35 per cent. ad valorem.

That is the positive enactment by a Republican majority in the Senate and House of Representatives fixing the rate of tax upon this article. So, Mr. President, the Treasury Department is not the scape-goat in this case nor the scape-dog either. The responsibility rests upon a Republican committee composed absolutely of Republicans in both branches, from the Senate and from the House, when they adopted this as the law. I only call attention to it that the responsibility may rest where it belongs, and that there shall be no shifting of responsibility for fixing this rate of taxation from the Congress of the United States to the Treasury Department.

Mr. President, of all the agricultural products in this country there is less of human labor in the production of wool, perhaps, than in any other, and there is more of human labor in the production of cotton; and yet we find that although wool has been protected by a high duty this bill now proposed to be passed by this body increases the tax upon wool, while the other product, containing much more largely the element of human labor, is not protected, and in the very nature of things can not be protected by any enactment here, and when those of us who represent constituencies engaged in the production of this article ask that we may be protected against the competition with other people, or rather that we may be allowed to put the production of our labor into the market with as few restrictions and incumbrances as possible, we are met with positive, and unqualified, and, it seems to me, unreasoning denials by the majority on the other side.

The Senator from New York [Mr. HISCOCK] undertakes to twit me, to taunt me for raising a sectional question when I propose that these ties shall be put on the free-list. Mr. President, I ask in the name of common sense why it is that wool being protected by the laws of the country shall be not only allowed to remain at the duty fixed by the tariff laws hitherto, but shall be increased, while we can not have similar protection at the hands of this committee? If these favors are to be doled out alike to all sections of the Union, why are we excluded? If we are not selected for the purpose of being discriminated against, why is it that when you are providing greater protection for wool you are imposing greater burdens upon cotton? It seems to me that it can have but one meaning. But for the disclaimer of the acting chairman of the committee, the honorable Senator from Iowa, the other day, I should think that this state of things almost positively proved the suggestion made by the Senator from Maryland [Mr. GORMAN] that there was no intention that this bill should be passed, but that the political purpose was that it should be so framed in this body and sent to the other with such provisions as would render it absolutely impossible for any man coming from the Southern section of the country to vote for it, so as if possible to array one section of the country more strongly and distinctly against another. The Senator from Iowa distinctly disclaimed any such purpose, and I take it he does not mean any such thing. Still the suggestion naturally arises when I make this comparison. There must be some reason for it, and it must be founded upon some sort of policy, or there must be some purpose in view by the committee. What that is of course I do not understand.

I was not surprised yesterday to hear the junior Senator fron New York [Mr. HISCOCK], with the fairness that I have known for a long time to characterize him in all his discussions, state frankly that the expense for cotton-ties and for cotton-bagging was an expense saddled upon the producers of cotton. I will read his language:

I have no doubt that both that and the bagging are included in the cost to him—

The cotton-planter—

and I am not going to make any argument against that position. I will con-

cede that all the oppressed farmer loses in the purchase of the cotton-ties is an absolute tax upon him. The evidence before the committee was that when the cotton-ties were used and taken from the bales at the Liverpool market they could be sold there for two-thirds their original value. There was no dispute about that fact. Two-thirds of their cost is reimbursed to him, and about 6 cents or 7 cents at the outside is the full cost to the abused planter, to the colored people, the friends of the Senator from New Jersey, of the cotton-ties which are placed upon his bale of cotton of 500 pounds.

The statement made by the Senator from New York that the fact was not disputed by anybody that two-thirds of the cost of the cotton-ties was refunded in New York, might be easily explained by reminding him of the fact that in the report he makes with this bill he states that no single human being was heard by the committee who favored the Mills bill. When you have heard only men who are in favor of protection, when you have heard only friends of manufacturers, is it a strange thing that there was not one solitary word said against their suggestions? Who sells the cotton-ties in Europe after they are taken from the cotton bale? They are then the property of the owners of the cotton, and they pocket whatever they bring. I have no doubt that that is taken into account and considered to some extent in fixing the price of cotton, and does to some extent reimburse the farmers for the cost of the ties. But everybody here knows that this proportion is entirely too large. I am glad, however, to have the Senator from New York admit that, as we have claimed in this debate, the cost of cotton-ties and cotton-bagging is a loss to the planter.

The Senator from North Carolina [Mr. VANCE] this morning called the attention of the Senate to the fact that a greater number, perhaps, of persons are engaged and an immensely larger amount of capital involved in farming over manufacturing. If that is true, it would seem that in point of numbers and in amount of capital we should be entitled to the same sort of consideration at the hands of Congress. These facts, I have no doubt, are well understood by this committee. They were not blind to the fact that there is more than four times as much capital engaged in farming as in manufacturing when they proposed to make this discrimination against the agriculture of the country. They were not blind to the fact that the cotton-planters get no sort of protection in any possible phase of the case, but that everything they consume, every article of clothing, everything that they use on their plantations is taxed, and, as the Senator explained awhile ago, on a number of articles this tax is to be increased by the pending measure. But we are assured that the purpose of the bill is a benevolent one.

My venerable friend from Massachusetts, whom I see in his seat now [Mr. DAWES], in the course of some remarks a few days ago distinctly stated time and again that the purpose of all this movement was to enable the cotton-planter to get his ties cheaper than he would otherwise get them. Did I understand the Senator correctly? [Mr. DAWES nodded assent.] The Senator assents to the proposition? The cotton producers in this country do not so believe——

Mr. DAWES. I do not speak for anybody else, but that is my purpose, and my sincere belief as to what the result will be.

Mr. JONES, of Arkansas. Yes, sir; I understood that to be the Senator's position, and I wish to reply to it for a moment. Mr. President, there is nobody in this Senate who has a higher respect for the ability and for the broad philanthropy, charity, and humanity of my distinguished friend from Massachusetts than myself. I am satisfied that he means exactly what he says, but permit me to say that there is not a man in the United States who produces cotton who believes that there will be any such effect from this action on the part of Congress. We do not believe that we are going to get cotton-ties cheaper by reason of this increase of the tax. We think the result will be to increase the price of ties, and for that reason we do not want it done.

Sir, the Deity himself does not undertake to compel any human being to accept His blessings. There is a faculty that we call free will, by which obdurate and hardened sinners may reject the greatest blessings that come from the Almighty himself. Now, we ask the poor privilege of declining this charity at your hands. You do not suffer in any degree by our declination. You propose to give all this to us. We tell you we do not want it, we would rather not have it. We believe you intend us good by what you propose, but for the sake of humanity just leave us out of the line of your charity. Apply that to other people who believe as you believe. Is there anything unreasonable about that? It seems to me not.

If, however, the Senator from Massachusetts insists that we are so blind as to stand in our own light, that we do not understand what is for our own good, and that he and his associates must proceed to give us this great blessing by which cotton-ties are to be ultimately reduced in price, I will ask him if he would be willing to have a provision put in the law that, after twelve months' experiment with this increase of tax, if the Secretary of the Treasury shall become satisfied that cotton-ties can be bought cheaper abroad than they can in the United States, they shall be admitted free of duty? If the Senator would be willing to have even that provision inserted we might consent to what we believe is a robbery for twelve months in the absolute certainty that at the end of the time we should be able to buy them where we could buy them cheapest while we are compelled to sell our cotton in competition with all the rest of the world without any shadow or scintilla of protection.

Mr. DAWES. Does the Senator desire an answer to that suggestion now?

Mr. JONES, of Arkansas. I am perfectly willing to have one made now.

Mr. DAWES. Can not the Senator see that the foreign producer having got the command of our market now would hold out more than twelve months so as to have it at his command in all future time? I am perfectly willing to test this principle upon such a length of time as will put it beyond the power of the foreign monopolists to command our market. That is my faith in the idea of a twelve-months' advertisement to him, "All you have got to do is to hold this thing up for twelve months and then you will have the American market for all time to come." That is the objection to that suggestion. I have not the slightest objection to a fair test of this American market, magnificent as it is, to see if we can not put it beyond the power of the English people and their ability to sacrifice enough to control it. They are in an intense warfare for our market; they will sacrifice everything to secure it in detail and in gross, and our conflict with them is, if my friend will pardon me for the illustration, just like the conflict of the civil war; it is a question of endurance. If they are able to hold out longer than we can, they will have our market in all future time.

Mr. JONES, of Arkansas. How long a time would the Senator consider a fair test?

Mr. DAWES. I am not familiar enough with the ability of these foreign producers who have now got control of it, or I could give an estimate. I am talking of the principle of the thing.

Mr. JONES, of Arkansas. Mr. President, it is characteristic of human nature to have a sort of dread of any danger that we do not understand. It has a vague and shadowy and terrible effect on us when we do not see it. I for one would be more willing to risk the dangers of a combination of producers of cotton-ties abroad than those of the producers of cotton-ties in the United States. We have had more experience with that sort of combination in this country recently than we have had with the other, and I would—

> Rather bear those ills we have,
> Than fly to others that we know not of.

I believe it is easier and safer; and when the people of this country are saddled as they are with burdens, I respectfully submit that they are not in a condition to be making experiments with other people. Let those who are more willing to try them do so, but let us alone.

Mr. President, in the testimony taken by this committee—taken, as the committee themselves state, from the mouths of men who were in sympathy with them in their political ideas—not one single witness being examined who favored the Mills bill or who was in sympathy with us in our views, this language appears. After stating the amount of land in cultivation in cotton in the Southern States and the probable production, the witness from whom I quote said:

> To prepare the land, plant, cultivate, and gather this crop requires the services of 1,300,000 laborers, who, with those that depend upon them for support, make a total of 4,000,000 people, say, directly engaged in the cultivation of cotton—1,000,000 more than our total population at the time of the Revolution. The value of the crop we can place at $300,000,000, or $75 per capita for those directly and indirectly engaged in its cultivation. Or, looked at from another standpoint, the total population of the Southern States, in round numbers, is 13,000,000, and that would give per capita $23. This, we must admit, is a small return to those engaged in this industry, and the question arises, how shall this sum be increased, how shall this great staple be utilized to the greatest advantage to Americans?

This was the problem submitted by a protectionist to the subcommittee of the Committee on Finance, and the reply they give to us is that they will keep up taxation, and that upon an article on which we have been compelled to pay a tax that a Republican Congress, both in the Senate and in the House, said was sufficient and adequate only five years ago, the tax shall be increased 200 per cent.

Mr. President, this does not seem to be the right way to try a serious question. To those of us who are trying to understand this question fairly and honestly and who are trying to present the views of our constituents in a way to have them disposed of in justness and fairness to them, it does seem that there is no disposition on the part of the majority to solve this question in a way reasonable or fair to those who are laboring in the cotton-fields of the South.

Mr. VEST. Mr. President, the production of cotton in the State of Missouri becomes insignificant when compared with the other productions of that State. There are but four or five counties in Missouri where this staple is raised, and I therefore can not be accused of any sinister or selfish object in expressing my opinions in regard to this item of taxation upon cotton-ties.

I shall make no appeal, Mr. President, to any esthetic or sentimental motive on the part of the Senate or any portion of its members, but I can not resist the temptation of saying that, of all the items in this bill, that now under consideration ought to appeal to the magnanimity and generosity of the Northern section of this Union, that section which now politically and financially controls this country. The Southern people, after coming out of a terrible war, unparalleled in its losses of property, with their fields devastated, their homesteads ruined, their autonomy as States almost destroyed, with nothing but hope left, have made a struggle which illustrates in the highest degree the manhood of the American people.

The only staple (and I use the phrase, of course, in a limited sense, but with full significance) upon which they can depend absolutely and with perfect reliance is the production of cotton. It constitutes by far the largest of our foreign exports. It is the life and soul of all the commercial relations and of all the wealth in the Southern States. Now, to increase this tax upon cotton-ties, which enter into the value of the cotton of the South, their only staple, seems to make this bill, with due respect to its framers, oppressive and sectional in the highest degree. These people in the South to-day are confronting a proposition beyond the management of the wisest statesman. No man can prophesy the end of the race problem in the Southern States. The horrors anticipated from a collision between the races there are easily depicted. It is easy to point out the trouble, but I have never yet heard the shadow of a plausible solution of that terrible problem. It is easy enough for those of us whose States are not in that fearful conflict and confronted with that question to stand on a pedestal and philosophize in regard to it, but to the men engaged in its solution and face to face with the most awful problem ever presented to any civilized country the significance of which is beyond all language and its end beyond all prophecy, to these people this bill comes with an increase of burdens.

Mr. President, it has been alluded to in this debate (and I want to emphasize it) that cotton-ties are an absolute loss to the Southern planter. I want to emphasize that proposition. He gets nothing for them. The idea has been advanced that the weight of the hoop-iron used in the tie is paid to the planter as if it were so much cotton, but it can be demonstrated mathematically that this is not true. The Southern planter pays for the tie and then gets nothing for it in the sale of the cotton; and that I believe can be demonstrated beyond all sort of question.

I have before me an extract from a paper devoted to the interests of cotton culture and the sale of cotton. It says:

But first of all let me convince the Southern planter that he does not get one single cent paid for the bagging or ties, whether he sells his cotton here or in Liverpool. The fact is perfectly simple. Cotton is sold in the United States by gross weight. That is, if a bale of cotton weighs 450 pounds, and the price agreed upon is 10 cents a pound, the seller receives $45. In Liverpool, on the other hand, 24 pounds and sometimes 26 pounds tare is deducted, and a bale of cotton weighing 450 pounds only nets, after deducting 24 pounds, 426 pounds for which the seller is paid. This tare is deducted for the wrapping, and the iron or steel ties. Now, then, let us take the price of spot cotton of, say, September 6, both in New York and Liverpool, and we will find the problem solved. The price of spot cotton on the 6th of September in New York was 10 cents per pound, and in Liverpool it was 5 7/16d. per pound.

Proceeds of a bale of cotton weighing 450 pounds in New York, gross, at 10 cents a pound, is $45.

Proceeds of a bale of cotton weighing 450 pounds, gross, in Liverpool, deducting 24 pounds tare, or leaving 426 pounds, at 5 7/16d., is a fraction over £9 13½d., or, exchange at $4.84, is as near as possible $45.71 for the self-same bale and weight which brings in New York $45, leaving $1.71 per bale for freight and charges.

That shows beyond any sort of question, and the concurrent and universal testimony of cotton-raisers and cotton-sellers and cotton-buyers is, that these cotton-ties are an absolute loss to the planter.

So the question presents itself to the Senate, as the Senator from North Carolina [Mr. VANCE] remarked, exactly upon all-fours with that legislation which permits the fisherman to use free salt and then sell his salted fish for the market price. The New England fisherman catches his fish, uses free salt, and then takes the salted fish to market and receives pay for the salt in the fish as well as for the fish. Why discriminate against the Southern planter, and whilst he pays for the hoop-tie and does not receive payment back under the commercial usage, why make it to him a dead loss, whilst the citizen of New England is so favored by the law that he receives the cost of the salt in the sale of the fish, although the salt itself is to him free?

Mr. President, this item, above all others in this bill, demonstrates the nature of this proposed legislation. I am not a tariff expert. I have never had a more disagreeable or burdensome duty imposed upon me in all my life than the examination of these tariff schedules and the attempt to familiarize myself with them. Circumstances, not necessary to mention, upon this side of the Chamber have imposed this duty upon some of us, who come into it for the first time; but as far as I have gone, struggling with the schedules, struggling with classifications, attempting to understand the changes in the present law and the differences between the Mills bill and the Senate bill, I am compelled to say here that, in my deliberate judgment, a more sectional and unjust piece of legislation was never attempted in the American Congress.

Why, sir, take the whole framework of this bill, and what does it amount to? The three States in the South—and it is a significant fact—which were used (and I employ no stronger term now) in 1876 to secure the Presidency are peculiarly punished in this bill. The largest reduction in it is upon sugar from Louisiana; the next largest is from South Carolina upon rice, and the next largest from Florida in the reduction of duties upon fruits and upon sponges, a peculiar production or industry (for it is both) of that State. But when we come to New England—this bill was framed by a New England Senator, as I am informed, an expert in tariff legislation—we find that the discrimination in favor of New England is so marked and distinct that any man who is not determined to see otherwise must admit it. The cotton schedule is increased; the woolen schedule is increased, and when we undertake to ana yze and dissect those schedules we find the coarser articles of cotton cloth, in which the Southern mills are now competing with New England, have no additional protection, whilst the finer cotton fabrics made in New England as a specialty have the tax upon them increased; and so in the woolen schedule; and I undertake to say that when we reach those schedules we can demonstrate beyond any doubt that the hand of sectionalism has framed all their provisions.

The Senator from Massachusetts [Mr. DAWES] yesterday—I do not see him in his seat now—made an assertion here which rather astonished me, to the effect that the manufacturers of the United States were not making a profit to-day of over 5 per cent. Mr. President, it is useless in regard to an assertion of that kind to indulge in any sort of conjecture. I have before me, however, an extract from the Providence (R. I.) Journal, published in September last, giving three months' dividends upon the principal cotton and woolen mills in the New England States, and I read it for the benefit of that Senator and for his criticism, and we shall see whether the profits of the manufacturers of the United States are not over 5 per cent. Here is a proposition to take away from the Southern people, the Southern planters, a portion of the products of their labor, not profits, but a portion of what they raise out of the ground; and I shall make no further allusion than has been made to the fact that the labor of the South in the cotton culture comes from the African race.

The table of profits for three months taken from the Providence (R. I.) Journal reads as follows:

Fall River.	Capital stock.	Net profits for three months.
American Company	$400,000	$25,000
Bourne Mills	400,000	16,000
Chace Mills	500,000	10,000
Fall River Manufactory	180,000	5,400
Flint Mills	580,000	13,800
Granite Mills	400,000	24,000
Mechanics' Mills	750,000	11,500
Merchants' Manufacturing Company	800,000	16,000
Metacomet Manufacturing Company		
Narragansett Mills	400,000	10,000
Richard Borden Manufacturing Company	800,000	12,000
Sagamore Manufacturing Company	600,000	18,000
Seaconnet Mills	400,000	16,000
Stafford Mills	550,000	16,500
Tecumseh Mills	500,000	10,000
Troy Cotton and Woolen Manufactory	300,000	18,000
Union Manufacturing Company	750,000	37,500
Wampanoag Mills	750,000	22,500
Weetamoe Mills	550,000	11,000

This table shows that these dividends for three months, taken from the Providence (R. I.) Journal, which, in proportion to population, is published in the wealthiest manufacturing State in the Union, ran from 12 per cent. up to 25; 12, 16, 18, 20, 24, and 25 per cent.

Mr. President, it is simply impossible that the statement of the Senator from Massachusetts can be correct. I do not pretend to say that the average profit is 25 per cent., but these are the largest manufactories in the New England States. Why, sir, I represent an agricultural State, also containing manufactures, but classed amongst the large agricultual States of the Union. What do my constituents derive from their investments in agriculture? The farmer in Missouri to-day—and Missouri is the most prosperous agricultural State in the Union, because last year we raised the largest crops of every description without a failure in any department of agriculture—the farmer in Missouri to-day who is making 2 per cent. on his investment is a phenomenally successful agriculturist.

I know that as a rule agriculture does not pay the profits that are paid by manufacturers; but when these official statements are made, showing dividends of 25 per cent., we, who are the producers, who pay these dividends not only indirectly but directly, have a right to challenge the system under which they are made. I had hoped that the necessity for anything sectional had disappeared from the politics of this country; but when the Senator from Massachusetts is here not only to defend this system but to attack all those who are opposed to it, absolute justice requires that these facts should be known.

Now, what has been the result of this system I will endeavor also to show.

Mr. RIDDLEBERGER. Mr. President, I ask the Senator if he will allow me to offer a resolution?

The PRESIDING OFFICER (Mr. FRYE in the chair). Does the Senator from Missouri yield to the Senator from Virginia?

Mr. VEST. Certainly.

ELECTION OF OFFICERS.

Mr. RIDDLEBERGER. I offer this resolution:

Resolved, That this Senate will proceed to a reorganization by the election of its officers on the first day of the session after the 1st day of January, 1889.

Of course that will lie on the table and go over.

The PRESIDING OFFICER. The resolution offered by the Senator from Virginia will be read at the desk.

The Chief Clerk read as follows:

Resolved, That this Senate will proceed to a reorganization by the election of its officers on the first day of the session after the 1st day of January, 1889.

The PRESIDING OFFICER. The resolution goes over under the rules.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 6922) for the relief of George W. Graham.

The message also announced that the House had passed a bill (H. R. 1407) to authorize the Court of Claims to hear, determine, and render final judgment upon the claim of the Old Settlers or Western Cherokee Indians; in which it requested the concurrence of the Senate.

BILLS INTRODUCED.

Mr. PLUMB introduced a bill (S. 3707) for the relief of J. A. Towle; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Post-Offices and Post-Roads.

Mr. MITCHELL introduced a bill (S. 3708) to provide for the formation and admission into the Union of the State of Idaho, and for other purposes; which was read twice by its title, and referred to the Committee on Territories.

Mr. GORMAN (by request) introduced a bill (S. 3709) to authorize the commissioners of the District of Columbia to permit the temporary occupation and crossing of certain streets of the city of Washington and District of Columbia by the tracks of the Baltimore and Ohio Railroad Company, to meet the demands of increased travel incident to the inaugural ceremonies of March 4, 1889; which was read twice by its title, and referred to the Committee on the District of Columbia.

WESTERN CHEROKEE INDIANS.

The bill (H. R. 1407) to authorize the Court of Claims to hear, determine, and render final judgment upon the claim of Old Settler or Western Cherokee Indians was read twice by its title.

Mr. DAWES. That same bill has been reported from the Committee on Indian Affairs of the Senate with two or three slight amendments. I move this bill be placed upon the Calendar, and when it comes up I will move those amendments to it as from the committee, and then the bill will have been substantially before the committee.

The PRESIDENT *pro tempore*. The Chair hears no objection, and it is so ordered. The bill will be placed on the Calendar.

ACTS RELATIVE TO ELECTORAL COUNT.

Mr. EDMUNDS. Mr. President, I ask unanimous consent to offer a resolution at this time, and request its immediate consideration.

The Chief Clerk read as follows:

Resolved, That the Secretary of the Senate be, and he is hereby, instructed to send by mail to the governor of each State printed copies of the acts of Congress passed respectively on the 3d of February, 1887, and the 19th of October, 1888, respecting the meeting of the Presidential electors and the transmission and the counting of the electoral vote for President of the United States.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of this resolution?

Mr. McPHERSON. Let it be again read.

The PRESIDENT *pro tempore*. It will be again read.

The resolution was read.

Mr. EDMUNDS. If I may be allowed to say a word, I have been informed by more than one member of the House of Representatives and by one or two Senators that they learn from their respective States that the proper authorities there have not yet been advised of these recent laws of Congress about the time when the votes are to be sent, and what the state of the law is in regard to the governor's sending certificates of the canvasses; and therefore I thought it right that, as we have slip copies already printed, the Secretary should send at once to the governor of each State a printed copy, so that there may be no mistake made. That is all there is to it.

Mr. PLUMB. What is the necessity of so formal a proceeding as this, when a mere personal request to the superintendent of the document-room would result in having the copies sent under the frank of any Senator at the expense of the Government?

Mr. EDMUNDS. I do not know that there would be any difficulty in doing that, but I did not feel at liberty to ask the document-room to send copies to every governor of a State. If such a document comes from the Secretary of the Senate the governor will probably be likely to believe that that printed copy is true.

Mr. PLUMB. It opens up a pretty wide field, both of ignorance and knowledge. If these printed slips, which bear the *imprimatur* of the document-room, are not evidence to the mind of the governor of a State, he must be a very thick-headed person indeed, so far as that part of the case goes, but I think it would be just as well to have it done in the way I suggested as in this formal manner to governors who do not know what the laws are or what their duties are under those laws.

I do not care anything about it, but it seems to be going out of the usual and ordinary course to pass a resolution on a subject of this kind. I object to the resolution.

The PRESIDENT *pro tempore*. The resolution will lie over under the rules.

Mr. PLUMB subsequently said: I withdraw the objection I made to the resolution of the Senator from Vermont.

The PRESIDENT *pro tempore*. Is there objection to the consideration of the resolution offered by the Senator from Vermont? The Chair hears none.

The resolution was agreed to.

COMMITTEE ON INTERSTATE COMMERCE.

Mr. CULLOM. I ask leave to call up at this time a resolution which was reported when I was absent this morning unavoidably. I should like to have it passed to-day.

The PRESIDENT *pro tempore*. Does the Senator from Missouri yield?

Mr. VEST. Yes, sir.

The following resolution, reported from the Committee to Audit and Control the Contingent Expenses of the Senate, was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Interstate Commerce be, and it is hereby, directed to continue the investigation ordered to be made by the resolution of the Senate of August 3, 1888, and such committee is hereby given all the authority conferred by said resolution and power to sit during any recess of the Senate prior to December, 1889, the necessary expenses of such investigation to be paid from the contingent fund of the Senate.

REPORTS OF COMMITTEES.

Mr. SPOONER. I am instructed by the Committee on Claims to report back the bill (H. R. 7799) for the relief of the Albemarle and Chesapeake Canal Company, with the recommendation that it be referred to the Committee on Naval Affairs. The bill has been three times reported by the Committee on Naval Affairs, and was referred to the Committee on Claims inadvertently.

The Committee on Claims was discharged from the further consideration of the bill, and it was referred to the Committee on Naval Affairs.

Mr. EVARTS, from the Committee on the Library, reported the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Sergeant-at-Arms of the Senate be, and is hereby, directed to appoint a messenger for the Joint Committee on the Library, whose services shall be devoted exclusively to the business of said committee, and that the messenger so appointed shall be selected by the said committee.

ADJOURNMENT TO MONDAY.

Mr. GRAY. I move that when the Senate adjourn to-day it be to meet on Monday next.

The PRESIDENT *pro tempore*. The Senator from Delaware moves that when the Senate adjourn to-day it be to meet on Monday next. [Putting the question.] The noes appear to have it.

Mr. GRAY called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. TELLER (when his name was called). I am paired with the Senator from Louisiana [Mr. GIBSON], but I transfer my pair to the Senator from Connecticut [Mr. PLATT]. Therefore I vote "nay."

The roll-call was concluded.

Mr. HARRIS. I am paired with the Senator from Rhode Island [Mr. ALDRICH].

The result was announced—yeas 26, nays 23; as follows:

YEAS—26.

Bate,	Colquitt,	Jones of Arkansas,	Turpie,
Berry,	Daniel,	McPherson,	Vance,
Bowen,	Davis,	Morgan,	Vest,
Call,	Eustis,	Payne,	Walthall,
Cameron,	Faulkner,	Pugh,	Wilson of Md.
Cockrell,	Gorman,	Reagan,	
Coke,	Gray,	Saulsbury,	

NAYS—23.

Allison,	Evarts,	Mitchell,	Sherman,
Chace,	Frye,	Morrill,	Spooner,
Chandler,	Hawley,	Paddock,	Stockbridge,
Cullom,	Hiscock,	Palmer,	Teller,
Dawes,	Hoar,	Plumb,	Wilson of Iowa.
Edmunds,	Ingalls,	Sawyer,	

NOT VOTING—27.

Aldrich,	Dolph,	Hearst,	Ransom,
Beck,	Farwell,	Jones of Nevada,	Riddleberger,
Blackburn,	George,	Kenna,	Sabin,
Blair,	Gibson,	Manderson,	Stanford,
Blodgett,	Hale,	Pasco,	Stewart,
Brown,	Hampton,	Platt,	Voorhees.
Butler,	Harris,	Quay,	

So the motion was agreed to.

THE REVENUE LAWS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue, the pending question being on the amendment proposed by Mr. COKE.

Mr. VEST. Mr. President, the census of 1880 furnishes the only reliable statistics upon which to base an argument in regard to the result and effect of the manufacturing system of the United States relatively as to the whole country. That census shows that the public debt in 1880 was $2,120,000,000. Of this there were held in the nine manufacturing States $1,767,000,000; and in all the other States $353,000,000—$353,000,000 as compared with $1,767,000,000. Now, when we

think that these manufacturing States, including Pennsylvania and New York, have in their entire population certainly not more than eleven million people, or twelve million at the farthest, compared with the sixty million citizens in the United States, the disproportion as to the wealth, the accumulated wealth, and the accumulating wealth, is so great as to suggest some abnormal, artificial, and unnatural causes for this difference.

It may be said that these States are old; but, Mr. President, the increase of wealth in the West in our cities has been almost phenomenal. The misfortune is that it does not belong to us. The State of Iowa, the empire agricultural State of the Northwest, and my own State of Missouri south of it, and taking the two as representative States on the alignment between the old slave and free States, I can say without any sort of vanity that they represent the largest amount of agricultural prosperity. In these States the railroads do not belong to our people. In Iowa I undertake to say that not a single railroad—perhaps that is too broad an assertion, but certainly very few of them are under the control of the people of that State. The stock is owned abroad. It is so in Missouri. To find a Missourian to-day who owns stock in a railroad would be a discovery very difficult to make; and whilst these railroads are assessed or counted or computed in the wealth of the Western States, it is a fictitious value; that is to say, it is a false valuation, and the people of those States do not own them, but they are owned by the enormous aggregations of capital in the manufacturing States of the Northeast.

Now, take the payments of interest on the public debt in the last twenty-five years. They have amounted to a total of $3,350,000,000, and that has been added in the same relative proportion to the vast aggregation of wealth in the manufacturing States of the Union. The population of the nine manufacturing States is 16,400,000, and of all the other States 46,000,000. I understated it in my remarks a few moments ago. According to the census it is 16,400,000 in the manufacturing States and 46,000,000 in the other States. Now, take the national banks, which are very sure *indicia* of the wealth in the respective sections.

National banks: Total number of shares of par value of $100 each, $5,517,000.
Number of shares held in the nine manufacturing States, 3,298,000.
Number held in all other States, 2,219,000.
Total capital, $551,700,000.
Portion owned in the nine manufacturing States, $329,800,000.
Portion held in all other States, $221,906,000.
Total deposits, $1,250,000,000.
In the nine manufacturing States, $700,000,000.
In all other States, $550,000,000.

Mr. President, I could go further and show from this same census of 1880 that the New England States, over and above the amount of wealth inside of their own territory, own $209,000,000 in the other States of the Union.

Mr. HISCOCK. May I ask the Senator from Missouri a question?

Mr. VEST. Certainly.

Mr. HISCOCK. To what does the Senator from Missouri attribute this vast increase of wealth in the Eastern States?

Mr. VEST. Why, Mr. President, my remarks have been very obscure, indeed, if there is pertinence in that question, with all respect to the Senator from New York. I ascribe it to the unjust system of taxation under these tariff laws. I ascribe it to the enormous profits made by these manufacturers who are in partnership with the Government. No better description could be given of the present condition of this country than Andrew Jackson gave to the people of the United States——

Mr. HISCOCK. Would it not be wise for the other States to step in and take the benefit of the system, as Missouri seems to be in a fair way of doing now?

Mr. VEST. Mr. President, there is the fallacy of all the protection orators in this country. My State can have manufactories, but it must always be largely an agricultural region. That question is not fixed by mortal man. It has been fixed by the God that made the universe. He has stamped indelibly upon the surface of this country the nature of the pursuits of its people just as much as climatic distinctions have made the difference in production, and the difference in labor, and the difference in pursuits of the people of the earth.

Mr. HISCOCK. Naturally is Missouri more of an agricultural State than Ohio?

Mr. VEST. I should think not; but I am not certain. There are more manufactures possibly in Ohio.

Mr. HISCOCK. I will make another comparison. Is it naturally more of an agricultural State than New York?

Mr. VEST. I suppose relatively to acreage it is. It must be. I have no doubt of that. The difference between the Western States, let me say to the Senator——

Mr. HISCOCK. I believe that there are more natural resources for manufacturing in Missouri than there are in New York.

Mr. VEST. I have no doubt about that.

Mr. HISCOCK. A far greater variety.

Mr. VEST. I think the natural resources of Missouri, without any State pride interfering with my judgment, are greater than those of any other State in the Union by far. That is my deliberate judgment, and I do not think at my time of life I am prejudiced or biased in regard to that opinion.

The Senator asks me, why does not Missouri share in manufacturing? Simply because the capital is in the New England States, and not with us. We are the borrowers and you are the lenders. Why ask that of a Western man, who can not go down through the streets of a single Western city without seeing placards upon almost every door, "Money to lend by the New England Saving Association," or "the Connecticut Life Insurance Company," or "the Massachusetts Deposit Company;" money to lend at 6 per cent. upon real estate, with, as a matter of course, 2 per cent. commission to the agent that effects the loan? What is the result of that to-day?

The Western States, with their enormous agricultural and mining resources, are mortgaged to the capital of New England that has been accumulated under this system of taxation, against which, as I was proceeding to say, Andrew Jackson warned his fellow-citizens in his veto message upon the extension of the charter of the Bank of the United States. That great Democrat said then, and it occurs to me in every canvass and every debate: "I warn my countrymen that there are rich men in this country who propose to become richer by using governmental power in order to put money in their pockets;" and this system is doing that identical thing to-day.

Senators ask me why my State does not go into this. Why, sir, it reminds me of a homely story of a traveler who was going through Texas at an early day and met a dilapidated old countryman, whom he employed as a guide. They went through a beautiful country, where the flowers were springing up and the cattle were grazing, and the beneficence of nature was marked upon every foot of the soil, and this old pioneer said, "I saw the time when I could have bought 3 leagues of land here for $10." "Why, in the name of Providence," said the traveler, "didn't you do it?" "I didn't have the $10," was the reply. You ask us why we do not go into manufactures. Why, Mr. President, the capital of the country has monopolized the manufactures, and it proposes to hold them.

Mr. DAWES. I am not a great business man, but I suggest to the Senator to consider this as a business proposition. If you can borrow money from the New England States at 6 per cent. and make 30 per cent. by going into manufacturing, why do you not go into that as a business proposition?

Mr. VEST. I will answer the Senator. Manufacturing is a science and an art combined. The man who takes up manufacturing without being an expert, without being raised and trained to it, is upon the road to bankruptcy as inevitably as my hand obeys my brain. It is a science, and it is an art besides. I mean it is both. New England at one time had a monopoly of commerce in this country, or of the carrying trade, until England discovered the art of making ships out of iron, and then the people of New England, whose acuteness, intellect, and energy I respect as much as any man living, immediately accepted the situation and dropped the carrying trade and took up manufactures, and to-day the balance of this country is tributary to those four millions of people, with New York and Pennsylvania added under this system; and those who oppose it labor under this disadvantage, that all the wealth, all the capital—and I speak, of course, relatively—together with intellect and energy combined, are massed together to defend the system which feeds itself by its own frauds. Those of us who oppose it, to use a homely expression, are fighting up hill. We expect to educate the people, but we are doing it against the money of the country and the mercenary instinct of the country, which is upon the other side.

It was asked me, why do my people not go into manufactures? One argument repeated *ad nauseam* all over this country during the canvass was, if you do not keep up the protective system all the people of the country will turn farmers; they will leave the factories and go out upon the farms in the country. A more absurd proposition was never advanced. Artillery, cavalry, and infantry could not drive them out of the cities and out of the factories. They do not want anything else. They know nothing else.

Mr. TELLER. I would ask the Senator, if these people are to stay in the cities, what are they to do if they do not manufacture? Does not the Senator know that if they cease to manufacture they must get out of the cities or starve to death?

Mr. VEST. If the money in this bill were to go to the artisans themselves it would do away with much of my objection to the legislation, bad as it is. It does not go to them. It goes to the capitalist, to the manufacturer, and there is the vice and the iniquity of the whole system. There is not one single item—I speak in all reason—in this bill in which the Senators who made it are willing to put a fair tax which will cover the labor interest of the United States—not one. It was illustrated here in the vote which we took yesterday upon steel beams and steel and iron forms. There the labor was 22.5 per cent. and the tax put on to protect American labor was 102.75 per cent.

Mr. TELLER. I ask the Senator if he means to state that in the construction of a steel beam all that the laborer gets out of it is 22 per cent.

Mr. VEST. That is the statement of the census.

Mr. TELLER. It is not the statement of the census, either.

Mr. VEST. It is.

Mr. HOAR. One of the processes the census was speaking of.

Mr. TELLER. Yes, it was one of the processes. The Senator knows

that it was testified before a committee of the House by Abram S. Hewitt that that was not true; that more than 90 per cent. of it was labor.

Mr. VEST. Now, we get back to that old absurdity that the cost of labor must commence with the taking of the ore out of the ground.

Mr. TELLER. It must.

Mr. VEST. It must not, and if the Senator stands upon that he will find on reflection that it is a pure, absolute absurdity. I spoke of that the other day in the absence of the Senator, and I said then and I repeat now, that no better illustration could be had of it than this single proposition. Suppose it is proposed to protect the tailor who makes my coat, at what point in the process are you to protect him? Are you to go back to the sheep and take the wool from his back and then wash it and card it and then manufacture it, and are all these processes to be added up in the protection of the tailor, or do you not take the cost to him of the cloth, which is a finished product when it comes to his hands, and which includes all antecedent cost?

Mr. TELLER. The Senator will allow me to say that that is not an illustration at all. If he will take the clothier who made the cloth, that would be a fair illustration. If he takes the man who commences from the bottom, the man who makes cloth to sell, and then manufactures it into coats, that will do. If he has gone through all the processes to the man who takes the finished article from my hand and I protect him, that is another thing. When you protect the maker of structural beams, you protect every man below him.

Mr. VEST. Why, Mr. President, what is the raw material of steel beams and structural forms? Is it not the Bessemer pig-iron? Mr. Hewitt has been quoted. I have Mr. Hewitt's statement here.

Mr. TELLER. Suppose you read it.

Mr. VEST. Mr. Hewitt stated emphatically that it depended upon what point in the manufacture you commenced.

Mr. HISCOCK. No; he stated at every point in the manufacture.

Mr. VEST. When he was speaking in regard to the protection he said that depends upon the point at which you commence.

Mr. HISCOCK. Yes; he meant the protection you had.

Mr. TELLER. I would suggest that the Senator from Missouri read what Mr. Hewitt said.

Mr. HISCOCK. He added that in the process of manufacture, taken at every point, the labor cost over 90 per cent.; and I will say to the Senator that if he will take the tables of the Bureau of Statistics of Labor, and take iron and take the labor-cost of that which enters into the production of iron and trace it through, he will find that Mr. Wright brings out about the same result.

Mr. VEST. I adhere to my proposition, and it is unanswerable. It depends entirely upon what particular manufacturer or artisan is to be protected as to the logical results of any examination or proposition upon this subject. For instance, when the manufacturer of steel beams buys his pig-iron it is a finished product to him. He pays $18 a ton for it. Does not that pay for taking it out of the ground? Does not that pay for all the intermediate processes up to that time?

Now, when you come to the protection of the steel-beam and structural-iron manufacturer, the question is, what protection will you give him? In what? In turning pig-iron into beams or structural-iron forms. How much is the labor in that process, and what is the cost of it? Is it the cost of any of these intermediate operations up to the time he buys it? No, he pays that in the $18.

Mr. HISCOCK. But the Senator makes this mistake: In adjusting the duty which is to be imposed upon the steel beam to protect that the manufacturer must have his compensation for the duty which he practically pays upon the lower product. That is the point that the Senator loses sight of.

Mr. VEST. Not at all. I do not lose sight of it. The simple proposition to me as a legislator when he asks me for a protective duty is, what has this thing cost him, and if it is $18 that he pays for the pig-iron, does not that include everything? If it does not he would not give it. Then if the cost of labor in making the beams from pig-iron is $4.09, as was agreed upon between the Knights of Labor and Mr. Carnegie in 1887 and put under seal, does not that make the whole cost $22.09?

Mr. TELLER. That was only one stage of operation in making it.

Mr. VEST. That was turning it into plain steel beams, and that is the item in this bill which I was discussing when I made those remarks, and that is a finished article. I know the Senator from Ohio—I do not say he wanted to evade the argument, but he obscured it by talking about the higher price of structural forms. That does not affect the logic of this proposition. I am talking about one specific item of taxation. I say $22.09 was the cost in making that plain steel beam, and the majority of the Senate Finance Committee propose a tax of 102.75 per cent. for protection.

Mr. HISCOCK. Let me put to the Senator one other question. We will take the case of structural iron: The manufacturer commences, not with pig-iron, but with the limestone in the earth, the coal in the earth, the iron ore in the earth. He assembles them and makes his pig-iron, and goes right along up through until he brings out his structural iron. Is not that the way in which to test the amount of labor involved in his product?

Mr. VEST. That depends entirely on whether the same man does it all.

Mr. HISCOCK. In very many instances it is made in just that way.

Mr. VEST. That depends entirely on whether the same man takes the ore out of the ground and controls all the intermediate processes and then makes the structural forms. But the logic of the thing is the same.

Mr. HISCOCK. What difference does it make whether that one man does it, or whether two or three different men take part in the advancement of the iron to a higher state of manufacture?

Mr. VEST. That seems to me too plain for any sort of explanation.

Mr. DAWES. I should like to put a question.

Mr. VEST. Let me answer the Senator from New York.

Mr. HISCOCK. I should like to have my question answered.

Mr. VEST. As it seems to me, the proposition of the Senator from New York hardly needs an answer. Suppose Mr. Hewitt is demanding protection, and he pays out from his own pocket to each one of these people from the miner up; as a matter of course, he gets protection upon all of these products, or on the same product in different stages; but suppose another man steps in after the pig-iron is made and buys it, what is he protected on?

Mr. HISCOCK. Then the Senator undertakes to say that the man who commences with this material, not the very absolute raw material, and brings out a highly finished product, requires more protection, a higher degree of protection, than the man does who buys the pig-iron from somebody else who has produced it?

Mr. VEST. As a matter of course he has more protection for this reason——

Mr. HISCOCK. You claim that?

Mr. VEST. As a matter of course, and I should be illogical and absurd if I did not. Here is a man who takes the pig-iron at $18 a ton. He ought not to be protected on anything else except that.

Mr. HARRIS. Will the Senator from Missouri allow me to suggest that he would require, perhaps, the aggregation of all the elements of protection? For instance, the ore-digger is protected and his product is the raw material of the pig-iron maker. The pig-iron maker is protected. That is another and a more advanced stage of manufacture. The pig-iron goes into the beam manufacturer's hands as raw material to him. When you aggregate the protection given to the ore-digger, the protection given to the pig-iron manufacturer, and the protection given to the beam manufacturer, you get just the result when the work is performed by the three.

Mr. HISCOCK. I beg the Senator's pardon. He is entirely mistaken. The duty which is imposed upon structural iron covers the duty that is imposed upon the raw material from which it is made, or the iron from which it is made, and in every advance of progress of manufacture up to the time that it is produced as structural iron. That one duty imposed upon the structural iron covers it all, and you are not to add that duty to intermediate duties upon the lower forms of manufacture.

Mr. DAWES. I should like to put a question to the Senator from Missouri, if it does not annoy the Senator.

Mr. VEST. Not in the slightest.

Mr. DAWES. Suppose two men take iron ore and make structural iron out of it; one of them gets his iron ore and everything else in England, and the other has his iron ore and everything else here. The structural iron is produced in England in the one case and in America in the other. Now, the amount of work performed on each is substantially the same. The proportion of cost of labor in the one and labor in the other is the same; the proportion of the raw material is the same. When you come in the end to add up the amount of labor on that raw material in the one case and in the other, the difference in wages will show the cost of the structural iron in America in the one case and in England in the other; and the proportion will be just about the same; but structural iron as a whole in England is worth a great deal less than the structural iron in America. What is the reason? It is because the wages there are less.

About two months ago I had occasion to try to find out this thing myself, and I addressed a note first to the superintendent of a pig-iron furnace, whose owner was a distinguished and leading Democrat, occupying a prominent position in the Presidential campaign for three or four Presidential campaigns, and I asked him to state to me on paper what was the raw material and what was the labor in a ton of pig-iron. He figured it out within one-tenth of 90 per cent. He did not know what use I desired to make of it. Then I got the same thing from a structural-iron furnace in Cleveland. I asked them from their books to tell me what in the structural iron they built was raw material and what was labor, and it came out just about the same, not a difference of one-tenth.

Mr. VEST. I will reply to the Senator from Massachusetts, but I do not see how it touches the proposition I am discussing. In England pig-iron is worth about $12.50 a ton and in the United States about $18, a difference of five dollars and a half.

Mr. TELLER. What makes the difference?

Mr. VEST. As a matter of course the difference arises from the price of labor and the price of ore and the difference in the work. All these enter into that consideration. I do not propose to go into all the details

as a matter of argument, but I am simply stating results. I say the Englishman who pays twelve and a half dollars a ton on pig-iron pays all the expense up to that time. Does any Senator deny that? I say the American who pays $18 pays all the expense up to that time, and to him the American pig-iron is a finished product. Now suppose he stores it right there after he had paid $18 a ton, is not that the end of the operation? Has he not got his goods and paid his money? Is not the man who dug it out of the ground paid? Is not the man who worked it in the furnace paid? Is not the man who owned the ore paid by the purchaser? Is not that the end of it? How does it change the logic of the proposition to say it goes further and is made into structural forms and steel beams? Right there commences a new industry, right there commences a new protection according to the desire of Senators upon the other side, and in this bill is that item, protection on steel beams and structural forms in iron or steel.

I undertook to find out what is the cost of labor in changing pig-iron into these steel beams and forms, and I find that it is $5.33 a ton. I say I am willing, in order to protect American labor, which is the shibboleth of the protection party, to give you a protection of $10, but you will not take it.

Mr. TELLER. Five.

Mr. VEST. I will give five or ten; I will give ten and compromise on it; but that will not do. You must have 102.75 per cent. Now, after you have protected American labor and paid it off, where does the balance of the money go?

Mr. HISCOCK. I do not want to interrupt the Senator——

Mr. VEST. Oh, no; it is no interruption.

Mr. HISCOCK. I repeat that I understand the Senator to say this: That the manufacturer of structural iron who commences with the ore, with the limestone, and with the coal can not compete practically; that there is less labor-cost in his structural iron to him than there is to the man who buys the pig-iron or buys iron in the last advanced stage of manufacture previous to its being used for structural iron.

Mr. VEST. I do not say that.

Mr. HISCOCK. I understood the Senator to say that a little while ago.

Mr. VEST. Not at all.

Mr. HISCOCK. I ask the Senator if that is not the logic of his position?

Mr. VEST. Not at all. They both pay the same unless one has additional advantages or facilities.

Mr. HISCOCK. Is it not true that if the manufacturer makes from the absolute raw material in the earth the finished product, advancing it in his own shop from raw material up to that point, you are compelled to take into consideration as his labor-cost all that it has cost him to dig the ore from the earth, the coal from the earth, and the limestone from the quarry?

Mr. VEST. Mr. Hewitt, who manages every process, according to the Senator from New York, I presume pays just as much to the miner as the other man who simply makes the pig-iron and stops there. If Mr. Hewitt makes structural iron out of the pig-iron and manages the whole process from digging it out of the ground until the structural iron is made, the only difference between Mr. Hewitt and his competitors is just the difference in handling, because he handles it all himself.

Mr. HISCOCK. I agree to that.

Mr. VEST. Whereas the pig-iron would be taken to some other person——

Mr. HISCOCK. The question I ask is what is the labor cost in that structural iron, commencing back at the point at which I have asked the Senator to start?

Mr. VEST. I know I could very easily tell the Senator, but I have not counted it——

Mr. HISCOCK. Does it not include the labor-cost of the pig-iron?

Mr. VEST. The whole cost is included, up to the state of pig-iron, in the $18 paid for that.

Mr. HISCOCK. I grant that the $18 is paid for it, but I say in reply to that as I did to the Senator from Tennessee [Mr. HARRIS], that these duties are not piled one upon the other, but the last duty upon the more highly finished product is intended only to compensate for the increased labor-cost in advancing the article to that last stage.

Mr. VEST. That is from pig-iron to structural forms.

Mr. HISCOCK. It is just enough higher above the duty upon pig-iron, if that is the raw material, to compensate for the labor-cost in manufacturing it from pig-iron into structural iron. That is the theory of the tariff, and it is upon that theory that this bill is constructed.

Mr. HARRIS. Will the Senator allow me to say that I desired to state a minute ago, if I did not, that they were all aggregated in the final duty?

Mr. HISCOCK. They are all aggregated in the final duty.

Mr. HARRIS. All aggregated in the duty on the finished product.

Mr. HISCOCK. Yes; and I repeat what I said, that the duty upon pig-iron compensates for the labor-cost upon it; the duty upon the more finished product, upon the advancement of pig-iron to a higher stage of manufacture, the advanced duty upon that only compensates for the additional labor that goes in for the advancement of the product above the pig-iron state; and so on you go until you reach the highest product of either iron or steel.

Mr. VEST. This bill provides for a duty upon pig-iron. The Senator from New York certainly does not mean to say he would put that again in the duty on structural iron, does he?

Mr. HISCOCK. No; I mean to say, and I thought I made it clear——

Mr. VEST. I thought I made it clear.

Mr. HISCOCK. I do not think the Senator made it clear.

Mr. VEST. Very good; that is a difference of opinion.

Mr. HISCOCK. Certainly he did not to me. What I have been attempting to enforce is precisely what has been said by the Senator from Tennessee [Mr. HARRIS], that the final duty upon the more highly-finished product is simply the aggregation of the duties upon the iron in its different stages of advancement up to that finished product, at each stage there being a sufficient increase in the duty to compensate for the increased labor that has been expended in the advancement.

Mr. VEST. If this bill is framed upon that basis, it is an unjust and outrageous bill; it is a bill that imposes double and treble taxation.

Mr. HISCOCK. Oh, no.

Mr. VEST. More than that. Does the Senator mean to say—and I put the question to him distinctly—here we have a protective duty in order to protect pig-iron; is not that finished? Is not that complete? What right has he then to take that same duty and put it in the final result when that pig-iron is made into structural iron?

Mr. HISCOCK. For the reason that the man who buys the pig-iron out of which to make his structural iron has been compelled to pay that to the man from whom he purchased it. That is the reason why we do it. In the purchase price which he pays for it he really compensates the producer of the pig-iron for the money which he expended in the production of the pig-iron. That is the reason why it is done.

Mr. VEST. Well, Mr. President, I may be very obtuse, but it seems to me that the $18 on the pig-iron pays everything.

Mr. HISCOCK. It does pay everything on that, but it enters into the cost of the pig-iron. That I grant. Whatever the labor-cost there is in it enters into its price as a matter of course. When the man who makes structural iron buys it, he then returns in the price he pays for it to the man who produces the pig-iron the labor-cost of that pig-iron. So when you trace it through you will find the labor-cost through all the stages up is really returned to the man who makes the lower product. So far as the advanced stage of manufacture is concerned you will find it returned to him by the man who in the end uses it for the more highly finished product.

Mr. VEST. We will test this question again on steel rails, and if the Senator will take a pencil and piece of paper and dissect the selling price of structural iron in this country he will find it is $18 on pig-iron; then the cost of labor, then the profit to the producer of the structural form of the steel beam, and that makes the price. That is a mathematical proposition, and it needs no logic or argument about it.

I wanted to read, although it is not exactly applicable to this schedule, but in the line of the somewhat desultory argument going on, the testimony of a gentleman who figured very largely in this last canvass. Allusion has been made to a prominent Democrat in connection with protection—I suppose Mr. Hewitt; but here is a gentleman very well known in the United States. The Senator from Massachusetts knows him. He delivered some burning orations in the last canvass, and this illustrates how the tariff operates. This gentleman denounced Cleveland all over the United States on the tariff question, and I think did us as much harm, or more, in some directions, than any other adherent of the Republican party. I allude to General Ben. Butler. He made a speech in 1882, and I quote from it. I want to show the operation of the tariff from one of its own defenders now.

> I am one of the largest woolen manufacturers in the United States. I do not say this boastingly, but to show that I am not selfish in the views I hold. The cloth I wear [placing his hand on his coat-sleeve] is of my own manufacture, and I notice several gentlemen around me who wear the same. On these goods there is a tariff of 60 per cent. Republican orators and newspapers tell you this tariff is to protect the mill laborers. Twenty per cent. will pay our entire labor expenses. What do you suppose becomes of the other 40 per cent.?

That is the question; that is the burning question on all these schedules, what becomes of the other 40 per cent.?

> These same Republican orators and newspapers tell you it goes into the United States Treasury. Not a dollar reaches there. Every cent goes into my pocket. [Slapping his hand on his pocket vigorously to give emphasis to his words.] And every one of you is paying this bounty to the woolen manufacturers. The whole tariff scheme is an imposition and a fraud on the American people.

Mr. MCPHERSON. When was that?

Mr. VEST. In 1882. General Butler, I believe, was then opposed to the Republican party.

The PRESIDING OFFICER (Mr. FRYE in the chair). The question is on the amendment of the Senator from Texas [Mr. COKE].

Mr. COKE. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. SAULSBURY. I wish to say that while I shall vote for the amendment, I do not want it understood by that vote that I believe that a duty of 35 per cent. ought to be imposed upon cotton-ties and

that class of goods. I believe they ought to be upon the free-list, but I shall vote for the amendment because it is the only relief possible now, I suppose, to be had. I do not want my vote, therefore, to be misunderstood on that point.

The Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Colorado [Mr. BOWEN]. If he were here, I should vote "yea."

Mr. CAMERON (when his name was called). I am paired with the Senator from South Carolina [Mr. BUTLER]. If he were present, I should vote "nay."

Mr. EVARTS (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN]. I do not see him in his seat and therefore withhold my vote.

Mr. FAULKNER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. FRYE (when his name was called). I am paired with the Senator from Maryland [Mr. GORMAN].

Mr. WALTHALL (when Mr. GEORGE'S name was called). My colleague [Mr. GEORGE] is paired with the Senator from New Hampshire [Mr. BLAIR].

Mr. HALE (when his name was called). I am paired with the Senator from Kentucky [Mr. BECK]. Otherwise I should vote "nay."

Mr. HARRIS (when his name was called). The Senator from Rhode Island [Mr. ALDRICH], who was called home last night, requested me to pair with him for the day that he expected to be absent. I will, therefore, announce the pair. I should vote "yea" if the Senator from Rhode Island were present.

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN]. If I were at liberty to vote on this question I should vote "nay."

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL]. If he were present, I should vote "yea."

Mr. TELLER (when his name was called). I am paired with the Senator from Louisiana [Mr. GIBSON], but have transferred that pair to the Senator from Connecticut [Mr. PLATT]; therefore I vote "nay."

The roll-call was concluded.

Mr. DAVIS. My colleague [Mr. SABIN] is paired with the Senator from West Virginia [Mr. KENNA].

The result was announced—yeas 19, nays 23; as follows:

YEAS—19.

Bate,	Eustis,	Pugh,	Vance,
Cockrell,	Gray,	Ransom,	Vest,
Coke,	Jones of Arkansas,	Reagan,	Walthall,
Colquitt,	McPherson,	Saulsbury,	Wilson of Md.
Daniel,	Payne,	Turpie,	

NAYS—23.

Allison,	Edmunds,	Morrill,	Spooner,
Chace.	Hawley,	Paddock,	Stewart,
Chandler,	Hiscock,	Palmer,	Stockbridge,
Cullom,	Hoar,	Plumb,	Teller,
Davis,	Ingalls,	Sawyer,	Wilson of Iowa.
Dawes,	Mitchell,	Sherman,	

ABSENT—34.

Aldrich,	Call,	Gorman,	Pasco,
Beck,	Cameron,	Hale,	Platt,
Berry,	Dolph,	Hampton,	Quay,
Blackburn,	Evarts,	Harris,	Riddleberger,
Blair,	Farwell,	Hearst,	Sabin,
Blodgett,	Faulkner,	Jones of Nevada,	Stanford,
Bowen,	Frye,	Kenna,	Voorhees.
Brown,	George,	Manderson,	
Butler,	Gibson,	Morgan,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading of the substitute will proceed.

The Chief Clerk read paragraphs 138 and 139, as follows:

138. Nails.—Cut nails and cut spikes of iron or steel, 1 cent per pound.

139. Horseshoe nails, hob nails, and all other wrought iron or steel nails, not specially enumerated or provided for in this act, 4 cents per pound.

Mr. VEST. Mr. President, this item 139 is put back to the present existing rate of duty, whilst the Mills bill or House bill reduced it to 47.66 per cent. I simply want to say that this is one of the articles that enter into the daily life of the people of the United States, especially in the agricultural districts. It is as far removed from an article of luxury as any domestic manufacture in the United States can possibly be; and I want to call attention to the fact that under the census of 1880 iron nails, spikes, cut or wrought, which is this article, is stated at $5,629,240 as the product and $1,255,171 for labor, being a relative per cent. or proportion of the labor used in the manufacture of 22.3 per cent. Now the duty the committee insist upon is 76.26 per cent.

The margin is beyond all reason. It is out of proportion to what justice would demand, and especially for an article of this kind, and I shall move, therefore, as the proper way to bring up the question, to strike out 76.26 per cent. and insert 47.66.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Missouri will be reported. Will the Senator from Missouri indicate the line?

Mr. VEST. I used the ad valorem rate, but I want to put it back to 2½ cents a pound, which is the amount in the House bill. I move to strike out "4 cents per pound" and insert "2½." I have not the bill before me.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In paragraph 139, line 502, it is proposed to strike out "4," and insert "2½;" so as to read:

139. Horseshoe nails, hob nails, and all other wrought iron or steel nails, not specially enumerated or provided for in this act, 2½ cents per pound.

Mr. VEST. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. HISCOCK. Mr. President, as I understood the Senator from Missouri, he restated that which he has been contending for as to the amount of labor which enters into the labor cost of these nails. After the free discussion which we had a few moments ago upon another item in the bill, I hardly think it worth while for me to restate the position I occupy in reference to that; which is that in the labor cost of these nails we must take into account all the labor which is involved in the production of all the materials in the different processes of advancement until the product is delivered as the nails described in this case.

The evidence before the committee which prepared this bill was that according to the price the manufacturers of these nails are compelled to pay for the raw material out of which they are manufactured, a reduction of their protection as proposed in the House bill would absolutely destroy the industry in the United States, and on that question there was no conflict of evidence whatever. As the Senate can well see, if the duties are to be maintained upon the iron and steel schedule up to the point we have now reached, that must be the case. No reduction has been made upon the class of raw material from which these nails are made, and therefore the committee recommended the holding of this item as in the present law.

I may add, that while there is not a large importation of these nails into this country, there is some considerable importation of them coming from Canada, and they are sharply competing with the manufacturers in the Northern States near the line of Canada in the production.

Mr. VEST. I notice, Mr. President, in item 138, "cut nails and cut spikes of iron or steel," the duty on which in the existing law is 1¼ cents per pound and which is reduced in the House bill to 1 cent per pound with the same reduction in the Senate bill, but when it comes to "horseshoe nails, hob nails, and all other wrought iron or steel nails, not specially enumerated," on which the existing duty is 4 cents per pound and which the House bill reduces to 2½ cents per pound, the duty of 4 cents a pound is retained by the Senate bill. I must confess frankly that I have not had time to read the testimony. I have been as industrious as I could, but I am not able to state or conjecture why that difference is made.

Mr. HISCOCK. I will say in explanation, so far as that provision is concerned, that machinery enters so much more into the manufacture of the articles in the first item referred to that it was concluded that a reduction should be made at that point, and in reference to the next clause that a reduction should not be made.

Mr. VEST. Without having had my attention directly called to it, I have been under the impression that machinery was used in the manufacture of all these nails.

Mr. HISCOCK. There is; but, as I stated, after a careful investigation it was concluded that a discrimination should be made between the two, and as to one the reduction could be made and as to the other it could not be.

Mr. VEST. The testimony that was given before that committee of course came from interested parties; and under a familiar rule of law it is to be looked upon with a great deal of allowance, if not suspicion. Horseshoe nails and hob nails, which are used by the common people of the country for every-day purposes and in the blacksmith shops out in my country in the West, are matters of prime necessity. The enormous quantity of 63,006 pounds—of course I speak sarcastically—amounting in value to $3,305.18, was imported into this country in 1887.

It is not a very great matter to anybody else, but it is of very considerable importance to the people out in the West especially, who are obliged to have this particular article—of course it is used North, West, East, and South. It seems to me, without arguing the principle at all, that it ought to be put back to 2½ cents a pound.

I shall not go back to the argument between the Senator from New York and myself as to the cost of labor and how the duty ought to be imposed. He is very wrong or I am very wrong, but we are certainly very far apart on that proposition.

I understand that the man who made this iron had his protective duty, and when it left his hands it left them as a finished product, and then the manufacturer who puts it into these nails also is protected; and to go back to consider the cost of labor from the time that iron came out of the mine and add it to the manufacturer's protection is simply to accumulate duty upon duty.

The PRESIDENT *pro tempore*. The question is on the amendment

of the Senator from Missouri [Mr. VEST], on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. BERRY (when his name was called). I failed to announce on the amendment proposed by the Senator from Texas [Mr. COKE], voted upon this morning, the pair between the Senator from Oregon [Mr. DOLPH] and myself. If he had been present, I should have voted "yea," and the Senator from Oregon would have voted "nay." I vote "yea" on this amendment.

Mr. CALL (when his name was called). I am paired with the Senator from Colorado [Mr. BOWEN]. If he were present, I should vote "yea."

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. WALTHALL (when Mr. GEORGE'S name was called). My colleague [Mr. GEORGE] is paired with the Senator from New Hampshire [Mr. BLAIR]. I desire this announcement to apply to all the yea-and-nay votes taken during the day.

Mr. HARRIS (when his name was called). I agreed yesterday to pair with the Senator from Rhode Island [Mr. ALDRICH] during this day. I understand the Senator from South Carolina [Mr. HAMPTON] is absent and without a pair. I therefore transfer the pair of the Senator from Rhode Island to the Senator from South Carolina, and I vote "yea."

Mr. HISCOCK (when his name was called). I am paired with the Senator from Arkansas [Mr. JONES]. If he were present, I should vote "nay."

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL]. If he were present, I should vote "yea."

The roll-call was concluded.

Mr. TELLER. The Senator from Connecticut [Mr. PLATT] is paired with the Senator from Louisiana [Mr. GIBSON].

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. MANDERSON. I again announce my pair with the Senator from Kentucky [Mr. BLACKBURN]. If he were present, I should vote "nay."

Mr. WALTHALL (after having voted in the affirmative). May I ask if the Senator from Wisconsin [Mr. SPOONER] has voted?

The PRESIDENT *pro tempore*. He is not recorded.

Mr. WALTHALL. Then I withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from Mississippi withdraws his vote.

The result was announced—yeas 21, nays 24; as follows:

YEAS—21.

Bate,	Eustis,	Pugh,	Vest,
Berry,	Gorman,	Ransom,	Voorhees,
Cockrell,	Harris,	Reagan,	Wilson of Md.
Coke,	McPherson,	Saulsbury,	
Colquitt,	Morgan,	Turpie,	
Daniel,	Payne,	Vance,	

NAYS—24.

Allison,	Dolph,	Ingalls,	Sawyer,
Chace,	Edmunds,	Mitchell,	Sherman,
Chandler,	Evarts,	Morrill,	Stewart,
Cullom,	Frye,	Paddock,	Stockbridge,
Davis,	Hawley,	Palmer,	Teller,
Dawes,	Hoar,	Plumb,	Wilson of Iowa.

ABSENT—31.

Aldrich,	Call,	Hampton,	Platt,
Beck,	Cameron,	Hearst,	Quay,
Blackburn,	Farwell,	Hiscock,	Riddleberger,
Blair,	Faulkner,	Jones of Arkansas.	Sabin,
Blodgett,	George,	Jones of Nevada,	Spooner,
Bowen,	Gibson,	Kenna,	Stanford,
Brown,	Gray,	Manderson,	Walthall.
Butler,	Hale,	Pasco,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Secretary read as follows:

140. Wire nails made of wrought iron or steel, 2 inches and longer, not lighter than No. 12 wire gauge, 2 cents per pound; from 1 inch to 2 inches in length, and lighter than No. 12 and not lighter than No. 16 wire gauge, 2½ cents per pound; shorter than 1 inch and lighter than No. 16 wire gauge, 4 cents per pound.

Mr. VEST. I should like to know from the committee why it is that they make such a distinction as to these iron nails. In one item, "1 inch to 2 inches in length, and lighter than No. 12 and not lighter than No. 16 wire gauge," they retain the duty as in the House bill. In the preceding paragraph, on "2 inches and longer, not lighter than No. 12 wire gauge," they reduce even below the House bill, a half cent. In the existing law it is 4 cents; in the House bill 2½ cents: in the Senate substitute 2 cents, and upon the last item, "shorter than 1 inch and lighter than No. 16 wire gauge," which in the existing law is 4 cents a pound, the House bill reduces it 2½ cents, and the Senate committee put it back to 4 cents a pound. This is all a matter of machine work, and why is this distinction made?

Mr. ALLISON. The Senator alludes to the House bill. The House bill leaves the larger size of nails at 2½ cents a pound, and the smaller size it reduces to 2½ cents a pound. It is more expensive to make a pound of nails shorter than an inch and lighter than No. 16 wire gauge than it is the larger size. We have graded these nails somewhat according to their size. I think the Senator will find it all right if he will look at it carefully.

Mr. VEST. If that be so, how does the Senator explain the first item, which is 2 inches and longer, not lighter than No. 12 wire gauge? That is reduced from 4 cents to 2 cents a pound, and in the last item 4 cents a pound is put upon the smaller nails, shorter than 1 inch and lighter than No. 16 wire gauge, which is kept at 4 cents.

I suppose there is some technical reason for it, but I can not understand, when the nails are made in the same factory and with the same machinery, that there is such a difference of duty as from 4 cents to 2½ cents and in the other case the duty is retained upon a still larger nail. If the argument of the Senator from Iowa holds, it ought to apply to all these items.

Mr. ALLISON. I will say to the Senator that the committee in looking this matter over believed 2 cents a pound was high enough for the larger-sized nails, and therefore we reduced the duty; and these small nails we supposed were more expensive to manufacture, and so we retained the old rate. That is a repetition, perhaps, of what I said before, but that is the best answer I can give to the Senator.

Mr. VEST. I will not make the motion which I intended in regard to it, although it seems to me the items are not consistent with each other.

The PRESIDENT *pro tempore*. The reading will proceed.

The Secretary read as follows:

141. Railway-bars, made of iron and steel, and railway-bars made in part of steel, T-rails, and punched iron or steel flat rails, seven-tenths of 1 cent per pound.

Mr. VANCE. I move, in line 512, to strike out "seven-tenths of 1 cent per pound" and insert "$11 per ton."

The PRESIDENT *pro tempore*. The amendment will be stated from the desk.

The CHIEF CLERK. In line 512, after the word "rails," it is proposed to strike out the words "seven-tenths of 1 cent per pound" and insert "$11 per ton;" so as to read:

141. Railway-bars, made of iron and steel, and railway-bars made in part of steel, T-rails, and punched iron or steel flat rails, $11 per ton.

Mr. MCPHERSON. I should be very much pleased indeed if some member of the committee, the chairman for instance, would give me some reason why this duty should be maintained at the rate of $15.68 per ton. I have learned something of the operations of railroads and their history in past years in the purchase of iron and steel rails. I was recently informed of a transaction that occurred between a certain railroad corporation and a certain manufacturing establishment in this country for the manufacture of iron and steel rails, where a large purchase and sale of these rails was made, consisting of 30,000 or 40,000 tons, I think, in one operation, at $31 per ton.

The rate, as I understood, on the same day free on board at London or Liverpool, in a foreign market, was $20 per ton, to which the addition of the $11 per ton proposed by the Senator from North Carolina would meet exactly the transaction itself, the foreign cost plus the protection which the Senator from North Carolina proposes to afford. If rails can be manufactured and sold at a profit at $31 per ton, why give the combination of steel-rail manufacturers of this country $4.68 additional bounty? That is the question I rose to ask; why give them more bounty than they need to protect them? They certainly have protection enough at $11 when they make a sale of rails at $31 a ton. Why give them $4.68 a ton more?

In looking at this duty I find that the protection has been ample, and that during the past year there was only collected out of the great number of millions of dollars' worth of steel rails bought in this country for new structures, for repairs, for renewals, and for all purposes on 130,000 miles of railroad in the United States, less than a million of dollars, when in 1887, at these high rates of duty, the value of the entire product was only $998,096. It seems to me as though a less rate of duty would be amply sufficient; and when you come to consider that for every increase of duty here given, under the great steel and iron rail combinations which have been formed in this country and which, as I believe, own the patents for the manufacture of this product—when you come to add that increase of duty and consider that every increase of cost in that way adds to every item of transportation, both of passengers and freight, and the moving of products all over this country, for certainly some consideration must be given to the investors in railroad property and to the cost of road-bed and the cost of machinery which pulls the train, in making up a statement of this kind and in making up a tariff bill—if, I say, $11 a ton does represent, and I think I speak correctly when I say broadly it does represent, the difference in cost here and abroad thoroughly and fully. I not only speak of the labor-cost, but I speak of the other ingredients that enter into the cost, for certainly the labor-cost in making a ton of iron rails is very insignificant as compared with $15.68 per ton which is here afforded.

The PRESIDENT *pro tempore*. Is the Senate ready for the question on the amendment of the Senator from North Carolina?

Mr. VANCE. Let us have the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Colorado [Mr. BOWEN]. If he were present, I should vote "yea."

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

Mr. HARRIS (when his name was called). I announce the pair of the Senator from Rhode Island [Mr. ALDRICH] with the Senator from South Carolina [Mr. HAMPTON] and record my vote "yea."

Mr. HISCOCK (when his name was called). I am paired with the Senator from Arkansas [Mr. JONES], or I should vote "nay."

Mr. BERRY (when the name of Mr. JONES, of Arkansas, was called). I desire to announce that my colleague [Mr. JONES, of Arkansas] is paired with the Senator from New York [Mr. HISCOCK]. My colleague, if present, would vote "yea."

Mr. MORGAN (when his name was called). I announce my pair with the Senator from New York [Mr. EVARTS]. If he were present, I should vote "yea."

The roll-call was concluded.

Mr. FRYE (after having voted in the negative). I withdraw my vote and announce my pair with the Senator from Maryland [Mr. GORMAN].

Mr. TELLER. The Senator from Connecticut [Mr. PLATT] is paired with the Senator from Louisiana [Mr. GIBSON]. I will announce this once for all now. As both are absent from the Senate and will be gone for the day, I need not announce it again.

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN]. If he were present, I should vote "nay."

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

The roll-call having been concluded, the result was announced—yeas 18, nays 21; as follows:

YEAS—18.

Bate,	Eustis,	Reagan,	Voorhees,
Berry,	Gray,	Saulsbury,	Walthall,
Cockrell,	Harris,	Turpie,	Wilson of Md.
Coke,	McPherson,	Vance,	
Colquitt,	Ransom,	Vest,	

NAYS—21.

Allison,	Hawley,	Palmer,	Stockbridge,
Chace,	Hoar,	Plumb,	Teller,
Chandler,	Ingalls,	Sawyer,	Wilson of Iowa.
Cullom,	Mitchell,	Sherman,	
Davis,	Morrill,	Spooner,	
Dolph,	Paddock,	Stewart,	

ABSENT—37.

Aldrich,	Daniel,	Hale,	Payne,
Beck,	Dawes,	Hampton,	Platt,
Blackburn,	Edmunds,	Hearst,	Pugh,
Blair,	Evarts,	Hiscock,	Quay,
Blodgett,	Farwell,	Jones of Arkansas,	Riddleberger,
Bowen,	Faulkner,	Jones of Nevada,	Sabin,
Brown,	Frye,	Kenna,	Stanford.
Butler,	George,	Manderson,	
Call,	Gibson,	Morgan,	
Cameron,	Gorman,	Pasco,	

So the amendment was rejected.

Mr. MCPHERSON. I now move to strike out, in line 512, the word "seven-tenths" and insert "six-tenths."

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In paragraph 141, line 512, it is proposed to strike out "seven" and insert "six;" so as to read:

141. Railway bars, made of iron and steel, and railway bars made in part of steel, T-rails, and punched iron or steel flat rails, six-tenths of 1 cent per pound.

Mr. MCPHERSON. That will just about divide the difference between the two propositions; one is $11 per ton, the other is $15.68, while this is $13.44 a ton.

Mr. VEST. I intended to make a motion to fix this duty at $12 a ton, and I want to state that this is the most important portion of the bill, for the reason that this tax is imposed upon every pound of freight that is carried by the railroads of the United States.

The great question to the people of my State, the large grain-growing region of the country, is as to the transportation of grain to the seaboard. We compete with our corn and wheat in the free-trade markets of the world, and every cent of transportation comes directly, to all intents and purposes, out of the farmers of the great West. It is true the railroads pay these iron and steel manufacturers for their rails, but they immediately assess the price upon the producers in the great grain-growing States of the Northwest, and with interest. So this question is one directly affecting to an enormous extent my own constituents. This is a very great interest. There is no single item in this bill that involves as much value as the one we are now considering.

The census of 1880 shows that there were engaged in that year in this business 7,224 hands, receiving $3,286,900 in wages at $455 to the hand, or $1.45 a day, excluding Sundays. In 1887 the output was two and one-half times more than in 1880, and I will come to those figures in a moment. The duty now is 84.33 per cent. ad valorem, amounting to $17 a ton; the duty under the Senate substitute is 63.59 per cent. ad valorem, amounting to $15.68 a ton, whilst the House bill reduces it to $11 a ton.

Mr. HOAR. I should like to ask the Senator a question, with his leave.

Mr. VEST. Certainly.

Mr. HOAR. I would like to ask the Senator if he believes as a result of his observation and reading that the cost of railroad transportation in this country at present bears any relation whatever to the cost of the railroad?

Mr. VEST. That question is a very difficult one to answer.

Mr. HOAR. I understand the Senator's proposition to be that the cost of these rails comes out of the Western farmer, involving an opinion on the question I put.

Mr. VEST. I make that statement, and I do not think it can be successfully contradicted, although it is not susceptible of that logical analysis which other propositions might be submitted to. But it goes without saying that when the railroads pay for these steel rails they collect the additional cost or whatever the cost may be off the man that puts his freight upon the road, just as the importer puts the cost of the tariff tax, his gate-money to get into the markets of the United States, either to the full extent or to a less extent, varying with the conditions, upon the consumer.

The Senator from Massachusetts asked me a question which no mortal man can answer, for the reason that the railroads of the country, a great many of them, are managed upon what you might call a fictitious basis, with watered stock, without any reference to the value or cost of the road; but the proposition which is not touched by his question is this: That when a railroad pays so much for steel rails it gets it back; and how does it get it back? The roads must get it back from their customers, and their customers are my constituents, a portion of the grain-growing people of this country.

The price paid for steel rails in 1887—I think it was smaller in 1888—was $37.12½ a ton in the United States; in Liverpool the price was $21.10, making the price of laying down a ton of steel rails in the United States $40.50. That is to say, the duty, $17 a ton, and the freight, $2.50 a ton, added so much to the cost; and but for this duty of $17 a ton the English-made rails would cost here $23.60. The price for which the American rail was sold was $37.50. The production in the United States for 1887 was 1,749,888 tons, making a cost over and above the English rails in the aggregate to the consumers in this country of $27,731,602. In 1887 the number of men employed in the Bessemer pig-iron works was 7,147, and Bessemer pig-iron was worth $18 per ton. In the same year the English Bessemer pig-iron sold for $12.50 a ton, being a difference of $6.50 between the foreign and domestic article.

The cost of labor as agreed upon between the Knights of Labor and the Edgar Thomson Works in 1887 was $4.09, in converting the Bessemer pig-iron into steel rails. Now, if we allow 50 per cent., or $2, to cover the difference between labor in the United States and England, it would make the difference in pig-iron and labor, taking into consideration also the cost of the pig-iron in the two countries, $7.50; but we must take from these $2 for freight, which as a matter of course is a protective duty to that extent upon the article imported, and that would leave $5.50 a ton as the difference between the cost of pig-iron and the labor between the two countries. The cost of a ton of steel rails at the Edgar Thomson Works in 1887, according to that statement, was $26.79. If we give to these people $5 profit, which is a reasonable and a large one, it would make the cost of a ton of iron rails with the profit added $31.79—$5 a ton on the quantity of steel rails for 1887 produced in the United States makes $10,248,190; but the average price for 1887 was not $31.79; it was $37.12½, and that would make the profit for 1887 $21,171,760.

As a matter of course, out of that is to be taken the interest upon the plant and the cost of superintendence and clerks, etc., and still it left an enormous amount to be divided between the ten or twelve manufacturers, as there were in 1887, who controlled the market absolutely. Whether they had an actual trust—although I believe they had—is not pertinent now to what I state. They controlled the market and this was the amount that was divided between them.

Now, as a matter of course, if the Senator from New York is correct, the cost of turning the pig-iron into the steel rails is not $4.09, as the Knights of Labor thought, but it must go back and include all the cost of labor in the original processes from the time the iron came out of the mines.

We are confronted in all these items with the difference between him and myself on that propcsition, and if he is correct my argument goes for nothing; if I am correct this duty is enormous beyond all question. If there is more than a mere pretense when our friends upon that side of the Chamber say that their idea in this taxation is to protect American labor, there is an enormous surplus here over and above any reasonable protection to American labor, divided amongst these gentlemen year by year, which the laborer never sees and by no possibility can reach.

It was stated by a very reputable gentleman publicly in another branch of this Congress that Mr. Carnegie admitted his profits to be $1,500,000 in a single year. I have no doubt but that his profits are enormous; that they must be enormous is beyond any sort of question.

Therefore I shall vote for this or any other amendment which reduces this tax.

Mr. McPHERSON. I desire further to state in respect to this matter that the Senator from Missouri has not stated all the protection that the steel and iron combination have. They are also protected by patents. No other corporation, no individual can come in and manufacture the steel and iron used in this country.

Mr. PLUMB. Would the Bessemer patent be a protection against foreign importation?

Mr. McPHERSON. I do not know that it would.

Mr. ALLISON. I should like to say to the Senator that these steel-rail manufacturers are not protected by patents. All the patents have expired, but there is one process, I believe, that is still patented, and where parties use that process they pay a dollar a ton. All the other patents have expired.

Mr. McPHERSON. I had supposed myself that that was correct until I read the testimony that was taken before the committee and it surprised me somewhat, and that is the reason I raised the point.

Mr. ALLISON. Will the Senator read the testimony?

Mr. McPHERSON. I will; it is on page 149, where the Senator from Kentucky [Mr. BECK] asked the question of Mr. Wolff:

Is not the basic process covered by patents?

The basic process for the manufacture of steel—and I suppose it applies to iron rails as much as to billets or ingots—and Mr. Wolff answered:

Yes, sir; and American steel manufacturers own it, and we can not work it.
Mr. SWANK. Anybody can get in.
Senator BECK. It is covered by patents.
Mr. SWANK. You can get in by buying in; they own the patents.
Oh, yes—

Says Mr. Wolff—

the steel manufacturers own the patent.
Mr. SWANK. Anybody can get in by paying a royalty.

Now, the question is, who fixes the royalty? The American Steel and Iron Association fixed the royalty, and they may fix it at so high a rate that they will not permit any other manufacture at all. I will read further:

Senator BECK. I asked this man a question whether it was covered by a patent, and he said it was, and now I understand Mr. Swank to contradict him.
Mr. SWANK. It has been asserted time and again that no person except the corporations owning the patent can make basic steel. I wish to say that they can do so by paying a royalty.

That was my opinion.

Mr. ALLISON. I have later information than that.

Mr. McPHERSON. Mr. Wolff replies:

The gentleman here says that there is nobody making it in this country.

I do not know but that there may be a distinction between what is known as basic steel. Perhaps this applies to some particular purpose, but I understood when I commenced to read it that it was the basic process under which the steel is made.

Mr. ALLISON. No.

Mr. McPHERSON. Then there was some mistake in the print or some mistake in answering the question.

Mr. ALLISON. I will say that the basic process is not that. The patents have all expired; but there is a patent process for basic steel, and the uniform royalty is a dollar a ton, but that is used very greatly in this country.

Mr. McPHERSON. I call for the yeas and nays on my motion, because it seems to me that the amount I have proposed affords a sufficient protection, and it is a compromise between the two bills, the House bill and the Senate bill, $13.44 per ton.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Colorado [Mr. BOWEN]. If he were present, I should vote "yea."

Mr. CULLOM (when Mr. CAMERON'S name was called). The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. CHACE (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT].

Mr. FAULKNER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. Otherwise I should vote "yea."

Mr. HISCOCK (when his name was called). I am paired with the Senator from Arkansas [Mr. JONES], or I should vote "nay."

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL]. If he were present, I should vote "yea."

The roll-call having been concluded, the result was announced—yeas 19, nays 24; as follows:

YEAS—19.

Bate,	Eustis,	Morgan,	Vance,
Berry,	Gorman,	Ransom,	Vest,
Blackburn,	Gray,	Reagan,	Walthall,
Cockrell,	Harris,	Saulsbury,	Wilson of Md.
Coke,	McPherson,	Turpie,	

NAYS—24.

Allison,	Evarts,	Mitchell,	Sherman,
Chandler,	Frye,	Morrill,	Spooner,
Cullom,	Hawley,	Paddock,	Stewart,
Davis.	Hoar,	Palmer,	Stockbridge,
Dawes,	Ingalls,	Plumb,	Teller,
Dolph,	Manderson,	Sawyer,	Wilson of Iowa.

ABSENT—33.

Aldrich,	Chace,	Hampton,	Platt,
Beck,	Colquitt,	Hearst,	Pugh,
Blair,	Daniel,	Hiscock,	Quay,
Blodgett,	Edmunds,	Jones of Arkansas,	Riddleberger,
Bowen,	Farwell,	Jones of Nevada,	Sabin,
Brown,	Faulkner,	Kenna,	Stanford,
Butler,	George,	Pasco,	Voorhees.
Call,	Gibson,	Payne,	
Cameron,	Hale,		

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read paragraphs 142, 143, and 144, as follows:

142. Railway fish-plates or splice-bars, made of iron or steel, 1 cent per pound.
143. Rivets of iron or steel, 2½ cents per pound.
144. Sheets, of iron or steel, common or black, including all iron or steel commercially known as common or black taggers' iron or steel, and skelp iron or steel; valued at 3 cents per pound or less: Thinner than No. 10 and not thinner than No. 20 wire gauge, 1.1 cents per pound; thinner than No. 20 wire gauge and not thinner than No. 25 wire gauge, 1.2 cents per pound; thinner than No. 25 wire gauge and not thinner than No. 29 wire gauge, 1.4 cents per pound; thinner than No. 29 wire gauge, 1.5 cents per pound: *Provided*, That all common or black sheet-iron or sheet-steel not thinner than No. 10 wire gauge shall pay a duty as plate-iron or plate-steel.

Mr. McPHERSON. I see there is no change made in the existing law with respect to any of the kinds of manufactures named in paragraph 144 except in the last item, "thinner than No. 29 wire gauge." The present law imposes a duty of 30 per cent. ad valorem, and there seems to be an increase here to 64 per cent., more than double. The duty is doubled, and 4.25 per cent. added. I should like to know what the particular necessity is for that.

Mr. VANCE. In one particular I think it will increase the amount of the revenue. Under the present law there were imported last year 6,295,027 pounds, which paid a duty of $44,062.49. By the Senate bill this importation would have to pay a duty of $94,425.41, being an increase of $50,362.92 on this one item, or more than 116 per cent. over the present amount of duty. I can see no reason in the world for this increase, except simply to reduce the revenue under the protective system, reduce the revenue of the people I mean, not the revenue of the Government.

Mr. ALLISON. I think it probable that under the proposed rate of duty the importations will not be quite so large.

Mr. VANCE. I understand that. That is the regular protective idea, to reduce the revenue in the Treasury by making the duty prohibitory; put all the tax upon the people and increase the revenue of the men who make the sheet-iron! That is the idea, and the bill is consistent with that idea.

Mr. McPHERSON. If I understand the answer of the Senator from Iowa, it is proposed to make a prohibitory tariff on this particular article.

Mr. ALLISON. No, sir. I think the Senator does not understand me. Under the existing tariff these sheets "thinner than No. 29 wire gauge" come in at 30 per cent. ad valorem; that is, at a rate which prevents our own producers or manufacturers from making this kind of sheet-iron; and it is to enable them to compete with the foreign producer that we have placed them on an equality with other classes of sheet-iron and steel.

Mr. VANCE. I move to amend by restoring the old duty on sheet-iron "thinner than No. 29 wire gauge," the duty now being 30 per cent., and the proposed bill is to make it 64.25. I move to strike out "1.5 cents per pound" and insert "30 per cent. ad valorem."

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In line 527 it is proposed to strike out the words "1.5 cents per pound" and insert "30 per cent. ad valorem;" so as to read:

Thinner than No. 29 wire gauge, 30 per cent. ad valorem.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from North Carolina.

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Colorado [Mr. BOWEN]. If he were here, I should vote "yea."

Mr. CULLOM (when Mr. CAMERON'S name was called). The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. CHACE (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. If he were present, I should vote "nay."

Mr. COCKRELL (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR], who has been called out of the Senate Chamber for a short time and will return very soon. If he were present, he would vote "nay" and I should vote "yea."

Mr. BATE (when Mr. FAULKNER's name was called). I wish to announce that the Senator from West Virginia [Mr. FAULKNER] is necessarily absent, and is paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. HISCOCK (when his name was called). I am paired with the Senator from Arkansas [Mr. JONES], or I should vote "nay."

Mr. BERRY (when the name of Mr. JONES, of Arkansas, was called). My colleague [Mr. JONES, of Arkansas], if present, would vote "yea." He is paired on this vote with the junior Senator from New York [Mr. HISCOCK].

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL]. If he were present, I should vote "yea."

Mr. PUGH (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS].

The roll-call being concluded, the result was announced—yeas 17, nays 22; as follows:

YEAS—17.

Bate,	Gorman,	Reagan,	Walthall,
Berry,	Gray,	Saulsbury,	Wilson of Md.
Blackburn,	Harris,	Turpie,	
Coke,	McPherson,	Vance,	
Eustis,	Morgan,	Vest,	

NAYS—22.

Allison,	Frye,	Paddock,	Stewart,
Cullom,	Hawley,	Palmer,	Stockbridge,
Davis,	Ingalls,	Plumb,	Teller,
Dawes,	Manderson,	Sawyer,	Wilson of Iowa.
Dolph,	Mitchell,	Sherman,	
Evarts,	Morrill,	Spooner,	

ABSENT—37.

Aldrich	Chandler,	Hampton,	Pugh,
Beck,	Cockrell,	Hearst,	Quay,
Blair,	Colquitt,	Hiscock,	Ransom,
Blodgett,	Daniel,	Hoar,	Riddleberger,
Bowen,	Edmunds,	Jones of Arkansas,	Sabin,
Brown,	Farwell,	Jones of Nevada,	Stanford,
Butler,	Faulkner,	Kenna,	Voorhees.
Call,	George,	Pasco,	
Cameron,	Gibson,	Payne,	
Chace,	Hale,	Platt,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read paragraph 145, as follows:

145. Sheets, of iron or steel, corrugated or crimped, 1.4 cents per pound: *Provided*, That on all iron or steel sheets or plates, and on all hoop, band, or scroll iron or steel, excepting on what are known commercially as tin-plates, terne-plates, and taggers' tin, and hereafter provided for, when galvanized or coated with zinc or spelter, or other metals, or any alloy of those metals, three-fourths of 1 cent per pound additional duty shall be paid.

Mr. ALLISON. I ask that that paragraph 145 may be passed over for the present, and I ask the same in respect to paragraph 147. I ask unanimous consent for that.

The PRESIDENT *pro tempore*. It is so ordered, if there be no objection. The next paragraph will be read.

The Chief Clerk read paragraph 146, as follows:

146. Sheet-iron or sheet-steel, polished, planished, or glanced, by whatever name designated, 2½ cents per pound: *Provided*, That plate or sheet or taggers' iron or steel, by whatever name designated, other than the polished, planished, or glanced herein provided for, which has been pickled or cleaned by acid or by any other material or process, or which is cold-rolled, shall pay one-quarter of 1 cent per pound more duty than the corresponding gauges of common or black sheet or taggers' iron or steel.

Mr. ALLISON. I ask that paragraph 147 be passed over.

The PRESIDENT *pro tempore*. Paragraph 147 will be read and passed over.

The Chief Clerk read paragraph 147, as follows:

147. Sheets or plates, of iron or steel, or taggers' iron or steel coated with tin or lead, or with a mixture of which these metals, or either of them, is a component part, by the dipping or any other process, and commercially known as tin-plates, terne-plates, and taggers' tin, 1 cent per pound.

Mr. McPHERSON. I call the attention of the committee to paragraph 144, "thinner than No. 29 wire gauge." There seems to be an increase of duty from 41.60 to 88.14. Is that for the same reason that the Senator gave me a few days ago, to increase the production in this country?

Mr. VANCE. The Senator from New Jersey will allow me to read a little testimony taken by the Subcommittee on Finance on that subject.

The PRESIDENT *pro tempore*. Does the Senator yield?

Mr. McPHERSON. I yield.

Mr. VANCE. A gentleman by the name of W. H. Ainey, who appeared as the president of the Lehigh Iron Company, at Allentown, Pa., came before that committee, and his ideas in regard to the proprieties of protection and the methods of their application, I think, fully answer the questions of the Senator from New Jersey, so that he need not trouble the Senators who have this bill in charge. Mr. Ainey says:

Protection to American industries, if it has an object, would preserve our American markets for our home products.

When foreign products come into our markets and exclude an equal quantity of home product, the effect on the latter is the same whether it comes in free of duty or only pays a duty which enables it to displace the home product.

Hence, the actual importation of commodities which can and ought to be made here furnishes Congress at all times a safe and reliable guide for the protection of our American industries.

We used in 1887 of iron and steel 8,230,399 tons; we imported in 1887 of iron and steel 1,783,251 tons. Of the latter, 780,940 tons were pig and scrap iron, and 1,002,311 tons were manufactured iron and steel.

We could and should have made every ton of the 1,783,251 tons imported, and would have made it if adequately protected.

So anything that admits of importation at all needs protection and calls for the exercise of the protective power. There were only 6,074 pounds of these species of pickled or planished iron imported last year, and that calls for an increase of duty in order that it may not come in.

I move to amend, in paragraph 146, the line relating to sheet-iron "thinner than No. 29 wire gauge," by striking out "1.75 cents per pound," etc., and inserting "30 per cent. ad valorem and one-fourth of a cent per pound."

The PRESIDENT *pro tempore*. The words stated do not occur in paragraph 146.

Mr. VANCE. The analysis made by the Senate committee does not seem to correspond exactly at this point with the language of the bill. I will not detain the Senate with this matter. I will investigate and see where I can offer my amendment with propriety and ask permission to recur to it.

Mr. ALLISON. I will state to the Senator that paragraph 146 is the existing law, as is also the Mills bill, so that I do not suppose he cares to offer any amendment to that.

Mr. McPHERSON. Of taggers' iron or steel, which is enumerated in this paragraph 146, on which the present duty is 30 per cent. ad valorem and one-fourth of a cent per pound, the entire value of the importation in 1887 was $13,486. The duty has been here raised and an ad valorem duty under existing law from 39.18 per cent. to 64.24 per cent.——

Mr. ALLISON. What paragraph?

Mr. McPHERSON. I find it in the comparative statement made by the Treasury Department as to paragraph 146, and it is designated in the comparative statement made by the Treasury as taggers' iron and steel, of which the importations were as little as I mentioned, $13,486, showing that there was but very little importation; and therefore I presume the home manufacturers have the home market exclusively to themselves. I ask what the necessity was for increasing that duty from 39.18 per cent. to 64.24 per cent., when the home manufacturer already has the market?

Mr. ALLISON. I understand the question now. Under the existing law this class of taggers' iron and steel pays 30 per cent. ad valorem, as in the paragraph we discussed a moment ago, and a quarter of a cent a pound additional; and this is to correct that inequality in the existing law. I should say also to the Senator that paragraph 146 is the existing law. It is made to apply to steel as well as to iron. Steel is included now in paragraph 146, whereas under the existing law iron only is included.

Mr. VANCE. I think that by striking out the proviso in paragraph 146 my object will be accomplished.

The PRESIDENT *pro tempore*. The Senator from North Carolina moves to strike out of paragraph 146 the words which will be read.

The CHIEF CLERK. After the word "pound," in line 541, it is proposed to strike out the following proviso:

Provided, That plate or sheet or taggers' iron or steel, by whatever name designated, other than the polished, planished, or glanced herein provided for, which has been pickled or cleaned by acid, or by any other material or process, or which is cold-rolled, shall pay one-quarter of one cent per pound more duty than the corresponding gauges of common or black sheet or taggers' iron or steel.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from North Carolina.

Mr. VANCE. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Colorado [Mr. BOWEN]. If he were here, I should vote "yea."

Mr. CULLOM (when Mr. CAMERON's name was called). The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. COCKRELL (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR], who was called out on business a few moments ago. If present, he would vote "nay" and I should vote "yea."

Mr. HISCOCK (when his name was called). I am paired with the Senator from Arkansas [Mr. JONES], otherwise I should vote "nay."

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL]. If he were present, I should vote "yea."

The roll-call was concluded.

Mr. CHACE. I am paired with the Senator from Georgia [Mr. COLQUITT]. If he were present, I should vote "nay."

Mr. BATE. The junior Senator from West Virginia [Mr. FAULKNER] is necessarily absent for a few moments. He is paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. EVARTS. I am paired with the Senator from Alabama [Mr. MORGAN]. If he were present, I should vote "nay."

The result was announced—yeas 16, nays 18; as follows:

YEAS—16.

Bate,	Eustis,	McPherson,	Vance,
Berry,	Gorman,	Reagan,	Vest,
Blackburn,	Gray,	Saulsbury,	Walthall,
Coke,	Harris,	Turpie,	Wilson of Md.

NAYS—18.

Cullom,	Hawley,	Palmer,	Stockbridge.
Davis,	Ingalls,	Sawyer,	Teller,
Dawes,	Manderson,	Sherman,	Wilson of Iowa.
Dolph,	Mitchell,	Spooner,	
Frye,	Morrill,	Stewart,	

ABSENT—42.

Aldrich,	Chandler,	Hampton,	Platt,
Allison,	Cockrell,	Hearst,	Plumb,
Beck,	Colquitt,	Hiscock,	Pugh,
Blair,	Daniel,	Hoar,	Quay,
Blodgett,	Edmunds,	Jones of Arkansas,	Ransom,
Bowen,	Evarts,	Jones of Nevada,	Riddleberger,
Brown,	Farwell,	Kenna,	Sabin,
Butler,	Faulkner,	Morgan,	Stanford,
Call,	George,	Paddock,	Voorhees.
Cameron,	Gibson,	Pasco,	
Chace,	Hale,	Payne,	

The PRESIDENT *pro tempore*. The vote discloses the absence of a quorum. The Secretary will call the roll of the Senate.

The Secretary proceeded to call the roll, and the following Senators answered to their names:

Allison,	Dawes,	Ingalls,	Spooner,
Bate,	Dolph,	McPherson,	Stewart,
Berry,	Eustis,	Manderson,	Teller,
Blackburn,	Evarts,	Mitchell,	Turpie,
Call,	Frye,	Morrill,	Vance,
Chace,	Gorman,	Palmer,	Vest,
Chandler,	Gray,	Pasco,	Walthall,
Cockrell,	Hale,	Payne,	Wilson of Iowa,
Coke,	Harris,	Pugh,	Wilson of Md.
Cullom,	Hawley,	Reagan,	
Davis,	Hiscock,	Sherman,	

The PRESIDENT *pro tempore*. Forty-two Senators have answered to their names. A quorum is present.

Mr. ALLISON. The Senator from North Carolina has had a yea-and-nay vote upon this, and it discloses a majority against his amendment. If he will allow his amendment to pass in the negative, I will then yield to the Senator from Ohio [Mr. SHERMAN], who wishes to make a motion.

Mr. VANCE. Very well.

Mr. ALLISON. Then the motion of the Senator from North Carolina is lost. Let the question be put on the motion.

Mr. SHERMAN. The question might be put again by the sound, a quorum being present now.

The PRESIDENT *pro tempore*. The question may be taken by sound, the roll-call having disclosed the presence of a quorum.

Mr. HARRIS. The Senator from North Carolina can get unanimous consent to withdraw the amendment to accomplish the object desired by the Senator from Iowa.

Mr. VANCE. I will withdraw it for the present.

Mr. HISCOCK. Let it stand. The point is to make progress with the bill.

Mr. ALLISON. I want to get this paragraph out of the way. The Senator can withdraw his call for the yeas and nays.

Mr. VANCE. I withdraw the call.

The PRESIDENT *pro tempore*. The call for the yeas and nays being withdrawn, the question is on the amendment of the Senator from North Carolina [Mr. VANCE].

The amendment was rejected.

EXECUTIVE SESSION.

Mr. SHERMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until Monday, December 17, 1888, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate the 13th day of December, 1888.

DEPUTY FIRST AUDITOR OF THE TREASURY.

Orrin B. Hallam, of Kentucky, to be Deputy First Auditor of the Treasury, to succeed Ernest P. Baldwin, resigned.

APPOINTMENTS IN THE NAVY.

Patrick H. Bryant, a resident of Tennessee, and Luther L. Von Wedekind, a resident of Pennsylvania, to be assistant surgeons in the Navy, from November 3, 1888, to fill existing vacancies in that grade.

PROMOTIONS IN THE NAVY.

Passed Assistant Engineer Ralph Aston, a resident of Connecticut, to be a chief engineer in the Navy, from July 28, 1888, *vice* Chief Engineer Albert J. Kenyon, deceased.

Naval Cadet George F. Hawk, a resident of Pennsylvania, and Naval Cadet Edward T. Witherspoon, a resident of Connecticut, to be ensigns in the Navy, from July 1, 1888, to fill vacancies in that grade. Both are graduates of the Naval Academy.

Lieut. Commander Charles H. Rockwell, a resident of Massachusetts, to be a commander in the Navy, from October 31, 1888, *vice* Commander S. H. Baker, deceased.

Lieut. William I. Moore, a resident of West Virginia, to be a lieutenant-commander in the Navy, from October 31, 1888, *vice* Lieut. Commander C. H. Rockwell, promoted.

Lieutenant, junior grade, Nathaniel R. Usher, a resident of Indiana, to be a lieutenant in the Navy, from October 31, 1888, subject to the examinations required by law, *vice* Lieut. William I. Moore, promoted.

Ensign Nicholas J. L. T. Halpine, a resident of New York, to be a lieutenant, junior grade, from October 31, 1888, *vice* Lieut. N. R. Usher, junior grade, promoted.

PROMOTIONS IN THE ARMY.

Quartermaster's Department.

Lieut. Col. Henry C. Hodges, deputy quartermaster-general, to be assistant quartermaster-general, with the rank of colonel, October 19, 1888, *vice* Saxon, retired from active service.

Maj. George H. Weeks, quartermaster, to be deputy quartermaster-general, with the rank of lieutenant-colonel, October 19, 1888, *vice* Hodges, promoted.

Capt. Lewis C. Forsyth, assistant quartermaster, to be quartermaster, with the rank of major, October 19, 1888, *vice* Weeks, promoted.

Medical Department.

Capt. Leonard Y. Loring, assistant surgeon, to be surgeon, with the rank of major, October 9, 1888, *vice* Meacham, deceased.

Fourth Regiment of Cavalry.

Second Lieut. Charles P. Elliott, to be first lieutenant, October 2, 1888, *vice* Smith, appointed regimental quartermaster.

Ninth Regiment of Infantry.

Second Lieut. Albert S. McNutt, to be first lieutenant, October 17, 1888, *vice* Stivers, resigned.

Sixteenth Regiment of Infantry.

Second Lieut. Walter K. Wright, to be first lieutenant, October 1, 1888, *vice* Cushman, resigned.

NOTE.—Nominations for these promotions were sent to the Senate on October 15 and 19, 1888. The Senate adjourned October 20, 1888, without having acted on them.

GROVER CLEVELAND.

Medical Department.

Lieut. Col. Basil Norris, surgeon, to be surgeon with the rank of colonel, November 14, 1888, *vice* Baily, retired from active service.

Maj. Charles H. Alden, surgeon, to be surgeon with the rank of lieutenant-colonel, November 14, 1888, *vice* Norris, promoted.

Capt. Joseph K. Corson, assistant surgeon, to be surgeon with the rank of major, November 14, 1888, *vice* Alden, promoted.

Second Regiment of Cavalry.

Lieut. Col. David R. Clendenin, of the Third Cavalry, to be colonel, October 29, 1888, *vice* Sweitzer, retired from active service.

Third Regiment of Cavalry.

Maj. John J. Upham, of the Fifth Cavalry, to be lieutenant-colonel, October 29, 1888, *vice* Clendenin, promoted to the Second Cavalry.

First Lieut. James Allen, to be captain, October 29, 1888, *vice* Russell, promoted to the Fifth Cavalry.

Second Lieut. Thomas B. Dugan, to be first lieutenant, October 29, 1888, *vice* Allen, promoted.

Fifth Regiment of Cavalry.

Capt. Gerald Russell, of the Third Cavalry, to be major, October 29, 1888, *vice* Upham, promoted to the Third Cavalry.

Second Lieut. John P. Ryan, of the Fourth Cavalry, to be second lieutenant Third Cavalry, November 30, 1888, with rank from October 2, 1888, *vice* Dugan, promoted.

Fourth Regiment of Cavalry.

Additional Second Lieut. John P. Ryan, of the Third Cavalry, to be second lieutenant, October 2, 1888, *vice* Elliott, promoted.

Ninth Regiment of Infantry.

Additional Second Lieut. Matthew C. Butler, jr., of the Fourteenth Infantry, to be second lieutenant, October 17, 1888, *vice* McNutt, promoted.

Sixteenth Regiment of Infantry.

Additional Second Lieut. Capers D. Vance, of the Twenty-first Infantry, to be second lieutenant, October 1, 1888, *vice* Wright, promoted.

NOTE.—Nominations for these appointments were sent to the Senate October 15 and 19, 1888. The Senate adjourned October 20, 1888, without having acted on them.

Medical Department.

James D. Glennan, of the District of Columbia, to be assistant surgeon with the rank of first lieutenant, October 29, 1888, *vice* Lauderdale, promoted.

Alfred E. Bradley, of New York, to be assistant surgeon with the rank of first lieutenant, October 29, 1888, *vice* Loring promoted.

First Regiment of Artillery.

First Lieut. Allyn Capron to be captain, December 4, 1888, *vice* McCrea, promoted to the Fifth Artillery.

Second Lieut. Millard F. Harmon, to be first lieutenant, December 4, 1888, *vice* Capron, promoted.

Second Regiment of Artillery.

Lieut. Col. John Mendenhall, of the Fourth Artillery, to be colonel, December 4, 1888, *vice* Ayres, deceased.

Fourth Regiment of Artillery.

Maj. Richard H. Jackson, of the Fifth Artillery, to be lieutenant-colonel, December 4, 1888, *vice* Mendenhall, promoted to the Second Artillery.

Fifth Regiment of Artillery.

Capt. Tully McCrea, of the First Artillery, to be major, December 4, 1888, *vice* Jackson, promoted to the Fourth Artillery.

INTERSTATE COMMERCE COMMISSION.

Walter L. Bragg, of Alabama, to be an Interstate Commerce Commissioner; reappointment, his present term of office ending December 31, 1888.

POSTMASTERS.

Ambrose R. Megrue, to be postmaster at Bessemer, in the county of Jefferson and State of Alabama, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

William H. Morris, to be postmaster at Birmingham, in the county of Jefferson and State of Alabama, in the place of Maurice B. Thockmorton, deceased.

Miss Fannie Shuford, to be postmaster at Oxford, in the county of Calhoun and State of Alabama, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Eli S. Bray, to be postmaster at Paragould, in the county of Greene and State of Arkansas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

George L. McIntosh, to be postmaster at Chico, in the county of Butte and State of California, in the place of Robinson McG. Jones, resigned.

Nels Kellerup, to be postmaster at Black Hawk, in the county of Gilpin and State of Colorado, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Joseph B. Morton, to be postmaster at Yuma, in the county of Washington and State of Colorado, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

O. Sherwood Todd, to be postmaster at Clintonville, in the county of New Haven and State of Connecticut, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Walter W. Cowles, to be postmaster at Manchester, in the county of Hartford and State of Connecticut, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

William Hope, to be postmaster at Minot, in the county of Ward and Territory of Dakota, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

John T. McAneny, to be postmaster at Lisbon, in the county of Ransom and Territory of Dakota, in the place of Burritt B. Breed, resigned.

George W. Pratt, to be postmaster at Sturgis, in the county of Lawrence and Territory of Dakota, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

John B. Roberts, to be postmaster at Sandersville, in the county of Washington and State of Georgia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Lewis T. Brock, to be postmaster at Bellevue, in the county of Alturas and Territory of Dakota, in the place of Oliver S. Glenn, removed.

Levi Booth, to be postmaster at Chillicothe, in the county of Peoria and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Charles W. Jones, to be postmaster at Griggsville, in the county of Pike and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Walter C. Newberry, to be postmaster at Chicago, in the county of Cook and State of Illinois, in the place of S. Corning Judd, resigned.

Lewis H. O'Conor, to be postmaster at Austin, in the county of Cook and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Harry M. Rolston, to be postmaster at Kensington, in the county of Cook and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Mrs. Kittie L. Scott, to be postmaster at Galena, in the county of Jo Daviess and State of Illinois, in the place of D. Wilmot Scott, deceased.

Samuel P. Tufts, to be postmaster at Centralia, in the county of Marion and State of Illinois, in the place of Samuel G. Kell, removed.

Morman Fisher, to be postmaster at Huntingburgh, in the county of Dubois and State of Indiana, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Benjamin F. Price, to be postmaster at Seymour, in the county of Jackson and State of Indiana, in the place of Alexander A. Davison, resigned.

John J. Brennan, to be postmaster at Correctionville, in the county of Woodbury and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

George A. Enright, to be postmaster at Marcus, in the county of Cherokee and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Peter Johnson, to be postmaster at Estherville, in the county of Emmet and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

R. E. Kearney, to be postmaster at Sheldon, in the county of O'Brien and State of Iowa, in the place of J. J. Hartenbower, resigned.

Nicholas C. Stanton, to be postmaster at West Liberty, in the county of Muscatine and State of Iowa, in the place of Jonathan Maxson, whose commission expired January 15, 1888.

John B. Wilson, to be postmaster at Corning, in the county of Adams and State of Iowa, in the place of Henry F. Dale, resigned.

John M. Barnes, to be postmaster at Lyndon, in the county of Osage and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Henry C. Carter, to be postmaster at Baldwin, in the county of Douglas and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Dennis Foley, to be postmaster at Coolidge, in the county of Hamilton and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Willard N. Meyer, to be postmaster at Leoti, in the county of Wichita and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

John A. Simons, to be postmaster at Greenleaf, in the county of Washington and State of Kansas, in the place of Charles F. Howe, resigned.

Richard T. Hanson, to be postmaster at Donaldsonville, in the parish of Ascension and the State of Louisiana, in the place of Camille Mollere, removed.

Joseph Lawler, to be postmaster at Princeton, in the county of Washington and State of Maine, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

William A. Frothingham, to be postmaster at South Paris, in the county of Oxford and State of Maine, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Patrick Hamill, to be postmaster at Oakland, in the county of Garrett and State of Maryland, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Albert J. Almoney, to be postmaster at Rockville, in the county of Montgomery and State of Maryland, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Carrie L. Bourne, to be postmaster at Auburndale, in the county of Middlesex and State of Massachusetts, in the place of George L. Bourne, deceased.

John E. Burns, to be postmaster at West Quincy, in the county of

Norfolk and State of Massachusetts, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

True T. Locke, to be postmaster at East Pepperell, in the county of Middlesex and State of Massachusetts, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Charles G. Perry, to be postmaster at Hyannis, in the county of Barnstable and State of Massachusetts, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

James P. Richardson, to be postmaster at West Medford, in the county of Middlesex and State of Massachusetts, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Josiah G. Miller, to be postmaster at Bangor, in the county of Van Buren and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

L. Loana Stacy, to be postmaster at Tecumseh, in the county of Lenawee and State of Michigan, in the place of Consider A. Stacy, deceased.

Albert P. McIntyre, to be postmaster at Warren, in the county of Marshall and State of Minnesota, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Almond B. Davis, to be postmaster at Winnebago City, in the county of Faribault and State of Minnesota, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Byron Lemly, to be postmaster at Jackson, in the county of Hinds and State of Mississippi, in the place of Wirt Adams, deceased.

Jeremiah J. Hennessy, to be postmaster at White Sulphur Springs, in the county of Meagher and Territory of Montana, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Isaac Conner, to be postmaster at Ponca, in the county of Dixon and State of Nebraska, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

William J. Brennan, to be postmaster at Sidney, in the county of Cheyenne and State of Nebraska, in the place of William J. Brennan, whose commission expired July 1, 1888.

Adelia M. Barrows, to be postmaster at Hinsdale, in the county of Cheshire and State of New Hampshire, in the place of Warren S. Barrows, deceased.

Rufus F. Ingalls, to be postmaster at Gorham, in the county of Coos and State of New Hampshire, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

John B. Noyes, to be postmaster at Berlin Falls, in the county of Coos and State of New Hampshire, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Woolsey H. Alpaugh, to be postmastar at Boundbrook, in the county of Somerset and State of New Jersey, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Mary F. Strong, to be postmaster at Matawan, in the county of Monmouth and State of New Jersey, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

James H. Wynne, to be postmaster at Edgewater, in the county of Bergen and State of New Jersey, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Charles J. Ackert, to be postmaster at New Paltz, in the county of Ulster and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Augusta B. Berard, to be postmaster at West Point, in the county of Orange and State of New York, in the place of Augusta B. Berard, whose commission expired March 12, 1888.

Don C. Bishop, to be postmaster at Pulaski, in the county of Orange and State of New York, in the place of John T. McCarty, removed.

John H. Grapotle, to be postmaster at Cape Vincent, in the county of Jefferson and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

James R. Green, to be postmaster at Honeoye Falls, in the county of Monroe and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

E. Walker Griffis, to be postmaster at Hancock, in the county of Delaware and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Patrick Guinan, to be postmaster at Lima, in the county of Livingston and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1887.

Charles S. Harvey, to be postmaster at Hudson, in the county of Columbia and State of New York, in the place of J. Rider Cady, removed.

David H. Jennings, to be postmaster at Far Rockaway, in the county of Queens and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Jeremiah Medbury, to be postmaster at Cuba, in the county of Allegany and State of New York, in the place of George H. Swift, removed.

Hobart J. Moore, to be postmaster at Hammondsport, in the county of Steuben and State of New York, in the place of David Casterline, removed.

John Norton, to be postmaster at Glen Cove, in the county of Queens and State of New York, in the place of John W. Campbell, resigned.

Emma J. Saliers, to be postmaster at Floral Park, in the county of Queens and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

George H. Thompson, to be postmaster at Middletown, in the county of Orange and State of New York, in the place of Ira Dorrance, removed.

James C. Truman, to be postmaster at Binghamton, in the county of Broome and State of New York, in the place of Edward H. Freeman, removed.

Thomas D. Van Devort, to be postmaster at Dunkirk, in the county of Chautauqua and State of New York, in the place of Clarence M. Reed, removed.

Ellis Williams, to be postmaster at Granville, in the county of Washington and State of New York, in the place of Benjamin F. Ottarson, whose commission expired April 30, 1888.

John C. Hunt, to be postmaster at Lexington, in the county of Davidson and State of North Carolina, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

John M. Thomas, to be postmaster at Monroe, in the county of Union and State of North Carolina, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

James B. Christopher, to be postmaster at Jamestown, in the county of Greene and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Edward Donahue, to be postmaster at Middlebury, in the county of Summit and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

John E. Hanna, to be postmaster at McConnelsville, in the county of Morgan and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Webb E. Harmon, to be postmaster at Harbor, in the county of Ashtabula and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Micajah Nutt, to be postmaster at Waverly, in the county of Pike and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

David S. Spriggs, to be postmaster at Caldwell, in the county of Noble and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Joseph H. Windan, to be postmaster at Carey, in the county of Wyandot and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Patrick J. Duggan, to be postmaster at Dunmore, in the county of Lackawanna and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Robert I. Fleming, to be postmaster at Lock Haven, in the county of Clinton and State of Pennsylvania, in the place of William W. Rankin, deceased.

Francis Laird, to be postmaster at Saltsburgh, in the county of Indiana and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Grove G. Messenger, to be postmaster at Ridgway, in the county of Elk and State of Pennsylvania, in the place of James H. Hagerty, removed.

John S. Morey, jr., to be postmaster at Royer's Ford, in the county of Montgomery and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Jacob Ritzman, to be postmaster at Osceola Mills, in the county of Clearfield and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

J. Andrew Schilbe, to be postmaster at Tamaqua, in the county of Schuylkill and State of Pennsylvania, in the place of David R. Boyer, resigned.

John C. Hunter, to be postmaster at Union, in the county of Union and State of South Carolina, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

William C. Penn, to be postmaster at Humboldt, in the county of Gibson and State of Tennessee, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

John S. Yearwood, to be postmaster at Sweet Water, in the county of Monroe and State of Tennessee, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Mrs. Cora E. Clark, to be postmaster at Whitesborough, in the county of Grayson and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

William F. Weaver, to be postmaster at Will's Point, in the county of Van Zandt and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Richard J. Haller, to be postmaster at Marion, in the county of Smyth and State of Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Robert H. Jones, to be postmaster at Martinsville, in the county of Henry and State of Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

James H. Rodeffer, to be postmaster at Woodstock, in the county of Shenandoah and State of Virginia, in the place of Daniel Lichliter, whose commission expired May 21, 1888.

Edgar H. Davis, to be postmaster at Keyser, in the county of Mineral and State of West Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

William C. Brawley, to be postmaster at Mauston, in the county of Juneau and State of Wisconsin, in the place of Thomas P. Naughtin, deceased.

Charles Chafee, to be postmaster at Rhinelander, in the county of Lincoln and State of Wisconsin, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

George A. Loth, to be postmaster at Rice Lake, in the county of Barron and State of Wisconsin, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Alexander J. McRae, to be postmaster at West Superior, in the county of Douglas and State of Wisconsin, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

SURVEYOR-GENERAL.

G. Parker Norton, of Salt Lake City, Utah, to be surveyor-general of Utah, *vice* William G. Bowman, deceased.

REGISTERS OF LAND OFFICES.

Joseph Kronenberg, of Pine City, Minn., to be register of the land office at Taylor's Falls, Minn., *vice* Lucas K. Stannard, term expired.

Ira M. Krutz, of Indianapolis, Ind., to be register of the land office at North Yakima, Wash., *vice* James H. Thomas, whose term of office will expire December 20, 1888.

INDIAN AGENT, ETC.

H. T. Tomie, of Minnesota, to be agent for the Indians of the Nez Percé agency in Idaho, *vice* George W. Norris, resigned.

William Rusler, farmer at Lac Court Oreilles reservation, Wisconsin, to be agent for the Indians of the La Pointe agency in Wisconsin, *vice* James T. Gregory, resigned.

NOMINATION WITHDRAWN.

I withdraw the nomination which was sent to the Senate on the 10th of December, 1888, of Emil Drews, to be postmaster at Lancaster, in the State of Wisconsin.

GROVER CLEVELAND.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 13, 1888.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

Perry Belmont, of New York, to be envoy extraordinary and minister plenipotentiary of the United States to Spain.

APPOINTMENT IN THE ARMY.

Post chaplain.

William Joseph Larkin, of Illinois, to be post chaplain in the Army of the United States.

HOUSE OF REPRESENTATIVES.

THURSDAY, *December* 13, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

ANNEXATION OF CANADA.

Mr. BUTTERWORTH, by unanimous consent, introduced a joint resolution (H. Res. 240) authorizing the President of the United States to negotiate with reference to the unity and assimilation with the United States of the Dominion of Canada, or one or more of the provinces thereof; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

ELECTRIC-LIGHT PLANT, MARINE HOSPITAL, NEW ORLEANS.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting an estimate of an appropriation for the establishment of an electric-light plant at the United States marine hospital, New Orleans, La.; which was referred to the Committee on Appropriations, and ordered to be printed.

LIGHTING THE STATUE OF LIBERTY, NEW YORK HARBOR.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury transmitting an estimate from the Light-House Board of an additional appropriation for lighting the Statue of Liberty, New York Harbor; which was referred to the Committee on Appropriations, and ordered to be printed.

REGISTER OF DIPLOMATIC AND CONSULAR SERVICE.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of State of an appropriation for the purchase of the Historical Register of the Diplomatic and Consular Service, prepared by George Bartle; which was referred to the Committee on Appropriations, and ordered to be printed.

APPROPRIATION FOR PUBLIC LIBRARY.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Librarian of Congress of an appropriation for the service of the Library for the fiscal year 1890; which was referred to the Committee on Appropriations, and ordered to be printed.

BRIDGE ACROSS THE OHIO AT LOUISVILLE, KY.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, in response to a resolution of the House, a letter from the Chief of Engineers, with accompanying papers, respecting the proposed bridge over the Ohio River between Louisville, Ky., and Jeffersonville, Ind.; which was referred to the Committee on Commerce.

PURCHASE OF MILITARY SITES, MAUMEE VALLEY.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting report, submitted by the Chief of Engineers, on the results of examination of historic ground, location, and military works in the Maumee Valley, with an estimate of their probable cost if purchased by the United States; which was referred to the Committee on Military Affairs, and ordered to be printed.

FREEDMAN'S SAVINGS AND TRUST COMPANY.

The SPEAKER also laid before the House a letter from the commissioner of the Freedman's Savings and Trust Company, transmitting his annual report for the year ending December 3, 1888; which was referred to the Committee on Banking and Currency, and ordered to be printed.

ELIZABETH SMITH, ADMINISTRATRIX, VS. UNITED STATES.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting findings of fact by that court in the case of Elizabeth Smith, administratrix of John Putnam, deceased, *vs.* The United States; which was referred to the Committee on War Claims.

SOLDIERS' HOMES.

The SPEAKER also laid before the House a letter from the presi-

dent of the Board of Managers of the National Homes for Disabled Volunteer Soldiers, transmitting his report for the fiscal year 1888; which was referred to the Committee on Appropriations.

Mr. TOWNSHEND. Should not that go to the Committee on Military Affairs?

The SPEAKER. The Chair thinks not. The Committee on Appropriations makes provision for the home.

Mr. TOWNSHEND. But this is an estimate, I understand.

The SPEAKER. It is not an estimate, but a statement as to the condition of the soldiers' homes.

FRENCH SPOLIATION CLAIMS.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting opinions of law and fact by the court in certain spoliation claims; which was referred to the Committee on Claims, and ordered to be printed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. GROSVENOR, indefinitely, on account of important business.

To Mr. DOUGHERTY, until January 3 next, on account of important business.

WASHINGTON AQUEDUCT TUNNEL.

The SPEAKER also laid before the House the following concurrent resolution of the Senate:

Resolved by the Senate (the House of Representatives concurring), That the existence and powers of the joint select committee in respect to the Washington Aqueduct tunnel and the water supply of Washington, created by the concurrent resolution of the two Houses passed October 8, 1888, be continued during the present session of Congress to such time after January 1, 1889, as shall be necessary, in the judgment of said committee, for the complete execution of its duties.

Mr. CLEMENTS. I ask unanimous consent for the present consideration of that resolution.

Mr. HOLMAN. What is the resolution?

Mr. CLEMENTS. The object is to extend the time within which the joint select committee for the investigation of the aqueduct tunnel may report. It will be remembered that it was limited to January 1, and this resolution extends the time as long as may be necessary beyond that date during the present session.

There being no objection, the resolution was considered and agreed to.

AGRICULTURAL DEPARTMENT.

The SPEAKER announced as managers on the part of the House on the conference with the Senate on the disagreeing votes of the two Houses on the bill (H. R. 8191) to enlarge the powers and duties of the Department of Agriculture and to create an Executive Department to be known as the Department of Agriculture, Mr. HATCH, Mr. WHITING of Michigan, and Mr. FUNSTON.

ENROLLED BILLS SIGNED.

Mr. ENLOE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same, namely:

A bill (S. 2254) to increase the pension of Mrs. Ella M. Grover;

A bill (H. R. 5080) for the relief of C. B. Wilson; and

A bill (H. R. 11764) making an appropriation to supply a deficiency in the appropriation for the contingent expenses of the House of Representatives.

ORDER OF BUSINESS.

Mr. McCREARY. Mr. Speaker——

Mr. TOWNSHEND. I call for the regular order, which is the call of committees for reports.

Mr. McCREARY. Mr. Speaker——

The SPEAKER. The gentleman from Illinois has demanded the regular order.

Mr. TOWNSHEND. I withdraw it for the present.

RESIGNATION OF CHAIRMANSHIPS OF COMMITTEES.

Mr. McCREARY. At the commencement of the first session of the Fiftieth Congress I was appointed chairman of the Committee on Private Land Claims, and was also second on the Committee on Foreign Affairs. Mr. Belmont has recently resigned as a member of the House of Representatives, which makes me chairman of the Committee on Foreign Affairs, and I therefore resign the position of chairman of the Committee on Private Land Claims.

The SPEAKER. Does the gentleman desire to resign his place on the Committee on Private Land Claims?

Mr. McCREARY. I resign the chairmanship of the Committee on Private Land Claims, but I desire to retain my place as a member of that committee.

The SPEAKER. If there be no objection the resignation of the gentleman from Kentucky as chairman of the Committee on Private Land Claims will be accepted.

There was no objection.

Mr. WEAVER. Under the rules governing such cases the chairmanship would devolve upon myself, inasmuch as I am second upon the Committee on Private Land Claims; but I am also chairman of the Committee on Patents and can not act in the capacity of chairman of the Committee on Private Land Claims, and therefore I resign the chairmanship of that committee, but wish to retain my place on the committee.

The SPEAKER. If there be no objection the resignation of the gentleman from Iowa will be accepted, and the Chair will appoint as chairman of the Committee on Private Land Claims the next member in order, being the gentleman from Missouri [Mr. GLOVER].

There was no objection.

ORDER OF BUSINESS.

Mr. TARSNEY. I ask unanimous consent to offer a resolution simply for reference to the Committee on Rules.

The Clerk read as follows:

Resolved, That Tuesday, the 8th day of January, 1889, immediately after the reading of the Journal, be set apart for the consideration of Senate bill 405, not to interfere with the consideration of revenue and general appropriation bills, and that this shall be a continuing order until such bill shall be disposed of.

Mr. HOLMAN. I hope the title of the bill will be read.

The SPEAKER. The resolution is introduced for reference to the Committee on Rules. The resolution will be so referred.

Mr. TOWNSHEND. I now demand the regular order.

The SPEAKER. The regular order is the call of committees for reports.

OATHS OF NOTARIES PUBLIC.

Mr. COLLINS, from the Committee on the Judiciary, reported back favorably the bill (S. 622) to amend section 2805 of the Revised Statutes of the United States so as to allow oaths to be administered by notaries public; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

COURT AT QUINCY, ILL.

Mr. ADAMS, from the Committee on the Judiciary, reported back favorably the bill (H. R. 11638) to amend an act entitled "An act to provide for a term of court at Quincy, Ill.," approved August 8, 1888; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

TO EQUALIZE THE PAYMENT OF SOLDIERS AND SAILORS.

Mr. TOWNSHEND, from the Committee on Military Affairs, reported back the bill (H. R. 11282) to equalize the payment and do justice to the officers, soldiers, and sailors of the United States in the late rebellion, who were paid in currency commonly called greenbacks.

Mr. TOWNSHEND. This is a subject that has already been referred to the Committee on War Claims, and the Committee on Military Affairs report the bill back so that the Committee on Military Affairs may be discharged from its further consideration.

The SPEAKER. If there be no objection, the Committee on Military Affairs will be discharged from the consideration of the bill, and it will be referred to the Committee on War Claims.

Mr. TOWNSHEND, from the Committee on Military Affairs, reported back the bill (H. R. 6922) for the relief of George W. Graham, for the purpose of having it referred to the Committee on War Claims.

Mr. HOUK. That is a House bill which went to the Senate and came back with an amendment. It was unanimously reported from the Committee on War Claims. I have conferred as to the bill with the chairman of the committee, but I see that he is not present, and I desire to concur in the Senate amendment, which lessens the term of service for those who seek relief. I ask unanimous consent that the Senate amendment be concurred in.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the Senate amendment be concurred in.

Mr. HOLMAN. I hope the amendment will be read.

The Clerk read as follows:

Strike out "September 18" and insert "July 1."

The SPEAKER. Is there objection to concurrence in the Senate amendment? The Chair hears none, and it is so ordered.

BONDS OF DISBURSING OFFICERS.

Mr. TOWNSHEND, from the Committee on Military Affairs, reported back unfavorably the bill (H. R. 8873) in relation to bonds of disbursing or other officers and to monthly payments of the Army, and asked for non-concurrence in the amendments of the Senate.

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES, *September* 3, 1888.

Resolved, That this bill pass with an amendment.

Mr. TOWNSHEND. The Committee on Military Affairs report the bill back with the recommendation to non-concur in said amendment.

The SPEAKER. The Chair will state this is an irregular proceeding, but if there be no objection the Chair will entertain the request of the gentleman.

The Clerk reported the amendment, as follows:

Strike out lines 1 to 6, inclusive, and insert:

"That for the faithful discharge of the duties of any disbursing officer or other officer of the Army the Secretary of War may accept as surety or sureties on the bond of such officer an incorporated guaranty company, and may accept such individuals, or both, and such bond would be in lieu of former bonds of such officer, except to liabilities accruing subsequent to the date of approval of said bond."

Mr. HOLMAN. I ask that the portion to be stricken out be read.

The SPEAKER. The Chair has stated that it was wholly irregular during the call of committees for reports to consider the report.

Mr. PAYSON. I object.

The SPEAKER. The bill will be referred to the House Calendar.

Mr. TOWNSHEND. I hope my colleague [Mr. PAYSON] will not be less courteous than I have been to him.

Mr. PAYSON. I object to this bill on principle. I object to having incorporated bodies upon any bonds. That is the ground upon which I make my objection.

J. P. FOLEY.

Mr. GEAR, from the Committee on Military Affairs, reported a substitute (H. R. 11781) for the bill (H. R. 9482) for relief of the legal representatives of J. P. Foley, deceased, late a captain in the United States Army and assistant adjutant-general of United States volunteers; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

GENERAL FRÉMONT.

Mr. SPINOLA, from the Committee on Military Affairs, reported back favorably the bill (S. 2395) authorizing the President to appoint and retire John C. Frémont as a major-general in the United States Army; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARGARET DURAND.

Mr. MATSON, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11295) granting a pension to Margaret Durand, hospital nurse; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM DOWNEY.

Mr. MATSON also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11412) granting a pension to William Downey; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CHRISTIAN MANUAL.

Mr. MATSON also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11369) granting a pension to Christian Manual; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

GEORGE W. LLOYD.

Mr. MATSON also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 7566) granting a pension to George W. Lloyd; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MATILDA WEED.

Mr. MATSON also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 9323) granting a pension to Matilda Weed; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ANNIE MAY PIFER.

Mr. MORRILL, from the Committee on Invalid Pensions, reported back with an amendment the bill (H. R. 765) granting a pension to Annie May Pifer; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ADVERSE REPORTS.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back adversely bills of the following titles; which were severally laid on the table, and the accompanying reports ordered to be printed:

A bill (H. R. 9158) to increase the pension of James Rush, of Company K, Fifteenth Illinois Infantry;

A bill (H. R. 11004) granting a pension to Sarah A. Tryon;

A bill (H. R. 11265) granting a pension to James H. Worthin; and

A bill (H. R. 10863) granting a pension to George Weggeman.

MARY JANE HARRIS.

Mr. FRENCH, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 6755) granting a pension to Mary Jane Harris; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ADALINE A. SMYTH.

Mr. GALLINGER, from the Committee on Invalid Pensions, reported back with an amendment the bill (S. 2765) granting a pension to Adaline A. Smyth; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOSEPH H. HARWOOD.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 3114) granting a pension to Joseph Harwood; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CHANGE OF REFERENCE.

On motion of Mr. GALLINGER, by unanimous consent, the Committee on Invalid Pensions was discharged from the further consideration of the bill (S. 3456) granting a pension to David O. Sanborn; and it was referred to the Committee on Pensions.

ADVERSE REPORTS.

Mr. MATSON, from the Committee on Invalid Pensions, reported back adversely bills of the following titles; which were severally laid on the table, and the accompanying reports ordered to be printed:

A bill (H. R. 10983) increasing the pension of John Akers;

A bill (H. R. 11095) granting a pension to James D. Foster; and

A bill (H. R. 10227) granting a pension to Joseph H. Heiser.

JAMES METCALF.

Mr. SAWYER, from the Committee on Invalid Pensions, reported back with an amendment the bill (H. R. 11311) granting a pension to James Metcalf; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARIA BRASTED.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back favorably a bill (H. R 6598) granting a pension to Maria Brasted; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CONTAGIOUS DISEASES.

Mr. STEWART, of Georgia, from the Committee on the Judiciary, reported back adversely the bill (S. 3467) to prevent the introduction of contagious diseases from one State to another, and for the punishment of certain offenses; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

OATHS IN PENSION CASES, ETC.

Mr. STEWART, of Georgia, also, from the Committee on the Judiciary, reported back adversely the bill (S. 1596) in relation to oaths in pension and other cases; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

DISPOSITION OF PUBLIC PROPERTY.

Mr. STEWART, of Georgia, also, from the Committee on the Judiciary, reported back adversely the bill (S. 539) amending section 3749 of the Revised Statutes of the United States, relating to the disposition of property of the United States, and repealing the first paragraph of section 3208 of the Revised Statutes; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

REPRINT OF BILL.

Mr. OUTHWAITE. On behalf of the Committee on Pacific Railroads, I ask that House bill No. 8184, known as the Pacific Railroad funding bill, be reprinted, with the accompanying report, for the use of the House.

The SPEAKER. If there be no objection, that order will be made.

There was no objection.

ORDER OF BUSINESS.

Mr. PEEL addressed the Chair.

The SPEAKER. The hour for the consideration of bills begins at thirty-three minutes after 12 o'clock. The call rests with the Committee on Indian Affairs, which had consumed one hour, and at the expiration of that time had a measure under consideration; it is therefore, under the rules, entitled to another hour or so much of an hour as may be required to conclude that bill. By unanimous consent of the House this remaining hour belonging to the committee was passed over; and the gentleman from Arkansas now claims it on behalf of the committee.

Mr. DIBBLE. I ask unanimous consent that as the Committee on Public Buildings and Grounds was called at a time when I was necessarily absent from the House, the committee be allowed their hour, not to interfere with the hour now to be occupied by the Committee on Indian Affairs.

The SPEAKER. The gentleman from South Carolina [Mr. DIBBLE] asks unanimous consent that the Chair shall return in this call to the Committee on Public Buildings and Grounds, and that the committee, after the Committee on Indian Affairs shall have occupied its time, shall be allowed its privilege under the rule providing this hour for the consideration of bills.

Mr. MCMILLIN. I think the Committee on Public Buildings and Grounds will be reached before a great while under the regular call.

Mr. DIBBLE. Our committee was called just at the close of the

session, and I hope the gentleman from Tennessee will not object to this request. It is a privilege which has always been granted to other committees under like circumstances.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. McMILLIN. The gentleman is in error in stating that this privilege has always been granted under similar circumstances; it has been refused in a number of cases. I do not wish to be placed in the position of objecting in this particular case to a privilege ordinarily granted.

The SPEAKER. The gentleman from Tennessee [Mr. McMILLIN] objects to the request.

Mr. McMILLIN. We appropriated, I believe, $9,000,000 for public buildings at the last session; and I do not think there is any necessity for expediting this class of business.

CLAIMS OF WESTERN CHEROKEE INDIANS.

The SPEAKER. The hour begins at thirty-five minutes past 12 o'clock. The only privilege to which the Committee on Indian Affairs is now entitled under the rule is to complete the consideration of the bill which was before the House when the hour of the committee expired. The bill which the gentleman from Arkansas [Mr. PEEL] has sent to the desk is a private bill, and can not at any rate be considered during this hour.

Mr. PEEL. It is the bill which was under consideration, although it may be of a private character.

The SPEAKER. House bill 1407, to authorize the Court of Claims to hear and determine and render final judgment upon the claims of the Old Settler or Western Cherokee Indians was referred to the Committee of the Whole on the 9th of October last, and is still there.

Mr. PEEL. The point as to this being a private bill was waived, because we entered upon the consideration of it, and the bill was read.

The SPEAKER. Of course, if the House entered upon the consideration of the bill, its consideration will be continued; but under the rule it could only be taken up in this hour by unanimous consent.

Mr. PEEL. Mr. Speaker, members may not be familiar with the terms of this bill——

The SPEAKER. This bill is in Committee of the Whole, and the gentleman will have to make the proper motion in order to reach it.

Mr. PEEL. I ask that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection? The Chair hears none. The gentleman from Arkansas will proceed.

Mr. PEEL. I ask that the bill be read; it is not very long.

The Clerk read as follows:

A bill (H. R. 1407) to authorize Court of Claims to hear, determine, and render final judgment upon the claim of the Old Settler or Western Cherokee Indians.

Be it enacted, etc., That the claim of that part of the Cherokee Indians known as the Old Settlers or Western Cherokees against the United States, which claim was set forth in the report of the Secretary of the Interior to Congress of February 3, 1883 (said report being made under act of Congress of August 7, 1882), and contained in Executive Document No. 60 of the second session of the Forty-seventh Congress, be, and the same hereby is, referred to the Court of Claims for adjudication; and jurisdiction is hereby conferred on said court to try said cause, and to determine what sum or sums of money, if any, are justly due from the United States to said Indians, arising from or growing out of treaty stipulations and acts of Congress relating thereto, after deducting all payments heretofore actually made to said Indians by the United States, either in money or property; and to try and determine all questions that may arise in such cause on behalf of either party thereto and render final judgment thereon; and the Attorney-General is hereby directed to appear in behalf of the Government; and if said court shall decide against the United States the Attorney-General shall, within thirty days from the rendition of judgment, appeal the cause to the Supreme Court of the United States; and from any judgment that may be rendered the said Indians may also appeal to said Supreme Court: *Provided*, That the appeal of said Indians shall be taken within sixty days after the rendition of said judgment, and said courts shall give such cause precedence: *Provided further*, That nothing in this act shall be accepted or construed as a confession that the Government of the United States is indebted to said Indians.

SEC. 2. That said action shall be commenced by a petition stating the facts on which said Indians claim to recover, and the amount of their claim; and said petition may be verified by the authorized agent or attorney of said Indians as to the existence of such facts, and no other statement need be contained in said petition or verification.

The amendment reported by the Committee on Indian Affairs was read, as follows:

After the word "property," in line 18 of section 1, insert the following:

"And after deducting all offsets, counter-claims, and deductions of any and every kind and character which should be allowed to the United States under any valid provision or provisions in said treaties and laws contained, or to which the United States may be otherwise entitled, and after fully considering and determining whether or not the said Indians have heretofore adjusted and settled their said claim with the United States, it being the intention of this act to allow the said Court of Claims unrestricted latitude in adjusting and determining the said claim, so that the rights, legal and equitable, both of the United States and of said Indians may be fully considered and determined."

Mr. PEEL. Mr. Speaker, it will be observed from the reading of this bill that its object is to refer the subject-matter in dispute between this branch of the Cherokee Indians and the United States to the Court of Claims, with the right to investigate all matters, either legal or equitable, growing out of the differences, and with the right of either party to appeal to the Supreme Court of the United States. It is made mandatory upon the Attorney-General of the United States to appeal should judgment be found against the Government.

The bill looks to a final settlement of this claim. It is impossible for any other tribunal to determine this question satisfactorily to either party, from the fact that the question turns entirely upon the construction of the treaties. It is strictly a legal question. The facts are simple, and in regard to them there is very little disagreement between the parties. The whole question turns upon the construction of the treaties and the acts of Congress relating thereto.

Therefore it is absolutely necessary that the court of last resort, the judicial tribunal of the country, should pass on this question and put it at rest one way or the other.

This claim has been thoroughly investigated by the Interior Department. It has been investigated by a special accountant authorized by resolution, who brings the Government into debt to these Indians in a large sum. The Commissioner of Indian Affairs, Mr. Price, also made investigation and agreed with this special accountant. I have investigated it myself and disagree with them in regard to the construction of the law governing this case. Therefore I have always been in favor, and so said at the time I made my report, of the bill proposing to pay the money directly to these parties. I was in favor of its going to the courts, as the only proper place where this matter could be determined.

Under the Bowman act the Senate referred this case to the Court of Claims. Under that act that court could do nothing but find the facts. Their finding under one construction of the treaty was that $400,000 would be due to these Indians, and under a different construction only the sum of $4,000. Under either construction of the treaty as reported by the Court of Claims there would be something due to these Indians. The court did not have the power to determine as to the construction of the law, and consequently could not settle this matter.

There is nothing, Mr. Speaker, in the bill except a provision for the reference of this case to the courts to determine the question which relates, as I have already stated, to the construction of law. If we owe these people anything we are, as a matter of course, in favor of paying it to them. If, however, we do not owe them anything the Government is entitled to know it.

Under the proposition of the Senate whatever is due to these Indians, whatever may be found due is drawing 5 per cent. interest every day it is allowed to remain unpaid. Therefore the sooner we know what is due and it is paid the sooner the matter will be settled, and the better it will be both for the Indians and the Government.

With this short statement, I will not longer detain the House, but if any gentleman wishes to ask me a question I will answer it to the best of my ability.

Mr. KILGORE. What amount is involved in this bill?

Mr. PEEL. That will depend on what construction the court gives the treaty. The Court of Claims reports under the Bowman act under one construction the Indians would be entitled to $400,000, while under another they would be entitled to only $4,000.

Mr. KILGORE. What amount is claimed by the Indians?

Mr. PEEL. They claim $400,000.

Mr. KILGORE. When did this accrue?

Mr. PEEL. Under the treaty of 1846. It is a question which arises under the treaty of 1835, which was adjusted in the treaty of 1846; that is, the items in dispute in regard to the transportation and subsistence of these Indians were put aside as stipulated in the treaty of 1842. It has been in the Departments and before Congress all the time.

Mr. KILGORE. Does this give the right of appeal to the Supreme Court?

Mr. PEEL. It makes it mandatory upon the Attorney-General to appeal if the case goes against the Government. It at the same time gives discretion to the Indians to appeal if they so wish. The bill is prepared with care. It is provided, on the part of the Attorney-General, every defense legal or equitable on the part of the Government shall be set up.

If there is no other gentleman desirous to speak on this question I will demand the previous question.

Mr. PERKINS. I would suggest to the chairman an amendment giving to the Attorney-General the same time in which to appeal as is given to the Indians.

Mr. PEEL. Thirty days are enough.

Mr. PERKINS. Sixty days are given to the Indians.

Mr. PEEL. Thirty days, I think, is sufficient time for the Attorney-General, but if the gentleman does not think that is enough, I will withdraw the demand for the previous question to allow him to offer his amendment.

Mr. PERKINS. I move, on page 3, line 1, to insert "sixty" in place of "thirty."

The amendment was agreed to.

The question next recurred on the amendment of the committee to insert as follows:

And after deducting all offsets, counter-claims, and deductions of any and every kind and character which should be allowed to the United States under any valid provision or provisions in said treaties and laws contained, or to which the United States may be otherwise entitled, and after fully considering and determining whether or not the said Indians have heretofore adjusted and settled their said claim with the United States, it being the intention of this act to allow the said Court of Claims unrestricted latitude in adjusting and determining the

said claim, so that the rights, legal and equitable, both of the United States and of said Indians, may be fully considered and determined.

The amendment was agreed to; and the bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. PEEL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MILITIA, DISTRICT OF COLUMBIA.

The Committee on the Militia was called.

Mr. MCADOO. Mr. Speaker, I desire on behalf of the Committee on the Militia to call up for present consideration the bill which I send to the desk.

The SPEAKER *pro tempore* (Mr. OATES in the chair). The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (S. 657) to amend an act entitled "An act more effectually to provide for the organization of the militia of the District of Columbia," passed the 3d day of March, 1803.

Mr. MCADOO. After a short statement I will ask unanimous consent to forego the first formal reading of this bill.

When the Committee on the Militia was last called in the morning hour during the past summer we brought forward a House bill exactly similar to this—that is to say, that after the House bill had been read and discussed and amended up to the last hour and just preceding a vote on its final passage, the hour expired, and I was unable, therefore, to bring the House to a vote upon it.

The Senate bill that I now send to the desk is the House bill as it stood at the close of the discussion, to wit, with the various amendments made by the House to it. I would ask, therefore, that the reading of the bill be dispensed with, and that we proceed to its consideration.

Mr. BLOUNT. That ought not to be done.

Mr. RANDALL. I do not think the House ought to pass any bill without having it read.

Mr. MCADOO. But this bill has been read. The gentleman from Georgia [Mr. BLOUNT], who objected when the House bill was up for consideration, I see is now in his place.

The SPEAKER *pro tempore*. The Chair is informed that the bill sent to the desk by the gentleman from New Jersey is not the same bill as that heretofore read in the House.

Mr. BLOUNT. This bill has never been read.

Mr. MCADOO. This bill comes from the Senate Calendar, and is a bill relating to the militia, being in all respects identical with the House bill to which I have referred as amended by the House.

The House bill failed of its passage through the House because of the expiration of the hour. I can not bring that bill up, I believe, in this hour; but this bill is the same exactly as the House bill.

Mr. BLOUNT. Is this a Senate bill?

Mr. MCADOO. Yes, sir.

Mr. BLOUNT. Has it been referred?

Mr. MCADOO. I understand so.

Mr. BLOUNT. I would like to know as a matter of fact if it has been.

The SPEAKER *pro tempore*. The Chair is not informed as to that.

Mr. MCADOO. I suppose the Journal Clerk has a record of the fact. I can not myself speak with any certainty in regard to it. The printed copy, with the reference memoranda, is now in the Clerk's hands.

The SPEAKER *pro tempore*. The Chair is informed that this bill has been referred, but not reported.

Mr. BLOUNT. Then I submit that it is not in order to be called up now. It is not in the power of the committee to bring it up for consideration, as it is not in the House at all. The House has directed the committee to consider it, and they have not done so.

Mr. MCADOO. I wish to make a parliamentary inquiry, Mr. Speaker——

The SPEAKER *pro tempore*. The Chair is of the opinion that the point of order made by the gentleman from Georgia is good. The bill has not been reported and is not on the Calendar.

Mr. BLOUNT. I understand now that this bill has not even passed the Senate, although that which has been sent to the desk seems to be a Senate bill. However, I will not make any further issue upon that point.

Mr. MCADOO. I acted entirely in calling up this Senate bill upon information furnished to me by the friends of the measure, who were intelligent gentlemen, and brought me a copy of the bill stating that it had passed the Senate; and my recollection is that the bill was referred to the Committee on Militia and reported back. I proceeded upon that assumption. There is probably some mistake as to whether the bill sent up is the one which passed the Senate, as, coming in just as the committee was called, I was obliged to act hastily.

However, I wish to make a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. MCADOO. When the Committee on the Militia was reached during the last session, I called up, as I have stated, a House bill which had been reported by the committee in reference to the organization of the militia in the District of Columbia. It was read through in the two hours and fully discussed, and various amendments were adopted, but the last hour to which the committee was entitled expired when we had reached the last lines of the bill, and before a final vote was taken on its passage. I wish to ask if I am entitled to call that bill up now; and, if so, I shall do so.

Mr. BLOUNT. In reference to that, Mr. Speaker, permit me to suggest that I do not think it will be admissible. That bill has had its two hours, and under the rules of the House has gone to the Calendar of unfinished business. The gentleman therefore can not reach it in that way, if at all in this hour. It has had all the time to which it is entitled under the rule.

Mr. MCADOO. But I think we can get out of the difficulty, if the gentleman will allow me, by asking unanimous consent in the Committee of the Whole to go to the Calendar of unfinished business and take up in the House to-day in the hour to which the committee is entitled that bill. This will save time and avoid a discussion of the rule, which may consume the hour.

Mr. BLOUNT. I think, Mr. Speaker, there are other bills equally important, and I do not see why we should make a special exception in this case.

The SPEAKER *pro tempore*. The rule reads that each committee, when it is called, shall have the right to call up for consideration any bill reported by it on a previous day, on either the House or the Union Calendar. The Chair is of opinion that the fact that this has been considered under that rule heretofore would not preclude its being called up again because it resumes its place on the Calendar.

Mr. BLOUNT. But, as the rule says, on the Calendar of unfinished business, if the Chair will examine further.

Mr. MCADOO. I hope the gentleman from Georgia will not make that point.

Mr. BLOUNT. The Chair, I presume, has not finally disposed of this matter, and I would like to have the rule to which reference is made read.

The SPEAKER *pro tempore*. The rule provides that such business, if not concluded in the two hours allotted to each committee, goes on the Calendar as unfinished business, to be taken up in its order.

Mr. BLOUNT. And its order is when the Calendar of unfinished business is reached. We do not reach it in this hour for the consideration of any such bills, and I challenge information, Mr. Speaker, on the subject. I have never known such a practice in the House, and I know that the contrary idea has prevailed. I have never seen the Calendar of unfinished business reached yet except by a motion and at the proper time; and it would certainly be a novel course for the House to assume now, if I am correct in believing that heretofore this practice has not prevailed.

Mr. MCADOO. I now move, the Speaker having ruled, that the House go into Committee of the Whole for the purpose of considering unfinished business on the Calendar.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. DOCKERY in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of unfinished business on the Calendar.

Mr. MCADOO. I ask to take from the Calendar of unfinished business the bill (H. R. 4961) to amend an act entitled "An act more effectually to provide for the organization of the militia of the District of Columbia," passed March 3, 1803.

The Clerk read the title of the bill.

Mr. MCADOO. I wish to make a short statement. When the Committee on the Militia was last reached, this bill was considered and read to about the last line of it——

Mr. BLOUNT. Will the gentleman allow me?

Mr. MCADOO. Certainly.

Mr. BLOUNT. The desire of the gentleman from New Jersey is to pass the Senate bill, which he claims to be exempt from the criticisms made to this bill.

Mr. MCADOO. Yes, sir. That is right.

Mr. BLOUNT. I hope the gentleman will get unanimous consent to take that bill up.

Mr. MCADOO. Well, I ask unanimous consent to take up the Senate bill, which contains the House amendments. After the bill was considered in the House the Senate passed a bill embodying the amendments of the House, so that the Senate bill is the House bill as amended.

The CHAIRMAN. As the Chair is informed, the bill the gentleman refers to has not passed the Senate.

Mr. BLOUNT. The real object was to take that up and offer it as a substitute to the other.

Mr. MCADOO. You can do that. The gentleman might offer it as a substitute if he thinks fit. I think we can get along all right. The House bill has now been amended, and the objectionable features about jury duty and other things eliminated, and the bill as passed includes the amendments that the gentleman desired.

Mr. MCMILLIN. Before it goes further, I wish to inquire if this bill has not already been considered in the Committee of the Whole?

Mr. MCADOO. Two mornings.

Mr. McMILLIN. Then it is or may be a circumstance against the bill, when it has had two hours' consideration, that it can not go through. When a bill can not go through in two hours, generally there is some objection to it. I do not remember the provisions of the bill, and therefore I would ask that the bill be read, subject to the right to make objections.

Mr. BLOUNT. It has been read. If the gentleman will allow me I wish to state what perhaps has not occurred to the gentleman from Tennessee, that the bill has already been read. It has been read and considered by paragraphs and nearly concluded in Committee of the Whole.

Mr. McMILLIN. I understand.

Mr. ROGERS. There is no definite statement, then, by my friend from New Jersey [Mr. McADOO], or by any one who has charge of the bill, that the Senate bill is an exact fac-simile of the House bill as amended; and therefore I think before we adopt the Senate bill we ought to have it read.

Mr. BLOUNT. I think, in fairness to the gentleman from New Jersey, it should be said that the gentleman claims the bill as amended by the House is about the same as the Senate bill.

Mr. McADOO. It is the same.

Mr. BLOUNT. If so, the gentleman may send this bill to the Senate rather than have it defeated by taking up time with the Senate bill. I do not want the gentleman to waste his time.

Mr. McADOO. I think I had better make a statement. My recollection is that the House bill was nearly concluded or that it had only two or three lines to be read when it was before the Committee of the Whole. Now, Mr. Chairman, I think there is a misunderstanding all around. I will endeavor to clear it up. The bill which is now before the House is a bill which the House considered for two successive morning hours. During those two morning hours the bill was fully discussed. The gentleman from Georgia led the opposition to the bill. The bill was read line after line and paragraph after paragraph, and amendments were offered and adopted. At the last morning hour to which the committee was entitled the bill had not been finally acted upon.

The CHAIRMAN. Up to the last section, as the Chair is informed by the Clerk.

Mr. McADOO. Yes, sir. Now, I make the point that all that is necessary is to have the reading of the bill finished. I claim that I am entitled to have the reading continued until the bill is finished and reported back to the House, whether favorably or unfavorably. Before that is done, however, I will make a brief statement about the bill, to refresh the memory of gentlemen as to its contents.

Mr. McMILLIN. If my friend will yield to me a moment, I wish to make the parliamentary point (so that we may have every advantage in case this question can not be amicably settled) that there is no rule under which this bill can be considered now, it having already had two hours' consideration in Committee of the Whole.

Mr. McADOO. That question has been settled.

The CHAIRMAN. The Chair will call the attention of the gentleman from Tennessee to the fact that the Speaker has just passed upon that point and decided it adversely to the view presented by the gentleman.

Mr. McMILLIN. I was not aware that there had been a ruling upon it.

The CHAIRMAN. The gentleman is correct as to a former ruling, but the Speaker has advised the Speaker *pro tempore* [Mr. OATES] to the effect that this bill is in order under this call.

Mr. McMILLIN. I did not know that there had been any ruling at all upon it, and therefore I made the point.

The CHAIRMAN. The Clerk will read the amendment which the committee propose, the last section.

The Clerk read as follows:

Add to the bill the following:

"SEC. 66. That the act 'more effectually to provide for the organization of the militia of the District of Columbia,' approved March 3, 1803, is hereby repealed."

The amendment was agreed to.

Mr. McADOO. This bill simply does for the militia of the District of Columbia what the States are doing for their own militia. The militia laws of the United States have not been amended or changed since 1803 up to a year ago. The original militia law, when this country was sparsely populated, was that every man who had reached the age of twenty-one years was a part of the militia; but as population increased it became necessary to select a body from the mass of citizens who should constitute the armed, equipped, and disciplined militia. The militia laws of the District of Columbia have remained substantially unamended for nearly a hundred years, and this bill, as I have already said, simply allows Congress to do for the already organized militia of this District that which the States do for their militia. In this connection I think it will be well to have read the report which accompanies the bill.

The report (by Mr. McADOO) was read, as follows:

The Committee on the Militia, to whom was referred for consideration House bill 4961, to provide for the organization of the militia of the District of Columbia, having considered the same, beg leave to report as follows:

All measures relating to the militia are important. The militia are the popular and constitutional military defenders of the Republic. The founders of the Republic, jealous of a large standing army made special constitutional provision for the militia. The citizen soldiery of the country have ever been on the side of liberty, and while defending just laws, preserving peace, and defending against foreign invasion, have never been the instruments of tyrants, nor the destroyers of free States. This bill places the militia of the District of Columbia on the same footing as those of the several States.

The existing militia law for the District of Columbia was enacted in 1803. When that law was enacted the enrolled militia, which included every citizen between eighteen and forty-five years of age, was the essential and recognized military reserve of the country, and the law for the District of Columbia, like the laws of all the States, was framed with a view to instructing and utilizing it. As the population of the country increased, the necessity of requiring active duty from the whole body of the enrolled militia decreased, and became well-nigh impracticable, and the States successively repealed the old militia laws and substituted laws recognizing and providing for volunteer militia. In the District of Columbia the old law still remains in existence, though its provisions have been utterly disregarded for many years and the law has become not only obsolete but impracticable.

It being an axiom, recognized in the Constitution of our country, that a well regulated militia is necessary to the security of a republic, it would seem proper that at the capital of the Republic the militia should be made a model organization, and that the necessary legislation should be enacted to repeal these obsolete laws. The fact that the militia of the District of Columbia might be, in case of need, a protection for the enormous amount of public property accumulated here, and in any and every crisis the first defenders of the capital, make it proper and desirable that the Government should extend to the militia of the District the same aid and encouragement that is extended by the States to their local organizations.

Although the proposed bill is long and apparently elaborate, it contains only the usual and necessary provisions that are included in the militia codes of nearly all the States. The bill carries with it no appropriation of money. Expenditures, other than issues from the regular stores of the Army, it is provided shall be estimated for in the annual estimate of appropriations for the District of Columbia, and thereby will be at all times within the control of Congress.

The bill has been examined and approved by the War Department, is urged by the existing militia organizations of the District, and the committee report back the bill with amendments, striking out section 63, adding a section to repeal the old law, and amending the title, and recommend that the bill as thus amended do pass.

Mr. BUCHANAN. I would like to ask my colleague a question or two. Wherein does this bill differ from the law under which the militia of this District is at present organized?

Mr. McADOO. At present the militia is organized under the old adult militia law. The militia of this District at present is largely constituted of independent military companies who have simply organized themselves, and who pay their own expenses to a great degree.

Mr. BUCHANAN. Is not that system working very well, and, under the existing organization, is there not a force large enough for all present purposes? I saw them parade on Thanksgiving Day, and it seemed to me that the display was a very creditable one and that the force was probably large enough to put down any incipient rebellion. [Laughter.]

Mr. McADOO. I do not myself apprehend any great disturbance here, and my colleague is a peaceful man I know. [Laughter.]

Mr. BUCHANAN. Certainly; and therefore I am opposed to all this brass-mounted business.

Mr. McADOO. I know that my colleague is of course opposed to everything that is wrong. The display on Thanksgiving Day was the result of the efforts of one or two military gentlemen who organized it largely on their own responsibility, and if you do not do for the militia of the District what the States do for their militia, what our own State does for its militia, you will discourage such men. I am just as much opposed to unnecessary pomp, glitter, and display of military forces in time of peace, and to what my colleague calls the "brass-mounted business," as he is. The militia are citizens as well as soldiers, and eminently suited to our form of government. They do away with regular soldiers and furnish training to freemen to defend their rights and liberties, maintain the peace and dignity of the State, and repel invasion. A properly constructed militia is no menace to the people, but rather a safeguard. But our State, as the gentleman well knows, has expended very large sums of money for the maintenance of its militia.

Mr. BUCHANAN. The gentleman will pardon me; we are legislating for the District of Columbia, not for the State of New Jersey.

Mr. McADOO. I am trying to induce the House to do for the District of Columbia what our State has done for it citizen soldiery—nothing more and nothing less.

Mr. BUCHANAN. Do you not ask more for the District militia than is necessary?

Mr. McADOO. Not at all. This matter was fully discussed when the bill was up before. We are simply trying to do for the District militia what the States are doing or have done for their militia.

Mr. BUCHANAN. What additional amount of expenditure will be imposed on the people of this District under the operation of this proposed bill, and what additional expenditure will be required at the hands of the National Government to carry out this measure when this organization is perfected under the bill? I ask this question for information.

Mr. McADOO. So far as this bill is concerned, it will not take one cent out of the Treasury. The bill does not carry a penny of appropriation. It refers this whole matter to the District Committee. Our own State, as the gentleman well knows, has expended large sums of money for purposes of this kind; it has bought camp-grounds and provided armories through the local authorities.

I suppose that if the District Committees of the two Houses of Congress should see fit they might report an appropriation to provide an

armory for the District militia. As to the additional expenditure there may be, it is impossible for me to state it exactly or even to give a rough estimate of the amount.

Mr. BUCHANAN. I am in favor of a proper militia; but it seems to me this bill goes far beyond anything that is needed.

Mr. MCADOO. I repeat to my colleague, once for all, that this bill does not go as far as our own State has gone in this direction; and it does not contemplate the spending of so much money as we now expend on our militia.

There is in this city a large amount of public property which ought to be properly protected. We are not anticipating rebellion, or war, or revolution, or riot, or anything of that sort; we believe that our citizens are all peaceable; but it has been the policy of all States and communities to take necessary precautions for the protection of the public property; and this body of soldiery, composed of citizens of the District, might be available and very useful if any emergency should arise, which we all hope will not be the case.

Mr. BLOUNT. Mr. Chairman——

The CHAIRMAN. Does the gentleman from New Jersey [Mr. MCADOO] yield to the gentleman from Georgia [Mr. BLOUNT]?

Mr. MCADOO. Certainly.

Mr. BLOUNT. Mr. Chairman, this bill is liable to objections which, if pointed out, my friend from New Jersey himself would, I think, admit to be reasonable. The bill, when under discussion heretofore, was read very nearly through before any amendments were offered. Criticisms were made upon different features of the bill; but they came too late. Now I find nothing in the record which relieves the bill from the criticism that horses are to be kept in the livery stables here at the Government expense for the use of these gentlemen of the militia on parade days, etc. Such a provision was in the bill, and I do not understand that it has been changed by amendment.

Mr. MCADOO. I have not the Journal before me, and can not recall to my memory all the amendments made to the bill. I only recollect that the gentleman from Georgia followed the reading very closely and offered, I think, quite a number of amendments, all of which, according to my recollection, I accepted. So that all the amendments which the gentleman proposed are, as I understand, a part of this measure and will have their place in the amended bill if it should be passed.

Mr. BLOUNT. Mr. Chairman, I do not find that the record as kept by the Clerk is in accord with my friend's memory in reference to this matter. I did make some amendments——

Mr. MCADOO. If the gentleman will call attention to any part of the bill which he wishes to amend, I do not think there will be any objection. I shall be very glad to have him ask unanimous consent to go back and take the horses out of the livery stables and give them the freedom of the streets. [Laughter.]

Mr. BLOUNT. I think there are a good many comical things in this bill besides those that have been mentioned.

Mr. MCMILLIN. A gentleman connected with the Committee on Indian Affairs has suggested *sotto voce* that it would be well to provide that the horses be kept on the reservations.

Mr. MCADOO. My distinguished friend from Kentucky [Mr. BRECKINRIDGE], who was the author of this bill, may remember something about the horse business.

Mr. BLOUNT. I do not want to stir him up, because he is sensitive about this matter.

Mr. MCADOO. I trust my friend from Georgia will find the passages to which he objects. My time is not unlimited.

Mr. WEAVER. I object to the gentleman from Georgia being interfered with.

Mr. MCADOO. Mr. Chairman, I rise to a parliamentary inquiry. What is before the committee at present?

The CHAIRMAN. Nothing but the observations of the gentleman from New Jersey. [Laughter.]

Mr. MCADOO. I move that the committee rise and report the bill favorably to the House.

Mr. WEAVER. I make the point of order that the motion of the gentleman from New Jersey is not in order while the gentleman from Georgia [Mr. BLOUNT] is on the floor.

The CHAIRMAN. The gentleman from Georgia has not the floor except with the consent of the gentleman from New Jersey.

Mr. BLOUNT. I desire to offer an amendment.

Mr. SPINOLA. Does this bill make any provision for the colored troops?

Mr. BLOUNT. I move to strike out section 66, which proposes to repeal the act of March 3, 1803, providing for the organization of the militia of the District of Columbia.

The CHAIRMAN. The Chair will call the attention of the gentleman from Georgia to the fact that that section has been passed.

Mr. BLOUNT. Such is not the record of the Clerk.

The CHAIRMAN. Section 67, which was in the nature of an amendment reported by the committee, was read and adopted.

Mr. MCADOO. If I am entitled to the floor, I insist on my motion.

The CHAIRMAN. The gentleman from New Jersey moves that the committee rise and report the bill to the House with a favorable recommendation.

Mr. CLEMENTS. I rise to a parliamentary inquiry: Is that motion debatable?

The CHAIRMAN. It is not.

Mr. MCADOO. I insist on the motion.

Mr. BLOUNT. Is it in order to have the amendments read which have been agreed to?

The CHAIRMAN. Not at this time.

Mr. BLOUNT. We would like to have the amendments read so we will know what we are voting on.

Mr. MCADOO. I ask for a division of the committee on the motion to rise and report the bill.

The committee divided; and there were—ayes 10, noes 2.

Mr. MCADOO. I demand tellers.

Mr. BLOUNT. I make the point of no quorum.

The CHAIRMAN. The Chair will appoint as tellers Mr. MCADOO and Mr. BLOUNT.

Mr. MCADOO. Is it in order to withdraw the demand for tellers and also the point of no quorum, as the hour is nearly out, and ask that the bill and amendments be printed in the RECORD, so that it may go over until to-morrow, when we have another hour?

The CHAIRMAN. The gentleman from Georgia [Mr. BLOUNT] made the point of no quorum.

Mr. BLOUNT, I withdraw it with the understanding stated by the gentleman from New Jersey.

There was no objection, and the bill and amendments were ordered to be printed in the RECORD.

They are as follows:

A bill (H. R. 4961) to amend the act entitled "An act more effectually to provide for the organization of the militia of the District of Columbia," passed March 3, 1803.

Be it enacted, etc., That every able-bodied male citizen resident within the District of Columbia, of the age of eighteen years and under the age of forty-five years, excepting persons exempted by section 2, and idiots, lunatics, common drunkards, vagabonds, paupers, and persons convicted of any infamous crime, shall be enrolled in the militia. Persons so convicted after enrollment shall forthwith be disenrolled; and in all cases of doubt respecting the age of a person enrolled the burden of proof shall be upon him.

SEC. 2. That in addition to the persons exempted from enrollment in the militia by the general laws of the United States, the following persons shall also be exempted from enrollment in the militia of the District of Columbia, namely: Officers of the government of the District of Columbia; judges and officers of the courts of the District of Columbia; officers who have held commissions in the regular or volunteer Army or Navy of the United States; officers who have served for a period of five years in the militia of the District of Columbia or of any State of the United States; ministers of the gospel; practicing physicians; conductors and engine-drivers of railroad trains; members of the paid police and fire department.

SEC. 3. That the commissioners of the District of Columbia shall provide for the enrollment of the militia, and for this purpose may require the assessors of taxes, at the same time they are engaged in taking the assessment of valuation of real and personal property, to make a list of persons liable to enrollment; and such record shall be deemed a sufficient notification to all persons whose names are thus recorded that they have been enrolled in the militia. Immediately after the completion of each enrollment they shall furnish the commanding general of the militia with a copy of the same.

SEC. 4. That the enrolled militia shall not be subject to any duty except when called into the service of the United States, or to aid the civil authorities in the execution of the laws or suppression of riots.

SEC. 5. That whenever it shall be necessary to call out any portion of the enrolled militia the commander-in-chief shall order out, by draft or otherwise, or accept as volunteers, as many as required. Every member of the enrolled militia who volunteers, or who is ordered out or drafted under the provisions of this act, who does not appear at the time and place designated, may be arrested by order of the commanding general and be tried and punished by a court-martial. The portion of the enrolled militia ordered out or accepted shall be mustered into service for such period as may be required, and the commanding general may assign them to existing organizations of the active militia, or may organize them as the exigencies of the occasion may require.

SEC. 6. That the President of the United States shall be the commander-in-chief of the militia of the District of Columbia.

SEC. 7. That there shall be appointed and commissioned by the President of the United States a commanding general of the militia of the District of Columbia with the rank of brigadier-general, who shall hold office until his successor is appointed and qualified, but may be removed at any time by the President.

SEC. 8. That the staff of the militia of the District of Columbia shall be appointed and commissioned by the President and hold office until their successors are appointed and qualified, but may be removed at any time by the President. It shall consist of one adjutant-general with the rank of lieutenant-colonel, one inspector-general, one quartermaster-general, one commissary-general, one chief of ordnance, one chief engineer, one surgeon-general, one judge-advocate-general, and one inspector-general of rifle practice, each with the rank of major, and four aides-de-camp, each with the rank of captain. The commanding general may appoint a non-commissioned staff of the militia, to consist of one sergeant-major, one quartermaster-sergeant, one commissary-sergeant, one ordnance-sergeant, two staff-sergeants, one hospital steward, one color-sergeant, and one sergeant-bugler.

SEC. 9. That the President may assign an officer of the Army to act as adjutant-general of the militia of the District of Columbia, who while so assigned shall be commissioned as such and be subject to the orders of the commanding general and the provisions of this act: *Provided, however*, That the officer so assigned shall receive no other pay or emolument than that to which his rank in the Army entitles him when on detached service.

THE ACTIVE MILITIA—ITS ORGANIZATION.

SEC. 10. That the active militia shall be composed of volunteers, and shall be designated the National Guard of the District of Columbia; and in case the militia of the District of Columbia are called into the service of the United States, or required for the suppression of riots or to aid civil officers in the execution of the laws, shall be the first to be ordered into service.

SEC. 11. That in time of peace the National Guard shall consist of not more than thirty-six companies of infantry, which shall be arranged by the command-

ing general into such regiments, battalions, and unattached companies as he may deem expedient; one battery of light artillery, one troop of cavalry, one signal corps, one ambulance corps, one engineer corps, one band of music, and one corps of field musicians.

SEC. 12. That regiments of infantry shall consist of three battalions; and to each regiment there shall be one colonel and one lieutenant-colonel, and a staff to consist of one surgeon, one adjutant, one quartermaster, one inspector of rifle practice, and one chaplain, each with the rank of captain; and a non-commissioned staff, consisting of one sergeant-major, one quartermaster-sergeant, one commissary-sergeant, and one hospital steward.

SEC. 13. That battalions of infantry shall consist of four companies; and to each battalion there shall be one major; and a staff consisting of one surgeon, one adjutant, one quartermaster, and one inspector of rifle practice, each with the rank of first lieutenant; and a non-commissioned staff, consisting of one sergeant-major, one quartermaster-sergeant, and one hospital steward.

SEC. 14. That to each company of infantry there shall be one captain, one first lieutenant, one second lieutenant, one first sergeant, four sergeants, one corporal to each ten privates, and not more than eighty-seven privates; and the minimum number of enlisted men shall be forty.

SEC. 15. That to the troop of cavalry there shall be one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster-sergeant, five sergeants, eight corporals, two trumpeters, and not more than eighty-three privates; and the minimum number of enlisted men shall be forty.

SEC. 16. That the battery of light artillery shall have not less than four nor more than six guns. To four guns there shall be one captain, two first lieutenants, one second lieutenant, one first sergeant, one quartermaster-sergeant, five sergeants, eight corporals, two buglers, and not more than eighty-two privates; and the minimum number of enlisted men shall be fifty-seven. To more than four guns there shall be, for each additional gun, one sergeant, two corporals, and not more than twenty nor less than ten privates; for two additional guns there shall be one additional second lieutenant.

SEC. 17. That to each signal corps, ambulance corps, and engineer corps there shall be one first lieutenant, two sergeants, two corporals, and not more than thirty-two nor less than fourteen privates.

SEC. 18. That the band of music shall consist of one chief musician, two sergeants, two corporals, and thirty-two privates; and the corps of field music of one principal musician, two sergeants, two corporals, and thirty-two privates. The chief musician, principal musician, and other non-commissioned officers of the band and field music shall be appointed by the commanding general.

SEC. 19. That when any company of the National Guard shall, for a period of not less than ninety days, contain less than the minimum number of enlisted men prescribed by this act, or, upon a duly ordered inspection, shall be found to have fallen below a proper standard of efficiency, the commanding general may either disband such company or consolidate it with any other company of the National Guard, and grant an honorable discharge to the supernumerary officers and non-commissioned officers produced by such consolidation. Officers and enlisted men discharged by reason of such disbanding or consolidation and at any time thereafter re-entering the service shall have allowed to them, as part of their term of service, the time already served.

ELECTION, APPOINTMENT, AND DISCHARGE OF COMMISSIONED OFFICERS.

SEC. 20. That all officers shall be commissioned by the President of the United States. In time of peace, or when not in the service of the United States, they shall previously be elected or appointed as herein provided. No person commissioned as an officer shall assume such rank or enter upon the duties of the office to which he may be commissioned until he has accepted such commission and taken such oath or affirmation as may be prescribed.

Amendment of the Committee of the Whole House on the state of the Union: Strike out, in section 20, the word "appointed," and insert in lieu thereof the word "nominated;" so it will read: "be elected or nominated as herein provided."

SEC. 21. That the staff officers of a regiment or battalion shall be appointed by the permanent commander thereof.

SEC. 22. That field officers of regiments or battalions shall be appointed by the commanding general. Captains and lieutenants of companies shall be elected by the written votes of the enlisted men of the respective companies.

Amendment of the Committee of the Whole House on the state of the Union: Strike out, in sections 21 and 22, the word "appointed" in both cases where it occurs and insert in lieu thereof the word "nominated."

SEC. 23. That elections of officers shall be ordered and held under such regulations as may be prescribed by the commanding general.

SEC. 24. That every person accepting an election or appointment as an officer shall appear before an examining board, to be appointed by the commanding general, which board shall examine said officer as to his military and other qualifications. If any officer shall fail to appear before the board of examination within thirty days after being notified, or shall fail to pass a satisfactory examination, the fact shall be certified by the board to the commanding general, who shall thereupon declare the election or appointment of such officer null and void. If in the opinion of the board such officer is competent, and otherwise qualified, they shall certify the fact to the commanding general, who shall thereupon recommend him to the President for commission.

Amendment of the Committee of the Whole House on the state of the Union: In section 24, strike out the word "appointment" in both cases where it occurs and insert in lieu thereof the word "nomination."

SEC. 25. That a commissioned officer may be honorably discharged—

Upon tender of resignation;

Upon disbandment of the organization to which he belongs;

Upon report of a board of examination, or for failure to appear before such board when ordered.

He may be dismissed upon the sentence of a court-martial; conviction in a court of justice of an infamous offense.

THE APPOINTMENT AND REDUCTION OF NON-COMMISSIONED OFFICERS.

SEC. 26. That non-commissioned staff officers shall be appointed by the permanent commander of the organization to which they belong; and permanent commanders of battalions shall appoint the non-commissioned officers of companies, upon the written nomination of the respective captains; but they may withhold such appointment if, in their judgment, there be proper cause; non-commissioned officers of unattached companies shall be appointed by their respective captains. The permanent commander of any battalion or unattached company may reduce to the ranks any company non-commissioned officers of his command.

ENLISTMENT AND DISCHARGE OF SOLDIERS.

SEC. 27. Enlistment in the National Guard shall be for a term of three years: *Provided, however*, That any soldier who may have received an honorable discharge, by reason of the expiration of his term of service, may, within thirty days thereafter, re-enlist for a term of one, two, or three years, to date from the expiration of his previous term. All terms of service, except in case of re-enlistment, shall commence at noon on the day of enlistment, and expire at noon on the day of discharge.

SEC. 28. Every person enlisting in the National Guard shall sign an enlistment paper which shall contain an oath of allegiance to the United States. The requisites and regulations for enlistment and the form of enlistment paper and oath for enlisting men shall be prescribed by the commanding general.

SEC. 29. That no enlisted man shall be honorably discharged before the expiration of his term of service, except by order of the commanding general, and for the following reasons:

Upon his own application, approved by the commanding officer of his company and by superior commanders;

Upon removal from the District;

Upon disability, established by certificate of a medical officer;

To accept promotion by commission;

Whenever, in the opinion of the commanding general, the interest of the service demands such discharge.

SEC. 30. That enlisted men shall be dishonorably discharged by order of the commanding general:

To carry out the sentence of a court-martial;

Upon conviction of felony in a civil court;

Upon expulsion from his company in accordance with its by-laws or regulations;

Upon discovery of re-enlistment after previous dishonorable discharge.

SEC. 31. That every soldier discharged from the service of the District shall be furnished with a certificate of such discharge, which shall state clearly the reasons therefor. Dishonorable discharges will have the word "dishonorable" written or printed diagonally across their faces, in large characters, with red ink, and the re-enlistment clause will be erased by a line.

ARMS, UNIFORMS, AND EQUIPMENTS.

SEC. 32. That the uniforms, arms, and equipments of the National Guard shall be the same as prescribed and furnished to the Army of the United States. Every organization of the National Guard shall be provided with such ordnance and ordnance stores, clothing, camp and garrison equipage, quartermaster's stores, medical supplies, and other military stores, as may be necessary for the proper training and instruction of the force and for the proper performance of the duties required under this act. Such property shall be issued from the stores and supplies appropriated for the use of the Army, upon the approval and by the direction of the Secretary of War, to the commanding general, upon his requisitions for the same. The property so issued shall remain and continue to be the property of the United States and shall be accounted for by the commanding general at such times, in manner, and on such forms as the Secretary of War may require.

SEC. 33. That the commanding general may transfer all public property, received by him for the use of the National Guard under the provisions of this act, to the several departmental officers of the general staff, and may make and prescribe regulations for its issue by them, and for its care and preservation by the officers or soldiers to whom issued.

SEC. 34. That every officer receiving public property for military use shall be accountable for the articles so received by him, and shall make returns of such property at such times, in such manner, and on such forms as may be prescribed. He shall be liable to trial by court-martial for neglect of duty, and also to make good to the United States the value of all such property defaced, injured, destroyed, or lost, by any neglect or default on his part, to be recovered in an action of tort, or by any other action at law, to be instituted by the judge-advocate-general of the militia at the order of the commanding general. All money received on account of loss or damages shall be paid in the Treasury of the United States, and shall be accounted for by the commanding general in his returns to the Secretary of War.

SEC. 35. That any officer or soldier who shall sell, dispose of, pawn or pledge, willfully destroy or injure, or retain after proper demand made, any public property issued under the provisions of this act, shall be deemed guilty of a misdemeanor, and shall be punished by imprisonment for not exceeding two months, or by a fine not exceeding $100, or by both; and it is hereby made the duty of the judge of the police court of the District of Columbia, upon information filed or complaint made under oath, to issue process for the arrest of the offender, and to cause him to be brought before the police court to be dealt with according to the provisions of this section.

SEC. 36. That until an officer, or his legal representative, shall have received notice that the property accounts of such officer have been examined and found correct, the liability of such officer, or of his estate, for public property for which he is or may have been responsible shall be in no way affected by resignation, discharge, change in official position, or death. Upon the death or desertion of an officer responsible for public property his immediate commander shall at once cause the property for which such officer was responsible to be collected, and a correct inventory made by actual count and examination; which inventory shall be forwarded to the commanding general, in order that any deficiency may be made good from the estate of the deceased or deserting officer; compensation for such deficiency may be recovered in the manner provided in section 34.

SEC. 37. That property issued or provided under the provisions of this act which becomes unfit for use, and is condemned as unserviceable shall be reported by the commanding general to the Secretary of War, and shall be disposed of as may be directed by him.

SEC. 38. That any organization of the active militia may, with the approval of the commanding general, and at its own expense, adopt any other uniform than that issued to it; but such uniform shall not be worn when such organization is on duty under the orders of the commanding general except by his permission.

SEC. 39. That organizations of the National Guard shall have the right to own and keep personal property, which shall belong to and be under the control of the active members thereof; and the commanding officer of any organization may recover for its use any debts or effects belonging to it, or damages for injury to such property; action for such recovery to be brought, in the name of such commanding officer, before any justice of the peace, with the right of appeal to the supreme court of the District of Columbia, or before the supreme court of the District of Columbia; and no suit or complaint pending in his name shall be abated by his ceasing to be commanding officer of the organization; but, upon the motion of the commander succeeding him, such commander shall be admitted to prosecute the suit or complaint in like manner and with like effect as if it had been originally commenced by him.

SEC. 40. That the quartermaster-general of the militia shall provide, by rental or otherwise, such armories for the National Guard as may be allowed and directed by the commanding general. He shall also provide each organization with such lockers, closets, gun-racks, and cases or desks as may be necessary for the care, preservation, and safe-keeping of the arms, equipments, uniforms, records, and other military property in their possession. He shall also provide suitable rooms for the offices of the commanding general and staff, for the keeping of books, the transaction of business, and the instruction of officers, and also suitable places for the storage and safe-keeping of public property.

MILITARY DUTIES.

SEC. 41. That any drill, parade, encampment, or duty that is required, ordered

or authorized to be performed under the provisions of this act, shall be deemed to be a military duty, and while on such duty every officer and enlisted man of the National Guard shall be subject to the lawful orders of his superior officers, and for any military offense may be put and kept under arrest or under guard for a time not extending beyond the term of service for which he is then ordered.

SEC. 42. That the commanding general shall prescribe such stated drills and parades as he may deem necessary for the instruction of the National Guard, and may order out any portion of the National Guard for such drills, inspections, parades, escort, or other duties, as he may deem proper. The commanding officer of any regiment, battalion, or company may also assemble his command, or any part thereof, in the evening for drill, instruction, or other business, as he may deem expedient; but no parade shall be performed by any regiment, battalion, company, or part thereof, without the permission of the commanding general.

SEC. 43. That an annual inspection and muster of each organization of the National Guard, and an inspection of their armories and of public property in their possession, shall be made at such times and places as the commanding general may order and direct.

SEC. 44. That the National Guard shall perform not less than six consecutive days of camp duty in each year, at such time as may be ordered by the commanding general; and the quartermaster-general of the militia, subject to the approval of the commanding general, shall provide, by rental or otherwise, a suitable camp ground for the annual encampment of the militia, make the necessary provisions thereon for the encampment, and provide necessary transportation to and from the same for baggage and supplies.

SEC. 45. The National Guard shall have the use of the drill grounds and rifle-range at the Washington Barracks, subject to the approval of the Secretary of War, and the commanding general of the militia shall provide such additional targets and accessories as may be necessary for the use of the militia.

SEC. 46. That when there is in the District of Columbia a tumult, riot, mob, or a body of men acting together by force with attempt to commit a felony or to offer violence to persons or property, or by force and violence to break and resist the laws, or when such tumult, riot, or mob is threatened, it shall be lawful for the commissioners of the District of Columbia, or for the United States marshal for the District of Columbia, to call on the commander-in-chief to aid them in suppressing such violence and enforcing the laws; the commander-in-chief shall thereupon order out so much and such portion of the militia as he may deem necessary to suppress the same, and no member thereof who shall be thus ordered out by proper authority for any such duty shall be liable to civil or criminal prosecution for any act done in the discharge of his military duty.

SEC. 47. That no officer or soldier of the National Guard, when ordered on duty to aid the civil authorities, or when ordered into the service of the United States, in obedience to the call or order of the President, shall be excused from such duty except upon the certificate of the surgeon of his command of physical disability, such certificate to be presented to the commanding general in case of an officer, or to his company commander in case of a soldier. If such officer or soldier fail to furnish such excuse he shall be tried and punished by a court-martial. For absence from any other military duty required or ordered under the provisions of this act the penalty shall be such as may be prescribed by the commanding general, or the by-laws of the organization to which the officer or soldier belongs.

SEC. 48. That United States forces or troops, or any portion of the militia, parading, or performing any duty according to law, shall have the right of way in any street or highway through which they may pass: *Provided*, That the carriage of the United States mails, the legitimate functions of the police, and the progress and operations of fire-engines and fire departments shall not be interfered with thereby.

SEC. 49. That every commanding officer, when on duty, may ascertain and fix necessary bounds and limits to his parade or encampment. Whoever intrudes within the limits of the parade or encampment after being forbidden, or whoever shall interrupt, molest, or obstruct any officer or soldier while on duty, may be put and kept under guard until the parade, encampment, or duty be concluded; and the commanding officer may turn over such person to any police officer, and said police officer is required to detain him in custody for examination or trial before the police court, and the judge thereof may punish such offense by a fine not exceeding $25.

SEC. 50. That all officers and employés of the United States and of the District of Columbia who are members of the National Guard shall be entitled to leave of absence from their respective duties, without loss of pay or time, on all days of any parade or encampment ordered or authorized under the provisions of this act.

MILITARY COURTS.

SEC. 51. Courts of inquiry, to consist of not more than three officers, may be ordered by the commanding general, for the purpose of investigating the conduct of any officer, either at his own request or on a complaint or charge of conduct unbecoming an officer. Such court of inquiry shall report the evidence adduced, a statement of facts, and an opinion thereon, when required, to the commanding general, who may, in his discretion, thereupon order a court-martial for the trial of the officer whose conduct has been inquired into.

SEC. 52. That general courts-martial for the trial of commissioned officers or enlisted men shall be ordered by the commanding general at such times as the interests of the service may require, and shall consist of not less than five nor more than thirteen officers, and a judge-advocate, none of whom shall be of less rank than the accused, when it can be avoided.

SEC. 53. That for the trial of enlisted men for all minor offenses the commanding officer of each battalion and unattached company shall, at such times as may be necessary, appoint courts-martial. Such battalion and company courts-martial shall consist, for a battalion, of one officer whose rank is not below that of captain; and for a company, of a lieutenant. Such courts shall have power, subject to the approval of the officer ordering the court, to sentence to be reprimanded by said officer in battalion or company orders; or, in case of a company non-commissioned officer, to be reduced to the ranks, or to pay such fines as may be imposed and allowed by the regulations or by-laws of the organization to which the accused belongs; and such court may, with the approval of the commanding general, sentence to be reprimanded in general orders or to be dishonorably discharged.

SEC. 54. That the president of a general court-martial or court of inquiry, and the officer constituting a battalion or company court-martial, shall have power to administer the usual oath to witnesses, and may issue summonses for all witnesses whose attendance at such court may, in his opinion, be necessary, and any officer or soldier failing to serve such summons, and any witness failing to appear and testify when so summoned shall be liable to trial by court-martial.

SEC. 55. That in all courts-martial and courts of inquiry the arraignment of the accused, the proceedings, trial, and record shall in all respects conform as nearly as practicable to the regulations for the same in the Army of the United States.

EXPENSES AND ALLOWANCES.

SEC. 56. That there shall be allowed for the general expenses of the militia such sums as may be necessary for the rental and furnishing of offices for headquarters, stationery, postage, printing and issuing orders, advertising orders, providing necessary blanks for use of the militia, the cost of storing, caring for, and issuing all public property, and such other contingent expenses, not herein specially provided for, as may be estimated and appropriated for; the accounts for which shall be certified to by the officer receiving the service or property charged for, approved by the commanding general, and paid in the manner provided in section 60.

SEC. 57. That during the annual encampment, and on every duty or parade ordered by the commanding general, there shall be allowed and paid for each day of service: To each member of the regularly enlisted band, $4; to each member of the regularly enlisted corps of field music, $2; to the chief musician, $8, and to the principal musician $6. In event there is no enlisted band or field music, or not a sufficient number of either, the commanding general may authorize the employment of such as he may deem necessary for the occasion. The payments for bands of music and drum corps shall be made in the manner provided in section 60.

SEC. 58. That during the annual encampment, and on every duty or parade ordered by the commanding general, there may be employed such number of horses as the commanding general may authorize for the use of the battery of light artillery, the troop of cavalry, the ambulance corps, the signal corps, and the non-commissioned general staff, the cost of which shall be paid in the manner provided in section 60.

SEC. 59. That during the annual encampment, or when ordered on duty to aid the civil authorities, the National Guard shall be furnished with subsistence stores, of the kind, quality, and amount allowed and prescribed by the Army. Such stores shall be issued from the stores and supplies appropriated for the use of the Army, upon the approval and by the direction of the Secretary of War, to the commanding general upon his requisitions for the same.

SEC. 60. That the commanding general shall annually transmit to the commissioners of the District of Columbia an estimate of the amount of money required for the next ensuing fiscal year to pay the expenses authorized by this act, and the said commissioners shall include the same in their annual estimates of appropriations for the District; and all money appropriated to pay the expenses authorized by this act shall be disbursed by the commissioners of the District of Columbia, upon vouchers duly certified and approved by the commanding general, and accounted for by them in the same manner as in all other moneys appropriated for the expenses of the District.

GENERAL PROVISIONS.

SEC. 61. That companies, battalions, or regiments may adopt constitutional articles of agreement or by-laws, subject to the approval of the commander-in-chief, for the government of matters relating to the civic affairs of their respective organizations, the regulation of fines for non-performance of duty, and the determination of causes upon which excuses from fines may be based: *Provided, however*, That such articles or rules shall not be repugnant to law or the regulations for the government of the militia: *And provided further*, That the articles or rules adopted by any company or battalion shall not be repugnant to the articles or rules adopted for the general government of the regiment or battalion to which it belongs. Certified copies of such articles or rules, with like copies of all alterations, as finally approved by the commanding general, shall be deposited in the office of the adjutant-general.

SEC. 62. That no officer or soldier shall be liable to jury duty; and any officer or soldier who shall have served continuously and faithfully for nine years in the National Guard shall be exempt for life thereafter from jury duty.

SEC. 63. That each company of the National Guard shall be entitled to enroll not exceeding twenty honorary members, who, upon the payment into the treasury of such company of not less than $25 annually, shall be exempted from active military duty and jury duty, upon the exhibition of a receipt for such payment for one year from the date thereof.

Amendment of Committee of the Whole House on the state of the Union: Strike out sections 62 and 63.

SEC. 64. The departmental and military duties of the officers provided for in this act shall be correlative with those discharged by similarly designated officers in the Army of the United States.

SEC. 65. That the system of discipline and field exercise ordered to be observed by the Army of the United States, or such other system as may hereafter be directed for the militia by laws of the United States, shall be observed by the National Guard.

SEC. 66. That the commanding general, subject to the approval of the commander-in-chief, is authorized to make and publish regulations for the government of the militia in all matters not specifically provided for by law, conforming the same to the practice and regulations of the Army so far as they may be applicable.

SEC. 67. That it shall be a misdemeanor for any body of men, other than the regularly organized militia and the troops of the United States, except such independent military organizations as are now in existence, to associate themselves together as a military company or organization, or meet for drill with arms, or parade in public with arms, without the permission of the commanding general; and whoever belongs to or parades with any such unauthorized body of men with arms shall be punished by imprisonment for not exceeding six months, or by a fine not exceeding $50, or by both; and the police court of the District of Columbia shall have jurisdiction of misdemeanors under the provisions of this section.

Amendment of Committee of the Whole House on the state of the Union: Strike out section 67; insert at the end of the bill as an additional section the following:

SEC. 67. That the act "more effectually to provide for the organization of the militia of the District of Columbia," approved March 3, 1803, is hereby repealed.

Amend the title so as to read:

A bill to provide for the organization of the militia of the District of Columbia.

The CHAIRMAN. The hour having expired, the committee will rise.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. DOCKERY reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 4961) to amend the act entitled "An act more effectually to provide for the organization of the militia of the District of Columbia," passed March 3, 1803, and had come to no resolution thereon.

OKLAHOMA.

Mr. SPRINGER. I move that the House resolve itself into Committee of the Whole House on the state of the Union.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. DOCKERY in the chair.

The CHAIRMAN. The Clerk will now report the unfinished business in Committee of the Whole.

The Clerk read as follows:

A bill (H. R. 10614) to organize the Territory of Oklahoma, and for other purposes.

Mr. SPRINGER. I ask for the reading of the pending amendment to the bill.

The Clerk read as follows:

Strike out, in the sixth section of the bill, the words "in legal manner to the commission provided for in this act," in the second and third lines of said section, and insert:

"By the consent of said Cherokee tribe of Indians, or any other tribe or tribes having an interest therein, which shall be first obtained by a commission to be appointed by the President of the United States; and when said commission shall have reported that said consent of said Cherokee tribe of Indians, or any other tribe or tribes having an interest therein, has been obtained," etc.

Mr. SPRINGER. I ask that the entire section be read as it will stand if amended.

The section as proposed to be amended was reported.

Mr. SPRINGER. Mr. Chairman, this amendment provides for extending the provisions of the bill so as to require the consent of all of the five civilized tribes to any disposition of the lands, and of all the other tribes in the Territory, making it very indefinite and uncertain as to what it really requires. As the bill itself provides for getting the consent of the tribes having an interest in the lands, the only ones whose consent it is desired or necessary to obtain, I hope the amendment will be voted down.

Mr. HOOKER. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOOKER. I want to know if this bill has been read in its entirety or not, from the first to the last?

The CHAIRMAN. Not at this sitting of the committee.

Mr. HOOKER. I do not understand how it comes up in this way, and that we are to plunge into it *in medias res* in this manner.

The CHAIRMAN. The Chair will state that this bill comes over as unfinished business from a preceding sitting of the committee. The sixth section of the bill having been reached, it is now being considered under the five-minute rule for debate and amendment. The pending amendment to the sixth section, which has just been read, is that offered by the gentleman from Mississippi himself.

Mr. HOOKER. Mr. Chairman, it will be observed by the committee that the language of the sixth section of this bill provides for the approval or consent of the Cherokee tribe of Indians, which shall signify its assent to the provisions of the section, in the words of the bill, "in legal manner."

That phrase, as embodied in the bill, seems to me to be very indefinite and uncertain, and indeed in that regard it bears a very close relationship to the bill in its entirety, for all of these sections seem to be of a similar character.

I propose to strike out the words "in legal manner to the commission provided under this act," and insert:

By the consent of said Cherokee tribe of Indians, or any other tribe or tribes having an interest therein, which shall be first obtained by a commission to be appointed by the President of the United States, and when said commission shall have reported that said consent of said Cherokee tribe of Indians, or any other tribe or tribes having an interest therein, has been obtained.

Now, the proposition is that the consent of the Indians to the organization of this Territory over their lands shall be first obtained instead of leaving it as the bill proposes, to be subsequently obtained after the passage of the bill itself. The amendment provides that as a preliminary condition the Indians shall be consulted about the matter, as they are the parties in interest. According to the theory of the gentleman on the other side of the Chamber who advocates this bill [Mr. WARNER], and whom I do not now see in his seat, and the theory of the chairman of the Committee on the Territories, this whole matter is to proceed upon the idea that the Indians are to give their consent, and if they are to give their consent why should not that consent be obtained as a condition-precedent instead of being subsequently obtained? Every safeguard, I submit, should be thrown around the rights of the Indians if they are to be consulted; and if their consent is to be had it should be done as a preliminary condition to the organization of the Territory over their property. They are, Mr. Chairman, the owners of the soil; they are the parties most in interest; they are the persons whose consent must be obtained, and therefore I have moved the amendment as preferable to the very indefinite language of the bill which provides that their assent shall be obtained "in legal manner." There ought to be something definite and positive about how that assent shall be obtained; and as no subsequent provision of the bill covers it, because they are equally indefinite, it ought to be ascertained by a commission before any Territorial government is established or attempted to be established at all.

Now the authors of this measure at one time almost conceded the fact by an amendment which was proposed, I believe, by the gentleman from Missouri, to whom I have referred, and who is now in his seat, to organize this Territory out of the little strip of land called No Man's Land, and not embracing any other portion, for if I remember aright in the progress of the discussion at one period the proposition was made to confine the territorial limits of this somewhat anomalous territory to the strip called No Man's Land, and exclude from it any other portion of the country which the original bill as reported from the Committee on the Territories embraced. I think, therefore, in justice to the Indians themselves, as well as in justice to the phraseology of the bill, this should certainly be positive in its terms, and for that reason that the amendment should be adopted.

Mr. WARNER. I move to strike out the last word. As the gentleman from Mississippi has referred to me in the argument he has presented, I wish to be heard for a few moments.

The proposed amendment, it will be recollected by the members of the committee, is substantially the same that has been voted on at least two or three times in the progress of the discussion on this bill. Under the bill it is provided that if the Cherokees, who alone are interested in what is known as the Cherokee Outlet, shall give their consent to treat with the commission for the opening and sale of that Outlet, that it should not be in the power of a mere handful of Indians who are under the control of the cattle syndicates or of any other syndicates to obstruct the opening of that territory; and the same is true of that part of the territory that may belong to the Creeks or the Seminoles or the Choctaws, or any other tribe having an interest there.

The gentleman's amendment is simply this, that the consent of every tribe and every band of Indians in the Indian Territory must be had before any part of the Territory can be opened to actual settlement. It amounts, Mr. Chairman, to placing in the way of the opening of this Territory a stumbling-block, as I say, and enable a tribe that may be manipulated or controlled by gentlemen who desire to prevent the opening of this Territory to actual settlement. That, sir, is the amendment in substance.

Mr. HOOKER. If the gentleman from Missouri had examined a little more critically the amendment which I propose, he would have hardly made the argument which he has addressed to the committee, because it proposed to get legal assent alone from the Cherokees, who are the owners of the Cherokee Outlet, and not that also of other Indians to whom they may have transferred rights, and obtain the assent of other Indians who have an interest in the land which it embraces.

Now, if the Cherokees have settled any other tribe of Indians there, or in that country, and they have an interest in it, I think it is but proper that their assent should be obtained. If not, it is a simulated pretense that they desire to obtain the assent of the Indians. If the Cherokees have ceded the right to any other tribe or tribes, by which they have become the occupants of any part of this outlet, then it is proper that they should be consulted as well as the Cherokees themselves, who are the owners by the patent of the Cherokee Outlet.

Now, I heard a good deal about cattle syndicates. I do not know anything about cattle syndicates. I do not know who compose them. I have never had a communication or writing from any of them, and I do not know any of them. I am speaking in behalf of these Indians. If they choose to rent these lands to a syndicate, they have as much right to rent to them as the gentleman from Missouri has to rent his lands. They are the owners. It is a simulated pretense to give a patent to these lands when you do not intend to carry into effect the rights given in the patent. If they are the owners, possessors, and occupiers of this tract of land, and if they have given the right to locate upon it to any other friendly tribes more unfortunate or less powerful and wealthy than they, then are they not to be consulted as to the occupancy of the lands and the creation of this Territory?

I can see no reason why they should not. The gentleman states, as I understand his argument, that so far as the Cherokees are concerned, they ought to be consulted, and their assent ought to be obtained, not in the vague, indefinite, uncertain manner mentioned by that section of the bill, in "legal form," but by a preliminary commission appointed to ascertain whether or not they desire to have a Territory created within these lands. I can not, therefore——

Mr. WEAVER. Will the gentleman permit me to ask him a question?

Mr. HOOKER. Certainly.

Mr. WEAVER. Does the amendment include obtaining the consent of other persons?

Mr. HOOKER. No, sir.

Mr. WEAVER. Only that of the Indians—other tribes.

Mr. HOOKER. Other tribes or persons. I do not recollect the phraseology. It is meant to be tribes. It is not intended to apply to anybody but the Indians; because I will say in answer to the gentleman from Iowa that if anybody has the right it is the Indians. It belongs to them.

Mr. WEAVER. I think the gentleman said that they had the right to lease these lands to the cattle-men.

Mr. HOOKER. They have, and have leased it; and I see in a paper——

Mr. WARNER. The gentleman from Mississippi [Mr. HOOKER], as I understand, says that they have as much right to lease their land (speaking of the Cherokees with reference to the outlet) as the gentleman from Missouri has a right to lease his land. Does not the gentleman from Mississippi know that the Attorney-General of the United States has decided just to the contrary opinion? Does he not know that Attorney-General Devens decided just to the opposite opinion? Does he not know that Mr. Lamar, then Secretary of the Interior, issued an

order just the opposite to the opinion that the gentleman has given, that they have no right to lease these lands, and that the parties occupying under the pretended lease are there only by the forbearance of the Government, and may be ordered off at any moment?

Mr. HOOKER. Are you through with your argument?

Mr. WARNER. Usually when I stop I am through.

Mr. HOOKER. Then I will answer if you will give me time to answer. If the Cherokee Indians own these lands by patent of the Government, then they own them by a title as good as the title which the gentleman derives to his own lands in Missouri, which came primarily through a patent of the Government from somebody. That proposition can not be doubted. I presume it has never been denied that they do own it since a patent was made to them. Then I care not what may have been decided upon this subject by the Attorney-General; they undoubtedly have the right to use and occupy it themselves according to the old legal maxim, "*Qui facit per alium, facit per se.*" What they may do by another they may do by themselves.

I see in a paper which came to me yesterday or this morning that they have leased these lands in this Cherokee Outlet for the sum of $200,000 per annum—a very handsome sum for these Indians to get for these lands.

Now, if they own these lands and the lands are patented to them and they have the right of occupancy and do occupy them, then before you can have the face to ask that you shall take those lands and dedicate them to be a Territory of the United States for occupancy by white people, you at least ought to obtain the consent of these Indians as a preliminary condition; and that is what my amendment proposes with reference to these Indians, and also with reference to any others who may have acquired interests from them.

Mr. SYMES. Mr. Chairman——

The CHAIRMAN. Debate on this amendment is exhausted. If there be no objection, the *pro forma* amendment of the gentleman from Missouri will be regarded as withdrawn.

Mr. SPRINGER. I desire to ask unanimous consent that debate on this amendment be closed in ten minutes, allowing five minutes to each side.

Mr. HOOKER. I object.

Mr. SPRINGER. Then I give notice that at the end of ten minutes I shall move that the committee rise to close debate.

Mr. SYMES. Mr. Chairman, I should not say anything in reply to the distinguished gentleman from Mississippi [Mr. HOOKER] if he had not, in his honesty, repeated that statement regarding the Cherokees owning this land so often that I am inclined to think he really believes it himself. He seems to have slept an absolute Rip Van Winkle sleep upon the history of the title to the Cherokee Strip. With all his pretended knowledge in behalf of these Indians, he seems not to know that they absolutely ceded this Cherokee Strip to the United States Government in 1866. He does not seem to know that in 1872, in exact accordance with an act of Congress to carry into effect that treaty, appraisers were appointed for this Cherokee Strip. He seems to have forgotten that in 1877 those appraisers made an appraisement of it. He does not seem to know that that appraisement was approved by President Hayes and the sum fixed by him to pay the Indians for that land. He does not seem to know that those Indians agreed to it; that they came here, by their attorneys and by their agents, and hung around the Halls of Congress during two or three Congresses and asked the Senate committee to ask the House committee to make the appropriation in accordance with the appraisement, as finally approved and fixed by President Hayes, and that in the argument which their agents and attorneys made they insisted that the Indians did not own the land; that they had no further right or title to it, and that Congress owed them the $3,000,000; and I believe they were correct.

I believe that Congress then did not do its full duty, but, in pursuance of the policy of trying to save something for the time being even at the risk of greater loss at the end, it was contended by some gentlemen that the Government did not owe this money on the land at that particular time, that they owed only a portion of it; so they appropriated a few hundred thousand dollars from time to time, leaving the balance due, and it is due to those Indians to-day, and the only excuse the Indians have for being upon that land at all is that they have an equitable claim, which this bill provides to have negotiated for. That is all the reason they have for asking more money to-day, because Congress did not pay them the three millions at that time. But Congress did not do its duty in paying for the land. It changed the policy of settling friendly Indians upon it by an act of Congress with which these Indians found no fault, because, after Congress had so changed its policy as to settling friendly Indians upon the land, these Indians were here asking Congress for their pay and repeating that under the cession they had no interest in the land. Now, sir, I hope it will not be repeated more than forty times more during this debate that these Indians own the fee-simple title to this land. I hope it will be understood that they themselves do not claim it, and that their agents do not claim it when they state honestly what they believe. But they have an equitable claim; they are entitled to something in addition to the three millions, because they were not paid the money that was due to them at the time.

Mr. CUTCHEON. The gentleman from Colorado [Mr. SYMES] has stated that there was an appraisal made of these lands, and that the Indians, by their agents, appeared here and demanded payment from the Government, and he seems to rely upon that circumstance at this time. Now, as the gentleman himself states, Congress refused at the time to take that view of the transaction and refused to make the payment——

Mr. SYMES. No, they did not.

Mr. CUTCHEON. And therefore are we not estopped from claiming now that that was a completed transaction?

Mr. SYMES. Not at all.

Mr. CUTCHEON. It takes two parties to make a bargain, and Congress declined to agree to the proposition.

Mr. SYMES. Not at all. The gentleman from Michigan is entirely mistaken as to the history of that matter. The payment was simply delayed.

Mr. CUTCHEON. How many years has it been delayed?

Mr. SYMES. It has been delayed only about one-tenth as long as Congress has delayed many other honest claims, and as a consequence of that delay an additional equitable claim has accrued.

Mr. CUTCHEON. It seems to me that if Congress had looked upon the matter as a completed transaction they would have made the payment at the time it was contemplated, and, having refused to do so, I think they are now estopped from claiming anything under that proposed transaction. It takes two to make a bargain, and that bargain was not completed.

Mr. SYMES. There were hundreds and thousands of dollars paid on this transaction, but there was a balance remaining unpaid, which was delayed from time to time, and one Commissioner of Indian Affairs specially recommended the payment of it, and other officers of the Government have specially recommended its payment. But all of it was not paid. The balance remains due, and that is why this equitable claim is still pending.

Mr. BARNES. Mr. Chairman, I am somewhat familiar with the history of this question, having studied it to some extent; but it is some time since I looked over the papers. Had I known the question was coming up to-day I would have refreshed my recollection. But I want to observe that when the gentleman from Colorado [Mr. SYMES] attacks the statements of the gentleman from Mississippi and says that gentleman seems not to know certain things, it occurs to me it would be well for the gentleman from Colorado to refresh his recollection and his knowledge about those facts.

In the first place, the gentleman from Colorado, referring to the treaty of 1866, says that there was an absolute cession of these lands by the Cherokee Indians. Article 16, of the treaty of 1866, does not provide for an absolute cession of this land. That article provides that these lands shall be agreed to be ceded, and that when occupied in a certain body and tract, on which friendly Indians may be located, the Cherokees are then to cede, not to the United States, but to those friendly Indians the lands thus occupied. There was no absolute cession. The gentleman seems not to know that. If he will look at article 16, of the treaty, he will see that he not merely seems not to know it, but is absolutely ignorant of it.

Mr. PAYSON. Will the gentleman yield at this point to allow that sixteenth article to be read?

Mr. BARNES. Certainly. I know I am right in my recollection of it.

The Clerk read as follows:

The sixteenth article of the treaty of 1866 (14 Statutes, 804) provides that the United States may settle friendly Indians in any part of the Cherokee country west of 96° of longitude, to be taken in a compact form in quantity not exceeding 160 acres for each member of said tribes thus to be settled; the boundaries of said districts to be distinctly marked, and the land conveyed in fee-simple title to each of said tribes, to be held in common or by their members in severalty, as the United States may decide; the Cherokee Nation to retain the right of possession and jurisdiction over all of said country west of 96° of longitude until thus sold and occupied.

Mr. BARNES. Now, there it is, Mr. Chairman, exactly in accordance with my recollection. There was no absolute cession. There was an agreement to cede—to whom? To the friendly Indians whom the United States might locate on these lands; and there was also in that article an absolute declaration that the Cherokees should retain full control and jurisdiction over all of the land that was not thus occupied and settled.

Now, a word or two about this other matter to which allusion has been made. Subsequently there were some negotiations between certain parties claiming to represent the Indians in reference to an absolute sale of these lands; and I believe that Mr. Teller, when Secretary of the Interior, did recommend that the Government should purchase those lands.

But the Government did not make the purchase. It was a recognized fact that if the Government should go on and select certain lands in a certain portion of the Territory and settle Indians upon them, and should leave in the hands of the Cherokees those lands which were less valuable, there would arise an equitable reason in favor of the Cherokees why the other lands should be sold, and sold at a good price. Instead of that, what did the Government do? It did not make any appropriation for the purchase of the land. It can not be shown that

there was any act of the national council of the Cherokees by which these parties who are conducting these negotiations here were authorized to act for the Cherokee Nation. There is no pretense that they had any authority whatsoever. They claimed to represent the Cherokee Nation at that time; but where is the evidence that they did represent it? Where is the act of the Cherokee council, signed by its governor, which bound the Cherokee Nation?

And, Mr. Chairman, what was the action of the Government of the United States? In consequence of those equities, it made an additional appropriation—I think it is in the act of 1872—for the sum of $300,000; and, mark you, if you will turn to the act of 1872 you will find that this sum of $300,000 is on account of the lands which were occupied, not the lands over which the Indians under the terms of the treaty retained absolute jurisdiction and sovereignty until they were occupied.

Mr. SYMES. Will the gentleman allow me a remark?

Mr. BARNES. Certainly.

Mr. SYMES. The appropriation exceeded to quite an extent the amount due for the land already occupied by friendly Indians.

Mr. BARNES. But it was not in part payment; not at all.

Mr. SYMES. Yes, sir.

Mr. BARNES. No, it was not.

[Here the hammer fell.]

The CHAIRMAN. If there be no objection, the *pro forma* amendment will be considered as withdrawn. The Chair hears none.

Mr. HOOKER. Mr. Chairman, I renew the *pro forma* amendment. The gentleman from Colorado [Mr. SYMES] seems to think I have forgotten a good many things which I ought to have known. Yet the very matter which he claims I have forgotten seems never to have existed. Why, according to his own argument, these Cherokees have an equity. When you want to embrace these lands within the limits of this Territory, which you designed for the white people, he himself admits that the Cherokees have an equity. Why, sir, it has been well said by my friend from Georgia [Mr. BARNES], and it is demonstrated by the reading of the sixteenth article of the treaty of 1866, that there never was a cession. I care not what Attorneys-General or Secretaries of the Interior may have said, there is no record evidence of a cession of this land by the Cherokees to the United States for any other purpose except the settlement of friendly Indians upon it, with their consent, and a sale of the land to them; and if for the purpose of carrying out the duty which the Government of the United States owed to these houseless and homeless and nomadic tribes of Indians to settle them somewhere permanently, if in carrying out this duty they chose to negotiate with the Cherokees for the settlement of their lands by their consent, then that was right and proper.

According to his own concession these people had no right to act as delegates from the Cherokee Nation to make actual bestowal of this land to the Government of the United States for any other purpose except the purpose of settling these friendly Indians, reserving under the terms of the treaty in the sixteenth article authority to the Cherokee Nation over the territory ceded.

Here it will be observed, Mr. Chairman, so far from displaying, as the gentleman from Colorado [Mr. SYMES] thinks, forgetfulness about these facts that are as stated in the terms of the treaty itself in the sixteenth article, this cession to the United States, whether for large or small consideration, was a cession for the purpose of settling friendly Indians by consent of the United States on that land. Yet, according to the confession of the gentleman from Colorado, the money was not paid for even this cession.

Now, what is proposed by the terms of this bill in this section? It is absolutely to take possession of this land without getting the consent of the Cherokees themselves in proper form. And the gentleman himself has said these other Indians have rights there if the Cherokees have ceded this land to them and the United States has paid consideration money to them, and they ought to be consulted as well as the Cherokees. In other words, under the law as it now stands—and that I think I do know—there is not a foot of land within the Cherokee Strip which you design to embrace in this abnormal Territory of Oklahoma—a Territory without boundary, without defined ownership of land, without citizens there asking it—which you do not propose now by this bill, under the terms of this section, to take in an illegal manner whether the Indians consent to it or not.

If the gentleman from Colorado is right the Indians do not own the land; then why do you ask them for their consent? Why do you provide in the bill to ask their consent? It was because, sir, the framers of this bill knew that the Indians did have rights through the conveyance of the public lands by the Government into the possession of citizens or tribes of Indians. If the Indians did not have these rights, why then was it necessary to provide in this bill for their consent? If they were not the owners of the land, why was it necessary to ask for their consent? If, as the gentleman from Colorado has stated, this land was purchased by the United States and paid for by the United States and it was deeded to the United States, why then the necessity of getting any consent from these Indians? Yet the bill is based on the idea you must have their consent to the terms proposed. During the whole progress of the debate, both before and now, it has been conceded there would be no legal organization of the Territory of Oklahoma without the consent of these Indians who own this land, it having been deeded to them by the Government of the United States and can not be taken from them without their consent.

[Here the hammer fell.]

Mr. WARNER. Mr. Chairman, it is as well to stick to the question under discussion. It has been conceded in the argument, and it is conceded in this bill, before the Cherokee Outlet can be opened to settlement, before any settler can go on the land, the consent of the Cherokees must be first had and obtained. I say to the gentleman from Mississippi [Mr. HOOKER] he will search the legislation of this country in vain to find a measure as equitable, as liberal in its terms to the Indians, as is the bill under consideration. Now, sir, we may bandy words and accuse one another of forgetting or not knowing the principles involved, but I know this, the chief law officer of the Government, not only of this Administration but of preceding administrations, has decided that the Cherokees have no right to this Outlet for the purpose of residence.

I know that the chief law officer (the Attorney-General) has decided that the pretended leases under which the cattle syndicates held possession of that Outlet, at a mere nominal price of about 3 cents an acre, where they graze their enormous herds without paying a cent of tax on the land or a cent of tax on their cattle, being exempted from the process of the law, he has decided that there is no warrant of law for these leases. I know, sir, that the late Secretary of the Interior, now an associate justice of the Supreme Court of the United States, held the men occupying the Outlet with their cattle were there simply by sufferance of the Government; that their leases, their pretended leases, as he calls them, can be canceled at any time. The present Secretary of the Interior, by his recent order, evidently entertains the same views.

Mr. BARNES. I do not think that Mr. Lamar so held, although I believe the gentleman is correct about the Attorney-General.

Mr. WARNER. And Secretary Lamar also, because in reference to this he used nearly this identical language I have given, and I will show it to the gentleman. He directed that the parties holding under these pretended leases—

> Be informed that any so-called lease or other arrangements into which they or any other parties may enter with the Cherokee Nation for the occupation of the Cherokee Outlet with their cattle for grazing purposes will be subject to cancellation or discontinuance by the Department at any time.

There can be no mistaking this language. This question was raised with the purpose of defeating the passage of the bill in the Forty-ninth Congress. Then the gentleman from Georgia [Mr. BARNES] relied on the opinion of Judge Parker, of the United States district court of Arkansas, in the case of United States *vs.* Rodgers. In June of last year Judge Brewer, of the United States circuit court, expressly overruled Judge Parker. In his opinion he uses this language:

> Manifestly Congress set apart the 7,000,000 acres as a home, and that was thereafter to be regarded as set aside and occupied, because, as expressed in the preamble of the treaty, Congress was intent upon securing a permanent home; beyond that the guaranty was of an outlet—not territory for residence, but for passage ground, over which the Cherokees might pass to all the unoccupied domain West. But while the exclusive right to this outlet was guarantied, while patent was issued conveying this outlet, it was described and intended obviously as an outlet and not as a home. (U. S. *vs.* Soule *et al.*, 30 Fed. R., page 918.)

Every man who has carefully read the treaties, it seems to me, must come to the conclusion reached by the learned judge in the opinion just quoted. I have carefully read every line of these treaties and honestly tried to come to an intelligent conclusion upon them, one which should do absolute justice to the Indians; and, Mr. Chairman, my reading and study upon the subject have led me to the irresistible conclusion which I have endeavored to maintain in my advocacy of this bill upon the floor of the House as a legislator.

I submit, therefore, to any gentleman that if he will read the record running through the various treaties, and the letter of Mr. Calhoun when he was Secretary of War, he will find that the additional 7,000,000 acres known as the Outlet were given them as an outlet exclusively, and not for homes. Seven million acres were given them as a home and the rest as an outlet to the West, the then great unbounded, unknown, unoccupied West. And, sir, it is a part of the current history of the country that when the unoccupied West became occupied, when the game had disappeared before advancing civilization, when there was no further use for the Outlet "as a passage to the great West," then it was that the Cherokees came to the Congress of the United States and by the recommendation of General Francis Walker, then Commissioner of Indian Affairs, a law was passed which authorized the President and the Secretary of the Interior to make an appraisement of the Cherokee lands and of the lands of the Osage Indians in the Indian Territory to the southern line of Kansas, and ceded to the United States by the Cherokee Indians.

In accordance with the provisions of this law the President of the United States appointed appraisers to appraise this Outlet. Let us bear in mind as one fact in the discussion of this question that there was at this time an entire willingness upon the part of the Cherokees to part with whatever interest they might have in this Outlet.

[Here the hammer fell.]

Mr. COBB was recognized, and yielded his time to Mr. WARNER.

Mr. WARNER. I thank my friend from Alabama for the courtesy.

I do not wish to take up the time of the committee, but I think we ought to understand this question fully.

I repeat, sir, that there was at that time a perfect willingness on the part of the Cherokees to part with the land. Now, I live, sir, in a region of country possibly as much benefited, if there be a cattle syndicate controlling this matter, as any other section of the Union, and more so, because certainly my city is the head-center of the cattle interest of the Western country. But at the time when the Cherokees were willing to enter into the negotiations and did enter into them, the cattle syndicates had not then gotten possession of the Cherokee Outlet. I simply say, therefore, that there seems to be something now in existence fighting this bill at every step that did not exist then—the cattle syndicate exists now and it did not exist at that time. Whether it is the influence obstructing this bill at every step I certainly do not say.

Under the law of 1877 the President appointed the appraisers. The lands occupied by the Pawnees in the Outlet were appraised at 70 cents an acre, and the remainder of the land, 6,344,562.1 acres, was valued at 47.49 cents per acre. This appraisement was regarded as fair. The gentleman from Georgia shakes his head.

Mr. BARNES. Were the Cherokees parties to the appraisement?

Mr. WARNER. I will answer the gentleman's question as I proceed if he will not anticipate me, and I will show him that the Cherokees were parties. I will show him that they recognized the appraisement. I will show that not only were they parties, but that as such they were paid a part of the money upon the assessed valuation in excess of any lands ever occupied by friendly tribes of Indians.

Now, two or three years after this appraisement was made, as I wish to treat this question fairly, giving each side of it, the Cherokees made a complaint to the General Government. The nature of the complaint was not that the lands were not appraised at a sufficient price, not that the amount was inadequate, but it was that the Government had located friendly Indians in the eastern part of the Cherokee Outlet, the more valuable part as they claimed, using merely the language used by the distinguished gentleman from Mississippi [Mr. HOOKER] to-day in the course of the discussion, and leaving them the western part, which they thought less valuable, and hence that they were not being treated fairly. They claimed at that time this: That the entire amount of the appraisement, with, I think, 5 per cent. interest, was due and should be paid them in the aggregate. Upon this claim Secretary Kirkwood says (I read from the official document):

> Although in this matter the Cherokees have some cause of complaint that they have not been fairly dealt by, I think also that their demand for the present payment for all the land is not quite reasonable, and that their demand for interest, as set forth in their communication to me, is extravagant.

Then he proposes this remedy. Now, if the gentleman from Georgia will give me his attention. The remedy was—

> That the United States shall pay them the appraised value, 47.49 cents per acre, for as much land in the extreme western and less valuable parts of the cession as has been occupied in the eastern and more valuable parts thereof. (H. R. Ex. Doc. 89, Forty-seventh Congress.)

In pursuance of this arrangement $300,000 was appropriated, was paid to and received by the Cherokees.

Mr. WEAVER. Was not part of it in excess?

Mr. WARNER. They had already been paid nearly $50,000 in excess of the valuation of the territory occupied by friendly Indians, and the $300,000 was paid to carry out the recommendation of Secretary Kirkwood, to pay for an equal amount in the western or less valuable part of the Outlet to what had been occupied in the eastern or more valuable.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. WARNER. I wish a moment or two more.

Mr. BIGGS. Mr. Chairman, if I can be recognized, I desire to give the gentleman from Missouri a portion of my time.

The CHAIRMAN. The gentleman from California yields a portion of his time to the gentleman from Missouri.

Mr. WARNER. I am obliged to my friend from California [Mr. BIGGS], and I will try not to occupy more than five minutes.

I will say to my friend from Georgia [Mr. BARNES] that I know he has read these treaties carefully, and he must remember that under the terms of the appropriation of this $300,000 that was paid to the Cherokees in excess, that the terms were that it was to be paid to them out of funds due them under the appraisement of their lands west of the Arkansas River. Was it not?

Mr. BARNES. I will have it read directly. That will be the best way.

Mr. WARNER. If you have the law there I will read it. I wish to read it. The gentleman from Georgia kindly furnishes me the authority, and I find that my memery had not betrayed me. Here is the appropriation:

> That the sum of $300,000 is hereby appropriated to be paid into the treasury of the Cherokee Nation out of funds due under the appraisement of the Cherokee lands west of the Arkansas River; which sum shall be expended as the acts of the Cherokee Legislature direct.

Mr. BARNES. Go on.

Mr. WARNER. The other provision does not affect that.

Mr. BARNES. I think it does.

Mr. WARNER. The Cherokees had sold a part of their land to friendly Indians there, and they were dissatisfied in some way, and the condition of this was that they give them title.

But, sir, here is the provision by which $300,000 was appropriated, and to be paid from what fund? Will the gentleman from Mississippi say that the Congress of the United States did not know what they were doing, and the Secretary of the Interior did not know what he was doing? It was to be paid out of the fund "due the Cherokees under the appraisement of the Cherokee lands west of the Arkansas River." It was not paid for a part of their tract. It was paid on the appraisement of the tract as an entirety. They had already received over $300,000, and this was an additional amount. And how was it to be paid? "Into the treasury of the Cherokee Nation." How is it to be expended? "In such a manner as the Cherokee council shall direct."

Was not the Cherokee Nation a party to that? Did not the Cherokee Nation receive the $300,000 with a full knowledge of the appraisement? Did it not expend the $300,000 on the conditions upon which it had been received?

The bill proposes to acquire from the Cherokees any title or claim they may have. It proposes, Mr. Chairman, by amendments which we shall offer, to make it a penal offense for any citizen to enter upon any part of the Indian Territory until the assent of the Indians is first had, and the proclamation of the President, in accordance with the terms of this bill, has been issued; and further than that, it provides that any person violating this provision shall never thereafter be permitted to own or acquire title to real estate in the Territory. It provides further, I will say to the gentlemen from Mississippi, thinking that it might meet the wishes of the gentlemen—believing them to be sincere in their objection to this bill, claiming that it is an outrage to extend the Territory over any part of the Indian Territory until the assent of the Indians directly interested in that part of the Territory has first been obtained—it provides that until such assent is obtained the Territorial government should not be extended over it.

These amendments are proposed to be offered to this bill, throwing around it every safeguard that it is possible to do. And I will say to the gentleman now, that, so far as I am concerned, there is no amendment that he can offer that looks to carrying out the purpose of opening this Territory to settlement, throwing it open to make it add to the wealth of the United States, instead of being a stumbling-block in the way of civilization and a Chinese wall between our Western States—no amendment looking in good faith to the carrying out of this idea and protecting the interest of the Indians there, whatever it may be, that I will be found opposing. What I object to is this consumption of time by calling a quorum upon immaterial amendments, which is an obstructive policy to defeat this legislation.

Mr. HOOKER. That is our purpose.

Mr. WARNER. Yes, I know it is.

The CHAIRMAN. In the absence of objection the *pro forma* amendment will be regarded as withdrawn.

Mr. BARNES. I renew it. Mr. Chairman, I have but a word or two to say in reply to the gentleman from Missouri [Mr. WARNER], and I shall address myself to two points: first, the question of title, and second, the question, for what was the appropriation of $300,000 made? Had the gentleman read all the law which I handed him I would not occupy even the time which I am now compelled to occupy.

First, as to the question of title, I am not going into the argument about what Mr. Calhoun thought, about what was the original grant of this Outlet, or what may have been the opinion of this, that, or the other judge. The question of title, Mr. Chairman, is fully settled, it seems to me, clearly and indisputably settled, by the sixteenth article of the treaty with the United States. In that article it is provided—

> That the United States may settle friendly Indians in any part of the Cherokee country west of 96°, to be taken in compact form, in quantity not exceeding 160 acres for each member of each of said tribes thus to be settled, the boundaries of said district to be distinctly marked and the land conveyed—

How conveyed? By what sort of title?—

> conveyed in fee-simple to each of said tribes.

That is the language of the treaty.

Who was to convey it? Not the United States. It was to be conveyed by the Cherokee Nation. How was the Cherokee Nation to convey a title in fee-simple to these friendly Indians whom the Government might locate on those lands if they did not have a fee-simple title to convey? If there was not a fee-simple title in the Cherokee Nation how was the United States to get a fee-simple title out of that nation for those friendly Indians? They could not convey what they did not have. They could not convey a title which was not theirs. The Government recognized the fact that there was a fee-simple title in the Cherokee Nation by making this sixteenth article of the treaty. Those Indians, I repeat, could not pass to another tribe that which they did not possess; yet the Government obligated them that whenever those lands should be occupied by the friendly Indians whom the Government might locate thereon, they, the Cherokee Nation, must make a fee-simple title. So much for the question of title.

Now, in reference to the appropriation to those Indians, I will not go

over the whole question about the negotiation which took place here, or about whether or not the Cherokees were or were not a party to this appraisement. There can be no question of the fact; the history of the transaction shows that the appraisement was undertaken by the United States Government. I grant that there were parties here pretending to represent the Cherokee Nation and claiming that there should be a payment made, but I deny that there can be any evidence produced to show that the Cherokee council ever approved or authorized it.

Now, as to the appropriation of $300,000, my friend from Missouri [Mr. WARNER] read a part of the clause, but not the whole of it. I read:

That the sum of $300,000 is hereby appropriated, to be paid into the treasury of the Cherokee Nation out of the funds due under appraisement, for Cherokee lands west of the Arkansas River, which sum shall be expended as the acts of the Cherokee Legislature direct; this amount to be immediately available.

So far so good. That is what the Government was to do. Now, what was the Cherokee Nation to do?

Provided, That the Cherokee Nation, through its proper authorities, its governor and its legislative council representing its government, shall execute conveyances—

What sort of conveyances?—

shall execute conveyances satisfactorily to the Secretary of the Interior—

In fee simple, of course, as the sixteenth article of the treaty provided. To whom? To the United States; not absolutely, but as a trustee, in trust only for the benefit of the Pawnees (and the other tribes enumerated); not Indians to be settled upon those lands thereafter, not a new settlement, but Indians then occupying the said tract, "as they respectively occupied the same before the payment of said sum of money."

Mr. WARNER. Does the gentleman say that the $300,000 was paid for that purpose?

Mr. BARNES. I say it was to be paid in trust for that purpose. I do not say anything beyond what the act says. There is the act. It speaks for itself.

Mr. WARNER. The gentleman has read, I am sure, the executive documents accompanying the report of Secretary Kirkwood.

Mr. BARNES. I have.

Mr. WARNER. And does not the gentleman know that the $300,000 was paid for an equal amount in the western portion of the Outlet to the amounts taken in the eastern portion?

Mr. BARNES. I understand exactly what it was for. It was because the Secretary of the Interior himself recognized that there were certain equities in behalf of these Indians growing out of the fact that the Government was locating certain tribes on the best portion of the lands; and as a result this appropriation of $300,000 was made. As to what it was made for, there is no occasion for any dispute between the gentleman and myself, because here is the record; here is the statute to speak for itself. This appropriation was only to be paid if the Cherokee Nation would execute conveyances satisfactory to the Department of the Interior in fee-simple—for that was the only form of conveyance which could have been satisfactory—conveyances in trust to the Government of the United States for those tribes who were already upon the land, occupying a part of it.

The CHAIRMAN, having put the question upon the amendment of Mr. HOOKER, said: The ayes seem to have it.

Mr. HOOKER. I call for a division.

The question being again taken, there were—ayes 6, noes 58.

Mr. HOOKER. I make the point that no quorum has voted.

Mr. SPRINGER. If gentlemen desire further debate, I have no objection to an extension of the time; but I think so emphatic an expression as this ought to satisfy gentlemen, unless they desire further debate, and they should permit us to proceed to some other provision of the bill.

The CHAIRMAN. The point of no quorum being made by the gentleman from Mississippi, the Chair appoints as tellers the gentleman from Mississippi [Mr. HOOKER] and the gentleman from Colorado [Mr. SYMES].

The committee again divided; and the tellers reported—ayes 29, noes 92.

The CHAIRMAN. No quorum has yet voted.

Mr. SPRINGER. Is the point of no quorum insisted upon?

The CHAIRMAN. It has not been withdrawn.

Mr. SPRINGER. If the point is insisted upon, I demand that the roll be called.

The CHAIRMAN. The Clerk will call the roll.

The Clerk proceeded to call the roll, when the following-named members failed to answer:

Allen, Mass.	Brown, J. R., Va.	Dargan,	Glover,
Anderson, Iowa	Brumm,	Davenport,	Goff,
Anderson, Ill.	Burnes,	Davidson, Ala.	Granger,
Anderson, Kans.	Butterworth,	Davidson, Fla.	Grecnman,
Arnold,	Carlton,	Dougherty,	Grosvenor,
Bacon,	Clardy,	Dunn,	Guenther,
Baker, N. Y.	Clements,	Ermentrout,	Hall,
Barry,	Cockran,	Felton,	Hayden,
Bliss,	Cogswell,	Finley,	Hogg,
Bowden,	Collins,	Fisher,	Hovey,
Bowen,	Conger,	Forney,	Jackson,
Breckinridge, Ky.	Cowles,	Fuller,	Jones,
Browne, T. H. B., Va.	Crain,	Gay,	Kelley,
Ketcham,	Morse,	Russell, Mass.	Thomas, Ky.
Laffoon,	Newton,	Rusk,	Thompson, Cal.
Lagan,	Nichols,	Ryan,	Tillman,
Laird,	Norwood,	Scott,	Turner, Kans.
Long,	O'Neill, Mo.	Seymour,	White, Ind.
Lynch,	Owen,	Shaw,	Whiting, Mass.
Macdonald,	Parker,	Sherman,	Whitthorne,
Maffett,	Perry,	Shively,	Wilber,
McCormick,	Phelps,	Stahlnecker,	Wilkins,
McCreary,	Pidcock,	Steele,	Wilkinson,
McShane,	Post,	Stewart, Vt.	Woodburn.
Milliken,	Richardson,	Stone, Mo.	
Mills,	Rockwell,	Taulbee,	
Morgan,	Rogers,	Taylor, E. B., Ohio	

The roll-call being concluded, the committee, under the rule, rose; and Mr. OATES having taken the chair as Speaker *pro tempore*, Mr. DOCKERY reported that the Committee of the Whole on the state of the Union having found itself without a quorum, the Chairman had caused the roll to be called, and now reported the names of the absentees to the House, to be entered on the Journal.

The SPEAKER *pro tempore*. Upon the roll-call just taken, 205 members have answered to their names. This being more than a quorum, the Committee of the Whole will, under the rule, resume its sitting.

The House accordingly resolved itself again into Committee of the Whole, Mr. DOCKERY in the chair.

The CHAIRMAN. In the absence of the gentleman from Mississippi [Mr. HOOKER] and the gentleman from Colorado [Mr. SYMES], the gentleman from Georgia [Mr. BARNES] and the gentleman from Iowa [Mr. WEAVER] will act as tellers.

The tellers resumed the count, and reported—ayes 38, noes 134.

So the amendment was rejected.

Mr. HOOKER. Mr. Chairman, I do not understand exactly how this vote has been taken. The point of "no quorum" having been raised, the count by the tellers was discontinued, and the roll was called. I submit that the question should have been again taken *de novo*.

The CHAIRMAN. The Chair is of opinion that where no proceedings have taken place other than a mere call of the roll, and the committee after reporting the absentees to the House immediately resumes its session without intervening business, the count by the tellers is resumed where it was left off.

Mr. SPRINGER. That was the practice at the last session.

Mr. HOOKER. I thought the ruling and the practice had been just the opposite.

The CHAIRMAN. The ruling at the last session, when this bill was under consideration, was in harmony with the ruling just announced.

Mr. SPRINGER. I desire to offer an amendment, to come in at the end of the pending section. I ask the Clerk to read it.

The Clerk read as follows:

Add to section 6 the following:

"The commission hereinafter provided for may incorporate in any agreement made with the Cherokee, Creek, and Seminole tribes of Indians a provision to the effect that one-fourth of the proceeds arising from the sale of the lands mentioned in the fifth and sixth sections of this act shall be distributed pro rata among the members of such tribes, according to their respective interests in such land, and that such amounts so to be distributed may be out of the first moneys received from the sale of such lands."

Mr. SPRINGER. Mr. Chairman, this amendment simply provides that the commission to treat with these Indians may in its discretion agree to a provision that a portion of the proceeds of this land may be distributed pro rata to the tribes, so that each member of the tribes can get his respective interest and benefit from it. The provisions of the bill require the proceeds should be deposited in the Treasury of the United States, and interest paid to the respective tribes from time to time. The objection to the ratification of some of the treaties has been the money went into the Treasury and was controlled by the legislative department, and the masses of the people did not get any benefit from it. This is for the purpose of enabling the commission in its discretion to agree that a portion not exceeding one-fourth may be given to the Indians pro rata. I hope it will be agreed to.

Mr. COBB. This is nothing more nor less than a provision for the purpose of bribing these Indians to give their consent.

Mr. SPRINGER. Then the whole proposition is to bribe them to settle. It is tendering them consideration for their land, and if they own this land, and we are going to pay them for it, why not let them have it according to their interest? It is no more proper one way than the other. It is all bribery on that plan to give the Indians anything. We propose to pay them for this land. If that is bribery, then the gentleman was guilty of bribery when he agreed to pay the Sioux Indians for the 11,000,000 acres we got from them. If this is bribery that also was bribery.

But I do not so understand it that if the Indians own an interest in this land and you propose to pay them for it it would come under the head of bribery. If you propose to pay the Indians for the land, no matter what the title is, the bill proceeds on the ground they have title, and we buy it from them, and the Indians say, "You buy the land, and we have each an interest in it, and we want our share." This is in the discretion of the commission and will enable each individual Indian to have his distributive share of the proceeds of the land. How would you proceed to do justice if you do not allow them a pro rata share? That is the proposition here, to allow them pro rata to

have their share of the proceeds of this land. Such is the case with reference to all these Indians, with the exception only of the five civilized tribes, where they have organized governments, and it is proposed to put the money into the Treasury and let it be distributed by the legislative department. I think this is a fair proposition. It is for the commission to determine. It is a fair proposition to let them have their pro rata share of the proceeds of their lands.

Mr. COBB. Mr. Chairman, there has been great complaint from time to time as to the conduct of these commissioners for the purpose of gaining the assent of the Indians to propositions such as this. There is no necessity here why the commissioners should be vested with the power to distribute any part of this money. It is not presently needed, particularly by these Indians, and why should there be a distribution so a part may be paid to individual Indians whose consent is to be obtained?

Mr. SPRINGER. The gentleman misunderstands the proposition. The commission can not pay them for anything, but by this agreement under any contract of sale the first proceeds, instead of going into the Treasury, will be distributed to these Indians under the regulation of the Secretary of the Treasury. This would not come in for three, four, five, or six months after the agreement had been made and signed.

Mr. WEAVER. But not unless the representatives of the Indians themselves and the Cherokee council consent.

Mr. SPRINGER. Of course the representatives of these Indians must consent.

Mr. COBB. Does it not provide these Indians, whose consent is sought to be obtained, if they will sign this agreement, they shall have so many dollars and cents paid to them individually?

Mr. SPRINGER. It does, certainly, in the time prescribed in the bill, which will be after the settlers have made their first payment and the money has been received at the Land Office of the Government, and then accounted for through the legislative department to the respective tribes. It will be all controlled through the legislative power of the nation.

Mr. SPINOLA. I would like to ask this question: How much of this land has been located already under railroad grants?

Mr. SPRINGER. None at all; not an acre of it, nor can any be, except, of course, the 200 feet in width for the right of way granted to certain railroads which have permission to go through the Territory.

Mr. COBB. My objection goes to the point that you are arming these commissioners with a power of making an appeal; I called it bribery, but perhaps that would be too strong a term to use, but it is placing in the hands of the commissioners proposed to be appointed a power that ought not to be given them, to induce the Indians whose assent is sought to be obtained to give it by holding out to them the hope that in a short time thereafter they will individually receive certain payments—so many dollars and cents.

Mr. WEAVER. But the assent is to be obtained by the council and those who represent officially the tribes. It is not proposed that this commission shall seek the assent of the individual Indians.

Mr. COBB. Are these commissioners not authorized and empowered to get the assent of the Indians?

Mr. WEAVER. Yes; but not individually.

Mr. SPRINGER. They get it through the legislative council of the nation. They have members of their own council elected, and the business of the nation is transacted through the council in the same manner that our business is transacted here. They have representatives in the council who form the government of the nation, and they, the commissioners, would treat with them in regard to this matter.

Mr. COBB. But why make this provision in the bill? Why insert such an exception as it seems to be?

Mr. SPRINGER. It is for the benefit of the Indians themselves. If they do not want to make the provision it is for them to say so.

Mr. WEAVER. It is for the approval of the people there, and if it is beneficial to them in their opinion they will get the benefit of it. It is desirable that some such provision should be enacted, and not have these people manipulated by syndicates. There is nothing wrong in the amendment, and it certainly ought to prevail.

Mr. COBB. This is a fund to be paid into the Treasury, and to be held in trust for the benefit of the Indians, to be paid out from time to time as the Congress of the United States may direct, or as these stipulations of the agreement may require. There is no present need, so far as the Indians are concerned, why such a provision should be inserted in the bill at all. They are not needing the money; their necessities do not require its immediate payment; and it looks at least in the direction of an agency being placed in the hands either of the commissioners or of the representatives of the tribe to make an undue appeal and exercise undue influence over the individual Indians of the tribe whose assent is required.

Mr. BIGGS. But you must get the assent of the Indians in some manner, and it will be obtained by their own council.

Mr. WEAVER. Let me state to the gentleman from Alabama that if the Indians do not need the money the council which acts for them will not pay it out. It is a matter left discretionary with the council.

Mr. COBB. I do not know about that. The council may be in favor of giving the assent.

Mr. WEAVER. And if they do not want the money, why, this payment will not be made.

Mr. COBB. And the council may be in favor of the assent while some or many of the individual Indians may not, and you give them an opportunity of exercising an undue influence over the Indians. We all remember the complaints recently made with reference to the attempt to unduly influence these very Sioux Indians to give their assent to the treaty presented to them. The public prints were filled with it to such an extent that the complaint finally came here and was made in this House, and an inquiry was set on foot to ascertain whether or not there was any foundation for the charge. It was alleged that the commissioners were attempting to influence the Indians unduly, to constrain them to give their assent to the proposition submitted. Now, this would be in the nature of a constraint. We present to the Indian a proposition that if he signs an agreement the Government will see to it that he receives as the result of that consent so much money in dollars and cents paid to him individually, not perhaps directly for his consent, but as a direct result of it. I see no necessity for the amendment and oppose it.

[Here the hammer fell.]

Mr. HOOKER. Mr. Chairman, I desire to say a word in reference to the amendment offered by the chairman of the Committee on the Territories. That amendment provides that the commission hereafter to be established may do a certain thing. The language of the amendment is:

The commission hereinafter provided for.

And in order to know what that means we have to turn over to the eleventh section of the bill, which makes provision for the creation of the commission to which reference is there made. Therein it is provided:

SEC. 11. That the President of the United States is hereby authorized and directed to appoint a commission to be composed of five persons, not more than three of whom shall be members of one political party, whose duty it shall be to open negotiations with the Creeks, Seminoles, and Cherokees, for the purpose of securing the consent of said Indians, so far as it may be necessary, to the provisions of section 5 and section 6 of this act.

And I call the attention of the committee to the fact that this language is used here:

So far as it may be necessary.

The section then goes on to provide:

The commission is authorized to enter into such agreements with said Indian tribes as it may deem necessary to accomplish the purposes of this act, and shall submit the same to the President for his approval or rejection. The compensation of the members of said commission shall be at the rate of $10 per day; and they shall also be allowed, in addition thereto, their actual necessary traveling expenses, stationery, and postage. They shall have power to appoint a secretary, who shall receive a compensation of $6 per day and such allowances for traveling expenses as he may actually incur.

Now, this is the amendment proposed by the chairman of the Committee on the Territories to the sixth section of the bill:

That the commission hereinafter provided for—

That is, provided for in the eleventh section—

may incorporate into any agreement made with the Cherokee, Creek, and Seminole tribes of Indians a provision to the effect that one-fourth of the proceeds arising from the sale of the lands mentioned in the fifth and sixth sections of the act shall be distributed pro rata among the members of such tribes, according to their respective interests in said lands; and that such amounts are to be distributed out of the first moneys arising from the sale of such lands.

Now, it will be observed that the provisions of this bill fix the price of the lands at $1.25 per acre, and it is proposed by the amendment, in contravention, I think, of the spirit of the bill, although the amendments to the bill seem to be but a chapter of contradictions, paralleled only by the bill as an entirety, to make a change from what the bill itself provides, because the sixth section of the bill provides:

An accurate account shall be kept by the Secretary of the Interior of the money received as proceeds of the sale of said lands, and said money shall be placed to the credit of the Cherokee Indian tribe in the Treasury of the United States, after deducting the cost of the sale by the United States and the amount heretofore appropriated and paid to the Cherokee tribe as part compensation for said unoccupied lands.

Thus it will be observed that the order for the sale of these lands is arbitrary, fixing the price at $1.25 an acre, and that the Cherokees shall return what has been appropriated by the United States heretofore, and that they shall pay the expenses of the sale. Now, sir, if all these things are to be done, is it not of greater moment that the assent of the Indians shall first be had in this matter? Now, it is proposed in this amendment to enable the commission to say to these Indians that it shall apportion so much pro rata to the other Indians. It is stated in another section of the bill, or in an amendment, that the Seminoles have no interest in it. That is in contravention of the view taken by the gentleman from Missouri [Mr. WARNER], that there are other Indians having an interest in this matter. They are to be placated in order to get their consent to the establishment of the Territory. It was originally proposed to clothe these commissioners with power to make provision for the sale. Now it is proposed that they shall be clothed with authority to take part of the first proceeds of the sale of these lands and distribute it to the respective tribes. I say, therefore, that the amendment is in contravention of the other amendment.

Mr. WARNER. Will the gentleman permit me to interrupt him?

Mr. HOOKER. Certainly.

Mr. WARNER. The gentleman does not desire to misrepresent me. I was speaking of the Cherokees. I was simply speaking in reference to the Cherokee Outlet. The Creek and Seminoles' claim is entirely different and distinct. They have no interest in the Outlet.

Mr. HOOKER. Then if they have not, why should they be paid out of that fund?

Mr. WARNER. Because part of this is for lands they have an interest in.

Mr. HOOKER. This amendment proposes that they shall have power to give to the Cherokees, Creeks, and Seminoles a portion of the amount, extending to one-fourth of the proceeds of the sale of the land, to be paid out of the first sales of the land. If they are not interested in it——

Mr. SPRINGER. According to their respective interests.

Mr. HOOKER. If they have no interest, why do you want to give them money?

Mr. SPRINGER. If they have any interest.

Mr. HOOKER. Then somebody has got an interest besides the Seminoles. All those to whom cession was made for the purpose of settling friendly Indians have just as much interest in the occupancy of these lands as the Seminoles, and are just as much entitled to the proceeds of the sale if the sale shall be made. I say, therefore, this amendment is absolutely in antagonism to the principles of the very portion of the bill to which it proposes to be an amendment.

Mr. SPRINGER. I supposed that this proposition was in the interest of those who claimed to be the friends of the Indians; and as they do not seem to want it, I am sure I do not, and I withdraw it.

The CHAIRMAN. The Clerk will read the next section.

The Clerk read as follows:

SEC. 7. That the President may, at such times as he may deem it necessary, direct land offices to be opened in the Territory of Oklahoma, not to exceed four in number, and may nominate and, by and with the advice and consent of the Senate, appoint the usual officers to conduct the business of said land offices; and the Commissioner of the General Land Office shall, when directed by the President, cause the various portions of said lands to be properly surveyed and subdivided, where the same has not already been done. It is hereby made the duty of the Commissioner of the General Land Office to carefully examine each claim taken under the provisions of this act before issuing a patent to the claimant; and if it shall appear that said claim was not taken in good faith, he shall refuse a patent and declare all prior proceedings before had in such case to be null and void; and all persons settling on lands under the provisions of this act shall be required to select the same in square form, as near as may be, and to maintain a continuous personal residence of three years on the land, and to improve and cultivate the same for that period in the manner required by the homestead laws before obtaining title thereto; but payments for lands, where payment is required to be made by this act, shall be made in four equal installments, under such rules and regulations as may be prescribed by the Secretary of the Interior, as follows: The first payment shall be made within six months from the time of entry, the second at the expiration of one year from date of entry, the third at the expiration of two years from date of entry, and the final payment shall be made at the expiration of three years from the date of entry: *Provided*, That there shall be reserved public highways 4 rods wide around every section of land in said Territory, the section lines being the center of said highways; but no deduction shall be made in the amount to be paid for each quarter-section of land by reason of such reservation.

Mr. PAYSON. I offer the following amendment, to go in at the end.

The Clerk read as follows:

It is proposed to add to the section the following:

"But if the said highways shall be vacated by any competent authority, the title to the respective highway shall inure to the then owner of the tract of which it formed a part by the original survey."

Mr. SPRINGER. There is no objection to that, and I hope it will be adopted.

The amendment was agreed to.

Mr. PAYSON. I offer the following amendment.

The Clerk read as follows:

It is proposed to strike out line 13, and the word "faith" in line 14, and insert: "The entryman shall be required to make full proofs, and unless it shall appear that the claim was taken in good faith and that there has been full performance of all the terms and requirements under this act."

Mr. SPRINGER. I have no objection to that, and I hope it will be adopted.

The amendment was agreed to.

Mr. PAYSON. I offer the following amendment, to come in at the end of the section.

The Clerk read as follows:

It is expressly provided that the rights of honorably discharged Union soldiers and sailors in the late civil war to make homes on the public lands under the existing homestead laws shall not in any degree be impaired by the passage of this bill; and the right of such honorably discharged Union soldiers and sailors to make homestead entry and perfect the same by occupancy under the existing homestead law shall extend to any and all lands which shall be open to any settlement by the provisions of this bill.

Mr. SPRINGER. I understand that the substance of this proposition was voted down at another stage of the bill.

Mr. PAYSON. That was a very different proposition.

Mr. WARNER. I will say to the chairman of the committee that I submitted an amendment to the gentleman from Illinois [Mr. PAYSON], and said that I would offer it to the committee, making it explicitly say that the rights of the soldier should be protected in this bill the same as they are under the homestead law.

Mr. RYAN. As I understand it, it only applies existing law to this Territory.

Mr. PAYSON. That is all. It applies existing law to this Territory in favor of honorably discharged Union soldiers.

Mr. WEAVER. Who will pay the Indians for the land the soldier takes?

Mr. PAYSON. The General Government will pay the Indians for the land.

Mr. WEAVER. Then when a soldier goes there and settles upon a piece of land you propose to have Government appropriate the money out of the Treasury to pay for it?

Mr. PAYSON. I propose to have the Government do precisely what that amendment in terms proposes.

Mr. WEAVER. I simply want the House to understand it.

Mr. PAYSON. If I can have the attention of the House I will explain it. Mr. Chairman, under existing law every honorably discharged Union soldier has the right, when he, in good faith, goes upon a piece of public land not exceeding 160 acres in area, the surveys composing it being of compact form, and makes his home upon it for five successive years less the term that he was in actual service, to have the Government of the United States make him a title to that land. That, I say, is existing law. Prior to the passage of section 2305 of the Revised Statutes, a soldier, like anybody else, was compelled to reside for five years on the land before a title could issue to him, but that section provides in these words:

That the time which the homestead settler has served in the Army, Navy, or Marine Corps shall be deducted from the time heretofore required to perfect title, or, if discharged on account of wounds received or disability incurred in line of duty, then the term of enlistment shall be deducted from the time heretofore required to perfect title, without reference to the length of time he may actually have served, but no patent shall issue to any homestead settler who has not resided upon, improved, and cultivated, the homestead for a period of at least one year after he shall have commenced his improvement.

There is the law, and it is all in a nut-shell, requiring permanent residence and improvement for at least one year, but the time may extend to the whole five years, less the term he was actually in service, unless discharged by reason of wounds received. This bill provides that no land affected by its provision shall be disposed of except upon payment, by the parties going into possession, of at least one dollar and a quarter per acre, and this amendment provides that, as to the land embraced within the scope of this bill, the rights of an honorably discharged Union soldier shall not be impaired by reason of anything in the bill as against the right given him under existing law. Now, when the gentleman from Iowa [Mr. WEAVER] asks me who is to pay for this land, I answer that the General Government is to pay for it if it has to be paid for. The amount that will have to be paid for it is whatever the bill provides.

But, Mr. Chairman, I am not so solicitous as to the amount of money which the Government may have to pay these Indians for whatever equity they may be found to have in this land as I am to insist upon it that this House shall pass upon the question whether the rights of an honorably discharged Union soldier under existing law shall be impaired by reason of the passage of this bill, and that for the first time in the history of our public-land legislation; for I assert here, Mr. Chairman, that this is the first time in the history of public-land legislation that it was ever attempted to impair or to detract from the rights which the honorably discharged Union soldier has to go and make a home for himself upon the public domain.

Mr. SPRINGER. I will ask my colleague whether the Sioux treaty bill passed at the last session did not have a similar provision to that contained in this bill, requiring everybody to pay a certain price for those lands?

Mr. PAYSON. Yes; but I am speaking of a great body of land.

Mr. SPRINGER. That was a great body of land, larger than this—eleven millions of acres.

Mr. PAYSON. Let my colleague from Illinois [Mr. SPRINGER] put himself upon record in opposition to this amendment if he desires to do so, but I make the prediction that he will not do it on a yea-and-nay vote in this House.

Mr. SPRINGER. I will do it here, and upon a yea-and-nay vote in the House of Representatives, and before your constituents and mine; and I say to you now that there never was a proposition that was more demagogical than your proposition is, and you know it. [Laughter.]

Mr. PAYSON. Let us see what I know. Let us see whether this proposition is demagogical or not. Has the gentleman ever seen the time since I have been a member of Congress when I have not insisted that every acre of the public lands should be open to disposition only under the homestead law?

My colleague is very glib in imputing motives to other gentlemen. I serve notice upon him now and here that I do not need nor do I receive any advice from him as to what my course shall be with reference to public questions. It is enough for him to know, and for the people of the country to know, so far as they care to observe my course, that it has been a consistent one from the time I entered Congress down to this moment; and I do not propose to break the record. I propose to insist, as I have done upon this bill, not only in behalf of the Union soldier, but in behalf of the landless poor everywhere who may choose to go upon this land, that they may have a free home, if they will endure the privations which they have to undergo in making a home

there. That has always been my doctrine, as it is to-day. Before the general question shall be voted upon, I insist that we should adopt a proposition declaring that the Union soldier at least shall have a right to a free home upon this last great body of agricultural land which will be open to general settlement; for this is the last.

Mr. WEAVER. Mr. Chairman, I yield to no member of this House in my devotion to the interests of those who followed the flag during the late war. But this is a proposition to stab this bill under the pretense, as I believe, of favoring the Union soldier; nothing else. The gentleman from Illinois [Mr. PAYSON] can not point to a case in the whole history of the land legislation of this country where there ever was a proposition—save the one made at the last session in connection with this bill—to purchase land from the Indians at $1.25 per acre and then allow the soldiers to occupy it without paying anything for it. I say the gentleman can not point to a precedent in the history of this country where that has ever been done; if he thinks he can, I will give him part of my time now in which to correct me.

Mr. PAYSON. I shall have plenty of time of my own to correct the gentleman, if I deem it necessary.

Mr. WEAVER. There is no such precedent in the history of this country. What does this amendment amount to? It amounts to a proposition to open that country to settlement, and in every instance where the settler shall be a Union soldier to appropriate $200 out of the Treasury of the United States for his benefit. It is a proposition to tax a part of the Union soldiers, those who do not go upon this land—ay, it is a proposition to tax the whole sixty million people of this country for the benefit of the ex-soldiers who may go into this Territory. The amendment, if adopted, will involve an expenditure of perhaps twenty or thirty millions of dollars, and will defeat the bill. This is its object, or I am greatly mistaken.

I stand as close to the soldiers of the nation as the gentleman from Illinois; but I never have heard of a Union soldier who asked for any such amendment to this bill; and it is not offered in the interest of the Union soldiers.

If this were public land, land already belonging to the Government of the United States, I would favor the amendment, but it is not. It is Indian land, and we are striving to extinguish the title by purchase. We are proceeding in accordance with the precedents heretofore set by the Government.

No petition has been filed here in favor of such a proposition. Although substantially the same amendment was offered at the last session by my colleague from Iowa [Mr. ANDERSON] and was voted down, I never heard of it in the campaign; and no petition has ever reached here asking for anything of this kind. What the Union soldiers of this country want is that this region of country shall be organized under a Territorial government; and they are willing, if they wish to settle upon it, to pay $1.25 per acre for the privilege, and are willing to share this land with the other good citizens of the country on equal terms.

I say the proposition is dishonoring to the soldiers of the Union, and places them in a false light before the world. These soldiers are not mendicants and beggars, nor do they wish to be favored in matters of this kind above their fellow-citizens. I repeat, such propositions are dishonoring to the Union soldier. The gentleman from Missouri [Mr. WARNER], in the first session of this Congress, pointed out very succinctly the objections to amendments of this character, and I have no doubt he is ready to repeat those objections this afternoon.

Mr. WARNER. Mr. Chairman, I owe it to the gentleman from Illinois to state that when I said I had submitted an amendment similar to this I did not catch the full drift of the amendment. I supposed it was the one with reference to section 2305 of the Revised Statutes of the United States. I now see that I was in error. On hearing this amendment read, I find that it is in substance the same as that offered during the first session of this Congress, and advocated so vigorously by the gentleman from Iowa [Mr. ANDERSON], who is not now in his seat.

Mr. Chairman, there is an important distinction here which the gentleman from Illinois, it seems, fails to observe. If these lands were now public lands, I should be with him on the proposition to extend the homestead laws over them. But they are not public lands; they are lands as to which the Government is proposing to purchase whatever right, title, and interest the Indians may have in them.

Mr. PAYSON. Will the gentleman permit an interruption at this point?

Mr. WARNER. Certainly.

Mr. PAYSON. The gentleman, of course, desires to be accurate. I will, therefore, remind him that included within the terms of this bill is the Public Land Strip of three and a half million acres. That is public land to-day; and that the Union soldier is prohibited from going upon.

Mr. WARNER. That is true; there is that Public Land Strip. But the gentleman has been in Congress, lo, these many years, and the soldier has been prohibited from going upon it all the time.

Mr. PAYSON. Why?

Mr. WARNER. The gentleman will pardon me a moment. That is but a small portion of the land intended to be embraced in the Territory of Oklahoma. The bill under consideration makes this provision in favor of the Union soldier. It says to the man who did not participate in the battles of his country, "You must live on the land three years before you can acquire a title."

A MEMBER. Five years.

Mr. WARNER. Three under this bill; five under the homestead law. It says to the man who fought the battles of his country, "You may go on this land and have all the benefits of section 2305; that is, your service in the Union Army or Navy as a set-off from the time you have to live on the land, but you must live on it one year." I would not have it, if I could, that the Union soldier could go there and acquire title without residence. I think one feature of opening the public domain is in opening it to actual settlement, to men who intend to make their homes there. I would make it as far as possible by legislation a home for the homeless; I would make it land for the landless.

Now, it is proposed to sell these lands to the man who shall settle on them at $1.25 an acre, payments in four equal installments running through a period of three years, $50 a year. It is virtually giving a home to the man who wants a home, in the center of the continent almost; it is giving him a home not in the unexplored West, but where railroads, the great arteries of commerce, gridiron it; it is giving him a home surrounded by markets for everything that the hand of man can produce.

Mr. HOOKER. Let me ask the gentleman a question.

Mr. WARNER. Pardon me; in a moment. I do not impugn the motive of any gentleman offering amendments, nor am I authorized to speak for any man but myself, but I may say that I have some acquaintance with the wishes of the old soldiers of the country; no more presumably than the gentleman from Illinois [Mr. PAYSON], nor do I arrogate it to myself; but never have I heard it claimed that such a provision should be put into this bill, a provision which to my mind, if not so intended, the result of which will be to defeat this measure on a vote in the House.

A MEMBER. Why should it do it?

Mr. WARNER. I believe the men who fought the battles of the country, the old soldiers we talk so much about, simply ask justice at the hands of Congress. They want legislation that shall apply to all. They are not here as beggars, and I hope to God they never will be. [Applause.] They ask no alms. They only demand absolute justice, and I hope the day will soon come for clapping of hands on each side of this Chamber, when the Government of the United States shall do equal and exact justice to the men who preserved this United States a nation, when adequate pension legislation will be enacted.

Mr. HOOKER. If this be the El Dorado you describe it to be, does not the gentleman from Missouri think it is a hard thing on the Indians that they should be compelled to sell their lands for such a small sum of money?

Mr. WARNER. It seems to me I am flanked on both sides by gentlemen who urge amendments in behalf of the old soldier. The gentleman [Mr. HOOKER] will vote for the amendment, as I think he voted the other day to give to the Union soldiers homes on these Indian lands, and will then vote against the bill. I submit the bill now gives to the Union soldiers the benefit of the time they served in the Army. They are waiting for the passage of this bill in every district in this land. These men are waiting and anxious for the opening of this territory. They are demanding it be opened, but no man has received a letter and no request has been made to ingraft on this bill any such provision as the one which has been indicated.

The same discrimination in favor of the Union soldier is made in this bill as in the homestead law for the public domain. Under the homestead law, the man who served in the Army or Navy pays as much for his land as the man who staid at home. Each gets his land by living upon it a certain period of time. The man who was not a soldier has to live on the land five years; the soldier has to live on the land five years, less his service in the Army, but he must reside on the land at least one year.

Under the provisions of this bill each pays the same price—$1.25 per acre. The citizen not having an honorable discharge must live three years on the land before he gets title; the soldier need only live on the land one year before getting title if he served two years in the Army.

Mr. CUTCHEON. I understand the gentleman from Illinois [Mr. PAYSON] to say that his amendment gives to the Union soldiers simply the same rights to these lands, if they shall become a part of the public domain, as they now enjoy with regard to the remainder of the public domain under the general land laws. Now, I have been somewhat surprised at the remarks of the gentleman from Missouri, and thought I must have misapprehended his position. I wanted, therefore, to ask him whether he is opposed to that provision being inserted in this bill, giving to the Union soldiers the same rights on this land that they enjoy upon the other parts of the public domain?

Mr. WARNER. The gentleman from Michigan, I apprehend, sat here when we were treating for the Sioux reservation in Dakota, but I heard nothing from the gentleman from Michigan then upon the question suggested by this amendment. Nor did I hear the clarion voice

of my friend from Illinois when my friend from Mississippi raised his voice in behalf of the Union soldiers of the country and demanded these rights.

Mr. PAYSON. Because I was not present.

Mr. CUTCHEON. I simply ask the gentleman from Missouri if he is opposed to granting the same rights upon these lands to the Union soldiers they have on other public lands?

Mr. WARNER. I am willing to assert my convictions here or elsewhere. I am opposed to this amendment. I am opposed to it in the interest of the soldiers, upon whose backs it is tacked and claimed to be in their interest. I believe these men, when this territory is opened, will be benefited by it. They do not want this measure killed by pretended friends. And, gentlemen, I say to you, take your course; but I stand upon the record as opposed to this amendment as a man who did some little of the fighting for this country and who has that right at least to speak as a soldier. [Applause.]

[Here the hammer fell.]

Mr. SPRINGER. Will the gentleman allow me a question?

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. SPRINGER. Then I take the floor in my own right. I desire to ask the gentleman from Missouri whether he has not, since the last session of Congress, attended many soldiers' conventions, and whether——

Mr. WARNER. Just let me cut that question short——

Mr. SPRINGER. Whether he has ever heard any soldier making this demand?

Mr. WARNER. This is no place to bring in any convention, or its proceedings, that I have attended. It has nothing to do with the question, whether I have or have not. I am uttering my own sentiments, and speaking for no one but myself.

Mr. SPRINGER. I wanted to ask whether any soldier of the Union Army had ever asked for the incorporation of such an amendment.

Mr. WARNER. I am only giving my own views and opinions. I can only answer the gentleman by saying that none have asked me. What may have been said to other gentlemen I do not know. I opposed this amendment, or one similar, before the adjournment of Congress. I took the same position then that I take now. I have heard no complaint from any soldier.

Mr. PETERS. I concur in what has been said by the gentleman from Missouri. It seems to me, Mr. Chairman, that both the gentleman from Michigan and the gentleman from Illinois misapprehend the purport of the closing paragraph of the eighth section of this bill.

The closing paragraph of the eighth section preserves to the Union soldiers on these public lands, created by the organization of this Territory of Oklahoma, every single right they now have on any of the public lands of the United States. The amendment of the gentleman from Illinois simply goes a step further and says that the Union soldier need not be a resident; that no residence by any Union soldier shall be required upon any of this land when the Territory is organized, and no payment for the land. That is the only difference, as I understand it, between the amendment of the gentleman from Illinois and the provisions of the eighth section of the bill.

Mr. PAYSON. Will the gentleman be kind enough to repeat that statement? I did not hear it in the confusion here.

Mr. PETERS. I say the only difference, as I understand it, between your amendment and the provisions of section 8 is that your amendment proposes that the Union soldier shall not be required to make any residence on the land in the Territory of Oklahoma, and shall have the lands without the payment of any money.

Mr. PAYSON. Let me interrupt the gentleman to say that he is utterly mistaken. He does not grasp the fundamental idea of the amendment.

Mr. PETERS. Then it was because I was unable to comprehend what it does mean.

Mr. PAYSON. Will the gentleman be corrected?

Mr. PETERS. Certainly.

Mr. PAYSON. The amendment proposes to give to the Union soldier the right to take a homestead claim precisely as under existing law, and to mature that exactly as existing law allows and requires him to do. Section 2305 of the Statutes, to which the gentleman has incidentally referred, has reference only to the length of time that the Union soldier shall be compelled to live upon his claim to make good his title. This has nothing to do with initiating the title and taking the preliminary steps, for the general law fixes that. My amendment, therefore, gives him the right that he has under the existing law, which is all it contemplates, if I make myself understood.

Mr. PETERS. I understand the language that the gentleman has incorporated in his amendment; but the soldier has a right under this bill to make a homestead upon any part of the public domain of the United States covered by it.

Mr. PAYSON. Not under this bill.

Mr. PETERS. Under this bill when it passes. It gives that which is given him by the public-land law, and by this eighth section——

Mr. PAYSON. But let me interrupt the gentleman again. Does not this bill provide that these lands, except the sixteenth and thirty-sixth sections, shall be disposed of only by sale?

Mr. PETERS. Of course it makes provision for the sale of a certain portion of the lands to pay the Indians for their title.

Mr. PAYSON. Is that a homestead right under the provisions of the public-land law? My friend lives in Kansas, and he knows better than that.

Mr. PETERS. I stated that the gentleman's proposition was to allow the soldier to go and, irrespective of either residence or payment of any money, to take possession of these lands. Now, I am opposed to any such proposition as that, because that is what it means, and there is no use in disguising the fact. That is the purport of the gentleman's amendment. It must mean that if it means anything.

Mr. PAYSON. The gentleman from Kansas certainly does not mean to be misunderstood.

Mr. PETERS. I think I have made myself understood.

Mr. PAYSON. You say that under my amendment a man can make a homestead without settlement.

Mr. PETERS. Certainly.

Mr. PAYSON. The gentleman is wrong, because he can not have a homestead unless it is accompanied by settlement.

Mr. PETERS. Mr. Chairman, let me say that I served in the Union Army three years and six months, and according to the provisions of the amendment of the gentleman from Illinois I would not be required to reside upon a quarter-section of Oklahoma country one moment, because I would be entitled to the credit of three years, having served three years and six months in the Army.

Mr. PAYSON. Will it interrupt the gentleman if I set him right?

Mr. PETERS. I like to be set right.

Mr. PAYSON. Because the law provides in express terms that no patent shall issue to any homestead settler who has not resided upon, improved, and cultivated his homestead for a period of one year prior to that. The gentleman is in error. He is in error in other things also, but especially in this.

Mr. PETERS. Your amendment provides that these soldiers shall have the right to go upon that land, and it provides also that they shall make no payment for it. Now, if that is your proposition, you do that very thing by this bill.

Mr. PAYSON. Not at all.

Mr. PETERS. Undoubtedly. It says that the soldier shall have the right to deduct from his residence upon the land the amount of his service in the Army, but he shall be required to live upon it one year without making the payment under the bill.

Mr. PAYSON. Without making the payment.

Mr. PETERS. You do away with the payment.

Mr. PAYSON. Certainly.

Mr. PETERS. I say I am opposed to doing away with the payment, and I will state my reasons in a very few words.

The CHAIRMAN. The time of the gentleman from Kansas has expired. If there be no objection, he will be allowed to proceed five minutes.

Mr. MORRILL. I would ask that the amendment may be read. We seem to be talking rather blindly.

The CHAIRMAN. The gentleman from Kansas [Mr. PETERS] has the floor, and it will have to be read in his time.

Mr. MORRILL. I ask unanimous consent that it be read.

There was no objection.

The amendment was again reported.

Mr. PETERS. Now, Mr. Chairman, if the proposition of the gentleman from Illinois accomplishes anything, it simply does away with the requirement that the soldier shall pay this dollar and a quarter per acre. If I understand him, then I am opposed to that provision. I say I am opposed to that, in the first place, because the soldier does not ask for it. I am opposed to it, in the second place, because it does injustice to the soldiers who have settled upon the Osage Indian reservation, adjacent to this land. There is a reservation of the Osage Indians on the southern border of Kansas; and, under the law for the settlement of that reservation, every soldier who went upon it was required to pay a dollar and twenty-five cents per acre for the land. They have entered upon that land, put their improvements on it, put their labor into it, and by their enterprise and the hardships and fatigues of frontiersmen they have rendered more valuable the very lands which are now proposed to be opened by the amendment to all the soldiers in the United States.

The proposition, as is suggested to me, is in the nature of a tax upon those soldiers and sailors who have gone upon the Osage reservation for the benefit of those who may go upon the lands in the Oklahoma territory. I say the soldiers do not ask for it. They do not ask anything that is so unjust to their fellow-soldiers as a proposition of that kind. These very soldiers who have gone upon the Osage lands have by doing so made more valuable the lands contained in Oklahoma Territory. Now, there is another thing in connection with this. If there was a feeling in favor of anything of this kind it would have been disclosed by petitions, by resolutions of bodies, or by letters of individuals. I have the honor to represent a district which has a larger soldier population than any other district in the United States, and it is immediately adjacent to the land out of which the Territory of Oklahoma is proposed to be created, and yet never in all my experience as

a member representing that district have I heard any claim from a single soldier of those 71,000 veterans in that district asking that this price shall be stricken from these lands when the territory shall be opened.

Mr. WEAVER. And all substantially are in favor of this bill.

Mr. PETERS. And they are in the main in favor of this bill.

Mr. HENDERSON, of Illinois. I doubt whether they have any knowledge about it.

Mr. PETERS. I will state further, that this bill and this proposition in relation to its occupancy by the soldiers have been largely discussed, and have entered into the politics of that district. While there is a difference of opinion as to the propriety of opening up this Territory in so far as its effect upon Kansas is concerned, there is no difference of opinion whatever upon the point in this bill that whenever this Territory shall be brought in, it shall be brought in under a provision of law that every man shall pay $1.25 an acre for the land. I say there never has been a difference of opinion in regard to that provision, and I have never heard until I heard it upon this floor to-day a single claim that this was pretended to have been asked for by any Union soldier that served during the late war.

Mr. HENDERSON, of Illinois. Mr. Chairman, I have said that I doubted whether soldiers who are talked about so much here really understand the provisions of this bill at all. I admit that there is a great desire to have this territory opened. I have been inquired of by soldiers and by others who were not soldiers as to when it was to be opened, but in my own opinion they all believe that when it is opened it will be opened under the land laws of our country and subject to their provisions.

Mr. PAYSON. You are right about that.

Mr. HENDERSON, of Illinois. And while it is true as some gentlemen have intimated here, that Indian reservations have sometimes been disposed of by public sale, I think that generally when we have undertaken to organize Territories and extinguish Indian titles we have done it by bringing the land in as a part of our public domain, to be treated as all other public lands are treated; and I believe that the soldiers of this country will be greatly disappointed if, when this bill shall become law, if it shall become law in this form, they find that they are cut off from going upon these lands just as they can go upon any other public lands of the United States. And, Mr. Chairman, I do not understand why it is that a great body of public land, sufficient to organize a Territory and to have a Territorial government over it, should be disposed of in the manner in which it is proposed to dispose of this land. Where a small Indian reservation has become very valuable by reason of settlement surrounding it, it seems right and just that it should be made an exception to the general rule; but here is a new Territory with scarcely sufficient population to justify its being organized into a Territory at all, and I want to know why it is that this land is to be taken out from the operation of the general land laws in regard to settlements made by soldiers or by other citizens. It looks to me sometimes as if speculators had more to do with this bill than anybody else.

Mr. SPRINGER. Mr. Chairman, I desire to answer the question of my colleague with regard to the reason for the provision contained in this bill, that settlers shall pay $1.25 for this land.

Mr. HENDERSON, of Illinois. That requirement applies to all the land in this entire territory, does it not?

Mr. SPRINGER. Except what is known as the Public Land Strip, which is public land, and is not incumbered with Indian titles. It does apply to the rest. There are six million acres in the Cherokee Outlet, and one million in Oklahoma proper, to which the provisions of this bill apply, or will apply. When that land is taken by a settler, whether a soldier or a citizen, he takes it under the homestead law and pays $1.25 an acre for it, in four annual installments. The reason for this provision is that that is the price we have to pay the Indians in order to acquire the land. This land is conceded by the bill to be Indian land, and wherever in the past we have purchased Indian lands we have required the settlers to reimburse the Government the amount it had to pay for the lands. I believe that has been the rule in every instance. It was done at the last session of Congress when we proposed to take, by agreement, 11,000,000 acres in the Great Sioux reservation in Dakota, paying 50 cents an acre for it. The bill provided that settlers going upon those lands should reimburse the Government for that outlay, and my colleague [Mr. HENDERSON, of Illinois] did not then speak about the necessity of having that bill amended so as to let Union soldiers take the lands for nothing, nor did it ever occur to any gentleman in this House that it was necessary to make such a reservation in behalf of the soldiers.

The same rule was observed in regard to the Indian reservations in Kansas around about where the Oklahoma reservation is; the settlers paid back to the Government the money which it paid to the Indians; and always when we have purchased lands from the Indians the settler, whether soldier or citizen, has had to reimburse the Government. We are proceeding, therefore, in this case just as we have proceeded in all others.

The gentleman [Mr. HENDERSON, of Illinois] spoke about lands being taken in small bodies and settlers being properly required to pay for them because they were valuable. That was not a small body of land that we took in Dakota last session; it was 11,000,000 acres, a larger body than both of these tracts together, and the land was no more valuable than this. In fact, among all the lands taken from the Indians and sold to settlers there are not, and there never have been, any more valuable than those in Oklahoma, because those lands have been kept from settlement these many years, until a wall of civilization has arisen all around them. The Territory is within 60 miles of a city with 40,000 inhabitants and 80 miles of street railway, and in all the counties in the State of Kansas across the line from this Territory school-houses and churches abound, and civilization has done its perfect work.

The settlement of the other part is being retarded simply because cattle syndicates having possession of the Cherokee Strip have resisted every effort of the Government to purchase those lands of the Indians for the purpose of opening them to settlement; and the proposition now offered to this bill comes from those not in this House, but out of it, who are desirous of keeping this land for cattle syndicates as against the settler who desires to go upon it and occupy it.

Mr. HENDERSON, of Illinois. Will the gentleman permit a question?

Mr. SPRINGER. Yes, sir.

Mr. HENDERSON, of Illinois. Do I understand the gentleman to say that no Indian lands have been purchased by the Government—have entered into the public domain of the country and been subject to settlement just as other lands have—under homestead rights?

Mr. SPRINGER. Where we have acquired large areas of land by general treaties the case is different. But where we have purchased special tracts, as we propose to do in this case, the policy of the Government has been what I have stated.

Mr. HENDERSON, of Illinois. We purchased Louisiana, paying $16,000,000——

Mr. SPRINGER. Of course. That is just what I said.

Mr. HENDERSON, of Illinois. And we have purchased the Indian title to lands in many parts of the country, as I remember——

Mr. SPRINGER. That was where a great area of land was covered.

Mr. HENDERSON, of Illinois. Yes, a very considerable area.

Mr. SPRINGER. But here is a case where the Indians have a special claim to particular reservations, and when we have required this land——

Mr. HENDERSON, of Illinois. I can not for my life see the distinction.

Mr. SPRINGER. Well, I can see this difference: that as to other bills which have been passed no friend or pretended friend of the soldier has risen on this floor and asked a special exemption in his behalf. It is a little suspicious, therefore, that these lands are to be excepted from the general policy of the Government and a reservation made in behalf of the soldier.

Now, I will state to my friend from Illinois [Mr. PAYSON], who offered this amendment, that since I have been a member of this House our pension-roll has increased from $29,000,000 to $85,000,000, and I have voted for every bill that helped to make this general increase of pensions to the soldiers of the country. I have endeavored to do justice to them under all circumstances, and will do so in the future. I believe I have as many soldiers in my district as any gentleman on this floor, and no one of them has ever asked me to have an exception of this kind made in his behalf. I know that the soldiers among my constituents are earnestly desirous of opening up this territory and do not ask for any special exemption in their favor. The people of all parts of the country are desirous that this territory shall be opened to settlement. I receive more letters on this subject than on all other questions of legislation before Congress. There is a feeling throughout the land in favor of the immediate opening of this region to settlement, and the only interest in that territory against it is the Cherokee Live-Stock Association, which has recently procured a renewal of its lease for five years, and wants to keep this land for cattle pasture, depriving the people of the opportunity to occupy it for homes.

Mr. CUTCHEON. Mr. Chairman, I must confess to some surprise at some of the utterances which have been made here this afternoon, especially in view of the gentlemen from whom those utterances have come. It is well understood that in the public-land legislation of this country the honorably discharged Union soldiers have had, do have, and shall have certain preferences over those who do not occupy that relation to the Government. And why, when we are about to add to the public domain this last large body of land which we can thus add, except as we may take land now and then from the larger Indian reservations, we should reverse and go back upon the deliberate action of the Government in times past in relation to the Union soldiers, is something that I do not understand and for which no reason has been given here to-day.

It has been said here this afternoon by the chairman of the committee having charge of this bill [Mr. SPRINGER] that as we purchase this land at a certain price from the Indian tribes we must therefore recoup upon the actual settler and make him pay to the Government the same price that the Government pays to the Indians. Mr. Chairman, that is no reason at all, because there is not an acre or a foot of

the public land that has not been acquired by purchase from somebody at some time. It matters not whether it was the Louisiana purchase acquired from France, or the Mexican purchase from the Republic of Mexico, or the lands ceded by the different Indian tribes. The price we pay in this case may be a trifle larger than the price we have paid in other cases, but the principle is precisely the same. We have never recognized the principle of recouping from the actual settler the price that we pay to the individual from whom we purchase the land.

Mr. Chairman, I believe that we adopted a correct principle of legislation when we recognized the Union soldier as a preferred settler upon the public lands. These men, who have suffered in the cause of the Government, who had given limb or health in sacrifice for the perpetuity of the nation, were recognized as entitled to have a preference from the Government in its policy with regard to the public lands. Why at this day should we reverse this principle which has run through our past legislation and which has given to this class of our citizens the preference they have had in respect to all the other public domain of the United States? For my part, I can conceive no reason for departing now from this well-settled principle. The amendment of the gentleman from Illinois proposes simply to give to the Union soldiers the same preference in respect to this land that they have had in reference to other land. It proposes nothing more.

The gentleman from Kansas, in the opening of his remarks, claimed that section 8 of this bill gives to this class of citizens all the rights that would be given them by the amendment of the gentleman from Illinois. If that is so, why should he oppose the amendment?

Mr. Chairman, I believe the amendment is right, I believe it is just, I believe it is equitable, I believe it is according to the long-established and deliberately matured policy of this Government in regard to its public domain. So believing, instead of being a stop to this bill, as was said by the gentleman from Missouri [Mr. WARNER], I say it should add to the support of the bill and give it votes on this floor.

Mr. CANNON. Will the gentleman yield to me for a question?

Mr. CUTCHEON. Certainly.

Mr. CANNON. In the event my colleague's amendment should be adopted, I ask the gentleman from Michigan whether he will heartily support this bill?

Mr. CUTCHEON. I do not know necessarily that I shall heartily support the bill. I will vote for it in the end.

Mr. CANNON. Will he do it without this amendment?

Mr. CUTCHEON. I prefer, of course, to vote for the bill with the amendment. I wish to say to the gentleman from Illinois that I am in favor of opening up the country called Oklahoma to actual settlers. The only difference between myself and the chairman of the committee is this: I think this committee has got the cart before the horse instead of the horse before the cart. They are attempting to organize a Territory where there are no people competent for that purpose. They propose to organize a Territory without boundaries. It may have one boundary to-day and another to-morrow; the boundary would be a movable quantity as these various Indian tribes may accept the provisions of the bill.

As a bill it is, I think, sufficiently equitable. I prefer it with the amendment rather than without it.

Mr. WARNER. I wish to ask the gentleman from Michigan whether the advantage given to the Union soldier under the public-land laws now is not only in reference to the time of residence? Let us understand it. The man who was in the service in the five years' residence required to get title under the homestead law receives credit for the time he was in the service.

Mr. CUTCHEON. But must reside upon the land for one year.

Mr. WARNER. Yes; he must live for one year on the land. Is not that the only difference between the man who served and the man who did not serve?

Mr. CUTCHEON. Yes.

Mr. WARNER. In this it makes the distinction, instead of under the land laws, where they are to get the land for nothing, that they are to pay to the Government $1.25 an acre. But at the same time the Union soldier is to get credit for the time he was in the service.

The CHAIRMAN. The gentleman's time has expired. [Cries of "Vote!"]

Mr. MANSUR. Mr. Chairman, I had a desire to say something in the line of the remarks made by the chairman of the Committee on Territories [Mr. SPRINGER]. When I gave way to the chairman of our committee on this subject I could not know that he would anticipate what I desired to say. I wish to add, the reason why the soldiers can not take up this land without the payment of money is this: The Government will have to pay for this land. It is incumbered more or less by law in part and by equity in part, and while under the homestead law the Union soldier may take up land without the payment of money and with reduction of time of residence according to his service, in order to free this land from the incumbrance which rests upon it the Government is compelled to pay for it to these Indians.

There is no law requiring the Government to offer these lands, which it has purchased, to certain claimants. The question now is, shall we, in addition to our system of pensions, bounties, and other privileges granted to our soldiers up to the present time, give them the privilege of purchasing homes for them in this Territory at the expense of the soldiers who have farms elsewhere in the country, who will have to contribute their share toward paying for them?

Now, that is one view of it. In this Territory there are three or four classes of land to which part of it, probably half of it, the soldier already has this right: that he can get his title simply by the payment of the homestead fees.

The question, then, is whether the soldiers shall have that privilege over and above the other people, and if they shall have it how are they to get the privilege? If you say that this is a special privilege to be granted to a soldier, is it to be reserved alone for him who applies first, or how is it to be done? Is it to be the one who first reaches the register's office and makes his application and entry? Is there to be a rush and a scramble for it?

It will open up, Mr. Chairman, innumerable difficulties if we ingraft such a provision as that proposed upon this bill; and so far as I know or have information from what has transpired here in the past, this bill is strictly in accord with other measures of a similar character enacted in the past twenty or twenty-five years, wherever lands have been purchased from the Indians.

And in regard to a remark made by a gentleman on the other side, I believe by the gentleman from Illinois, that he did not believe the soldiers understood this matter, permit me to say that in my region, at least since I have become, so to speak, identified with this bill, I have by letters and personal interviews been appealed to by several hundred men at least in regard to this bill, and all understand that they are to pay such an amount, not to exceed $1.25 per acre, as may be required to extinguish the Indian title, and are clamorous that the bill shall be enacted into a law so as to avail themselves of its privileges.

I believe this is all I desire to say.

Mr. KERR. Mr. Chairman, the opposition to this bill seems to come chiefly from two sources, and those are the special friends of the Indians, and those who are the special friends here lately of the soldiers.

Now, so far as I have been able to discover, the soldiers of the late war as a rule are in favor of the bill; and I believe it is the unanimous desire among the soldiers in my own State to have this territory opened for settlement and on the terms proposed in this bill. They do not believe that it is right to continue that portion of our country, so valuable in itself, longer unoccupied or to be used simply for droves of cattle and hunting-grounds for the Indians. We think it ought to be settled; and as there is some question as to whether it is the land of the Indians or not, or whether they have a title to it, we are willing that the matter shall be investigated and that they shall be paid at a rate of $1.25 per acre, or some such sum as may be given them for the use of their lands.

Now, in regard to the bill itself, permit me to say a word. It does not change the law of the public domain at all in regard to the organization of the Territory; and I wish to call the attention of the committee to this provision embodied in the eighth section of the bill in support of that statement:

Provided, That the provisions of section 2305 of the Revised Statutes of the United States, entitled "Homesteads," shall not be modified or changed by anything in this act.

So it will be seen that all the public lands in this territory to be opened as a part of the public domain will be open to settlement by soldiers or by any one else under the provisions of the general homestead laws; and if they are not already purchased from the Indians, we simply provide that the Government of the United States shall not be at any expense, but that the money arising from the sale of the lands shall be used to reimburse the Indians for the lands.

Mr. HERMANN. Let me ask the gentleman this question. The gentleman seems to assume that the Government of the United States is going to grant some privileges to the soldiers at the present time outside of the prevailing statutes as heretofore passed giving them certain rights on the public domain. I ask him why should a distinction or restriction be made as to this class of land that has not heretofore been made as to any other class of the public lands?

Mr. KERR. I will answer that question, that in regard to this particular tract of land it is already so favored that it is worth a good deal more than the lands formerly given to actual settlers on the frontiers. It was a great hardship in years gone by for men to go away out on the frontiers and settle on the public lands. The fact is that a man so settling paid more in hardship, privation, and distance from market than if he bought the lands nearer to some settlement and paid $5, $15, or $20 an acre. But these lands have already an advantage which is so manifest as to make them peculiarly valuable. They are surrounded by a country occupied and settled. They are near large cities and readily accessible by railroads.

Mr. HERMANN. Is that not true as to the public lands in nearly all the public-land States of the Union? Are they not surrounded by settlements? For instance, take Iowa and Minnesota.

Mr. KERR. There is not an acre of public land in Iowa.

Mr. HERMANN. Take Minnesota, for instance, and California and Oregon.

Mr. KERR. Nor is there an acre of public land in Minnesota.

Mr. HERMANN. I beg the gentleman's pardon.

Mr. KERR. No, sir; not one. The Indian reservations, or the lands that have been taken from the Indian reservations by laws that have passed at this session and similar provisions heretofore passed, are the only public lands to be found there.

Mr. HERMANN. Then I refer the gentleman to the State of California and to Oregon. As a matter of fact I know that some of the richest lands in existence are in these States, and near some of the large towns and school-houses, and have all the conveniences of civilization surrounding them.

Mr. KERR. I do not know how that may be as to parts of California, but I know that some tracts of land in California, and in Oregon, are far distant from any settlements. There is plenty of land there that can not be given away. You can not get men to go on those public lands if you give them to them for nothing. Although they are anxious to get people to go there, they can not dispose of the lands.

But in case the lands are like these, surrounded by a cultivated territory, and lands worth $10 an acre, it is nothing but fair. In addition to that there is another point. I say if you open these public lands and open them so as to give them away to the first man who can get there, you will have five hundred thousand men in that Territory in less than six months, and a perfect war on your hands; but let them pay a little and there will be no such haste. Therefore I say as a matter of public policy we ought not to give these lands away.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. HOUK. I do not desire to make a speech. The whole objections to this amendment of my friend from Illinois [Mr. PAYSON] are untenable. The gentleman from Iowa says that the opposition to the bill seems to come from the particular friends of the Indian and the soldier.

A MEMBER. Oh, no.

Mr. HOUK. Well, I have overcome my——

Mr. KERR. I ought to have said the pretended friends of the soldier.

Mr. HOUK. I have overcome all my scruples on the Indian part of it. Here is a proposition to adjust the equities due to the Indians now in occupancy of this territory. The Government by this bill assumes to retake the territory; take it back as part of the public domain of the United States and make it a Territory. That being true, it does seem to me, Mr. Chairman, that to deny that the principle of the homestead enactment is applicable within this new Territory when organized is to make an exception absolutely unjust to the Union soldier, for the benefit of whom the original homestead exemption was enacted. Now, as I understand it, the Union soldier can take advantage of the homestead law in Alaska and any of the Territories wherever public lands exist—everywhere except in that Territory which has been proclaimed as the garden spot of all the Territories of the country.

If this be true, you make a distinction and limit the rights of ex-Union soldiers. Therefore, Mr. Chairman, it seems to me that it would be a piece of absolute class legislation to exclude them from the right now appertaining to other ex-Union soldiers in all the public lands of the country by making this distinction proposed in the bill and which is sought to be remedied by the amendment. One word further, because I had not intended to discuss this question. Public opinion is sustaining this bill. That public opinion grows out of the view that the Union soldiers of the country take of the provisions of this proposed enactment. Mark what I tell you. You pass this bill with this exception in it, without the provision proposed by the amendment of the gentleman from Illinois [Mr. PAYSON], and when the soldiers of this country hear that this distinction is sought to be drawn in this isolated instance, a different public opinion will gather in this country, and you will hear a noise hereafter from the ex-Federal soldiers that you will not want to hear.

Mr. KERR. Does the gentleman not know that this allows the soldiers to settle on the Government lands of this Territory?

Mr. HOUK. Exactly; but it requires them to do what they are not required to do in other places.

Mr. PAYSON. Let me correct the gentleman from Tennessee [Mr. HOUK], and also the gentleman from Iowa [Mr. KERR], in saying that it does not permit the Union soldier to settle there.

Mr. KERR. I will call your attention to this provision——

The CHAIRMAN. Does the gentleman from Tennessee yield?

Mr. HOUK. I do not yield, except for a question.

Mr. KERR. If the gentleman will read the bill——

Mr. HOUK. I have read the bill. I am talking about the amendment. I want to vote for it, and I want everybody else to vote for it. I do not know whether I will vote for the bill without the amendment or not. [Applause.]

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. PERKINS. It seems to me, Mr. Chairman, that many of the suggestions that have been made upon the floor of this House show a very mistaken understanding of the situation that we find there in the Indian Territory. It is not public land. This bill does not propose to make it public land, and for that reason the provision of the law of which my friend from Illinois [Mr. PAYSON] has spoken does not now and will not, by the provisions of this bill, apply to this land; but the gentleman proposes to make them apply to this land.

Now, this bill is drawn upon a different theory. It is drawn upon the theory that these are not public lands, but Indian lands, and the Government of the United States is to be made a trustee, so to speak, for the people who desire to go into that territory and make homes. The Government is to negotiate for those people with the Indians for the lands, and then when it has conducted the negotiations successfully and acquired the lands, the people who go in there and occupy them are simply to make good to the Government its expenditures while acting as trustee for them in securing the lands. That is the situation, and it is because of that situation that the soldiers of Kansas and the soldiers of the country generally have never asked that the homestead law should apply to these lands, because they are not public lands and it is not proposed to make them such. The bill simply recognizes the rights of the Indians and their equities in these lands and proposes that the Government shall conduct the negotiation, and then that the settlers shall pay to the Government the price which it has to pay to the Indians. To apply the amendment of my friend from Illinois [Mr. PAYSON] to this bill would be to discriminate in favor of a few soldiers and against the great mass of the ex-soldiers of the Union Army. If we are to legislate for the soldier especially, let us provide that every Union soldier shall have a land-warrant.

If we are so exceedingly anxious about them, let us be fair and treat them all alike instead of discriminating in favor of a few Union soldiers who may happen to live upon the border of this territory. The friends of this bill are against the amendment of the gentleman from Illinois [Mr. PAYSON] for the reason I have suggested, that these are not public lands and it is not proposed to make them public lands.

To my other friend from Illinois [Mr. HENDERSON], who says that he is afraid that under the provisions of this bill these lands will be opened up to speculators, I will say that the amendment of his colleague [Mr. PAYSON] would aid speculators instead of deterring them, because after the soldier had lived on the land a year he could sell it to a speculator, so that in twelve months' time the land would be opened to speculation, whereas under the bill as it is no speculator can get a foothold in less than three years.

Mr. PAYSON. Does the gentleman assert that in good faith?

Mr. PERKINS. I do assert that in good faith.

Mr. PAYSON. Under the provisions of the bill, section 8, last clause, could not the soldier get his title at the end of one year?

Mr. PERKINS. Not at all.

Mr. PAYSON. The bill so provides in so many words.

Mr. PERKINS. But he would have to pay.

Mr. PAYSON. Yes, but he could get his title; and then why could not he sell to the speculator?

Mr. PERKINS. Because the inducement to speculation could not be so great as if he could get title by one year's residence without the payment of any money. That is the reason.

Mr. SPRINGER. Mr. Chairman, as we have almost reached the hour for adjournment, I move that the committee now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. BUTTERWORTH having taken the chair as Speaker *pro tempore*, Mr. DOCKERY reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 10614) to organize the Territory of Oklahoma, and for other purposes, and had come to no resolution thereon.

Mr. SPRINGER. I move that the House do now adjourn.

The SPEAKER *pro tempore*. The hour of 5 o'clock p. m. having arrived, the House stands adjourned until to-morrow at 12 o'clock m.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. BLANCHARD: A bill (H. R. 11782) to approve and ratify the construction by the Vicksburg, Shreveport and Texas Railroad Company of the bridge over the Red River at Shreveport, La., and the bridge over the Ouachita River at Monroe, La., and to authorize said railroad company to maintain said bridges over said water ways subject to certain stipulations and conditions—to the Committee on Commerce.

By Mr. BUTLER: A bill (H. R. 11783) granting a pension to Mrs. Martha E. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11784) for the relief of William Tyre—to the Committee on Military Affairs.

By Mr. COMPTON: A bill (H. R. 11785) to authorize the commissioners of the District of Columbia to permit the temporary occupation and crossing of certain streets in the city of Washington and District of Columbia by the tracks of the Baltimore and Ohio Railroad Company, to meet the demands of increased travel incident to the inaugural ceremonies of March 4, 1889—to the Committee on the District of Columbia.

By Mr. CRAIN: A bill (H. R. 11786) granting a pension to Richard Galway—to the Committee on Invalid Pensions.

By Mr. S. T. HOPKINS: A bill (H. R. 11787) granting a pension to Adolphus Rosemiller—to the Committee on Invalid Pensions.

By Mr. McCLAMMY: A bill (H. R. 11788) for the relief of William F. Atkinson—to the Committee on War Claims.

By Mr. STRUBLE: A bill (H. R. 11789) granting a pension to Annie Reynolds—to the Committee on Invalid Pensions.

By Mr. YODER: A bill (H. R. 11790) granting a pension to Fedolin Buckwiller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11791) to remove the charge of desertion from Henry Miller—to the Committee on Military Affairs.

By Mr. BUTLER: A bill (H. R. 11792) for the relief of Newton C. Hartman—to the Committee on Military Affairs.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. CRAIN: Petition of John Superceky, of Corpus Christi, Tex., in relation to tariff on tin-plate—to the Committee on Ways and Means.

By Mr. DUNHAM: Resolutions of the Lumbermen's Exchange of Chicago, Ill., urging the early passage of the naval-reserve bill—to the Committee on Naval Affairs.

By Mr. GROUT: Petition of N. W. Cody, for relief on account of money paid for a substitute in the late war—to the Committee on Claims.

By Mr. HUNTER: Petition of John Sahan, for relief—to the Committee on Claims.

By Mr. LEE: Papers in the claim of Anna M. M. Ramey, of King George County, Virginia—to the Committee on War Claims.

By Mr. LODGE: Petition of James Allen and 32 others, of West Bedford; of Isaac Mason and 69 others, of Worcester; of Willis Browning and 21 others, of Lynn; of E. G. Walker and 177 others, of Boston, and of Henry M. Phillips and 57 others, of Springfield, Mass., to grant to Robert Smalls a seat in the House of Representatives—to the Committee on Elections.

By Mr. McCLAMMY: Petition of William F. Atkinson and of Elizabeth Arnold, of North Carolina, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. STONE, of Kentucky: Petition of G. B. Durham, for relief—to the Committee on Appropriations.

The following petitions against the passage of the international copyright bill were received, and severally referred to the Committee on Patents:

By Mr. BYNUM: Of Abner W. Ross, of Elwood, Ind.

Also, of W. E. Plackard, of Elwood, Ind.

By Mr. HARE: Of G. W. Coleman, of Henrietta, Tex.

By Mr. HAUGEN: Of E. F. Case, of Ellsworth, Wis.

By Mr. HOWARD: Of citizens of New Albany, Ind.

By Mr. McADOO: Of printers, electrotypers, and others of Jersey City, N. J.

By Mr. McKINLEY: Of Wallace H. Phelps, of Alliance, Ohio.

By Mr. E. J. TURNER: Of W. S. Chambers, of Stockton, Kans.

HOUSE OF REPRESENTATIVES.

FRIDAY, *December* 14, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

POSTAL LAWS.

Mr. WHITE, of New York, by unanimous consent, introduced a bill (H. R. 11794) to amend the postal laws of the United States in reference to letters bearing a special-delivery stamp; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

UNITED STATES COURTS.

Mr. ROGERS, by unanimous consent, introduced a bill (H. R. 11793) to abolish circuit-court powers of certain district courts of the United States, and to provide for writs of error in capital cases, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

COST OF COPIES OF PATENTS, ETC.

Mr. HEARD, by unanimous consent, introduced a bill (H. R. 11796) to regulate the cost of copies of patents and other papers furnished from the Patent Office; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

POSTAL CONTRACTS.

The SPEAKER laid before the House a letter from the Postmaster-General, transmitting reports of contracts for carrying the mails, of mails established, of additional allowances to contractors, of curtailment of expenses, and of fines and deductions from the pay of contractors for the fiscal year 1888; which was referred to the Committee on the Post-Office and Post-Roads.

IMPROVEMENTS AT THE MOUTH OF CUMBERLAND RIVER.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with a report from the Chief of Engineers, the report of a board of engineers relative to a plan for improving the mouth of Cumberland River; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. SAYERS, until Monday next, on account of sickness.

To Mr. STEWART, of Vermont, for ten days, on account of important business.

To Mr. PARKER, indefinitely, on account of sickness in his family.

CHANGE OF REFERENCE.

On motion of Mr. LANHAM, by unanimous consent, the Committee on Claims was discharged from the further consideration of the bill (S. 3621) for the payment to the widow of the late Chief-Justice Morrison R. Waite the balance of a year's salary, and it was referred to the Committee on the Judiciary.

PUBLIC BUILDING, KANSAS CITY.

Mr. WARNER. Mr. Speaker, I ask unanimous consent that the Committee of the Whole be discharged from the further consideration of the bill (S. 281) for the erection of a public building at Kansas City, Mo., and that the bill be now put upon its passage.

The SPEAKER. The bill will be read, after which the Chair will ask for objections.

The Clerk read as follows:

The Committee on Public Buildings and Grounds recommend that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or acquire by condemnation proceedings, in accordance with the laws of Missouri, a suitable lot of land in the city of Kansas City, in the county of —— and State of Missouri, to be used for the construction thereon of a building suitable for the accommodation of the post-office, the courts of the United States, and all the other Government offices in said city, at a cost which shall not exceed for said site the sum of $250,000: *Provided*, That the site shall leave the building, when constructed, unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys. And no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Missouri shall have ceded to the United States exclusive jurisdiction over the same during the time the United States shall be or remain the owner thereof for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

"SEC. 2. That the sum of $250,000, or so much thereof as may be necessary, is hereby appropriated for the purposes of the purchase of said site out of any moneys in the Treasury not otherwise appropriated."

Amend the title so as to read as follows: "An act to provide for the purchase of a site in Kansas City, Mo., for the erection of a public building thereon."

Mr. WARNER (interrupting the reading). I possibly may save time of the House by stating that the Committee on Public Buildings and Grounds has reported the Senate bill back with an amendment, and I desire to have the bill passed as amended.

The SPEAKER. The Clerk is now reading the proposed substitute.

The reading was resumed and concluded.

Mr. BLOUNT. I call for the regular order.

Mr. WARNER. I hope the gentleman will withhold that call until I can make an explanation of this measure.

The SPEAKER. The gentleman from Georgia [Mr. BLOUNT] demands the regular order.

Mr. DOCKERY. I hope the gentleman will withdraw the call for a moment.

Mr. WARNER. If the gentleman will allow me to make a statement, I think he will not object.

Mr. BLOUNT. I think this Congress has already spent enough money in that direction.

DEATH OF HON. EDWARD W. ROBERTSON.

Mr. BLANCHARD submitted the following resolution; which was read, considered, and adopted:

Resolved, That Saturday, the 19th day of January, 1889, at 3 o'clock p. m., be fixed as the time for delivering tributes to the memory of the late Hon. Edward W. Robertson, late Representative in this Congress from the State of Louisiana.

CITROUS WATER COMPANY, ARIZONA.

Mr. HUDD. I rise to submit a privileged report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7843) granting to Citrous Water Company right of way through Papago Indian reservation, in Maricopa County, Arizona, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate and agree to the same.

S. W. PEEL,
THOMAS R. HUDD,
KNUTE NELSON,
Managers on the part of the House.

H. L. DAWES,
F. B. STOCKBRIDGE,
Managers on the part of the Senate.

The SPEAKER. A rule of the House requires that the House managers in submitting a conference report shall submit also a written statement showing the effect of the action recommended. There is no such accompanying report in this case; but unless it is demanded the Chair will put the question on agreeing to the conference report.

Mr. BRECKINRIDGE, of Kentucky. This seems to be an entire recession on the part of the House managers from the position taken by the House; they recommend a full concurrence with the amendments of the Senate. I think we had better know the effect of those amendments and the reason which has prompted the House managers to make this recommendation.

The SPEAKER. Does the gentleman demand that a written statement shall be submitted?

Mr. BRECKINRIDGE, of Kentucky. I am perfectly willing that the statement be an oral one.

Mr. HUDD. The amendment placed on this bill by the Senate, and in which the House non-concurred for the purpose simply of getting the bill into conference that the subject might be more readily brought before the House, relates to the granting of the right of way to convey water across an Indian reservation in Arizona. The bill as it went from the House was not guarded in many respects, especially as to the rights of the Indians occupying the reservation to have free use of this water. The Senate amendment provides that this corporation while enjoying the right of way across the reservation shall allow to the Indians occupying the reservation the free use of the water. It is also provided that citizens of the United States who may have lands tributary to this right of way shall also have the right to use the water on terms to be agreed upon. There is also a reservation of the right of Congress to modify, change, or alter the provisions of this law as may be deemed necessary. Thus the rights of the people, and especially those of the Indians residing upon the reservation, are fully and effectually guarded.

The report of the committee of conference was agreed to.

Mr. HUDD moved to reconsider the vote by which the report was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

HOLIDAY ADJOURNMENT OF CONGRESS.

The SPEAKER. The gentleman from Georgia has demanded the regular order.

Mr. HOOKER. I desire to introduce a privileged resolution for reference to the Committee on Ways and Means.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Friday, December 21, 1888, they stand adjourned until Monday, January 7, 1889.

The resolution was referred to the Committee on Ways and Means.

ORDER OF BUSINESS.

The SPEAKER. The regular order is the call of committees for reports of a private nature.

Mr. LANHAM. I ask unanimous consent that the call of committees for reports be dispensed with, and that gentlemen having bills to report be permitted to hand them to the Clerk for reference to appropriate committees.

Mr. SPINOLA. I object.

The SPEAKER proceeded to call the committees for reports of a private nature.

MARY THORN.

Mr. HUNTER, from the Committee on Invalid Pensions, reported back with amendment the bill (H. R. 2861) granting a pension to Mary Thorn; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CHRISTIAN SANDERS.

Mr. WALKER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11177) granting a pension to Christian Sanders; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ELLEN SMITH.

Mr. SPOONER, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2705) granting a pension to Ellen Smith; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. ELLEN HAND.

Mr. SPOONER also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 3264) granting a pension to Mrs. Ellen Hand; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

J. D. HAWORTH.

Mr. SPOONER also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 3435) granting a pension to J. D. Haworth; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARTHA WINE.

Mr. GALLINGER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 10920) granting a pension to Martha Wine; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SARAH BODEN.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 10901) granting a pension to Sarah Boden; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ADVERSE REPORTS.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back adversely bills of the following titles; which were severally laid on the table, and the accompanying reports ordered to be printed:

A bill (H. R. 10902) granting a pension to Melvina Greenya;

A bill (H. R. 10999) granting a pension to William H. Coffin;

A bill (H. R. 11200) granting a pension to Mary B. Peck;

A bill (H. R. 11260) granting a pension to Leonard Persons; and

A bill (H. R. 10560) granting an increase of pension to Charles Johnson.

CHARLES H. GREEN.

Mr. SAWYER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11354) granting a pension to Charles H. Green; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN PARKINSON.

On motion of Mr. SAWYER, the Committee on Invalid Pensions was discharged from the further consideration of the bill (S. 3492) granting a pension to John Parkinson, and the same was referred to the Committee on Pensions.

ELIZABETH CLOVER.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with amendment the bill (H. R. 11629) granting a pension to Elizabeth Clover; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ROWLAND WARD.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11578) to increase the pension of Rowland Ward; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CATHARINE BUCHANAN.

Mr. MATSON, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11043) to restore to the pension-roll the name of Catharine Buchanan; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

HARLAN E. KING.

Mr. MATSON also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11430) to increase the pension of Harlan E. King; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SARAH A. CLEMENT.

Mr. LYNCH, from the Committee on Invalid Pensions, reported back with amendment the bill (H. R. 11411) granting a pension to Sarah A. Clement; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

The SPEAKER. The call of committees for reports is concluded.

RIFLE RANGE, MADISON BARRACKS, NEW YORK.

Mr. MAISH, by unanimous consent, from the Committee on Military Affairs, reported back with amendment the bill (H. R. 9070) to provide for the purchase of land to be used as a rifle range and for other purposes in connection with Madison Barracks, New York; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

MARITIME CANAL COMPANY OF NICARAGUA.

Mr. CLARDY. Mr. Speaker, when the House adjourned on Friday last a motion made by myself was pending, that the House resolve itself into the Committee of the Whole House on the Private Calendar; and further, that all debate on section 6 of the pending bill (S. 1305) to incorporate the Maritime Canal Company of Nicaragua be limited to

ten minutes. I now withdraw that motion and move that the House resolve itself into the Committee of the Whole House on the Private Calendar; and further, that all general debate on section 6 and all amendments to the bill be limited to forty minutes.

Mr. BLOUNT. Is the debate to be closed on the bill or on the section?

The SPEAKER. The Chair will state the gentleman's motion if the House will come to order. The gentleman from Missouri [Mr. CLARDY] moves that the House resolve itself into the Committee of the Whole House for the consideration of bills on the Private Calendar; and further, he moves that all debate on pending amendments to the bill under consideration and to section 6 of the bill be closed in forty minutes.

Mr. BLOUNT. Mr. Speaker, I wish to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLOUNT. The motion of the gentleman from Missouri as stated by the Chair not only limits the debate on this section, which was under consideration by the committee at the time it was last in session, but it limits the debate upon all amendments to the bill now pending or which may be hereafter offered. Now, there are certain paragraphs of the bill not yet reached or disposed of. There is this particular paragraph under consideration, for instance. Is it competent, then, for the House to order the closing of all debate upon all of the paragraphs of the bill when there is but one being considered?

The SPEAKER. Of course the present occupant of the chair can not have any official knowledge as to the exact status of the bill in Committee of the Whole. The Chair assumes, from the character of the motion made by the gentleman from Missouri, that the Committee of the Whole has reached the sixth section of the bill.

Mr. BLOUNT. That is not exactly the fact. It has not been reached in its regular order. There are amendments pending to several preceding sections.

Mr. CLARDY. Mr. Speaker, the first amendment offered to the bill was proposed by the gentleman from Texas to the sixth section. Upon the adoption of that amendment, without objection, amendments to the preceding sections were offered and adopted. Afterwards my colleague [Mr. BLAND] offered a substitute for the sixth or last section, and upon the adoption of that substitute offered, without objection and by unanimous consent, for it could not have been done except by unanimous consent, a motion was made by the gentleman from Mississippi [Mr. STOCKDALE] to amend the sixth section, and the motion was entertained by the Chair. I submit, therefore, sir, that upon the adoption of the amendment offered by my colleague it was not in order to move an amendment to any of the prior sections of the bill without unanimous consent, and if I be right in that position then the point of order made by the gentleman from Georgia is not well taken. If I be wrong it follows that we have made no progress in the consideration of this bill, but that amendments and debate may go on *ad infinitum*.

The SPEAKER. Does the Chair understand the gentleman from Missouri to say that a substitute had been offered to the sixth section of the bill and adopted, and that then the sixth section had been further amended upon the motion of another gentleman?

Mr. CLARDY. A substitute was offered for the sixth section and adopted, after which, I say, by unanimous consent, an amendment was offered to the second section, which was pending at the time the committee rose.

The SPEAKER. The Chair thinks if that is the status of the bill in committee, the motion of the gentleman from Missouri is in order, for evidently the Committee of the Whole has reached the consideration of the sixth section.

Mr. BLOUNT. Mr. Speaker, there was no request, permit me to state, for unanimous consent to offer the amendment to which the gentleman has referred. There was an irregular entertainment and consideration of motions and amendments to the bill in reference to these various paragraphs.

When the sixth section of the bill was under consideration the gentleman from Illinois [Mr. PAYSON] asked of the then presiding officer if it would be competent for him to offer an amendment, I think, to the second section. The Chair answered that it would be, and accordingly the gentleman moved to amend one of the preceding sections. There was never any proposition or suggestion looking to unanimous consent. There was an irregular consideration of the bill, and amendments were entertained at various points, and, as I have stated, there was an irregular mode of procedure recognized by all without objection. The gentleman from Illinois never asked unanimous consent, but made the motion under instructions of the Chair.

The SPEAKER. The Chair does not think it makes any difference as to the question or order here presented whether the unanimous consent was asked or not. The material fact to be considered is this: Had the committee in fact reached the consideration of the sixth and last section of the bill?

Mr. BLOUNT. All I desire is that the Chair shall understand the fact as to the exact status in the committee; that these amendments were being considered without objection on the part of any one, and, as the gentleman from Texas [Mr. LANHAM] says, were offered promiscuously to various paragraphs of the bill, and a number of them are pending now. Any construction of the action of the committee, therefore, that would lead the House to conclude that the committee had agreed to the preceding sections or to section 6 as an entirety is calculated to work a wrong to the committee, and I trust, Mr. Speaker, that before the House shall be misled in any manner, or deprived of its rights of offering amendments all along the line of this bill, that the Chair will understand precisely the situation.

Mr. PAYSON. I desire simply to supplement the statement of the gentleman from Georgia as to what occurred, the present occupant of the chair not being familiar with what took place in the Committee of the Whole, by a statement which will be verified by an examination of the RECORD. The gentleman from Indiana [Mr. HOLMAN], subsequent to the adoption of the amendment offered by the gentleman from Missouri [Mr. BLAND], offered quite a lengthy amendment, which was adopted, to the first section of the bill. The order in which the different amendments were proposed and adopted, as stated by the gentleman from Missouri [Mr. CLARDY], is correct; but in addition an amendment was offered by the gentleman from Indiana [Mr. HOLMAN] to the first section of the bill. That, as I have said, was adopted. There was no unanimous consent in reference to that. Awhile after that an amendment was offered by the gentleman from Alabama [Mr. COBB], an amendment to the amendment of the gentleman from Indiana [Mr. HOLMAN], which was adopted, and then an amendment was offered by the gentleman from Pennsylvania [Mr. BAYNE] subsequently to all of these to the first section of the bill, at which point I addressed an inquiry to the then occupant of the chair, asking whether it would be in order if the amendment of the gentleman from Pennsylvania, which was to insert a certain provision in a certain line of the bill, were adopted—it would then be in order for me to move to strike out the entire paragraph, and, if so, that I desired to be recognized for the purpose of moving that amendment. The then occupant of the chair said that it would be in order to do so, and would recognize me for that purpose. Other gentlemen sitting around me had amendments also to offer to the first, second, and third sections of the bill.

Now, the difficulty arising as to the parliamentary status of this bill results from the fact that the bill, as the RECORD will show, was never read in Committee of the Whole for the purpose of amendment. The bill was called up and was considered generally; the gentleman from Missouri [Mr. BLAND] secured recognition, saying that he desired to offer an amendment to go into the sixth section of the bill, and after this a kind of guerrilla attack, or irregular consideration of proposed amendments, was the method pursued by the Committee of the Whole in its consideration of the bill.

There was no unanimous consent about it one way or another. It was considered in the way in which I have stated, and therefore it occurs to me—and I would say the point was made by some gentleman, whose name I do not recollect, about the time the deliberations in Committee of the Whole ended—whether it would not be proper in Committee of the Whole to have the bill read in the regular way, by sections, and have amendments offered by gentlemen who desired to offer them.

Nothing was done with that suggestion, as the committee rose. So it must be distinctly understood by the Speaker of the House that this bill has not been read by sections for the purpose of amendment, and gentlemen around me who have amendments to offer agree with me that it was not.

Mr. MCMILLIN. Having been Chairman of the Committee of the Whole on the last day on which this bill was considered, I will make a statement of the condition of the bill when the committee entered upon its consideration that day, and, as I conceive, the condition now. The bill was taken up before the adjournment last session on a Friday, and was called up under a rule then adopted for that day, allowing each member, when his name was called, to call up for consideration a bill, the consideration of which should be entered upon if a certain number of objections was not made. When this bill was reached, Mr. Speaker, there was some opposition manifested to it. Gentlemen who were desirous of getting it passed admitted amendments that were proposed to be offered to the respective sections to which they applied. They were offered and were considered irrespective of the section to which they belonged. There was great anxiety——

Mr. BLOUNT. Will the gentleman permit me to ask him a question?

Mr. MCMILLIN. Let me get through with my statement, and I will with pleasure.

There seemed to be a great anxiety to, if possible, accommodate the gentlemen who had amendments to propose and to get the bill through on that day. In that condition of things there were a number of amendments offered. One was adopted, and if I remember, one was not acted upon; the former to section 5, the latter to section 2, and the bill went over, the hour of 5 o'clock having arrived. When I was called to the chair in Committee of the Whole last Friday I found that the situation—amendments being offered to the bill and considered without regard to the section to which they applied. I suggested to one or two gentlemen who came to me while in the chair that that

was irregular, and that we had better enter upon it in a more regular way. But no objection was made on the floor, and hence I could not make the point of order myself.

An amendment was offered to a section, and pending the amendment the gentleman from Illinois [Mr. PAYSON] asked if he would have the right after that amendment had been adopted to move to strike out the section, if I remember correctly. The Chair replied that he would. Hence, from the beginning there was little regard paid to the order in which the amendments were offered, and, as has been stated, after the amendment had been adopted to section 5 on the first day without objection, no objection further being made, there was a recognition of gentlemen to offer amendments to a section before that—the second section. This is a history of the proceeding in Committee of the Whole.

Mr. BLOUNT. I want to ask the gentleman from Tennessee if it is not true, in addition to what he has stated, that after the committee rose on the motion of the gentleman from Missouri [Mr. CLARDY], that gentleman made the motion he now makes, and Mr. TURNER, of Georgia, being in the chair, was called upon to rule, and did rule, and sustained the point of order that I now make, and in pursuance of that the House was taking the vote upon limiting debate upon a single amendment and amendments thereto.

Mr. MCMILLIN. I am inclined to think there was such a ruling. I will say that——

Mr. HOLMAN. That was the ruling.

Mr. DUNN. I desire to call attention to another state of facts. This bill has rather an anomalous position. It never belonged to the Committee of the Whole House at all. Had it been reached on the Private Calendar in a regular way it would have been considered in the House, and the previous question could at any time have been ordered upon the bill as an entirety. It comes to be unfinished business in Committee of the Whole because of a peculiar rule adopted during the last days of the last session of Congress—that is, that when in Committee of the Whole on the Private Calendar the alphabetical list of members should be called, and each member as his name was called be permitted to call up a bill. So that is why it was called up in Committee of the Whole. Now, having got into Committee of the Whole and being unfinished business, it must be disposed of. But the House can take possession of it, and apply the rules properly to it. The sixth section having been reached, or the last section of the bill having been amended, it is perfectly clear that all other forms were waived, and we offered the motion to dispose of the bill by closing debate on the amendments. There is no proposition here to cut off amendment. The proposition is simply to close debate on the bill and on pending amendments. The first reading of the bill had been waived. The right to take it up section by section in the Committee of the Whole was waived when the committee went to the last section of the bill; and now it is perfectly in the power of the House to take charge of the whole question and get this bill out of the way.

Mr. SPINOLA. Mr. Speaker, there was considerable irregularity the day this bill was up last in regard to the manner in which it should be considered. The bill was not read through except as a part of the speech of the gentleman from Indiana [Mr. HOLMAN]. He asked to have the bill read and it was embodied in his five-minute speech. After that it was taken up promiscuously and amendments were offered to various sections, apparently without objection on the part of any one, but it was never supposed by any of the members on this floor that the consideration of the first section had been closed, because it had not been read as a separate section. I had several amendments which I desired to offer to that section and which were on my desk at the time ready to be offered, but another amendment came from the other side of the House and it was considered by a sort of general consent, the bill never having been read through by sections nor as a whole, except, as I have already said, as a part of the speech of the gentleman from Indiana.

Now, to undertake to treat the first and second sections as disposed of is simply to deprive members of an opportunity to offer suitable and proper amendments to that part of the bill, and I trust that the friends of this measure will not undertake to apply any gag of that character. If they do, I do not think it will expedite their measure at all. What we want is a fair and honest discussion of this bill upon its merits.

Mr. DUNN. Are you willing to fix a time for a vote upon the bill?

Mr. SPINOLA. If you can reach a vote in a proper way, I have no objection to your passing this bill; but unless it is taken up in proper form, without any gentleman upon this floor being gagged, either as to offering amendments or discussing the merits of the bill, the question assumes another character. This bill is before the House irregularly anyhow. It did not come up as the unfinished business of the committee. It was taken up at another time and not while reports from that committee were entitled to consideration. It came up by unanimous consent late one afternoon, and was considered simply because there were not five objections made to it on that day. No gentleman on the floor of this House, I care not who he may be, nor how great may be his power of condensing his remarks, can begin to discuss all the merits of this question before this House in forty minutes, or in eighty minutes. This is one of the most important questions which have been before this Congress. The bill is an old stager here. It has been before many other Congresses. It has been kicked repeatedly, and now its promoters come back again and present it in another form. Heretofore they asked that the Government should become responsible for the payment of the interest on their bonds. They have dilly-dallied with it session after session, until now we find it here before the House in this irregular manner. It has no business here under the circumstances, and not one single section of it has thus far been read as a separate section so as to give an opportunity for members to offer amendments.

Mr. PAYSON. Mr. Speaker, I think I see a way out of this difficulty which will be satisfactory to all. As one who is in favor of the project of digging this canal, though not in favor of all the provisions contained in the bill, I ask that the resolution which I send to the desk be read.

Mr. BLOUNT. Mr. Speaker, I desire to be heard on the question of order.

The SPEAKER. The Chair will hear the gentleman, but the gentleman from Illinois [Mr. PAYSON] asks that the resolution offered by him be read.

Mr. BLOUNT. I have no objection to that.

The Clerk read as follows:

Resolved, That when the House resolve itself into Committee of the Whole for the consideration of the bill incorporating the Nicaragua Canal Company, the bill be read by sections for amendment, and that the debate on the first section and amendments thereto be limited to thirty minutes.

Mr. PAYSON. I can see no reasonable objection to that proposition, Mr. Speaker, and I think it should be satisfactory to everybody.

Mr. SPINOLA. Make the debate an hour on the first section.

Mr. PAYSON. The first section is not a very important one and ought not to occupy so much time.

Mr. BLOUNT. Mr. Speaker, I desire to call attention to what appears in the CONGRESSIONAL RECORD in relation to this matter. I read from the proceedings of Friday last:

Mr. CLARDY. I move that the House resolve itself into Committee of the Whole House for the further consideration of Senate bill 1305, and pending that motion I move that all debate on the bill and amendments be limited to thirty minutes.

Mr. HOLMAN. Mr. Speaker, can that motion be made as to the whole bill? It seems to me it should be confined to some particular section of the bill. It can not apply to any portion of the bill which has not already been the subject of amendment.

Mr. WEAVER. I suggest to the gentleman that when by unanimous consent we have been considering this bill in a general way it is too late now to raise the point.

Mr. HOLMAN. I think there has been no consent upon the subject except, I presume, by acquiescence. There has been no express consent. No consent has been asked or obtained except by implication.

Mr. CLARDY. The section under consideration is the last section, at any rate.

Mr. SPINOLA. Not by any means.

Mr. PAYSON. There is pending an amendment to the second section.

Mr. SPINOLA. And quite a number of amendments are yet to be offered to the first section.

Mr. CLARDY. We recurred to the second section by unanimous consent.

Mr. DUNN. In order to adjust matters, I hope——

Mr. BLOUNT. I have no objection to hearing suggestions, but I trust I shall be allowed to continue.

Mr. HOLMAN. I think that under our rules when a bill contains a number of sections and is considered in an informal way, as this bill has been, different portions having been under consideration and made the subject of amendment, the true mode of procedure after all is for the gentleman having charge of the bill to move to close debate on successive sections. Certainly debate could not be closed in this way upon the whole bill.

Mr. CLARDY. I make my motion.

Mr. BLOUNT. I can not conceive how it can be in order under our rules to move to close debate on the whole bill. The rule contemplates simply that the gentleman in charge of a bill may have the right to move to close debate on a given amendment or on a given paragraph and amendments thereto.

The SPEAKER *pro tempore*. The present occupant of the chair understood the gentleman from Missouri to move, pending the motion to go into Committee of the Whole, that debate be limited to twenty minutes on the pending section.

Mr. BLOUNT. I understood differently.

Mr. HOLMAN. The gentleman from Missouri sought to have his motion apply to the whole bill.

Mr. CLARDY. I did not hear the statement just made by the Chair.

Mr. BLOUNT. As the gentleman from Missouri did not hear the statement, I will take the liberty of saying that, according to the understanding of the Chair, the gentleman from Missouri moved to limit debate to twenty minutes upon only a single section of the bill.

Mr. CLARDY. In my motion I embraced the entire bill and amendments.

The SPEAKER *pro tempore*. The Chair would indicate to the gentleman from Missouri [Mr. CLARDY] that in the opinion of the Chair it is hardly in order now to move to limit debate upon the entire bill.

Mr. CLARDY. I move, then, to close debate—upon what section were we engaged?

Mr. MCMILLIN. The second section is the one to which the pending amendment relates.

Mr. CLARDY. I move that all debate on the second section and amendments thereto be limited to ten minutes.

Mr. CLARDY. Now, Mr. Speaker, I propose to withdraw my motion; but I wish to hear again the suggestion made by the gentleman from Illinois [Mr. PAYSON].

The SPEAKER. The gentleman from Missouri [Mr. CLARDY] asks that the proposition made by the gentleman from Illinois be again read.

The Clerk read as follows:

That when the House resolves itself into Committee of the Whole for the consideration of the bill incorporating the Nicaragua Canal Company, the bill be

read by sections for amendment and that debate on the first section and amendments thereto be limited to thirty minutes.

Mr. CLARDY. I suggest that the gentleman say "ten minutes."

Mr. PAYSON. I will compromise the matter and say "twenty minutes."

Mr. BLAND. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Missouri can not take another gentleman off the floor by a parliamentary inquiry.

Mr. BLAND. Does the gentleman from Illinois apprehend that that motion will do away with amendments already ingrafted on the bill?

Mr. PAYSON. Oh, no; not at all.

The SPEAKER. It will not affect them in the least. The gentleman from Missouri [Mr. CLARDY] withdraws his original motion and accepts the proposition of the gentleman from Illinois modified so as to say twenty minutes instead of thirty minutes.

Mr. PAYSON. Now, on the adoption of that proposition I demand the previous question.

Mr. WILSON, of Minnesota, addressed the Chair.

The SPEAKER. The gentleman from Illinois demands the previous question.

Mr. WILSON, of Minnesota. On a matter touching this very subject I rise to a question of privilege, and would like to be heard before this proposition is voted upon.

Mr. PAYSON. I have no objection.

The SPEAKER. The gentleman from Minnesota will proceed.

Mr. WILSON, of Minnesota. I send to the Clerk's desk and ask to have read certain passages I have marked in the New York Herald of the 13th instant.

The Clerk read as follows:

Two elements have united in the House to make the pending bill incorporating the Nicaragua Canal Company a failure. They are the agents of the Pacific railroads and the attorneys of the Panama Canal Company. The amendments already added to the bill make it worthless. As it came from the Senate the bill was not altogether as fair to the enterprise as it was expected it would be, but its present condition, as Judge Daly said in to-day's Herald, makes it of no use to any one.

During the debate last Friday Mr. DINGLEY, of Maine, whose integrity no one questions, openly declared on the floor of the House that it seemed to him that there was a settled purpose on the part of some gentlemen to defeat it in an indirect way. While admitting the importance of the object sought, it was at the same time the real purpose to defeat the bill.

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PACIFIC ROAD INTEREST.

Somewhere about the Capitol locked up in the desk of a Congressman might be found the following memorandum from an attorney of the Pacific Railroad who practices about the Capitol:

"Pacific road opposes the measure because it would practically end its business as a common carrier, especially along the southern route. See that amendments are so framed as to have the appearance of protecting the Government, while they render the act inoperative. Your cue in debate is to give the Panama route the devil. Insist that Nicaragua route is the only practical route, but any act of Congress must avoid committing the United States Government, by inference in the slightest degree, to fostering the measure."

An examination of the CONGRESSIONAL RECORD since the Nicaragua bill has been under consideration discovers the unanimity with which a large number of patriots have put themselves on record and whose whole argument is but a repetition of this useful "mem" suggestion how to effectually but covertly kill the bill.

The three tampering amendments, which Judge Daly says make the bill useless, were offered by Mr. BLAND of Missouri, Mr. WILSON of Minnesota, and Mr. COBB of Alabama.

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PAYMENT OF STOCK.

The third amendment was offered by the greatest alleged friend the scheme could possibly have—Mr. WILSON, of Iowa.

Mr. WILSON, of Minnesota. That means "of Minnesota."

The Clerk continued the reading, as follows:

"SEC. 3. That no certificates of stock shall be issued until at least 10 per cent. of the same shall be fully paid for in money at the par value of said stock and the money deposited in the treasury of said company, and said stock so subscribed shall not be assignable until the whole of the same shall be paid in, and no payment on account of capital of said company shall be made except in money; and said company is hereby prohibited from returning or rebating any part of the money so paid. No bonds in excess of the amount of capital paid and received shall be authorized or issued until such paid capital shall amount to the sum of $5,000,000. No part of the capital stock paid in shall be at any time withdrawn or returned to the stockholders or in any manner diverted from the proper uses of the corporation. Every person violating or aiding in the violation of the foregoing provision shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine not exceeding $10,000, or by imprisonment not exceeding five years, or by both of such punishments in the discretion of the court."

Worthless as the bill now is with all these disinterested and patriotic amendments grafted on it, it is still to be further amended, each friend of the Panama Canal Company and the Pacific Railroad Companies being determined to prove his fealty to the "commune" by his desire to see this great maritime highway built under a charter with a little amendment tacked on that is deemed necessary to save the honor of the country.

Mr. WILSON, of Minnesota. Mr. Speaker, I am not usually very sensitive about any attack upon me. I believe this is the first time in my life that I have ever called attention in a legislative body to any insinuation of this kind. Up to the time when I saw this interview, Mr. Speaker, I believed the promoters and incorporators of this Nicaragua Canal to be honest men, intending patriotically to forward the building of a canal that would, as I believe, be to our country a great and valuable public improvement. I have talked to those men personally about this matter, and especially to Judge Daly, and if there be any persons about this House opposing the measure I have held no communication with them, nor do I know one of them. I conversed with Judge Daly, as I have said, about this matter, and I told him I desired this amendment.

Mr. Speaker, when the language of this amendment is examined and understoood it will be seen that its sole purpose is to prevent the issuance of stock without consideration. The issuance of such stock is a fraud on every honest stockholder. Not only that, sir; it is a fraud on all the patrons of the improvement and on the people at large.

This amendment was framed in the interest of the public and to prevent a dishonest practice that has of late become common and most injuriously affected the interests of the whole people.

Mr. BLOUNT. The gentleman will permit me to ask whether Judge Daly, to whom he refers, is one of the promoters of this bill?

Mr. WILSON, of Minnesota. I believe he has been one of the most prominent promoters. He has been several times before the Committee on Commerce touching this matter.

Mr. BLOUNT. Is he the author of this article?

Mr. WILSON, of Minnesota. I think it may be inferred that he is either the author or the instigator.

Mr. DAVIS. I think not.

Several MEMBERS. Oh, no.

Mr. WILSON, of Minnesota. I know nothing of the authorship except so far as it may be inferred from the article itself. Whoever the author may be, he says that I am an "alleged friend" of the enterprise, and insinuates that I and other gentlemen named are not only enemies of this enterprise, but tools or dupes of the Pacific Railroad or of the Panama Canal Company. The sole and only basis for this charge is (so far as I am concerned) that I have had the audacity, without permission, to offer an amendment tending to prevent any fraud on either the honest stockholders or the public, and which prevents men from issuing stock to themselves without the payment of a dollar in aid of the enterprise.

No one dares to defend that which is forbidden by this amendment. That the thing forbidden is a fraud on both the stockholder and the public every one knows; that it has been long common is equally notorious. If the parties controlling this enterprise do not propose to issue watered or unpaid-for stock, the amendment is simply unnecessary, and so far as they are concerned, inoperative and harmless. But who will deny that this outcry against such an amendment does not clearly show its necessity? These charges have not a shadow of foundation in fact.

Mr. COX. Allow me, right there. This does not come from Judge Daly.

Mr. WILSON, of Minnesota. If it does not come from Judge Daly it comes from somebody else.

Mr. COX. I ask to be heard.

The SPEAKER. The gentleman from Minnesota has the floor.

Mr. WILSON, of Minnesota. I wish to say, Mr. Speaker, before I yield the floor to anybody, that the man who suggested or caused that article to be written, whoever he may be, seems to be trying to drive the members of this House to consent to a charter so loose in its provisions that it will allow certain men to collect tribute from the company without paying a dollar into the enterprise.

I wish to say that this amendment offered by me was sanctioned by Governor DINGLEY, of Maine, and by the best friends of the enterprise on this floor. There is nobody who is more in favor of this enterprise than myself, but I am opposed to watered stock or dishonest stock, issued without any consideration, and I am also opposed to a charter so loosely framed as to admit of the issue of such stock. And I believe that the amendment which I offered and this committee adopted will strengthen the enterprise and give assurance to honest investors and to real friends of the enterprise.

Messrs. COX, BLAND, and SPINOLA rose.

The SPEAKER. The gentleman from Minnesota rose to a question of privilege and has made his statement. He presented no matter for debate.

Mr. SPINOLA. I wish to rise to a question of privilege.

The SPEAKER. The Chair recognized the gentleman from Missouri [Mr. BLAND].

Mr. PAYSON. I rise for the purpose of a question of order.

The SPEAKER. The gentleman will state it.

Mr. PAYSON. My point is whether or not the article as read from the Clerk's desk presents a question of privilege? Much as I dislike to interfere with any gentleman to make any explanation he deems proper——

Mr. BLAND. The gentleman from Illinois would save time if he would permit members to go on.

Mr. PAYSON. There need be no feeling about this.

The SPEAKER. The Chair does not think the article read by the Clerk at the suggestion of the gentleman from Minnesota presents any question of privilege under the rules of the House. It may present such matter as entitles the gentleman to the ordinary courtesy of making a personal explanation. The Chair thinks that under Rule IX of the House this is not strictly a question of privilege, because there is no charge of corruption or misconduct on the part of any member in his representative capacity.

Mr. BLAND. I think the House itself has been liberal in reference to questions of personal privilege.

Mr. PAYSON. My poirt is, is this not a question of personal privilege?

Mr. BLAND. But the House has been liberal in extending the courtesy to members of making personal explanations in reference to matters of this character, and I hope the gentleman from Illinois will not undertake to cut off such explanations.

Mr. PAYSON. I withdraw my point of order.

Mr. BLAND. I do not wish to detain the House at any length and would not have said a word on this floor except for the fact that this article has been read here. I know nothing about the company which has originated this bill, and I know nothing about the opposition to it outside of this Hall. The amendment I offered to that bill, and which was adopted by the House, was intended to secure the power of Congress over this corporation. Now, when this correspondent refers to the fact that Jay Gould and Vanderbilt and some of those gentlemen to whom Congress has granted great franchises, and by which they have accumulated enormous wealth from extravagant and ill-advised legislation, that they are in opposition to this scheme, they had better bring some evidence of that fact. If I were to judge of this bill and the manner in which it is being urged by that correspondent and parties interested I would suppose they were the same old schemers who got control of the Pacific Railroads, control of Congress which failed to preserve the power of legislation over it; that they are the same old schemers who are here to-day to secure the monopoly of this isthmus, so as to control, in addition to the railway routes, the great water channels of commerce, so as to control the great international commerce of the country.

I have been a friend of this measure so far as the main objects of it are concerned if it could be made in the interest of the people of this country and if the power of the Government could be reserved over it. But, sir, if it is to be hounded through here by men who undertake to vilify and slander members on this floor who seek to do their duty to the people of this country, I am forced to the conclusion that corrupt motives are underlying it at the bottom on the part of the corporators and their overzealous correspondents, and it will never get through this body with my consent unless with the amendments incorporated upon it and others of a similar character which will make it safe and right for the people of the country; and gentlemen may look well to the bill in that regard.

Mr. PAYSON. I demand the regular order.

The SPEAKER. The regular order is the demand for the previous question——

Mr. SPINOLA. I ask the gentleman to withhold that for a moment.

Mr. PAYSON. How long?

Mr. DUNHAM. All day, if you insist upon it.

Mr. SPINOLA. I shall only occupy a few minutes' time.

Questions of privilege of a personal character are something I have not indulged in, nor have I taken advantage of any occasion by rising in any public body of which I have been a member and asking to be heard. But, Mr. Speaker, when the entire Congress of the United States—on that side, at least—which feels it to be a high public duty to the people of this country, on the floor of this House, to perfect a great public measure by proper amendments, is to be assailed and insulted, even charged directly with dishonesty for their action, it then becomes my duty, as I think it is the duty of every other member, to meet that issue upon the floor of the House, or wherever it is raised, and set the wrong right.

Now, sir, the article which has been presented and read from the New York Herald by the gentleman from Minnesota was based upon an interview with Judge Daly, or ex-Judge Daly, with the New York Herald man the day previous. Ex-Judge Daly is one of the principal gentlemen who are behind this measure.

Since his retirement from the bench by reason of the limitation of age he has been directing his great ability and learning in the direction of carrying through enterprises of a similar character and has brought forward his energies for the support of various measures before the New York Legislature. Now I find him here before the Congress of the United States, and I may say that all of these measures in which this high-toned gentleman has been associated since his retirement from the bench have been of a very doubtful and of a very greasy character. [Laughter.]

Mr. SOWDEN. Is he a lobbyist?

Mr. SPINOLA. I am asked if he is a lobbyist. That is a question for the House of Representatives and not for me, to say whether he is or not.

A gentleman who hangs about the doors of legislative bodie simportuning members to vote for measures of which he has charge would usually come under the head of a lobbyist, I believe; but any gentleman on the floor of the House is as capable of judging of that matter as I am. I shall make no improper charges against ex-Judge Daly. I would make none, for I have known him as a boy. We were boys together. We ran with the same old engine together and worked upon the same brake at the fires.

I saw him go upon the bench in 1842 by appointment under Governor Bouck, of our State, and I saw him occupy that position by the suffrages of the people when it became an elective office by the votes of all political parties, because he was a fair and an impartial judge, until his retirement from the bench by reason of age. Since then we find that he has been engaged in enterprises of this character and has become——

Mr. WEAVER. Become "greasy" since that? [Laughter.]

Mr. SPINOLA. No, sir; I did not say that. I do not say that he is "greasy," or has become so. I say that the enterprises with which he has been connected have a greasy character. The under-ground railway under Broadway, which was an old scheme before the Legislature of New York for almost a quarter of a century, turns up with new blood injected into its veins, and that new blood is led by my old friend and associate, Judge Daly.

Mr. RAYNER. How about the over-ground railroad?

Mr. SPINOLA. They have had their day of settlement in the courts. Those questions have all been considered.

Mr. OUTHWAITE. But they have been engaged in fighting the under-ground; have they not?

Mr. DUNN. And all were "greasy?"

Mr. SPINOLA. Yes, of course; every one of them.

Mr. RAYNER. How about the surface roads?

Mr. SPINOLA. The Broadway surface scheme was as greasy as any of them. [Laughter.]

Now I stand here to say that what has been read from the article in the New York Herald of the date given to-day, and one of a preceding date, the 12th instant, indicates merely the same old scheme to trap the unwary, a sort of "bunco game" to drive the House into the passage of this bill. [Laughter.]

A MEMBER. A "bunco game?"

Mr. SPINOLA. Yes; I say a bunco game.

Mr. DUNHAM. Please explain that. What is a bunco game? [Laughter.]

Mr. RAYNER. Yes; let us know what that means in New York.

Mr. SPINOLA. A bunco game is a sort of mysterious game that is played by certain sharpers to filch honest people out of their money. [Laughter.] That is what a bunco game is as interpreted in the city of New York by the police courts there. It is a kind of gudgeon used as bait to entrap the greenhorns. And "Hungry Joe," let me inform my friend from Baltimore, one of the very worst of the whole lot, has recently been taken back to Baltimore by a requisition from that State. [Great laughter.]

Mr. RAYNER. Oh, no; "Hungry Joe" is one of your own productions. We do not want him. You would not give him up when we did want him.

Mr. SPINOLA. We made New York so hot for "Joe" that he had to get out, and he went down to Maryland and captured a fresh fish down there for $5,000 [great laughter], and your governor made requisition to get him because they wanted him badly.

Mr. RAYNER. But your governor would not let us have him. You refused to give him up.

Mr. SPINOLA. Oh, yes, he will give him up. We have sent him down to you already. He has gone down to "fresh fields and pastures green." [Renewed laughter.] He will be down there hunting for new bait to trap the unwary, and I hope sincerely that you will keep him there for our sake. [Renewed laughter.] I hope you will keep him there for the sake of verdant men all over the country who visit the great city of New York. It may be possible that he will turn up here in Washington, for all we know, and some gentleman on the floor of the House may become his victim; and I hope none of the members of this House will become the victims of this "greasy enterprise" which is now under consideration.

A MEMBER. Will you not vote for the bill?

Mr. SPINOLA. Well, sir, when the bill comes up on its final passage, I will say whether I will vote for it. I want it perfected; I want it made safe to the United States, and that the country shall be protected in every way.

Now, sir, what is the condition of this bill? The gentleman proposes to limit debate to forty minutes on the amendments to the bill.

Mr. BAYNE. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. BAYNE. The point of order I make is that the gentleman is not speaking to a personal matter.

The SPEAKER. The Chair thinks it is not in order to discuss the merits of the bill, because the bill is in Committee of the Whole and not in the House.

Mr. SPINOLA. I will discuss one matter made by President Cheney, who is the president of one of the banks of New York, and is one of the parties interested in this measure, in conjunction with Judge Daly. He says:

> I do not think we should hold Congress responsible for the attitude of three or four obstructionists there.

Those who know these gentlemen need no explanation as to what that means.

There is an inference that the opponents of this measure, or those who desire to perfect it and make it a suitable bill, are governed by improper influences. Has it come to this, sir, that on the floor of the American Congress a Representative can not express his opinion, or can not declare his opposition to a measure, without having his motives impugned?

Why, sir, if they will give us time to discuss this bill, we will make the friends of it ashamed of it before we get through. I am satisfied, from the facts here to-day, there is enough to deter every man who has regard for the character of this House from voting for this bill when the time comes.

Now, sir, I have nothing further to say in regard to that point at this time. But I will ask my friend from Illinois [Mr. PAYSON] whether he will not agree that debate on the first section of this bill shall be limited to one hour, half of the time on each side?

Mr. PAYSON. I am content with that.

Mr. SPINOLA. I ask that in all honesty and fairness, because the first section is the most important one in the bill. It embodies everything. It embodies the amount of stock the company shall have and the amount of bonds it shall issue.

Mr. WEAVER. Mr. Speaker, I desire to make a point of order. What is before the House?

The SPEAKER. Nothing. [Loud laughter.]

Mr. SPINOLA. I would move, with the consent of the gentleman from Illinois, to limit the time for debate on the first section to one hour—half an hour on each side.

The SPEAKER. The gentleman from Illinois has demanded the previous question on his motion.

Mr. SPINOLA. I understood the gentleman to withdraw it for the purpose of permitting me to make the motion I have stated.

Mr. WEAVER. I want to ask that the gentleman from New York [Mr. COX] be heard.

Mr. COX. I ask the gentleman from Illinois [Mr. PAYSON] to give me a few moments. I think it is due to the character of Judge Daly——

Mr. COBB. I ask if the gentleman will not also allow me a minute?

Mr. COX. I would yield to the gentleman from Alabama——

Mr. COBB. I would only take a moment.

The SPEAKER. The gentleman from Alabama [Mr. COBB] rises before the gentleman from New York begins his remarks and asks the same privilege.

Mr. FARQUHAR and others. Regular order.

The SPEAKER. That cuts all this off.

Mr. COX. I ask unanimous consent to proceed.

The SPEAKER. The Chair will state that the gentleman from Illinois did give his assent, but the regular order is demanded by several gentlemen.

Mr. BLAND. The gentleman from Alabama was mentioned in that paper, and inasmuch as he was, I think he should be heard.

Mr. COX. I would not take the floor from the gentleman from Alabama if he were at all inculpated in the remotest degree in the interview published in the Herald, which I think is wrongly attributed to Judge Daly.

The SPEAKER. Is the regular order demanded?

Mr. PAYSON. I do not demand it at this time.

Mr. COBB. I do not know that it is necessary at all that I should say anything, and would not do it but for the fact that other gentlemen whose names have been mentioned by the correspondent referred to have been heard before the House.

A MEMBER. I hope we shall have order.

The SPEAKER. The Chair has made every effort to secure order on the floor. Gentlemen will cease conversation, so that the gentleman from Alabama can be heard.

Mr. COBB. The article referred to in the New York Herald that has just been read mentions my name in connection with those of other gentlemen who opposed the measure that was pending the other day, known as this Nicaragua scheme. The article does not charge in so many words that we were corrupt, but it contains the intimation that every gentleman on this floor who was opposed to the bill incorporating this company is actuated by an improper motive. In other words, it charges that there is a lobby about the doors of this Congress that is seeking to influence every one of us in the interest of another and opposing scheme.

Now, I simply desire to state, so far as I am concerned, that I never heard of that conflicting interest until I saw mention of it in this correspondence. No man ever mentioned it to me before. I never was approached directly or indirectly about it, and I hope it is unnecessary for me to say that such an approach as that would have been unavailing. I care nothing about the little fling in the article against myself. I would not have noticed it upon the floor of Congress in this way but for the reason that I have given. There is unquestionably contained in it an intimation that we were unduly influenced, and as other gentlemen have seen proper to denounce it, I desire simply to unite with them in the denunciation.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced hat the Senate insisted upon its amendment to the bill (H. R. 2579) authorizing the President to appoint and retire Andrew J. Smith, late colonel of the Seventh United States Cavalry and a major-general of volunteers, disagreed to by the House; agreed to the conference asked by the House, and had appointed as conferees on the part of the Senate Mr. HAWLEY, Mr. MANDERSON, and Mr. COCKRELL.

MARITIME CANAL COMPANY OF NICARAGUA.

Mr. COX. Mr. Speaker, I would freely and cheerfully join in any kind of malediction upon any interviewer who would endeavor to bring reproach upon the character of men like the gentlemen from Alabama [Mr. COBB], from Minnesota [Mr. WILSON], or the gentleman from Missouri [Mr. BLAND], or any other of the gentlemen who stand here endeavoring to secure honest legislation and to perfect this bill by amendments which in their judgment are wise and proper. Whoever may be the man who undertakes in the Herald or elsewhere in any way to smirch those gentlemen deserves the reprobation of good men everywhere. But when it is undertaken here to fix upon my friend and neighbor, Chief-Justice Daly, any odium in connection with the pending measure or this Herald interview and these charges it is impossible for me to sit still. I must repel any accusations or imputations against him. He is a gentleman who stands far higher than ordinary men in public or private life. He has been connected for nearly forty years with the administration of justice in the city of New York as chief-justice of the court of common pleas. To this office he has been elected and re-elected unanimously, amid all the vicissitudes of New York political and judicial life. The ermine is not less pure——

Mr. BLAND. Will the gentleman allow me a question?

Mr. COX. Not now.

Mr. BLAND. I would like to know whether Judge Daly has ever disavowed this interview, because my judgment about him would depend a great deal upon whether he stands by the interview or disavows it.

Mr. CLARDY. I will say to my colleague that the offensive matter complained of by gentlemen is not in Judge Daly's interview.

Mr. COX. I can not answer the gentleman's question. Judge Daly has not been in this city since this session of Congress began. He appeared before the Senate committee, and before the House committee, at its request, as the attorney for those engaged in this Nicaragua enterprise. He appeared to argue the legal and international propositions, and to present the matter, geographical and topographical, properly to Congress through its committees.

He is the honored president of the United States Geographical Society. He is a man of large experience and vast learning and accurate knowledge in connection with all the various commercial enterprises on the face of our star. He is a man who stands irreproachable in New York and wherever he is known; and no peculiar patois, drawn from a peculiar class of people in New York City, can for one moment fix a stain upon his elevated character. Sir, he did present this matter to Congress, and, Mr. Speaker, I sometimes wish that we had here the system that prevails in and around the English Parliament. There parliamentary lawyers are allowed and licensed to present matters for legislation before committees. Would it not be well to have that system here? Then men who come here for the Federal protection of their laudable enterprises at home or abroad may choose men of experience, learning, knowledge, and skill—legal and otherwise—to present their matters, and thus relieve us of much research and labor, and add to our own much-needed information. Let us avail ourselves of such valuable services, thus saving time and giving principles, facts, and sometimes inspiration to Congress on matters of magnitude, like the present project. It does not follow that that class of men should be derided as "lobbyists." When we have more of such men around Congress we shall have fewer lobbyists. We shall not have the Albany system transferred to Washington. [Applause.] I have served here for thirty years, and, thank God, I have never yet seen the system which exists at Albany brought into use in Washington except in one or two instances. That system does not belong here. It can not live in the sunlight of Washington City; and even the language used by the men who are more or less engaged in that kind of business and are experts in it can not be understood by the representatives of the American people, who are represented at its Federal capital by intelligent men who understand what refinement and courtesy mean.

I therefore think it my duty, as it is my pleasure, as a member from the metropolis, to say this much in regard to Judge Daly. I would add that in my judgment and so far as I know there has not been a particle of undue influence used to forward the passage of the present measure. By the action of our Government, by our naval officers, our engineers, by our men of means and character, skill and experience, information has been given and a charter sought from the American Congress; and, sir, if any sinister opposition has been made to the project, it comes from another source, which is not entitled perhaps to as much credit as the gentlemen who are the promoters of this Nicaragua enterprise.

Mr. SPINOLA. Will the gentleman allow me to ask him one question before he sits down—whether Judge Daly was not here as the paid attorney of this corporation?

Mr. COX. I have no doubt they ought to pay him for his work.

Mr. PAYSON. I demand the previous question on my motion.

Mr. SPINOLA. I ask the gentleman to withdraw the call for the previous question to allow me to offer an amendment.

Several MEMBERS. Oh, no.

Mr. SPINOLA. I desire to move to amend to make the time one hour.

The SPEAKER. The previous question is demanded, and the amendment can not be entertained.

The previous question was ordered.

The SPEAKER. The question is now on agreeing to the motion of the gentleman from Illinois [Mr. PAYSON].

The motion as modified was read, as follows:

That when the House resolves itself into Committee of the Whole for the consideration of the bill incorporating the Nicaragua Canal Company, the bill be read by sections for amendment, and that debate on the first section and amendments thereto be limited to twenty minutes.

The motion was agreed to.

LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. RANDALL. On behalf of the gentleman from Alabama [Mr. FORNEY], my colleague on the Committee on Appropriations, I desire to report from that committee, for reference to the Committee of the Whole on the state of the Union, the bill which I send to the desk.

The bill (H. R. 11795) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1890, and for other purposes, was read a first and second time, referred to the Committee of the Whole on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. BUCHANAN. I desire to reserve all points of order on that bill.

The SPEAKER. All points of order will be reserved.

MARITIME CANAL COMPANY OF NICARAGUA.

The SPEAKER. The question recurs on the motion that the House resolve itself into Committee of the Whole for the further consideration of the bill (S. 1305) to incorporate the Maritime Canal Company of Nicaragua.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole (Mr. MCMILLIN in the chair) and resumed the consideration of the bill (S. 1305) to incorporate the Maritime Canal Company of Nicaragua.

The CHAIRMAN. On the first section of this bill all debate has been limited to twenty minutes.

Mr. PAYSON. I offer the amendment which I send to the desk.

The Clerk read as follows:

Strike out all after the word "act," line 41, page 3, to the word "may," in line 44, and insert "all shares, stocks, bonds, and certificates or other securities which the company may issue to raise the corporate capital shall be executed and issued at the principal office in the city of New York; and all such shares, stocks, bonds, certificates, or other securities shall be disposed of only for cash, to be paid into the company's treasury and used for corporate purposes: *Provided*, That this shall not apply to bonds or securities issued under article 50 of the concession of Nicaragua to the Canal Association.

Mr. PAYSON. Mr. Chairman, I am in favor of the project which is contemplated by this bill. I know of nothing engaging public attention at this time which I deem of greater importance than the construction of an interoceanic canal, and that under the patronage, if not under the absolute control, of the Government of the United States. I indorse everything that has been said by gentlemen who have addressed this committee as to its importance and as to the character of the enterprise in connection with our position as a government.

But I think, Mr. Chairman, that all the flowers of rhetoric and all the exhibitions of eloquence that have been indulged in here shed but very little light upon what I regard as the essential portion of this legislation; and that is that whatever the Congress of the United States shall do with reference to incorporating this body, with reference to giving it the sanction of its approval, the details of the bill should be such that the American Congress will not be called upon ten, fifteen, or twenty years from now to look back upon an experience such as we have had with the Pacific railroads of this country that Congress has heretofore indorsed and approved.

I offer this amendment for this reason: I notice in this bill the most extraordinary provisions as well as the most extraordinary omissions; these provisions and omissions being more extraordinary in their nature than I have ever observed with reference to legislation of a similar character. The promoters of this enterprise come here and ask us to create them a body corporate. They already occupy that position by virtue of the action of the Legislature of Vermont, taken within the last few months. They have already as a corporation, under the powers conferred upon them by the Legislature of Vermont, everything that they would have if this bill should be passed now by this body. I need not say to lawyers here before me that a corporation, an artificial body created by legislative authority, has no legal existence and can be entitled to no recognition beyond the limits of the sovereignty which creates it. Every lawyer understands that; and it is only by comity on the part of the different States of this Union that a corporation created by one State is permitted to do business within the limits of the others. This corporation, if created either by the State of Vermont or by the action of Congress, can exercise no powers whatever in the Republic of Nicaragua or the Republic of Costa Rica except such as those two Governments choose to permit it to exercise. Why, then, is application made to Congress for this recognition after this corporation already has an organization under the laws of the State of Vermont? The answer to this question is found in a committee report which I hold in my hand (Senate Report No. 221, first session Fiftieth Congress), a report on this bill, in which a colloquy as taken down by the stenographer of that committee is set out and made a part of the report, wherein it is expressly stated on behalf of this company, by the promoters of this enterprise, that all that they desire incorporation for is to secure national recognition and national approval of the enterprise, in order that foreign capital may be more readily secured for its prosecution.

The CHAIRMAN. The gentleman's time has expired.

Mr. PAYSON. Mr. Chairman, I understood the amendment offered limiting the debate to forty minutes was adopted with the understanding that it should be divided equally between the two sides.

The CHAIRMAN. And the Chair will endeavor to carry out that understanding.

Mr. CLARDY rose, and was recognized.

Mr. PAYSON. I ask leave to proceed for a moment or two longer.

The CHAIRMAN. Does the gentleman from Missouri yield?

Mr. CLARDY. I will yield to the gentleman from Illinois for two minutes longer.

Mr. PAYSON. Mr. Chairman, as the time is so limited I will have to hurry on.

Now, it also appears in this same colloquy that it is not the expectation on the part of the promoters of this enterprise and not a dollar will be subscribed by them to the capital stock of this corporation. We are proposing in the bill a large capital stock of at least $100,000,000, which may be increased in the option of the company to $200,000,000, and in the bill there is no limitation whatever on the amount of bonds to be issued.

It also appears in the colloquy, to which I beg to call the attention of the committee, that it is the intention of the promoters of this enterprise to donate the capital stock of the corporation to those who subscribe for these bonds.

It is also said, and I ask the committee to mark this, that the "western method," which has been in operation for the last twenty years, is to be followed, and which, as Senator SHERMAN says in this colloquy, is well understood. Now, what is this "western method?" It is that every dollar subscribed by those who get in upon what is called the "ground floor" shall have donated to them an amount of stock equivalent to the amount of bonds for which they have subscribed. Look to the examples of this we have had in the West for the last twenty years. Of the common stock of the Northern Pacific Railroad of $49,000,000 not a dollar has been paid for by any one of its promoters or corporators.

The CHAIRMAN. The gentleman's time has expired.

Mr. PAYSON. Five minutes run out very quickly.

The CHAIRMAN. The gentleman from Missouri only yielded to the gentleman from Illinois for two minutes.

Mr. SPINOLA. I will take the floor and give the gentleman from Illinois three minutes of my time.

Mr. PAYSON. I trust I may be allowed to proceed a moment longer.

The CHAIRMAN. If there is no objection, the gentleman will proceed.

Mr. PAYSON. Mr. Chairman, I hold in my hand a tabulation of a large number of the great roads in the West which proposed recently to go into a pool——

The CHAIRMAN. The committee will come to order, so that members may hear what is going on.

Mr. PAYSON. I say, Mr. Chairman, that I hold in my hand—and will print in the RECORD to save time in reading the names of the companies—a tabulated statement of the bonded debt of some Western roads, which exhibits the magnitude of the evil against which the amendment to this bill is directed. From this statement it will appear that these roads had stock outstanding of $933,638,543, and a bonded indebtedness of $959,237,580, and less than 40 per cent. was ever paid in in money on the stock of these great transcontinental roads. As to the Central and Union Pacific and their connections with the West, the amount outstanding of bonds issued under the patronage of this Government aggregates $97,097,000, and of that only a trifle over $1,000,000 was ever paid in in cash.

That tabulated statement is as follows:

Name of road.	Stock outstanding.	Bonded indebtedness.	Mileage.
Atchison, Topeka and Santa Fé	$75,000,000	$48,813,000	8,000
Burlington, Cedar Rapids and Northern	5,500,000	14,964,000	1,046
Chicago, Burlington and Quincy	76,390,300	85,255,708	4,816
Chicago, Burlington and Northern	9,000,000	9,000,000	442
Chicago, Rock Island and Pacific	46,156,000	41,460,000	4,000
Chicago and Northwestern	64,100,321	103,433,500	4,383
Chicago, Milwaukee and St. Paul	61,276,861	119,236,000	5,069
Chicago, St. Paul, Minneapolis and Omaha	34,048,136	23,187,234	1,354
Central Iowa	10,026,800	8,687,142	636
Chicago and Alton	17,591,500	12,343,000	1,000
Denver and Rio Grande	61,650,000	31,757,500	1,471
Fremont, Elkhorn and Missouri	30,000,000	6,165,000	1,351
Illinois Central	50,000,000	36,926,000	2,600
Minnesota and St. Louis	10,000,000	7,318,000	600
Missouri Pacific	45,000,000	69,459,837	6,000
Northern Pacific	86,786,199	72,069,500	2,808
St. Louis and San Francisco	30,000,000	31,766,000	1,457
Union Pacific	68,958,526	148,626,159	6,392
Wisconsin Central	11,435,000	9,860,000	700
Wabash	52,642,700	78,910,000	956
Southern Pacific	88,076,200	.....	1,200
Totals	933,638,543	959,237,580	56,884

So that, Mr. Chairman, the transportation of the entire freightage of this nation is being burdened with the payment, on the part of those who control paper evidences of this ownership, of interest on the bonded debt, and on the stock, which is "water" and nothing else.

The fictitious capital is recognized, and the transportation of the country must bear the burden of this as well as the actual capital invested.

Now, sir, the concession made by the Government of Nicaragua to the promoters of this enterprise is as follows:

ART. 51. In order that the Canal Association may indemnify itself for the expenses it may have had to incur for the verifications, preparations, explorations, and surveys hereinbefore mentioned, and for all other expenditures that it will have to make until the definite organization of the company, it shall have the right from the time of the organization of said company to 6 per cent. in shares, bonds, certificates, or other securities which the company may issue for the purpose of raising the corporate capital, and which are to be issued in excess of the capital to be subscribed.

These bonds, shares, or securities shall be identically like the subscription shares and issued from the same register or stock-book. As a consequence, they shall participate in all benefits, interests, partitions, dividends, sinking fund, rights, privileges, and of all the advantages given to the paid-up shares, bonds, or securities without any distinction whatever.

It will be seen that it is proposed in this concession that the promoters of this enterprise shall have one-sixth of the stock and bonds of the company, or other securities and certificates of indebtedness which shall be issued by this company, to pay them for what they have done in securing this concession. The amount, Mr. Chairman, these papers show these gentlemen have invested is less than $300,000; and therefore upon a capitalization of the minimum amount, that is, $100,000,000, and the issue of $100,000,000 worth of bonds upon that capitalization, it will give the promoters of this enterprise under this bill, if the amendment is not adopted, $27,000,000 of paid-up securities, and for an investment of less than $300,000; and the more these securities shall be increased the greater the amount of stock or bonds will be issued, and the power to increase the issue by the men interested is without limit; for if $200,000,000 in bonds and the same in stock are issued it will give the promoters of the enterprise in paid-up stocks and bonds $47,000,000 upon an investment of less than $300,000. If the House desires it to be done, then let it be done with its eyes open; but it will not be done without my persistent opposition.

[Here the hammer fell.]

Mr. BRYCE. Mr. Chairman, it seems to me that the gentleman from Maine [Mr. DINGLEY] has put in a nutshell our position touching this bill. If America does not grant this charter, will she prevent other countries from granting one? Will she be a dog in the manger and distinguish herself by a policy hostile to her reputation for liberality and her traditional love of progress?

Suppose, however, that she desires to prevent some other power from doing what she refuses to do herself; how will she stop such a nation? Will she go to war? Surely nothing worse than war could happen if the charter were granted. These gates will not remain forever closed, and it is natural to infer that some other government will be appealed to and that some other government will show a greater readiness in the matter than we have evinced. Then we may find that American vessels are unfairly discriminated against, as they are on certain canals in Canada and in spite of all guaranties of a uniformity in rates. At least we may see English boards of directors, hostile to our commercial supremacy, sitting in London and dictating the terms by which our vessels can use the great passage-way.

Here is an opportunity for this Government to obtain something for nothing, as it seems to me that the bill has everything to recommend it, with no counterbalancing disadvantage. We get an incalculable shortage of water-route to our Pacific coast, and are brought in close contact with the countries on the western border of South America. It is the *open sesame* to the East, the gates of which have been practically closed against us, opening up to us new markets, giving a ready sale to the surplus from our farms, our factories, and our mines, thereby increasing the value of the labor of those who toil and fulfilling in its highest sense the destiny of this country.

For these incalculable advantages, I have said, we give nothing; we do not sacrifice, so far as I can see, a single constitutional principle; we grant no money ourselves, and by express stipulation, printed on each bond and stock certificate, reiterate the fact of our absolute pecuniary irresponsibility. Further, if I understand correctly, we have, at the instance of the gentleman from Missouri [Mr. BLAND], reserved for ourselves the privilege of altering, amending, and repealing the act if we find that after it has gone into operation it should become advisable to do so, and we moreover regulate the tolls or tariff rates of transportation on both property and persons.

In short, we have so amended this bill as to rob it of every feature that could possibly involve the Government, and we directly shield the Government from responsibility should the project unfortunately turn out the lamentable failure the Panama Canal seems likely to do.

Lastly, we have only refused to entertain those amendments which were covert thrusts at the life of this bill, and which if adopted would practically prevent the project from being carried out at all.

These advantages, Mr. Chairman, have been already freely discussed on both sides of the House. There is, however, another aspect of this bill which I think has not yet received the attention it deserved. It is the effect of this canal as a competitor with our trunk lines of railroad, for it will prove more effective than any artificial restrictions that Government can devise to reduce rates between the far West and the far East.

In short, a great practical gain will be attained in return for the moral support of the Government, a support that is so defined, limited, and hedged around by restrictions that no sensible man, in my opinion, can hesitate to grant it. I hope the bill will pass.

Mr. CLARDY. I believe the time on the other side has been exhausted.

The CHAIRMAN. The Chair will state that five minutes of the twenty minutes agreed upon yet remain.

Mr. CLARDY. It is true, as has been suggested by the gentleman from Illinois, that the Maritime Canal Company of Nicaragua could undertake to construct this canal under a charter from the State of Vermont. Any State in the Union could authorize the incorporation of a company for the construction of the canal. It is further true, as stated by him, that it would be a matter of comity to be determined by the Republic of Nicaragua as to the standing the association should have in the courts of that republic. But while it is true, sir that the Legislature of a State could grant such a charter, it is equally true that this is not an enterprise in the interest of any particular State. It is a great national, a great international enterprise, and I do not believe that any government in the world except the Government of the United States would hesitate to connect its name with the grandest commercial enterprise of all the centuries, when it may do so, as in this case, without the payment of a dollar, or becoming in any degree involved in any obligation in connection with it.

When these gentlemen go abroad, as they must go to get their money, with a charter from the Government of the United States, they will certainly have a respectable standing in the financial markets of the world. If they go with a charter from Vermont, the answer will be, "We do not know what the laws of Vermont are." But it is supposed, at least, everywhere that the Government of the United States through its Congress will do nothing in vain, and it is for this, and not because the persons seeking this act of incorporation expect any benefits by way of any grants of any kind on the part of the Government of the United States, that it is desired to have a charter from the General Government. They are not expecting anything, because in the charter, under the amendment offered by the gentleman from Texas, the idea that the Government should become involved in any respect is expressly negatived, and the sole object is to give respectability and a national character to an enterprise which is, in fact, national.

Now, a word in regard to what the gentleman has said about the issuance of stock. I beg to remind the gentleman that the stock of this company can only be issued for property, property rights, concessionary rights, or for money actually paid in. This is a great enterprise; and no man acquainted at all with financial transactions of this character will claim that this company can go into the markets of the world and by obtaining subscribers and stockholders raise the required money to build the canal. It can not be done in that way. It can only be done by issuing its bonds, which will operate as a mortgage lien upon the work, and which will be paid as the work progresses and when it is completed. The gentleman from Illinois objects to this procedure. Reference has been made to some witness who appeared before the Senate committee, I do not understand who he was, and testified in relation to the buying of stock at the time of the issuance of the bonds to the persons who took them. I say to the gentleman that he may read the first and second sections of this bill, which treat altogether of that question, and if he reads them closely he will come to the conclusion at which I have arrived, that the stock can not be issued except, as I have already said, in payment of property, property rights, or concessionary rights, or for money actually paid in.

[Here the hammer fell.]

The CHAIRMAN. The time fixed for debate has expired.

Mr. PAYSON. I ask that the pending amendment be again read.

The amendment was again reported.

The question being taken on the adoption of the amendment of Mr. PAYSON, on a division there were—ayes 57, noes 52.

Mr. CLARDY. I demand tellers.

The CHAIRMAN. Does the gentleman make the point of order that no quorum has voted?

Mr. BAYNE. I will make the point for the purpose of having tellers.

Mr. HOLMAN. I suggest that a yea-and-nay vote in the House might be taken.

The CHAIRMAN. The point of order being made that no quorum has voted, the Chair will order tellers.

Mr. CLARDY and Mr. PAYSON were appointed tellers.

The committee again divided; and the tellers reported—ayes 69, noes 69.

Mr. PAYSON. Mr. Chairman, it is agreed, so far as we may agree, that a vote may be taken in the House upon this amendment, on which condition the point of no quorum will be withdrawn.

Mr. DUNHAM. I do not understand that a quorum has voted.

Mr. PAYSON. It is agreed between us, so far as we can agree, that the

pending amendment may be offered in the House and a vote there taken upon it, and the point of no quorum will be withdrawn.

The CHAIRMAN. That is a private agreement that of course can not bind the House.

Mr. PAYSON. We understand that, but we have reached the agreement amongst ourselves.

The CHAIRMAN. The vote on the pending amendment being a tie vote, and the point of no quorum having been withdrawn, the amendment is rejected, and the Clerk will report the next section of the bill.

Mr. PAYSON. I move to amend, in line 53, page 3, by striking out, after the word "mixed," the balance of the line, including the word "corporation," in line 54.

The Clerk read as follows:

The amendment proposes to strike out "including its franchises to be a corporation."

The question was taken on the adoption of the amendment, and the Chair announced that the "noes" seemed to have it.

Mr. PAYSON. Division.

The committee divided; and there were—ayes 21, noes 46.

Mr. HOLMAN. No quorum.

The CHAIRMAN. The Chair will appoint as tellers the gentleman from Indiana [Mr. HOLMAN] and the gentleman from Missouri [Mr. CLARDY].

The committee again divided, and, pending the count,

Mr. HOLMAN said: Mr. Chairman, the point of no quorum is withdrawn.

Mr. PAYSON. And I withdraw the amendment.

The CHAIRMAN. The Clerk will read the next section.

The Clerk read as follows:

SEC. 2. That the capital stock of said company shall consist of not less than one million shares of $100 each, with the right to increase the capital stock to two million shares of $100 each, upon the vote of two-thirds of the stock of said company at any time outstanding, which shares shall in all respects be deemed personal property and shall be transferable in such manner as the by-laws of said corporation may provide. Five incorporators, who shall be chosen by a majority of the number from those named in this act, shall have power to open books of subscription to the capital stock of said company in the city of New York, and at such other places in the United States, Nicaragua, or elsewhere, as they may designate, who shall receive all subscriptions for stock; and no stock shall be transferable except upon the books of the company provided for that purpose. The said incorporators shall give thirty days' notice of the time and place of the opening of said books, by publication in one daily newspaper in New York City, and one newspaper in Managua, Nicaragua, and one in San José, Costa Rica, if the said canal should be in part in the territory of that Republic. Sixty days' previous notice shall be given of the payment required, of the time and place of payment, by publication in one daily newspaper in the city of New York, and in one newspaper in Managua, Nicaragua, and one in San José, Costa Rica, if the said canal should be in part in the territory of that Republic; and in case any stockholder shall neglect or refuse to pay, in pursuance of such notice, the stock held by him may be sold to the highest bidder for cash, according to the regulations to be made therefor in the by-laws of said company. The directors hereinafter provided for may adopt regulations and by-laws not inconsistent with the provisions of this act.

Mr. SPINOLA. I offer the following amendment to the section.

The Clerk read as follows:

It is proposed, on page 4, section 2, line 3, to strike out, after the word "each," down to and including the word "each" in line 4.

Mr. PAYSON. What is that amendment? How does it amend the section?

Mr. SPINOLA. It will limit the shares to a hundred million dollars.

Mr. PAYSON. I ask that the amendment be again read.

The Clerk read as follows:

"That the capital stock of said company shall consist of not less than one million shares of $100 each."

It strikes out the following:

"With the right to increase this capital stock to two million shares at $100 each."

Mr. PAYSON. I understand it now.

Mr. SPINOLA. The purpose of this amendment is to limit, as far as possible, the amount of capital stock which this company shall have the right to issue. It is very manifest, sir, upon the statement of the friends of this enterprise, as laid before us from time to time during the late session, that this entire work can be completed for $75,000,000. Now, it occurs to me to confine the amount of capital which they shall have the right to issue to one hundred millions will give them all they should want to ask for.

Mr. HOLMAN. The estimated cost is $64,000,000.

Mr. SPINOLA. I know that, but we will make a little leeway for them to cover incidentals that have been spoken of. Now, sir, one hundred millions ought to be abundant, with these facts before us, especially that the amount of bonds are not to be limited. It is provided, I think, in the same section giving them the right to issue bonds to an unlimited amount. Now, sir, there is no safety in permitting them to increase their capital stock to two hundred millions, for the simple reason that as the matter stands to-day, especially from the facts as presented to us for our consideration, the first hundred millions of this stock will be issued to a construction company as fully paid-up stock. That will allow them to give this construction company which is to do this work all the stock and bonds that this corporation shall issue after they have been created under this act.

Now, sir, I propose as a matter of common prudence and caution on the part of Congress to limit the amount to $100,000,000.

One hundred million dollars is a vast sum of money, and in the earlier days of the Republic if Congress had undertaken to entertain a proposition from any source whatever to create a corporation with a capital of $100,000,000 it would have raised the whole nation in opposition.

Mr. DUNN. If they had called for an army of a million men they would never have got them.

Mr. SPINOLA. I did not comprehend the remark of the gentleman from Arkansas.

Mr. RAYNER. What is the stock of the Panama Canal?

Mr. SPINOLA. I do not know. I do not know about the Panama Canal. To-day we are speaking about this scheme in regard to Nicaragua which asks for the right at the hands of Congress to issue $200,000,000 of capital stock——

Mr. RUSSELL, of Massachusetts. For a parallel canal.

Mr. SPINOLA. And an unlimited number of bonds. They do not say what it is for. It is simply to create this canal, and the company has already, as I am informed, agreed to the contract of the construction company, who will receive all the stocks and bonds as fully paid-up bonds.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BAYNE. Mr. Chairman, I confess to some surprise that the Congress of the United States should hesitate for one moment to advance a project such as the one presented in this bill. Gentlemen of well-known reputation, gentlemen of high character, gentlemen of means have consented, if Congress would give them the necessary legislation, to build this canal. They do not come and ask Congress to appropriate a single dollar for the construction of this canal, neither presently nor prospectively.

Mr. BLOUNT. I would like to ask the gentleman a question.

Mr. BAYNE. Certainly.

Mr. BLOUNT. The gentleman says they are persons of high character, and that they are ready and willing to build the canal.

I would like to know who those gentlemen are, if we are to act upon statements like that.

Mr. BAYNE. In the first place I have the statement from persons who know the gentlemen that they are men of means and high character.

Mr. BLOUNT. Does the gentleman know who they are himself?

Mr. BAYNE. I do not know them personally.

Mr. BLOUNT. Does the gentleman know their names?

Mr. BAYNE. Their names are in the body of the bill.

Mr. BLOUNT. Those are the gentlemen who have the capital to carry out this enterprise?

Mr. BAYNE. Those gentlemen have means; they have capital, but there are probably others who will be connected with the enterprise. But, Mr. Chairman, the good faith of the gentlemen engaged in this enterprise is unquestionable, and for Congress now to stand in the way of this project seems to me to be utterly unjustifiable. We read in the papers that the French Government proposes to complete the Panama Canal, an enterprise which thus far has proven a failure, and whose prospects are not apparently very good; yet when the gentlemen proposing this enterprise come to Congress and ask authority to build this canal, ask simply that a charter be given them by the Congress of the United States, we find objection after objection interposed, and we see that the scheme is to be defeated, if it possibly can be defeated, by gentlemen who do not seem to have any more at heart the welfare of the country than those who are promoting it.

I have received communications from persons who are engaged in rival enterprises, endeavoring to persuade me that I should oppose this measure. They do not come at it directly, because none of the enemies of this project can afford to attack it directly, but they attack it by indirection, by efforts to cast obloquy upon it as a jobbing scheme and all that sort of thing. There is no foundation for anything of that kind, and nobody is justified in making any such statement, and I trust that every gentleman in this House who can appreciate the importance of this great water way, who knows that it will be a rival of the trans-continental railways and will enable us to transport freight from the Atlantic to the Pacific seaboard at probably one-third or perhaps one-fourth or possibly one-fifth of the present cost of such transportation—I trust, I say, that gentlemen who appreciate this view and who are in favor of promoting the commerce of our country in this way will stand as a unit for this measure. More than that, I hope it will not be necessary for the friends of this bill upon the floor to go around among members and importune them to come down and pass between the tellers in order that this bill may pass. I hope that gentlemen will take sufficient interest in the bill to pass between the tellers and vote upon the various amendments that are offered here and that are intended to handicap this bill, and I hope they will vote rapidly, so that we may get the bill through, because this bill is going through if we have got to take every Friday until the adjournment of Congress.

I discover two modes of attack upon this bill. One is to attempt to eviscerate from it all the provisions that give it force and effect, and the other is to put upon it a lot of extraneous provisions which will so

handicap the corporators that after it gets through it will not amount to anything. These are the two modes of attack. Now, let the friends of the bill resist those attacks and pass it, and the ultimate result will vindicate the wisdom of Congress in enacting this measure.

Mr. BLOUNT. Mr. Chairman, the gentleman from Pennsylvania [Mr. BAYNE] seems to be cracking some sort of a whip here, notifying the friends of this bill as to the method of procedure they are to adopt in order to pass it, how they are to vote, and that they are to vote quickly; and he has told the House that this bill is to pass if it takes all the Fridays of this session to pass it. I confess, sir, that that mode of advancing does not address itself to my judgment, nor does it lead me to the conclusion which the gentleman himself seems to have reached, that this bill is exactly what it should be, and that improper methods and reasons are being resorted to in order to prevent its passage. The gentleman stated in the outset of his remarks that there were persons named in this bill who were ready and willing to construct this canal, that they had all the money that they needed, and were able and willing to take charge of the work and complete it. If that be true, they have already a charter from the State of Vermont, as has been stated here, and what more do they require? If that be true, what occasion is there for applying the whip of the gentleman from Pennsylvania and notifying the friends of this bill that their triumph is assured?

Mr. Chairman, I can not see any objection to the proposition of the gentleman from New York. If $75,000,000, or $64,000,000, as stated by the gentleman from Indiana, is the estimated cost of this work, why is it that stock to the amount of $100,000,000 is not satisfactory?

Why is it that various provisions of this bill which gentlemen at first regarded as wise have been corrected by amendment in this House? Simply because the whole project and the circumstances surrounding it have tended to suggest the idea that the money is at hand and that there are men capable and willing to do this work.

It has been said that the reason for asking a charter from the Government of the United States is that this enterprise may have the "moral support" of the Government, and thereby funds may be raised for the construction of the work. What does this "moral support" mean? Are we to understand that persons in other countries who are to be invited to subscribe to this stock are to be led to believe that in some way or other—undefined, unascertainable in exact terms perhaps in this bill—the Government of the United States is behind the enterprise guarantying that there is nothing fraudulent or wrong about it? Is this what is meant by having the "moral support" of the Government of the United States? If this be true, and if there should be hereafter any mismanagement or mistakes by which this work shall be delayed, I affirm, sir, that with plausibility, with arguments which can not be gainsaid, the parties who may be affected may come into this or some succeeding House and insist that the Government has given credit to these corporators and is bound, as a matter of fair play, to aid in the construction of the work by the indorsement of the bonds of the company or otherwise. Mr. Chairman, it is because I do not believe that the sole object is to get a charter; it is because I believe there is an ultimate purpose to involve the Government by the indorsement of the bonds of this company or otherwise that I am opposing this measure.

[Here the hammer fell.]

Mr. PAYSON. Mr. Chairman, the gentleman from Pennsylvania [Mr. BAYNE] seems to base his observations upon the idea that because this enterprise is a commendable one, therefore the bill which its promoters present for our consideration is the bill which must be passed, and that any opposition to the terms of the bill involves necessarily opposition to the scheme itself. I desire to be understood as favoring the proposal to build this canal; but I am concerned that the bill which we may pass shall be one which will commend itself to our judgment when the labor shall be concluded, without regard to the length of time it may require for its consideration; and while I appreciate and indorse the courage which impels the gentleman from Pennsylvania, as a friend of the bill, to say that it will be passed if it takes every Friday of this session, I still insist that he ought to modify that statement by recognizing that if the bill should pass, it is, beyond all, important that it should be passed in the right shape.

The gentleman from Pennsylvania says there is nothing in this bill from which deduction can be drawn that any job can be perpetrated under it, or that anything unfair is intended as to the building of this canal. Let me ask the gentleman from Pennsylvania whether he is in favor of limiting the securities which shall be issued by this corporation to an amount necessary for its construction and the expenses incident thereto?

Mr. BAYNE. I should favor that proposition.

Mr. PAYSON. Very well.

Mr. BAYNE. But perhaps you and I would differ as to what that amount should be.

Mr. PAYSON. I am not concerning myself just now as to the exact amount, but as to the principle. Now, let me say to the gentleman from Pennsylvania that the men who are behind this plan, the men who appeared before the Senate committee, have placed themselves upon record as saying that they expect to issue the capital stock of this corporation without a dollar being paid thereon. Has the gentleman read the remarks made before the Senate committee, and to be found in this Senate report?

Mr. BAYNE. No.

Mr. PAYSON. The gentleman from Pennsylvania says "no."

Mr. BAYNE. But the Senate passed the bill.

Mr. PAYSON. I agree that the Senate passed the bill; but I commend to the gentleman from Pennsylvania the reading of this evidence and these statements before the Senate committee; he will find in them what a respected governor of my State used to say was to be found in the Bible—some "highly interesting matter." I assert (and the record bears me out in this assertion) that what the promoters of this enterprise declared before the Senate committee is what is intended to be done.

Now, the estimated cost of this canal, the estimate having been given by those who have made detailed surveys, is $64,000,000. Assuming for the purpose of argument, and giving the company the benefit of any possible doubt, that the cost would be $100,000,000 for the completion of this enterprise, can any gentleman on this floor give any reason why in this bill we should authorize the issuing of $200,000,000 in stock and an unlimited amount of bonds? Nobody offers to answer that question.

Mr. FARQUHAR. Does the gentleman want an answer now in his own time, or in the time of some one else?

Mr. PAYSON. I would like to have an answer right now.

Mr. FARQUHAR. I will give it to you "right now." In the dispatches from Europe this morning we see the fate of one of the great enterprises of the Isthmus. There is a concern that started with a prospectus for the building of a canal for $150,000,000. To-day the funded debt of the De Lesseps Canal is $350,000,000, to which should be added $50,000,000 of floating indebtedness. The shares which, when the stock of this company was first floated in the stock market, stood at 500 in Paris, stand to-day at 126. There is bankruptcy at once. There is a canal that notwithstanding the pledges of the French Republic that it should be free to all nations of the world, that no guaranty of that republic, in any case, should impair that pledge, has reached such a condition it must be a government work, under the guaranty of that republic.

The CHAIRMAN. The gentleman's time has expired.

Mr. FARQUHAR. I should like to have one minute more.

Mr. PAYSON. I ask, by unanimous consent, that the gentleman from New York may have five minutes in order that he may answer the question I asked him.

Mr. FARQUHAR. I do not desire five minutes longer, but I would like to have a minute or two more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears no objection, and the gentleman will proceed.

Mr. PAYSON. I now hope the gentleman will answer the question I put to him.

Mr. FARQUHAR. I will. Now, Mr. Chairman, I am aware that from sixty-five to seventy-five millions of dollars have been named as the amount of money needed for this construction, yet there is a likelihood that another hundred million of dollars will be required. For I say we have this object-lesson of De Lesseps. This charter would have to come back for amendment. Whether it would be amended or not by a subsequent Congress is in doubt from the obstruction put upon this great measure here. I question if it would receive any amendment, even to save its life, from another Congress. But I am in favor of it as it has passed the scrutiny of the Senate, as it is demanded by the character of like works, and that that one hundred millions shall be made two hundred millions, so that even if this canal is to cost half the other one it will be a success, and they will not have to come back to the Government for new guaranties or new concessions.

[Here the hammer fell.]

Mr. WILSON, of Minnesota. Mr. Chairman, I wish to say that it has been said here that the incorporators of this company said before the committee that $64,000,000 would be sufficient for the completion of this work. I have had some opportunity to hear what was said, being a member of the Committee on Commerce, and before the Committee on Commerce they did not make that statement. They said it was estimated roughly; it would in all probability cost a much larger sum.

Mr. BLOUNT. Will the gentleman permit me to ask him a question in this connection?

Mr. WILSON, of Minnesota. Certainly.

Mr. BLOUNT. I wish to ask the gentleman from Minnesota who made these surveys and these estimates?

Mr. WILSON, of Minnesota. I do not remember the names of the engineers.

Mr. BLOUNT. I wish to ask the gentleman whether Mr. Menocal has not made several surveys and estimated as low as $75,000,000?

Mr. WILSON, of Minnesota. I do not care what may be the character or the standing of the engineer who makes these estimates. Any person who has paid attention to public works and has a knowledge of these things, knows, in all probability, they will cost twice or thrice as much as the estimates. Hence the attempt to limit this to $100,000,000 would be a grave mistake, because it may cost much more. I yield the balance of my time to the gentleman from Missouri [Mr. CLARDY].

Mr. CLARDY. Just a word, Mr. Chairman, on the point discussed by the gentleman from Minnesota. There have been three estimates submitted by as many engineers of the cost of this work. One estimate is as low as $48,000,000, and that was made by Mr. Menocal several years ago. Another estimate was made by Commander Lull that it would cost $64,000,000; and still another, by Commander McFarland, that it would cost $147,000,000.

So you will see the cost of this canal, even with the Engineer Corps, is a matter of conjecture. It may cost $147,000,000, it may cost even more than that. Hence it would be folly, it seems to me, to restrict the amount of capital stock to $100,000,000.

As I had occasion to say several minutes ago, no stock can be issued except for property necessary to the construction of this canal.

Mr. SPINOLA. In cash?

Mr. CLARDY. Yes; in cash actually paid in. If my time is expired, I will ask now that the committee rise for the purpose of closing debate. If, however, we can come to a vote, I will not insist upon it.

Mr. STOCKDALE withholds his remarks for revision. [See Appendix.]

Mr. CLARDY. I move that the committee rise with a view to limit debate.

The question was taken; and on a division there were—ayes 71, noes 33.

Mr. SPINOLA. I demand tellers.

Tellers were refused.

So the committee determined to rise.

The committee accordingly rose; and Mr. BLANCHARD having taken the chair as Speaker *pro tempore*, Mr. MCMILLIN reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill S. 1305 had come to no understanding thereon.

Mr. CLARDY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole, and pending that I move that all debate upon the second section and amendments thereto be limited to ten minutes.

Mr. SPINOLA. I offer an amendment——

Mr. CLARDY. And on that I demand the previous question.

Mr. SPINOLA. I believe I have the floor. I offer an amendment to that proposition, that the time shall be limited to one hour and a half on this section with the various amendments that are now pending or may be offered hereafter.

Mr. HOLMAN. Make it an hour.

Mr. SPINOLA. Very well, I will say an hour. My purpose in moving that amendment——

The SPEAKER *pro tempore*. The motion is not debatable.

Mr. PAYSON. I move a further amendment to the amendment of the gentleman from New York, that the limit of time apply to all the pending amendments only.

Mr. BAYNE. All proposed amendments.

Mr. PAYSON. No, that will not do.

Mr. SPINOLA. My amendment is to pending and proposed amendments.

Mr. ADAMS. Let me suggest to the gentleman from New York that it is much more desirable to have the time limited upon pending amendments; for some important, practical amendment may come up without debate at all. I would suggest that he make it twenty minutes on the pending amendments.

Mr. PAYSON. That is right.

Mr. SPINOLA. We can not take less than an hour. This is an important subject. Gentlemen can not debate it under an hour.

Mr. PAYSON. What became of my amendment to limit it to the pending amendment?

Mr. BLOUNT. The gentleman from Missouri who made this motion did not make it to the pending amendment, but to the paragraph and all amendments.

Mr. PAYSON. Pending and proposed amendments?

Mr. CLARDY. All amendments.

The SPEAKER *pro tempore*. The gentleman from New York, as the Chair understood him, moved to amend the motion of the gentleman from Missouri so as to limit debate to one hour on section and amendments.

Mr. PAYSON. I move to amend the proposition by inserting the word "pending."

Mr. SPINOLA. I accept that.

The SPEAKER *pro tempore*. The proposition is now as proposed by the gentleman from New York, with the proposition of the gentleman from Illinois [Mr. PAYSON] accepted, that debate shall be limited to one hour upon pending amendments to the section.

The question was put; and the Speaker *pro tempore* announced that the noes appeared to have it.

Mr. SPINOLA. Division.

The House divided; and there were—ayes 16, noes 86.

The SPEAKER *pro tempore*. The ayes are 16 and the noes 86. The noes have it, and the motion is not agreed to.

Mr. SPINOLA. No quorum.

The SPEAKER *pro tempore*. The Chair decides that the point of no quorum was not made until after the result of the vote had been announced.

Mr. BLOUNT. I would suggest, Mr. Speaker, that the gentlemen from New York was endeavoring to rise before the Chair announced the vote.

Mr. DUNHAM. The Chair gave the gentleman from New York no opportunity to rise and make the point of no quorum.

Mr. BLOUNT. I saw it myself.

Mr. SPINOLA. I admit I get up very slowly, because I can not avoid it.

The SPEAKER *pro tempore* (Mr. BLANCHARD). The gentleman from New York makes the point of no quorum, and the Chair will appoint the gentleman from New York [Mr. SPINOLA] and the gentleman from Missouri [Mr. CLARDY] as tellers.

The House again divided; and the tellers reported—ayes 24, noes 144.

So the amendment was rejected.

Mr. CLARDY. I demand the previous question on my motion.

Mr. PAYSON. I move to amend the proposition made by the gentleman from Missouri by making the time twenty minutes on pending amendments.

Mr. BAYNE. I ask the gentleman from Missouri [Mr. CLARDY] to modify that by making it thirty minutes, and to come to a vote.

ADJOURNMENT TO MONDAY.

Mr. BRECKINRIDGE, of Kentucky. Mr. Speaker, I move that when the House adjourn to-day it be to meet on Monday next.

Mr. BLOUNT. I wish to suggest to the gentleman from Kentucky that I understand the chairman of the Committee on Rivers and Harbors proposes to bring the river and harbor bill up for consideration to-morrow.

Mr. WEAVER. The Committee on Territories desires to go on with the Oklahoma bill; and therefore we do not wish the House to adjourn over.

Mr. BRECKINRIDGE, of Kentucky. It is a matter of entire indifference to me whether the House adjourn over or not; but I have been requested by a good many gentlemen on both sides of the House to make the motion to adjourn over, so that members can have to-morrow for their departmental and other work.

The SPEAKER. Does the gentleman from Kentucky insist on his motion or withdraw it?

Mr. BRECKINRIDGE, of Kentucky. I feel that after I have made that statement I must leave the question to the House.

Mr. BLOUNT. I take the liberty of saying that under the circumstances——

Mr. CLARDY. I demand the previous question on my motion.

The SPEAKER. Does the gentleman from Kentucky withdraw his motion?

Mr. BRECKINRIDGE, of Kentucky. I do not feel, under the circumstances, at liberty to withdraw the motion, and therefore I must leave it to the House to determine.

The SPEAKER. The question is on the motion of the gentleman from Kentucky, that when the House adjourns, it adjourn to meet on Monday next.

Mr. BLOUNT. I hope before the question is put I may be allowed to say that this matter was the occasion of consultation between the chairman of the Committee on Rivers and Harbors and certain other gentlemen, and that he was very much opposed to adjournment, as he desired to go on with the river and harbor bill to-morrow.

Mr. WEAVER. I hope I may be permitted to state that the chairman of the Committee on Territories is not present, but I know personally that he desires to procced to-morrow with the Oklahoma bill if it can be done.

Mr. BRECKINRIDGE, of Kentucky. I take it for granted that as to the Oklahoma bill it is to be like the poor—we are always to have it with us.

Mr. WEAVER. Until this House comes to a vote upon it.

Mr. BRECKINRIDGE, of Kentucky. As to the river and harbor bill, my experience is that it can get consideration whenever it chooses, so that it does not matter whether it starts in with Saturday or with Monday.

The SPEAKER. This motion is not debatable.

The question was put; and the Speaker announced that the ayes seemed to have it.

Mr. BLANCHARD. Division.

The House divided; and there were—ayes 86, noes 44.

Mr. BLANCHARD. I demand the yeas and nays.

The SPEAKER. Twenty-one gentlemen have risen in support of the demand for the yeas and nays—not one-fifth of the last vote.

Several MEMBERS. The other side.

The SPEAKER. One hundred and seven gentlemen have risen in opposition, and one-fifth not having voted in the affimative, the yeas and nays are refused.

Mr. WEAVER. Mr. Speaker, I demand tellers on the yeas and nays.

The SPEAKER. Fourteen only have risen—not one-fifth of a quo-

rum—and tellers are refused. The yeas and nays have been refused, tellers have been refused, the ayes have it, and the motion is agreed to.

ENROLLED BILLS SIGNED.

Mr. KILGORE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 7843) granting to Citrous Water Company right of way across Papago Indian reservation, in Maricopa County, Arizona; and

A bill (H. R. 6922) for the relief of George W. Graham.

NICARAGUA MARITIME CANAL COMPANY.

The SPEAKER. The gentleman from Missouri [Mr. CLARDY] will please restate his motion.

Mr. CLARDY. I moved that the House resolve itself into Committee of the Whole House on the Private Calendar for the further consideration of the pending bill, and that all debate on the second section and amendments thereto, pending and otherwise, be limited to ten minutes. After that the gentleman from Illinois [Mr. PAYSON] offered an amendment confining the limitation to pending amendments, and making the time twenty minutes, and upon that I called the previous question.

The SPEAKER. The gentleman from Missouri moves that the House resolve itself into Committee of the Whole House on the Private Calendar for the further consideration of the pending bill; and pending that he moves that all debate upon the second section and amendments thereto be limited to ten minutes. The gentleman from Illinois [Mr. PAYSON] moves to amend by striking out "ten" and inserting "twenty."

Mr. PAYSON. And also by limiting the motion to the section and the pending amendments.

Mr. CLARDY. My motion applies to all amendments to the section. I will say to the gentleman from Illinois [Mr. PAYSON] that I am willing to agree to twenty minutes, provided the limitation applies to all the amendments to the section.

Mr. PAYSON. I do not agree to that. I am willing to have a short limitation, provided it be confined to pending amendments; but I desire to have it so that those who have substantial amendments to offer shall have an opportunity to discuss them.

The question was taken on the amendment of Mr. PAYSON; and there were—ayes 15, noes 63.

Mr. SPINOLA. No quorum.

The SPEAKER. The point being made that no quorum has voted, the Chair will appoint as tellers the gentleman from New York [Mr. SPINOLA] and the gentleman from Arkansas [Mr. DUNN].

The House divided; and the tellers reported—ayes 13, noes 150.

So the amendment was disagreed to.

The SPEAKER. The Chair is advised that the previous question has already been ordered. The question recurs on the motion of the gentleman from Missouri [Mr. CLARDY].

The House divided; and there were—ayes 74, noes 18.

Mr. SPINOLA. No quorum.

The SPEAKER appointed as tellers Mr. SPINOLA and Mr. CLARDY.

The House divided; and the tellers reported—ayes 148, noes 16.

So the motion was agreed to.

Mr. DUNHAM. I move that the House take a recess until half past 7 this evening.

The House divided; and there were—ayes 20, noes 69.

Mr. SPINOLA. No quorum.

The SPEAKER appointed as tellers Mr. SPINOLA and Mr. CLARDY.

Mr. CLARDY. Mr. Speaker, I ask by unanimous consent the House take a recess until half past 7 o'clock this evening, as it is evident we can not get a quorum again before the regular hour for adjournment.

The SPEAKER. Upon this question the tellers report ayes 10, noes 110. The gentleman from Missouri [Mr. CLARDY] asks by unanimous consent that the House now take a recess until half past 7 o'clock this evening.

There was no objection; and the House accordingly (at 4.20 p. m.) took a recess until 7.30 p. m.

EVENING SESSION.

The recess having expired, the House reassembled at half past 7 o'clock p. m., and was called to order by Mr. MCMILLIN, who caused the following to be read:

HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
Washington, D. C., December 14, 1888.

SIR: Hon. BENTON MCMILLIN is designated to preside as Speaker *pro tempore* at the session of the House this evening.

J. G. CARLISLE, *Speaker.*

Hon. JOHN B. CLARK,
Clerk of the House.

ORDER OF BUSINESS.

Mr. DOCKERY. Before the House resolves itself into Committee of the Whole I desire to ask the consideration of four bills which were improperly considered by the Committee of the Whole at the session of last Friday night, House bills not being in order at that time under the rules. In view of the circumstances, I ask unanimous consent that the Committee of the Whole House on the Private Calendar be discharged from the further consideration of these bills and that they be taken up now and passed.

HOUSE BILLS PASSED.

There being no objection, the Committee of the Whole House on the Private Calendar was discharged from the further consideration of House bills of the following titles (considered informally by the Committee of the Whole at last Friday night's session), and the bills were severally taken up, ordered to be engrossed for a third reading, read the third time, and passed:

A bill (H. R. 11223) to increase the pension of George A. Glover;

A bill (H. R. 9163) granting a pension to Eli Garrett;

A bill (H. R. 11378) granting a pension to James S. Harden; and

A bill (H. R. 9654) granting an increase of pension to Jesse J. Clark.

ORDER OF BUSINESS.

Mr. YODER. I move that the House resolve itself into Committee of the Whole for the purpose of considering bills on the Private Calendar.

The motion was agreed to; and the House accordingly resolved itself into Committee of the Whole House on the Private Calendar, Mr. DOCKERY in the chair.

Mr. MORRILL. I ask unanimous consent that the order pursued last Friday evening, and which has been followed at a number of these evening sessions, be adopted this evening; in other words, that the roll be called, and each member as his name is reached be allowed to call up a bill.

Mr. SPRINGER. There was a bill pending when the committee rose last Friday night. This order would not affect that.

Mr. MORRILL. My proposition is that we resume the call where we stopped on last Friday night.

Mr. FINLEY. I feel constrained in the discharge of a duty to object. Quite a number of pension bills have been left on the Calendar from last session, and they should not be deprived of their opportunity for consideration. Among these bills are several which I have not had the opportunity to call up, for the relief of imbecile women who are in destitute circumstances. I think that in fairness gentlemen should not slip through their bills reported at this session, while these other bills for the relief of persons equally meritorious and really in want, are thrust aside. Let us have the regular order.

Mr. SPRINGER. I suggest that the gentleman's purpose can be accomplished much sooner by allowing each member as his name is reached on the call of the roll to bring up a bill. There are not many members here to-night.

Mr. YODER. We are nearly at the foot of the roll. I sat here through the whole of last Friday night's session waiting to call up a bill; and I shall object to anything being done unless we continue the same course which we have pursued heretofore.

Mr. SHERMAN. When the Committee of the Whole rose a week ago there was pending a bill which I had called up. I ask unanimous consent that the consideration of that bill be finished.

Mr. SPRINGER. As that bill is now pending, I submit to the Chair it will not require unanimous consent to finish its consideration.

The CHAIRMAN. The gentleman from Illinois is correct.

Mr. ALLEN, of Michigan. I am satisfied that if the demand for the regular order be persisted in we can do no business to-night, and I therefore move that the committe rise. We may as well go home at once as wait here uselessly for two hours.

The CHAIRMAN. The gentleman from Michigan [Mr. ALLEN] moves that the committee rise.

Mr. SPRINGER. I hope that motion will not be insisted upon. There is a bill now pending.

Mr. ALLEN, of Michigan. I withdraw the motion.

ELIZA J. ALEXANDER.

The CHAIRMAN. The Clerk will read the title of the bill pending when the Committee of the Whole rose a week ago.

The Clerk read as follows:

A bill (S. 3135) granting an increase of pension to Eliza J. Alexander.

The CHAIRMAN. The Chair is advised that in this case the bill and report had been read and an amendment striking out "$50" and inserting "$30" had been adopted. The question is now on laying aside the bill as amended to be reported to the House with a favorable recommendation. If there be no objection, that order will be made.

There was no objection, and it was ordered accordingly.

The CHAIRMAN. The House bill of similar title and substance to the one just disposed of will, in the absence of objection, be laid aside to be reported to the House with the recommendation that it be laid on the table.

There was no objection, and it was so ordered.

ORDER OF BUSINESS.

The CHAIRMAN. The Clerk will now report the first bill in order.

Mr. CARUTH. I presume if there is no one to call up a bill, it will be passed over.

The CHAIRMAN. The regular order has been demanded by the gentleman's colleague [Mr. FINLEY].

Mr. OUTHWAITE. I ask unanimous consent that when any bill is reached in regular order, and its title has been read, it be passed over, if no member asks for its consideration.

The CHAIRMAN. Is there objection to that request?

Mr. MCRAE. I object to that. Unless we can go through with the order heretofore, let us proceed to call the Calendar.

MARY E. JOHNSTON.

The next business on the Private Calendar was the bill (S. 337) granting a pension to Mary E. Johnston, reported with amendments.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Johnston, dependent daughter of E. Johnson, late of Company A, Sixty-fourth Regiment Ohio Veteran Volunteer Infantry.

The amendments were read, as follows:

Add after the words "Veteran Volunteer Infantry" the words "and pay to her legally-constituted guardian a pension of $18 per month," and strike out of the bill the words "E. Johnson" and insert in lieu thereof the words "E. Johnston."

The report (by Mr. THOMPSON, of Ohio) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 337) granting a pension to Mary E. Johnston, having considered the same, report it back, and recommend its passage with the following amendments, to wit:

Add after the words "Veteran Volunteer Infantry" the words "and pay to her legally-constituted guardian a pension of $18 per month," and strike out of the bill the words "E. Johnson" and insert in lieu thereof the words "E. Johnston."

Your committee adopt and make part hereof the report of the Senate Committee on Pensions, which is as follows:

"[Senate Report No. 146, Fiftieth Congress, first session.]

"The Committee on Pensions, to whom was referred the bill (S. 337) granting a pension to Mary E. Johnston, have examined the same, and report:

"This claim was disallowed by the Pension Bureau January 8, 1883, on the ground that the minor was over sixteen years old at the death of the soldier. The claim is prosecuted by the legal guardian of the soldier's daughter. This ward has been an imbecile ever since her birth, and has been wholly dependent upon her brother since the death of her father, who was killed in battle May 30, 1864. She was then between seventeen and eighteen years of age.

"The theory of the pension act regarding dependent minors is that they shall be entitled to pensions during childhood, which for the purposes of the act ends when the minor becomes sixteen years of age, at which age the beneficiary usually becomes capable of earning a living. To care for dependent childhood was the object. This ward is, and always will be, a child in everything but years, and would have been dependent on her father, had he lived, as fully in her advanced age as in mere infancy.

"The passage of the above bill is recommended."

The amendments of the committee were agreed to, and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

CHARLES A. STOCKMAN.

Mr. ALLEN, of Michigan. I ask by unanimous consent to take up for consideration the bill (H. R. 10260) to place the name of Charles A. Stockman, of Dundee, Mich., on the pension-roll.

Mr. FINLEY. I insist on the regular order.

Mr. JOSEPH D. TAYLOR. I have a bill which was passed at the last evening session. It is Senate bill 2333, granting a pension to George W. Fogel.

Mr. KILGORE. The gentleman from Kentucky [Mr. FINLEY] has demanded the regular order. Now, I understand when objection is made and the regular order is demanded, that demand continues until it is withdrawn.

The CHAIRMAN. The Chair thinks not.

Mr. KILGORE. If it is not the rule, then it ought to be.

The CHAIRMAN. Does the gentleman from Kentucky insist on his demand for the regular order?

Mr. FINLEY. I have not taken it back.

JULIA TRIGGS.

The CHAIRMAN. The Clerk will proceed, as objection is insisted upon, to call the Calendar in regular order, commencing with the bill (H. R. 5752) for the relief of Julia Triggs.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Julia Triggs, mother of William Triggs, deceased, formerly of Company D, Twenty-third Illinois Infantry.

The report (by Mr. LANE) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5752) for the relief of Julia Triggs, submit the following report:

The soldier, William Triggs, enlisted in June, 1861, re-enlisted as a veteran in 1864, and was discharged with his regiment at the close of the war. He died of blood poisoning and lung disease July 2, 1875.

Claim of mother, Julia Triggs, was rejected February 12, 1887, on the ground "that the cause of the soldier's death, blood poisoning, was not due to any disability contracted while in the service."

The testimony on file in the Pension Office shows that soldier contracted blood poisoning by drinking water from the wells that had been poisoned by the enemy and by eating food in rebel houses that had been poisoned, and that when he came home on veteran furlough he was covered with sores, the result of said poisoning. But he partially recovered and went back to his regiment and remained with his regiment until the close of the war, doing duty as he could. That when he returned home after his discharge he was still suffering with the effects of blood poisoning, and his lungs were also affected; but, notwithstanding, he managed to support his mother by his labor as a tailor until within eighteen months prior to his death, in 1875, during which eighteen months he was nursed by his mother.

The testimony also shows that in 1875, the date of the soldier's death, claimant had no real property and no personal property except a little clothing, in value about $100, and that there was no one legally bound to support her, her husband—the father of soldier—having been drowned in Lake Michigan in 1868. Testimony also shows that claimant had three sons in the Army; one of her sons, Richard, brother of soldier, died at Newport, Ky., while in the Union service.

Claimant is now sixty-seven years of age, and feeble and in a tottering condition, on the verge of the grave.

The testimony fully shows that the soldier was poisoned as above set forth, and the only question is whether that caused his death or not. The record further shows that the soldier was in the army hospital after the poisoning, but the record does not show for what disease he was treated, as the records are very imperfect, but the evidence shows that the soldier was a healthy man before the poisoning, and after that that he was constantly sick with blood poisoning, and a liberal construction of the testimony we think warrants the conclusion that he died of this disease, and your committee therefore recommend that this bill do pass.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

Mr. MCRAE. I move that the committee rise.

Mr. ALLEN, of Michigan. I rise to a parliamentary inquiry. When we resolved ourselves into the Committee of the Whole House on the Private Calendar I understand it was agreed to call the roll of members alphabetically.

Mr. MORRILL. That was objected to.

Mr. ALLEN, of Michigan. I think not.

The CHAIRMAN. Unanimous consent, which was asked and granted, was in reference to the four bills passed at the last evening session.

The question recurred on Mr. MCRAE'S motion that the committee rise.

The committee divided; and there were—ayes 19, noes 8.

So the motion was agreed to.

The committee accordingly rose; and Mr. MCMILLIN having resumed the chair as Speaker *pro tempore*, Mr. DOCKERY reported that the Committee of the Whole House on the Private Calendar had, according to order, had the special assignment under consideration, and had directed him to report back sundry bills with various recommendations.

BILLS PASSED.

The bill (H. R. 5752) for the relief of Julia Triggs, reported favorably, was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

The amendments to the bill (S. 3135) granting an increase of pension to Eliza J. Alexander and to the bill (S. 337) granting a pension to Mary E. Johnston were agreed to, and the bills as amended were severally ordered to a third reading; and they were accordingly read the third time, and passed.

BILL LAID ON THE TABLE.

The bill (H. R. 10350) granting an increase of pension to Eliza J. Alexander, in accordance with the recommendation of the Committee of the Whole House on the Private Calendar, was laid on the table.

Mr. FELIX CAMPBELL. I move that the House do now adjourn.

Mr. ALLEN, of Michigan. I rise to a parliamentary inquiry. If the House should resolve itself into the Committee of the Whole House on the Private Calendar, would the demand for the regular order still prevail?

The SPEAKER *pro tempore*. It is not within the province of the Speaker of the House to decide as to matters in the Committee of the Whole House.

Mr. ALLEN, of Michigan. The Chair misapprehends my question. It is, should the House resolve itself into the Committee of the Whole House, whether the demand of the gentleman from Kentucky [Mr. FINLEY] for the regular order would still hold good.

The SPEAKER *pro tempore*. The Chair did understand the gentleman's question, and he will say again it is not within the province of the Speaker of the House to decide questions arising in the Committee of the Whole. That will be done in the committee and not in the House. The Chair has a well-defined idea of what is the parliamentary law in the matter, but will not undertake to determine any proceeding in the Committee of the Whole.

Mr. STRUBLE. I suppose it would be better for the gentleman to address his inquiry to the gentleman from Kentucky.

Mr. FELIX CAMPBELL. I withdraw the motion for the moment to permit the gentleman from Kentucky to make a request.

Mr. CARUTH. Then, Mr. Speaker, I wish to move——

The SPEAKER *pro tempore*. But the gentleman can not yield the floor to any gentleman. If he withdraws the motion it must be without condition.

Mr. FELIX CAMPBELL. I withdraw the motion to adjourn.

Mr. KILGORE. I renew it.

The question was taken; and on a division there were—ayes 9, noes 26.

So the motion was rejected.

Mr. ALLEN, of Michigan. I now move that the House resolve itself into Committee of the Whole House to consider bills on the Private Calendar under the special order.

Mr. CARUTH. I hope the gentleman from Michigan will yield to me, as I have a matter of unfinished business to call up.

The SPEAKER *pro tempore*. The question is on agreeing to the motion of the gentleman from Michigan.

The question was taken; and on a division there were—ayes 26, noes 8.

So the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. DOCKERY in the chair.

Mr. MORRILL. Mr. Chairman, I rise to ask unanimous consent that the order which we have been pursuing for several weeks past at these evening sessions be continued to-night—that is to say, that the roll shall be called, beginning where we last stopped, and each member permitted, as his name is reached, to call up a bill.

The CHAIRMAN. But the Chair will call the attention of the gentleman to the fact that until the demand for the regular order, made by the gentleman from Kentucky, is withdrawn the Chair can entertain no such request.

Mr. FINLEY. I am willing to make this statement if I can have consent for a moment.

The CHAIRMAN. If there be no objection the gentleman will proceed.

Mr. FINLEY. I do not regard it as exactly fair that those bills which could not be called up, or were not called up, and which have been on the Calendar since the early part of the last session, just as meritorious cases, and reported by the same committee as those reported to the House at this session, should be displaced by bills which are now coming in from the committee at this late period in this Congress.

These bills coming in from this committee now are given a preference by such an arrangement as that contemplated here to-night. I do not believe that these bills first on the Calendar should be set aside for the passage of bills reported at this late date in the session. I have a number of bills on this Calendar that failed to receive action during the last session of Congress, granting pensions to persons who are imbecile in mind, helpless in body, and paupers, and which could not be passed; the sons and daughters of brave and gallant soldiers who died for the country. Now, I am willing to withdraw the demand for the regular order in so far as that a member when his name is reached may call from the list one of the bills thus carried over from the last session. I think they are entitled to preference and priority. I hold that it is only fair that this course should be pursued, and that some preference should be given such bills over those reported at this session.

I withdraw the demand for the regular order with that understanding.

The CHAIRMAN. But the gentleman can not withdraw the demand conditionally.

Mr. SPOONER. Mr. Chairman, I ask unanimous consent to make a request that the roll shall be called, beginning where we left off on Friday evening last, and that each member as his name is called shall have the right to ask consideration of any one of the cases upon the Calendar now under consideration which were reported favorably at the first session of this Congress.

The CHAIRMAN. The Chair has just stated, however, that no request for unanimous consent can be entertained while the demand for the regular order is pending.

Mr. SPOONER. Why not?

The CHAIRMAN. Because the regular order operates to cut off all such requests and brings the House directly to the consideration of business under its rules.

Mr. JOSEPH D. TAYLOR. But this request is in the line of the demand of the gentleman from Kentucky, and he has consented to withdraw the demand for the regular order.

The CHAIRMAN. The Chair did not so understand.

Mr. SPOONER. Besides that, this is a different proposition for unanimous consent than that heretofore sought to be obtained.

The CHAIRMAN. But the practice is well settled that where the regular order is demanded and insisted upon requests for unanimous consent can not be entertained. The Chair understands the gentleman from Kentucky not to withdraw the demand for the regular order except upon condition. That demand can not be withdrawn except absolutely.

Mr. SPOONER. Which condition I meet by the request for unanimous consent.

The CHAIRMAN. The request will be entertained as soon as the demand for the regular order is withdrawn, and can not be entertained under the rules until that time.

Mr. FINLEY. If I understand the gentleman's proposition, I am willing to withdraw the demand for the regular order, provided the bills called up for consideration to-night are those which were carried forward from the last session of Congress. That being the understanding and my desire, I withdraw the demand.

Mr. BOOTHMAN. I renew the demand for the regular order, but ask consent to make a statement in the nature of a parliamentary inquiry.

I wish to ask whether gentlemen who were not here at the last session of Congress upon Friday evenings, when this order was adopted of calling the roll and letting each member ask consideration of a bill, can get up here now and insist upon obtaining privileges which were not granted to the others at that time, or granted to them now?

The CHAIRMAN. The Chair will call attention to the fact that the regular order was withdrawn without condition.

Mr. BOOTHMAN. But I understand the expectation is to obtain unanimous consent that shall embody the position of the gentleman from Kentucky.

Mr. MCRAE. I move the committee do now rise.

The question was taken; and upon a division there were—ayes 13, noes 18.

So the motion was rejected.

Mr O'NEILL, of Pennsylvania. Mr. Chairman, I ask unanimous consent to make a motion that we begin the call at the bottom of the roll this evening, that is, with the W's, for instance, and going back. Let us try that plan. It is an entirely new proposition, and there is no selfishness in it.

Mr. KILGORE. Regular order.

The CHAIRMAN. The regular order has been already demanded by the gentleman from Ohio, which demand cuts off all requests for unanimous consent.

Mr. BOOTHMAN. I withdraw the demand for the regular order.

Mr. ENLOE. I renew it.

Mr. CHEADLE. I move the committee rise.

The question was put; and the Chair announced that the noes seemed to have it.

Mr. CHEADLE. Division.

The committee divided; and there were—ayes 13, noes 22.

So the committee refused to rise.

Mr. ALLEN, of Michigan. I move that we now proceed with the roll-call, beginning where we ceased at the last meeting.

The CHAIRMAN. But the Chair will call the attention of the gentleman from Michigan to the fact that the gentleman from Tennessee [Mr. ENLOE] has demanded the regular order, that he still insists upon it, and that unless he withdraws the demand for the regular order requests for unanimous consent can not be entertained. The Clerk will report the first bill.

WILLIAM RICHARDSON.

The Clerk read as follows:

A bill (S. 1638) granting a pension to William Richardson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of William Richardson, late a private in Company K, First Ohio Artillery.

The report (by Mr. LANE) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1638) for a pension to William Richardson, beg leave to report:

Said bill passed the Senate, and the committee of the Senate made a report on said bill which this committee adopts.

Said report is in the words and figures as follows:

"[Senate Report No. 230, Fiftieth Congress, first session.]

"The Committee on Pensions, to whom was referred the bill (S. 1638) granting a pension to William Richardson, have carefully examined the same, and respectfully report:

"William Richardson, a private in Company K, First Regiment Ohio Light Battery, enlisted March 10, 1862, and was honorably discharged on the 13th of March, 1865, by reason of expiration of service. He applied for a pension in March, 1876, basing his claim upon the ground that he was wounded in the latter part of December, 1863, by a gunshot in the left side of the head from a gun in the hands of William Perkins, who was a member of his company, and in a state of intoxication.

"The claim was rejected June 2, 1877, on the ground that 'the wound was not received in the line of duty.'

"The claimant makes affidavit to the following circumstances happening at the time of his injury:

"'That he was on guard the day of the shooting, and was guard over a boy who was bucked and gagged; in the afternoon William Perkins wanted him to aid him to release the boy, and he refused to do so. After he was relieved Perkins wanted him to go and take the officers' whisky, and upon his refusing, Perkins called him a damned coward. After he had gone to bed late in the evening Perkins again came to him, and having waked him, wanted him to go with him to take a demijohn from the officers' tent, who were then absent.

"'Upon his refusal he said I was a damned coward and that he would kill me, and without further remark shot me. Perkins shot Sergeant Fairhurst, of my company. I am unable to do manual labor.'

"A number of the privates of Company K testify that the shooting was done by Perkins without any apparent cause or provocation, and Perkins himself says, 'I entered the tent where Richardson was in bed, and without any provocation fired my revolver at him, wounding him in the head;' that he did this while maddened with liquor.

"Some of the witnesses, when examined by a special agent of the Pension Bureau, testified that Richardson was teasing an old man, a member of the company, when Perkins interfered and shot him (referring to Private Quigley, then a member of the company). Private Quigley files his affidavit denying that he was present at the time of the shooting, and showing that he was then performing guard duty. And other witnesses, who previously testified to this fact, subsequently filed affidavits admitting that after having their recollections refreshed by conversation with their comrades they were satisfied that they had done the claimant an injustice, and that the time to which they referred was anterior to the date of the shooting.

"On May 18, 1876, Dr. Isaac Scott, examining surgeon, certified to the Pension Bureau that—

"'On examination of the applicant I find cicatrix showing scalp wound 2 inches in length on the crown of head, 1½ inches to the left of the sagittal suture and in line with it. Applicant states that a number of spiculæ of bone have

come out since he received the wound, and he complains of pain in that side of the head, and giddiness on stooping. In my opinion the said William Richardson is one-half totally incapacitated. The disability is probably permanent.'

"On November 9, 1880, George O. Hildreth, examining surgeon, certified to the bureau that—

"'In my opinion the said William Richardson is three-eighths incapacitated; that the disability is permanent. The top of the head shows no cicatrix, but a groove or depression is felt in the left parietal bone about an inch from the line of the sagittal suture. It commences near the coronal suture and runs back about 2 inches, like a furrow. It seems to be two or three lines wide, the border or edge rather tender on pressure. He alleges a feeling of heat about the wound; pains extending front and back, irregular in character, and increased by stooping work and by heat of weather; occasional vertigo; results, as stated, of a raking revolver wound of scalp and cranium.'

"This analysis of the testimony clearly establishes the existence of three facts:

"First. That the claimant received a wound on the left side of the head;

"Second. That the wound so received was from a ball fired from a pistol in the hands of a comrade while under the influence of liquor, without provocation and while the claimant was in bed; and

"Third. That in the opinion of one examining surgeon his disability should be rated at one-half, and in the opinion of the other examining surgeon at three-eighths disability.

"The record discloses another important fact as bearing upon the right of this claimant to a pension under the law as it existed, where it states the fact that Sergeant Fairhurst was pensioned for injury of the left knee, caused by the accidental discharge of a pistol in the hands of Private Perkins. In the one case the injury was received at the hands of Private Perkins by the 'accidental discharge' of his pistol, and in the other by the deliberate and unprovoked discharge of his pistol with intent to injure the claimant.

"It is impossible for the committee to draw so fine a distinction as the Pension Bureau in these two cases. The committee is of opinion that Sergeant Fairhurst was properly pensioned, and they are equally of opinion that the claimant, William Richardson, is entitled to be placed on the pension-roll.

"Senate bill No. 1638 is therefore reported favorably, with the recommendation that it do pass."

And the committee, being satisfied with the justice of the claim of the said William Richardson, recommend that said bill do pass.

Mr. KILGORE. I move that the bill be reported to the House with the recommendation that it be indefinitely postponed.

The question was put, and it was announced that the noes seemed to have it.

Mr. KILGORE. Division.

The committee divided; and there were—ayes 5, noes 24.

Mr. KILGORE. No quorum has voted.

The CHAIRMAN appointed Mr. KILGORE and Mr. YODER as tellers.

Mr. CARUTH. The trouble about this bill is that the gentleman who introduced it is not here to withdraw it.

Mr. MORRILL. I ask unanimous consent that it be laid aside until the gentleman who introduced it shall appear, and that it retain its place on the Calendar.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas that the bill be laid aside and retain its place on the Calendar?

Mr. KILGORE. Mr. Chairman, I would ask whether we can take that course, it being a Senate bill.

The CHAIRMAN. Certainly.

Mr. KILGORE. Then I am willing that that course shall be taken.

There was no objection, and it was so ordered.

ORDER OF BUSINESS.

Mr. WHEELER. I now ask unanimous consent to go on in the order which we have previously adopted. I do not think the gentleman who has demanded the regular order, when he reflects, will think it is exactly fair to those whose names are low on the list. I think he ought at least to withdraw it until we have gone through the list, and given fair play to all around.

Mr. McRAE. I move that the committee rise, unless the course suggested can be taken.

The CHAIRMAN. If the demand for the regular order be withdrawn the Chair will entertain the request of the gentleman from Alabama.

Mr. WHEELER. He will withdraw.

Mr. McRAE. Why is it not withdrawn, then?

A MEMBER. It is a case of misplaced confidence. [Laughter.]

Mr. ALLEN, of Michigan. I simply rose for the purpose of getting unanimous consent to say one word in furtherance of what was said by the gentleman from Alabama [Mr. WHEELER]. It is this. The gentleman from Tennessee did interpose a call for the regular order——

The CHAIRMAN. The Chair will be compelled to enforce the regular order.

Mr. KILGORE. Let us not have any more speech-making.

Mr. ALLEN, of Michigan. I heartily and sincerely indorse what the gentleman from Alabama [Mr. WHEELER] has said; and I hope no one will interpose an objection.

The CHAIRMAN. But the gentleman from Tennessee [Mr. ENLOE] has demanded the regular order, and has not withdrawn the demand. The question now is on the motion of the gentleman from Arkansas [Mr. McRAE] that the committee rise.

The question was put; and it was announced the noes seemed to have it.

Mr. McRAE. Division.

The House divided; and there were—ayes 15, noes 20.

So the committee refused to rise.

The CHAIRMAN. The Clerk will report the next bill.

ELIZABETH JONES.

The next business on the Private Calendar was the bill (H. R. 4182) granting a pension to Elizabeth Jones.

Mr. JOSEPH D. TAYLOR. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JOSEPH D. TAYLOR. When the regular order has been demanded, and when we have transacted other business, such as that of the gentleman from Alabama [Mr. WHEELER] requesting unanimous consent, is it required that the demand for the regular order shall be renewed?

The CHAIRMAN. The Chair thinks not, especially when the gentleman who made the demand is present.

Mr. JOSEPH D. TAYLOR. Then ought not the gentleman be required to rise and make the demand for the regular order, or when a gentleman makes a demand for the regular order in the morning is it good for the remainder of the day?

The CHAIRMAN. The Chair would be inclined to hold that the regular order is still demanded, especially as the gentleman from Tennessee who made the demand for the regular order is present, is advised of the procedure of the House, and has not withdrawn it. The Clerk will read the bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth Jones, dependent mother of William Jones, deceased, who was a private soldier in Company D, Fifteenth Regiment of West Virginia Volunteer Infantry.

The report (by Mr. LANE) was read, as follows:

The soldier, William Jones, enlisted August 14, 1862, and was drowned February 28, 1864. His mother filed her declaration for pension January 9, 1880, and the same was rejected October 22, 1885, on the ground that the soldier was not in line of duty when drowned. The testimony shows this state of facts, and there is no dispute about it:

The soldier was drowned February 28, 1864, while out on a pass granted to him by orders of the colonel of the regiment to attend divine worship on the Sabbath. While crossing the Potomac River on his return to camp the ice upon which he was walking gave way and he was drowned. The body was recovered and his clothing searched. There was no liquor on his person. The soldier was a steady man, and of very sober habits. The claimant's husband is dead and she is poor and has no means of support whatever, and the soldier left no widow.

The committee therefore recommend that this bill do pass, believing that the soldier lost his life in the line of duty.

The CHAIRMAN. The question is on laying the bill aside to be reported to the House with a favorable recommendation.

The question was put; and it was announced that the ayes seemed to have it.

Mr. BOOTHMAN. Division.

Mr. WHEELER. I desire to ask if, before the regular order was demanded, it was not the order of this House the roll should be called on pension nights and only such bills be taken up as were called up by each member in his turn. I feel quite confident that that is the order of the House.

The CHAIRMAN. The gentleman is not correct in that respect. The Chair will cause the Clerk to read the special order under which we are acting.

The Clerk read as follows:

Resolved, That, until further ordered, on each Friday at 5 o'clock p. m. the House shall take a recess until 7.30 p. m., at which evening sessions bills on the Private Calendar granting pensions, reported from the Committee on Invalid Pensions and the Committee on Pensions, and bills on the Private Calendar reported from the Committee on the Judiciary removing political disabilities, shall be considered, and no other business shall be transacted at such evening sessions, and the House shall adjourn on each of said evenings not later than 10 p. m.

The question was taken on the motion to lay the bill aside with the recommendation that it do pass; and there were—ayes 27, noes 3.

Mr. BOOTHMAN. No quorum.

The CHAIRMAN appointed as tellers Mr. BOOTHMAN and Mr. YODER.

Mr. MORRILL. I move the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. MCMILLIN having resumed the chair as Speaker *pro tempore*, Mr. DOCKERY reported that the Committee of the Whole House had had under consideration the Private Calendar, under the special order, and had come to no resolution thereon.

Mr. MORRILL. I move that the House do now adjourn.

The motion was agreed to; and the House accordingly (at 8 o'clock and 30 minutes p. m.) adjourned until Monday next.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. E. P. ALLEN: A bill (H. R. 11797) granting an increase of pension to Mrs. Ann E. Gridley—to the Committee on Invalid Pensions.

By Mr. CAREY: A bill (H. R. 11798) to place Elmer A. Snow on the retired-list of the United States Army with rank and pay of a second lieutenant of mounted service—to the Committee on Military Affairs.

By Mr. COGSWELL: A bill (H. R. 11799) to correct the military record of William E. Crouse—to the Committee on Military Affairs.

By Mr. BUTLER: A bill (H. R. 11800) for the relief of John Crumly—to the Committee on Military Affairs.

By Mr. HATCH: A bill (H. R. 11801) granting a pension to Mary Keller—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 11802) granting a pension to Ellen Breen—to the Committee on Invalid Pensions.

By Mr. LANDES: A bill (H. R. 11803) granting a pension to Henry V. Bass—to the Committee on Invalid Pensions.

Also a bill (H. R. 11804) granting a pension to Adam E. Stoner—to the Committee on Invalid Pensions.

By Mr. WADE: A bill (H. R. 11805) granting a pension to H. W. Goodnight—to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BANKHEAD: Petition of J. J. Cordell, of Francis B. Appling, of Janette D. Calirt, and of Mary A. Minor, of Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. BUTLER: Petition of Samuel Smith, of S. S. Chemutt, of Alfred T. Smith, heir of Thomas Smith, and of Thomas Payne, of Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, petition of John Brown, of Tennessee, for a pension—to the Committee on Invalid Pensions.

By Mr. JONES: Petition of John H. George, of Monroe County, Alabama, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. LEE: Papers in the claim of Michael A. Hart, administrator of William Burley, of Alexandria County, Virginia—to the Committee on War Claims.

Also (by request), petition of Mary J. Cronie and others, of the District of Columbia, for relief—to the Committee on War Claims.

By Mr. RICHARDSON: Petition of E. M. Rawlins, heir of John A. Rawlins, of Franklin County, Tennessee, for reference of his claim to the Court of Claims—to the Committee of War Claims.

By Mr. WASHINGTON: Petition of widow of Mace F. Trice, of Montgomery County, Tennessee, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. WILKINSON: Petition of Mrs. E. J. Penney, of Orleans Parish, and of Emilie Fagot, of Orleans Parish, Louisiana, for payment of her war claims—to the Committee on War Claims.

Also, petition of the Board of Control of the New Basin Canal and Shell Road, in New Orleans, for an appropriation of $250,000 for the improvement of said canal—to the Committee on Rivers and Harbors.

The following petitions against the passage of the international copyright bill were received, and severally referred to the Committee on Patents:

By Mr. FELIX CAMPBELL: Of printers, pressmen, and others, of Brooklyn, N. Y.

By Mr. DORSEY: Of J. E. McCray and of Douglas Hewitt, of Nebraska.

By Mr. HATCH: Of M. L. Johnson, of Queen City, and of Griffith Frost, of Edina, Mo.

By Mr. WALKER: Of C. E. Stokes, of Dexter, Mo.

SENATE.

MONDAY, *December* 17, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

LELAND STANFORD, a Senator from the State of California, appeared in his seat to-day.

The Journal of the proceedings of Thursday last was read and approved.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, submitting vouchers relating to public buildings at Wichita, Kans.; which, with the accompanying papers, was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting, in compliance with a resolution of the 6th instant, certified copies of the settlements made between the United States and the State of Oregon on account of the Modoc Indian war hostilities therein, and on account of her quota of direct tax; which, with the accompanying papers, was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the Secretary of the Navy, transmitting, in compliance with a resolution of June 25, 1888, certain information in regard to the investigation and testing of the practicability of the deflective turrets designed by Chief Engineer N. B. Clark; which was referred to the Committee on Naval Affairs, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of December 13, 1888, a copy of the minutes of the proceeding of the commission lately appointed to obtain the consent of the Indians on the Sioux reservation to the act providing for opening a portion of that reservation; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

He also laid before the Senate a communication from the Attorney-General, transmitting, in response to a resolution of December 10, 1888, certain information concerning the execution of the provisions of section 17 of the act of Congress approved March 3, 1887, amendatory of section 5352 of the Revised Statutes, in reference to bigamy, and for other purposes, etc.; which, with the accompanying papers, was referred to the Committee on the Judiciary, and ordered to be printed.

DISTRICT ELECTRIC WIRES.

The PRESIDENT *pro tempore*. The Chair lays before the Senate an appendix to the report of Maj. Charles W. Raymond on the subject of under-ground conduits for electric wires in the District of Columbia, with accompanying maps and papers; which will be referred to the Committee on Printing before being sent to the Committee on Appropriations, for an estimate of the cost of their printing.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of the National Grange, Patrons of Husbandry, praying for legislation to prevent the adulteration of food; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of citizens of New Mexico, praying for the creation of a new land district and the location of a land office at Las Vegas, N. Mex.; which was referred to the Committee on Public Lands.

He also presented a petition of citizens of Georgetown, D. C., praying for an amendment of the charter of the Georgetown and Tenleytown Railroad; which was referred to the Committee on the District of Columbia.

Mr. CULLOM presented a petition of the National Grange, Patrons of Husbandry, praying for the passage of legislation which will secure pure food and pure lard; which was referred to the Committee on Agriculture and Forestry.

He also presented resolutions adopted by the board of directors of the Lumbermen's Exchange, of Chicago, Ill., praying for the passage of the so-called naval-reserve bill; which were referred to the Committee on Naval Affairs.

Mr. WILSON, of Iowa, presented resolutions adopted by the National Grange, Patrons of Husbandry, at its twenty-second annual meeting, in favor of the passage of House bills 11027 and 11266, relative to food and lard adulterations; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of 65 citizens of O'Brien County, Iowa, praying for an investigation as to why the United States district attorney for the northern district of Iowa did not bring suit against the Sioux City and St. Paul Railway Company and the State of Iowa to recover the patents to the unearned lands of that railway company in O'Brien County, Iowa, after having been directed so to do by the Attorney-General of the United States; which was referred to the Committee on Public Lands.

Mr. MORRILL presented the petition of Adaline Snelling, of Sutton, Vt., praying to be restored to the pension-roll; which was referred to the Committee on Pensions.

Mr. VEST presented a petition of leading banks and business men of Kansas City, Mo., praying for the passage of House bill No. 5664, to increase and regulate the salaries of post-office clerks upon a system similar to that adopted in regard to letter-carriers and railway postal clerks; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the National Grange, Patrons of Husbandry, praying for the passage of legislation "which will prevent the crime of misbranding and adulterating the food products of the country, and secure pure food and pure lard;" which was referred to the Committee on Agriculture and Forestry.

Mr. CHANDLER. I present the petition of Frederick Glover and 99 other residents of the county of Orangeburgh and voting precinct of Ayers, in the State of South Carolina, in which they state that on the 6th day of November they presented themselves at said voting precinct to vote for Presidential electors and members of Congress, and that they were denied the right to vote. They pray for an investigation into the facts stated in the petition, and that Congress will devise some means to secure to them the free exercise of the rights granted to them by the constitution of South Carolina and the laws and Constitution of the United States.

I move that the petition be referred to the Committee on Privileges and Elections.

The motion was agreed to.

Mr. CALL. I present a petition of citizens of Florida, praying for national quarantine. The petitioners state that their duties, responsibilities, and opportunities have been such that they realize the necessity for efficient quarantine to the fullest extent; and that they are also convinced that neither municipalities nor States can provide the system on that broad and comprehensive scale which the appalling danger of contagion reaching our shores from foreign lands and spreading from State to State requires. I move that the petition be referred to the Committee on Epidemic Diseases.

The motion was agreed to.

Mr. DAWES presented resolutions of the New England Historic-Genealogical Society, making certain suggestions in regard to the names of proposed new States; which were referred to the Committee on Territories.

Mr. HOAR presented the petition of James B. Blackstone, of Worcester, Mass., praying for the payment of balance of bounty claimed by him as a veteran and of unpaid back pay; which was referred to the Committee on Military Affairs.

Mr. HALE. I present the petition of William Godwin Moody and other citizens of the United States, with reference to the taking of the next census, and, as it is a matter of importance and contains valuable information, I move that the petition be printed as a document and referred to the Committee on the Census.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. SHERMAN, from the Committee on Finance, to whom was referred the bill (S. 1297) to establish a mint of coinage at the city of Denver, in the State of Colorado, reported it without amendment.

Mr. HARRIS. The Committee on the District of Columbia, to which was referred the bill (S. 1805) to incorporate the Washington and Highlands Street Railroad Company of the District of Columbia, have instructed me to report the same back adversely with a recommendation that it be indefinitely postponed, there being a House bill on the same subject now under consideration in the committee.

The report was agreed to, and the bill was postponed indefinitely.

Mr. HARRIS, from the Committee on the District of Columbia, to whom was referred the bill (S. 1637) to repeal the acts incorporating the Washington and Georgetown and Metropolitan Railroad Companies, to sell at public auction the routes of said companies, and to grant new charters for corporations to operate said routes, and thereby and otherwise to secure revenue to the District of Columbia from its street railroads, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 2276) for the relief of G. H. Coryell, reported adversely thereon; and the bill was postponed indefinitely.

Mr. STEWART, from the Committee on Military Affairs, to whom was referred the bill (H. R. 5009) to provide certain arms, ammunition, and equipage to the State of Oregon, reported it without amendment, and submitted a report thereon.

Mr. FAULKNER, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 8272) to provide for the payment of F. H. Bates as military instructor at Washington High School, District of Columbia, reported it without amendment, and submitted a report thereon.

Mr. SPOONER, from the Committee on the District of Columbia, to whom was referred the bill (S. 2077) to provide for the supervision of the affairs of the District of Columbia by the Secretary of the Interior, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1117) relating to the record of wills in the District of Columbia, reported adversely thereon, and the bill was postponed indefinitely.

Mr. SPOONER. I am also instructed by the Committee on the District of Columbia, to whom was referred the bill (S. 1175) for the relief of the Sisters of the Holy Cross in the city of Washington, D. C., to report it adversely, with a recommendation that it be indefinitely postponed, the subject having been disposed of by another bill.

The report was agreed to, and the bill was postponed indefinitely.

Mr. SPOONER. I am also directed by the Committee on the District of Columbia, to whom was referred the bill (S. 1984) to incorporate the Hotel Republic Company of the District of Columbia, to report it adversely, with the recommendation that it be indefinitely postponed. A House bill upon the same subject is now pending before the committee.

The report was agreed to, and the bill was postponed indefinitely.

Mr. PUGH, from the Committee on the Judiciary, to whom was referred the bill (H. R. 4470) to regulate the jurisdiction of the United States district judges, and of the courts over which they preside, in the State of Alabama, reported it with amendments.

Mr. PLUMB, from the Committee on Public Lands, to whom was referred the bill (S. 3677) to open abandoned military reservations in the State of Nevada to homestead entry, reported it with amendments.

Mr. CHACE, from the Committee on the District of Columbia, to whom was referred the bill (S. 2553) to incorporate the Washington and Western Maryland Railroad Company, reported adversely thereon; and the bill was postponed indefinitely.

CLAIMS OF POSTMASTERS.

Mr. CHACE. I am instructed by the Committee on Post-Offices and Post-Roads to report adversely the resolution recommitted to that committee relative to the claims of postmasters, with a recommendation that it be indefinitely postponed.

The PRESIDENT *pro tempore*. The resolution will be read.

The Chief Clerk read the resolution submitted by Mr. PLUMB August 16, 1888, as follows:

Resolved, That the Postmaster-General be directed to report to the Senate at the next session, so far as such claims have already been computed upon applications presented under the act of March 3, 1883, the amounts due postmasters and their representatives in the several States and Territories for services rendered the United States between July 1, 1864, and July 1, 1874, the gross amount of earnings for each biennial term of service to be stated on the basis of the act of 1854, and the amount of compensation paid for the same term of service to be deducted therefrom, showing the actual difference in each case between the salary paid and the compensation computed on the basis of the act of 1854 for each biennial term of service, such report to be limited to cases in which the compensation paid is 10 per cent. or more less than the compensation already computed on the basis of the act of 1854, and to be made to the Senate from time to time as the statement covering the claims from each State shall be completed.

Mr. PLUMB. I ask that the resolution may go upon the Calendar with the adverse report.

The PRESIDENT *pro tempore*. The resolution will be placed on the Calendar with the adverse report of the committee.

BILLS INTRODUCED.

Mr. CHANDLER introduced a bill (S. 3710) granting a pension to M. Josie McClain; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. STOCKBRIDGE introduced a bill (S. 3711) granting an increase of pension to Mrs. Ann E. Gridley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. VOORHEES introduced a bill (S. 3712) granting a pension to Mrs. Louisa Kearney; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3713) granting an increase of pension to Maria A. Rousseau; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MCPHERSON introduced a bill (S. 3714) to remove the charge of desertion from the military record of John Roos; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 3715) for the relief of the estate of Ely Moore and of Daniel Woodson; which was read twice by its title, and referred to the Committee on Claims.

Mr. FAULKNER introduced a bill (S. 3716) granting a pension to Mrs. Caroline F. Degarmo; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 3717) granting a pension to John Mickle; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HISCOCK introduced a bill (S. 3718) for the relief of Richard Oulahan; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3719) granting an increase of pension to Joseph E. Rogers; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3720) for the relief of W. H. Huson; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLUMB introduced a bill (S. 3721) to grant a right of way to the Cherokee Central Railway Company through the Indian Territory, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. RIDDLEBERGER (by request) introduced a bill (S. 3722) vesting in the vestry of Christ Church, Washington parish, in the District of Columbia, all the right, title, and interest of the United States in and to square south of square 1092 in the city of Washington, District aforesaid; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. TURPIE introduced a bill (S. 3723) for the removal of the charge of desertion against George Gregg, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. GRAY introduced a bill (S. 3724) granting a pension to the widow of the late Commander Samuel H. Baker, United States Navy; which was read twice by its title, and referred to the Committee on Pensions.

Mr. EVARTS introduced a bill (S. 3725) restoring the name of Dorothea A. Anderson, formerly Dorothea Wildt, to the pension-roll; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 3726) granting a pension to Elizabeth M. Morgan; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 3727) to abolish special taxes on distilled spirits and other articles subject to internal-revenue taxes at the place where such goods are delivered by the carrier to the vendee;

which was read twice by its title, and referred to the Committee on Finance.

Mr. BLACKBURN introduced a joint resolution (S. R. 121) authorizing the printing of 2,500 extra copies of the report of the health officer of the District of Columbia; which was read twice by its title, and referred to the Committee on Printing.

JOHN A. LYNCH.

Mr. STEWART. I offer the following resolution, and ask for its present consideration:

Resolved, That the report of the Committee on Military Affairs of the Senate of June 7, 1888, referring the bill (S. 1363) for the relief of John A. Lynch, to the Court of Claims, in accordance with the resolution of the Senate of February 7, 1884, be approved, and said claim is hereby referred to said court as of date of June 7, 1888, under the provisions of the act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883, and the act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. RIDDLEBERGER. I object, if it is to interfere with morning business.

Mr. STEWART. It is a formal matter, referring a case to the Court of Claims.

Mr. RIDDLEBERGER. I will object.

The PRESIDENT *pro tempore*. It does not interfere with the transaction of morning business, the Chair will state to the Senator from Virginia.

Mr. RIDDLEBERGER. No debate is to follow it?

Mr. STEWART. None.

Mr. RIDDLEBERGER. Then I do not object.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. SPOONER. By whom was the resolution offered?

The PRESIDENT *pro tempore*. By the Senator from Nevada [Mr. STEWART].

Mr. STEWART. There was a report from the Committee on Military Affairs at the last session, with the suggestion that the resolution was irregular. This resolution is for the purpose of carrying out the report of the Committee on Military Affairs made at the last session referring the case to the Court of Claims.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

The resolution was agreed to.

PROPOSED EVENING SESSIONS.

Mr. MORRILL submitted the following resolution; which was read:

Resolved, That hereafter the Senate will hold evening sessions, and for that purpose will take a recess from 5.30 o'clock p. m. to 8 o'clock p. m.

Mr. MORRILL. I ask that the resolution be printed and laid on the table.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

MESSENGER FOR COMMITTEE ON INDIAN TRADERS.

Mr. CHANDLER submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Select Committee on Indian Traders be, and hereby is, authorized to appoint a messenger to serve during the remainder of the present session; such messenger to be paid out of the contingent fund of the Senate the usual compensation allowed to messengers of the Senate on vouchers duly approved.

WORK OF THE COMMITTEE ON THE CENSUS.

Mr. HALE submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the Census, in conducting its investigations, is hereby authorized to employ a stenographer, and shall have power to examine experts, send for persons and papers, and to have reports of hearings and papers printed for the use of the committee, the expenses of the same to be paid from the contingent fund of the Senate.

ELECTION OF OFFICERS.

The PRESIDENT *pro tempore*. If there are no further resolutions, concurrent or other, the Chair lays before the Senate the resolution offered by the Senator from Virginia [Mr. RIDDLEBERGER], coming over from a previous day.

The resolution submitted by Mr. RIDDLEBERGER December 13, 1888, was read, as follows:

Resolved, That this Senate will proceed to a reorganization by the election of its officers on the first day of the session after the 1st day of January, 1889.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

Mr. RIDDLEBERGER addressed the Senate, and concluded by offering to withdraw the resolution. [His remarks have been reserved by him for future publication. See Appendix.]

Mr. DAWES. I object.

Mr. HARRIS. Of course I have no objection to the Senator from Virginia withdrawing his resolution. It is objected to by some other Senator. But I desire to say that knowing as I do that the present Presiding Officer of the Senate has performed the duties of the Chair with absolute impartiality, and as I believe in a manner eminently satisfactory to every member of this body, and believing as I do that there is no just cause of complaint in respect to any of the other officers of this body, I have sought the floor for the purpose of moving to lay the resolution upon the table and asking for the yeas and nays upon that motion. If the objection made by some other Senator is withdrawn, I enter that motion, and ask for the yeas and nays upon it.

Mr. DAWES. I inquire if the resolution can be withdrawn except by unanimous consent.

The PRESIDENT *pro tempore*. It can. The Chair understands the Senator from Virginia to withdraw the resolution.

Mr. RIDDLEBERGER. The Senator from Tennessee objects.

Mr. HARRIS. I did not object, but I understood that some other Senator objected. If the resolution is to be acted upon by this body I offered the motion to lay it upon the table, and upon that motion I want the yeas and nays recorded.

Mr. DAWES. I objected and made the inquiry, but if the resolution can be withdrawn without unanimous consent, that objection of course will have no effect. I sympathize with what the Senator from Tennessee has said, and designed to call the yeas and nays either upon the passage of the resolution or on a motion to lay it on the table.

Mr. HARRIS. Then I will object, and I demand the yeas and nays upon my motion.

Mr. RIDDLEBERGER. I did not understand the Senator's motion. Was it to lay on the table?

Mr. HARRIS. It was.

Mr. RIDDLEBERGER. To lay the resolution on the table?

Mr. HARRIS. That is exactly what it was.

Mr. RIDDLEBERGER. And you want the yeas and nays on it?

Mr. HARRIS. I do.

Mr. RIDDLEBERGER. I am ready for that.

The PRESIDENT *pro tempore*. Does the Senator from Virginia withdraw the resolution? The Secretary will read the second paragraph of Rule XXI.

The Chief Clerk read as follows:

2. Any motion or resolution may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays, except a motion to reconsider, which shall not be withdrawn without leave.

The PRESIDENT *pro tempore*. The Chair understands the Senator from Virginia to withdraw the resolution.

Mr. RIDDLEBERGER. I do, sir.

The PRESIDENT *pro tempore*. Is there further morning business?

CHIPPEWA INDIANS.

Mr. DAWES submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7935) for the relief and civilization of the Chippewa Indians in the State of Minnesota, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with amendments as follows:

On page 2 of the amendment, lines 3 and 4, strike out the words "ratified by Congress" and insert in lieu thereof "approved by the President of the United States."

On page 2 of the amendment, lines 22, 23, and 24, strike out the words "after said agreements of cession shall have been ratified by Congress and not before."

On page 6 of the amendment, line 4, insert, after the word "feet," the words "board measure of the pine timber thereon."

On page 6 of the amendment, line 15, insert, after "feet," the words "board measure of the pine timber thereon."

H. L. DAWES,
F. B. STOCKBRIDGE,
Managers on the part of the Senate.
S. W. PEEL,
THOMAS R. HUDD,
KNUTE NELSON,
Managers on the part of the House.

Mr. DAWES. Before the report is acted on by the Senate I desire to make a statement as to its nature, because it introduces changes into the bill upon matters that were under discussion by the Senate at the time it was adopted.

The original bill, which came over from the other branch, was referred to the Committee on Indian Affairs, and a substitute for the entire bill was submitted by the Committee on Indian Affairs and was under discussion in the Senate. During the discussion of the details of the measure I called the attention of the Senate to the fact that whatever agreement or negotiation with these Indians was entered into by the commissioners provided for in this bill was to be reported back to Congress and subject to their ratification. The conferees on the part of the House have acceded to this substitute with an amendment striking out that very provision, striking out these words to which I desire to call the attention of the Senate:

And provided, That the agreements therefor shall be ratified by Congress before taking effect.

And these other words like them:

After said agreements of cession shall have been ratified by Congress and not before.

To these words I called the attention of the Senate when the bill was

adopted by the Senate as a safeguard against any unwise agreement that might be made by the commissioners appointed under the bill. If the Senate do not think it wise to strike out these words, they should reject this report. The committee on the part of the Senate acceded to this request of the House to strike out these words for these reasons: The whole of the duty of these commissioners is prescribed in the statute, excepting that part of it which adjusts the line between the Indians and the United States upon one of the reservations, and says on which side of it there shall be reserved lands to be allotted to Indians in severalty and which part of it shall be open to settlement by settlers; but all agreements, as the bill is now made, are to be ratified by the Indians themselves, excepting as to one reservation, by two-thirds of all the Indians of adult age, and the rest of it by two-thirds of the adult Indians on all the reservations, and after that they are to be approved by the Executive.

Inasmuch as there was no discretion left in the bill for these commissioners, except the one of adjusting the line between that part of the reservation to be allotted in severalty and that part to be open to settlement, and their action was to be ratified by the Indians themselves and to be approved by the President, the conferees on the part of the Senate yielded to the House to have stricken out of this bill the further ratification after all that by the Congress of the United States, which could only be had at its next session.

If the Senate, however, think it unwise to intrust first to commissioners to strike the line, and then the assent of the Indians and the approval of the President of the United States—if they think it wise after that to insist upon the ratification of the agreement by Congress, as has been done in all other cases, they should reject this report, and such conferees as shall be appointed hereafter will take their instruction from this vote of the Senate.

I felt called upon to make this statement directly to the Senate because this matter was discussed in the Senate as one of the safeguards of the bill.

The PRESIDENT *pro tempore*. The question is on concurring in the report of the committee of conference.

The report was concurred in.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 5752) for the relief of Julia Triggs;

A bill (H. R. 9163) granting a pension to Eli Garrett;

A bill (H. R. 9654) granting an increase of pension to Jesse J. Clark;

A bill (H. R. 10323) to incorporate the American Historical Association;

A bill (H. R. 11223) to increase the pension of George A. Glover; and

A bill (H. R. 11378) granting a pension to James S. Harden.

The message also announced that the House had passed the following bills with amendments; in which it requested the concurrence of the Senate:

A bill (S. 337) granting a pension to Mary E. Johnston; and

A bill (S. 3135) granting an increase of pension to Eliza J. Alexander.

The message further announced that the House had passed a resolution that when the two Houses adjourn on Friday, December 21, 1888, they stand adjourned until Monday, January 7, 1889; in which it requested the concurrence of the Senate.

The message also announced that the House had receded from its disagreement to the amendments of the Senate to the bill (H. R. 7843) granting to Citrous Water Company right of way across Papago Indian reservation in Maricopa County, Arizona, and agreed to the same.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore:*

A bill (H. R. 6922) for the relief of George W. Graham; and

A bill (H. R. 7843) granting to Citrous Water Company right of way across Papago Indian reservation, in Maricopa County, Arizona.

THE REVENUE LAWS.

The PRESIDENT *pro tempore*. If there be no further morning business, the Calendar, under Rule VIII, is in order.

Mr. ALLISON. I move that the Senate proceed to the consideration of the revenue bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

The PRESIDENT *pro tempore*. The reading of the substitute of the Committee on Finance will proceed.

The Secretary read paragraph 147, as follows:

147. Sheets or plates, of iron or steel, or taggers' iron or steel coated with tin or lead, or with a mixture of which these metals, or either of them, is a component part, by the dipping or any other process, and commercially known as tin-plates, terne-plates, and taggers' tin, 1 cent per pound.

Mr. JONES, of Arkansas. Mr. President——

Mr. ALLISON. It was understood on Thursday that this paragraph should be passed over for the present.

The PRESIDENT *pro tempore*. The Senator from Arkansas will have the opportunity of recurring to the paragraph for amendment hereafter.

Mr. JONES, of Arkansas. Yes, sir. I did not understand that it was passed over. I supposed it would be considered at the present time.

Mr. MCPHERSON. Do I understand that the paragraph is to be passed over?

Mr. ALLISON. I asked on Thursday, or perhaps on Wednesday, that paragraphs 145 and 147 be passed over, and I believe the request was granted.

Mr. HARRIS. That request was made because of the absence of the Senator from Connecticut [Mr. PLATT], I understand.

Mr. ALLISON. No; that related to cutlery and guns—double-barreled shotguns.

Mr. JONES, of Arkansas. Will the Senator from Iowa indicate to the Senate at what time he designs to take up these clauses—after the bill shall have been otherwise disposed of? Is that his intention?

Mr. ALLISON. I think very likely I shall ask the Senate to omit the consideration of these paragraphs until we have finished the reading of the measure.

The PRESIDENT *pro tempore*. Paragraph 148 will be now read.

The Secretary read as follows:

148. Spikes, nuts, and washers, and horse, mule, or ox shoes, of wrought iron or steel, 1.8 cents per pound.

Mr. VEST. I move to strike out "eight-tenths" and insert "one-half."

The PRESIDENT *pro tempore*. The amendment will be reported.

The CHIEF CLERK. In line 555 it is proposed to strike out the word "eight-tenths" and insert "one-half;" so as to read:

148. Spikes, nuts, and washers, and horse, mule, or ox shoes, of wrought iron or steel, 1½ cents per pound.

Mr. VEST. This is an article that enters into the daily use of the people of all sections of the country. It does not need the protection which is provided for in the substitute of the Finance Committee, and that fact is sufficiently evidenced from the statement that in 1887 we exported $317,675 worth of these goods, and in 1888 we increased the exports to $465,600. We are able, in other words, not only to meet the demand in the home market, but we also go abroad and compete with foreign labor in the foreign markets and sell the amount which is stated in the export-list of 1887 and 1888.

More than that, if we are, in fixing the tariff duties, to equalize the cost of labor in this country and abroad, the census of 1880 shows that the cost of making nails, spikes, horseshoes, etc., is from 19.7 to 22.3 per cent. for the labor. As a matter of course this revives the old argument, constantly recurring upon every item in this bill, which was debated the other day by the Senator from New York [Mr. HISCOCK] and myself, in which he contends that we are to go back to the cost of the iron from the ground and all the intermediate processes, and that all this added to the final process constitutes the cost of the labor and should be the basis of protection. I have a table prepared by the Treasury Department showing that the cost of labor which enters into this product, in making nails, spikes, and horseshoes, is 19.7 per cent. upon nails and spikes and 22.3 per cent. upon the horseshoes. So when we look at one phase of the question or the other, whether we desire to make the protective taxes equalize the cost of labor in this country and abroad, or look to the idea of protecting domestic industries, in either phase of the question this tax is too large as reported by the committee, and ought to be that fixed in the House bill.

Mr. MCPHERSON. I call the attention of the Senator from Missouri to the fact that the existing rate of duty has been almost entirely prohibitory. Under the duty of 2 cents a pound levied by the existing law, the entire value of the importation for 1887 was only $92.50.

Mr. VEST. Yes, a prohibitory tax.

Mr. MCPHERSON. And as it has been stated that the exportation has been very large, it would seem to me as though the true policy to pursue in trying to fix at this time new revenue duties would be to fix the rate so as to permit competition. The competition that may come in from a reduction in the duty of only two-tenths of a cent a pound upon an article which at 2 cents a pound produced no revenue at all will be imperceptible. Under the present rate the manufacturers of this country were able to manufacture all that the country needed, and then export four or five hundred thousand dollars' worth of this product into which human labor scarcely enters at all. As the Senator from Missouri states, of the entire cost of the production the labor cost is only 19 per cent.; and now to reduce the duty only two-tenths of a cent a pound seems to me simply extravagant and preposterous. It certainly is a method of preventing any competition in this branch of industry at all, and that for articles which are in universal use among the people everywhere.

Mr. ALDRICH. I should like to ask the Senator from New Jersey if he is desirous of reducing this rate to a point where the importations shall be increased.

Mr. McPHERSON. I am in favor of reducing it to a rate that will not give the manufacturer in this country the right to charge any price he pleases upon the manufactured article to the consumer. Certainly if at 2 cents a pound there have been no importations and we have exported $500,000 worth of the product at 1.8 cents a pound, you can not expect to make very much change, certainly, as to importations. But at 1½ cents a pound, the rate proposed by the Senator from Missouri, it offers all the protection that the manufacturer can need in this country to practically secure the home market, but it does prevent them, certainly, from charging the extra half cent a pound upon their own product.

Mr. ALDRICH. I understood the Senator from New Jersey to speak in rather a deprecating tone of the fact that the American producer had not only control of our market, but was exporting goods. I understood him to say that that state of affairs will continue if the duty is reduced to 1½ cents.

Mr. McPHERSON. Certainly.

Mr. ALDRICH. Then what good will it do to any one in this country or out of it to make the change?

Mr. McPHERSON. If the duty was 1½ cents the foreign competitor could only come in by paying the duty, and that affords ample protection to the home manufacturer. If the duty is fixed at 2 cents a pound the foreign manufacturer must pay the 2 cents a pound, and that gives a half cent additional protection to the manufacturer here, and he can fix his price a half cent a pound higher. It is very plain, I think, to any intelligence. Hence, if there is a disposition to make these duties absolutely prohibitory, so that there can not be any such thing as foreign competition of any kind, that is certainly in line with the rest of the bill.

Mr. JONES, of Arkansas. I should like to ask the Senator from Rhode Island who has just interrupted the Senator from New Jersey if the present tax of 2 cents a pound is not substantially prohibitory.

Mr. ALDRICH. I do not understand what the Senator from Arkansas means by "practically prohibitory."

Mr. JONES, of Arkansas. I mean that the present tax of 2 cents a pound prevents any importation into this country.

Mr. ALDRICH. It seems it did prevent any large importations in 1887. What it will do under another condition of the market I am not able to say.

Mr. JONES, of Arkansas. Then I should like to ask the Senator to say why he thinks there would be any practical difference between that and 1.8 cents a pound. There is merely a small fraction of two-tenths of a cent difference in the amount of tax, and it seems that our exportations at 2 cents are very large and the importations practically none at all. If the committee intend to keep a prohibitory tax on this article, why not frankly say so and keep the tax at 2 cents and not make the pretense of a reduction by proposing to take off two-tenths of 1 cent a pound?

Mr. ALLISON. I will answer the question of the Senator from Arkansas by asking him another. The Senator from Missouri has proposed a tax of 1.5 cents. Why say 1.5 cents rather than 1.8 cents?

The PRESIDENT *pro tempore*. Is the Senate ready for the question on the amendment of the Senator from Missouri [Mr. VEST]?

Mr. VEST. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Colorado [Mr. BOWEN]. If he were here, I should vote "yea."

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. WALTHALL (when Mr. GEORGE'S name was called). My colleague [Mr. GEORGE] is paired with the Senator from New Hampshire [Mr. BLAIR].

Mr. PUGH (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS].

Mr. RIDDLEBERGER (when his name was called). I am just informed that I was paired by agreement in my absence with the Senator from New Jersey [Mr. BLODGETT]. Therefore I shall decline to vote.

Mr. VEST (when his name was called). I have a general pair with the junior Senator from Kansas [Mr. PLUMB]. If he were present, I should vote "yea."

Mr. WALTHALL (when his name was called). I am paired generally with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. BLACKBURN. I am paired with the Senator from Nebraska [Mr. MANDERSON]. If he were present, I should vote "yea."

Mr. DAWES (after having voted in the negative). Has the Senator from North Carolina [Mr. RANSOM] voted?

The PRESIDENT *pro tempore*. He is not recorded.

Mr. DAWES. Then I withdraw my vote and stand paired with him. I should have voted "nay," and he would vote "yea" if present.

Mr. CULLOM. I have a general pair with the junior Senator from Delaware [Mr. GRAY]. I therefore withhold my vote. If at liberty to vote, I should vote "nay."

Mr. PASCO. I am paired with the Senator from Illinois [Mr. FARWELL]. If he were present, I should vote "yea."

Mr. DOLPH. Has the Senator from North Carolina [Mr. RANSOM] voted?

The PRESIDENT *pro tempore*. A pair has been announced with the Senator from North Carolina. He has not voted.

Mr. DOLPH. I announce a pair with that Senator.

The PRESIDENT *pro tempore*. The Senator from Massachusetts [Mr. DAWES] announced a pair with the Senator from North Carolina.

Mr. DAWES. I was requested a moment since to pair with him. If the Senator from Oregon has paired with him, let him so stand.

Mr. DOLPH. Then I vote "nay."

The PRESIDENT *pro tempore*. The Senator from Oregon will be recorded in the negative, the Senator from Massachusetts being paired with the Senator from North Carolina.

Mr. GIBSON. I am paired with the Senator from Colorado [Mr. TELLER].

Mr. EVARTS (after having voted in the negative). I ask if the Senator from Alabama [Mr. MORGAN] has voted?

The PRESIDENT *pro tempore*. He is not recorded.

Mr. EVARTS. I withdraw my vote. I am paired with him.

The PRESIDENT *pro tempore*. The Senator from New York withdraws his vote.

Mr. PASCO. I now vote "yea," the Senator from Illinois [Mr. FARWELL] having come in and voted.

Mr. CALL. I will transfer my pair with the Senator from Colorado [Mr. BOWEN] to the Senator from South Carolina [Mr. HAMPTON], and vote "yea."

Mr. BLAIR. I am paired with the senior Senator from Mississippi [Mr. GEORGE]. If he were present, I should vote "yea."

The result was announced—yeas 19, nays 21; as follows:

YEAS—19.

Bate,	Coke,	Jones of Arkansas,	Turpie,
Berry,	Colquitt,	McPherson,	Vance,
Blackburn,	Daniel,	Pasco,	Voorhees,
Call,	Gibson,	Payne,	Walthall.
Cockrell,	Harris,	Reagan,	

NAYS—21.

Aldrich,	Hawley,	Morrill,	Stewart,
Allison,	Hiscock,	Palmer,	Stockbridge,
Chace,	Hoar,	Platt,	Teller.
Dolph,	Ingalls,	Sawyer,	
Farwell,	Manderson,	Sherman,	
Frye,	Mitchell,	Spooner,	

ABSENT—36.

Beck,	Davis,	Hale,	Quay,
Blair,	Dawes,	Hampton,	Ransom,
Blodgett,	Edmunds,	Hearst,	Riddleberger,
Bowen,	Eustis,	Jones of Nevada,	Sabin,
Brown,	Evarts,	Kenna,	Saulsbury,
Butler,	Faulkner,	Morgan,	Stanford,
Cameron,	George,	Paddock,	Vest,
Chandler,	Gorman,	Plumb,	Wilson of Iowa,
Cullom,	Gray,	Pugh,	Wilson of Md.

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

149. Wheels, or parts thereof, made of iron or steel, and steel-tired wheels for railway purposes, whether wholly or partly finished, and iron or steel locomotive, car, or other railroad ties, or parts thereof, wholly or partly manufactured, 2½ cents per pound; and ingots, cogged ingots, blooms, or blanks for the same, without regard to the degree of manufacture, 1¾ cents per pound.

Mr. McPHERSON. I desire to be informed why it is that "ingots, cogged ingots, blooms, or blanks" for one purpose should bear a higher rate of duty than for another purpose. I find in paragraph 153 that steel ingots, cogged ingots, blooms, and slabs bear a duty of five-tenths of 1 cent per pound. Now, why should these ingots, cogged ingots, blooms, or blanks for car-wheels, without regard to the business or degree of manufacture—they may not be for manufacture into car-wheels at all, but come in in the ingot form—bear a duty of 1¾ cents per pound when for other purposes they bear quite a different duty? And how are you going to determine when an invoice of ingots or blooms comes to a custom-house for what purposes they are to be used? After a man has paid his duty and received his property, it would seem to me he would have a right to use that property for any purpose most conducive to his benefit; and why this inequality, so to speak, between the same quality and the same condition of manufacture for one purpose rather than for another purpose?

Again, with the perfection which this kind of industry has gained in this country, why is it that you require so much duty?

Mr. ALLISON. The Senator from New Jersey will see that this paragraph includes both iron and steel, and this class of ingots in many cases constitutes a special form. But the Senator is mistaken in saying that a discrimination is made as respects all these ingots. If he will turn to the paragraph relative to steel ingots having the value of 3 cents a pound and not above 4 cents per pound, the duty is 1.6 cents per pound; valued above 4 cents and not above 7 cents per pound, 1.6 per pound, and another class at 2 cents per pound, and so on. We propose a reduction of 45 per cent. on ingots from the present law, which we suppose, from the best investigation we could make of it, is a fair reduction.

Mr. McPHERSON. The Senator will take notice in this paragraph—

Wheels or parts thereof, made of iron or steel.

It is well known that for car-wheels to be lasting they can not be made of brittle iron. They must be made, and usually are made, of the simplest kind of soft and malleable iron, and then they are tired with a steel tire; and certainly unless the iron was of a soft nature it would not be possible to retain them on the wheel. I should certainly think that the duty proposed here, 2½ cents per pound, is far in excess of what there is any need to have it. It will be noticed that in all tires used in the country and wheels for all kinds of purposes, railroad wheels and other purposes, during the past year, the value of those imported was only $274,112, less than what a single railroad, very short in mileage at that, would require in its operations. It is now proposed to retain the duty at 2½ cents a pound; the existing rate of duty is to be imposed upon it.

I move to strike out, in line 560, the words "and one-half," so as to read "2 cents per pound;" and also, in line 563, I move to strike out "one and three-fourths" and insert "one and one-half." I have no objection to the vote being taken on both amendments together, and upon the question I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. DOLPH in the chair). The amendment of the Senator from New Jersey will be reported.

The SECRETARY. On line 560, page 109, after the word "two," it is proposed to strike out "and one-half;" and in line 563, after the word "and," to strike out "three-fourths" and insert "one-half;" so as to read:

149. Wheels, or parts thereof, made of iron or steel, and steel-tired wheels for railway purposes, whether wholly or partly finished, and iron or steel locomotive, car, or other railway tires, or parts thereof, wholly or partly manufactured, 2 cents per pound; and ingots, cogged ingots, blooms, or blanks for the same, without regard to the degree of manufacture, 1½ cents per pound.

The PRESIDING OFFICER. If there be no objection, the question will be put on both amendments together.

Mr. VEST. I simply want to call attention to one fact. This duty is put back from 2 cents per pound, where it is in the House bill, to 2½ cents as it is under the existing law on car-wheels. The exports for 1887 and 1888 of the first article, car-wheels, were as follows: In 1887 we exported $98,265 worth of car-wheels; in 1888, $108,282, or an increase of $10,017 worth for car-wheels of all sorts of material. There is no necessity, therefore, for maintaining this additional half cent tax. It should be stricken off and the duty reduced to 2 cents, as it is in the House bill.

Mr. ALDRICH. The Senators on the other side of the Chamber criticised the item which has just passed from the consideration of the Senate because there were no importations, and hence they said the rate was prohibitory. Under the paragraph now under consideration fixing the duty on car-wheels the importations in 1887 were 8,581,140 pounds, of the value of $274,112. It is undoubtedly true that some kinds of car-wheels, made from paper, I think, with steel tires, were exported, but the exports were but a small fraction of the importations under the present law at the present rate of duty, 2½ cents a pound; and therefore there is a sharp competition, even at the present rates, between foreign and American producers. Under those circumstances, and in view of the fact that the American producers have hard work to retain the market, the committee were unwilling to reduce the rate. They believed the rates fixed in the paragraph were just and fair.

Mr. HARRIS. Mr. President, I see that under existing law the ad valorem equivalent to the duty on car-wheels is 78.26 per cent., and it is retained at the same in the Senate substitute for the House bill. I find in the provisions of the House bill it is reduced to 62.61 per cent. In respect to these ingots the rate of duty under the law as it now stands is 101.22 per cent. It is slightly reduced by the substitute, but the ad valorem equivalent under the provisions of the substitute is 88.57 per cent., reduced by the provisions of the House bill to 75.92 per cent. Now, there can certainly be no revenue necessity for keeping up this high rate of duty upon this class of articles, and I have heard no one assert, and I doubt whether any one will assert, that a duty of 88.57 per cent. upon the one and over 78 per cent. upon the other can be absolutely necessary as a matter of protection to the labor that is engaged in the production of these articles in this country. It seems to me there can be no reason found, either in revenue necessity or upon the idea of protection, which can justify this high rate of taxation upon these articles of absolute necessity to the business of the country.

Mr. McPHERSON. The Senator from Tennessee will not have failed to observe during the discussion of this bill that the Senators on the other side of the Chamber have abandoned entirely any attempt to defend this tariff legislation upon the idea of protection to American labor. They have taken the broad, bold ground that the factory interests of this country shall be protected to the extent that they say is sufficient to enable them to compete with the foreign factories. I suppose, as a matter of course, labor is one of the ingredients that enter into the cost of articles; but certainly, when we have raised the question here as to the labor cost involved in all the articles upon this list, no answer can we get from that side of the Chamber with respect to that point. Labor seems to figure very lightly indeed in this discussion. It was the great interest that was concerned during the Presidential campaign which has just ended, but we hear nothing about it now. When we show that the tariff fixed upon certain articles is three times the entire labor cost of the articles, it has no influence whatever in causing a reduction of duty.

Mr. EDMUNDS. Mr. President, may I ask the Senator from New Jersey a question?

Mr. McPHERSON. Yes, sir.

Mr. EDMUNDS. I am hungry for light, and I am sure the Senator can give it to me if he will. Supposing a car-wheel (which I believe is the thing now under consideration) to weigh 300 pounds and to be worth $5, I would like to ask the Senator to tell me how much of that $5 and of that 300 pounds is really made up of the labor of the people who make the wheel, and how much of it is what is called raw material, although there is not any such thing in the world that comes to the use of man?

Mr. McPHERSON. I will not undertake to respond to the Senator's question by giving him a precise, definite answer as to how much of that car-wheel is labor. I know this, and I admit that the car-wheel is originally found in the ground. There is the iron ore, there is the limestone, there is the coal, all of which must be prepared at different stages of preparation. The wheel, in the end, means a great deal of labor, but here is an article that is manufactured into car-wheels that is to bear a duty of 2½ cents a pound, or something like $60 per ton. I do not think there is any preparation of that iron or any cost of its preparation, including labor and materials, in all the advanced stages of work between pig-iron, if you please, and the car-wheel, that justifies a duty of 2½ cents a pound upon the car-wheel. To do so is to simply make a prohibitory tariff upon the importation of the car-wheel.

Mr. EDMUNDS. Yes, Mr. President, a car-wheel, we will assume, weighs 300 pounds—I do not know what it weighs, but that is just as good for the purpose of finding out where we are as anything else—there are 300 pounds of iron. When that 300 pounds of iron was in the bosom of the earth, what does the Senator from New Jersey, and what do all that ilk whom I call English and French and Belgium traders (without meaning the slightest offense), who prefer to have things that are made somewhere else to those that are made at home, think the 300 pounds of iron in the bottom of the mountain in New Jersey or Pennsylvania or Alabama or Minnesota or Michigan or wherever was worth? There is your raw material in the heart of a mountain, and that 300 pounds now constituting a car-wheel was probably worth as a raw material in the bosom of the earth, untouched, three-tenths of 1 cent; you may call it 3 cents if you like, and then you get above its real worth. Everything that touches the price of that car-wheel in the market and that has made it worth what it is, whether it is at Amsterdam or at Leeds or on the northern boundary of Michigan or at Pittsburgh, is the labor of man and nothing else.

The pickax that digs out your iron from the bosom of that mountain has become a pickax by the labor of man. The powder that explodes your mine and opens it is the result of the labor of man; its ultimate raw value was almost nothing at all, the willow or the elder or whatever grew by the riverside. Why, then, do our distinguished British friends—I mean it in the kindest possible way, for we are all British in a certain sense—why do our foreign traders, our free-traders, talk so much about the fact that raw material is to come in free or under a very low rate of duty in order to promote industry, when they know that in every human sense there is not any such thing as raw material? The moment it leaves the bosom of its mountain or its mine or the forest it leaves it by force of the strong hands of intelligent or unintelligent men; and every implement that they use, and without which they could not get on at all, to get it out is again the result of labor. So if a car-wheel is worth so many dollars now, 99 per cent. of those dollars is the labor that somebody has put into it. Whether the just fruit of that labor is properly divided between the laborers and the men who employ laborers is quite another question, which no tariff can touch only as it touches in the sense that the more you bring in of a foreign article made somewhere else the less there will be made in the place to which you bring it. If all the people in Washington chose to buy their shoes in Baltimore, then the shoemakers of Washington, I take it, would not have anything to do; and that is the whole of the story.

Mr. McPHERSON. Mr. President, I suppose nobody takes issue with the Senator from Vermont upon the question that a great deal of labor is involved in the manufacture of a car-wheel, in the taking of the iron from the earth, and the other ingredients which go into the manufacture of a ton of iron. I never have disputed that fact. But the Senator will not fail to remember that after that iron has been mined from the earth and the iron ore has been mixed with the coal and the limestone and brought together and a ton of pig-iron has been manufactured, you put the protection upon that ton of pig-iron at $6.72.

Mr. HARRIS. On the ore itself?

Mr. McPHERSON. No; on the iron ore they impose a duty of 75 cents a ton, but on the pig-iron they impose a duty of $6.72, which they claim covers and which experience shows does cover the entire difference in the cost not only of labor but in the expensive plant required. Here are the smelting-works, the interest upon their cost, the transpor-

tation, if you please, from the different mining industries wherever they are located to bring the iron to some particular point where it can be manufactured. Now, it is proposed to impose a duty of 2½ cents a pound upon a car-wheel which is engaged in the transportation of our products. The Senator from Vermont seems to fail to remember that while we do impose a duty here which he and his party claim to be amply protective to the pig-iron, when you go to the different stages of manufacture you get in this bill away beyond the point that either capital or labor requires of protection. You impose in this very schedule a duty of 1¾ cents a pound upon ingots used for one purpose and in another schedule of the bill you impose a duty of five-tenths of 1 cent a pound on the same ingots used for a different purpose.

Now, as to the labor involved, I have heard a great deal about that, and I want to say that when you undertake to raise a duty to protect American labor in my opinion labor gets no part of the benefit at all. I claim, and I am ready to prove, and I shall prove, so far as statistics can prove it, that American labor in each and every one of these industries is as much better than foreign labor as the pay is better.

When you undertook to build up a tariff on the plea of protection to American labor, when you increased the duties, as you did in 1883, very largely upon some of the products, no sooner was the tariff bill passed than there was a reduction in wages in some of the industries of the country. Now, I want some Senator to tell me whether labor employed in any industry in this country ever got an increase of wages that was not secured through the Knights of Labor or some kindred labor organization demanding proper wages for those about them.

When you take the census of 1880, which I suppose is a fair statement—it ought to be, because it is a statement taken from the books of the factory-owners themselves as to the labor cost which enters into the manufacture of products—and when you find that the entire labor cost, for instance, in the woolen fabric is only 19 per cent., while the duty imposed in this bill upon some grades of woolens is 60 per cent., where does the difference go?

I am not disputing the fact stated by the Senator from Vermont that there is a vast amount of labor necessarily employed in bringing this iron out of the earth and getting it to a certain stage of manufacture, but I say that beyond that point the labor involved is very small indeed compared with what it is at an earlier stage of the manufacture. When you undertake with a pig of iron to manufacture something else from that iron, it is mostly done by machinery, and why the machinery in that factory should have a protective tariff of 100 per cent. imposed when the labor employed in getting the iron out of the ore receives a protection very much less than that is what I can not understand.

Mr. EDMUNDS. My distinguished friend from New Jersey made one remark which I think it is proper for me to take a little of the time of the Senate to answer—a very little, for I do not wish to occupy time in discussions over thread-bare subjects, but I would rather vote in order that the people may have the benefit of this bill at this session of Congress, and I do not intend to contribute so far as I am concerned to any of the discussions with the result, however our wishes may be, of having nothing done about the subject during this Congress. There is one particular point to which the Senator has referred which deserves a very brief reply, and that is his observation that there is really no difference between labor and its value in this country and in other countries, because the labor here is worth so much more as it produces so much more as to overcome the obvious and well-known difference in the actual tabulated price in general that exists between our country and the others.

So the Senator's argument is that labor is no better paid here than it is abroad, because our laborer produces so much more than the foreign laborer does, and so gets so much more price—piece-work, so to speak. I do not know whether that is true or not. I should hope it was, because I think American society, American institutions, and American atmosphere would stimulate even a foreign laborer to work with more skill and with greater industry and do more in a day than somebody does somewhere else. I hope it is so, and for this purpose I will take it to be so. Then let us assume, for the purpose of this present moment only, that the American laborer makes more for his employer for the money he gets than the foreigner does, and therefore that the real difference between the foreign price and the home price for labor is an imaginary one. Is it imaginary to the laborer himself? Will the Senator from New Jersey answer me that some day when he will not defeat the bill by answering it?

Look at the condition of the American laborer with the money he gets. If he does do more and earns more than his foreign brother laborer, what does he get for it? Go into his house in New England, or New Jersey, or Pennsylvania, or Alabama, or Michigan, or California, or anywhere else where free and intelligent and protected labor exists in this country, and then go through the similar laboring establishments and communities in Great Britain, or Germany, or France, or Austria, or Russia, or Spain if there be any there—and there are some—and compare their condition. The American laborer has a house, usually his own. He has a carpet on his floor instead of clay for the bottom of it. He has glass windows; he has a piano, or if not, an accordion or some musical instrument; he has his books; he has free schools for his children; he has paper on his walls; he has fresh meat every day if he wants it—I do not; he has butter, unless Chicago supplies him with something else—but he supposes he has butter; he has white bread; he has a place to go to church; he has everything that makes the comfort and welfare of the home. He has his vacations and his excursions. If he be honest and industrious and sober, he has everything that the richest man in America can have; and, in general, if you take all of what we call rich men in America, he is a great deal happier than they are; he sleeps better at night, and he is as well clothed, and his children and his wife are as well clothed as the richest man in America. He has everything that makes social happiness and social prosperity, if he only behaves himself and works intelligently to those ends.

Mr. VANCE. Mr. President——

Mr. EDMUNDS. If the Senator will just wait until I finish this little picture I will yield.

If you will go into the manufacturing districts or the rural districts of the best governed country of Europe to-day—Great Britain or France, there may be a difference of opinion as to the internal government of those two countries, they are both well managed—or the Netherlands or Germany and compare the same class of people (and they are just as high a class from my point of view as any, and I only speak of it as a name), if you will only see it with your own eyes I do not think you will stand up in the Senate, Mr. President—I must address you—I do not think you would stand up in the Senate and say that after all there is no difference between the outcome of prosperity to the European laborer and the American laborer under what are called these consumers' taxes of the tariff, the greatest falsehood that was ever perpetrated in political nomenclature that I know of. If any Senator has not seen that, he had better take the earliest opportunity, while a Republican administration is in, and go abroad and look for himself.

Mr. McPHERSON. Mr. President, the Senator from Vermont is not in the habit of wandering quite so far for material for his present use as he has done to-day. He need not have gone to Europe or any other country to have found an illustration of the argument that I undertook to make in the observation I just now made.

Certainly if labor receives only one-half the duty you impose in this bill as the entire labor cost of the product, there is some part of protection that labor does not get, is there not? If the entire labor-cost in the production of woolen goods is but 20 per cent. of the value and the duty is 50 per cent., who gets the balance between 20 and 50 per cent.?

The argument I have heard in the Senate Chamber and elsewhere is that the tariff is made to protect the wages of the American laborer. Certainly you do not expect to protect his wages except by a duty representing the difference between the cost of wages paid here and those paid abroad. If labor here in the woolen industries gets double the wages it gets abroad, then 20 per cent. would represent that duty, but the duty is 50 per cent. Now, will the Senator from Vermont or any other Senator tell me how labor is to get that extra 30 per cent. protection which you give to the manufacturer? Or does the Senator from Vermont tell us that when the laboring people of this country engaged in factories have got a certain amount of comfort and luxury, so to speak, out of the increase of wages, then is the time to quit, because they have got enough? Certainly if 10 or 20 per cent. helps them very much in the increase of their rates of wages, why not give them the whole of the 50 per cent. which the tariff imposes, and if it is a tariff imposed for no purpose in the world except to protect the wages of the American laborer, why not give it to him?

I should like to have some Senator tell me how the laboring man employed in that protected factory, protected at the rate of 50 per cent., is going to get that protection.

Mr. EDMUNDS. Does the Senator wish an answer now?

Mr. McPHERSON. I should like to get it just now.

Mr. EDMUNDS. It reminds me of an illustration I heard when I was a school-boy and I presume the Senator was—I am sure he was, only he was taught in the wrong school—about a ship. Every sailor weighed 150 pounds, and there were a good many auger holes to be bored into that ship to let in the water, and if you put in too many it would sink. Sailor number one said, "I only weigh 150 pounds and I do not object to any auger hole except one that will just let in the 150 pounds that will sink me, and you may therefore bore your auger holes in that ship to the number of each sailor if you only keep it to 150 pounds apiece, and we are all safe."

That illustrates perfectly the Senator's argument. The idea, supposing it to be true, which it is not in my belief, that labor only gets as its positive income from 50 per cent. tariff 25 of it, therefore the tariff ought to be reduced to 25 per cent., is just as sensible as the school-boy's ship story that I have stated to my honorable and distinguished friend; for if you put your tariff down to the point of 25 per cent. because that is exactly what the laborer gets, it enables the foreign manufacturer and the foreign starved and reduced and slave labor, as it really is, to send to this market just so much more of their productions; and I have not lived long enough yet to believe that if I am to have two pairs of boots, and that if I get one of them in London that pair of boots is not going to be made here. Every pair of boots that I wear that is made in London is not made by somebody in the United States, and by just that much the labor of the United States is deprived of the opportunity to make boots for me. Now multiply that by

sixty million on the subject of boots and shoes, and you will understand what I mean; and when you apply it to every one of the things in this whole list, the observation is of course true in exactly the same way.

If, then, you put your tariff down to what you call exactly that which the laborer gets in the combination between himself and the mine-owner, and the mill-owner, and the capital and everything—for they always ought to be friends and in combination, honest co-operation and combination as they generally are—the moment you put it down to that point, just that moment, if it does any good at all to have your free trade or your reduced tariff (and if it does not there is no use of talking about it at all), by that much just so many foreign-made goods come in, and for every hundred million dollars' worth that come and are consumed that hundred million dollars' worth do not come from our mines, our mills, and our labor, but from somebody else's, and therefore the laborer of the United States is deprived of the opportunity to earn his wages by just that much. So by this process of arithmetic and proportion you can starve the American laborer to death and say with a great Democratic flourish of trumpets, "We have given the laborer all the protection he is entitled to."

Mr. VANCE. Mr. President, I should like to ask my Chinese friend—and of course I mean that with perfect respect, for he is Chinese in his policy only of excluding the foreign trade—I should like to ask the Senator from Vermont if an American raised 2 bushels of wheat and sent them to London and bought a pair of boots, if these boots would not be made by American labor, and if he is interested in American labor, is he not interested in all kinds of American labor, or does he simply mean the labor which works in the factories in his country and not the labor that works in the fields and everywhere else outside of the protected employments?

Mr. EDMUNDS. I shall be most glad to answer the Senator.

I mean to protect the American wheat-producer and the Vermont corn and oats and barley and cheese and butter producer to the same extent and upon the same principle that I do the man who works in the factory, of whatever kind it may be, and the Vermont farmer understands that, and I think the North Carolina one will after awhile when we get to peanuts and a few things of that sort. The Vermont farmer understands—perhaps he is mistaken. and if my friend will come up there and teach us better we should like to have him do it—that if he can sell his wheat or his rye or his barley or his oats or his butter or his cheese or his pork or his bacon or his beef or whatever he raises to a man who lives within 5 miles of him and gets twice the price that he would after paying freight, etc., if he sent his butter and his cheese, etc., to Liverpool or London or Paris or wherever, and he pays once and a half as much as he would for the same thing if he got it from London—and then it would not wear half as long, as I have found out by experience—he is doing a good thing. The Vermont farmer knows that the protection of manufactures of everything that everybody makes or wears or uses or eats or drinks is for the universal benefit, and that it helps him as much as it does the very man upon whose car-wheels a tariff duty is imposed. That is the way we understand it.

Mr. VANCE. Mr. President, the statement of the Senator from Vermont is made with his usual ingenuity, but it lacks one or two essential elements. The price of that Vermont farmer's wheat, butter, etc., is fixed by the surplus in this country that goes to Liverpool, and he is compelled to sell at the free-trade prices of the world; or, on the other hand, when he comes to buy anything from the factories in that country he is compelled to buy in the restricted prices of this home market, this blessed home market, which is fenced in by this high protective wall.

If the farmer in Vermont can stand that and thinks he is improved by being compelled to sell his products in the open free-trade market in unrestricted competition with all similar articles grown all over the world, and is compelled to buy in return from his neighbor, because he is his neighbor, under the impression that his neighbor for his accommodation will eat a little more to encourage the home market and will surfeit himself to the point of losing his health in order to increase the capacity of the home market—I say if the Vermont farmer is satisfied with that, the North Carolina farmer is not, and it seems to me that nobody else who is blessed with a gift of good, hard, common sense would be satisfied with it.

Mr. EDMUNDS. That would be true, Mr. President, if it were true, but unhappily, so far as the Vermont farmer is concerned—I do not know how it is in North Carolina—it is not true.

Mr. VANCE. Is not the price of wheat in Vermont fixed by the price abroad?

Mr. EDMUNDS. Not by a long deal.

Mr. VANCE. You do not raise any, perhaps, but buy all you use.

Mr. EDMUNDS. Yes, we raise wheat and we raise corn and we raise a good many things, and we have got on without calling upon the National Government for any great aid in any direction so far, and we have got on in the belief that we are doing very well under what is called a protective tariff, and the higher the protection the better for us.

Mr. VEST. Would the Senator object to stating how much wheat his State raises?

Mr. EDMUNDS. I would not object if I knew. I do not know.

Mr. VEST. I think it is 300 or 400 bushels, possibly. I recollect Rhode Island raises about 200 bushels.

Mr. EDMUNDS. We will call it 400 bushels just for the fun of it, and I suppose that 400 bushels, unless it was rather rare, would not bring any greater price than if it were 400,000 bushels, as it has to compete with the free-trade markets of the world, as the Senator from North Carolina says.

Mr. VEST. You do not export any.

Mr. EDMUNDS. Of course we do not export any, because we have got a home market; and when the United States builds up its own industries of every kind so that it can consume all or nearly all of everything that every farmer produces, then so much the better for the United States, and by just so much as you bring in for consumption in this country foreign-made articles, by that much you diminish the consumption of the home-made articles, do you not, wheat included? And if you do not find somebody in the United States who can earn money to buy wheat, how is he going to be able to consume it? But if you give him employment, develop the boundless resources that Missouri much more than Vermont has in her natural gifts, employ the citizens of Missouri in making the things that their neighbors want, they will have earned the money to buy the wheat of the Missouri farmer, and they will grow and prosper as they have always under that system.

Mr. REAGAN. Mr. President, in what the Senator from Vermont presents there is mixed up a good deal of truth with a very great fallacy—a fallacy which has done a great deal to mislead the public mind on this very subject.

The Senator assumes as the basis of his argument, and one of the grounds of his support of this bill, that by encouraging domestic manufactures we furnish home markets for agricultural products.

If it were true that the country could consume manufactures to the extent of the value of the farm products, there might be reason in the argument presented by the Senator from Vermont; but when we remember that during the last year, after supplying the manufacturers and all other people who consume the farm products of this country, we exported to foreign markets five hundred and twenty-three million and some odd thousand dollars of farm products which could not be consumed in this country, and for which there was no market in this country, we shall see the fallacy of the argument which he presents.

It is true that as we build up manufacturing establishments it tends to that extent to furnish markets; but that is not the proposition of the Senator. It is that it does furnish the market, when we see by notorious and official facts that it only furnishes a market for a portion of the agricultural products of this country, and that the portion not so consumed gave 74½ per cent. of all the exports from this to foreign countries. Now, what are we to do with these exports? Build up more manufactories? Why, sir, by the high bonus given to manufactures through protective tariffs we have encouraged the investment of money in manufactures, and have encouraged the construction of machinery and manufacturing establishments to such an extent that they can not be run continuously, because they have to rely in the main upon the American market, as we have got things in such a condition under our tariff legislation that we can not command the markets of foreign countries, and, having to rely upon the markets of our own country, we have machinery enough and capital enough engaged in manufacturing to supply two such countries as this. The result is one of those evils that come from vicious and bad legislation, that this capital for a portion of the year must lie idle. This machinery must lie idle, and thousands of laborers engaged in these vocations after the market is stocked are deprived of labor and left to starve, or beg, or steal.

Mr. EDMUNDS. May I ask a question?

Mr. REAGAN. Certainly.

Mr. EDMUNDS. I should like to ask the Senator, then, what would be the advantage to the general interests if we are overproducing manufactured articles now so that they have to lie idle, to throw the doors wide open to bring in more manufactured articles of the same kind from foreign countries?

Mr. REAGAN. That turns the matter into a new subject that I will not now go into. I am not surprised that the Senator desires to get off the subject we are on to a new one, because the failure of the one he is on is a palpable, demonstrated failure, to which there is no answer.

If we get a tariff which will prohibit imports, which will exclude imports from our country, what are we to do with the five or six hundred million of surplus agricultural products that form the great body of the exports in this country? Are they to rot in the field? If so, that will not only beggar agriculture, but will bankrupt this country. These very agricultural exports give us our balance of trade, as it is called, which we have been enjoying for several years, and has given us that increase of surplus gold in the Treasury which has been accumulating from 1878 until now.

So there is no way of justifying a tariff simply on the ground that it will exclude foreign imports. A prohibitive tariff is one thing, a tariff that will protect domestic labor is another thing. If we desire to protect labor, you only want, as was suggested by one of the Senators on this side of the Chamber, to give such a rate of duty above the other elements of cost as will place the American product on an equal foot-

ing with the product of foreign countries. We do not stop at that, but we go on creating a system of monopolies. Not content with a single monopoly, we propose to make a monopoly—it is a monopoly in a sense; of course it is not in the hands of one person, but in the hands of several persons—a monopoly in every particular branch of manufacturing industry and a monopoly at the expense of the agricultural interest of this country, which employs much the larger part of the laboring people of this country, and employs nearly two billions of capital, a larger amount of capital than any other business unless it may be railroading, a larger number of laborers than any other business is to be placed at the mercy of the manufacturers in order that they may exclude imports and place the price of their manufactures at whatever figure they choose to make. That is the logic of it.

But, Mr. President, I think while we may demonstrate these things that it is idle to argue. It is clear that the Senators on the other side of the Chamber are as impervious to reason on this subject as the manufacturers, who are the beneficiaries of this vicious and bad legislation, who are the beneficiaries of the oppression that is made to rest upon the large majority of the American people, and which has rendered their vocation profitless and has placed it in such a position that none of the rising generation of young men will engage in agriculture if they can get any other employment, simply because it is taxed to death and to dishonor in order that that interest may be flagitiously plundered by the manufacturing interest. We may demonstrate these things, but however they may be demonstrated we can not hope to secure an amendment of this outrageous bill so as to reduce it to principles of justice and reason and fair dealing, and so I do not think it is very profitable to show the fallacies, the wrong, and injustice of such a measure.

Mr. JONES, of Arkansas. I should like to ask the Senator from Vermont a question for information about the position that I understood him to assume a few moments ago. I am not sure that I understood the effect of what he said, and so I would like to ask him a question for my own information. I understood him to say, in reply to a proposition of the Senator from New Jersey, that even admitting that the cost of labor in any given article was 25 per cent. and the tax on that article was 50 per cent., that would not be wrong within itself, the effect of which would be to declare that a system of tariff taxation which would fully compensate manufacturers for all the labor they employed and more besides would be justified in this system of Government in this country. Did the Senator mean to take that position? I simply ask for information.

Mr. EDMUNDS. I meant to state the very fact, as I think it was, that I did; but I did not mean to say and did not say and never intend to say, until I get a good deal more light or darkness than I have now, that it is a tariff taxation in the sense the Senator from Arkansas refers to it at all—far from it. The additional 25 per cent., as I undertook to illustrate (and I think that most gentlemen understood it, because nobody has attempted to answer the illustration), is not a wrong to the consumer or a burden upon him; but the point is to protect the home market, not only of the manufactured article, but of food, which is also a manufactured article, to be sure, of every kind that the people eat, except it may be raw lettuce or something of that kind; and then when you take the garden utensils and the labor of keeping your garden in order lettuce is a manufactured article. When you take the consumption of food, of the products of the farm, it is larger per capita in the United States than in any other country in the world. When you are protecting the work of the man who makes the articles that earn him the money to buy that food with, you are protecting the market of the food producer.

That is the way the farmers of Vermont understand it, and they think they understand it. If the farmers of Arkansas do not I am sorry for them, because the Senator must see, as the Senator from Texas has said or appeared to say (I do not know that he intended that result, but it was the necessary consequence of what he did say), the production of manufactured articles in this country is too great, and therefore the door ought to be opened to introduce the manufactured articles of other countries. If the production is too great and you introduce the manufactured articles of other countries, by just so much you diminish the manufacture of articles in this country and their consumption. If you want to do that we can understand it, and if it is for the benefit of the greatest interest in the United States, and that is the farming interest, so be it; but if it be to the detriment of that interest then it ought not to be done. I think it is to the detriment of that interest.

Mr. REAGAN. Will the Senator from Vermont permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Texas?

Mr. EDMUNDS. With great pleasure.

Mr. REAGAN. I did not mean to be understood as the Senator supposes I might have been understood, that I desired to provide for the introduction of foreign manufactures into this country. The view which I had was that I desired to prevent the adoption of a tariff which would enable domestic manufacturers not merely to sell their wares at a reasonable price, but to put several prices on them and compel other people to pay them.

Mr. EDMUNDS. Then the Senator does not wish to have Americans consume foreign articles except so far as to make home-made articles reasonable in price. Is that the proposition?

Mr. REAGAN. That would be about my view.

Mr. EDMUNDS. That is about the Senator's view. Very well; let us see where we stand now. The Senator then agrees that every foreign machine, and every foreign pair of boots, and every foreign pound of butter, and every foreign pound of cheese, and every foreign gallon of wine or whatever comes from abroad, every foreign yard of silk that comes in and is consumed here, displaces by so much the product of his own country in the hands of some citizen or citizens.

Mr. REAGAN. And I will add that it ought to do it, unless the holder or the maker of that product will sell it at a reasonable price.

Mr. EDMUNDS. Grant it for the sake of the argument, Mr. President, most decidedly. Now the question is, how is the home producer to get an unreasonable price? The Senator says it is a monopoly. What does he mean by a monopoly? Is there any grant by Congress or by the Legislature of any State to a particular set of men to produce to the exclusion of any or all other citizens any single commodity in this world or this continent? There is not except the patent laws, and I take it the tariff is not largely interested in the patents or the patents in the tariff.

Leaving out the patents for inventions, which the Constitution, made by the fathers, provided for—to be sure the fathers were very weak and ignorant men compared with those we have about us now—there is nothing within the United States, which embraces the best part of a continent, that one man may not engage in the production of just as well as another. There is no one place in the United States where any particular commodity or production can come to have a monopoly, because there are a thousand other places in the United States where the same mine, the same land, the same forest, the same water power, the same steam mill, the same genius, and the same industry can engage in it the moment there is a margin for the wife and the children and the old age to go into that business.

There is free trade in the United States and among the United States, and there always ought to be. With a boundless and inexhaustible resource of material, of industry, of skill, of capital, in every State, even those that have been made desolate in point of money for the time being—a very unfortunate occurrence—capital for any enterprise that will pay a margin to labor and to the capital invested (and capital is nothing but labor stored up, as the Senator knows perfectly well), is open to everybody. The possibility of a monopoly in the United States as between the owners of what is called the raw material, the mine, or the forest, or the earth, or the field, or the farm, or the shop, can not exist, and it does not exist, and it never will exist until the Government itself becomes a great monopoly, which I hope will never happen.

The consequence is—and there is no evading it or dodging it—that every effort of our friends on the other side to stimulate and increase the importations of things to be consumed in this country by its people (and that is the point of cutting down your duties; otherwise we are talking about nothing at all; clearly we are talking about nothing if that is not the point), is an effort to diminish by so much the things that the people of this country produce, and that applies as well to the farm as it does to the shop.

Mr. REAGAN. Mr. President, I desire to say one word in addition to what I have said, and in response to the position just assumed by the Senator from Vermont, which is that there can be no monopoly in manufactures in this country because the privilege is open to all people in all parts of the country to engage in them. While theoretically that may be true, is it practically true? Already under the influence of high protection the manufacturing capital has been concentrated in a particular part of the country. Now that levies tribute upon the other parts of the country to the average rate of 47 per cent. on such articles as are taxed imports. How is the West, how is the South to engage in manufacturing and compete with old establishments? How are they to get capital to do this when a tribute is levied upon them of 47 per cent. on all they purchase of such articles as are taxed imports? Their substance is drained. There is no possibility of their accumulating capital for such a purpose.

It is that very fact which renders it impossible—not impossible, but impracticable—to establish and carry on manufacturing establishments in the West and South, where the people are taxed to support Eastern manufacturers, while the plants already established in the East and the wealth accumulated there enable them to go forward with their business, and where they have experts in the various branches of manufacturing industry.

If the burden was reversed, if by some possible law we could tax the East, the manufacturing States, for the next ten years from 30 to 50 per cent. of their purchases and transfer that capital to the West and South then we could manufacture all over the West and South. But we can not do that when we are unable to accumulate capital because of a system wisely and intentionally devised to draw away from the people of those portions of the country their surplus capital.

Mr. EDMUNDS. May I ask the Senator a question?

Mr. REAGAN. In one moment. That very system is shown from official reports to have created the vast increase of the wealth of the manufacturing States as compared with the agricultural States, and

not only the increase of wealth in their own States, but the immense amount of property which they own in the non-manufacturing States, including the hundreds of millions of dollars for which Western and Southern farms are mortgaged under a policy which plunders them for the benefit of the manufacturing interests. Now I will be glad to hear the Senator.

Mr. EDMUNDS. The Senator has referred to the manufacturing capital and influence of the East. I should like to ask him if he is not aware, as statisticians and philosophers of social progress would put it, that the center of the manufacturing industry in the United States now is west of the Alleghany Mountains.

Mr. REAGAN. If it is, it is news to me.

Mr. EDMUNDS. It is. And then I should like to ask the Senator on the subject——

Mr. REAGAN. It is in what? In the woolen manufacture? In the cotton manufacture? It is possible that the iron manufacture may be nearly as great, but I have not understood that even the iron manufactures are near as great in the West as east of the Alleghanies.

Mr. EDMUNDS. If my friend from Texas, who I know is perfectly sincere and to whom I always listen with the greatest pleasure, will pardon me for a moment in interruption, I wish to tell him, what I am informed from some study and examination and from true sources of evidence is true, that there is not any East, that there is not any West on the subject of manufactures, and that there is almost not any South. There was a great difference between the South and the North in that, for the reason that the South stuck to the delusion, if my friend will pardon me, as I think it is that he is laboring under, and only wanted to cultivate what they thought was the agricultural benefit of their country and did not engage in manufactures. Although they had the material under their own feet and within the reach of their arms they chose to trade abroad with their king, cotton, until they reduced themselves to the condition the Senator says, that the capital is not there.

But suppose it is not there, for a moment, Mr. President. In this United States, if we are one country and one people, as I believe we are, or are going to be very soon, capital in one part of the country goes where it can find the most profitable employment. I suppose in the last ten years in the Southern States (and I only speak of them now in point of mere geography as the body of States that pursued a different policy heretofore in regard to manufactures), the capital in the last ten years in those States has come very largely in its investment in manufactures and productions and enterprises for social welfare and development from the North and from the East. But what of it? If the people of the South did not want capital, if they did not want their lumber cut up, if they did not want their railroads built, if they did not want their iron establishments built up at Atlanta, their cotton at Augusta, and their iron at Birmingham, the States could have refused to grant charters of incorporation, as I suppose they mostly have. If they did not want to do that sort of thing they could freeze them out; but they do want it.

If there is any advantage in New England, or Pennsylvania, or Iowa, or Illinois, or California in developing every kind of industry in the State, there is a similar advantage in Texas, and in Louisiana, and in Alabama; and all the money is as free to go from one part of the country to another as in Vermont where there was an opportunity to develop production and industry.

I am surprised to hear my friend, whom I so much respect, allude, as if it were an injurious or a censorious thing, to the fact that capital has accumulated in the North and East and has not accumulated in the South, when it is so ready to go there to help build it up.

Mr. REAGAN. I agree with the proposition of the Senator from Vermont that capital will go wherever it is best rewarded. That is a law of trade, a law of commerce which we all understand. But when it is restrained and controlled by laws which transfer it without price and without consideration from some classes of people to others, and from some parts of the country to others, the law which the Senator refers to has no application, or very little application. He leaves out of sight the great difficulty which I presented, that we are operating under a system which is transferring by the hundred millions of dollars a year the capital from some parts of the country to other parts.

The Senator refers to the fact that a system prevailed in a portion of the States which was unfriendly to manufactures. I think it was the misfortune of that portion of the country that the Senator's statement is true; that there was a time when agriculture commanded most attention, and when manufactures did not command the degree of attention that a wise system of political economy called for. That day, I am gratified to say, has passed, and now what we want, in order to enable us to manufacture, is to have an equal and fair chance and reasonable means of starting in the world, and not to have the surplus capital of that portion of the country year by year drawn away from the people and concentrated where the manufacturing interest prevails.

I must repeat that I would always question with a great deal of hesitancy any matter of fact stated by the Senator on account of knowing his careful methods of investigating everything, but it is news to me, it is somewhat singular news to me, that the center of the manufactures of this country is to be found west of the Alleghanies. I know of no single branch of manufacturing industry that I think of at this time that, so far as my information goes, has its center west of the Alleghanies.

Mr. VANCE. Mr. President, in the colloquy between the Senator from Vermont and myself a few moments ago he denied that the price of the farmers' products was fixed by the price which obtained abroad. I desire to offer him some good Republican authority upon that subject. I desire to offer him the authority of the chairman of the subcommittee, who has this bill in charge, the distinguished Senator from Iowa [Mr. ALLISON]. I read from a speech of his delivered in the House of Representatives.

Mr. EDMUNDS. In what year?

Mr. VANCE. In the year 1870. The time being the essence of the argument, I suppose the "statute of lamentations" will be pleaded upon him. [Laughter.] Said the Senator from Iowa:

> What is true of wheat is equally true of other grains. Therefore the farmer has practically no protection at all, and whatever benefit he derives is from what the home market furnishes for home products. Unfortunately for the farmer the market price of wheat is fixed by the price which the surplus will bring abroad, or the price of wheat in London or Liverpool. At that market, where the surplus is sold, and which fixes the value of the whole crop, he comes in competition with the grain produced in the Crimea, in Hungary, and in the region of the Baltic, from fields cultivated by what is known, in comparison with our own, as pauper labor.
>
> But I am told we must so legislate as to furnish a home market for all our agricultural products, and this can only be done by high tariff. Any one examining the subject will see that our agricultural products increase more rapidly than our population, so that if we do not export these products in their natural condition we must do so by converting them into manufactured articles and export these articles. But this can not be done under a high tariff, for all nations will buy manufactured products where they are the cheapest, and the nation selling the cheapest will control the market. This rule excludes our highly-taxed manufactures made from highly-taxed materials from the markets of the world, although we have natural advantages possessed by no other nation.

So it would seem, Mr. President, that if it was a heresy of mine I am in tolerably respectable company when I am in company with the distinguished chairman of the subcommittee who has this bill in charge. He says that any one examining the subject will be forced to come to the conclusion which he has arrived at. Therefore, I take it for granted that the Senator from Iowa believes that the Senator from Vermont has not examined this subject, and until he does examine it with a view to elicit the truth, I would advise him to hold his peace.

Mr. EDMUNDS. On that challenge, Mr. President, I shall not hold my peace, for the Senator is wrong.

The Senator has gone back eighteen years (and I wonder he did not go back a hundred to find somebody who had said something of the sort a hundred years ago) to quote the Senator from Iowa as proving that at the present time the home market for farm products in the vicinity where they are raised is governed by the prices of farm products in London or Liverpool.

Perhaps the Senator from Iowa was right at that time and perhaps he was wrong. It is very rare that he has been wrong since I have had the pleasure to know him, but I think that is one of the times when possibly he was. But whether right or wrong then, I wish the Senator from North Carolina would show us the statistics of the price of sweet potatoes, for instance, in North Carolina, or tobacco, or whatever North Carolina raises, to the consumer in the cities and towns in North Carolina, and the prices that they bore to the consumer in the cities and towns in Great Britain.

I know from my own individual experience what I pay; and this case may be like that of the blind man who was made to see, as it was stated in the Scripture; and when the Pharisees or whoever stated to him that it was impossible on logic or what somebody had said among the prophets before, he replied, "I was blind and now I see." My own experience is, from personal knowledge, that the price I pay as a consumer in the rural and agricutural State of Vermont (and substantially it is nothing else, quite as much so as North Carolina) for the articles that I consume in my family is not regulated at all by the Liverpool and the London price, but is a great deal more; and it is a great deal more in the same sense that an English manufacturer of 10,000 tons of steel finding that the English market will not take the last 1,000 tons sends it to New York and sells it for the cost of its production merely to get rid of it, as a merchant in a country store sells the last year's remnant for half what it cost him; and he makes money by that. That is what I find. When I pay 30 cents a pound for good butter at Burlington, Vt., I find that what is called good butter in the Liverpool and London markets sells for 25 or 20 cents, or whatever it may be; and so on with everything.

But however that may be, Mr. President, on the theory of my distinguished friend from North Carolina there is no escaping from the point that our friends on the other side are so careful never to reply to or allude to, that by just so much as you can stimulate the consumption among sixty million people of the things that the sixty million people as farmers raise, the nearer home it is sold the less the cost of transportation, and the more money you can furnish to the consumer, the laboring man in the factory or the shop, or on the railroad, or in the store, or wherever else to buy it with, the more he will buy and the higher price he will pay. Our Democratic friends are amazingly shy of saying anything about that.

Mr. VANCE. Perhaps the Senator from Vermont was talking of one

thing while I was thinking of another. My comparison of prices did not refer to the produce of a kitchen garden or the perishable vegetables which are used from day to day, but to the staple articles which bear transportation abroad.

The Senator asks me to give him something from North Carolina the price of which is regulated by the foreign quotations. I beg leave to say to him that sweet potatoes, to which he alluded, are, I believe, an article that does not bear transportation. They are so perishable in their nature that I do not know of a bushel of sweet potatoes having been transported across the ocean for sale. But we raise 400,000 bales of cotton; and I can say to the Senator that I have seen the operations of the cotton dealers in most of the towns of North Carolina, and they are the same in all, and that every morning regularly the cotton dealer receives from New York the Liverpool quotations of cotton, and those quotations regulate his purchases for the day.

Mr. EDMUNDS. May I ask the Senator a question right there?

Mr. VANCE. Certainly.

Mr. EDMUNDS. Suppose the Senator had his way and had absolute free trade, or a mild and bland free trade, or whatever you call it, where does he think the market would be that would regulate the price of cotton then?

Mr. VANCE. I should like to retort to the Senator from Vermont in the fashion of his country and answer his question by asking him another. Suppose we were to carry out his idea and forbid all foreign trade and make it a crime and a penitentiary offense to exchange with or to buy anything from a foreigner, where would he derive money to support the Government?

Mr. EDMUNDS. I shall be very glad to answer the Senator's question, even before he answers mine, because I see he does not wish to answer it.

Mr. VANCE. I will attend to my friend's question later in the day.

Mr. EDMUNDS. Yes, a good deal later, I am afraid. [Laughter.]

In the first place, the case that the Senator supposes does not exist, and never will. I am not proposing any law against importations or exportations. But if we had an absolute prohibitory law against the importation of any article into the United States whatever, you have a continent and that continent would furnish the means of consumption and of production just in as large a degree as it does now. I beg the Senator not to understand that I am for that at this present moment or will be for a considerable time to come, because the laws of nature, if we can get the ill-nature of the Democratic party out of the way, will bring it around even in a little while, and within fifty years the continent in this country composed of the United States of America will regulate the prices of everything in the world, because they will have developed their own productions by their own home markets and their own home industries and their own farms and their own wealth in such a way that they will be the masters of the situation, as every free country like ours ought to be.

Mr. VANCE. Mr. President, I confess I do not understand the Senator from Vermont. He says he has been arguing all the time to show how injurious any importations were, and that an importation to any extent of a given article displaces to that extent the manufactured article at home and to the public injury. Therefore is he not necessarily and argumentatively in favor of preventing that which operates to the public injury? Is he not in favor of stopping everything that is imported by placing a condition so that it can not come in? It seems so to me.

If the Senator will have the kindness to ask his question again, as it has escaped me, I will try to answer him before it is protested.

Mr. EDMUNDS. I do not know but that the question has escaped the Senator, but I thought the Senator wished to escape the question. [Laughter.] It is a little different way of putting it.

My question was: Suppose we had the free trade my honorable friend believes in, where would be the ruling market of cotton if we were to abolish all the customs laws to-day? Would it be in New York, or Wilmington, or Charleston, or Savannah, or would it be Liverpool, just as it is now?

Mr. VANCE. It would be in Liverpool, just as it is now, until New York became the great commercial center of the world, as London is now, and then we should make those quotations for ourselves.

Mr. EDMUNDS. Then a change in the tariff would not help us on that point.

Mr. VANCE. What I object to in the position of the Senator and his associates on that side is that whether free trade is right or wrong, or whether protection is right or wrong, it is certainly wrong and unjust to compel one class of his fellow-citizens to submit to free trade for their articles which they have to sell and to submit to a restrictive market for all which they have to buy. We must either have free trade that will go all around, or we must have protection that will go all around, if you want to be just and do right by all classes of our people. So it seems to me that in either event the logic of the position is against the Senator and his side of the question.

Mr. EDMUNDS. I did not mean to weary the Senate with continuing this discussion so long, but on the very point my friend from North Carolina has just alluded to, of equality, to which I entirely agree, I should like to ask him what his views are on the subject of a tariff on rice, for illustration?

Mr. VANCE. Does the Senator want an answer now?

Mr. EDMUNDS. Yes.

Mr. VANCE. I would let rice share the fate of every other article in the country. If there was universal free trade, rice would be free. If there was protection, rice should come in for its share. That is equality all around, is it not?

Mr. EDMUNDS. That I agree to entirely, but while the gentlemen on this side of the Chamber will vote for a due and full protection for rice, I am very much afraid that my honorable friend will vote against nearly every other article but rice.

Mr. VANCE. Perhaps the Senator's honorable friend will show him what he will do with respect to getting over the bridge when we arrive at the bridge. The question is now, I arraign you and that side of the Chamber, as avowed by the policy of this bill and by the argument you make upon this floor, with the intention of forcing one class of the community to submit to an injustice and a hardship which the other is not compelled to submit to. As was explained here the other day, to illustrate what I mean, it is impossible by any kind of affirmative legislation to encourage the industry engaged in the production of cotton, but you can encourage that industry by withholding some of the taxes which are imposed upon the ties that bind the cotton baled for market; but the Senator and his party to a man voted squarely against any relief upon that portion of the production of cotton.

Mr. EDMUNDS. Mr. President——

The PRESIDENT *pro tempore*. Does the Senator from North Carolina yield?

Mr. VANCE. Certainly.

Mr. EDMUNDS. I thought my honorable friend had finished.

Mr. VANCE. I have no doubt the Senator hoped so. [Laughter.]

Mr. EDMUNDS. I rather think I do. [Laughter.] I must justify myself to my distinguished friend from North Carolina on the cotton-tie question, although that is not one of the ties that bind all our harmonious and homogeneous country together, I hope. I voted against the reduction on cotton-ties upon the ground that I believed (and I think human experience has demonstrated it to be true in general as it regards other matters), if we put cotton-ties on the free-list the cotton-raiser in the State of North Carolina and every other State where cotton is raised and baled would have to pay just as much for his cotton-ties as he did before; and in a short time, when it was made apparent to the foreign makers of cotton-ties that the policy of the United States was not to have that sort of thing made in this country at all, the price would rise; and I intended to save the cotton-raiser from himself.

Mr. VANCE. So the Senator voted then in the interest of the farmer?

Mr. EDMUNDS. I did.

Mr. VANCE. To keep the price as low as possible by putting the duty as high as possible?

Mr. EDMUNDS. That is it.

Mr. VANCE. That is it. [Laughter.] That is the argument, sir. That is the politico-economical chestnut that I have heard for the last forty years, and which I expect to continue to hear so long as it is necessary in the interests of the manufacturing classes to maintain the advantage which unfortunately they have.

Mr. EDMUNDS. The prices of all home-made articles, the more they were protected, so as to stimulate and encourage production, have gradually and regularly fallen; and wherever you put the monopoly into the hands of the foreign producer that monopoly will raise the price as fast as it can, which is perfectly natural.

We have so long followed the delusion which was stated in the President's message very broadly and fairly a year ago, that the customs duty is a tax upon the consumer, that I suppose some gentlemen on the other side of the Chamber really believe it; and yet our experience has been, account for it as you may, the hard fact has been that in the most prominent instances where we have put foreign articles upon the free-list the consumer substantially has not gained by it at all.

Mr. VANCE. Quinine, for instance?

Mr. EDMUNDS. Yes, quinine, for instance. I am quite ready to discuss the question of quinine with the Senator, if he likes, but I will take a thing that he is more familiar with, as he is evidently not a malarial subject and drinks more coffee than he takes quinine. We took what is called the tax on the consumer (it is stated so in the President's message) off of coffee about the year 1870, about the time of the speech of the honorable Senator from Iowa to which the Senator from North Carolina has alluded. We first reduced it 3 cents on the pound, from 5 cents to 2 cents. From Brazil comes, I suppose, six-tenths of all the coffee that is consumed by the people of the United States. The American minister at Rio immediately informed the State Department and the President of the United States and his country officially that the price of coffee rose in Brazil accordingly, and the price, if the Senator will look at the price-lists in the New York markets and in the retail markets all over the country, did not diminish a bit. Two or three years afterwards we put coffee on the free-list entirely. Again the price of coffee rose in the foreign markets just in proportion, and the American consumer paid just what he did before, and the Treasury

of the United States was out about $10,000,000 a year that went to pay the taxes, if you call them that, the expenses of the Government, the burdens of the people; and the people got no benefit from it, but the foreigner did.

You can account for that by all sorts of reasoning. I know some gentlemen who are very astute at reasoning, and some of them are within my eye now, who will say it was this reason and that; it was in the hands of a syndicate and all that; but the simple and the hard truth remains, and there is no getting away from it, that when coffee was first reduced in customs duties to 2 cents a pound, and then put on the free-list three years afterwards, the American consumer continued to pay what he did before, or more, not for that reason, but according to general production, etc., and the Treasury of the United States whose money was to pay the expenses of the people of the United States was out of pocket just that much. Now, you may argue, you may reason, you may theorize, you may account for it, but there is the fact.

Mr. VANCE. Does not the Senator know that Brazil immediately put an export duty on coffee?

Mr. EDMUNDS. Exactly the reverse.

Mr. VANCE. I think the Senator ought to have stated that.

Mr. EDMUNDS. I ought to have stated it if it had been true, but it was not true.

Mr. VANCE. Does the Senator say that Brazil did not put an export duty upon it?

Mr. EDMUNDS. They did not.

Mr. VANCE. Then why has the Senator submitted to see people pay an enhanced price for coffee for eighteen years and deprived the Treasury of all that revenue for all this time?

Mr. EDMUNDS. I am very sorry that I have, but I could not help it. There were too many people on the other side.

Mr. VANCE. The Senator has never tried to help it.

Mr. EDMUNDS. I ought to state that the Senator should look at the reports in the State Department on this subject of the export duty. It would not help us out of it a bit if it were true, because the American consumer did not gain anything and the Treasury lost; but the truth was, as it appears from the official records in the State Department (and I have copies of them downstairs so that I know exactly, or I think I do, what I am talking about), that when our duty upon coffee was reduced to 2 cents a pound the Brazilian export taxed us so much, I have forgotten how much, call it 1 cent a pound, if you please. It was not changed in any particular. When coffee was put on the free-list it remained the same. It has remained the same ever since unless it may be within a year or two; I do not know how that is, but it has remained the same ever since for all practical purposes except that in one instance it has been reduced instead of increased, and the Senator will find in the official records of the Government, most of them in print, and in the documents within our reach now, that fact.

Mr. VANCE. Yet it seems that the Senator and his party associates have submitted to this imposition of increased price of coffee upon the people for eighteen years, and this deprivation of the money in the Treasury for the same length of time, simply because the imposition of that much revenue on an article that would not compete with anything in this country would, perhaps, furnish some excuse for taking down the revenue on those articles which did compete. That is the argument of his party, that those things which are not produced in this country must all be made free and the duty must be imposed upon those things which are produced in this country.

Mr. EDMUNDS. That is not the argument at all, Mr. President.

Mr. VANCE. That is the argument of the Senator's associates, at all events, now right within his hearing. The Senator from Ohio [Mr. SHERMAN] enunciated that doctrine not six months ago in this Chamber, and it has been again and again proclaimed to be the doctrine of the Republican party.

Mr. EDMUNDS. Oh, no; the Senator from Ohio, as I understood him, has announced no such doctrine. But the Senator from North Carolina has escaped from his "tariff-for-revenue" argument and from his free-trade argument by going into a reproach of the Republican party for taking off the duty from coffee because it did not benefit the consumer and did injure the Treasury. However, the Republican party did not do it. It was done by universal consent, following the delusion that the Senator from North Carolina, with great respect to him, is, I think, still laboring under, that every dollar of a customs duty imposed upon an imported article is a tax upon the consumer.

That turned out in respect of millions of dollars and a commodity of enormous consumption by everybody, to be untrue; and you may follow it through. The reciprocity treaty with Canada of 1854, made in good Democratic times, put a great variety of Canadian products, all of them in fact of that country, upon the free-list, and I have yet to see it stated, much less proved, even as to lumber, the greatest possible of Canadian importations into the United States, that the consumer of lumber on the plains of Kansas or Iowa got his lumber any cheaper; and when in 1865 that treaty expired and the Canadian products were again put upon the dutiable-list, the price did not rise.

So you may go on through all the great mass of experience. There are some apparent exceptions, though they are not real ones. There are apparently some exceptions to that rule, but in the main it may be safely stated that so far as the consumer in the United States is concerned the imposition or the taking off of a customs duty does not affect him. It affects the profit of the foreign producer and importer more or less, and the consumer's price rises or falls according to the general bulk of supply and the general quantity of demand. Just as in the case of any farm in North Carolina or Vermont, if the tax on whatever it happens to be that falls upon a farm in one year is greater or less, the price of the farmer's potatoes, his corn, his wheat, his oxen, his horses, whatever he has to sell does not rise or fall according to the tax that is imposed on his land or upon his personal property, but it rises or falls upon entirely different principles, and the tax merely diminishes his profit as it is increased.

Mr. VANCE. I thought before the Senator concluded he would relieve the impression his remarks made that I was complaining that there was no duty upon coffee. I certainly said no such thing, and he will see that one of his remarks was so framed as to convey that impression. He himself said that relieving coffee of duty had increased the price and had deprived the Treasury of a great amount of revenue.

Mr. EDMUNDS. No, I did not say it had increased the price. I said the price was increased, but it was not increased on account of taking off the tax.

Mr. VANCE. Very well; the Senator said the price was increased after taking off the tax; that the price went up, the consumer was damaged, and the Treasury was damaged by the loss of revenue. I ask him why he and his friends, if that were the case, had not restored the duty upon coffee, and in reply to that he says I complain that we have not put the duty upon coffee, that I want coffee taxed, etc.

Now, sir, I shall take my seat, declining to go into any further discussion when it comes to the point which seems to be asserted here, that the whole object of these manufacturers in respect of these duties upon every object of human consumption and of human necessity is simply to cheapen the article for the benefit of the consumer. When the argument assumes that form it is time that a man who has any desire to protect his reputation for logic should be silent.

Mr. VEST. Mr. President, the Senator from Vermont [Mr. EDMUNDS] in an article published, I think in the Forum, some time ago selected coffee as an illustration of the fact that removing the duty did not cheapen the article imported into this country. I undertake to say, and I will prove it by the statistics, that coffee is an exception to the rule, that the imposition of a duty does increase the price to the consumer. Coffee is the most speculative article known to the commercial world. It fell last week in New York sixty points in a single hour, and it regained forty points in a single hour on the day succeeding.

Coffee for years has been under the control of a Portuguese syndicate, a syndicate that has controlled absolutely the price of coffee to the entire world. But a few years ago a citizen of New York was called the coffee king, and he controlled for a number of years the market of the United States. It is the only single article that the Senator from Vermont could have found, and I assert it emphatically, as to which he could have made the statement he made here to-day, that when the duty was taken off the price remained the same or increased to the consumer. The reason why the price remained the same (for I have examined this question) was simply owing to the fact that it was controlled by a Portuguese syndicate. The large proportion of our coffee product, more than six-tenths of the entire amount of coffee consumed in the United States, comes from Brazil; and a few rich Portuguese merchants at Rio Janeiro control that market. The product of the coffee plantations fixes the price together with the manipulations of this syndicate, and it is no fair test of the rule announced by the Senator from Vermont.

I will take the article of tea, which is not under the control of a syndicate, in which there is a great competition among the Chinese merchants and among the importers. When the duty was taken off tea it responded absolutely in the market and became that much cheaper to the consumer.

Mr. EDMUNDS. If the Senator will pardon me——

Mr. VEST. Certainly.

Mr. EDMUNDS. I wish to state to him, with great respect, that I think he is wholly mistaken on the subject of tea.

Mr. VEST. We will settle that point.

Mr. EDMUNDS. In the article to which the Senator refers, which was not written without a belief on my part that it was true, the price-lists of the chief commercial paper in the city of New York were taken six months before the duty was taken off and six months afterwards, and I submit with great respect, if my recollection is right, those prices did not show that they had responded substantially at all to putting tea on the free-list.

Mr. VEST. That is a question of fact, about which I have no idea but that the Senator from Vermont thinks he is correct, and I am very certain that I am. I have had occasion to examine this question very recently as well as more than a year ago, and I have the highest authority from the coffee merchants and importers in the city of New York and tables prepared from the most recent publications, and I assert here now, and I will prove it or else I will stand convicted of having made a misstatement that tea did respond almost exactly to the

removal of the duty. But coffee did not; and I repeat that coffee is the only article in the commercial world that the Senator from Vermont could have made the basis of the article which he published in the Forum.

I do not want to go back into the arguments of the canvass, because they ought to be familiar to the entire American public; but the Senator from Vermont, with an enthusiasm which I had not expected, enters again into these arguments and asserts here to-day that the difference between labor in the United States and abroad is caused by the tariff. His position amounts to that or it amounts to nothing. He has drawn here an eloquent picture of the condition of the pauper labor of Europe and then of the sweet, comfortable domestic life of the American workingman.

Mr. President, that is as old as the hills that surround this Capitol. When Mr. Jefferson was minister to France he went *incognito* through the countries of Europe, and the Senator from Vermont is familiar with the picture he drew then of the condition of the peasantry of Europe, when he described a peasant with meat only once a week, living upon 3 cents a day, the women working in the fields, and all this thing which has been rehashed time and again in every canvass by Republican orators and high-protection statesmen.

But the question, and the salient point, is, did the tariff produce this condition of things, or did free trade produce it? Did the tariff produce the comfort in the home of the workingman in this country and did free trade produce pauperism in Europe? That is the salient point.

You come here to us with a bill increasing taxation; increasing tariff duties I will say, if you do not like the word "taxation." We demand of you the reason why we are to increase this protective duty. Your answer to us is, "In the name of American labor; to bring these comforts to the workingmen of the United States." Then you say, "Look at Europe. Look at the pauperism of Europe. Look at the women working in the fields," as was said in another branch of Congress, "absolutely without virtue, on account of the industrial system under which they live."

I happen to have by the merest accident before me a statement almost as eloquent and possibly more exact than that of the Senator from Vermont, from a very distinguished Republican and high-protectionist orator, Mr. Robert P. Porter, and I ask the Secretary to read the part marked, relating to Belgium.

The Secretary read as follows:

The men are paid every two weeks. Zinc rollers earn about 96 cents per day of ten hours, makers of "lozengers" for roofing tiles, from 78 cents to 96 cents per day. The laborers and miners earn the same as this class of labor in other industries, namely, from 50 to 62½ cents per day. As in the case of Seraing, many of the workmen reside 10 or 15 miles away from the works and come for the week, bringing their food with them. Saturday nights, both in Belgium and across the border in Prussia, you see hundreds of these workers streaming along the shaded roads towards their homes. Monday morning, long before sunrise, they return, loaded with their week's provisions, which consist of two large loaves, a piece of bacon or sausages, and eggs. Potatoes and onions they buy in the vicinity of the works. The Belgium workman lives principally upon rye bread, fat, and vegetables. Fresh meat to him is a luxury only to be thought of on special occasions. Sugar, milk, and cheese are also luxuries. They drink prodigious quantities of bad rye brandy, which is very cheap. He wears, generally, trousers of cotton check, a red flannel shirt, over which is a cloth shirt, and which joined to an ordinary vest forms a kind of sleeved waistcoat, which serves for a working costume. He wears overalls to go to the shop or factory in. Wooden shoes are almost universally worn, costing from 60 to 80 centimes a pair (12½ to 15 cents). They generally have a best suit for Sundays and feast days. Of underneath garments both male and female workers are almost absolutely destitute, and they rarely change frequently enough for decency.

Mr. VEST. This was in Belgium, but on another page of that pamphlet there is a description of the workingmen of Germany, which is even more appalling than that which has been read. Belgium is a free-trade country and Germany is the most highly protected country, except one, in Europe. Why is it, if the tariff produces this sort of destitution, that Germany does not have the comfortable homes that we have in the United States? Why is it that England with free trade is to-day threatened with the pauper labor of Belgium? What is the reason, if the tariff produces that state of things that taking free trade Belgium, as was depicted there by Mr. Porter, high-protected Germany has a worse condition even than Belgium? This pauperism comes neither from a high tariff nor free trade, but from density of population.

Mr. SPOONER. Germany has only had a protective tariff since 1879.

Mr. VEST. Is not that a pretty fair time in which to test the operation of that system?

Mr. FRYE. Wages have increased since then considerably in Germany.

Mr. VEST. The Senator says the wages have increased. Yes, and the wages have increased in England.

Mr. FRYE. I doubt it.

Mr. VEST. Ah! "Doubt!" There it is, of course. I assert to-day that in England wages have increased for a long time. It is true they have fluctuated, as they have in the United States, but there has been a steady increase from year to year, and wages are much higher there than they are to-day in Germany.

If the tariff produces this condition of comfort depicted by the Senator from Vermont, if it is the beneficent source of the increase of wages to the American laborer, why does not that law operate alike upon the different sections of this country? Why is it that, with a single river dividing two cities, labor is higher in one than in the other, and under the same national protective tariff system?

Mr. HISCOCK. I wish to inquire of the Senator from Missouri if he is not surprised that German statesmen, in view of the condition of things he has described, still insist upon a protective tariff? If the effect of it is to increase the misery of Germany, why is it that her statesmen should be so unwise? Has it ever occurred to the Senator what the condition would be in Germany provided they did not preserve their home market for their own productions?

Mr. VEST. When the Senator asks me why any protectionist does not think this or think that, I simply point him to the condition of affairs in this country to-day. What single protectionist is willing to take one cent off any protective duty? The cry is continually for more protection.

Mr. HISCOCK. So far as Germany is concerned, she has changed her policy and seems to regard it as necessary to preserve her own market for her own industries upon the theory that in preserving that market to some extent she benefits the labor of the country.

Mr. VEST. I have not the slightest question that the same sort of interests are at work in Germany to-day that are at work in the United States—greed, avarice, and the accumulation of large fortunes by the exercise of governmental powers for private purposes.

The Senator from Vermont says that we want to stimulate the importation of articles into this country. We want a fair living chance for all portions of this country under equal and just laws. We do not want the Government to enrich one set of people at the expense of another. We do not want burdens imposed on us in order to pile up colossal fortunes in one section of the country.

All this talk of protection to the farmer, as every intelligent man knows, is the merest humbug and cant and fraud. Out of more than $600,000,000 worth of articles exported from this country two-thirds come from agricultural products; and yet Senators talk to us about protection to an interest that sends out of this country two-thirds of more than $600,000,000 worth of exports. Every farmer in the country who is intelligent enough to manage his own business ought to know that there can be no protection to him by any legislation of Congress except it be to lessen expenses, to take off burdens.

That is the reason why we, who represent large agricultural communities, are here to-day protesting against this system which does not lessen the expenses of the farmer, but does increase his burdens. We sell in a free-trade market. We buy in the highest protected market in the world.

The Senator from Vermont talks about the price in Liverpool not fixing the price of agricultural commodities in the United States. It is true that truck gardens may not be influenced by it—potatoes and squashes and radishes—but take the great staples of this country; take cotton; take wheat; take corn. If wheat falls one-eighth or one-hundredth part of a cent in Liverpool to-day the price goes down just the same in Kansas City, where I live. The market of the United States on these great exports answers as certainly to the foreign market as the nerves answer to the brain, as one portion of the human system responds to another.

Mr. TELLER. I should like to ask the Senator if he knows what percentage of our corn goes abroad to that market which he says fixes the market price in this country?

Mr. VEST. I have the statistics here. I will turn to them. Here they are in Spofford's American Almanac.

Mr. TELLER. I want the Senator to state the quantity.

Mr. VEST. I am not able to state it without turning to the tables.

Mr. TELLER. What is the percentage of corn exported?

Mr. VEST. All I can say is that there is the information. The Senator can get it as soon as I can. He has as much time as I have.

Mr. TELLER. If the Senator will allow me, I will state that out of about 2,000,000,000 bushels of corn there never has been exported more than 4 per cent., and the market for corn in Europe has never affected the market for corn—I speak now of Indian corn—in this country.

If the Senator will allow me to interrupt him further, I should like to say to him that within thirty days wheat has been selling in the United States for several cents a bushel more than it has sold for in Liverpool, and that on more than one occasion the price in this country has been greater than the difference of transportation between the place where it was being sold and Liverpool, which is a positive denial, more telling than words can make it, of the statement the Senator is now making.

Mr. HISCOCK. If the Senator from Missouri will allow me, this is a good place to put in the statement that outside of cotton the exportation of all the agricultural products of this country does not exceed 6 or 7 per cent. of the production of the country.

Mr. JONES, of Arkansas. Mr. President——

The PRESIDENT *pro tempore*. Does the Senator from Missouri yield to the Senator from Arkansas?

Mr. VEST. Certainly.

Mr. JONES, of Arkansas. On the point of the price of tea, raised just now by the Senator from Vermont, I call the attention of the Senator from Missouri to the fact that in 1871 tea paid 10 per cent. tax or

tariff. In 1872, in June, I think, the tax was removed. The importation of tea in 1871, when the tax was 10 per cent., was 17,254,617 pounds. In 1872, the year in which the tax was removed, the importations were 22,943,575 pounds; and in the next year, 1873, the first year in which we had free tea, there were 24,466,170 pounds of importations. If there was not some increase in price, there was a remarkable increase in the amount of importations.

Mr. VEST. Yes, more than that; the price of tea in the United States when the duty was taken off corresponded and answered exactly to that reduction.

As to what the Senator from Colorado says, that only such a per cent. of the corn production of this country goes abroad, I do not care what per cent. goes abroad; it makes no sort of difference in my argument. I say that the surplus which is sent out of this country and sold abroad fixes the price at home to the farmer, whether it is 1 per cent., or 4 per cent., or 6 per cent. It has been so as to wheat; and for the Senator to stand here to-day and announce that the Liverpool market does not control as to these great exports is simply to announce what the market reports every day contradict and what every intelligent man in this country knows not to be true. If to-morrow these products come down in Liverpool they immediately respond in the United States. The price is fixed to a fraction to the American farmer, and he must sell by the price in that market and nowhere else.

Senators talk about competition in the home market lessening the prices. I notice that none of these Republican orators here speak about the fall of price in commodities in Great Britain, a free-trade country, during the same time. It is all an *ex parte* statement. All through the late canvass we heard the announcement, "Look at the fall of prices. Take that coat, you granger, that you have on your back. What did you pay for it before the war? Why, you paid the other day about one-third of what you did then." Ah, but what would he have paid for it if he had bought it in a free-trade market in England? That is the question. But not one of them ever dared to turn to the English market and look to see, for he knew what he would see, that prices have gone down upon these same commodities in Great Britain, and therefore that the tariff has not done it. Whether you look at the prices on either the commodity or the labor the tariff has not done what is claimed for it.

Mr. HISCOCK. Will the Senator allow me to ask him a question?

Mr. VEST. Certainly.

Mr. HISCOCK. To what does he attribute the fall of prices in Great Britain?

Mr. VEST. I attribute it to machinery. I attribute it to competition.

Mr. HISCOCK. I will say to the Senator that I attribute it to the fact of the production in this country adding just so much to the supply in the markets of the world, creating, if you please, a larger supply for those markets and forcing down the price. I know of no speaker in our party who has ever ignored the question that prices were lower on the other side than they were here. On the contrary, every Republican speaker admitted that fact, and it was the argument upon which we addressed the people, that the increase of production in this country, gradually or rapidly, as you please, adding just so much as that product in the world's supply to meet the demand, has always regulated the price, and the diminution of the cost of transportation has had the effect to force down the price of everything. I believe that all of the late economical writers, both of the free-trade school and on the other side, for the last year or two have given to the American production the credit of the low prices of the world.

Mr. VEST. Mr. President, we shall come to that question afterwards. I have a few observations and some statistics to produce in regard to it. All the Republican statesmen can not answer one single proposition, and that is, if the tariff has increased wages, if the tariff has decreased prices to the consumer, why is it that under a different system in Great Britain we find that the results have not come to pass which they predict would come to pass under free trade in the United States? Why is it that in Germany with a high protection the condition of the workingmen is even worse than it is in Belgium, where there is free trade, and in Belgium much worse than it is in free-trade England? For the very same reason that when you go to the Territories, to Montana, for instance, and have to hire a man to work for you under this same protective system, you pay him $40 or $50 a month, while I get the same work done in Missouri for $20 a month, simply because labor is scarce in Montana. As I said before, there are cities upon opposite sides of a river under the same law, in one of which labor will be 5 and 10 per cent. higher than in the other, and yet the tariff operates upon all alike, or it ought to do so. It certainly has the same legal force and effect in every portion of this country.

I happen to have before me an illustration of how this system of protection is working. Of course, nothing that comes from a Democrat can be accepted upon this question. We are the enemies of the country, trying to strike down American labor!

Mr. FRYE. That is so.

Mr. VEST. "That is so," says the Senator. Well, I have this much to say, that upon this question it is impossible for the Senator from Maine to think worse of me than I do of him. I think if he had a contract to bring this country to utter ruin he is carrying it out to the best of his ability. I believe honestly that he is robbing the people of this country upon whose labor and upon whose welfare depends the welfare of the entire Republic. I honestly believe it.

Mr. HOAR. The Senator from Missouri just now thought nine years was plenty of time to test the German tariff. Does he not think twenty-eight years is a pretty good test of ours as to its effect on the country?

Mr. VEST. In twenty-eight years, with the natural resources of this country, the ingenuity of a million men like the Senator from Massachusetts could not hurt the country materially.

Mr. HOAR. The Senator has concluded, then, that on the whole the tariff can not ruin the country?

Mr. VEST. This country has prospered not on account of this tariff system, but in spite of it, just as some men violate all the rules of health, all the demands of nature, and still live to an old age and enjoy comparatively good health. We have all heard about the phenomenal gentleman who drank a quart of whisky a day and went to bed drunk every night and lived to be a hundred years old. If he had left whisky alone and lived on water and tea you would have had to shoot him on the day of judgment. [Laughter.]

But to my pamphlet—not mine, it comes from another source—here is the argument of the New Haven Wire Company in behalf of a duty of four-tenths of a cent a pound on wire rods. I had laid this out for the next item in the bill. I want to call the attention of my Republican friends to one of their own number to show how this protective system operates. It is exactly like a great fish pond which the Senator from Vermont who addressed us wants to create in this country on the tariff question.

Mr. ALDRICH. Will the Senator from Missouri allow me to ask what he means by "one of their own number" in connection with the statement he is about to read?

Mr. VEST. I mean one of the manufacturers. He is talking here for the great army of manufacturers.

Mr. ALDRICH. Will the Senator read the signature to that paper?

Mr. VEST. "New Haven Wire Company, by Samuel A. Galpin, receiver." It seems to be in the hands of a receiver. [Laughter.] I do not know Mr. Galpin, but I know this is a manufacturing company. The Senator from Rhode Island asks if he is one of them. If that does not make this concern one of them, I am unable to locate it.

Mr. ALDRICH. If it is in the hands of a receiver, it is one of you. [Laughter.]

Mr. VEST. If ever the Democratic party have received anything in this country except what they won at the polls, unaided by corporations and by money, I do not know it. All we receive is abuse and denunciation when we attempt in the interest of the consumers of the country to reduce taxation.

Mr. ALDRICH. I meant it in the sense of having gone through bankruptcy.

Mr. VEST. That may be, but it seems to me that for a gentleman who recently came out of the hands of a receiver that is crowing a little too soon. It seems to me I heard something of an election four years ago which did not result like the last one.

I will read what Mr. Galpin says. It illustrates what condition this country is coming to under the argument of the Senator from Vermont, that nothing is to be brought from abroad, that everything is to be produced at home, and it only needed for him to add to his remarks to-day that he wanted an ocean of fire between this country and the rest of the world in order to make his argument complete.

On behalf of the New Haven Wire Company, which is compelled to buy its raw material in the shape of wire rods—

They seem to disagree with my friend from Vermont, who says there is no raw material at all. He denies that in the universe there is raw material. Nothing like it exists, he says—

either of American or foreign mills, and of about twenty other wire mills similarly situated, I respectfully ask that the duty on fence and rivet wire rods, of either iron or steel, when valued at 1½ cents per pound or less, be fixed at four-tenths cent per pound. The larger wire mills roll their own rods, but prefer to sell the product of their rod trains in the shape rather of finished wire than of rods; so that those wire mills which have no rod trains are forced to pay high prices for their American rods or use the foreign. In either case the price is determined by the cost of the foreign rods here, so that a reduction in duty would inure to the benefit of all these wire mills, whether they use foreign or domestic material. These mills employ more labor than all the rod trains in the country, and have a capacity to produce more than half of the wire which the country consumes. Under the tariff of 1883 their business has continually suffered at the hands of the mills rolling their own rods, and they now need protection, not against foreign competition, but against the high charges of the American rod mills.

In other words, the big fish are eating up the little ones; and here is one of the little ones that demands protection, not against competition on importations, but against American rod mills. So it is, one interest feeding upon another and all feeding upon the consumer.

The Democratic party to-day stands in this country, and intends to stand or fall by it, in favor of reducing taxes upon the consumers of the country, in favor of taking off the burdens imposed by this system; and we propose to fight every item in this bill from beginning to end if it takes until the 4th of March but what we will make plain to the American people that this whole legislation is in the interest of the people who are piling up colossal fortunes at the expense of our constituents.

Mr. McPHERSON. I desire to state that after two or three hours

of debate the question I asked has not been answered. I called attention to the fact that this paragraph of the bill proposes a duty upon the ingot of $39.20 per ton. I follow it back and I find when you come to take off the duty imposed upon the iron pig it leaves a duty of $32.48 per ton. I go back to the testimony given by Mr. Oliver, of Pittsburgh, as to the cost of making the ingot from the iron pig. That is fixed at $3 per ton, which represents all the labor cost involved. I find, therefore, that here is an excess of duty of $29.48 per ton. I asked the reason this morning why that duty was imposed, and after three hours of debate I have yet failed to receive an answer.

Mr. BLAIR. Mr. President, I will take the opportunity to call the attention of the Senator from New Jersey to some other statements that he ought to make in discussing his own question.

He says it has been the pretense and is the pretense that the protective tariff is imposed for the benefit of the American laborer. I so understand him; and to illustrate his views of the enormity of its workings he supposes that an article of manufacture, woolens for instance, is placed under a duty of 50 per cent.; and then he shows the protection given to the workingman in this country who is engaged in the actual manufacture of that woolen article, if it be manufactured here, is about 10 per cent. He says that is all that is necessary in order to equalize the difference between the wages of the man who in our factory works upon that woolen article and the man who abroad in the foreign factory works upon the imported article, and that that 10 per cent. is sufficient to protect the American workingman in the manufacture of the woolen manufactured article.

Mr. McPHERSON. That is all they give him.

Mr. BLAIR. The Senator says that is all they give him, and then he asks, what becomes of the other 40 per cent., and states by implication, and I think in direct words, at least he leaves the impression upon the mind, that the manufacturer has pocketed the rest. Thus he shows that the tariff is the instrumentality which enriches the mill-owner, which carries 40 per cent. of protection to the manufacturer, while it gives only 10 per cent. to the laborer, and he thinks that he has made out his case upon that illustration.

I wish to call the Senator's attention to a few suggestions and ask him if he is not entirely in the wrong, and if he does not either mislead himself or mislead others. I know he is an honest man, and if I am correct in my views perhaps he will acknowledge it, and if not I will ask him to show me wherein I am wrong.

The woolen article which is protected by a duty of 50 per cent. if manufactured in this country, corresponds to a woolen article manufactured in the old country. That woolen article manufactured in the old country is made up of the wool and of the labor that is in it. We agree so far, I presume.

The wool used in the old country is free-trade wool. It is wool produced by cheap labor. The manufactured article is made up of that free-trade wool and that pauper labor, and combining the two abroad you bring the article to this country and sell it in competition with the American article which is made up also of wool and of labor, and the labor entering into the manufactured article is upon his supposition protected 10 per cent.

But now as to the wool. The wool in the American article is American wool, and that is protected wool. It is a wool that is put into this article in competition with the free-trade wool in the old country. It is protected as well as the American labor, and we have in that wool, if it be wholly American wool, an additional interest or industry to protect which should be added to the 10 per cent. on the labor that has gone into the manufactured article in the factory itself. So the protection granted to the farmer or the wool-raiser should be added to this 10 per cent., and it may be 20, it may be 30, it may be 40 per cent. Adding the two together you will find that the protection to the wool and to the labor which is employed in the factory comes very nearly up to the whole 50 per cent. that is placed upon the manufactured article. Is not that true?

Mr. McPHERSON. Now, the Senator will bear with me a moment.

Mr. BLAIR. Will the Senator answer me if I am right?

Mr. McPHERSON. I will answer the question, but I was going to show the Senator how entirely unnecessary his argument would be if he had examined the character of the Senate bill.

Mr. BLAIR. I am not talking about the character of the Senate bill, whether it be good, bad, or indifferent. I am talking about the Senator's illustration, which is so often put in this Chamber and elsewhere as the means of imposing upon the country with the idea that there is an exorbitant profit placed in the pocket of the manufacturer, and that he receives a substantial benefit while the laboring people get comparatively nothing at all.

Mr. McPHERSON rose.

The PRESIDING OFFICER (Mr. COCKRELL in the chair). Will the Senator from New Hampshire yield to the Senator from New Jersey?

Mr. BLAIR. I will yield to him to answer my question. I do not care to yield to the Senator for the general discussion of the bill, and I will give the Senator then the opportunity of making any explanation in his own time.

There is one other point to which I want to call attention. The Senator inquires when, protection having been given under the tariff in this country to American industries, has it been the case that the wages of the laboring people have been raised except as a result of strikes or combinations or efforts on the part of the working people themselves. Well, Mr. President, I have always said that the working people get just what they are able to take, and that combination, the right of combination, the power of combination, and the exercise of that power is their protection; and therefore it is that I have always been in favor of giving corporate rights, if you please, to the trades unions of the country. I believe in the right of striking, of combination, not of violence, but carrying the power of combination in favor of labor just exactly as far as it can be carried in favor of capital. It is the first great right of self-defense, and it must be thus exercised. If the capitalist needs protection against combined labor, as well does labor need protection against combined capital, and the two do combine; in the attrition of industry each gets all that it can and nothing more.

Here is a protective tariff which gives the work to do in this country and without which the work would not be performed here at all and consequently there would be nothing for which the laboring man could combine, there would be nothing which he could extort from capital in the way of increased wages. If we give this work to the Old World what rate of wages is there in controversy here in our own country? But the tariff keeps out the foreign articles and that gives us the work within our own geographical jurisdiction; and the work being here and to be done here, and the market here, and if there be any surplus to go abroad, the working people have some reason to combine and by combination they are able to take what belongs to them.

Both those points were raised by the Senator, and I should be glad to hear from him in regard to them.

Mr. McPHERSON. If the Senator from New Hampshire had examined the Senate bill he would not have asked me for any information touching one of the issues he has raised with me. I will call his attention to page 145 of the Senate bill, paragraph 354, where it is provided that woolen cloths and woolen shawls shall pay 40 cents per pound and in addition thereto 40 per cent. ad valorem. Then in the next paragraph flannels, blankets, and hats of wool, 40 cents per pound, and in addition thereto 40 per cent. ad valorem. Turn over now to the following page, paragraph 357, and you will find women's and children's dress goods put at 40 cents per pound, and in addition thereto 40 per cent. ad valorem; and so with ready-made clothing, 40 cents per pound and an additional rate of 45 per cent. ad valorem.

I said the duty was 50 cents a pound in this bill. I can find particular articles in the bill upon which the duty is over 60 cents per pound. That is irrespective entirely of the compensating duty on the cost of the wool. For instance, you take 4 pounds of unwashed wool supposed to make a pound of scoured wool ready for the carding-machine or the loom. Now, with a duty of 10 cents a pound on unwashed wool, the 4 pounds necessary to make the pound of scoured wool ready for the loom would be 40 cents. Therefore in this bill the first thing considered is the compensating duty, as I take it, upon the cost of the wool, for I can not imagine otherwise why the tariff should be 40 cents a pound. Before you begin to determine how much the cloth manufacturer should receive——

Mr. BLAIR. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from New Hampshire?

Mr. McPHERSON. Certainly.

Mr. BLAIR. The Senator entirely misunderstands his own illustration, or else I do.

Mr. McPHERSON. I think you do.

Mr. BLAIR. What he is now speaking of has not the remotest connection with the illustration which he gave. He was saying to us that American labor——

Mr. McPHERSON. I am coming to that.

Mr. BLAIR. The Senator will pardon me if I say that what he is now stating has no relation whatever to the subject under debate between us.

Mr. McPHERSON. The Senator said that my statement of 50 per cent. ad valorem included the cost of the American wool and the high duty paid on the wool.

Mr. BLAIR. The Senator is laboring under a mistake.

Mr. McPHERSON. Then I failed to understand it.

Mr. BLAIR. The Senator made an illustration when he spoke of 50 per cent. protection to an American article when it was only necessary that labor should receive 10 per cent. protection to make up the difference between the foreign labor engaged in manufacturing a like article abroad and the American labor used in manufacturing the same article here, and he gave us to understand that the remaining 40 per cent.—the difference between the 10 and the 50 per cent.—was the actual profit which went to the manufacturer. That was the illustration and it has nothing to do with this matter he is now reading from the bill.

Mr. McPHERSON. I find from the census report of 1880, furnished by the Department of the Interior and the Census Office, that the entire labor cost in the manufacture of men's clothing was 21.9 per cent. of the entire cost of the product. I find that in women's clothing it was 20.8 per cent. That is the proportion of the labor cost to the entire

cost of the product. Now, what is the cost of the product? The cost of the product is exactly the foreign cost plus the duty you impose upon it here.

Mr. BLAIR. The Senator will allow me to call his attention to just one point.

Mr. McPHERSON. Not just now. When I get through with my point I will yield.

Mr. BLAIR. It is in this connection that the Senator is getting wrong.

Mr. McPHERSON. The cost of that product to the purchaser in this market is exactly the foreign cost plus the duty, because there is the only place where you can find competition, and if the home manufacturer was able to fix his own price the cost of the article would be exactly what the domestic manufacturer asked for it. But as the foreign manufacturer can be a competitor the cost of the article is exactly what the foreign manufacturer—because he manufactures it cheaper—plus the tariff, can afford to sell it for to the American consumer.

Mr. CHACE. If the Senator will allow me——

Mr. McPHERSON. Not at present.

The PRESIDING OFFICER. The Senator from New Jersey declines to yield, and he has the floor.

Mr. McPHERSON. I stated that inasmuch as the tariff was raised, taking into consideration the professions of the Republican party and of Republican orators, both in this Chamber and elsewhere, I find that if labor in the United States is paid double what labor is paid abroad—and you claim that to be the reason for your tariff—then certainly the laborer abroad does not get over 10 per cent. of the entire cost of the product. He gets one-half of what the laborer gets here. Why, then, should you, acting professedly in the interest of American labor and for nothing else, have a tariff of 45 and 50 per cent. when labor only gets 10 per cent. out of it, because you do not claim that laborers in the United States get more than double what they get abroad, and when the entire labor cost of an article is only 20 per cent. of its merchantable value? I am exactly correct when I say that your tariff is four times the difference between the cost of labor here and the cost of labor abroad.

Mr. BLAIR. Now, I say to the Senator that he is just wrong in his statistics. There is no statement anywhere that the entire cost of labor in the manufactured article is 21 per cent.

Mr. McPHERSON. Here it is. I have it here.

Mr. BLAIR. Let me tell the Senator what he has there. He has there a statement that the cost of labor in the process of manufacturing the ready-made clothing, which begins with it as cloth, is 21 and a fraction per cent. That is what the Senator has got there. But the Senator knows that the labor which is in that clothing, tracing it clear back to the day when it began in the growth of the sheep upon which grew the wool, and which all the way through from the birth of the lamb down to the time the manufactured article is ready to be placed upon the person—all the way through it is labor, and it is not 21 per cent. of the entire cost of the manufactured article, but it is more than 96 per cent. of the entire cost of the manufactured article. There is nothing but labor from the beginning all the way down; and the Senator parades here statistics as to the cost of labor which have no reference to anything whatever except the labor that began with the tailor-shop, with the cutting up of the cloth, with the sewing, and the making of the goods after they were placed in the possession of the tailor himself.

Mr. McPHERSON. Oh, no.

Mr. BLAIR. The Senator knows very well that the cost of labor at 20 or 21 per cent. in ready-made clothing is not correctly stated. Take the illustration which we had here of the locomotive, or the manufacture of steel, which may have a protection of a single cent on a hundred pounds at the bottom of the mountain, and the same is true with reference to wool and with reference to ready-made clothing. It is all the same thing; and what I say to the Senator is that he misleads us, he misunderstands the subject evidently himself when he undertakes to say to us here that the difference between the protection of 10 per cent. as between the labor abroad and the labor in this country leaves all the balance of the large protection imposed in the hands of the manufacturer. It can not be so.

I will restate the position once more, if I may, by perhaps assuming and occupying the position of an instructor instead of a questioner. The foreign manufacture of clothing is to be compared with the domestic or American manufacture of clothing in the completed article, and American clothing is protected by a duty, as the Senator supposed, of 50 per cent. That is the duty upon the manufactured article. It is to be sold in our market in competition with a foreign article of just the same kind. That foreign article has gone through precisely the same processes as has the American article. First, it was raw wool, we will suppose, to say nothing about the plant, and in the plant the difference is largely against us. The interest upon the plant is at least twice here what it is there. But disregarding the plant entirely we have the wool and the labor abroad, we have the wool and labor at home. The wool and the labor abroad are both free-trade wool and labor. The wool and the labor at home are protected articles.

They are in competition with each other, just as much in competition when the two articles are brought together as the wool abroad is in direct competition with the wool in this country and the labor abroad in direct competition with the labor in this country.

We protect our wool and our labor in order to give protection to the American producer and the American workman, and it works all the way through to the farm, where everything begins, until you find the completed clothes worn by our people.

Mr. TELLER. Mr. President, when the Senator from Missouri [Mr. VEST] was on the floor, I spoke from recollection in regard to the exports of corn. I find that the Agricultural Bureau reported in 1886 that the average for five years had been 3½ per cent. out of a total production of about 1,700,000,000 bushels. I think that statement is sufficient to show that the assertion that the price of corn here was affected by the small demand for it abroad is not correct.

I desire to call the attention of the Senator from Missouri, whom I do not see in his seat, to a statement made by the Commissioner of Agriculture of that year with reference to the influence of exportations upon the agricultural crops. The statement is that only 7 per cent. of the agricultural products of this country were exported. That includes wheat and corn and cattle, and everything of an agricultural character.

Now, the Senator says that there is a very large production of agricultural exportation, independent of cotton. The agricultural products in 1876, independent of cotton, that were exported were about $277,000,000. The amount was less than $300,000,000 last year, independent of cotton, which everybody understands, no matter whether we buy or whether we do not buy of Great Britain and other countries, they are bound to have. We consume now more cotton than we did a few years ago. The Commissioner of Agriculture says:

> It is a short time since only one-fifth of the cotton and one-third of the tobacco were respectively the amount of domestic consumption. Now one-third of a much larger crop of cotton is required for home manufacture and fully half of the tobacco, and these proportions will be increased in the future, to the great benefit of growers and increased eagerness of foreign buyers.

We have exported a considerable quantity of wheat, but I believe it has never at any time exceeded about three-tenths of the product of the wheat crop of this country. Undoubtedly the demand in this country not being sufficient to use up the supply, the foreign market may to some extent control the price; but in corn and meats and things of that character, where the amount exported is so infinitesimally small, it does not in the slightest degree affect the prices in this country, as every practical business man knows.

Mr. President, we have never had in this country any very large surplus of corn; we have never had any remarkably large surplus of wheat. We raised last year forty-odd million less bushels of wheat than we had raised five years before; and the wheat crop has not kept pace with the increase of population.

So every year our wheat exportation is growing less, and so it will continue. It will grow less for two reasons: first, because we can not raise it profitably to compete with the people of other portions of the world. One of our consuls, in making a report within the last three or four months to the Government, stated that in Central Asia, within 150 miles of tide-water, wheat was being raised and sold for 10 cents a bushel. Everybody knows that if the ryot of India can get 15 cents a bushel for his wheat he is amply paid for the labor he bestows on it, according to the prices there; and when we realize that they can bring from Asia, through the Suez Canal, wheat for almost the same price that it can be brought from New York to Liverpool, you can see at once that the wheat crop of the United States can not hope for a European market, and, as the Senator from Massachusetts [Mr. DAWES] suggests, less than they carry it for from Dakota to New York, infinitely less; and, as I have stated to the Senator from Missouri on more than one occasion, wheat has sold in Chicago within the last five years at prices so near the Liverpool prices that it was impossible to export it, and within the last thirty days wheat has sold in this country—not a phenomenal sale, either—at several cents higher than the Liverpool price. And yet we are told that the American farmer must depend and does depend upon a foreign market.

Why, Mr. President, every year of products made from the farm, independent of cotton (which is a crop that we need not consider, because, as I said before, Europe must have that crop), we do not export at any time over $300,000,000 worth a year and we never have of farm products, and we buy more every year of the things that ought to be manufactured upon American soil, that the men who manufacture would be the better if they were enabled to manufacture and do that much more. Why, Mr. President, of the coarser articles of merchandise, such things as can be manufactured in this country and are manufactured in this country, for ten years we have averaged more than $237,000,000 a year, every particle of which might have been manufactured here, because there are plants to manufacture everything that is included in that list in the United States. And yet the Senator from Texas, if I understood him, declared on this floor that we had plant capacity already for manufacturing twice what we could consume in this country. If already we have the plant, then it is a question simply of employing labor in the plant, and nobody is more interested than the laborer of this country.

I wish to enter a denial of the statement made here a few moments since by the Senator from New Jersey, that because every time he rose to address the Senate and made a statement somebody on this side of the Chamber did not contradict it, we were admitting it. Admitting

it! Why, Mr. President, the platitudes that have come from that side of the Chamber are too old to be denied. They were worn out in the debating schools of this country thirty-odd years ago, and there has not been a new suggestion from that side of the Chamber on this question during this whole debate, not a single one; and is it expected that we are to reply to everything that may be said or else we are to be charged with admitting the truth of it?

This question I insist now, as I did before when I had the floor on this measure, is not a question specially concerning capital. It is a question that concerns the labor of the United States, the men who toil; and that is the class of men who were heard from last November in the State of New York, when her people came down to the city of New York with that great and magnificent majority which overcame the ignorance and the vice and the idleness of New York City. It was the intelligent residents of the rural districts; it was the farmers that were heard; it was the class of men that was heard in my State; and as I told the Senator from Louisiana, whom I see before me [Mr. GIBSON], before I went home prior to the adjournment, that State would give a bigger majority in proportion to its vote in favor of protection than Pennsylvania; and so it did—twice as great as Pennsylvania.

When Senators on that side of the Chamber tell us that they are going to educate the people, they do not understand the people. An analysis of the vote at the late election will show that it is the intelligent, reading, thinking people of the United States who sustain the American system in this country. It is the men who have attended public schools, who have had their education not only in books but in practical life. They are the men who sustain it. They do not inquire as to the theoretical rules that govern this question. They inquire what is the practical result. The man in New York who had seen a manufacture growing up by his side which had increased the price of his land, which had increased the price of his cattle and his grain knew that manufactures were good for him, whether they were theoretically wise or not; and that is the class of men who controlled the election and gave the electoral vote of the State of New York to the Republican candidates.

No, Mr. President, the Senators on the other side will have to educate the people of the United States by some other methods than those old, worn-out fallacies that the people have had dinned in their ears by the Cobden Club and by the free-trade speakers of this country for thirty or forty years. When the Democratic party shall be able to practically demonstrate that there is anywhere on the face of God's earth a country with greater opportunities for labor than this, then perhaps the laboring people in this country will take the same view of the condition of affairs as the Chief Executive seems to have done in his message.

Nobody denies here, nobody will deny here, that the laboring men of the United States are better paid than the laboring men of any other nation in the world. Nobody will deny that they have more comforts and that they have more luxuries and have more surplus at the end of the year to put in the bank than any other people on the face of the earth. Nobody will deny that high-priced labor is always accompanied by honorable labor, and nobody will deny that the laboring people of the United States are infinitely stronger and more influential, more potent in politics and in everything else than the laborers of any other portion of the world. Nobody will deny, either, that the laboring people of this country, their sons and their daughters, have opportunities of education, opportunities of advancement and preferment such as have never been given to the people of any other country at any other time in the history of the world.

Mr. President, to-day all the great industries of this country are controlled by the laboring people or by their sons. And not only the industries but all departments of life are filled with the laboring people. I do not care whether it is in science, or whether it is in industry, or whether it is in the halls of legislation, everywhere the laboring men have made themselves felt. Why? Because, in the first place, they have had the opportunity given them by remunerative wages. Cheap wages means cheap men. Cheap wages means a lack of opportunity to advance. Good wages means the opposite. Therefore, I repeat, the Senator from New Jersey need not expect every time he gets up and asserts that labor is not interested in this, that somebody is to reply or else we are to stand convicted of having abandoned the interests of the laboring people of this country.

Mr. CALL. Mr. President, my own preference would be that this bill should be voted upon as expeditiously as possible. It seems to me that the elections which have recently occurred, whether the question of the tariff was the controlling question or not, have settled definitively the policy which will be pursued by the prevailing party for the next four years. Therefore I am of the opinion that, after an examination of the different items of this bill, it should be forwarded to its passage expeditiously, and it is not my intention either now or at any subsequent period of the consideration of this bill to interpose anything which may promote delay in its expedition through the Senate.

It seems to me, however, that we have had propositions advanced in the discussion here by those who aid in the formation of public opinion and in the policy of the other side which will destroy any system of reasonable protection to the industries of this country, which will prevent that kind of protection which is incidental and moderate and made upon the basis of the adjustment of a revenue tariff. I listened the other day with some little surprise to the following remark made by the distinguished Senator from New York [Mr. HISCOCK]:

I grant—

He says in the RECORD of Friday last—

that the $18—

Speaking of pig-iron—

is paid for it, but I say in reply to that, as I did to the Senator from Tennessee [Mr. HARRIS], that these duties are not piled one upon the other, but the last duty upon the more highly finished product is intended only to compensate for the increased labor-cost in advancing the article to that last stage.

That is a proposition upon which there ought to be no kind of doubt. The cost of the element of labor in any production is a fact easily ascertained. That ought to be ascertained and put before the country in the fair discussion of this question.

But the proposition that this bill or any protective system does not pile duties one upon the other is in itself manifestly wrong. What do you protect against? It is the finished product which bears the entire cost of its own production, and the object of the protection is to protect the finished product here against the finished product elsewhere; therefore it matters not by whom the different processes of this production may be conducted, it is the whole that must bear the cost of production. Otherwise you would discriminate against the producer of the finished product by imposing the duty upon the unfinished parts of the product. So that in any system of this kind there must be duties piled one upon the other, and the finished product must bear the whole cost of production. It amazes me that there should be discussion or question upon this subject. It is the necessary incident of a protective tariff, a tariff based upon the idea of imposing upon the consumer the entire cost of the encouragement or the inducement or the stimulus to the producer.

Another proposition which has been made here to-day seems strange to me in a body of this character, and that is that the production of an article must pay the cost to the consumer, the cost of its consumption. That is a remarkable proposition. You impose a duty upon some article imported into this country and you deny the ordinary and natural effect that the cost of the article produced and taxed must be paid for by the consumer, and that the entire cost of the production must rest upon him who consumes. That is a natural law. In defending a bill which proposes as a revenue measure to impose duties, taxes on imports, as you may please to term it, it seems strange that it should be thought necessary to deny this essential and necessary principle that the cost of production of an article can not include the cost of its consumption, but that these are two distinct elements, the consumer consuming and paying from his own resources, the production and the cost of production, whether this cost be made up of duties or otherwise, another and an entirely different series of causes and effects. If the producer or production pays the tax or the cost to the buyer or consumer, how, then, are you reasonably to defend a system of protection to the producer? The Senator from Vermont [Mr. EDMUNDS] said here to-day that the taking off the cost, the import duty upon an article, which is simply one of the elements of its cost, did not reduce it to the consumer, and he instanced the case of coffee from Brazil. But that was not, I think, an ingenuous argument. Unquestionably for that and to that extent the taking off the cost, the duty, as any other element of cost, was a reduction of the cost to the consumer, but not a necessary or an inevitable reduction of the price of the article. The producer of the article might have it in his power to increase the price over and above the duty subtracted. A scanty crop, a combination, a difference in market price elsewhere, might all make up the deficiency or increase the price far beyond what it was, but that Senators here in this body should undertake to maintain the proposition that the natural and necessary effect of taking off any element of cost from the production of an article did not diminish the proper and natural cost to the consumer I think was remarkable in a discussion of this kind before a body of this character.

These are elementary propositions, and therefore should be considered in that light and not obscured in the manner in which they have been. Why, Mr. President, upon the theory that is maintained here, is admitted to be true, that everything ought to be produced in this country, what, then, is the natural and necessary conclusion? Is this result to be best effected by a tariff that shall increase the price of articles produced here to the consumer? Is not the necessary conclusion that there should be a prohibition of all imports into this country? If it be true that the interest of this people, the rate of wages, the general comfort and contentment of the people is increased by the production at home of every article of consumption—admit that proposition to be true, then does it not follow, as the night follows the day, that there should be a prohibition of any imports into this country? What connection has that with the revenue system? Why should the consumer here be made to pay by permitting any imports to come here under a high rate of duty for the restriction or the limitation of the amount imported? Why not accept the proposition and say, "We are a boundless continent of diversified capacities; we can produce everything; it is better that we should, and therefore we prohibit the importation into this country of anything?" But we have a different system. We have a system of duties on imports under the authority conferred to regulate commerce and to impose duties for revenue, imposts, and taxes.

Now, we are abandoning that. Under the pretense of a revenue bill

we are arguing here for a system of absolute prohibition. The arguments and the proposition upon which this bill is maintained upon the other side demand an embargo upon commerce, and not a bill for revenue taxation with rates of duties adjusted to that purpose.

It seems to me that it is unwise to thus divert the strength of the argument on which a tariff must rest, a reasonable and a moderate tariff, not imposing great burdens upon the consumer, but adjusted so as to bear lightly upon him, and to that extent furnishing incidentally the encouragement that might be rendered to industries of different kinds. Suppose we accept the proposition of the Senator from Colorado [Mr. TELLER] and others; suppose that we say that the farmer when he sees a factory built in his neighborhood understands that it will increase the price of his land, the value of his garden products, the value of his farm products.

We may admit that proposition, but then, what is the next proposition? Encourage it; but how encourage it? Encourage it by imposing burdens upon the general consumption of the country, including himself? Is there no other way to build that factory there but to increase the number of starving mouths in the country? Will it not be better to ascertain precisely what is needed to encourage and build that factory and appropriate that amount of money to it? What necessary connection with the proposition of the building of that factory has the imposition of a general tax upon the entire consumption of the country? Does not the necessary supply of the wants of the community furnish some inducements to enterprise and inventions and ingenuity, and if the general public must aid in this by a public policy, does not the argument demand that it shall be done with the least possible cost to the people and by a well-considered system not in any wise connected with the question of collecting revenue.

Mr. President, no man will avow that, but you can not extend this system of reasonable and limited and easy protection under a revenue tariff, to the extent of making it prohibitory or highly burdensome to the country, without reaching this conclusion. Admit, if you please, the necessity for this diversified industry for different productions, still you must look to the means by which that shall be accomplished. It is not reasonable to insist that diversity of production is necessary to a State, that a home market is desirable, and therefore the people shall be taxed oppressively—the cost of articles consumed by them shall be increased to the extent necessary to make the business profitable to those who carry it on, and not fix the amount of that profit nor designate the proportion that each person engaged in the production shall have.

Then, again, we have had a question here whether or not the point of chief distribution of commercial products controls the price. It has been gravely asserted here that the price of wheat does not depend upon the foreign market, that the price of corn does not depend upon the foreign market. Well, the term "foreign" has no place in the consideration of these questions. The point of chief distribution by a law of nature, which all the world can not change, will determine the price of any product in any market or place accessible to it, that is, within the area of its distribution, and it will determine it by the difference in the cost of transportation between the point of general distribution, or chief distribution, and the place of production, whether it be controlled by the money centers of the world or whether it be controlled by the actual distribution of the commodity, and generally they are both combined, but it is an economical fact, known for hundreds of years, that the point of chief distribution, whether at home or abroad, of any product determines and fixes its price.

It is true that under our system of commercial exchange, under our system in Wall street, under our speculative methods of anticipating the supply, and under the general exchange which exists in England with all the world, and her control of all money centers, wherever there is any exportation to that common center of the world's exchanges, however small it is, it affects and fixes with almost absolute certainty the price of the production, whatever it may be, in all other portions of the country, for the reason that it can not be ascertained definitely how much of that product the price of which is fixed in the general center of the world's distribution, may not be disposed of there; and as long as that fact remains in every point of local supply to the owner of the thing to be exported, it remains an open question to him that there may be a market there for the article whose price is thus determined at this general center of exchange, and conversely it is true to the consumer or buyer that the supply is open to him in all places in connection with that center of exchange.

So it seems to me, Mr. President, that the propositions upon which this bill and these high rates of duty are defended here are entirely foreign to any practical system of protection or to the wants and needs of the country. It would be wise to reduce this whole scale of duties and to let this bill go before the country as a revenue bill with a reasonable amount of protection adjusted between these different industries. We have joined issue upon that proposition. It has been discussed here for weeks, the country has acted upon it, and therefore I, for one, am in favor of having this bill passed as rapidly as it can be done with fair consideration to its different provisions.

It is my purpose to move some amendments to the bill in regard to matters that peculiarly concern my own region of country, proposing in some places an increase of the duty and in some places a restoration of the duty to the rates in the existing law.

Mr. President, I do not propose to enter further into the merits of this discussion, but it is entirely manifest that whenever you impose a high rate of duty upon the imports into a country, whenever that system is resorted to, you effectually build up a plutocratic aristocracy, and you had better amend your Constitution and give the title to those who own their hundreds of millions of dollars and make it hereditary in them than to base their prosperity on excessive taxation of the people.

The Senator from Vermont [Mr. EDMUNDS] said to-day that there was no grant from Congress to any individual establishing a monopoly. Why, does not that learned and able Senator, so long a leader of public opinion in this country, know that there are laws more powerful than any laws which Congress may pass, which accumulate in the hands of individuals the control of great interests of every kind? Do we not know that the great railroad interests of this country are now in the control of a combination more powerful than the aristocracy of England or of any other country, and that they have almost absolute power to impose their own charges upon the labor and the production of this country?

It is true we ought to regulate that, but how little have we progressed in that direction? How great and numerous are the accumulations of individual fortunes? I, for one, can see that there is some good to result from these great accumulations. I am not amongst those who decry them, but while we may be endeavoring, under a proper system of tariff duties, to foster industries within the limits of a reasonable imposition upon the people, is it not wise to look at the other side of the question and see whether we are not building up a vast aristocracy of unlimited wealth and power, with power to control your legislatures, power to control your elections, to buy your judiciary, to control your Presidency, and thus to create antagonisms between them and the people, fatal alike to the Republic and to them?

That, Mr. President, is to me the unfortunate side of this question. I am not averse to a tariff based upon just principles as a method of collecting revenue, discriminating even to the furthest extent to which it may discriminate, without imposing oppressive burdens upon the country, but who shall say that we can adopt in this age of the world a system of commercial prohibition, of non-intercourse. Mr. President, there can be no doubt of the fact that exchange with all nations of the world, subject only to reasonable restriction for purposes of revenue, for the purpose of preventing, perhaps, the country from being flooded at particular periods with goods, monopolies, or productions of other countries under circumstances peculiar to themselves—there can be no question that with these reasonable and limited restrictions that exchange, commercial intercourse, is the basis of civilization and of all values.

If you say you have trade between the States of the United States and the people of the United States, do you not admit the principle that trade throughout the world is necessary for all public and private interests? What is the magic of trade between the boundary limits that constitute this country? Is there something in that which makes that trade of peculiar economic efficacy? You can prohibit the importation into this country of any product from abroad when you see that it is becoming injurious.

The natural, efficacious, and proper way is to pass a law to that effect. But upon the general proposition that commerce is desirable, subject to such restrictions as may be reasonable, there can be no doubt. Whether with Africa or with Asia, whether with the ryot of India, or whether with the richest country of the world, England, commerce everywhere is desirable. What is it? It is the exchange of something you have here for something that you can get elsewhere at an advantage in the transaction to yourself. It is the giving of an hour of your labor for two hours of another man's or another country's, and when you find, as may be, that that exchange is becoming disadvantageous to your country, why not prohibit it?

Why impose upon the consumer, the poor man, the laborer of this country, additional cost of the necessaries of life? Admit he is better off than anywhere else; admit he is happier here than anywhere; but give some credit to our free institutions, some credit to the vast fertility of our soil, some credit to its boundless diversity of wealth; give credit to the natural ingenuity of your people, who would do something even without the bounty of Government. Take all these things into consideration and say, "Very well, we will stimulate this industry, this enterprise, this capacity for development amongst our people."

We will stimulate it how? Not by imposing additional burdens upon these poor people. The vast majority of them are necessarily, notwithstanding the picture presented by the Senator from Vermont, poor and needy and in want. The great majority of our people have not the luxuries they ought to have; in our advancing civilization the extent of the area of comfort of every human being day by day under the inventions of the age should make every family more and more contented and better and better provided.

What then are the arguments which say, "Contrast us with the rest of the world. Are we not better?" Admit it. Have we not a right to be better and better still? Are we to get better by imposing a higher price upon the necessaries of life? Is there any point of view in which a high rate of duties to be paid by the consumer can be justified? Ad-

mitting all the assumptions and arguments and propositions of the other side, in my opinion, Mr. President, there is not.

In my judgment the most fatal thing for the capitalists and manufacturers of this country is a high rate of import duty. It is far better for their accumulations, in my judgment, that we should not impose upon the people of this country, the consumers, a burden greater than they can easily bear. That far I am willing at this time to go, and I am persuaded that all the best interests of business and of those who possess great fortunes and of the people demand that this limitation be carefully observed.

The PRESIDENT *pro tempore*. The question is upon the amendment proposed by the Senator from New Jersey [Mr. MCPHERSON].

Mr. MCPHERSON. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BERRY (when his name was called). I am paired with the Senator from Wisconsin [Mr. SAWYER]. If he were present, I should vote "yea" and he would vote "nay."

Mr. CALL (when his name was called). I am paired with the Senator from Colorado [Mr. BOWEN], but I will transfer the pair to the Senator from South Carolina [Mr. HAMPTON], who is not paired, and I vote "yea."

Mr. CULLOM (when Mr. CAMERON'S name was called). The senior Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. EDMUNDS (when his name was called). I am paired with the Senator from Alabama [Mr. PUGH], whom I do not see in the Chamber, and I therefore withhold my vote for the present.

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. HALE (when his name was called). I am paired with the Senator from Kentucky [Mr. BECK].

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL]. If he were present, I should vote "yea."

Mr. RANSOM (when his name was called). I am paired with the Senator from New Hampshire [Mr. CHANDLER]. If he were present, I should vote "yea" and he would vote "nay."

Mr. DAVIS (when Mr. SABIN'S name was called). My colleague [Mr. SABIN] is paired with the Senator from West Virginia [Mr. KENNA].

Mr. CULLOM (when Mr. SAWYER'S name was called). The Senator from Wisconsin [Mr. SAWYER] has been called away from the Senate Chamber, and told me that he was paired with the Senator from Arkansas [Mr. BERRY].

Mr. TELLER (when his name was called). I am paired with the Senator from Louisiana [Mr. GIBSON]. If he were present, I should vote "nay."

Mr. VEST (when his name was called). I am paired with the Senator from Kansas [Mr. PLUMB], or else I should vote "yea."

Mr. WILSON, of Maryland (when his name was called). I am paired with the Senator from Iowa [Mr. WILSON].

The roll-call was concluded.

Mr. TELLER. With the consent of the Senator from Louisiana [Mr. EUSTIS], I have transferred my pair with his colleague [Mr. GIBSON] to the Senator from Nebraska [Mr. PADDOCK], and therefore I vote "nay."

The result was announced—yeas 15, nays 20; as follows:

YEAS—15.

Bate,	Coke,	Jones of Arkansas,	Turpie,
Blackburn,	Eustis,	McPherson,	Vance,
Call,	Gray,	Reagan,	Walthall.
Cockrell,	Harris,	Saulsbury,	

NAYS—20.

Aldrich,	Dolph,	Ingalls,	Platt,
Allison,	Frye,	Manderson,	Spooner,
Cullom,	Hawley,	Mitchell,	Stewart,
Davis,	Hiscock,	Morrill,	Stockbridge,
Dawes,	Hoar,	Palmer,	Teller.

ABSENT—41.

Beck,	Daniel,	Jones of Nevada,	Sabin,
Berry,	Edmunds,	Kenna,	Sawyer,
Blair,	Evarts,	Morgan,	Sherman,
Blodgett,	Farwell,	Paddock,	Stanford,
Bowen,	Faulkner,	Pasco,	Vest,
Brown,	George,	Payne,	Voorhees,
Butler,	Gibson,	Plumb,	Wilson of Iowa,
Cameron,	Gorman,	Pugh,	Wilson of Md.
Chace,	Hale,	Quay,	
Chandler,	Hampton,	Ransom,	
Colquitt,	Hearst,	Riddleberger,	

The PRESIDENT *pro tempore*. A quorum not having voted, the Secretary will call the roll of the Senate.

The Secretary proceeded to call the roll, and the following Senators answered to their names:

Aldrich,	Call,	Davis,	Faulkner,
Allison,	Chace,	Dawes,	Frye,
Bate,	Cockrell,	Dolph,	Gray,
Berry,	Coke,	Edmunds,	Hale,
Blackburn,	Cullom,	Eustis,	Hawley,
Hiscock,	Mitchell,	Saulsbury,	Vance,
Hoar,	Morrill,	Spooner,	Vest,
Ingalls,	Pasco,	Stewart,	Walthall,
Jones of Arkansas,	Platt,	Stockbridge,	Wilson of Md.
McPherson,	Ransom,	Teller,	
Manderson,	Reagan,	Turpie,	

The PRESIDENT *pro tempore*. Forty-two Senators have answered to their names. A quorum is present.

Mr. MCPHERSON. I will withdraw the call for the yeas and nays. It is very evident that the majority on the other side of the Chamber will defeat the amendment.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from New Jersey, the call for the yeas and nays being withdrawn.

The amendment was rejected.

ANDREW J. SMITH.

Mr. MANDERSON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2579) authorizing the President to appoint and retire Andrew J. Smith, late colonel of the Seventh United States Cavalry and a major-general of volunteers, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same.

CHARLES F. MANDERSON,
F. M. COCKRELL,
Managers on the part of the Senate.
R. W. TOWNSHEND,
LEVI MAISH,
JNO. H. GEAR,
Managers on the part of the House.

Mr. VEST. Will the Senator state the effect of that?

Mr. MANDERSON. It changes the rank from brigadier-general, as in the House bill, to colonel of cavalry, as in the Senate amendment, making the rank the same that General Smith held in the regular service.

Mr. CALL. Do I understand that it is proposed to take the vote now on the report of the conference committee?

Mr. MANDERSON. I ask that it be agreed to.

The PRESIDENT *pro tempore*. Such reports are always in order.

Mr. CALL. I prefer that it should lie over. Have the committee of conference agreed?

Mr. MANDERSON. The committee of conference have agreed.

The PRESIDENT *pro tempore*. No action is required by the Senate, the report being that the House agree to the amendment of the Senate.

DEPARTMENT OF AGRICULTURE.

Mr. PALMER. I ask permission to make a request.

In September the bill (H. R. 8191) to enlarge the powers and duties of the Department of Agriculture and to create an Executive Department to be known as the Department of Agriculture passed the Senate. A committee of conference was asked of the House of Representatives, and Messrs. SABIN and GEORGE were appointed the conferees on the part of the Senate with myself. The House has agreed to the conference and appointed its conferees, but Messrs. SABIN and GEORGE are now away from the city. I ask that they be excused from service upon the conference committee, and that two substitutes be supplied by appointment of the Chair.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection; and the Chair announces as managers of the conference on the part of the Senate, in the place of the Senator from Minnesota and the Senator from Mississippi, excused, Messrs. BLAIR and BATE.

RIGHT OF WAY ACROSS PAPAGO INDIAN RESERVATION.

Mr. DAWES. I present a conference report.

The PRESIDENT *pro tempore*. It will be received.

Mr. DAWES. There is no action called for, the House having receded.

The PRESIDENT *pro tempore*. The report will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7843) granting to Citrous Water Company right of way across Papago Indian reservation in Maricopa County, Arizona, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate, and agree to the same.

H. L. DAWES,
F. B. STOCKBRIDGE,
Managers on the part of the Senate.
S. W. PEEL,
THOS. R. HUDD,
KNUTE NELSON,
Managers on the part of the House.

The PRESIDENT *pro tempore*. The report requires no action by the Senate.

REPRINTING OF A BILL.

On motion of Mr. SHERMAN, it was

Ordered, That the bill (S. 3445) to declare unlawful trusts and combinations in restraint of trade and production be reprinted.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a letter from the

Secretary of the Interior, transmitting, in response to a resolution of the 5th instant, a statement concerning leases for lands, mineral or otherwise, in the Indian Territory; which was referred to the Committee on Indian Affairs, and ordered to be printed.

HOUSE BILLS REFERRED.

The following bills received from the House of Representatives were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 5752) for the relief of Julia Triggs;
A bill (H. R. 9163) granting a pension to Eli Garrett;
A bill (H. R. 9654) granting an increase of pension to Jesse J. Clark;
A bill (H. R. 11223) to increase the pension of George A. Glover; and
A bill (H. R. 11378) granting a pension to James S. Harden.

AMERICAN HISTORICAL ASSOCIATION.

The bill (H. R. 10323) to incorporate the American Historical Association was read twice by its title.

Mr. HOAR. That bill is in substance a bill which has already passed the Senate. The American Historical Association is a very important body, a meeting of which is to be held in this city in the course of two or three weeks, and I should like the leave of the Senator who has the tariff bill in charge to allow it to pass at this time.

The PRESIDENT *pro tempore*. It will be read at length for information.

The bill was read at length.

Mr. EDMUNDS. Has that bill been reported from a committee of the Senate?

Mr. HOAR. That bill is in substance the same as a bill reported from the Library Committee which has passed the Senate. The House bill has come here, the only difference being that the House thought fit to limit the place of allowing ownership of the real estate to the District of Columbia, while the Senate bill allows them to hold it anywhere.

Mr. EDMUNDS. I see that the first meeting is to be held in the District of Columbia, and after that wherever the stockholders choose to meet, which raises to my mind a pretty serious question as to how far the power of Congress may go into the States to create corporations all over the country; and I should wish, unless there is some very immediate and urgent reason to the contrary, that the bill should go to a committee.

Mr. HOAR. There is an immediate and urgent reason which I stated, and that is that the American Historical Association is one of the most important learned bodies in the country, composed, as the Senator will see from the names of the corporators, of very distinguished scholars. I know a good deal about the gentlemen composing it. Their plan is to have their meetings in different parts of the country, just as the American Association for the Advancement of Science have, but their headquarters and their collections are to be deposited in the District of Columbia, and their first meeting is to be held here.

The fact that they will hold meetings about the country to interest the people in the different cities in their work does not give it any the less a national character.

Mr. EDMUNDS. I think we had better see the bill in print, not that I have the slightest objection to this particular thing, because it is a most useful and I dare say valuable arrangement, but it would make a very strong precedent for incorporating business corporations with power to do business all over the country, and I think the bill ought to be printed so as to give us a chance to look at it.

The PRESIDENT *pro tempore*. Shall the bill be referred to a committee or lie on the table?

Mr. HOAR. My honorable friend, the chairman of the Committee on the Judiciary, has himself recently promoted the formation of a corporation whose whole business is to be done at Nicaragua, outside of the United States, and it strikes me that this objection is a little hypercritical, but I have no objection to the reference if he desires it.

Mr. EDMUNDS. I may say in reply to my honorable friend from Massachusetts that I have promoted to the best of my ability a corporation to be incorporated by Congress to carry on business in Nicaragua, which I think is an entirely different thing from Congress incorporating a body of people to carry on business anywhere in the United States, for I believe it concerns our foreign relations, and, in a very broad sense, the public welfare. That is within the Constitution; and I do not think there is any comparison in respect of the power of Congress to create a corporation to colonize Africa, if you please, or to build a canal through Nicaragua or Panama, and a corporation to do business in the State of Kansas, or of Massachusetts, or of Vermont. So I must say, with great respect to my honorable friend, that I think his implied criticism of my inconsistency is entirely unfounded.

The PRESIDENT *pro tempore*. Shall the bill be referred to a committee or lie on the table?

Mr. EDMUNDS. I move that it be referred to the proper committee.

The PRESIDENT *pro tempore*. It will be referred to the Committee on the Library, if there be no objection, and printed.

HOLIDAY RECESS.

The PRESIDENT *pro tempore* laid before the Senate the following resolution from the House of Representatives:

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Friday, December 21, 1888, they stand adjourned until Monday, January 7, 1889.

Mr. MORRILL. I move that that be referred to the Committee on Finance.

The motion was agreed to.

ELIZA J. ALEXANDER.

The PRESIDENT *pro tempore* laid before the Senate the amendment of the House of Representatives to the bill (S. 3135) granting an increase of pension to Eliza J. Alexander, which was, in line 4, to strike out the word "fifty" and insert the word "forty."

On motion of Mr. DAVIS, it was

Resolved, That the Senate disagree to the amendment of the House of Representatives to the said bill and ask a conference with the House on the disagreeing votes of the two Houses thereon.

By unanimous consent, it was

Ordered, That the conferees on the part of the Senate be appointed by the President *pro tempore*.

The PRESIDENT *pro tempore* appointed Mr. SAWYER, Mr. DAVIS, and Mr. TURPIE.

MARY E. JOHNSTON.

The PRESIDENT *pro tempore* laid before the Senate the amendment of the House of Representatives to the bill (S. 337) granting a pension to Mary E. Johnston, which was, in line 6, to strike out the name "E. Johnson" and insert "E. Johnston;" and at the end of the bill to add:

And pay to her legally constituted guardian a pension of $18 per month.

Mr. DAVIS. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

THE REVENUE LAWS.

The PRESIDENT *pro tempore*. House bill 9051 is before the Senate. The reading will proceed.

Mr. JONES, of Arkansas. I move that the Senate adjourn.

The PRESIDENT *pro tempore*. The Senator from Arkansas moves that the Senate do now adjourn.

Mr. MCPHERSON. I should like to have the Senator withdraw that motion for a moment.

Mr. JONES, of Arkansas. Certainly.

Mr. MCPHERSON. The reason is that it is necessary that I shall be absent from the Senate Chamber to-morrow, and on paragraph 150 I wish to reserve any rights to offer amendments at some future time.

The PRESIDENT *pro tempore*. That right has been reserved with regard to all sections and paragraphs of the bill. The Senator from Arkansas moves that the Senate adjourn.

Mr. COCKRELL. I would suggest that probably there are some nominations that ought to be referred, and we should have a short executive session. If the Senator from Arkansas will withdraw his motion I will move that the Senate proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. Does the Senator from Arkansas withdraw his motion?

Mr. JONES, of Arkansas. Yes, sir.

The PRESIDENT *pro tempore*. The question, then, is on the motion of the Senator from Missouri [Mr. COCKRELL].

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After six minutes spent in executive session the doors were reopened, and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, December 18, 1888, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate the 17th day of December, 1888.

POSTMASTERS.

J. M. Goode, to be postmaster at Pratt Mines, in the county of Jefferson and State of Alabama, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Charles E. Aiken, to be postmaster at Brookings, in the county of Brookings and Territory of Dakota, in the place of Charles W. Hastings, resigned.

John J. Fitzgerald, to be postmaster at Madison, in the county of Lake and Territory of Dakota, in the place of Philip H. Harth, whose commission expired December 11, 1888.

Alphonse Bichet, to be postmaster at Florence, in the county of Marion and State of Kansas, in the place of Colin Campbell, resigned.

Samuel C. Skemp, to be postmaster at Maywood, in the county of Cook and State of Illinois, in the place of Samuel Skemp, deceased.

Francis J. Weismantel, to be postmaster at Naperville, in the county of Du Page and State of Illinois, in the place of Matthew Weismantel, deceased.

Frank A. Glass, to be postmaster at Cresco, in the county of Howard and State of Iowa, in the place of Augustus Beadle, whose commission expires December 19, 1888.

George S. Davidson, to be postmaster at Spencer, in the county of Worcester and State of Massachusetts, in the place of Emerson Stone, whose commission expires December 19, 1888.

William E. C. Worcester, to be postmaster at Hudson, in the county of Middlesex and State of Massachusetts, in the place of W. E. C. Worcester, whose commission expires December 18, 1888.

B. T. Atkins, to be postmaster at Brookhaven, in the county of Lincoln and State of Mississippi, in the place of Vincent L. Tyler, whose commission expires December 20, 1888.

John W. Dawson, to be postmaster at Phillipsburgh, in the county of Deer Lodge and Territory of Montana, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

Howard A. Graham, to be postmaster at Broken Bow, in the county of Custer and State of Nebraska, in the place of Isaac T. Merchant, resigned.

James O. Howell, to be postmaster at Asheville, in the county of Buncombe and State of North Carolina, in the place of William T. Weaver, resigned.

Neri A. Hanna, to be postmaster at Cadiz, in the county of Harrison and State of Ohio, in the place of Charles S. McCoy, whose commission expired December 11, 1888.

Flavius A. Hurt, to be postmaster at Oberlin, in the county of Lorain and State of Ohio, in the place of Evan J. Phillips, whose commission expired December 11, 1888.

Tilghman N. Robbins, to be postmaster at Niles, in the county of Trumbull and State of Ohio, in the place of Henry H. Mason, whose commission expired December 11, 1888.

Donald McDonald, to be postmaster at Pomeroy, in the county of Meigs and State of Ohio, in place of Christopher Ihle, whose commission expires December 18, 1888.

Carl F. Stoelzel, to be postmaster at Loudonville, in the county of Ashland and State of Ohio, in the place of John G. Herzog, resigned.

Frederika H. Bryan, to be postmaster at Newtown, in the county of Bucks and State of Pennsylvania, in the place of John S. Bryan, deceased.

John L. Stedman, to be postmaster at Mauch Chunk, in the county of Carbon and State of Pennsylvania, in the place of Nathan D. Cortright, jr., whose commission expires December 22, 1888.

C. J. Bartlett, to be postmaster at Marlin, in the county of Falls and State of Texas, in the place of Thomas C. Oltorf, resigned.

UNITED STATES ATTORNEY.

Leon O. Bailey, of Indiana, to be attorney of the United States for the district of Indiana, *vice* Emory B. Sellers, resigned.

COLLECTOR OF CUSTOMS.

Lyman S. Strickland, of Maine, to be collector of customs for the district of Aroostook, in the State of Maine, to succeed John P. Donworth, whose resignation has been accepted.

HOUSE OF REPRESENTATIVES.

MONDAY, *December* 17, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Friday last was read and approved.

The following additional member appeared and took his seat:

Mr. JOHN J. O'NEILL.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HUNTER, indefinitely, on account of important business.

To Mr. RICE, from Monday until Friday next, on account of important business.

To Mr. BACON, indefinitely, on account of important business.

WITHDRAWAL OF PAPERS.

Mr. CUMMINGS, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving certified copies thereof, the papers in the case of F. M. H. Kendrick.

AMERICAN HISTORICAL ASSOCIATION.

Mr. PHELAN. Mr. Speaker, I ask by unanimous consent to take from the House Calendar the bill (H. R. 10323) to incorporate the American Historical Association, and to put it upon its passage.

The SPEAKER. This bill is erroneously on the House Calendar, being a private bill. The bill will be read, after which the Chair will ask for objection.

The bill was read, as follows:

Be it enacted, etc., That Andrew D. White, of Ithaca, in the State of New York; George Bancroft, of Washington, in the District of Columbia; Justin Winsor, of Cambridge, in the State of Massachusetts; William F. Poole, of Chicago, in the State of Illinois; Herbert B. Adams, of Baltimore, in the State of Maryland; Clarence W. Bowen, of Brooklyn, in the State of New York, their associates and successors, are hereby created a body corporate and politic, by the name of the American Historical Association, for the promotion of historical studies, the collection and preservation of historical manuscripts, and for kindred purposes in the interest of American history and of history in America. Said association is authorized to hold real and personal estate to an amount not exceeding $500,000, to adopt a constitution, and to make by-laws. Said association shall have its headquarters at Washington, in the District of Columbia, and shall hold its annual meetings in such places as the said incorporators shall determine. Said association shall report annually to the Secretary of the Smithsonian Institution concerning its proceedings and the condition of historical study in America. Said Secretary shall communicate to Congress the whole of such reports, or such portion thereof as he shall see fit. The Regents of the Smithsonian Institution are authorized to permit said association to deposit its collections, manuscripts, books, pamphlets, and other material for history in the Smithsonian Institution or in the National Museum, at their discretion, upon such conditions and under such rules as they shall prescribe.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee for the present consideration of this bill?

Mr. SPRINGER. I will not object if it is understood that the consideration of the bill shall be concluded within ten minutes.

Mr. PHELAN. I am willing to agree to that.

There was no objection, and it was ordered accordingly.

Mr. PHELAN. I offer an amendment, which I ask the Clerk to read.

The Clerk read as follows:

After the words "real and personal estate," in lines 14 and 15, insert the words "in the District of Columbia." Also, in line 17, strike out the word "headquarters" and insert the words "principal office."

Mr. KILGORE. I wish to ask the gentleman in charge of this bill whether it carries an appropriation?

Mr. PHELAN. None.

Mr. KILGORE. And they do not propose to come before the next Congress and ask an appropriation?

Mr. PHELAN. No, sir.

Mr. KILGORE. Then I have no objection to the bill.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. PHELAN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

CUSTOM-HOUSE AT KANSAS CITY.

Mr. WARNER. Mr. Speaker, I ask unanimous consent to call up for consideration at this time the bill (S. 281) making an appropriation for the extension and enlargement of the United States custom-house at Kansas City, Mo. I understand that the gentleman who objected to it last Friday will not urge the objection.

Mr. McMILLIN. Will the gentleman yield to me for a moment, that I may report a privileged resolution concerning the proposed recess for the holidays?

Mr. WARNER. Certainly.

HOLIDAY RECESS.

Mr. McMILLIN. I am instructed by the Committee on Ways and Means to report back the resolution which I send to the desk.

The report was read, as follows:

IN THE HOUSE OF REPRESENTATIVES, *December* 14, 1888.

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Friday, December 21, 1888, they stand adjourned until Monday, January 7, 1889.

The Committee on Ways and Means, to whom was referred the resolution fixing the time for the recess, having considered the same, report it back with the recommendation that it be amended by striking out the words "Monday, January 7" and inserting "Friday, January 4," and as amended that it pass.

Mr. HOOKER. Mr. Speaker, having introduced the original resolution which was referred to the committee, I desire to say a word.

Mr. McMILLIN. I retain the floor, but yield to the gentleman from Mississippi.

Mr. HOOKER. I was about to remark, Mr. Speaker, that, having introduced the resolution for the recess, which was referred to the Committee on Ways and Means, I desire to say a word in reference to the character of the amendment which has been reported by the committee, and only a word. In drawing the resolution I named as the time for the reassembling of Congress Monday, the 7th day of January next, but the committee have reported the resolution back with an amendment providing for the reconvening of Congress on Friday, January 4, instead of Monday, the 7th. Now, the probabilities are that a great many members of the House will not be able to get back here before Monday, the 7th of January, so that even if we do reconvene on the 4th there will probably be very little business of a legislative character done before the succeeding Monday. The resolution as originally presented and referred to the committee gave the three additional days, Friday, Saturday, and Sunday, for members to travel back from their homes to the capital, and I think that very little will be accomplished in the way of economy of time by adopting the amendment recommended by the Committee on Ways and Means.

A MEMBER. When does this proposed recess begin?

Mr. HOOKER. At the termination of the session of Friday, the 21st, so that we shall have the entire day of Friday for business on the

Private Calendar, as the adjournment will not take place until Friday evening. Members will then have Saturday and Sunday to travel to their homes. The resolution as originally drawn proposes the 7th of January as the day for the reassembling of Congress, while the amendment proposes the 4th. If we fix the 7th we shall have those three additional days, Friday, Saturday, and Sunday, for members to reach the capital. I hope that the amendment offered by the Committee on Ways and Means will not be adopted, but that the resolution will be agreed to in its original shape. [Cries of "Vote!" "Vote!"]

Mr. SPRINGER. I hope the amendment will be agreed to. The shorter the recess the better, in view of the great amount of business before us.

The question being taken on the amendment of the Committee on Ways and Means to strike out "Monday, the 7th," and insert "Friday, the 4th," there were—ayes 52, noes 64.

Mr. OUTHWAITE. I call for the yeas and nays.

The yeas and nays were ordered, there being—ayes 24, noes 92—more than one-fifth voting in the affirmative.

The question was taken on agreeing to the amendment, and it was decided in the negative—yeas 98, nays 108, not voting 117; as follows:

YEAS—98.

Abbott,	Chipman,	Landes,	Sayers,
Allen, Mich.	Clardy,	Lane,	Scull,
Allen, Miss.	Clements,	Lanham,	Seymour,
Anderson, Ill.	Conger,	Mansur,	Smith,
Anderson, Kans.	Cowles,	Martin,	Sowden,
Baker, N. Y.	Cox,	Matson,	Spinola,
Baker, Ill.	Crain,	McCreary,	Springer,
Barnes,	Crisp,	McKinley,	Stephenson,
Biggs,	Culberson,	McMillin,	Stockdale,
Blanchard,	Cutcheon,	Montgomery,	Stone, Ky.
Bland,	Davidson, Fla.	Morrill,	Taylor, E. B., Ohio
Blount,	Dockery,	Neal,	Thomas, Ill.
Breckinridge, Ark.	Dunn,	Nelson,	Thomas, Wis.
Breckinridge, Ky.	Farquhar,	Oates,	Tracey,
Brewer,	Ford,	O'Donnell,	Townshend,
Browne, T. H. B., Va.	French,	O'Ferrall,	Turner, Ga.
Browne, Ind.	Granger,	O'Neall, Ind.	Vance,
Brown, Ohio	Hayden,	Osborne,	Walker,
Buchanan,	Henderson, Iowa	Outhwaite,	Warner,
Burrows,	Henderson, Ill.	Peel,	Weaver,
Bynum,	Hiestand,	Perkins,	Wheeler,
Campbell, F., N. Y.	Holman,	Pidcock,	Wilson, Minn.
Campbell, T. J., N. Y.	Hudd,	Richardson,	Wilson, W. Va.
Caruth,	Jackson,	Robertson,	
Catchings,	Kilgore,	Russell, Mass.	

NAYS—108.

Adams,	Elliott,	Laidlaw,	Rockwell,
Anderson, Miss.	Felton,	Lawler,	Rogers,
Arnold,	Finley,	Lehlbach,	Romeis,
Atkinson,	Flood,	Lodge,	Rowell,
Bankhead,	Foran,	Lyman,	Rowland,
Barry,	Gallinger,	Mason,	Russell, Conn.
Bayne,	Gear,	McAdoo,	Ryan,
Bingham,	Gibson,	McClammy,	Sawyer,
Boothman,	Grout,	McComas,	Snyder,
Bound,	Guenther,	McKenna,	Spooner,
Brower,	Hall,	McKinney,	Stewart, Tex.
Bunnell,	Hare,	McRae,	Stewart, Ga.
Butler,	Haugen,	McShane,	Struble,
Candler,	Hayes,	Moffitt,	Symes,
Cannon,	Henderson, N. C.	Moore,	Taylor, J. D., Ohio
Caswell,	Hires,	Morrow,	Thompson, Ohio
Cheadle,	Hitt,	Nichols,	Thompson, Cal.
Clark,	Hooker,	O'Neill, Pa.	Tillman,
Cobb,	Hopkins, Ill.	O'Neill, Mo.	Turner, Kans.
Crouse,	Hopkins, Va.	Payson,	Vandever,
Cummings,	Houk,	Penington,	Wade,
Dalzell,	Hovey,	Perry,	Washington,
Darlington,	Howard,	Peters,	Weber,
Dibble,	Johnston, Ind.	Phelps,	White, N. Y.
Dingley,	Kean,	Plumb,	Wise,
Dorsey,	Kerr,	Pugsley,	Woodburn,
Dunham,	La Follette,	Reed,	Yardley.

NOT VOTING—117.

Allen, Mass.	Ermentrout,	Ketcham,	Rice,
Anderson, Iowa	Fisher,	Laffoon,	Rusk,
Bacon,	Fitch,	Lagan,	Scott,
Belden,	Forney,	Laird,	Seney,
Bliss,	Fuller,	Latham,	Shaw,
Boutelle,	Funston,	Lee,	Sherman,
Bowden,	Gaines,	Lind,	Shively,
Bowen,	Gay,	Long,	Simmons,
Brown, J. R., Va.	Gest,	Lynch,	Stahlnecker,
Brumm,	Glass,	Macdonald,	Steele,
Bryce,	Glover,	Maffett,	Stewart, Vt.
Buckalew,	Goff,	Mahoney,	Stone, Mo.
Burnes,	Greenman,	Maish,	Tarsney,
Burnett,	Grimes,	McCormick,	Taulbee,
Butterworth,	Grosvenor,	McCullogh,	Thomas, Ky.
Campbell, Ohio	Harmer,	Merriman,	West,
Carlton,	Hatch,	Milliken,	White, Ind.
Cockran,	Heard,	Mills,	Whiting, Mich.
Cogswell,	Hemphill,	Morgan,	Whiting, Mass.
Collins,	Herbert,	Morse,	Whitthorne,
Compton,	Hermann,	Newton,	Wickham,
Cooper,	Hogg,	Norwood,	Wilber,
Cothran,	Holmes,	Nutting,	Wilkins,
Dargan,	Hopkins, N. Y.	Owen,	Wilkinson,
Davenport,	Hunter,	Parker,	Williams,
Davidson, Ala.	Hutton,	Patton,	Yoder,
Davis,	Johnston, N. C.	Phelan,	Yost.
De Lano,	Jones,	Post,	
Dougherty,	Kelley,	Randall,	
Enloe,	Kennedy,	Rayner,	

So the amendment reported by the Committee on Ways and Means was rejected.

At the conclusion of the roll-call the following announcements were made:

Mr. HATCH. Mr. Speaker, I reached the Hall just as the Clerk had passed my name on the second roll-call. If present, I would have voted "ay."

Mr. HERBERT. I ask to have my vote recorded.

The SPEAKER. Was the gentleman in the Hall when his name was called?

Mr. HERBERT. No, sir; I came in just afterward.

The SPEAKER. The Chair can not entertain the gentleman's request under the rules.

Mr. OUTHWAITE. I move to dispense with the recapitulation of the names.

Mr. HOOKER. I object.

The Clerk having recapitulated the names,

The SPEAKER. The pairs will now be announced.

The following members were announced as paired on political questions until further notice:

Mr. SCOTT with Mr. HARMER.

Mr. RICE with Mr. KETCHAM.

Mr. BACON with Mr. ALLEN, of Massachusetts.

Mr. JONES with Mr. PATTON.

Mr. GREENMAN with Mr. SHERMAN.

Mr. BURNES with Mr. WHITING, of Massachusetts.

Mr. FORNEY with Mr. FULLER.

Mr. STONE, of Missouri, with Mr. OWEN.

Mr. TAULBEE with Mr. BRUMM.

Mr. ERMENTROUT with Mr. LAIRD.

Mr. LAFFOON with Mr. MCCORMICK.

Mr. MORGAN with Mr. PARKER.

Mr. WHITTHORNE with Mr. WHITE, of Indiana.

Mr. DOUGHERTY with Mr. HUNTER.

Mr. NORWOOD with Mr. GROSVENOR.

Mr. WILKINS with Mr. MCCOMAS.

Mr. SENEY and Mr. STEWART, of Vermont, were announced as paired for ten days.

Mr. WILKINSON with Mr. FUNSTON, for one week.

The following members were announced as paired for this day:

Mr. CAMPBELL, of Ohio, with Mr. BUTTERWORTH.

Mr. MILLS with Mr. KELLEY.

The following members were announced as paired on this vote:

Mr. GRIMES with Mr. THOMAS, of Kentucky.

Mr. ENLOE with Mr. BELDEN.

The result of the vote was then announced as above stated.

Mr. MCMILLIN. I now demand the previous question on the adoption of the resolution.

The previous question was ordered; and under the operation thereof the resolution was agreed to.

Mr. MCMILLIN moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. TOWNSHEND. I rise to demand the regular order.

The SPEAKER. The regular order is the call of States and Territories for the introduction and reference of bills and joint resolutions.

EXPENDITURES OF SPECIAL COMMITTEE ON IMMIGRATION.

Mr. SOWDEN. Mr. Speaker, I desire to submit a privileged report from the Committee on Accounts.

The SPEAKER. The Clerk will read the resolution.

The Clerk read as follows:

Resolved, That the further sum of $5,000, or so much thereof as may be necessary, shall be available and payable out of the contingent fund of the House to pay the expenses of the Select Committee to Inquire into the Immigration of Contract Laborers, Convicts, and Paupers, to be paid upon the order of the chairman and one member of said committee, in sums not exceeding $1,000 at any one time; and all vouchers for said expenditures shall be certified to by the chairman and by a member of said committee: *Provided*, That said sum shall not be available until the amount now in the hands of said committee shall be expended.

The committee having considered the foregoing resolution, report it back with the recommendation that the word "five" in the first line be stricken out and the word "two" be inserted, so that it shall read "$2,000" instead of "$5,000;" and as so amended that it be adopted.

Mr. SOWDEN. On the adoption of the resolution I demand the previous question.

The previous question was ordered.

The SPEAKER. Under the rule thirty minutes are allowed for debate, fifteen in support of and fifteen in opposition to the resolution.

Mr. DUNHAM. I wanted to ask the committee, or some member of it, how much money has been appropriated up to the present time?

Mr. FORD. Five thousand dollars.

Mr. DUNHAM. And you want $5,000 more?

Mr. FORD. Two thousand.

Mr. SOWDEN. Five thousand dollars was the amount originally appropriated, and this request came to our committee asking five thou-

sand more, but the committee reported back recommending two thousand.

Mr. DUNHAM. Is this a sort of "junketing" affair?

Mr. GUENTHER. Does the gentleman say that it is?

Mr. DUNHAM. I am asking for information. I do not pretend to say what it is.

Mr. GUENTHER. On behalf of the committee, permit me to say that it is nothing of the kind.

The SPEAKER. The question is on agreeing to the amendment proposed by the committee to strike out "five" and insert "two."

The amendment was adopted, there being, on a division—ayes 28, noes 2.

Mr. DUNHAM. Is this resolution before the House for discussion?

The SPEAKER. The amendment has been adopted, but under the rules of the House thirty minutes are allowed for debate after the previous question has been ordered.

Mr. DUNHAM. This committee have expended, or are supposed to have expended, up to this time, as I understand it, $5,000.

Mr. BREWER. About nine thousand.

Mr. DUNHAM. I am informed that they have expended $9,000.

Mr. FORD. No; that is incorrect.

Mr. DUNHAM. You have received already $5,000, and then $2,000——

Mr. GUENTHER. No; you are mistaken.

Mr. DUNHAM. Well, let me be corrected.

Mr. GUENTHER. Do you want to be corrected?

Mr. DUNHAM. I want to know the facts.

Mr. GUENTHER. This $2,000, if now appropriated, will make the total amount $7,000.

Mr. DUNHAM. How many members are there on the committee?

Mr. GUENTHER. Five.

Mr. DUNHAM. That makes a little over $1,000 a head for each member.

Mr. BUCHANAN. The members of the committee do not get it.

Mr. GUENTHER. You have no idea, I presume, that the members of the committee divide this money amongst them?

Mr. DUNHAM. I do not understand that the members of the committee get it, but I have no idea where $5,000 has been expended in this business, and I would like to have some information.

Now, it seems to me, as I started out to say, that this is a sort of a junketing affair. I do not know but that some good and valuable information may be obtained as the result of their labors in time. But certainly we have no idea of what has been done up to date, excepting that they have spent a good deal of money. I have no desire to move to lay this on the table without hearing from somebody on the other side, to see what reason can be given in support of it. If any gentleman will furnish satisfactory information, I will yield the floor for that purpose, reserving the remainder of my time. Otherwise I propose to move to lay it on the table.

Mr. FORD. Mr. Speaker, when this committee was organized it was directed by the House to investigate a question upon which there was absolutely no literature whatever, and no available facts except what might be gleaned from the reports of the Bureau of Statistics in regard to the number of immigrants landing on our shores. We were directed to investigate the alleged violations of the laws of the United States, and I think that no man who is familiar with the labors of that committee could accuse it of any laches, or of any extravagant expenditures. We were in constant session about eight weeks. We conducted an investigation by means of the special agents of the Treasury Department after the adjournment of the committee, and we have sworn a large number of witnesses who were examined. It was a question to investigate which necessitated us to call and examine many unwilling witnesses; and I think when the testimony is submitted—a large part of it is now in the hands of the Government Printer—and when it is perused by the gentleman he will not accuse the committee of having wasted any public money, or of having been otherwise than diligent in its labors.

Mr. DUNHAM. Will the gentleman answer a question?

Mr. FORD. Certainly.

Mr. DUNHAM. Will you please state how this money has been expended up to this time?

Mr. FORD. It was expended for witness fees, in the employment of detectives, in the expenses of the committee, and in various ways. We have determined not to visit the Pacific coast, and it is not the desire of the committee to squander the moneys appropriated.

Mr. DUNHAM. You would want ten thousand more if you did that.

Mr. FORD. I want to remark that we did not deem it necessary, in view of the passage of the Chinese exclusion act, to investigate that subject; but what we do desire within the next few weeks is to complete our investigation, make a report after the recess, and prepare a bill upon what seems to me to be one of the most important subjects that has ever been investigated or looked into by any Congress.

Mr. GUENTHER. If my friend from Illinois thinks that this is a junketing committee, and has any desire to become a member, I will say that I shall gladly resign in his favor and give him all the chance of junketing that there is in it. So far as I have seen there has been only labor, a great deal of labor, and nothing of what he is pleased to call "junketing."

Mr. DUNHAM. I yield three minutes to the gentleman from Iowa [Mr. KERR].

Mr. KERR. Mr. Speaker, I do not think it is any use to prosecute the investigations by this committee any further. We have received some light as to what they have done by reports in the papers; and it seems to me that any further investigation by this House is, therefore, unnecessary.

This committee does not trust the United States, or the officers of the Government who are intrusted with the enforcement of the United States laws, to enforce the laws that are now and have been on the statute-book for the last four years, to prohibit the importation of contract labor into this country. I think if we wait a couple of months, by that time we will have an administration in harmony with the laws on the statute-book——

Mr. ANDERSON, of Iowa, and others. Oh! Oh!

Mr. KERR. And if any immigrants are brought in in violation of that law, the officers then appointed will see that the law is enforced. It would not be necessary to have the investigations carried on by Congress in order to direct them in the methods of the enforcement of the law. I think that any further expenditure of money to investigate subjects upon which the country is already informed is a waste of money. [Cries of "Vote!" "Vote!"]

Mr. COX. I hope the House will give this committee what they ask for to complete their investigation, which is, perhaps, the most important connected with our investigations of this Congress. There are matters of importance connected with that investigation that the committee have as yet to close up, and, as a consummation of their work, to report a bill of some kind, so that we may effectuate more stringently the laws now on our statute-book, or right them where they are deficient.

I notice in the journals that the committee are now making an inquiry which I think is far beyond what the House ever intended in regard to contract labor. I believe in the present law; and the very purpose in originating that committee was to carry out that law in relation to contract labor that comes in from abroad, with a view to protect the great body of our artisans, mechanics, and laborers of this country; but I see by the reports in the newspapers that the committee are now about to go further, and they are actually proposing to prevent foreign actors—the old Thespians—from coming into this country.

Mr. OATES. That is an open question with the committee. The committee have never settled that question.

Mr. COX. I am very glad that the committee have not; for I hope that our theaters shall not be restricted to the American player, but that we may have the privilege of seeing in tragedy, in comedy, in farce, in every position in which histrionic powers can be developed, every form in which any genius may come to us to give us delectation, in this city or elsewhere.

Mr. MCADOO. Or the ballet.

Mr. COX. Or the ballet.

I have noticed under this contract law they actually forbade a minister of the gospel, who came to one of the New York churches, from coming in and taking his pastorate because he had come under some contract or other.

I hope the committee will not carry this thing to excess. It is a very good thing. It is a very good thing to be a Christian, but it is not, therefore, necessary to join the Salvation Army in order to be a Christian. I would like the committee, since they have a limited appropriation, to call a halt on this cry against the introduction of foreign actors, and if they can modify the law as to the importation of laborers the main object of their labor will have been effected; and therefore, while I vote this money to increase the ability of this committee to make a report on their proper sphere, I hope they will receive in all good temper the objection which I make here with respect to foreign actors.

The resolution was agreed to.

Mr. SOWDEN moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER. This being Monday, the regular order is the call of States and Territories for the introduction of bills and resolutions under the rule.

Mr. MCRAE introduced a bill (H. R. 11806) to settle certain accounts between the United States and the State of Arkansas.

Mr. HOOKER. Mr. Speaker, I call for the reading of the bill.

Mr. SPRINGER. I desire to call the attention of the Chair to Rule XXI, clause 1, which provides that—

Every bill and joint resolution shall receive three readings before its passage, which shall be as follows: The first and second readings by title on introduction for reference, or, being original bills, on report from committees for commitment, except when the second reading in full shall be demanded by a member: *Provided*, That original bills on being reported by unanimous consent for present consideration shall be read the first time in full; the second and third time by title, unless the third reading in full shall be demanded by a member.

It seems to me that the portion of the rule which authorizes or requires the second reading of a bill in full on the demand of a member applies to original bills, or to reports from committees for commitment. It frequently happens that a subject is referred to a committee to be reported upon by bill or otherwise. Then, again, it sometimes happens that several bills on the same subject are referred to a committee, and the committee report a substitute for the original bills, which substitute is itself a new bill which has never theretofore been before the House. Now, having reached that stage, one member may call for the reading of the bill, and that is the meaning of the rule; but it can hardly be held that any member has a right to call for the reading of a bill when it is merely introduced for reference to a committee. If that were so, then, by the action of any one member, the power of the House to procure legislation might be entirely destroyed. Under this order of business he could prevent the consideration of any business or the introduction of any bills, other than his own. A member, when his State was called, might introduce a bill, or a number of bills in succession, and, by demanding their reading, prevent any one else from introducing a bill, and that might be kept up all through the session, and the House would be powerless to do business. It seems to me that our rules should receive a reasonable construction, and that that construction should be in the interest of the transaction of business and not such as to make them an impediment to the transaction of business.

Mr. HOOKER. Mr. Speaker, I am somewhat surprised at the point of order made by the gentleman from Illinois [Mr. SPRINGER], although he did not say that he rose to a point of order, but simply called the attention of the Chair to the provisions of Rule XXI, which provides:

1. Every bill and joint resolution shall receive three readings before its passage, which shall be as follows: The first and second readings by title on introduction for reference, or, being original bills, on report from committees for commitment, except when the second reading in full shall be demanded by a member: *Provided*, That original bills on being reported by unanimous consent for present consideration shall be read the first time in full; the second and third time by title, unless the third reading in full shall be demanded by a member.

The Speaker will observe that it is provided by the rule that original bills, on being reported by unanimous consent for consideration, shall be read the first time in full. The proviso to the rule seems to cover the action of the Chair on this point of order, and to imperatively require the reading of a bill on the demand of a member. A proviso is in the nature of an exception to a general rule. Had there been no proviso, still it might very well have been said that the rule itself should require that a bill should be read, because the rule provides that every bill and joint resolution shall receive three readings before its passage, "which shall be as follows," and then it prescribes the order in which they shall come. Then comes this proviso:

Provided, That original bills, on being reported by unanimous consent for present consideration, shall be read the first time in full; the second and third time by title, unless the third reading in full shall be demanded by a member.

Now, this bill is introduced for consideration, and it is the right of the House to be instructed as to the character of the proposed legislation, and any member has a right to require the reading of the bill in order that the House, as well as the member who calls for the reading, may be informed in advance of the character of the legislation that is proposed; for it may be, Mr. Speaker, that a member of the House may desire to combat a bill in the committee to which it is referred; it may be that a member does not desire a favorable report upon a bill; it may be that he desires to appear before the committee for the purpose of urging either that there shall be an unfavorable report or that the bill shall be reported with certain amendments which he may suggest.

In addition to that, it is sometimes difficult for the House and difficult for the Speaker himself to determine the question of reference, and if a question should arise as to the committee to which a bill should be referred and the Speaker was doubtful about it and referred it to the House, no member would be prepared to vote intelligently or to say to what committee the bill should be referred unless, by the reading of it, he had obtained knowledge of its subject-matter and of the legislation which it proposed, whether original or amendatory of existing law. This rule requires that every bill and joint resolution shall receive three readings. What does that mean? It means that on the first introduction of a bill any member shall have the right to have it read in order that he may become possessed and the House may become possessed of its character and of the legislation proposed in it. And, sir, the rule is a very salutary one, for the reason that much of the hasty legislation which passes Congress gets through here in consequence of the fact that bills are introduced and referred to committees and gravely considered by those committees and by their subcommittees and brought back to the House before most of the members of the House have learned anything about their character or provisions.

Generally speaking, the House has, and justly has, very great regard for the reports of its committees, because it presumes that every committee to whom a measure is intrusted will properly investigate the subject and will report the bill either favorably or unfavorably, as ought to be done by a committee looking to the legislative interests of the whole country. Therefore it is that occasionally unwise legislation will creep through the two Houses of Congress on account of the favorable reports of committees, or good legislation, in regard to the merits of which the House is profoundly ignorant, will fail by reason of the unfavorable action of committees; and this ignorance of the House in regard to measures which are to come before it for consideration may be facilitated if the ruling insisted upon by the gentleman from Illinois be sustained and the Chair should decide that a bill when introduced for the first time for reference can be read only by its title. In addition to that it might be possible that in particular cases the House, if informed in regard to the character of a measure, might desire to adopt the most prompt and effective parliamentary methods in order to insure its defeat; we might vote to reject a bill upon its first reading, thus waiving the necessity of reference to a committee and investigation by such committee. We might desire to consider and dispose of a bill at once by striking out the enacting clause or by any other prompt and decisive method by which bills may be summarily disposed of. Hence I insist that this bill and all others, when primarily introduced, should be read for the information of the House in order that we may understand the character of the legislation which any Representative or Delegate is insisting upon.

We are now just beginning the call of States for the introduction of bills and resolutions. A Representative from the State of Arkansas introduces a bill. I do not know from the title its purport or object. It may be possible that, with a proper understanding of its provisions, I might desire to have them extended to the State of Mississippi, and might wish to go before the committee for the purpose of asking an amendment of that character. Other members might desire to advocate similar amendments before the committee. Therefore we have a right to ask that bills when first introduced be read for the general information of the House and the Speaker, so that it may be ascertained where the bill should be referred, so that we may know the subject-matter of the bill, that the attention of members may be drawn to the class of legislation contemplated.

There is too much reliance placed upon committees in regard to the investigation of matters of this sort. While I have no doubt that our committees perform their duties to the extent of their ability and inform themselves thoroughly in regard to the measures referred to them, yet it may be that in some cases no one outside of the committee has such information. A bill remains in the keeping of a committee until they choose to make a report on the subject. Now, it may be I might desire to insist that the committee to which a particular bill is referred should make report upon it; and the information prompting me to take this course might be obtained from the full reading of the bill at the time of its introduction. I submit, therefore, there are many reasons why a bill when originally introduced should be read for the information of the House and in order to enlighten the mind of the Speaker as to the proper reference.

The SPEAKER. When this question was first presented the Chair was inclined to take the view urged by the gentleman from Illinois [Mr. SPRINGER]; but upon a more careful reading of the rule the Chair is satisfied that the exception at the end of the clause applies to both classes of bills previously mentioned; in other words, that the true construction is that bills shall be read a first and second time by their titles, whether introduced by a member for reference or reported as original bills from committees, except when the reading in full is demanded by a member of the House. When this demand is made, the Chair thinks the bill must be read in full, because the House may be called upon to vote on the question of the proper reference. The Chair overrules the point of order. The Clerk will read the bill.

The bill (H. R. 11806), introduced by Mr. MCRAE, to settle certain accounts between the United States and the State of Arkansas was read in full.

The bill having been read a first and second time was referred to the Committee on the Public Lands, and ordered to be printed.

BANKRUPTCY.

Mr. BARNES. I introduce the bill which I send to the desk and ask to have it read.

The bill was read by its title, as follows:

A bill to establish a uniform system of bankruptcy throughout the United States.

Mr. SPRINGER. I object to the reading of this bill, which, I understand, is a bill already pending in the House, having been referred to one of its committees.

Mr. BARNES. This is a bill which was originally introduced in the Forty-ninth Congress; and I do not understand that it is pending in this Congress.

Mr. BAKER, of New York. I rise to a question of information. How can we know that this bill is pending in the House unless it be read? It must be read in order to ascertain whether it is identical with any other bill now pending.

The SPEAKER *pro tempore* (Mr. MCCREARY). The bill sent up by the gentleman from Georgia [Mr. BARNES] appears to be a bill which was introduced in the Forty-ninth Congress. The present occupant of the chair has no information whether any similar bill has been introduced in the present Congress, or what action may have been taken upon it.

Mr. BARNES. Mr. Speaker, I know of no such bill introduced in this Congress.

The SPEAKER *pro tempore*. The Chair is of opinion that the gen-

tleman from Georgia has the right to introduce this bill and to have it read.

Mr. DUNHAM. Inasmuch as under the ruling of the Chair, which requires, upon the demand of any member, the reading of all these bills, it will be absolutely impossible for any other business to be done to-day unless some arrangement be made, I ask unanimous consent that the rule providing that this shall be a day for suspension of the rules be suspended, so that the House may go on with its regular business, the same as on any other day.

Mr. BLOUNT. I object.

Mr. SPRINGER. I do not think the House should cease to do business because one member chooses to take up the time to have read a bill which has been offered, not for the purpose of consideration, but merely to consume the time.

The SPEAKER *pro tempore*. The regular order has been demanded.

Mr. SPRINGER. I shall insist on the regular order. I ask the gentleman from Georgia whether he understands as matters stand we can not do any business in the House to-day.

The SPEAKER *pro tempore*. The regular order has been demanded.

Mr. DUNHAM. If this is suspended we can go on with the business as on any other day.

Mr. SPRINGER. I think I can answer the gentleman. The gentleman from Georgia intends to consume the time of the House to-day in order to prevent the members getting to the Oklahoma bill.

Mr. DUNHAM. I am not doing anything of that sort.

Mr. SPRINGER. No, not the gentleman from Illinois, but the gentleman from Georgia who asks for the reading of this bill is. He is endeavoring to filibuster away the time of the House to prevent the Oklahoma bill being taken up for consideration and action.

Mr. KILGORE. I rise for the purpose of making a privileged motion.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. KILGORE. I move that the House do now adjourn.

The House divided; and there were—ayes 18, noes 66.

So the House refused to adjourn.

The SPEAKER *pro tempore*. The Clerk will now proceed to read the bill.

The Clerk proceeded with the reading of the bill.

Mr. WARNER (interrupting). I wish, for the purpose of expediting legislation, to make this statement——

Mr. HOOKER. I am unable to hear what the gentleman from Missouri says.

Mr. WARNER. The gentleman will in a moment.

Mr. HOOKER. Very well, then.

Mr. WARNER. Mr. Speaker, the apparent if not the evident purpose of members in demanding the reading of these bills—to determine, as stated by the gentleman from Mississippi [Mr. HOOKER], to what committee they may be referred, and in order that the minds of members may be informed as to the character of the legislation proposed—is to defeat the consideration of the Oklahoma bill. For one, sir, I believe that there is no more important piece of legislation before this House than the Oklahoma bill.

Mr. HOOKER. I demand the regular order of business.

The SPEAKER *pro tempore*. For what purpose does the gentleman from Mississippi rise?

Mr. HOOKER. I rise to a point of order.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. HOOKER. The gentleman from Missouri has no right to interrupt the reading of the bill, which has been decided to be in order.

The SPEAKER *pro tempore*. Does the gentleman from Mississippi object?

Mr. WARNER. I have a proposition to make, and wish merely to preface it with a few remarks.

Mr. HOOKER. I rise to a point of order.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. WARNER. I want but a moment.

Mr. HOOKER. If the gentleman is allowed to proceed, then I wish to have an opportunity to reply to him.

The SPEAKER *pro tempore*. The gentleman from Mississippi has said that he rose to make a point of order. He will state his point of order.

Mr. HOOKER. My point of order is, Mr. Speaker, that the gentleman from Missouri is interrupting the call of States for the purpose of making a speech in favor of a bill pending before the House; and with all respect to the gentleman I insist that he is out of order.

Mr. WARNER. I wish to reply to the point of order of the gentleman from Mississippi. I thought possibly my remarks might be as entertaining and as instructive and would take no more time than the reading of the bill; and especially as the consumption of the time is the purpose of the gentleman. I thought perhaps the point of order would not be raised. If the gentleman will permit me, I will say that I ask by unanimous consent, rather than stand in the way of the legislation of the House, and I ask as one of the friends of that measure, the Oklahoma bill, that it be temporarily laid aside in order that we may proceed with the other business of the House, not to lose its place on the Calendar.

Mr. HOOKER. Should it not be laid aside indefinitely?

Mr. WARNER. I have no doubt the gentleman from Mississippi would like to see that done. I have no doubt, too, many of the persons interested in the cattle syndicates would also like to see that done.

Mr. HOOKER. Could not the gentleman say something now in favor of the homeless and the landless?

Mr. BAKER, of New York. Let me inquire of the gentleman from Missouri whether he makes this request for unanimous consent with a purpose later in the day to call up the Oklahoma bill?

Mr. WARNER. No, it is not my purpose later in the day, I will say to my learned friend from New York, to call up the Oklahoma bill to day. I know gentlemen desire to offer other bills, and I do not desire to deceive gentlemen in their innocence.

The SPEAKER *pro tempore*. The Chair will state that the gentleman from Georgia demanded, as he had a right to demand, the reading of the bill, and until that demand is withdrawn only the reading of the bill is in order.

Mr. WARNER. But I hope the gentleman from Georgia will accept the suggestion I have made.

Mr. BARNES. With the understanding——

Mr. BLAND. We had better have the regular order.

Mr. SPRINGER. I hope the gentleman from Missouri will not insist upon that demand. It means that we will do nothing to-day.

Mr. BLAND. Well, we will strike something else further along, and I think we had just as well get on with what we are doing now.

Mr. SPRINGER. No, I think we can arrange this.

Mr. BARNES. With the understanding that the Oklahoma bill will not be taken up to-day, I am willing to withdraw the bill.

Mr. SPRINGER. I will give my assurance as far as I can, and the assurance of the gentleman from Missouri as far as he can, that the Oklahoma bill will not be taken up to-day.

Mr. WARNER. I will certainly give mine.

Mr. BARNES. If it is understood, with the unanimous consent of the House, that the Oklahoma bill will not be taken up to-day, I will withdraw the bill.

The SPEAKER *pro tempore*. The Chair is unable to give unanimous consent.

Mr. SPRINGER. The House can.

Mr. WARNER. I will say to the gentleman that I have the substitute bill in my possession, and that it will not be offered to-day.

Mr. BARNES. How about the other bill?

Mr. WARNER. No other bill on the subject of Oklahoma will be offered for consideration to-day.

Mr. BARNES. Then I withdraw the bill.

The SPEAKER *pro tempore*. The bill is withdrawn.

REPORT OF THE HEALTH OFFICER OF THE DISTRICT OF COLUMBIA.

Mr. SPRINGER introduced a joint resolution (H. Res. 241) authorizing the printing of 2,500 extra copies of the report of the health officer of the District of Columbia; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

AMENDMENT TO RULE XXI.

Mr. SPRINGER also submitted the following resolution; which was read, and referred to the Committee on Rules:

Resolved, That clause 1 of Rule XXI be amended by adding thereto the following proviso:

"*Provided*, That this order of business shall not extend beyond one hour on each Monday, except by unanimous consent."

MORANT CAY ISLANDS.

Mr. SPRINGER also introduced the following resolution; which was read, and referred to the Committee on Foreign Affairs:

Resolved, That the Secretary of State be, and is hereby, requested to furnish, for the information of this House, a copy of all declarations, memorials, letters, papers, and other documents on file in his Department in relation to the islands known as the Morant Cays, in the Caribbean Sea, pertaining to the United States, and especially all such declarations, memorials, letters, papers, and assignments as may have been filed in the Department of State by James W. Jewett, Prudencio de Murziundo, and Ward H. Lamon since January, 1866, and including a copy of any diplomatic correspondence in relation to said islands between the Government of the United States and that of Her Britannic Majesty which, in the judgment of the Secretary of State, may be made public without detriment to the public service.

AMENDMENT OF PENSION LAWS.

Mr. LAWLER introduced a bill (H. R. 11807) granting pensions to soldiers and sailors and widows of soldiers and sailors over fifty years of age; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

Mr. LAWLER. I introduced a similar bill to this one week ago, but the demand has been so general to change from sixty years to fifty years that I have thought it better to introduce a new bill on that subject fixing those years.

GRAND JURIES, ALASKA.

Mr. LYMAN introduced a bill (H. R. 11808) to provide for grand juries in the United States district court in and for the district of Alaska; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PUBLIC BUILDING, ARKANSAS CITY, KANS.

Mr. PERKINS introduced a bill (H. R. 11809) to construct a public

building at Arkansas City, Kans., and for other purposes; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ORDER OF BUSINESS.

The State of Kansas was called.

Mr. ANDERSON, of Kansas. Mr. Speaker, I desire to make a statement, with the consent of the House. I have consulted with the chairman of the Committee on the Pacific Railroads, having in charge the Pacific funding bill, and had an understanding from him that he would not to-day call up for suspension of the rules that bill; and I wish now to have the understanding of the House, he not being in his seat, the only reason for this being——

Mr. OUTHWAITE. What is the statement of the gentleman?

Mr. ANDERSON, of Kansas. I did not observe that the chairman of the committee was in the Hall. I desire to have an understanding that the Pacific funding bill will not be called up to-day.

Mr. OUTHWAITE. That is what I agreed, that I would not call up the funding bill to-day; but, the gentleman will remember, I stated at the same time that I intended at all times to use all the exertions in my power to have a day fixed for its consideration.

Mr. ANDERSON, of Kansas. But the understanding was that there would be no motion to suspend the rules to-day.

Mr. OUTHWAITE. Not, as I have said, to suspend the rules and pass the bill; but as to fixing the time for the consideration of the bill, I do not yield that privilege to anybody. It is my duty as chairman of the committee to make every effort to have it considered by the House, and I do not intend to be precluded from that privilege at any and all times. I have agreed with the gentleman simply that I will not endeavor to take up the bill to-day and pass it under a suspension of the rules.

Mr. ANDERSON, of Kansas. With that understanding I will not introduce the bill——

The SPEAKER *pro tempore* called the State of Kentucky.

Mr. ANDERSON, of Kansas. One word, Mr. Speaker. I perhaps did not hear what the gentleman from Ohio said, it has been suggested to me. Do I understand him to say that he would offer to-day a resolution to suspend the rules and fix a day?

Mr. OUTHWAITE. I make no bargain with you, or any other member, as to when I will offer a resolution to fix a day for the consideration of the bill. But, as I have said, I will not attempt to-day to take up the bill and have it passed under a suspension of the rules.

Mr. O'NEILL, of Missouri. Let him introduce his bill if he wants to.

Mr. ANDERSON, of Kansas. I now introduce the bill——

Mr. BRECKINRIDGE, of Kentucky. Mr. Speaker, I rise to a point of order.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. BRECKINRIDGE, of Kentucky. The point of order I make is, that the State of Kansas has been called and passed, and the State of Kentucky called; therefore the bill can only be introduced by unanimous consent after the call of the States.

Mr. SPRINGER. The gentleman from Kentucky had sent his bill up to the Clerk.

Mr. OUTHWAITE. The bill had not been sent up.

Mr. SPRINGER. The title of the bill of the gentleman from Kentucky [Mr. BRECKINRIDGE] had been read by the Clerk, the State of Kansas having been passed.

Mr. OUTHWAITE. Oh, I understand.

Mr. ANDERSON, of Kansas. I wish to state to the Chair that I waived my right because of misapprehension. I was advised at the time by some gentlemen of my misunderstanding of what the gentleman from Ohio had said, and I presume that as a matter of right and courtesy the point of order will not be pressed against my right to introduce the bill under these circumstances.

The SPEAKER *pro tempore*. The gentleman from Kansas addressed the Chair, and then turned and addressed the gentleman from Ohio [Mr. OUTHWAITE] and yielded the floor. After that the Chair called for the introduction of bills and resolutions from Kansas, and no one responded. The Chair then called Kentucky, and the gentleman from Kentucky [Mr. BRECKINRIDGE] sent up a bill. The gentleman from Kansas had yielded the floor, and the Chair having called the State of Kentucky can not now go back in the call of States except by unanimous consent.

Mr. ANDERSON, of Kansas. Then I ask unanimous consent to introduce a bill.

Mr. OUTHWAITE. I object.

ZOOLOGICAL PARK, DISTRICT OF COLUMBIA.

The SPEAKER *pro tempore*. The Clerk will read the title of the bill offered by the gentleman from Kentucky.

The Clerk read as follows:

A bill (H. R. 11810) for the establishment of a zoological park in the District of Columbia.

Mr. ANDERSON, of Kansas. I ask for the reading of the bill.

The bill was read at length.

The bill was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

AMENDMENT OF THE CONSTITUTION OF THE UNITED STATES.

Mr. BRECKINRIDGE, of Kentucky, also introduced a joint resolution (H. Res. 242) for the amendment of the Constitution of the United States in regard to polygamy and polygamous association or cohabitation between the sexes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

Mr. BRECKINRIDGE, of Kentucky. I ask that that be inserted in the RECORD.

The SPEAKER *pro tempore*. The gentleman from Kentucky asks unanimous consent that the proposed amendment to the Constitution be inserted in the RECORD. Is there objection?

Mr. BREWER. Is the gentleman referring to the bill which was read and referred to the Committee on Public Buildings and Grounds? There was a bill of that kind which was referred to the Committee on Public Lands. We have a precisely similar bill now before the Committee on the District of Columbia.

The SPEAKER *pro tempore*. The gentleman from Kentucky asks unanimous consent that the joint resolution in regard to an amendment of the Constitution be printed in the RECORD. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The joint resolution is as follows:

Joint resolution for the amendment of the Constitution of the United States in regard to polygamy or polygamous association or cohabitation between the sexes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That it is deemed necessary by the two Houses of Congress to propose an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified, as hereby proposed, by the Legislatures of three-fourths of the several States, the amendment hereby proposed to be numbered and to read as follows, to wit:

"ARTICLE XVI.

"SECTION 1. The marriage relation, by contract or in fact, between one person of either sex and more than one person of the other sex shall be deemed polygamy. Neither polygamy nor any polygamous association or cohabitation between the sexes shall exist or be lawful in any place within the jurisdiction of the United States or of any State.

"SEC. 2. The United States shall not, nor shall any State, make or enforce any law which shall allow polygamy or any polygamous association or cohabitation between the sexes, but the United States and every State shall prohibit the same by law within their respective jurisdictions.

"SEC. 3. The judicial power of the United States shall extend to the prosecution of the crimes of polygamy and of a polygamous association or cohabitation between the sexes under this article; and Congress shall have power to declare by law the punishment therefor.

"SEC. 4. Nothing in the Constitution or in this article shall be construed to deny to any State the exclusive power, subject to the provisions of this article, to make and enforce all laws concerning marriage and divorce within its jurisdiction, or to vest in the United States any power respecting the same within any State."

MADAGASCAR.

Mr. McCREARY introduced a resolution requesting the President to communicate to the House of Representatives any recent information in the Department of State relating to affairs in Madagascar; which was referred to the Committee on Foreign Affairs.

Mr. ANDERSON, of Kansas. Let that be read.

The resolution was read.

FUNERAL EXPENSES OF JAMES K. EDWARDS, ETC.

Mr. BLANCHARD introduced the following resolution; which was read, and referred to the Committee on Accounts:

Resolved, That the Clerk of the House of Representatives be authorized and directed to pay, out of the contingent fund of the House, to the widow of James K. Edwards, deceased (late one of the Official Reporters of the House), the expenses of his last illness and funeral, not to exceed the sum of $500, and a further sum equal to six months of the salary which said Edwards was receiving at the time of his death.

POST-OFFICE BUILDINGS.

Mr. ANDERSON, of Mississippi, introduced the following resolution; which was referred to the Committee on Rules:

Resolved, That January 15, 1889, immediately after the reading of the Journal, be set apart for the consideration of H. R. 3319, entitled "A bill to provide for post-office buildings."

Mr. ANDERSON (for Mr. CATCHINGS) (by request) introduced a bill (H. R. 11811) to amend an act to incorporate the Georgetown and Tennallytown Railway Company of the District of Columbia, which was received by the President August 10, and became a law without his approval; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. ANDERSON, of Kansas. Let that be read.

The bill was read at length.

CHANGE OF REFERENCE.

Mr. STOCKDALE. I ask to have the bill which I send to the Clerk's desk recommitted to the Committee on War Claims.

The SPEAKER *pro tempore*. That is not in order now.

Mr. STOCKDALE. I ask unanimous consent that it be done.

The SPEAKER *pro tempore*. The Chair will recognize the gentleman on the close of the call of States and Territories.

SUPREME COURT, DISTRICT OF COLUMBIA.

Mr. McCOMAS. I ask unanimous consent, as the State of Maryland was passed, to introduce a bill for reference.

The SPEAKER *pro tempore*. Is there objection?

Mr. OUTHWAITE. I do not object.

The Clerk read as follows:

A bill (H. R. 11812) to invest the supreme court of the District of Columbia with jurisdiction over real estate of infants and lunatics in said District.

Mr. ANDERSON, of Kansas. Let the bill be read.

Mr. OUTHWAITE. I consented that it should be introduced for reference only; not that it should be made an instrument of filibustering.

Mr. ANDERSON, of Kansas. Whenever an attempt is made to lend $60,000,000 at 3 per cent. to a rich railroad company the gentleman from Kansas will filibuster.

The bill was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

EQUALIZATION OF PAY OF HOUSE MESSENGERS.

Mr. McKINNEY introduced a resolution providing for the equalization of the pay of messengers of the House of Representatives; which was referred to the Committee on Accounts.

Mr. ANDERSON, of Kansas, demanded the reading of the resolution, and it was read at length.

ACCOUNTS UNDER EIGHT-HOUR LAW.

Mr. BUCHANAN offered the following resolution; which was read, and referred to the Committee on Rules:

Resolved, That Wednesday, December 19, immediately after the reading of the Journal, be set apart for the consideration of Senate bill No. 405, an act providing for the adjustment of accounts of laborers, etc., under the eight-hour law.

TARIFF.

Mr. FITCH introduced a bill (H. R. 11813) to modify existing laws relating to duties on imports and the collection of revenue; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

Mr. ANDERSON, of Kansas. I ask that that bill be read.

The bill was read.

SECTIONS 5390 AND 5447, REVISED STATUTES.

Mr. FARQUHAR introduced a bill (H. R. 11814) to further amend sections 5390 and 5447 of the Revised Statutes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

Mr. ANDERSON, of Kansas, demanded the reading of the bill, and it was read in full.

TARIFF AND INTERNAL-REVENUE TAXATION.

Mr. SPINOLA. Mr. Speaker, I desire to introduce a bill. I introduce it by request, and do not wish to be regarded as obliged to support a single provision contained in it, but when it comes before us here I will then give its provisions fair consideration.

Mr. OUTHWAITE. In other words, the gentleman means to filibuster.

Mr. SPINOLA. I do not know about that, but I mean that they shall not get up the Nicaragua Canal bill to-day.

The bill introduced by Mr. SPINOLA was read by title, as follows: "A bill to reduce taxation and simplify the laws in connection with the revenue."

Mr. ANDERSON, of Kansas. Let that bill be read.

The Clerk proceeded to read the bill.

Mr. DUNHAM. Mr. Speaker, I desire to know how many pages there are in that bill.

ORDER OF BUSINESS.

Mr. ANDERSON, of Kansas. Regular order.

Mr. DUNHAM. I move that the House do now adjourn.

Mr. GROUT. Before that motion is put I wish to make a request. I have here a bill which is not a filibustering bill at all, which I should like to introduce for reference.

The SPEAKER. Does the gentleman from Illinois yield?

Mr. DUNHAM. I yield for that purpose.

TO MAKE POSTMASTERS ELECTIVE.

Mr. GROUT. This is a bill which I introduce in good faith and desire to have referred to the Committee on the Post-Office and Post-Roads, in the hope that it may be reported to the House at the present session.

The bill H. R. 11815, a bill to enable the people to name their postmasters, was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

Mr. COBB. Mr. Speaker, I desire to introduce a joint resolution for reference to the Committee on Indian Affairs.

The SPEAKER *pro tempore*. Does the gentleman from Illinois yield?

Mr. DUNHAM. I withdraw the motion temporarily to allow bills to be introduced that really mean business.

Mr. BROWNE, of Indiana. I ask for the regular order.

BUSINESS FROM THE COMMITTEE ON THE JUDICIARY.

Mr. CULBERSON. I ask unanimous consent to introduce a resolution for reference.

The SPEAKER *pro tempore*. The gentleman may send it up and it will be read by title, after which the Chair will ask for objection.

The resolution was read as follows, and was referred to the Committee on Rules:

Resolved, That the 16th and 17th days of January, 1889, be set apart for the consideration of measures reported by the committee from the Judiciary, in such order as may be presented by said committee; this order, however, not to interfere with appropriation and revenue bills.

Mr. LANHAM. I ask unanimous consent to introduce a resolution.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Texas?

Mr. BROWNE, of Indiana. I rise to a parliamentary inquiry. I understood the gentleman from New York [Mr. SPINOLA], a few moments ago, when his State was called, to send to the Speaker's desk a bill the reading of which has been demanded. That bill is now in the hands of the Clerk, and I demand the regular order.

The SPEAKER *pro tempore*. The gentleman from Indiana demands the regular order; which amounts to an objection to the request of the gentleman from Texas.

Mr. DUNHAM. Then I move that the House do now adjourn.

The question was taken; and there were—ayes 53, noes 42.

Mr. JACKSON. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 43, nays 134, not voting 146; as follows:

YEAS—43.

Anderson, Ill.	Dunham,	Lanham,	Rowland,
Anderson, Kans.	Ford,	Mansur,	Snyder,
Biggs,	Gaines,	Martin,	Stockdale,
Bland,	Gallinger,	McKinney,	Tillman,
Boothman,	Gibson,	Moore,	Turner, Kans.
Carlton,	Grimes,	Neal,	Turner, Ga.
Caruth,	Hare,	Perry,	Vandever,
Cheadle,	Haugen,	Phelan,	Wade,
Cox,	Howard,	Phelps,	Walker,
Culberson,	Kilgore,	Pidcock,	Woodburn.
Cummings,	Landes,	Rogers,	

NAYS—134.

Abbott,	Cowles,	Hopkins, Ill.	Richardson,
Adams,	Crouse,	Hopkins, Va.	Robertson,
Allen, Mich.	Cutcheon,	Jackson,	Rockwell,
Arnold,	Darlington,	Kean,	Romeis,
Atkinson,	Davidson, Fla.	Kennedy,	Rowell,
Baker, N. Y.	Davis,	Kerr,	Ryan,
Baker, Ill.	De Lano,	Ketcham,	Sayers,
Bankhead,	Dibble,	Laidlaw,	Scull,
Bingham,	Dockery,	Lodge,	Smith,
Blanchard,	Dorsey,	Lyman,	Sowden,
Blount,	Dunn,	Mason,	Spinola,
Breckinridge, Ark.	Elliott,	McComas,	Spooner,
Breckinridge, Ky.	Enloe,	McCreary,	Springer,
Brewer,	Farquhar,	McCullogh,	Steele,
Browne, T. H. B., Va.	Finley,	McKinley,	Stephenson,
Browne, Ind.	Foran,	McMillin,	Stewart, Tex.
Brown, Ohio	French,	McRae,	Stone, Ky.
Buchanan,	Funston,	McShane,	Struble,
Burrows,	Gear,	Moffitt,	Taylor, E. B., Ohio
Butler,	Gest,	Montgomery,	Taylor, J. D., Ohio
Butterworth,	Glass,	Morrill,	Thomas, Ill.
Bynum,	Grout,	Morrow,	Thomas, Wis.
Campbell, F., N. Y.	Hall,	Nelson,	Townshend,
Candler,	Hatch,	O'Donnell,	Vance,
Cannon,	Hayden,	O'Ferrall,	Weaver,
Caswell,	Hayes,	O'Neall, Ind.	Weber,
Catchings,	Henderson, Iowa	O'Neill, Pa.	Wheeler,
Chipman,	Henderson, Ill.	O'Neill, Mo.	White, N. Y.
Clardy,	Hermann,	Outhwaite,	Wickham,
Clark,	Hiestand,	Peel,	Wilson, W. Va.
Clements,	Hires,	Penington,	Wise,
Cobb,	Hitt,	Perkins,	Yardley.
Cogswell,	Holman,	Peters,	
Conger,	Holmes,	Reed,	

NOT VOTING—146.

Allen, Mass.	Dargan,	Johnston, Ind.	Norwood,
Allen, Miss.	Davenport,	Johnston, N. C.	Nutting,
Anderson, Iowa	Davidson, Ala.	Jones,	Oates,
Anderson, Miss.	Dingley,	Kelley,	Osborne,
Bacon,	Dougherty,	Laffoon,	Owen,
Barnes,	Ermentrout,	La Follette,	Parker,
Barry,	Felton,	Lagan,	Patton,
Bayne,	Fisher,	Laird,	Payson,
Belden,	Fitch,	Lane,	Plumb,
Bliss,	Flood,	Latham,	Post,
Bound,	Forney,	Lawler,	Pugsley,
Boutelle,	Fuller,	Lee,	Randall,
Bowden,	Gay,	Lehlbach,	Rayner,
Bowen,	Glover,	Lind,	Rice,
Brower,	Goff,	Long,	Russell, Conn.
Brown, J. R., Va.	Granger,	Lynch,	Russell, Mass.
Brumm,	Greenman,	Macdonald,	Rusk,
Bryce,	Grosvenor,	Maffett,	Sawyer,
Buckalew,	Guenther,	Mahoney,	Scott,
Bunnell,	Harmer,	Maish,	Seney,
Burnes,	Heard,	Matson,	Seymour,
Burnett,	Hemphill,	McAdoo,	Shaw,
Campbell, Ohio	Henderson, N. C.	McClammy,	Sherman,
Campbell, T. J., N. Y.	Herbert,	McCormick,	Shively,
Cockran,	Hogg,	McKenna,	Simmons,
Collins,	Hooker,	Merriman,	Stahlnecker,
Compton,	Hopkins, N. Y.	Milliken,	Stewart, Ga.
Cooper,	Houk,	Mills,	Stewart, Vt.
Cothran,	Hovey,	Morgan,	Stone, Mo.
Crain,	Hudd,	Morse,	Symes,
Crisp,	Hunter,	Newton,	Tarsney,
Dalzell,	Hutton,	Nichols,	Taulbee,

Thomas, Ky.	Washington,	Whitthorne,	Wilson, Minn.
Thompson, Ohio	West,	Wilber,	Yoder,
Thompson, Cal.	White, Ind.	Wilkins,	Yost.
Tracey,	Whiting, Mich.	Wilkinson,	
Warner,	Whiting, Mass.	Williams,	

So the House refused to adjourn.

Mr. MCKINNEY. I move that the reading of the names be dispensed with.

Mr. ANDERSON, of Kansas. I object.

The Clerk recapitulated the vote.

The following additional pairs were announced for the remainder of the day:

Mr. HERBERT with Mr. BOUTELLE.

Mr. COTHRAN with Mr. HOUK.

Mr. HENDERSON, of North Carolina, with Mr. NICHOLS.

Mr. WILKINS with Mr. DAVENPORT.

The result of the vote was announced as above stated.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. FULLER, for ten days, on account of sickness in his family.

To Mr. COTHRAN, for ten days.

WITHDRAWAL OF BILL.

Mr. SPINOLA. The bill which I introduced by request I now desire to withdraw from further consideration.

CLERK OF COMMITTEE ON ELEVENTH CENSUS.

Mr. COX introduced the following resolution; which was referred to the Committee on Accounts:

Resolved, That the Committee on Appropriations be, and they are hereby, instructed to report an amendment to the legislative, executive, and judicial appropriation bill providing for the payment of the clerk of the Committee on the Eleventh Census from the 4th day of March, 1889, to June 30, 1890, at the rate now provided by existing law.

REPEAL OF TOBACCO TAX, ETC.

Mr. COWLES introduced the following resolution; which was referred to the Committee on Ways and Means:

Resolved, That the Committee on Ways and Means be instructed to report at an early day a separate bill making provision for the repeal of the tobacco tax, the retail license tax on dealers in spirituous liquors, and the other internal-revenue provisions of House bill No. 9051, known as "the Mills bill;" so that the same may be acted upon as a distinct proposition.

DISPUTED LAND-PATENTS, ETC., IN OREGON.

Mr. HERMANN introduced the following resolution; which was referred to the Committee on the Public Lands:

Be it resolved, That the Secretary of the Interior be requested to inform the House what action, if any, has been taken by him in the matter of the cancellation or annulment of patents and lists of selections of lands heretofore granted by Congress and now claimed by The Dalles Military Wagon-Road Company in the State of Oregon, and whether any portion of said lands have been restored to the public domain for settlement.

SCHOOL LANDS, ETC., IN DISTRICT OF COLUMBIA.

Mr. ATKINSON introduced a bill (H. R. 11816) to provide for the appropriation and valuation of land required for school and other purposes in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

SQUARE SOUTH OF SQUARE 1092, WASHINGTON, D. C.

Mr. ATKINSON (by request) also introduced a bill (H. R. 11817) vesting in the vestry of Christ Church, Washington parish, District of Columbia, all of the right, title, and interest of the United States of America in and to square south of square 1092, in the city of Washington, D. C.; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

SENIOR MEDICAL DIRECTORS, UNITED STATES NAVY.

Mr. O'NEILL, of Pennsylvania, introduced a bill (H. R. 11818) for the relief of senior medical directors on the retired-list of the Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

EMPLOYÉS IN THE POST-OFFICE DEPARTMENT.

Mr. HOUK introduced a bill (H. R. 11819) for the relief of employés and late employés in the Post-Office Department; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

SENATE BILLS ON PRIVATE CALENDAR.

Mr. LANHAM submitted the following resolution; which was referred to the Committee on Rules:

Resolved, That the 11th and 18th days of January, 1889, after the morning hour, be set apart for the consideration of Senate bills on the Private Calendar of the House, except pension bills, the consideration of which is already provided for at the Friday evening sessions.

JUDICIARY COMMITTEE BUSINESS.

Mr. CULBERSON submitted the following resolution; which was referred to the Committee on Rules:

Resolved, That the 16th and 17th days of January, 1889, be set apart for the consideration of measures reported from the Committee on the Judiciary in such order as may be presented by said committee; this order, however, not to interfere with appropriation and revenue bills.

REPEAL OF TOBACCO TAX.

Mr. GAINES submitted the following resolution; which was referred to the Committee on Ways and Means:

Resolved, That the Committee on Ways and Means be instructed to report to this House one of the many bills already introduced for the repeal of the tax on tobacco.

LEWIS AND CLARKE EXPLORATIONS, ETC.

Mr. WILSON, of West Virginia, presented the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That —— copies of the message of the President communicating discoveries made in exploring the Missouri, Red River, and Washita, by Captains Lewis and Clarke, Dr. Sibley, and Mr. Dunbar, 1806, be printed for use of the Fiftieth Congress, together with a map showing the country traversed by them as it is now known, upon which shall be traced a clear and distinct line showing the route followed by the explorers, Lewis and Clarke, etc.

LINCOLN LAND DISTRICT, NEW MEXICO.

Mr. JOSEPH introduced a bill (H. R. 11820) to create the Lincoln land district in the Territory of New Mexico; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

SIOUX RESERVATION, DAKOTA.

Mr. PEEL (by request) introduced a bill (H. R. 11821) to open and divide the great Sioux reservation in Dakota into smaller reservations, and for other purposes; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

UNAVAILABLE AND WORTHLESS ACCOUNTS.

Mr. WHITE, of New York, introduced a bill (H. R. 11822) directing the Treasurer of the United States to charge off certain unavailable and worthless accounts now standing on the books of the United States Treasury as cash balances, and for other purposes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

MILITARY ORDER OF AMERICA.

Mr. WHEELER. I ask, by request, to introduce a bill to incorporate the Military Order of America, and to have printed in the RECORD the petition which accompanies the bill.

The SPEAKER *pro tempore*. It is a private bill and will be referred, together with the petition, through the box.

OKLAHOMA BILL.

Mr. WARNER. I wish, in order that the Journal may be made up correctly, to state that in allowing the Oklahoma bill to go over it is with the understanding that it shall not lose any of its rights upon the Calendar; in other words, that it shall go over without prejudice and occupy its proper place upon the Calendar.

The SPEAKER *pro tempore*. The Chair so understands.

PUBLIC BUILDING, SAN FRANCISCO, CAL.

The SPEAKER *pro tempore*. The call of States and Territories for the introduction of bills and resolutions is now concluded. The Clerk will read the bill coming over from the last suspension day, the motion being to suspend the rules and pass the bill with the amendment reported by the Committee on Public Buildings and Grounds. It is next in order when the consideration of the same class of business has been resumed.

The Clerk read as follows:

A bill (S. 1931) to increase the appropriation for the purchase of a site for a building for a post-office, court-house, and other offices in San Francisco, Cal.

Be it enacted, etc., That the amount heretofore fixed as a limit of the cost for the purchase of a site for a building for a post-office, court-house, and other offices by the United States Government in San Francisco, Cal., be, and the same is hereby, increased to $850,000, and that sum is hereby fixed as a limit of cost for the purchase of a site at voluntary sale or by condemnation.

SEC. 2. That the commissioners and officers of the United States Government having charge of the purchase of a site are authorized and required to be governed by the limitation hereby prescribed.

Mr. MORROW. I ask that the amendment of the Committee on Public Buildings and Grounds be read.

The Clerk read as follows:

In the seventh line strike out "eight" and insert "six;" so it will read "$650,000" instead of "$850,000."

Mr. MORROW. When this bill was before the House on a previous occasion the hour for adjournment arrived while the question was pending on a demand for a second. I now ask unanimous consent that a second be considered as ordered.

There was no objection.

The SPEAKER *pro tempore*. Under the rules fifteen minutes' debate will be allowed on each side.

Mr. MORROW. I will only say, Mr. Speaker, in behalf of the bill now before the House, that the purport of it is simply to increase the appropriation for the post-office at San Francisco by the amount of $300,000. Under the act of March 3, 1887, an appropriation was made of $350,000, and a commission, consisting of three persons, was authorized to be appointed by the Secretary of the Treasury to make a selection of a suitable site.

That commission was duly appointed, and proceeded under the law

to perform the duty. They have found several sites that they deem of value for the purpose of erecting this post-office upon in San Francisco, and have so reported to the Secretary of the Treasury. The Secretary has made his report to this House, first sending in the report of the commission and secondly the report of the Department concerning the necessity for the erection of a post-office there.

The amount of $300,000 additional, proposed to be appropriated, is deemed by the Committee on Public Buildings and Grounds to be sufficient, although not what was recommended by the commission, and the Senate bill provided for an increase of the appropriation of $500,000. That bill has been amended in that particular so as to reduce the total to $650,000.

I do not desire to detain the House further, but will reserve the remainder of my time, and will give way to any gentleman who desires to be heard in opposition.

Mr. KILGORE. I would like to ask the gentleman from California as to the amount provided for by this bill, and the circumstances under which the limit of the appropriation heretofore made has been increased.

Mr. MORROW. The bill which passed the House in March, 1887, had been pending before Congress for about ten years. The original amount proposed was $700,000, but General Rosecrans, then the Representative from San Francisco, deemed it advisable under all the circumstances to provide an appropriation of $350,000, and in the bill make provision also for the appointment of a commission to ascertain what a suitable site would cost. That is to say, it was not intended or expected that the sum of $350,000 would be sufficient to purchase an available site in the city of San Francisco at the time when that bill passed. When I came to Congress, in the Forty-ninth Congress, I found that the $350,000 bill had passed the Senate, and had at one time been considered by the House, but for some reason—because of technical proceedings in the last few days of the session—it did not pass. I introduced the bill precisely as I found it, which was passed, and the commission has been appointed by the Treasury Department, three able gentlemen from California, who have given the subject consideration, and their report has been transmitted to this body through the Secretary of the Treasury.

Mr. KILGORE. Now, Mr. Speaker——

Mr. MORROW. It must be remembered that we have no post-office building. The post-office is now located in the basement of the custom-house.

Mr. KILGORE. I understand this commission was appointed, and that they investigated the question of the purchase of a site?

Mr. MORROW. Yes, sir; and have made their report.

Mr. KILGORE. This bill is to appropriate a sum to buy a site, such as has been recommended by the commission?

Mr. MORROW. Not quite. They recommend $500,000, but the committee cut down their recommendations to $300,000, making the total appropriation $650,000.

Mr. WISE. I would like to say to the gentleman from Texas that I am familiar with the facts myself, as my friend from California knows, and I think this bill ought to pass. [Cries of "Vote!" "Vote!"]

The SPEAKER *pro tempore*. Unless some gentleman desires to be heard in opposition to the bill, the Chair will submit the question to the House.

The motion to suspend the rules and pass the bill, with the amendment proposed by the committee, was agreed to, more than two-thirds voting in favor thereof.

CHANGE OF REFERENCE.

Mr. STEELE. Mr. Speaker, I ask unanimous consent to have a bill, which was referred to the Committee on Military Affairs, referred to the Committee on Naval Affairs, where it properly belongs.

The SPEAKER *pro tempore*. The title of the bill will be read.

The Clerk read as follows:

A bill (S. 3612) donating condemned cannon and small-arms to Naval Post 400, Grand Army of the Republic, Department of Pennsylvania.

The SPEAKER *pro tempore*. In the absence of objection, the Committee on Military Affairs will be discharged from the further consideration of this bill, and it will be referred to the Committee on Naval Affairs.

ORDER OF BUSINESS.

Mr. PEEL (when the Committee on Indian Affairs was called). Mr. Speaker, I would ask unanimous consent that the Committee on Indian Affairs be passed over in the call without prejudice.

Mr. HOLMAN. I ask the same favor in regard to the Committee on the Public Lands.

There was no objection, and the order in each case was made.

Mr. BLOUNT. I ask that the same order be made with reference to the Committee on the Post-Office and Post-Roads.

There was no objection, and it was so ordered.

ADMISSION OF CERTAIN TERRITORIES.

Mr. SPRINGER (when the Committee on the Territories was called). By instruction of the Committee on the Territories, I offer the resolution I send to the desk, and move to suspend the rules and pass it.

The resolution was read, as follows:

Resolved, That the Committee on the Territories be discharged from the further consideration of Senate bill numbered 185, being a bill to provide for the admission of the State of South Dakota into the Union and for the organization of the Territory of North Dakota, and that said bill be made a special order to be considered in the House as in Committee of the Whole immediately after the reading of the Journal on to-morrow, and from day to day until disposed of, with leave to offer as a substitute therefor House bill 8466; and that thereafter other bills reported from said committee shall be in order in the House in like manner until disposed of, to be considered in the order fixed by the committee.

Mr. SPRINGER. This resolution makes the bill a special order for to-morrow after the reading of the Journal, but to be considered from day to day until disposed of, so that I do not expect to call it up to-morrow.

Mr. DINGLEY. Is this reported by the Committee on the Territories?

Mr. SPRINGER. Yes, sir.

Mr. DINGLEY. A matter which has been regularly referred to the committee?

Mr. SPRINGER. No——

Mr. CUTCHEON. What is the bill that may be offered as a substitute?

Mr. SPRINGER. What is known as the "omnibus bill," embracing other Territories, Montana, Washington, and New Mexico.

I will ask, as soon as that order is made, to print some amendments which I propose to offer to the bill.

The present proposition is to take up the question of South Dakota, with leave to offer the others as a substitute. I have submitted it to the Delegate from Dakota and he sees no objection.

Mr. GIFFORD. I wish to add that so far as Dakota is concerned this resolution is proper, and I trust it will pass.

Mr. COX. I would like to ask the gentleman from Illinois if, in the amendment he proposes, there is not a provision to allow the people of the Territory to vote upon the question of division?

Mr. SPRINGER. Certainly. It is a part of the proposition that Dakota can be divided if the people so desire.

Mr. REED. There is a provision that after we get through with that the Committee on Territories may go on with all their other bills.

Mr. SPRINGER. We have other bills. If this bill should be voted down, there are more bills making provision for the admission of the Territories.

Mr. REED. Your resolution covers all possible business of the Committee on Territories.

Mr. SPRINGER. We desire to have these bills considered, and they are all subject to the question of consideration.

Mr. REED. I simply want to call attention to the fact that this thing is loaded.

Mr. SPRINGER. We want to dispose of this business before we close, and therefore we ask that it shall cover all the bills.

Mr. DINGLEY. Mr. Speaker, there are gentlemen here who did not understand the reading of the resolution, and I ask that it be again read.

The resolution was again reported.

Mr. PETERS. I suggest that that be amended so as to say "other bills in relation to the admission of Territories."

Mr. SPRINGER. I have no objection to that.

Mr. COX. Let the last clause be read as it is proposed to amend it.

The Clerk read as follows:

The last clause will read: "That thereafter other bills in relation to the admission of the Territories reported from the said committee shall be in order in the House in like manner until disposed of, to be considered in the order fixed by the committee."

Mr. SPRINGER. That is right.

The SPEAKER *pro tempore*. Is a second demanded?

Mr. REED. It is understood that all other legitimate amendments may be offered?

Mr. SPRINGER. Certainly. It shall be considered in the House as in Committee of the Whole, which will admit any proper amendment. I desire to say to the gentleman that opportunity will be given to test the sense of the House by yea-and-nay votes upon every substantial proposition that the minority of the Committee on Territories desire to have a vote taken on.

Mr. REED. Why, then, do you ask for special leave to make the substitution?

Mr. SPRINGER. Because it would not be in order to make it unless we did so.

Mr. REED. Why do you not take up Dakota Territory separately and let us dispose of it at once?

Mr. SPRINGER. There is a bill pending in the Committee on Territories in regard to South Dakota. It would not be in order to move an amendment to that, except as relating to Dakota, unless this express leave shall be granted to embrace other Territories.

Mr. REED. Why do you not take up South Dakota and pass that, and go on to the others?

Mr. SPRINGER. That will be a matter the House can determine, if the majority is in favor of doing so.

Mr. REED. You can certainly ask unanimous consent. You want to go through the motion of attending to this Territorial business, and yet not attending to it at all.

Mr. SPRINGER. I can not hear what the gentleman says.

Mr. REED. I think you have got my idea. [Laughter.]

Mr. SPRINGER. I can not catch it unless I hear, and frequently I can not catch it after I hear. [Laughter.]

The SPEAKER *pro tempore*. Is a second demanded?

Mr. SPRINGER. I ask unanimous consent that a second be considered as ordered.

Mr. BRECKINRIDGE, of Kentucky. Mr. Speaker, there is such confusion that I do not understand the whole terms of the resolution. I therefore ask that it be reported again.

The resolution was again reported.

Mr. BRECKINRIDGE, of Kentucky. I would like to ask the gentleman who offered the resolution whether under that rule it will be in order for any other amendment concerning any other Territories than those contained in the House bill which was named?

Mr. SPRINGER. I so understand—that the bill will be open for any proper amendments. It is with a view to having the subject so enlarged that amendments can come in regarding the other Territories, so that the House can have a yea-and-nay vote to settle every one of these propositions. I will ask when the bill is up for such a fair consideration of it and such votes upon it as will test and bring out an expression of opinion in relation to every possible question.

Mr. BRECKINRIDGE, of Kentucky. There was a doubt in my mind—I do not profess to be a parliamentarian—whether under the terms of that resolution the offering of a substitute such as that House bill finally complied with its terms and excluded and exhausted all the terms of the order. If the construction put upon it by the gentleman from Illinois be a true one, then I have no objection.

Mr. COX. I would ask of the gentleman from Illinois this question——

Mr. REED. Of course everybody knows what this is. It is an effort to appear to desire to admit the Territory, but to complicate it with other matters. It will be made to appear when it is before the House.

Mr. COX. I hope the gentleman from Maine will be wrong in his conclusions as to that. I think it will be a patriotic matter with both parties, and that such amendments can be made that we can get the judgment of the best men of both sides of the House.

Mr. REED. If it was in the hands of the gentleman from New York I believe we could reach it fairly.

Mr. COX. I thank the gentleman for his compliment; but I think it is in safe hands now.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Illinois that the second shall be considered as ordered? [After a pause.] The Chair hears none, and the second is ordered.

The resolution was then agreed to, two-thirds voting in favor thereof.

Mr. SPRINGER. I ask unanimous consent to have printed in bill form some amendments which I shall offer to this bill at the proper time.

There was no objection, and it was so ordered.

Mr. COX. I suggest that there be included in that unanimous consent for the reprinting of the majority and minority reports on this subject.

Mr. SPRINGER. The report on the "omnibus bill" includes them all. It is House Report 1025.

There was no objection to the request of Mr. COX, and it was so ordered.

SITE FOR CITY POST-OFFICE, WASHINGTON, D. C.

Mr. DIBBLE. I am instructed by the Committee on Public Buildings and Grounds to move to suspend the rules and pass the bill which I have sent to the desk.

The Clerk read as follows:

A bill (H. R. 10406) for the purchase of square 489, in the city of Washington, as the site for the post-office, and other Government uses.

The bill was read, as follows:

A bill for the purchase of square 489, in the city of Washington, as the site for the post-office, and other Government uses.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, acquire by condemnation, or otherwise provide, square 489, in the city of Washington, in the District of Columbia, as the site for a city post-office, and for other Government uses. The said site shall not exceed in cost the sum of $430,000, and for the acquisition thereof the said sum of $430,000, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated.

SEC. 2. That in case the Secretary of the Treasury shall be unable to purchase the whole of the said square he shall enter into a contract or contracts of purchase with so many of the owners of parcels of the said square as are willing to dispose of the same, at such price or prices as he deems reasonable, and as will leave remaining an ample sum to meet the expenses of acquiring the remaining parcels by condemnation, within the limit of cost hereinbefore provided; and in each and every such contract of purchase there shall be inserted a proviso that the same shall not be binding upon the United States unless a good and valid title to the whole of the real estate embraced in the said square shall be acquired by the United States at a cost not exceeding the said sum of $430,000; and he shall proceed to acquire the remaining parcels by condemnation, in the supreme court of the District of Columbia, in the mode prescribed by an act of Congress entitled "An act authorizing the construction of a building for the accommodation of the Congressional Library," approved April 15, 1886, and full jurisdiction in the premises is hereby vested in the said court: *Provided*, That no money hereby appropriated shall be expended for the acquisition of the said site, or any part thereof, until a valid title to the same shall be vested in the United States.

Mr. BREWER. I wish to ask the chairman of the Committee on Public Buildings and Grounds where this square is situated.

Mr. DIBBLE. It is a square immediately west of and across the street from Judiciary Square. It embraces 75,000 square feet. It is bounded by Fifth and Sixth and D and E streets. It was agreed upon by a majority of the committee, after discussing all the sites suggested; and it is decidedly the cheapest suitable site for the purpose.

The SPEAKER *pro tempore*. Is a second demanded?

Mr. ADAMS. I am not opposed to this bill, but in order to obtain an explanation of it I demand a second. I do not, however, object to having a second considered as ordered.

The SPEAKER *pro tempore*. Is there objection to the request that a second be considered as ordered?

Mr. KILGORE. Mr. Speaker, I believe there is about a million dollars involved in this bill, is there not?

Mr. DIBBLE. The bill appropriates $430,000, if so much be necessary, for the purchase of this site.

The SPEAKER *pro tempore*. Is there objection?

Mr. KILGORE. I shall have to object. I think we have done enough to-day towards appropriating money.

The SPEAKER *pro tempore*. Objection is made. The Chair will appoint to act as tellers the gentleman from Illinois [Mr. ADAMS] and the gentleman from South Carolina [Mr. DIBBLE].

Mr. SPRINGER. Mr. Speaker, it is evident that we shall waste the rest of the day upon this motion, and therefore I move that the House do now adjourn.

The tellers took their places; and pending the count,

Mr. SPRINGER withdrew the motion to adjourn.

The House divided; and the tellers reported—ayes 80, noes 2.

The SPEAKER *pro tempore*. On this motion the ayes are 80 and the noes are 2. The ayes have it——

Mr. MCMILLIN. I would suggest to the Chair that the rule expressly provides that less than a quorum can not order a second. I do not mean by this suggestion to antagonize the motion of the gentleman from South Carolina [Mr. DIBBLE]; I simply desire that we shall adhere to what I think has hitherto been the uniform ruling of the Speaker on this point.

The SPEAKER *pro tempore*. The point is made that no quorum has voted, and the tellers will resume their places.

Mr. BLOUNT. I move that the House do now adjourn.

Mr. DIBBLE. I make the point of order that that motion is not in order when the House is dividing.

The SPEAKER *pro tempore*. The Chair is of opinion that as the tellers had already reported before the motion to adjourn was made, the motion is in order.

The question was taken on the motion to adjourn; and there were—ayes 70, noes 76.

Mr. BLOUNT. I demand tellers.

Tellers were refused.

Mr. BLOUNT. I ask for the yeas and nays.

MESSAGE FROM THE SENATE.

Pending the question on ordering the yeas and nays, a message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7935) for the relief and civilization of the Chippewa Indians, in the State of Minnesota.

SITE FOR CITY POST-OFFICE, WASHINGTON, D. C.

The SPEAKER *pro tempore*. The gentleman from Georgia [Mr. BLOUNT] demands the yeas and nays upon the motion to adjourn.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 57, nays 127, not voting 139; as follows:

YEAS—57.

Abbott,	Crisp,	Kilgore,	Spinola,
Anderson, Ill.	Culberson,	Landes,	Springer,
Anderson, Kans.	Dockery,	Lane,	Stewart, Tex.
Atkinson,	Dunn,	Mansur,	Stewart, Ga.
Bland,	Enloe,	Martin,	Stockdale,
Blount,	Gest,	McMillin,	Stone, Ky.
Breckinridge, Ky.	Gibson,	Montgomery,	Tillman,
Bynum,	Glass,	Moore,	Turner, Ga.
Candler,	Granger,	Penington,	Walker,
Carlton,	Grimes,	Phelan,	Weaver,
Caruth,	Hall,	Richardson,	Whiting, Mich.
Caswell,	Hatch,	Rogers,	Wilson, Minn.
Clements,	Hayes,	Rowland,	
Cobb,	Heard,	Ryan,	
Cowles,	Holman,	Sayers,	

NAYS—127.

Adams,	Baker, N. Y.	Boothman,	Brown, Ohio
Allen, Mich.	Baker, Ill.	Brewer,	Brown, J. R., Va.
Anderson, Miss.	Bayne,	Browne, T. H. B., Va.	Bunnell,
Arnold,	Bingham,	Browne, Ind.	Burrows,

Butler,	Gear,	McAdoo,	Smith,
Campbell, F., N. Y.	Goff,	McComas,	Snyder,
Campbell, T. J., N. Y.	Grout.	McCreary,	Sowden,
Cheadle,	Guenther,	McKenna,	Spooner,
Chipman,	Haugen,	McKinney,	Steele,
Cogswell,	Hayden,	McRae,	Stephenson,
Conger,	Henderson, Iowa	McShane,	Struble,
Crouse,	Henderson, Ill.	Merriman,	Symes,
Cummings,	Herbert,	Moffitt,	Taulbee,
Cutcheon,	Hermann,	Morrill,	Taylor, J. D., Ohio
Dalzell,	Hires,	Morrow,	Thomas, Ill.
Darlington,	Hitt,	Neal,	Thomas, Wis.
Davenport,	Holmes,	Nelson,	Tracey,
Davidson, Fla.	Hopkins, Ill.	Oates,	Townshend,
Davis,	Hopkins, Va.	O'Donnell,	Turner, Kans.
De Lano,	Hopkins, N. Y.	O'Ferrall,	Wade,
Dibble,	Jackson,	O'Neill, Pa.	Warner,
Dingley,	Johnston, Ind.	O'Neill, Mo.	Washington,
Dorsey,	Johnston, N. C.	Osborne,	Weber,
Elliott,	Kean,	Outhwaite,	Wheeler.
Farquhar,	Kennedy,	Peel,	White, N. Y.
Felton,	Kerr,	Perkins,	Wickham,
Finley,	Ketcham,	Pugsley,	Williams,
Foran,	Laidlaw,	Reed,	Wilson, W. Va.
French,	Lawler,	Robertson,	Wise,
Funston,	Lehlbach,	Romeis,	Yardley,
Gaines,	Lodge,	Rowell,	Yoder.
Gallinger,	Lyman,	Sawyer,	

NOT VOTING—139.

Allen, Mass.	Crain,	Lanham,	Randall,
Allen, Miss.	Dargan,	Latham,	Rayner,
Anderson, Iowa	Davidson, Ala.	Lee,	Rice,
Bacon,	Dougherty,	Lind,	Rockwell,
Bankhead,	Dunham,	Long,	Russell, Conn.
Barnes,	Ermentrout,	Lynch,	Russell, Mass.
Barry,	Fisher,	Macdonald,	Rusk,
Belden,	Fitch,	Maffett,	Scott,
Biggs,	Flood,	Mahoney,	Scull,
Blanchard,	Ford,	Maish,	Seney,
Bliss,	Forney,	Mason,	Seymour,
Bound,	Fuller,	Matson,	Shaw,
Boutelle,	Gay,	McClammy,	Sherman,
Bowden,	Glover,	McCormick,	Shively,
Bowen,	Greenman,	McCullogh,	Simmons,
Breckinridge, Ark.	Grosvenor,	McKinley,	Stahlnecker,
Brower,	Hare,	Milliken,	Stewart, Vt.
Brumm,	Harmer,	Mills,	Stone, Mo.
Bryce,	Hemphill,	Morgan,	Tarsney,
Buchanan,	Henderson, N. C.	Morse,	Taylor, E. B., Ohio
Buckalew,	Hiestand,	Newton,	Thomas, Ky.
Burnes,	Hogg,	Nichols,	Thompson, Ohio
Burnett,	Hooker,	Norwood,	Thompson, Cal.
Butterworth,	Houk,	Nutting,	Vance,
Campbell, Ohio	Hovey,	O'Neall, Ind.	Vandever,
Cannon,	Howard,	Owen,	West,
Catchings,	Hudd,	Parker,	White, Ind.
Clardy,	Hunter,	Patton,	Whiting, Mass.
Clark,	Hutton,	Payson,	Whitthorne,
Cockran,	Jones,	Perry,	Wilber,
Collins,	Kelley,	Peters,	Wilkins,
Compton,	Laffoon,	Phelps,	Wilkinson,
Cooper,	La Follette,	Pidcock,	Woodburn,
Cothran,	Lagan,	Plumb,	Yost.
Cox,	Laird,	Post,	

So the House refused to adjourn.

Mr. SOWDEN. I ask unanimous consent that the reading of the names be dispensed with.

Mr. SPRINGER objected, but subsequently withdrew his objection.

The following additional pairs were announced for the rest of the day:

Mr. LANHAM with Mr. BUCHANAN.

Mr. CRAIN with Mr. EZRA B. TAYLOR.

Mr. THOMPSON, of California, with Mr. PAYSON.

Mr. GRANGER with Mr. ROCKWELL.

The result of the vote was announced as above stated.

The SPEAKER *pro tempore* (Mr. MCCREARY). The tellers will resume their places.

Mr. KILGORE. I make the point of order that the vote must now be taken over from the beginning, business having intervened between the former announcement and the present proceeding.

The SPEAKER *pro tempore*. If there be no objection, that will be the order.

Mr. SOWDEN and Mr. DIBBLE objected.

Mr. KILGORE. But I have made the point of order.

The SPEAKER *pro tempore*. The Chair thinks the point of order well taken. Those voting in the affirmative will again pass between the tellers and be counted.

Mr. DIBBLE. Does the Chair mean that the vote now be taken *de novo?*

The SPEAKER *pro tempore*. Yes, sir.

The question was again taken on seconding the motion to suspend the rules; and the tellers reported—ayes 92, noes none.

Mr. KILGORE. I make the point that no quorum has voted.

Mr. ENLOE. I move that the House now adjourn.

Mr. SPRINGER. I do not like to make the point of order, because I voted to adjourn; but under the rules another motion to adjourn is not now in order.

Mr. DIBBLE. I make the point that under the rules no further dilatory motion is in order.

Mr. SPRINGER. I would be glad myself to have the House adjourn, but I have made the point because I am not willing to see the motion entertained contrary to the rules.

Mr. ENLOE. I think the decision of the Chair was that the former motion to adjourn was not made in the regular order, and this motion to adjourn is now in order.

Mr. DIBBLE. I call the attention of the Chair to the eighth clause of Rule XVI.

Mr. BLOUNT. I ask for the regular order.

Mr. SPRINGER. This point of order is the regular order.

Mr. BLAND. I understand that when no quorum has voted the only motion in order is to adjourn or for a call of the House.

The SPEAKER *pro tempore*. The Clerk will read the eighth clause of Rule XVI.

The Clerk read as follows:

Pending a motion to suspend the rules the Speaker may entertain one motion that the House adjourn; but after the result thereon is announced he shall not entertain any other dilatory motion till the vote is taken on suspension.

Mr. BLAND. The vote has been taken, and the House found itself without a quorum.

Mr. BLOUNT. I desire to make a parliamentary inquiry.

The SPEAKER *pro tempore*. The Chair is ready to rule on the point of order. A quorum having failed to vote on the question of ordering a second, the Chair is of opinion that nothing is now in order except a motion to adjourn or for a call of the House. In the judgment of the Chair, the motion to adjourn is in order.

Mr. DIBBLE. I respectfully ask the Chair to reconsider that ruling. The case of a motion to suspend the rules is an exception from the general rule in regard to a motion to adjourn. If the Chair will notice the language of the clause just read, he will find that after one motion to adjourn has been put no other can be entertained until the vote is taken on suspension. The vote just taken was on seconding the motion to suspend the rules.

The SPEAKER *pro tempore*. The language of the rule will be read.

The Clerk read as follows:

Pending a motion to suspend the rules the Speaker may entertain one motion that the House do adjourn; but after the result thereon is announced he shall not entertain any other dilatory motion till the vote is taken on suspension.

The SPEAKER *pro tempore*. The present occupant of the chair is not able to decide that is a dilatory motion. He thinks, therefore, the motion to adjourn is in order, and feels compelled to put the motion to the House.

Mr. OATES. It seems to me perfectly plain that although but one motion to adjourn is in order pending a motion to suspend the rules, yet the fact that no quorum is developed——

The SPEAKER *pro tempore*. The Chair has so ruled, and the question now is on the motion to adjourn.

The House divided; and there were—ayes 94, noes 23.

Mr. SOWDEN. Let us have the yeas and nays.

Mr. DIBBLE. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. DIBBLE. The Committee on Public Buildings and Grounds now has the call for the suspension of the rules. The next time this business comes up, I ask, as a parliamentary inquiry, whether that committee will not have the floor?

Mr. WEAVER. I would not like that understood as against some other committees.

The SPEAKER *pro tempore*. The present occupant of the chair will state that the gentleman from Missouri [Mr. WARNER] has a proposition which was passed over temporarily.

Mr. DIBBLE. But subsequent to that does not the call of the Committee on Public Buildings and Grounds come next afterward?

Mr. ENLOE. The decision of the present Speaker would be nothing more than presumptive evidence.

So the motion to adjourn was agreed to; and accordingly (at 4 o'clock and 13 minutes p. m.) the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. ROWELL: A bill (H. R. 11823) to amend the charter of the Eckington and Soldiers' Home Railway Company—to the Committee on the District of Columbia.

By Mr. ATKINSON: A bill (H. R. 11824) granting a pension to David A. Lippy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11825) granting a pension to John Herron—to the Committee on Invalid Pensions.

By Mr. BROWER: A bill (H. R. 11826) for the payment to the widow of Thomas Settle, late district judge for the northern district of Florida, the balance of a year's salary—to the Committee on the Judiciary.

By Mr. BUTLER: A bill (H. R. 11827) granting a pension to Mrs. L. A. Bell—to the Committee on Invalid Pensions.

By Mr. CARUTH: A bill (H. R. 11828) for the relief of Mary A. Burton—to the Committee on War Claims.

Also, a bill (H. R. 11829) granting a pension to Mary A. Bailey—to the Committee on Pensions.

Also, a bill (H. R. 11830) to clear the military record of George S. Coyle—to the Committee on Military Affairs.

Also, a bill (H. R. 11831) granting a pension to A. H. Letourney—to the Committee on Invalid Pensions.

By Mr. CRAIN: A bill (H. R. 11832) to appropriate the aggregate sum of money estimated by the Chief of Engineers to be necessary for the completion of the harbor improvements at Aransas Pass and Galveston, Tex.—to the Committee on Rivers and Harbors.

By Mr. CROUSE: A bill (H. R. 11833) for the relief of Nimrod D. Kineaster—to the Committee on Claims.

By Mr. R. H. M. DAVIDSON: A bill (H. R. 11834) to authorize the appointment of Asst. Surg. William Martin, United States Navy, not in the line of promotion, to the position of surgeon, United States Navy, not in the line of promotion, and for other purposes—to the Committee on Naval Affairs.

By Mr. DAVIS: A bill (H. R. 11835) granting a pension to James G. Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11836) granting an increase of pension to Shubael P. Edwards—to the Committee on Invalid Pensions.

By Mr. DIBBLE: A bill (H. R. 11837) authorizing the President of the United States to appoint Henry Brown, master of the United States steamer Wistaria, to be a lieutenant in the United States Navy, not in the line of promotion—to the Committee on Naval Affairs.

By Mr. ENLOE: A bill (H. R. 11838) for the relief of Randolph Wesson—to the Committee on War Claims.

By Mr. FORAN: A bill (H. R. 11839) to remove the charge of desertion from the record of William A. Luckey—to the Committee on Military Affairs.

By Mr. GEAR: A bill (H. R. 11840) to increase the pension of Fabian Begdolf—to the Committee on Invalid Pensions.

By Mr. GROUT: A bill (H. R. 11841) granting a pension to Angeline J. Corliss—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 11842) granting a pension to Mary O'Donnell—to the Committee on Invalid Pensions.

By Mr. HALL: A bill (H. R. 11843) granting a pension to William U. Mallorie—to the Committee on Invalid Pensions.

By Mr. HEARD (by request): A bill (H. R. 11844) to amend the charter of the Eckington and Soldiers' Home Railway Company of the District of Columbia—to the Committee on the District of Columbia.

By Mr. HOWARD: A bill (H. R. 11845) granting a pension to Selar B. Decker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11846) granting a pension to Milton Hazzard—to the Committee on Invalid Pensions.

By Mr. McCOMAS: A bill (H. R. 11847) for the relief of Samuel Masters—to the Committee on War Claims.

By Mr. OUTHWAITE: A bill (H. R. 11848) for the relief of Joseph Price—to the Committee on Military Affairs.

By Mr. SCULL: A bill (H. R. 11849) for the relief of Franklin B. Stewart, late postmaster of Altoona, Pa.—to the Committee on Claims.

By Mr. CHARLES STEWART: A bill (H. R. 11850) for the relief of Edward P. Alsbury, sole surviving heir of Harriette P. Alsbury, deceased—to the Committee on Claims.

By Mr. WHEELER (by request): A bill (H. R. 11851) to incorporate the Military Order of America—to the Committee on the District of Columbia.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. E. P. ALLEN: Resolutions of the National Grange, Patrons of Husbandry, in favor of House bills Nos. 11027 and 11266, for pure lard—to the Committee on Agriculture.

By Mr. BAYNE: Resolution of the Chamber of Commerce of Pittsburgh, Pa., in favor of national bureau of health—to the Committee on Education.

Also, resolution of the same in favor of the cental or decimal system of weights and measures—to the Committee on Coinage, Weights, and Measures.

By Mr. BIGGS: Petition of Samuel C. Watters, of San Joaquin, Cal., in favor of pure lard—to the Committee on Agriculture.

By Mr. BLISS: Resolutions of the Maritime Association of New York, for appropriations for the support of the branch hydrographic offices at the principal seaports of the country—to the Committee on Naval Affairs.

By Mr. BREWER: Petition of C. L. Taylor, of Clinton County, Michigan, in favor of pure food and pure lard—to the Committee on Agriculture.

By Mr. T. H. B. BROWNE: Petition of Dr. L. E. Waring and of E. M. Ware, of Essex County, Virginia, in favor of pure food and lard—to the Committee on Agriculture.

By Mr. FELIX CAMPBELL: Petition of William B. Browne, of Brooklyn, N. Y., to be placed on the retired-list of the Navy—to the Committee on Naval Affairs.

By Mr. CARUTH: Papers to accompany House bill 11124, for the relief of Barbara Voght; House bill No. 11123, for the relief of Frances A. Boyd; House bill No. 10690, for the relief of Joseph F. Hawley, and House bill No. 10270, for the relief of Patrick Henry Sohan—to the Committee on War Claims.

Also, papers to accompany House bill 8085, to pension Isaac F. Jones, and House bill No. 11125, to pension Patrick Cody—to the Committee on Invalid Pensions.

By Mr. CUTCHEON: Petition in favor of granting increase of pension to Harriet Clifford—to the Committee on Invalid Pensions.

By Mr. DIBBLE: Petition and statement of Henry Brown, master of United States steamer Wistaria, to be appointed lieutenant United States Navy—to the Committee on Naval Affairs.

By Mr. ENLOE: Proof in the case of Rudolph Wesson—to the Committee on War Claims.

By Mr. FARQUHAR: Petition of the Buffalo Merchants' Exchange for a special appropriation to extend the breakwater at Buffalo Harbor—to the Committee on Rivers and Harbors.

By Mr. GAINES: Papers in the claim of Joseph M. Fowlkes, administrator of Thomas A. Fowlkes, of Amelia County, Virginia—to the Committee on War Claims.

By Mr. GROUT: Resolutions of the National Grange in relation to pure food and lard—to the Committee on Agriculture.

Also, statement of Dr. S. L. Wiswell, of Cabot, concerning the claim of Angeline J. Corlis—to the Committee on Invalid Pensions.

By Mr. D. B. HENDERSON: Resolutions of the National Grange, Patrons of Husbandry, in regard to pure lard—to the Committee on Agriculture.

By Mr. HERMANN: Petition of the Waco County (Oregon) Business Council, Patrons of Husbandry, for the forfeiture of the land grant to the Dallas Military Wagon-Road Company of Oregon—to the Committee on the Public Lands.

By Mr. McCREARY: Petition of the widow of General Lovell H. Rousseau, for an increase of pension—to the Committee on Invalid Pensions.

By Mr. MORSE: Petition of the New England Historic Genealogical Society, relative to the names of new States—to the Committee on the Territories.

By Mr. O'DONNELL: Resolutions of the National Grange, Patrons of Husbandry, in favor of bill for pure food and lard—to the Committee on Agriculture.

By Mr. ROBERTSON: Petition of heirs of James and Rosanna Cotton, deceased, of Point Coupe Parish, Louisiana, for reference of their claim to the Court of Claims; and of W. W. Douglass, administrator of Rebecca V. Parke, deceased, of East Feliciana Parish, Louisiana, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. STAHLNECKER: Petition of Maritime Association of the Port of New York, for appropriations for the issuance of pilot charts, etc.—to the Committee on Commerce.

Also, resolutions of the National Grange, Patrons of Husbandry, relative to food and pure lard—to the Committee on Agriculture.

By Mr. SCULL: Petition of Franklin B. Stewart, late postmaster at Altoona, Pa., praying for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. CHARLES STEWART: Petition of H. S. Setters and others, for an appropriation for the education and care of orphans—to the Committee on Education.

By Mr. VOORHEES: Memorial of the Columbia Water Way Association, for appropriations for the improvement of the Columbia River—to the Committee on Rivers and Harbors.

The following petitions against the passage of the international copyright bill were received, and severally referred to the Committee on Patents:

By Mr. BLISS: Petition of printers and others of New York and Brooklyn.

By Mr. W. C. P. BRECKINRIDGE: Of J. A. Padon and others, of Texas.

By Mr. FELIX CAMPBELL: Of printers and others of New York and Brooklyn.

By Mr. CHEADLE: Of S. E. Swain, of J. O. and H. E. Henderson, and of J. Gregory, of Indiana.

By Mr. CRAIN: Of Victor M. Rose, of Columbia, Tex.

By Mr. DORSEY: Of W. Huse & Son, of Nebraska.

By Mr. FARQUHAR: Of printers and others of New York and Brooklyn.

By Mr. FULLER: Of T. J. Wilcox, of Northwood; of W. R. Mead, of Cresco, and of Col. Charles H. Talmadge, of West Union, Iowa.

By Mr. GUENTHER: Of C. G. Starks, of Berlin, Wis.

By Mr. HAUGEN: Of G. A. Olson, of Burnett County, Wisconsin.

By Mr. LYMAN: Of C. K. Kennedy, of Sillisca, Iowa.

By Mr. SPINOLA: Of printers and others, of New York and Brooklyn.

SENATE.

TUESDAY, *December* 18, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.
The Journal of yesterday's proceedings was read and approved.

COLUMBIA RIVER IMPROVEMENT.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of December 10, 1888, a report from the Chief of Engineers as to the action taken by the Board of Engineers appointed under the provisions of the river and harbor act of August 11, 1888, to examine the obstructions to navigation in the Columbia River at The Dalles and Celilo Falls and at Three and Ten Mile Rapids; which, with the accompanying papers, was referred to the Committee on Commerce, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. DAWES. I present the petition of Harriet H. Robinson, of Malden, Mass., praying the Congress of the United States to remove her disabilities. The petition is accompanied by a bill for that purpose. I ask that the petition and bill may be referred to the Select Committee on Woman Suffrage, and that both petition and bill be printed. The petition is very short, and it represents the views of a large number of our fellow-citizens. I think it proper that it should be printed.

The PRESIDENT *pro tempore*. If there be no objection, the petition will be referred to the Select Committee on Woman Suffrage, and ordered to be printed. The bill will lie on the table until that order is reached.

Mr. CAMERON presented a resolution of the Chamber of Commerce of Pittsburgh, Pa., favoring the establishment and maintenance of a national bureau of health; which was referred to the Committee on Epidemic Diseases.

He also presented resolutions of the Chamber of Commerce of Pittsburgh, Pa., favoring the adoption of the decimal system as applied to weights and measures; which were referred to the Committee on Finance.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the bill (S. 1931) to increase the appropriation for the purchase of a site for a building for a post-office, court-house, and other offices in San Francisco, Cal., with an amendment; in which it requested the concurrence of the Senate.

BILLS INTRODUCED.

Mr. BERRY introduced a bill (S. 3728) authorizing the Midland Railroad Company to build a bridge over White River at Aberdeen, Ark.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. FAULKNER introduced a bill (S. 3729) for the establishment of a pure-food division in the Department of Agriculture, to provide for the inspection of live-stock about to be slaughtered at slaughter-houses, canning, salting, packing, and rendering establishments, the carcasses or products of which are intended for human consumption in any State or Territory other than where slaughtered, or for exportation to foreign countries, to prohibit the introduction of adulterated or misbranded food or drugs into any State or Territory or the District of Columbia from any other State or Territory or foreign country, and for other purposes; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. MANDERSON introduced a bill (S. 3730) to relieve John Friedlin from the charge of desertion; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CALL introduced a bill (S. 3731) to provide for a special sanitary inspector in the Marine-Hospital Service; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Epidemic Diseases.

He also introduced a bill (S. 3732) granting the right of way to the Pensacola and Memphis Railroad Company over and through the public lands of the United States in the States of Florida, Alabama, Mississippi, and Tennessee, and granting the right of way to said railroad company over and through the United States naval and military reservation near Pensacola, in the State of Florida; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. JONES, of Arkansas, introduced a bill (S. 3733) to abolish circuit-court powers of certain district courts of the United States, and to provide for writs of error in capital cases, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. SPOONER introduced a bill (S. 3734) to authorize the construction of a bridge or bridges across the Mississippi River at La Crosse, Wis.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. DAWES introduced a bill (S. 3735) to relieve the political disabilities of Harriet H. Robinson; which was read twice by its title, and, with the accompanying paper, referred to the Select Committee on Woman Suffrage.

APPOINTMENTS IN THE CUSTOMS SERVICE.

Mr. HALE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be directed to report to the Senate the names of all persons (other than laborers) promoted or appointed without competitive examination, since the 1st of March last, to positions in the customs service at customs districts, "where the whole number of clerks and persons employed shall be altogether as many as fifty," under the authority, or otherwise, of the fifth subdivision of the second customs rule approved by the President February 2, 1888, or any subsequent modification or change thereof, stating in the case of each appointment or promotion the modification or change in the customs rules, if any.

EVENING SESSIONS—HOUR OF MEETING.

The PRESIDENT *pro tempore*. If there be no other resolutions, concurrent or other, the order of morning business is closed and the Calendar under Rule VIII is in order.

Mr. MORRILL. I ask for the consideration of the resolution which I introduced yesterday.

The PRESIDENT *pro tempore*. The Senator from Vermont moves to proceed to the consideration of the resolution submitted by him; which will be read.

The Chief Clerk read the resolution submitted by Mr. MORRILL December 17, 1888, as follows:

Resolved, That hereafter the Senate will hold evening sessions, and for that purpose will take a recess from 5.30 o'clock p. m. to 8 o'clock p. m.

The PRESIDENT *pro tempore*. The question is, Will the Senate proceed to the consideration of the resolution?

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. MORRILL. I wish to offer an amendment to the resolution. I move to strike out all after the word "resolved" and insert what I send to the Chair.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. It is proposed to strike out all after the word "resolved" and insert:

That, until otherwise ordered, the daily hour of meeting of the Senate shall be 11 o'clock in the forenoon, and that at 5.30 o'clock in the afternoon a recess shall be taken until 8 o'clock p. m.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Vermont [Mr. MORRILL].

Mr. VEST. Mr. President, I fully appreciate the present condition of affairs considered from a political standpoint in regard to the pending tariff measure, and in what I shall say I speak entirely for myself and in regard to my own personal situation.

It is very well known that prior to our adjournment just before the election it was in the nature of things simply impossible for those of us upon this side of the Chamber who were not members of the Finance Committee to scrutinize the items of the different schedules in the tariff bill.

It is also very well known that those of us who did not represent manufacturing States could not be and were not familiar with the expert business of a tariff bill. Whilst we were as competent then as we are to-day to discuss the general principles of tariff legislation, as to the minutiæ and details of such a measure, in the very nature of things, it was simply out of the question that we should have been as familiar with those details as Senators representing States whose constituents were directly and peculiarly interested in tariff legislation.

It goes without saying also that those of us who are not members of the Finance Committee could not have been as familiar with the details as the committee itself, which for more than two months was engaged in preparing the schedules and classifications.

Speaking for myself, however, I left the Senate a week before the adjournment, or eight days before, to be accurate, and I went into the canvass and spoke every day except Sundays from that time until the election. I had no time to examine the schedules. It was simply out of the question that I should have done so.

On account of the sickness of the senior Senator from Kentucky [Mr. BECK] work has been devolved upon some of us on this side of the Chamber which has been most irksome, but it had to be performed; and now for this Senate to change its rule, meet at 11 o'clock, then again at 8, and expect us to do justice to this question, to the details of the bill, is simply cruel and outrageous, and I use the terms with their full significance. For my part, I can not do it, and I will not do it.

I have stated to the chairman of the committee and I say it here honestly (and I believe my personal character will induce every Senator on the other side to believe it), we have no disposition to make factious opposition to the bill. I believe I represent this side of the Chamber and can do it that far without speaking in any authoritative or official way, but as a Senator, when I say that all we want is fair, legitimate investigation and discussion. We do not propose that the bill shall go through here as a matter of course. We do not propose on the other hand to use any unfair or unparliamentary means to delay it for a minute; but if Senators with their majority want now to force us to sit here day and night, I tell them they can not do it.

I want the matter to be disposed of in that spirit of fairness and

friendship which should characterize the discussion of so great and important a subject. But this proposition is beyond all reason. It is simply impossible, so far as I am concerned, for me to go through this work, and I do not intend to do it in this kind of a fashion.

Mr. MORRILL. Mr. President, the only purpose of this resolution is to enable the Senate to do the business of the session in an intelligent and proper manner.

So far as the Senate tariff bill is concerned, I do not believe that there was ever any tariff bill presented before in the Senate that had received such special and elaborate attention as that bill has received. I suppose that the Senator from Missouri, and other Senators, have given in detail on the hustings the difference between the Democratic party and the Republican party in relation to the tariff, and also as to the details of what is called the Mills bill and what was proposed by the Senate committee.

I do not, therefore, think that we ever have had a bill where Senators had such an opportunity and have so embraced that opportunity to consider in detail every item that is under discussion as they have in the present bill.

We all know that this is a short session, and that the regular appropriation bills require much of our time. It is therefore indispensable that the tariff bill should be gotten out of the way in order to consider the regular, legitimate business of the session in relation to appropriation bills.

I do not think the Senator from Missouri quite estimates with his usual fairness the position that we occupy on this subject. There is no disposition on the part of this side of the Chamber to take any advantage, but to give all opportunity that is needed and necessary for the discussion and consideration of the present bill. Sessions at 11 o'clock and evening sessions heretofore have been very common. I do not think it is unusual to ask it.

Mr. VEST. I wish to say a single word, and then I am done with this matter.

It is hardly necessary for me to say to the Senator from Vermont that I have the greatest respect for him personally, and the kindest feeling possible; but he was never more mistaken in his life than in his statement as to the opportunity to examine the details of the bill. When the measure was reported prior to the recess I was myself so much at a loss to know the changes that had been made that I was dependent entirely upon the reports of experts of the Treasury Department and the reports of the committees. Those reports came to our hands—came to my hands, at any rate, the last of them, two days before I left the city of Washington to go into the canvass, and until I returned here I knew nothing really in regard to all the changes made in tariff legislation by the pending substitute.

The Senator is utterly mistaken when he says time was given us to examine the details. I was unable in my canvass and in discussions upon the hustings to point out the changes that had been made. I knew from reports of experts what was the aggregate change or increase of duty upon the cotton and woolen schedules, but as to any such information as the Senator from Vermont alludes to, I did not have it, and could not have it, and I doubt whether any Senator on this side of the Chamber had it.

Mr. President, it is an open secret that the Republican majority in the Senate have determined upon taking no Christmas holiday recess. The first movement here is to have night sessions, commencing to-night.

Mr. MORRILL. Commencing to-morrow.

Mr. VEST. Commencing to-morrow; I stand corrected. The next movement is to take no Christmas holiday recess. The next is to meet at 11 o'clock in the morning. We are to be put through this bill under whip and spur in a parliamentary way, and it is unfair and unjust; and I tell Senators now it can not be done.

Mr. VANCE. Mr. President, I desire to say that the history of the substitute bill shows that it was over two months in preparation by the subcommittee of the Senate, composed entirely of the friends of the bill. I do not mean that the subcommittee was composed entirely of the friends of the bill, but that portion of the subcommittee which framed the bill. No member of the opposition was consulted. They were over two months in the preparation of the bill, and it has been boasted of here again and again as to the care and the pains which were taken in the preparation of the bill. The Senator from Vermont says that probably a tariff bill never was framed with more preparation than this measure has had.

If that preparation refers to the caring for the interests of the particular class affected by the bill, the Senator from Vermont and all others who have boasted of the preparation of the bill are correct. They had before them almost every manufacturer, or a representative of every manufacturing interest in the United States, who, of course, understood their own business. They heard them, and the bill has been prepared in obedience to their suggestions and at their request. They stood around that committee-room door, and thronged the table of the subcommittee as hungry dogs stand around a kitchen door waiting for the cook to shake the table-cloth; and the bill has been formed in their interests.

The interests of the consumers were not consulted. No consumer simply was there or invited there that I know anything of. The interests of the Government of the country whose taxing power they are abusing were not consulted. Out of the three hundred and fifty witnesses whose testimony has been published, who told the same story with damnable iteration about their inability to endure competition and who desired the duty to be fixed at a certain point, there was not one whose business simply was to pay the taxes which were imposed, and there is not a reference to the revenues of the Government except incidentally as a matter of smaller concern.

Nobody on this side had an opportunity to examine the details of the bill which they took more than two months to prepare. It is full of adroit contrivances to raise the duties so as to deceive the people. In the very matter which the Senator from New Jersey [Mr. MCPHERSON] asked yesterday to have left open, about fencing-wire, under the present law the number of wire which usually is employed for building the farmers' fences throughout the country came in under the head of "iron manufactures not otherwise provided for" at 40 per cent. Instead of openly placing that article upon the dutiable-list and increasing the duty upon it, instead of the present law on wire not smaller than No. 5 wire gauge, they now say "all wire not smaller than No. 6 wire gauge," the effect of which is to take it out of the 45 per cent. clause and put it up from 40 to 47 per cent.

How is the great majority of Senators on this side to ascertain those things? We have not had the manufacturers to consult with. We have not had the importers to consult with.

A very few days after the bill was brought into the Senate Congress adjourned; its members all dispersed to take part in the Presidential canvass; and the moment they are reassembled, instead of proceeding orderly in the regular business hours of the Senate and giving Senators who are disposed to acquire the information necessary the opportunity to study of evenings at home and to acquire what information they can, it is now proposed to begin at 11 o'clock in the morning and continue, after a recess, until an indefinite hour in the night.

They have prepared themselves; they and their friends, the manufacturers, have got their lesson, and we are to be forced in this way, without an opportunity even at night to acquire the information that is necessary for us to dispose of the bill properly, without even a Christmas holiday. Everything is to be done to force the tariff bill through, so as to preclude the possibility of one which can be made in the interests of the people.

I for one will do the best I can to expose its iniquities, but if I am allowed neither day nor night to study the bill and to acquire the information, and if I am to sit at my desk and watch the operations of the wicked, I do not know what good I can do, but I will do the best I can. However, I say that it is not fair; it is not proper, it is not just or right, viewed in any light, to hurry the bill through in this way by caucus action.

Mr. ALLISON. Mr. President, the question of the revision of the tariff and the reduction of the revenue is not a new question to either side of this Chamber. The President of the United States, one year ago, made it the only and sole topic of his message. The House of Representatives took up the question, I agree, with great leisure, and sent us a bill which we received on the 25th day of July. We received it formally on the 21st, I believe, but it was not printed for our examination until the 25th. It was referred to a subcommittee of the Committee on Finance consisting of Senators representing both sides of this Chamber.

The Senator from Missouri and the Senator from North Carolina state that the minority had no opportunity of examining the bill until nearly the time of adjournment last fall. In a sense that is true. I need not go into details, but will simply say that substantially the bill was prepared by the Republican members of the Committee on Finance on that subcommittee. In its preparation, however, the committee called to its aid experts for the purpose of interpreting existing law as to ad valorems, and also the Mills bill, and so far as possible to interpret the substitute which was proposed by the Republicans of the majority.

The bill substantially as it is now was reported to the full committee on the 25th day of September, and from that time until this moment the Democratic members of the Finance Committee have had full access to every detail respecting the bill, as they had full access during all the prior period to all the testimony taken by the subcommittee. There never was a moment in the preparation of the bill when any member of the minority of the Finance Committee could not have been placed in possession of everything that was in the possession of the majority, and as a matter of fact a large amount of the testimony was in the hands of the minority.

The bill was reported to the full committee on the 25th day of September. On that day it was made public, that is to say, not only the Finance Committee but every Senator was placed in possession of a copy of the bill, and the public press was placed in possession of copies of it. Immediately the experts of the House of Representatives who had prepared the Mills bill were put in possession of a copy of the Senate bill, and with reasonable haste and some degree of accuracy that bill was criticised by the experts of the House of Representatives in print and in detail. All its defects and imperfections were held up to the public gaze in print and in newspapers and on the rostrum and in this Cham-

ber, and the Senator from North Carolina was not slow to come forward in this illumination, not only in his own State but elsewhere.

That dissection (if I may be permitted to use that term) of the bill was placed in the hands of every Democratic Senator in this Chamber, referring in detail to the changes proposed in the bill by paragraphs and by sections, and its enormities were held up.

Not only that, but the Treasury Department itself was invoked with all its expert machinery, with all its knowledge as respects the details of the bill, and as my venerable friend [Mr. DAWES] suggests, with all its zeal. In other words, all the machinery of every name and nature, political and expert, was put in motion from the 25th day of September, and now we have upon our tables a detailed dissection of the bill by the Treasury Department and also by the experts of the House Committee on Ways and Means.

Now, with all the advantage of this knowledge which is in the hands of Senators, I can but repeat what was so well said by the Senator from Vermont [Mr. MORRILL], that there never has been a time when a bill was so thoroughly understood on both sides of the Chamber and by every member on both sides of the Chamber as this bill——

Mr. VEST. Will the Senator from Iowa state when the evidence taken by his committee was printed for the use of the Senate?

Mr. ALLISON. The evidence?

Mr. VEST. Certainly.

Mr. ALLISON. Certainly I will state it. The evidence was printed in slips as we went along, as rapidly as it could be printed, and therefore——

Mr. VEST. Was that for distribution?

Mr. ALLISON. I will answer the Senator. And therefore it was accessible to those who were examining and preparing to examine this bill. Of course these slips were not assembled until after the bill was reported to the Senate, and I believe the testimony was not reported to the Senate until a few days before the final adjournment in October.

Mr. ALDRICH. It was ready, on the third day after the bill was reported, for distribution to the Senate.

Mr. ALLISON. I had forgotten that.

Mr. COCKRELL. It was not distributed at all then.

Mr. ALDRICH. It was ready on that day and distributed.

Mr. COCKRELL. It was not.

Mr. ALDRICH. The Senator from Missouri who now sits in front of me received a copy on that day.

Mr. COCKRELL. I did not at all.

Mr. VANCE. Will the Senator from Iowa allow me to make a statement?

Mr. ALLISON. Certainly.

Mr. VANCE. I wish to say that I did not receive a copy of the testimony so far as it had been printed, for it is not all printed yet, I understand.

Mr. ALLISON. No, sir.

Mr. VANCE. The subcommittee is still in operation.

Mr. ALLISON. It is.

Mr. VANCE. And I did not receive that until the Tuesday after the Monday on which we assembled at this session. I did not receive the statistical analysis of the Senate bill from the Treasury Department until the Wednesday following. I did not receive the analysis made by the expert of the Committee on Ways and Means of the House until yesterday one week ago; and if the Senator thinks that within that time I could have taken in all the information by intuition, he does me honor overmuch.

Mr. ALLISON. Mr. President, of course no member of the Finance Committee went around as a sort of colporteur distributing these reports or distributing the bill and the testimony. Especially was that not true of the members of the Committee on Finance when our committee-room was lumbered up with these documents. It was so full sometimes that it was with difficulty we could get around the tables and chairs. Everybody had access to them who wanted those papers. Of course the Senator from North Carolina did not do it if his occupations were such that he did not have time to engage in this investigation. I can readily see that he might require a little more time, but I submit to him that there never has been such preparation for the convenience of Senators as is disclosed in these tables and documents; and I think the skillful way in which the Senator from North Carolina thus far has handled the various questions involved discloses that he has not kept his eyes shut during the last ten days. He has had some opportunity either late in the morning or early in the evening to investigate these tables and know what he is doing, and I repeat that this investigation was continued in such a way as to give the fullest information respecting the subject.

One word further. The House of Representatives have sent to us a resolution for a recess from the 21st day of this month until the 7th of January. There will then remain less than two months of this session of Congress. It is perfectly manifest to me, and it seems to me it must be to every Senator on this floor, that if our revenue bill is to go to the House of Representatives and to be considered by it, it must go over early in the month of January; and if there is any possibility of reaching a conclusion as to the differences that we know exist between these two Houses, it is necessary that the measure, so far as the Senate is concerned, shall reach the House of Representatives by the middle of January. If we do not go on and consider the bill as rapidly as we can now, discussing it as Senators feel inclined to discuss it, it is manifest that sooner or later, certainly by the middle of January or the 1st of February, this bill must be laid aside and the necessary appropriation bills must be considered in this body.

I know perfectly well that with the Senate Chamber evenly balanced as it is between the two political parties, having but one or two majority on this side of the Chamber, if the Senator from Missouri fairly represents the other side in the threat which he makes this morning, if we undertake to proceed orderly and regularly with diligence with this bill, I have no doubt that threat thus early made can be successfully used to defeat the bill. I know perfectly well that we can not go on and consider this bill unless we have the practical co-operation and, I may say, the cordial co-operation of that side of the Chamber as respects the consideration of it. They can throw impediments in its pathway that will prevent its consideration by this Chamber. They can make us sit here from the 1st or the 7th day of January without progressing beyond a single paragraph of the bill. We spent yesterday, the entire day until 5 o'clock, practically upon a single paragraph of this bill.

With a bill having six or seven hundred paragraphs everybody knows if these impediments are to be put in the way we can not go on with the bill, but if that is understood it must be demonstrated on this floor, it seems to me. I know the Senator from Missouri yesterday said to me that there was no object on that side of the Chamber to secure delay in this matter; that all they desired was reasonable debate and discussion. I am bound to take, as I do, that statement as meaning exactly what it implies, but yet when we undertake to make progress with this bill, when we propose that during its consideration we shall practically give up the time of the Senate to it in order that it may be sent to the House of Representatives for its examination and consideration, we are confronted with the statement that if we are diligent we shall meet with the obstructions here which we know can be put in its pathway.

So far as I am concerned—and I believe that is the understanding on this side of the Chamber—the purpose is that this order shall be executed fairly, and only fairly; that we shall go on from day to day with as much diligence as possible. Certainly we can begin work at 11 o'clock each day; we can go on until half past 5, and we can work two or three hours in the evening on this bill and get it out of the way, and then the other necessary business of this session can be considered. That is what I understand to be the object of this resolution this morning.

Mr. HARRIS obtained the floor.

Mr. ALDRICH. Will the Senator from Tennessee allow me to say one word in answer to the Senator from North Carolina?

Mr. HARRIS. Certainly, I will.

Mr. ALDRICH. In response to what the Senator from North Carolina said in regard to his ignorance of the provisions of this bill, I beg to say that as early as the 4th of October last a report was submitted to the Senate to which the name of the Senator from North Carolina was appended, criticising in detail this bill; and if it was only a week ago that he learned of its provisions, it is singular that he allowed his name to be used in connection with the minority report.

Mr. VANCE. Mr. President——

Mr. HARRIS. I yield to the Senator from North Carolina.

Mr. VANCE. The Senator from Rhode Island very well knows the circumstances under which that report was made. He knows that that report was made in two days after the bill had been placed in our hands and that the minority of the Finance Committee begged for more time but could not get it. They made their report upon the best information that was obtainable; and it seems that even in that they had to depend upon the statements of the majority report, that they were mistaken in some very important items, showing the necessity of giving them more time; and the necessity for more time now is quite apparent.

The task on this side of the Chamber is a very different one from the task on that side. There they have nothing to do but record the will of the manufacturers that has been expressed to them. They are satisfied with this bill. It is their bill. But we represent the consumers. We to some extent represent also the Treasury of the United States and the Government of the country, and we must inquire what sixty million of consumers want, and therefore the task is more difficult upon our side, and justice requires that we should have more time.

Mr. ALDRICH. Just one word on another question of fact. The Senator from North Carolina said the minority only had two days. The bill was submitted to the full committee on the 25th of September, and every member of the minority was furnished with a copy of the bill. The report was not made until the 4th of October, nine days after, instead of two.

Mr. HARRIS. Mr. President, there is certainly no disposition on this side of the Chamber to unnecessarily delay the consideration of this bill. Upon the contrary, so far as I am able to understand the disposition of this side of the Chamber, it is to proceed with it just as

rapidly as we can arrive at satisfactory conclusions as to the effect of its provisions. But exactly why this new-born and unprecedented zeal in the effort to railroad this bill through without time for full discussion and proper consideration, is what I do not quite comprehend, and that it is absolutely unfair and unjust to this side of the Chamber is a matter about which there can be no doubt.

Now, as a matter of fact, known to the Senator from Iowa and every other Senator of the majority of the Committee on Finance, there was not a member of even the subcommittee belonging to this side of the Chamber who knew a word or a line that this substitute contained until it was reported to the full committee on the 25th day of September. It being stated in the committee when the bill was reported to the full committee that the substitute then reported was agreed upon by the majority of the committee, the committee decided not to discuss it item by item, but simply to read it and report it to the Senate. It was reported to the full committee on the 25th of September and to the Senate on the 3d of October. The majority of the subcommittee having spent weeks and weeks in the preparation of this substitute and their argumentative report in favor of the substitute, when the bill was reported to the full committee the minority being urged day by day and hour by hour to put in their views, had, as the Senator from North Carolina has stated, but a couple of days. Perhaps, however, the Senator from Rhode Island may be correct, and a larger number of days after we first saw the substitute as reported may have been allowed.

When the bill was reported to the Senate a general debate was commenced upon it. We were in the midst of a Presidential contest, and I suppose the great majority of Senators on both sides of this Chamber were very much interested in the issues of that contest. The long and carefully-studied preparation of the substitute by the Republican members of the committee had thoroughly familiarized them with every phase and every feature and every detail of the bill, but those phases and features and details were as new to the Democratic members of that committee as they were to every other Senator, and there has been no time for the members of the committee on this side of the Chamber to familiarize themselves with the various details and the effects of the various changes made by this substitute, not only changes as to the amount of taxation, but changes in classification and changes from ad valorems to specifics, and sometimes attaching both duties, specific and ad valorem.

The Senator says we have had experts to analyze it. That is true, but the reports of the experts did not come to my hands until the meeting of this session, when they came to the hands of other Senators on this and I suppose on the other side of the Chamber. It requires time for those of us who have not had months and months of study and preparation to thoroughly comprehend the effect of the various provisions that this substitute contains.

As a matter of fact, the Senator from Iowa very well remembers, or if he will look to the RECORD and refresh his memory he will find that when the tariff revision of 1883 was under consideration in this body the bill was not reported from the Finance Committee to the Senate until about or after the middle of January, but this bill has been under consideration from the beginning of this session, having been debated for a week or two before the adjournment of the last session. We are confronted this morning with a proposition that we shall meet at 11 o'clock every morning; proceed with the consideration section by section and paragraph by paragraph until half past 5 o'clock in the afternoon, and then, after a session of six hours and a half, take a recess until 8 o'clock and return to the Chamber and again proceed with the consideration and discussion of the provisions of this bill.

Mr. DAWES. Will the Senator allow me?

Mr. HARRIS. Certainly. I always allow the Senator from Massachusetts.

Mr. DAWES. It seems to me that the Senator has entirely mistaken the purpose of this resolution. It is not to railroad the bill through; it is to give more time for its consideration; is so that the Senators may have more time to consider it in detail and in all its bearings. It is not for the purpose of railroading the bill through; it is to insure consideration to the extent possible that time will give.

Mr. HARRIS. The consideration, Mr. President, at my private table is a little more satisfactory to me than the consideration that is given upon this floor, and the time can be much more profitably employed there than here. But need I remind the Senator from Massachusetts, or any other Senator on that side of the Chamber who has had even two years' experience on this floor, that a night session would prove an utter failure and an utter waste of time? Do you suppose you would have a quorum here at any one moment of the time during your night sessions, by the vote of which you could decide anything?

Mr. DAWES. It seems to me a night session would be an exceedingly good time for the study of the bill. It might not be a good time to vote, but to study the provisions of the bill, and understand their bearing—a capital time.

Mr. HARRIS. Mr. President, these utterances and the provisions of this resolution may read well in the RECORD. An argument may be predicated upon them tending to show that that side of the Chamber is eagerly anxious to do something upon the revenue question, which they have not exhibited a desire to do for many a long year heretofore. But you will not facilitate the consideration, you will not facilitate the passage of the bill by this effort to have a meeting at 11 o'clock in the morning and then to hold night sessions each night after a session of six hours and a half in the day. Every Senator on that side of the Chamber as well as on this side who has had an experience of two years upon this floor knows it as well as he knows that he is living to-day. The thing savors very much to my mind of the elements of a false pretense, and I am opposed to it and will endeavor to defeat it by any method in my power.

Mr. SHERMAN. Mr. President, I think when my honorable friends on the other side of the Chamber read what they have said this morning, after a little reflection they will regret that they have made their statements quite so positively. Senators have said they would resist the passage of this bill and the consideration of it in the way proposed. They have alleged that it is unfair, unreasonable, and without precedent. How can that be so when the President of the United States, in December last, said that we were in the face of a condition and not a theory; that the absolute wants of the Government demanded immediate consideration of the question of the reduction of the revenues? The House of Representatives at once proceeded to consider that question; and it took them seven months to incubate a measure before they could send it to us. It came to us near the end of last July, and the Senate, with unprecedented celerity (for it is not a rapid body, although a very conservative one), proceeded to investigate and examine and prepare and frame a bill, which has been submitted here as a counter-proposition. Both propositions were brought before us and considered here for a month or more. Then we adjourned over the Presidential election. And now, because the majority on this side of the Chamber, charged with the responsibilities of the duties of the Senate, propose in the ordinary way to expedite the consideration of this measure by the adoption of the very course that has been adopted for the consideration of any important measure in the last forty years at least, our proposition is denounced as revolutionary, extraordinary, without precedent, and all that sort of thing.

Mr. President, can not gentlemen remember six years ago, when on that side of the Chamber, by one of your most distinguished members, the very same proposition now made was made in order to expedite then pending business, among it the tariff act of 1883? The precise condition of things then existing has repeated itself. In December, 1882—the RECORD is before me—the House of Representatives sent us a proposition for an adjournment over the holidays. The Senate was then very much crowded with important business, among the rest the civil-service bill, the tariff bill then pending in the Committee on Finance, and the report of the Tariff Commission—very much the condition of affairs we have now. Thereupon Mr. Garland, rising in his place, proposed this amendment to the resolution of the House:

Mr. GARLAND. I move to strike out all after the words "the Senate concurring" and to insert:

That when the House of Representatives adjourns on Friday, the 22d instant, it stand adjourned until Tuesday, January 2, 1883, at 12 m.

That was, in other words, that the Senate proposed that the House of Representatives should, in accordance with its wish, adjourn at its own pleasure, but that the Senate would continue in session under the constitutional provision that it could only adjourn for three days at a time. That proposition was advocated by Mr. Garland and by Mr. Bayard and by other distinguished Senators on both sides of the Chamber, on the ground that the business of the Senate demanded the occupation of the holidays, that the constitutional limitation of the term of Congress to the 4th of March required of the Senate, in view of the pending business, that it should devote the time necessary immediately without respect to the holidays; and that proposition, although it failed, yet defeated the resolution for an adjournment over the holidays, and in fact the Senate did remain in session during the holidays and did debate and pass many important measures, and the Committee on Finance during that very time were in session considering the tariff bill, which was afterwards passed and became a law at that session of Congress.

Mr. President, that our proposition now made is not unusual and not unreasonable, it seems to me, must be plain to every gentleman who hears me. We have now in three months concentrated the business of the people of this country—65,000,000 people. Much business has come over from the last session of Congress, when the House was of one party and the Senate of the other, and therefore no concurrence has been had upon many important measures that ought to be acted upon one way or the other by the two Houses. Under the circumstances, when the same condition exists, the same overflowing revenue, the same necessity for the reduction of taxation, when all these difficulties surround us, is it unreasonable for us to propose to meet here at 11 o'clock instead of 12 o'clock, an order that is always made towards the conclusion of a session, and at the long session probably sixty days before it terminates? Is it unreasonable to place it in the power of a majority to have a recess and a night session? As a matter of course a motion to adjourn can be made at any time, and when a majority votes for it that adjourns the Senate without respect to this order, because that is a motion which is always in order.

Now, I will state to Senators in all candor that this is an effort on the part of the Republicans of the Senate, if you please, to expedite not only this business of the tariff, but the other business of the country, so

that we may dispose of as many as possible of the questions in controversy, finish legislation partly formed, now imperfect, and not with a view of taking any advantage. We know that in the Senate of the United States it is absolutely impossible for either party to take advantage of the other. We are here like equal athletes, each able to stand and maintain his rights. We can do nothing without the practical consent of the Democrats. My friend from Iowa says we must act together, co-operate together, or neither can do anything in the present condition of the Senate. We can not expect to make much progress, and we can not expect to pass the tariff bill without your consent. We know it; we acknowledge it; but we ask you to remember what was said to you by the President of the United States as to the condition of our revenue; to read again his messages and his invocations and the appeals made in the House of Representatives. We ask you not to delay action upon this bill. Although we may not agree with you as to the particular form of relief, yet we are willing to present a measure, and this measure of ours can only be considered; it can not be acted on finally, because the House of Representatives, where you have a majority, must still pass upon the subject-matter, and without the consent of a large portion of the House of Representatives and a majority of the House this bill in either form, the House bill or the Senate bill, can not become a law of the land.

We propose to abandon our holidays and devote the time that has usually been granted by common usage to social festivities to important business of legislation. We say we will surrender those and come here with you at 11 o'clock every day and work such reasonable hours as a majority of the Senate may think proper to work, not only in the consideration of this bill, but in the consideration of other bills that are pressing and lying on our table. You say that is unreasonable, revolutionary, unconstitutional. I deny it. The majority in 1882–'83 did precisely the same thing. The Senate continued in session and worked during the holidays, adjourning only over Christmas and New Year's days, meeting again on the 2d of January, and proceeded rapidly to dispose of the public business. The result was that when the tariff bill of that session was reported within a week or two afterwards the decks were clear, the tariff bill was taken up, debated here, not upon the full information that we have now, but upon the report of the Tariff Commission and the testimony furnished by it, not near so voluminous or so important as the examinations made in the House and in the Senate during the present Congress. There never was in all my experience a bill that has been so carefully considered as the one now pending, including the Mills bill. The Mills bill was debated, considered for a long period of time elsewhere, and the Senate bill is but a proposition to amend it.

I say now in all frankness and in all earnestness if you Senators on the other side think there is any desire by this measure to take any advantage, to prevent you from a full consideration of this bill in all its parts, you are greatly mistaken. It is simply a proposition, caused, as I think, by a sense of public duty, that this question shall be presented as rapidly as possible, with no expectation or intention to take advantage of the absence of any one, to insist upon any unreasonable haste, but to proceed in an orderly way to dispose of the business of the Senate and get through with it as rapidly as we can.

In my judgment, after all the information we have had upon this subject, one or two weeks' debate upon the details of the tariff bill upon such amendments as Senators may desire to present would enable us to dispose of it and get it out of the way and send it back to the other House, where it will be in the hands of your friends, and as a matter of course no harm can be done except by the consent of the Democratic party. Then we shall go on and transact the other business of the session. But otherwise this tariff bill will "drag its slow length along" for days and weeks and months, because everybody admits the supreme importance of the measure. Thus the time will be consumed and other important interests of the people will be neglected. For one, without being excited about it, I wash my garments from all responsibility for any fault of that kind. While I expect to remain in the city at any rate during the holidays, and will not, therefore, make so many sacrifices as some Senators who desire to return to their homes, yet I say that we can afford during this short session to spend the holiday week in work, when we shall be probably less disturbed than at any other time, when, if you choose, the House of Representatives can go and take their holiday among their friends, no pending or striking measure being now before them. We can not do better service than to spend this short time in a frank, square, honorable consideration of the details of this bill, and present it to the House of Representatives for action after their meeting in January next.

Mr. VANCE. Mr. President, there is a classic saying that you should fear the Greeks when they bring gifts. I think the experience of the country fully justifies all wise men in suspecting a Republican and a protectionist who is in a hurry to reduce the revenue. That is what seems to be the matter on the other side just now. They want to reduce the revenue. They wanted to reduce it in 1883, if you will remember, Mr. President, and they railroaded that tariff bill through in 1883 in the way in which they propose to do this one, and they announced with a flourish of trumpets at the beginning of the discussion and all through its continuance that it would reduce duties at least 20 per cent., but when the bill went into effect and we began to collect customs under it, it was found that they had reduced it from 42 up to 47 per cent.! That is the situation now precisely.

The President of the United States was in a hurry, I am told. He did issue his message telling us that a condition and not a theory confronted us. He did tell us that the Treasury was overflowing, and that there was danger of a financial crisis being produced by the abstraction of so much money from the circulation of the country. But he told us at the same time that the people were suffering from unjust and undue taxation, and the whole statement was received with jeers on that side of the House. Now they have been converted to it. The President of the United States is not in any hurry now to increase those things which threaten the calamity that he deplored; he is not in a hurry for an increase of taxation upon the people; and although the bill of the Senators on that side would give some slight relief to the surplus that is in the Treasury, it would increase the amount of taxation which comes down upon the people on the necessaries of life, and that is one reason why we oppose this bill.

If it was a fair and equitable reduction of the duties and the taxation imposed upon the country, with anything like the equality or the justice which is displayed in the bill that came to us from the other House, so far as I am concerned you would find no opposition from me. But we do not want to increase the taxation which is complained of, and this bill notoriously and scandalously heaps the burden of taxation upon the commonest necessaries of life used by the humble. Therefore, while we do not desire, so far as I am concerned at least, for I am authorized to speak for no one else, to offer any kind of factious opposition to this bill, we want to examine it carefully and we want to have time to prepare and read the debates, so that if it contains the iniquities and inequalities that we think it does we may show them to the country, and that is all. We want it to go to the House of Representatives, if we can send it to the House, stripped of any of its inequalities or exposed in any of its unfairness. We desire that it shall go to the House of Representatives so that something may be done towards not only relieving the Treasury but towards relieving the people.

Mr. VOORHEES. Mr. President, in response to the suggestions made by the Senator from Ohio [Mr. SHERMAN], I desire to say a few words.

There is not the slightest disposition—I know on my own part and I am sure on the part of any Senator on this side—to unwarrantably interfere with the due process and progress of legislation on this or any other subject. There is no thought of that kind. However distasteful the provisions of this bill may be, it is entitled to its day in court and to its fair consideration, and shall have it so far as I am concerned. I respond to what the Senator from Ohio said in a spirit of amity and by a friendly desire to go forward with the work now in hand, but surely he will not pretend that the instances cited by him of former occasions are at all parallel with this.

Let us recall the circumstances by which this measure is surrounded. There came to this body from the House of Representatives an important and elaborate measure on the subject of Government revenue on the 24th of July last.

Mr. HARRIS. The 21st.

Mr. VOORHEES. The 21st, a little earlier than I had supposed. That measure was referred to the Committee on Finance, of which I am a member. It was taken charge of by the Republican members of that committee. I do not complain of that. I think it was a necessity growing out of party responsibility and the responsibility of majorities in legislative bodies. But, nevertheless, the fact is so. It went into their hands, and from that time until the 4th of October, or within a very few days thereof, I could no more find out what that majority were doing or what they intended to do, nor could any Senator on this side, than we could find what an ambushed enemy was doing who was waylaying the road. I was appealed to a hundred times, or perhaps a thousand times, by newspaper people to ascertain for them and let them know what the possibility of the action of the Finance Committee would be on this subject. There was not a page on this floor more ignorant or to whom it was more impossible to be intelligent on that subject than it was to me.

There for nine weeks the subject was closeted with you. I speak of the Senator from Iowa [Mr. ALLISON], the Senator from Ohio [Mr. SHERMAN], and the other honorable gentlemen who compose the majority of this committee. The subject was closeted with them thoroughly and absolutely, the door locked on it so far as we were concerned, time running on to an exciting and I may say a turbulent state of the public mind on the subject of the Presidential election. You had nine weeks on that side of the Chamber, in which we had not a day or an hour or a minute, for the consideration of this question. I repeat, you had nine weeks of this subject all to yourselves. I repeat it over again, to show you that there is no equality between us whatever, no justice in your demand that we shall go as fast as you do. You had nine weeks alone with this subject, while we had not an intimation, not a gleam of intelligence from your closeted room as to what you were doing or as to what you desired to do. It is well remembered that for weeks of that time it was not certain that you would do anything, that you would come to any agreement, that you would report any bill. I

have heard the Senator from Iowa [Mr. ALLISON] quoted a hundred times as saying that he did not know himself while they were in consultation on this great question.

Then, sir, the report was made on the 4th day of October. Ah! The Senator from Rhode Island thought he was felicitous in taking the Senator from North Carolina to task as to how his name came to be on the minority report on that day, if he did not understand the bill. I will tell that Senator how my name comes to be on that minority report. I had not read one word of the bill; I had had no opportunity to do so. I was to leave the city on the 6th day of October, to return no more during that session; and with that confidence which has never been abused or impaired, which I entertain for the Senator from Tennessee [Mr. HARRIS], I told him to sign my name to whatever his judgment approved, which he did. It was the only opportunity that I had to manifest my views, in that second-hand manner, if I may so express myself.

The Senator from Rhode Island says that on the 25th day of September each member of the committee was furnished with a copy of this bill. I am not here to dispute his word. I only say that I never saw a copy of the bill until I with great zeal and diligence on the very last day that I was here, on the 6th of October, hurried up or ran down two copies to send to a leading newspaper of the Mississippi Valley which had telegraphed to me for them. That was my first knowledge of the bill. Then for the next thirty days we were plunged into a discussion before the people. Thirty days after that was the Presidential election, and I say to the Senator—and I expect I am as well equipped as many or as a majority of the other Senators—that until the last ten days it has been impossible for me to read the bill or consider it. I have given it some consideration since then.

The evidence that has been taken here has been alluded to. I hazard nothing in saying that there are not twelve Senators on this floor who have read that testimony. I never saw it, for my part. There are not twelve Senators who could answer, upon an examination under oath, that they had ever read ten pages of it. And further than that, I doubt if there are twenty Senators who have read the bill; how many on this side or on the other side it is not worth while to inquire.

But I know this, and the country will know it, that a party, a committee having in charge this measure nine weeks to themselves have had an advantage over those who on this side could not have had thirty days before the Presidential election, and only have in fact had since this session of Congress convened. That is all the consideration that was possible to be given to it by us.

Ah, the Senator from Ohio asks us tenderly to remember the touching appeal of the President of the United States for a reduction of the surplus revenue. What memories some of us have! How brief the span! I remember the scoffing sneer of the Senator from Ohio at the President's able message wherein he depicted the evils of a surplus in the Treasury and of excessive taxation. Then there was no harm to flow from it at all, according to the Senator. Whenever the Senator goes and expurges that speech from the RECORD he may with propriety appeal to us. We have heeded the warnings of the Executive, we have done our duty, and we propose to continue to do our duty to the best of our ability.

I therefore, Mr. President, in behalf of fair play, not of delay, but for the purpose of having one-fourth as much opportunity to consider this bill as you have had on the other side, shall join in all that has been said or intended by the Senator from Tennessee. It is not because of the work, it is not because of the additional labor of meeting at 11 o'clock, or staying here at night or over the holidays, for I return to my duties here in good health and with as much vigor for hard work as any other member of this body; but if the Senators on that side suppose that they can, without any regard for fair play and equal rights on this bill, pass it, let them try. I think they will find that the old-fashioned way of doing by others as you desire to be done by will pay better.

Mr. HAWLEY. Mr. President, I think it would be well for some of our friends on the other side to recall certain facts in history before they indulge in the language they have used here to-day.

We are met by two charges. One of them is that we have been guilty of great delay in this matter, and the other is that we are in too much of a hurry now. I recall to them the fact that next March fourteen years will have elapsed during twelve of which the Democracy has had possession of the House of Representatives, and yet on the 21st of July last they presented to us their first attempt to revise the tariff. During all these fourteen years the existing tariff has been an object of unceasing denunciation as an unequal, unjust, and oppressive form of taxation; and yet there never was sufficient ability, or harmony, or knowledge, whatever you may call it, there never was sufficient of power and unity in that body to even present us a bill.

This Administration came into power, and the Democracy found itself with a good working majority in one House and in possession of the Executive Departments. These old denunciations of the tariff were still in fashion. They were accentuated by the President's first message and by his message one year ago; and yet three years four months and eighteen days of that Administration passed away before they sent us a bill. Mark it! Three years four months and eighteen days of the existing national Administration passed away before the party was able to present to the Senate a bill, everybody being aware that the Senate can not originate a tariff bill. Since that bill came to the Senate——

Mr. HOAR. Will the Senator from Connecticut allow me to make one observation in connection with what he is saying?

Mr. HAWLEY. Yes.

Mr. HOAR. I came into public life in Washington in 1869, twenty years ago next March. In every Congress ever since I have been in public life, when the Republicans have had control of the House of Representatives, there has been a revision of the tariff and a large reduction of public burdens. The first Congress of which I was a member so reduced the burdens that I made calculations that they had repealed internal-revenue taxes on the district which I represented alone amounting to $3,000,000 annually.

Mr. HAWLEY. The bill sent here by the House of Representatives was presented to the Senate and referred on the 21st of July. October 3, two months and thirteen days afterwards, the Finance Committee of the Senate reported it to the Senate—certainly a reasonable time. But the subcommittee of that Finance Committee, as is well known to the whole Senate, had been for months before preparing its revision. In two months and thirteen days the committee reported the bill. The printed testimony and the Senate revision of the tariff have been before us. Two months and sixteen days have elapsed since the bill was reported to the Senate—certainly time to have read the bill, certainly time to have looked at the schedules prepared by the Treasury Department comparing this with the existing tariff and the Mills bill.

Now there remain out of the twelve years during which the Democracy has had the power of originating a tariff bill two months and sixteen days—two months and sixteen days of the closing session of a Congress, with fourteen important appropriation bills to consider, and Senators on the other side grumble because we want to begin our sessions at 11 o'clock in the morning!

I submit these facts to the country as well as to the Democratic side of the Chamber. Remember also the figures I have here, that the so-called Mills bill was pending nobody knows how long, but certainly pending seven months and eighteen days, or about that, in the House of Representatives before it came here. And gentlemen talk about the closed sessions of the Finance Committee, about the bill having been considered in secrecy. It is not so, sir. The Senate committee, to my knowledge, was open all the while; the evidence was printed as rapidly as it could be in successive sections, and I got my scraps of it from time to time and got my bound volumes of it early. As I said, we have just two months and sixteen days remaining to pass fourteen appropriation bills and consider a tariff measure.

I call the attention of Senators to another consideration. We never shall have much more time in a Congress than this. Even when we had a Republican Congress in both Houses, which has happened but once in fourteen years—a House in which our friends were preparing the bill—it did not get to us here and our own committee was not able to report it and bring it before the Senate prior to the middle of January. Those who object to the Senate being in a hurry to discuss a tariff bill in a short session are practically objecting to any consideration of a tariff bill under any party whatever. You must always do it in this manner if you do it at all.

We are met on the one hand by charges of delay. The Senator from Maryland [Mr. GORMAN] the other day said we were desirous of keeping this question open for two years to come, and now we are charged with oppression in hurrying the consideration of this bill. Senators greatly mistake the Republican party and greatly mistake the manufacturing States when they think we desire to keep this an open question. To nobody is it more important that it should not be an open question than it is to us. There have been various enterprises for months, and I may say for years, in my own State awaiting some sort of conclusion, some probability of prophecy with regard to the tariff question, and I am happy to say that the reserved funds have been let loose in many cases since the election of Mr. Harrison—let loose not only for our blessing but for the blessing of large sections of the South, as Southern Senators well know.

Who, then, wants delay? Who desires to keep open these questions of doubt and vexation to our people? Not our capitalists, whose money is idle, who are unable to make any prophecies or calculations; not our working people—none of them. We are, and our action upon the record has shown it, in favor of prompt and decisive action. We have been every time since the war in favor of the reduction of duties and an addition to the free-list, and there have been no reductions of duties made since the war except those made by the Republican party. Every time it has touched the tariff it has largely increased the free-list and largely reduced the rates of taxation. And yet we are the people charged with desiring to keep the question open, a sore, agitating question on the one hand, and on the other hand we are charged with undue haste; but, as I say, it is impossible to act otherwise.

I call attention to the fact right here—not because you do not know it already, for it is in the report of the Finance Committee, but because it is neglected universally in the debate by the Democracy of the coun-

try—that there have been three important revisions of the tariff since 1870, all made by Republicans—the acts of July 14, 1870; of June 6, 1872, and of March 3, 1883.

By the provisions of the act of July 14, 1870, one hundred and seventy-eight dutiable articles were placed on the free-list. These included many crude materials in use by our manufacturers imported from foreign countries, and not likely to be produced or manufactured here. The rates of duty were reduced upon fifty articles.

By the act of June 6, 1872, two hundred and thirteen items were added to the free-list, and duties were specifically reduced on forty-nine articles, in addition to a large number which had a 10 per cent. horizontal reduction.

Then we come to the act of March 3, 1883. I want to emphasize the fact, honorable to our party, that it was the only opportunity we have had in fourteen years to touch the tariff, and we had it, as I may say in common phrase, by the very skin of our teeth, having a majority in the two Houses to do it with, and yet we did it. We diligently worked at it, and when we were done, being driven as we are driven now by short time and by close majority, we went into national convention the next year and resolved that the work was not perfected, and called for a still further revision of the tariff.

Now again, for the first time when we have not been in power in the other House, our first chance under a Democratic House to revise it, we have revised it with all possible rapidity, and having only two months and sixteen days with a great mass of exceedingly important business, we are now making a sensible proposition to sit more hours a day, just as we did six years ago when we were in the same corner. I leave it to any fair jury which party has shown a zeal and desire to reduce the tariff, to reduce duties and to add to the free-list and to act promptly on a question of overwhelming importance.

By the act of March 3, 1883, of which I am proud, seventy-two additional articles were placed on the free-list while the rates were reduced on four hundred and twenty-seven paragraphs, embracing almost every schedule and almost every article on the dutiable-list.

Now, sir, by the command of the Democratic party, by the standard set up by Democratic orators, the Republican party has proved itself to deserve the confidence of the country in this matter.

Mr. BLACKBURN. I desire to say but a word, Mr. President. I do not intend during the pendency of this resolution to undertake a discussion of the Senate substitute for the tariff bill, nor is it my purpose to follow the Senator from Connecticut [Mr. HAWLEY] through the tariff measures that have been adopted, as he says, under Republican auspices since 1870.

We all have a very vivid recollection of the tariff revision made by his party in 1883, when both Houses were Republican, with a Republican Executive to approve their conclusions, and the country has a very distinct recollection in the shape of a conviction that no relief ever came to any tax-payer upon the necessaries of life from that measure.

The Senator from Connecticut might have contented himself and certainly would have employed himself better in informing this Chamber and the country, if he had pointed out the relief that the pending tariff measure before this body is to bring to the tax-payers of this country.

Mr. HAWLEY. Will the Senator allow me?

Mr. BLACKBURN. With the greatest pleasure.

Mr. HAWLEY. That is exactly what I desire to find out by a careful and deliberate and detailed discussion beginning at 11 o'clock in the morning.

Mr. BLACKBURN. Yes, Mr. President, and that brings me to the only practical suggestion I want to make to this Chamber, and that is, addressing the sense of fairness on the other side, to ask them if they believe we stand on even terms in the discussion of this bill. The distinguished Senator from Ohio [Mr. SHERMAN] said here the other day that he did not understand this bill and that it was not necessary that he should, because he relied with implicit faith upon the Republican membership of the Committee on Finance and accepted their conclusions, and it is given out, and it is believed by the country, and it is believed by this side of the Chamber, and I believe it, that the Republican majority in the Senate has already agreed in caucus to accept the formulated conclusions of its Finance Committee members and support this bill as a party.

Now, Mr. President, let us look and see the disadvantage that puts us at. I take it that there is not a Republican member on the opposite side of the Chamber who is any better posted or advised about the details of this bill than the average Democrat who sits over here, if he is not a member of the Finance Committee. Its members, of course, are posted; they are advised; they are better informed, for they made the measure. But the minority members of that Finance Committee are no better advised than we are, for, as the Senator from Indiana [Mr. VOORHEES] has stated, and it has passed without contradiction, for nine weeks whilst the process of incubation was going on no Democratic Senator, even if he were a member of the Committee on Finance, had any better opportunity to advise himself than I or some one who did not belong to it.

Now, it is believed—and I have not yet heard it denied—that the resolution which is pending looking to a continuance of the session during the Christmas holidays is another product of the majority caucus, and that it is to be supported here to-day or whenever a vote shall be reached upon it by that side of the Chamber without a break in its vote—the result of caucus action. I beg those Senators to stop and answer to themselves and say whether this is fair treatment towards the minority of the Senate.

The Democratic members of the Finance Committee have already declared here upon this floor that they for lack of opportunity are not on even terms with the majority membership of that committee. They have no advantage and stand on no better ground in this fight than do the other Senators who do not belong to the committee at all. We are left, as every Senator here knows, without the aid of one of the most efficient, one of the best equipped of all the members on this Chamber floor on either side upon every question of tariff and taxation. My colleague [Mr. BECK], who stands at the head of the minority of that committee by service, is not here and can not be. That is an additional disadvantage in which we find ourselves.

I do not believe that our Republican friends were warranted in reaching any conclusion in caucus or elsewhere that we or anybody over here intended factious opposition to this bill, or to make dilatory motions, or employ unusual methods in order to protract its discussion and secure delay. I challenge the production of the record of this Chamber to show a single amendment that has been offered which does not upon its face carry proof conclusive that it was offered in good faith and debated in good faith and not for dilatory purposes.

There is no way for the minority of the Senate to prevent the passage of this resolution, for its passage has been determined upon by a caucus of the majority party—there is no way except it be by the employment of methods that I am glad to know are of unusual occurrence or appearance in this Chamber. But I do not wish to utter a warning. I simply desire to enter a protest against forcing upon the minority an issue fraught with as much importance and consequence to the whole American people as this, without the opportunities for consideration and debate being made equal and fair. That does not appear to have been done, and if it should come that any unusual method should be resorted to, of which I have no information and no right to speak, the majority side of this Chamber will have itself to blame for forcing and precipitating such an issue without having afforded ample opportunity and fair chance to the minority, who are otherwise powerless.

Mr. HAWLEY. Mr. President, I might well have added to the reductions, of which I gave some statistics, this:

That if the rates of duty imposed by our tariff laws prior to the act of July 14, 1870, had been applied to the importations in 1887, the amount of duties collected in the latter year would have been $359,629,117.15, or an excess of $139,596,693.25 above the amount which was actually collected under the provisions of existing law.

One thing more. I omitted from that statement, which refers solely to customs duties, the internal taxes:

Of internal taxes the following have been the reduction made by the party now in the minority since the conclusion of the war:

By the acts of July 13, 1866, and March 2, 1867	$103,381,199
By the acts of March 31, 1868, and February 3, 1868	54,802,578
By the act of July 14, 1870	55,315,321
By the act of December 21, 1871	14,436,862
By the act of June 6, 1872	15,807,618
By the act of March 3, 1883	40,677,682
Total	284,421,260

An apparent reduction on the face of the bills by these acts touching internal taxes of $284,421,260. I say all the reductions have been made by the Republican party since the war in spite of the opposition of the Democracy.

A single statement more——

Mr. GRAY. If the Senator will yield to me right there I should like to ask a question, unless it is an interruption.

Mr. HAWLEY. Certainly I will yield.

Mr. GRAY. I should like to ask the Senator from Connecticut whether the reductions to which he refers were not largely or altogether—perhaps he has stated and I did not hear him—reductions in the internal-revenue system of taxation of the country?

Mr. HAWLEY. This last list I added for the reason that they were such reductions. I had previously stated the reductions in customs.

Mr. GRAY. I should like to ask the Senator further whether it is not a fact that during the large expenditure of the war period of the country, when internal-revenue taxes were laid upon every conceivable subject of consumption, there was not a corresponding increase of the tariff duties in order to compensate those who were engaged in domestic production; and also whether when these internal taxes were removed there was any corresponding removal of those increased duties which were laid on specifically for the purpose of meeting the increase of internal taxes?

Mr. HAWLEY. In some cases there were such reductions. Theoretically we always attempted to do it. But that is not the question under consideration now. The question is, who is anxious for prompt and thorough consideration and who has made reductions, whether wise or not? That is the question to which I am calling attention, and whether we are wise in asking to sit some extra hours in a day and meet a little earlier and omit some of our holidays in order to consider this important question. These are the points before us at this mo-

ment, not whether a proper balance between internal taxes and customs duties has been maintained in the reductions.

I call attention, if I may do so here—I think it is not a trespass on the etiquette prevailing between the two Houses—to the fact that in the consideration of what is known as the Mills bill the ruling majority in the other House did require that House, though it was the long session, to meet at 11, adjourn at 5, and sit also many evenings besides, when they had the whole summer before them; and now we have but two months and sixteen days left out of twelve years, before the adjournment.

Mr. ALDRICH. Mr. President, the allusions of Senators on the other side to the action of the Senate on the tariff act of 1883 are peculiarly unfortunate in view of the attitude which they now occupy. The tariff bill of 1883 was reported from the Finance Committee on the 4th day of January, 1883. It provided, as does this bill, for a general and thorough revision of the tariff and of all its schedules. We were then, as we are now, in the midst of a short session which was to close on the 4th day of March. Then, as now, this body was almost equally divided politically.

I say the report was made on the 4th day of January. On the 10th day of January that bill was taken up for discussion by the Senate and discussion was proceeded with by meeting at 11 o'clock and by night sessions until the bill finally passed the Senate. The Senate was given six days on both sides for an examination of the bill prior to the commencement of its discussion and consideration. Now seventy-eight days have elapsed since this bill was reported to the Senate for examination and consideration by the Senators upon both sides of the Chamber. If six days were sufficient in 1883, under exactly the same circumstances, how can you say that after seventy-eight days have elapsed there is any evidence of unfairness on this side of the Chamber if we ask you to proceed with diligence to the consideration and discussion of this bill?

Mr. VEST. I should like to correct the Senator. It was not six days. That bill of 1883 was made in six hours, made in a conference committee and by adopting provisions which had been voted down by a large majority in both Houses.

Mr. ALDRICH. That is entirely begging the question, with all respect to the Senator from Missouri. The bill was considered item by item for weeks and for months in this body, and it was considered by the Senate meeting at 11 o'clock and holding night sessions, its consideration commencing six days after the report of the committee.

I do not care at this time to go into a discussion of what was done by that conference committee further than to say that there were fewer changes made by that conference committee than in any other tariff bill that ever passed Congress, and fewer changes than are made in any appropriation bill that has passed Congress for the last ten years.

Mr. VEST. I do not care about going into that matter, but I refer to the public discussion of it between the Senator from Ohio [Mr. SHERMAN] and the Senator from Vermont [Mr. MORRILL]. If necessary I can bring that here and read it.

Mr. ALDRICH. And I will say to the Senator that I have denied the truth of the statements which were made by the Senator from Kentucky [Mr. BECK], and when he appears, which I hope will be very soon, I propose to substantiate that denial from the record.

Mr. VEST. I know nothing about the statements of the Senator from Kentucky. I know the statements made by the Senator from Ohio and the Senator from Vermont, which were published and which I can produce here.

Mr. ALDRICH. That is entirely aside from the question now under consideration. The Senator from Indiana [Mr. VOORHEES] says that he did not receive a copy of this bill on the 25th of September, at the time I said it was distributed.

Mr. VOORHEES. I did not make that statement, not impugning the Senator's remark at all, but I may say it is a fact nevertheless. It may have been my fault; I do not say it was the fault of the Finance Committee or the Senator.

Mr. ALDRICH. I will say that copies were delivered to every Democratic member of the committee who was then in the city on the 25th day of September.

Now let us see what there is about these circumstances which would indicate undue haste on our part, as alleged by the Senators on the other side. They say that we had sixty days to consider the bill, when they had no opportunity for its consideration or for the consideration of this question. The Democratic members of the subcommittee had every opportunity which the Republican members had. There was not one hearing in the whole sixty days that was not open to every member, to each one of the minority members of that subcommittee. Nothing was concealed from any member of the committee. Our hearings and discussions were always open, not only open to members of the subcommittee but to members of the full committee. Of course the draught of the bill was made by the Republican members. It could not have been made otherwise. And if because they had sixty days, you say, in advance of the time that you had, and for that reason you can not consider the bill now, when will you ever be able to consider it, if that is a reason?

I submit to gentlemen on the other side of this Chamber that every single amendment which has been offered to this bill so far has been in identical terms with provisions of the House bill. That bill was reported to the House of Representatives last April, months ago, and it is fair to assume that the Senators on the other side of the Chamber were familiar with its provisions. They were familiar with the reasons which led the Committee on Ways and Means of the House to adopt those provisions. They were familiar with the discussion in the House of Representatives on the various items; and they are familiar with the reasons which led to their adoption. If they propose to continue as they have in the past, simply to offer such amendments as have been indicated by the action of the House of Representatives, what further preparation is needed? That bill and the Senate bill, I venture to say, were discussed upon the hustings by every Senator on that side of the Chamber.

The PRESIDING OFFICER (Mr. MANDERSON in the chair). The Senator from Rhode Island will suspend his remarks. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, being the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

Mr. ALDRICH. I hope the consideration of the resolution will go on until the vote is reached.

The PRESIDING OFFICER. The unfinished business having been laid before the Senate——

Mr. ALDRICH. I ask that it be temporarily laid aside.

The PRESIDING OFFICER. The Senator from Rhode Island asks unanimous consent that the unfinished business be temporarily laid aside for the consideration of the pending resolution.

Mr. HARRIS. I object.

Mr. EDMUNDS. I move to proceed to the consideration of this resolution.

Mr. HOAR. I am sure there will be no objection to the Senator from Rhode Island finishing his remarks.

Mr. HARRIS. I do not object to the Senator continuing his remarks. The unfinished business may be laid aside for that purpose. I of course do not wish to cut the Senator off from completing his remarks.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized by the Chair to complete his remarks at this time, no objection being made.

Mr. ALDRICH. I was on the point of saying that the provisions of the House bill as well as the provisions of the Senate bill and the general question at issue between the two parties were discussed by every Democratic Senator, I venture to say, upon the stump during the last campaign. Did any one of those Senators undertake to say to his constituency that he did not understand the questions involved, that he had no opportunity for learning what the provisions of the House bill were after it had been adopted by the St. Louis convention and made the issue in the campaign? Did any of them make the confession then which is now made, that they did not understand the question, that they did not know what the Mills bill contained, and did not know what the Senate bill contained? No, sir.

The Senator from Missouri [Mr. VEST] charged the majority of the Committee on Finance with undue delay before the election. They were anxious then for some action upon this tariff question. The revenue must be reduced and the tariff must be reduced. It was the one living issue before the American people. What has happened since that this great change should take place in the views of the gentlemen upon the other side of this Chamber? Why do they come here now and say they do not know anything about the question and ask us to delay indefinitely action upon it? If the country is suffering from a tariff which is unjust, why not try to enact one which will work justice?

Mr. VOORHEES. Does the Senator from Rhode Island mean to say that we are asking him to delay indefinitely the consideration of this bill? That was his language.

Mr. ALDRICH. Practically.

Mr. VOORHEES. We do not ask any such thing, and the Senator certainly knows it. We ask no indefinite delay. It has been repeated over and over again in that Senator's hearing that all we ask is the usual process and progress of legislation.

Mr. ALDRICH. In terms the Senators upon that side do not ask for indefinite delay, but when in the consideration of this bill, with a limited number of days remaining for its disposition, but one single paragraph is disposed of in a day, and when they vote for adjournment from Thursday to Monday every week and for the earliest adjournment every day, and when they refuse to consider a proposition to meet at 11 o'clock in the morning and have night sessions, a precedent which has been followed in every Congress where important legislation of this kind has been pending, their acts speak louder than any words of theirs in this Chamber.

Mr. EDMUNDS. I move to proceed to the consideration of the resolution.

The PRESIDING OFFICER. The Senator from Vermont moves that the Senate proceed with the consideration of the resolution in re-

gard to the sessions of the Senate, the unfinished business being temporarily laid aside for that purpose.

The motion was agreed to.

The PRESIDING OFFICER. The resolution is before the Senate.

Mr. COCKRELL. I will ask that the resolution be read, as I desire to offer an amendment to it.

The PRESIDING OFFICER. As proposed to be modified?

Mr. COCKRELL. No; the substitute that has been offered modifying the resolution.

The PRESIDING OFFICER. The resolution as proposed to be modified will be read.

The Chief Clerk read as follows:

Resolved, That on and after Wednesday, December 19, and until otherwise ordered, the daily hour of meeting of the Senate shall be 11 o'clock in the forenoon, and that at 5.30 o'clock in the afternoon a recess shall be taken until 8 o'clock p. m.

Mr. COCKRELL. I move to strike out all that part after the words "11 o'clock in the forenoon."

The PRESIDING OFFICER. The amendment will be reported.

The CHIEF CLERK. It is proposed to amend the resolution so as to read:

That on and after Wednesday, December 19, until otherwise ordered, the hour of meeting of the Senate shall be 11 o'clock in the forenoon.

Mr. EDMUNDS. Read the words proposed to be stricken out.

The CHIEF CLERK. Striking out the words:

And that at 5.30 o'clock in the afternoon a recess shall be taken until 8 o'clock p. m.

Mr. COCKRELL. I am very much astonished at the language of some of our friends on the opposite side of the Chamber in regard to reasonable and proper requests upon this side. The Senator from Ohio said that we had denounced this resolution as unconstitutional and revolutionary. I am sure that the distinguished Senator from Ohio did not want to make upon the floor of the Senate false and unfounded and groundless statements, and yet I challenge him to show what Senator upon this side has denounced this resolution as unconstitutional.

The Senator from Rhode Island charges that we are attempting to defeat any action upon the tariff bill. Mr. President, I say that charge is unqualifiedly untrue, and all insinuations to that effect are without any foundation in fact. Let us look at this matter just as it is. It has been charged that the House of Representatives had the House bill under consideration for over seven months, and that that bill was passed on the 21st of July last and that the Senate committee reported it on the 3d of October. What are the facts? The House passed the bill on the 21st of July; on the 21st of July it was received in the Senate. The Senate Finance Committee reported it back to the Senate on the 3d of October. How long was that? That was seventy-four days.

But let us go back to the record of the Senate Finance Committee and see what they have been doing. I am not sure as to the date—it has been stated, but I have not been able to lay my hands upon it—but in May some time (perhaps the Senator from Tennessee can tell me) the Senate Finance Committee appointed a subcommittee to consider the tariff question.

Mr. HARRIS. It was some time in May, but I do not remember the particular day in May. I have not looked at the record recently.

Mr. COCKRELL. I say in May last—I have not the precise date although I have had it—the Senate Finance Committee appointed a subcommittee to consider the tariff question.

Mr. ALLISON. The 25th of May.

Mr. COCKRELL. On the 25th of May, then, the Senator from Iowa informs me, that subcommittee was appointed. On the 26th day of May, 1888, that subcommittee met. "Present, Messrs. ALLISON, chairman, JONES, HISCOCK, VOORHEES, BECK, and HARRIS." I suppose they with the Senator from Rhode Island [Mr. ALDRICH] constitute the members of the subcommittee. The name of the Senator from Rhode Island is not down at the first meeting. Then Senators "ALLISON, ALDRICH, JONES, HISCOCK, VOORHEES, BECK, and HARRIS" constitute the subcommittee that commenced the consideration of the tariff question.

The bill was then pending in the other House, and was being discussed, and those Senators knew just as well as they know now that they intended to report a substitute for that bill if it ever passed the other House. They were preparing the substitute; they were taking testimony, and they had the Senate substitute under consideration, therefore, from the 25th day of May to the 3d day of October, one hundred and thirty days. For four and a third months the Senate Finance Committee devoted themselves to the preparation of this substitute. They took testimony, which was printed in leaflet for the use and benefit of the committee, and was not furnished to Senators, at least not to Senators on this side of the Chamber. It is not usual, I believe, in such cases that the testimony should be furnished to all Senators. I am not complaining of that, but I am only stating the fact in the case.

They reported their bill to the full committee on the 25th day of September. Much stress has been placed upon that, but I desire to say that my information is that when the bill was reported to the full committee of the Senate on the 25th day of September last there was an absolute injunction upon the members of that committee that they should not give out the bill to anybody else but to the members. I understand the senior Senator from Kentucky [Mr. BECK], who is now absent, desired a copy of the bill, and the Senate Finance Committee requested, or required, that that copy of the bill should be sent to him by a special messenger. The minority members of the Finance Committee were not considered free to show the bill to their brother Democratic Senators until the final action of the committee upon it.

Mr. ALLISON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Iowa?

Mr. COCKRELL. Certainly.

Mr. ALLISON. What the Senator says is substantially true, that when the bill was reported to the full committee, by the unanimous consent or agreement of that committee, and especially the Democratic members, it was deemed wise not to make the bill public until the reports could accompany the bill.

Mr. EDMUNDS. And I may add, Mr. President, if my friend will allow me, that I in my innocence having applied to the committee having charge of the bill for a copy of it did not get it, just like the Democratic gentlemen.

Mr. ALLISON. I remember very well that the Senator from Vermont wanted to look at it, but was not at liberty under the unanimous-consent rule to procure a copy.

Mr. ALDRICH. It was the request of the Democratic members.

Mr. ALLISON. It was the request of the members on the Democratic side that the bill should not be made public until the reports accompanied it.

Mr. COCKRELL. I am only stating a fact. I am not a member of the committee, and, as a matter of course, do not know at whose instance it was done, but I thought it remarkably strange that so much secrecy should be observed in sending a copy of the bill to the senior Senator from Kentucky that it could not be intrusted to the mail and had to be sent by a special messenger. I thought it very strange at the time and commented upon it.

Mr. ALLISON. The Senator goes into detail respecting that which was the wish of the minority of the committee, that at the earliest possible moment the Senator from Kentucky, who was at Fortress Monroe, should have a copy of the bill, and it was deemed important by us all that that copy should be sent by a special messenger rather than to trust it to the slow processes of the mails. We did not know when it would reach him if it passed through the mails.

Mr. COCKRELL. The bill was reported to the Senate on the 3d day of October last. There was not a quorum of the Senate present at that time. There was not a quorum of the Senate present at any time from that date to the day of adjournment. There was some hurried discussion upon the bill. There were efforts made to prepare tables showing exactly the effect of the proposed changes in the substitute, and to institute a fair and just comparison between the House bill and the Senate bill; but those tables were not prepared before the Senate adjourned. The tables prepared by the Senate Finance Committee were furnished to us before Congress adjourned, but the tables which were prepared in the Treasury Department and the tables which were prepared by the House committee were not received prior to the adjournment.

I have tried to ascertain when the testimony was printed. I have telephoned to the Public Printer to ascertain the day when he sent up the second and third volumes of the testimony before the Finance Committee. I sent to the Senate document-room to ascertain the dates when they were received there, and our superintendent replies as follows:

We keep no record of the time documents are received from the Printer. If my memory serves me correctly, the testimony of the Finance Committee was received four or five days before the adjournment.

Respectfully, yours,

AMZI SMITH.

I do not think my memory fails me when I say that I never saw more than one volume of that testimony before Congress adjourned in October last. I obtained one volume of the testimony, I can not say exactly how many days, but only a few days, probably two or three days, before we adjourned. I do not remember the exact date, but it was only a short time before the final adjournment. I know it did not give me time even to open it or attempt to read it. The second volume I never saw until my return here after the election.

Now the proposition is to meet at 11 o'clock and remain in session until half after 5, six and a half hours, and then meet at 8 and sit indefinitely. I have no objection in the world to meeting at 11 o'clock, and no objection has been made upon this side of the Chamber to meeting at 11 o'clock. But I do not think it is right, I do not think it is fair just now, that we shall commence night sessions.

Mr. MORRILL. Will the Senator from Missouri allow me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Missouri yield?

Mr. COCKRELL. Certainly.

Mr. MORRILL. I do not think there is much necessity for further argument on the part of the Senator from Missouri if he is willing to meet at 11 o'clock, because when it comes to 5.30 o'clock if a motion is made to adjourn and a majority of the Senate want to adjourn, we

shall adjourn. The Senator knows how easy it is to obtain a majority for adjournment at that hour on any day.

Mr. COCKRELL. That is all very true, but the Senator from Vermont will bear me out in saying that when we have passed a rule of the Senate Senators obey it and do not undertake to take advantage of it. If we were to pass this rule we should not feel at liberty to trample it under our feet and disregard it.

Let us meet at 11 o'clock and go on for a few days and see what progress we make. We can then determine in a few days as to the length of recess we shall take, whether it will be one, two, or three days, or whatever may be the time. We shall then know exactly the time that is before us, and if night sessions become necessary within a reasonable time there will be no factious opposition offered to them from this side of the Chamber. We never have offered any factious opposition to the consideration of just and fair measures in a just, fair, and proper manner; but I for one do not propose to submit to having the Senator from Ohio denounce the action of the Democratic members of the Senate and say that they have stated (I repeat it now because he is present) that this resolution was revolutionary and unconstitutional. I say that Democratic Senators have never asserted any such proposition.

Mr. SHERMAN. I do not think I ever asserted it.

Mr. COCKRELL. The Senator used that exact language.

Mr. SHERMAN. I think the Senator will see that I did not. I shall not look over the Reporter's notes of my remarks, but I think the Senator will find himself mistaken.

Mr. COCKRELL. The Senator used the language, for I took note of it at the time.

Mr. SHERMAN. I never in that connection denounced the opposition of the Democratic party as unconstitutional or revolutionary. I think the Senator will find my language recorded differently.

Mr. COCKRELL. I know positively that the Senator said it. He may not have intended to use the language, but I thought it very strange, speaking as guardedly as he generally does, that he should use both those words.

Mr. SHERMAN. I do not think I did. I certainly never intended to denounce the action of the Democrats in that particular as revolutionary or unconstitutional, because it is neither. I think it is very unreasonable.

Mr. COCKRELL. No, the Senator does not catch the point. He did not denounce our course as unconstitutional and revolutionary, but he stated that we had said that the resolution proposing to meet at 11 o'clock and take a recess at half after 5 and meet at 8 was revolutionary and unconstitutional. I say no Democratic Senator ever made any such statement.

Mr. SHERMAN. I think the declaration made by the Senator's colleague was very nearly that; but if I am mistaken about it, I wish to be corrected.

Mr. VEST. I never said any such thing. The notes of the Reporter will show that I did not use such language.

Mr. COCKRELL. The idea of a Democratic Senator stating that a resolution about adjournment was unconstitutional! It was farcical, and I was astonished to hear the Senator making such a statement.

Mr. SHERMAN. Instead of that I will simply say that the resolution is, I think, in almost the same words and very much in the same form as the resolution under which the original bill was acted upon and passed in the House of Representatives. The Mills bill was considered under a resolution almost in terms like the one pending; that is, that the House would meet at 11 o'clock and take a recess at a certain hour. Under such a resolution the Mills bill was considered, and I never denounced that course as revolutionary or unconstitutional, for I do not think it is so. I think it is the perfect right of a minority at any time to resort to any reasonable degree of delay and tactics for delay. That is perfectly constitutional, and it is not revolutionary.

Mr. COCKRELL. I say I was very much astonished to find that the Senator would state that we had made such a charge as that, and I am certain he made it because my attention was specially attracted to it at the time.

Now, let us meet at 11 o'clock. There will be no opposition to that. We have made no opposition to the length of the daily sessions. Only once did we ask for an adjournment before the Senator from Iowa was ready to adjourn. We did not ask to adjourn then, but we asked to have an executive session when there was important executive business to be transacted. The Senator objected to it then, and at 5 o'clock we went into executive session. He knows perfectly well that we have conferred with him ever since that time in regard to having an executive session or an adjournment, as we did yesterday evening.

Let us go on until 5 o'clock. Nobody objects to sitting until that hour; but I do not think the time has come when we ought to be asked to come back here at a night session. I believe it may be avoided entirely until towards the close of the session. Senators know perfectly well that night sessions are not prolific of expediting business. They are not the best sessions that the Senate holds for the transaction of business; they are not the most pleasant sessions; and I believe we can get along with the bill and pass it without any night sessions. If a night session becomes necessary in order to get a fair and full discussion of the bill and a fair disposition of it, I shall not oppose a night session. I have never opposed night sessions when I thought they would accomplish any good.

I say to Senators upon the opposite side that a night session now will do them no good; it will be a harm to them; it will impede rather than facilitate or hasten the disposition of the bill. I trust, therefore, that my amendment will prevail. I do not propose to go into the discussion of the merits of this controversy or to meet the remarks of the Senator from Connecticut [Mr. HAWLEY], who stated what the Republican party had done in the way of reducing the tariff.

Mr. President, the record speaks for itself. The Republican party have made reductions of taxes, but they have been reductions of the internal revenue; they have not been reductions of the tariff taxes. The internal-revenue receipts in 1866 were $309,000,000, and they have reduced them to $124,000,000 in 1888.

Mr. VEST. If my colleague will permit me, the Reporter has furnished me with what I did say. I ask the attention of the Senator from Ohio to it. Here is what I said:

On account of the sickness of the senior Senator from Kentucky [Mr. BECK] work has been devolved upon some of us on this side of the Chamber which has been most irksome, but it had to be performed; and now for this Senate to change its rule, meet at 11 o'clock, then again at 8, and expect us to do justice to this question, to the details of the bill, is simply cruel and outrageous, and I use the terms with their full significance.

I never used the words "revolutionary" or "unconstitutional."

Mr. COCKRELL. The tariff taxes in 1866 amounted to $179,000,000. In 1888 they amounted to $219,000,000. There is the record; it speaks for itself. The internal-revenue taxes were increased at various times, and with every increase of the internal-revenue taxes there came an increase of the tariff taxes. There was an express promise made that when the internal-revenue taxes were reduced the tariff taxes should be reduced in proportion, and that promise has never been fulfilled to this day. The internal-revenue taxes have been reduced, and the tariff taxes that were imposed for the simple reason only of the imposition of the internal-revenue taxes never have been repealed, they never have been reduced, they never have been modified.

Mr. President, I could cite here testimony from the Senator from Vermont who sits farthest from me [Mr. MORRILL] and from the Senator from Iowa who sits nearest me [Mr. ALLISON] and others, from the debates, showing that when the internal-revenue taxes were imposed and the tariff taxes were increased in consequence of them there was a distinct understanding that when the internal-revenue taxes were taken off the tariff tax which had been imposed because of the imposition of the internal-revenue taxes should also be reduced. I say that promise has never been redeemed. That promise has never been kept. The Republican party have reduced taxation. They have removed the internal-revenue taxes from apothecaries and from auctioneers, from banks and from bankers, from billiard-rooms and from bowling-alleys, from pawn-brokers and from produce-brokers and stock-brokers, from circuses, claim agents, express carriers, and insurance agents. Even jugglers and lottery-ticket dealers have been relieved of the internal-revenue taxes imposed upon them. In addition thereto, all the manufacturers, patent-right dealers, peddlers, and theaters have had internal-revenue taxes removed. But there has been no removal of the tariff taxes to correspond with this reduction of the internal-revenue taxes.

I only desired to say this much in regard to the matter, and I hope the amendment which I have offered, which will simply leave the Senate to meet at 11 o'clock, will be adopted.

Mr. VEST. Mr. President, before the resolution passes by I wish to make a single remark.

The Senator from Ohio stated, quoting the Senator from Iowa, that that side of the Chamber fully recognizes the fact that neither this bill nor any other legislation of the kind can pass without the assistance or the consent of the Democratic portion of the Chamber. If that be so, it seems to me that common fairness, not to say courtesy, ought to have suggested that this side of the Chamber should have been consulted in regard to the matter before this resolution was attempted to be hurried through here in the manner that has been attempted.

I say now, speaking for myself, for I am not authorized to speak for any one else, if that statement of the Senator from Ohio be met in its full and complete sense, then this side of the Chamber (speaking for myself, of course) is perfectly ready to meet the majority and adjust this matter to the satisfaction of both parties.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Missouri [Mr. COCKRELL] to the amendment of the Senator from Vermont [Mr. MORRILL].

Mr. FAULKNER. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SHERMAN. I ask for the reading of the amendment and the amendment to the amendment.

The PRESIDENT *pro tempore*. The amendment and the amendment proposed to the amendment will be read.

The CHIEF CLERK. The amendment of Mr. MORRILL is to strike out all after the word "resolved" and insert:

That on and after Wednesday, December 19, and until otherwise ordered, the daily hour of meeting of the Senate shall be 11 o'clock in the forenoon, and that at 5.30 o'clock in the afternoon a recess shall be taken until 8 o'clock p. m.

The amendment of Mr. COCKRELL to the amendment is to strike out the words—

And that at 5.30 o'clock in the afternoon a recess shall be taken until 8 o'clock p. m.—

So as to read:

That on and after Wednesday, December 19, and until otherwise ordered, the daily hour of meeting of the Senate shall be 11 o'clock in the forenoon.

The PRESIDENT *pro tempore*. The roll will be called on agreeing to the amendment to the amendment.

The Secretary proceeded to call the roll.

Mr. BLAIR (when his name was called). I am paired with the senior Senator from Mississippi [Mr. GEORGE]. Is this considered a party question? I do not see the Senator's colleague present, and I will withhold my vote.

Mr. CALL (when his name was called). I am paired with the Senator from Colorado [Mr. BOWEN], but I have transferred my pair to the Senator from South Carolina [Mr HAMPTON], and I vote "yea."

Mr. CULLOM (when Mr. CAMERON's name was called). The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER], who is absent from the city.

Mr. EVARTS (when his name was called). I am paired by general arrangement with the Senator from Alabama [Mr. MORGAN], and as the question seems to take the shape of party division I must withhold my vote.

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. HALE (when his name was called). I am paired with the Senator from Kentucky [Mr. BECK]. If he were here, I should vote "nay."

Mr. TELLER (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON]. If he were present, I should vote "nay."

Mr. VEST (when his name was called). I have a general pair with the junior Senator from Kansas [Mr. PLUMB]. If he were present, I should vote "yea."

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. DAVIS. My colleague [Mr. SABIN] is paired with the Senator from West Virginia [Mr. KENNA].

Mr. ALLISON. I was paired, as I supposed, with the Senator from New Jersey [Mr. MCPHERSON], but I understand that the Senator from Colorado [Mr. TELLER] is paired with him. So I shall vote. I vote "nay."

The result was announced—yeas 25, nays 27; as follows:

YEAS—25.

Bate,	Colquitt,	Jones of Arkansas,	Turpie,
Berry,	Daniel,	Pasco,	Vance,
Blackburn,	Eustis,	Payne,	Voorhees,
Blodgett,	Gibson,	Pugh,	Wilson of Md.
Call,	Gorman,	Ransom,	
Cockrell,	Gray,	Reagan,	
Coke,	Harris,	Saulsbury,	

NAYS—27.

Aldrich,	Dolph,	Ingalls,	Riddleberger,
Allison,	Edmunds,	Manderson,	Sawyer,
Chace,	Farwell,	Mitchell,	Sherman,
Chandler,	Frye,	Morrill,	Stewart,
Cullom,	Hawley,	Paddock,	Stockbridge.
Davis,	Hiscock,	Palmer,	Wilson of Iowa,
Dawes,	Hoar,	Platt,	

ABSENT—24.

Beck,	Evarts,	Jones of Nevada,	Sabin,
Blair,	Faulkner,	Kenna,	Spooner,
Bowen,	George,	McPherson,	Stanford,
Brown,	Hale,	Morgan,	Teller,
Butler,	Hampton,	Plumb,	Vest,
Cameron,	Hearst,	Quay,	Walthall.

So the amendment to the amendment was rejected.

Mr. GRAY. Mr. President——

Mr. MORRILL. If the Senator from Delaware will allow me, I desire to say that I understand that there is a fair expectation that we can come to a mutual agreement on both sides of the Chamber in half an hour——

Mr. GRAY. Before the Senator from Vermont proceeds—I have not heard what his request of me was—I desire to offer a substitute for the resolution, upon which the remarks of the Senator from Vermont, I suppose, would be in order.

Mr. MORRILL. The Senator did not apprehend——

Mr. GRAY. I hope the Senator from Vermont will excuse me, for I am very sure he will find that his remarks will be more pertinent after I get through than they are now.

It has been repeatedly declared by Senators on this side of the Chamber, who, while disclaiming any authority to speak for their fellows, yet are as much authorized to speak for them as any Senator here, that there is no desire or wish or purpose entertained by Senators on this side to obstruct the passage of the Senate substitute for the House bill. On the contrary, I think there is a general consensus on this side that it would be well for the action, whatever it is to be on the part of the Senate, to be taken at as early a day as is consistent with the rights of individual members to scrutinize the provisions of the bill and to suggest what may appear to them to be proper amendments thereto.

On my own part I entirely sympathize with the feeling which I have just stated as to the belief entertained on this side, and I hope that there will be no unnecessary delay in coming to final action upon the substitute proposed by the Finance Committee to the House bill. As that feeling and that purpose we thought had been made manifest on this side, it was with some surprise and something of a feeling of grievance that the resolution providing for the meeting of the Senate at 11 o'clock and for night sessions, and with the declared purpose that there should not be the usual Christmas vacation, was heard by Senators on this side of the Chamber.

The tariff measure now before the Senate is one of transcendent importance to the people of this country. Differing views are entertained by the two sides of this Chamber upon its policy, upon its general scheme, and upon the details of the measure. With entire respect for the opinions of those who differ with me, I think I am voicing the general sentiment of this side when I say that we only desire to make expression of our points of difference in an intelligible manner and in such a way that we shall not unnecessarily consume the time of the Senate in beating the air in a discussion which shall be founded upon insufficient consideration and insufficient preparation.

The plan proposed by the resolution offered by the Senator from Vermont, as was said by the Senator from Kentucky [Mr. BLACKBURN] awhile ago, puts us at a very great disadvantage in performing merely our duty in regard to the bill. We are differently situated from Senators on the other side in that respect. They have determined, and may well determine, to follow the lead of the very able members of the Finance Committee who represent them in that committee. They have proposed a bill which, as the Senator from Ohio [Mr. SHERMAN] said some days ago, though he did not understand it in all its details, yet Senators on that side had determined to follow the lead of the very able gentlemen who had prepared the bill, because they believed in its general scheme and its general purposes.

On this side we are very differently situated. We do not believe in the general scheme or the general purposes of that bill, and we are not prepared to follow the lead of the Senators who have given their nights and days for long months to the preparation of the scheme. In order to express the points of difference we need time on this side that is not needed on the other; but it is only a fair time, it is only a reasonable opportunity that we ask.

Therefore, with a view of testing the sense of fairness of Senators on the other side, in order that we may reasonably co-operate in expediting the public business, I offer as a substitute for the resolution what I send to the desk and ask to have read.

The PRESIDENT *pro tempore*. The proposed substitute will be read.

The CHIEF CLERK. It is proposed to strike out all after the word "resolved" and insert:

That until otherwise ordered the daily hour of meeting of the Senate during this week shall be 11 o'clock in the forenoon, and that at 5.30 o'clock in the afternoon a recess shall be taken until 8 o'clock p. m., with a view of utilizing the time of the Senate so as not to interfere with the usual holiday vacation as proposed by the joint House resolution.

Mr. MORRILL. With a view of coming to a compromise with the Senators upon the other side of the Chamber, as I understand there is a fair prospect of such a compromise being made, I ask for the postponement of the resolution until to-morrow.

The PRESIDENT *pro tempore*. The Senator from Vermont asks unanimous consent that the further consideration of the resolution and the amendments be postponed until to-morrow. Is there objection?

Mr. GRAY. I object.

The PRESIDENT *pro tempore*. The Senator from Delaware objects.

Mr. VEST and others (to Mr. GRAY). Let it go over until to-morrow.

Mr. GRAY. In deference to the wishes of Senators around me, I withdraw my objection.

The PRESIDENT *pro tempore*. If there be no objection, the further consideration of the resolution and the amendments is postponed until to-morrow. The Chair hears none, and it is so ordered.

HOLIDAY RECESS.

Mr. MORRILL. I am directed by the Committee on Finance to report back with an amendment the concurrent resolution of the House of Representatives in relation to the adjournment of the two Houses for the holidays.

The PRESIDENT *pro tempore*. If there be no objection the resolution reported by the Committee on Finance will be read.

The Chief Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Friday, December 21, 1888, they stand adjourned until Monday, January 7, 1889.

The PRESIDENT *pro tempore*. The amendment proposed by the Committee on Finance will be read.

The CHIEF CLERK. It is proposed to amend the concurrent resolution by striking out, in lines 2 and 3, the words "two Houses adjourn"

and inserting the words "House of Representatives adjourns;" and in line 4, by striking out the word "they" and inserting the word "it;" so as to read:

Resolved by the House of Representatives (the Senate concurring), That when the House of Representatives adjourns on Friday, December 21, 1888, it stand adjourned until Monday, January 7, 1889.

Mr. MORRILL. I ask that this resolution also go over until to-morrow.

The PRESIDENT *pro tempore*. The consideration of the report, if there be no objection, will be postponed until to-morrow. The Chair hears none, and it is so ordered.

RED RIVER BRIDGES.

Mr. VEST. I ask leave to report two bills from the Committee on Commerce.

The PRESIDENT *pro tempore*. Is there objection? The Chair hears none.

Mr. VEST. I am instructed by the Committee on Commerce, to whom was referred the bill (S. 3666) to amend an act entitled "An act granting to the city of Grand Forks, Dak., the right to build two free bridges across the Red River," approved May 21, 1888, to report it with an amendment. At the request of the Senator from Minnesota [Mr. DAVIS] I ask for the immediate consideration of the bill. It simply amends an act already passed by Congress.

The PRESIDENT *pro tempore*. The Senator from Missouri asks unanimous consent that the bill just reported from the Committee on Commerce may be now considered.

Mr. ALLISON. I shall feel constrained to object if it takes any time.

Mr. VEST. It will take no time that I know of.

The PRESIDENT *pro tempore*. The bill will be read at length for information.

The Chief Clerk read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to amend section 3 of the act approved May 21, 1888, by inserting, after the words "under this act," in line 1, the words "below the mouth of the Red Lake River;" and further, after the words "said bridge," in line 11, by inserting "and any bridge built under this act, above the mouth of the Red Lake River, shall be built with one draw-span of not less than 87 feet in the clear, measured at low water, and this draw-span shall be over the main channel at the most accessible and best navigable point, and the other span may be less than 80 feet and be kept clear of trestle-work;" also by inserting, in line 13, after "parallel to," the words "and except above the mouth of the Red Lake River;" and also by inserting, in line 15, after the word "stream," as follows: "and above the mouth of the Red Lake River the bridge may be placed at an angle of 83° with the direction of the current of the stream."

The amendment reported by the Committee on Commerce was, in line 16, after the word "work," to insert:

And the plan shall not be of less elevation than 3 feet above extreme high-water mark as shown at the point of location, measured to the lowest part of the superstructure of said bridge.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

YOUNG'S BAY BRIDGE.

Mr. VEST. I am also instructed by the Committee on Commerce, to whom was referred the bill (S. 3645) granting to the Astoria and South Coast Railway Company the right to construct a bridge across Young's Bay, a navigable stream in the county of Clatsop and State of Oregon, to report it without amendment.

Mr. DOLPH. I should like to ask the Senator from Missouri if there is any objection to the present consideration of the bill? Does the Senator from Missouri desire the bill to go upon the Calendar?

Mr. VEST. Not at all.

Mr. DOLPH. Is there any objection, if the Senate indulges me, to have it considered now?

Mr. VEST. I have not the slightest objection. I did not see the Senator from Oregon [Mr. DOLPH] in his seat.

Mr. DOLPH. There is a pressing necessity for the bill, and I ask that it be considered now.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CLAIMS OF POSTMASTERS.

Mr. CHACE, from the Committee on Post-Offices and Post-Roads, submitted a report to accompany the adverse report made yesterday on the resolution in relation to amounts due postmasters for services rendered the United States between July 1, 1864, and July 1, 1874; which was ordered to be printed.

BILLS INTRODUCED.

Mr. BLAIR introduced a bill (S. 3736) to increase the pension of Julia A. Ross; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. JONES, of Arkansas, introduced a bill (S. 3737) for the relief of Sterling H. Tucker and others; which was read twice by its title, and referred to the Committee on Claims.

Mr. FARWELL introduced a bill (S. 3738) for the reorganization and increased efficiency of the *personnel* of the Navy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

Mr. FAULKNER introduced a bill (S. 3739) to increase the pension of Mrs. Fanny A. Boyd, widow of Capt. O. B. Boyd; which was read twice by its title, and referred to the Committee on Pensions.

SUNDAY-REST BILL.

Mr. BLAIR. I ask an order of the Senate to reprint the bill (S. 2983) to secure to the people the enjoyment of the first day of the week, commonly known as the Lord's day, as a day of rest, and to promote its observance as a day of religious worship. The copies heretofore printed have been exhausted.

The PRESIDENT *pro tempore*. That order will be made, if there be no objection.

THE REVENUE LAWS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

The PRESIDENT *pro tempore*. The reading of the amendment of the Committee on Finance will proceed.

The Secretary read as follows:

150. Wire rods.—Rivet, screw, nail, fence, and other iron or steel wire rods, whether round, oval, flat, or square, in coils or loops, or in any other shape, not smaller than No. 6 wire gauge, valued at 3 cents or less per pound, six-tenths of 1 cent per pound; and iron or steel flat, with longitudinal ribs for the manufacture of fencing, valued at 3 cents or less per pound, six-tenths of 1 cent per pound: *Provided*, That all iron or steel rods, whether rolled or drawn, smaller than No. 6 wire gauge, shall be classed and dutiable as wire.

Mr. JONES, of Arkansas. I was under the impression that the Senator from New Jersey [Mr. MCPHERSON] asked that that paragraph be passed over before leaving the Senate yesterday. I am not sure, however, about it.

The PRESIDENT *pro tempore*. There is nothing to indicate such action on the files.

Mr. JONES, of Arkansas. Then I presume I was mistaken.

Mr. ALLISON. I think the Senator from New Jersey simply desired to have the opportunity of moving an amendment at a later stage, and the Chair in response said that the paragraph would be open to him for that purpose.

The PRESIDENT *pro tempore*. The Chair would state that by understanding and agreement of the Senate any paragraph in the bill can be reverted to for the purpose of amendment after the reading of the bill has been concluded.

Mr. TURPIE. I wish to inquire of the Chair whether it would be in order to move to amend paragraph 150.

The PRESIDENT *pro tempore*. An amendment to the paragraph would be in order.

Mr. TURPIE. Then in line 568 I move to strike out the words "six-tenths of one cent," and insert in lieu thereof the words "six mills;" and in line 570, to strike out the words "six-tenths of one cent," and insert in lieu thereof the words "six mills;" so as to read:

150. Wire rods.—Rivet, screw, nail, fence, and other iron or steel wire rods, whether round, oval, flat or square, in coils or loops or in any other shape, not smaller than No. 6 wire gauge, valued at 3 cents or less per pound, six mills per pound; and iron or steel flat, with longitudinal ribs for the manufacture of fencing, valued at 3 cents or less per pound, six mills per pound: *Provided*, That all iron or steel rods, whether rolled or drawn, smaller than No. 6 wire gauge, shall be classed and dutiable as wire.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Indiana [Mr. TURPIE].

Mr. VANCE. I wish to make an inquiry of the Chair. I ask whether this paragraph by unanimous consent was not left open for the Senator from New Jersey [Mr. MCPHERSON]?

The PRESIDENT *pro tempore*. All the paragraphs, the Chair will state, are left open.

Mr. VANCE. This paragraph was specially left open, I thought, for the Senator from New Jersey.

The PRESIDENT *pro tempore*. The Chair will have the RECORD examined and ascertain as to that. There is nothing to indicate such action on the files. The question is on agreeing to the amendment proposed by the Senator from Indiana [Mr. TURPIE].

Mr. TURPIE. Mr. President, if I understand the progress we have made in the tariff debate, paragraph 150 is a part of what is called an amendment to the original bill. It is part of the amendment offered as a substitute for the original bill; and of the original bill itself there is nothing left in the report of the committee except the enacting clause and the title.

The title is a very significant one: "To reduce taxation and simplify the laws in relation to the collection of the revenue." There are two

purposes expressed in this title. Certain Senators are of opinion that the first purpose as expressed has been very much impaired by the action of the committee and the subcommittee. I am of the opinion that the second purpose expressed has been lost sight of altogether by the majority who reported the substitute. It certainly was accounted as of equal importance with the first.

The language of the substitute is that of illusion and deception, not by design, but from the utter want of any care or attention to it. Take the expression "six-tenths of one cent" occurring twice in the pending paragraph, and in paragraph 144 the expressions are "one and one-tenth cents," "one and two-tenths cents," "one and four-tenths cents," "one and five-tenths cents" successively. The whole substitute is full of terms and phraseology of that character.

What is the meaning of six-tenths of a cent? A tenth of a cent means a mill, and a mill may be defined as the tenth of a cent or the thousandth part of a dollar. I do not know that it adds anything to the perspicuity of a statute to put in the definition of a word instead of the word itself. When "six-tenths of a cent," which constitutes the definition of six mills, is meant in a bill, why is it not preferable to say six mills? In the instance we had under consideration the other day, with respect to structural iron, there was this very awkward phraseology: "One cent and one-tenth of a cent," "one cent and one-sixteenth of a cent," with various others.

I might ask the learned and honorable chairman of the subcommittee whether he has made a complete study of the subject of lingual concealment or verbal ambush? I presume he has not, and that there has been no study on the subject at all. Else why was a pound selected as a unit for taxation instead of an ounce? For if the paragraph had provided one-sixteenth of a cent and one-tenth of one-sixteenth of a cent per ounce, the meaning would have been the same and the mystery would have been much greater.

Of course it may be asked, who would want to use one ounce of structural iron? I ask, who would want to use one pound of structural iron? And it may be asked again, why is not the ton in the case of structural iron made the unit of assessment with respect to the tariff? It is $20 a ton. Everybody understands that, and the most ordinary beam and girder does not consist of a less weight.

Why is it not based upon the ton as a unit? Is there any desire to hide the amount of the exaction? Not at all, sir; it is simply the want of carefulness and the inattention to what we may consider the plainest terms of English or the vernacular of the United States.

What is the use of all this dismal array of decimals and fractions? The amendment ought to be made in every section and paragraph of the substitute precisely as it is offered here. The most casual reader would then come to the correct conclusion as to the amount of tax assessed by the bill.

I speak of these words as things because in this connection they are things, and they have the appearance of belonging to the "hidden things of dishonesty." They are very far removed from that simplicity which according to the title of the bill ought to characterize its text.

It is sometimes almost as curious to note the wilderness of unmeaning phraseology in a measure as some of the reasons assigned for its passage. I understood the Senator from Nevada farthest from the Chair [Mr. STEWART] and the Senator from Massachusetts nearest me [Mr. DAWES] both to have taken the position here that taxes assessed by our tariff legislation were paid by foreigners, and it was stated by them with great complacency that they were perfectly willing that foreigners should pay our tariff taxes, and it was stated with great earnestness that no man anywhere should object to such payment by foreigners.

The bill is entitled "A bill to reduce taxation," and I thought the phrase "to reduce taxation" alluded to the taxes of our own people. If it alludes to tariff taxes paid by foreigners, as is here claimed, it furnishes me only an additional reason for being opposed to the substitute. I am not myself in favor of reducing the taxes of foreigners or the amount of taxes paid by foreigners. I would rather increase the amount, if any such are to be so paid.

It seems, from the remarks of these Senators, that the prohibitory tariff trust is about inaugurating a period of commercial millennium; that the divine apostolic injunction, "Bear ye one another's burdens," is to become not only a rule of private conduct but a maxim of international law and usage.

The only possible defect in such a policy would be that while sometimes a balance of trade is largely in our favor, as the foreigners pay the taxes under our tariff legislation, we must then pay the taxes on exports under theirs; and we would then necessarily pay a larger share of the tariff taxes of foreigners than the foreigners pay of ours.

What a very strange sort of fiscal reciprocity, what a very strange view of international economics, this presents! I think those Senators upon this side as well as a majority of sane people, healthful and wholesome-minded people on the subject of Federal taxation, still retain the notion that taxes imposed by an act of Congress of the United States are paid by the inhabitants of the United States, and that they are as local to the people of this country as taxes for sewerage or gas imposed by the municipal authorities of New York on the inhabitants of that city.

The honorable Senator from Iowa opened this debate with a protestation of very unusual vehemence in relation to the good faith with which this measure was proposed, stating that it was not a partisan measure nor offered with a view to benefit any party, and that the subcommittee and the committee had no other motives in it than those of subserving the best interests of the Republic. The same disclaimer was aided by a similar declaration of the very able and accomplished Senator from Rhode Island [Mr. ALDRICH], the principal coadjutor of the chairman of the subcommittee in this relentless raid of monopolies against the people.

Upon this side we are disposed to give full credence to those disclaimers, and to give as full credence without the disclaimer as with it. What was the reason of this earnest and gratuitous protestation in advance by the committee in relation to their purposes and objects in the introduction of this substitute? Had they conceived that there would be anything of reproof from this side of the Chamber for the policy contained in the bill?

The committee and the subcommittee may be deserving of much reproof, but they are also deserving yet more of sympathy. The majority of the committee and subcommittee and their coadjutor have yielded to an irresistible and uncontrollable influence, the influence of a superstition—a superstition springing from the creed taught now for so many years in that school of political economy so richly endowed by the incorporators of the prohibitory-tariff trust, instructed in the maxim that all mankind, all the labor, and all the capital in the country must be taxed for the benefit of a few non-laboring and non-producing classes.

I suppose this superstition, like others of the same character, must have its course. I suppose it will have its day, like the South Sea craze in England, the tulip mania in Holland, or the Darien speculation of John Law in France. It will have its day, and it will bring disaster even to those interests which it pretends to foster.

Again it is said—and I have heard that also with extreme surprise—that no amendment should be offered from this side of the Chamber; that every such amendment was a request for a special privilege; that whether the amendment provided that hoop-iron for the hay-maker and the cotton-raiser should be put upon the free-list or the enormous tax imposed by this measure simply reduced, in either event the exemption or the diminution proposed was a special privilege that was asked for, and that no one should be exempted from the rate of taxation as fixed in this substitute.

It seems to me that this is a complete reversal of the act and effect and the whole theory of the proposed legislation. Everything that has been said in this Chamber in behalf of the substitute or amendment has been a special plea. The substitute itself is a gross mass of special privileges of the most offensive kind.

It now appears that the President last December was perfectly right in informing the country that there was a surplus in the Treasury and in asking also that taxation should be reduced. The point misconceived was as to where the relief should come, he being of the opinion that relief should come to the tax-paying many, the multitude of the people; whereas it seems that, after all, the relief should come to the maimed, crippled, wounded, moribund corporations engaged in the manufacture of the protected articles, doomed to decay and destruction unless they be perpetually pensioned for total disability by the provisions of this bill.

Instead of any amendment being a special privilege, the bill itself is a vast conservatory of choice plants of monopoly to be fed and forced by the sweat of the laboring masses and by every kind of unjust, oppressive, and unnecessary exaction. This measure itself is a paradise, the very garden of the gods of unjust monopolies, a paradise situate hard by the country of corruption and decay, and situate also very near the level of that Dead Sea which conceals alike the ashes and the iniquities of Sodom.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Indiana [Mr. TURPIE], which will be again stated.

The CHIEF CLERK. In line 568 it is proposed to strike out the words "six-tenths of 1 cent" and insert "six mills," and in lines 570 and 571 to strike out "six-tenths of 1 cent" and insert the words "six mills."

Mr. VANCE. I ask for the yeas and nays on agreeing to the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DAWES (when his name was called). I am paired with the Senator from Indiana [Mr. VOORHEES]. I should vote "nay" if he were present.

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. WALTHALL (when Mr. GEORGE'S name was called). My colleague [Mr. GEORGE] is paired with the Senator from New Hampshire [Mr. BLAIR].

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL].

Mr. RIDDLEBERGER (when his name was called). I am not sure whether I am paired or not; I have been so differently paired. I shall vote "nay" if I am not paired, unless some Senator on the other side will say that I should not. I have been paired, I believe, with three or four Senators at different times.

The PRESIDENT *pro tempore*. Does the Senator from Virginia desire to have his vote recorded?

Mr. RIDDLEBERGER. I vote in the negative.

Mr. TELLER (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON]. If he were present, I should vote "nay."

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB]. I should vote "yea" if he were here.

The roll-call was concluded.

Mr. EVARTS. I am paired with the Senator from Alabama [Mr. MORGAN], and therefore withhold my vote.

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

The result was announced—yeas 23, nays 24, as follows:

YEAS—23.

Bate,	Coke,	Harris,	Saulsbury,
Berry,	Colquitt,	Jones of Arkansas,	Turpie,
Blackburn,	Daniel,	Payne,	Vance,
Blodgett,	Eustis,	Pugh,	Walthall,
Call,	Gibson,	Ransom,	Wilson of Md.
Cockrell,	Gray,	Reagan,	

NAYS—24.

Aldrich,	Dolph,	Manderson,	Sawyer,
Allison,	Edmunds,	Morrill,	Sherman,
Chace,	Hawley,	Paddock,	Spooner,
Chandler,	Hiscock,	Palmer,	Stewart,
Cullom,	Hoar,	Platt,	Stockbridge,
Davis,	Ingalls,	Riddleberger,	Wilson of Iowa.

ABSENT—29.

Beck,	Farwell,	Jones of Nevada,	Sabin,
Blair,	Faulkner,	Kenna,	Stanford,
Bowen,	Frye,	McPherson,	Teller,
Brown,	George,	Mitchell,	Vest,
Butler,	Gorman,	Morgan,	Voorhees.
Cameron,	Hale,	Pasco,	
Dawes,	Hampton,	Plumb,	
Evarts,	Hearst,	Quay,	

So the amendment was rejected.

Mr. VANCE. In paragraph 150, line 567, before the words "wire gauge," I move to strike out "6" and insert "5;" so as to read:

Not smaller than No. 5 wire gauge.

I will state the reason why I move the amendment. The present law reads:

Iron or steel rivet, screw, nail, and fence wire rods, round, in coils and loops, not lighter than No. 5 wire gauge, valued at 3½ cents or less per pound, six-tenths of 1 cent per pound.

The wire ordinarily used for fencing by the farmers is less than No. 6, and therefore comes in under the clause—

Manufactures of iron and other metals not otherwise provided for shall pay a duty of 40 per cent.

Instead of designating this as fencing-wire and increasing the duty on it from 40 to 47 per cent. openly, by simply changing the gauge of the wire one number and inserting No. 6, it is placed under a duty of six-tenths of a cent per pound, which is, I suppose, done in deference to the great service rendered the protectionists in the late election by the agricultural classes, especially of New York, who, we were told the other day, overcame by their rural virtues and enlightenment the vice and iniquity of the great cities of New York and Brooklyn. This is the way, I suppose, you undertake to pay them for their kindness, by swelling up by the change of a word, in a manner that would not strike anybody perhaps until the damage was done, the duty upon them from 40 to 47 per cent., as is displayed by the schedule.

I move, as I have said, to strike out the word "six" and insert "five," so that it will be not less than No. 5 wire gauge, and remit the fencing-wire used by the farmers of the country to the 40 per cent. schedule, where the present law places it. I desire to call the attention of the farmers of the country to this method which "the friends of American industry" are taking to encourage their industry, to wit, by increasing the duties on the implements of their business.

Mr. ALLISON. We have had a fine illustration just now of the fact that the Senator from North Carolina has not studied this bill. The particular item that he has discussed in no sense affects the farmer or fence-wire. As a matter of fact, in the Senate bill (and I call his attention to that now because it doubtless escaped him), the next paragraph is the one where fence-wire is considered, and there we have reduced the duty below the Mills bill, while every amendment thus far moved by him and his associates has been the rate fixed in the Mills bill. The next paragraph relates to wire rods from which fence-wire is made. This relates to all wire rods. Of course fence-wire is made from this as well as other wire.

The only change in this paragraph from existing law is, that we have reduced the value from 3½ to 3 cents a pound; that is to say, fence-wire valued at less than 3 cents a pound shall come in at such a rate. As a matter of fact, if the Senator will turn to the table which he has before him prepared by the experts, he will observe that all these wire rods come in at a less valuation than 1½ cents.

Another change is that we have introduced into this paragraph No. 6 wire rod instead of No. 5. In the tariff act of 1883 rods of No. 5 and above were classified as wire rods; thinner than No. 5, or smaller than No. 5, were classified as wire. That was the intention of the classification, but under a ruling of the Treasury Department wire rods were rolled less than No. 5, to wit, down to No. 6, and they came in at 45 per cent. ad valorem.

The Senator will see if he will examine these tables (I think it is perfectly clear from the tables themselves), that there have been undervaluations. All this paragraph proposes is to provide that wire rods down to No. 6 and all thinner or smaller than No. 6 shall be regarded as wire under this provision.

It was supposed when the tariff law of 1883 was passed that this was the point of difference between a wire rod and wire, but as a matter of fact wire rods have been rolled as thin as No. 6, and the fencing-wire which is drawn from those rods and other wire is a wire that is drawn, whilst this is a rod that is rolled.

I agree that the general effect of this phraseology will be to slightly increase the average ad valorem on importations of wire rods, but if I can gather the illustration of the Senator from Indiana [Mr. TURPIE] who elucidated this question so a few moments ago, it will not add the one-thousandth part of a cent to the cost of wire rods, and it will have no effect whatever upon the question of wire.

I call the attention of my friend again to the fact that we have reduced the duty on wire as compared with the Mills bill.

Mr. VANCE. I do not know that I am authorized to accept point blank the authority of the Senator from Iowa on the matter of wires and chains, since he was unable the other day to distinguish between the chain which confined a lap-dog and the chain with which a mule pulls a plow. But, taking it for granted that this is the rod from which the wire is made, I certainly can not accept his conclusion that the increasing of the cost of the materials from which the wire is made will not increase the cost of the wire itself, unless, indeed, we take it in the usual protective sense, that the higher the tax the cheaper the article, which is the way in which everything is argued here.

The Senator admits that by the change of classification, by the change of this word which I offer to strike out, the duty is increased. He says it is increased very slightly. According to the estimates of the Treasury Department, which I have before me, it is increased from 40 to 47 per cent., which is about 15 per cent. on the article itself, and why that should be done is the question.

Mr. ALLISON. If the Senator will allow me, I will state that the wire rods between No. 5 and No. 6, which he is discussing now, come in at 45 per cent. ad valorem.

Mr. VANCE. At 40 per cent.

Mr. ALLISON. At 45 per cent., I will say to the Senator.

Mr. VANCE. I have the law before me.

Mr. ALLISON. If the Senator will look at it carefully, he will see that I am right about it. It is 45 per cent. ad valorem, so that on the statement now made by the Senator there is only an increase of 2 per cent.

Mr. VANCE. It is only an increase of how much?

Mr. ALLISON. It is only an ad valorem increase of 2 per cent. All these now come in under a 45 per cent. ad valorem duty, and the Senator says that the average statement, as shown by Treasury experts, is 47 per cent. The result undoubtedly will be that a great many of these rods will come in cheaper than they do under existing law, and some of them higher.

Mr. VANCE. The Senator doubtless has the same statement before him which I have, the estimates of the Treasury Department, and he will see that they make the duty under the present law upon these rods 40.66 per cent., and the estimate for the duty under the Senate amendment is 47.55 per cent.

Mr. ALLISON. The Senator misunderstands me; I did not make myself understood. In the existing law there are two classes of wire rods, one of them wire rods down to No. 5 wire gauge. Now they roll rods down to No. 6 wire gauge. All rods coming in down to No. 5 wire gauge come in at six-tenths of a cent a pound, and all wire rods thinner than No. 5, to wit, No. 6, come in at 45 per cent. ad valorem. So this clause now under consideration only affects one gauge of wire rods, namely, No. 6, and No. 6 under existing law, as shown by the table right before me, comes in at 45 per cent. ad valorem. Therefore the only change in this schedule is a change excluding one gauge of wire rods.

Mr. VANCE. Now, while the Senator is up and before he takes his seat, will he tell us why there was a necessity for including that other number that the manufacturers have got to rolling, which comes in under the 45 per cent. law, and increasing the rate on it? What was the object of that?

Mr. ALLISON. I will tell the Senator very readily. I undertook to give the reason a moment ago.

When we passed the tariff act of 1883, No. 5 wire gauge was the smallest wire rod provided for and the smallest that was rolled at that time. That came in at six-tenths of a cent a pound. In order to evade that duty of six-tenths of a cent a pound they began to roll in Belgium and Germany wire rods of No. 6 wire gauge, just to bring them within the 45 per cent. ad valorem duty. What was the object of that? The first object was to escape the specific duty; the second object was to enable them to undervalue these rods; and it is a singular fact, taking these tables as an illustration, that No. 5 wire rods are invoiced as costing more than No. 6, as shown by these tables, when a No. 6 is finer and must go through the rolls once more. It does not require a man to be very much of an expert to know that the thinner you make these rods or the smaller you make them the more expensive they are to make. Of course one single gauge would probably make very little difference. It was to correct this incongruity in the existing law that we put the No. 6 instead of No. 5, and then we have added as a proviso that all smaller than No. 6 shall be regarded as wire and pay duty accordingly.

Mr. JONES, of Arkansas. I should like to ask the Senator a question right there. I understood him to state just now that wire which had more work on it sold cheaper than the wire with less work on account of the lighter tariff.

Mr. ALLISON. No, I did not say it was sold cheaper; not by any means.

Mr. JONES, of Arkansas. I understood the Senator to say so.

Mr. ALLISON. I certainly did not make a blunder of that kind. I say that they are invoiced cheaper and undervalued in order to escape the specific duty of the tariff. That is what I said.

Mr. JONES, of Arkansas. I understood the Senator to use the word "cost"—that they cost less.

Mr. ALLISON. No; they cost more, but they are invoiced at a less price for the purpose of escaping the specific duty of the existing law.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from North Carolina [Mr. VANCE], which will be again stated.

The CHIEF CLERK. In paragraph 150, line 567, it is proposed to strike out "six" and insert "five;" so as to read:

150. Wire rods.—Rivet, screw, nail, fence, and other iron or steel wire rods, whether round, oval, flat, or square, in coils or loops or in any other shape, not smaller than No. 5 wire gauge, etc.

The PRESIDENT *pro tempore*. The question is on the amendment. [Putting the question.] By the sound the noes have it.

Mr. VANCE. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. VEST. Mr. President, I was absent from the Chamber during the debate on public business, but I have the statement of an expert in regard to this provision in the bill that struck me with some surprise. I have not been able to go through it and analyze it completely, but the statement is this:

Wire rods for fence wire, nails, etc., not smaller than No. 5 wire gauge, now pay six-tenths of 1 cent per pound.

The Senate substitute includes rods not smaller than No. 6 at this rate, which now enter at 45 per cent. and of which 247,730,164 pounds were imported in 1887, at an average value of eleven one-hundredths cent per pound, and on which the rate at duties named of six-tenths cent per pound would be increased from 45 to 54.54 per cent., an increase of duties on this item of $290,712.08, while all rolled rods below No. 6 are classed as drawn wire, at 1¼ cents per pound, an increase impossible to estimate, but clearly out of all proportion.

That is an enormous increase to put upon this item. As a matter of course it is out of all proportions to other items in this schedule.

Mr. ALDRICH. Before the vote is taken I desire to call the attention of the Senator from North Carolina to the fact that his amendment, as now proposed, would increase the duty on No. 6 wire rod from six-tenths of a cent to 1¼ cents a pound.

Mr. VANCE. Then it will make it cheaper for the farmer, and the farmer will risk it.

The Chief Clerk proceeded to call the roll.

Mr. DAWES (when his name was called). I am paired for the afternoon with the senior Senator from Indiana [Mr. VOORHEES]. I should vote "nay" but for that.

Mr. EVARTS (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN]. Otherwise I should vote "nay."

Mr. FAULKNER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. FRYE (when his name was called). I am paired with the Senator from Maryland [Mr. GORMAN].

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL]. If he were present, I should vote "yea."

Mr. STANFORD (when his name was called). I am paired with my colleague [Mr. HEARST], who is absent.

Mr. TELLER (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON].

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB].

The roll-call was concluded.

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. EDMUNDS. I am paired with the Senator from Alabama [Mr. PUGH], whom I do not see in the Chamber, and I therefore withhold my vote.

The result was announced—yeas 16, nays 22; as follows:

YEAS—16.

Bate,	Cockrell,	Gray,	Reagan,
Berry,	Coke,	Harris,	Saulsbury,
Blackburn,	Colquitt,	Jones of Arkansas,	Vance,
Call,	Eustis,	Ransom,	Walthall.

NAYS—22.

Aldrich,	Dolph,	Morrill,	Spooner,
Allison,	Hawley,	Paddock,	Stewart,
Blodgett,	Hiscock,	Palmer,	Stockbridge,
Chace,	Hoar,	Platt,	Wilson of Iowa,
Chandler,	Ingalls,	Sawyer,	
Cullom,	Manderson,	Sherman,	

ABSENT—38.

Beck,	Evarts,	Jones of Nevada,	Riddleberger,
Blair,	Farwell,	Kenna,	Sabin,
Bowen,	Faulkner,	McPherson,	Stanford,
Brown,	Frye,	Mitchell,	Teller,
Butler,	George,	Morgan,	Turpie,
Cameron,	Gibson,	Pasco,	Vest,
Daniel,	Gorman,	Payne,	Voorhees,
Davis,	Hale,	Plumb,	Wilson of Md.
Dawes,	Hampton,	Pugh,	
Edmunds,	Hearst,	Quay,	

The PRESIDENT *pro tempore*. A quorum not being present, as disclosed by the vote, the Secretary will call the roll of the Senate.

Mr. VANCE. Can the call be dispensed with?

The PRESIDENT *pro tempore*. It can be dispensed with by unanimous consent, and the Chair can ascertain, if there be no objection, by count whether a quorum be present.

Mr. EDMUNDS. We should be then just where we were before.

The PRESIDENT *pro tempore*. The roll-call will proceed.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aldrich,	Cullom,	Hoar,	Saulsbury,
Allison,	Davis,	Ingalls,	Sawyer,
Bate,	Dawes,	Jones of Arkansas,	Sherman,
Berry,	Dolph,	Manderson,	Spooner,
Blackburn,	Edmunds,	Morrill,	Stewart,
Blair,	Eustis,	Palmer,	Teller,
Blodgett,	Evarts,	Pasco,	Turpie,
Call,	Faulkner,	Payne,	Vance,
Chace,	Frye,	Platt,	Vest,
Chandler,	Gray,	Plumb,	Walthall,
Cockrell,	Harris,	Ransom,	Wilson of Iowa.
Coke,	Hawley,	Reagan,	
Colquitt,	Hiscock,	Riddleberger,	

The PRESIDENT *pro tempore*. Fifty Senators have answered to their names. If there be no objection, further proceedings under the call will be dispensed with.

Mr. VANCE. I withdraw the call for the yeas and nays on the amendment.

The PRESIDENT *pro tempore*. The Senator from North Carolina withdraws the call for the yeas and nays on his amendment. If there be no objection, the Chair will again put the question on the amendment by the sound.

The amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

Mr. VEST. Before that paragraph is passed by I want to put on record a communication from the New Haven Wire Company. I will ask the Secretary to read it, and I will not make any remarks. That company, as I said yesterday, ask for protection against the American wire-rod manufacturers.

The PRESIDENT *pro tempore*. The paper will be read, if there be no objection.

The Chief Clerk read, as follows:

ARGUMENT OF THE NEW HAVEN WIRE COMPANY, OF NEW HAVEN, CONN., IN BEHALF OF A DUTY OF FOUR-TENTHS CENT PER POUND ON WIRE RODS.

NEW HAVEN, CONN., *August* 6, 1888.

To the Committee on Finance, United States Senate:

On behalf of the New Haven Wire Company, which is compelled to buy its raw material in the shape of wire rods either of American or foreign mills, and of about twenty other wire mills similarly situated, I respectfully ask that the duty on fence and rivet wire rods of either iron or steel, when valued at 1½ cents per pound or less, be fixed at four-tenths cent per pound. The larger wire mills roll their own rods, but prefer to sell the product of their rod trains in the shape rather of finished wire than of rods; so that those wire mills which have no rod trains are forced to pay high prices for their American rods or use the foreign. In either case the price is determined by the cost of the foreign rods here, so that a reduction in duty would inure to the benefit of all these wire mills, whether they use foreign or domestic material. These mills employ more labor than all the rod trains in the country, and have a capacity to produce more than half of the wire which the country consumes. Under the tariff of 1883 their business has continually suffered at the hands of the mills rolling their own rods, and they now need protection not against foreign competition, but against the high charges of the American rod mills.

By the act of 1883 the duty on steel rods was fixed at six-tenths cent per pound on No. 5 and larger sizes. Although there had been some rods smaller

than No. 5 imported, yet the bulk of the rods were No. 5 and larger, and no specific provision was made for any smaller size. Such sizes, therefore, came in under the "omnibus clause" as "manufactures of steel not otherwise provided for" at 45 per cent. ad valorem.

Prior to the act of 1883 all steel rods had come in under the omnibus clause at 30 per cent. The specific duty of six-tenths cent per pound was fixed by Congress after a careful hearing of all the parties in interest and was then the equivalent of 35 per cent. Soon after the passage of the act, however, the foreign values of Be-semer material fell so that the ad valorem equivalent of six-tenths has never been less than 45 per cent., but has at times equaled 60 per cent., and is now about 55 per cent. Coincident with this fall in values came an improvement in the processes of rolling rods abroad by which a No. 6 rod could be furnished at about the same cost as a No. 5, and the bulk of the importations for the past four years has been of No. 6. These have, as stated above, come in at 45 per cent., which is at the present time about one-half cent per pound.

The request of Mr. George T. Oliver, of Pittsburgh, speaking on behalf of his company and other American rod-makers, that the duty on all sizes of rods should be fixed at six-tenths of a cent per pound is therefore in substance a request that the present rate of duty should be advanced on the bulk of the importations from 45 per cent. to 55 per cent., an increase of about nearly 25 per cent.

The consumers of wire rods, on the other hand, maintain that not only is there no propriety of making any such advance, or, indeed, any advance, but that the present rate of duty might be reduced without in any way crippling the American rod mills. The present cost of American billets in Pittsburgh is $28 to $28.50 per ton; of wire rods, $41 to $41.50. It is not disputed that a modern Garrett train employing twenty-five or thirty men, has turned out 75 tons of rods in eleven hours, and at a cost, making all proper allowances, of not exceeding $8 per ton.

Assuming that its annual production was only half that (or 75 tons daily when running double time), the margin of profit would exceed $100,000 per annum; so that the train would nearly pay for itself during the first year. This clear margin of $5 per ton is due to the present tariff; for while the American mills now sell the greater part of the rods used in the country, they hold the price just below the cost of foreign rods with duty and inland freight added, and the cost to the consumer is thus dependent closely on the duty. As the labor-cost of each ton of rods thus rolled is less than $3, the need of any increase of the duty in order to protect the laborer is not clearly seen.

It is not necessary, however, to base any argument on estimates of the cost of rolling rods in this country. While all such estimates may be disputed, it can not be denied that the great increase in the number and capacity of rod mills in this country since the enactment of the tariff of 1883 would not have taken place if there was not a handsome margin in the business, and a margin furthermore that was large enough to stand some reduction in the tariff rate. In 1883 steel rods were rolled at not more than five or six mills, and the total capacity did not greatly exceed 50,000 tons annually. There are now nine rod mills in operation, and another building, with an aggregate capacity of about 250,000 tons per annum.

The proportion of their product to the imports has steadily increased, so that it to-day is more than half of the entire consumption of the country. (The importations of wire rods during first six months of 1887 were 69,432 tons; of 1888, 38,916 tons.) Surely an industry that has made such rapid strides under the present tariff does not need any further legislative help, nor is it in a position where reasonable reduction of the duty will inflict irreparable disaster on it.

If the present duty on wire rods were halved, while the duty on billets is unchanged, the Pittsburgh rod mills could still sell their rods at a profit and keep foreign rods out of that market; while at the same time, the seaboard wire mills, which are prevented by inland freights from using American rods and are compelled to pay the present duty on their foreign rods, would have some hope of life. It does not seem unreasonable, therefore, to ask that a beginning in the reduction of duty should be made, and four-tenths cent per pound is certainly an ample protection for the American rod mill.

The fluctuations in the price of rods have resulted in such variations of the ad valorem rate of any specific duty that such a method of fixing the tariff should not be longer followed. No one will pretend to say that Congress, when it fixed the duty in 1883 at the specific equivalent of 35 per cent., contemplated that within four years that specific duty would by the mere fall in prices rise to 60 per cent. The market values of these rods are well known both abroad and here. There is no chance for any evasion of the tariff, as the records of the custom-houses show; and it is submitted, therefore, that the will of Congress will be better observed throughout all future fluctuations by making the duty ad valorem than by adhering to a specific duty. If the latter method is, however, preferred, it is suggested that ample protection to the American rod mills and some share of the necessary reduction demanded by the condition of the American wire mills will be secured by making the duty four-tenths cent per pound on all sizes of wire rods.

This is a higher rate ad valorem than was contemplated by Congress in fixing the act of 1883, and leaves the American rod mills with about one-half of their present margin of profit.

All of which is respectfully submitted.

THE NEW HAVEN WIRE COMPANY,
By SAMUEL A. GALPIN, *Receiver.*

Mr. VEST. Before we leave that paragraph I move, in lines 568 and 570, to strike out "six-tenths" and insert "four-tenths" in each of those lines.

The PRESIDENT *pro tempore*. The amendment will be reported from the desk.

The CHIEF CLERK. In line 568, after the word "pound," it is proposed to strike out "six-tenths" and insert "four-tenths;" and in line 570, after the word "pound," to strike out "six-tenths" and insert "four-tenths;" so as to make the paragraph read:

150. Wire rods.—Rivet, screw, nail, fence, and other iron or steel wire rods, whether round, oval, flat, or square, in coils or loops or in any other shape, not smaller than No. 6 wire gauge, valued at 3 cents or less per pound, four-tenths of 1 cent per pound; and iron or steel flat, with longitudinal ribs for the manufacture of fencing, valued at 3 cents or less per pound, four-tenths of 1 cent per pound: *Provided*, That all iron or steel rods, whether rolled or drawn, smaller than No. 6 wire gauge, shall be classed and dutiable as wire.

Mr. ALDRICH. We could very easily place upon the record the refutation of many of the statements made in the communication just read if it was proper to take up the time of the Senate in that way.

Mr. VEST. I have nothing to do with that. These gentlemen are manufacturers, and, as far as I know, reputable persons. They are certainly not Democratic politicians, and for that reason their statements ought to be entitled to some credit on this question; I mean so far as the other side of the Senate is concerned. I said yesterday that nothing any Democrat could say upon this question would receive any sort of respectful attention, and when I state that these are not Democratic politicians, and therefore their statements ought to be received with some credit, as a matter of course, I mean from the other side of the Chamber, who are defending the interests of the manufacturer particularly. They ought to receive these statements with respectful consideration.

There are two statements, however, in that communication which attracted my attention, especially coming from that quarter, and one of them is that the manufacturers of wire rods in this country keep their prices just below the foreign cost with the tariff added, thereby making the sales to the consumers upon that basis; and the second is that they demand or ask from Congress protection, not against the foreign importer, but against the American manufacturers of wire rods.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Missouri [Mr. VEST].

Mr. ALLISON. I think this is an important question, and perhaps I ought to say a word upon it.

I understand the amendment of the Senator from Missouri proposes to reduce the rate of duty two-tenths of a cent a pound. The difficulty about making that adjustment is that wire rods are made from steel billets, the steel billets in turn being made from pig-iron. The existing duty upon pig-iron is three-tenths of a cent a pound, or $6.72 a ton. The present duty upon steel billets is practically 45 per cent. ad valorem. Now, the Senator proposes on the wire rod, which is a product first of the pig-iron and next of the steel billet, a less rate of duty than is imposed upon the raw material of which these wire rods are made. Manifestly, if we provide four-tenths of a cent a pound on wire rods, we should have three-tenths upon billets of steel and a smaller sum for pig-iron, and that is all there is in this question.

Prior to 1883 there were no wire rods rolled in this country practically. The rod mills have been built since that time, and, I think, the production of wire rods now in this country reaches nearly 300,000 tons. The mills are located in every part of our country. One was opened last August at Joliet, Ill., and another has just now been completed in Chicago. These rod mills are being built all over the country, and the competition will undoubtedly keep the price down to the cost of the production and a very small profit added.

Mr. ALDRICH. I would suggest to the Senator from Missouri that, notwithstanding the fact which he alleges, that the American producers put the price at the foreign price with the duty added, there were imported in 1887 334,000,000 pounds, or about 150,000 tons.

The PRESIDENT *pro tempore*. Unless the Senator from Missouri desires their separation, the two amendments will be treated as one question. Is the Senate ready for the question on the amendments?

Mr. VEST. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. EDMUNDS (when his name was called). I am paired with the Senator from Alabama [Mr. PUGH], who does not appear to be in the Chamber. I therefore withhold my vote.

Mr. EVARTS (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN], and therefore withhold my vote.

Mr. FAULKNER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. HALE (when his name was called). I am paired with the Senator from Kentucky [Mr. BECK].

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL].

Mr. VEST (when his name was called). I am paired with the Senator from Kansas [Mr. PLUMB].

The roll-call was concluded.

Mr. MANDERSON. I am paired with the Senator from Kentucky [Mr. BLACKBURN]. If he were present, I should vote "nay."

Mr. TELLER. The Senator from Virginia [Mr. RIDDLEBERGER] is paired with the Senator from New Jersey [Mr. MCPHERSON]. I am paired with the Senator from Louisiana [Mr. GIBSON]. If he were present, I should vote "nay."

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. DAWES. I am paired with the Senator from Indiana [Mr. VOORHEES].

The result was announced—yeas 18, nays 23; as follows:

YEAS—18.

Bate,	Coke,	Payne,	Vance,
Berry,	Colquitt,	Ransom,	Walthall,
Blodgett,	Eustis,	Reagan,	Wilson of Md.
Call,	Gray,	Saulsbury,	
Cockrell,	Harris,	Turpie,	

NAYS—23.

Aldrich,	Dolph,	Mitchell,	Sherman,
Allison,	Frye,	Morrill,	Spooner,
Chace,	Hawley,	Paddock,	Stewart,
Chandler,	Hiscock,	Palmer,	Stockbridge,
Cullom,	Hoar,	Platt,	Wilson of Iowa.
Davis,	Ingalls,	Sawyer,	

ABSENT—35.

Beck,	Edmunds,	Hearst,	Pugh,
Blackburn,	Evarts,	Jones of Arkansas,	Quay,
Blair,	Farwell,	Jones of Nevada,	Riddleberger,
Bowen,	Faulkner,	Kenna,	Sabin,
Brown,	George,	McPherson,	Stanford,
Butler,	Gibson,	Manderson,	Teller,
Cameron,	Gorman,	Morgan,	Vest,
Daniel,	Hale,	Pasco,	Voorhees.
Dawes,	Hampton,	Plumb,	

So the amendments were rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read paragraph 151, as follows:

151. Wire.—Wire made of iron or steel not smaller than No. 10 wire gauge, 1¼ cents per pound; smaller than No. 10 and not smaller than No. 16 wire gauge, 1½ cents per pound; smaller than No. 16 and not smaller than No. 26 wire gauge, 2½ cents per pound; smaller than No. 26 wire gauge, 3 cents per pound: *Provided*, That iron or steel wire covered with cotton, silk, or other material, and wire commonly known as crinoline, corset, and hat wire, shall pay 4 cents per pound in addition to the foregoing rates: *And provided further*, That no article made from iron or steel wire, or of which iron or steel wire is a component part of chief value, shall pay a less rate of duty than the iron or steel wire from which it is made either wholly or in part: *And provided further*, That iron or steel wire cloths, and iron or steel wire nettings made in meshes of any form, shall pay a duty equal in amount to that imposed on iron or steel wire of the same gauge, and 2 cents per pound in addition thereto. There shall be paid on galvanized iron or steel wire (except fence-wire) one-half of 1 cent per pound in addition to the rate imposed on the wire of which it is made; on iron-wire rope and wire strand, 1 cent per pound in addition to the rate imposed on the wire of which it is made; on steel-wire rope and wire strand, 2 cents per pound in addition to the rates imposed on the wire of which it is made: *Provided further*, That all iron or steel wire valued at more than 10 cents per pound shall pay a duty of not less than 45 per cent. ad valorem.

Mr. SAULSBURY. In this paragraph I see there is an exemption of fence-wire from the additional duty of one-half of 1 cent per pound when it is galvanized. I remember in 1883 when that subject came up we had quite a debate upon it, and an amendment was offered exempting fence-wire from the duty of one-half of 1 cent a pound when it was galvanized.

I see in paragraph 150 the bill recognizes not only wire as fence material, but also "iron or steel flat, with longitudinal ribs for the manufacture of fencing." If that latter class has not the benefit of exemption when galvanized that is provided in paragraph 151, I want to offer an amendment to come in at the end of the word "wire," in line 591, so as to give the manufacturers of the flat when galvanized the exemption also from the additional duty imposed upon galvanized material. I send the amendment to the desk.

The PRESIDENT *pro tempore*. The word "wire" does not occur in line 591.

Mr. SAULSBURY. I should have said in line 594, in the exception.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In line 594, after the words "except fence-wire," inclosed in parenthesis, it is proposed to insert:

And iron and steel flat, with longitudinal ribs for the manufacture of fencing.

Mr. SAULSBURY. That is to put that within the exception, so that the manufacturer of fencing-wire and fencing-flat, as it is called, shall be exempt from the additional duty of one-half of 1 cent a pound because of its being galvanized.

Mr. ALLISON. Let the amendment be repeated again.

The PRESIDENT *pro tempore*. The amendment will be again stated.

The CHIEF CLERK. In line 504, after the words "(except fence-wire)" it is proposed to insert "and iron and steel flat, with longitudinal ribs, for the manufacture of fencing."

Mr. SAULSBURY. I have used the very language there which is used in paragraph 150.

Mr. ALLISON. I will say to the Senator from Delaware that this paragraph does not apply to steel flats with longitudinal ribs. This only applies to fence-wire. I think if he wants to exempt these flats from the provision it ought to be inserted in some other paragraph.

Mr. SAULSBURY. I do not see any other place for it.

Mr. ALLISON. In the paragraph relating to galvanized sheet-iron or some one of those paragraphs. I think the Senator is right about it. I think that class of fencing material should also be exempt.

Mr. SAULSBURY. I have not seen any exemption anywhere, but it occurs to me as obviously just as well as beneficial to the persons who are called upon to use it. There is a very great amount of this flat material used for fencing, superseding very largely the wire fencing in many sections of the country.

The PRESIDENT *pro tempore*. Does the Senator from Delaware desire to have the words sent to the desk by him included in the parenthesis?

Mr. SAULSBURY. Yes, I want this included in the parenthesis as part of the exemption.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Delaware.

The amendment was agreed to.

Mr. ALLISON. In line 602, I move to strike out "45" and insert "35."

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In line 602, before the words "per centum," it is proposed to strike out "45" and insert "35;" so as to make the last proviso of the paragraph read:

Provided further, That all iron or steel wire, valued at more than 10 cents per pound, shall pay a duty of not less than 35 per centum ad valorem.

The amendment was agreed to.

Mr. VANCE. In line 583, before the word "cents," I move to strike out "4" and insert "3." That refers to "iron or steel wire covered with cotton, silk, or other material." It seems to be an increase, according to the estimate of the Treasury people, from an ad valorem of 10.97 per cent. to 45 per cent., a difference of about 450 per cent., which I think is a right smart increase in a bill that proposes to reduce revenue.

The PRESIDENT *pro tempore*. The amendment will be stated from the desk.

The CHIEF CLERK. In line 583, before the word "cents," it is proposed to strike out "4" and insert "3;" so as to read:

Provided, That iron or steel wire covered with cotton, silk, or other material, and wire commonly known as crinoline, corset, and hat wire, shall pay 3 cents per pound in addition to the foregoing rates.

Mr. ALLISON. Four cents a pound is the rate in the existing law, and the ad valorem is very light. It works very well, and I see no reason why it should be changed.

Mr. VANCE. It is stated in the analysis of the Treasury Department that in the existing law the rate is 3 cents.

Mr. ALLISON. I am sorry to find an error in the Treasury Department's statement, because I supposed that was really rather an accurate statement. The rate is 4 cents a pound. I will have the law in a moment.

Mr. COCKRELL. Where do you find it in your statement at 4 cents a pound?

Mr. VANCE. Four cents a pound! Then I ask leave to make my amendment "4 cents," which is what I designed it to be instead of "3," and make it the same as the present law instead of 45 per cent., which increases the rate to 400 per cent., as I said.

The PRESIDENT *pro tempore*. Will the Senator indicate the precise amendment he desires to submit to the Senate?

Mr. VANCE. It is in line 583, to strike out the word "four."

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In line 583 it is proposed to strike out the word "four;" so as to read:

Provided, That iron or steel wire covered with cotton, silk, or other material, and wire commonly known as crinoline, corset, and hat wire, shall pay — cents per pound in addition to the foregoing rates.

Mr. VANCE. No, Mr. President, that is not it. I withdraw the amendment. I find that the Treasury statement and the bill do not correspond, and I was led into an error. I withdraw the amendment.

The PRESIDENT *pro tempore*. The amendment is withdrawn. The reading will proceed.

The Chief Clerk resumed and continued the reading, as follows:

152. Files, file blanks, rasps, and floats, of all cuts and kinds: Four inches in length and under, 35 cents per dozen; over 4 inches in length and under 9 inches, 70 cents per dozen; 9 inches in length and under 14 inches, $1.30 per dozen; 14 inches in length and over, $2 per dozen.

153. Steel ingots, cogged ingots, blooms, and slabs, by whatever process made; die blocks or blanks; billets and bars and tapered or beveled bars; steamer, crank, and other shafts; shafting; wrist or crank pins; connecting rods and piston rods; pressed, sheared, or stamped shapes; saw plates, wholly or partially manufactured; hammer molds or swaged steel; gun-barrel molds not in bars; alloys used as substitutes for steel tools; all descriptions and shapes of dry sand, loam, or iron-molded steel castings; sheets and plates not specially enumerated or provided for in this act; steel in all forms and shapes not specially enumerated or provided for in this act; all of the above valued at 1 cent per pound or less, five-tenths of 1 cent per pound; valued above 1 cent and not above 1.4 cents per pound, six-tenths of 1 cent per pound; valued above 1.4 cents and not above 1.8 cents per pound, eight-tenths of 1 cent per pound; valued above 1.8 cents and not above 2.2 cents per pound, nine-tenths of 1 cent per pound; valued above 2.2 cents and not above 3 cents per pound, 1.2 cents per pound; valued above 3 cents and not above 4 cents per pound, 1.6 cents per pound; valued above 4 cents and not above 7 cents per pound, 2 cents per pound; valued above 7 cents and not above 10 cents per pound, 2.8 cents per pound; valued above 10 cents and not above 13 cents per pound, 3½ cents per pound; valued above 13 cents per pound, 45 per cent. ad valorem.

154. Plates.—Steel plates engraved, stereotype plates, electrotype plates, and plates of other materials, engraved or lithographed, for printing, 25 per cent. ad valorem.

155. Saws.—Cross-cut saws, 6 cents per linear foot; mill, pit, and drag saws, not over 9 inches wide, 8 cents per linear foot; over 9 inches wide, 13 cents per linear foot; circular saws, 30 per cent. ad valorem; hand, back, and all other saws, not specially enumerated or provided for in this act, 40 per cent. ad valorem.

Mr. VEST. I move to strike out "forty," before the words "per cent.," in the last item, "hand, back, and all other saws not specially enumerated or provided for in this act," and insert "thirty," which is the amount named in the House bill.

Mr. President, there is no small item—and this is not a very small item either—in this bill that illustrates this matter of tariff taxation more fully and completely than this duty upon saws.

I do not want, as a matter of course, to thrash over old straw, and I shall not take up any time unnecessarily, but the substratum of this whole protective system is, as I understand it, that it protects the infant industries of the United States so that they can become self-sustaining and furnish cheap goods to the domestic market. Either that is the correct basis of the system, or else it is the worst system ever invented by mortal man for the consumers.

The reports of imports and exports show that in 1887 we exported $1,305,706 worth of saws; in 1888 we increased that export $354,021 and exported $1,659,727 worth. We produced in 1880 $3,944,105 worth of product, on which the labor cost was $1,226,370.

I assert here to-day that the saw manufacturers of the United States, with this 40 per cent. protective duty, export to Canada each year a large amount of their manufactured articles, pay 30 per cent. to get into the Canadian market, undersell the British manufacturers there, and make a profit of 15 per cent., and that is protection! They charge the people of the United States this 40 per cent., or the largest portion of it, under this protective system, and then go right across the line, pay 30 per cent. gate-money to get into Canada, meet the English manufacturer face to face, undersell him, and make 15 per cent. profit after paying 30 per cent. duty to get in.

On page 127 of the testimony taken before the Ways and Means Committee of the House there is a very interesting statement made by Mr. J. E. Emerson, of Beaver Falls, Pa., who lives near my distinguished friend from Pennsylvania [Mr. QUAY], who was the chairman of the national committee of the Republican party in the last canvass.

This gentleman proclaims himself—I will not read his whole statement unless some Senator on the other side wants it, and it is mighty good reading all of it—proclaims himself a protectionist of the simon-pure stripe, says he believes it is necessary for the welfare of this country, says he is a saw manufacturer and has been all his life. I want to call attention to this statement:

I spoke awhile ago of the competition which American manufacturers are sometimes compelled to undergo in the case of forced sales or undersales. Take Canada, for instance. In Canada I think that all the plate-steel used for making saws is admitted duty free from England. You all know that Canada is a large lumber country, and there are a great many saw-mills there. I have always sustained a trade in Canada, and I confess that I have oftentimes sold my saws there at less profit than I have sold them in America. And why? Because I had a surplus, an overflow on hand, and I wanted to get rid of it, just as the manufacturers of Europe send their surplus to this country and sell it at lower prices than the cost of production sometimes.

In Canada the price of labor averages about 33 per cent. less than the price of labor in the United States. They have large saw-works there where they manufacture saws, and they can import the steel plate from England free of duty into Canada—the same plates on which we pay a duty of 3 cents a pound and 10 per cent. ad valorem. Canada did have a duty, which they charged us, of 15 per cent. on steel plates, but the manufacturers thought that did not protect the Canadian manufacturers, and the duty was raised to 30 per cent. And what has been the result? We are selling plates to Canada to-day. And why?

Now mark the reason:

Because the protection which we have has resulted in the encouragement of manufactures of all kinds, so that we are not only competing with foreign producers, but we are excelling them in the superiority of our saws. They are made of American manufactured steel. And how came we to have American manufactured steel? Because we encouraged American competition and American skill, and we are making better plates to-day in Pittsburgh than they are making in England or than they can make in England.

Now, it is asked that the duties on steel plates be reduced, and why? Who asks it? Not the user of steel. I never made a pound of steel, but I use steel, and it is for my interest to buy steel as cheaply as I can. But my interests go a little beyond the present, and I believe that my interests are advanced by encouraging American manufacturers. I am paying from $80 to $150 a ton for steel plates less than I was paying some years ago for the same quality of steel plates, and the steel plates that I buy are of American manufacture.

Now—

Said Mr. BRECKINRIDGE, of Arkansas—

you say that you sell your saws successfully in Canada?

Mr. EMERSON. Yes; not in large quantities. We pay 30 per cent. duty on them.

Mr. BRECKINRIDGE, of Arkansas. And you sell them there at a profit?

Mr. EMERSON. Yes, sir; we have a profit on them or we would not sell them.

Mr. ALLISON. Who pays that 30 per cent. duty?

Mr. VEST. That depends.

Mr. ALLISON. I merely want to understand the subject.

Mr. VEST. The Senator from Vermont [Mr. EDMUNDS] undertook to prove to us yesterday that the consumer did not pay it.

Mr. ALLISON. I want to know from the Senator who pays it.

Mr. VEST. Unquestionably Mr. Emerson paid it to get into the Canadian market.

Mr. ALLISON. Very well.

Mr. VEST. Then he sells at a profit and makes 15 per cent.

Mr. ALLISON. He does not say that.

Mr. VEST. He does not say that? He says he pays 30 per cent. duty on them.

Mr. BRECKINRIDGE, of Arkansas. And you sell them there at a profit?

Mr. EMERSON. Yes, sir; we have a profit on them or we would not sell them.

Now, does the Senator from Iowa want any man who is not fit to be sent to a lunatic asylum under a writ of *de lunatico inquirendo* to believe that this man would pay 30 per cent. and ignore it in his calculations and will say he made a profit?

Mr. ALLISON. I do not think that settles the question. He says he sold the saws at a profit.

Mr. VEST. Exactly.

Mr. ALLISON. But he does not say what the price paid for them was, nor does he say whether the consumer or the producer paid it; and I want the Senator to say whether this manufacturer paid that duty or not, in his opinion. I do not express an opinion; I want the Senator from Missouri to say who he thinks paid that duty, whether the manufacturer or the consumer.

Mr. VEST. There is one thing beyond any sort of question, and that is the point I am making, that this gentleman paid 30 per cent. to get into the Canadian market and then did not lose money, but made a profit.

Mr. ALLISON. That is not the point.

Mr. VEST. That is the point. Now they ask for more protection.

Mr. ALLISON. I want the Senator to answer me whether, in his judgment, he believes that the 30 per cent. came out of the profits of the manufacturer in this country or was paid by the consumer of that saw in Canada.

Mr. VEST. I have not the slightest doubt that the thing operates the same everywhere. The manufacturer paid it and collected it out of the man in Canada, just exactly as is done with every case of goods that comes into this country. I do not mean to say that there are no instances like that mentioned by the Senator from Massachusetts [Mr. DAWES] the other day, where bankrupt goods are brought here and put on the market and sold for less than the cost. But is that the regular, average, ordinary transaction? On the contrary, the man who pays his money to enter the market collects it from the man to whom he sells.

Suppose there was a wall around the city of Washington to-day, and a man comes with his produce and can not get through this wall but by one gate, and this municipality here puts a tax upon his goods of 10 per cent. for gate-money. He can sell for so much outside, but he pays 10 per cent. to get inside, and does anybody believe that he throws that away? He would be a lunatic to do it. He puts it upon the cost of the article to him as much as if it was the product of his muscle and brain and nerve. That is all of it, and that is the point in this whole discussion.

If the Senator from Vermont [Mr. EDMUNDS] is correct, and now the Senator from Iowa [Mr. ALLISON], as a matter of course, if the tariff is a blessing, it should be put up a thousand per cent. and foreigners made to pay the whole expenses of our Government, while we sit here and suck our thumbs and do nothing. If the other side won the election on that sort of moonshine, it will not last long. The American people may be humbugged once in awhile, but the real good sense of the people of the country will come back to them.

Mr. DAWES. Will the Senator allow me to ask him a question?

Mr. VEST. Certainly.

Mr. DAWES. Does not this gentleman state that this is surplus?

Mr. VEST. No, sir. I beg pardon, he does not.

Mr. DAWES. And that he, even like the English producer, sells below cost?

Mr. VEST. No, sir; not in regard to this transaction.

Mr. DAWES. He says in that way it is a gain to him.

Mr. VEST. He says that he has done what the Senator says, but that this is his ordinary course of business. He says he maintains an annual trade with Canada and pays 30 per cent. gate-money or tariff tax and makes money. Then he comes to the American market and says "Protect me, I am an infant." Now let us read the balance of what he says:

Mr. BRECKINRIDGE—

Now I come to the milk in the cocoanut directly—

Mr. BRECKINRIDGE, of Arkansas. At how much less per cent. do you sell your saws in Canada than you sell the same saws in the United States?

Now we will find out.

Mr. EMERSON. I can not answer that question directly, but the saws that we sell there are of a certain class, large circular saws, on which there are larger profits than there are on the average saws. I think that we would discount them in Canada 15 per cent. less on the average than we would sell them for in the United States.

Fifteen per cent. he makes in the difference between the foreign market and his own countrymen.

The Canadians have found that we manufacture a better saw than they do, and they are willing to pay more for it. The Canadians pay part of this duty, not by special arrangement, but in the prices which they pay for our saws.

There is an answer to the Senator from Iowa.

Mr. ALLISON. Part of it.

Mr. VEST. As a matter of course that is part of the tariff tax which comes off the consumer, not like the Senator from Vermont said, that it was a payment by the importer to keep up our Government.

Mr. BRECKINRIDGE, of Arkansas. Then you get about 15 per cent. less for your saws in Canada than you get for them in the United States?

Mr. EMERSON. Yes.

Mr. KELLEY. You mean on that particular kind of saw?

Mr. EMERSON. Yes, on that which we have the largest trade in. We do not make hand-saws at all; but hand-saws are made by Disston & Co., Philadelphia, and find a market even in England.

In connection with that I want to read another——

Mr. ALDRICH. Will the Senator from Missouri allow me to interrupt him there?

Mr. VEST. Certainly.

Mr. ALDRICH. It is circular saws he is referring to, and they are not touched by the clause under consideration.

Mr. VEST. I understand that, but I read what this gentleman said in regard to hand-saws being made in Philadelphia and sent to the English market. That is the item I move this reduction upon, because on the others the Senate bill and the House bill agree.

Mr. ALDRICH. But the argument the Senator has read applies solely to circular saws.

Mr. VEST. I understand that, but it will do for all of them. It is the principle I am striking at. The gentlemen who want protection, staggering, trembling, falling through weakness, go right out of this country and sell for less to the foreign consumer than to our own people.

Mr. DAWES. I want to call the attention of the Senator from Missouri to a speech of Sir Charles Tupper, made in the Canadian Parliament, in which he says that the Mills bill had relieved them of $1,800,000 of duties which they paid into the Treasury of the United States; and when somebody asked him whether he meant to say that they paid the duty or that it was paid by the consumer, he said "everybody knows that we pay it."

Mr. VEST. Of course they paid it first. Mr. President, I have no objection to quoting Sir Charles Tupper if the Senator will also put in General Ben. Butler alongside of him. I read the other day from a speech of General Ben. Butler in which he spoke of the duty on the coat he had on, which was of cloth made in his factory, and he said, "What became of that duty? Did it go to labor?" "No," said he, "I put it into my pocket." If the Senator wants to put these distinguished witnesses side by side, I have not the slightest objection. But here is what I want to call attention to:

"Protest of one hundred and forty employés" of the Monhagen Saw Works of the Wheeler, Madden and Clemson Manufacturing Company, of the city of Middletown, State of New York. They oppose the Mills bill because it strikes down American labor, etc.—

For the reason that it proposes to place lumber on the free-list, thereby encouraging, if not largely transferring, its manufacture to Canada and other countries, where American saw manufacturers can not compete.

And yet Mr. Emerson says he has an annual trade with Canada and sells at a profit; but I have no doubt that all these workmen, under the impression that the Mills bill would destroy the exportation of saws and that we would have no further trade with Canada, went to the polls and voted the Republican ticket.

Mr. EDMUNDS. I am glad they did.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Missouri, which will be again stated.

The CHIEF CLERK. In line 648, before the words "per centum," it is proposed to strike out "forty" and insert "thirty;" so as to read:

155. Saws.—Cross-cut saws, 6 cents per linear foot; mill, pit, and drag saws, not over 9 inches wide, 8 cents per linear foot; over 9 inches wide, 13 cents per linear foot; circular saws, 30 per cent. ad valorem; hand, back, and all other saws, not specially enumerated or provided for in this act, 30 per cent. ad valorem.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Missouri.

Mr. VEST. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SAULSBURY. Mr. President, I understand from the discussion which has been going on that the taxes imposed on these saws are wholly unnecessary for the protection of any interest in this country, that our manufacturers are able to manufacture and compete not only with the Canadian manufacturers but that hand-saws are manufactured in the city of Philadelphia and are sent to England and sold there.

We have heard a great deal of talk here about the benefit which protection is to labor, but the men who use these saws are as much laborers as any person who operates in a factory or a mill. The journeyman carpenter who uses these saws is compelled to buy his own case or chest of tools, and he is the party that you are now to tax for the benefit of manufacturers who do not need the protection of the tax, according to the statements that have been read here from the evidence delivered before the House committee, and yet you propose to make every journeyman carpenter, who is compelled to buy his saw before he can get a day's employment, pay a duty of 40 per cent. upon the saws which he is compelled to have in order to obtain employment from his boss.

Mr. EDMUNDS. May I ask the Senator a question?

Mr. SAULSBURY. Certainly.

Mr. EDMUNDS. I should like to ask my distinguished friend from Delaware how the American saw-user is abused by the present law or the proposed law? If the American saw now manufactured is sold in Great Britain and finds a market there, it must be as cheap as the British saw. If, therefore, you put saws entirely on the free-list and the American saw-user wishes to get a cheap saw and wishes to buy a British one, which is not half as good, he can not buy it as cheap as he can now, for the American saw and the British saw in London and Liverpool bear the same price.

Mr. SAULSBURY. I will say to the Senator from Vermont that I have no doubt in the world he would not be compelled to pay any more than the Englishman who buys our saws; but you have your protective tariff, and the English article can not come here, and the manufacturer of these saws raises his price; and in America he has the complete control of the market, and when he has a surplus on hand he sends it to England and sells at a profit there.

This is illustrated not only by this thing, but a manufacturer of a certain description of cotton goods told me that he was connected with five different mills and that certain lines of goods could be manufactured in this country as cheap as in Manchester, England, and he said, "I have now a contract to deliver 200 bales of white cotton goods in Manchester at Manchester prices," and yet that manufacturer would not have sold those goods to an American customer at the price for which he sold them in Manchester, for the reason that there is a protection given to that class of goods which raises them up and enables him to sell to the American customer at prices advanced beyond those for which they can be sold in Manchester. That is the way the tariff operates.

I have heard a great deal about protection to labor, but what I have heard in debate on this floor and what I have seen of the operations on the other side of the Chamber convince me that it is all a delusion. The laborer does not get any, or at least but very little, benefit from your protective policy. The price of labor in every calling of life is determined by the supply and demand of the labor needed. It is so in the agricultural community, and it is so in the mechanical industries of the country, and it is so in the manufacturing industries of the country. It is all a delusion and deception practiced upon the laborers of the country to hold out to them the idea that the protective policy is for their interest. I do not believe a word of it, and I do not think that any very intelligent operative in any of the mills or factories in this country who has examined the question will believe it. Do they not know that they are employed in the mills and factories at the very lowest rates that the manufacturers can procure their labor for? Do they not see it all around them in every calling of life that everybody employs labor at the cheapest rate he can?

Labor is not too well paid in this country in any calling. I should be glad to see the laborer better paid in every calling of life. You enrich the manufacturer by your protective tariff, and he derives the benefit of your protection. It is not the employés in his mill who are benefited.

Sir, the other day, if you were so anxious to protect the laborers of this country, why did you not strike off all the burden which you put upon the ties of the laboring man who grows the cotton? There are only between two and three million laborers in the factories and mills of this country; an equal number are engaged in the raising of cotton, and yet you will oppress that class of labor under the plea that you are going to benefit the men who are operating the mills!

Why, sir, this idea of protecting labor is all a delusion. Labor has to protect itself.

Who would be free, themselves must strike the blow.

And we have had strikes in this country; we have had resistance by the operatives because of the fact that they were not allowed sufficient means by their employers to support themselves and support their families. We are not blind. Many of us have traveled somewhat in this country, and have seen around the manufacturing establishments of the country the humble home of the operative. Get on the cars, pass around the suburbs of your cities, and what do you see? You see the manufactories, you see their long string of houses, built of cheap material, built in humble form, with a back yard of about 20 feet in the rear of the house in which are located all the modern improvements, the children on the door-steps, the wife out on the ash-banks, the dumping-ground, collecting the refuse fuel from the ashes, and on the same soil is the goat that gives milk to the family. And yet you talk about protecting labor! It is not protected. Labor will never have protection from the manufacturing interests of the country. It must depend upon itself, assert its rights, maintain its own dignity and its worth, and then perhaps it will command the wages to which it is entitled.

It is all a delusion to talk about protecting labor by a tariff. You can not protect labor in that way. There is no possible way in which you can protect it unless you open the Treasury and give a bounty to every man who earns his bread by the sweat of his brow. You can not do it by giving him employment, if you constitute the manufacturer the trustee to divide the profit of the protection which you afford. He will pocket the whole of it himself, and get his employés as cheap as he can.

That is the universal experience, I think, everywhere, and it is not worth while to get up in the Senate or anywhere else and attempt to delude the people of this country on that subject, because every man who has any experience in life knows that labor is an article which is employed according to the demand. Sometimes labor will command a higher price, because it is needed very much more at one time than at another; but you can not regulate, you can not fix it definitely—the value of labor—because that depends upon the necessity which demands it, not only in manufacturing, but in every other industry in the country.

Here is a proposition to remit the tax upon articles used by laborers alone. Every man throughout the country who taxes a saw and goes to sawing lumber, that erects the houses, that makes the bridges, is a laborer, and yet it is proposed under this bill to inflict upon that laborer a tax which, by the testimony of manufacturers themselves, they

do not need, because they can make saws at a price which enables them to sell them at a profit abroad as well as in this country.

The PRESIDENT *pro tempore*. The roll-call will proceed.

The Chief Clerk proceeded to call the roll.

Mr. DAWES (when his name was called). I am paired with the Senator from Indiana [Mr. VOORHEES].

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. PASCO (when his name was called). I am paired with the junior Senator from Illinois [Mr. FARWELL]. If he were present, I should vote "yea."

Mr. TELLER (when his name was called). I am paired with the Senator from Louisiana [Mr. GIBSON]. If he were present, I should vote "nay."

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB].

The roll-call was concluded.

Mr. RIDDLEBERGER (after having voted in the negative). By request I will withdraw my vote and have it considered a pair with the Senator from New Jersey [Mr. MCPHERSON].

The PRESIDENT *pro tempore*. The Senator from Virginia withdraws his vote.

Mr. BLAIR. I am paired with the senior Senator from Mississippi [Mr. GEORGE].

Mr. CULLOM. The senior Senator from Pennsylvania [Mr. CAMERON] is paired with the senior Senator from South Carolina [Mr. BUTLER]. The Senator from Pennsylvania would vote "nay" if present.

Mr. CHACE (after having voted in the negative). I have a general pair with the Senator from Georgia [Mr. COLQUITT]. I did not observe that he was not in the Senate when I voted. I therefore withdraw my vote and announce the pair.

The PRESIDENT *pro tempore*. The Senator from Rhode Island withdraws his vote.

The result was announced—yeas 19, nays 24; as follows:

YEAS—19.

Bate,	Cockrell,	Jones of Arkansas,	Turpie,
Berry,	Coke,	Pugh,	Vance,
Blackburn,	Eustis,	Ransom,	Walthall,
Blodgett,	Gray,	Reagan,	Wilson of Md.
Call,	Harris,	Saulsbury,	

NAYS—24.

Aldrich,	Edmunds,	Manderson,	Sawyer,
Allison,	Frye,	Mitchell,	Sherman,
Chandler,	Hawley,	Morrill,	Spooner,
Cullom,	Hiscock,	Paddock,	Stewart,
Davis,	Hoar,	Palmer,	Stockbridge,
Dolph,	Ingalls,	Platt,	Wilson of Iowa.

ABSENT—33.

Beck,	Dawes,	Hearst,	Riddleberger,
Blair,	Evarts,	Jones of Nevada,	Sabin,
Bowen,	Farwell,	Kenna,	Stanford,
Brown,	Faulkner,	McPherson,	Teller,
Butler,	George,	Morgan,	Vest,
Cameron,	Gibson,	Pasco,	Voorhees.
Chace,	Gorman,	Payne,	
Colquitt,	Hale,	Plumb,	
Daniel,	Hampton,	Quay,	

So the amendment was rejected.

Mr. VANCE. I ask consent to recur at this time to paragraph 153, which has just been passed over. The Chief Clerk read it so rapidly that I could not keep up with him, and I omitted to offer an amendment that I desired to offer. In lines 635 and 636 I move to strike out the words "and not above 13 cents," and after the word "and" to strike out "one-half" and insert "one-fourth."

The bill which we are considering makes a new classification of steel ingots, cogged ingots, blooms, slabs, die blocks or blanks, billets, bars, etc. The present law terminates at all valued at above 10 cents per pound, 2¼ cents a pound duty. The bill makes another classification:

Valued above 10 cents and not above 13 cents per pound, 3½ cents per pound.

I move, in lines 635 and 636, to strike out the words "and not above 13 cents," and after the word "and" to strike out "one-half" and insert "one-fourth;" so as to read:

Valued above 10 cents per pound, 3¼ cents per pound.

Which is the present law.

The PRESIDENT *pro tempore*. The amendment will be reported.

The CHIEF CLERK. In line 635 it is proposed to strike out the words "and not above 13 cents," and in line 636 to strike out "one-half" and insert "one-fourth;" so as to read:

Valued above 10 cents per pound, 3¼ cents per pound.

Mr. VANCE. I will simply remark that, according to the estimate of the Treasury Department, that additional change of classification increases the duty, which is now about 19½ per cent., to 45 per cent.—more than 100 per cent.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from North Carolina. [Putting the question.] By the sound the "noes" appear to have it.

Mr. VANCE. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BLAIR (when his name was called). I am paired with the senior Senator from Mississippi [Mr. GEORGE].

Mr. DAWES (when his name was called). I am paired with the Senator from Indiana [Mr. VOORHEES].

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL]. If he were present, I should vote "yea."

Mr. VEST (when his name was called). I am paired with the Senator from Kansas [Mr. PLUMB].

The roll-call was concluded.

Mr. FRYE. I am paired with the Senator from Maryland [Mr. GORMAN].

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. TELLER. I am paired with the Senator from Louisiana [Mr. GIBSON].

The result was announced—yeas 17, nays 25; as follows:

YEAS—17.

Bate,	Coke,	Ransom,	Walthall.
Berry,	Gray,	Reagan,	Wilson of Md.
Blackburn,	Harris,	Saulsbury,	
Call,	Jones of Arkansas,	Turpie,	
Cockrell,	Pugh,	Vance,	

NAYS—25.

Aldrich,	Edmunds,	Morrill,	Spooner,
Allison,	Hawley,	Paddock,	Stewart,
Chace,	Hiscock,	Palmer,	Stockbridge,
Chandler,	Hoar,	Platt,	Wilson of Iowa.
Cullom,	Ingalls,	Riddleberger,	
Davis,	Manderson,	Sawyer,	
Dolph,	Mitchell,	Sherman,	

ABSENT—34.

Beck,	Dawes,	Hale,	Plumb,
Blair,	Eustis,	Hampton,	Quay,
Blodgett,	Evarts,	Hearst,	Sabin,
Bowen,	Farwell,	Jones of Nevada,	Stanford,
Brown,	Faulkner,	Kenna,	Teller,
Butler,	Frye,	McPherson,	Vest,
Cameron,	George,	Morgan,	Voorhees.
Colquitt,	Gibson,	Pasco,	
Daniel,	Gorman,	Payne,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

Mr. JONES, of Arkansas (at 5 o'clock and 9 minutes p. m.). I move that the Senate adjourn.

The PRESIDENT *pro tempore* put the question, and declared that the "noes" appeared to prevail.

Mr. COKE. I ask for the yeas and nays.

Mr. HARRIS. I will ask the Senator from Arkansas to withdraw that motion in order that I may move that the Senate proceed to the consideration of executive business.

Mr. JONES, of Arkansas. I presume the Senator can make that motion after they vote the motion to adjourn down on the other side.

The PRESIDENT *pro tempore*. Are the yeas and nays desired by one-fifth of the Senators present?

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CULLOM (when Mr. CAMERON'S name was called). The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. CHACE (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT].

Mr. DAWES (when his name was called). I am paired on this question with the senior Senator from Indiana [Mr. VOORHEES] or else I should vote "nay."

Mr. FAULKNER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. FRYE (when his name was called). I am paired with the Senator from Maryland [Mr. GORMAN].

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL]. If he were present, I should vote "yea."

Mr. SHERMAN (when his name was called). I am paired with my colleague [Mr. PAYNE] on this question of adjournment.

Mr. TELLER (when his name was called). I am paired with the Senator from Louisiana [Mr. GIBSON].

The roll-call having been concluded, the result was announced—yeas 18, nays 23; as follows:

YEAS—18.

Bate,	Cockrell,	Jones of Arkansas,	Turpie,
Berry,	Coke,	Pugh,	Vance,
Blackburn,	Eustis,	Ransom,	Walthall.
Blodgett,	Gray,	Reagan,	
Call,	Harris,	Saulsbury,	

NAYS—23.

Aldrich,	Edmunds,	Mitchell,	Sawyer,
Allison,	Hawley,	Morrill,	Spooner,
Chandler,	Hiscock,	Paddock,	Stewart,
Cullom,	Hoar,	Palmer,	Stockbridge,
Davis,	Ingalls,	Platt,	Wilson of Iowa.
Dolph,	Manderson,	Riddleberger,	

ABSENT—35.

Beck,	Dawes,	Hampton,	Quay,
Blair,	Evarts,	Hearst,	Sabin,
Bowen,	Farwell,	Jones of Nevada,	Sherman,
Brown,	Faulkner,	Kenna,	Stanford,
Butler,	Frye,	McPherson,	Teller,
Cameron,	George,	Morgan,	Vest,
Chace,	Gibson,	Pasco,	Voorhees,
Colquitt,	Gorman,	Payne,	Wilson, of Md.
Daniel,	Hale,	Plumb,	

So the Senate refused to adjourn.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

GENERAL PROVISIONS—MISCELLANEOUS.

156. No allowance or reduction of duties for partial loss or damage in consequence of rust or of discoloration shall be made upon any description of iron or steel, or upon any partly manufactured article of iron or steel, or upon any manufacture of iron and steel.

157. All metal produced from iron or its ores which is cast and malleable, of whatever description or form, without regard to the percentage of carbon contained therein, whether produced by cementation, or converted, cast, or made from iron ores by the crucible, Bessemer, Clapp-Griffiths, pneumatic, Thomas-Gilchrist, basic, Siemens-Martin, or open-hearth process, or by the equivalent of either, or by a combination of two or more of the processes or their equivalents, or by any fusion or other process which produces from iron or its ores a metal either granular or fibrous in structure, which is cast and malleable, excepting what is known as malleable-iron castings, shall be classed and denominated as steel.

158. All articles not specially enumerated or provided for in this act, wholly or partly manufactured, made from sheet, plate, hoop, band, or scroll iron or steel herein provided for, or of which such sheet, plate, hoop, band, or scroll iron or steel shall be the material of chief value, shall not pay a lower rate of duty than that imposed on the sheet, plate, hoop, band, or scroll iron or steel from which they are made, or which shall be the material of chief value.

159. On all iron or steel bars, rods, strips, or steel sheets, of whatever shape, other than the polished, planished, or glanced sheet-iron or sheet-steel hereinbefore provided for, and on all iron or steel bars of irregular shape or section, which are cold rolled, cold hammered, or polished in any way in addition to the ordinary process of hot rolling or hammering, there shall be paid one-fourth of 1 cent per pound in addition to the rates provided in this act; and on steel circular-saw plates there shall be paid 1 cent per pound in addition to the rate provided in this act.

Mr. ALDRICH. After the word "act" the words should be inserted "for steel saw-plates," at the close of the paragraph, in line 685, striking out the period.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. It is proposed to add to paragraph 159, after the word "act," the words "for steel saw-plates."

Mr. SHERMAN. Let the clause be read as it is proposed to be amended.

The CHIEF CLERK. So as to read:

And on steel circular-saw plates there shall be paid 1 cent per pound in addition to the rate provided in this act for steel saw-plates.

The amendment was agreed to.

Mr. VANCE. Is it understood that we may recur to a paragraph which has been passed over?

The PRESIDENT *pro tempore*. That was the understanding and agreement of the Senate.

Mr. VANCE. The two paragraphs which have just been read seem to me to be very important, but I am not prepared to give any analysis of them this evening. I should like to have permission to recur to them.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

MISCELLANEOUS.

160. Antimony, as regulus or metal, three-fourths of 1 cent per pound.

161. Argentine, albata, or German silver, unmanufactured, 25 per cent. ad valorem.

162. Brass, in bars or pigs, old brass, clippings from brass or Dutch-metal, and old sheathing, or yellow metal, fit only for remanufacture, 1½ cents per pound.

163. Bronze powder, 15 cents per pound; bronze or Dutch-metal, in leaf, 10 per cent. ad valorem.

164. Bouillons, or cannetille, metal thread, filé or gespinst, and epaulets, galloons, laces, knots, stars, tassels, and wings of gold, silver, or other metal, 25 per cent. ad valorem.

165. Chromate of iron, or chromic ore, 15 per cent. ad valorem.

Mr. ALLISON. I ask that the paragraphs relating to copper, and paragraphs 171, 172, and 173, respecting cutlery, may be passed over. I think the committee may have some amendments to offer to all of those paragraphs.

The PRESIDENT *pro tempore*. Paragraphs 166, 167, 168, 169, 170, 171, 172, and 173 will be informally passed over and not read, to be reverted to hereafter, at the request of the committee.

Mr. VANCE. I ask the same as to paragraph 163.

Mr. COCKRELL. Does the Senator from Iowa include paragraphs 173, 174, and 175?

Mr. ALLISON. I include copper and cutlery, down to paragraph 173.

The PRESIDENT *pro tempore*. Including paragraph 173?

Mr. ALLISON. Including that paragraph.

Mr. COCKRELL. That will do.

The PRESIDENT *pro tempore*. The reading will be resumed at paragraph 174.

The Chief Clerk read as follows:

174. Gold-leaf, $2 per package of five hundred leaves.

Mr. VANCE. I ask that that may be reserved. I have something to say upon that which I shall not undertake to say this evening.

The PRESIDENT *pro tempore*. Paragraph 174 will be passed over informally.

Mr. HARRIS. I ask the Senator from Iowa if it will be agreeable to him to have a short executive session at this time?

Mr. ALLISON. I proposed to move an adjournment at half past 5. If the Senator wants an executive session I shall not object.

Mr. HARRIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirteen minutes spent in executive session the doors were reopened, and (at 5 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, December 19, 1888, at 12 o'clock meridian.

NOMINATION.

Executive nomination received by the Senate the 18th day of December, 1888.

DISTRICT JUDGE.

John E. Hartridge, of Jacksonville, Fla., to be United States district judge for the northern district of Florida, *vice* Thomas Settle, deceased.

HOUSE OF REPRESENTATIVES.

TUESDAY, *December* 18, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

CONTINGENT FUND, ETC., STATE DEPARTMENT.

The SPEAKER laid before the House a letter from the Secretary of State, transmitting statements of expenditures from the contingent fund of the State Department, from the contingent fund for foreign intercourse, and of certain disbursements for the fiscal year 1888; which was referred to the Committee on Expenditures in the State Department.

PUBLICATION OF CONSULAR REPORT OF J. SCHOENHOF.

The SPEAKER also laid before the House a letter from the Secretary of State, transmitting an estimate and recommending an appropriation for the publication of the report of Mr. J. Schoenhof, United States consul at Tunstall, England; which was referred to the Committee on Foreign Affairs, and ordered to be printed.

EASTERN BAND OF CHEROKEES.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a communication from the Secretary of the Interior, recommending an appropriation for legal proceedings in behalf of the Eastern Band of Cherokee Indians in North Carolina; which was referred to the Committee on Indian Affairs, and ordered to be printed.

PRESBYTERIAN BOARD OF HOME MISSIONS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Interior of an appropriation to pay the Presbyterian Board of Home Missions for improvements on the Indian school buildings at Albuquerque, N. Mex.; which was referred to the Committee on Indian Affairs, and ordered to be printed.

CHAPEL AND GYMNASIUM AT INDIAN SCHOOL, LAWRENCE, KANS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Interior for the construction of a chapel and gymnasium at the Indian school, Lawrence, Kans.; which was referred to the Committee on Indian Affairs, and ordered to be printed.

PUBLIC WORKS, WAR DEPARTMENT.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting additional estimates from the Secretary of War of appropriations for certain public works and objects under the War Department; which was referred to the Committee on Appropriations, and ordered to be printed.

NATIONAL MILITARY AND NAVAL MUSEUM.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, in further response to the House, a supplementary report of articles suitable for the proposed military and naval museum; which was referred to the Committee on Military Affairs, and ordered to be printed.

EMPLOYÉS IN WAR DEPARTMENT.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting a list of employés in that Department, and stating that they have been usefully employed, and that their services can not be dispensed with; which was referred to the Committee on Appropriations.

Mr. TOWNSHEND. Does that refer to the clerical force of the War Department?

The SPEAKER. It does.

CONTRACTS BY WAR DEPARTMENT.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting a statement of contracts made by the War Department for the fiscal year 1888; which was referred to the Committee on Military Affairs.

INTERNATIONAL EXCHANGES, ETC., SMITHSONIAN INSTITUTION.

The SPEAKER also laid before the House a letter from the Secretary of the Smithsonian Institution, submitting a list of expenditures for international exchanges for the National Museum and for North American ethnology for the fiscal year 1888; which was referred to the Committee on Appropriations.

ADDITIONAL BUILDINGS AT FORT LEAVENWORTH.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of War for additional buildings at Fort Leavenworth, Kans.; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. TOWNSHEND. Mr. Speaker, the communication from the Secretary of the Treasury, submitting an estimate for additional buildings at Fort Leavenworth, it strikes me should be referred to the Committee on Military Affairs and not to the Committee on Appropriations, as has just been ordered by the Speaker. It is included in the Army appropriation bill——

The SPEAKER. The appropriations for the construction of buildings have always heretofore gone to the sundry civil bill, the Chair thinks. While the Committee on Military Affairs makes appropriations for the military department of the Government, these appropriations have always been made through the other bill.

Mr. RYAN. The Chair is correct in that statement.

Mr. RANDALL. Regular order.

Mr. TOWNSHEND. But this is a new building. The Committee on Appropriations have nothing in the world to do with it.

The SPEAKER. Such propositions have always been reported heretofore in the sundry civil bill.

Mr. RANDALL. This is an established post, and it is not for the establishment of any new post.

The SPEAKER. It is for a work already in progress.

Mr. RANDALL. And belongs to the sundry civil bill.

Mr. RYAN. This is simply for the enlargement of a post, and the reference made by the Chair is undoubtedly correct.

Mr. TOWNSHEND. I have no particular desire that it shall be referred to the Committee on Military Affairs, although it seems to be a subject properly to be submitted to that committee. However, I shall make no point upon the question.

JOHN C. POWERS VS. UNITED STATES.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the order of the court dismissing the case of John C. Powers *vs.* The United States; which was referred to the Committee on War Claims, and ordered to be printed.

LIST OF DISMISSED CASES, COURT OF CLAIMS.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a list of cases dismissed by the court in accordance with the provisions of the Bowman act; which was referred to the Committee on War Claims, and ordered to be printed.

SAREPTA C. LITTLE AND WILLIAM A. THORNTON.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, reporting the dismissal by the court of the cases of Sarepta C. Little *vs.* The United States, and William A. Thornton *vs.* The United States; which was referred to the Committee on War Claims, and ordered to be printed.

SAMUEL H. DUNSCOMB.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the order of court dismissing the case of Samuel H. Dunscomb and others *vs.* The United States; which was referred to the Committee on War Claims, and ordered to be printed.

ELIAS SNIVELY.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the order of court in the case of Elias Snively's administrators *vs.* The United States; which was referred to the Committee on War Claims, and ordered to be printed.

CHANGE OF REFERENCE.

The SPEAKER. The gentleman from Mississippi [Mr. STOCKDALE] requests that the bill (H. R. 11580) for the relief of Julia A. Nutt, widow and executrix of Haller Nutt, deceased, be taken from the Private Calendar and recommitted to the Committee on War Claims. If there be no objection, this order will be made.

There was no objection, and it was so ordered.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. WILLIAMS indefinitely, on account of important business.

LEAVE TO PRINT.

The SPEAKER. Mr. JACKSON asks unanimous consent to print remarks as of this day upon the bill making provision for the French spoliation claims, being his remarks, revised and extended, made in the House August 9 last, and withheld for revision. If there be no objection, leave will be granted.

There was no objection, and it was so ordered. [See Appendix.]

ORDER OF BUSINESS.

Mr. STEELE. If there be no objection——

The SPEAKER. The gentleman from Pennsylvania [Mr. RANDALL] demands the regular order.

Mr. PEEL. Mr. Speaker, I have a privileged report from a committee of conference which I desire to present.

Mr. RANDALL. I would like to ask as a favor that the gentleman from Arkansas withhold that.

Mr. PEEL. Very well. It can come in right immediately after the bill the gentleman from Pennsylvania [Mr. RANDALL] desires to call up.

Mr. SPRINGER. I desire to announce to the House that I will not ask consideration of the Territorial bills to-day. To-morrow we will have a meeting of the Committee on Territories, and, after that, we will announce when we will take up those bills for consideration.

Mr. RANDALL. I ask for the regular order.

Mr. STEELE. The regular order will be found on the Calendar, page 94.

Mr. RANDALL. I desire to make the motion before we come to the Calendar.

Mr. STEELE. I ask unanimous consent that the special order be passed over until this bill shall be disposed of, and that it shall come in after the report of the conference committee shall be disposed of.

The SPEAKER. The bill the gentleman from Pennsylvania desires to reach is the legislative, executive, and judicial appropriation bill.

Mr. STEELE. I am aware of that.

The SPEAKER. The gentleman from Indiana asks that this special order may be postponed until after the consideration of the legislative appropriation bill.

Mr. SPINOLA. What is his bill?

The SPEAKER. A bill increasing the pension to Mrs. Elizabeth G. Scott, widow of General Scott. Is there objection?

Mr. BLANCHARD. I object, in the interest of the river and harbor bill.

The SPEAKER. This bill is the regular order.

Mr. MCMILLIN. Well, let the fight come now.

Mr. RANDALL. I raise the question of consideration.

Mr. STEELE. I do not want to antagonize the bill of the gentleman from Pennsylvania at all.

The SPEAKER. The Chair thinks that if the gentleman from Indiana [Mr. STEELE] now calls the bill up and the question of consideration is raised against it, and the House determines not to consider it at this time, it will not lose its place on the Calendar.

Mr. STEELE. I do not desire to antagonize the gentleman from Pennsylvania.

The SPEAKER. The question now is on taking up the bill of the gentleman from Indiana.

The question was taken, and the House decided not to take up the bill.

Mr. RANDALL. I now move to dispense with the first morning hour.

The SPEAKER. The gentleman from Pennsylvania asks to dispense with the calling of committees for reports.

The motion was agreed to.

Mr. RANDALL. I now move to dispense with the next morning hour.

The SPEAKER. That is not necessary, and can not be done except by unanimous consent; but under the rules of the House, when the first morning hour has been dispensed with, it is in order to go into Committee of the Whole.

Mr. RANDALL. I move to go into Committee of the Whole on the state of the Union; and pending that I ask consent that gentlemen having reports from committees to make may be allowed to file them with the Clerk.

There was no objection, and it was so ordered.

REPORTS FILED.

The following reports were filed by being handed in at the Clerk's desk:

MRS. HARRIET H. ROBINSON.

Mr. TIMOTHY J. CAMPBELL, from the Committee on Claims, reported back favorably the bill (S. 416) for the relief of Mrs. Harriet H. Robinson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

GEORGE M'DOUGALL, DECEASED.

Mr. TIMOTHY J. CAMPBELL also, from the Committee on Claims, reported back favorably the bill (S. 1171) for the relief of the legal representatives of George McDougall, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

HENRY B. DAVIDSON.

Mr. CULBERSON, from the Committee on the Judiciary, reported back favorably the bill (H. R. 11751) to remove the political disabilities of Henry B. Davidson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

J. H. ROCHELLE.

Mr. CULBERSON also, from the Committee on the Judiciary, reported back favorably the bill (H. R. 11762) to remove the political disabilities of J. H. Rochelle; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

POWERS OF DISTRICT COURTS OF THE UNITED STATES.

Mr. ROGERS, from the Committee on the Judiciary, reported back favorably the bill (H. R. 11793) to abolish circuit-court powers of certain district courts of the United States, and to provide for writs of error in capital cases, and for other purposes; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

ADDITIONAL LAND OFFICES IN COLORADO.

Mr. TURNER, of Kansas, from the Committee on the Public Lands, reported back favorably the bill (S. 3124) creating three additional land offices in the State of Colorado; which was committed to the House Calendar, and, with the accompanying report, ordered to be printed.

LANDS IN RANDOLPH COUNTY, ILLINOIS.

Mr. PAYSON, from the Committee on the Public Lands, reported back favorably a bill (S. 259) granting the title of the United States to certain lands to the county of Randolph and State of Illinois on certain conditions; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

LAND IN THE INDIAN TERRITORY.

Mr. PERKINS, from the Committee on the Judiciary, reported back favorably the bill (H. R. 11634) to provide for allotment of land in severalty to United Peorias and Miamies in the Indian Territory; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

JOHN DONALDSON.

Mr. LANHAM, from the Committee on Claims, reported back with amendment the bill (H. R. 1155) for the relief of John Donaldson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

REPORT OF COMMISSIONER OF LABOR.

Mr. RICHARDSON, from the Committee on Printing, reported back favorably House concurrent resolution to print 10,000 copies of the third annual report of the Commissioner of Labor; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

REFUGE STATIONS, ARCTIC OCEAN.

Mr. DAVIS introduced a bill (H. R. 11852) to establish two refuge stations on the coast of the Arctic Ocean; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

ORDER OF BUSINESS.

Mr. RANDALL. I now move to go into Committee of the Whole House on the state of the Union.

Mr. BLANCHARD. If the motion of the gentleman from Pennsylvania be adopted, will it be competent for me thereafter to raise the question of consideration against the legislative bill in favor of the river and harbor bill?

The SPEAKER. The Chair will state that, under the rules of the House, after the hour has been consumed in the call of the committees for reports, or after that hour has been dispensed with by a vote of the House, it is in order to move to go into Committee of the Whole House on the state of the Union to consider general appropriation bills or revenue bills. It would not be in order for the gentleman from Louisiana to move to go into Committee of the Whole on the state of the Union to consider the river and harbor bill until after the hour for the consideration of bills has been occupied; so that in the present condition of affairs, for the gentleman to get at the river and harbor bill, his plan is simply to resist going into Committee of the Whole on the motion of the gentleman from Pennsylvania [Mr. RANDALL].

Mr. BLANCHARD. The only way, then, of reaching the river and harbor bill to-day is to vote down the motion of the gentleman from Pennsylvania. Is that the way?

The SPEAKER. If that motion is rejected then the hour for the consideration of bills would follow, and after that the gentleman could make his motion.

Mr. BLANCHARD. I hope the House will vote down the motion of the gentleman from Pennsylvania.

Mr. RANDALL. I hope the House will not. [Laughter.]

Mr. BLOUNT. I desire to make a suggestion to the gentleman from Louisiana [Mr. BLANCHARD].

The SPEAKER. It is not debatable, and the regular order is demanded.

Mr. BLOUNT. I do not propose to debate it.

The SPEAKER. The regular order is demanded by several gentlemen.

Mr. BLANCHARD. Regular order.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania [Mr. RANDALL] that the House now resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering general appropriation bills.

The question was taken, and the Speaker declared that the ayes seemed to have it.

Mr. BLANCHARD. I ask for a division.

The House divided; and there were—ayes 92, noes 43.

So the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. BLOUNT in the chair.

LEGISLATIVE, ETC., APPROPRIATION BILL.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the purpose of considering general appropriation bills. The Clerk will report the first bill.

The Clerk read as follows:

A bill (H. R. 11795) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 50, 1890, and for other purposes.

Mr. RANDALL. I ask unanimous consent that the first reading of the bill for information be dispensed with and that the Clerk proceed to read it by paragraphs.

There was no objection, and it was so ordered.

The Clerk, reading the bill by paragraphs, read as follows:

Clerks and messengers to committees: For clerk to the Committee on Ways and Means, $3,000; assistant clerk, $1,600; messenger, $1,000; clerk to the Committee on Appropriations, $3,000; assistant clerk, $1,600; messenger, $1,000; clerk to Committee on Agriculture, clerk to the Committee on Claims, clerk to the Committee on Commerce, clerk to the Committee on the District of Columbia, clerk to the Committee on Elections, clerk to the Committee on Foreign Affairs, clerk to the Committee on Indian Affairs, clerk to the Committee on Invalid Pensions, clerk to the Committee on the Judiciary, clerk to the Committee on Military Affairs, clerk to the Committee on Naval Affairs, clerk to the Committee on the Public Lands, clerk to the Committee on Rivers and Harbors, clerk to the Committee on War Claims; clerk to continue Digest of Claims under resolution of March 7, 1888; clerk to the Committee on the Post-Office and Post-Roads, and clerk to the Committee on Public Buildings and Grounds, at $2,000 each; for assistant clerk to the Committee on War Claims, $1,200; in all, $51,400.

Mr. RANDALL. I desire to offer an amendment to correct the total at the end of that paragraph. I move to strike out the words "fifty-four" and insert in lieu thereof the words "forty-six."

The amendment was agreed to.

The Clerk read as follows:

Office of Doorkeeper: For Doorkeeper, $3,500; and for hire of horses, feed, repair of wagon and harness, $600, or so much thereof as may be necessary; assistant doorkeeper, superintendent of document-room, assistant superintendent of document-room, and Department messenger, at $2,000 each; one employé, $1,500; document file clerk, $1,400; assistant document file clerk, $1,314; clerk for Doorkeeper, and janitor, at $1,200 each; nine messengers, including the messenger to the Reporters' Gallery, at $1,200 each; nine messengers, at $1,000 each; six laborers, at $720 each; two laborers in the water-closet, at $720 each; three laborers, including two in the cloak-rooms, at $600 each; female attendant in ladies' retiring-room, $600; superintendent of the folding-room, $2,000; three clerks in the folding-room, one at $1,800 and two at $1,200 each; one foreman, $1,500; one messenger, $1,200; one folder in the sealing-room, $1,200; one page, $500; one laborer, $400; ten folders, at $900 each; five folders, at $840 each; three folders, during the session, at $70 per month each, $1,470; and fifteen folders, at $720 each; one night watchman, $900; one driver, $600; fourteen messengers on the soldiers' roll, at $1,200 each; two chief pages, at $900 each; thirty-three pages, boys not under twelve years of age, during the session, including two riding pages, one telephone page, and one telegraph page, at $2.50 per day each, $17,490; two messengers, during the session, at $70 per month each, $980; ten laborers, during the session, at $60 per month each, $4,200; six laborers, known as cloak-room men, during the session, at $50 per month each, $2,100; in all, $128,014.

Mr. HOLMAN. I desire to offer an amendment to that paragraph. On page 14, line 14, I move to strike out "nine" and insert "three," making the number of messengers on that roll three. Also, in line 9, page 15, I move to strike out "fourteen" and insert "twenty." This amendment will make the number of messengers on the soldiers' roll twenty. Mr. Chairman, for a number of years I have thought that it would be very proper for the House to increase somewhat the number of messengers on the soldiers' roll, and yet it is quite obvious that the aggregate number of messengers in the employ of the House ought not to be increased.

The nine messengers provided for in line 14, page 14, are receiving $1,200 each, and the messengers on the soldiers' roll receive the same compensation; so that the effect of my proposition is simply to reduce by six the number of messengers who are not on the soldiers' roll, and therefore not entitled to the same degree of consideration as the disabled soldiers, and to increase the number on the soldiers' roll to the same

extent. I have called this matter to the attention of the Committee on Appropriations on different occasions, but up to this time no motion has been made in the House upon it of recent years, and I trust there will not be any objection to the proposition. There are no men who are so much entitled to consideration as employés of this House, or of this Government, as the disabled Union soldiers, and I think that to increase that roll to the extent I have proposed is an entirely proper thing for this House to do. Those now on the roll are all competent, worthy, and efficient, and fill their places well.

Mr. RANDALL. Mr. Chairman, I am not authorized by the committee to accept this amendment, but it is only fair that I should state its effect. It does not increase the number of the officials of this House. It simply transfers a certain number of men from what I may term the political danger-roll [laughter] to a securer place on the soldiers' roll, where the statute applies which provides that employés on that roll shall not be discharged except for cause reported to the House and approved by the House. For myself, individually, I have no objection to the amendment, but I can not say that the committee favors it.

Mr. HENDERSON, of Iowa. I was sitting back in the Hall when my friend from Indiana explained his proposition, and, not being a member of the subcommittee who prepared this bill, nor seeing any of the members of that committee present, I will ask the gentleman to state his amendment again so that the House may clearly understand its effect.

Mr. HOLMAN. My proposition is this: In line 14, page 14, the number of messengers provided for is nine. I propose to reduce that number to three, and then, in line 9, page 15, striking out "fourteen" and inserting "twenty." The effect is to increase the number of messengers on the soldiers' roll by six, at the same time diminishing the number on the ordinary messengers' roll in the same degree. The men on both rolls receive the same compensation.

Mr. HENDERSON, of Iowa. What will be the effect of the amendment?

Mr. HOLMAN. The effect will be to increase the number of disabled soldiers in the employ of the House. It will have no other effect.

Mr. HENDERSON, of Iowa. Are the other messengers who are now employed, soldiers?

Mr. HOLMAN. All of the fourteen on the soldiers' roll are disabled soldiers, but the nine are not.

Mr. HENDERSON, of Iowa. Your purpose, then, is to increase the number on the soldiers' roll?

Mr. HOLMAN. Yes. One reason why I may be excused in making this motion is that in the year 1867, I think, I had the honor to submit a resolution to the House which resulted in the establishment of this soldiers' roll, and I have always thought and suggested that it might be very properly increased without doing any possible injustice to the gentleman having the responsible duties of Doorkeeper. I trust, therefore, that there will be no objection to this proposed increase of the soldiers' roll.

Mr. CANNON. I do not exactly understand the proposition of the gentleman from Indiana.

Mr. HOLMAN. I will say to my friend from Illinois that my proposition is this——

Mr. CANNON. Let me say a word. This is a proposition to increase the soldiers' roll?

Mr. HOLMAN. Yes, sir; to increase it by the addition of six.

Mr. CANNON. I have noticed, if the gentleman will allow me to say it, with all due respect to him, that he made a somewhat similar proposition in the Forty-seventh Congress. That was a Congress in which I had something to do with the making of this bill.

Mr. HOLMAN. Yes, sir.

Mr. CANNON. The proposition was not adopted at that time; the soldiers' roll remained then as it is now. We have had now the Forty-eighth and the Forty-ninth Congress, and the first session of the Fiftieth Congress, in which the gentleman has assisted me, or rather I have assisted him, in making this bill.

Mr. HOLMAN. The Forty-eighth and the Forty-ninth Congresses.

Mr. CANNON. And now, after those years have passed in which the gentleman had charge of this bill as chairman of the committee, he waits until the Democratic party has lost the House, and having let those splendid opportunities pass by, he comes in and proposes to increase this soldiers' roll. I think we had better let it remain as it is. We are taking care of the soldiers' roll. It is as it has been fixed for twelve or fifteen years——

Mr. HOLMAN. Twenty-one years, I think.

Mr. CANNON. And I can not assent to my friend's proposition without doing injustice to him, because if he really thought this ought to have been done, surely during the four years in which he had almost exclusive charge of this bill he would have placed this proposition upon the bill.

Mr. HOLMAN. My friend from Illinois [Mr. CANNON] makes this matter very personal, as though there were no merit in it beyond mere personality. Let me suggest that when we are dealing with a question affecting the Union soldiers we can afford to overlook party considerations. I mentioned as one reason why I brought forward this proposition that this soldiers' roll, consisting of fourteen, was originally established some twenty-one years ago upon my motion. I have repeatedly since then sought to increase the number. The gentleman from Illinois may forget the fact that during the Forty-eighth or the Forty-ninth Congress—one or the other—I tried to obtain an increase; I do not say up to twenty, for I do not remember the number; but I tried to obtain an increase of the number on this soldiers' roll, and have done so from time to time. For a good many years I have felt that this roll should be moderately increased, while reducing the number of officers of the same grade receiving the same salary, but who are not disabled, thus leaving the public service perfectly efficient and without doing any possible injustice to the Doorkeeper of the House. Indeed, I would like to see the number increased beyond what I have mentioned. All these fourteen messengers now on the soldiers' roll are disabled soldiers; the law requires that such men shall be selected for these positions. But I submit to my friend that even the fact, if it exists, that any member proposes to perform a duty which he ought to have performed heretofore is no reason why, when it is presented, the duty should be postponed.

I am not proposing to increase or diminish the aggregate number of employés at all; my amendment will leave the number exactly as at present; its effect is to diminish the number of those who are not disabled soldiers and increase the number of those who are. In the vicissitudes of politics in this country we can all, of course, anticipate changes in this House from time to time, and I would be very glad if my friend from Illinois would co-operate with me here to-day in securing this further recognition to a moderate extent of the claims of those men who have been permanently disabled in the public service.

Mr. CANNON. In reply to the gentleman from Indiana, he will allow me to say that this appropriation runs for the first session of the Fifty-first Congress. Under the terms of this bill as reported the soldiers' roll will remain substantially as it has been for twenty years.

Mr. HOLMAN. Yes, and nearly all the members of it are members, I believe, of my friend's party—at least the greater number. I have no objection to that.

Mr. CANNON. Very well. If this bill be passed as reported, this roll will remain substantially as it has remained for twenty years, during most of which time my friend's party has been in power so far as this House is concerned. During the last four years—yes, nearly six years—the gentleman's party has been in power, and he has been in charge of this bill; yet no action has been had.

Mr. HOLMAN. I mentioned that I had failed to obtain heretofore the necessary action.

Mr. CANNON. Let me repeat to the gentleman that the cause of the soldier will be perfectly safe in the hands of the next House of Representatives; and I would rather——

Mr. HOLMAN. Is it not perfectly safe in the hands of this House? Why is it not safe in the hands of this House of Representatives as well?

Mr. REED. I wish the gentleman from Indiana would explain why he selected this time to make this amendment.

Mr. HOLMAN. I have already explained that this is not the first time I have sought the opportunity.

Mr. REED. When was the first time?

Mr. HOLMAN. The gentleman from Illinois [Mr. CANNON] has mentioned the Forty-seventh Congress. I think it was also before that and after that.

Mr. REED. That was when we were to have the Congress.

Mr. HOLMAN. Does that make any difference in regard to doing justice to the soldiers?

Mr. REED. But these are the times you select. The two times you select are when we are to have the Congress.

Mr. HOLMAN. The gentleman, then, does not want to increase the number of soldiers on the soldiers' roll?

Mr. REED. I want to know why the gentleman has selected these two times?

Mr. CANNON. Mr. Chairman, there is no trouble about this proposition. The next House will be perfectly competent to choose its employés, and in doing so will do full justice to the soldiers of the late war.

Mr. HOLMAN. Maybe you will, and maybe you will not, but you have not done it heretofore. Why raise a petty political question over a matter of justice in reference to a small increase of the number of permanently disabled soldiers? What matters it what House fixes the number to go on this soldiers' roll?

Mr. REED. Why did the gentleman from Indiana select the Forty-seventh and Fifty-first Congresses for this patriotic effort?

Mr. HOLMAN. Does that make any difference, if the matter is right, what Congress it is proposed to be done in? If the measure is right, what difference is there when it is done?

Mr. REED. But why did you select the Forty-seventh and Fifty-first Congresses in which to do it?

Mr. HOLMAN. The question is whether the measure is a proper one, and whether it is right to do this thing. I think it is.

Mr. REED. But let us consider the matter in regular order.

Mr. HOLMAN. I again ask, if the matter is right and proper, what matters it whether it is done at this session of Congress or at another?

Mr. REED. But why did you not do it?

Mr. HOLMAN. You were under as much obligation to do it as I was. Why did you not do it?

Mr. REED. You are not answering my question. Perhaps you have overlooked the question. The gentleman from Indiana on mature reflection will not further press his amendment.

Mr. HOLMAN. On mature reflection I hope the House will adopt the amendment.

Mr. REED. If the gentleman was so anxious that this should be done in the Forty-seventh and in the Fifty-first Congresses, why was he not equally anxious in the interval?

Mr. HOLMAN. I have already stated the facts. There need be no equivocation about it. I do not claim any particular credit; under the rules of the House any member had the right to move an increase of the soldiers' roll. I make my motion now at the proper time. The only possible objection there can be made to it is some pretense of partisanship. Perhaps the gentleman can overlook that little matter of patronage. It is only justice to the disabled Union soldiers that it should be done.

Mr. REED. Does not the gentleman think it was unfortunate to select those two periods to make an increase?

Mr. HOLMAN. No, I do not think it is unfortunate. It was within the power of the gentleman to make the amendment at any other time if he thought it was necessary. I have made my motion at this time because I thought it was right and proper, and I hope it will be agreed to.

Mr. HENDERSON, of Iowa. Let me ask the gentleman from Indiana a question.

Mr. HOLMAN. Certainly.

Mr. HENDERSON, of Iowa. How many soldiers are there to be benefited by this? Are any of these men to be benefited from Indiana? [Laughter.]

Mr. HOLMAN. No, not that I am aware of. [Renewed laughter.]

Mr. HENDERSON, of Iowa. Why, I understand every one of them is an Indianian. [Great laughter.]

Mr. HOLMAN. What does my friend mean? Does he mean that all these men are to be appointed from Indiana?

Mr. HENDERSON, of Iowa. So I understand.

Mr. HOLMAN. It is proposed to increase the number six at this time; that is, my amendment proposes to increase the number on the soldiers' roll by six, and they are to come from any State the appointing power may determine—they are to be disabled Union soldiers. Now, I wish to say there is a gallant Union soldier, who lost a leg on the field of battle, from my district, who is on the soldiers' roll and has been for many years, and I do not think there is any one here who will object to that.

Mr. CANNON. Mr. Chairman, I wish but a minute to speak on the merits of this question. In order that the House may understand it I will say that there have been for a great many years a number of employés upon what is called the soldiers' roll in the House. There are now fourteen messengers on that soldiers' roll at a salary of $1,200 each. They hold their positions by virtue of legislative provision—legislative designation of fourteen persons. Most of them have been here for a great many years, and most of them no doubt will remain on this roll until they die. Now, the gentleman from Indiana [Mr. HOLMAN] proposes to add to this roll, that is to the number of fourteen, six additional, who are to be appointed hereafter, making the number twenty. My own impression is that amendment may tend to break down the present roll.

Mr. HOLMAN. Right here just let me say to the gentleman from Illinois——

Mr. CANNON. First hear what I have to say.

Mr. HOLMAN rose.

Mr. CANNON. I decline to yield just now. Mr. Chairman, now these fourteen men who are upon the soldiers' roll, we all know them; we see them here, one-armed, one-legged, and I think one of them with no arms at all, old soldiers who have been here in the service of the House during all these years and are to remain here until they die. My own impression is that in justice to these fourteen old soldiers now upon the soldiers' roll we had better not by legislative provision increase that roll beyond the present number. Leaving this roll as it has been left under the Democratic House, I do not see why the gentleman from Indiana can not agree now to leave it to a Republican House. I think we can afford to leave it as he has left it. I think we can trust the incoming House of Representatives as to the appointments of the officers of the House other than these on the soldiers' roll so as to comply with the law; and the Republican doctrine that has always prevailed in this country is not yet changed, and never will be, that, other things being equal, it will always prefer the Union soldier who served in the late war for such appointments.

Mr. HOLMAN. I wish now, Mr. Chairman, to show the gentleman from Illinois how much more liberal and non-partisan this side of the House is in regard to this matter than he is. He has looked at it, I fear, from an entirely partisan standpoint.

Mr. CANNON. Oh, no.

Mr. HOLMAN. And I will show my friend the difference between the position he occupies in that regard and my own, by saying to him that if he will offer an amendment that this pending amendment of mine shall not take effect until after the organization of the Fifty-first Congress, I will cheerfully accept it.

Mr. CANNON. Why, this appropriation is made for the Fifty-first Congress, and it can not take effect before. [Laughter.]

Mr. HOLMAN. If the gentleman thinks proper to offer that proposition, that it shall not take effect until the organization of that Congress, I shall accept it cheerfully. Let him understand at the same time that this amendment, if adopted, makes no change in the appropriation. The same sum is fixed in either event, whether it be adopted or not.

I am very sorry that my friend from Illinois has thought proper to give this a political significance.

Mr. REED. Oh, you are. [Laughter.]

Mr. HOLMAN. The origin of this roll, the gentleman should bear in mind, was in a Republican House on motion of a Democrat; and the present roll, if I understand the matter correctly, has been composed largely of Republicans. Still my friend from Illinois and myself differed for years on a single point. I had sought to make the appointments permanent on that roll, but my efforts were unsuccessful until the Forty-eighth Congress, when the right to remove the appointees on this roll was revoked by law except by order of the House for cause. My friend from Illinois thought they should remain subject to removal like any of the other employés of the House.

Mr. CANNON. Why, the gentleman forgets. I co-operated with him in putting it through.

Mr. HOLMAN. When you had control of the legislative bill in the Forty-seventh Congress and I offered an amendment providing that the appointees on this soldiers' roll should not be subject to removal, the point of order was made against the amendment; and it was not until the Forty-eighth Congress, when I had control of this legislative bill, that it was made a permanent provision of law. The gentleman from Illinois, therefore, must bear in mind that even from his partisan standpoint he has not displayed as much anxiety or interest in this question as has been displayed on this side of the House.

Mr. REED. Well, if that was the object you had in stating this thing, suppose we go on with the bill now. [Laughter.]

Mr. HOLMAN. It was a Republican House which prevented the placing of that provision on the bill which was afterwards incorporated into a law by a Democratic House. That will be conceded; and in view of the fact that a majority of them are Republicans, and were at the time that I brought forward a provision to make it permanent, it will be conceded that there was an entire absence of partisanship displayed by the Democrats of the House in dealing with this subject.

I go further, Mr. Chairman, and say that if he is afraid his political friends will lose a little of the patronage by the adoption of this measure, I am willing to accept the amendment which I have suggested, that the appointments under this provision shall not take place until after the organization of the next Congress, when he and his political friends will have the making of the appointments.

Mr. BAYNE. Let me ask the gentleman from Indiana if it would not be wise perhaps to let the Fifty-first Congress take care of its own organization, and not undertake to have it organized in advance by this House?

Mr. HOLMAN. We must provide now for the salaries of the officials of that Congress.

Mr. BAYNE. Of course you can provide the pay, but let that Congress attend to the business of fixing its own appointments.

Mr. HOLMAN. And the same provision as to amount is made whether this be adopted or not.

Mr. BAYNE. You just provide the pay, and that Congress will select its own officers.

Mr. HOLMAN. If my friend from Illinois, I repeat, thinks proper to amend this in exact harmony with the views he has expressed, to make the appointments operative only during the next session of Congress, when his party will have control of the House, I am perfectly willing to accept it. There is still no change in the law. The amount of the appropriation is the same; but the soldiers' roll is increased to the extent I have named.

I ask a vote upon the question.

Mr. CANNON. Mr. Chairman, a word in reply to what the gentleman has said and the suggestion he has made as to an amendment to his motion. The appropriation is made by this bill for the Fifty-first Congress and does not take effect at all until after the Fiftieth Congress expires. Therefore the suggestion he makes as to these appointments, as he must know, amounts to nothing. The gentleman's motion and the speech which he makes, in the light of the facts, are so exceedingly thin, in my opinion, that they do not deceive anybody either in this House or in the country. The gentleman is not deceiving anybody by them but himself.

Mr. HOLMAN. Certainly they do not deceive anybody in the House or in the country. The gentleman is entirely correct. The House sees and the country will see exactly how it is.

Mr. REED. Well, will not the gentleman from Indiana admit that

the gentleman from Illinois has succeeded in throwing a little light upon it so as to enable them to see what it is? [Laughter.]

Mr. HOLMAN. It is a proposition to increase the soldiers' roll largely in the interest of Republicans, and is a question so entirely devoid of partisanship that it will not escape the notice of the country.

Mr. CANNON. Oh, I will remind my friend from Indiana of the old saying recorded in the Old Testament, that it is not every one who saith Lord, Lord, that shall enter into the kingdom.

Mr. MCMILLIN, Mr. WEAVER, and others. But that is in the New Testament. [Great laughter.]

Mr. BUTTERWORTH. Perhaps my friend from Illinois meant to draw a distinction between the old and new revision. [Laughter.]

Mr. CANNON. I am delighted, Mr. Chairman, to find that there are so many of my Democratic friends on the other side who appear to have read something of the Scriptures. [Laughter.]

Mr. BOUTELLE. But they do not seem to feel pretty sure about it. [Renewed laughter.]

Mr. CANNON. Let that be as it may, the gentleman from Indiana has been giving us mere lip service.

Mr. HOLMAN. I ask a vote on the amendment.

The question was taken; and on a division there were—ayes 41, noes 72.

Mr. HOLMAN. I believe that no quorum has voted.

The CHAIRMAN. The Chair will appoint as tellers the gentleman from Indiana [Mr. HOLMAN] and the gentleman from Illinois [Mr. CANNON].

The committee again divided; and the tellers reported—ayes 53, noes 66.

So the amendment was rejected.

Mr. CANNON. Before the Clerk proceeds to read, I move to strike out the last word. Can I have the attention of the gentleman from Indiana? I will not oppose an amendment if the gentleman will offer it that will add to the number, during the remainder of this Congress, of these men on the soldiers' roll, now when the gentleman's party is in power. If the gentleman desires this and will propose an amendment of that kind I will not object to it.

Mr. HOLMAN. If it is right during the present session of Congress it is right for the future, and I propose that his Doorkeeper in the next Congress shall have these appointments if they are made. It is entirely competent with him.

The Clerk read as follows:

For three commissioners, at $3,500 each; one chief examiner, $3,000; one secretary, $2,000; one clerk of class 4, who shall be a stenographer; two clerks of class 3; two clerks of class 2; one clerk of class 1; two clerks, at $1,000 each; two clerks, at $900 each; one messenger; and one laborer; in all, $29,800.

Mr. HENDERSON, of Iowa. I desire to offer the following amendment at this point.

The Clerk read as follows:

On page 20, line 16, strike out "one clerk" and insert "two clerks;" in line 17 strike out "two" where it first occurs and insert "three;" strike out "two" where it last occurs in said line and insert "three." In line 18 strike out "one clerk" and insert "two clerks."

Mr. HENDERSON, of Iowa. This is for clerks in the Civil Service Commission.

Mr. MCMILLIN. I reserve the point of order on that amendment that it changes existing law.

Mr. HENDERSON, of Iowa. I do not think it is subject to the point of order. We have a right to legislate as to the number of clerks. The law does not fix the number of clerks the Civil Service Commission shall have.

Mr. MCMILLIN. The last appropriation bill fixed the number that shall be employed, and any provision for a larger force will be a change of the law, because the law does not authorize it.

Mr. HENDERSON, of Iowa. Mr. Chairman, I do not think that the point of order is well taken on that proposition.

Mr. MCMILLIN. It will not be insisted by the gentleman from Iowa, Mr. Chairman, that under existing law any officer of the Government can employ an additional clerk there. That will not be insisted upon seriously. Now, if he seeks to give them employment and is to get any authority for the employment he gets it through an appropriation bill. And inasmuch as they can not be employed now, I think the point of order is well taken that any proposition to authorize their appointment will be a change of existing law.

Mr. HENDERSON, of Iowa. As I stated before, there is no law now except the last appropriation bill that fixes the number of clerks for the Civil Service Commission. The commission have strongly urged this increase, in order to make their work efficient; and we have a perfect right under this bill to give the clerical force needed in these different bureaus and Departments where the law does not now specifically and explicitly fix the number that are to be employed. I say that that point of order can not properly be made against this amendment.

Mr. HOLMAN. If my friend from Iowa will examine the bill organizing the Civil Service Commission he will find that the law fixes not only the number of the commission, but of all the employés. That is the only law there has been upon the subject fixing the number of clerks, as well as the number of other employés under the commission—so many clerks, messengers, and so on—and fixing their salaries. Since that time, under appropriation bills, I know of no other legislation there has been increasing the number; and I submit, Mr. Chairman, that the proposition now submitted increases the number over the number specified in the law creating the commission.

The CHAIRMAN. The Chair will hold that inasmuch as there is no law increasing the number the point of order is sustained.

Mr. CANNON. I hope the Chair will not rule until an opportunity shall be given to call the attention of the Chair to the law, and I will do so; and if the Chair did decide it, with all respect for the Chair, the Chair decided it without understanding what the law is, and the Chair is broad enough, if it is called to his attention, to decide according to the law.

The CHAIRMAN (Mr. BLAND). The Chair decided that inasmuch as there seemed to be no such law authorizing this increase the point of order would be sustained.

Mr. HOLMAN. I stated that law from memory and may have made a mistake.

Mr. CANNON. I hope the Chair will allow me a moment. This whole matter of increasing or decreasing the clerks in the various Departments and offices of the Government is regulated by the practice of the House under the direction of section 167 of the Revised Statutes. After creating the Departments, etc., it is as follows:

The annual salaries of clerks and employés in the Departments, whose compensation is not otherwise prescribed, shall be as follows:
First. To clerks of the fourth class, $1,800.
Second. To clerks of the third class, $1,600.
Third. To clerks of the second class, $1,400.
Fourth. To clerks of the first class, $1,200.
Fifth. To the women employed in duties of a clerical character, subordinate to those assigned to clerks of the first class, including copyists and counters, or temporarily employed to perform the duties of a clerk, $900.

Then it provides what the salaries of watchmen, messengers, and assistant messengers shall be.

Now, this section of the Revised Statutes does not fix the number of clerks, of messengers, of copyists, or of watchmen; it simply provides for the salaries of all the force that may be found necessary, in greater or less number, to be employed in the various Departments, bureaus, and offices of the Government. Subsequent sections of the Revised Statutes do create a Secretary of the Treasury, whose salary shall be so much, and only one; a Postmaster-General, whose salary shall be so much, and only one; and so with a great many of the officers all through the various Departments and bureaus, giving them an organization, with heads and assistants; for instance, the Attorney-General, with Assistant Attorneys-General, and so on, giving a complete roster. But when it comes to the mere clerical assistants in the Departments, to the mere watchmen, to the mere messengers, to the mere copyists, the number required necessarily varies from one year to another as the exigencies of the public service may vary. The law fixes the salaries of the clerks of the different classes, and the salaries of different classes of the employés, but it nowhere fixes the number; and always since the enactment of this statute, upon the consideration of appropriation bills, it has been held to be in order, according to the exigencies of the public service, in the sound discretion of Congress, under the operation of Rule XXI, to increase or diminish the number of watchmen, the number of messengers, the number of clerks, the number of any of the employés in the various Departments and offices of the Government. And, Mr. Chairman, that is this motion, to give three additional clerical assistants, namely, one of class 3, one of class 2, and one of class 1 in this particular office. Therefore I do not think it is subject to the point of order. A fair construction of the section of the statutes to which I have called the attention of the Chair, together with the uniform practice under this clause of the statute, the Chair can see at once from necessity makes this motion in order.

The CHAIRMAN. The Chair understands that this point has been decided both ways; but in view of the fact that there is no other way of providing for the public service except in the manner proposed, the Chair will overrule the point of order. The question is on the amendment.

Mr. RANDALL. I hope the amendment will not prevail. This bureau was formed originally with three commissioners and four clerks, at an aggregate expenditure of $17,300. They have gradually increased the expenditures, and now the commissioners are asking for next fiscal year an increase, including an increase of their own salaries, of nearly $10,000 over the current year, embracing as well an increase of five in the office force. There was an increase of three clerks given last year. The principle, and the policy as well, upon which this bill has been framed is not to increase salaries, or to increase the force in any case unless it is absolutely necessary for the transaction of the public business, and the majority of the committee saw no such necessity in this case. I hope, therefore, that the Committee of the Whole will sustain the Committee on Appropriations and that this amendment will be voted down.

Mr. HENDERSON, of Iowa. In the Book of Estimates, in a note on page 16, this statement is made in regard to this desired increase:

Without this enlargement the additional clerks estimated for are absolutely required for the proper performance of the work now imposed on the commission.

So that it is the judgment of the commission, submitted to the House

through the proper channels, that this increase is absolutely necessary in order to discharge efficiently the duties imposed upon them by law. Now, if it be the intention of Congress to treat this Civil Service Commission as an instrument for the benefit of the public service, they should be given sufficient force to properly discharge their duties. If, on the other hand, it be the intention to cripple them, to starve them out and destroy their efficiency, then the denial of this necessary force is one of the ways of accomplishing that end. I submit that every one who favors a fair trial of the system should give heed to the recommendations of the commission; and here we have them squarely on the record appealing for this increase as absolutely necessary. I want to say another thing in regard to this subject: My own conviction is that the Civil Service Commission has been conducted in a way to, perhaps, give some little heed to the letter, but that the spirit of the law has been very much lost sight of.

I am satisfied that the verdict pronounced by the people of this country will give us a commission that will pay attention to the spirit as well as the letter of the law; and in the face of the political prospect now before the country, relying upon its verdict, I think that every one should give heed to that verdict and come to the support of this proposition which has met with so much favor among enlightened citizens. I sincerely hope that the majority of this House will not plant themselves against something that is recommended even by their own officers and their own administration.

Mr. McMILLIN. Will the gentleman permit me to ask him a question?

Mr. HENDERSON, of Iowa. Yes, sir.

Mr. McMILLIN. The gentleman has criticised the Civil Service Commission for not discharging its duty, saying that while it may have observed the letter it has disregarded the spirit of the law. I would like to know wherein the members of that commission have failed to discharge their duty.

Mr. HENDERSON, of Iowa. I stated that as my belief——

Mr. McMILLIN. Will you give us——

Mr. HENDERSON, of Iowa. And the question of the gentleman will not shake that belief. I think it is the belief of the country. I think the gentleman believes it.

Mr. McMILLIN. What I desire is to get the evidence on which you found your belief. A grave charge like that ought to be backed up by something more than merely an opinion.

Mr. HENDERSON, of Iowa. Ah, my friend, it does not need any "backing up" before the American people; and it does not need any backing up to a thoroughbred Democrat like my friend from Tennessee. He knows it better than I know it and better than I can show it.

Mr. McMILLIN. What I want is a statement from the gentleman of the evidence on which he founds his charge.

Mr. HENDERSON, of Iowa. I tell you furthermore that I am satisfied——

[Here the hammer fell.]

Mr. McMILLIN obtained the floor and said: Mr. Chairman, I now yield to the gentleman from Iowa [Mr. HENDERSON] time enough to give us the grounds on which he makes his serious charge against the Civil Service Commission.

Mr. HENDERSON, of Iowa. Mr. Chairman, I am thoroughly satisfied, as I believe every member of this House is, that in the selection of clerks under the civil-service law politics has absolutely dominated that selection.

Mr. McMILLIN. You believe it?

Mr. HENDERSON, of Iowa. In the evidence given——

Mr. McMILLIN. What is your evidence?

Mr. HENDERSON, of Iowa. Wait till I answer your question; you are so anxious to have an answer. In the evidence given by one bureau chief he stated, if my memory serves me right, that he had seen to it that 97 per cent. of the persons appointed in his office were Democrats; and I am well assured that Republicans who have passed the civil-service examination with a high record—higher than that of many Democrats who have been appointed—have utterly failed to obtain recognition under the administration of the law with the present commission. The matter has been so conducted almost from the beginning (but the conduct has grown stiffer and stiffer as time has advanced) that our Democratic friends who have been examined have found favor in some way in the selections made under the operation of this commission.

Mr. McMILLIN. Does the gentleman claim that that was done by the Civil Service Commission, and that the law has been violated in their recommendations?

Mr. HENDERSON, of Iowa. I am not familiar with the delicate machinery by which it is done.

Mr. McMILLIN. You are getting up here to enlighten the House and the country concerning that machinery——

Mr. HENDERSON, of Iowa. The gentleman's impetuosity will not allow me to answer his polite questions.

Mr. McMILLIN. I have yielded to the gentleman time for that purpose.

Mr. HENDERSON, of Iowa. The gentleman knows perfectly well—he is well-enough equipped in public affairs to know—that in the consultations with bureau chiefs and the heads of the great Departments and others who are asking the recommendation of candidates for appointment it has happened in some mysterious way—I am not familiar with the proceeding—in some mysterious way they have always managed to pump out Democratic candidates and leave the Republican candidates without attention. I believe an investigation of the appointments will show that 90 per cent. of the appointments made under the civil-service law have been made from the Democratic ranks, while I can safely say that the examinations of Republican applicants for position have been at least as creditable as those of Democrats. I will not claim that they have been better, but I believe they have been equally good. And when we find that a bureau chief, ranking almost next next to a Cabinet officer, boasts in a statement under oath that 97 per cent. of the appointees under him have been Democrats, we know that some singular manipulation is going on in the application of this law.

Mr. McMILLIN. Now I will ask the gentleman from Iowa whether it is not the fact that the greatest percentage of partisan appointments ever made since the Civil Service Board was organized was in the Pension Office under Republican administration?

Mr. HENDERSON, of Iowa. I do not believe anything of the kind.

Mr. McMILLIN. Well, I give it to you as a fact.

Mr. HENDERSON, of Iowa. Now you are making a statement; you do not even deny mine.

Mr. McMILLIN. I do state to you that your charge is false.

Mr. HENDERSON, of Iowa. What do you do with Commissioner Black's statement that 97 per cent. of the appointees under his administration had been Democrats?

Mr. McMILLIN. You have stated that the most partisan administration of the law that ever existed was under Democratic administration. I say that is not true; and I have instanced the case of the Pension Office.

Mr. HENDERSON, of Iowa. I have given you the evidence under oath of one of your own bureau chiefs.

And you know, sir, if you are as familiar as I thought you were with administrative affairs, you know the great mass of appointments in the Pension Office were filled before the civil-service law went into operation. It has only had its full, sweeping, complete effect within a short time. And General Black has generously told the country that he made no bones of filling all the offices entirely from the Democratic party. He did not know any civil-service law.

Mr. McMILLIN. I do not know how he did it. It is a system which you say on the other side is to be perpetuated.

Mr. HENDERSON, of Iowa. You gentlemen on the other side know very well this law is a farce and a shame as it has been administered.

Mr. McMILLIN. You know that it has been better administered under this Administration than under any other.

Mr. RANDALL rose.

The CHAIRMAN. The question is on the amendment of Mr. HENDERSON, of Iowa, which has been ruled to be in order.

Mr. RANDALL. In relation to this appropriation, I am not willing to permit the gentleman from Iowa [Mr. HENDERSON] to attribute the motive to those who reported this appropriation bill that it is their purpose to cripple the Civil Service Commission. If the question of the continuance of the Civil Service Commission was involved I might have something to say on that subject, because I have hesitated and have never fully agreed there should be fastened on the country a class of permanent office-holders akin to a civil pension-list. I have nevertheless faithfully made recommendations by my vote so as to give this law all the efficiency necessary for its execution.

Mr. Chairman, last year this House, controlled as it is now, increased the force in that commission by three officials. What is the question presented to-day? These gentlemen come in here and ask that their own salary shall be increased from $3,500 each to $5,000, and also for an additional force over that of last year of five. We take the position that the increase asked is not needed. I do not myself believe it to be necessary. If our friends on the other side of the House are so much enamored of this law they will be soon in control of both branches of Congress, as well as of the Executive, and they can if they choose make this civil-service law extend all over the country and embrace every official. I am waiting with a good deal of curiosity, as well as in the hope of some amusement, to see what their attitude will be in the next Congress when they come to show their extreme sincerity in this respect. [Laughter.]

Mr. CUMMINGS. Mr. Chairman, I move to strike out the whole section beginning with line 14, on page 20, and ending with line 2, on page 21. That is the whole section making an appropriation for the Civil Service Commission. I do this because it seems that every bill introduced into this Congress for the repeal of the civil-service act has been buried in committee. I see no other way to reach this act and to cripple the commission than by striking out this whole section.

I believe this commission to be undemocratic. I believe it favors certain voters of this country at the expense of other voters, and I know that if the rules of the Civil Service Commission were applied to the members of this House not seven-eighths of the members would ever reach the floor again. [Laughter.] Now, sir, believing this to be undemocratic, and believing that it is in violation of the fundamental

principles of the Government, I move to strike out the whole section, and hope that it will be agreed to.

Mr. SPINOLA. I believe the amendment moved by my colleague [Mr. CUMMINGS] is a very healthy one [laughter]; one in which seven-eighths of the people of the entire Republic sympathize, and one in which three-quarters of the gentlemen on the other side of the House in their hearts sympathize. [Laughter.] Yes, sir; three-quarters of the gentlemen on the other side of the House are honestly and sincerely, in my belief, hostile to the civil-service law. On this side, if you could poll them honestly, they would be unanimously against it. [Laughter.]

Mr. FORAN. That is not so.

Mr. SPINOLA. Yes, it is so; we would be unanimous, and the reason why we would be unanimous is because we should be acting in accordance with the feelings and wishes of the majority of the people of the country, and that is the reason why we would be unanimous.

We listen to the calls of the people and we obey them when they are made. And we are going to obey their order made on the 6th of November last like good Democrats and good citizens; but we will only allow your party to remain in control and have custody of affairs until 1892. [Laughter.]

Mr. KERR. Let me ask the gentleman a question.

Mr. SPINOLA. Certainly.

Mr. KERR. Did you not pledge yourselves in your national platforms in favor of civil service?

Mr. SPINOLA. We said an honest civil-service law was good. [Laughter.]

A MEMBER. What is that?

Mr. SPINOLA. Well, I will explain to you what an honest civil-service law is from a Democratic standpoint. [Laughter and applause.] We learn what it was from the immortal Jefferson. When the applicant for office appears, inquiry is made to the effect, "Is he honest, is he capable, is he a friend to the Constitution?"

Mr. WASHINGTON. And a good Democrat.

Mr. SPINOLA. And that means he is a Democrat, of course. [Renewed laughter.] It is no use to ask a man if he is a good Democrat if he is in favor of the Constitution. It follows as a matter of course. [Renewed laughter.]

But, Mr. Chairman, that is where the civil-service qualifications of a gentleman who comes here and asks for employment should be found and determined; and those were the civil-service ideas of the man who gave us our name, who created us as an organization, and whose principles we have sought to follow from that day to this, whose doctrines we will never abandon as long as the sun shines or the water flows. [Great applause.] That is the civil service that he taught us, sir—"Is the candidate honest; is he capable?" Those were the only requirements. If, then, he is a man who is deserving, his employer should be the sole judge of it. When I make application for admission as an employé in one of the Departments here, the head of the Department is the man to inquire into my qualifications and honesty.

Mr. BUCHANAN. Will the gentleman yield to me for a question?

Mr. SPINOLA. Most assuredly. I could not refuse anything to my friend from New Jersey.

Mr. BUCHANAN. I wish to ask my friend from New York whether his clarion voice rang out in behalf of the position and the principles he is now enunciating in 1884?

Mr. SPINOLA. I never in my life have advocated or favored civil service. [Laughter.] And what is more, that ancient and powerful organization who sent me here as one of their representatives has time after time by resolution denounced the law; and so long as that position is held by them, I, as an humble member of Tammany Hall, shall stand forth always opposed to anything of this sort. [Applause.]

Mr. BUCHANAN. Perhaps the gentleman did not apprehend the scope of my inquiry. Let me put it in another form. Did he in 1884 protest against the statements expressed in the letter of one Grover Cleveland to one George William Curtis?

Mr. SPINOLA. One Grover Cleveland addressed a letter to one George William Curtis, and the organization known as Tammany Hall passed resolutions against civil service. [Laughter and applause.]

That is the answer I make to the gentleman; and let me inquire of my friend and of his associates on the other side of the House, how do you stand with Senator INGALLS'S idea of civil service? He says he is a very wicked man, a wicked Republican, because he is opposed to civil service, and is in favor of wiping it out root and branch, as you gentlemen are if you spoke honestly and candidly your feelings publicly as you do in private conversation. [Renewed laughter.] The time is coming soon when it will be torn up root and branch and disposed of by the people of this country.

[Here the hammer fell.]

The CHAIRMAN. The question is on agreeing to the amendment which has just been stated.

Mr. BUTTERWORTH. I rise to a question of order. I submit that the first question is on the motion to amend before the motion to strike out is submitted. It is proper that we should first perfect the text of the section before a motion is permitted to strike it out.

The CHAIRMAN (Mr. BLAND in the chair). The Chair was just about to state that the first question would be on the motion of the gentleman from Iowa to amend the text and perfect the section.

The question was taken; and on a division there were—ayes 27, noes 60.

So the amendment was rejected.

The CHAIRMAN. The question now recurs on the motion of the gentleman from New York to strike out the paragraph.

Mr. RANDALL. I ask the gentleman from New York to withdraw the amendment. This bill makes appropriation in pursuance of law which can not be changed in the manner suggested. The bill, as I have said, makes appropriations in obedience to law, and we certainly ought to live up to the law as long as it is upon the statute-book. If the gentleman wants the civil-service law repealed he should bring in a proposition in proper form.

While I have been opposed to fastening upon this country a privileged class of officials, yet this law is now upon the statute-books, and I want fairly and fully to execute the law as I find it.

Mr. CUMMINGS. I would gladly withdraw the amendment if I saw any other way of reaching the Civil Service Commission. Bill after bill has been introduced into the House with the view of abolishing the commission, and these bills have been referred to committees and there buried. I understand that a similar appropriation was refused to the Hayes civil-service commission, and that afterwards the commission was wiped out.

Mr. RANDALL. I think the gentleman is a little mistaken in that. I think it was during General Grant's term, and that the legislation to which he refers was enacted upon the motion of Hon. Benjamin F. Butler.

Mr. CUMMINGS. Well, I accept the correction. It was Grant then—Grant, who was a little better than Hayes, because Grant was President and Hayes never was. [Laughter.]

I desire to say to the gentleman from Pennsylvania that I have no wish to obstruct the passage of the bill, and if he will agree to take a yea-and-nay vote upon the proposition in open House I will withdraw it.

Mr. RANDALL. I can not agree to that, because I have no such instruction from the committee on this amendment. [Cries of "Vote!" "Vote!"]

Mr. CUMMINGS. I ask unanimous consent for a yea-and-nay vote on this proposition.

The CHAIRMAN. The committee can not give unanimous consent for a vote in the House.

Mr. CUMMINGS. Then I insist upon the amendment.

Mr. BUTTERWORTH. I wish to call the attention of my friend from New York to the fact that if we should fail to make this appropriation it would not kill the Civil Service Commission, but might temporarily cripple their ability to discharge the duties involved by law. The salaries will go on. This is simply a bill making appropriations. They would still have the right to collect their salaries notwithstanding. Now, I am perfectly willing for one to have a vote in the House to determine whether or not the Civil Service Commission shall be abolished, and I am willing to stand up against the position taken by my honorable friend from New York [Mr. SPINOLA] and give him not only inward but outward testimony that I believe the Civil Service Commission has been fairly administered. But I am not going to discuss that now. I rise simply to call the attention of my honorable friend to the fact that it does not accomplish what I understand is his purpose to accomplish, that is, the wiping out of the Civil Service Commission. It simply interferes with the way in which they are to get their pay; what the gentleman proposes can be brought up in another way.

Mr. CUMMINGS. Then it is the difference between killing a man and taking his leg off. As he can not be killed, I am satisfied with the leg. [Laughter.]

Mr. BROWNE, of Indiana. I am not willing by my silence to be classed among those who are in favor of a partisan civil service. At the last Presidential election there were about 11,000,000 votes cast for one candidate and the other. The plurality of the one is perhaps 100,000, the Democratic candidate having received five and one-half million votes. I do not believe that that election resulted in disfranchising the whole Democratic party. They are still citizens of the United States, pay their taxes, may be called upon to bear arms in support of the Government, share in its burdens and in its responsibilities; and I am not one of those, sir, who believes that they may not furnish their proportion of spittoon-cleaners, of floor-wipers, of Department messengers, and Department clerks, their fair proportion of the machinery by which the Government is conducted.

If the election has established a principle in politics every man who is opposed to the execution of that principle in all fairness has been ostracized by the vote. He ought not to be permitted to participate in the Government—I mean in any official relation to the Government—or take part in shaping the policy of the Government if one has been indorsed by the election. That policy ought to be carried out as a policy that has been indorsed by the majority of the American people. But the man that writes at the clerk's desk, the thousands of women who are employed in the Departments, have no more to do with shaping the policy of the administration than the boy who follows the plow in yonder field, than the man who works about furnaces, in the shops, or the mills. They have nothing to do with it; and it is unfair, it is un-American, it is bad policy to assume that one-

half of the American people, bearing the responsibilities and burdens of American citizenship, shall not be permitted to enjoy some of the emoluments of the small offices that may be in the gift of the President or of the party in power.

Why, sir, if we establish the policy of Tammany Hall what is the result? Our elections become a mere scramble for spoils. It is a mere question as to who shall hold the offices, who shall be the collectors, the postmasters, and clerks. American politics degenerates into a scramble for spoils; and then, if there be corruption to-day in our politics—and I regret to say there is—it is because of this infamous greed for the emoluments of office.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPRINGER rose.

Mr. BROWNE, of Indiana. I would like to have two minutes more.

Mr. SPINOLA. I move that the gentleman have five minutes longer.

The CHAIRMAN. Is there objection? The Chair hears none.

Mr. BROWNE, of Indiana. What are our politics and what are they becoming to be? We have an exhibition of it at every session of our American Congress. In the first place we multiply the offices. Why? That we may give places to our henchmen and that we may provide some easy position for our aunts, our brothers-in-law, or our cousins. Having increased the number of offices we soon proceed to increase the emoluments of each. There is no public demand for either, and neither increases the efficiency of the service. Offices are created for which there is no necessity.

Why, a number of years ago—I will not say when it was, but it was since I have been attempting to represent a constituency upon this floor—I saw two doorkeepers keeping a single door, each having a string tied to the knob, each sitting on an easy-chair reading a newspaper and smoking a cigar. When a Representative approached the door there was a pull of the string and he passed through, and then there was a relaxation of the elbow and the door was shut again, and each of those men was receiving $100 a month. Why, Mr. Chairman, everybody here knows we could abolish half the places in connection with this House and with the Departments of the Government and have a more efficient public service than we now have. Why is it not done? It is because we can not bear to remove our friends from those places. We do not dare to do it; we have not the courage to do it. I believe in conducting the Government on business principles. Why should we employ more persons to do a certain service than an individual or a private corporation would employ? Why do we not select men because of their efficiency, as you would select them in your private interest? Why do we not do it? Can the gentleman answer that question? It is because one is business and the other is politics. That is the reason. I am in favor of civil-service reform, if you please to call it by that name. I am in favor of a non-partisan civil service; I am in favor of applying the Jeffersonian test, Is the man honest, is he capable? But I would not put the further question as to which of the two political parties the man belongs.

Mr. CUMMINGS. "Is he forty-five years old?" That is the question they put.

Mr. BROWNE, of Indiana. I am not defending the civil-service machinery. I am not defending the details of the civil-service rules. I am attempting to get American politics above Tammany politics, New York politics, machine politics, partisan politics if you please, and to get the Government administered on true business principles, and I indorse everything that President Cleveland has so well said on this subject and condemn everything that he and his party have done in assuming to execute the civil-service law. [Laughter and applause on the Republican side.]

Mr. SPRINGER. I am very glad to hear the distinguished gentleman from Indiana commending the civil-service law and giving assurance (as he can probably give such assurance better than any other gentleman on this floor because of his being personally and geographically so near to the President-elect) that during the incoming Administration an effort, at least, will be made to observe the principles of the civil-service law. We have heard much in the newspapers since the election about the "clean sweep" that is to take place immediately on the inauguration of the incoming President.

Mr. BUCHANAN. Where did you hear it?

Mr. SPRINGER. I read about it in the newspapers and I hear of it on every hand.

Mr. STRUBLE. Did you hear it from Indianapolis?

Mr. SPRINGER. And if the incoming Administration does not gratify the thousands of hungry applicants for office that will be upon it after the 4th of March by making that "clean sweep" it will certainly bring disappointment to those who are now waiting in such anxious expectancy.

Mr. BOUTELLE. The gentleman knows how it is himself.

Mr. SPRINGER. Now, I want to say to gentlemen on the other side of the House that during the four years—and it will be only four years [laughter and jeers on the Republican side]—I want to say to them that if during those four years that they will occupy the offices and administer the Government they will administer the civil-service law in the same spirit of fairness that this Administration has administered it the country will have no reason to complain of them. [Jeers on the Republican side.]

Mr. BROWNE, of Indiana. I can assure the gentleman that it will not be administered in the same spirit.

Mr. SPRINGER. No; I do not suppose it will. I never thought it would be. [Laughter and applause on the Democratic side.] I want to call the attention of gentlemen on the other side to the fact that after four years of Democratic administration there are twenty thousand persons on the Government pay-rolls to-day in the city of Washington, of whom not over two thousand are adherents of the Democratic party. [Laughter and cries of "Oh!" "Oh!" on the Republican side.]

A MEMBER. There was more than that number when the Democrats came in.

Mr. SPRINGER. No, sir; not at all. I deny that, and I appeal to the records. If you go to the Departments to-day you will find many rooms without a single Democrat; and if you had been in the Departments immediately after the late election, you would have seen many of the clerks who have been holding office during these four years under a Democratic administration, promenading the halls rejoicing over the election of a Republican President.

Mr. O'NEILL, of Missouri. You will find a good many of them that can change as quickly as any administration. [Laughter.]

Mr. FARQUHAR. If what the gentleman states is a fact, if that was all they could provide for their friends, it is no wonder that the Democratic party was turned out of power.

Mr. SPRINGER. The Democratic party has endeavored to carry out the civil-service law in good faith. [Jeers and cries of "Oh!" "Oh!" on the Republican side.] And if the gentlemen on the other side will do half as well during the four years that they are to administer the Government the country will have nothing to complain of. Now, Mr. Chairman, I want to call attention to another fact, and that is that this Administration has not been repudiated by the American people. [Ironical cries of "No!" "No!" on the Republican side.] If you look at the election returns you will see that Mr. Cleveland received 5,538,000 votes, while Mr. Harrison received 170,000 votes less. In other words, there were 170,000 more votes cast by the American people for the Democratic candidate than were cast for the Republican candidate, and if it were not for the cumbersome and obsolete machinery known as the Electoral College, if the American people could have approached the ballot-boxes and voted directly for their choice for President, we on this side of the House would now be rejoicing over a great Democratic victory. [Jeers on the Republican side.]

Mr. JACKSON. You mean that you could have reached that result by suppressing, in one-third of the country, the vote against you.

Mr. SPRINGER. Now, I hope my friend will keep quiet.

Mr. JACKSON. Yes; and on that subject you would like the country to keep quiet.

Mr. SPRINGER. I should think the facts would worry the gentleman, and I am not surprised that he moves uneasily while facts of this character are brought to the attention of the country; but I hope he will endeavor to possess his soul in patience. I want to call attention further to the fact that upon the principles that were submitted to the people in the last election a large majority of the American people decided in favor of the Democratic party. Of the white voters of the country, who are supposed to be most informed upon public matters, a majority of more than a million have decided in favor of the platform and the principles and the candidate of the Democratic party. [Laughter and jeers on the Republican side.] So that the election is not a defeat of the Democratic party. It is simply a turning over for a brief period, by the machinery of the Electoral College, the administration of the Government to the Republican party.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LODGE. Mr. Chairman, I do not rise for the purpose of discussing the popular vote received by Mr. Cleveland with the gentleman from Illinois [Mr. SPRINGER]. When I think of the opportunities which his party had for increasing their pluralities in certain of the States I should expect them to feel as Lord Clive felt with regard to his Indian administration—"astounded at their own moderation." [Laughter.]

Mr. SPRINGER. We do not vote them "in blocks of five," though.

Mr. LODGE. The point that I desire to say a word upon is the motion to strike out the appropriation for the Civil Service Commission. If it is desired to destroy that commission, the honest and the manly way to do it is to bring in a bill to repeal the law. If, as the representatives of Tammany say, every member on that side of the House is opposed to the Civil Service Commission, why do they not bring in a bill to repeal the law and take a square yea-and-nay vote upon it in this House? I will tell them why. It is because they know very well that the people of the United States would not approve of any such proposition. What is called civil-service reform is simply a name for what is desired by the people of this country, and that is to take the great mass of the routine offices out of politics. Whether you do it by examinations, or by drawing lots, or some other mechanical device, is wholly unimportant. The thing is to get rid of this miserable spoils system in offices which are purely business offices. In that movement I firmly believe the great mass of the intelligent people of this country heartily concur.

Moreover, when gentlemen tell us that this is un-American, when they sneer at civil-service reform and say it is humbug and hypocrisy, and

all that, I can only say that, to my mind, the un-American system of distributing public offices is that which relies on favoritism and nepotism and political pressure, and which does not honestly seek to devise some system which shall give a fair field and no favor to all the citizens of the country without regard to party. Favoritism is not American; open and fair competition is.

The offices which pertain to party administration, and are in their nature political, should be in the hands of party; I have no sentimental notions on that subject. But as to the great mass of our public officers—these clerks here in the Departments and in the custom-houses, many of them women—it is the idlest folly in the world to say that it is a business system or an American system to have them chosen by political pressure and personal favoritism, and all the other influences with which the country has been familiar.

How has this system affected you gentlemen during the last four years; how will it operate with us in the coming four years? Have we not, every one of us, groaned under the pressure to get offices? We all dislike it; there is not a man on this floor who does not. There is not a man or a party to whom patronage and its administration are not a source of weakness at the polls. It never strengthened any man. You had all the patronage in the last election; how much did it help you? We had all the patronage in the preceding election; how much did it help us? It never helped any man or any party, and the sooner some system can be devised—I care not what system it is—that will take these offices out of politics, the better for our elections, the better for our public men, the better for our politics, the better for good and honest government.

I only wished to say these few words, Mr. Chairman, because, however much I personally respect the gentlemen representing Tammany Hall who have addressed us, I object strongly to any one undertaking, in referring to this side, to represent my feelings as being other than they are. I am a thorough-going civil-service reformer, because civil-service reform is the name applied to the movement to take the routine offices of the Government out of politics. [Applause.]

Mr. COMPTON. Mr. Chairman, my position on this question has always been understood, I think, by every one who has known me, for I have never concealed my views here or elsewhere. I shall vote for the amendment of the gentleman from New York, and upon the ground on which he puts it, because it is the only way in which I can practically carry out my opposition to the further continuance of the so-called Civil Service Commission.

But, Mr. Chairman, my object in rising now is to ask my Republican friends on the other side, who sneer so much at the administration of the civil service by a Democratic administration, whether their memories are so short as to have forgotten how that law was administered by Republican administrations, and whether they do not carry their minds back to the fact that it was the maladministration of the civil service of this Government by Republican administrations which brought about the passage of the civil-service law? Have they forgotten that the civil service of this Government had become so degraded that it was an actual stench in the nostrils of this country without regard to politics, and that it was this abuse of the civil administration of the Government which induced the Congress of the United States, Democrats and Republicans, to pass that law, in obedience to a sentiment which had grown to be a demand on the part of the people for a stoppage of the outrageous proceedings connected with the civil administration of this Government?

Have they forgotten that when that law passed its effect was actually to keep in position those Republicans who had been placed in the Departments simply and only because of the partisan service which they had rendered? That civil-service law did not begin, as it should have done, by a clean sweep or a retention of those only who could pass the civil-service examination; but as I said in a speech which I had the privilege of making once on this floor, the law, when liberally interpreted, meant simply that with the law and with the administration, the Republican party had the law and the offices, and with a Democratic administration we had the law without the offices—the inevitable result of a law passed as that was. But my friends should remember, while they charge this law has been administered by a Democratic administration in the interest of Democrats under the Democratic party it was most flagrantly administered by a Republican administration in favor of the Republican party. I undertake to declare that right here on this floor and to appeal to the truth of history of my own State to verify it. Under the execution of the civil-service law by the Republican administration not one single Democrat received an appointment in the custom-house or anywhere else within the State of Maryland during the entire incumbency of the Republican administration.

Gentlemen should remember, sir, that men are the same, be they Democrats or be they Republicans, and they will administer this law, or any other law, in the interest of their party. It is human nature.

I maintain here now that what the people of this country demand is this, an honest administration of the civil service with no paraphernalia attached to it which shall create in this country, as suggested by the gentleman from Pennsylvania [Mr. RANDALL], a special, favored, privileged class. I repeat, I will oppose it, and so far as any opportunity or means are given to me to express that opposition, and by my vote, to destroy what I believe to be an undemocratic, an unrepublican, and an unconstitutional institution, I will vote against it here or anywhere else.

[Here the hammer fell.]

Mr. RANDALL. I merely wish to say that I should like to get a vote as soon as possible upon any amendment in order to proceed with the pending bill.

Mr. MCCOMAS. Mr. Chairman, the proposition is to strike out the clause in the pending appropriation bill appropriating about $35,000 to pay the salaries and expenses of Government officials appointed by the present Executive to carry out the civil-service law, which has been on the statute-book more than five years. When it passed this House Republicans voted for it and Democrats voted for it. It was a spectacle for gods and men to see the Democrats jumping and tumbling over Republicans in their eagerness to vote for this law. [Laughter.]

Now, sir, five years after it was passed what profits it the country that members come here and wrangle over the past records of parties in respect of this law, to be told that a certain administration has not done what it should have done in carrying out the law, or that one great party or the other has evaded its duty in executing the law?

Is it not a fact, Mr. Chairman, that the law which has been criticised during this debate, the civil-service law, is one which has been approved both by the Republican and the Democratic parties in all their national platforms from 1876, as well as in their national platforms on which they fought the latest battle, and did not both parties pledge their faith to this law up to the recent election? Is it not true that the candidates for President, both on the Democratic and Republican sides, pledged themselves to support the civil-service law and this commission? Every candidate for Congress who was in a State where all the people are in the habit of voting took the earliest opportunity to declare himself to be in favor of it, or avoided saying, if he was not, that he was opposed to it.

I believe that law which Mr. Pendleton proposed in the Senate, which Garfield and Grant indorsed, which Arthur put into execution, should be honestly enforced, and I am in favor of enforcing it by voting the money to those who are to carry out its provisions.

We have seen in earlier days in our history this narrow, cowardly plan of nullification; we have seen it attempted, not to repeal a law, but to annul it by taking away the governmental powers necessary to the execution of the law. The chairman of the Committee on Appropriations [Mr. RANDALL] at least gains the level of public fairness when he says this law is upon the statute-book and the money should be given to enforce it as long as it remains there.

I believe the Republican party under President Arthur enforced the new law fairly and in good faith. We have all been learning something by experience in the last four years. If there be any place in which the spoils system has been carried out to a degree which may win the applause of the member from Tammany Hall [Mr. SPINOLA] it has been in the State of Indiana and in the State of Maryland. In the last election the State of Indiana voted for Harrison, the Republican candidate for the Presidency, who, as all admit, is a brave, true man, and who when he comes here will see to it that his promises and pledges shall be fully, completely, and bravely carried out; and in the State of Maryland, where the spoils system had full sway, there was a bare majority in favor of the Democratic candidate for President, while the Republican candidate received 4,000 votes more than Cleveland received four years before. Without patronage the Republicans gained 15,000 votes in four years, and by reason of the spoils the Democrats narrowly escaped defeat.

Mr. Chairman, I prefer to have, instead of the glittering corruption which the statesman from Tammany Hall offers us, the honest execution of the law which allows the poor and lowly, the humble man and the humble woman, to have equal opportunity to compete for clerical and other offices of minor importance in the great race for office in this country with those who are rich or who happen to be the favorites of great chieftains. I prefer a democracy, a government of the people, springing from the people, to the aristocracy which is proposed by these two gentlemen from New York [Mr. CUMMINGS and Mr. SPINOLA] to be given to the nation as it is now bestowed upon New York City by Tammany Hall, where, out of a million and a half of people, it depends upon but two men to say who shall be the mayor and rulers of that great city. Sir, when we are confronted with the New York spoils method as compared with the civil-service system, and we ask, by the test the member from Tammany on this floor borrows from Jefferson, "Is the man just?" they point us to Barnard or Cardoza, and when we ask, "Is he honest?" they point us to William M. Tweed.

[Here the hammer fell.]

Mr. CUMMINGS. Mr. Chairman, an assault upon the political methods in New York City comes with ill grace from a Republican Congressman from the State of Indiana. The people understand the Indiana idea of the spirit of civil-service reform. They have not forgotten that a Republican Vice-President, at a dinner in Delmonico's, at which the leaders of the Republican party were present, openly boasted of the use of "soap" in Indiana. They have not forgotten that one of the leaders of the Republican party to-day is regarded as a fugitive from justice in the State of Indiana.

Mr. BROWNE, of Indiana. Who is it?

Mr. CUMMINGS. New York political systems have never included the "five-block" business. New York political systems are based upon the will of the people, and the will of the people alone, and not on the use of millions of dollars in State and Presidential elections. [Applause.]

Mr. RANDALL. Mr. Chairman, I desire to say just here that I want to concede the claim of those who have administered the civil-service law during the four years past of a disposition to fairly and honestly execute it. But gentlemen on both sides of the Chamber must remember that the execution of this law has been environed with difficulties and disappointments. Such has been the experience of the Democrats who have had the task of administering it. I am in favor of giving this appropriation and then permit the incomers to wrestle with the difficulties which the Democrats have encountered. They will, I believe, find troubles all along the road.

I think my friend from New York [Mr. SPINOLA] spoke in rather enthusiastic terms when he said that this side of the House was against executing the law, if I correctly understood his statement. I think this side of the House is very nearly unanimous in favor of executing the law, however much some may believe that some of its provisions and many of the regulations permitted under it should be modified.

I am glad to say that the present Chief Executive has removed from the minds of many one of the great obstacles to an approval of the law, and that is in regard to the change permitting persons to be examined who are over forty-five years of age. I wish he had gone a little further and permitted all of those who have exhibited capacity, above 66 average, to have their names reported for appointments, so that the choice should be made from the entire body of capables.

I agree with the gentleman from Massachusetts [Mr. LODGE] that appointments to office are hurtful to those members who have influence to secure them. There is hardly a man on this floor, who has had to do with political patronage, who has not realized the inconvenience, the ingratitude, and I might add some other equally applicable adjectives in that connection, from persons whom they have befriended. I hope my friend from New York will now withdraw the amendment, so that the law may be executed. And I ask, if no one desires to occupy the floor further, that debate be closed.

Mr. BROWNE, of Indiana. Mr. Chairman, I shall occupy the attention of the committee but a moment. I do not know to what historical event the gentleman from New York [Mr. CUMMINGS] refers in speaking of the Vice-President and "soap." I do suppose, however, that I know to whom he alludes when he mentions by a kind of indirection that some distinguished Republican from Indiana is now a fugitive from justice. Allow me to say to that gentleman that the fugitive from justice is a Democratic United States district attorney, who having become cognizant of the fact that the evidence did not justify an indictment, has in disgust resigned his office. That fugitive from justice I give the gentleman bond now——

Mr. BYNUM. Will the gentleman yield to me for a question?

Mr. BROWNE, of Indiana. I supposed I would succeed in bringing my distinguished friend to his feet. But the gentleman will have his own time when he wants to occupy it.

Mr. BYNUM. I supposed that the gentleman would refuse to yield.

Mr. BROWNE, of Indiana. From the statements embodied in a newspaper report I learn that the grand jury of the United States court has failed to return any indictments, because of the acknowledged fact, admitted by the prosecuting officers and all others engaged in it, that the evidence did not justify it.

Mr. OUTHWAITE. Will you explain, then, why the United States court allowed the grand jury to disband, and went off to Fort Wayne?

Mr. BROWNE, of Indiana. Because there was no evidence of a criminal act. I want to say that no person connected with the election in Indiana on the Republican side is afraid to put in his appearance at any time, and before any court.

Gentlemen need not be alarmed about it. I will go on the bond of any Republicans that may be indicted; and I say to the gentleman that while I do not believe Indiana methods have been altogether right in politics, if the Democratic party of Indiana want to open the books they shall be opened. We are ready. If they want to know how much money was used——

Mr. WILSON, of West Virginia. You burned the books, did you not?

Mr. BROWNE, of Indiana. If they want to know how much was used in the city of Indianapolis at the last election to suborn its votes and corrupt its politics, we are ready. If they want to know how many disreputable men were appointed in violation of the law as deputy United States marshals to intimidate Republican voters, we are ready. In my own town a deputy United States marshal was appointed who is the most notorious saloon-keeper in the place, while there were hundreds of reputable Democrats there. If they want to open the books, they can do so. If the gentleman from New York wants the books open, let it be done.

I am not saying that my party is pure. I am not attempting to defend it because the other is worse. I am only saying that if they want this investigated, in God's name let it be done, and if a Republican has violated the law let him be punished. "Let no guilty man escape." [Laughter and applause.]

A MEMBER. They have the power to investigate if they want to.

Mr. BROWNE, of Indiana. Now, I will say for one that Indiana politics are just as disreputable in some respects as Tammany and New York politics. [Laughter.] I say it regretfully.

Mr. CUMMINGS. You have more soap there than in New York.

Mr. BROWNE, of Indiana. Yes, sir. I want to say that in Indiana, within the last twelve months, we have sent two distinguished Democrats to the penitentiary, where they are now languishing because they violated the election laws. [Applause on the Republican side.] I have never heard of them doing that in New York.

Mr. SPINOLA. Yes, sir; we do. A year ago three Republican supervisors of election were sent to the State prison, and they are there now. [Laughter and applause on the Democratic side.]

Mr. RANDALL. I would like to limit debate on this amendment to ten minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks that debate on the pending amendment be limited to ten minutes.

Mr. SPINOLA. I object.

Mr. RANDALL. Then I move to make it twenty minutes—ten to each side.

The CHAIRMAN. The gentleman from Pennsylvania moves to limit debate upon the pending amendment to twenty minutes—ten on each side. Is there objection? [After a pause.] The Chair hears none.

Mr. BYNUM. I do not rise for the purpose of discussing the question directly before the committee or to declare myself in favor of the civil-service law or opposed to it, but simply to answer the gentleman from Indiana [Mr. BROWNE] who has just taken his seat as to the reasons which caused the district attorney of Indiana, Mr. Sellers, to present his resignation. I desire to propound to the gentleman——

Several MEMBERS. Louder.

The CHAIRMAN. The committee will come to order.

Mr. BYNUM. It seems that my rising to address this House creates an uproar. I would like to make one little speech without having the rabble turned loose.

The gentleman from Indiana, my colleague, says that the district attorney resigned for the reason, as stated in the public press, that the evidence presented to the Federal grand jury was not sufficient to cause the indictment of Mr. Dudley. I undertake to say that the district attorney has made no such statement. No such reason is given to the public by him or by any one who is near to him. On the contrary, he has distinctly said, whenever questioned, that such was not the case. While this investigation was under consideration the district judge adjourned the court and discharged the grand jury until the 17th day of December, and for that reason probably to-day Mr. Dudley is breathing the fresh air in New York. He has not been in the State of Indiana since the letter was written, at least not since a warrant was issued for his arrest.

Mr. BROWNE, of Indiana. The gentleman did not understand me to say that the district attorney had given that as his reason for resigning.

Mr. BYNUM. I did not say that the gentleman had said so.

Mr. BROWNE, of Indiana. I say that the papers contain such statements.

Mr BYNUM. The Republican papers have published everything that was not true as to Indiana during the last six weeks and nothing that was true. [Laughter.] The district attorney had given charge of this matter to the deputy who has conducted the investigation before the jury, and who will continue it if permitted, as he has been nominated as successor to Mr. Sellers. I venture, however, to say that the Republican Senate will not confirm his nomination that he may pursue this investigation, but will reject his name in order to have some other man appointed who wants nothing done in the matter.

Mr. STEELE. Does the gentleman state that Mr. Bailey is either honest or capable?

Mr. BYNUM. Both.

Mr. STEELE. When did you arrive at that conclusion?

Mr. BYNUM. I have never questioned his honesty or ability.

Mr. STEELE. You looked upon him as a pretty tough citizen?

Mr. BYNUM. Mr. Bailey is a man of honesty and ability.

Now, Mr. Chairman, my colleague speaks of frauds in Indiana. Why, one of the leaders of his own party, at one time a law partner of President-elect Harrison (Mr. Fishback), charged publicly and openly that in 1880 Mr. Dorsey and Mr. Dudley dispensed in the Denison House parlors over $400,000 to corrupt the people of Indiana, and it has not been denied by any Republican.

Mr. DUNHAM. How much did the Democrats put out the same year?

Mr. BYNUM. So far as my personal knowledge goes they never put out a dollar—not a dollar. [Derisive laughter on the Republican side.] Now I want to say a word further. I am not here to charge that Indiana is more corrupt than any other State would be under similar circumstances. She has been a close State; she has held the balance of power and money has poured in from different sources. No

doubt Democratic money has been sent in there, but never has there been a corruption of the votes of the State by the Democratic party or by funds contributed by that party such as there has been by the Republican party. We did not have the money. [Laughter.] More than that, I have insisted all along that no good could come from an investigation, because I did not think it would reflect any great credit on the State or of the managers of either party, but I will say to the gentleman that if he wants an investigation, so far as I am concerned I will cheerfully join him, and when he gets his investigators at work I hope they will investigate why it was that a district judge appointed seventy and odd United States commissioners the night before election who, on the day of election, when men were arrested and taken before them, refused to hear the cases of the offenders.

Mr. JOHNSTON, of Indiana. I will answer the gentleman.

Mr. BYNUM. Oh, you will answer. Well, I shall be glad to hear the answer.

Mr. JOHNSTON, of Indiana. It was because the ninth day before election you appointed marshals in every county in the State where there were Republican precincts, and those commissioners were appointed so that accused men might have a trial in their own counties and not be taken away to Indianapolis. That was the reason.

Mr. BYNUM. Yes; I know that marshals were appointed in conformity with the law, but not one-tenth as many as had been appointed under Republican administrations.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYNUM. I would like a minute or two more. [Cries of "Go on!"]

Mr. HOLMAN. I ask that my colleague [Mr. BYNUM] be allowed five minutes more.

Mr. KERR. I will yield to the gentleman two minutes of my time.

Mr. BUCHANAN. I rise to a parliamentary inquiry. Is there any way in which these gentlemen can be excused in order that they may go to the cloak-room and discuss *post-mortem* Indiana politics while the Congress of the country goes on with the business of the country? [Laughter.]

Mr. BYNUM. Mr. Chairman, do I understand that my time is extended?

The CHAIRMAN. The debate has been limited to twenty minutes, ten minutes on each side, and the Chair is bound to apportion the time with fairness. The gentleman from Iowa [Mr. KERR] is recognized.

Mr. BYNUM. I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Indiana asks permission to extend his remarks in the RECORD.

Mr. OWEN. We would like to have them extended on the floor—not in the RECORD.

Mr. BYNUM. Do I understand there is objection to my request?

The CHAIRMAN. There is.

Mr. BYNUM. I understand the gentleman from Indiana [Mr. OWEN] as objecting.

Mr. KERR. If I can be recognized, I will yield to the gentleman from Indiana a few minutes.

The CHAIRMAN. The Chair has already recognized the gentleman from Iowa [Mr. KERR].

Mr. KERR. I yield to the gentleman two minutes.

Mr. BYNUM. I thank the gentleman from Iowa for his courtesy. I repeat that the district court on the night before the election appointed some seventy-odd commissioners—what for? Does the gentleman say, in order that parties might, when arrested, be taken before a commissioner in the county? I undertake to say that those commissioners refused to hear the cases, refused to take cognizance of them, and the marshals were compelled to discharge the parties without any hearing whatever. Parties who had been arrested charged with violation of the election laws were thus released.

Mr. STEELE rose.

Mr. BYNUM. I have no time to yield further.

Mr. STEELE. Every man gave his bond for appearance before he was discharged.

Mr. BYNUM. If the gentleman wants to throw open the door, I can show him that there was corruption in Indiana; not only that money was used there to carry the election, but moreover that public franchises were sold in order to raise corruption funds to become a part of the campaign fund of the Republican party.

[Here the hammer fell.]

Mr. KERR. Mr. Chairman, I wish to say in this connection only a few words bearing upon the remarks made by the gentleman from Illinois [Mr SPRINGER]. I was surprised to hear a man so distinguished in this House speak of the Electoral College as an obsolete body. I think that if anything could emphasize the importance of this electoral system, founded by the fathers as a safeguard of our institutions, it is what has been developed in this debate. We are relieved in this particular case from the necessity of an investigation, because President Harrison has been elected irrespective of the vote of Indiana; so that need not distress us. But these statements go to show the importance of that time-honored system. The corruption, whatever it may have been, affects only the vote of a single State; and I say again, I was surprised to hear the gentleman from Illinois speak of the electoral system as an obsolete system.

We need not discuss the question whether a large portion of the Southern vote was suppressed, as intimated by my friend from Pennsylvania, because under the electoral system by which the executive branch of this Government has during our whole history been elected, the vote of the Electoral College determines the question, and it is in general immaterial whether the full vote, or only a partial vote of the State is polled; for, as we all know, only a certain number of electoral votes can be cast by the State; and it is immaterial whether all the voters go to the polls, or a portion of them remain at home, or whether or not a popular majority is cast for the candidates. I am glad our electoral system is maintained; and I do not think there is any danger that the American people will very soon consider this an obsolete system.

[Here the hammer fell.]

Mr. SPRINGER. I used the word "obsolete" in speaking of the electoral-college system of electing President in the sense that the system was no longer administered in the spirit in which it was created by our fathers. As created and intended, the electors of President and Vice-President chosen at Presidential elections were presumed to be uncommitted as to their choice. But now, under the custom of party nominations, in advance of the election, the people vote directly for their choice, while that choice is limited and restrained by the machinery of the Electoral College. We ought to have in fact as in theory an election of President by direct vote of the people.

Mr. COX. Mr. Chairman, there has been in this debate a good deal of crimination and recrimination in connection with what some gentleman on the other side has called a "*post-mortem*" inquiry into the recent election. I do not know that this debate is very pertinent to an appropriation for sustaining existing law, which our Committee on Appropriations is bound to report. But I beg to recall to the attention of the House the fact that up to the present time both parties in the United States have favored this system of civil-service reform—the Democratic party in its platforms, National and State; the Republican party in its platforms, National and State; and the candidates of these leading parties by their letters of acceptance. And no one, so far as I know, has yet proposed to repeal the existing law.

I am not partial to this law, for reasons which I once gave in this House. But I will recall to the recollection of members the fact that when Mr. Pendleton's bill for the reform of the civil service came from the Senate, the House was about taking up some shipping matters in which we from New York were interested; and inasmuch as I knew that the civil-service law would pass, and that in passing it would divide both parties, there being men on both sides opposed to it and men on both sides in favor of it, I proposed (and Mr. Kasson, of Iowa, accepted the suggestion) that we vote at once upon the passage of that civil-service bill. So on the tidal wave of an emotion here that measure was placed on the statute-book. By that proposition, as I said at the time, and as the RECORD shows, I wished to get that question out of the way for matters of more importance. But I have always voted for appropriations to sustain this law so long as it remains on our statute-book; and I think it comes almost with ill grace from any one just now to propose a repeal of the law, when Republicans have had the benefit of it and when Democrats have been kept out of office by reason of it; when, as a Republican administration is now coming into power, the Republicans who have been appointed will have the advantage of the law, while if the law should be repealed the Democrats will lose the benefit of it.

Mr. CUMMINGS. I would like to call the attention of the gentleman to the fact that honesty is the best policy. [Laughter and applause on the Republican side.]

Mr. COX. In the old Saxon deeds——

Mr. BUTTERWORTH. This does not repeal the law——

Mr. COX. It kills it. [Laughter.]

The CHAIRMAN. The House will come to order.

Mr. COX. I have the floor. My colleague refers to the fact that honesty is the best policy. It used to be a badge of fraud for a man to write "honesty" in a deed too large. I do not believe in broadening our phylacteries. A great many men who profess to be so entirely honest should remember there are some quiet men who also are honest.

This Administration has not been satisfactory to everybody. Under Democratic administration there are complaints. I should like to show how our Democratic brethren executed it by reading from the statement made by Mr. Edgerton, the chief of the commission. He there shows how that law has been executed; and taking that statement I will vote for a repeal or modification of the law, but so long as the law remains I will endeavor to stand by the appropriation so the law may be carried out. I ask the Clerk to read what Mr. Edgerton says on that subject.

The Clerk read as follows:

[Baltimore Sun, December 3, 1888.]

"I think," said Judge Edgerton, "that Harrison will make a clean sweep of the commission. If he does not he will make a great mistake. The Civil-Service Commission is weaker now than it was two years ago. The policy pursued has brought the commission and its methods into disrepute, not only with the politicians, but with the general public as well. Wholesale examinations when the candidates have no chance whatever of securing an appointment do not

win friends. Bushels of examination-papers are stowed away in the cemetery. That is the name we give the room where the papers of candidates whose names have been on the eligible register for a year are placed. No man or woman whose papers are in that room has a word of praise for the commission. I believe in only as many examinations as are absolutely needed. I would not allow the law to be only a delusion and a snare. I would have it so that those examined and passed as eligible would have a reasonable chance for appointment. These are things Mr. Harrison will have to look out for. The civil service needs careful pruning. The present method of executing the law would drag down any administration. The only safe way is to get rid of us all and start afresh. For my part, I have had no voice in the councils of the commission. I am not responsible for the present condition of affairs. Why, we have no money whatever for printing. The $5,000 allotted us for the year was exhausted last summer. We are getting along as best we can, but you can see we have to husband our blanks and to refrain from doing anything that will occasion a printer's bill."

During the reading of the foregoing extract Mr. COX's time expired.

Mr. COX. I hope there will be no objection to allowing the reading of that statement to be completed.

Mr. TAULBEE. I ask by unanimous consent the time of the gentleman be extended so the reading of that statement may be completed.

There was no objection, and the reading was then concluded.

Mr. COX. I will say in conclusion that I hope my colleague [Mr. CUMMINGS], who desires to get rid of this civil-service law, will bring in a bill and test the sense of the House on that subject.

Mr. RANDALL. Let me say to the gentleman from New York [Mr. COX] that no expense of printing comes out of this appropriation. That comes out of the general fund for the Interior Department.

Mr. CHEADLE. Mr. Chairman, I should not speak at all on the pending question if it were not that a statement has been made which will go into the general history of the country charging that Col. W. W. Dudley was a fugitive from justice. I deny, Mr. Chairman and gentlemen of the committee, that he is or has been a fugitive from justice. In reply to the charge made I desire to state that he was for three and one-half years Commissioner of Pensions and moved his family to this city. Since his retirement from office he has resided here, so that he now is, and for nearly eight years has been, a resident of the District of Columbia, where, if he shall ever be guilty of violating any law of the United States, any process of the courts can reach him at his home as readily as it would if he was a citizen of Indiana and resided anywhere in that State.

So far as the election methods in Indiana are concerned, I desire to state as a native Hoosier and life-time Republican, familiar with the election methods of that State, on behalf of all the Republicans of Indiana, and also on behalf of my colleagues upon this floor as well as myself, that we court an investigation. We challenge gentlemen of the Democratic faith to open the books and institute a full, fair, and searching investigation of Indiana political methods. I say, Mr. Chairman, that if such an investigation shall be made it will not only inform the country of the use of money in that State, but the causes will be made apparent how and why, when the Republican Congressional majority in the State at the November election was nearly 5,000, only three Republican Congressmen were elected, while the Democrats, 5,000 in the minority, were able to return ten members to the Fifty-first Congress. For open and notorious violations of our election laws two prominent Democratic politicians are now in the State prison. Indiana Republicans have no cause to fear a searching investigation of election methods in that State.

Mr. CUTCHEON. Mr. Chairman, so far as the civil-service law is to-day a part of the statutes of the United States, the Civil Service Commission is a part of this Government. This commission was created and this law was passed by the concurrent action of both political parties. Both political parties in their platforms stand committed to its maintenance. Both political candidates in the late election were pledged to its enforcement. The Republican party, as a national party, stand pledged in good faith, and I trust they will maintain that good faith. If gentlemen on the other side of the House wish to go back on their platform and to repudiate the pledges of their candidates at the late election I cordially invite them to do so, but to do it in such manner the responsibility of their action can not be evaded.

Let it be done when there can be a yea-and-nay vote in the House and every member can be put upon the record. I do not think, sir, it is statesmanship nor that it is even decent politics to attempt to stab the civil service system by refusing this appropriation which will create a deficiency and in that manner retard its operations.

That is about all I desire to say. I trust that no gentleman on this side of the House will commit himself either by direction or indirection to the destruction of the usefulness of this commission, and especially that he will not do so by indirection. When the time comes that the American people desire a repeal of the law, let us introduce a bill for that purpose, and let the proper committee report it, and then after fair consideration, let the action upon it be recorded by a yea-and-nay vote, where each man can take his share of responsibility.

[Here the hammer fell.]

The CHAIRMAN. The time fixed for debate has expired. The question is on agreeing to the motion of the gentleman from New York to strike out the paragraph.

The question was taken; and upon a division there were—ayes 14, noes 97.

Mr. TAULBEE. No quorum.

Mr. RANDALL. I hope the gentleman will not insist upon that.

Mr. TAULBEE. If there can be an arrangement by which we may have a yea-and-nay vote in the House, I will withdraw the demand.

Mr. RANDALL. The opinion of the House is quite manifest from the vote just taken, and I have no authority to make any arrangement such as the gentleman suggests.

Mr. SPRINGER. We had a yea-and-nay vote at the polls in last November, and the people of this country have passed upon the question.

Mr. TAULBEE. Yes; and we "got left" because of this very kind of foolishness.

The CHAIRMAN. The point of order being made that no quorum has voted, the Chair will order tellers.

Mr. CUMMINGS and Mr. BUTTERWORTH were appointed tellers.

The committee again divided; and the tellers reported—ayes 25, noes 138.

So the motion to strike out was rejected.

Mr. TAULBEE. I ask unanimous consent that the amendment be reported to the House without recommendation.

Mr. RANDALL. I have no authority to agree to that [Cries of "Regular order!"]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. WILSON, of West Virginia, having taken the chair as Speaker *pro tempore*, a message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 2579) authorizing the President to appoint and retire Andrew J. Smith, late colonel of the Seventh United States Cavalry and a major-general of volunteers.

Also, that Mr. BLAIR and Mr. BATE had been appointed in place of Mr. SABIN and Mr. GEORGE managers at the conference on the part of the Senate on the bill (H. R. 8191) to enlarge the powers and duties of the Department of Agriculture, and to create an Executive Department to be known as the Department of Agriculture.

Also, that the Senate agreed to the amendments of the House of Representatives to the bill (S. 337) granting a pension to Mary E. Johnston.

And further, that the Senate disagreed to the amendments of the House to the bill (S. 3135) granting an increase of pension to Eliza J. Alexander, and agreed to the conference asked thereon, and had appointed Mr. SAWYER, Mr. DAVIS, and Mr. TURPIE managers on the part of the Senate.

LEGISLATIVE, ETC., APPROPRIATION BILL.

The Committee of the Whole resumed its session.

The CHAIRMAN. The Clerk will report the next paragraph.

The Clerk read as follows:

Division of stationery, printing, and blanks: For chief of division, $2,500; four clerks of class 4; two clerks of class 3; three clerks of class 2; two clerks of class 1; two clerks, at $900 each; two messengers; two assistant messengers; one foreman of bindery, at $5 per day; four binders, at $4 per day each; and one sewer and folder, at $2.50 per day; in all, $31,775.75.

Mr. RANDALL. I move to amend, in the nineteenth line, on page 27, by striking out the words "seventy-five" where they last occur and inserting "fifty."

The amendment was adopted.

The Clerk read as follows:

For purchase of horses and wagons, for office and mail service, to be used only for official purposes, care and subsistence of horses, including shoeing, and for wagons, harness, and repairs of the same, $4,000.

Mr. CLEMENTS. By instruction of the committee, I offer the amendment I send to the desk.

The Clerk read as follows:

On page 44, line 19, strike out the words "and for wagons."

The amendment was agreed to.

The Clerk read as follows:

Office of Publication of Records of the Rebellion: For one agent, $2,000; three clerks of class 4, two of whom shall be employed on the general index; three clerks of class 3; one clerk of class 2; three clerks of class 1; three copyists, at $900 each; one pressman and compositor, $1,200; one compositor, $1,000; one copy-holder, at $900; two assistant messengers; two watchmen; and one laborer, at $660; in all, $26,480.

Mr. RANDALL. I offer the amendment I send to the desk.

The Clerk read as follows:

On page 70, line 10, strike out the words "one copy-holder, at $900," and insert in lieu thereof the words "two copy-holders, at $900 each;" and in line 12, strike out the words "twenty-six thousand four hundred and eighty dollars" and add "twenty-seven thousand three hundred and eighty dollars."

The amendment was adopted.

The Clerk resumed and concluded the reading of the bill.

Mr. RANDALL. I move that the committee do now rise and report the bill as amended to the House.

The motion was agreed to.

The committee accordingly rose; and Mr. CRISP having taken the chair as Speaker *pro tempore*, Mr. BLOUNT reported that the Committee of the Whole on the state of the Union, having had under consideration

the legislative, executive, and judicial appropriation bill, had directed him to report the same favorably to the House with sundry amendments.

Mr. RANDALL. I ask that the vote be taken on all of the amendments together.

There being no objection, the amendments reported from the Committee of the Whole were considered, and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. RANDALL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. McMILLIN. I move that the House do now adjourn.

Mr. PEEL. I hope the gentleman will withhold that motion for a moment to permit me to present a conference report.

Mr. McMILLIN. I will withdraw the motion for that purpose.

CIVILIZATION OF THE CHIPPEWA INDIANS.

Mr. PEEL. I present a conference report, which I desire to have considered at this time.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7935) for the relief and civilization of the Chippewa Indians in the State of Minnesota, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with amendments as follows:

On page 2 of the amendment, lines 3 and 4, strike out the words "ratified by Congress" and insert in lieu thereof "approved by the President of the United States."

On page 2 of the amendment, lines 22, 23, and 24, strike out the words "after said agreements of cession shall have been ratified by Congress, and not before."

On page 6 of the amendment, line 4, insert, after "feet," the words "board measure of the pine timber thereon."

On page 6 of the amendment, line 15, insert, after "feet," the words "board measure of the pine timber thereon."

S. W. PEEL,
TH. R. HUDD,
KNUTE NELSON,
Managers on the part of the House.

H. L. DAWES,
F. B. STOCKBRIDGE,
Managers on the part of the Senate.

Statement of the managers on the part of the House of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7935) for the relief and civilization of the Chippewa Indians in the State of Minnesota as to the effect of the amendment recommended for concurrence and adoption.

The Senate amendment, though in the form of a substitute, is in substance and form really the House bill, with merely the following amendments and changes:

Section 1 of the House bill requires that the agreements for cession and relinquishment shall be approved by the Secretary of the Interior. By section 1 of the substitute, as modified by the agreement of the conferees, such approval is to be given by the President of the United States instead of the Secretary of the Interior.

Section 2 of the substitute only differs from section 2 of the House bill in increasing the pay of the commissioners to negotiate the agreements, take the census, and make the allotments provided for in the bill from $5 to $10 per day.

Section 3 of the substitute and the House bill is the same in both.

Section 4 of the House bill provides for the appointment of three examiners to examine, estimate, and appraise the timber lands, while section 4 of the substitute provides that the examiners shall only examine and estimate, but the appraisal shall be made by the Commissioner of the General Land Office under the direction of the Secretary of the Interior. Such appraisal, however, shall not be at a rate less than $3 per thousand feet board measure.

Section 5 of the bill and the substitute is the same in both, except that the substitute provides for more extensive advertisement of the public sale of the timber lands, and also provides for private entry at not less than the appraised value of such pine lands as are not sold at the public sale.

Section 6 is the same in both the bill and the substitute, except that the substitute increases the price of the homestead land from $1 to $1.25 per acre.

Section 7 is the same in both the bill and substitute, except that the substitute increases the interest on the permanent fund from 3 to 5 per cent. per annum, conformable to the universal custom with regard to Indian trust funds.

Section 8, the last in both the bill and substitute, is the same in both.

S. W. PEEL,
TH. R. HUDD,
KNUTE NELSON,
Managers on the part of the House.

Mr. BLOUNT. This is a matter of a good deal of importance, and it had better go over until to-morrow. I now move the House adjourn.

Mr. PEEL. I ask that the report of the committee of conference and the statement of the managers on the part of the House be printed in the RECORD.

Mr. BLOUNT. I do not object to that.

Mr. PAYSON. And that they shall be accompanied by the bill.

Mr. BLOUNT. I think it is but fair to the gentleman from South Carolina [Mr. TILLMAN], who desires to report an appropriation bill, that I should withdraw the motion to adjourn.

The SPEAKER *pro tempore*. Is there objection to the request that the bill, the report of the committee of conference, and the statement of the managers on the part of the House be printed in the RECORD? [After a pause.] The Chair hears none, and it is so ordered.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed, within sixty days after the passage of this act, to designate and appoint three commissioners, one of whom shall be a citizen of Minnesota, whose duty it shall be, as soon as practicable after their appointment, to obtain and acquire for the United States of America, from all the different bands or tribes of Chippewa Indians in the State of Minnesota, their complete cession and relinquishment in writing of all their title and interest in and to all the Indian reservations in the State of Minnesota, except the White Earth and Red Lake reservations, and to all and so much of these two reservations as is not required to make and fill the allotments hereinafter specified, for the purposes and upon the terms hereinafter stated; and such cession and relinquishment shall be deemed sufficient as to each of said several reservations if made and assented to by two-thirds of the male adults of the band or tribe of Indians occupying and belonging to such reservations; and for the purpose of ascertaining whether the proper number of Indians yield and give their assent as aforesaid, and for the purpose of making the allotments and payments hereinafter mentioned, the said commissioners shall, while engaged in securing such cession and relinquishment as aforesaid, and before completing the same, make an accurate census of each tribe or band, classifying them into male and female adults, and male and female minors; and the minors into those who are orphans and those who are not orphans, giving the exact numbers of each class, and making such census in duplicate lists, one of which shall be filed with the Secretary of the Interior, and the other with the official head of the band or tribe; and the acceptance and approval of such cession and relinquishment by the Secretary of the Interior shall be deemed full and ample proof of the assent of the Indians, and shall operate as a complete extinguishment of the Indian title, without any other or further act or ceremony whatsoever, for the purposes and upon the terms in this act provided.

SEC. 2. That the said commissioners shall, before entering upon the discharge of their duties, each give a bond to the United States in the sum of $10,000, with sufficient sureties, to be approved by the Secretary of the Interior, and conditioned for the faithful discharge of their duties under this act, and they shall also each take an oath to support the Constitution of the United States, and to faithfully discharge the duties of their office, which bonds and oaths shall be filed with the Secretary of the Interior. Said commissioners shall be entitled to a compensation of $5 per day for each day actually employed in the discharge of their duties, and for their actual traveling expenses and board, not exceeding $3 per day. Said commissioners shall also be authorized to employ a competent interpreter while engaged in the performance of their duties, at a compensation and allowance to be fixed by them, not in excess of that allowed to each of them under this act.

SEC. 3. That as soon as the census has been taken, and the cession and relinquishment has been obtained and approved, as specified in section 1 of this act, all of said Chippewa Indians in the State of Minnesota, except those on the Red Lake reservation, shall, under the direction of said commissioners, be removed to and take up their residence on the White Earth reservation, and thereupon there shall, as soon as practicable, under the direction of said commissioners, be allotted lands in severalty to the Red Lake Indians on Red Lake reservation, and to all the other of said Indians on White Earth reservation, as follows, heads of families and adults selecting for themselves, and the commissioners selecting for all minors: To each head of a family, male adult or orphan minor, 160 acres, and to all other persons, 80 acres each; and for the allotments so made as herein provided, certificates shall issue to the allottees, which certificates shall be of the legal effect, and declare on their face, that the United States does and will hold the land thus allotted for the period of fifty years, in trust for the sole use and benefit of the allottee, or his or her heirs, according to the laws of the State of Minnesota, and that, at the expiration of said period, the United States will convey, by patent in fee-simple, to the allottee, or his or her heirs as aforesaid, the land so allotted, discharged of said trust and free of all liens or incumbrances, which patents shall accordingly issue; and as soon as such allotments have been made and certificates issued therefor, the said Indians to whom such allotments have been made shall be deemed to be full citizens of the United States, and entitled to all the rights¹ privileges, and immunities of such citizens, and shall have the benefit of, and be subject to, the laws, both civil and criminal, of the State of Minnesota; and all allotments heretofore made to any of said Indians on White Earth reservation are hereby ratified and confirmed with the like tenure and condition prescribed for all allotments under this act: *Provided, however*, That the amount heretofore allotted to any Indian on White Earth reservation shall be deducted from the amount of allotment to which he or she is entitled under this act: *Provided further*, That any of the Indians residing on any of said reservations may, in his discretion, take his allotment in severalty under this act on the reservation where he lives at the time of the removal herein provided for is effected, instead of being removed to and taking such allotment on White Earth reservation: *Provided further*, That no allotments in severalty shall be made and no sales of the land had under the provisions of this act until three-fourths of the male adults of the Indians interested shall consent thereto, and the Secretary of the Interior shall prescribe rules and regulations by which said commissioners shall ascertain their wishes. And if the Indians residing on the White Earth reservation, including those removed thereto under provisions of this act, shall refuse to take land in severalty, then the said removed Indians shall be settled on said reservation in such manner as the Secretary of the Interior shall direct.

SEC. 4. That as soon as the cession and relinquishment of said Indian title has been obtained and approved as aforesaid, the Secretary of the Interior shall cause all and so much of said reservations as are not fully surveyed to be surveyed as Government lands are surveyed; and in making such surveys the surveyors shall carefully ascertain and note and return on the plat and in the field-notes all 40-acre or lesser subdivisions on which there is any pine timber standing or growing, and which tracts are for the purposes of this act termed pine lands; and upon the completion of such surveys the Secretary of the Interior shall cause each 40-acre or lesser subdivision of such pine lands not allotted as hereinbefore provided to be appraised by three competent men, to be appointed by him, which appraisal shall in no event be less than $3 per acre; said appraisers shall also, in respect to all portions of said reservations which have heretofore been fully surveyed, and are not allotted to the Indians under this act, make a careful examination of such portions, for the purpose of ascertaining and listing all 40-acre or lesser governmental subdivisions on which there is standing or growing any pine timber, and which tracts are, for the purposes of this act, termed pine lands, and which pine lands shall also be appraised by said appraisers, but not less than $3 per acre. All other lands on said reservations which are not pine lands as herein defined shall, for the purposes of this act, be termed agricultural lands. The compensation of said appraisers shall be fixed by the Secretary of the Interior, but shall in no event exceed in the aggregate $6 per day for each, including all expenses.

SEC. 5. That after the said pine lands have been surveyed, ascertained, listed, and appraised as aforesaid, the Secretary of the Interior shall, after having given two months' notice of sale through a newspaper of general circulation, published at St. Paul, Duluth, and Crookston, in said State, through the United States land officers for the district where the said lands are situated, offer for sale and sell the same at public auction, to the highest bidder for cash, in 40-acre or lesser subdivisions; but such sale shall not be for a less price than the

appraised value, nor shall more than one-tenth of said pine lands be disposed of in any one year, nor otherwise than in this act provided.

SEC. 6. That when any of the agricultural lands on said reservation not allotted under this act have been surveyed, the Secretary of the Interior shall give thirty days' notice thereof, through at least two of the principal papers published in the State of Minnesota, and at the expiration of said thirty days the said agricultural lands so surveyed shall be disposed of by the United States to actual settlers only, under the provisions of the homestead laws: *Provided*, That each settler under and in accordance with the provisions of said homestead laws shall pay to the United States for the land so taken by him the sum of $1 for each and every acre, in four equal annual payments, and shall be entitled to a patent therefor only at the expiration of five years from the date of entry, according to said homestead laws, and after the full payment of said $1 per acre therefor, and due proof of occupancy for said period of five years, and any conveyance of said lands so taken as a homestead, or any contract touching the same, prior to the date of final entry shall be null and void: *Provided further*, That any person who has not heretofore had the benefit of the homestead or pre-emption law, and who has failed from any cause to perfect title to a tract of land heretofore entered by him under either of said laws, may make a second homestead entry under the provisions of this act.

SEC. 7. That all money accruing from the disposal of said lands in conformity with the provisions of this act shall, after deducting all the expenses of making the census, of obtaining the cession and relinquishment, of making the removal and allotments, and of completing the surveys and appraisals, in this act provided, be placed in the Treasury of the United States to the credit of all the Chippewa Indians in the State of Minnesota as a permanent fund, which shall draw interest at the rate of 3 per cent. per annum, payable annually, for the period of fifty years after the allotments provided for in this act have been made, and which interest and permanent fund shall be expended for the benefit of said Indians in the manner following: One-half of said interest shall, during the said period of fifty years, except in the cases hereinafter otherwise provided, be annually paid in cash in equal shares to the heads of families and guardians of orphan minors; and one-fourth of said interest shall, during the same period and with the like exception, be annually paid in cash in equal shares to all other classes of said Indians; and the remaining one-fourth of said interest shall, during the said period of fifty years, under the direction of the Secretary of the Interior, be devoted exclusively to the establishment and maintenance of a system of free schools among said Indians, in their midst and for their benefit; and, at the expiration of the said fifty years, the said permanent fund shall be divided and paid to all of said Chippewa Indians and their issue then living, in cash, in equal shares. The United States shall, for the benefit of said Indians, advance to them as such interest as aforesaid, the sum of $90,000 annually, counting from the time when the removal and allotments provided for in this act shall have been made, until such time as said permanent fund, exclusive of the deductions hereinbefore provided for, shall equal or exceed the sum of $3,000,000, less any actual interest that may in the mean time accrue from accumulations of said permanent fund; the payments of such interest to be made yearly in advance, and, in the discretion of the Secretary of Interior, may, as to three-fourths thereof, during the first five years be expended in procuring live-stock, teams, farming implements, and seed for such of the Indians to the extent of their shares as are fit and desire to engage in farming, but as to the rest, in cash; and whenever said permanent fund shall exceed the sum of $3,000,000 the United States shall be fully reimbursed out of such excess, for all the advances of interest made as herein contemplated and other expenses hereunder; and as soon as the United States have been fully reimbursed for all the advances and expenses contemplated and incurred under this act, and the said permanent fund shall exceed the sum of $3,000,000, the Secretary of the Interior may, in his discretion, expend of such excess, not to exceed 10 per cent. thereof annually, for the benefit of said Indians, in the same manner and in like proportion as the interest of said permanent fund.

SEC. 8. That the sum of $150,000 is hereby appropriated, or so much thereof as may be necessary, out of any money in the Treasury not otherwise appropriated, to pay for procuring the cession and relinquishment, making the census, surveys, appraisals, removals and allotments, and the first annual payment of interest, herein contemplated and provided for, which money shall be expended under the direction of the Secretary of the Interior; a detailed statement of which expenses, except the interest aforesaid, shall be reported to Congress when the expenditures shall be completed.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. TILLMAN, from the Committee on Military Affairs, reported a bill (H. R. 11854) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1890; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. BUCHANAN. I reserve all points of order.

UNITED STATES PRISON.

Mr. STEWART, of Georgia. I am requested by the Judiciary Committee to ask unanimous consent that the 9th day of January be set apart for the consideration of a bill, the purpose of which is to establish a United States prison; and I hope that the request of the committee will be granted.

Mr. OUTHWAITE. While I am in favor of that bill, I will object.

Mr. WEAVER. I object.

ICE HARBOR IN QUINCY BAY.

Mr. ANDERSON, of Illinois. I ask unanimous consent to print a small petition in the RECORD.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Illinois to print a petition in the RECORD? The Chair hears none, and it is so ordered.

The petition is as follows:

QUINCY, ILL., *December* 10, 1888.

To the honorable Speaker and Congress of the United States of America in Congress assembled:

GENTLEMEN: The city council of the city of Quincy in session, having in view the good of this city and vicinity, and also having in view the great benefits that will accrue to the commerce of the Mississippi River as well as to this city by the proper development and improvement of Quincy Bay as an ice harbor, do respectfully request your honorable body to consider the necessity of an appropriation for the making of an ice harbor in Quincy Bay, and also for the improvement of the Mississippi River from the Des Moines Rapids to the mouth of the Illinois River, and that your honorable body will at this present session appropriate at least $500,000 for those improvements, and that at least $100,000 of it be expended in the making of an ice harbor in Quincy Bay.

Hoping this will meet your hearty approval,

E. J. THOMPSON, *Mayor*.
J. F. DUANT, *Alderman First ward*.
C. A. BABCOCK, *Alderman Second ward*.
G. H. WALLER, *Alderman First ward*.
T. H. SWIMMER, *Alderman Second ward*.
T. J. SHEA, *Fifth ward*.
J. F. FITZGERALD, *Alderman Fifth ward*.
JOHN NESSLER, *Alderman Third ward*.
HENRY PRANTE, *Fourth ward*.
FRANCIS WM. HECKENKAMP, *Alderman Third ward*.
JOHN H. FISCHER, *Alderman Fourth ward*.
A. C. BICKHAM, *Alderman Sixth ward*.
MICHAEL ARNOLD, *Sixth ward*.

Attest: J. F. WEMHOEVER, *City Clerk*.

JACOB ROGERS.

Mr. BUTLER, by unanimous consent, from the Committee on Pensions, reported back favorably a bill (H. R. 11624) to increase the pension of Jacob Rogers; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

And then, on motion of Mr. MCMILLIN (at 4 o'clock and 55 minutes p. m.), the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. G. A. ANDERSON: A bill (H. R. 11855) granting a pension to Miles McNiff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11856) for the relief of John A. Barton—to the Committee on Military Affairs.

By Mr. COMPTON (by request): A bill (H. R. 11857) for the relief of Franklin Rives and Wright Rives—to the Committee on Claims.

By Mr. FLOOD: A bill (H. R. 11858) for the relief of W. H. Huson—to the Committee on Claims.

By Mr. GALLINGER: A bill (H. R. 11859) granting a pension to Valentine M. Currin—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 11860) granting a pension to Henrietta Henne—to the Committee on Invalid Pensions.

By Mr. T. D. JOHNSTON: A bill (H. R. 11861) to place the name of James H. Tolly on the pension-roll—to the Committee on Invalid Pensions.

By Mr. LANDES: A bill (H. R. 11862) for the relief of Peter Helfman—to the Committee on Claims.

By Mr. STONE, of Kentucky: A bill (H. R. 11863) for the relief of Isaac Scisco—to the Committee on Military Affairs.

By Mr. STRUBLE: A bill (H. R. 11864) increasing the pension of Julia A. Ross—to the Committee on Pensions.

By Mr. VANDEVER: A bill (H. R. 11865) granting a pension to Maggie A. Auter—to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BAYNE: Petition of J. S. Borley and 20 others, and of J. J. Newcomer and 20 others, of Woodside, Pa., in favor of pure lard and food—to the Committee on Agriculture.

By Mr. HAYES: Petition of citizens of Muscatine, Iowa, in relation to the duty on tin-plate—to the Committee on Ways and Means.

By Mr. HERMANN: Petition of citizens of Siuslaw, Oregon, in favor of pure lard—to the Committee on Agriculture.

By Mr. CHARLES O'NEILL: Statement of Retired Medical Director W. S. W. Ruschenberger, United States Navy, to accompany House bill 11818—to the Committee on Naval Affairs.

By Mr. REED: Petition of J. P. Moody and 20 others, and of Roscoe G. Smith and 20 others, citizens of York County, Maine, in favor of pure lard and food—to the Committee on Agriculture.

By Mr. SENEY: Resolutions of the National Grange, Patrons of Husbandry, favoring House bills 11027 and 11226—to the Committee on Agriculture.

By Mr. WHEELER: Petition of John T. Lehmann, of Lauderdale, and of Jordan Peacock, of Jackson County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

The following petitions against the passage of the international copyright bill were received, and severally referred to the Committee on Patents:

By Mr. CUMMINGS: Of printers and others, of New York and Brooklyn.

By Mr. GIFFORD: Of the Argus-Leader Company, of Sioux Falls, Dak.

By Mr. HAYES: Of citizens of Delmar and of Clinton, Iowa.

By Mr. HOLMES: Of J. B. Swinburn, of Humboldt, Kans.; and of Hon. J. Fred. Meyers and Charles K. Meyers, of Denison, Iowa.

By Mr. MERRIMAN: Of printers, electrotypers, and others, of New York and Brooklyn.

By Mr. RICE: Of Edward C. Gattey, of Pine City, and of S. P. and J. W. Robie, of Rush City, Minn.

SENATE.

WEDNESDAY, *December* 19, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

PACIFIC COAST DEFENSES.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of June 11, 1888, such correspondence as has been found of record from April 15, 1861, to August 20, 1866, of the War Department with the division commanders of the Pacific and the department commanders of the Columbia and California, in relation to the subject of raising and organizing volunteer troops for the purpose of guarding the overland and inland mail and emigrant routes; which was read.

Mr. DOLPH. This communication is sent in response to a resolution which was introduced by myself. The correspondence is more voluminous than was anticipated. I move that the communication, with the accompanying papers, lie on the table for the present, to be called up at some future time by myself.

The motion was agreed to.

PETITIONS AND MEMORIALS.

Mr. BLAIR. I present a petition of the New Hampshire Baptist Convention, praying that commerce be so regulated between the United States and Africa as to prevent the exportation of all intoxicating liquors to be used among the inhabitants on the west coast of Africa, and especially in the Congo Free State. I move that the petition be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. BLAIR presented a petition of the Ladies' Art Association of New York City, praying for the continuance of the work begun by J. Schoënhof, consul at Tunstall, on "Technical Education in Europe;" which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. HOAR, from the Committee on the Judiciary, to whom was referred the bill (H. R. 10240) for the relief of J. Edwin Pilcher, asked to be discharged from the further consideration of the bill, and that it be referred to the Committee on Claims; which was agreed to.

He also, from the Committee on Claims, to whom was referred the bill (H. R. 10240) for the relief of J. Edwin Pilcher, reported it without amendment, and submitted a report thereon.

Mr. FAULKNER, from the Committee on Claims, to whom was referred the bill (H. R. 9211) for the relief of Jesse Durnell, asked to be discharged from its further consideration, and that it be referred to the Committee on Naval Affairs; which was agreed to.

Mr. WILSON, of Maryland, from the Committee on Claims, to whom was referred the bill (H. R. 6012) for the relief of A. P. Swineford, reported it without amendment, and submitted a report thereon.

Mr. JONES, of Arkansas, from the Committee on Claims, to whom was referred the bill (S. 3737) for the relief of Sterling H. Tucker and others, reported it without amendment, and on his motion it was referred to the Committee on the Judiciary.

Mr. TURPIE, from the Committee on Pensions, to whom was referred the bill (H. R. 9654) granting an increase of pension to Jesse J. Clark, reported it without amendment, and submitted a report thereon.

AMERICAN HISTORICAL ASSOCIATION.

Mr. EVARTS. I am instructed by the Committee on the Library, to which was referred the bill (H. R. 10323) to incorporate the American Historical Association, to report it with amendments, which are rather in reference to the exactitude of expression than otherwise. I ask that the bill may be put upon its passage. The Senate passed a bill at the last session equivalent to this, and the House has passed this bill. The changes here made, as will appear from the reading of the amendments which I send up, are merely as to the exactitude of phrases.

The PRESIDENT *pro tempore*. The Senator from New York asks that the bill just reported by him may be now considered.

Mr. EDMUNDS. Let it be read at length for information, with the amendments reported by the committee.

The PRESIDENT *pro tempore*. It will be read at length, with the amendments proposed by the committee, subject to objection.

The Chief Clerk read the bill as proposed to be amended.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill? If there be none, it is before the Senate as in Committee of the Whole, and, having been read at length, the amendments proposed by the committee will be stated.

The amendments reported by the Committee on the Library were, in line 9, after the word "created," to insert "in the District of Columbia;" in line 15, after the word "Columbia," to insert "so far only as may be necessary to its lawful ends;" in line 17, after the word "by-laws," to insert "not inconsistent with law," and at the end of line 18, before the word "hold," to strike out "shall" and insert "may;" so as to make the bill read:

Be it enacted, etc., That Andrew D. White, of Ithaca, in the State of New York; George Bancroft, of Washington, in the District of Columbia; Justin Winsor, of Cambridge, in the State of Massachusetts; William F. Poole, of Chicago, in the State of Illinois; Herbert B. Adams, of Baltimore, in the State of Maryland; Clarence W. Bowen, of Brooklyn, in the State of New York, their associates and successors, are hereby created in the District of Columbia a body corporate and politic, by the name of the American Historical Association, for the promotion of historical studies, the collection and preservation of historical manuscripts, and for kindred purposes in the interest of American history and of history in America. Said association is authorized to hold real and personal estate in the District of Columbia, so far as may be necessary to its lawful ends, to an amount not exceeding $500,000, to adopt a constitution, and to make by-laws not inconsistent with law. Said association shall have its principal office at Washington, in the District of Columbia, and may hold its annual meetings in such places as the said incorporators shall determine. Said association shall report annually to the Secretary of the Smithsonian Institution concerning its proceedings and the condition of historial study in America. Said Secretary shall communicate to Congress the whole of such reports, or such portion thereof as he shall see fit. The Regents of the Smithsonian Institution are authorized to permit said association to deposit its collections, manuscripts, books, pamphlets, and other material for history in the Smithsonian Institution or in the National Museum, at their discretion, upon such conditions and under such rules as they shall prescribe.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

BILLS INTRODUCED.

Mr. HAWLEY introduced a bill (S. 3740) authorizing the Secretary of War to purchase a lot in the city of Jacksonville, Fla., for military purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BLAIR (by request) introduced a bill (S. 3741) for an armored cruiser; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. BLAIR also (by request) introduced a bill (S. 3742) authorizing the construction of fortifications for New York, Boston, Charleston, S. C., San Francisco, and other ports, and for acquiring the plans, patents, machinery, and electrical apparatus by purchase, and for other purposes; which was read twice by its title.

Mr. BLAIR. I am not familiar with the bill, but the person who desires to have it introduced wishes it to be referred to the Committee on Military Affairs.

The bill was referred to the Committee on Military Affairs.

Mr. DAVIS introduced a bill (S. 3743) granting a pension to Mary Casack; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MANDERSON introduced a bill (S. 3744) granting a pension to Andrew J. Hodge; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HOAR introduced a bill (S. 3745) to grant a land-warrant to Mrs. Bridget Jefferson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HISCOCK (by request) introduced a bill (S. 3746) for the relief of Miss Eliza A. White; which was read twice by its title, and referred to the Committee on the Judiciary.

INTEROCEANIC CANALS.

Mr. EDMUNDS. I introduce a joint resolution, which I ask may be read at length and referred to the Committee on Foreign Relations.

The joint resolution (S. R. 122) declaring the sense of Congress in respect of the connection of European governments with interoceanic canals at the Isthmus of Darien and in Central America was read the first time by its title and the second time at length, and referred to the Committee on Foreign Relations, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Government of the United States will look with serious concern and disapproval upon any connection of any European government with the construction or control of any ship-canal across the Isthmus of Darien or across Central America, and must regard any such connection or control as injurious to the just rights and interests of the United States and as a menace to their welfare.

Resolved, That the President be, and he is hereby, requested to communicate this expression of the views of Congress to the governments of the countries of Europe.

CONSTRUCTION AND REPAIR OF VESSELS.

Mr. CHANDLER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy be directed to inform the Senate what sum remains unexpended of the appropriation of $825,000, made by appropriation act approved September 7, 1888, for the construction and repair of vessels and other purposes, under the Bureau of Construction and Repair, and whether or not that sum is sufficient for the remaining service of the current fiscal year, and if not, what further appropriation is required, and for the repair of what vessels it is needed.

Also, that said Secretary be directed to inform the Senate how much money has been expended for the construction of the armored turret-vessel Maine, the hull of which has been commenced at the New York navy-yard.

NEW YORK CUSTOM-HOUSE SITE.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be directed to communicate to the Senate copies of all advertisements which have been made for proposals for the site for the New York custom-house and buildings to be connected therewith, and to inform the Senate whether the size of such site so advertised for

as described and required in said advertisement is greater or less than that of the land now occupied by the United States for such purposes.

ANDREW M'DONOUGH.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War is directed to inform the Senate what is the date of enlistment and discharge of Andrew McDonough, late a soldier in a New York regiment in the Mexican war.

BRIDGES ACROSS THE TENNESSEE AND CUMBERLAND.

Mr. BLACKBURN. I ask the consent of the Senate to call up for consideration the bill (H. R. 10023) to authorize the Cairo and Tennessee River Railroad Company to construct bridges across the Tennessee and Cumberland Rivers.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment in section 4, line 17, after the word "be," to insert "commenced or;" so as to make the section read:

That any bridges authorized to be constructed under this act shall be built and located under and subject to such regulations for the security of navigation of said rivers as the Secretary of War shall prescribe; and to secure that object the said company or corporation shall submit to the Secretary of War, for his examination and approval, a design and drawings of the bridges, and a map of the location, giving, for the space of 1 mile above and 1 mile below the proposed location, the topography of the banks of the rivers, the shore-lines at high and low water, the direction and strength of the currents at all stages, and the soundings, accurately showing the bed of the stream, the location of any other bridge or bridges, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until the said plan and location of the bridges are approved by the Secretary of War the bridges shall not be commenced or built, and should any change be made in the plan of said bridges during the progress of construction such changes shall be subject to the approval of the Secretary of War.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

YOUNG'S BAY BRIDGE.

Mr. ALLISON. I move that the Senate proceed to the consideration of House bill 9051.

Mr. VEST. Mr. President——

The PRESIDENT *pro tempore*. Does the Senator from Iowa yield to the Senator from Missouri?

Mr. ALLISON. If it will take no time.

Mr. VEST. Will the Senator from Iowa permit me to make a motion to reconsider a bill which was passed yesterday?

Mr. ALLISON. Yes, sir.

Mr. VEST. I move to reconsider the vote by which the Senate passed yesterday the bill (S. 3645) granting to the Astoria and South Coast Railway Company the right to construct a bridge across Young's Bay, a navigable stream in the county of Clatsop and State of Oregon. If the Senator will indulge me in a brief statement, I will say that I reported the bill yesterday by inadvertence and under the impression that it had been passed upon by the committee, but after it was read at the desk I discovered many imperfections and defects in the bill. I ask now that the Senate reconsider its action in order to amend it and pass it in the amended form.

Mr. ALLISON. The Senator does not wish to have the bill passed this morning?

Mr. VEST. I have no interest in the matter. The Senator from Oregon [Mr. DOLPH] wants to have it passed, and I have no objection to its being passed in proper form.

Mr. DOLPH. The Senator from Missouri has the amendments prepared that he desires to offer?

Mr. VEST. Yes; I have the amendments ready.

Mr. DOLPH. It will take but a moment to amend the bill. The bill was read and passed yesterday.

Mr. ALLISON. If it takes no time I am willing to yield.

Mr. VEST. It is merely a formal matter.

The PRESIDENT *pro tempore*. If there be no objection, the votes by which the bill was ordered to a third reading and passed will be reconsidered. The Chair hears no objection, and the bill is before the Senate. The Senator from Missouri proposes certain amendments, which will be stated in their order.

The CHIEF CLERK. In section 1, line 11, after the word "not," it is proposed to strike out the word "unduly;" in line 13, after the word "be," to insert "according to such plans and of such materials and dimensions;" in lines 16 and 17, to strike out the words "by permanent embankment or otherwise," and insert "according to such plans and of such dimensions and materials and with such embankments and safeguards;" and in line 17, to strike out the word "approve," and insert "require;" so as to read:

That the Astoria and South Coast Railway Company, a corporation organized under the law of Oregon, with its principal office at Astoria, in the county of Clatsop, in the State of Oregon, is hereby authorized and empowered to construct a bridge across Young's Bay, a navigable stream in said county and State, at such point as the said company may select, and may be approved by the Secretary of War, with such channel-spans, draws, safeguards, and auxiliary works as shall cause the bridge not to obstruct or hinder the navigation of the waters crossed by it; and that said channel-spans and structures shall be according to such plans and of such materials and dimensions as the Secretary of War may prescribe; and also to construct, establish, and maintain a bridge across Skipanon Creek, in the county of Clatsop, in the State of Oregon, according to such plans and of such dimensions and materials and with such embankments and safeguards as the Secretary of War may require.

The amendment was agreed to.

The next amendment was, in section 1, after line 17, to add:

And the construction of said bridges shall not be commenced until the Secretary of War approves the plans and dimensions of the same.

The amendment was agreed to.

The next amendment was, in section 1, line 18, after the word "That," to strike out "said" and insert "if said bridges shall be constructed as draw-bridges, the;" so as to make the proviso read:

Provided, That if said bridges shall be constructed as draw-bridges, the draws shall be opened promptly upon reasonable signals for the passage of ships and boats, and in no case shall unnecessary delay occur; and said company shall maintain, at its own expense, from sunset to sunrise, such lights or other signals on said bridges as the Light-House Board shall prescribe.

The amendment was agreed to.

The next amendment was, in section 2, line 17, before the word "map," to strike out "a" and insert "an accurate;" in lines 19 and 20, to strike out the words "which map shall be on a scale of at least one to twenty thousand;" and in line 21, after the word "shall," to strike out "reasonably" and insert "accurately;" so as to read:

And to secure that object the said company shall submit to the Secretary of War, for his examination and approval, a design and drawing of such bridge across Young's Bay, and an accurate map of Young's Bay from the mouths of its navigable tributaries to the adjacent ship-channel, and whose topography of the shores and hydrography shall accurately represent the banks, the bottom, and steam-boat channels by contours of 6 feet, and which shall be accompanied by other maps, drawn to a scale of 1 inch to 200 feet, giving, within areas of one-fourth of a mile from each draw-span, an accurate representation of the bottom of the bay by contour lines 2 feet apart, determined by accurate soundings, and also showing the force and direction of the currents at each 2 feet of tidal stage, by triangulated observations on suitable floats.

The amendment was agreed to.

The next amendment was, after section 2, to insert a new section, as follows:

SEC. 3. That if other railroad corporations shall desire to use the bridges herein authorized to be constructed for the passage over the same of their locomotives, cars, or trains, they shall have such privilege upon terms to be agreed upon between such corporations and the owners or lessees of such bridges, and if the parties can not agree upon such terms then the matter shall be determined by the Secretary of War, whose decision upon the subject shall be final.

The amendment was agreed to.

The next amendment was to change section 3 to section 4, and to add at the end of the bill a new section, as follows:

SEC. 5. That if the construction of the bridges hereby authorized shall not be commenced within two years and finished within four years from the time this act takes effect, then all the privileges and powers herein granted shall cease and this act shall be null and void.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1786) to regulate appointments in the Marine-Hospital Service of the United States.

PUBLIC BUILDING AT SAN FRANCISCO.

Mr. SPOONER. If I may have the attention of the Senator from Iowa for a moment——

The PRESIDENT *pro tempore*. The Senator from Wisconsin has the floor in his own right.

Mr. SPOONER. I ask that the message from the House of Representatives relative to the public building at San Francisco be laid before the Senate.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the amendment of the House of Representatives to the bill (S. 1931) to increase the appropriation for the purchase of a site for a building for a post-office, court-house, and other offices in San Francisco, Cal.

The amendment of the House of Representatives was, in line 5, to strike out "$850,000" and insert "$650,000."

Mr. SPOONER. I move that the Senate non-concur in the amendment of the House of Representatives and request a conference on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. STANFORD, Mr. SPOONER, and Mr. VEST were appointed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 17th instant approved and signed the act (S. 3475) granting the use of certain lands in Pierce County, Washington Territory, to the city of Tacoma for the purposes of a public park.

The message also announced that the President had on the 18th instant approved and signed the act (S. 2040) to establish a land office at Folsom, in the Territory of New Mexico.

COMMITTEE ON APPROPRIATIONS.

Mr. ALLISON. I ask unanimous consent that the Committee on Appropriations may have leave to sit during the sessions of the Senate.

The PRESIDING OFFICER (Mr. PLATT in the chair). The Senator from Iowa asks unanimous consent that the Committee on Appropriations may have leave to sit during the sessions of the Senate. If there be no objection, that leave will be considered as granted.

THE REVENUE LAWS.

Mr. ALLISON. I move that the Senate proceed to the consideration of House bill 9051.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

The PRESIDENT *pro tempore*. The reading of the substitute reported by the Committee on Finance will proceed.

The Chief Clerk read as follows:

174. Gold-leaf, $2 per package of five hundred leaves.
175. Hollow-ware, coated, glazed, or tinned, 2½ cents per pound.
176. Lead.—Lead ore and lead dross, 1½ cents per pound: *Provided*, That lead ore containing silver or silver ore containing lead shall pay a duty of 1½ cents per pound.

Mr. REAGAN. I wish to ask the attention of the Senator who has the bill in charge to the provisions about the importation of lead and silver ores. I will state to him that there is a very extensive business now in the importation of ores which contain silver and lead, from Mexico to the port of El Paso, and there are two smelting establishments, which have been erected by enterprising gentlemen of that town, costing about $500,000, for the purpose of reducing those ores. They are then sent elsewhere for separation. The business is a growing and important business, and very many are interested in it with their capital.

I should be very glad, if there is no reason to the contrary, that these ores might be admitted free of duty. I do not know that there is any interest in this country that makes it necessary to exclude them. It is a profitable business to a portion of our people, a considerable trade is springing up in that direction, and it would be very much enlarged if it was relieved from the taxation that is now imposed upon it. I believe the committee propose to retain the same rate that has existed heretofore.

Mr. ALLISON. The Senator from Texas makes no motion, I believe, respecting paragraph 176. I will say to him that the commitee, on an examination of this subject, believed that lead ore coming in in connection with silver ores ought to pay the duty that other lead ore pays. That is all there is in this provision. I do not see why the smelters of silver ore should object to paying the duty which everybody else pays upon lead ore imported into this country. That is all there is in the question.

Mr. REAGAN. I made no motion, because I felt that it would be useless to submit a motion unless the proposition met with the approval of the committee which have the bill in charge.

Mr. TELLER. This is a matter of particular interest to the Northwest, where lead is produced. It was reported, and is no doubt true, that during the last year about 20,000 tons of lead ore came in from Mexico without paying any duty under the claim that it was silver ore. I am informed by those who have been to Mexico and have looked into this matter that the importation of lead ore under the claim that it is silver ore during the current year will probably be twice if not three times that of the former importations. This is a fraud on the revenue laws of the country.

They take pure lead ores that are worth little or comparatively little for silver and mix them with high-grade silver ores. They do not mix them exactly. They run in a car-load of high-grade silver ore with several car-loads of low-grade silver ore; that is, high-grade lead ore, but low in silver. The average of the three or four or five car-loads is what is taken, and if it is more valuable for silver than for lead the lead comes in free. So practically to-day the lead-miners of Mexico who are working the lead-mines of that country are importing their lead ore into this country free of duty.

The lead-miners of Mexico do not get a third of the wages received by the lead-miners of Colorado and Missouri and other sections of the Northwest where lead is produced. The great bulk of lead now produced is produced in the State of Colorado and the Territory of Montana and other Northwestern Territories. It is estimated that the silver-miners of Colorado lost last year not less than $800,000 by the free importation of lead ore. We have in Colorado a great number of silver-mines, so called, that can not be worked if the price of lead goes much lower than it is to-day. The lead is largely the profit in the works.

The committee have done well, in my judgment, in providing that lead ore which comes in under whatever claim shall pay a duty. There is no reason, and none can be given, why a cargo of lead ore, because it contains more in value of silver than it does of lead, should come in free. The silver comes in free, of course; there is no objection to that; but there is no reason why the lead ore should come in free from Mexico any more than it should come in free from Spain or any other country.

Mr. REAGAN. The Senator from Colorado will allow me to say that lead ore coming in containing silver, or silver ore containing lead, is by this clause to pay 1½ cents per pound. So silver does not come in free under this bill.

Mr. TELLER. There is nothing charged on silver. If a ton of lead ore is worth $40 of silver and $10 of lead, the duty is upon the $10 of lead; the silver comes in free.

Mr. REAGAN. That is not the way I understand it is to operate. However, I will not ask to detain the Senate now, but I will ask that this clause be passed over until I can prepare a proper amendment.

Mr. ALDRICH. It is not necessary to pass it over; the amendment can be moved at any time.

Mr. STEWART. I should like to have the attention of the Senator from Texas one moment with regard to this item. This will not be a tax upon silver, because the amount of silver in this ore adds very little to its weight per pound, and the tax is 1½ cents per pound. The fact that the ore contains silver will add very little to a pound of lead ore. It is the lead ore that has to pay the duty; the effect of the silver is imperceptible. So there is no duty upon silver practically, because its weight would be nothing. One cent and a half a pound would be a mere trifle on it.

I wish to say further with regard to this item that the existing law has not been executed and can not be executed without considerable expense. The Department has ruled, and the Committee on the Judiciary has sanctioned the ruling, that this importation is considered silver ore if it contains in it silver of more value than the lead, and it is considered lead ore if it contains more value in lead than in silver. This creates the necessity of establishing sampling works at all the points of importation in order to execute the law and so that it may be of any advantage.

No such sampling works have been established, and it is left to guess. It is entirely indeterminate. By looking at a cargo of ore you can tell nothing about its value. No sampling establishments have been erected at the points of importation to sample and assay the ore to determine which element it contains is of the greater value. The importers simply allege that the ore is more valuable in silver, and there may be a lump or two of ore taken out of the top of the car which contains more in value of silver, or there may be a car-load of silver ore that is used in convoy—that is, a car-load of silver ore that is conveyed in trains of lead ore, and it so happens that the lead ore comes in free. Very little, if any, duty is collected. At first we collected some duty on the lead ore, but latterly there has been a very large increase of importations and the article has come in free, as the record will show.

I have not the record at hand, but that is the fact. The increase of the importation of lead ore is very great, and it is destructive to silver-mining. In all the States and Territories where silver-mining is prosecuted there are mines containing both silver and lead. The cost of transportation from these places is very great, and they have no establishments there, and can not without great expense obtain them, to separate the lead from the silver, and in places where low-priced lead will not pay its transportation it is a very great detriment to both silver and gold mining, because you have a body of lead ore that you can not transport. It is so shipped from abroad that it destroys or embarrasses both gold and silver mining. In Utah they have a great deal of lead ore that contains both silver and gold, but the lead largely predominates, and when they smelt it, they have a large bulk of lead. If lead ore is so reduced in price that it will not bear transportation the result is to close down the silver-mines. It has closed down a great many silver-mines in my State and it is closing down silver-mines in Montana and Idaho and Utah, because the lead ore does not pay the cost of transportation. The reason is that both from the north and south of us lead is shipped in those forms under the head of silver ore in large quantities, bringing down the price of lead so low that it is a drug in the silver and gold mining regions; and this operates more injuriously than almost anything which you can conceive.

The mines of gold and silver are prosecuted so long as they pay anything; a very slight percentage stops the mining. All the mines will be conducted with the hope of doing better so long as they pay anything at all, so long as there is any mining, and even after the margin is lost. The low price of lead ore is reducing the margin and embarrasssing both gold and silver mining. The importation of the lead ore, if it did not affect the other mining, would not be so injurious.

Any amendment of the law that involves inspection, that involves sampling, puts the parties to considerable cost. It costs from 75 cents to $1.50 a ton to sample it. They have to unload to sample, and that may run it up to $2 a ton. This would make it very expensive to sample.

In order to execute the present law the ore must be sampled. Several of us have called upon the Secretary of the Treasury and suggested that this law must be executed, that cost what it might it must be executed and the ore sampled, and he has that matter now under consideration. It is a question of expense. The weight of the silver in the ore amounts to nothing.

The amendment of the law contained in this clause of the bill will cure the difficulty. It keeps it where it is now, and it will be enforced, and it is very important to the States and Territories that are engaged in mining that it should be enforced. Besides, it gives the ore a greater value to bear a portion of the transportation and not be a detriment and almost a hindrance to mining in the West.

Upon this question the miners in the West feel more interest than any other, not so much on account of the price of lead ore, but on account of the fact that they have the lead ore and can not get rid of it. The price is below the point of transportation, and they have to stop gold and silver mining to a great extent. This law can be executed, because you can tell at once without any expensive examination whether the article is lead ore containing silver, or silver ore containing lead. That can be easily ascertained.

It will save expense. If the present law is executed, as it can be by sampling works, the tariff on lead would be much higher than under the proposed law, because the importers would have to add the expense of sampling.

So I think the Senator from Texas, if he will consider it and examine it, will be willing to allow the provision to stand in the way it was at first.

Mr. REAGAN. Mr. President, the law as it now stands is that lead ore and lead dross shall pay 1½ cents per pound. The amendment to it now proposed by this bill is:

Lead ore and lead dross, 1½ cents per pound: *Provided*, That lead ore containing silver or silver ore containing lead shall pay a duty of 1½ cents per pound.

In the presentation of this question by the Senator from Colorado [Mr. TELLER] and by the Senator from Nevada [Mr. STEWART] it is suggested that the duty on silver in this would be unimportant, that it is substantially free. If, then, we strike out the proviso and let the law stand as it is, we can collect the duty on lead ore and lead dross, and leave silver free. I will ask the judgment of the Senate on striking out the proviso.

I mention, however, that as it stands now the ad valorem duty, as it appears by the calculation here, under the existing law, on lead ore and lead dross is 59.27 per cent.; under the House bill it would be 29.63; under the Senate bill lead ore and lead dross and lead ore containing silver and silver ore containing lead would be 59.27 per cent. So it will be seen that the Senate proposition is much more onerous on the importation of lead ore containing silver and silver ore containing lead than the existing law, and doubly more onerous than under the proposition contained in the House bill.

With a view of getting the sense of the Senate upon that and in order that we may not embarrass this industry too far, and as I am informed by the Representative from that district there is $500,000 invested in smelting establishments at El Paso now—to avoid breaking up that industry, because I am advised that the Senate amendment will break it up, I will move to strike out the proviso to the Senate amendment and ask the judgment of the Senate upon it.

The PRESIDENT *pro tempore*. The amendment will be reported.

The CHIEF CLERK. It is proposed to strike out the proviso from line 745 to line 747, as follows:

Provided, That lead ore containing silver or silver ore containing lead shall pay a duty of 1½ cents per pound.

Mr. STEWART. I will say in regard to the establishments referred to that they have been erected because this law has not been enforced, because all the lead ore has come in free, convoyed by silver ore. I have called the attention of the Department to it frequently. They have established no means to ascertain whether the lead predominates in value or not. They have that now finally under consideration. Whether they will do anything or not I do not know. It would be considerable expense and trouble to execute the law. The non-execution of it has caused the erection of these works along the line to work lead ore. If the law was executed and each cargo sampled, these establishments would never have been put up. They are put up because there is no duty on the lead ore, owing to the way the law is executed; and this clause does not increase the duty on lead ore at all. It simply makes it easy to execute the law. If these works are established for smelting lead it leaves them just where they are. The duty on lead ore by the Senate bill is precisely the same as it was before—1½ cents a pound. The old law was not executed; this can be.

Mr. REAGAN. The Senator will allow me to say that I am not very well informed upon the subject, but I understand that the chief importance in this importation is the silver ore that has lead in it. The chief importance of the importation is the silver.

Mr. STEWART. It happens that the lead ore is of chief importance to these smelting establishments, and it is brought in for the purpose of smelting the lead. The Mexican people understand how to reduce silver ore as well as we do. They will reduce it at home; they will not bring it here for reduction. It is the lead ore and the silver combined that are sent here. The lead brought into the smelting works of this country is not used for the purpose of working silver ore. The Mexicans understand how to work silver ores that can be amalgamated as well as we do, and they work them cheaper; but it is the lead ore that is brought into this country for the purpose of working up the lead ores.

Mr. REAGAN. Now, if the Senator will pardon me, I can not conceive, while I do not know the fact, that lead ore and lead dross would be made a subject of import by railroad transportation unless there was a very large amount of silver in it.

Mr. STEWART. The lead ore is valuable, and is brought in here and it is worked with cheap labor. It is valuable here for the purpose of using it in smelting works to work other ores with, but it does not add anything. The weight of the silver does not amount to anything; it is unappreciable. This provision simply enables us to have the law executed, which we have not had; but we have had a great many mines all over the country closed down for the want of the enforcement of this law. It is too difficult to enforce. If the Senator's amendment prevails, then we shall have the same question, whether the ore contains greater value in lead or greater value in silver. It is very complicated, and it is very difficult to determine the fact.

Mr. TELLER. I wish to state to the Senator from Texas that of the large amount of lead produced in this country 85 per cent. is produced in what are called the silver mines. The reduction in the price of lead which has occurred recently is largely the result of this importation, which has made the lead product a trifle more than the demand in this country, and only a trifle more, and has reduced the price to such an extent that a large number of silver mines are to-day practically closed, waiting for an advance in the price of the lead product.

Leadville, that produces at least $8,000,000 or $10,000,000 of silver a year, produces also a large amount of lead; and many of the most profitable mines have been worked in connection with the lead ore. More than one mine is to-day, if not absolutely closed, running on short time, waiting for an advance in the price of lead. If this lead-ore importation increases next year, as is believed by the people who have gone to Mexico and examined the question—and I have conversed with some gentlemen who have taken the pains to go from the State of Colorado to Mexico to see what the lead product will be—it will be at least twice what it was last year, or 40,000 tons. I am told by those who ought to know that the amount will be 80,000 tons. That means the entire prostration of the lead industry in the United States; it means the closing of the silver mines of Montana and the silver mines of Colorado and of Utah and of Idaho, and the entire closing of every common lead-mine in the United States.

Everybody who is familiar with this question understands that we can not compete with Mexican labor in the production of lead. In the mining camps of the United States we pay the largest labor prices in the world. A common laborer gets from three to four times as much as the same class of labor gets in Mexico, and more than twice as much as he gets in any other part of the United States.

Some Senator inquires what the laborers get a day. They get from two and a half to four dollars a day. A common miner gets $4 a day who works in the mine. The men who work on top of the mine, at the mouth of the pit, and do a great many outside jobs, get from $1.75 to $2.50; but the miner who works in the mine, who mines the silver or lead itself, gets from $3.50 to $4 a day. We can not compete with the cheap labor of other countries in mining.

There has been no complaint of the price of lead. The consumption of lead in this country until recently has just about equaled its production, so that we have had no lead to send abroad, but we have bought a little lead all the time from foreign countries. If this is continued we shall have a surplus of lead in this country. We can not export lead. Everybody knows that we can not come in contact with the lead-mines of Germany and their low wages. We can not come in contact with the lead-mines of Spain, where they pay but 40 cents a day to the laborer, who in Colorado gets $3, $3.50, or $4 a day.

Everybody understands that this lead can come as ballast from any seaport in Spain and be laid down in any of our Atlantic seaports without a single cent of charge; and when lead goes down, as it will go down under this importation from Mexico, the result is to close the silver-mines of the United States, for nearly all the silver in this country comes in connection with lead and nearly all the lead comes in connection with silver, or at least 85 per cent. of the 155,000 tons that we mined last year came from silver. That means the closing of the silver-mines. It means the reduction of the silver product of this country and the gold product, too, because from all the silver-mines more or less gold comes out in connection with the silver. These three things go together—lead, silver, and gold. Of course some of the mines are gold-mines and have no connection with silver, but the gold-mines of Nevada in particular are connected with silver-mines.

This is a matter of especial interest to the mining regions of this country, which are rapidly being developed, and it is a blow at them. I do not think the Senator from Texas is justified in his position on the ground that somebody has built smelting works at El Paso. The owners of those works can still continue to smelt, and if the foreigners will send in the Mexican silver ores that do not contain lead, of which there is a great amount in Mexico, they will come in free as they do now. There is no duty on the silver ore. If we should import silver ore containing 32 ounces to the ton, which is good ore, it would have 2 pounds only of silver. If it ran to $50 a ton, it would be practically imperceptible. So when you come to weigh up this ore the silver does not

amount to anything; it is imperceptible in the calculation. There is no reason why $25 worth of lead ore should come in free because there happens to be $26 worth of silver connected with it. It is an evasion of the law, and, in my judgment, it is a misconstruction of the law. This ruling was made years ago, when there was no practical question presented by it, when the total importation of lead in a year would not have amounted, I suppose, to 100 or 500 tons in connection with silver ore. Now it has grown up to 20,000 tons. It will be 40,000 tons this year, and 80,000 next, if not 80,000 this year. So it is a matter of very vital importance to us in the Northwest.

Mr. REAGAN. I dislike to detain the Senate, but I do desire to say a word more.

I do not see the danger to the mining interests of the United States which seems to occur to the Senator from Colorado and the Senator from Nevada. When we consider the amount of lead which is mined—and that is the burden of their argument—the amount which may come in through the port of El Paso by railroad transportation is quite unimportant in reference to the aggregate amount that is mined in the United States, and when it is understood that the transportation of these ores by railroad, especially if they are not rich in silver, to the place of reduction in the territory of the United States is itself a percentage of cost against that description of labor, which would necessarily exclude it on account of the cheapness of lead unless there is a large per cent. of silver in it. So that I do not think there is any great danger to the interests of American miners to permit the law to stand as it is, with 1½ cents per pound tax upon lead ore and lead dross. That is the law at present, and certainly with the price of lead that is a very high duty. It is set down in this table as an ad valorem duty of 59.21 per cent. That would be the same under the Senate bill, except that it is extended to lead ores which contain silver and to silver ores which contain lead.

It has been one of the arguments in favor of the protective policy that when industries have grown up under it we should be careful not to destroy them by violent changes. We are advised that this change of the law will destroy an established business, for I have informed Senators that I learned from the Representative of that district that smelting establishments valued at $500,000 have been erected for the purpose of reducing these ores. This industry is to be destroyed and that capital destroyed if this amendment proposed by the Senate is adopted.

By the reasoning which is employed in vindication of the protective policy, we ought not to make so violent a change of the law as to destroy an industry; and I submit that there can be no danger to the interests of American miners and it would be fair and just to those who have invested their capital in view of the fact that the ores which come in have to meet the expense of transportation from the Mexican territory to the territory of the United States.

Mr. COKE. Mr. President, to allow the law to remain as it is, as it would do if the amendment of my colleague shall prevail, will leave this subject—the importation of lead ore and lead dross—in full harmony with the plan and theory of this bill. "Lead in pigs or bars" under the existing law pays a duty of 2 cents per pound; under the Senate bill, 2 cents per pound. "Lead in sheets, pipes, or shot," under existing law pays 3 cents per pound, and 2½ cents per pound under this bill. Now I submit, Mr. President, that 1½ cents per pound for lead ore and dross is fully as high, is indeed a higher duty than 2 and 3 cents per pound for the refined article, for the reduced article, and I submit that it is in harmony with the theory of the Senate bill that the importation of that upon which labor must be expended shall be encouraged. When the lead ore and the lead dross is brought into this country American labor must take hold of it, must purify it, and make it marketable. As my colleague has stated, there is an establishment at El Paso erected for the purpose of doing that thing with lead ore and lead dross imported from Mexico. To so legislate as to destroy the business of that establishment will be destructive to that extent not only of individual interest, but of the theory of the bill, which professes to encourage and protect American labor. It is the labor that is expended upon this item of importation after it reaches this country which brings it within the protective favor of this bill, and I insist that the duty assessed upon it when it comes into this country is a greater duty in proportion than that levied upon the reduced or the pure article of lead.

I submit to the gentlemen on the other side that they will do violence to the theory of their own bill if they raise the duty upon lead dross and lead ore which must be taken hold of by American labor when it gets here and leave the duty on the article ready for market as it now stands, and I hope that they will be willing to leave the law as it now is.

Mr. STEWART. Mr. President, what we want is a mode of enforcing the duty that is now levied. No duty at all is now collected on the lead ore practically. It comes in free as silver ore. Silver ore is on the free-list. There is a duty of 1½ cents a pound on lead ore. The Treasury Department holds that if there is greater value in the ore of silver than of lead ore, then it comes in free as silver ore, and in the absence of sampling works the importer says what he pleases about it, and he brings it all in free practically. That is the practical working of it, and I am familiar with it. I have been working on it for a year.

There is another clause in the law which I called the attention of the Secretary to, under which he might have imposed a duty. It is the clause in the existing law which says:

> Mineral substances in a crude state and metals unwrought, not specially enumerated or provided for in this act, 20 per cent. ad valorem.

I suggested that lead and silver ores, or lead, gold, and silver ores that were in combination might come in under this general provision. The reply was that it had already been decided that they were specially provided for, and consequently the Secretary of the Treasury would not impose the duty under that head. Then, I have urged upon him that he must ascertain which metal in a given quantity of ore was in the greatest value. That he will probably not do; if he does, it will cause an expense of from $1 to $2 a ton to load and unload and sample the ore. That would be a considerable tax, so he lets it all in free.

This bill simply imposes a duty of 1½ cents a pound, which the law now does, upon lead ore, and the only addition to it is the weight of the silver, which amounts to nothing if it happens to have silver in it. Practically, however, it is no change in the law, but it is making it possible to execute it.

As to this new industry that is said to have grown up, it has grown up with the knowledge that there was a duty of 1½ cents a pound on lead ore and with the further knowledge that that duty was not collected. It is not collected now. All we want is to have it collected. That industry has sprung up to the destruction of much larger industries. The gold and silver mines, take the Eureka for instance, are about equal in value in gold and silver, and they contain lead enough for smelting purposes. Then the ore has got to be transported at great expense. Then there are mines in the interior, away from the railroads, and the product has to be hauled by teams and sometimes packed on mules; and if the lead ore is worth nothing it prevents the mining of gold and silver to a very alarming extent.

The depreciation of silver has closed down a very large number of mines, but this cheap lead ore that will not pay the cost of transportation is the last straw that is breaking the camel's back. There was a delegation here from Montana a few days ago, who said they would have to close down a large number of silver-mines if they could not get a different construction of the law. Many of the leading men of Montana were here. There has been a delegation here from Utah. There has been a vast amount of money invested in establishments in Utah, and the whole prosperity of that Territory, as far as mining is concerned, depends on working these lead ores. They can not work their silver or gold mines without them.

You are breaking up industries all over the country; you are throwing twenty men out of employment, yes, fifty or one hundred men out of employment, where you will employ one in these reduction works, and from all over the country there have been protests and letters and discussions over this subject for the last two years, since this large importation commenced, and it is increasing largely. It is perfectly alarming. There will be lead enough produced in this country, so that the price will not go up materially, but we want to keep the price up sufficiently so that the ore will bear transportation. As I have said, the present system is perfectly destructive. The rate proposed in the bill is not a perceptible increase of the present duties if they could be collected.

The PRESIDING OFFICER (Mr. PLATT in the chair). The question is on agreeing to the amendment proposed by the Senator from Texas [Mr. REAGAN].

Mr. REAGAN. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. CAMERON (when his name was called). I am paired with the Senator from South Carolina [Mr. BUTLER].

Mr. HALE (when his name was called). I am paired with the Senator from Kentucky [Mr. BECK].

Mr. HAWLEY (when Mr. PLATT'S name was called). My colleague [Mr. PLATT] on this question is paired with the Senator from Missouri [Mr. COCKRELL].

The roll-call was concluded.

Mr. KENNA. I am paired on all questions with the Senator from Minnesota [Mr. SABIN].

Mr. FAULKNER. I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. EDMUNDS. Has a quorum voted?

The PRESIDING OFFICER. A quorum has not yet voted.

Mr. EDMUNDS. I am paired with the Senator from Alabama [Mr. PUGH], but with the right in respect to each of us to vote when it is necessary to keep up a quorum of the Senate. I am detained downstairs nearly all the time in the work of a select committee of the two Houses concerning the Aqueduct tunnel, but as I understand it is necessary to vote in order to make a quorum, I vote "nay."

Mr. PADDOCK (when his name was called). I am paired with the Senator from Louisiana [Mr. EUSTIS]. I do not see him present, and therefore I withhold my vote.

Mr. TELLER. My colleague [Mr. BOWEN] is paired with the Senator from South Carolina [Mr. HAMPTON].

Mr. WALTHALL. My colleague [Mr. GEORGE] is paired with the Senator from New Hampshire [Mr. BLAIR].

Mr. ALLISON. I have a pair with the Senator from New Jersey [Mr. MCPHERSON], but having voted, I will transfer that pair, having authority to do so, to the Senator from Virginia [Mr. RIDDLEBERGER].

Mr. PLUMB. I am paired with the Senator from Missouri [Mr. VEST].

The result was announced—yeas 18, nays 23; as follows:

YEAS—18.

Bate,	Colquitt,	Ransom,	Voorhees.
Berry,	Daniel,	Reagan,	Walthall,
Blackburn,	Jones of Arkansas,	Saulsbury,	Wilson of Md.
Blodgett,	Pasco,	Turpie,	
Coke,	Payne,	Vance,	

NAYS—23.

Aldrich,	Edmunds,	Manderson,	Stanford,
Allison,	Farwell,	Mitchell,	Stewart,
Chace,	Frye,	Morrill,	Stockbridge,
Chandler,	Hawley,	Palmer,	Teller,
Dawes,	Hiscock,	Sawyer,	Wilson of Iowa.
Dolph,	Hoar,	Spooner,	

ABSENT—35.

Beck,	Davis,	Hampton,	Platt,
Blair,	Eustis,	Harris,	Plumb,
Bowen,	Evarts,	Hearst,	Pugh,
Brown,	Faulkner,	Ingalls,	Quay,
Butler,	George,	Jones of Nevada,	Riddleberger,
Call,	Gibson,	Kenna,	Sabin,
Cameron,	Gorman,	McPherson,	Sherman,
Cockrell,	Gray,	Morgan,	Vest.
Cullom,	Hale,	Paddock,	

So the amendment was rejected.

Mr. REAGAN. It may be, Mr. President, that the amendment was voted against because of the difficulty of executing a law in the same terms with the present law upon this subject. In order to obviate that difficulty, I will move to amend by proposing the same provision that was adopted by the House committee, a duty of three-fourths of a cent a pound on importations of this kind. That will still make the law more onerous than it is at present, because, as gentlemen say, these things have been imported substantially without duty, but it will impose a duty of 29.46 per cent. Substantially that would make a duty of 30 per cent. upon all these ores. When we consider the weight of these ores, the amount of waste matter that is in them, and the fact that they have to be transported by railroad a considerable distance to the place of reduction, it will be seen that 30 per cent. is a very high rate of duty. I mean, considering the great weight of the ores and their small value, and the fact that they have to stand first a tax by railroad transportation before they reach the United States, this duty is very high.

I should be glad if the Senate would sustain the amendment to place this duty at three-fourths of a cent a pound, which is substantially 30 per cent. ad valorem, instead of 1½ cents a pound, which is substantially 60 per cent. ad valorem.

The PRESIDING OFFICER. The proposed amendment will be stated.

The SECRETARY. In paragraph 176, line 744, after the word "dross," it is proposed to strike out "one and one-half," and insert "three-fourths of one;" so as to read:

Lead ore and lead dross three-fourths of 1 cent per pound.

The PRESIDING OFFICER. The question is on the amendment.

Mr. REAGAN. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

The roll-call was concluded.

Mr. CULLOM. I am paired with the junior Senator from Delaware [Mr. GRAY]. If he were present, I should vote "nay."

Mr. EDMUNDS. May I ask the advice of the Chair whether a quorum has yet voted?

The PRESIDING OFFICER. It has not.

Mr. EDMUNDS. Then, recurring to what I stated in regard to my pair with the Senator from Alabama [Mr. PUGH], I vote "nay."

Mr. DAVIS. My colleague [Mr. SABIN] is paired with the Senator from West Virginia [Mr. KENNA].

Mr. PADDOCK. I am paired with the Senator from Louisiana [Mr. EUSTIS]. If he were here, I should vote "nay."

Mr. PASCO. I am paired with the Senator from Illinois [Mr. FARWELL].

Mr. EVARTS. I am paired with the Senator from Alabama [Mr. MORGAN], and withhold my vote on that account.

Mr. VEST. I have a general pair with the Senator from Kansas [Mr. PLUMB]. If he were present, I should vote "yea."

Mr. CULLOM. The senior Senator from Pennsylvania [Mr. CAMERON] is paired with the senior Senator from South Carolina [Mr. BUTLER].

Mr. TELLER. My colleague [Mr. BOWEN] is paired with the Senator from South Carolina [Mr. HAMPTON].

Mr. HARRIS Is the senior Senator from California [Mr. STANFORD] recorded as voting?

The PRESIDING OFFICER. He is.

Mr. HARRIS. My impression is that the Senator recorded his vote thoughtlessly. I have understood all along that the two Senators from California were paired with each other.

Mr. STEWART. The junior Senator from California [Mr. HEARST] is in favor of this duty to my certain knowledge. He takes a large interest in it.

Mr. HARRIS. Then I am not mistaken in the fact that the two Senators from California are paired, but the senior Senator from California [Mr. STANFORD] is voting on information that he has as to the views of his colleague on this question.

Mr. STEWART. On this question they would both vote alike.

Mr. HARRIS. I simply did not know. I thought perhaps the senior Senator had forgotten the pair.

Mr. CULLOM. I desire to state that the Senator from Nevada [Mr. JONES] is absent. I think he is not paired, and hence I may state that he may be considered as paired with the Senator from California [Mr. HEARST].

Mr. STEWART. Oh, no; they agree on this question.

Mr. CULLOM. I do not mean that they are paired on this, but on other questions where they would vote differently.

The result was announced—yeas 14, nays 21; as follows:

YEAS—14.

Bate,	Coke,	Jones of Arkansas,	Voorhees,
Berry,	Colquitt,	Ransom,	Walthall.
Blackburn,	Daniel,	Reagan,	
Blodgett,	Harris,	Vance,	

NAYS—21.

Aldrich,	Edmunds,	Mitchell,	Stockbridge,
Allison,	Frye,	Morrill,	Teller,
Chace,	Hawley,	Palmer,	Wilson of Iowa.
Davis,	Hiscock,	Sawyer,	
Dawes,	Hoar,	Stanford,	
Dolph,	Manderson,	Stewart,	

ABSENT—41.

Beck,	Evarts,	Jones of Nevada,	Riddleberger,
Blair,	Farwell,	Kenna,	Sabin,
Bowen,	Faulkner,	McPherson,	Saulsbury,
Brown,	George,	Morgan,	Sherman,
Butler,	Gibson,	Paddock,	Spooner,
Call,	Gorman,	Pasco,	Turpie,
Cameron,	Gray,	Payne,	Vest,
Chandler,	Hall,	Platt,	Wilson of Md.
Cockrell,	Hampton,	Plumb,	
Cullom,	Hearst,	Pugh,	
Eustis,	Ingalls,	Quay,	

The PRESIDING OFFICER. No quorum having voted, the Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Daniel,	Hoar,	Sawyer,
Allison,	Davis,	Jones of Arkansas,	Stewart,
Bate,	Dawes,	Manderson,	Stockbridge,
Berry,	Dolph,	Mitchell,	Teller,
Blackburn,	Edmunds	Morrill,	Turpie,
Blair,	Evarts,	Paddock,	Vance,
Blodgett,	Farwell,	Palmer,	Vest,
Call,	Faulkner,	Pasco,	Voorhees,
Chace,	Frye,	Payne,	Walthall,
Cockrell,	Hale,	Platt,	Wilson of Iowa,
Coke,	Harris,	Plumb,	Wilson of Md.
Colquitt,	Hawley,	Ransom,	
Cullom,	Hiscock,	Reagan,	

The PRESIDING OFFICER. Fifty Senators having responded to their names, more than a quorum, the Secretary will again call the roll upon the amendment proposed by the Senator from Texas [Mr. REAGAN].

Mr. REAGAN. As another vote will not change the result, to avoid delaying the Senate, I ask leave to withdraw the call for the yeas and nays.

The PRESIDING OFFICER. The Senator from Texas asks consent to withdraw the call for the yeas and nays. There being no objection, the call is withdrawn, and the amendment is disagreed to.

Mr. VOORHEES. I have some remarks to make which I presume would be as suitable at this time as any other, and unless it is infringing upon the purpose of some Senator I will proceed now.

The PRESIDING OFFICER. There is no motion before the Senate. The Senator from Indiana asks unanimous consent to submit some remarks upon the bill, as the Chair supposes, at this time.

Mr. VANCE. I desire to make a motion to amend the bill, in paragraph 177, line 750, by striking out the word "two" and inserting "one and one-fourth."

The PRESIDING OFFICER. We have not reached that point. The Secretary will proceed with the reading of paragraph 177.

The Secretary read as follows:

177. Lead in pigs and bars, glaziers' lead, lead wire, molten and old refuse lead run into blocks and bars, and old scrap-lead fit only to be remanufactured, 2 cents per pound.

Mr. VANCE. In line 750, I move to strike out the word "two" and insert "one and one-fourth," so as to make the rate of duty 1¼ cents per pound.

Mr. VOORHEES. Mr. President, the measure under consideration, for many reasons, must challenge peculiar attention and close scrutiny. The strange manner of its appearance here, its late and halting entrance upon the stage of legislative existence, and the palpable rôle it was designed to play as a factor of public deception at the close of a heated political contest, all combine to invest it with much more than an ordinary interest. Sir, it is not of natural birth. It was conceived in dread and fear of an awakening and inquiring public opinion on the subject of unjust, oppressive, and dishonest taxation, and it was born amidst plots, plans, and conspiring councils engaged in considering, not the general welfare, not the reduction of taxes, the overthrow of monopolies, nor the relief of labor, but simply the methods, however dark and desperate, of temporary political success. It is the offspring of the secret caucus conclave where the rights of the people are so often betrayed behind bolts and bars and guarded doors.

The country will not soon forget the extraordinary features of the long session of the Fiftieth Congress. The great issue of tariff reform had been announced by the President in the bold, manly accents of truth and patriotism, and on the 21st day of July last the House of Representatives, after a discussion which will live in history because of its commanding ability and wide research, sent to this body its famous bill "to reduce taxation and simplify the laws in relation to the collection of the revenue." And then until about the 1st of October, a period of more than two months, the party in the majority on this floor and in committee took exclusive possession of the vast questions embraced in the bill which came from the House.

Days, weeks, and finally months, passed before a Senator on this side of the Chamber, whether a member of the Finance Committee or not, was allowed to know a single provision of this substitute, so suspiciously concocted in the dark and now being hurried through the Senate as if to avoid exposure. No newspaper had access to a copy of this far-reaching measure until within little more than thirty days before the election, which was, ostensibly at least, to be controlled by the position of parties on the subject of tariff taxation. The people whose daily toil, hard earnings, and personal freedom from the tyranny of avaricious, brutal monopolies were all involved in the proposed legislation, had neither sufficient time nor even the most meager opportunity to examine and to judge for themselves of its merits and of its demerits.

In the waning moments of the longest session of Congress in American history, with no quorum in either branch, this Senate substitute for the plain and effective House bill at last, on the 4th day of October, according to the date of the report of the Finance Committee, wriggled its way out of the committee-room and onto this floor. Sir, with what swift haste its progenitors then turned their backs on this Capitol, and hurrying in every direction and to distant parts, proclaimed the advent of a sort of celestial visitant bearing healing in its wings for all the ills, the burdens, and the oppressions which labor and life are heir to. With loud and persistent cries they claimed that this measure, so inauspiciously, not to say surreptitiously, brought into existence under the evil omen of the Chicago platform, was in fact full of blessings to the people; that it was fraught with an immense reduction of taxes, a remission of import duties down to the very line of revenue only, and a total deliverance of the farmer, the mechanic, the wage-worker from the crushing and accursed tribute they now pay on every necessity of life. And thus with glittering promises that they would in the future reform the abuses which in the past they had themselves created, the leaders of the Republican party, aided by millions of money loose and afloat in corrupt hands amongst floating voters, achieved a temporary check, a brief halt, in the mighty cause of labor emancipation. It is true the same leaders of the same party made the same promises four years ago in their national platform, but made not even a pretense of redeeming their pledge to correct the inequalities and abuses of the tariff until they were coerced and, as it were, put under duress to do so by the grand and powerful appeal of the Executive a year ago, and by the wise and prompt action of a Democratic House of Representatives.

But, sir, can there be any better faith in the present than in past promises emanating from the Republican party on the subject of tariff reformation? Does the measure now before us look to the liberation of the laboring men, women, and children of the United States from the bondage of monopoly taxes, or does it still more firmly and securely rivet their shackles on their weary limbs? Is this measure an honest effort to abolish that species of human serfdom which compels working people to pay a double price for the prime and absolute necessities of life in order to protect and enrich those who manufacture and sell them, or is it a mere make-shift, a fraudulent pretense, a sham assumed in the face of a dire emergency, a tub thrown to a whale in a flurry, a semblance of reform to appease a popular demand, not only without the slightest merit, but actually inflicting deeper injuries on labor than even now exist? A careful and honest examination of the details of the bill must govern the answer to these inquiries.

All those commodities of commerce and consumption by the human family which according to the natural laws of trade are most likely to seek our shores and the markets of our people from foreign countries have been, for the convenience of legislation, classified and listed into separate and designated schedules, and there marked with the amount of duty or import tax levied on them by law for the privilege of landing and competing here for purchasers. There are fourteen such schedules in the bill now before us, and by the tax rates there indicated on goods, wares, and merchandise for the right to sell in American markets we are to ascertain whether this is a real and sincere effort to relieve the people or a still further attempt to deceive and impose on them for the benefit of the arrogant owners of already ill-gotten, dishonest millions.

An examination of the question can bring a candid mind to but one conclusion. In eleven of the schedules which the bill embraces the aggregate amount of the tariff tax is increased, in two schedules there is a slight reduction, and in the one remaining schedule there is a savage sectional assault made on sugar, which is called upon to bear a reduction of duties amounting to over twenty-eight millions, the real reason being that it is one of the great agricultural products of the South. In order to protect the vast and grasping monopolies of the North from the pruning-knife of tariff reform this bill seizes upon sugar and molasses, the best revenue-paying articles in the Government, and demands that 50 per cent. of the duties heretofore imposed on their importation shall be swept away.

It is true that sugar and its kindred product, molasses, are important ingredients of comfort and enjoyment in domestic life and can be properly cheapened for the use of the people; but it is not true that these two articles should be made the scape-goats of all, and more than all, the reduction of revenue proposed by the Republican party outside of and beyond the relief extended to whisky and tobacco. There are other commodities of civilized life whose prices are controlled and fixed by tariff laws and tariff taxes which are infinitely more vital and essential to human happiness, progress, and even to human existence itself than the sugar which sweetens coffee and the molasses which embellishes cakes for the breakfast-table.

Salt and sugar are often mentioned together, but the one is the greatest curative and preservative agent in the all-wise and omnipotent economy of the planet we inhabit, while the other is merely incidental to the enjoyment rather than necessary to the existence of mankind. From the first hour in which history gives us a glimpse of our most remote progenitors down to this day, salt has stood in the first rank of human necessities. Its use has for more than four thousand years distinguished the civilized man from the savage. It was created in the beginning in close alliance with air and water; it requires but slight artificial aid in its production, and it should be as free to the uses of the world, without tax, levy, let, or hindrance, as any other element of nature bestowed by the great Giver of good gifts.

The salt seas of the globe should be an example and a guide for the legislation of governments. By their incessant and sleepless processes of evaporation they impregnate the atmosphere with that saving power and grace of salt which alone purifies the realm of matter and preserves the human family from extinction. In the humbler functions of this great natural agent of the existence and the progress of mankind it is safe to say that no man, woman, or child eats a single mouthful without its beneficent presence and aid. The bread and butter, beef-steak, mutton-chops, sausages, ham and eggs, roast turkeys, tenderloins, venisons, ribs of beef, the young and juicy pig, immortalized by Charles Lamb, and the vegetable accompaniments to this whole list, can not be brought to the table or received as food in civilized life without the immediate presence and contact of salt.

And yet on this article of supreme and all-pervading necessity a tariff tax of 79.68 per cent., nearly $80 of tax on every hundred dollars' worth of salt, is imposed by this bill, not because the Government needs the revenue derived from this source, but simply for the protection of a few salt-manufacturing millionaires at Syracuse, Saginaw, and Kanawha in the serene and unmolested enjoyment of their most unrighteous monopoly. As if, however, an enormous salt tax was not sufficient in itself to inspire the American people with a deep disgust and hatred for such a policy, a discrimination is made in its application, which would justify the farmers and stock-raisers of the West, and indeed throughout the whole country, in hooting and hissing out of public life every man who upholds it.

While the pork and beef producers and packers of Ohio, Indiana, Illinois, Missouri, Iowa, and Kansas pay almost a double price for every barrel of salt they use, the fishermen of New England are furnished with all the salt they consume in curing fish duty free and untainted by taxation. What an outcry of hypocritical horror saluted the Democratic proposition in the Mills bill to put salt on the free-list for all, and yet how complacently the doctrine of free trade in salt has been gulped down when it bestows profits only on a local New England interest, and on no other section!

It is true that the processes of education in political campaigns are slow and difficult with almost the entire body of the American people to reach and consult, but I commend to them once more the instructive lesson of salt, and shall do so again and again in the future until at last it shall be accepted of all that it is naked dishonesty to compel one class of citizens to eat taxed salt in order to enrich another and more favored class.

The next schedule I desire to consider in connection with this bill

embraces wool and the manufactured products of wool. The human mind is almost baffled and overwhelmed when it attempts to grasp the widespread and imperious necessity of woolen goods in all their varieties to the human family. From the hour in which our first parents dressed themselves in the garden of Eden until the present time the people of the whole earth have looked to wool and woolen fabrics as a fundamental condition of civilized existence. Woolen clothing has been the accompaniment of civilization wherever it has penetrated and planted its standard of conquest over the forces and the wealth of nature.

The naked or thinly-clad races who dwell under the equator and within the tropics and the torrid zones have not been growers or wearers of wool, nor have they ever belonged to that great procession of human progress which has illuminated the earth, sea, and sky of higher and colder latitudes with the developments of science and the gigantic triumphs of labor. The origin, too, of man's dependence on wool in his struggle for dominion over the powers of the physical universe is very remote, and full of dignity and significance.

The eldest patriarchs of the human family, so far as history discloses, watched their flocks of sheep grazing by day, gathered them into folds at night, sheared them at shearing time, and with wheel, spindle, and loom prepared the wholesome and becoming raiment of a great and powerful people. And thousands of years afterwards when a wonderful light broke from the midnight sky over the plains of Bethlehem announcing the birth of a Prince of the house of David it was first seen by the drowsy and chilly shepherds who were watching and protecting their sheep through the dangers of night and darkness.

Sir, from the very beginning, and at every step, and throughout all the wide regions wherein the strong races of mankind have achieved history worthy of being written, the absolute and unquestionable demand for the universal use of wool has been so commanding and undeniable in general, and so searching and exhaustive in detail, that it would seem as if in comparison with this great staple the very atmosphere by which we are enveloped should be taxed a certain per cent. on the amount we consume in breathing.

From the naked, new-born babe swathed in soft flannel on through every stage of life woolen clothes attend us on our journey. They shelter and protect the persons of young and old, of robust manhood, and of delicate maidens and mothers by day, and warm and comfort their homes and their beds by night. The fire that blazes on their hearthstones is not a greater necessity nor more essential to their comfortable existence, and yet with loud and solemn promises of tariff revision and tariff reduction in the interest of the people still warm on their campaign lips, the leaders of the Republican party are here seeking, with as little discussion and exposure as possible, to increase the duties on wools and woolens to the American people at least $4,000,000 a year.

If any one questions this statement, let the schedule in the bill answer for itself. In its very first line there is an increase from 54.78 to 60.25 ad valorem, almost 6 per cent. added to existing rates, on that class of wool which constitutes practically the entire amount imported into this country. Of this class of wool, costing 30 cents per pound and less, we imported in 1887, 22,607,856.60 pounds, and only 587,878 pounds of all other kinds. The increase of revenue growing out of this increase of duty, every dollar of which the consumer pays, will amount, according to official estimates, to $239,073.89 a year.

On combing and scoured wool of the value of 30 cents or less per pound, and on wool of the value of over 30 cents per pound, embraced in class 2 of the schedule, an increase is made in excess of existing rates of duty of a little more than 4 per cent. ad valorem, and on carpet wool in class 3 the duty is increased about 2 per cent. more than it is now.

But passing from wool in its unmanufactured to its manufactured condition, we find in this bill not only no symptom of reform, but a gross exaggeration of all the worst features of our present vicious system of overtaxed, enslaved labor.

With an overflowing and almost bursting Treasury, surfeited with a surplus of millions, and with an outcry on all hands for a reduction of revenue, it would be intensely gratifying to me to know from the other side of the Chamber why on the manufactures of wools and of the hair of the alpaca valued at not exceeding 80 cents per pound the tariff tax has been raised from 89.84 to 102.66 per cent. ad valorem, an addition of nearly 13 per cent. to an already outrageous burden imposed on the people for the benefit, growth, and power of monopoly. Also I would ask, in view of the condition of our revenues, why the tax duty on woolen cloths valued at above 80 cents a pound has been increased in this bill from nearly 69 to over 73 per cent. (leaving off fractions for convenience), and thereby enhancing the cost of such goods $384,484 per annum to those who purchase and use them in this country?

This bill is a cheat and a fraud in every part and detail of its whole framework. Behold that humble, hard-working woman as she hurries along the street to her daily task, or on her return home, facing the keen wintry wind, and gathering tight about her shivering shoulders her plain, thick shawl, her one staunch friend, her vital protector. Sir, bearded men, and manly men in the world's affairs, where they are free to follow their own good hearts, stand here in this body, coerced by the merciless, unsparing rapacity of the monopolists in manufacture and trade, and demand that the price of that shawl shall be enhanced to that poor struggling woman by a tariff tax increased from 89 to 102 per cent.

The rate of duty as it now exists compels the women, and those who care for them, to pay nearly double the real value of shawls with which to wrap their persons, but the Senate bill, the authorized expression of the Republican party, compels them to pay 2 per cent. more than double. A five-dollar shawl is made to cost more than ten dollars, a twenty-dollar shawl is made to cost more than forty, and a fifty-dollar shawl more than a hundred. Those who are willing to appear as the open, avowed oppressors of women in the matter of their clothing, and take their reward in the hideous embrace of protected avarice, may do so; I will not.

What, however, shall be said as to the article of flannels? Why is it, except for the purposes of legislative plunder and legalized robbery, that on the cheapest manufactures of this great want of mankind the tariff tax in the name of import duty has swollen under the whip of monopoly coercion from 67 to 94 per cent. ad valorem? Over $30,000 a year, in addition to the unjust profits of the existing law, will thus inure to the greedy monopolists in the manufacture and sale of flannels. An increase of 27 per cent. over the existing rate on this one article of universal consumption is something so rank and flagrant in its wrong and oppression that it will go far to educate the people as to the true intent and meaning of tariff revision by the Republican party.

A lesson also on the subject of blankets will greatly assist the public mind in reaching a correct conclusion in regard to what is going on here. On the lower-priced blankets, such as cover the poor man's bed through the long winter nights, valued at between 60 and 80 cents per pound, the duty is raised by this bill from 69.36 to 95.22 per cent. in order to give the American manufacturer an additional margin of nearly 16 per cent. for higher prices, richer profits, and more perfect protection against foreign competition. A pair of blankets rightfully worth $3 are to be put upon the market at $5.85 by protecting the manufacturer from the rivalry of imported blankets to the extent of 95 per cent. I think it will be difficult in the long run to convince plain laboring men and women that this huge tax ought to be allowed to creep into their beds with them, and like a hideous and perpetual nightmare rob them of their rest, and all for the sake of furnishing soft couches, downy pillows, and sumptuous homes to a few protected millionaires.

The head of the household will also, when free from partisan prejudice, wonder why the authors and supporters of this bill have put an additional tax of over 25 per cent. on the common, every-day wool hats which he has to buy for himself and his boys, while the tariff tax on more expensive and pretentious hats worn by rich people is increased less than 1 per cent. In fact, the principle pervading this entire bill in all its parts, and in every detail, is the heavy increase of duty, and consequently of price, on all the cheaper grades of the necessary commodities of life. Thus taxation is raised in every direction on the wants and the purchases of the poorer classes of the people, while high-priced and expensive articles of manufacture consumed by people of wealth are touched but lightly by this bill, or not touched at all.

A glance at "knit goods and all goods made on knitting-frames" in this connection is absolutely startling. It would seem as if the tariff could not be considered for any purpose without arousing the rapacity and greed of monopoly to still further demands and still greater and more vicious activity. On low-priced knit goods, valued at not over 30 cents per pound, the present rate of duty under existing law is equivalent to 88.33 ad valorem. It is now proposed in the bill before us to increase that rate to 258.33 per cent., which, I presume, is intended to be a total prohibition of imports. On knit goods valued at above 30 and not over 40 cents per pound the duty is raised from 65.20 to 145.70 per cent.; on those valued at above 40 and not exceeding 60 cents per pound it is raised from 69.14 to 120.88; on those valued at above 60 and not exceeding 80 cents per pound the increase of duty is from 69.62 to 102.70 per cent., and on all such goods valued at above 80 cents per pound the increase here proposed is from 62.58 to 70.80 per cent., making an average increase of tariff tax of 70 per cent. over existing rates on these five different qualities of knit goods, and yielding out of the pockets of the people $157,845.92 additional revenue per annum to the Government, which is in urgent need of less revenue instead of more in its Treasury.

Sir, a close inspection of this partisan measure discloses at every step its consistent and coherent character as a brutal fraud upon the tax-paying people of the United States, brought forward at the behest of insatiate monopolies, dishonest combines, and arrogant and conspiring trusts. Let us linger a little longer on the wool schedule and point out a few more of its iniquities which are no more respectable than a formed design to commit both grades of larceny, grand and petit. Will some friend of this bill, or substitute, or whatever it may be styled, tell me why it is that the price of woolen and worsted yarns is to be enormously enhanced by an increased rate of tariff tax—on the cheaper grades over 29 per cent., and on the more valuable 4 per cent.?

The duty on the cheapest grade of balmorals is raised from 67.72 to 154.05, on the next grade from 65.59 to 112.74, on the next above that from 68.15 to 100.25, and on the highest grade from 66.25 to 75.11. I assert in the hearing of the Senate and of the country that there

is not a single article in this entire schedule on wools and woolens which has escaped an increased tariff tax. The avaricious clutch of the protected monopolist is made still tighter and broader on everything composed in whole or in part of wool; on the clothing of women and children; on their cloaks, shawls, dolmans, jackets, talmas, ulsters, and other garments of similar character; on every description of ready-made woolen clothing, and on every other form or fashion of raiment containing wool known to the wants and uses of the human family. Such a bill is to my mind a bill of abominations.

It presents the revolting spectacle of an increase of taxation and an increase of revenue amounting, according to careful estimates, to $3,842,-681.45 per annum, derived from the highest necessities of human existence, and all to be extorted in a measure of legislation which has for its avowed object a large reduction of taxes in order to prevent a vast surplus from accumulating in the Treasury in the future, as it has done in the past and is now doing.

But before leaving this schedule of wools and woolens I wish to expose one more gross fallacy which has been made prominent recently in tariff discussions. A great deal of noise and vehement pretension has been made in regard to protection to the sheep-growers of the United States by import duties laid on the importation of raw wools from abroad.

A moment's examination will show this proposition to be simply a baited hook thrown by skillful monopoly to the farmers of the country. Let a few plain facts speak for themselves. Take the case of a farmer with fifty head of sheep, which at shearing time yield him 250 pounds of wool. The duty proposed by the bill before us on imported wool of the same grade is 11 cents per pound. If that wool can be sold for 35 cents per pound it will bring the farmer $87.50 all told, $27.50 of which sum will constitute the protection afforded by the 11 cents per pound tariff duty on foreign wool.

What an enticing appearance the well-concealed but well-barbed hook has at this point! But when the farmer in the fall or winter purchases back $87.50 worth of the wool he sold, and of his neighbor's protected wool, now manufactured into blankets, flannels, and clothing of all kinds, he will find himself not only refunding the $27.50 which he swallowed as a most alluring bait, but he will pay in addition all the way from 53 to 258 per cent. ad valorem on every article of woolen goods he is compelled to have, and this enormous plunder of his hard earnings he is coolly informed is for the protection of the manufacturer who has worked his 250 pounds of wool into cloth.

A bill of untaxed goods which he could buy for $87.50, the amount received originally for his wool, will be rendered to him over the counter where he trades at from $125 to $200, according to the articles he calls for. While he is interested and entertained with the comparatively small protection which he receives on his wool, he is at the same time robbed of five times the amount for the benefit of a far different class from himself. While this bill seeks to tickle the farmer's fancy and divert his attention by putting $10 in one of his pockets, the privileged and adroit monopolist will be taking $50 out of his other pocket.

I have been told that there is a game of cards from which the player against the dealer can by no possibility ever rise a winner, but that poor, deluded victim of a bunco-steerer is not more certain to lose or more helpless to obtain fair play than is the farmer as he struggles in the toils and meshes of Republican tariff legislation. The interests of the farmer on the question of free wool and woolen goods were so clearly, simply, and so powerfully stated by the President a year ago that I can not refrain from quoting a few of his admirable sentences—sentences which will live and be repeated in the halls of legislation and in the homes of the people long after we have all passed away. He said:

> The farmer and the agriculturist, who manufacture nothing, but who pay the increased price which the tariff imposes upon every agricultural implement, upon all he wears and upon all he uses and owns, except the increase of his flocks and herds and such things as his husbandry produces from the soil, is invited to aid in maintaining the present situation; and he is told that a high duty on imported wool is necessary for the benefit of those who have sheep to shear, in order that the price of their wool may be increased. They of course are not reminded that the farmer who has no sheep is by this means obliged, in his purchases of clothing and woolen goods, to pay a tribute to his fellow-farmer as well as to the manufacturer and merchant; nor is any mention made of the fact that the sheep-owners themselves and their households must wear clothing and use other articles manufactured from the wool they sell at tariff prices, and thus as consumers must return their share of this increased price to the tradesman.
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> I think it may be fairly assumed that a large proportion of the sheep owned by the farmers throughout the country are found in small flocks numbering from twenty-five to fifty. The duty on the grade of imported wool which these sheep yield is 10 cents each pound if of the value of 30 cents or less, and 12 cents if of the value of more than 30 cents. If the liberal estimate of 6 pounds be allowed for each fleece, the duty thereon would be 60 or 72 cents, and this may be taken as the utmost enhancement of its price to the farmer by reason of this duty. Eighteen dollars would thus represent the increased price of the wool from twenty-five sheep and $36 that from the wool of fifty sheep; and at present values this addition would amount to about one-third of its price. If upon its sale the farmer receives this or a less tariff profit, the wool leaves his hands charged with precisely that sum, which in all its changes will adhere to it, until it reaches the consumer.
>
> When manufactured into cloth and other goods and material for use, its cost is not only increased to the extent of the farmer's tariff profit, but a further sum has been added for the benefit of the manufacturer under the operation of other tariff laws. In the mean time the day arrives when the farmer finds it necessary to purchase woolen goods and material to clothe himself and family for the winter. When he faces the tradesman for that purpose he discovers that he is obliged not only to return in the way of increased prices, his tariff profit on the wool he sold, and which then perhaps lies before him in manufactured form, but that he must add a considerable sum thereto to meet a further increase in cost caused by a tariff duty on the manufacture.

But it is constantly urged that wool on the free-list would practically destroy the business of American wool-growing and vastly cripple all the woolen manufactories in this country. Let us first reverse the question, however, and consider briefly whether a high protective tariff on wool has fruitfully multiplied the flocks and herds on whose backs it grows. A few cold statistics on this point will very materially aid the cause of tariff education in certain quarters. Twenty-one years ago the wool-growers and the woolen-manufacturers of the United States formed a combination and secured the passage of the act of 1867 placing a high protective tariff on wool. At the date of the passage of this act there were in the States east of the Mississippi and Missouri Rivers, 37,864,609 head of sheep, and only 1,127,303 in all other parts of the United States put together. How stands the record now?

In 1867 Pennsylvania had 3,422,002 sheep; she now has 984,981, a loss of 2,437,311, or more than two-thirds of the whole number in the State twenty-one years ago.

In 1867 Ohio had 6,730,126 sheep; she now has 4,106,622, a loss of 2,623,504 in that great State under the influences of high-tariff protection.

In 1867 Illinois had 2,736,431 sheep; she now has 814,177, a loss of 1,922,254, largely more than one-half the number with which she entered the high-tariff combination twenty-one years ago.

In 1867 Michigan had 3,948,191 sheep; she now has 2,113,004, a loss of 1,824,987, or nearly one-half her original number.

The falling off in the sheepfolds of Indiana have been in the same proportion, although I have not the exact figures at hand with which to deal; but the aggregate loss in the number of sheep in all the States east of the Mississippi and Missouri Rivers during the last twenty-one years amounts to 19,864,609, while the price of wool itself has fallen from 68 cents a pound in 1867 to 34 cents a pound in 1888, being a destruction of one-half the sheep between the Atlantic Ocean and the great Father of Waters and of one-half the price of the wool yielded by the flocks that remain.

It seems to me that it would hardly be possible for free wool or any other change in the law except a prohibitory tariff to have a more disastrous effect on American sheep-raisers and wool-growers than is here disclosed by the experiences of the last twenty-one years. But all the facts within our reach in regard to manufactured goods from raw material introduced free of duty go to show an increased activity in the manufactories, a stimulated and increased demand, and consequently an increased supply, of the raw material, whether it be wool or any other article.

The experience of the leather and boot and shoe industries of the country for the last sixteen years fully justifies this statement. In 1872 by act of Congress imported hides were placed on the free-list, and it has proved of great advantage both to the manufacturers and to the consumers of boots and shoes and other commodities of leather. I will avail myself of a very instructive statement on this point made by a leading member of the House during its last session, Mr. SPRINGER, of Illinois. He says:

> Mr. Switzler, the Chief of the Bureau of Statistics, has furnished me at my request a table showing the vast increase in those industries (see Appendix No. 1). I call attention also to the fact that the number of pairs of boots and shoes made at the factories in 1870, namely, 80,627,244, was increased in 1880 to 125,478,-511 pairs, and the number of persons employed in the factories increased from 91,702 in 1870 to 111,052 in 1880, being an increase in ten years of over 55 per cent. in the output and an increase of nearly 20 per cent. in the number of hands employed. So much for free hides.
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> The honorable gentleman from Kentucky [Mr. BRECKINRIDGE] in his remarks on the 16th day of this month (RECORD, page 6942) submitted some very interesting information obtained from the statistics in reference to the growth of the leather and boot and shoe industries under the stimulating influence of free hides. He pointed out the gratifying fact that the census of 1870 and 1880 showed immense increase in those industries in the ten years covered. In 1870 the capital invested was $126,441,716, and the value of the product was $376,392,211. In 1880 the capital was $149,856,694, and the value of the product was $452,824,925. These statistics embrace the manufacture of all kinds of leather, boots and shoes (including custom work), and saddlery and harness. He further showed that our exports and imports for 1887 of leather and manufactures thereof ($10,000,000 in value each) were about equal to each other, and that our imports of hides in the same year were valued at $24,225,776. In 1872, when hides were put on the free-list, our imports of leather and manufactures thereof amounted to $11,879,000 and our exports to only $3,684,029, and our imports of hides in that year amounted to $14,345,727. Of the $10,000,000 of leather importations in 1887, there was only $553,213 worth of manufactures of boots and shoes. The rest was in leather to be used in manufacturing and in kid and leather gloves.

Such a showing as this on one of the great branches of commerce, manufacture, and consumption will not be lost on those who are honestly concerned in the solution of a most important economic question. It has long been claimed by some among the best thinkers in this country that the importation of raw material for our various manufactories should be made free as far as consistent with a sufficient duty for the revenues of the Government. Here, however, I take leave for the present of the consideration of wools and woolens, simply remarking that Schedule K, which treats of that subject in this bill, may be properly characterized in the language of John Wesley in describing African slavery as the sum of all villainies.

The schedule on the subject of metals presents the same general feat-

ures of extortion and injustice which pervade the entire measure, with here and there especial discriminations against the less favored communities and classes of the country. The vast burdens already laid by the existing law on the farmer in his use of farming implements and household utensils, and on all others who consume or pay for the use of iron, will be increased by the proposed Senate substitute for the House bill $1,628,086.68, while by the passage of the House bill these burdens of taxation would have been reduced $8,532,302.85. Here is a difference between the two measures of over ten millions, the Republican measure swelling the people's taxes on iron more than a million and a half a year and the Democratic measure proposing a reduction of taxes per annum on the same subject of more than eight millions and a half.

Rates of duty under the law, as it now stands, on all articles manufactured of iron and steel range from 10 to 114 per cent. ad valorem, the dutiable-list showing a larger proportion of such articles as are of the greatest necessity and in most constant use bearing from 70 to 90 per cent. Not only is no relief suggested for such wrongs against the laboring masses, but the most glaring evils are increased and intensified. For the proposed startling increase of duty on iron hoops for baling cotton, or cotton-ties, as they are commonly called, there is not even the excuse of a desire to protect some manufacturer in getting rich out of the daily toil of men and women, white and black, in the South. There is not a cotton-tie manufactured in the United States, and this tremendous leap in the tax on that article appears simply as an unworthy piece of sectional malice, aimed at the great and leading industry of a people laboring faithfully, bravely, patiently, and loyally, and often under the most trying circumstances, to do their whole duty as American citizens.

The Government needs no revenue from that source, and an article so closely allied as cotton-ties to one of the foremost agricultural products of the globe should be made to pay none. A tax on cotton-ties is, of course, a tax on the cotton itself, and while it cripples the producer in handling and getting his cotton to market, it also necessarily enhances the price of manufactured cotton goods to the consumer who at last pays for everything. So, after all, this addition of 73.33 per cent. on cotton-ties, increasing the duty from its present rate of 35 to 108.33, though born of sectional animosity, will be paid as much by the wearers of cotton clothing in the North as by the inhabitants of the South. Whether the authors of such a provision will not, at no distant day, receive the merited condemnation of both sections, and of all parts of the country, can not be a matter of serious doubt in thoughtful minds.

But sectional discrimination in levying taxes is no worse, and perhaps indeed not so thoroughly bad, as to discriminate against the poor as a class by placing the highest taxes on cheap goods, which are alone within their reach, and the lowest taxes on the most valuable goods which are alone used by the rich. Such a policy calls loudly not only for popular indignation, but for that divine malediction which has rested through all the Christian ages on those who grind the faces of the poor.

In illustration of this point, and as an evidence of the unholy spirit running through the schedule of metals as well as through every line and word of the entire bill, I find some valuable facts and figures in a leading New York journal of last week.

The duty under the present tariff upon pocket cutlery—

Says this writer—

is a uniform rate of 50 per cent. ad valorem. Apart from the liability to undervaluation which is not avoided by the Senate bill, which also includes an ad valorem rate, this is at least no harder on the consumers of cheap goods than on the consumers of more expensive goods. Not so the Senate bill. That proposes a duty of 50 cents per dozen blades and 25 per cent. ad valorem. Here are the results: On knives of one blade costing from 24 cents to $1 per dozen abroad, the duty under the Senate bill ranges from 75 per cent. for the dearest to 233 per cent. for the cheapest. Two-bladed knives costing $1.95 per dozen are taxed at the rate of 76 per cent.; if they cost but $1 per dozen the tax is $1.25; if they cost but 37 cents the tax is 254 per cent., or nearly three times the original cost. On three-bladed knives costing $6 per dozen the tax is only 50 per cent.; if they cost but 43 cents per dozen the tax is 330 per cent. Finally, any one who can afford to buy a pocket-knife that costs $5 abroad will be taxed only 23 per cent., whereas any one who can afford only a knife costing a little over 10 cents in the foreign market must pay 131 per cent. tax, or five times as much as the purchaser who gets a knife sixty times as costly abroad.

On table cutlery there is the same sort of discrimination against the poor. The popular grades that sell largely are not in fact imported under the present duty of 35 per cent., and could not be even if the duty were but 20 per cent. In reality, some of them are now exported. Yet the Senate committee, under what inspiration Heaven alone knows, has submitted an elaborate scale of mixed duties ranging from 20 cents to $2 per dozen, with a duty of 30 per cent. ad valorem in addition. These amount to from 70 per cent. to 110 per cent. for the popular grades, but only 50 to 60 per cent. on the very expensive grades that are purely and simply luxuries. It is the same with breech-loading guns. The fine piece costing within a little of $100 abroad ($97.35) is taxed only 35 per cent., the present rate; the gun costing $13.30 abroad is taxed 100 per cent.; one costing $5.43 abroad is taxed 207 per cent., and if it cost only $3.65 abroad the tax is 303 per cent. This is accomplished by the duty of $10 per gun and 25 per cent. ad valorem. Necessarily, on the cheaper guns this duty is prohibitory. There can not be any excuse for a duty higher than the present one, for even that on guns most commonly made must also be prohibitory, and in this line American makers could beat any others in the world with no duty whatever. Why, then, is this enormous increase, almost tenfold in some cases, desired? It can have but one object, and that is to "protect" not an industry, but a combination, and to prepare for killing home competition by absolutely killing all other.

And now, Mr. President, what is offered in return to the laboring people and poorer classes for the universal invasion of their homes, their wants, and their necessities by these increased exactions and remorseless demands of monopoly? Mr. Lincoln, in one of his characteristic letters, once said that this was a world of compensations. Had he lived to behold the tortuous construction and sinister framework of this bill he would have regarded it as an exception to the general rule. There are neither compensations nor consolations here except what the privileged few find in still further oppressing the humble firesides of the toiling millions.

In the report made by the majority of the Committee on Finance in presenting this bill to the Senate they say:

The demand for a careful and thorough revision of our revenue laws is imperative. This revision is necessary—

First. To reduce the national revenues, which are now excessive. No valid reason can be given why we should, under existing circumstances, continue to collect annually a sum approximating $60,000,000 in excess of the amount required to administer the Government economically and to keep the pledges of public faith.

I will not stop to dwell upon the fact, known to all, that this excessive revenue is of Republican origin; that it has been systematically collected for years by Republican administrations, and that the existence of any excess at all was then vehemently denied by Republican leaders when Mr. Cleveland, a year ago, exposed to the world the condition of the Treasury and the wrongs inflicted on the tax-payers. This open confession, made at last, of a vast surplus in the Treasury, placed there by Republican legislation, shows at least one great point gained in the last twelve months by fearless discussion and a determined defense of the rights of the people. It now stands admitted by the very authors of the injustice that the great body of the American people have been continuously and persistently overtaxed without any legitimate cause.

Another reason is also given by the majority of the committee why a careful and thorough revision of our revenue laws is now imperative. They say in their report that it must be done

To remedy the defects, anomalies, and incongruities which have been from time to time discovered in the tariff schedules or which have been created by erroneous decisions of the Treasury Department.

This plea of confession and of attempted avoidance is almost in the very words of the old broken pledge of tariff reform made by the Republican national convention at Chicago in 1884. It was put in then to bridge over a party crisis by making promises to the ear to be broken to the hopes of the people, and its purpose was still the same when it was put forward again on the 4th of October last here in the Senate. Hypocrisy is said to be the tribute which vice pays to virtue, and these repeated promises of the Republican party, to remedy the defects, anomalies, and incongruities of their own tariff laws, are in like manner the tribute they reluctantly pay to the earnest advocates of real and honest tariff reform.

But for all the evils of taxation, $60,000,000 a year in excess of Government expenses, and as a cure for all the defects admitted to exist in our present system of tariff, the main proposition, and next to the reduction on sugar the only one contained in this bill, is to make whisky and tobacco very cheap for consumption by the men, women, and children of the United States. The consumers of flannels, knit goods, and blankets, taxed a hundred per cent. and more to foster monopolies, trusts, and grasping combinations, are to find their principal relief in chewing cheap tobacco and in drinking cheap whisky.

It is claimed by the majority of the committee that only the internal-revenue tax on alcohol used in the industrial and chemical arts is to be remitted; but it is generally known and was virtually conceded on this floor last session by the Senator from Ohio [Mr. SHERMAN] that such a remission on alcohol would open so wide the ways to fraud in the liquor business that whisky would practically escape all taxation and become free. The views of the minority of the committee are thus stated on this point in their report:

The substitute relieves the non-necessary, tobacco in all its forms, except cigars, cheroots, and cigarettes, from internal taxation, and gives free alcohol to the arts. Taking the tax off of tobacco will reduce revenue about $24,000,000; and it is estimated that the tax taken from alcohol for the arts will make a further reduction of about $7,000,000. But in view of the impossibility of preventing frauds upon the revenue that should be derived from distilled spirits used for purposes other than the arts, the loss of revenue may be safely estimated at many times $7,000,000.

Practically, the substitute offers to the people free whisky and free tobacco, leaving all the expensive machinery for the collection of the revenue and enforcement of the law in full force, while it increases taxation upon the actual and indispensable necessaries of life, and this, too, when there is a large surplus in the Treasury, and under existing laws that surplus is being increased at the rate of over $10,000,000 per month; thus withdrawing and withholding from the channels of trade, commerce, and business of the country money absolutely necessary to their successful operations.

One merit, however, must be conceded, such as it is, to the Senate substitute for the House bill. It is in substantial agreement with the last Republican national platform laid down in June at Chicago, and while in my judgment that document is one of the worst that ever emanated from an intelligent body of men on the subject of government, yet for the ends of speedy justice I am glad to see a square attempt made to carry out its principles. In that platform it was the declared purpose of the Republican party, in making a reduction of revenue, to repeal the entire system of internal taxation rather than surrender any part of their protective system on foreign imports, and this bill has started with a long stride in that direction.

It ostensibly reduces the revenues derived from whisky and tobacco

about $31,000,000, but in reality many millions more, and it is the beginning of the end, now near at hand, under Republican supremacy, when the entire $120,000,000 now annually paid into the Treasury on whisky and tobacco will be wiped out. The people are in need of cheaper clothing, cheaper blankets, cheaper plows, cheaper mowers and reapers, cheaper household goods and kitchen-ware, and cheaper salt. But on such articles as these not only no abatement is made in this bill, but their burdens are largely increased. The fact is that—

The people are groaning under old, huge, grinding war taxes on every necessity of their lives; the Treasury of the United States is running over and bursting open with money sorely needed at home in trade and business, and a curse full of danger and corruption where it is; the privileged few have amassed estates richer than those of the most opulent dukes and earls of Europe, every dollar of which represents unjust taxation and the oppression of labor; and yet in this Christian land and age men sometimes spoken of as Christian statesmen have nothing better than free whisky and tobacco to offer people in response to their cry for relief.

Sir, we have been reminded by Senators on the other side of the Chamber that the people rendered a verdict against tariff reform and in favor of high-tariff protection in the recent Presidential election. I do not admit that Mr. Cleveland's defeat was due to his position on the tariff, nor that a man who is indorsed by a hundred thousand majority of the popular vote of the United States is committed to a weak or a failing cause. The result in November can easily be traced to other influences which may hereafter be pointed out and discussed perhaps in the criminal courts of the country. But suppose, for the sake of the argument, that the cause of equality, justice, and emancipation from financial oppression and servitude did suffer defeat at the hands of the arrogant associated and protected owners of ill-gotten millions, almost beyond the power of figures to estimate, what conclusion is to be drawn from that fact?

Do Senators on the opposite side cherish the delusion that the battle is over? What great work of reformation was ever finished by a single triumph or crushed by a single defeat? There were many verdicts rendered by the American people in favor of the existence of slavery before they rendered their final verdict for a constitutional amendment abolishing it forever. There were statesmen in those days who after every election gravely assumed that the slavery question was settled, and would never be agitated again. But the issue would not down at even their powerful bidding, but continued to rise again and again until not a vestige of that awful source of national contention and bloody strife remains beneath the folds of the flag.

Sir, there was indeed an irrepressible conflict between the North and the South on the question of slavery, but there is at this hour another conflict equally irrepressible between the working millions on the one hand and the protected monopolists on the other, on the question of labor's emancipation from the bondage, the vassalage, the brutal servitude of unnecessary, and consequently unjust and dishonest taxation. Senators may fold their arms in fancied security against the further agitation of the tariff, but their dreams to that effect will be rudely dispelled. The contest for such a reformation of tariff taxation as will afford relief and justice to the laboring masses has but just begun, and it will go on until the colossal powers of the monopolies, trusts, and other unlawful combinations, composing the oligarchy of wealth in this country, are broken, and their heads brought low. The Democratic party desires no better issue than this, and it is ready now and for all time to come to enter into political battle for its success.

For the first time in American history the mask of the manufacturer is thrown aside and all disguise abandoned. He has heretofore at least pretended that all the protection he needed and asked could be secured as an incident to a purely revenue tariff. The greatest minds ever engaged in the conduct of our public affairs have willingly conceded all the incidental protection which wise legislation framed for the purposes of revenue could afford to the domestic manufacturer. The protection, however, now boldly demanded is the enormous tribute which the consumer is compelled to pay directly to the monopolist in manufacture and in trade, no part of which ever reaches the Treasury of the Government at all.

This tribute exacted for the sake of protection *per se*, and with no reference to revenue, is the increased price which high rates of duty, keeping foreign imports from our shores, enables the manufacturer to put on his goods without fear of foreign competition. This is the naked and avowed plunder of one class of American citizens for the sole benefit and enrichment of another, and it will not long be borne.

The suggestion is sometimes made that the leaders of the Republican party, recognizing the glaring iniquities of the present tariff legislation, will themselves correct them. In the nature of things this can not happen. The Republican party is a mere instrument in the hands of monopoly, and must obey at all times and under all circumstances the dictation of its creator, owner, and master.

In the bitter, sectional times of the past the stinging taunt was often flung at the Northern Democracy that they were submissive to the South in public affairs, that they were dough-faces on the subject of slavery. With infinitely more of truth and justice that taunt can now be returned against the leaders of the Republican party in their servile obedience to every demand of tariff monopoly and protected trusts. They are the dough-faces of a financial slavery as wrong in principle, and often more heartless and cruel in practice, than any other form of human servitude ever known in our midst. Their obsequious submission to the domination of monopoly has also largely and steadily increased during the past few years.

Only a short time ago the Senator from Iowa [Mr. ALLISON] was in favor of a general reduction of duties equal to 20 per cent. on all goods of domestic manufacture, and he was sustained in that position by the report of a Republican tariff commission and the message of a Republican President. The Senator from Vermont [Mr. MORRILL] repeatedly announced that the high duties laid for war revenues were to be but temporary, and the Senator from Ohio [Mr. SHERMAN] declared with emphasis that the tax on tobacco and spirituous and malt liquors should be retained. Now these distinguished Senators have entirely reversed their positions. A change has come over the spirit of their financial schemes. Protective duties and war taxes are not to be touched except to make them higher, and whisky and tobacco, non-essentials of life, are to be made free.

We behold the greatest leaders of a great party, after a vain endeavor to resist the power, the exactions, as well as the blandishments of organized wealth, now bowing low before monopoly, their patron saint, and acknowledging themselves indebted for their political existence and success to the mighty millions accumulated from the vassalage of labor. And as if to complete this picture of political degradation and triumphant monopoly, the names of those who are known to have contributed most freely of these ill-gotten millions at the late election are now heard mentioned on all hands most conspicuously and favorably for the highest offices and the proudest honors under the new, incoming administration. Sir, the ox loweth over his fodder and the ass brayeth at his master's crib.

MARINE-HOSPITAL SERVICE.

Mr. DOLPH. I ask that the action of the House of Representatives on Senate bill 1786 be laid before the Senate that I may submit the conference report on the bill.

Mr. HAWLEY. Will the Senator from Oregon kindly yield to me for a moment to reply to a word or two in the speech of the Senator from Indiana?

Mr. DOLPH. The report will not take any time.

The PRESIDENT *pro tempore*. The report is in order. The Chair lays before the Senate the action of the House of Representatives.

The Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES, *December* 19, 1888.

Resolved, That the House concur in the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1786) to regulate appointments in the Marine-Hospital Service of the United States.

Mr. DOLPH. I submit the conference report on the part of the Senate.

The PRESIDENT *pro tempore*. The report will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1786) to regulate appointments in the Marine-Hospital Service of the United States having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

J. N. DOLPH,
PHILETUS SAWYER,
F. M. COCKRELL,
Managers on the part of the Senate.

JAMES PHELAN,
M. D. LAGAN,
CHARLES O'NEILL,
Managers on the part of the House.

Mr. DOLPH. I believe that no action on the part of the Senate is required.

The PRESIDENT *pro tempore*. The House of Representatives having receded, the bill stands passed. The conference report needs no action on the part of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House receded from its disagreement to the amendment of the Senate to the bill (H. R. 2579) authorizing the President to appoint and retire Andrew J. Smith, late colonel of the Seventh United States Cavalry and a major-general of volunteers, and agreed to the same.

THE REVENUE LAWS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue, the pending question being on the amendment proposed by Mr. VANCE, in paragraph 177, line 750, to strike out "two" and insert "one and one-fourth;" so as to make the paragraph read:

177. Lead in pigs and bars, glaziers' lead, lead wire, molten and old refuse lead run into blocks and bars, and old scrap-lead fit only to be remanufactured, 1½ cents per pound.

Mr. HAWLEY. Mr. President, I have listened with something of interest to the speech of the Senator from Indiana [Mr. VOORHEES], not that it contained anything especially new, but because as an effort of the imagination, portraying the suffering and the oppression of the people of the United States, sustained by the pathetic tone and the

sounding sentences of the Senator from Indiana, it is really a masterpiece in its way. As a matter of fact I do not know any such people and I do not know any such oppressors, but the oration is excellent nevertheless.

It is amazing to reflect that after all the Senator says about the great abuses of this terrible law, about this wonderful tariff, the Democracy during the last twenty-six years have never passed a tariff bill through Congress, and they never passed one through their own House of Representatives until last July. They have never been able to unite their own members in that House upon a tariff bill. They have not united them this time, for it is known that a few refused to vote for it at the last, and many others wanted to vote against it. That is an amazing fact which I should be very glad to have some Democrat explain.

If this has been, as the Senator says in his florid and exaggerated language, a system of oppression worse than that known anywhere else in the world, worse than even the system of African slavery, why is it that his party, claiming to be the special champion of the people, have never had united courage and sense enough to vote for a tariff bill before last July, one of their own device, but devoted themselves entirely to attacks upon the Republican doctrine?

Among the amusing things in the Senator's speech were some statements like this, for example. I understood him to say that a man who uses $100 worth of salt pays $80 to the Government. I thought I would see how much that man suffered. It becomes a serious question.

Mr. VOORHEES. No, I did not say that. He pays scarcely anything to the Government. He pays it to the trusts and combines and syndicates of Syracuse, and Saginaw, and Kanawha. The money does not get into the Treasury.

Mr. HAWLEY. But what is the sum he pays?

Mr. VOORHEES. Eighty dollars.

Mr. HAWLEY. If he uses $100 worth of salt and pays $80 and the Government gets nothing and some robber gets it all, this becomes a serious question. When we take the poor boy who starts to make a living and wants an allowance of salt the problem is serious. So I took my pencil and went to work at it. A barrel of salt, excluding the barrel, weighs, I understand, 280 pounds, and it costs not to exceed 40 cents a barrel. I have just been looking at the testimony of a great dealer, a great authority on that matter. It will cost about 40 cents. Therefore, $100 will buy 250 barrels, or 70,000 pounds. The poor boy can have a pound of salt a day for a little over one hundred and ninety-one years; or we will suppose he does not want as much; we will suppose that he is content with 20 pounds a year, which would be a pretty fair allowance of good salt; the $100 worth will last him thirty-five hundred years, or with a family of five it will last seven hundred years.

The most I can make out that is paid by anybody as a duty on salt, if the whole of the duty is really paid by the consumer, is about 3 cents apiece per annum for the people of the United States.

The Senator was eloquent upon the sufferings of the people by reason of the heavy duty on salt, while at the same time he declared that the Republicans in endeavoring to reduce the very heavy protective duty on sugar were doing it because they were hostile to the South; and it would be quite as fair that I should say that in supporting the present duty he is favorable to the South. Everybody knows that the duty is higher than the Republicans proposed to have it, by reason of the reduction in the price of sugar, wherefore the specific duty becomes a very much higher ad valorem duty than it was supposed when it was fixed that it would be.

The consumption of sugar in the United States is, approximately, 3,000,000,000 pounds a year—say 50 pounds to a person—and the duty upon that amounts to about $1 a person, as against the 3 cents for salt, or from $5 to $6 for the family. That the Senator desires heartily and earnestly, and we propose to take about half of that heavy duty off. The duty was 79 or 80 per cent. ad valorem, I think, in the year 1887. We were told 40 or 50 per cent. duty was enough, being a little discouraged about the prospect of raising all the sugar we want in the United States. I do not give it up yet, but I look to see it come some time or other. However, the duty is larger than the protectionist intended to have it because of the reduction in the price of sugar. Yet the Senator from Indiana would maintain it. These little trifling errors and inconsistencies of his are only equaled by his rhetoric and logic throughout the whole of his speech. The same thing might be said concerning the consumption of other goods, clothing, and so on.

Mr. VOORHEES. If salt is such a trifling thing and is so utterly inexpensive, it is a wonder to me why a large portion of the time of this body and of the House of Representatives has been consumed for I do not know how many years in getting salt free for the New England fishermen. If it is of no consequence to the pork-packers out West, or to the curers of beef, it is wonderful how important it should become to another class of people. I should like very much to see the skill of the Connecticut Senator displayed on that point.

Mr. HAWLEY. I am sorry to say that somebody was speaking to me, and I missed the Senator's exact question.

Mr. VOORHEES. I asked why free salt for the New England fishermen is such an important matter if there is nothing in the price of salt; why they must have that always in the law?

Mr. HAWLEY. That is a little trifling bounty thrown in to help the fishing interest, to help retain it to our own people. It amounts to a good deal when you come to put up heavy cargoes of fish, of course.

Mr. VOORHEES. How would it be on heavy cargoes of pork, I should like to know.

Mr. HAWLEY. It amounts to a good deal. It amounts to something when you come to use an immense quantity of it. That is what I said.

Mr. VOORHEES. That is what I thought.

Mr. HAWLEY. That is what I said. It takes considerable salt to supply a family seven hundred years.

Mr. VANCE. I rise simply to ask the Senator from Connecticut another question, if he is not tired answering questions. He made a calculation in which he said that the duty on salt was about 3 cents apiece for the people of the United States. I believe that is correct, is it not?

Mr. HAWLEY. That is as near as I can make it.

Mr. VANCE. If those 3 cents are worth stealing on the part of the salt manufacturers, why are they not worth saving for the consumer?

Mr. HAWLEY. There is where the Senator goes a little too far from the debate. He and his associates charge everybody under the sun with stealing, and I did not stop to discuss the extraordinary theory of the Senator from Indiana, that the whole of the duty on salt went into the hands of the manufacturers of salt.

Mr. ALDRICH. There is one other of the many extraordinary statements which were made by the Senator from Indiana on which I wish to detain the Senate for a moment. He states that the farmer who receives a certain amount of benefit and advantage from the duty on wool is obliged to pay a very much larger sum to the manufacturer of woolen goods, either through the tariff or in some other way, and he states that the cost to the farmer of this tariff upon woolen goods is $250. I suppose he means $250 for his family; I do not suppose he means $250 a person.

Mr. VOORHEES. I suggest in all kindness to the Senator that he had better read my statement after it is printed. I did not make any such statement as that which he attributes to me.

Mr. ALDRICH. Will not the Senator repeat what he said on that point?

Mr. VOORHEES. I can not ascertain exactly the point alluded to.

Mr. ALDRICH. The Senator made the statement all through that while the farmer was benefited by the duty on wool, there was, on the contrary, a disadvantage resulting to him in the heavy duty on woolen goods.

Mr. VOORHEES. I did.

Mr. ALDRICH. And there was a saving of a certain number of dollars on wool.

Mr. VOORHEES. And that he lost a certain number on woolen goods.

Mr. ALDRICH. And the sum fixed by the Senator was $250.

Mr. VOORHEES. No.

Mr. ALDRICH. How much was it?

Mr. VOORHEES. I did not fix any sum. I spoke, for instance, of his getting $87.50 for 250 pounds of wool. The only place where I used the numerals 250 was in regard to the pounds of wool. I said if the wool sold for 35 cents a pound he would have $87.50 for the wool, if he had 50 head of sheep, and he was protected by 11 cents a pound, which would give him $27.50 of protection on his wool, but that when he went to buy that wool back in a manufactured shape, for $87.50 worth of it he would have to pay, according to the article he called for in its manufactured form, from $125 to $200. That was the substance of my statement.

Mr. ALDRICH. I misunderstood the Senator.

Mr. VOORHEES. I knew the Senator did.

Mr. ALDRICH. I certainly understood him to say that the cost to the farmer of the tariff upon woolen goods was $250.

Mr. VOORHEES. The Senator will see that I am correct about it.

Mr. ALDRICH. We can look into the RECORD to-morrow and see.

Mr. HAWLEY. By the way, before we depart from this subject, I call the Senator's attention to an interesting inquiry, interesting to me, that I made as to the Democratic party. In twenty-six years never before until July did it formulate a tariff bill and pass it through the House of Representatives. Why did they never unite their forces?

Mr. VOORHEES. We have never had at the same time all the branches of the Government, I believe, since the opening of the war. We have never had the President and both branches of Congress at any one time. We have never been in a situation to mature and perfect legislation and make ourselves responsible for it. We have had a majority of the Senate but once in twenty-eight years. We have had the other House a number of sessions, but we have never had that harmony between all the branches of the Government which is necessary to make a party responsible for its legislation. That harmony the party to which the Senator belongs has had and has made itself responsible for the laws of the country.

As to why the members of the House of Representatives have not agreed and harmonized their views, I do not think it a very becoming or important or dignified proceeding between Senators to catechise each other as to the action of gentlemen in the other branch of Congress. I can only answer for myself. I have worked on every tariff bill that came here, and I have done the best I could. I have never seen anything presented by the Republican majority that met my approval. I believe that is about all the answer I have to make.

Mr. HAWLEY. I made no criticism of the individual; I was talking in the broadest sense about the action and responsibility of the party. I understand the Senator, then, to say that unless a party controls both Houses of Congress and the Executive it is not responsible. I am sure that the Republican party has not been able to control both Houses of Congress and the Executive except for two years out of fourteen, and during those two years it did revise the tariff. I am sure that while we have had the Senate the greater part of the time during the fourteen years, we have had the other House but those two years, during which we did pass a tariff bill, and the Republican party in the Senate has been altogether unable to present to Congress a tariff bill because it could not enact a single line of a bill until something came from the other House upon which to found it. By his own argument we are absolved during these fourteen years, and certainly we are justified in saying that the only body which could have originated a tariff allowed twelve of these fourteen years to pass without formulating a bill, and they have done it but once, and did not all agree upon it then.

The PRESIDENT *pro tempore*. The pending amendment of the Senator from North Carolina [Mr. VANCE] will be stated.

The SECRETARY. In line 750, it is proposed to strike out "two" and insert "one and one-fourth."

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment.

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. VEST. I was called out of the Chamber by public business, and I do not know what was done as to paragraph 176.

Mr. ALLISON. Nothing was done with it.

Mr. VEST. Was that passed over?

The PRESIDENT *pro tempore*. The amendments proposed were rejected.

Mr. VEST. I shall not interfere with the pending question, but I wanted to say something in regard to that paragraph of the bill. I was unavoidably absent from the Senate on a public matter.

The PRESIDENT *pro tempore*. The roll-call will proceed on the question of agreeing to the amendment of the Senator from North Carolina [Mr. VANCE].

The Secretary proceeded to call the roll.

Mr. BLAIR (when his name was called). I am paired with the Senator from Mississippi [Mr. GEORGE]; otherwise I should vote "nay."

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. WALTHALL (when Mr. GRAY's name was called). The Senator from Delaware [Mr. GRAY] is paired generally with the Senator from Illinois [Mr. CULLOM].

Mr. HALE (when his name was called). I am paired with the Senator from Kentucky [Mr. BECK].

Mr. PASCO (when his name was called). I am paired with the junior Senator from Illinois [Mr. FARWELL]. If he were present, I should vote "yea."

Mr. TELLER (when his name was called). I am paired with the Senator from Louisiana [Mr. GIBSON]. If he were present, I should vote "nay."

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB]. If he were present, I should vote "yea."

The roll-call was concluded.

Mr. BLACKBURN (after having voted in the affirmative). Learning that the Senator from Nebraska [Mr. MANDERSON] has not voted, and as I am paired with him, I withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from Kentucky withdraws his vote.

Mr. CULLOM. I am paired with the Senator from Delaware [Mr. GRAY]. If he were present, I should vote "nay."

Mr. FRYE. I am paired with the Senator from Maryland [Mr. GORMAN].

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. EVARTS. I am paired with the Senator from Alabama [Mr. MORGAN], and therefore withhold my vote.

Mr. PADDOCK. I am paired with the Senator from Louisiana [Mr. EUSTIS]. If he were here, I should vote "nay."

Mr. FRYE. I will change my pair with the Senator from Maryland [Mr. GORMAN] and transfer it to the Senator from Nebraska [Mr. MANDERSON], and thus relieve the Senator from Kentucky [Mr. BLACKBURN] and myself. I vote "nay."

Mr. BLACKBURN. I vote "yea."

The result was announced—yeas 18, nays 23; as follows:

YEAS—18.

Bate,	Colquitt,	Ransom,	Voorhees,
Berry,	Daniel,	Reagan,	Walthall,
Blackburn,	Harris,	Saulsbury,	Wilson of Md.
Blodgett,	Payne,	Turpie,	
Coke,	Pugh,	Vance,	

NAYS—23.

Aldrich,	Dolph,	Ingalls,	Sherman,
Allison,	Edmunds,	Mitchell,	Spooner,
Chace,	Frye,	Morrill,	Stewart,
Chandler,	Hawley,	Palmer,	Stockbridge,
Davis,	Hiscock,	Platt,	Wilson of Iowa.
Dawes,	Hoar,	Sawyer,	

ABSENT—35.

Beck,	Eustis,	Hampton,	Pasco,
Blair,	Evarts,	Hearst,	Plumb,
Bowen,	Farwell,	Jones of Arkansas,	Quay,
Brown,	Faulkner,	Jones of Nevada,	Riddleberger,
Butler,	George,	Kenna,	Sabin,
Call,	Gibson,	McPherson,	Stanford,
Cameron,	Gorman,	Manderson,	Teller,
Cockrell,	Gray,	Morgan,	Vest.
Cullom,	Hale,	Paddock,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

178. Lead in sheets, pipes, or shot, 2½ cents per pound.

179. Metallic mineral substances in a crude state and metals unwrought, not specially enumerated or provided for in this act, 20 per cent. ad valorem.

180. Muskets and sporting rifles, 25 per cent. ad valorem.

181. All double-barreled, sporting, breech-loading shotguns, $10 each, and 25 per cent. ad valorem.

Mr. ALLISON. I ask that paragraph 181 may be passed over.

The PRESIDENT *pro tempore*. Paragraph 181 will be informally passed over. The reading will proceed.

The Chief Clerk read as follows:

182. Needles for knitting or sewing machines, and tape-needles and bodkins of metal, 35 per cent. ad valorem.

Mr. VANCE. In line 762 I move to strike out "thirty-five" and insert "twenty;" so as to make it read "20 per cent. ad valorem."

The PRESIDENT *pro tempore*. The amendment will be reported.

The CHIEF CLERK. In paragraph 182, line 762, it is proposed to strike out "thirty-five" and insert "twenty;" so as to read:

Needles for knitting or sewing machines, and tape-needles and bodkins of metal, 20 per cent. ad valorem.

The amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

183. Needles, sewing, darning, knitting, and all others not specially enumerated or provided for in this act, 25 per cent. ad valorem.

Mr. VANCE. I move to strike out, in lines 764 and 765, the words "25 per cent. ad valorem" and insert "shall be admitted free of duty."

The PRESIDENT *pro tempore*. The amendment will be reported.

The CHIEF CLERK. In paragraph 183, lines 764 and 765, it is proposed to strike out the words "25 per cent. ad valorem" and insert "shall be admitted free of duty;" so as to read:

Needles, sewing, darning, knitting, and all others not specially enumerated or provided for in this act, shall be admitted free of duty.

Mr. VANCE. *De minimis non curat lex* is not applicable in this case. The insignificance of an article when the tax is coming in to the manufacturer is dealt upon very largely. Perhaps those Senators who contend that a tax ought to be imposed because it is so insignificant in value would agree, on the other hand, that the tax might be remitted when it is so insignificant to the manufacturer.

If there is any underpaid, half-fed, and overworked portion of suffering humanity in our land it is that class of our unfortunate countrywomen who make their living by sewing, and I see no reason in the world, except a cupidity which grasps at everything, for continuing this tax upon the knitting-needles and the darning-needles and the sewing-needles used by our country women, but every reason why we should give them this little item free of tax, in accordance with the suggestion of the bill for which this substitute is an amendment. Therefore I hope Senators will concur in this proposition, and upon it I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY]. If permitted I should vote "nay."

Mr. EDMUNDS (when his name was called). I am paired, subject to the right to vote to keep the Senate in an organized condition, and from appearances I think I may be justified in voting "nay" at the present time. If there appears to be a sufficient number I shall subsequently withdraw my vote. At present I vote "nay."

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. PADDOCK (when his name was called). I am paired with the Senator from Louisiana [Mr. EUSTIS].

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL]. If he were present, I should vote "yea."

The roll-call was concluded.

Mr. TELLER. I am paired with the Senator from Louisiana [Mr. GIBSON]. If he were present, I should vote "nay."

Mr. PLATT. Has the senior Senator from Missouri [Mr. COCKRELL] voted?

The PRESIDENT *pro tempore*. He is not recorded.

Mr. PLATT. I paired with him early in the afternoon, and therefore I withhold my vote.

Mr. TELLER. I transfer my pair with the Senator from Louisiana [Mr. GIBSON] to the Senator from Nevada [Mr. JONES], who, I understand, is not paired, and I will vote.

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. PADDOCK. By arrangement with the Senator from Florida [Mr. PASCO], who is paired with the Senator from Illinois [Mr. FARWELL], that pair is transferred to the Senator from Louisiana [Mr. EUSTIS]. Therefore I vote.

Mr. PASCO. Under the arrangement announced by the Senator from Nebraska [Mr. PADDOCK] I vote "yea."

Mr. VEST. I wish to announce my pair with the junior Senator from Kansas [Mr. PLUMB]. I should vote "yea" if he were present. My colleague [Mr. COCKRELL], who is absent on committee work, is paired with the senior Senator from Connecticut [Mr. PLATT]. My colleague would vote "yea" if present.

Mr. BLAIR. I desire to announce my pair with the senior Senator from Mississippi [Mr. GEORGE]. If he were present I should vote "nay."

Mr. KENNA. I have already announced my pair with the Senator from Minnesota [Mr. SABIN]. I desire to state now, so as not to be obliged to make the announcement on every roll-call, that the pair is indefinite and applies to all votes.

The result was announced—yeas 20, nays 21; as follows:

YEAS—20.

Bate,	Coke,	Pasco,	Saulsbury,
Berry,	Colquitt,	Payne,	Turpie,
Blackburn,	Daniel,	Pugh,	Vance,
Blodgett,	Harris,	Ransom,	Walthall,
Call,	Jones of Arkansas,	Reagan,	Wilson of Md.

NAYS—21.

Allison,	Hawley,	Paddock,	Stockbridge,
Chandler,	Hiscock,	Palmer,	Teller,
Davis,	Hoar,	Sawyer,	Wilson of Iowa.
Dolph,	Ingalls,	Sherman,	
Edmunds,	Mitchell,	Spooner,	
Frye,	Morrill,	Stewart,	

ABSENT—35.

Aldrich,	Cullom,	Gray,	Platt,
Beck,	Dawes,	Hale,	Plumb,
Blair,	Eustis,	Hampton,	Quay,
Bowen,	Evarts,	Hearst,	Riddleberger,
Brown,	Farwell,	Jones of Nevada,	Sabin,
Butler,	Faulkner,	Kenna,	Stanford,
Cameron,	George,	McPherson,	Vest,
Chace,	Gibson,	Manderson,	Voorhees.
Cockrell,	Gorman,	Morgan,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

184. Nickel.—Nickel in ore, 5 cents per pound for the nickel contained therein.
185. Nickel in matte, or other crude form not ready for consumption in the arts, 10 cents per pound on the nickel contained therein.
186. Nickel, nickel oxide, alloy of any kind in which nickel is the component material of chief value, 15 cents per pound.
187. Pens, metallic, except gold pens, 12 cents per gross.
188. Pen-holder tips, pen-holders or parts thereof, and gold pens, 30 per cent. ad valorem.
189. Pins, metallic, solid-head or other, including hair-pins, safety-pins, and hat, bonnet, shawl, and belt pins, 30 per cent. ad valorem.
190. Quicksilver, 6 cents per pound.

Mr. VEST. I move to strike out the duty of 6 cents a pound upon quicksilver.

The PRESIDENT *pro tempore*. Does the Senator propose to strike out the paragraph?

Mr. VEST. I move to strike out "6 cents per pound" and insert in lieu thereof "10 per cent. ad valorem." That is the existing law. The duty is taken off entirely by the House bill. I am perfectly willing to accept the law as it stands now, which is 10 per cent. ad valorem.

Mr. EDMUNDS. There is great fraud under the present law.

The PRESIDENT *pro tempore*. The amendment will be stated from the desk.

The CHIEF CLERK. In paragraph 190, line 781, it is proposed to strike out "6 cents per pound" and insert "10 per cent. ad valorem;" so as to read:

Quicksilver, 10 per cent. ad valorem.

Mr. VEST. The import price, according to the list of exports and imports for 1887, is 41.9 cents per pound, and at 10 per cent. ad valorem under the existing law this made the duty 4.19 cents on the pound. Under the Senate bill it is proposed to make this duty 6 cents per pound, which is an increase of 42 per cent. over the present duty. What reason can be given for an increase of this sort I am utterly unable to understand. In the House bill the duty was taken off altogether, and I move now to put it back to the existing law, which is 10 per cent. ad valorem.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Missouri [Mr. VEST].

Mr. VEST. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. VEST. I simply want to say, in addition to what I have said, that for 1887 the exports of this article were $241,952 in value and for 1888 they were $531,128, or an increase of $289,176. So it can not be said that this is a languishing industry or interest, but on the contrary it seems to have taken care of itself so well as to have increased in one year in the value of exports $289,176.

The Secretary proceeded to call the roll.

Mr. BLAIR (when his name was called). I am paired with the Senator from Mississippi [Mr. GEORGE].

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY]. If permitted, I should vote "nay."

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. PASCO (when his name was called). My pair with the Senator from Illinois [Mr. FARWELL] having been transferred to the Senator from Louisiana [Mr. EUSTIS], I vote "yea."

Mr. PAYNE (when his name was called). I am paired with my colleague [Mr. SHERMAN]. I do not see him present, and therefore I withhold my vote.

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB]. My colleague [Mr. COCKRELL] is paired with the Senator from Connecticut [Mr. PLATT].

The roll-call was concluded.

Mr. TELLER. The Senator from Louisiana [Mr. GIBSON] is paired with the Senator from Nevada [Mr. JONES].

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. CHACE. I am paired with the Senator from Georgia [Mr. COLQUITT].

The result was announced—yeas 18, nays 22; as follows:

YEAS—18.

Bate,	Coke,	Ransom,	Voorhees,
Berry,	Daniel,	Reagan,	Walthall,
Blackburn,	Harris,	Saulsbury,	Wilson of Md.
Blodgett,	Jones of Arkansas,	Turpie,	
Call,	Pasco,	Vance,	

NAYS—22.

Aldrich,	Frye,	Morrill,	Stewart,
Allison,	Hawley,	Paddock,	Stockbridge,
Chandler,	Hiscock,	Palmer,	Teller,
Davis,	Hoar,	Platt,	Wilson of Iowa.
Dolph,	Ingalls,	Sawyer,	
Edmunds,	Mitchell,	Spooner,	

ABSENT—36.

Beck,	Cullom,	Gray,	Payne,
Blair,	Dawes,	Hale,	Plumb,
Bowen,	Eustis,	Hampton,	Pugh,
Brown,	Evarts,	Hearst,	Quay,
Butler,	Farwell,	Jones of Nevada,	Riddleberger,
Cameron,	Faulkner,	Kenna,	Sabin,
Chace,	George,	McPherson,	Sherman,
Cockrell,	Gibson,	Manderson,	Stanford,
Colquitt,	Gorman,	Morgan,	Vest.

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

191. Screws, commonly called wood-screws, more than 2 inches in length, 5 cents per pound; over 1 inch and not more than 2 inches in length, 7 cents per pound; over one-half inch and not more than 1 inch in length, 10 cents per pound; one-half inch and less in length, 14 cents per pound.

Mr. VANCE. In line 787, I move to strike out the word "fourteen" and insert the word "twelve;" so as to make the bill conform to the existing law.

The PRESIDENT *pro tempore*. The amendment will be reported from the desk.

The CHIEF CLERK. In line 787, it is proposed to strike out "fourteen" and insert "twelve;" so as to read:

One-half inch and less in length, 12 cents per pound.

Mr. VANCE. I should be glad to ask the Senators in charge of the bill why the duty on screws of this number alone is raised 2 cents a pound.

Mr. ALDRICH. It is done for the purpose of equalizing the rate upon each size of screws. If the Senator will read the whole paragraph he will find that we have reduced the rate upon two sizes and allowed it to remain where it was on one and increased it upon one slightly. The ad valorem is only 44.59 per cent. on this size as compared with 61.17 on the size over 1 inch and not more than 2 inches in length.

Mr. VANCE. Why was the duty of 44 per cent. or its equivalent

not satisfactory? Why should this description of screws be raised? Is it more difficult to make than the others?

Mr. ALDRICH. Very much more difficult and very much more expensive.

Mr. VANCE. More labor in it?

Mr. ALDRICH. Very much more labor.

Mr. VANCE. Then those 1 inch and less than 2 inches long are too high, because that size is at 53.52 per cent.

Mr. ALDRICH. We have reduced those.

Mr. VANCE. But you have not reduced them in proportion. If you want to do justice, do justice to the consumer as well as to the manufacturer. If there is more labor in those less than an inch than there is in those an inch and less than 2 inches, of course the one with the most labor ought to have most, and the other with the less amount of labor, less expensive to make, ought to have the least duty.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from North Carolina.

Mr. VANCE. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I would vote "nay" but for the fact that I am paired with the Senator from Delaware [Mr. GRAY].

Mr. FAULKNER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB] or I should vote "yea."

The roll-call was concluded.

Mr. CHACE. I am paired with the Senator from Georgia [Mr. COLQUITT].

Mr. EVARTS. I am paired with the Senator from Alabama [Mr. MORGAN], and therefore withhold my vote.

Mr. TELLER. The Senator from Louisiana [Mr. GIBSON] is paired with the Senator from Nevada [Mr. JONES]. The Senator from New Jersey [Mr. MCPHERSON] is paired with the Senator from Virginia [Mr. RIDDLEBERGER].

Mr. BLACKBURN. I desire to announce the pair of my colleague [Mr. BECK], who is absent on account of sickness, with the Senator from Maine [Mr. HALE], who is also absent.

Mr. TELLER. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. PLATT. The senior Senator from Missouri [Mr. COCKRELL] being detained from the Senate on business of the Senate, I am paired with him.

The result was announced—yeas 19, nays 23; as follows:

YEAS—19.

Bate,	Coke,	Pugh,	Vance,
Berry,	Daniel,	Ransom,	Voorhees,
Blackburn,	Harris,	Reagan,	Walthall,
Blodgett,	Jones of Arkansas,	Saulsbury,	Wilson of Md.
Call,	Pasco,	Turpie,	

NAYS—23.

Aldrich,	Frye,	Morrill,	Spooner,
Allison,	Hawley,	Paddock,	Stewart,
Davis,	Hiscock,	Palmer,	Stockbridge,
Dawes,	Hoar,	Payne,	Teller,
Dolph,	Ingalls,	Sawyer,	Wilson of Iowa.
Edmunds,	Mitchell,	Sherman,	

ABSENT—34.

Beck,	Colquitt,	Gray,	Platt,
Blair,	Cullom,	Hale,	Plumb,
Bowen,	Eustis,	Hampton,	Quay,
Brown,	Evarts,	Hearst,	Riddleberger,
Butler,	Farwell,	Jones of Nevada,	Sabin,
Cameron,	Faulkner,	Kenna,	Stanford,
Chace,	George,	McPherson,	Vest.
Chandler,	Gibson,	Manderson,	
Cockrell,	Gorman,	Morgan,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

192. Silver-leaf, 75 cents per package of five hundred leaves.

193. Cut tacks, brads, or sprigs, not exceeding 16 ounces to the thousand, 2½ cents per thousand; exceeding 16 ounces to the thousand, 2½ cents per pound.

194. Type-metal, 1½ cents per pound for the lead contained therein; new types, 25 per cent. ad valorem.

Mr. VEST. I move to strike out "1½ cents per pound," in line 794, and insert "15 per cent. ad valorem."

The PRESIDENT *pro tempore*. The amendment will be reported.

The CHIEF CLERK. In paragraph 194, line 794, it is proposed to strike out the words "1½ cents per pound" and insert "15 per cent. ad valorem;" so as to read:

Type-metal, 15 per cent. ad valorem for the lead contained therein.

Mr. VEST. Under the existing law the tariff tax or duty is 20 per cent. ad valorem. This is an increase to 50 per cent. There is no interest in the United States which is more absolutely prosperous in every regard than that of the manufacture of type. We have the finest foundries in the world. No other country can excel this and no other country can compete with it. In all the range of our commercial enterprises or of our American industries, there is no department of manufacture that to-day not only is self-sustaining but pays larger profits or is in a more prosperous condition than that of type-founding.

I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. ALLISON. About 90 per cent. of this type-metal is lead, and a small amount of it—I do not remember exactly—is copper; and very little type-metal is imported. Our type manufacturers manufacture their own metal. If, however, type-metal comes in at a lower rate or a substantially lower rate than lead, of course type-metal will be imported as lead, and the copper and antimony or whatever it is will be extracted from it. That is all there is in this paragraph.

Mr. VANCE. Has that been the case? Have there been any frauds alleged upon the revenue by the importation of lead in the shape of type-metal?

Mr. ALLISON. Very largely, and, if the Senator will pardon me, it is not type-metal at all, but it is lead that has been imported nominally when it was really type-metal.

Mr. VANCE. Is there any report of that from the Treasury Department? I ask for information. Have complaints been made by anybody? Have any officials represented that such frauds are being perpetrated?

Mr. ALLISON. As I understand it, those in charge of this class of examinations have stated substantially what I have said, that under this 20 per cent. ad valorem duty type-metal is imported as lead and not for the use of type manufacturers. Our type manufacturers make their own metal.

Mr. VEST. Mr. President, we are proceeding at so rapid a rate that I am unable to find my references. I examined into this question, however, and I was unable to find any sort of excuse for this increase of duty. On the other hand, I undertake to say that there is entire satisfaction on the part of the manufacturers of type in the United States in regard to the present condition of the business.

Mr. ALLISON. I do not think they care anything about it, for, as I have said, they manufacture their own type-metal.

Mr. VEST. Then why should we increase the cost of an instrumentality of knowledge? We ought to make it as cheap as possible. We do not need the revenue, and I can not conceive of any sort of reason, except merely the exercise of the power of amendment or change, that justifies this legislation.

Mr. ALDRICH. I will say that this matter was brought to the attention of the subcommittee by the experts of the Treasury Department, who stated to us that frauds of this nature were constantly being committed; that metal was imported as type-metal which was simply a mixture containing 95 per cent. of lead alloyed with some other metals which could be easily removed.

I must confess my admiration for the heroic disinterestedness of the Senator from Missouri when he, being from one of the largest lead-producing States in the Union, proposes, not a duty of 15 per cent. on type-metal, but a duty of 15 per cent. on the lead contained therein, while the duty on lead itself is 50 per cent. ad valorem. It would admit lead to an unlimited extent under the name of type-metal if it is put at the ad valorem of 15 per cent. on the lead contained in the metal.

Mr. VEST. I do not think it would do any such thing, and I have been unable to find, outside of the statement of the Senator from Rhode Island, any evidence of the fact that these frauds now complained of have been committed. As a matter of course, if he says that experts stated it to his committee, I take no issue on that, for I have no knowledge on the subject.

As to my heroic disinterestedness, I will attend to that. I will face my constituents on this subject, and will simply say I am asking no sort of advantage for the people of Missouri. I want to cut down these tariff duties, and if it operates against any interest in my State justly, I am in favor of that legislation, and I will take that responsibility, and I would rather leave public life than not be able to do it.

Mr. SHERMAN. The Senator from Missouri should recollect that a few years ago a similar bill made statuary free. It was thought not to be wise to levy a tax on art. Thereupon there came within a year immense cargoes of leaden statues of Washington, Franklin, and all the great men of our country, free of duty, merely to import the lead contained in those molds. The same trick has been practiced over and over again. Wherever you levy a duty on a raw material you have to levy a corresponding duty on every article composed of that material, otherwise you could not have the tariff correctly levied. That particular case excited the attention of Congress, and it was promptly corrected, and I think one of the Senator's predecessors took part in correcting the error.

Mr. VEST. I can turn in a few moments to a speech made by the martyred President, James A. Garfield, which is a complete answer to the Senator from Ohio. General Garfield was told in the House of Representatives once, when a member of that body, that it would not do to touch any item in the tariff because they all stood or fell together, and he made an eloquent and convincing reply, saying he, for one, would never consent to that doctrine or act upon it as a public man. But again and again we are told here, "You must not touch one hair upon this sacred animal of the high protective tariff; if you de-

range one single schedule, take down the duty upon a single article, you destroy the whole system," and my friend from Maine who sits in front of me now [Mr. FRYE] would stand here and proclaim that "liberty lay bleeding in the streets" if we undertook now to pass a bill upon our Calendar that admits to American registry a few vessels built with American capital abroad and owned by citizens of Philadelphia. Why? Not that he objects to a few vessels, eight or ten vessels, being put on the registry, but it is the "principle;" you must not break down a single particle of the protective system. Now, we are told by the Senator from Rhode Island and the Senator from Ohio, "Here is a duty upon lead, and you must have a corresponding duty upon type-metal because 90 per cent. of it is lead," and so throughout the whole system, one duty supporting and arguing for another, and where are we to commence any reform in this monstrous system of unjust taxation, as we proclaim and believe it to be?

Mr. ALDRICH. I would suggest to the Senator that he might commence to reform it by moving to reduce the duty on lead.

Mr. VEST. I voted for it, and I will vote for it again, and I have the largest lead-mine in the State of Missouri or in the world, of a capacity producing 3,000 pigs of lead per day, the St. Joseph lead-mine, and, together with the Doe Run mine in the same ownership, employing in the neighborhood of fifteen hundred men. I will go there to-morrow and make the same speech I now make in this Senate Chamber. They must stand their just reduction with other interests, and if they are honest men they will stand it. I am not here to ask for any special favors, but I am here to fight all sorts of exclusive privileges that are in my opinion unjust and detrimental to the public interests.

The Secretary proceeded to call the roll.

Mr. CHACE (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT].

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY].

Mr. TELLER (when his name was called). I am paired with the Senator from Indiana [Mr. VOORHEES]. If he were present, I should vote "nay."

Mr. VEST (when his name was called). I am paired with the Senator from Kansas [Mr. PLUMB], or I should vote "yea."

The roll-call was concluded.

Mr. PLATT (after having voted in the negative). I voted inadvertently, forgetting for the moment that I was paired with the Senator from Missouri [Mr. COCKRELL]. So I withdraw my vote.

Mr. TELLER. In making my pair with the Senator from Indiana [Mr. VOORHEES] I reserved the right to vote if my vote should be necessary to make a quorum. It appears to be necessary, and therefore I will vote. I vote "nay."

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. TELLER. I understand there is a quorum without my vote. Therefore I withdraw it. I also announce that the Senator from Louisiana [Mr. GIBSON] is paired with the Senator from Nevada [Mr. JONES]. My colleague [Mr. BOWEN] is paired with the Senator from South Carolina [Mr. HAMPTON], and the Senator from New Jersey [Mr. MCPHERSON] is paired with the Senator from Virginia [Mr. RIDDLEBERGER].

Mr. PADDOCK. The Senator from Louisiana [Mr. EUSTIS] is paired with the Senator from Illinois [Mr. FARWELL].

The result was announced—yeas 19, nays 21; as follows:

YEAS—19.

Bate,	Coke,	Payne,	Turpie,
Berry,	Daniel,	Pugh,	Vance,
Blackburn,	Harris,	Ransom,	Walthall,
Blodgett,	Jones of Arkansas,	Reagan,	Wilson of Md.
Call,	Pasco,	Saulsbury,	

NAYS—21.

Aldrich,	Frye,	Morrill,	Stewart,
Allison,	Hawley,	Paddock,	Stockbridge,
Chandler,	Hiscock,	Palmer,	Wilson of Iowa.
Davis,	Hoar,	Sawyer,	
Dolph,	Ingalls,	Sherman,	
Edmunds,	Mitchell,	Spooner,	

ABSENT—36.

Beck,	Cullom,	Gray,	Platt,
Blair,	Dawes,	Hale,	Plumb,
Bowen,	Eustis,	Hampton,	Quay,
Brown,	Evarts,	Hearst,	Riddleberger,
Butler,	Farwell,	Jones of Nevada,	Sabin,
Cameron,	Faulkner,	Kenna,	Stanford,
Chace	George,	McPherson,	Teller,
Cockrell,	Gibson,	Manderson,	Vest,
Colquitt,	Gorman,	Morgan,	Voorhees.

So the amendment was rejected.

HOUR OF MEETING.

Mr. SHERMAN. I move that when the Senate adjourn to-day it adjourn to meet to-morrow at 11 o'clock.

The PRESIDENT *pro tempore*. The Senator from Ohio moves that when the Senate adjourn to-day it be to meet at 11 o'clock to-morrow morning.

The motion was agreed to.

THE REVENUE LAWS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

195. Zinc or spelter.—Zinc in blocks or pigs, 1½ cents per pound.
196. Zinc in sheets, 2½ cents per pound.

Mr. VANCE. I see that that is an increase on zinc in blocks. I move to strike out "one and three-fourths" and insert "one and one-half," which is the present law.

The PRESIDENT *pro tempore*. The amendment will be reported.

The CHIEF CLERK. In line 798 it is proposed to strike out "three-fourths" and insert "one-half;" so as to read:

195. Zinc or spelter.—Zinc in blocks or pigs, 1½ cents per pound.

Mr. VEST. The Senator from Rhode Island has alluded especially to the lead interest, and as I did not happen to be in the Senate when the debate came up on that item, though I arrived in time to declare my pair, I want to read the testimony taken before the House committee on what is known as the Morrison bill by the principal lead-owner in the State of Missouri, one of the principal proprietors of the St. Joe lead-mine, in Southeast Missouri, the mine to which I referred a few moments ago.

He states that the yield of that mine is between eight and nine thousand tons of lead per year, and as zinc and lead are intimately connected and come out of the same mines, I want to read his testimony now to show the operation of this tariff system, this tax upon raw material—for it is nothing else—upon lead and zinc under the pretense of helping the poor miners who are the objects of such extreme anxiety on the other side of the Chamber. Now, sir, Mr. Jones—and I ask attention to this because it illustrates in the highest degree the oppression of this system—was then attacking the Morrison bill. He says:

It puts the miner of this country on a par with the miner of a foreign country. But at the same time every tool and implement and every piece of material with which the miner works he has to pay a duty on. For instance, a miner can not work without powder, and the duty on powder is 45 per cent. If he does not use foreign powder he has got to pay a duty upon the saltpeter and sulphur used in the domestic powder. He has got to use English steel drills, which pay a duty of 45 per cent. He has got to use wire ropes, which pay a duty of 1½ to 3 cents a pound, depending on their size. He has got to use tracks under ground and to pay a duty of $18 a ton upon rails. He has got to use iron cars made up of plate-iron, and wheels, the duty on the plate-iron being $30 a ton and on the wheels 2½ cents a pound. He has got to use iron pipe and chains and anvils. There is not a tool nor an implement with which the miner works, nor any material which he uses in mining, that he is not compelled to pay a duty on, and therefore he is to that extent working at a disadvantage as against the miners of the old country. It seems to me a very gross injustice and a want of equality towards the laboring man of this country.

I call attention to that statement by the largest lead-mine owner in the State of Missouri for the reason that he knows the practical operation of this law, and he answers the theoretical argument made here again and again and which confronts us upon every portion of this protective system, that this duty does not come off the consumer. He says it does come off these miners, that when they pay this tariff duty upon the instruments of their labor it comes out of their pockets, and he protests against it. That is the operation of the tariff; and when we increase the duty upon zinc or upon lead, do we help the miner? We help the mine-owner. Enormous profits are made in the production of lead—enormous profits. It is true they have built up towns in my State. It is true that to-day they give employment to a large number of people; but when we come to the miners, the labor element, this gentleman testifies that the burden is still kept upon them, whilst the profit goes into the pockets of their employers.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from North Carolina [Mr. VANCE].

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. VANCE. There is a request on my left that the amendment be again read.

The PRESIDENT *pro tempore*. The amendment will be again stated.

The CHIEF CLERK. In line 798 it is proposed to strike out "one and three-fourths" and insert "one and one-half;" so as to read:

Zinc in blocks or pigs, 1½ cents per pound.

The PRESIDENT *pro tempore*. The yeas and nays having been ordered, the roll-call will proceed on agreeing to the amendment.

The Secretary proceeded to call the roll.

Mr. BLAIR (when his name was called). I am paired with the Senator from Mississippi [Mr. GEORGE]. I should vote "nay" if he were present.

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY]. If permitted, I should vote "nay."

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. PLATT (when his name was called). I am paired with the senior Senator from Missouri [Mr. COCKRELL].

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB] or I should vote "yea."

The roll-call was concluded.

Mr. CHACE. I am paired with the Senator from Georgia [Mr. COLQUITT]. If he were present, I should vote "nay." I desire to say that I shall not announce the pair again to-day. I announce it now for the day.

Mr. WILSON, of Iowa (after having voted in the negative). I see that the Senator from Maryland [Mr. WILSON] is not in the Chamber. I therefore withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from Iowa withdraws his vote.

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. TELLER. If it is necessary to make a quorum I shall vote, as I reserved that right.

The PRESIDENT *pro tempore*. The name of the Senator from Colorado will be called.

Mr. TELLER. I vote "nay."

The result was announced—yeas 17, nays 21; as follows:

YEAS—17.

Bate,	Coke,	Payne,	Vance,
Berry,	Daniel,	Pugh,	Walthall.
Blackburn,	Harris,	Reagan,	
Blodgett,	Jones of Arkansas,	Saulsbury,	
Call,	Pasco,	Turpie,	

NAYS—21.

Aldrich,	Frye,	Morrill,	Stewart,
Allison,	Hawley,	Paddock,	Stockbridge,
Chandler,	Hiscock,	Palmer,	Teller.
Davis,	Hoar,	Sawyer,	
Dolph,	Ingalls,	Sherman,	
Edmunds,	Mitchell,	Spooner,	

ABSENT—38.

Beck,	Dawes,	Hampton,	Ransom,
Blair,	Eustis,	Hearst,	Riddleberger,
Bowen,	Evarts,	Jones of Nevada,	Sabin,
Brown,	Farwell,	Kenna,	Stanford,
Butler,	Faulkner,	McPherson,	Vest,
Cameron,	George,	Manderson,	Voorhees,
Chace,	Gibson,	Morgan,	Wilson of Iowa,
Cockrell,	Gorman,	Platt,	Wilson of Md.
Colquitt,	Gray,	Plumb,	
Cullom,	Hale,	Quay,	

The PRESIDENT *pro tempore*. The vote disclosing the absence of a quorum, the Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Dolph,	Mitchell,	Sherman,
Allison,	Edmunds,	Morrill,	Spooner,
Bate,	Faulkner,	Palmer,	Stewart,
Berry,	Frye,	Pasco,	Stockbridge,
Blackburn,	Hale,	Payne,	Teller,
Blair,	Harris,	Platt,	Turpie,
Blodgett,	Hawley,	Plumb,	Vance,
Call,	Hiscock,	Pugh,	Vest,
Chandler,	Hoar,	Reagan,	Walthall,
Cullom,	Ingalls,	Saulsbury,	Wilson of Iowa.
Davis,	Jones of Arkansas,	Sawyer,	

The PRESIDENT *pro tempore*. Forty-three Senators have answered to their names. A quorum is present.

Mr. ALLISON. I ask the Senator from North Carolina to withdraw his call for the yeas and nays, as a majority has voted against the amendment.

Mr. VANCE. I withdraw the call.

The PRESIDENT *pro tempore*. The Senator from North Carolina withdraws the call for the yeas and nays, and the Chair announces that the amendment is rejected. The reading will proceed.

The Chief Clerk read as follows:

197. Zinc, old and worn out, fit only to be remanufactured, 1½ cents per pound.

198. Manufactures, articles, or wares, not specially enumerated or provided for in this act, composed wholly or in part of iron, steel, lead, copper, nickel, pewter, tin, zinc, gold, silver, platinum, or any other metal, and whether partly or wholly manufactured, 45 per cent. ad valorem.

Mr. HARRIS. I propose to offer an amendment to come in at the end of the last line read, which I send to the desk.

The PRESIDING OFFICER (Mr. DOLPH in the chair). The amendment will be stated.

The CHIEF CLERK. At the end of line 806 it is proposed to add the following proviso:

Provided, That no article mentioned in this schedule shall pay a higher rate of duty than 90 per cent. ad valorem.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Tennessee [Mr. HARRIS].

Mr. HARRIS. Mr. President, the amendment is offered because of the fact that the great majority of articles taxed by this schedule have specific duties imposed upon them, and as prices fluctuate very often, the duty is thrown out of all proportion to the value of the thing upon which it is imposed. For that reason I offer the proviso to come in at the end of the schedule.

Mr. ALDRICH. In so far as the amendment offered by the Senator from Tennessee might lead the country to believe that there were any number of articles in this schedule upon which a duty of 90 per cent. ad valorem was levied, I desire to enter a disclaimer. But the effect of the amendment now offered by the Senator from Tennessee would be to oblige the appraising officers of the customs at every port where any article in this schedule was entered to ascertain the value and to ascertain whether the rate imposed was 90 per cent. or not. It would lead to inextricable confusion; and not only that, but it would very largely increase the expense of collecting customs, especially the expense of collecting customs under this schedule.

Mr. EDMUNDS. Without any adequate return.

Mr. ALDRICH. Without any adequate return, and without any good to any one so far as I can see. For instance, take pig-iron, where a duty is fixed under this bill and has been for a great many years at a specific rate. It would be necessary for the appraising officers at each of the ports to ascertain the value and the correctness of the value of every ton of pig-iron which would be imported under the bill. It is an impracticable amendment, if I may be allowed to say so, with all deference to the Senator from Tennessee.

Mr. HARRIS. Take the article of cutlery, for instance, that has not been disposed of as yet in Committee of the Whole. There is a specific duty upon a dozen knives, for example, costing a dollar or less. The dozen knives that cost a dollar and the dozen knives that cost 20 cents pay precisely the same rate of duty. In some instances, perhaps, in the schedule the specific duty imposed is lower, and the cheaper classes of goods upon which this duty is imposed would amount perhaps to 200 or 300 per cent. At all events, it is a very great inequality to compel the article worth only 20 cents to pay the same amount of tax or duty that the article which is worth a dollar pays.

In respect to the necessity of finding the value of all the articles in this schedule at the custom-house, that certainly can not be necessary under the provisions of the amendment as to any but a comparatively small class of articles. Where the tax imposed makes it probable that the ad valorem equivalent to the specific duty imposed would exceed 90 per cent., I grant that the value would have to be ascertained in order to determine whether it did or did not exceed that rate; but with regard to perhaps seven-tenths or nine-tenths of the articles dealt with in this schedule no investigation would be necessary to determine the question that the duty did not exceed 90 per cent.

Certainly there can be no revenue necessity, nor can there be any reasonable protective necessity, for requiring any article upon which the duties are imposed by this schedule to pay a higher rate of duty than 90 per cent. ad valorem.

Mr. ALDRICH. I suggest to the Senator from Tennessee that we defer action upon his amendment until the cutlery provisions which the committee will present to the Senate shall have been considered.

Mr. HARRIS. I have no objection to that course being pursued.

Mr. ALDRICH. Then if the Senator still finds it necessary in his own mind to have a provision of this kind he can make it apply simply to those paragraphs of the schedule where he wishes to limit the duty.

Mr. HARRIS. I have no objection to allowing the amendment to remain unacted upon until all the provisions of the bill have been considered and finally acted upon by the Committee of the Whole.

The PRESIDING OFFICER. If there be no objection, the amendment will be passed over, and the reading will proceed.

Mr. ALLISON. I ask the consent of the Senate to pass over informally Schedule D and Schedule E. The committee perhaps will have some amendments to suggest and propose to these two schedules.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Iowa to pass over Schedules D and E informally?

Mr. HARRIS. I wish to ask the Senator from Iowa if it is his purpose to return at this time to those paragraphs of Schedule C that have been informally passed over or to proceed with the other schedules of the bill?

Mr. ALLISON. My idea is to proceed with the other schedules in the bill and not to return to any of the paragraphs passed over until we have finished the bill.

Mr. HARRIS. I have no objection to the course suggested by the Senator from Iowa.

Mr. VANCE. I was going to suggest that I should be glad if the Senator from Iowa would say definitely on this evening or on any evening what is to be considered the next day, so that those of us who may have occasion to prepare can obtain the information necessary.

Mr. ALLISON. That was my object in making the statement to-night. The schedules to be considered next will be Schedule F, tobacco, and Schedule G, provisions. We can go on regularly with the schedules to-morrow morning. At the request of some Senators who have other engagements——

The PRESIDING OFFICER. The Chair will ask again if there is objection to passing over Schedules D and E?

Mr. HARRIS. Oh, there is no objection. We are willing to comply with the request of the Senator from Iowa.

The PRESIDING OFFICER. If there be no objection, it will be so ordered.

Mr. ALLISON. At the request of the Senator from Vermont [Mr. EDMUNDS], I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After twenty minutes spent in executive session the doors were reopened, and (at 4 o'clock and 47 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 20, 1888, at 11 o'clock a. m.

NOMINATION.

Executive nomination received by the Senate the 19th day of December, 1888.

TERRITORIAL CHIEF-JUSTICE.

Thomas Burke, of Washington Territory, to be chief-justice of the supreme court of the Territory of Washington, *vice* Charles E. Boyle, deceased.

CONFIRMATION.

Executive nomination confirmed by the Senate December 18, 1888.

POSTMASTER.

Mrs. Belle P. Chreitzberg, to be postmaster at Georgetown, in the county of Williamson and State of Texas.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *December* 19, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. MORRILL, until January 7, 1889.

To Mr. ROWLAND, indefinitely, on account of sickness in his family.

To Mr. GRANGER, indefinitely.

To Mr. WASHINGTON, for the balance of this week, on account of important business.

TO MAKE INDIANS CITIZENS.

Mr. COBB, by unanimous consent, introduced (by request) a joint resolution (H. Res. 243) to constitute Indians and Indian tribes citizens of the United States to the extent only that they may sue and be sued; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

INTERNATIONAL EXCHANGES, ETC.

The SPEAKER. Yesterday morning the Chair laid before the House a communication from the Secretary of the Smithsonian Institution, transmitting an account of expenditures on account of international exchanges, etc., which was referred to the Committee on Appropriations, but no order was made to print, and, if there be no objection, that order will now be made.

There was no objection, and it was so ordered.

ORDER OF BUSINESS—ANDREW J. SMITH.

Mr. BLANCHARD. Mr. Speaker, I demand the regular order.

Mr. GEAR. I rise to present a privileged report from a committee of conference.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2579) authorizing the President to appoint and retire Andrew J. Smith, late colonel of Seventh United States Cavalry and a major-general of volunteers, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate; and agree to the same.

R. W. TOWNSHEND,
LEVI MAISH,
JOHN H. KEAN,
Managers on the part of the House.
CHARLES F. MANDERSON,
F. M. COCKRELL,
Managers on the part of the Senate.

The managers on the part of the House, under the rule, submitted the following accompanying statement:

Statement of managers on the part of the House to accompany the conference report on bill H. R. 2579.

The managers on the part of the House on the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2579) authorizing the President to appoint and retire Andrew J. Smith, late colonel of Seventh United States Cavalry and a major-general of volunteers, after full conference, have agreed to the amendment of the Senate. The Senate amendment strikes out the words "brigadier-general," in the sixth line of the bill, and inserts in lieu thereof "colonel of cavalry."

It was thought by the managers on the part of the Senate that the bill as it passed the House authorized the President to appoint Andrew J. Smith a brigadier and to retire him with the rank of colonel. The amendment is agreed to, to avoid any possible difference of construction by reason of the phraseology of the bill. The amendment does not affect the bill as it passed the House in regard to the rank in which General Smith is to be placed on the retired-list.

The report of the committee of conference was agreed to.

Mr. GEAR moved to reconsider the vote by which the report of the committee of conference was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER. The regular order is demanded. The regular order is the report of the committee of conference which was under consideration yesterday afternoon. The question is on agreeing to the report, the report and the statement of the House conferees having been read yesterday.

Mr. PEEL. I ask that that be passed over for the present.

There was no objection, and it was so ordered.

MRS. ELIZABETH D. SCOTT.

Mr. STEELE. Mr. Speaker, I call up the special order, the bill to increase the pension of Mrs. Scott.

Mr. BLANCHARD. Mr. Speaker, is it competent to raise the question of consideration against that bill?

The SPEAKER. It is. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (S. 944) increasing the pension of Mrs. Elizabeth D. Scott.

Mr. BLANCHARD. I raise the question of consideration against that bill. I will state to the gentleman from Indiana [Mr. STEELE] that I do this with a view of calling up the river and harbor bill.

Mr. STEELE. This bill has been going over from time to time, and I wish to have it considered now. Under the order there are only fifteen minutes allowed on each side for debate, so that it can not consume much time, and I should think it would really save time to dispose of the bill now. I have no disposition at all to waste time in connection with the bill, but the case is a very meritorious one and ought to be disposed of.

Mr. BLANCHARD. Let it go over until to-morrow.

Mr. STEELE. To-morrow the Territorial bill will come up. This bill will take but a very short time, and we had better dispose of it now.

Mr. BLANCHARD. It will take half an hour.

Mr. STEELE. Well, if there is no disposition on the part of those opposed to the bill to debate it, our side will not consume any more time than the few minutes that may be necessary to explain it.

The SPEAKER. The question is, Will the House now proceed to the consideration of this bill?

Mr. O'NEILL, of Pennsylvania. I would like to ask the gentleman from Indiana [Mr. STEELE] whether this is one of the bills which are on a special calendar and which came out of the Committee of the Whole with the previous question ordered on them?

Mr. STEELE. It is.

Mr. O'NEILL, of Pennsylvania. I think, sir, that the House should proceed at some early day to consider all the bills that are on that special calendar, which have all come over in the same way, with the previous question ordered; but if they will not do that now, I hope they will take up and pass this bill for the increase of Mrs. Scott's pension.

Mr. STEELE. There is no other bill that I know of in just the same condition as this, except one which comes after it.

Mr. BLANCHARD. I have no desire to antagonize the bill of the gentleman from Indiana, but I feel constrained to raise the question of consideration against it in favor of the river and harbor bill.

Mr. STEELE. I hope the House will consider this bill for this poor lady.

A MEMBER. Regular order.

The SPEAKER. The regular order is demanded. This question is not debatable. The question is, Will the House proceed to the consideration of this bill?

The question was taken; and the Speaker declared that the noes seemed to have it.

Mr. O'NEILL, of Pennsylvania. I hope the House will proceed to consider this bill, as the case is a very meritorious one and ought to be promptly and favorably considered.

Mr. STEELE. I ask for a division.

The House divided; and there were—ayes 19, noes 42.

Mr. STEELE. No quorum.

The SPEAKER. The point being made that no quorum has voted, the Chair will appoint to act as tellers the gentleman from Indiana [Mr. STEELE] and the gentleman from Louisiana [Mr. BLANCHARD].

Mr. KILGORE. I rise to a parliamentary inquiry. I wish to know whether the consideration of this bill is the regular order.

The SPEAKER. It is the special order.

Mr. KILGORE. Did not the House yesterday refuse to consider it, and did it not by reason of that fact lose its place?

The SPEAKER. It did not. As the Chair stated yesterday morning, the bill had been postponed; and when it came up yesterday the House refused to proceed with its consideration, but it did not lose its place as a special order.

The House again proceeded to divide.

Mr. BLANCHARD (during the count by tellers). Mr. Speaker, as probably the quickest way to get rid of this bill is to let it go through, I withdraw the question of consideration.

Mr. MCMILLIN. I renew it. We have a dozen such cases.

After the tellers had proceeded for some time with the count,

Mr. MCMILLIN said: Mr. Speaker, I withdraw the point that no quorum voted.

Mr. BLANCHARD. I am willing that the bill be considered.

The SPEAKER. The gentleman from Indiana [Mr. STEELE], not the gentleman from Tennessee [Mr. MCMILLIN], made the point that no quorum voted.

Mr. STEELE. I withdraw it, if the question of consideration is withdrawn.

Mr. MCMILLIN. I do not understand the question of consideration to be withdrawn.

Mr. BLANCHARD (to Mr. MCMILLIN). Do you withdraw the question of consideration?

Mr. MCMILLIN. Oh, no.

The tellers resumed the count; but before the result was announced,

Mr. STEELE said: I ask unanimous consent that a vote be taken on this bill on Friday next at 3 o'clock.

Mr. SPINOLA. I object. If the gentleman will name 2 o'clock for the vote I will not object.

Mr. MATSON. I object.

Mr. STEELE. I modify my proposition so as to name 2 o'clock.

Mr. MATSON. I still object.

The tellers reported—ayes 56, noes 78.

Mr. STEELE. I withdraw the point that no quorum voted.

The SPEAKER. On this question the tellers report ayes 56, noes 78. The House determines not to proceed at this time with the consideration of the bill.

ORDER OF BUSINESS.

Mr. SPRINGER. By an order which the House adopted on Monday last, the bills with reference to the admission of Territories were made a special order for yesterday, immediately after the reading of the Journal, and to continue from day to day until disposed of. At a meeting of the Committee on Territories this morning I was instructed by a unanimous vote of that committee to notify the House that the committee will ask the House to consider those bills on Tuesday, January 15; and they will not be called up until that time.

Mr. BUCHANAN. Why this sudden cessation of activity?

Mr. SPRINGER. This is the unanimous wish of the committee, there being no politics in it.

Mr. BUCHANAN. This is the first move, then, in which there is no politics.

The SPEAKER. The regular order is demanded by the gentleman from Louisiana [Mr. BLANCHARD].

Mr. HAYES. I rise to make a privileged report from the Committee on Accounts.

Mr. HOOKER. Is it understood that any order was taken by the House upon the proposition of the gentleman from Illinois [Mr. SPRINGER] in regard to considering the Territorial matters?

The SPEAKER. No order was necessary; an order has been made heretofore.

Mr. HOOKER. I rise to a parliamentary inquiry. I understood that by an order adopted on the day before yesterday the consideration of these matters with reference to the admission of the Territories was made a special order for yesterday; and yesterday the chairman of the committee, as I understood, announced that he would not call the matter up until to-day. I want to know whether it is not within the power of the House to take up those measures now, and why it should not be done?

The SPEAKER. Certainly, any gentleman can call up the matter for consideration, and the House will determine whether it will proceed to its consideration or not. At present the gentleman from Iowa [Mr. HAYES] is on the floor to present a privileged report.

CLERKS TO SENATORS AND REPRESENTATIVES.

Mr. HAYES, from the Committee on Accounts, submitted a report; which was read, as follows:

The Committee on Accounts, to whom was referred House bill No. 8059, having had the same under consideration, approve the purposes of the bill and think such relief should be given to Senators and Representatives in Congress; but the same purpose has been covered by House bill 6095 and with more detail, and which seems to be proper, if not necessary, to properly effectuate its purposes; and so we recommend a substitute for House bill 8059, the substitute being House bill 6095, with slight changes, so as to read as follows, and recommend the passage of this substitute:

"A bill to authorize the appointment and prescribe the compensation of clerks to Senators and Representatives who are not chairmen of committees.

"*Be it enacted, etc.*, That from and after the approval of this act each Senator and Representative and Delegate in Congress, who is not the chairman of a committee which is allowed a clerk, shall, during the sessions of Congress only, be entitled to a clerk, to be appointed and paid as follows, to wit: Such Senator may at any time after the beginning of each session, as soon as the committees are announced, nominate to the Secretary of the Senate such person as he desires to be his clerk, and thereupon said Secretary shall enroll the name of such nominee in a record-book, to be kept for that purpose, showing the full name of such person and the State or place from which appointed, with the date of the same. Such Representative or Delegate may, at any time after the beginning of each session of Congress, nominate to the Clerk of the House of Representatives such person as he desires to be his clerk, and thereupon the Clerk of the said House shall enroll the name of such nominee in a record-book to be kept for that purpose, showing the full name of such person and State or place from whence appointed, with date of same.

"SEC. 2. That the aforesaid clerks shall be paid out of the contingent funds of the respective Houses as other employés of the Senate and House of Representatives, but only for the time they are actually present and in the service of the Senator or Representative by whom they are respectively nominated, each at the rate of $100 per month; and such clerks shall be removable at the pleasure of the Senator or Representative at whose instance the appointment is made."

As to this substitute the committee adopts the report made to the last Congress upon a similar bill, being Report 3905, Forty-ninth Congress, second session, as follows:

"[House Report 3905, Forty-ninth Congress, second session.]

"The Committee on the Revision of the Laws, to whom was referred House bill 10078, having had the same under consideration, report the same back to the House with a recommendation that it pass.

"The bill gives a clerk to each Senator and Representative who is not the chairman of a committee entitled to a clerk. At the beginning of each Congress and as soon as the committees are announced, each such Senator and Representative is required to name his clerk. Those named by the Senators are to be enrolled by the Secretary of the Senate, and those named by the Representatives are to be enrolled by the Clerk of the House. They are to be paid as other employés of the two Houses are paid, and at the rate of $100 per month during the time they are actually present and serving. It is believed by your committee that the passage of the bill is necessary to relieve members of Congress from a drudgery which prevents them from devoting a good portion of their time to the study and preparation of such measures as they have to act and vote upon. How often are members of this House called to vote upon the most vitally important measures without ever having had time to read the bill or the report of the committee thereon, much less an opportunity to study and compare such measure with former legislation touching the same subject.

"One of the reasons which influenced the committee was the adoption of a resolution by the Senate some years ago allowing each Senator (not chairman of a committee) a clerk. At each session of Congress since then the Senate has put an amendment on the legislative, executive, and judicial appropriation bill providing for paying those clerks, and the House, after a fruitless resistance, has each time been forced to assent thereto. Senators' clerks now receive the same per diem compensation as clerks to committees. The bill herewith reported proposes to establish uniformity and equality as between Senators and Representatives as to clerks and their compensation.

"It is believed that honest and capable young men can be found in every Congressional district throughout the Union who would gladly accept the position of clerk to his Senator or Representative for $100 per month during the sessions of Congress, which is the compensation proposed by this bill.

"With six great Departments, comprising more than a score of bureaus, and the large amount of business which requires of members a daily visit to some of them, the large number of Government publications, the seed of various kinds which it is the right of the people to have distributed among them, pensions and patents to be looked after, which, with the answering of the letters received by any member of Congress, will require the whole time of any one man, and he who does it properly will find all of his time fully occupied in its performance. A Senator or Representative who devotes his time to these duties will have none to spare for legislation. One of these must be neglected, or the Senator or Member must employ a clerk at his own expense, and this is a hardship in many cases.

"Many of the Representatives and some of the Senators, especially from the Southern States, are poor men, and can not maintain a family in Washington on a less salary than that now allowed by law. It is not to the interest of the public at large that poor men of a high order of talent should be driven out or kept out of Congress through the meagerness of the salary, and thus the business of legislation be entrusted to the millionaires and men of wealth. Such a course would be as fallacious as very high salaries would be inconsistent with the genius of our Government. The bill under consideration does not in any sense increase the salaries of members, for under its provisions they have nothing to do with the payment of the clerks, nor can the latter receive any pay except for time employed and service actually rendered.

"Your committee are of opinion that the services of a clerk to a member of Congress would be more valuable to that member's constituents than to the member himself. Would not the people of any Congressional district prefer to present methods that there should be paid out of the United States Treasury $100 per month while Congress is in session, to some bright, active young man, to aid their Representative by giving prompt attention to their business with the several Departments, and promptly answer their letters, etc., thereby securing to the member time enough to read and study closely the various important matters of legislation before Congress? Twenty-five years ago there was no necessity for such assistance, but the growth of the country in population and business has been very great, and with it the Departments and bureaus of the Government have, not always wisely perhaps, correspondingly multiplied. Then three thousand bills was a large aggregate of the number introduced during a Congress, while now more than four times that number are printed and referred to appropriate committees during each Congress.

"Under this bill clerks to Senators would receive but $100 per month, whereas at present they receive $180, being the same as received by committee clerks, and with much less labor to perform. This reduction in the amount paid Senators' clerks would, upon an average per session, reduce the expenditure about $15,000. The total expenditure under this bill would amount in the aggregate to about $240,000 per Congress of two sessions, or an average of $120,000 per annum, which at the most would not exceed the present outlay in that direction more than $100,000 per annum. It is also believed that the passage of this bill would greatly diminish the competition for chairmanships of committees. A large number of the standing committees of the House (at least twelve) could well be dispensed with, and the present necessity for additional committee-rooms in the Capitol would thereby be averted. A majority of your committee are therefore of opinion that the bill ought to pass. It is deemed just to state that this report is not the unanimous voice of the committee."

Mr. HOLMAN. Mr. Speaker, this measure, I presume, is subject to a point of order?

The SPEAKER. It is.

Mr. HOLMAN. I make the point that it must be first considered in Committee of the Whole.

The SPEAKER. The point is well taken; the bill, under the rules, must receive its first consideration in Committee of the Whole on the state of the Union.

Mr. SPRINGER. I rise to a parliamentary inquiry. How does this matter come before the House?

The SPEAKER. This bill was introduced and referred by the House to the Committee on Accounts. It provides for the payment of the salaries of the proposed clerks out of the contingent fund of the House.

Mr. HOLMAN. But how does this come before the House?

The SPEAKER. The point of order that it must have its first consideration in the Committee of the Whole House on the state of the Union is well taken.

Mr. HAYES. I move that the House resolve itself into Committee of the Whole for the purpose of considering the bill.

Mr. BLANCHARD. Is it in order to make a point of order against that?

The SPEAKER. It is not, but the House may refuse to agree to the motion.

Several MEMBERS. Division.

Mr. SPRINGER. As a test vote on this proposition I demand the yeas and nays on the motion to go into Committee of the Whole.

The yeas and nays were ordered, more than one-fifth voting in favor thereof.

The question was taken; and it was decided in the negative—yeas 95, nays 108, not voting 120; as follows:

YEAS—95.

Adams,	Cutcheon,	Howard,	Plumb,
Baker, N. Y.	Dalzell,	Hudd,	Pugsley,
Bayne,	Davenport,	Kean,	Reed,
Bingham,	Dorsey,	Kelley,	Romeis,
Boothman,	Dunham,	Kennedy,	Rowell,
Boutelle,	Felton,	Lagan,	Russell, Conn.
Bowden,	Finley,	Lehlbach,	Ryan,
Bowen,	Fitch,	Lind,	Sawyer,
Brower,	Foran,	Lodge,	Scull,
Browne, Ind.	French,	Lyman,	Smith,
Brown, J. R., Va.	Gaines,	Mason,	Steele,
Brumm,	Gear,	McKenna,	Struble,
Bunnell,	Grout,	McKinley,	Symes,
Butterworth,	Harmer,	Moffitt,	Taulbee,
Bynum,	Hayden,	Morrow,	Taylor, J. D., Ohio
Cannon,	Hayes,	Nichols,	Thomas, Wis.
Carlton,	Henderson, Ill.	Oates,	Thompson, Ohio
Cheadle,	Hiestand,	O'Neill, Mo.	Vandever,
Clark,	Hooker,	Outhwaite,	Weber,
Cogswell,	Hopkins, Ill.	Penington,	White, N. Y.
Compton,	Hopkins, Va.	Perkins,	Whiting, Mich.
Conger,	Hopkins, N. Y.	Perry,	Woodburn,
Cox,	Houk,	Peters,	Yoder.
Crain,	Hovey,	Pidcock,	

NAYS—108.

Abbott,	Clardy,	Landes,	Rogers,
Allen, Mich.	Cobb,	Lane,	Russell, Mass.
Allen, Miss.	Cowles,	Lanham,	Sayers,
Anderson, Iowa	Culberson,	Lee,	Seymour,
Anderson, Miss.	Cummings,	Macdonald,	Shaw,
Anderson, Ill.	Darlington,	Martin,	Snyder,
Baker, Ill.	Davidson, Fla.	Matson,	Sowden,
Bankhead,	Davis,	McClammy,	Spinola,
Barnes,	Dibble,	McCreary,	Springer,
Barry,	Dockery,	McMillin,	Stephenson,
Biggs,	Elliott,	McRae,	Stewart, Tex.
Blanchard,	Farquhar,	McShane,	Stewart, Ga.
Bland,	Gest,	Montgomery,	Stockdale,
Blount,	Glass,	Moore,	Stone, Ky.
Bound,	Hare,	Neal,	Taylor, E. B., Ohio
Breckinridge, Ark.	Hatch,	Nelson,	Tillman,
Breckinridge, Ky.	Hemphill,	Newton,	Townshend,
Brewer,	Henderson, N. C.	O'Donnell,	Tracey,
Browne, T.H.B., Va.	Holman,	O'Neall, Ind.	Turner, Ga.
Burnett,	Holmes,	O'Neill, Pa.	Vance,
Burrows,	Hutton,	Osborne,	Wade,
Campbell, F., N. Y.	Jackson,	Peel,	Walker,
Candler,	Johnston, N. C.	Phelan,	Weaver,
Caruth,	Kerr,	Randall,	Wheeler,
Caswell,	Ketcham,	Rayner,	Wilkins,
Catchings,	Kilgore,	Richardson,	Wilson, Minn.
Chipman,	Laidlaw,	Robertson,	Yardley.

NOT VOTING—120.

Allen, Mass.	Fisher,	Laird,	Rockwell,
Anderson, Kans.	Flood,	Latham,	Rowland,
Arnold,	Ford,	Lawler,	Rusk,
Atkinson,	Forney,	Long,	Scott,
Bacon,	Fuller,	Lynch,	Seney,
Belden,	Funston,	Maffett,	Sherman,
Bliss,	Gallinger,	Mahoney,	Shively,
Brown, Ohio	Gay,	Maish,	Simmons,
Bryce,	Gibson,	Mansur,	Spooner.
Buchanan,	Glover,	McAdoo,	Stahlnecker,
Buckalew,	Goff,	McComas,	Stewart, Vt.
Burnes,	Granger,	McCormick,	Stone, Mo.
Butler,	Greenman,	McCullogh,	Tarsney,
Campbell, Ohio	Grimes,	McKinney,	Thomas, Ky.
Campbell, T.J., N.Y.	Grosvenor,	Merriman,	Thomas, Ill.
Clements,	Guenther,	Milliken,	Thompson, Cal.
Cockran,	Hall,	Mills,	Turner, Kans.
Collins,	Haugen,	Morgan,	Warner,
Cooper,	Heard,	Morrill,	Washington,
Cothran,	Henderson, Iowa	Morse,	West,
Crisp,	Herbert,	Norwood,	White, Ind.
Crouse,	Hermann,	Nutting,	Whiting, Mass.
Dargan,	Hires,	O'Ferrall,	Whitthorne,
Davidson, Ala.	Hitt,	Owen,	Wickham,
De Lano,	Hogg,	Parker,	Wilber,
Dingley,	Hunter,	Patton,	Wilkinson,
Dougherty,	Johnston, Ind.	Payson,	Williams,
Dunn,	Jones,	Phelps,	Wilson, W. Va.
Enloe,	Laffoon,	Post,	Wise,
Ermentrout,	La Follette,	Rice,	Yost.

So the House refused to go into Committee of the Whole.

During the roll-call the following pairs were announced:

Mr. SENEY with Mr. STEWART, of Vermont, for ten days from to-day

Until further notice:

Mr. ROWLAND with Mr. WILLIAMS.

Mr. WASHINGTON with Mr. DINGLEY.

Mr. BACON with Mr. ALLEN, of Massachusetts.

Mr. JONES with Mr. PATTON.

Mr. GREENMAN with Mr. SHERMAN.

Mr. BURNES with Mr. WHITING, of Massachusetts.

Mr. FORNEY with Mr. FULLER.

Mr. ERMENTROUT with Mr. LAIRD.

Mr. LAFFOON with Mr. MCCORMICK.

Mr. MORGAN with Mr. PARKER.

Mr. WHITTHORNE with Mr. WHITE, of Indiana.

Mr. DOUGHERTY with Mr. HUNTER.

Mr. NORWOOD with Mr. GROSVENOR.

Mr. MCADOO with Mr. BELDEN.

Mr. STONE, of Missouri, with Mr. THOMAS, of Kentucky.

Mr. COTHRAN with Mr. CROUSE.

Mr. RICE with Mr. MORRILL.

Mr. GRANGER with Mr. ROCKWELL.

Mr. WILKINSON with Mr. FUNSTON, for one week from December 17.

Mr. CAMPBELL, of Ohio, with Mr. WILLIAMS, for this day.

Mr. ENLOE with Mr. THOMAS, of Illinois, for this day.

Mr. O'FERRALL with Mr. LONG, on this vote.

Mr. THOMPSON, of California, with Mr. ATKINSON, on this vote.

The vote was then announced as above recorded.

Mr. HAYES. I ask, by unanimous consent, to withdraw the report for the time being.

The SPEAKER. Is there objection?

Mr. HOLMAN. Let it be recommitted.

Mr. RANDALL. I object.

Mr. HAYES. I wish to ask the Chair whether this report will retain its privileged character and come up hereafter.

The SPEAKER. The Chair prefers not to decide that question until it is presented. The Chair will examine it.

Mr. RANDALL. The bill is in the Committee of the Whole on the state of the Union?

The SPEAKER. It is.

Mr. RANDALL. Of course, then, the motion to lay upon the table is not in order?

The SPEAKER. It is not.

ORDER OF BUSINESS.

Mr. BLANCHARD. Mr. Speaker, I move to dispense with the morning hour for the call of committees, and ask unanimous consent at the same time that members having reports to make may hand them in at the desk.

Mr. HEMPHILL. I wish to submit a parliamentary inquiry to the Chair in reference to this request before it is granted. The Committee on the District of Columbia want to submit a report on a resolution looking to an investigation regarding certain purchases of real estate in this District, and I would like to know if it can now be considered by the House.

The SPEAKER. It can not except by unanimous consent, and the regular order has been demanded by several gentlemen.

Is there objection to the request of the gentleman from Louisiana as to the filing of reports?

There was no objection.

FILING OF REPORTS.

The following reports were filed by being handed in at the Clerk's desk:

ABANDONED HOMESTEAD ENTRIES.

Mr. MCRAE, from the Committee on the Public Lands, reported back with amendment the bill (H. R. 11620) to allow persons who have abandoned or relinquished their homestead entries to make another entry, and for other purposes; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

IRON BRIDGE, FORTRESS MONROE, VA.

Mr. MAISH, from the Committee on Military Affairs, reported back favorably the bill (H. R. 9067) for the construction of an iron bridge from the military reservation at Fortress Monroe to Elizabeth City County, Virginia; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

LIGHT-SHIP, SANDY HOOK, NEW YORK HARBOR.

Mr. CLARDY, from the Committee on Commerce, reported back favorably the bill (H. R. 11683) for the establishment of a light-ship with a fog-signal at Sandy Hook, New York Harbor; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PURCHASE OF REAL ESTATE IN THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL, from the Committee on the District of Columbia, reported back favorably a House miscellaneous document in relation to the purchase of real estate in the District of Columbia; which was

referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

RELIEF OF PROPERTY IN THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL also, from the Committee on the District of Columbia, reported back favorably the bill (S. 1092) for the relief of certain property in the District of Columbia; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

FUGITIVES FROM JUSTICE.

Mr. HENDERSON, of North Carolina, from the Committee on the Judiciary, reported back favorably the bill (S. 3136) to amend section 1014 of the Revised Statutes of the United States, in relation to fugitives from justice; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

SPECIAL-DELIVERY STAMPS.

Mr. WHITE, of New York, from the Committee on the Post-Office and Post-Roads, reported back favorably the bill (H. R. 11794) to amend the postal laws of the United States in reference to letters bearing special-delivery stamps; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

BOARD OF VISITORS TO WEST POINT, 1887.

Mr. RICHARDSON, from the Committee on Printing, reported back a House resolution to print 5,000 extra copies of the annual report of the Board of Visitors for 1887 to the United States Military Academy; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

UNIFORMS OF ARMY OF UNITED STATES.

Mr. RICHARDSON also, from the Committee on Printing, reported back favorably a joint resolution (H. Res. 182) to print 3,000 sets of plates illustrating the uniform of the Army of the United States from the organization of the Government to the present time; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

ELECTION FRANCHISE.

Mr. HOLMAN, by unanimous consent, introduced a bill (H. R. 11866) to preserve the purity of the election franchise; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

The motion to dispense with the morning hour was then agreed to.

The SPEAKER. The regular order is the hour for the consideration of bills, which begins at two minutes before 1 o'clock.

Mr. BLANCHARD. I ask unanimous consent that the second morning hour be dispensed with.

Mr. SOWDEN. I object.

Mr. PHELAN. I wish to submit a privileged report.

The SPEAKER. The Chair has announced that the hour for the consideration of bills has begun, but that order will be recalled, and the gentleman will submit his report.

APPOINTMENTS IN THE MARINE-HOSPITAL SERVICE.

Mr. PHELAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1786) to regulate appointments in the Marine-Hospital Service of the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments.

JAMES PHELAN,
M. D. LAGAN,
CHARLES O'NEILL,
Managers on the part of the House.

JOSEPH N. DOLPH,
P. SAWYER,
F. M. COCKRELL,
Managers on the part of the Senate.

The SPEAKER. There is no statement accompanying this report as required by the rule.

Mr. PHELAN. I ask unanimous consent to submit a verbal statement, as this affects only one feature of the bill.

The SPEAKER. Without objection, the gentleman will submit a verbal statement.

There was no objection.

Mr. PHELAN. The bill as reported from the committee of the House was the same as it came from the Senate, but when it came up for consideration in the House the following amendment was adopted:

Provided, That nothing in this act shall be so construed as to affect the rank of promotion of any officer originally appointed before the adoption of the regulations of 1879; and the President is authorized to nominate for confirmation the officers in the service on the date of the passage of this act.

That amendment was added, as I have said, in the House. Its operation would be to except the Supervising Surgeon-General from the operation of the act, and make him again liable to a new appointment. Upon the information received by the conference committee we came to the conclusion that it would be unjust and unfair to the officer now holding this position to adopt the amendment.

Mr. BLOUNT. And that is eliminated from the report?

Mr. PHELAN. Yes, sir.

The report was adopted.

ORDER OF BUSINESS.

Mr. SOWDEN. I rise to submit a parliamentary inquiry. In case I withdraw my objection to the motion of the gentleman from Louisiana, does the call rest with the Committee on the Militia when the hour for consideration is next reached?

The SPEAKER. It does.

Mr. SOWDEN. Then I withdraw my objection.

Mr. TAULBEE. I rise to a parliamentary inquiry. If I caught the statement of the Chair, made in response to the gentleman from South Carolina a short time ago, the Chair stated that the regular order had been demanded. I want to know if it is the regular order to dispense with the morning hour or to proceed with it?

The SPEAKER. To proceed with it; but the gentleman from Illinois has asked unanimous consent to dispense with it.

Mr. TAULBEE. Let us have the regular order.

The SPEAKER. The regular order is the consideration of bills for one hour, the hour beginning at three minutes past 1 o'clock.

Mr. BLOUNT. I wish to submit a request on behalf of the gentleman from New Jersey, the chairman of the Committee on the Militia, who is necessarily absent from the city, and who has charge of the bill which would come up for consideration in this hour, the bill creating a military force for the District of Columbia. He is necessarily detained from the Capitol, and I ask in his behalf that the call proceed with the next committee, reserving the right to his committee to be called hereafter.

The SPEAKER. But the regular order is insisted upon by the gentleman from Kentucky.

Mr. BLOUNT. I hope, in view of the necessary absence of the gentleman from New Jersey [Mr. MCADOO], who has made this request of me, that there will be no objection to permitting his committee to be passed over on the call to-day, reserving its hour to be used hereafter.

Mr. TAULBEE. I shall not object to that, of course, if it is requested by the gentleman from New Jersey, provided the regular order is proceeded with.

The SPEAKER. The request does not dispense with the hour, which will be occupied by another committee.

Mr. TAULBEE. Then I do not object.

The SPEAKER. In the absence of objection, the Committee on the Militia will be passed over, retaining its hour.

The Committee on Patents was called.

The Committee on Invalid Pensions was called.

Mr. MATSON. I think there is in this hour some unfinished business that would necessarily come up.

The SPEAKER. The gentleman can call up any business unfinished, or any new business of a public character that has not been heretofore considered.

Mr. WEAVER. I was temporarily absent from my seat when my committee was called, and I ask unanimous consent that it may retain its place in the call.

Mr. DIBBLE. I shall object to that, unless the same privilege be granted to the Committee on Public Buildings and Grounds.

Mr. WEAVER. That is right, and I hope that committee will also be permitted to retain its call.

The SPEAKER. Is there objection to the request that the Committee on Patents and the Committee on Public Buildings and Grounds may retain their places in the call, not to lose the time to which they are entitled under the rule?

There was no objection, and it was so ordered.

AMENDMENT OF PENSION LAWS.

Mr. MATSON. It has been agreed in my committee that in this hour the bill increasing the pension for deafness shall be first called, and subsequently a bill providing that persons who have served in the Confederate army and afterwards enlisted in the Navy might be put upon the same footing as those who enlisted in the Army, which by some oversight was not included when the bill became a law.

I now call up for consideration the bill (H. R. 4953) to amend paragraph 3 of section 4693 of the Revised Statutes, and for other purposes.

The SPEAKER. This bill is in Committee of the Whole House on the state of the Union.

Mr. MATSON. I ask that the bill be considered in the House as in Committee of the Whole.

Mr. BLOUNT. I would like to know more about the bill before that is done.

The SPEAKER. The bill can be read, subject to objection.

The bill was read at length.

Mr. MATSON. That is not the bill I desire to have considered; I will find the bill. The bill that I spoke of is not on the Calendar. I thought it was reported.

The SPEAKER. Then it can not be taken up under the rule, except by unanimous consent.

Mr. MATSON. I ask unanimous consent that the Committee on Invalid Pensions be passed over for the present, not to lose its place.

The SPEAKER. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none.

REPAYMENT OF ADVANCES MADE BY MARYLAND AND VIRGINIA.

Mr. LANHAM (when the Committee on Claims was reached). I call up for consideration the bill (H. R. 1521) to provide for paying certain advances made to the United States by the States of Maryland and Virginia, which is now on the Calendar.

I move the House resolve itself into Committee of the Whole House on the state of the Union for its consideration.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. DOCKERY in the chair.

The CHAIRMAN. The House is in committee for the consideration of a bill the title of which has been read.

The bill was read in full, as follows:

Be it enacted, etc., That the accounting officers of the Treasury be, and they are hereby, authorized and directed to settle the accounts of the State of Maryland for advances made to the United States in pursuance of an act of the General Assembly of Maryland passed the 19th of December, 1791, entitled "An act concerning the Terri ory of Columbia and the city of Washington," for the purpose of aiding in erecting public buildings at the permanent seat of the Government of the United States, and to allow interest on the amount found to be due the State from the 1st day of January, 1843: *Provided, however*, That any sum of money due by the State of Maryland to the United States shall be deducted from the amount found due to the State of Maryland.

SEC. 2. That the accounting officers of the Treasury be, and they are hereby, authorized and directed to settle the accounts of the State of Virginia for advances made to the United States in pursuance of an act of the General Assembly of Virginia passed the 27th of December, 1790, entitled "An act concerning an advance of money to the Government of the United States for public buildings," for the purpose of aiding in erecting public buildings at the permanent seat of the Government of the United States, and to allow interest on the amount found to be due to the State of Virginia from the 1st day of January, 1850: *Provided, however*, That any sum of money due by the State of Virginia to the United States shall be deducted from the amount found due to the State of Virginia.

SEC. 3. That the Secretary of the Treasury is hereby authorized and directed to pay to the treasurers of the States of Maryland and Virginia the amounts found to be due them, respectively, under the provisions of this act out of any money in the Treasury not otherwise appropriated.

SEC. 4. That this act shall take effect from the date of its passage.

Mr. LANHAM. I yield the floor to the gentleman from Maryland [Mr. SHAW], who reported this bill from the Committee on Claims, and who is more familiar with it than I am.

Mr. BUCHANAN. Will the chairman of the committee [Mr. LANHAM] before yielding the floor permit a question? Is this the same bill that was in the Committee on Claims in the Forty-ninth Congress, and as to which the views of the minority were presented?

Mr. LANHAM. My recollection of the bill is that it was considered by that committee in the Forty-ninth Congress. I am not positive whether a report was made or not. It is the same bill, I am informed by the gentleman from Maryland [Mr. SHAW].

Mr. BUCHANAN. And that there was great diversity of opinion in the committee as to its merits.

Mr. LANHAM. I yield the floor.

Mr. SHAW. I should like to have the first seven pages of the report which I send to the Clerk's desk read, and if gentlemen will give their attention they will see upon what basis this claim rests.

The Clerk read as follows:

The subject-matter of this bill has been before committees of Congress since the year 1850, and from the records of committees of the two Houses of Congress there appear to have been made the following reports:

September 16, 1850. Thirty-first Congress, first session, H. R. Report No. 494, by Mr. Daniel, from Committee on Claims.

May 29, 1850. Same Congress and session. From the Senate Committee on Claims, by Senator Underwood.

January 6, 1852. Thirty-second Congress, first session, H. R. Report No. 2, by Mr. Rantoul, from Committee on Claims.

January 30, 1852. Thirty-second Congress, first session, Senate Report No. 59, by Mr. Brodhead.

1853. Thirty-third Congress, first session, H. R. Report No. 278, by Mr. Kerr, from Committee on the Judiciary.

Also by Mr. Geyer.

May 20, 1884. Forty-eighth Congress, first session, H. R. Report No. 1563, by Mr. Mayberry, from Committee on the Judiciary.

February 13, 1886. Forty-ninth Congress, first session, H. R. Report No. 518, by Mr. Shaw, from Committee on Claims.

February 7, 1887. Forty-ninth Congress, second session, Senate Report No. 1787, by Mr. Mahone, from Committee on Public Buildings and Grounds.

This committee has again examined the reports, documents, and state papers, as well as contemporaneous history, and having collated from the private diary of the late Hon. William Maclay, a Senator from Pennsylvania in the first Senate of the United States Congress, in 1789, 1790, and 1791, all the facts relating to the subject, it believes that a correct understanding of the reasons which influenced the location of the public buildings on the Potomac entitles the States of Virginia and Maryland to the relief provided in the bill. That history is briefly but correctly set forth in the report of the House Committee on Claims of the Forty-ninth Congress, which report this committee again submits as embodying all the facts, reasons, and arguments which induce it to recommend the passage of the accompanying bill.

[House Report No. 518, Forty-ninth Congress, first session.]

During the Revolution the Congress assembled in places which were rendered available by the varying circumstances of the war then being waged. Philadelphia, Lancaster, and York, in Pennsylvania; Princeton and Trenton, in New Jersey; Annapolis, in Maryland, and New York City were severally honored by the meetings of this assemblage. Before the treaty of peace Philadelphia became and continued the seat of government until June, 1783. The mutiny of the Pennsylvania line on account of arrearages of pay compelled an adjournment of the sitting of Congress to Princeton, N. J. The causes which led to this sudden and unexpected adjournment of the Federal Congress from its established seat made the subject of a Federal capital a fruitful source of discussion, continuing through the period intervening from 1783 to 1790. On the 7th of October, 1783, Mr. Gerry, then a member of the House of Representatives, gave definite shape to the discussion by proposing that the Federal buildings be provided on or near the banks of the Delaware or Potomac River, with a vested right in the soil and exclusive jurisdiction for all governmental purposes in the Government of the United States. The proposition of Mr. Gerry received the approval of Congress at that time, but no definite steps were taken to further conclude the matter. On April 25, 1784, the action of Congress approving the proposition of Mr. Gerry was repealed without the assignment of any special reasons therefor.

On the 30th of October, 1784, three commissioners were appointed by Congress to select and lay out a Federal district for the purposes of the Government, near the falls and on either side of the Delaware River. The commissioners were authorized and empowered to purchase the land and to erect the necessary public buildings thereon. On account of the failure of Congress to make an appropriation, the purposes contemplated in the act creating the board of commissioners were not carried into effect. On the 13th of February, 1785, an effort was made to substitute the Potomac for the Delaware River as a proposed site, which effort finally failed.

On the 10th day of May, 1787, Mr. Lee, of Virginia, introduced a resolution providing for the erection of public buildings in Georgetown, on the Potomac. This resolution, like its predecessors, failed of adoption. The Constitution, adopted in 1787, provided for a Federal district not exceeding 10 miles square for the permanent seat of government. Action was not taken to give effect to this provision of the Constitution until the 23d of December, 1788, when Maryland passed an act to cede to the United States a district of 10 miles square, the act leaving with Congress to decide where the exact site should be selected.

On the 3d of December, 1789, the State of Virginia passed an act for the cession of a district 10 miles square, and suggesting the selection of a site on the Potomac River where "the States of Pennsylvania, Maryland, and Virginia may participate in such location." (Davis's Laws, District of Columbia, page 60.)

No action was taken by Congress upon either of these acts until September 5, 1789, when a resolution passed the House of Representatives establishing the seat of government on the Susquehanna River. In the debates which ensued on that resolution the word "Susquehanna" was struck out and that of "Germantown" inserted. This resolution, which then took the form of a bill, passed the House, but failed to pass the Senate.

On the 31st of May, 1790, a bill was introduced in the Senate "to determine the permanent seat of Congress and the Government of the United States." Baltimore, Georgetown, Patapsco, and Havre de Grace were mentioned as desirable places for the capital of the country. But finally the act establishing "the temporary and permanent seat of government for the United States" was passed July 16, 1790, fixing the banks of the Potomac River as the most desirable site. In compliance with this act, President Washington visited Williamsport, Washington County, Maryland, but not liking the situation selected the present location, and upon his report the act of March 3, 1791, was passed, amending that of July 16, 1790, and authorized the President to include Hunting Creek and the town of Alexandria in the Federal district. Thus the present District of Columbia was located.

It is shown by an act of the General Assembly of Virginia, passed December 3, 1789 (13 Henning, page 33), that the establishment of a "situation for the seat of the General Government, central and convenient to the citizens of the United States at large, having due regard to population, extent of territory, and a free navigation to the Atlantic Ocean through the Chesapeake Bay, as well as ready communication with our fellow-citizens on the western frontier," engaged the attention of the said General Assembly, and on the 10th of December that General Assembly passed the following:

"*Resolved by the General Assembly of Virginia*, That a copy of the foregoing act of the 3rd of December, 1789, be transmitted to the General Assembly of Maryland without delay, and that it be proposed to the said Assembly to unite with this Legislature in an application to Congress that in case Congress shall deem it expedient to establish the permanent seat of government of the United States on the banks of the Potomac so as to include the cession of either State, or a part of the cession of both States, this Assembly will pass an act for advancing a sum of money not exceeding $120,000 to the use of the General Government, to be applied in such a manner as Congress shall direct towards erecting public buildings, the said Assembly of Maryland on their part advancing a sum not less than three-fifths of the sum advanced by this State for the like purposes." (See Journal of the House of Delegates, page 115.)

The foregoing resolution was prepared and introduced into the General Assembly of Virginia by Hon. John Marshall, then a member thereof, and afterwards Chief-Justice of the Supreme Court of the United States.

At the November session, 1790, the General Assembly of Maryland passed the following resolution:

"Whereas by a resolution of the General Assembly of Virginia, passed on the 10th day of December, 1789, it was proposed to the General Assembly of Maryland that the General Assembly of Virginia will pass an act for advancing a sum of money, not less than $120,000, to the use of the General Government, and to be applied in such manner as Congress shall direct, toward erecting public buildings, the Assembly of Maryland on their part advancing a sum not less than three-fifths of the sum advanced by the said General Assembly of Virginia, which resolution came so late to the last General Assembly of Maryland that it could not be acted upon, and was, therefore, referred to this present session; and

"Whereas this General Assembly doth highly approve of the object of said resolution and is desirous of doing everything required on the part of Maryland for carrying the same into effect, on a second reading of said resolution,

"*Resolved*, That this house doth accede to the proposition contained in said resolution of the Assembly of Virginia, and will advance to the President of the United States, for the purposes mentioned in said resolution, the sum of $72,000, payable to his order in three equal yearly payments."

On the 24th of December, 1790, the General Assembly of Virginia passed the following—

"Act concerning an advance of money to the Government of the United States for public buildings.

"Whereas the General Assembly of Maryland have acceded to a proposition of the General Assembly of this Commonwealth, contained in their resolution of the 10th day of December, 1789, concerning an advance of money to the General Government to be applied towards erecting public buildings at the permanent seat of the Government of the United States, should the Congress deem it expedient to fix it on the bank of the Potomac; and

"Whereas Congress has passed an act for establishing the said seat of Government on the Potomac:

"*Be it enacted by the General Assembly*, That $120,000 shall be advanced by this Commonwealth to the General Government, payable in three equal yearly payments, and to be applied toward erecting public buildings at the permanent seat of the Government of the United States on the bank of the Potomac, and the auditor of public accounts is hereby directed to issue his warrants on the treasurer to the amount of $120,000, payable, in the manner hereinbefore directed, to the order of the President of the United States." (See 13 Henning, page 125.)

The records of the treasury department of Virginia show, by certified copies, that the first payment of this advance to the United States was made April 15, 1791, and the last on January 8, 1795, and making, on the whole, the sum of $120,000. And by the eleventh section of the act of Maryland, passed December 19, 1791, it was—

"*Resolved*, That the treasurer of the Western Shore be empowered and required to pay the $72,000 agreed to be advanced to the President by resolution of the last session of Assembly, in sums as the same may come to his hands as the appointed funds, without waiting for the day appointed for the payment thereof." (See Davis's Laws District of Columbia, page 70.)

At the same time, to secure the prompt payment of the sum advanced, the treasurer of the Western Shore was authorized to sell the "reserved lands to the westward of Fort Cumberland," and also "the lands lying in Dorchester County, and now in the possession of the tribe of Choptank Indians; to sell and convey the right of this State to 100 acres of land at Fort Frederick, in Washington County." (See volume 2, Scharf's History of Maryland, page 566.)

In the act of neither State is allusion made to the site of the seat of Government being a necessary condition of the advance of money, except as may be inferred from the use of the words "in case Congress shall deem it expedient to establish," etc., and these would have included and applied to the proposed location, which embraced Pennsylvania as well as Maryland and Virginia.

It is an established fact of history that very deep feeling was engendered in the discussion leading to the location of the seat of Government. The question became largely sectional, and at one time threatened to lead to a rupture of the Union. To ward off such deplorable consequences a location was sought at a point which would be considered central to territory and population, accessible to navigation, and convenient to the western frontier.

No contemporaneous authority has been produced or can be found which intimates that the Congress was influenced by the advances of Virginia and Maryland in locating the permanent seat of Government on the Potomac, nor can any line of history be shown that "in the then impoverished condition of the country a pecuniary argument of this sort" had any "influence on the question of location" of the capital.

Chief-Justice Marshall, writing the life of General Washington (volume 5, chapter 4, page 259), says:

"At length a compact respecting the temporary and permanent seat of government was entered into between the friends of Philadelphia and the Potomac, whereby it was stipulated that Congress should adjourn to and hold their session in Philadelphia for ten years, during which time the buildings for the accommodation of the Government should be erected at some place to be selected on the Potomac, to which the Government should remove at the expiration of the term.

"This compact having united the Representatives of Pennsylvania and Delaware with the friends of the Potomac in favor of both the temporary and permanent residence which had been agreed on between them, a majority was produced in favor of the two situations, and a bill was brought into the Senate in conformity with the previous arrangement, and passed both Houses by small majorities. This act was immediately followed by an amendment to the bill then pending before the Senate for funding the debt of the nation. * * * When the question was taken in the House two members representing districts on the Potomac, who in all previous stages of the business had voted against the assumption, declared themselves in its favor, and thus the majority was changed."

Not one word is said about "a pecuniary argument." Chief-Justice Marshall's authority is selected because of all the public men of the times he best understood the motives underlying the action of Virginia in the matter of these advances. He had been a member of the Virginia house of delegates from 1788 to 1793, when these advances were proposed. He knew that the title of the act making the advance had been amended on final passage by changing the word "grant" to "advance," and his professional eminence at that early day precludes the supposition that he would in a public statute use the word "advance" to convey a gift or donation.

The location of the Federal capital at its present site was the "sugar plum" which Mr. Jefferson said was given to the South for their adoption of the "assumption bill," which was a "bitter pill" to those States, and that it was necessary that some one consistent measure should be adopted to sweeten it a little to them. (Jefferson's Works, volume 4, page 448.)

The present location of the Federal capital was a compromise settled upon higher considerations than would be involved in any advance of money which Virginia and Maryland could have offered.

In the fourth section of the act of July 16, 1790, authority was given to the President to accept "grants of money," to be used in defraying the expenses of purchasing the site and erecting public buildings thereon. And it is contended that to this acceptance of grants his authority was clearly limited. It is further contended that the authorities of Virginia and Maryland were presumed to know and understand the provisions of this law; and it is further insisted that, despite the use of the word "advance," the moneys paid over by these States to the Government of the United States were paid in consideration of the location of the seat of Government at this point, assuming that from the present location benefits would accrue to the neighboring States sufficient to constitute a valuable consideration for their offerings.

As to the first objection, that the President was authorized to accept grants of money only, we may appeal with confidence to the words of President Washington in explanation of his understanding of the authority conferred upon him and of the action of the States in the premises. In a letter addressed to the Commissioners of the Federal District, written from Philadelphia under date of August 29, 1793, President Washington asks:

"In what manner would it be proper to state the account with the States of Virginia and Maryland, they having advanced money which has not been all expended on the objects for which it was appropriated?" (Letter on file in the State Department and cited in Report H. R. 494, Thirty-first Congress, first session; and in Report 5, Thirty-second Congress, first session.)

From this clause there is a clear inference that President Washington regarded this money as an advance, rendering necessary an account of it to be kept with those States.

It will not be seriously contended that the receiver of another's money will be permitted to assume the character of a beneficiary when by the express terms under which he has been made the receiver a contrary intention is expressed.

While it is contended that it was the duty of the States to know the authority conferred upon the President to accept grants only, it may be contended with like force that it was the duty of the Government and its agents to take notice of the nature and provisions of the grant as expressed in the public acts of the States, and in which they have carefully guarded their rights in the premises.

Again, Congress having failed to carry into effect the prior resolutions, establishing the seat of government, solely on account of its poverty and consequent inability to make the necessary appropriations therefor, it may be fairly urged on behalf of the claimants that the money advanced to the use of the Government was intended to avoid a repetition of previous failures. In confirmation of this intention to advance or lend, and not to grant their moneys, the historical fact is urged on behalf of the State of Virginia that an offer was made by the General Assembly of Virginia on the 28th of May, 1783, in the following words:

"That if the honorable Congress should esteem the city of Williamsburgh a fit place for their session, the Assembly will present them, on their removal thereto, and during their continuance therein, with the palace, the capitol, and all public buildings, and 300 acres of land adjoining the said city, together with a sum of money not exceeding 100,000 of this State's currency."

To this resolution is attached the following proviso:

"*Provided, always*, That should Congress thereafter remove from the city of Williamsburgh, or from the land mentioned, that in such case the land so ceded, with the buildings, shall revert to the Commonwealth."

It seems that this clearly demonstrates that when Virginia intended a present, she so expressed herself, and that when her intention was only to advance money to the use of the Government, she was equally guarded and explicit in her language. The journals of the house of delegates clearly show that the use of the word "advance" was with peculiar deliberation, for one of the last acts in the final adoption of the act was to amend the title by substituting the word "advance" for the word "grant," thereby causing an agreement between the title and the body of the act. The act of the State of Maryland follows strictly that of Virginia.

It is unnecessary to enlarge upon the use of the word "advance" as contained in these several acts and resolutions; it has but one interpretation, which is that of a right of reimbursement. To interpret this word as used in the resolutions of Maryland and Virginia as originating a gift is forced and extraordinary. It is clearly used as implying and anticipating an accounting between the parties, and familiar instances of its use in this relation in commercial transactions will readily occur to the mind. It may tend to throw light upon the intention of the States in the premises to refer to the system of raising revenue prior to the adoption of the Constitution, which was by requisition upon the several States; and, although that system had been superseded by the mode now in use, yet it was at a period so very recent after the adoption of the present mode that habits and ideas growing out of the former system would still have their force and effect. How natural was it, then, that in making a loan to the General Government the States of Virginia and Maryland should make use of terms to which they had become familiar under the Government which had been so recently changed.

The advance of $192,000 by Virginia and Maryland enabled President Washington to begin the actual construction of the public buildings, which gave a value to lands theretofore valueless. The building of the Capitol converted a wilderness into city lots, the proceeds of the subsequent sales of which enabled the commissioners to continue the work on the public buildings until 1798, when the first appropriation from the Federal Treasury was available.

In a letter to Thomas Jefferson, Secretary of State, dated March 31, 1791, General Washington says:

"The terms entered into by me on the part of the United States with the landholders of Georgetown and Carrollsburg are that all the land from Rock Creek along the river to the Eastern Branch, and so upwards to or above the ferry, including a breadth of about 1½ miles, the whole containing from 3,000 to 5,000 acres, is ceded to the public on condition that when the whole shall be surveyed and laid off as a city (which Major L'Enfant is now directed to do) the present proprietors shall retain every other lot; and for such part of the land as may be taken for public use for squares, walks, etc., they shall be allowed at the rate of £25 ($66.67) per acre, the public having the right to reserve such parts of the wood on the land as may be thought necessary to be preserved for ornament; the land-holders to have the use and profits of all the ground until the city is laid off into lots and sale is made of these lots, which by this agreement become public property. Nothing is allowed for the ground which is occupied as streets and alleys." (See Sparks, volume 10, page 147.)

Mr. Jefferson, replying under date of April 10, says:

"The acquisition of ground is really noble, considering that only £25 an acre is to be paid for any ground taken for the public, and the streets not to be considered, which will in fact reduce it to about £19 per acre." (Varnum, page 27.)

In the report of Thomas Munroe, superintendent of public buildings, dated February 27, 1816, and embracing the receipts and expenditures in relation to the public buildings from 1791 to 1816, the moneys advanced by Virginia and Maryland are carried into the general accounts of receipt, with appropriations from the Federal Treasury and with the proceeds of the sales of lots and other property. In the report of the Committee on Public Buildings, made to the House of Representatives on February 16, 1820, the following language is used:

"Before closing their report the committee think it proper to observe that in so far as the public buildings have advanced, the unexpected expenses of their repairs, since their conflagration, inclusive, the appropriations heretofore made, and to be made, until they are completed, can only be considered for the most part as advances made at the Federal Treasury, which will be reimbursed by the sale of the public property in the city of Washington, which has cost the Government but little. At the time of the cession of this property as the seat of Government, it, the property, was considered as a source of revenue which would be amply sufficient for the erection of the public buildings, and if the document herewith presented, marked D, is not unreasonable, it will yet be sufficient to complete such as are undertaken. But for their destruction there is no doubt of the correctness of the calculation made many years since of the sufficiency of the funds for its object."

Document D, referred to, concludes that—

"If this expectation should be realized it will appear that the public buildings have been erected from the proceeds of property created by locating the seat of Government in this place, and that a fund will remain for further improvements."

Mr. Meigs, in a report from the Committee on the Expenditures upon the Public Buildings, made to the House of Representatives March 21, 1820, remarks that—

"It appears that the valuation of the public lots and actual amount of sales, added to the donations from the States of Virginia and Maryland, exceed the national expenditure upon public buildings by nearly $400,000." (See American State Papers, volume 11, Miscellaneous.)

Thus it appears from reports of commissioners and committees that the Government has realized more from the sales of lots than it paid from the Treasury, as well as a large sum in excess of the amount advanced to its use by the States of Virginia and Maryland.

The land obtained by President Washington would have remained of little value but for the action of Virginia and Maryland advancing $192,000, which gave a fixity and permanence, by actual construction of the public buildings, to the national capital, and imparted to the wilderness the quality of city lots. This $192,000 not only started the public buildings, but it also augmented the value of the public property obtained from the land-holders, by making the construction of the public buildings certain, which, without that action by these States, could not have been begun, as the Congress had not appropriated any money for the public buildings. In this double light, first, of enabling the commissioners to go on with the public buildings, and, secondly, of the value imparted to the city lots, must the action of these States be reviewed. So far from being a mere selfish act to secure the benefits of adjacency to the Federal capital, this advance by these States was the means of making valuable the whole property acquired by President Washington for the Government. The site of the capital on the Delaware had been abandoned for want of money to commence the public buildings. A like fate overhung that on the Potomac, and would probably have overtaken it had not Virginia and Maryland furnished the first money that gave impetus and life to the young capital.

It is inconceivable that any two States of the Union would, for nearly fifty years, by joint resolutions of their General Assemblies, unanimously adopted,

persistently instruct their Senators and request their Representatives to urge upon the Congress the payment of an improper claim.

The General Assembly of Maryland, by joint resolution in 1842, and by the testimonials of her agents in 1832, and by joint resolutions of February 20, 1878, and again by joint resolutions of 1882, and the State of Virginia by joint resolutions of 1850 and subsequently, have urged upon the Congress the payment of these advances.

It is not possible that Legislature after Legislature in two States from 1842 to 1884 could have been so constituted as not to have contained a single member in either house who would not have questioned and denied the right of the States to a return of this money if the law and the facts of history had not, in the opinion of the Legislatures of these States, fully established these transactions to have been advances, and not grants, gifts, or donations. It is contended that these States have slept upon their rights in the matter of their claims; but it must be remembered that the Government has not always been in a condition to meet these demands, not being out of debt until 1837, and it can be justly urged that the Government, being the recipient of the favor, should have made the first movement towards its repayment.

The long delay, the very "staleness of this claim," is consonant with the very spirit of the transaction and with the very essence of an advance. These States designed that the infant Government of the United States, then without money or credit, should enjoy the use of their money so long as the United States was burdened with debt and unable to repay without embarrassment. In that spirit no demand for repayment was made while the Revolutionary debt and the debt of the war of 1812-'15 were unpaid. The first surplus of any amount in the United States Treasury was reported in 1836, and was distributed that winter; the panic of 1837 so prostrated all kinds of business that only three-fourths of the surplus was distributed; the remaining fourth never was distributed. There was no surplus again reported until 1841, and Maryland made her demand in 1842 and Virginia in 1850. Thus early these States instituted steps for the collection of these advances; their applications have been favorably considered by committees of the House and Senate, and upon two occasions bills for their relief have passed the Senate, but failed to be reached in the House.

The Government has neglected its duty in this regard, and the States, after a lapse of nearly half a century, and embarrassed in their own financial affairs, and when in the mean time the Government had become prosperous and wealthy, sought and have been constantly seeking to reclaim these advances. In a transaction marked with such patriotic devotion, it was not unbecoming in the States to wait long and patiently in expectation that the money advanced would be tendered without the embarrassment of a demand.

The States of Maryland and Virginia now, through their respective Legislatures, request the repayment of their advances, and by such request have placed a construction upon the acts of their States which it would be unjust and ungrateful for the Government as a beneficiary to reject or deny.

During the reading,

Mr. SHAW. I ask that the further reading of the report be dispensed with, and if no gentleman desires to be heard I will now ask that the committee report the bill back to the House favorably.

Mr. KERR. I do desire to discuss the pending proposition and to offer some amendments.

Mr. SHAW. How much time does the gentleman want?

Mr. KERR. I will take the floor when you get through. I wish to say——

Mr. SHAW. I will yield to the gentleman such reasonable time as he may desire if he will state what time he wants.

Mr. KERR. There are a number of gentlemen on this side of the House who desire to be heard in opposition to this bill. As far as I am personally concerned I would not want over ten minutes, but I know of three or four gentlemen who desire to be heard in opposition to the bill.

Mr. SHAW. I have no intention or desire to repress discussion on this bill. I only wish to retain the floor. I will yield ten minutes if you desire it.

Mr. KERR. I wish to make a few remarks in opposition to certain features of this bill, and then there are other gentlemen who desire to be heard.

The CHAIRMAN. Does the gentleman from Maryland yield the floor?

Mr. SHAW. I yield the gentleman ten minutes.

Mr. KERR. I would like the entire time allowed under the rule, because I wish to occupy ten or fifteen minutes myself, and other gentlemen desire to speak on the bill.

The CHAIRMAN. The gentleman will be entitled to the floor if the gentleman from Maryland yields the floor.

Mr. LANHAM. The gentleman from Maryland desires to retain the floor, but is perfectly willing to yield any reasonable time for the discussion of the measure.

Mr. BUCHANAN. I would suggest that if the gentleman from Maryland [Mr. SHAW] is prepared to proceed, that he proceed, or that he yield the floor.

Mr. SHAW. I am perfectly willing to yield such time as gentlemen may want for the discussion of this measure; but I desire to retain the floor.

Mr. KERR. We would need the entire hour. I will say that there are other gentlemen on this side desiring to be heard on the bill.

Mr. SHAW. I can not yield all the time I have.

Mr. KERR. You can discuss it till you get through.

Mr. ADAMS. Will the gentleman from Maryland yield to me for a suggestion? There are many gentlemen on this side of the floor that are not, perhaps, positively opposed to this bill, but who oppose it when an important bill relating to an ancient claim against the Government is brought in here, and the gentleman in charge of it, instead of presenting reasons why the House should adopt it, proposes hastily to move the previous question. I will suggest to the gentleman, for my own part, that I will, probably, be far more willing to support this bill if it were discussed. We have heard the report, and learn that there is a radical difference of opinion in regard to the merits of this bill. Whatever there is in that, there can be no doubt as to the point that it is an ancient claim.

It may be a just claim as well as an ancient one, but in such a case as that the gentleman who advocates the bill should take the burden of proof and consume at least a part of his time in endeavoring to persuade the House to vote for the bill, and I am sure that the opposition to it is only increased by his declination to argue in favor of it himself.

Mr. SHAW. Mr. Chairman, I will say in reply to the gentleman from Illinois [Mr. ADAMS] that the portion of the report which was read by the Clerk so succinctly sets forth all the facts in connection with this claim that I thought it would be satisfactory to every gentleman who heard it. This claim is for money advanced by the States of Maryland and Virginia for the erection of public buildings here in Washington. It is an historical fact, which I presume no gentleman will attempt to gainsay, that the State of Maryland advanced $72,000 and the State of Virginia $120,000 to the National Government for that purpose, and that neither of those States has ever been reimbursed for those advances. They come here now, it is true, after the lapse of many years, asking the National Government to reimburse them for the advances thus made, and it seems to me, sir, that it is a claim based upon every principle of fairness, of justice, and of equity. The question may arise, and doubtless does arise in the minds of many gentlemen, "Why was not this demand made before?" It has been made before.

The first Congressional report upon this claim of which I have any knowledge was away back in 1850, when it was reported favorably to the first session of the Thirty-first Congress. It was again reported on May 29 of the same year by the Senate Committee on Claims. January 6, 1852, it was again reported favorably in the House. That was in the Thirty-second Congress. On the 30th of January, 1852, it was reported to the first session of the Senate in the same Congress. In 1853 it was reported to the first session of the Thirty-third Congress; in 1884 it was reported to the Forty-eighth Congress, in 1886 to the Forty-ninth, and in 1887 it was reported in the Senate during the second session of the Forty-ninth Congress.

The claim also passed the Senate in the Forty-third Congress. In that body it had the support of such distinguished gentlemen as Senators Seward and Fish of New York, and Senator Wade of Ohio, and in the discussion of the bill Mr. Seward used this language:

Mr. President, the State of Virginia, beyond all doubt, contributed to the erection of this Capitol and of those public edifices which we now use for the Government of the United States the sum here specified. She either advanced that money as a loan to be repaid at some future time, or she gave it to the Government of the United States. If this money was advanced as a loan, the advance created a debt which it is now the duty of the Government to discharge. If, however, the money was contributed by way of gift or donation to the Government of the United States I do not see that it materially alters the case. In the one case there would be an obligation already existing, a debt already to be paid for money which has been borrowed. In the other case there is an advance which is the basis of a moral obligation which the Government may at any time recognize and assume, and that creates the debt. * * * This moral obligation strikes me as peculiarly appealing to the sense of honor of the Government of the United States. We are here occupying an edifice which was in part built for us by the State of Virginia; she is comparatively poor; we are only too rich. I think it does not comport with the pride and dignity of the United States that Congress and the Executive Departments should occupy halls for which they are indebted in whole or in part to the generosity of the States. * * * I am for discharging this obligation and securing to ourselves the right to feel that this Government owes nothing but gratitude to these States.

Mr. Fish, of New York, said:

Mr. President, I shall vote for the appropriation of this money with great pleasure. I do not care to consider the question whether this money was originally loaned or granted. It is enough for me that the States now claim it as a loan, and I am willing to vote to pay them. * * * I vote for this bill on the pure merits of the claim.

Mr. Wade, of Ohio, said:

The language connected with the original grant, it being sometimes called a gift, sometimes a donation, sometimes an advance, sometimes one thing and sometimes another, would seem to imply that perhaps it was not then expected the money would be repaid. All these considerations, however, did not satisfy me that we ought not to repay the money. I care but little what the expectation was at that time. If these States, actuated by magnanimity, and for the purpose of advancing the public good, gave us the money to erect the public buildings at that day, when our Treasury was comparatively empty, and when it was really an object to have such a donation, I would repay them. * * * The great stubborn fact still stands out that while the nation was poor we availed ourselves of the generosity of those States and took the money which they offered. Whether by way of gift or loan I care not. At all events, those who had the right to say on what conditions they granted the money, now say it was by way of advancement to be repaid at some convenient time in the future.

On this question I will not stand here to contend with a sovereign State. When she has made an advancement or loan, or even a donation, if you please to call it so, and we have availed ourselves of its benefits, I will not, when she asks to be repaid, and we have an overflowing Treasury, stand here to say that the money was a gift, and therefore ought not to be repaid. * * * I do not wish to have this Government indebted to any State in this Union or to anybody. I shall feel that it is under an obligation to the States of Maryland and Virginia until this money shall have been paid.

Mr. FITCH. Will the gentleman permit a question?

Mr. SHAW. Yes, sir.

Mr. FITCH. May I ask why it is that interest is proposed to be allowed to the State of Maryland from 1843 and to Virginia from 1850?

Mr. SHAW. Interest is asked upon these advances only from the times when those States respectively first demanded repayment.

Mr. BUCHANAN. Does the gentleman from Maryland say, then,

that it was not until 1843 that repayment was first demanded by Maryland?

Mr. SHAW. Yes, sir.

Mr. BUCHANAN. In other words, the matter had slept for almost half a century.

Mr. SHAW. In 1843 the Legislature of Maryland passed a resolution instructing her representatives in Congress to make a demand for her reimbursement——

Mr. BUCHANAN. The money having been advanced when?

Mr. SHAW. In 1790. In answer to the gentleman's remark about the long delay in demanding repayment, I will say that that delay was in accord with the spirit in which the advance was originally made, because for a long series of years in our early history the General Government was not in a condition to reimburse these States, probably not until 1812, and then the country became involved in war which resulted in the contraction of a debt, and while that debt existed and the national Treasury was comparatively empty, it would not have accorded with the spirit in which this money was originally advanced for these States to have demanded repayment.

And so it went along until 1836, when it may have been that the Government was in a condition to make repayment; but then came the panic of 1837, from which the country did not recover for six or seven years, and just at the expiration of that period, in 1842, Maryland came forward and made demand upon the Federal Government for repayment of the advance in question. I say, therefore, Mr. Chairman, that this long delay was in accord with the spirit which prompted these States to do this generous act toward the Government of the United States.

Now, as to the intention of these respective States to make demand for repayment of this money, I will here remark that when the first resolution was pending before the Legislature of Virginia John Marshall, afterward Chief-Justice of the United States, was a member of that body——

Mr. KERR. I will ask the gentleman whether Virginia's interest in this measure has not been assigned already to a corporation which proposes to build a railroad from this city to Mount Vernon?

Mr. SHAW. In reply to the gentleman I will state that the provisions of this bill estop Virginia from making any assignment of her claim in this behalf. She is to be paid only whatever may be due her on the adjustment of accounts between the Government of the United States and the State; and as the State owes the Government more than the amount mentioned in this bill there will be nothing to assign.

Mr. KERR. But has not the assignment been already made?

Mr. SHAW. Not to my knowledge; at any rate it can not bind the United States.

Mr. WISE. If Virginia is entitled to this amount, has she not a right to make any assignment of it she may please?

Mr. KERR. But she has not a right to make an assignment and then ask the Government to pay the amount to her.

Mr. WISE. What has any assignment by Virginia to do with the question of the settlement of this account between that State and the United States?

Mr. BUCHANAN. But waiving that, has not Virginia in fact made such an assignment?

Mr. WISE. I do not know whether she has or not.

Mr. BUCHANAN. Was it not publicly stated in the Washington press a year or two ago that this had been done?

Mr. WISE. I do not know, sir.

Mr. BUCHANAN. It was so stated repeatedly.

Mr. SHAW. I will ask the gentleman from New Jersey [Mr. BUCHANAN], even if Virginia had made such an assignment, would that bind the Government of the United States?

Mr. BUCHANAN. I think not, in view of the fact that the Government is to-day the owner of a very large quantity of bonds of the State of Virginia on which no interest has been paid for years.

Mr. SHAW. And this bill provides for an adjustment of accounts between the Government and the States, for a set-off.

Mr. BUCHANAN. I think the gentleman will find that in another bill of this series.

Mr. WISE. No, sir; it is in this bill.

Mr. SHAW. It is in this bill; and I will further state that the bill upon which the gentleman from New Jersey signed a minority report was not the bill reported favorably to this House. In the bill to which the gentleman's report referred, there was no provision for an adjustment of accounts between the States and the Government. The gentleman, unfortunately, got hold of the wrong bill; and whilst I indorse the views of the minority so far as they apply to that feature of the bill upon which the minority report was made, I am glad to inform the gentleman that they do not apply to the bill now under consideration.

Mr. BUCHANAN. This bill, then, differs from the other in this respect only, that it provides for an adjustment of all accounts?

Mr. SHAW. For an adjustment of accounts between the States and the Government.

Mr. BUCHANAN. Does it differ in any other respect?

Mr. SHAW. Not so far as I know.

Mr. FITCH. Has it not been the rule that the Government pays interest on advances only in cases where the individuals or corporations advancing the money have themselves paid interest or lost the interest?

Mr. SHAW. That, I believe, is the rule laid down by Attorney-General Wirt; but in this connection I will state there has never been a time, I believe, from the day that Virginia made this advance down to the present moment that she has not been in debt and paying interest. I am sure this has been the case with regard to Maryland. As the report recites, Maryland sold valuable lands in the vicinity of Cumberland which contained vast mineral wealth. She took that money and advanced it to the Government of the United States when she herself was in debt and paying interest; and she has been in debt from that time to the present moment.

Mr. WISE. The gentleman will allow me to state that the same thing is true in regard to Virginia.

Mr. SHAW. So that these circumstances, then, would bring this case within the decision of the Attorney-General. Here are two States that have paid interest and have lost interest from the time these advances were made, but in their generosity they demand interest upon their respective claims only from the time that they first demanded payment at the hands of the Federal Government.

Mr. BUCHANAN. The gentleman will allow me to ask whether the number of the bill under consideration is not House bill 1521.

Mr. SHAW. Yes, sir.

Mr. BUCHANAN. Well, that bill is identical in terms with the bill of the Forty-ninth Congress upon which my report was founded.

Mr. SHAW. No; I beg the gentleman's pardon.

Mr. BUCHANAN. But I have the two bills here, and have compared them.

Mr. WISE. Will the gentleman from New Jersey allow me to call his attention to a provision to be found at the foot of page 2?

Provided, however, That any sum of money due by the State of Virginia to the United States shall be deducted from the amount found due to the State of Virginia.

Mr. BUCHANAN. Precisely; I understand that, and that provision is found in House bill No. 1065 of the Forty-ninth Congress, and upon which I made my report.

Mr. WISE. But it covers your objection.

Mr. BUCHANAN. But I understood there was something else in the present bill different from that bill.

Mr. SHAW. If the gentleman will refer to the views of the minority on this question in the Forty-ninth Congress he will find that they were based upon House bill No. 2504, and will also find that the favorable report was on House bill No. 1065. I hold that report in my hand and will show it to the gentleman if he desires to see it.

Mr. BUCHANAN. I will state to the gentleman that a number of these bills were introduced by several different members, all of them being identical in terms, and I suppose the discrepancy in numbers arose simply from the fact that one member got hold of one bill, and another a similar bill but of a different number.

Mr. SHAW. I again beg the gentleman's pardon; that was not the case. It is true that several bills were introduced. One was introduced by a gentleman from Virginia (Mr. Cabell), and another by the gentleman from Maryland [Mr. COMPTON]. The bill favorably reported to the House was the bill introduced by Mr. COMPTON, and the gentleman who made the minority report got hold of the wrong bill, for the report shows that one of the objections urged against the bill was that it did not provide for an adjustment of accounts between the United States and these States. Therefore I am sure that the gentleman would not have urged this objection against a bill that contained that provision.

Mr. BUCHANAN. Upon that special point.

Mr. ADAMS. Will the gentleman from Maryland allow me a question?

Mr. SHAW. With pleasure.

Mr. ADAMS. This money was paid in 1790 and 1791. It must have been paid to some official of the United States. Is there an acknowledgment or receipt, by resolution of Congress or by any officer of the Government authorized to receive money, which tends to show that it was considered by the United States to be an advance of money on the part of these States, to be repaid by the General Government?

I will say to the gentleman that I am aware of that part of the report which refers to an extract from a letter of President Washington; but with the exception of that letter from President Washington to the commissioners is there any official evidence or any official information that the Congress of the United States regarded this as a loan of money to be refunded, rather than as a donation of money from the States?

Mr. SHAW. I was going to state when interrupted that John Marshall, afterwards Chief-Justice of the Supreme Court of the United States, at that time a member of the Legislature of the State of Virginia—I mean at the time that the resolution proposing the advance was passed——

Mr. ADAMS. I understand the suggestion the gentleman is going to make; but I will call his attention to the fact that he represented the State which was advancing the money or donating it. Now I ask

for the testimony of some one representing the other party, the United States.

Mr. SHAW. But the gentleman asked the question as to whether there was any record evidence of this money having been paid to the United States.

Mr. ADAMS. No, not exactly that; but whether that record evidence, which I suppose existed, does show whether the United States regarded it as a loan to be repaid, or as a donation.

Mr. SHAW. In the first place, I do not know whether it would be within the power of a recipient of a loan to decide as to the terms upon which he received it.

Mr. ADAMS. No.

Mr. SHAW. It seems to me that the party making the loan would also have something to say in regard to the conditions upon which it was made.

Mr. ADAMS. That is true, but not in this case. This has been held to be a grant. Now you say it is not a grant, but an advance, and I ask you to prove that. I ask for any admission or any testimony on the part of the recipient, that is, either the Congress of the United States or of any custodian or officer of the United States who had charge of the fund, which would tend to show, as a part of the *res gestæ*, to show that it was understood to be a loan and not a grant within the understanding that existed on the part of the recipient as well on the part of the donor.

Mr. SHAW. The word "grant" was used in the original resolution; but in the Legislature of the State of Virginia, Judge Marshall, on his motion, had the word "grant" stricken out and the word "advance" inserted. It is to be presumed, of course, that Judge Marshall knew the meaning of the terms that he used.

Mr. ADAMS. Undoubtedly. But that is an act on the part of the person who advances the money.

Mr. WISE. Let me suggest to the gentleman from Illinois that this is not on a par with a person loaning money. It was an act on the part of the State.

Mr. ADAMS. Exactly, but the State was the party.

Mr. WISE. It was a public act, not a private one.

Mr. ADAMS. I am aware of that; but my question was whether it was understood on the part of the recipient to be a loan to be returned, or whether it was understood to be a donation.

Mr. RAYNER. Will the gentleman from Illinois permit me to suggest an answer?

Mr. ADAMS. Certainly. I want information upon the subject.

Mr. RAYNER. Suppose I say that I will loan you $10,000, and you, without saying a word, take it; is that a loan or a gift?

Mr. ADAMS. Ah, but that is not the case here. I have already said I will accept a grant, but not a loan.

Mr. RAYNER. Suppose there is nothing said. Suppose the States of Maryland and Virginia, both of them, say, "We will loan or advance to the United States this money," and the Government takes it under the conditions prescribed by the act authorizing the transfer of the money from the State treasury to the United States Treasury, as in this case; is that a loan or a gift?

Mr. ADAMS. Without any other condition?

Mr. RAYNER. Yes, sir.

Mr. ADAMS. But that is not the case here, for there was a statement on the part of the United States that it would accept a grant. That being the case, there is a presumption that nothing else was understood, and that the United States accepted this money as a grant. Now, I would admit that you might overcome that presumption; and I only ask you whether there is official evidence to overcome it.

Mr. RAYNER. The evidence that surrounds the advancement of the money, the acts of the Assembly of Maryland and of Virginia, and another act that was adopted by Virginia by which the capital was to be located at Williamsburgh, or making provision for the location of the capital, and the repeal of that act and the enactment of this new act, all go to show conclusively that this was an advancement of money and not a donation.

Mr. ADAMS. Not conclusively.

Mr. RAYNER. I say that I agree to the proposition that if this was a donation by Maryland and by Virginia they have not got the right to recover.

Mr. ADAMS. They have the right to ask for it.

Mr. RAYNER. They have the right to ask for it, but they have no right to collect or claim it. But looking at the acts of the Assembly, and looking at the circumstances surrounding the passing of these acts and at the fact that the title of the act was changed from the words "Virginia should present" to the words "Virginia should advance," or from the word "grant" to "advance," and remembering that the most eminent lawyer that we have ever had in this country prepared that act and changed the title of the act from making a donation to making an advancement, I say it is clear that it was not a gift.

The CHAIRMAN. The hour has expired. The gentleman has five minutes of his time remaining.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. DOCKERY reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 1521) to provide for paying certain advances made to the United States by the States of Maryland and Virginia, and had come to no resolution thereon.

MESSAGE FROM THE PRESIDENT.

A message, in writing, from the President of the United States was received by Mr. PRUDEN, one of his secretaries, who also announced that the President had approved and signed bills of the following titles:

An act (H. R. 11139) to authorize the building of a bridge or bridges across the Mississippi River at La Crosse, Wis.;

An act (H. R. 11262) to authorize the construction of bridges across the Kentucky River and its tributaries by the Richmond, Nicholasville, Irvine and Beattyville Railroad;

An act (H. R. 11764) making an appropriation to supply a deficiency in the appropriation for the contingent expenses of the House of Representatives; and

An act (H. R. 1152) for the relief of the legal representatives of Eliza M. Ferris.

ORDER OF BUSINESS.

Mr. BLANCHARD. I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering the river and harbor bill.

The question was put; and the Speaker announced that the noes seemed to have it.

Mr. BLANCHARD. Division.

The House divided; and there were—ayes 69, noes 13.

Mr. CHEADLE. No quorum.

The SPEAKER. The Chair will appoint as tellers the gentleman from Indiana [Mr. CHEADLE] and the gentleman from Louisiana [Mr. BLANCHARD].

The House again divided; and the tellers reported—ayes 152, noes 11.

So the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. MCMILLIN in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the consideration of the bill (H. R. 11765) making appropriation for the construction, repair, and preservation of certain public works on rivers and harbors for the fiscal year ending June 30, 1890, and for other purposes.

Mr. BLANCHARD. Mr. Chairman, I ask unanimous consent that the first reading of the bill for information be dispensed with.

Mr. KERR. I object.

The CHAIRMAN. Objection is made, and the Clerk will read the bill.

The Clerk proceeded to read the bill.

Mr. DUNHAM (interrupting the reading of the bill). Mr. Chairman, I wish to ask the chairman of the Committee on Rivers and Harbors whether he intends to make a statement in regard to this bill.

The CHAIRMAN. The gentleman from Louisiana [Mr. BLANCHARD] asked unanimous consent that the first reading of the bill for information should be dispensed with, but objection was made by the gentleman from Iowa [Mr. KERR].

Mr. DUNHAM. I understand that; but what I want to get at is——

The CHAIRMAN. The gentleman can not interrupt the reading of the bill unless the gentleman from Iowa [Mr. KERR] withdraws his demand for the reading.

Mr. DUNHAM. No; but my understanding is that if the chairman of the committee intends to make a statement with regard to the provisions of this bill, the gentleman from Iowa [Mr. KERR] will probably not insist upon its being read in full at this time. Therefore I would ask the chairman of the Committee on Rivers and Harbors to state what are his intentions in regard to that matter.

Mr. SOWDEN. Regular order.

Mr. DUNHAM. I ask unanimous consent that the further reading of the bill be dispensed with.

Mr. SOWDEN and Mr. HIESTAND. I object.

The Clerk resumed and concluded the reading of the bill.

Mr. BLANCHARD. Mr. Chairman, there is no disposition on the part of the committee to consume time in the general discussion of this bill, and unless some gentleman desires to speak upon the bill generally, I will now ask unanimous consent that it be read by paragraphs for amendments.

Mr. CRAIN. Mr. Chairman, I have a substitute which I propose to offer for the entire bill, and which I desire to discuss in connection with the bill.

Mr. BLANCHARD. How much time does the gentleman desire?

Mr. CRAIN. An hour, or so much thereof as may be necessary.

Mr. KERR. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. KERR. I rise for the purpose of answering the suggestion of the gentleman from Louisiana [Mr. BLANCHARD]. The gentleman says that there is no disposition to discuss this bill unless some information about it is required by members. I find that the report of the committee contains very little information in regard to the matters contained in the bill, and I would like to hear from the chairman of the

committee, if he knows, the reasons for appropriating the various items proposed to be appropriated in this bill. There are several hundred items provided for in the bill, appropriations for a large number of creeks and rivers the very names of which I have never heard before, and I would like to know from the chairman of the Committee on Rivers and Harbors what particular reasons there are appealing to the judgment of this House why these appropriations should be made, and unless he can give us that information we shall be voting in the dark.

Mr. BLANCHARD. The chairman of the committee was unfortunate enough not to hear distinctly the remarks of the gentleman from Iowa.

Mr. KERR. I say that this bill contains several hundred items proposing appropriations for a large number of creeks, rivers, and harbors, the names of which I have never heard before.

Mr. SPINOLA. You could not pass the civil-service examination, then. [Laughter.]

Mr. KERR. Perhaps not, but I would like to know what special reasons exist for making these appropriations, and I think that information ought to be found in the report of the committee.

Mr. BLANCHARD. In reply to the gentleman from Iowa, I would state that it is perhaps unfortunate for the committee, as well as for the gentleman himself, that he does not happen to know even by name all of the rivers in the various States of the Union. There are perhaps one hundred and fifty items of appropriation in this bill, every one of which was in the bill of last session which passed this House by more than a two-thirds vote, and passed the Senate by a two-thirds vote. This bill appropriates in round numbers $11,900,000 in the aggregate. It is based upon the Engineer's reports, which are now before me and which are accessible to the gentleman from Iowa and to every other gentleman upon this floor. The appropriations in the bill are predicated upon the estimates of the Chief of Engineers, which aggregate $36,000,000 for the fiscal year 1890. This bill, therefore, appropriates a little less than 33⅓ per cent. of the amount which the Chief of Engineers says can be profitably expended during that fiscal year upon works of this character, and is but little more than one-half as large as the river and harbor bill passed at the last session of this Congress.

As for the reasons for inserting the particular items which go to make up the bill, I refer the gentleman to the Engineer's reports, which are contained in four volumes and are to be had in the document-room of the House.

I now yield thirty minutes to the gentleman from Texas [Mr. CRAIN], who desires to address the committee.

Mr. CRAIN. Mr. Chairman, the chairman of the committee has generously yielded me thirty minutes, with the understanding that he will give me more time if I require it.

The objection I have to this bill is that it does not appropriate enough money to carry on the various works of internal improvement now progressing under the conduct and management of the Engineer Corps of the Army. I would be pleased to have the chairman of the Committee on Rivers and Harbors tell us why it is that this session of Congress is to be asked to vote for an aggregate appropriation of a little more than $11,000,000, when the last session of this Congress, by a two-thirds vote of the House of Representatives and by a very large majority in the Senate, appropriated nearly $23,000,000? Is there anything in the present local condition of the various works of internal improvement throughout the country which demands this reduction?

Is there anything in the condition of the funds in the Treasury of the United States which requires a more economical or an inadequate appropriation from this Congress? We are told by the Democrats, and the statement is acquiesced in partially by the Republicans, that there is a large surplus in the Treasury. The Democratic party in this House wrestled for seven long months with the problem, "How shall we reduce taxation in order to prevent a surplus accumulation in the Treasury of the United States?" and to-day the Republican majority in the United States Senate refuses to concur in our resolution to take a holiday recess because it is so anxious to pass a tariff-reform bill for the purpose of reducing revenue and thereby preventing the accumulation of a surplus. Certainly, then, the committee can not justify itself in bringing in a bill of this character upon the hypothesis that there is not sufficient money in the Treasury to-day or that there is not likely to be when the appropriation becomes available to meet appropriations adequate for the judicious continuance of the works already projected.

Is there anything, I ask the committee, in the local condition of the various works of public improvement which justifies this reduction of 50 per cent.? If there be nothing, then this committee stands without any basis to rest upon, unless it be of a quasi-political character or unless it be upon the apprehension that the Executive may veto a larger appropriation. And in this connection I call the attention of the House to this fact, that in making these appropriations the question should not be in the mind of any Representative whether the President will exercise his veto power or not. The question is not whether this is a short session and there may therefore be danger of not passing any bill; but the question is, are these improvements necessary on account of their national character and on account of their commercial importance?

I applied to the Chief of Engineers to ascertain whether there was anything in the local condition of these works which would justify the expenditure of a less sum than that which was appropriated in the first session of this Congress. I wrote him two letters, which I will read; and then I will read his replies:

HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
Washington, D. C., December 13, 1888.

DEAR SIR: Will you kindly inform me whether there is anything in the status of the operations being conducted under your general direction for the improvement of the rivers and harbors of the country which would demand the expenditure of a less sum of money during the next fiscal year than the amount which has been available during the present fiscal year? Has not the appropriation for the present fiscal year been expended as rapidly as local conditions would authorize?

Your obedient servant,

W. H. CRAIN,
Member of Congress, Texas.

General CASEY,
Chief of Engineers, United States Army.

WASHINGTON, D. C., *December* 13, 1888.

DEAR SIR: Will you kindly furnish me answers to the following questions at your earliest convenience?

1. What is the estimated amount of money under the present scheme which it is contemplated will furnish 20 or 25 feet of water on Galveston Bar; and what amount is estimated for 30 feet?

2. What is the estimated amount for the carrying out of the scheme for the improvement of Aransas Pass, Texas?

I will state that both these points are in my district.

3. How much of the last appropriation for Galveston will be available on the 1st day of June, 1889?

4. What amount will be available on the 1st day of June, 1889, of the last appropriation for Aransas Pass?

5. What amount do you say can be profitably expended at Galveston during the next fiscal year?

6. What amount do you say can be profitably expended at Aransas Pass during the next fiscal year?

7. Is it not disadvantageous to river and harbor improvements to make limited appropriations instead of appropriations in accordance with your official estimates and recommendations? And if so, why?

8. Would there not in reality be a saving to the Government if annual appropriations for river and harbor improvements were made sufficiently large to enable the engineers in charge of the work to continue their operations without cessation? And is not a large amount of money annually wasted in repairing damages done during the interval between the date of the cessation of work occasioned by the exhaustion of one appropriation and the time when another becomes available? And does not the occasional failure of Congress to pass a river and harbor bill occasion the use of a large portion of the next appropriation in repairing works and the plant used in carrying them on?

9. Is not the failure of the Army engineers to accomplish contemplated improvement within a given time very largely attributable to the refusal or failure of Congress to furnish them with sufficient funds annually to carry on their work continuously?

10. Would not the improvement of our national harbors and rivers be very much facilitated and be made less expensive if Congress were to make an annual appropriation to be expended upon such improvements under the direction of the Secretary of War, and if the present driblet system of river and harbor appropriations were abandoned?

As I desire to use your replies within the next few days, I will be greatly obliged if you will furnish them at the earliest possible moment.

I have the honor to be, general, your obedient servant,

W. H. CRAIN,
Member of Congress, Texas.

General CASEY,
Chief of Engineers, United States Army.

I will now read the replies which I received from the Chief of Engineers to these pertinent questions:

WASHINGTON, D. C., *December* 17, 1888.

SIR: I beg leave to state, in reply to your letter of the 13th instant, received on the 15th, that in forming the estimates for the present fiscal year ending June 30, 1889, the most economical administration of the works was, as far as possible, taken into consideration, as well as the average grants for each work during the past few years; but the appropriations in the last river and harbor act for the year were very considerably below these estimates.

The estimates submitted to the present session of Congress for the year ending June 30, 1890, were formed with the same end in view, and there is no reason known to demand their reduction.

The lateness at which the appropriations for the year ending June 30, 1889, were made prevented any expenditure in the early part of the present fiscal year, but the appropriations are now being expended as rapidly as the season will admit consistent with the proper conduct of the works. It is probable that, with the exception of a few works, the greater part of the appropriations will be expended within a year.

Very respectfully, your obedient servant,

THOS. LINCOLN CASEY,
Brigadier-General, Chief of Engineers.

Hon. W. H. CRAIN,
United States House of Representatives.

When I asked a member of the River and Harbor Committee why it was that the committee had appropriated in this bill only 50 per cent. of the appropriations of last year, I was met by the statement that a large amount of money was still in the hands of engineers. Certainly that is the fact; but those engineers have made contracts, and the appropriations are subject to those contracts; seven months remain for the expenditure of the balances still in the Treasury subject to the drafts of the engineers in charge of the respective works of improvement; and the Chief of Engineers himself says that there is nothing in the status of these works which would justify a reduction below the estimates which he has made, and which, according to the statement of the chairman of the committee, have been reduced to about 33⅓ per cent.

In reply to the other letter the Chief of Engineers says:

WASHINGTON, D. C., *December* 17, 1888.

SIR: I beg leave to make the following replies to the interrogatories in your letter of the 13th instant:

To question 1. The Board of Engineers to which the subject of the improve-

ment of the entrance to Galveston Harbor was referred, in a report dated January 21, 1886 (Annual Report Chief of Engineers for 1886, part 2, page 1297) estimated the cost of jetties completed to the 30-foot depth of water outside at $7,000,000, their aggregate length being 54,000 feet.

The estimated cost of jetties out to the crest of the bar, $3,000,000, and that this amount would probably give two-thirds of the depths that jetties carried out to the 30-foot curves would give. These estimates suppose that the money would be supplied as fast as needed.

But, in the opinion of the board, the depths which jetties will maintain can not be stated with precision. The case differs widely from that of the South Pass of the Mississippi, where the scouring current results from the outflow of a large river. At Galveston, before the water can flow out (to produce scour), the tidal basin must be filled from the sea and the area of the inflow is materially affected by the necessary contraction caused by the construction of the jetties. For this reason the problem is somewhat indeterminate, and it is impossible to foretell with exactness the depth which can be obtained with the works that are projected.

To question 2. The original estimate of the cost of the work at Aransas Pass is $2,052,543. The amount required for completion (in addition to the appropriation of August 11, 1888) is $1,471,000.

To question 3. The last appropriation (of August 11, 1888) for Galveston entrance will be entirely expended June 30, 1889.

To question 4. The probable amount that will be available July 1, 1889, for Aransas Pass is $30,000.

To question 5. The amount that can be profitably expended at Galveston during the fiscal year ending June 30, 1890, as stated in annual report of 1888, page 173, is $1,000,000.

To question 6. The least amount that can be profitably expended at Aransas Pass during the same period is $200,000 (annual report of 1888, page 176), but it would be far more beneficial to the work, both as regards the ultimate cost and early completion, if this amount was increased to $500,000.

That is the great trouble, Mr. Chairman, with all these river and harbor bills. The engineers make their estimates upon the supposition that Congress will make appropriations as rapidly as they become necessary. But what is the fact? Congress appropriates only from one-third to one-half of the amounts estimated by the Chief of Engineers. A large portion of that money is wasted in repairing damages to the works resulting from a failure of the appropriations necessary to enable the engineers in charge to carry them on to completion, and in repairing damages to plant, attributable to the same causes.

We have often heard it said that this Government should be administered upon business principles. I ask any gentleman on the floor this question: If he intended to make an improvement of any character, whether it was the construction of a fence or the erection of a building, would he begin in the latter case, for example, by digging the foundations, then letting the work lie for six or twelve or eighteen months, and at the end of that time use what means he might have accumulated in repairing the damage which had been done by this neglect? Would he then build one story, and let that story remain for six or twelve months or two years, until he had accumulated money to build a second story, a portion of which money would have to be expended in repairing the damage done to the work by the elements or other causes? Not at all. He would begin with the foundation and continue without cessation until the work was completed.

But the Government of the United States, in these river and harbor improvements, acts very differently. The order for the survey is made to determine whether the contemplated improvement is feasible or not, or whether the commercial importance of the locality tributary to the projected improvements justifies the expenditure of the public money. Then the House of Representatives formulates a bill in which $10,000, $15,000, or $20,000 are appropriated to carry on the work; and when the committee formulating the bill is called upon to give a reason why the entire amount recommended is not appropriated subject to local conditions, the answer is, "You can not pass such a bill through the House," or "Put it on in the Senate," or "The President will veto the bill."

To question 7 and the remaining questions. The effect in general of supplying insufficient amounts at uncertain periods for river and harbor improvements is undoubtedly to increase their cost, the amount of increase depending upon the nature of the work and the object to be obtained. These remarks are particularly applicable to works that are undertaken for the improvement of harbors upon sandy coasts, which are always of considerable magnitude. Because of the character of the work to be done and the natural deterioration consequent upon delay, together with the movement of the sands, which tend to neutralize partially constructed works or largely increase their cost of completion, this class of work, more than any other, requires to be prosecuted vigorously as well as continuously.

In this connection I inclose an extract from the last annual report of Maj. Thomas H. Handbury, Corps of Engineers, on the progress of the construction of the canal at the Cascades of the Columbia River, Oregon, which will illustrate the subject under consideration.

Very respectfully, your obedient servant,

THOS. LINCOLN CASEY,
Brigadier-General, Chief of Engineers.

Hon. W. H. CRAIN, M. C.,
United States House of Representatives.

The Chief of Engineers kindly sent me this report of Major Handbury, from which I will read the following extract. The engineer whom I am quoting is speaking with reference to the improvement of the Cascades of the Columbia River, Oregon, as suggested in the letter of the Chief of Engineers to which I have just referred, and he says:

From the general outline given of the condition of the work, it will be seen that a little more than one-third of the excavation required to complete the canal has been accomplished. It is doubtful if so large a proportion of the other necessary work is finished.

To bring the canal to its present state with the small appropriations that have from time to time fallen to its lot, it has taken a period of twelve years. At this rate it will require perhaps twenty-four years more before any benefit to commerce will result from this work or the country receive the least remuneration for the money expended. A generation will have been born and gone to its grave between the beginning and the ending of an enterprise which a healthy syndicate would have prosecuted to completion within six years at furthest after commencement and been in the enjoyment the balance of the time of a liberal income from the money invested.

So it is with the two ports I represent and which are appropriated for in this bill, one in the sum of $300,000 and the other in the sum of $65,000. It is estimated by the engineers that it will take $6,200,000 to complete the work at Galveston Harbor, and about $1,400,000 at Aransas Pass. Giving $300,000 a year for the port of Galveston how long will it take to complete the work if it be conceded that every session of Congress will witness the passage of a river and harbor bill making an equal appropriation, and that the President's veto will never be interposed? Mr. Chairman, it will take thirty years at least to complete the work contemplated, because of the fact that a large amount annually, as I have already stated, and as has been stated and explained by the Chief of Engineers in his letter, will necessarily have to be expended in repairing damage done by the elements, by marine insects, and to the plant used in carrying on the work.

How long with the same conditions existing will it require to complete the work at Aransas Pass? Twenty years at least. And shall the twenty States and Territories west of the Mississippi, covering more than two-thirds of the territorial area of the country, excluding Alaska from the computation, having one-fourth of the population of the country, furnishing more than 75 per cent. of the grain and beef exported to European markets—shall all that territorial area, with its millions of people—and remember that four Territories out of this area will be admitted as States if the action of the Democratic caucus is to be taken as an indication of the action of the House and the Senate—be compelled to wait?

Must that territory and those people wait from twenty to forty years before they will have an opportunity to ship their surplus products to Europe from a port on the coast of Texas? San Francisco is very nearly 1,000 miles nearer to the Texas coast than it is to New York. Denver is 730 miles nearer to the coast of Texas than it is to New York; and when we take into consideration that everything that is shipped from Denver, for instance, or points similarly situated, has to pass through St. Louis, which is about equidistant from Galveston and Denver, and that there is an additional cost of transportation from St. Louis to New York, while at the same time the transportation across the ocean from Galveston or Aransas Pass to Liverpool will be but a fraction more than from New York to Liverpool, it is easily seen how much benefit will be conferred upon the people in the vast area west of the Mississippi, as well as upon the people of the entire country, by these improvements.

But, Mr. Chairman, will these improvements or either of them be obtained by these driblet appropriations? I complained somewhat at the last river and harbor bill because it did not give to Aransas Pass or Galveston the amount that I thought they should receive even in an annual bill; but at the same time I told my people, in written communications upon this subject, that when it became evident to the Congress of the United States that the work being carried on by the engineers would be successful, and that the tentative efforts of the local engineers in charge would demonstrate the feasibility of the schemes, I had no doubt Congress would recognize the national importance of the work and increase the annual appropriations.

But what do I find? When I read the bill, which evidently, with all due respect to the committee, was not studied, because it was impossible in the very nature of things after this House had organized on the 3d of December, for that committee to bring in a bill on the 12th of December to which they had given their best efforts—it must be conceded that they took the bill of last year and scaled it down 50 per cent. as a rule, with certain exceptions. They gave to Galveston $50,000 more than the one-half to which it would have been entitled on that basis, and to Aransas Pass a sum $15,000 more than the $50,000 to which it would have been entitled under that proportion. But what do these sums amount to, practically considered? What are $65,000 to complete a scheme requiring a million and a half dollars? What are $300,000 when contrasted with the great amount required for Galveston? They are mere drops in the bucket. It is absolutely money wasted to make these driblet appropriations.

I believe that the proper system for making such internal improvements would be to have a board of engineers to determine upon certain places upon which all the money appropriated shall be expended until the work had been accomplished, and then take up new points.

But this system has been entered upon by this Government as a part of its policy, and as this system will never go down until it is buried beneath the eternal covering of public indignation, I, representing these two ports, accept the situation; but I ask at the hands of this committee and at the hands of this House an appropriation consistent with the national importance of these respective works, and consistent, in part at least, with the recommendation of the Chief Engineer. The Chief Engineer in his letter to me says that $200,000 is the least amount that can be profitably expended at Aransas Pass, and that $500,000 should be expended, and he recommends an appropriation of $1,000,000 for Galveston.

And in considering this question, Mr. Chairman and gentlemen, I call

your attention to a remark made by the Father of the House in 1884, when the Eads bill was before this House for consideration. He said:

I am in favor of appropriating for Galveston not because it belongs to the State of Texas, for it does not; but because it belongs to the entire country.

Major Handbury continues:

From 1876, the date of the first appropriation for this work, up to the present time but $1,142,500 have been made available for its prosecution, which is an average of about $95,000 per year. Various appropriations have been made during this time, the total of which, as given above, if invested by an enterprising company at 4 per cent., the yearly interest on the investment and the sum would amount to $1,490,000, an excess over the amount appropriated of nearly $348,000, for which there is nothing to show, because the yearly interest, $79,600, is almost as much as the usual yearly appropriation made.

To illustrate simply the effect which the policy of small appropriations for the work thus made will have upon its ultimate cost to the people, let us suppose that the work is estimated to cost $3,000,000, and that an annual appropriation of $100,000 is made for carrying it out, the time to be consumed in carrying out the project will be thirty years. The yearly appropriations, with their accumulated interest at 4 per cent., will, added, amount to $5,832,800, nearly twice as much as the estimated cost of the work.

This demonstrates most clearly that the driblet system of appropriations, if carried on, will make every work of great magnitude cost nearly twice as much as the original estimates of the engineers having the matter in charge.

Continuing, he says:

If, instead of this, suppose that the annual appropriations had been made in amounts as large as could be prudentially expended—say $500,000; under this mode the cost would be $3,449,000, a saving of $2,383,800, the work will be completed in six years instead of thirty, and the people at once begin to reap the benefit of the money of the Government.

That does not include the amount resulting from the destruction and the renewal of plant and appliances and other costs that must necessarily pertain to a long term of years and small appropriations. Nor does it include the large amounts that result from the difference in freight rates on the commerce that would take this new route were the improvements finished, but which now goes by some other to market. If all works of this character were made before any advantage can accrue to commerce, it does seem that the policy of small appropriations running through a long term of years increases enormously their ultimate cost.

Acting upon this idea, I propose, Mr. Chairman, to offer at the proper time for the consideration of this committee a substitute which is in effect and substance the act passed at the last session of this Congress with such alterations and modifications as the changed conditions make necessary, striking out all propositions for surveys. The amount of this bill would be a million or thereabout less than the amount of the appropriation at the last session.

Now, I repeat my question to the chairman of the Committee on Rivers and Harbors. What is the reason that your committee appropriates only one-half of what it appropriated last year? What reasons are there for eliminating $11,000,000 from this appropriation for the continuation of these works, if they are to be completed? I understand there are no reasons given. The Chief of Engineers says there is no reason. Can it be because the river and harbor bill is unpopular?

In answer to that I will read from the report of the chairman of the committee made during the last session. Here is his language:

The largest river and harbor bill prior to this one was that of 1882, which carried an appropriation of $18,738,875, upon estimates by the Chief of Engineers that $33,224,300 could be profitably expended in the fiscal year. That bill appropriated 56½ per cent. of the estimates. The President, exercising his constitutional prerogative, returned the bill of 1882 to the House without his approval, and the Congress, exercising its constitutional right, by a two-thirds majority in each House, passed the bill, the executive veto to the contrary notwithstanding, and it became a law.

Thereupon many of the newspapers at the great railroad centers raised a hue and cry against the act and against those by whose votes it had been passed, making use in the attack of the grossest misrepresentation and personal abuse in the endeavor to blind the people to their own interests. But the great masses of the people in all sections sustained the act, and the popularity of the river and harbor bill has grown apace.

As it has grown apace the appropriations suggested by the committee have decreased apace.

It has come to be seen that it is of prime importance for the protection of the public from the undue exactions of railroad companies that the great natural highways of commerce, the water ways of the country, should be placed in the best condition to compete with them.

And how did you and your committee come to the conclusion to reduce it to 50 per cent. of what it was last year?

You say:

Your committee believe that at no time in the history of our Government have the people, with as great unanimity as now, demanded of Congress liberal appropriations for rivers and harbors.

That is what the gentleman said twelve months ago; and what does he say now? Of course when I am speaking of him I am speaking of him in his capacity as chairman of the committee.

Mr. STEWART, of Texas. Will my colleague permit me to ask him a question?

Mr. CRAIN. Certainly.

Mr. STEWART, of Texas. I ask if in your proposed substitute you seek to appropriate the amount recommended by the Secretary of War?

Mr. CRAIN. No, sir. I propose as a substitute to introduce the bill which was passed by the last session of Congress, and which is in accordance with the recommendation of your committee, with such amendments as the Senate chose to put upon it. If I had my way, I would propose a bill carrying the exact estimates in every instance of the Chief of Engineers.

Mr. STEWART, of Texas. Why do you not in your substitute propose to appropriate the amount recommended by the Secretary of War, and thereby follow your argument to its legitimate conclusion?

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANCHARD. I extend half an hour of my time to the gentleman from Texas [Mr. CRAIN]. The other half of my time I propose to reserve. I trust the Chair will recognize the gentleman from Texas in his own right.

The CHAIRMAN. The gentleman from Texas will proceed.

Mr. CRAIN. I will answer my colleague by stating that I fear very much that, under the influence of the Rivers and Harbors Committee, which is potential in this House, as we all know, even this substitute will not pass, although it is really the act of the committee at the last session, with such amendments as were put in by the Senate. Why, then, should I suggest another substitute which would be twice as large as the aggregate amount appropriated in this bill? That is the answer to the gentleman's question. The committee in their report on last year's bill say:

Your committee believe that at no time in the history of our Government have the people, with as great unanimity as now, demanded of Congress liberal appropriations for rivers and harbors.

If the people demanded these liberal appropriations with such unanimity twelve months ago, is there any information in possession of this committee which they are able to give to the House that will show that the same unanimity does not now exist?

Again, the chairman of the committee says very eloquently:

No country on the globe has been blessed equal to ours with water ways, and if we fail adequately to improve them we will be neglecting the opportunities afforded us by a bountiful Providence.

What change has come over the spirit of the dreams of the committee that, after giving their sanction to such eloquent language twelve months ago, they should come in here to-day with a bill proposing to appropriate only one-half as much, in the same country with the same water ways and blessed by the same all-bountiful Providence?

Again:

Other nationalities, with rivers and harbors in no wise comparable to ours, have appropriated millions for their improvement where we appropriate thousands.

I use this argument in support of my substitute, because it is much more strongly put than I can present it. The language is better than I can employ. It conveys my ideas accurately, and it is fortified by the wisdom of the fifteen gentlemen composing the Rivers and Harbors Committee in this House.

Again the chairman says:

While the present bill is a little larger than that of 1882, it must be remembered that our commercial and navigable interests have greatly increased since then; the volume of our commerce has largely augmented.

If that was the condition of this country twelve months ago, wherein has it changed since then? If the volume of our commerce had largely augmented then, it has still more largely augmented since then. If our trade had improved then, it has still more largely improved now. If $22,000,000 were necessary then because of the reasons assigned in this report, why is it that only $11,000,000 are necessary to-day after we have grown in population, increased in trade, and augmented in commerce during the past year?

The report says:

The number of items, or separate appropriations, in this bill is much larger than in the bill of 1882. More rivers and more harbors are appropriated for.

The same thing can be said of the bill before the House to-day. In fact, there is less in this bill than there was in the act of last session, because there is no proposition for surveys, or for new improvements, but the appropriations are for "continuing improvements," for the continuation of projects or schemes already being carried on under the supervision of the Government engineers.

Again, says the report:

The bill deals liberally with such works as will largely and generally facilitate the commerce of the country by opening up the larger water ways to free and easy navigation. While pursuing this general policy as to the larger water ways, the committee have not neglected the smaller ones, though it is confidently asserted that no single appropriation is embodied in the bill which is not defensible by the engineers' reports and by the amount and value of commerce to be benefited by it. Your committee assert as their deliberate judgment, formed after a thorough study of these matters, that the aggregate of benefit effected by the smaller appropriations is, in proportion to the money expended, fully as great, if not greater, than that resulting from the larger appropriations. Oftentimes a river, navigable from 40 to 70 miles, penetrates a section of country where there are no railroads, and where their water way affords to the people of such section the only means of access to and from the markets of the country, save the ordinary country roads.

Upon this point I have nothing to say. I have no fault to find with the committee for selecting any place throughout the country which, in its judgment, or in the judgment of the Chief of Engineers, demands an appropriation for its improvement. It may be, as has been suggested, that every little rill, every little rivulet, which courses through any portion of the country lends its aid to swell the volume of the streams that bear their waters to the rivers and thence to the oceans upon whose bosom floats the commerce of the world; and consequently I have no criticism to make of the committee in this respect; but I do complain that in making their appropriations they make them so small in certain cases that they are actually valueless or approximately value-

less; for, to my knowledge, the engineers in some instances retain the appropriation and refuse to expend it simply because it is too small to be of any advantage. In other cases the man who has had the contract one year monopolizes it for the next year simply for the reason that the new appropriation is not large enough to enable any person to compete with the contractor who is already furnished with the plant necessary to carry on the work.

Again say the committee:

Your committee assert as their deliberate judgment, formed after a thorough study of these matters, that the aggregate of benefit expected by the smaller appropriations is, in proportion to the money expended, fully as great, if not greater, than that resulting from the larger appropriations.

What do the committee say upon the bill now before the House?

The purpose for which appropriations of this character are made is an entirely proper and legitimate one, and considering the number and extent of our water ways and the enormous value of the commerce created by and dependent upon them, an annual allotment of even twenty millions a year would be a comparatively moderate sum for a country of the continental dimensions and limitless resources of the United States to expend upon their improvement and maintenance.

Here is a confession of judgment on the part of the committee. They say that they propose to expend only $12,000,000 in round figures, yet in the report recommending this expenditure to the House they assert that an expenditure of $20,000,000 would be proper to be made in a country of so large resources as the United States. Why, then, gentlemen of the committee, did you not recommend such an expenditure? Give this House some valid reason—some sound, substantial, intelligent reason—why you should not do what you say in your report ought to be done.

As I have already said—and I can not repeat it too often—the Chief of Engineers says there is nothing in the status of these works that justifies the reduced expenditure. He says that it will cost twice as much to carry them on to completion under the present system as if the appropriations were judiciously made; that, if the engineers were given enough money to carry on these works, they could accomplish them, but by the system of appropriations adopted there is a large waste of the annual appropriation for river and harbor improvements.

But the committee go on to say:

The objection to river and harbor bills urged by a portion of the public press of the country your committee conceive to be based largely upon editorial provincialism—that is, carelessness and want of knowledge of the needs and conditions of other localities than their own. So far as the people themselves are concerned, your committee is satisfied that there is no bill before Congress that embodies more popular interest and urgency and gives more general satisfaction than the bill for the care and improvement of our harbors and water ways.

If this is so, gentlemen of the committee, why do you not respond to the public demand? Admitting your statement to be true—and I believe it to be true—why is it that when popular clamor asks for improvements all over this country you do not respond to that clamor? If, as you say, there is no bill before this Congress which is so popular, which is so much liked by the people, which is so valued by all sections of the country, why is it that you do not conform your action to this suggestion and make your bill what it was last year?

The committee continue:

The able and experienced engineer who at present fills the position of Chief of Engineers has stated that after a most thorough and painstaking study and investigation of the river and harbor bill of the late session of Congress—a bill which carried over $22,000,000—his conclusion was that not more than one-fifth of 1 per cent. of the same could properly be placed under the head of "objectionable items" which should have been omitted from the bill.

Now, Mr. Chairman, I call the attention of the House to this suggestion. Here is the River and Harbor Committee supporting its bill by a suggestion that in the last act not more than one-fifth of 1 per cent. of the items appropriated for might be classed as objectionable items. If that is so, why not put them in this bill? If they were not objectionable in the act of the last session, why are they objectionable in the present bill?

Your committee make bold to say that no better showing, if as good, can be made for any one of the general appropriation bills passed during this or former Congresses.

As a matter of fact the value of a given improvement has no direct relation to its magnitude or cost. The opening of a comparatively small stream or channel entrance may be of as great importance to the community interested in and to be affected by it as a vastly greater one to some other.

With the opening of water navigation freights are reduced and the railroads are forced to be reasonable in their charges.

Why do you not, then, appropriate money to open water navigation? When the canals freeze up I am told the railroads in the North and East raise their freight charges; and when spring comes, when the ice thaws and the canals can be used, then freights come down. You recognize this principle; you appeal to this House to pass this bill because of the assertion of this principle. Why do you not carry it out by making the necessary appropriations so that the people of the United States can within a reasonable time enjoy the benefits that are to flow from competition against the railroads affected by water ways? But no; you pinch, you squeeze, you cut down, you pare, you economize until your appropriations amount to a mere waste, except in certain cases where appropriations in the new bill are made about the same as in the last preceding bill. The committee goes on to say:

With the opening of water navigation freights are reduced and the railroads are forced to be reasonable in their charges; trade improves, production increases, and the community thrives—all because a few thousand dollars were expended in dredging away the bar at the mouth of the stream or removing the obstructions which rendered its navigation dangerous or costly.

It may be urged that I object to this bill because the ports in my district have not been adequately provided for. I might refer to other places in the country which are in the same condition. I might call attention, for instance, to the improvement near Augusta, in Georgia. I might allude to the fact that the small amount of money appropriated there for the improvement of the river is grossly inadequate; that $100,000 expended there would enable Augusta to have the same commerce which it had before the channel of the river had filled up by the sediment carried down by the spring floods. There are other cases of a similar character, but I will not detain this committee by referring to them in detail.

The committee continues:

The people of such neighborhood can never be convinced that the money was unwisely or unrighteously appropriated, nor will they object to similar expenditures elsewhere.

Why do you not appropriate it, then, if they can not be convinced that the money was unwisely or unrighteously appropriated? If that be the case, why do you not appropriate a sufficient sum in each case? You give a good reason for doing that which you do not do.

The committee further says:

So also of the cases where the stream furnishes the sole means of transportation to a region otherwise inaccessible.

Right here I may say, parenthetically, that the producers and consumers of the country would be more largely benefited by a judicious and liberal expenditure of the money for the improvement of the water ways in order that they might compete with the railroads than by the passage of interstate-commerce acts or by any other similar legislation.

But the committee further says:

It is not contended that these small appropriations should be unduly multiplied, but it is insisted that they are legitimate when the facts are such as to warrant them.

The United States Supreme Court has passed upon this question and established the legal limitation upon the improvement of navigation at the cost of the Federal Treasury, namely: That if the water way be one that forms or may form part of a commercial highway, either interstate or foreign, it may be appropriated for by Congress as a national highway. Nor is it needful that in a given case the commerce to be benefited should be actually existent. It suffices that it should be clearly potential; in other words, that its development can be reasonably anticipated from the known and recorded facts. Otherwise some of the most valuable water ways would wait development forever. Glasgow would be a fishing village still, had not the Clyde been dredged.

People who are children to-day in Galveston and Aransas Pass will reach men's estate before the schemes contemplated by the Engineer department for the improvement of those ports will be completed under such a system as this, particularly when we take into consideration the fact that Congress may fail to pass a river and harbor bill or that the Presidential veto may be interposed.

The committee says:

The foreign commerce of the Mississippi Valley depends upon opening the mouth of the river and keeping it open. Nor does the custom-house rating establish the character of an improvement. Domestic commerce outweighs many times the foreign trade and does not need to pay customs dues to prove its value or national character.

Now, Mr. Chairman, as I have already stated, this substitute is in substance the act passed at the last session of Congress with such changes as I have been able to make from the hasty review to which I have been forced because of the unexpected report of the committee of the bill now under consideration. I had no idea, knowing the *personnel* of that committee, the pains and labor they have bestowed on the improvement of the rivers and harbors of the country, that within nine days after the opening of Congress they would have been able to precipitate upon this House a measure carrying about eleven or twelve millions of dollars. Changes have been made in my substitute, which carries twenty or twenty-one millions of dollars, and I say in its support if it were right to pass it at the last session it is right to pass it now.

I defy any gentleman of the committee to point out any logical reason why the Congress of the United States should not pass a bill at this session similar to the one passed at the last session. No different conditions exist, except in isolated cases, and the appropriations are to be expended after the 30th of June next. As there is plenty of money in the Treasury, with no present expectation of the passage of a tariff bill, the Senate having shown that it will not support the Mills bill, passed by a Democratic House, and having every reason to believe the majority of the House will repudiate the Senate substitute—with a plethoric Treasury, with the people anxious to pass such a bill, as stated in the report of the committee from which I have just read, I ask, what good reason can be given why it should not pass? I appeal to the committee to give any reason why my substitute or a kindred measure should not pass.

I ask the committee, or any member of it, to give any reason why, if it was proper to appropriate $22,000,000 at the last session, it is not equally proper to appropriate enough money to enable the engineers of the Army to do enough work next year to justify the expectations of the people in the completion of these needed works of improvement. If we hold the engineers responsible, let us give them enough money to carry out their plans.

How much time have I remaining?

The CHAIRMAN. The gentleman has forty minutes of his time remaining.

Mr. CRAIN. I will reserve that.

Mr. O'NEILL, of Pennsylvania. I would like to ask the chairman of the Committee on Rivers and Harbors whether the general debate is to go on the rest of the afternoon, or whether we are to go into the bill for the purpose of amendment?

Mr. BLANCHARD. I will say to the gentleman I am apprised that several gentlemen desire to speak, and I take it that the remainder of the afternoon will be expended in general debate upon the bill.

Mr. Chairman, the gentleman from Texas occupies an unique position with regard to this bill—the position of being the only member of Congress, certainly within the time that I have had the honor of a seat upon this floor, who ever opposed a river and harbor bill on the ground that the aggregate amount appropriated is not large enough. Heretofore every gentleman who has had occasion to oppose river and harbor bills has done so because in his judgment the amount appropriated had been too large. I sympathize with the position of the gentleman from Texas, for I myself would like to see a larger amount appropriated each year for river and harbor improvement than we have found practicable in the past to appropriate.

The theory advanced by the gentleman from Texas is beautiful; but, Mr. Chairman, it is not practical. There is nothing in the world so practical as legislation and the methods of legislation, and by methods I mean the mode of procuring the passage of bills through a legislative body. It will be borne in mind by the Committee of the Whole that the largest river and harbor bill ever passed by the House was the one passed at the first session of this Congress, carrying in the aggregate something over $22,000,000, and we were enabled to pass a bill of that magnitude because of the fact that there had been no appropriation at all the preceding year, namely, at the second session of the Forty-ninth Congress. The large bill of last session was justified by the friends and tolerated by the enemies of river and harbor improvement in this House upon the ground of the failure of the appropriation for the preceding year.

It will be remembered, Mr. Chairman, by those gentlemen in this House who have served here since the Forty-seventh Congress that there has been a failure of a river and harbor bill at the second session of every Congress from and inclusive of the Forty-seventh Congress down to this time. The gentleman from Texas, too, well knows that at the short session of past Congresses we have been unable to pass even a small river and harbor bill; and yet he presumes to lecture the Committee on Rivers and Harbors, because, forsooth, learning a lesson from the experience of the past, we have not brought in a bill of $22,000,000 or $23,000,000 and asked its passage at the hands of this Congress at its second session. The committee have not brought in a larger bill for the good reason that it is not considered possible to enact into law a larger bill than the one we have presented.

We have brought in a bill which we thought could pass. We have sought the practical road to legislation. We have indulged in no theories and no speculations. Along with reflections on what ought to be done, we have carefully considered what could be done. Our bill is based on both, and where the two have conflicted we have yielded to the practical.

Had we brought in a bill of $22,000,000, succeeding the large bill of the last session, there are not five men on this floor, I am satisfied, who will agree with the gentleman from Texas that it would be a practical measure in the sense that it ought to be enacted into a law. This, I take it, is a complete answer to the theoretical argument advanced by the gentleman from Texas.

Mr. CRAIN. Will the gentleman permit an interruption? I would like to ask what the committee were guided by, the importance of the work and the necessity of completing it, or the amount of the annual appropriation that you can probably get through Congress?

Mr. BLANCHARD. We were guided in the formation of the bill by the recommendations of the engineers and by the necessities of each project of improvement, but we were also practical enough to take into consideration the size of the bill as affecting favorably or unfavorably its passage through the two Houses.

Mr. CRAIN. Then you size up the bill by the probability of its passage?

Mr. BLANCHARD. I hope the gentleman will not interrupt me further. I did not interrupt him.

Mr. CRAIN. Pardon me. I will yield to the gentleman five minutes of my time if he will answer me.

Mr. BLANCHARD. No further answer is called for than the one already given. If the gentleman from Texas had his way he would bring in a bill of $25,000,000, and the result would be that Congress would not pass it, and Aransas Pass and Galveston, in which he is so much interested, would not receive one dollar for improvement.

The Committee on Rivers and Harbors, unable to give improvements of that character all that gentlemen who are interested in them may desire, have always endeavored to give such sums commensurate with the importance of the work as we think can be passed through both Houses of Congress and receive the Executive approval.

Mr. Chairman, it is within the time since the gentleman from Texas first became a member of Congress that a proposition was brought here from the Committee on Rivers and Harbors appropriating in a lump some six or seven millions of dollars to give to the harbor of Galveston 30 feet depth of water. The gentleman from Texas well knows that it was found utterly impossible to pass such a proposition through the then Congress and it had to be abandoned. And yet in the face of that experience in a recent Congress, the gentleman from Texas has criticised the committee in a manner somewhat harsh because we have not brought in at this time, at the short session of this Congress, a bill of $25,000,000, which would give Galveston the $1,000,000 which the Chief of Engineers says can be profitably expended there the coming fiscal year. Had we adopted the recommendations of the Chief of Engineers altogether, we would have brought in a bill aggregating $36,000,000; and will any gentleman tell me here, looking at the matter from a practical standpoint, that we could pass any such bill through the House? There is not a man on the floor other than the gentleman from Texas who believes that any such thing can be done. We have sought to appropriate in the bill now under discussion an amount that would enable the work already in progress upon many projects of river and harbor improvements throughout the United States to be continued throughout the fiscal year 1890; not all that was needed, perhaps, but enough to continue the work.

It is a fact that of the $22,000,000 appropriated by the bill of last session by far the greater part of it is still on hand. It will be expended by the end of the present fiscal year, which will be the 30th of June of the coming year. With what the present bill carries there need be no cessation of work the coming fiscal year upon projects of river and harbor improvement already begun.

With these remarks I yield to the gentleman from Pennsylvania to be recognized in his own time, reserving the remainder of my time.

Mr. SOWDEN. Mr. Chairman, I have no doubt but that this House has been more than surprised at what has occurred this afternoon. In the first place, the Committee on Rivers and Harbors present a bill appropriating $11,906,850 for the improvement of the rivers and harbors of the country. In the second place, we have the spectacle presented to us by the gentleman from Texas [Mr. CRAIN], who complains and opposes the bill on the ground that the amount it appropriates is not high enough. He would have it increased to some twenty-odd million dollars. If he had his own way he would increase it to $36,012,250, the entire amount of the estimates submitted to the Committee on Rivers and Harbors by the engineers in charge of these improvements. His position is inconsistent and entirely irreconcilable. If he were consistent and logical he would advocate the adoption of a bill covering and appropriating the whole amount of the estimates submitted by the engineers, as already stated, rather than his substitute, which is a rescript of the bill passed at the first session of this Congress.

It is to be regretted that the proposition for these large expenditures of the public moneys should emanate from this side of the House when it stands pledged to the most economic management of our governmental affairs. If this bill should pass it would be the largest appropriation ever made for the improvement of rivers and harbors in any single Congress; that is, taking into consideration the amount already appropriated last session. In the language of the gentleman from Louisiana [Mr. BLANCHARD], we appropriated more in the bill passed last session than was ever appropriated for a similar purpose by any one given Congress. We appropriated nearly $23,000,000, and the reason given by the committee in justification of that extraordinary measure is found in the report accompanying the presentation of their bill to the House, from which I will cite the following extract:

> The failure to secure this or any amount for such purpose excited great complaint, and when this committee commenced their work at the beginning of the present session they were confronted with numerous demands for immediate appropriations. The committee did not think it proper to yield to these demands, but they embrace in the present bill the total amount to be expended for the next fiscal year. The failure of the last House to make any appropriation has thrown on your committee the duty of combining two river and harbor bills in one.

Two river and harbor bills in one!

The bill passed and went to the President on the 31st of last July; became a law without his approval, it not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution.

By this act, therefore, there was appropriated and in the hands of the Secretary of War $23,000,000 for the purpose of these improvements—or nearly $23,000,000. How much of this vast sum of money has been expended to date? Is it likely, or can it be possible, that this sum can be prudently expended upon these contemplated improvements within the next twelve months?

Mr. CRAIN. Will the gentleman from Pennsylvania permit me to ask him a question?

Mr. SOWDEN. I regret that I must decline to be interrupted. I repeat, can it be possible that this large sum of money can be economically and advantageously expended upon these improvements during the coming year? We have the same items of appropriations in the bill now before this committee that are contained in the bill that became a law less than five months ago. In the bill now under consideration is contained an appropriation of $20,000 for the improvement of the harbor of Rockland, Me., while in the bill which became a law in August last was contained an appropriation of $30,000 for the improvement of

the same harbor. How much of this $30,000 remains unexpended? Why appropriate the additional sum of $20,000 before exhausting the $30,000 heretofore appropriated? So we might analyze every item contained in this bill, and by comparison show that there is no necessity for the passage of this legislation. I will refer to but one more item on this subject. On page 7 of the present bill I find the following:

Improving the harbor of Philadelphia: For removal of Smith's Island and Windmill Island, in the State of Pennsylvania, and Petty's Island, in the State of New Jersey, or such parts of them and the shoals adjacent thereto as may be required, and for the improvement of the harbor between the cities of Philadelphia, Pa., and Camden, N. J., $200,000: *Provided*, That no part of this sum shall be expended until the title to the lands forming said islands shall be acquired and vested in the United States without charge to the latter.

In the bill which passed the first session of this Congress was contained a similar provision appropriating $500,000 for this purpose upon condition that no part of said money should be expended until the title to the lands forming said islands should be acquired and vested in the United States as therein provided.

Has this property become vested in the United States in accordance with these provisions so that the Government may proceed to make these improvements? Why appropriate $200,000 in addition to the $500,000 already appropriated for these improvements before the Government has acquired the title to the islands in question?

Mr. DUNHAM. That was not to be done until the Government was given title.

Mr. SOWDEN. Why make any further appropriation for this purpose until the Government has acquired title and possession of these islands? Why not first obtain the title to them and expend the $500,000 already appropriated for their removal before asking this additional appropriation of $200,000? Is this wise, is this prudent legislation?

Mr. O'NEILL, of Pennsylvania. Will my colleague permit a question?

Mr. SOWDEN. Certainly.

Mr. O'NEILL, of Pennsylvania. Because the chairman of the committee did not explain this I will explain it more satisfactorily.

Does my colleague understand that the appropriations in this bill do not take effect until after the 30th of June next, that they are the appropriations that are to continue from the 30th of June, 1889, until the 30th of June, 1890, and that there is not a dollar of this money that can be expended until the title is acquired by the United States? None of the money can be expended until that is done, but it is very likely that this title will be acquired within the next three or four months, and will be in the United States, because proceedings to that end are now going on.

Mr. SOWDEN. I understand this, but I did not yield to give my colleague an opportunity to make a speech, but only for a question.

Mr. O'NEILL, of Pennsylvania. I do not want to make a speech, but only to set the gentleman right as to what this bill means.

Mr. SOWDEN. The gentleman has stated, in the form of an inquiry addressed to me, that it will likely require some four months before the Government can acquire title to these islands. If it is a mere supposition that the Government may acquire title to these islands in four months, then there would be $500,000 in the hands of the Secretary of War, after the acquisition of title, to be applied towards their removal. I take it for granted, therefore, that it will be very doubtful whether the Government will obtain title to these islands before the meeting of the next Congress, and if it should, there will be $500,000 on hand, in charge of the Secretary of War unexpended, ready to be used in the removal of these obstructions, which could scarcely be expended in this direction before the next Congress would pass a similar act. Why not, then, allow our friends on the other side to assume control of these matters and cast upon them the responsibility of making the necessary appropriations to complete the removal of these islands?

I am opposed to the appropriation of $11,906,850 at this time for the improvement of rivers and harbors, when there is on hand nearly $23,000,000 for this purpose still unexpended. I think the time for making the appropriations is when the needs of these improvements demand them; and as long as the amount of money I have stated is on hand unexpended, why ask for an additional appropriation of nearly $12,000,000? Twelve millions of dollars plus twenty-three millions makes $35,000,000.

Mr. BLANCHARD. Twenty-two millions, not twenty-three.

Mr. SOWDEN. It is nearer twenty-three millions than twenty-two millions.

Mr. BLANCHARD. No; you are mistaken.

Mr. SOWDEN. Well, twenty-two millions plus $11,906,850 is nearly, if not quite, $34,000,000——

Mr. BLANCHARD. Thirty-three millions.

Mr. SOWDEN. I am satisfied that it is almost thirty-five millions. [Laughter.] I know the last bill carried nearly $23,000,000. Thirty-five millions to be appropriated for this purpose by a Congress that came into power upon the distinct pledge that it favored a business-like management of governmental affairs upon the most economical basis!

We appropriated nearly $23,000,000 only five months ago, the largest amount ever provided by any Congress for the improvement of the rivers and harbors of the country; yet it would seem that the committee having this bill in charge is still unsatisfied, and we are now asked for nearly twelve millions more! Why should this Democratic House appropriate the enormously large sum of nearly $35,000,000 for the improvement of the rivers and harbors of the country? These appropriations are unprecedented.

No single Congress ever appropriated so large a sum for this purpose as proposed by this Congress. Nor should we pass the bill now before the committee, particularly since we have just been informed by the gentleman from Louisiana [Mr. BLANCHARD], who has this bill in charge, that no former Congress ever passed a bill of this character at its second session. Why disregard this precedent and make this new departure? Why this undue haste? Why this unnecessary appropriation of the public moneys when the needs of these proposed improvements do not imperatively demand it, and especially when admittedly there remains an unexpended balance of nearly $23,000,000 in the hands of the Secretary of War appropriated for these purposes by the present Congress less than six months ago? I should be pleased to hear from the gentleman from Louisiana [Mr. BLANCHARD] on this subject.

Mr. WEBER. Does the gentleman ascribe the defeat of the Democratic party to the last river and harbor bill or to other causes?

Mr. SOWDEN. There were several causes. That was one of them. I reserve the balance of my time.

A MEMBER. The Allentown public building bill was another. [Laughter.]

Mr. ADAMS addressed the Chair.

Mr. BLANCHARD. I have said to some gentlemen here that at about a quarter to 5 o'clock I would move that the committee rise. I will ask the gentleman from Illinois whether he expects to speak beyond that time.

Mr. ADAMS. I do not. Mr. Chairman, one feature of this debate is remarkable, as the gentleman from Pennsylvania [Mr. SOWDEN] has said. The chairman of the Committee on Rivers and Harbors has risen here and advocated this bill on the ground of the small amount appropriated by it. Then the gentleman from Texas [Mr. CRAIN], also an intelligent and able member of this House, has risen and complained of the bill for the very reason that the amount appropriated is so small. I believe that both of these gentlemen are right, and that the difference between them is due to the difference in the points of view from which they severally regard the question.

The gentleman from Texas says it is absurd that the people of the United States should not have the benefit of a larger appropriation than $11,000,000 for the improvement during the next fiscal year of the rivers and harbors of the United States; and he is right. The gentleman from Louisiana says that, as a matter of practical politics, if this bill were enlarged from $11,000,000 to $22,000,000 it would not pass the House or would be vetoed by the President; and he is probably right.

Mr. BLANCHARD. "Practical legislation" was my language.

Mr. ADAMS. "Practical legislation"—exactly. The inference I draw is that the mistake which the gentleman from Texas and the gentleman from Louisiana make is, that they do not regard this question from the right point of view. The gentleman from Texas, as I have before remarked, is right when he says that the people of this country would be glad to have appropriated a larger amount than $11,000,000; but he is wrong—if he will allow me to say so, he is "barking up the wrong tree"—when he satisfies himself with impeaching the judgment of the Committee on Rivers and Harbors. He ought to have impeached the entire system under which these river and harbor bills are reported year after year. If it be a fact, and I think there is no question about it, that the people of this country would gladly see appropriated a far larger amount than $11,000,000 or $12,000,000 or $15,000,000, why is it true that, as the gentleman from Louisiana says, as a question of practical politics, the committee do not dare to appropriate more than $11,000,000?

Mr. CRAIN. I said that I was opposed to the system; that I thought it wrong; but that it had become fixed in the policy of this Government and could only be corrected by public opinion asserting itself in opposition.

Mr. BLANCHARD. The gentleman from Illinois [Mr. ADAMS] still speaks of me as having referred to "practical politics." I said "practical legislation."

Mr. ADAMS. Yes, "practical legislation." I agree with the gentleman entirely that if I were a member of the River and Harbor Committee, I should feel that if I recommended an appropriation of that sum of money which I believed the people of this country desire to be expended, there would be great danger that the bill would fail here or in another part of the Capitol, or else would fail at the Executive Mansion. I agree with the gentleman entirely on that point. But what is the inference I draw from that circumstance? If it is true that the people of this country ought to have a larger amount of money appropriated than is appropriated by this bill, and if it is true that this committee under the present system can not as a matter of "practical legislation" appropriate a larger amount of money, what is the inference? The inference is that the system is wrong, and that we ought to have a new one. The error in the existing system results from this, that a river and harbor bill such as we try to pass every year contains not only a certain total sum of appropriations, but also provides specifically just how much money shall be spent during the fiscal year on

every river and harbor, great or small, throughout the length and breadth of the United States.

Such a bill is very easily criticised by every first-class, second-class, third-class, and fourth-class newspaper from one end of the country to the other. Therefore it is that Congressmen hesitate to vote for the bill and the President hesitates to allow it to become a law unless the sum total carried by the bill is conspicuously small. How is it that the newspapers assail the bill? Here is a bill covering a vast extent of territory—covering a vast number of rivers and harbors in regard to the character of which not 10 per cent., not 1 per cent., of the people of this country have any practical information whatever. Therefore, when the bill passes carrying a large total, every little newspaper in the country can criticise its local Congressman for having voted for the bill, simply because it contains items for the improvement of rivers and harbors which in the section of the country from which that Congressman comes are utterly unknown—are not known even to be on the map, as my friend from Kansas suggests.

Therefore my inference is that we shall never get rid of the disadvantage of this system until we resort to another system, and we can never resort to another system until we cease to attempt the impossible task of having a committee of the House of Representatives act as a board of public works. That is exactly the function which the Committee on Rivers and Harbors, ever since I have been in Congress—in fact, ever since the river and harbor bill has been known in Congress—have tried to fill. It is impossible that they should fill it. What we ought to do is to provide for a board of public works, subject to the criticisms of this body, and let Congress, the source of appropriations, provide a gross sum to be apportioned by that board of public works according to their judgment for the next fiscal year to those rivers and those harbors which Congress has decided to be worthy of improvement. From year to year the action of that board could be subject to the minute and constant criticism of this House. We could apply every check, every safeguard, every restraint that would be necessary. Until we do adopt such a system the complaint of the gentleman from Texas will always be applicable to every river and harbor bill that can be reported to this House; in other words, the Committee on Rivers and Harbors, anxious to pass its bill, will continue to take the estimates of the Engineer of the United States, and adopt a certain percentage of those estimates in order to get the total of the bill within the sum which they think Congressmen generally will be willing to vote for, and which they think the President will be willing to sign or allow to become a law without his signature. Until we adopt that plan nothing satisfactory can be accomplished.

Mr. WISE. May I ask the gentleman a question?

Mr. ADAMS. Certainly.

Mr. WISE. How would you get a board of public works that would represent the interests of the various sections of the country as well as the Congress of the United States?

Mr. ADAMS. The reason why the Congress of the United States can not represent the interests of the various sections appears from the criticism of the gentleman from Texas [Mr. CRAIN], as well as from the remarks made by the chairman of the committee, the gentleman from Louisiana [Mr. BLANCHARD].

Here is the fact: It is admitted that fifteen or twenty millions of dollars should be appropriated every year to carry out improvements already begun. That is a fact which the gentleman from Virginia can not deny or dispute. The gentleman from Louisiana [Mr. BLANCHARD], chairman of the Committee on Rivers and Harbors, wisely, I think, from his point of view——

Mr. WISE. How would you have your board of works appointed?

Mr. ADAMS. Well, you have a Mississippi River Commission, for instance. You might have a commission or a board of public works for the whole country, or you might have a board for each section of the country. You might have one for all Atlantic and Gulf harbors, and another for the Pacific coast, and a third for all the harbors of the Northwestern lakes. The Secretary of War and his assistants might be the board for the whole country.

Mr. WISE. By whom appointed?

Mr. ADAMS. Appointed by Congress if you choose, or appointed by the President, as the Secretary of War is now.

Mr. CATCHINGS. Does the gentleman from Illinois say that he would have a commission for every improvement throughout the United States?

Mr. ADAMS. No, not for every harbor throughout the country, but a board for each distinctive section of the country, or I would have one board of public works for the whole country.

Mr. CATCHINGS. I understood the gentleman to say he would have a board of works for every particular improvement for every river or harbor.

Mr. ADAMS. That is not what I meant to say. What I wish to say is this: Congress is able to say for what rivers and what harbors appropriations shall be made, but it is for one of these boards to say when and how the money shall be distributed and expended.

For example, if Congress has decided that a certain river or harbor improvement estimated to cost $1,000,000 is a work of a national character and ought to be undertaken, it is unnecessary and absurd, in my judgment, for Congress to undertake the additional task of saying just how much of the money shall be expended on that particular improvement this year and how much the next year. That is largely a question of engineering. If Congress decides that we can afford to spend a total of $20,000,000 during the next fiscal year on all the river and harbor improvements of the United States it is a question of administration; it is a question for the board of public works or the Secretary of War to determine whether Harbor A or Harbor B should be pushed to completion during this year or should wait till next year.

By following the plan I suggest I am sure that we can complete the entire river and harbor system of the United States much sooner and much more economically than under the present system—if we can call it a system at all. My idea is simply this: The question how much money the people of the United States can afford to spend on river and harbor improvements during the next fiscal year is a question of legislation; it is a question for this House to settle. But the question how the money can be most economically and advantageously distributed during the next fiscal year among the various rivers and harbors of the country is a question of administration. It is a question for the board of public works or the Secretary of War. It is because Congress assumes to exercise the functions of a board of public works that we make so little progress in improving the rivers and harbors of the United States. I do not care to detain the committee further.

Mr. BLANCHARD moved that the committee rise.

The motion was agreed to, and the committee accordingly rose; and Mr. ROGERS having taken the chair as Speaker *pro tempore*, Mr. MCMILLIN reported that the Committee of the Whole House on the state of the Union had according to order had under consideration the bill (H. R. 11765) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors for the fiscal year ending June 30, 1890, and for other purposes, and had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message was received from the Senate, by Mr. MCCOOK, its Secretary, announcing the passage with amendments, in which concurrence was requested, of bills of the following titles:

A bill (H. R. 10023) to authorize the Cairo and Tennessee Railroad Company to construct bridges across the Tennessee and Cumberland Rivers; and

A bill (H. R. 10323) to incorporate the American Historical Association.

It also announced the passage of a bill (S. 3666) to amend an act entitled "An act granting to the city of Grand Forks, Dak., the right to build two free bridges across the Red River," approved May 21, 1888, in which concurrence was requested.

It further announced that the Senate had disagreed to the amendment of the House to the bill (S. 1931) to increase the appropriation for the purchase of a site for a building for a post-office, court-house, and other offices at San Francisco, Cal., asked for a conference on the disagreeing votes of the two Houses thereon, and had appointed as managers of such conference on its part Mr. STANFORD, Mr. SPOONER, and Mr. VEST.

Mr. KILGORE moved that the House adjourn.

The SPEAKER *pro tempore* announced that the ayes had it.

Several members demanded a division.

The House divided; and there were—ayes 39, noes 27.

Tellers were called for but not ordered.

So the motion was agreed to; and accordingly (at 4 o'clock and 48 minutes p. m.) the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. LANE: A bill (H. R. 11868) granting a pension to Susanna Mitts, widow of James H. Mitts, deceased—to the Committee on Invalid Pensions.

By Mr. LEE (by request): A bill (H. R. 11869) to authorize the construction of a bridge by the Falls Church and Potomac River Railroad Company over the Potomac River—to the Committee on the District of Columbia.

Also (by request), a bill (H. R. 11870) to authorize the Falls Church and Potomac Railroad Company to construct and operate a railroad over the Government lands in the State of Virginia and county of Alexandria—to the Committee on the District of Columbia.

By Mr. MONTGOMERY: A bill (H. R. 11871) for the relief of Hardin County, Kentucky—to the Committee on Claims.

By Mr. NICHOLS: A bill (H. R. 11872) for the relief of Thomas D. Meares, administrator of Armand D. Young, deceased—to the Committee on War Claims.

By Mr. O'DONNELL: A bill (H. R. 11873) for the relief of Nelson Green—to the Committee on Claims.

By Mr. PIDCOCK: A bill (H. R. 11874) granting a pension to Margaret A. Burkett—to the Committee on Invalid Pensions.

By Mr. RYAN: A bill (H. R. 11875) to increase the pension of Edward W. Stephenson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11876) granting a pension to George Wolf—to the Committee on Invalid Pensions.

By Mr. SAYERS (by request): A bill (H. R. 11877) granting a pension to James D. Silman—to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. G. A. ANDERSON: Petition of the city council of Quincy, Ill., for an appropriation to improve the harbor at that place—to the Committee on Rivers and Harbors.

By Mr. BINGHAM: Resolutions of the Philadelphia Maritime Exchange, for an appropriation for the support of the branch hydrographic offices at the principal seaports—to the Committee on Appropriations.

By Mr. BLISS: Resolutions of the Maritime Association of New York, for an appropriation to support the branch hydrographic offices at the principal seaports of the country—to the Committee on Appropriations.

By Mr. BOUTELLE: Petition of citizens of Lubec, Me., for drawback upon tin-plates—to the Committee on Ways and Means.

By Mr. T. H. B. BROWNE: Petition of Andrew Jackson and others, for increase of pay of crew on light-ship No. 45—to the Committee on Commerce.

By Mr. BURNETT: Petition of Kate B. Warren, widow of Charles E. Warren, late surgeon Ninety-seventh Regiment United States Colored Infantry, for a pension—to the Committee on Invalid Pensions.

By Mr. HAYES: Petition of citizens of Iowa, for modification of the interstate-commerce law—to the Committee on Commerce.

By Mr. JOSEPH: Petition of citizens of San Miguel County, New Mexico, for the establishment of the Las Vegas land district in the Territory of New Mexico—to the Committee on the Public Lands.

By Mr. MATSON: Petition of John T. Polk and 40 others, citizens of Greenwood, Ind., for drawback on tin-plate—to the Committee on Ways and Means.

By Mr. NORWOOD: Papers in the claim of Allen Russell, of Albert Freeman and James M. Henderson, and of Andrew Flatley, of Chatham County, Georgia—to the Committee on War Claims.

By Mr. OSBORNE: Resolutions of the New York Board of Trade and Transportation, favoring Senate bill to incorporate the Nicaragua Canal Company—to the Committee on Commerce.

Also, resolutions of the National Grange, Patrons of Husbandry, urging the passage of House bills 11027 and 11266, relating to pure lard and food—to the Committee on Agriculture.

By Mr. RUSK: Petition of Rebecca Allen, widow of John E. Allen, of United States ship Atlanta, for relief—to the Committee on Invalid Pensions.

By Mr. YODER: Petition of J. N. Thomas, relating to the tariff—to the Committee on Ways and Means.

The following petitions against the passage of the international copyright bill were received, and severally referred to the Committee on Patents:

By Mr. T. J. CAMPBELL: Of printers and others, of New York and Brooklyn.

By Mr. HATCH: Of S. P. Doran, of Wyaconda, Mo.

By Mr. SHIVELY: Of J. W. Siders, of Plymouth, Ind.

By Mr. SPINOLA: Of printers and others, of New York and Brooklyn.

SENATE.

THURSDAY, *December* 20, 1888.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

THE JOURNAL.

The Journal of yesterday's proceedings was read.

Mr. HOAR. I notice that the Secretary, in reading the Journal, read the title of the bill reported by the Senator from New York [Mr. EVARTS] as a bill to incorporate the American Historical Society. I wish the Secretary would be kind enough to see whether the bill is so journalized. The title is the American Historical Association.

The PRESIDENT *pro tempore*. The entry will be read.

The Secretary read as follows:

Mr. EVARTS, from the Committee on the Library, to whom was referred the bill (H. R. 10323) to incorporate the American Historical Society, reported it with amendments.

Mr. HOAR. The bill is to incorporate the American Historical Association. The proper correction should be made.

The PRESIDENT *pro tempore*. The title of the bill will be ascertained and the Journal entry made to correspond therewith. If there be no further motion to correct or amend the Journal, it will stand approved as read.

CERTIFICATES OF ELECTORAL VOTES.

The PRESIDENT *pro tempore* laid before the Senate communications from the Secretary of State, transmitting, in pursuance of the provisions of the act of Congress approved February 3, 1887, certified copies of the final ascertainment of the electors for President and Vice-President of the United States appointed in the States of Connecticut, Kentucky, Oregon, Vermont, New Hampshire, and Delaware at the election held therein on the 6th day of November, 1888; which were ordered to be printed, and, with the accompanying certificates, to lie on the table.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a resolution adopted by the Military Order of the Loyal Legion of the United States, praying that increased appropriations be made for the preparation and publication of the Official Records of the War of the Rebellion; which was referred to the Committee on Appropriations.

Mr. HOAR presented a petition of 3,228 citizens of Massachusetts, praying for the submission to the several States of a constitutional amendment which will prohibit the interference of any religious sect with the system of common public schools; which was referred to the Committee on Education and Labor.

BILLS INTRODUCED.

Mr. SHERMAN introduced a bill (S. 3747) for the relief of certain officers of the volunteer army, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DAVIS introduced a bill (S. 3748) granting an increase of pension to Gottlieb Spitzer; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SAWYER introduced a bill (S. 3749) granting a pension to Orrin F. Waller; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 3750) granting an increase of pension to Charles Bowen; which was read twice by its title, and referred to the Committee on Pensions.

STATE OF THE SUFFRAGE.

Mr. GIBSON. I offer a resolution, to lie on the table for the present.

The resolution was read, and ordered to lie on the table, as follows:

Resolved, That a select committee of thirteen Senators shall be appointed by the Presiding Officer of the Senate, whose duty it shall be to inquire into the state of the suffrage throughout the United States; and especially to investigate the elections for State officers at the State elections held in the month of April last in the States of Rhode Island and Louisiana, and the election for Presidential electors held in the month of November last in the States of New York and Indiana, and to report any and all facts showing whether or not any improper, undue, and unlawful influences and practices were exercised and employed through coalitions, conspiracies, trades, combinations, coercion, intimidation, corrupt use of money, purchase of votes or voters, false counting, false voting, stuffing ballot-boxes, bribery, or fraud, or in any manner whatever, or to what extent, together with such recommendations as they may deem expedient or necessary.

RETURN OF DIRECT TAX.

The PRESIDENT *pro tempore*. Is there further morning business? If there be none, that order is closed, and the Calendar under Rule VIII is in order.

Mr. SHERMAN. I ask that the action of the House of Representatives in regard to the direct-tax bill may be laid before the Senate.

The PRESIDENT *pro tempore* laid before the Senate the amendments of the House of Representatives to the bill (S. 139) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861.

Mr. SHERMAN. It is hardly worth while to read the amendments, as they are in print. I move that the Senate non-concur in the amendments of the House of Representatives and ask for a conference on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. SHERMAN, Mr. MORRILL, and Mr. VANCE were appointed.

THE REVENUE LAWS.

The PRESIDENT *pro tempore*. The Secretary will report the first bill on the Calendar under Rule VIII by title.

Mr. ALLISON. I move to proceed to the consideration of House bill 9051.

The PRESIDENT *pro tempore*. The Senator from Iowa moves that the Senate proceed to the consideration of the bill named by him.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

Mr. MORRILL. I ask unanimous consent that the pending tariff bill and all amendments shall be finally disposed of upon the 21st day of January, 1889, and voting shall begin at 1 o'clock p. m., after which there shall be no further debate without unanimous consent.

The PRESIDENT *pro tempore*. The Senator from Vermont asks unanimous consent that upon the 21st day of January proximo, at 1

o'clock in the afternoon, voting upon the pending bill and amendments shall commence, and that thereafter there shall be no debate except by unanimous consent. Is there objection?

Mr. VANCE. The Senate is so very thin that I suggest the request be postponed until the body is fuller. I do not think there are over eight or ten Senators in the Chamber.

Mr. MORRILL. I supposed that such action had been taken that the proposition would secure unanimous consent whether the Senate was full or not. However, I have no objection if the Senator insists upon delay.

Mr. VANCE. I make no objection myself. I merely made the suggestion with reference to the situation of the Senate.

Mr. MORRILL. I understand that a majority of each side of the Chamber will agree to the proposition.

Mr. HARRIS. There can be no objection to delaying action until the Senate is fuller, but I am quite satisfied there will be no objection upon this side of the Chamber to the suggestion of the Senator from Vermont.

Mr. MORRILL. I desire to have this matter acted upon in order to call up the House resolution in relation to adjournment for the holidays.

The PRESIDENT *pro tempore*. If there be no objection ——

Mr. ALLISON. I do not object, but I think it ought to be also understood that at the session of the 21st of January we shall have a final vote upon the bill before adjournment that day. I think that is important.

Mr. MORRILL. That is according to the proposition.

Mr. ALLISON. I suppose that is the understanding.

Mr. SHERMAN. That is in the proposition.

Mr. HALE. Yes, that is in it.

Mr. ALLISON. Is it understood that the proposition shall comprehend the final vote upon the bill before adjournment on the 21st of January?

Mr. ALDRICH and Mr. HARRIS. Certainly.

Mr. SHERMAN. After the hour of 1 on that day there is to be no further debate.

The PRESIDENT *pro tempore*. The Senator from Vermont asks unanimous consent that the pending bill, House bill 9051, and all amendments thereto, shall be finally disposed of on the 21st day of January proximo, that voting shall begin at 1 o'clock post meridiem, after which there shall be no further debate without unanimous consent. Is there objection to this proposition?

Mr. VANCE. May I ask one question, sir? Does that preclude the offering of amendments without debate after that hour?

The PRESIDENT *pro tempore*. It does not. The order proposed is made if there be no objection. The Chair hears no objection. It is so ordered.

HOLIDAY RECESS.

Mr. MORRILL. I now call up the House concurrent resolution in relation to adjournment for the holidays.

The PRESIDENT *pro tempore*. If there be no objection, the Chair lays before the Senate the concurrent resolution of the House of Representatives, which will be read.

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, *December* 17, 1888.

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Friday, December 21, 1888, they stand adjourned until Monday, January 7, 1889.

Mr. MORRILL. I move to amend the resolution by making it read that the two Houses shall take a recess from December 22 to January 2.

Mr. HARRIS. I suggest to the Senator from Vermont that the first part of the amendment he suggests is quite unnecessary. The resolution provides that the two Houses shall adjourn on the 21st, on Friday, so that a session on Friday will be held under the resolution as it stands.

Mr. SHERMAN. But we wish a session on Saturday.

Mr. MORRILL. We want to include Saturday.

Mr. HARRIS. Do you want a session on Saturday?

Mr. MORRILL. Yes.

Mr. HARRIS. Then an amendment will be necessary to accomplish that object, if that be the object; but I had supposed that the adjournment would take place on Friday evening.

Mr. MORRILL. It is immaterial, if the Senator prefers that.

Mr. HARRIS. It is not a matter of any consequence, but I do not think I would amend the House resolution in that respect.

Mr. TELLER and others (to Mr. MORRILL). Let it go.

Mr. MORRILL. Very well.

Mr. JONES, of Arkansas. I should like to suggest to the Senator from Vermont that if we reassemble on the 2d day of January those members of Congress who go to any considerable distance from this city can not possibly get back by that time if they remain at home until the 1st of January; and the general desire would be to spend the 1st day of January at home, I should think. It seems to me the 3d or 4th would be a better day. I simply make the suggestion; I do not propose to offer any objection.

Mr. MORRILL. I think we had better allow the reassembling to be on the 2d of January.

The PRESIDENT *pro tempore*. Will the Senator from Vermont indicate the amendment he desires to have submitted to the Senate?

Mr. MORRILL. I propose that we adjourn from the 21st of December to January 2.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Vermont will be stated.

The CHIEF CLERK. It is proposed to strike out "Monday, January 7," and insert "Wednesday, January 2;" so as to make the resolution read:

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Friday, December 21, 1888, they stand adjourned until Wednesday, January 2, 1889.

The PRESIDENT *pro tempore*. Is the Senate ready for the question on agreeing to the amendment proposed by the Senator from Vermont [Mr. MORRILL]?

The amendment was agreed to.

The resolution as amended was concurred in.

PAY OF EMPLOYÉS.

Mr. ALLISON. I ask unanimous consent that the revenue bill may be laid aside a moment that I may report from the Committee on Appropriations the joint resolution (H. Res. 236) to pay the officers, clerks, and employés of Congress their salary for December on December 20, 1888. I ask for the present consideration of the joint resolution.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MISSOURI RIVER BRIDGE BETWEEN IOWA AND NEBRASKA.

Mr. MANDERSON. I ask the courtesy of the Senator from Iowa [Mr. ALLISON] who has charge of the tariff bill, and the unanimous consent of the Senate, to pass a bridge bill, a House bill. It is important that it should pass before the holiday recess.

The PRESIDENT *pro tempore*. Will the Senator indicate the bill by its Calendar number?

Mr. MANDERSON. Order of Business 1650.

Mr. ALLISON. I will ask the Senator from Nebraska if his bill is likely to take any time?

Mr. MANDERSON. There will be no objection to it. A similar bill has been agreed upon by the Senate.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7776) to authorize the construction of a bridge across the Missouri River in the county of Monona, in the State of Iowa, and in the county of Burt, State of Nebraska, and to make the same a post-route.

The PRESIDENT *pro tempore*. In line 3 of section 8 a verbal correction will be made to change the word "year" to "years."

Mr. WILSON, of Iowa. I desire to offer an amendment.

The PRESIDENT *pro tempore*. Are there committee amendments?

Mr. MANDERSON. There are none.

The PRESIDENT *pro tempore*. The amendment of the Senator from Iowa will be stated.

The SECRETARY. It is proposed to amend section 8 so as to make it read as follows:

This act shall be null and void if the construction of the bridge herein authorized be not commenced within two years, completed within three years, and connected with completed railway lines for general transportation within the said period of three years from the date of the approval of this act.

Mr. WILSON, of Iowa. I presume there is no objection to that amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANDERSON. I move that the Senate insist on its amendments and ask for a conference with the House of Representatives thereon.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. VEST, Mr. WILSON of Iowa, and Mr. DOLPH were appointed.

THE REVENUE LAWS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

The PRESIDENT *pro tempore*. The reading of the substitute will be resumed at Schedule F.

The Chief Clerk read as follows:

SCHEDULE F.—TOBACCO, CIGARS, ETC.

226. Cigars, cigarettes, and cheroots of all kinds, $3.50 per pound; but paper cigars and cigarettes, including wrappers, shall be subject to the same duties as are herein imposed upon cigars.

227. Leaf-tobacco suitable for wrappers: If not stemmed, 75 cents per pound; if stemmed, $1 per pound: *Provided*, That if any portion of any tobacco imported

in any package or in bulk shall be suitable for wrappers, the entire quantity of tobacco contained in such importation shall be dutiable; if not stemmed, at 75 cents per pound; if stemmed, at $1 per pound.

228. All other tobacco in leaf, unmanufactured and not stemmed, 20 cents per pound; if stemmed, 25 cents per pound.

Mr. PASCO. In line 916, paragraph 228, after the word "stemmed," where it occurs the second time, I move to strike out "twenty-five" and insert "forty;" so as to read:

All other tobacco in leaf, unmanufactured and not stemmed, 20 cents per pound; if stemmed, 40 cents per pound.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Florida [Mr. PASCO].

Mr. PASCO. Mr. President, during the summer I presented a number of petitions from Key West, signed by many hundreds of her citizens, including a large number of industrious workingmen and laboring people there, asking that a larger difference be made between the duty on stemmed and unstemmed tobacco. I will read the heading of one of those petitions:

KEY WEST, FLA., *February* 27, 1888.

To the members of Congress of the United States of America:

We, the undersigned, citizens of Key West, would respectfully petition the honorable Congress of the United States to increase the duty on stripped tobacco or tobacco-leaf without stems to 75 cents per pound. We ask this because the cigar manufacturers are importing stripped tobacco into the United States, thereby turning thousands of persons out of employment, as American labor can not compete with the pauper labor of Cuba; and for this we will ever pray the honorable members of Congress to take a proper action.

The proposed addition to that tax was based upon the former rate, which was 35 cents when not stemmed and 40 cents when stemmed. In order to carry out the purpose desired by these petitioners I have submitted the amendment so as to make the rate in the Senate substitute 40 cents a pound, which rate is the same as the existing law.

This matter has not received the consideration which I think it is worthy of at the hands of the committee who prepared the Senate bill. These petitions were referred to that committee and appear to have slumbered in the committee-room for months without receiving any attention whatever. When I inquired of the members of the subcommittee recently as to their action upon these petitions they had forgotten that they had ever been introduced and seemed unaware of their existence.

Nevertheless, this matter is an important one. The small difference between the duties upon the stemmed and unstemmed tobacco deprives many worthy and industrious people in Key West and other points in Florida and of the United States where this work has been done of this means of making a livelihood. The difference between stemmed and unstemmed tobacco being only 5 cents per pound, it pays as a matter of business to have it stripped in Cuba and sent in that condition to this country, and these people who have been making their living out of this employment are being deprived of their means of support.

I have recently seen in the newspapers that the attention of the tobacconists of New England has been called to this matter at their recent meeting held at Hartford, Conn., on the 15th of December, and they adopted a resolution tending in this same direction. The newspaper slip which gives an account of their action begins as follows:

NEW ENGLAND TOBACCONISTS—A SERIES OF RESOLUTIONS ON THE INTERNAL-REVENUE SYSTEM.

HARTFORD, CONN., *December* 15.

The annual meeting of the New England Tobacco Growers' Association was held in Unity Hall to-day with a good attendance. President Hubbard called the meeting to order, and introduced Alexander McDonald, of Lynchburgh, Va., the commissioner appointed by the Government on the tobacco exhibit of the Paris exhibition of 1889, who stated the character of the proposed exhibit, and urged some action on the part of the association. The following preamble and resolutions were unanimously adopted.

The resolution relating to this matter is in the following words:

Resolved, That in article 228, Schedule A, of the Senate revision of the House tariff bill, relating to "tobacco, cigars, etc.," stemmed tobacco be raised to 30 cents per pound, instead of 25 cents as therein at present stated, the reasons for said change being that in stemming tobacco, the proportionate loss in weight is fully one-third, and that if the unstemmed leaf is taxed 20 cents, in equity the stemmed leaf should be taxed 30 cents per pound.

The amendment I offer puts the rate of duty at 40 cents per pound instead of 30, as proposed in this resolution, but this rate of 40 cents is more nearly in harmony with the petitions sent to me, and from what some of the petitioners have written to me, I believe it to be more nearly in correspondence with the just proportion which should exist between these two classes of tobacco.

Mr. President, I hope that this amendment will be adopted. It retains the rate of duty now existing and which the House bill has left unchanged, and will give relief to a large number of working people by giving them employment. The result will be to cause the continuance of this industry in this country by these people who have been making a living out of it, without any serious loss to the revenues of the country.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Florida. [Putting the question.] By the sound the noes have it.

Mr. PASCO. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. COCKRELL. Let the amendment be again stated.

The SECRETARY. In line 916, after the word "stemmed," where it occurs the second time, it is proposed to strike out "twenty-five" and insert "forty;" so as to make the paragraph read:

228. All other tobacco in leaf, unmanufactured and not stemmed, 20 cents per pound; if stemmed, 40 cents per pound.

Mr. PASCO. As the Senate is thin at the present time and there may not be a voting quorum present, I shall not ask that the yeas and nays be called now, but when the bill comes into the Senate I shall renew the amendment and call for the yeas and nays upon agreeing to it.

The PRESIDENT *pro tempore*. The call for the yeas and nays the Chair understands is withdrawn, and the amendment is not agreed to.

Mr. VEST. Has the paragraph of the bill in regard to cigars, cigarettes, and cheroots been disposed of?

The PRESIDENT *pro tempore*. The reading has proceeded as far as line 918, paragraph 229.

Mr. VEST. I wanted to call the attention of the committee to what I think is an inconsistency in the provision with regard to cigars and cheroots. I was otherwise engaged and not in the Senate when the paragraph was disposed of.

Under that provision the rate is changed from two dollars and a half a pound and 25 per cent. to three dollars and a half a pound, and that is a reduction of $273,097 on the importations of 1887.

By this change cigars that are worth $10 a thousand pay now a duty under the existing law of $2.50 a pound, or 25 per cent.; up to $40 they pay $3.50 a pound under this Senate bill, or an average of $52.50 a thousand. That is an increase of $12.50 a thousand. Now, whilst this is so, cigars costing $250 a thousand, which is the most expensive of the Havana importation, and which now pay $100 duty by the thousand, would pay $52.50 under the Senate bill, the same as the cheap cigar. That is a reduction of $47.50 a thousand. I hardly think the committee meant that. Of course all these cigars and cigarettes are luxuries; but even in fixing the duty upon luxuries we ought not to discriminate in favor of the higher-priced cigars, in favor of the wealthy and luxurious. Where one of these Havana cigars costing $250 a thousand and which now pay $100 duty is used there are millions of others used by the ordinary and common smokers of the country. I speak without any personal experience, for I do not use tobacco at all, I am very glad to say; but I think this is wrong.

Mr. ALDRICH. I think the Senator from Missouri is wrong in stating that this will reduce the duties. According to the Treasury Department's statement which he is looking at, it will increase the duties somewhat. The committee made a very careful examination of this provision upon the average of cigars imported, and they are satisfied that upon that average the rate is substantially the same as the existing rate.

Mr. VEST. If I am mistaken, I want to be corrected. What would be the duty under the substitute on these higher-priced cigars?

Mr. ALDRICH. There are very few cigars imported or made at that price.

Mr. VEST. There are such cigars.

Mr. ALDRICH. There may be some such in this country at that price, but not any Havana cigars in Havana at $250 a thousand, and I think the Senator will find himself mistaken if he has that idea.

Mr. VEST. I speak of the import price, that is, the valuation put upon them, and it is a notorious fact, whilst I have no individual knowledge on the subject, that there are cigars retailed at 50 cents, 75 cents, and even a dollar apiece.

Mr. ALDRICH. Those cigars are very rare in any country or any place.

Mr. VEST. In the city of New York, at Delmonico's, it is not at all extraordinary, but rather the usual thing, for New York gentlemen in moderate circumstances, and not at all considered as extravagantly wealthy, to purchase and use these cigars, and it is rather an evidence of an inferior social position for a man to pay 15 or 25 cents only for a cigar. I can not see from anything the Senator says that the same duty is not put upon these extravagantly high-priced cigars as upon the very cheapest that come in.

Mr. ALDRICH. The committee would have no objection to an amendment by the Senator to add 25 per cent. on all cigars valued at over $100 a thousand.

Mr. VEST. That would help the matter as a matter of course. If the committee will make that change it will be some satisfaction.

Mr. VANCE. It seems to me that the more serious objection to that paragraph is the enormous increase of duty. Under the first item, cigars and cheroots, the duty will be increased, according to the estimate of the Treasury Department, more than $270,000.

Mr. VEST. Two hundred and seventy-three thousand dollars.

Mr. VANCE. There is no call for additional protection in this case, and it is an article which does not appeal to popular sympathy in any way. It is not an article of necessity; and if we are going to reduce revenue at all, why slap on $273,000 right here in a case where it is not demanded by any public consideration whatever? If the paragraph has not so far passed by as not to permit of an amendment, I will offer an amendment now.

Mr. HISCOCK. The Senator need not have the slightest trouble in the world about its increasing the revenue. We assure him it will not.

Mr. VANCE. I only know by the estimates of the Treasury Department.

Mr. HISCOCK. The result will be that the cigars will be all made here, and our people will have the advantage of the manufacture here.

Mr. VANCE. I do not know but that I quite as much object to that, if the Senator supposes that it will decrease the importations and therefore decrease the revenue, because then the duty will be prohibitory.

Mr. HISCOCK. It is prohibitory in this respect, that our people with this discrimination in their favor can manufacture the cigars here.

Mr. VANCE. But that brings up the old question, how are we to support the Government if we place our duties so as to prohibit the coming of anything here to sell? I am as much opposed to the one extreme as the other, in fact a little more. I would rather err in the excess of importations than in the decrease of importations.

I will move to amend, if I may be permitted to do so, by striking out "$3.50 per pound," in lines 904 and 905, and inserting the provisions of the present law, "$2.50 a pound and 25 per cent. ad valorem."

The PRESIDENT *pro tempore*. The amendment will be stated from the desk.

The CHIEF CLERK. In paragraph 226, lines 904 and 905, it is proposed to strike out the words "$3.50 per pound" and insert in lieu thereof "$2.50 per pound and 25 per cent. ad valorem;" so as to read:

Cigars, cigarettes, and cheroots of all kinds, $2.50 per pound and 25 per cent. ad valorem.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from North Carolina.

Mr. VANCE. Let us have the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BLAIR (when his name was called). I am paired with the Senator from Mississippi [Mr. GEORGE] or I should vote "nay."

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE].

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL].

Mr. DAVIS (when Mr. SABIN'S name was called). My colleague [Mr. SABIN] is paired with the Senator from West Virginia [Mr. KENNA].

Mr. TELLER (when his name was called). I paired yesterday with the Senator from Indiana [Mr. VOORHEES]. I do not see him here, and I shall not vote unless my vote becomes necessary to make a quorum.

Mr. VANCE (when his name was called). I am paired with the Senator from Michigan [Mr. PALMER]. If he were present, I should vote "yea."

The roll-call was concluded.

Mr. CULLOM. I have a pair generally with the junior Senator from Delaware [Mr. GRAY]. I will transfer my pair to the Senator from Connecticut [Mr. PLATT], and therefore I will vote. I vote "nay."

Mr. MANDERSON. I am paired with the Senator from Kentucky [Mr. BLACKBURN]. I should vote "nay" if he were here.

Mr. FAULKNER. I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. WILSON, of Maryland. I am paired with the Senator from Iowa [Mr. WILSON].

Mr. BLAIR. I inquire if the Senator from Connecticut [Mr. PLATT] has voted?

The PRESIDENT *pro tempore*. He is not recorded.

Mr. CULLOM. He is paired with the Senator from Delaware [Mr. GRAY].

Mr. BLAIR. I had agreed to transfer my pair to the Senator from Connecticut [Mr. PLATT] unless he has made a different arrangement.

Mr. EDMUNDS. May I inquire whether a quorum has voted?

The PRESIDENT *pro tempore*. A quorum is not yet recorded.

Mr. EDMUNDS. I am authorized by my pair with the Senator from Alabama [Mr. PUGH] in that case to vote. I vote "nay."

Mr. TELLER. For the purpose of making a quorum I will vote "nay."

Mr. COCKRELL. I was compelled to be absent from the Senate Chamber yesterday on committee work, and was paired with the Senator from Connecticut [Mr. PLATT], not now in his seat.

Mr. HAWLEY. He has arranged another pair, which has just been announced.

Mr. COCKRELL. He has arranged another pair for to-day?

Mr. HAWLEY. Yes, sir.

Mr. COCKRELL. Then I will vote. I vote "yea."

Mr. JONES, of Arkansas (after having voted in the affirmative). I am paired with the Senator from Oregon [Mr. MITCHELL], who is detained from the Senate Chamber, and I withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from Arkansas withdraws his vote.

Mr. MANDERSON. I suggest to the Senator from South Carolina [Mr. BUTLER] that we can transfer pairs so that we may both vote.

The PRESIDENT *pro tempore*. The Chair calls the attention of the Senator from South Carolina to the suggestion of the Senator from Nebraska.

Mr. MANDERSON. I therefore announce a pair between the Senator from Pennsylvania [Mr. CAMERON] and the Senator from Kentucky [Mr. BLACKBURN], and I will vote.

Mr. BUTLER. Then I vote "yea."

Mr. BLAIR. My colleague [Mr. CHANDLER] has not voted. Does any one know whether he is paired? I have heard no pair announced.

Mr. FAULKNER. I transfer the pair with the Senator from Pennsylvania [Mr. QUAY] to the junior Senator from Virginia [Mr. DANIEL], and vote on this question. I vote "yea."

Mr. BLAIR. I can not learn from any one on either side of the Chamber that my colleague [Mr. CHANDLER] is paired, and as he has not voted, by the consent of the colleague of the Senator from Mississippi I will transfer my pair with the Senator from Mississippi [Mr. GEORGE] to my colleague [Mr. CHANDLER], and will vote. I vote "nay."

Mr. HALE. I am paired with the Senator from Kentucky [Mr. BECK]. That pair has been transferred to the Senator from Oregon [Mr. MITCHELL], who is absent, which will enable the Senator from Arkansas [Mr. JONES] and myself to vote. I vote "nay."

Mr. JONES, of Arkansas. Under the arrangement spoken of by the Senator from Maine [Mr. HALE], I vote "yea."

Mr. CULLOM. I announce the pair of my colleague [Mr. FARWELL] with the Senator from Louisiana [Mr. EUSTIS].

The result was announced—yeas 17, nays 25; as follows:

YEAS—17.

Bate,	Colquitt,	Payne,	Vest,
Berry,	Faulkner,	Ransom,	Walthall.
Blodgett,	Gibson,	Reagan,	
Butler,	Harris,	Saulsbury,	
Cockrell,	Jones of Arkansas,	Turpie,	

NAYS—25.

Aldrich,	Dolph,	Ingalls,	Spooner,
Allison,	Edmunds,	Manderson,	Stewart,
Blair,	Frye,	Morrill,	Stockbridge,
Chace,	Hale,	Paddock,	Teller.
Cullom,	Hawley,	Plumb,	
Davis,	Hiscock,	Sawyer,	
Dawes,	Hoar,	Sherman,	

ABSENT—34.

Beck,	Eustis,	Kenna,	Riddleberger,
Blackburn,	Evarts,	McPherson,	Sabin,
Bowen,	Farwell,	Mitchell,	Stanford,
Brown,	George,	Morgan,	Vance,
Call,	Gorman,	Palmer,	Voorhees,
Cameron,	Gray,	Pasco,	Wilson of Iowa,
Chandler,	Hampton,	Platt,	Wilson of Md.
Coke,	Hearst,	Pugh,	
Daniel,	Jones of Nevada,	Quay,	

So the amendment was rejected.

Mr. VANCE. I desire to call the attention of the Senators who have the bill in charge to the provisions of paragraph 227, in relation to leaf-tobacco. It is a matter in which neither I nor my constituents have any particular interest; but if we are intending to reduce the revenue it seems to me that there is an unnecessary and unasked-for increase of duty upon leaf-tobacco used for wrappers. Under the present law the duty is 35 cents per pound, and it is required that eighty-five out of the one hundred leaves in the package shall be fit for wrappers. Under the provisions of this bill a single leaf in the bundle would condemn it all to the duty of 75 cents, as there is by estimation of the experts more than half or over eight millions of the entire fifteen millions of the imports of Sumatra leaf which is used for wrappers. It would therefore occasion an increase of duty in the great bulk of all the importations from 35 to 75 cents per pound, and although it is not estimated by the experts of the Treasury Department, yet it is, I presume, a fact, stated to me by experts and by importers of this article of tobacco, that it would increase the revenue from this one article over $2,000,000. I can see no use for that if it be so, but, as I said about cigars and cigarettes, it is a matter that appeals particularly to no public necessity. If the committee see proper to let it pass I shall offer no amendment.

Mr. ALDRICH. Undoubtedly it is the intention of the present law that all wrappers should pay 75 cents per pound. The intention of this provision is to make that certain, to prevent frauds and evasions.

Mr. VANCE. I would ask the Senator if he is not satisfied that it would work a very large increase of revenue.

Mr. ALDRICH. I am satisfied that the statement of the experts, so called, of the House of Representatives is very wide of the mark—not any way near the truth.

Mr. VANCE. I offer no amendment, but I call attention to the fact.

The PRESIDENT *pro tempore*. The reading will be resumed at paragraph 229.

The Chief Clerk read as follows:

229. Tobacco stems, 15 cents per pound.

230. Tobacco, manufactured, of all descriptions, not specially enumerated or provided for in this act, 40 cents per pound.

231. Snuff and snuff flour, manufactured of tobacco, ground dry, or damp, and pickled, scented, or otherwise, of all descriptions, 50 cents per pound.

SCHEDULE G.—PROVISIONS, ETC.

232. Animals, live: Horses and mules, $20 per head.
233. Cattle, more than one year old, $5 per head.
234. Hogs, 50 cents per head.

Mr. VANCE. I move, in paragraph 232, to amend by striking out the words "$20 per head" and inserting "20 per cent. ad valorem."

The PRESIDENT *pro tempore*. The amendment will be stated from the desk.

The CHIEF CLERK. In lines 926 and 927 it is proposed to strike out "$20 per head" and insert "20 per cent. ad valorem;" so as to read:

232. Animals, live: Horses and mules, 20 per cent. ad valorem.

Mr. VANCE. That duty, like all specific duties, works an extreme hardship on the importer in that it taxes the worthless animal which may not exceed $20 in value as much as the finest animal that is worth $40,000. In addition to that, the increase in this item and in the item relative to animals imported for breeding purposes adds $839,000 to the revenue, for no purpose that I can see, to subserve the interest of nobody, and uselessly to incumber the Treasury still further by a bill by the provisions of which we are proposing to reduce the revenue.

Mr. REAGAN. In addition to what the Senator from North Carolina says, there is a practical bearing in this proposed change of the law which should be considered. A good many mules, jacks, jennets, and horses are introduced into this country from Mexico. They are brought in at a very cheap rate, some of them brought in for five, ten, and fifteen dollars a head. They are useful in the agricultural and planting parts of this country. A tax of $20 a head would entirely exclude from this country and take away from the various planting and other interests that resource for obtaining animals for the purpose of carrying on their business. I trust the Senator in charge of the bill will consent to the amendment proposed by the Senator from North Carolina. It is not only increasing the revenue, but it absolutely prohibits the introduction into this country of the sort of animals I have mentioned, hundreds and thousands of which come into the United States annually.

Besides, as suggested by the Senator from North Carolina, an animal worth $5 would be taxed $20 as well as one worth a thousand or five thousand dollars. So there is a want of justice and a want of equity in the provision as well as being opposed to a sound and proper policy and to the best interests of this country.

Mr. ALDRICH. The rate fixed in this item is the average rate upon the importations of horses and mules for the past two or three years, and will not substantially vary from the rate assessed or the revenue collected. Of course the increase of revenue to which the Senator from North Carolina alludes comes from the fact that we make animals imported for breeding purposes dutiable. The reason the committee have suggested that is that great frauds and evasions of the law have taken place, as nearly all animals are now imported "for breeding purposes."

Mr. VANCE. Mr. President, the total increase on live-stock, including horses, cattle, sheep, hogs, etc., is, as I have stated, $839,092, and an increase on the two items of horses alone for breeding and for other purposes is about $240,000, as near as I can come at it without making a calculation. It is not due alone to the changing of duties on animals used for breeding purposes.

Mr. HISCOCK. The statement that an increase of revenue will follow this provision is based on pure imagination. Now, we have a provision in the law which provides that animals may be imported for breeding purposes free of duty, and in the administration of that law there has always been great difficulty and great trouble. Thus large numbers of horses come in free which should not. Those who import such animals are entirely willing to have a specific duty of $20 a head. They are willing to have that the law rather than take the chances of administration under the present law.

Mr. HARRIS. It seems to me the vice of this provision of the bill is in the fact that there is a vast difference between the value of animals that are imported. I take it for granted that on the Canada line as well as on the line of Mexico there are more or less importations of animals, horses and mules, that are of very small value, while there are imported thoroughbreds of very great value. I have known of importations from Mexico of horses and mules the actual cost of which did not exceed ten or twelve dollars a head. I suppose there are importations to a limited extent from Canada of animals that are very cheap. There is one single man in my own State who every year or two imports one or more animals from England for which he pays from seven to ten thousand dollars.

Mr. ALDRICH. Those animals come in free now.

Mr. HARRIS. Under existing law they do, but under the provisions of this bill they will pay $20 per head, just as the animal that costs $10 will pay $20 per head. Hence I think that the provision ought to be an ad valorem duty, so that the animal that is worth $10,000 will pay in proportion to value, as well as the animal that is worth $10 will pay in proportion to value.

Mr. ALDRICH. Looking at it purely for the development of the agricultural resources of this country, the agricultural interests of this country, I think the class of animals to which the Senator from Tennessee alluded last, the high-priced animals, ought to be brought here at a very nominal duty, if not free, while I am sure no interests will suffer by the exclusion from the country of the cheap, spavined animals which could be imported at a price of five or ten dollars apiece.

Mr. HARRIS. I think I would prefer to let the law stand as it is with regard to animals for breeding purposes; let them come in free; but if they are to be taxed at all, it seems to me the rule ought to be according to value rather than an arbitrary fixed rate of $20 a head. There is no justice in taxing the animal that is worth $10,000 the same amount that you tax the animal that is worth ten or fifteen dollars.

Mr. TELLER. The high-priced animals of which the Senator from Tennessee speaks have heretofore come into this country free of duty, and I have no doubt everybody will agree that that was a proper policy, because we want the high-priced, good-grade stock brought into this country for breeding purposes. Now, the Department, I understand, has found this difficulty, that all female horses and female cattle of all kinds that come into this country come in ostensibly for breeding purposes. We know very well that that is not true. They come across the border from Mexico and from Canada for the ordinary purposes of the farm and for draught purposes if they are horses; and yet if the party will make an affidavit that they come in for breeding purposes, they come in free.

In order to meet that and prevent fraud the committee seem to have concluded that every animal coming in should pay a duty. While it may bear hard upon the importer of inferior horses that the Senator says come from Mexico, it is not unfair to the man who brings in breeding animals, because the man who brings in high-priced, seven or eight or ten thousand dollar horses does a service to the country, and the man who brings in the inferior scrub stock from Mexico or elsewhere does an injury to the agricultural interests of this country. If this will exclude that class of horses and cattle from the United States it will be a great advantage to the stock-raising interests of this country.

Mr. VANCE. I can not see the force of the objection of the Senator from Colorado. Suppose female stock for breeding purposes may be brought in free, and that under that clause a number of cows, mares, etc., are brought in for ordinary uses of the people, for draught purposes and for the dairy, and so on, what harm does it do? Who has complained of it? Has there been any representation made by the farmers of this country that they do not want foreign cattle brought in? Does it do any damage to anybody but the industry of cattle-raising?

Mr. ALDRICH. If the Senator wants an answer I will give him one now.

Mr. VANCE. I should be glad to get any information that the Senator can spare.

Mr. ALDRICH. There have been a great many representations made by farmers and others in favor of the provision which we have put in this bill.

Mr. VANCE. Whom do they represent?

Mr. ALDRICH. It is purely in behalf of the agricultural interest of the country that this suggestion is made.

Mr. VANCE. In what part of the country do they live?

Mr. ALDRICH. I do not think they live in North Carolina.

Mr. VANCE. I am very sure they do not. The farmers of North Carolina have more sense than that. I suppose they live right along the Canadian border, somewhere near where these representations come from. The great agricultural portions of this country that produce our stock, the plains of the West and Southwest, have made no complaint so far as I have heard. On the contrary, they are anxious to have any breeds of cattle that may improve their stock come into the country. There is no portion of the world that produces cattle cheaper than our country can. I should suppose, if I knew exactly where these complainants are located, that it would serve as an illustration of the general scheme of our legislation to which our statesmanship is directed of taxing the great mass of the people for the benefit of a few. A half-dozen men perhaps along the border of Canada, or somewhere there, have been interfered with in a cow trade by some Canadian cow that trespassed across the line, and it calls for exemplary action upon the part of the Congress of the United States, and grave Senators and Representatives in Congress are to devote their time in devising means for getting out this trespassing cow from Canada.

It is an injustice and an outrage to increase the duty on this item to the extent of over $800,000 when the Treasury is overflowing and when there is no complaint, for I assure the Senator that should all the cattle in the world be permitted to come in free, the cow industry will not die.

Mr. TELLER. I should like to say to the Senator from North Carolina that if he will inquire he will find this complaint on 3,000 miles of the northern boundary of this country, and he will find the complaint on every mile of the boundary between the United States and Mexico. Every cattle-man in the country knows there has been a fraud upon the Government and an injury to the cattle-raising interest of this country by the old system.

Mr. VANCE. That is just where I supposed it was.

The PRESIDENT *pro tempore*. The question is on the amendment

of the Senator from North Carolina. [Putting the question.] The noes appear to have it.

Mr. VANCE. We will have the yeas and nays on that, Mr. President.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. BLAIR (when his name was called). I am paired with the senior Senator from Mississippi [Mr. GEORGE]. If he were present, I should vote "nay."

Mr. HALE (when his name was called). I am paired with the Senator from Kentucky [Mr. BECK]. With the consent of the Senator from Arkansas [Mr. JONES], I have transferred the pair to the Senator from Oregon [Mr. MITCHELL], and I vote "nay."

The roll-call was concluded.

Mr. VANCE. I am paired with the Senator from Michigan [Mr. PALMER]. If he were present, I should vote "yea."

Mr. MANDERSON. I understand that the Senator from Oregon [Mr. DOLPH] is absent without a pair, and I therefore transfer to him my general pair with the Senator from Kentucky [Mr. BLACKBURN], and vote.

Mr. BLAIR. I will transfer my pair with the senior Senator from Mississippi [Mr. GEORGE] to the Senator from Connecticut [Mr. PLATT], and vote. I vote "nay."

Mr. PALMER. My colleague [Mr. STOCKBRIDGE], I think, announced my pair with the Senator from North Carolina [Mr. VANCE]. If he desires to go on record on this question, he is at liberty now to vote. I shall vote "nay."

Mr. VANCE. Then I vote "yea."

The result was announced—yeas 23, nays 25; as follows:

YEAS—23.

Bate,	Colquitt,	Jones of Arkansas,	Turpie,
Berry,	Daniel,	Pasco,	Vance,
Blodgett,	Gibson,	Payne,	Vest,
Butler,	Gorman,	Ransom,	Walthall,
Cockrell,	Gray,	Reagan,	Wilson of Md.
Coke,	Harris,	Saulsbury,	

NAYS—25.

Aldrich,	Dawes,	Manderson,	Spooner,
Allison,	Frye,	Morrill,	Stewart,
Blair,	Hale,	Paddock,	Stockbridge,
Chace,	Hawley,	Palmer,	Teller,
Chandler,	Hiscock,	Plumb,	
Cullom,	Hoar,	Sawyer,	
Davis,	Ingalls,	Sherman,	

ABSENT—28.

Beck,	Edmunds,	Hearst,	Pugh,
Blackburn,	Evarts,	Jones of Nevada,	Quay,
Bowen,	Eustis,	Kenna,	Riddleberger,
Brown,	Farwell,	McPherson,	Sabin,
Call,	Faulkner,	Mitchell,	Stanford,
Cameron,	George,	Morgan,	Voorhees,
Dolph,	Hampton,	Platt,	Wilson of Iowa.

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

235. Sheep, 50 cents per head.
236. All other live animals, not specially enumerated or provided for in this act, 20 per cent. ad valorem.

Mr. VEST. I did not hear the Secretary read paragraph 234.

The PRESIDENT *pro tempore*. That was read. The Senator can revert to it if he desires.

Mr. VEST. I can not resist the temptation to call attention to the increase of duty upon hogs, increased by the Senate bill from 20 per cent. to 21.10 per cent. ad valorem. The tables of exports and imports show that we imported in 1887 1,634 hogs, valued at $3,871.25, and the exports of hog products from the United States for the same time in 1887 were 364,417,744 pounds, valued at $27,383,943, and for 1888, 331,306,703 pounds, valued at $27,187,175. The committee have increased the duty 1.10 per cent. ad valorem.

As a matter of course, this was not done to keep out hogs, for there are practically none coming in. The duty is now absolutely prohibitory in effect, the prohibition coming not so much from the duty as from the nature of the product, but this was put in for the purpose of pleasing the agricultural interest and the hog-raisers of the country, and under the pretense of protecting the farmer in order to justify an increase upon manufactured goods. It has no sort of effect beyond that.

The value of the hogs imported into the United States in 1887 was $3,871.25 and we exported in the same year $27,383,943 worth of hog products; but there is an increase of this duty and it can only be for the purpose I have named.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

237. Bacon and hams, 2 cents per pound.
238. Barley and rye 10 cents per bushel.
239. Barley-malt, per bushel of 34 pounds, 20 cents.
240. Barley, pearled, patent, or hulled, one-half of 1 cent per pound.
241. Beans, per bushel of 60 pounds, 25 cents.
242. Beans, pease, and mushrooms, prepared or preserved, in tins, jars, bottles, or otherwise, 25 cents per gallon.
243. Beef, mutton, and pork, 1 cent per pound.
244. Butter, and substitutes therefor, 4 cents per pound.
245. Cabbages, 1 cent each.
246. Cheese, 4 cents per pound
247. Chicory root.—Burnt or roasted, 1 cent per pound; ground or granulated, or in rolls, or otherwise prepared, and not specially enumerated or provided for in this act, 2 cents per pound.

Mr. JONES, of Arkansas. I should like to ask the committee the purpose of this paragraph. If it is the intention to build up the industry of the manufacture of ground chicory root, it seems to me scarcely of a character to warrant any particular care on the part of the Government. I believe the article is used for nothing except to adulterate coffee, and the adulteration of food products of this kind is not an industry which it seems to me ought to require the active, vigilant attention of Congress to build it up.

Mr. ALLISON. What does the Senator propose?

Mr. JONES, of Arkansas. As far as I am concerned, I would be willing to have the importation of it absolutely prohibited. I would like to know, however, the purpose of the committee in putting the paragraph in the bill. I am not responsible for the report of the tariff bill, and of course do not understand the purpose of the committee in framing the bill. I suppose the committee had a reason for putting in this clause.

Mr. ALLISON. Chicory is now on the dutiable-list. It is used for the adulteration of coffee, and a great many people like it.

Mr. ALDRICH. Not an adulterant.

Mr. ALLISON. It is not an adulterant, but an addition to coffee.

Mr. JONES, of Arkansas. It is considered injurious to life, I believe.

Mr. HISCOCK. It is a very thriving and profitable industry in the State of California.

Mr. ALDRICH. A very large amount is invested in its manufacture there. There may not be in Arkansas, but there is in other States.

Mr. HISCOCK. Again, it is an agricultural interest and industry, and the agriculturists of California wish this duty.

Mr. JONES, of Arkansas. The Senator says the ground chicory root is a product of California.

Mr. HISCOCK. So far as the ground is concerned, I will supplement that by saying that there is this feature in the bill, of putting a higher specific rate or a higher ad valorem rate, as the case may be, upon the prepared article than there is upon the raw product which may be imported here, with a view of protecting those who are engaged in the manufacture of it, in the grinding of it here. The same thing occurs with rice, the same thing occurs with tobacco. The Senator from Florida [Mr. PASCO] a little while ago made a speech in favor of just that thing.

Mr. JONES, of Arkansas. If I remember correctly, raw, unground chicory root is at present admitted under the free-list, but the Senator from Rhode Island stated a while ago that because it is grown in California there should be a tax of 2 cents a pound put upon ground chicory root. The question I asked was what was the purpose of the committee in putting a tax upon this article? Do you propose that that which comes in competition with the farmers of California shall come in free, but when it has gone through some sort of manufacturing process you propose to tax that 2 cents a pound for the purpose, I suppose, of building up this laudable industry of committing a fraud upon the people who consume coffee, of adulterating coffee with a deleterious article, with an article that is harmful to health and can not do anybody any good?

Mr. CHACE. I should like to ask the Senator what authority he has for the statement that chicory is more deleterious than coffee. My understanding is that of the two coffee is much the more deleterious substance to the human system. I would like to know his authority for stating that this is an injurious adulteration of coffee. I do not so understand it.

Mr. JONES, of Arkansas. I am in favor of allowing people to select their deleterious drugs if they propose to drink what is harmful, but I should like them to know what they drink. I understand that in many European countries where this article is used the laws require that every package of coffee mixed with chicory root shall be labeled "chicory and coffee" or "coffee and chicory." In this country I presume the consumers of coffee will be allowed to drink whatever they can drink, and whether it is coffee or chicory root makes no difference so far as the law is concerned.

Now, I have not the highest respect in the world for any effort to build up an industry that is intended in its very foundation and in all its ramifications to carry out or perpetrate a fraud on the consumers of coffee. I believe that if they are admitted here people ought to be allowed to select their own noxious drinks; and if coffee does greater harm than chicory root, and the people choose to drink it and know what they are drinking, that is their own affair and I am not responsible for it.

My impression is that the use of chicory root is harmful. I may be wrong about that. But whether it is harmful or not, I do not believe people ought to be compelled to drink it by a fraud, and I do not believe the Congress of the United States ought to lend itself to building up this great industry of manufacturing an adulteration of food prod-

ucts. You are wonderfully careful to protect people against mixtures of butter, and it seems to me you ought as well to protect them against mixtures of coffee; and you certainly ought not to lend yourselves to the promotion of this kind of adulteration when you are exercising the power of Congress to prevent the adulteration of butter. Congress ought not to treat differently these various articles of food and drink.

I simply rose to ask the question for information, what was the purpose of the committee in putting this item in the bill?

Mr. ALDRICH. I would suggest to the Senator from Arkansas that the Democratic platform puts it on the free-list.

Mr. JONES, of Arkansas. Puts what on the free-list?

Mr. ALDRICH. Ground chicory.

Mr. JONES, of Arkansas. Is that in the platform?

Mr. ALDRICH. Yes, in the St. Louis platform.

Mr. JONES, of Arkansas. The Senator is remarkably well posted if he can find that in the platform.

Mr. ALDRICH. The platform indorsed the Mills bill, and the Mills bill puts it on the free-list.

Mr. JONES, of Arkansas. That a resolution was adopted by the St. Louis convention approving the Mills bill I believe is true, but I do not think the Senator will be able to find out the article of chicory in the Democratic platform. But if it was put in the platform, that does not get away from the fact. What I am asking for is what the intention of the committee was in providing for this article in this way. One of the members of the subcommittee tells me that it is to protect the farmers, and another comes in and says that such is not the case, but at the same time they know that the raw chicory root, which would have to be taxed to protect the farmers at all, is not taxed, but comes in free. You only propose to tax it after it has been subjected to some sort of manufacture, after it has been prepared as a fraud, after it has been put in such shape that it can be sold as coffee when it is not coffee and is worth very much less. If the Senator from Rhode Island [Mr. CHACE] is right in supposing that it is not harmful in its nature, it certainly is worthless in its character practically, and people ought to be allowed to buy what they choose to drink.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

248. Chocolate, other than chocolate confectionery, 2 cents per pound.

249. Cocoa, prepared or manufactured, not specially enumerated or provided for in this act, 2 cents per pound.

250. Cocoa-butter or cocoa-butterine, 3½ cents per pound.

251. Comfits, sweetmeats, or fruits preserved in sugar, sirup, molasses, or spirits, not specially enumerated or provided for in this act, and jellies of all kinds, 35 per cent. ad valorem.

252. Corn-meal, per bushel of 48 pounds, 10 cents.

253. Dandelion root and acorns, prepared, and other articles used as coffee, or as substitutes for coffee, not specially enumerated or provided for in this act, 1½ cents per pound.

254. Extract of meat, all not specially provided for in this act, 35 cents per pound; fluid extract of meat, 15 cents per pound; but the dutiable weight shall include the extract and the tins, jars, bottles, or other articles containing the same, and no separate or additional duty shall be collected on such coverings unless as such they are suitable and apparently designed for use other than in the importation of meat extracts.

Mr. VANCE. I want to make a remark about paragraph 254. In the first place, the change of rate from 24 per cent. ad valorem, which is the present law, to 35 cents a pound is a very large increase. I could stand that; but I think when it comes to taxing the tin cans or the glass jars in which the extract comes 15 cents a pound it becomes rather intolerable. The committee very generously agree to let the importer off with only 15 cents a pound on the can, provided he can make satisfactory proof that he is not going to put anything else in the can or use it for any other purpose when he has exhausted the extract of meat in it. I can not see the slightest necessity for any such increase, and I move to amend by restoring the present law. In fact, one of the objections I have to this bill is that these provisions are so odious that it has absolutely made the present law respectable and in some degree tolerable and fair, and that is so in this place. I am begging now for the old law. I move to strike out "35 cents per pound" and insert "20 per cent. ad valorem," and strike out all the remainder of the paragraph.

The PRESIDENT *pro tempore*. The amendment will be stated.

The SECRETARY. In paragraph 254, line 970, it is proposed to strike out "35 cents per pound" and insert "20 per cent. ad valorem;" and to strike out all after the word "pound," in line 971, as follows:

But the dutiable weight shall include the extract and the tins, jars, bottles, or other articles containing the same, and no separate or additional duty shall be collected on such coverings unless as such they are suitable and apparently designed for use other than in the importation of meat extracts.

So as to make the clause read:

Extracts of meat, all not specially provided for in this act, 20 per cent. ad valorem.

Mr. ALDRICH. The present duty upon all extracts of meat, as stated by the Senator from North Carolina, is 20 per cent. ad valorem. It was the purpose of the committee in submitting this paragraph to substitute a specific duty which should be simply equivalent to 20 per cent. ad valorem. The rates here fixed are based upon information received through the Treasury Department from the custom-house in New York, which are based upon importations for six months, and the rate fixed is the exact equivalent in a specific rate of 20 per cent. ad valorem, as shown by the returns of the Democratic custom-house officers in the city of New York, received by the committee through a Democratic Secretary of the Treasury; and the information is on file in the committee-room, and the Senator from North Carolina can examine it, if he chooses, at any time.

Mr. VANCE. The Senator from Rhode Island of course has not escaped observing the fact that in the analysis sent us by the Treasury Department, which he says furnishes the information, there is a note attached connected by an asterisk, which note says there are no data upon which to base a computation. The rates of the present law are given in order to fill up the column of figures. There is undoubtedly a large increase in this article.

Mr. ALDRICH. If the Senator will look at item 254 upon the statement to which he is referring, he will find that the ad valorem equivalent to the rate in the Senate bill is 20 per cent., as stated by the Treasury Department.

Mr. VANCE. That is explained, I think, if the Senator will observe the note.

Mr. ALDRICH. The words "no data" apply only to "fluid extracts of meat."

Mr. VANCE. The amount of duties collected under the present law is inserted. Then what says the note? That there are no classifications given in the importations from which the specific duties of the Senate substitute can be computed.

Mr. ALDRICH. I do not know from what the Senator is reading.

Mr. VANCE. The statistical abstract of the Treasury Department which is before us.

Mr. ALDRICH. There is no such note upon the copy which I have.

Mr. VANCE. The Senator will observe that there is an asterisk attached to the computation under the Senate bill.

Mr. ALDRICH. There is no asterisk on the copy which I have before me.

Mr. VANCE. If the Senator will turn to the close of the schedule, on the third page following, he will find the note which I have read, and which I assure him I have not manufactured from my own head and imagination.

Mr. ALDRICH. The copy which I have before me, "paragraph 254, extracts of meat," the extension is all along, and in the very last item, in the column the "ad valorem equivalent" of the Senate bill is put at 20 per cent. ad valorem. Under the head of "Fluid extract of meat" there is a simple statement as to importations, "No data," and nothing else.

Mr. VANCE. Will the Senator do me the favor to turn over two leaves, to the close of Schedule G, and there he will find the asterisk which connects it with the statement I have made on the first page of Schedule G?

Mr. ALDRICH. That refers to items which are starred in the schedule.

Mr. VANCE. And this item is starred in this schedule which I have before me.

Mr. JONES, of Arkansas. Under the column of "Senate bill" the Senator from Rhode Island will find it.

Mr. ALDRICH. As to fluid extracts, that is true.

Mr. VANCE. No, sir; as to extracts of meat. Importations $208,549 in value, but no quantity given.

Mr. JONES, of Arkansas. It is in the column headed "Senate bill."

Mr. VANCE. "Collected in 1887, $41,709.80."

Mr. ALDRICH. There may not have been any data in the possession of the gentlemen who prepared this statement, but there are data in possession of the Committee on Finance, and they are open to the inspection of the Senator from Arkansas or the Senator from North Carolina. Those data disclose the fact that the rate which we have here fixed is simply equivalent to 20 per cent. ad valorem.

Mr. VANCE. Whatever amount of secret information may be found in the archives of the subcommittee of the Committee on Finance of the Senate of the United States of the Fiftieth Congress, I do not know; but I do know that the explanations given by the experts of the Treasury Department are as I have stated, accompanied by a note that because the quantities given of importations under this item were not stated anywhere they had no means of estimating the unit of value, and therefore they give the ad valorem equivalent of the present proposed specific duty according to the present law.

Mr. ALDRICH. That is very easily explained. This table probably came from the Bureau of Statistics. That was the information on which it was based. The information received by the committee came through the customs division of the Treasury from the New York custom-house, and I have no doubt the data were not at that time available to the Bureau of Statistics in the preparation of its statement.

Mr. VANCE. What does the Senator from Rhode Island say to 15 cents a pound for a tin can?

Mr. ALDRICH. It is the only way in which the duty can be collected. The officers can not take the goods out of the cans for the purpose of ascertaining what proportion of the weight is in tin and what proportion is meat itself.

Mr. VANCE. What particular industry in the United States is protected or encouraged by this tax of 15 cents a pound on a tin can? This is a most unreasonable feature of the bill, as it seems to me.

The PRESIDENT *pro tempore*. Unless their separation is demanded, the two amendments proposed by the Senator from North Carolina will be treated as a single question. The question is on the amendment.

Mr. VANCE. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

The roll-call was concluded.

Mr. TELLER. The Senator from Oregon [Mr. DOLPH] is temporarily paired with the Senator from Maryland [Mr. WILSON].

Mr. VEST. I announce my pair with the junior Senator from Kansas [Mr. PLUMB]. I should vote "yea" if he were present.

The result was announced—yeas 20, nays 22; as follows:

YEAS—20.

Bate,	Coke,	Gray,	Pugh,
Blodgett,	Colquitt,	Harris,	Ransom,
Butler,	Daniel,	Jones of Arkansas,	Reagan,
Call,	Gibson,	Pasco,	Vance,
Cockrell,	Gorman,	Payne,	Walthall.

NAYS—22.

Aldrich,	Edmunds,	Ingalls,	Stewart,
Allison,	Frye,	Morrill,	Stockbridge,
Chace,	Hale,	Palmer,	Teller,
Chandler,	Hawley,	Sawyer,	Wilson of Iowa.
Cullom,	Hiscock,	Sherman,	
Dawes,	Hoar,	Spooner,	

ABSENT—34.

Beck,	Eustis,	McPherson,	Sabin,
Berry,	Evarts,	Manderson,	Saulsbury,
Blackburn,	Farwell,	Mitchell,	Stanford,
Blair,	Faulkner,	Morgan,	Turpie,
Bowen,	George,	Paddock,	Vest,
Brown,	Hampton,	Platt,	Voorhees.
Cameron,	Hearst,	Plumb,	Wilson of Md.
Davis,	Jones of Nevada,	Quay,	
Dolph,	Kenna,	Riddleberger,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading of the substitute will proceed.

The Secretary read as follows:

255. Fruits.—Dates, grapes, plums, and prunes, 1 cent per pound.
256. Figs, 2 cents per pound.
257. Oranges, lemons, or limes, in packages of capacity of 1½ cubic feet or less, 10 cents per package; in packages of capacity exceeding 1½ cubic feet and not exceeding 2½ cubic feet, 20 cents per package; in packages of capacity exceeding 2½ cubic feet and not exceeding 5 cubic feet, 40 cents per package; in packages of capacity exceeding 5 cubic feet, for every additional cubic foot or fractional part thereof, 8 cents; in bulk, $1.50 per one thousand.

Mr. CALL. I move to amend paragraph 257 by striking out, in line 981, before "cents," the word "ten" and inserting "twenty;" in line 984, by striking out "twenty" and inserting "forty," and in line 986, by striking out "forty" and inserting "fifty;" so as to make the clause read:

Oranges, lemons, or limes, in packages of capacity of 1½ cubic feet or less, 20 cents per package; in packages of capacity exceeding 1½ cubic feet and not exceeding 2½ cubic feet, 40 cents per package; in packages of capacity exceeding 2½ cubic feet and not exceeding 5 cubic feet, 50 cents per package; in packages of capacity exceeding 5 cubic feet, for every additional cubic foot or fractional part thereof, 8 cents; in bulk, $1.50 per one thousand.

The PRESIDENT *pro tempore*. If there be no objection, the three amendments will be treated as one question. The question is on agreeing to the amendment proposed by the Senator from Florida [Mr. CALL].

Mr. CALL. Mr. President, this amendment proposes an increase over the existing law, but inasmuch as the people of the State of Florida, whom I in part represent, are paying this high rate of taxation upon all the necessaries of life, and this is one of the chief articles of a large portion of that State for revenue and income, I think the duty should be increased. I therefore move the amendment in their interest. If the system of a high rate of duties upon the necessaries of life is to be continued we should increase the amount of duty upon oranges.

Mr. ALDRICH. I did not understand what the Senator from Florida stated. Did he say that oranges are necessaries of life?

Mr. CALL. I said that they are not.

Mr. ALDRICH. They are not necessaries of life?

Mr. CALL. They are not. They are not necessary for existence.

Mr. HISCOCK. The Senator is entirely mistaken. With the downtrodden and oppressed workingmen of the North they are necessaries of life, and are so treated.

Mr. ALDRICH. I understand the amendment now offered by the Senator from Florida is to double the duty upon these necessaries of life.

Mr. CALL. Yes; the duty under the existing law.

Mr. ALDRICH. He proposes to double the duty fixed in this paragraph.

Mr. CALL. Yes; I propose to increase the duty on oranges.

Mr. ALDRICH. Is there any other article in the bill that the Senator thinks ought to be increased?

Mr. CALL. Yes; the duty on bananas and cocoanuts ought to be increased, that is, they should not be on the free-list, and a duty ought to be imposed on sponges, which are on the free-list. Those are the subjects in which I am particularly interested in this bill so far as an increase of duty is concerned. By the present law oranges in packages of a capacity not exceeding 2½ cubic feet pay 25 cents per box. The Senate bill has reduced the rate to 20 cents in place of 25 cents.

Mr. HISCOCK. Is the Senator from Florida quite sure that the bill reduces the duty?

Mr. CALL. I think so, if the text of the law indicates what it means.

Oranges, in boxes of capacity not exceeding 2½ cubic feet, 25 cents per box.

That is a difference of 5 cents to the box between the existing law and the pending measure.

Mr. HISCOCK. Has the Senator had his attention directed to that feature of the bill which abolishes damage allowances on packages and things of that kind, and has he calculated the effect that would have in increasing the duty?

Mr. CALL. Does the Senator refer to the allowance for damages?

Mr. HISCOCK. Yes, damage allowances.

Mr. CALL. The allowance for damaged fruit?

Mr. HISCOCK. For all imported goods and merchandise.

Mr. CALL. I have not, but that is not at all pertinent to this question. Whether a man shall pay for damaged goods or not is one thing, and stands upon its own merits altogether.

Mr. HISCOCK. I do not desire to have the Senator's constituents in Florida understand that we have reduced the duty on oranges, because we have not done so. The practical effect of the bill will be to increase the duty.

Mr. CALL. That is a very singular remark of the Senator from New York. An allowance for damages of goods and withdrawal or continuance of duty because or irrespective of the damage is one thing and stands upon its own merits. I think it eminently proper that a man should not pay duty for that which is of no value, and that he should pay a duty upon the actual value. Whether a person shall be required to pay duty for goods that have been lost in transit or so damaged as to be worthless or in part worthless has no kind of connection with the rate of duty that should be imposed upon salable goods brought here, articles in good condition, as they are supposed to be and ought to be, in the regular course of trade. They are two distinct things.

You can not tell what is going to be the effect upon a cargo of fruit by allowing or refusing allowance for damage. It may be a damaged cargo or it may not. There may be one package out of a hundred damaged, and there may be fifty out of a hundred damaged, or there may be more, and in each case the duty would be different. It depends upon the distance and the season altogether. No man in the world, neither the Senator from New York nor anybody else, can inform me by an approximate opinion as to the effect of the rebate or refusal of allowance for damaged goods upon a single cargo, or upon any number of cargoes, upon the rate of duty on the sound article.

I base my amendment upon the proposition that articles of luxury which are not necessary for the subsistence of human life are eminently the proper subjects of taxation, and when a section of the country is engaged largely in producing that kind of a product, and it is an income-producing product, and the people are paying a high rate of duty upon all the necessaries of life, they should have the benefit of the system for such things as they produce.

Mr. ALDRICH. Mr. President, I do not desire to enter into a discussion of the philosophy which makes oranges a luxury and steel beams a necessary of life, but I wish to say in regard to this paragraph that while we have nominally reduced the specific duty upon oranges, lemons, and limes, the provision referred to by the Senator from New York in the bill which abolishes damage allowances will more than compensate the producers of oranges in this country for the reduction which we have made in rates in the paragraph.

The average allowances made in the duties upon fruit are more than 25 per cent. on account of damages on the voyage of importation. Under the bill as we now have it those are entirely abolished, and whether they are one-quarter damaged or one-half damaged on the voyage of importation, the importers are obliged to pay the duty upon the full amount of the capacity of the boxes.

Instead of being a decrease, the provisions of the bill, as the Senator from New York has already said, will result in an increase of the duty upon fruit, especially upon oranges, lemons, and limes.

Mr. CALL. Mr. President, I do not care to prolong the discussion upon this subject. The proposition is a perfectly plain one. The average damage upon cargoes of oranges imported from the Mediterranean or from portions of Central America is one thing. The West Indies, Hayti, Jamaica, Cuba, portions of the British West Indies or British Central America and Honduras are capable of supplying oranges and fruits which are almost wild, which grow without any care, without any cost, and require only the gathering of the fruit. They are capable of supplying the entire demand for oranges in this country.

Upon that source of supply the Senator from Rhode Island has no knowledge. It is a mere guess—a conjecture of his as to the amount of damage upon cargoes. In great part the distance is short, and in great part there may be no damage at all.

The question now presented is, shall the people of Florida who are dependent upon this product alone for their income be required to pay

a high rate of duty for the iron utensils that they use, for every article of consumption—be remitted to the conjecture of the Senator from Rhode Island or the Senator from New York as to the effect of withdrawing the allowance made for damaged fruit which affects the general importation of oranges from the Mediterranean and everywhere else.

It is a discrimination in favor of the oranges in Cuba, in Jamaica, and in the islands of the West Indies, which are near to the coast of Florida, and that is the effect of it upon the people of Florida.

Mr. ALLISON. I am rather in sympathy with the Senator from Florida upon the question of oranges, lemons, and limes, but I submit to him that he asks too great an increase. We must be a little moderate in our demands for protection in this bill. I have been endeavoring to keep down the rates as much as possible.

The Senator from Florida insists upon a very large increase over the present law. It was the purpose of those who framed the bill, as the Senator from Rhode Island has stated, to keep the rate about what it is now, and there is no doubt of the fact that the remaining provisions in the bill will retain substantially the present rate of duty.

For myself I should be willing to make a small increase of duty on oranges if the Senator from Florida insists upon it, but I submit to him that his amendment is entirely too great an increase for the sake of protection, even. The proposition of the Senator is practically to double the duty. I do not think we ought to do that upon an article of such universal consumption as oranges and lemons.

Mr. CALL. I am perfectly willing to reduce the amount. I moved the amendment in pursuance of the request of a number of citizens of Northern and Northwestern States interested in Florida fruit-growing, who are very firm believers in the policy of increasing the duty upon everything. I am content to have it placed where the existing law fixes it if nothing better can be done.

I insist, however, that as long as the collection of duties shall prevail, and be so laid as to increase the cost of living to the people of Florida, I shall insist on their right to have the value of their farm and garden and fruit products increased in value by the same means, and with much greater justice, and by a much wiser public policy, because they, as luxuries, are properly the subject of a high rate of taxation.

I do not desire to make this duty an oppressive one to the consumers of foreign fruit, but I will say that the effect of the withdrawal of the damage allowance is simply a discriminating duty in favor of the West India orange and the orange of Central America, as it depends upon the amount of damage sustained in the shipment of oranges of different localities.

For instance, as to the Mediterranean orange making long voyages, there will, at some seasons of the year, be a great loss, and from those regions of country where but little care is bestowed in the preparation and shipment of the oranges, there will be greater loss and damage and the price of the importations will depend upon the amount of duty that shall be imposed, with the loss or damage added. If there is no average damage, if a vessel coming here in thirty-six or forty hours from any of the West India Islands will sustain no damage in her cargo of fruit, manifestly the allowance will have no effect upon the trade from that locality.

That is a very clear proposition. Upon the Mediterranean fruit and that from countries where there are long voyages the average damage may affect the rate of duty seriously, and where the trade is regular and controlled by the same persons they will make an average of their loss and obtain repayment by an increased price put upon the sound fruit.

I think as a matter of justice that there ought always to be allowed something for fruit or anything else that is lost or damaged in transit. There is nothing that can justify the imposition of a duty upon that which is of no value, or the imposition of a duty upon a greater value than the thing possesses.

There can be no propriety in a duty of that character. Damaged fruit when brought here of course is worth little or nothing. It is sold immediately at the place where it is landed, and that is the end of it; it perishes in a day, and to require a tax to be paid on it is a discouragement of commerce almost equal to a prohibition.

Mr. HISCOCK. I am entirely opposed to the maintenance of the present law as to the duty on oranges, and for the reason that I am somewhat selfish in respect to it. Certainly the orange industry in Florida is very largely a Northern industry, and I for one have a sympathy with it, I am frank to admit. I know that large orange groves are now operated there by people from my own locality. I am opposed to the present law because I know that it is not as good for the orange-growers as the provision which we propose in this bill. A careful investigation as to the amount of damage allowances that are made in our Northern ports has demonstrated that this provision is far better for the orange-growers than the present law.

Therefore I am opposed to the change of the Senate substitute as reported to the present law. I am in favor of the provision as found in the bill, because it is more protective and more certain in its results.

Mr. CALL. I should be very glad if the Senator from New York will inform me what is the average damage on oranges, especially from Jamaica or Cuba to the city of New York or the cities of Boston, Baltimore, or Philadelphia.

Mr. HISCOCK. From 15 to 20 per cent.

Mr. CALL. Even if that were so, if we should protect the Florida fruit by requiring damaged fruits to pay full duty, that is a new theory of protection. It is not to be done with justice and fairness by imposing taxes or duties on damaged fruit, but so far as Florida and that section of the country are concerned, the principle which you propose to apply is that you are going to make a man pay for the fruit that is damaged or worthless, and thus increase the cost of the sound fruit unless he throws it overboard and abandons it. How are you going to charge him? Upon his invoice cargo from the place of shipment, and not upon his invoice as entered at the place where it is delivered? This would be a varying and uncertain quantity and would give no steady or reliable rate of duty.

Mr. HISCOCK. This is a specific duty fixed upon the boxes which are shipped here, and if rendered at all it is assessed upon the boxes.

Mr. CALL. It is on the invoice.

Mr. HISCOCK. It is assessed upon the box and not upon the invoice value at all.

Mr. CALL. Of course it is assessed upon the boxes, and whether they contain anything or not they must pay duty. Whether they are full of decayed fruit or full of sound fruit, it is the same thing; so that if the boxes are all unsound, still the rate of duty must be paid.

Let us suppose that the owner of one of the little fishing vessels of the West Indies or Central America, making a fishing venture to the coast of Florida, loads his vessel in bulk with oranges and delivers them at Tampa Bay, or Cedar Keys, or Charlotte Harbor, or Jacksonville, or Pensacola, and they are sound. He has to sell them; they are perishable and he can not wait. Under this Senate bill he pays 5 cents less duty than under the present law, and there is no increase on the sound fruit because of his paying duty on damaged fruit. This is largely the course of trade. The importer from the Mediterranean in large quantities may impose an additional price on sound fruit, but in no other case will the law have any effect.

Mr. HISCOCK. They can be abandoned.

Mr. CALL. Oh, of course.

Mr. HISCOCK. As the Senator pursues the investigation he will come to the conclusion that he is attacking that great industry of his State by proposing to substitute the present law for the provision here.

Mr. CALL. It seems to me the Senator ought not to make a proposition of that kind, that I am attacking an industry.

Mr. HISCOCK. There is not any doubt about it. If the Senator from Florida will take time to investigate this question he will ascertain that when he proposes to substitute the present law in place of this provision, he is striking at the protection of the orange-growers of his State.

Mr. CALL. The instance I have stated, which is the usual course of trade, proves that the Senator from New York is in error in this opinion. The large importer who is constantly in the business can charge his damages paid in duties on unsound fruit on the sound fruit, but the small trader who makes a single voyage and has no damaged fruit can not do so.

I did not propose to introduce the existing law as an amendment at present. I submitted an amendment to increase the rate imposed by the present law, to protect the market on the coast of Florida where fruit should be landed which might be salable. That is one damage to the fruit-growers, that they ship a species of fruit in bulk which costs very little and may be sold at very small prices, and there will be a discrimination in favor of the foreign countries which are so near the coast of Florida that fruit may be brought there not damaged and in salable condition and sold with a profit at almost nominal prices as compared with the cost of the Florida fruit.

But as to the provision that you shall discourage commerce whether it is oranges or anything else, by providing that a person shall pay the same duty for damaged fruit that he pays for fruit that is of full value and perfectly sound, I should not support a proposition of that kind in reference to anything, because of its manifest unreasonableness and injustice. However, in reference to the protection of the fruit-grower, that is a very different thing altogether from the question of protecting the revenue laws against fraudulent practices.

The principle that should control in imposing duties or taxes is to impose the duty most heavily on luxuries, and, as I said before, it applies to oranges and every other luxury; and I insist that everything is a luxury that is not in some degree necessary for the support of human life. But I do not care to discuss that proposition.

The Senator from Rhode Island says he can not see the difference between an orange and a steel beam in respect to the one being a necessity and the other not. I think there are a good many people who can see the difference, and can also see the difference in the philosophy of the two ideas. Be that as it may. Even if it is a theory peculiar to myself, I am very willing to avow my opinion that those people who are able to consume and use articles not necessary for the subsistence of human life, not essential to its comfort, ought to pay the highest rate of taxation, because they have the greater means with which to do it.

The importation of fruit in this country from different parts of the world is made frequently at almost a nominal cost. The orange from the West Indies grows almost in a state of nature without the aid of man.

The orange in the State of Florida that is used in commerce is produced at a considerable expense. That is the difference. The West Indiaman, a short distance from the coast of the United States, within from forty-eight to fifty hours of all the great cities upon the coast, imports an orange that has cost him nothing, except the cost of gathering, with a very small amount paid for the labor of gathering. The transportation is by sea. The orange is brought largely in bulk, and it is sold and can be sold here for a much less price than the Florida orange.

It is very true that the fruit grown in Florida is far superior, and in that respect it has an advantage; but the people of that State, both Northern and Southern (for while we have, as the Senator from New York says, quite a large number of Northern persons there who are spending their money and their time in making that country their residence and engaged in fruit-growing, we have also people from every State in the United States, largely Southern, largely from the Northwest), are impressed with the idea that the orange, the lemon, the pine-apple, the banana, and the cocoanut are proper subjects for a high rate of duty. I agree with them, and if you are going to continue this system and make them pay a high rate of duty for everything that they consume, it is only fair you should accord to them the same benefit as to the fruit products which they grow.

Mr. ALDRICH. I am very greatly surprised at the silence of the Senator from North Carolina [Mr. VANCE] upon this proposition to double the duties upon articles in universal use. I am afraid that that Senator is neglecting the interests of the people whom he represents.

Mr. DAWES. The oppressed people.

Mr. ALDRICH. The oppressed people whom he represents.

Mr. VANCE. Did the Senator from Rhode Island address his remark to me? I did not hear him. Will he be kind enough to repeat his remark, for if it was good it can not be said too often?

Mr. ALDRICH. I expressed my surprise that the Senator was deaf when a proposition of this kind was pending to double the duties upon an article in universal use.

Mr. VANCE. The Senator's surprise would have been a surprise if there had been anything to be surprised at. I was not deaf. I was hearing all that was said, and the vote has not been taken yet. So I do not see the force of the Senator's remark.

Mr. ALDRICH. The Senator from North Carolina up to this time has not contented himself with merely voting. His clarion voice has been heard in behalf of the people usually.

Mr. VANCE. Yes, but I have left the discussion of questions about which Senators were peculiarly informed in their own localities to themselves, and I have not seen proper to say a word on this occasion. I will say something very soon, if the Senator is hungry for any more of my remarks. [Laughter.]

Mr. CALL. At the suggestion of the Senator from Iowa I will move to insert the provisions of the existing law in place of this paragraph.

The PRESIDING OFFICER (Mr. BERRY in the chair). Does the Senator from Florida withdraw the amendment now pending?

Mr. CALL. I withdraw it at the suggestion of the Senator from Iowa. As I said, I offered the amendment at the suggestion of a number of orange-growers, but it is evidently impossible to obtain any increase above the existing law.

I am content to leave this argument where it is, and the Senator from Rhode Island, whose opinions will control this matter, thinks it is a position which will be approved by reasonable men that oranges are an article of necessity, that the consumption of fruits is of universal use, that every man in this country not only consumes this fruit—I wish they did—but that it is as necessary as a coat, as a woolen garment, as necessary as salt; that human life and comfort can not be preserved without it; and that it had better be made free or allowed to come in at a low rate of duty. I am very glad to hear that he is willing to put something at a lower rate of taxation upon the ground that he regards it, however erroneously, to be an article of necessity; but I insist that oranges and fruits of all kinds are essentially a luxury, and that the use of fruits of every kind is confined to the rich. Of the sixty-five million people of the United States, two-thirds of them do not consume any of these fruits. The use of them is confined altogether to people who are well to do. Therefore I will move my amendment in that form.

The PRESIDING OFFICER. Will the Senator send the modification which he proposes to the desk?

Mr. CALL. I will say that the proposed change does not affect the provision in regard to the allowance of damages which the Senator from New York imagines has such a wonderful effect.

The PRESIDING OFFICER. Does the Senator desire to move to strike out the paragraph under consideration and insert that which he has sent to the desk?

Mr. CALL. I do.

The PRESIDING OFFICER. The amendment proposed by the Senator from Florida, as modified, will be read.

The SECRETARY. It is proposed to strike out paragraph 257 and insert:

Oranges, in boxes of capacity not exceeding 2½ cubic feet, 25 cents per box; in one-half boxes, capacity not exceeding 1¼ cubic feet, 13 cents per half box; in bulk, $1.60 per thousand; in barrels, capacity not exceeding that of the 196-pound flour barrel, 55 cents per barrel.

Lemons, in boxes of capacity not exceeding 2½ cubic feet, 30 cents per box; in one-half boxes, capacity not exceeding 1¼ cubic feet, 16 cents per half box; in bulk, $2 per thousand.

Lemons and oranges, in packages, not specially enumerated or provided for in this act, 20 per cent. ad valorem.

Limes and grapes, 20 per cent. ad valorem.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Florida [Mr. CALL].

Mr. GRAY. I rose to ask the Senator from Florida whether the substitute which he moves changes the old law above its present rate.

Mr. CALL. In reply to the Senator from Delaware, I will say that the substitute I have moved is the language of the existing law.

Mr. ALDRICH. Does the Senator from Florida intend to follow that up by restoring the existing law in regard to damage allowances?

Mr. CALL. No, I do not. I have not examined that provision.

Mr. ALDRICH. The abolition of damage allowances increases the rate of duty upon these articles at least 25 per cent.

Mr. GRAY. If that be so, it seems to me it ought to be opposed by those who are in favor of direct methods of legislation. It would be pretty hard, I suppose, to frame a bill according to the scheme of this one, or any bill which undertakes to grant favors to a portion of the citizens of this country engaged in particular industries without incorporating in such a scheme some very iniquitous features.

When you attempt an artificial regulation of the business of a great people who are competent to manage their own business for themselves; when you delegate to three hundred or four hundred average Senators and Representatives in Congress the right to interfere with the normal course of business of sixty or seventy million people stretching over a vast continent, then, of course, you are bound to encounter in such a scheme and in such an attempt inequalities and discriminations, and the mass of the people are bound to suffer.

But when we are discussing the details of this scheme item by item and paragraph by paragraph, even those who are opposed to the general policy involved may be allowed to call attention to certain glaring inequalities and attempt to improve what they can not altogether reform. It would seem to me a very sorry confession that those who are in favor of protecting an industry must do so by indirection, and by this so-called damage clause give to an industry a protection which is uncertain, varying, at times exorbitant, while at other times it may be on a plane that is quite within the reach of reason from the protection standpoint.

Mr. ALLISON. May I call the attention of the Senator for just a moment to the fact that the provision respecting damage allowances is a provision recommended by the Treasury Department, and is a provision that was in our undervaluation bill, so called, and it is a provision in the Mills bill, so called?

Mr. ALDRICH. Yes, it is in the Mills bill.

Mr. ALLISON. It is in the House bill as it came to us. It is a question relating to the protection of the revenue and not a question of by indirection attempting to do what we do not do directly. I think the Senator is under a misapprehension in respect to it.

Mr. GRAY. I do not profess to be at all familiar with what are called, I believe, the administrative features of this or any other tariff bill, but I do know that there are a great many necessities devolved upon the Government which are injurious in their operation, from the fact that we have embarked upon a scheme that is unnatural, artificial, and abnormal.

Whether there be an administrative necessity or not I shall make my comment upon this feature of the bill. It serves to give character to such schemes that here is an attempt to carry out a protective policy, and yet by what they say is a necessity of administration a man may be compelled to pay a tariff tax on a cargo 75 per cent. of which is damaged and only 25 per cent. is available to him for the purposes of his business, or he must abandon the whole. Is that a necessity which may arise under this bill?

Mr. ALLISON. No, that would not arise at all. If the damage exceeds 10 per cent. the importer can abandon the damaged goods.

Mr. GRAY. The damaged part?

Mr. ALLISON. The damaged part only. That is the provision.

Mr. GRAY. The contingency which I have suggested can not arise?

Mr. ALLISON. Oh, no.

Mr. GRAY. Then I would much rather, it seems to me, see a certain stable and fixed rate of protection (if protection is to be given to any industry) that is not contingent upon the vicissitudes of a voyage or upon the condition of the article when it arrives, so that we may know just what the tax is, that the importer may make his calculations and the consumer may know precisely what he has to pay.

Mr. President, one word more in regard to a criticism that was made by the Senator from Rhode Island in reference to what he said in a humorous way as to the supposed silence of the Senator from North Carolina when this part of the bill was reached. The scheme of this bill is one conceived in selfishness and in avarice, meant to protect the few and to levy a tax upon the many, to distribute the bounty of the Government to the rich and trust to their being almoners for the poor; and in a scheme of this kind it may be well sometimes to refer to its discrimination, and to the inequalities that it seeks to establish between the different industries and different classes in this country.

The agriculturists of this country as a class are out of the reach of any protective tariffs that this bill or any other may propose. They can not be benefited by it. Although there are provisions in it which impose a tax upon agricultural products, upon grain and other products of the soil, yet as a matter of fact the great staple agricultural products of this country have to be sold in a free and open market, and their price is established under the competitive conditions of absolute free trade, whilst those who raise them must buy all that they are enabled to buy with the price so obtained in a highly protected market. That is true.

There may be some who have been deceived by the mere presence of the so-called protective provisions in this measure for agricultural products, but the one that we are considering now does have a practical effect upon the agriculturist. While I would not seek to impose a tax upon the mass of the community in favor of the agriculturist, yet in considering a bill of this kind I can not but observe that there is an attempt to discriminate all through against one class in favor of another, and the class discriminated against is the agricultural.

When we come to consider the tax upon fruit, every bushel or pound or package of fruit that comes into this country comes in as a substitute for home-grown fruit of whatever kind. As long as this is said to be a protective measure, one intended to go all around, as a Senator on the other side said the other day—I think the Senator from Connecticut [Mr. HAWLEY]—then we may as well consider that the grower of oranges in Florida, the grower of fruit in Delaware, and Maryland, and New Jersey is entitled to the same protection that the favored manufacturers of the East and North receive from this bill; and that the fruits which come from the West Indies and the Mediterranean in substitution for the fruits grown on the fruit-growing soil of this country do come into competition with them, and a tax upon them is measurably a protection in the sense that other taxes laid on a foreign article are a protection to the industry engaged in producing it here.

Therefore, as long as the other provisions of the bill are kept as they are I shall vote to keep the tax where it is upon oranges and the other fruits that are attempted to be dealt with in the bill.

Mr. ALDRICH. The Senator from Delaware says that the fruit-growers of Delaware, New Jersey, and Florida are entitled to protection.

Mr. GRAY. They are entitled to protection if——

Mr. ALDRICH. They are as much entitled to protection as the manufacturing industries of other States.

Mr. GRAY. Certainly.

Mr. ALDRICH. Is not the reverse of that proposition true?

Mr. GRAY. Yes; of course the reverse is true.

Mr. ALDRICH. They are entitled to no more and no less?

Mr. GRAY. I do not ask, as representing an agricultural community, any protection on their behalf if they shall be treated fairly in regard to taxes imposed upon them in favor of the manufacturing industries.

Mr. ALDRICH. I wish to make one other suggestion.

The Senator from Delaware criticises the provisions of the measure, not only the Senate bill, but, as has already been stated, the House bill and the recommendations of the Treasury Department as to the abolition of damage allowances. A bill to abolish damage allowances passed the Senate at the last session by his vote after discussion here, and that matter is entirely disconnected from the pending question as a general proposition.

Mr. GRAY. When I rose, I think I with becoming modesty confessed my ignorance of what are called the administrative features of the bill, but even I may be allowed sometimes to rise upon this floor and speak in a general way about the effect of a tariff bill. I asked for information in the case that I supposed, and the information was given me as to the effect of this bill by the Senator from Iowa, if a man imported a cargo of oranges, 75 per cent. of which should turn out to be damaged, whether in that case he was put to his election to abandon the whole cargo or pay duty on the 75 per cent. He tells me, which I did not know before, that the bill is limited to a damage of 10 per cent.

Mr. ALLISON. That is, if the damage exceeds 10 per cent. the cargo to that extent may be abandoned.

Mr. GRAY. That is, the damaged part of it?

Mr. ALLISON. The damaged part of it.

Mr. GRAY. That is, I should think, a very proper and necessary restriction of the power given to a collector to collect duty on damaged fruit. But my criticism was not as to the necessity under this or a similar measure of administrative features of that kind, but I merely pointed out these inequalities, and how monstrous it was to collect duty on worthless articles, and that that was one of the necessities that grow up when once you adopt an artificial system like this of regulating the business of a great people which had better be left to its natural condition of freedom.

Mr. ALDRICH. I understood the Senator from Delaware to impute to this side of the Chamber, or to the committee, the motive of trying to do by indirection in this bill what they did not dare to do directly, and to intimate that this item is only one of a great many where, in various devious ways, we had increased the duty without appearing to do so upon the face of the bill.

Mr. GRAY. I am not in the habit of imputing motives to individuals. Of course, if the Senator understood anything of that kind, I disclaim it.

Mr. ALDRICH. Not individually; not personally.

Mr. GRAY. But I did impute to all measures of this kind and I did make the criticism that when once you embark upon legislation that protects a few at the expense of the many you are under the necessity of incorporating inequalities and indirections just such as these.

I thought that these were proper subjects of criticism; and I say now that it seems to me still monstrous, notwithstanding the explanation of the Senator from Iowa, that a man should be compelled to pay a tax upon an article that is imported which turns out to be absolutely valueless, that has perished during the voyage before it has entered the port of delivery. Whether there is an administrative necessity for that I do not know personally, but I accept the statement of the Senator from Iowa and the Senator from Rhode Island that there is some such necessity under the existing law.

Mr. STEWART. I prefer the classification of the Senate bill to the existing law, and I shall vote against the amendment of the Senator from Florida for that reason. But further on, unless the committee shall make some modification, when the bill comes into the Senate or at the proper time I shall offer an amendment to this paragraph.

Mr. PASCO. Mr. President, if I understood the argument of the junior Senator from New York [Mr. HISCOCK] it was that the bill under discussion really gave the orange-growers in this country an additional protection over that in the existing law indirectly by virtue of the damage clause.

Mr. HISCOCK. It does not do it indirectly; it does it directly. There is no indirection about it.

Mr. PASCO. The statement is that it increases the duty, and it is of no importance whether it is done directly or indirectly.

Mr. HISCOCK. It does it absolutely directly.

Mr. PASCO. I wish to call the attention of the Senator from New York to the fact that the damage clause in the House bill is the same as that in the Senate bill—substantially at all events, and I think, precisely. Consequently, the provision in the Senate bill does not give to this industry the same protection that it has under the House bill, and his argument falls to the ground.

It seems to me there is no reason why this proposed reduction should be made in regard to oranges. The Senator from New York claims to be a special friend of this industry. He claimed, I believe, that it was to some extent a New York industry. But, sir, it is an American industry. As the Senator from Delaware [Mr. GRAY] has suggested, a measure affecting foreign fruits affects the fruit-growers all over the United States.

I can see no good reason why this reduction should be made, and hope that the proposition to leave the duty where the House bill leaves it will prevail. The damage clause being the same as in the House bill does not increase the protection, and if there is to be no increase in the duties upon oranges, lemons, and the other fruits, certainly the committee should be content with the existing law.

Mr. CALL. Mr. President, I do not care to detain the Senate any further in the consideration of this subject beyond making one observation.

Section 33, which, as I understand, is placed in this bill in accordance with the general statute passed at the last session to protect the revenue against fraud, provides that if the cargo or the package is damaged to an extent less than 10 per cent., the owner must pay the duty upon the package, upon the whole ten-tenths. If to a greater extent than one-tenth, he may abandon that particular package and pay no duty.

The theory of the Senator from New York, upon which he insists, is that the provision now incorporated into this bill and a part of the general law is an addition to the charge against the foreign orange, and in favor of the domestic orange. That is upon the idea that a general average of 10 per cent. or 15 per cent. is made by the importer for loss, and that that amount is imposed upon the sound oranges sold in this country, and therefore that it is a duty of 15 per cent. in favor of the domestic grower.

The error of that idea in its application to this product of Florida will be readily seen if we come to analyze it. A cargo of oranges is brought from Cuba or Jamaica in bulk. It arrives upon the coast of Florida. Whether in packages or in bulk when it arrives there it must be sold. If it be a sound cargo, it will perish within a short period of time; it can not be kept and it must be put upon the market and sold. That cargo will be the whole ten-tenths for sale, and the price may be diminished to whatever will pay the transportation and some profit. The fruit market of the home grower at that time, by that importation and that sale, is reduced below a compensating profit, for he can not produce and sell his oranges in competition with those of the fertile lands of the West Indies, where the orange grows as the product of nature, without the aid of man or of labor.

So there is a constant fluctuation of necessity. The fact of its being a perishable commodity and an immediate sale necessary, is an essential feature that fixes the price at the lowest rate that will bring a

profit. It must be put upon the market and shipped all over the United States in a short period and sold to the wealthy people who use and consume this fruit. There is no time for delay, and the venture is a profitable one provided the loss from damaged fruit is not great.

That is the reason why this is, I think, a very mistaken provision and a very unjust one in regard to all importations, imposing a loss of 10 per cent., or some amount less than 10 per cent. upon the importer as an arbitrary loss simply for the purpose of protecting the revenue, which can be easily guarded without it, while it gives no certain or reliable increase of price to the producer of the domestic fruit.

Upon that ground I voted against the law in the last session, and I shall oppose it here and everywhere upon the theory that the duty should be levied upon the actual value, and if a specific duty be imposed for the purpose of preventing a fraudulent ad valorem being put upon the article, it should be used for no other purpose than that. Therefore I am opposed to that provision.

I only desired to show to the Senate that the provision of the thirty-third section imposing a perpetual loss to the importer upon the fruit to the extent of 10 per cent. by his being required to pay the duty for the damage, will be no adequate protection to the fruit-growers in the State of Florida against cargoes of oranges shipped in bulk, many of which come without injury. The sound cargoes arriving destroy the market for the time being.

The PRESIDING OFFICER (Mr. BERRY in the chair). The question is on the amendment proposed by the Senator from Florida [Mr. CALL].

The amendment was rejected.

The PRESIDING OFFICER. The reading will proceed.

The Chief Clerk read as follows:

258. Raisins, 2 cents per pound.
259. Fruits preserved in their own juices, 20 per cent. ad valorem.
260. Ginger or ginger-root, preserved in sugar or otherwise, and citron preserved or candied, 4 cents per pound.
261. Orange-peel and lemon-peel preserved or candied, 2 cents per pound.
262. Fish.—Mackerel, pickled or salted, 1 cent per pound.
263. Herrings, pickled or salted, one-half of 1 cent per pound.
264. Salmon, pickled, 1 cent per pound.
265. Other fish, pickled, in barrels, 1 cent per pound.
266. Anchovies and sardines, packed in oil or otherwise, in tin boxes measuring not more than 5 inches long, 4 inches wide, and 3½ inches deep, 10 cents per whole box; in half-boxes, measuring not more than 5 inches long, 4 inches wide, and 1½ inches deep, 5 cents each; in quarter-boxes, measuring not more than 4½ inches long, 3½ inches wide, and 1½ inches deep, 2½ cents each; when imported in any other form, 40 per cent. ad valorem.

Mr. CALL. There is another amendment which I desire to propose. I move, after line 989, paragraph 257, to add the following:

Bananas, pine-apples, and cocoanuts, 10 per cent. ad valorem.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Florida.

Mr. CALL. I have nothing further to say upon the subject than what I have already said in regard to oranges, and that is that under this bill we are oppressively taxed upon everything that we use, every article of necessity, every article of consumption, and the only products we have in a large portion of the State of Florida, the fruit-growing products, are without protection, or any adequate protection, from our neighbors in the West Indies and Central America.

The PRESIDING OFFICER. Will the Senate agree to the amendment proposed by the Senator from Florida?

The amendment was rejected.

Mr. CALL. I will not call for the yeas and nays upon these amendments, but I desire to give notice that I will reserve them, and when the bill comes into the Senate will then ask for the yeas and nays upon them.

RETURN OF DIRECT TAXES.

Mr. VANCE. The Chair appointed me this morning a member of the committee of conference on the direct-tax bill, Senate bill 139. I ask permission to be excused from service upon that committee.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection. The Chair appoints in place of the Senator from North Carolina the Senator from South Carolina [Mr. BUTLER].

Mr. SHERMAN. I move to reconsider the action of the Senate this morning in non-concurring in the amendments of the House of Representatives on the direct-tax bill and requesting a conference on the disagreeing votes of the two Houses, and I also move that a message be sent to the House of Representatives asking for the return of the bill with the amendments. I do this at the request of the Senator from South Carolina [Mr. BUTLER], who has just returned, and it is right and proper for him to have an opportunity to examine it.

The motion was agreed to.

THE REVENUE LAWS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

The PRESIDING OFFICER (Mr. BERRY in the chair). The reading will proceed.

The Chief Clerk read as follows:

267. Foreign-caught fish (imported otherwise than in barrels or half-barrels), smoked, dried, salted, pickled, frozen, packed in ice, or otherwise prepared for preservation, not specially enumerated or provided for in this act, one-half of 1 cent per pound.
268. Fish preserved in oil, except anchovies and sardines, 30 per cent. ad valorem.
269. Salmon and all other fish, prepared or preserved, and prepared meats of all kinds, not specially enumerated or provided for in this act, 25 per cent. ad valorem.
270. Cans or packages made of tin or other material containing fish of any kind admitted free of duty under any existing law or treaty, not exceeding 1 quart in contents, shall be subject to a duty on each can or package of 1½ cents; and when exceeding 1 quart, shall be subject to an additional duty, for each additional quart or fractional part thereof, of 1½ cents.
271. Hay, $2 per ton.
272. Honey, 20 cents per gallon.
273. Hops, 10 cents per pound.
274. Indian corn or maize, 10 cents per bushel.
275. Lard, 2 cents per pound.
276. Macaroni, vermicelli, and all similar preparations, 2 cents per pound.

Mr. VANCE. I move to strike out of the bill paragraph 276.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed to strike out paragraph 276, as follows:

276. Macaroni, vermicelli, and all similar preparations, 2 cents per pound.

Mr. VANCE. Mr. President, in my perambulations around this Capitol some time last summer, I dropped accidentally into the room of the Committee on Finance, and the subcommittee were having a hearing when I peeped in, and a chipper old Dutchman was giving testimony as to the importance of placing macaroni upon the dutiable-list. I have procured a copy of his testimony, and I propose to read somewhat from it and to comment upon it.

Macaroni was put upon the free-list in 1883, and soon after it was put upon the free-list the establishment to which this witness belonged went into operation for the manufacture of it. He says he had no idea in the world when he went into the business that macaroni was on the free-list, and he worked on very well and his operations went forward very successfully and he never once thought of dying and destroying a great American industry and flooding this country with the products of the labor of cheap Italian lazzaroni in the form of macaroni, vermicelli, and so on, until a contract was advertised for supplying the Dayton Soldiers' Home with macaroni for the year, and he put in a bid for 8 cents a pound, and to his astonishment the contract was awarded to some importers in New York at 6¾ cents, whereupon he wrote to his Representative, Mr. BUTTERWORTH, to know what was the matter, and he said he never was so astonished in his life as when he received Mr. BUTTERWORTH'S reply stating that there was no duty upon macaroni. He said his firm had not been making much money for some time past, and he did not know what was the matter until he found that macaroni was on the free-list, and it was protection that he wanted against foreign pauper labor; so he came up, and happening, and as I said, casually to have strayed into the committee-room, I asked him a few questions. I read from his testimony:

I had only been in this business three months when I learned, to my great astonishment, that the Mills bill had fixed no duty whatever upon macaroni. I could scarcely trust my eyes when I saw that statement. I had written to Mr. BUTTERWORTH, our Congressman, to know what the duty was in the Mills bill, and then I learned to my astonishment that there was no duty whatever. From what I have already stated you will see that about one-fourth of our product is what we pay for wages. Of course, when they pay only from 6 to 10 cents a day for wages in Italy, and we pay our men and women five times that much, we can not very well compete with the Italians.

Senator VANCE. Can not our men, with the advantage of the better machinery that we have in this country, make more than the Italians can?

Mr. BOECKE. That is true; we have got as fine machinery in this country as anybody.

Senator VANCE. And flour is cheaper in this country than it is in Italy?

Mr. BOECKE. Yes; that is true.

Senator VANCE. And sugar is cheaper also, is it not?

Mr. BOECKE. Yes.

Senator VANCE. Your hands work more and your machinery is better. Does not that pretty nearly equalize the conditions?

Mr. BOECKE. It appears that it does not.

Senator VANCE. Are not your factories doing pretty well?

Mr. BOECKE. They are striving to, but they are not doing well.

Senator VANCE. What percentage do you suppose they clear on their capital now, on the average?

Mr. BOECKE. They are not clearing very much. I have only been in partnership about three months, and I am sorry to say that since I have entered into partnership my partner has told me that before that time they lost money; that is a fact.

Senator VANCE. What kind of people do you employ in your factory?

Mr. BOECKE. We employ girls and men. Each factory has about two men, my partner and another man, and one factory has two men besides my partner, and twenty boys and girls.

Senator VANCE. Are they natives or foreigners, those whom you employ?

Mr. BOECKE. Just as we get them; they are all born here, all born in Cincinnati.

Senator VANCE. What do you pay your boys and girls per day?

Mr. BOECKE. About $3.50 a week on the average, while in Italy they only get from 6 to 10 cents a day, women and children both. That is too much difference. We made a low enough offer for the Soldiers' Home, but still we did not get the contract. It was given out to foreigners at 6¾ cents, and they are offering macaroni to-day in New York City at 7 cents.

Senator VANCE. If we were to put 3 cents a pound duty on the macaroni would you add that amount to the wages of your workmen, or would you put it in your pocket?

Mr. BOECKE. Of course we could afford to pay higher wages to the girls and men that we employ.

Senator VANCE. But would you do it?

Mr. BOECKE. Of course.

Senator VANCE. It does not always follow, of course.

Mr. BOECKE. Yes, sir.

Senator VANCE. If we were to give you this tariff duty of 3 cents a pound would you not still hire as cheap labor as you could get in the market?

Mr. BOECKE. That is a reasonable thing; but I say while we pay low wages now we would gladly pay more.

Senator VANCE. All the increased profit arising from the tariff duty; would you pay that to your workmen?

Mr. BOECKE. As near as we possibly could, yes.

Senator VANCE. Why should you not do it altogether?

Mr. BOECKE. As I told you a while ago, my partner told me that the last year he lost money. In order to make it here at all, to get along, we would have to have a little of that.

Senator VANCE. How long have you been at work in this business?

Mr. BOECKE. I have only been at it about three months.

Senator VANCE. But I mean your factory, this factory you have been connected with; how long has it been going?

Mr. BOECKE. Three or four years altogether. We have had a pretty hard time, Senator.

Senator VANCE. Do you not suppose that the people who eat macaroni, some of them, have had a pretty hard time too?

Mr. BOECKE. We have not made much money; if we had it would be a different thing.

Senator VANCE. Do you not think that, if you have not been making any money in a certain business for four or five years, you ought to stop that business and go to something else?

Mr. BOECKE. We expect each year to do better than the year before. But so far as I am concerned as an individual I was not in it until about three months ago, and the gentlemen who have been in it, it appears, neglected altogether this thing of the tariff.

Senator VANCE. They established that factory, though, after the duty had been taken off?

Mr. BOECKE. No, they never established it; they just got into it the same as I did. I went into it expecting to make money, of course, but I found that my partner had been losing money last year, and we have been crippling along doing work not to amount to anything.

Senator VANCE. But the factory was established or the business was founded while there was no duty, after the act of 1883?

Mr. BOECKE. That is true; but still we have been going along and not making anything. We are struggling for existence, that is about the way of it; that is actually the way of it. The business is a struggle for existence.

Senator VANCE. Do you not think that if any one goes into a business and ascertains that he can not make money it is his duty as a sensible man, as soon as he ascertains that, to go to work at something else?

Mr. BOECKE. We did lose money, and this is the time we are making up for winter use.

Senator VANCE. Do you think the Government is bound to act the part of an insurer and make good all losses to a man in his business?

Mr. BOECKE. No; but I think it would be just to give us protection. I was in the malting business for twenty-two or twenty-three years, but since they have got to using corn meal, rice, and glucose in the place of malt that business has run down.

Senator VANCE. Then you got out of that business?

Mr. BOECKE. Yes, sir; and went into this.

Senator VANCE. Then, if you can not make any money in this business, do you not think you had better quit?

Mr. BOECKE. But I have my money in it.

Senator VANCE. Sell out.

Mr. BOECKE. Oh, yes; it is easy to say sell out, but who is going to buy a business that is not prospering? We have got a 20-cent duty on malt, and I wish the Government would be kind enough to protect this industry too. I have shown you here in this paper that one-fourth of our product is the wages we pay. I must say that I was very much astonished when Mr. BUTTERWORTH sent me a copy of the Mills bill and I then discovered that there was no import duty on these goods.

Senator VANCE. You did not know what was the matter until you found out that there was no duty on foreign goods?

Mr. BOECKE. No, sir. Now, when they sell their imported goods to the Dayton Soldiers' Home at 6¾ cents a pound, our factories can not compete with that price at all, although they are so near to the place, and have the best flour and the best machinery in the world. Still, if we competed with such prices as that we could not make anything at all, because of the large amount that is paid for labor.

Senator VANCE. According to your showing here you pay about 50 cents a day to your labor; that is not a very large amount to pay for labor?

Mr. BOECKE. To the girls and boys we pay about $4.

Senator VANCE. You said the average was about $3.50?

Mr. BOECKE. Yes.

Senator VANCE. That is a little over 50 cents a day.

Mr. BOECKE. Yes.

Senator VANCE. While in Italy they pay from 6 to 10 cents a day?

Mr. BOECKE. The wages is a big element, Senator.

Senator VANCE. I know it is a big element, of course.

Mr. BOECKE. We would like to have 3 cents a pound on 1-pound packages, and 2 cents a pound where it is loose or in bulk. That would be a big thing for us.

That is just what the committee have given him.

Senator VANCE. Three cents a pound would be nearly 50 per cent. duty ad valorem.

Mr. BOECKE. We can not sell our best goods for less than 8 cents a pound.

Senator VANCE. And yet foreign goods are laid down in Dayton for 6¾ cents a pound.

Mr. BOECKE. Some people make a distinction between foreign goods, even if they are made better here, and domestic goods. There are so many people that are not able to tell the real difference between the two, and that is the mischief. One grocer in Cincinnati told me that the people wanted the imported goods whether they knew what they were or not. But I dare say that with our fine flour and better machinery than they have over there we can make the goods here much better than they can be made there, and still parties will say that they want the fine imported goods. As I said, if it was the case of Havana cigars, sardines, or olive oil, something that we could not make here, then I would admit it, but these articles can be made much better here, or at least just as well in this country as they can be made abroad. I think 2 or 3 cents a pound would not amount to much, and I think you ought to allow that, because, as I say, we are struggling, actually struggling for existence. And so far as making money is concerned, I have only been in business three months myself, and yet I have been informed by my partner that last year he lost money. They sent me here because I am the oldest man in the concern, and I came to Senator SHERMAN, and he told me to come here. Two or 3 cents a pound is certainly not asking too much. You can not do any better than that. They ask for more than that in this petition that I have presented, as you will see.

Senator VANCE. What shall we do with the money when it comes into the Treasury? We have more there now than is needed. Do you think that we ought to impose a tax for your especial benefit?

Mr. BOECKE. You gentlemen will take care of that. The taking off of the duty in 1883 must have been an oversight; at any rate it was an indiscretion and foolishness.

Senator VANCE. You were not in this business at that time?

Mr. BOECKE. No; not as an individual. This is a struggling industry, as I have said. Those people who eat macaroni can very well afford to pay this little tariff that we ask; it amounts to hardly anything.

Which piece of political philosophy I commend to the Senator from Connecticut [Mr. HAWLEY].

It is not like imposing a big rate of duty upon an article of necessity. I think you ought to try to persuade your committee to put a duty of at least 3 cents or 2 cents on this kind of goods. I do not think that is asking too much.

Senator VANCE. There is a man down in my country who is driving a pair of mules; his industry is also struggling, and he gets 75 cents a day and boards himself. What are we to do for him? He makes nothing to sell that could be benefited by any tariff.

Mr. BOECKE. In the first place, he has no one to do for but himself; he has no industry.

Senator VANCE. You have no one to do for but yourself and your family, who are dependent upon you, just as that man's family are dependent upon him. If we impose a tax in favor of people to support and help along every man who is making something that comes in competition with foreign products, what are we to do for this poor man in my country, and who can not be reached by any tariff?

Mr. BOECKE. That is very true, Mr. Senator; but in our industry our firm has been barely able to get along.

Senator VANCE. This poor fellow does not get along; there is no place for him to go, though he is bound to live.

Mr. BOECKE. It is but very little that anybody will have to pay in consequence of this tariff; it is so small that it does not amount to anything, you might say.

Senator VANCE. Then, if it is so little, it does not matter to you whether we put it on or not?

Mr. BOECKE. But it is a big thing to us.

Senator VANCE. It might be a big thing to this poor man I speak of to add that much to the price of his dinner.

Mr. BOECKE. If you add 2 or 3 cents to the price of macaroni, that doesn't amount to anything scarcely for him, but it amounts to a great deal for me and for my family. It is a big thing for those who are engaged in its manufacture.

Senator HISCOCK. Do you want more than 2 cents a pound?

Mr. BOECKE. We would like to have 3 cents a pound on 1-pound packages.

Senator HISCOCK. Could you not get along right straight through with 2 cents a pound?

Now, that's a good fellow!

Mr. BOECKE. Yes, I could.

Senator HISCOCK. That would be doing a good deal better than you are now?

Mr. BOECKE. Yes. I am only one in the trade.

Senator HISCOCK. What does the Mills bill do for you?

Mr. BOECKE. It does not do anything. To my astonishment, when I wrote to Mr. BUTTERWORTH to send me a copy of the Mills bill, I found that there was no import duty on macaroni.

Senator HISCOCK. It is on the free-list, is it not?

Mr. BOECKE. Yes. Then I wrote to Senator SHERMAN, and he wrote me a letter, saying——

Senator HISCOCK. Do you want it on the free-list?

Mr. BOECKE. No, sir; without protection we all know that everything would not go along as smoothly as it does now. I do not understand why it was put on the free-list in 1883.

Senator HISCOCK. I do not know, unless it was upon the theory that at that time we were the great flour-producing country of the earth, and that with our machinery and facilities we could produce macaroni as cheaply here as anywhere else.

Mr. BOECKE. In Cincinnati I think they must be sleepy-heads and not watch out for their own interests in the business, and probably it was done on account of carelessness and inattention. But when we pay out one-fourth of our product in wages we think we are entitled to protection.

That is the history of the whole concern. He epitomizes all the arguments in favor of a protective tariff. Although his establishment had been going ever since 1883 on free trade and without any protection, because, as the Senator from New York suggested, this was the greatest flour-producing country on the earth, and, as the witness said, they had the best machinery and the cheapest sugar in the world and all the facilities for making it, yet never until the cry of protection was dinned into his ears did he find out that he was not making as much money as he ought. He thinks 2 cents a pound, as he says, would be a good thing for him. I think it would, too.

I move to strike out the paragraph and remit this article to the free-list, where it belongs.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from North Carolina. [Putting the question.] The noes appear to have it.

Mr. VANCE. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. EVARTS (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN], and therefore withhold my vote.

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

The roll-call was concluded.

Mr. COKE. I was requested by the Senator from Missouri [Mr. VEST] to state that he is absent from the Senate Chamber at work on a conference committee, and is paired with the junior Senator from Kansas [Mr. PLUMB]. If the Senator from Missouri were here, he would vote "yea."

Mr. WALTHALL. I desire to announce my pair with the Senator from Wisconsin [Mr. SPOONER], and the pair of my colleague [Mr. GEORGE] with the Senator from New Hampshire [Mr. BLAIR].

The result was announced—yeas 19, nays 22; as follows:

YEAS—19.

Bate,	Coke,	Jones of Arkansas,	Saulsbury,
Berry,	Colquitt,	Pasco,	Turpie,
Blodgett,	Daniel,	Pugh,	Vance,
Butler,	Gray,	Ransom,	Wilson of Md.
Call,	Harris,	Reagan,	

NAYS—22.

Aldrich,	Dolph,	Hoar,	Stewart,
Allison,	Edmunds,	Morrill,	Stockbridge,
Chace,	Frye,	Paddock,	Teller,
Chandler,	Hale,	Palmer,	Wilson of Iowa.
Cullom,	Hawley,	Sawyer,	
Davis,	Hiscock,	Sherman,	

ABSENT—35.

Beck,	Evarts,	Jones of Nevada,	Quay,
Blackburn,	Farwell,	Kenna,	Riddleberger,
Blair,	Faulkner,	Manderson,	Sabin,
Bowen,	George,	McPherson,	Spooner,
Brown,	Gibson,	Mitchell,	Stanford,
Cameron,	Gorman,	Morgan,	Vest,
Cockrell,	Hampton,	Payne,	Voorhees,
Dawes,	Hearst,	Platt,	Walthall.
Eustis,	Ingalls,	Plumb,	

So the amendment was rejected.

The PRESIDING OFFICER. The reading will proceed.

The Chief Clerk read as follows:

277. Milk, preserved or condensed, including weight of packages, 3 cents per pound.

278. Mustard, ground or preserved, in bottles or otherwise, 10 cents per pound.

279. Spices, ground or powdered, not specially enumerated or provided for in this act, 4 cents per pound.

280. Nuts.—Almonds, not shelled, 5 cents per pound; clear almonds, shelled, 7½ cents per pound.

281. Filberts and walnuts of all kinds, 2 cents per pound.

282. Peanuts or ground-beans, unshelled, 1 cent per pound; shelled, 1½ cents per pound.

283. Nuts of all kinds, shelled or unshelled, not specially enumerated or provided for in this act, 1½ cents per pound.

284. Oats, 10 cents per bushel.

285. Oatmeal, one-half of 1 cent per pound.

286. Pease, green or dried, in bulk or in barrels, sacks, or similar packages, per bushel of 60 pounds, 10 cents; split pease, per bushel of 60 pounds, 20 cents; pease in cartons, papers, or other small packages, one-half of 1 cent per pound.

287. Rice.—Cleaned, 1 cent per pound; uncleaned rice and rice flour and meal, one-half of 1 cent per pound; rice, broken, which will pass through a sieve known commercially as No. 12 wire sieve, and paddy, one-fourth of 1 cent per pound.

Mr. BUTLER. If it is entirely agreeable to the Senator from Iowa and the committee, I should be very much obliged if they would allow paragraph 287 to be passed over informally for the present.

Mr. ALLISON. I will say to the Senator that amendments can be offered at any time to any paragraph of the bill.

Mr. BUTLER. I have no amendment ready now, but I think I shall have some to offer to this item.

Mr. ALLISON. Very well.

The PRESIDING OFFICER. The reading will proceed.

The Chief Clerk read as follows:

288. Rye-flour, one-half of 1 cent per pound.

Mr. VANCE. The next paragraph refers to salt. I have some remarks to offer on salt which I do not feel able to do this evening. I ask that that paragraph may go over.

Mr. ALDRICH. It can be taken up at any time.

Mr. VANCE. If I may be permitted to recur to it, very well.

The PRESIDING OFFICER. Does the Senator from North Carolina ask that the paragraph be passed over?

Mr. VANCE. Let it be read, with permission to recur to it hereafter.

The PRESIDING OFFICER. The reading will proceed.

The Chief Clerk read as follows:

289. Salt.—Salt in bags, sacks, barrels, or other packages, 12 cents per 100 pounds; in bulk, 8 cents per 100 pounds: *Provided*, That exporters of meats, whether packed or smoked, which have been cured in the United States with imported salt, shall, upon satisfactory proof, under such regulations as the Secretary of the Treasury shall prescribe, that such meats have been cured with imported salt, have refunded to them from the Treasury the duties paid on the salt so used in curing such exported meats, in amounts not less than $100: *And provided further*, That imported salt in bond may be used in curing fish taken by vessels licensed to engage in the fisheries, and in curing fish on the shores of the navigable waters of the United States, under such regulations as the Secretary of the Treasury shall prescribe; and upon proof that the salt has been used for either of the purposes stated in this proviso the duties on the same shall be remitted.

290. Seeds.—Castor beans or seeds, 25 cents per bushel of 50 pounds.

291. Garden-seeds, agricultural seeds, and other seeds, not specially enumerated or provided for in this act, 20 per cent. ad valorem.

292. Flaxseed or linseed, and other oil seeds, not specially enumerated or provided for in this act, 20 cents per bushel of 56 pounds; but no drawback shall be allowed on oil-cake made from imported seed.

293. Starch, including all preparations, from whatever substance produced, fit for use as starch, 2 cents per pound.

294. Tallow, 1 cent per pound.

Mr. VANCE. In paragraph 293, line 1096, I move to strike out "2 cents" and insert "1 cent" per pound as the duty on starch.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. In paragraph 293, line 1096, it is proposed to strike out "2 cents" and insert "1 cent;" so as to read:

293. Starch, including all preparations, from whatever substance produced, fit for use as starch, 1 cent per pound.

Mr. VANCE. That is an article of universal consumption, an absolute necessity. It is made very cheaply; and with the means of making it as cheaply in this country as anywhere in the world, I think the duty ought to be reduced.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from North Carolina.

Mr. VANCE. Let us have the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GRAY (when his name was called). I am paired with the senior Senator from Illinois [Mr. CULLOM].

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB], or I should vote "yea."

The roll-call was concluded.

Mr. TELLER. I am paired with the Senator from Louisiana [Mr. GIBSON]. If he were present, I should vote "nay."

Mr. EVARTS. I am paired with the Senator from Alabama [Mr. MORGAN], and therefore withhold my vote.

Mr. PUGH. I wish to inquire if a quorum is present and voting.

The PRESIDING OFFICER. A quorum has not yet voted.

Mr. PUGH. Then I vote "yea."

The result was announced—yeas 18, nays 22; as follows:

YEAS—18.

Bate,	Call,	Harris,	Turpie,
Berry,	Coke,	Pasco,	Vance,
Blackburn,	Colquitt,	Pugh,	Walthall.
Blodgett,	Faulkner,	Ransom,	
Butler,	Gorman,	Reagan,	

NAYS—22.

Aldrich,	Frye,	Morrill,	Spooner,
Allison,	Hale,	Paddock,	Stewart,
Chace,	Hawley,	Palmer,	Stockbridge,
Chandler,	Hiscock,	Quay,	Wilson of Iowa.
Davis,	Hoar,	Sawyer,	
Dawes,	Manderson,	Sherman,	

ABSENT—36.

Beck,	Edmunds,	Ingalls,	Plumb,
Blair,	Eustis,	Jones of Arkansas,	Riddleberger,
Bowen,	Evarts,	Jones of Nevada,	Sabin,
Brown,	Farwell,	Kenna,	Saulsbury,
Cameron,	George,	McPherson,	Stanford,
Cockrell,	Gibson,	Mitchell,	Teller,
Cullom,	Gray,	Morgan,	Vest,
Daniel,	Hampton,	Payne,	Voorhees.
Dolph,	Hearst,	Platt,	Wilson of Md.

So the amendment was rejected.

The PRESIDING OFFICER. The reading will proceed.

The Chief Clerk read as follows:

295. Vegetables of all kinds, prepared or preserved, including pickles and sauces of all kinds, not specially enumerated or provided for in this act, 35 per cent. ad valorem.

Mr. VANCE. I move to strike out paragraph 294, so as to place tallow upon the free-list.

This is the greatest tallow-producing country in the world, and tallow ought to be on the free-list. It can not be said that we are not able to compete with the tallow of other countries, and free tallow would be of very great use to that large portion of the country which is engaged in soap-making, and enable the price of soap to be reduced.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Carolina, which will be stated.

The CHIEF CLERK. It is proposed to strike out paragraph 294, as follows:

294. Tallow, 1 cent per pound.

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB], or I should vote "yea."

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. GRAY (after having voted in the affirmative). I observe that the senior Senator from Illinois [Mr. CULLOM] is not in his seat, and I therefore withdraw my vote. I have a general pair with him.

Mr. TELLER. I am paired with the Senator from Louisiana [Mr. GIBSON]. If he were present, I should vote "nay."

Mr. BUTLER. I transferred my pair with the Senator from Pennsylvania [Mr. CAMERON] this morning to the Senator from Kentucky [Mr. BLACKBURN] and voted. The Senator from Nebraska [Mr. MANDERSON] being in his seat and the Senator from Kentucky having returned, I announce my pair with the Senator from Pennsylvania [Mr. CAMERON].

The result was announced—yeas 16, nays 19; as follows:

YEAS—16.

Bate,	Coke,	Jones of Arkansas,	Reagan.
Berry,	Colquitt,	Pasco,	Turpie,
Blackburn,	Faulkner,	Payne,	Vance,
Blodgett,	Harris,	Ransom,	Wilson of Md.

NAYS—19.

Aldrich,	Dolph,	Hoar,	Sherman,
Allison,	Frye,	Manderson,	Stewart,
Chace,	Hale,	Morrill,	Stockbridge,
Chandler,	Hawley,	Palmer,	Wilson of Iowa.
Davis,	Hiscock,	Sawyer,	

ABSENT—41.

Beck,	Edmunds,	Jones of Nevada,	Sabin,
Blair,	Eustis,	Kenna,	Saulsbury,
Bowen,	Evarts,	McPherson,	Spooner,
Brown,	Farwell,	Mitchell,	Stanford,
Butler,	George,	Morgan,	Teller,
Call,	Gibson,	Paddock,	Vest,
Cameron,	Gorman,	Platt,	Voorhees,
Cockrell,	Gray,	Plumb,	Walthall.
Cullom,	Hampton,	Pugh,	
Daniel,	Hearst,	Quay,	
Dawes,	Ingalls,	Riddleberger,	

The PRESIDING OFFICER. The vote having disclosed that there is not a quorum present, the Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Davis,	Jones of Arkansas,	Sherman,
Allison,	Evarts,	Manderson,	Stanford,
Bate,	Faulkner,	Mitchell,	Stewart,
Berry,	Frye,	Morrill,	Stockbridge,
Blackburn,	Gorman,	Paddock,	Teller,
Blodgett,	Gray,	Palmer,	Turpie,
Call,	Hale,	Pasco,	Vance,
Chace,	Harris,	Payne,	Vest,
Chandler,	Hawley,	Pugh,	Walthall,
Coke,	Hiscock,	Reagan,	Wilson of Iowa,
Colquitt,	Hoar,	Sawyer,	Wilson of Md.

The PRESIDING OFFICER. Forty-four Senators having answered to their names, the presence of a quorum is disclosed. The Secretary will again call the roll on the question of agreeing to the amendment of the Senator from North Carolina [Mr. VANCE].

Mr. ALLISON. The Senator from North Carolina having tested the sense of the Senate on this important question of tallow, I ask him to withdraw the call for the yeas and nays.

Mr. VANCE. Oh, yes; I withdraw the call for the yeas and nays.

The PRESIDING OFFICER. If there be no objection, the call for the yeas and nays is withdrawn, and the amendment is not agreed to. The reading will proceed.

The Chief Clerk read as follows:

296. Vegetables in their natural state, not specially enumerated or provided for in this act, 10 per cent. ad valorem.

Mr. VANCE. I move to strike out that entire paragraph.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. It is proposed to strike out paragraph 296, as follows:

296. Vegetables in their natural state, not specially enumerated or provided for in this act, 10 per cent. ad valorem.

Mr. VANCE. The bill which came to us from the House of Representatives put those perishable vegetables that hardly admit of importation, except for short distances across the line from Canada, on the free-list. I think there is where they ought to be, and therefore I move to strike out the paragraph.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment.

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BLAIR (when his name was called). I am paired with the senior Senator from Mississippi [Mr. GEORGE]; otherwise I should vote "nay."

Mr. BUTLER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. FAULKNER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. TELLER (when his name was called). I am paired with the Senator from Louisiana [Mr. GIBSON].

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. HALE (after having voted in the negative). I am paired with the Senator from Kentucky [Mr. BECK], and withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from Maine withdraws his vote.

The result was announced—yeas 19, nays 22; as follows:

YEAS—19.

Bate,	Coke,	Payne,	Turpie,
Berry,	Colquitt,	Pugh,	Vance,
Blackburn,	Harris,	Ransom,	Vest,
Blodgett,	Jones of Arkansas,	Reagan,	Wilson of Md.
Cockrell,	Pasco,	Saulsbury,	

NAYS—22.

Aldrich,	Frye,	Mitchell,	Sherman,
Allison,	Hawley,	Morrill,	Stewart,
Chandler,	Hiscock,	Paddock,	Stockbridge,
Davis,	Hoar,	Palmer,	Wilson of Iowa.
Dawes,	Ingalls,	Plumb,	
Dolph,	Manderson,	Sawyer,	

ABSENT—35.

Beck,	Brown,	Cameron,	Daniel,
Blair,	Butler,	Chace,	Edmunds,
Bowen,	Call,	Cullom,	Eustis,
Evarts,	Gray,	McPherson,	Spooner,
Farwell,	Hale,	Morgan,	Stanford,
Faulkner,	Hampton,	Platt,	Teller,
George,	Hearst,	Quay,	Voorhees,
Gibson,	Jones of Nevada,	Riddleberger,	Walthall.
Gorman,	Kenna,	Sabin,	

So the amendment was rejected.

Mr. VANCE. In the preceding paragraph, which was read without my observing it, I ask leave to offer an amendment in line 1100, striking out "five" after "thirty," so as to make the rate 30 per cent.

The PRESIDENT *pro tempore*. The amendment will be stated.

The SECRETARY. In paragraph 295, line 1100, after the word "act," it is proposed to strike out "thirty-five" and insert "thirty;" so as to read:

295. Vegetables of all kinds, prepared or preserved, including pickles and sauces of all kinds, not specially enumerated or provided for in this act, 30 per cent. ad valorem.

Mr. VANCE. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. VANCE. I wish to state before the vote is taken, for the benefit of those who may not have observed it, that this is an increase of the present duty of 5 per cent. My motion is to restore the present law.

The Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. GRAY (when his name was called). I am paired with the senior Senator from Illinois [Mr. CULLOM].

Mr. TELLER (when his name was called). I am paired with the Senator from Louisiana [Mr. GIBSON].

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. VEST (after having voted in the affirmative). Is the name of the junior Senator from Kansas [Mr. PLUMB] recorded?

The PRESIDENT *pro tempore*. It is not recorded.

Mr. VEST. I am paired with him, and withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from Missouri withdraws his vote.

Mr. BLAIR. If it is not too late I might transfer my pair with the Senator from Mississippi [Mr. GEORGE] to the Senator from Connecticut [Mr. PLATT]. That I ought to have done before, but by mistake I failed to do it; and if permitted I will do so now and vote.

The PRESIDENT *pro tempore*. The name of the Senator from New Hampshire will be called.

Mr. BLAIR. I vote "nay."

The result was announced—yeas 16, nays 24; as follows:

YEAS—16.

Bate,	Colquitt,	Pugh,	Turpie,
Berry,	Harris,	Ransom,	Vance,
Blackburn,	Pasco,	Reagan,	Walthall,
Coke,	Payne,	Saulsbury,	Wilson of Md.

NAYS—24.

Aldrich,	Dolph,	Ingalls,	Sawyer,
Allison,	Edmunds,	Manderson,	Sherman,
Blair,	Frye,	Mitchell,	Spooner,
Chace,	Hawley,	Morrill,	Stewart,
Chandler,	Hiscock,	Paddock,	Stockbridge,
Davis,	Hoar,	Palmer,	Wilson of Iowa.

ABSENT—36.

Beck,	Daniel,	Gray,	Platt,
Blodgett,	Dawes,	Hale,	Plumb,
Bowen,	Eustis,	Hampton,	Quay,
Brown,	Evarts,	Hearst,	Riddleberger,
Butler,	Farwell,	Jones of Arkansas,	Sabin,
Call,	Faulkner,	Jones of Nevada,	Stanford,
Cameron,	George,	Kenna,	Teller,
Cockrell,	Gibson,	McPherson,	Vest,
Cullom,	Gorman,	Morgan,	Voorhees,

So the amendment was rejected.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House insisted upon its amendment to the bill (S. 1931) to increase appropriation for the purchase of a site for a building for a post-office, court-house, and other offices in San Francisco, Cal., agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. DIBBLE, Mr. NEWTON, and Mr. POST managers at the conference on the part of the House.

The message also returned to the Senate in compliance with its request the bill (S. 139) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861.

The message further announced that the House had agreed to the amendments of the Senate to the resolution of the House fixing the date for the adjournment of Congress.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 10023) to authorize the Cairo and Tennessee River Railroad Company to construct bridges across the Tennessee River; and

A bill (H. R. 10323) to incorporate the American Historical Association.

The message further announced that the House had passed a bill (H. R. 11878) making appropriations to supply a deficiency in the appropriation for public printing and binding for the fiscal year ending June 30, 1889, and for other purposes; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bill and joint resolution; and they were thereupon signed by the President *pro tempore:*

A bill (H. R. 2579) authorizing the President to appoint and retire Andrew J. Smith, late colonel of the Seventh United States Cavalry and a major-general of volunteers; and

Joint resolution (H. Res. 236) to pay the officers, clerks, and employés of Congress their salary for December on December 20, 1888.

BILLS INTRODUCED.

Mr. HOAR introduced a bill (S. 3751) for the relief of certain settlers in Hettinger County, Dakota; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. FAULKNER introduced a bill (S. 3752) to incorporate the Homestead Savings Bank of Washington, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. GORMAN introduced a bill (S. 3753) for the relief of Franklin Rives and Wright Rives; which was read twice by its title, and referred to the Committee on Claims.

Mr. HISCOCK introduced a bill (S. 3754) to construct a road from the village of Plattsburgh, N. Y., through and along the Government military reservation in said village; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. CALL introduced a joint resolution (S. R. 123) tendering the thanks of Congress to certain physicians for services rendered in the treatment of the recent yellow-fever epidemic; which was read twice by its title, and referred to the Committee on Epidemic Diseases.

GEORGE F. ROBERTS.

Mr. TURPIE submitted the following resolution:

Resolved, That the Secretary of the Treasury be, and is hereby, requested to estimate the amount required to pay George F. Roberts, administrator, etc., Silas Q. Howe, and Henry W. Smith, the alleged excess money erroneously collected as set forth in Senate bill No. 2001, first session Fiftieth Congress, and report the amount for the information of the Senate.

Mr. WILSON, of Iowa. I move to amend the resolution by striking out the word "requested" and inserting "directed," as that is the usual form.

Mr. TURPIE. I accept the amendment.

The PRESIDENT *pro tempore*. The resolution will be so modified.

The resolution as modified was agreed to.

HOUSE BILL REFERRED.

Mr. HALE. I ask that the House bill making appropriations to meet certain deficiencies may be taken up and referred to the Committee on Appropriations at once.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a bill from the House of Representatives.

The bill (H. R. 11878) making appropriations to supply a deficiency in the appropriation for public printing and binding for the fiscal year ending June 30, 1889, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

OFFICE OF SUPERVISING ARCHITECT.

Mr. TELLER. I ask leave to offer a resolution, and ask its present consideration:

Whereas there have recently appeared in the press of the country certain charges of irregularities and violations of law in the conduct of the office of the Supervising Architect of the Treasury as to the selection of sites for public buildings, the letting of contracts for the erection thereof, the methods in which plans and specifications and contracts have been prepared and drawn, and otherwise: Now, therefore,

Resolved, That the Committee on Public Buildings and Grounds be, and the same is hereby, authorized and instructed to make, either by the committee or a subcommittee thereof, an investigation into the conduct of the office of the Supervising Architect of the Treasury Department during the administration of the present Supervising Architect, and for that purpose the committee, or said subcommittee, if appointed, is authorized and empowered to send for persons and papers and to administer oaths; said committee to report by bill or otherwise.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. VEST. Let it go over.

The PRESIDENT *pro tempore*. The resolution will lie over under the rules.

Mr. VEST. The resolution goes over, and it will be printed under the rules, I suppose.

The PRESIDENT *pro tempore*. It will be printed.

TREASURY BOND PURCHASES.

Mr. PLUMB. I submit a resolution, and ask for its present consideration.

The PRESIDENT *pro tempore*. The resolution will be read.

The Chief Clerk read as follows:

Resolved, That the Secretary of the Treasury be, and hereby is, directed to report to the Senate, at the earliest possible moment, a full statement of all purchases of bonds made by the Treasury Department, during the period from March 4, 1885, to date, specifying in detail the classes of bonds, amount and date of purchase, the party from whom purchased, the price paid, the market quotations in New York at the date of respective purchases, and in addition thereto a statement of bids rejected, showing date of bid, premium asked, and market quotations; also showing the available surplus in the Treasury on the 1st of each month during the period above named.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. GORMAN. I have no objection to the general scope of the inquiry, but I suggest to the Senator who offers the resolution whether he thinks it proper in that connection to have a report as to the names of the persons from whom the bonds were purchased. Does the Senator desire to be informed from whom they were purchased? The remainder of the resolution I have no objection to.

Mr. PLUMB. We have already had a partial statement of that kind which, I think, has done no harm, and I do not see, as this is no larger or wider in scope than the resolution formerly adopted, that any harm is to come to the public service from the adoption of this.

Mr. GORMAN. Then I object to the present consideration of the resolution. Let it go over until to-morrow.

The PRESIDENT *pro tempore*. It will go over under the rule.

Mr. COCKRELL. Let it be printed.

The PRESIDENT *pro tempore*. The resolution will be printed and lie over.

RETURN OF DIRECT TAXES.

Mr. SHERMAN. I ask that the message from the House of Representatives in regard to the direct-tax bill be laid before the Senate.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a message from the House of Representatives, which will be read.

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, *December* 20, 1888.

Ordered, That the Clerk be directed to return to the Senate, in compliance with its request, the bill (S. 139) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861.

Mr. SHERMAN. I formerly moved the reconsideration of the vote by which a committee of conference was ordered. I now move that the bill with the amendments of the House of Representatives be referred to the Committee on Finance.

The motion was agreed to.

THE REVENUE LAWS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

The PRESIDENT *pro tempore*. The reading will proceed.

The Secretary read as follows:

297. Potatoes, per bushel of 60 pounds, 15 cents.

298. Vinegar, 7½ cents per gallon. The standard for vinegar shall be taken to be that strength which requires 35 grains of bicarbonate of potash to neutralize 1 ounce Troy of vinegar.

299. Wheat, 20 cents per bushel.

300. Wheat-flour, 20 per cent. ad valorem.

SCHEDULE H.—WINES, LIQUORS, ETC.

301. Champagne and all other sparkling wines, in bottles containing each not more than 1 quart and not more than 1 pint, $7 per dozen; containing not more than 1 pint each and more than one-half pint, $3.50 per dozen; containing one-half pint each or less, $1.75 per dozen; in bottles or other vessels containing more than 1 quart each, in addition to $7 per dozen bottles on the quantity in excess of 1 quart, at the rate of $2.25 per gallon.

302. Still wines, including ginger wine or ginger cordial and vermuth, in casks, 60 cents per gallon; in bottles or jugs, per case of 1 dozen bottles or jugs, containing each not more than 1 quart and more than 1 pint, or 24 bottles or jugs containing each not more than 1 pint, $1.60 per case; and any excess beyond these quantities found in such bottles or jugs shall be subject to a duty of 5 cents per pint or fractional part thereof: *Provided*, That any wines, ginger cordial, or vermuth imported containing more than 24 per cent. of alcohol shall be forfeited to the United States: *And provided further*, That there shall be no constructive or other allowance for breakage, leakage, or damage on wines, liquors, cordials, or distilled spirits. Wines, cordials, brandy, and other spirituous liquors imported in bottles or jugs shall be packed in packages containing not less than 1 dozen bottles or jugs in each package; and all such bottles or jugs shall pay an additional duty of 3 cents for each bottle or jug.

Mr. VANCE. I desire to ask the Senators having this bill in charge why it is necessary to increase the duty on still wine in casks from 50 cents a gallon to 60 cents a gallon, an increase of 20 per cent., and increasing the revenues about $340,000. That seems to be the effect of the addition of 10 cents per gallon. I ask for information. If there is any necessity for it, I have nothing more to say.

Mr. ALLISON. The object of the committee was to aid our California friends in making pure wine.

Mr. VANCE. Well, that is an answer, most undoubtedly, but how the addition of 10 cents per gallon will enable them to make their wines pure I can not see. All they have to do to make wine pure, I suppose, is to observe the proper processes and use the proper materials.

There is an increase of $340,000 in the revenue. I suppose that is for the benefit of the wine-growers.

Mr. ALLISON. I will say to the Senator that in addition to that it will enable us to take off some taxes which are now imposed in other directions.

Mr. VANCE. That is a good reason, but unfortunately I see no evidence of that reason being carried out yet. The duty, as you will observe, on wine in quart bottles is 29 per cent., whereas it is 85 per cent. on still wine in casks. The general rule of commerce, I believe, is to make a discount where an article is taken by the wholesale, but here the discount is taken on the retail. The less a man buys the cheaper he gets it. Twenty-nine per cent. on a bottle containing not more than a quart, and 37 per cent. per dozen on bottles containing a pint or less. There seems to be an incongruity, an inconsistency in the whole schedule of the duties upon wines, and I rose to ask for the reason of it.

I move to strike out, in line 1124, the word "sixty" and insert "fifty;" so as to read:

Fifty cents per gallon.

The PRESIDENT *pro tempore*. The amendment will be stated.

The SECRETARY. In paragraph 302, line 1124, before the word "cents," it is proposed to strike out "sixty" and insert "fifty;" so as to read:

302. Still wines, including ginger wine or ginger cordial and vermuth, in casks, 50 cents per gallon.

The amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Secretary read as follows:

303. Brandy and other spirits manufactured or distilled from grain or other materials, and not specially enumerated or provided for in this act, $2 per proof gallon.

304. Each and every gauge or wine gallon of measurement shall be counted as at least 1 proof gallon; and the standard for determining the proof of brandy and other spirits or liquors of any kind imported shall be the same as that which is defined in the laws relating to internal revenue; but any brandy or other spirituous liquors, imported in casks of less capacity than 14 gallons or in bottles of less capacity than one quart, shall be forfeited to the United States: *Provided*, That it shall be lawful for the Secretary of the Treasury, in his discretion, to authorize the ascertainment of the proof of wines, cordials, or other liquors by distillation or otherwise in case where it is impracticable to ascertain such proof by the means prescribed by existing law or regulations.

305. On all compounds or preparations of which distilled spirits are a component part of chief value, not specially enumerated or provided for in this act, there shall be levied a duty not less than that imposed upon distilled spirits.

306. Cordials, liquors, arrack, absinthe, kirchwasser, ratafia, and other similar spirituous beverages or bitters containing spirits, and not specially enumerated or provided for in this act, $2 per proof gallon.

307. No lower rate or amount of duty shall be levied, collected, and paid on brandy, spirits, and other spirituous beverages than that fixed by law for the description of first proof; but it shall be increased in proportion for any greater strength than the strength of first proof, and all imitations of brandy or spirits or wines imported by any names whatever shall be subject to the highest rate of duty provided for the genuine articles respectively intended to be represented, and in no case less than $1 per gallon.

308. Bay-rum or bay-water, whether distilled or compounded, of first proof, and in proportion for any greater strength than first proof, $1 per gallon.

309. Ale, porter, and beer, in bottles or jugs, 35 cents per gallon; otherwise than in bottles or jugs, 20 cents per gallon.

310. Malt extract.—Fluid, in casks, 20 cents per gallon; in bottles or jugs, 40 cents per gallon; solid or condensed, 40 per cent. ad valorem.

311. Cherry juice and prune juice, or prune wine, and other fruit juice, not specially enumerated or provided for in this act, containing not more than 24 per cent. of alcohol, 60 cents per gallon; if containing more than 24 per cent. of alcohol, $2 per gallon.

312. Ginger-ale, ginger-beer, lemonade, soda-water, and other aerated waters in plain green or colored molded or pressed glass bottles, containing each not more than three-fourths of a pint, 25 cents per dozen; containing more than three-fourths of a pint each and not more than 1½ pints, 50 cents per dozen; but no separate or additional duty shall be assessed on the bottles; if imported otherwise than in plain green or colored molded or pressed glass bottles, or in such bottles containing more than 1½ pints each, 50 cents per gallon; and in addition thereto, duty shall be collected on the bottles, or other coverings, at the rates which would be chargeable thereon if imported empty.

SCHEDULE I.—COTTON MANUFACTURES.

Mr. VEST. Mr. President——

Mr. ALLISON. The Senator from Missouri will pardon me a moment. In paragraph 302, line 1128, I move to strike out "sixty" and insert "eighty." I will say to Senators that that is to make the duty on still wine in bottles in exact proportion to that on still wine in casks.

The PRESIDENT *pro tempore*. The amendment will be reported.

The SECRETARY. In paragraph 302, line 1128, before the word "cents," it is proposed to strike out "sixty" and insert "eighty;" so as to read:

302. Still wines, including ginger wine or ginger cordial and vermuth, in casks, 60 cents per gallon; in bottles or jugs, per case of one dozen bottles or jugs, containing each not more than one quart and more than one pint, or twenty-four bottles or jugs containing each not more than one pint, $1.80 per case.

Mr. VANCE. I have never found any difficulty in obtaining the consent of the Senators on that side to the leveling-up process. They are perfectly willing to the equalization of duties if that equalization goes heavenwards, but when it comes to leveling down they are generally not found willing to do it.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Iowa [Mr. ALLISON].

The amendment was agreed to.

Mr. ALLISON. I desire to level up also in line 1130 of the same paragraph, by striking out "five" and inserting "seven and a half."

The PRESIDENT *pro tempore*. The amendment will be stated.

The SECRETARY. In paragraph 302, line 1130, before the word "cents," it is proposed to strike out "five" and insert "seven and one-half;" so as to read:

And any excess beyond these quantities found in such bottles or jugs shall be subject to a duty of 7½ cents per pint or fractional part thereof.

The amendment was agreed to.

Mr. VEST. I understood yesterday that the schedule on cotton and the manufactures of cotton would not be taken up to-day. I understood the Senator from Iowa to state that after we had finished the two last schedules, which we have done, then we should stop on this bill for to-day. I will say that I propose to make a motion in regard to the first item in the cotton schedule, but not expecting that it would be taken up to-day I left the statement at my residence. I am not prepared to-day to go on with the bill. I have been misled entirely.

Mr. ALLISON. I did not mean to say yesterday that we should stop at any particular point in the bill to-day. I only meant to say that we should pass over the sugar and wood schedules, but I have no objection, if the Senator prefers, to pass over for the time being the cotton schedule, if it be understood that we can go back to that to-morrow morning. I am willing to go on, with the consent of the Senate, leaving all these textile schedules for the time being and go over to "Schedule M, books, papers, etc."

The PRESIDENT *pro tempore*. What number?

Mr. ALLISON. Page 152, Schedule M.

Mr. VEST. I hope that will not be done. I am not prepared, for myself, to go on with the matter. I was called out to-day on a conference committee, and have been unable to be in the Senate during all the time the bill has been under consideration, but I thought honestly, as I stated, that after finishing the last two schedules we would stop work upon the bill for to-day. I am not ready to go on now.

Mr. VANCE. On yesterday evening before the adjournment I appealed to the Senator from Iowa, in consideration of the situation on this side of the Chamber in relation to these schedules, to designate before adjournment each day what would be considered the next day, if he could, in order that we might be prepared for the particular things to be considered. Here is what occurred:

Mr. VANCE. I was going to suggest that I should be glad if the Senator from Iowa would say definitely on this evening or on any evening what is to be considered the next day, so that those of us who may have occasion to prepare can obtain the information necessary.

The PRESIDENT *pro tempore*. What page in the RECORD?

Mr. VANCE. Page 371.

Mr. ALLISON. That was my object in making the statement to-night. The schedules to be considered next will be Schedule F, tobacco, and Schedule G, provisions. We can go on regularly with the schedules to-morrow morning.

I understood that to mean that we should not be asked to go on with any of these schedules, except the two we have considered to-day. I admit that the language of the Senator from Iowa, as it appears in the RECORD, does not positively imply that, but that was my understanding. I am in the position of the Senator from Missouri [Mr. VEST]. I am not prepared to do justice to these schedules this evening.

Mr. ALLISON. Well, Mr. President, I suggest that we go on with the free-list, and it might be well to consider that now if Senators are not ready to proceed with the other schedules.

Mr. VEST. We might as well go on with one schedule as another if we are to go on without preparation. I have not any choice if we are to be forced into it. We have agreed upon the day on which the vote is to be taken, and it is a matter of the personal convenience of Senators as to how we shall proceed. Nobody can get any advantage.

Mr. JONES, of Arkansas. I suggest to the Senator from Iowa that the method of proceeding on the part of the subcommittee is not fair in another respect. Whenever a schedule is reached on which the committee are not prepared to take action, they propose to have it go over until the rest of the bill is disposed of, and then they propose to take that up. In a number of instances where that has been the case, members of the Senate who expected to go on regularly have been prepared and ready to proceed with the schedule, but when reached it has been passed over at the request of the committee.

Now, when the committee have had charge of the matter for months, when they have known it would be under consideration before the House bill came up, and when they have had the House bill in their hands for a long while, it seems to me to be reasonable that some sort of consideration ought to be had for the wishes of Senators on this side, who would like to know at least a few hours beforehand what is going to be considered by the Senate.

Mr. ALLISON. I do not wish to be unfair, and this is the first intimation we have had that the committee has been unfair in any matter connected with the consideration of this bill. I do not see why we can not go on with the free-list. I think the Senator from North Carolina [Mr. VANCE] at least must be prepared for that. We could see whether or not there are things in this free-list which should be struck from it and put on the dutiable-list, or it may be that the Senator from North Carolina would be glad to add something to the free-list that is not there now, and that would make progress. Of course the only ob-

ject I have is to go on with this bill, so that during the last two or three days or week of the session we shall not be pressed into the consideration of the items of this bill unduly. Of course I desire to accommodate the convenience of Senators as much as possible.

Mr. VANCE. The Senator will perhaps remember that we agreed this morning upon a definite time to determine the consideration of this bill, so that I do not see anything to be gained now by applying whip and spur when we are not due until a certain time at a certain point.

Mr. ALLISON. Then, Mr. President, as I understood the Senator from Minnesota [Mr. DAVIS] to say that he desired at some time this afternoon to consider pension bills, I am willing to give way to accommodate Senators.

Now, I give notice that to-morrow I shall ask the Senate to consider the cotton schedule, the flax, hemp, and jute schedule, the wool and woolen schedule, and the silk schedule. If we get through with those to-morrow I shall be glad.

Mr. VANCE. I should think so. [Laughter.] If we get through with those to-morrow we shall do a tolerably fair day's work, I think. [Laughter.] That is a very definite and very generous response to the request made on this side that the work should be designated on the evening before that was expected to be done the next day. We are also indebted to the courtesy of the Senator from Iowa for passing over schedules at our request this evening, inasmuch as a Senator on his side desires to do something else.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed a bill (H. R. 11795) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1890, and for other purposes; in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7935) for the relief and civilization of the Chippewa Indians in the State of Minnesota.

The message further announced that the House insisted upon its amendment to the bill (S. 3155) granting an increase of pension to Eliza J. Alexander, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BLISS, Mr. BUTLER, and Mr. DE LANO managers at the conference on the part of the House.

CONSIDERATION OF PENSION BILLS.

Mr. DAVIS. I move that the Senate proceed to the consideration of private pension bills on the Calendar which are not objected to.

Mr. STEWART. I ask the Senator to give way for one moment and let me call up Senate bill 3677 to open abandoned military reservations in the State of Nevada to homestead entry.

Mr. DAVIS. Will it lead to discussion?

Mr. STEWART. There will be no discussion. If there is, I will give way.

The PRESIDENT *pro tempore*. Does the Senator from Minnesota yield the floor?

Mr. DAVIS. For that purpose alone, if I can retain my rights.

Mr. EDMUNDS. If we are to go on with the pension cases, let us go on with them.

Mr. STEWART. I appeal to the Senator from Vermont to let the title of the bill be read, and then, I think, he will let it go through.

The PRESIDENT *pro tempore*. The Senator from Iowa [Mr. ALLISON] yielded to the Senator from Minnesota [Mr. DAVIS].

Mr. EDMUNDS. I call for the regular order.

The PRESIDENT *pro tempore*. Does the Senator from Minnesota [Mr. DAVIS] yield to the Senator from Nevada [Mr. STEWART]?

Mr. DAVIS. I insist on my motion to take up pension cases.

The motion was agreed to.

The PRESIDENT *pro tempore*. The Secretary will report the first private pension bill on the Calendar.

MRS. R. S. HORTON.

The CHIEF CLERK. Order of Business 2312, a bill (H. R. 8) to restore Mrs. R. S. Horton upon the pension-roll.

Mr. COCKRELL. A question was raised by me on that bill before, and I have a copy somewhere marked with an amendment that I intended to offer. It is a question as to whether this bill will carry arrears of pension. I believe it has not been the habit of the committee to allow arrears. I suggest that the words be added "and pay her a pension from the date of the passage of this act."

Mr. DAVIS. Let the bill go over. Is was reported by the Senator from West Virginia [Mr. FAULKNER]. It is a bill for the restoration of the pensioner, and I should prefer that it go over and not be acted on now.

The PRESIDENT *pro tempore*. The bill will be passed over without prejudice.

JESSE SPENCER.

The bill (H. R. 9663) granting a pension to Jesse Spencer was considered as in Committee of the Whole. It proposes to place upon the pension-roll the name of Jesse Spencer, late a private of Company M, Second Regiment of Pennsylvania Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FREDERICKA LIESEGANG.

The bill (H. R. 11317) granting a pension to Fredericka Liesegang was considered as in Committee of the Whole. It proposes to place upon the pension-roll the name of Fredericka Liesegang, widow of Ernest Christian Liesegang, late of Company H, Seventy-eighth Regiment New York Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEAMAN L. BOWERS.

The bill (H. R. 10433) for the relief of Leaman L. Bowers was considered as in Committee of the Whole. It proposes to place the name of Leaman L. Bowers, late second sergeant of Company H, of the Tenth Regiment of Pennsylvania Reserves, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM R. RODGERS.

The bill (H. R. 11362) for the relief of William R. Rodgers was considered as in Committee of the Whole. It proposes to increase the rate of pension now allowed to William R. Rodgers, late a private of Company F, of the Twenty-seventh Regiment of Ohio Volunteer Infantry, war of 1861, from $8 per month to $50 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AARON R. GILKISON.

The bill (H. R. 7305) granting a pension to Aaron R. Gilkison was considered as in Committee of the Whole. It proposes to place on the pension-rolls the name of Aaron R. Gilkison, late of Company H, Fifteenth Regiment Ohio Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWIN W. WARNER.

The bill (S. 3561) granting a pension to Edwin W. Warner was considered as in Committee of the Whole.

The Committee on Pensions reported the bill with an amendment, in line 7, after the word "Infantry," to insert "and to pay him at the rate of $30 per month;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Edwin W. Warner, late of Company A, Thirteenth Regiment Michigan Volunteer Infantry, and to pay him at the rate of $30 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NANCY E. SAWYER.

The bill (H. R. 9776) for the relief of Nancy E. Sawyer was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Nancy E. Sawyer, widow of the late James F. Sawyer, late of Company K, Twenty-first Regiment Wisconsin Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. STARR.

The bill (H. R. 206) granting a pension to William H. Starr was considered as in Committee of the Whole. It proposes to place the name of William H. Starr, late a private in Company D, Eighth Illinois Infantry Volunteers, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCIS DE FREITAS.

The bill (H. R. 2061) granting an increase of pension to Francis De Freitas was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Francis De Freitas, who was a private in Company G, One hundred and fourteenth Regiment Illinois Volunteer Infantry, at the rate of $45 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANN BRYAN.

The bill (H. R. 8613) granting a pension to Ann Bryan was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Ann Bryan, widow of William Bryan, late of the Forty-sixth Regiment Illinois Infantry Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. ALMIRA J. TOWNER.

The bill (H. R. 10908) granting a pension to Mrs. Almira J. Towner was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Almira J. Towner, dependent mother of Seth S. Towner, late a private in Company A, Second Regiment Illinois Volunteer Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CAPT. WILLIAM J. DULEY.

The bill (H. R. 9310) granting a pension to Capt. William J. Duley was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William J. Duley, chief of scouts, with the rank of captain, in the Army of the Northwest, Maj. Gen. John Pope commanding.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHRISTIAN KUNZE.

The bill (H. R. 9385) for the relief of Christian Kimzie was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 5, after the word "Christian," to strike out "Kimzie" and insert "Kunze;" and in line 6, after the word "Henry," to strike out "Kimzie" and insert "Kunze;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Christian Kunze, dependent father of Henry Kunze, of Company G, First Regiment Michigan Sharpshooters, killed in battle.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Christian Kunze."

P. F. JONTE.

The bill (H. R. 10073) granting a pension to P. F. Jonte was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of P. F. Jonte, late a member of Company A, Sixtieth Regiment Ohio Volunteers, of Knoxville, Iowa.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LOUISA M'LAIN.

The bill (H. R. 724) for the relief of Louisa McLain was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Louisa McLain, dependent mother of John S. McLain.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY SOMMERS.

The bill (H. R. 2839) granting a pension to Henry Sommers was considered as in Committee of the Whole. It proposes to increase to $30 per month the pension of Henry Sommers, late of Company H, Fifth Regiment United States Artillery, for loss of left arm incurred while an employé of the Quartermaster's Department, under Col. A. J. Donaldson, United States Army.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMELIA MUMM.

The bill (H. R. 10494) granting a pension to Emelia Mumm was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Emelia Mumm, widow of Nicholas Mumm, late a private in Company G, Fifteenth New York Heavy Artillery.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN WALLACE.

The bill (H. R. 9759) granting a pension to John Wallace was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John Wallace, father of Robert Wallace, deceased, late of Company C, Ninety-third Regiment of New York Infantry Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANTHONY SHAFER.

The bill (H. R. 3512) granting a pension to Anthony Shafer was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Anthony Shafer, of Liberty, Adams County, Illinois, late private of Company D, One hundred and first Regiment Pennsylvania Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN SWEENEY.

The (bill H. R. 10947) for the relief of John Sweeney was considered as in Committee of the Whole. It proposes to place the name of John Sweeney, late a seaman in the United States Navy, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MICAH FRENCH.

The bill (H. R. 4737) granting a pension to Micah French was considered as in Committee of the Whole. It proposes to place on the pension-roll, at the rate of $30 a month, the name of Micah French, formerly a private in Capt. S. Clark's company, New York Militia, of the war of 1812.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN W. ELLIS.

The bill (H. R. 10694) granting a pension to John W. Ellis was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John W. Ellis, of Sierra County, New Mexico, late an Indian scout, in the service of the United States Government in the Territory of New Mexico.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY SAEGER.

The bill (S. 3538) granting a pension to Mary Saeger was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 5, after the words "sum of," to strike out "twenty-five" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized to place on the pension-roll the name of Mary Saeger, a nurse in the United States Army, for the sum of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. PHILENA T. CARPENTER.

The bill (S. 3042) granting a pension to Mrs. Philena T. Carpenter was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, after the words "rate of," to strike out "twenty-five" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Philena T. Carpenter, of Englewood, Ill., who was a volunteer nurse during the war of the rebellion, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY JANE JELLY.

The bill (H. R. 10825) granting a pension to Mary Jane Jelly was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary Jane Jelly, widow of Frank Trask, late a private in Company F, Eighth Regiment Connecticut Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANNA BOPPELL.

The bill (H. R. 9784) granting a pension to Anna Boppell was considered as in Committee of the Whole. It proposes to place upon the pension-roll the name of Anna Boppell, widow of Martin Boppell, late of Company E, One hundred and fifty-third Regiment New York State Volunteers, at the rate of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTHA GIDDINGS.

The bill (H. R. 4101) granting a pension to Martha Giddings, formerly Martha Priest, was considered as in Committee of the Whole. It proposes to place upon the pension-roll the name of Martha Giddings, formerly Martha Priest, widow of Nathaniel Priest, of Company H, Fourteenth Vermont Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH HOLMES.

The bill (H. R. 9388) to increase the pension of Joseph Holmes was considered as in Committee of the Whole. It proposes to place upon the pension-roll the name of Joseph Holmes, of Company E, Third Regiment Vermont Volunteers, at the rate of $45 per month, in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES MONOHAN.

The bill (H. R. 5919) restoring to the pension-roll the name of James Monohan, minor child of Richard Monohan, deceased, was considered as in Committee of the Whole. It proposes to restore to the pension-roll the name of James Monohan, minor child of Richard Monohan, deceased, late a private in Company A, One hundred and eighty-sixth Regiment Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LAURA L. WALLEN.

The bill (H. R. 5593) granting an increase of pension to Laura L. Wallen was considered as in Committee of the Whole. It proposes to increase the pension to Laura L. Wallen, widow of Henry D. Wallen, late colonel of the Second Infantry, United States Army, to $50 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

IRA E. BALDWIN.

The bill (H. R. 10911) granting a pension to Ira E. Baldwin was considered as in Committee of the Whole. It proposes to place upon the pension-roll the name of Ira E. Baldwin, of Ada, Kans., dependent father of Alphonso Baldwin, late of Company I, Eighth Vermont Infantry Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MYRA SINCLAIR.

The bill (H. R. 10488) granting a pension to Myra Sinclair was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Myra Sinclair, a volunteer nurse in the late war, at $12 a month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. MARY ANN CROSS AND OTHERS.

The bill (H. R. 5985) to increase the pensions of Mrs. Mary Ann Cross, Mrs. Minnie L. Gardener, and Mrs. Lilla May Pavy to $30 per month was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in lines 5, 6, 7, and 11, to strike out the name "Gardener" and insert "Gardiner;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place the names of Mrs. Mary Ann Cross, widow of Sergt. William H. Cross, Minnie L. Gardiner, widow of Sergt. Hampton S. Gardiner, and Lilla May Pavy, widow of Dr. Octave Pavy, on the pension-roll at the rate of $30 a month each, in place of that of $12 and $17 a month now allowed, the said William H. Cross, Hampton S. Gardiner, and Octave Pavy having served in the late Arctic expedition under Greely and lost their lives in consequence.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill to increase the pensions of Mrs. Mary Ann Cross, Mrs. Minnie L. Gardiner, and Mrs. Lilla May Pavy, to $30 per month."

MRS. LOUISE M. HUMPHREY.

The bill (H. R. 11333) granting a pension to Mrs. Louise M. Humphrey was considered as in Committee of the Whole. It proposes to place the name of Mrs. Louise M. Humphrey on the pension-roll of the United States, she being the widow of the late Col. George Humphrey, of the Eighty-eighth Indiana Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL J. WRIGHT.

The bill (H. R. 10647) granting a pension to Samuel J. Wright was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Samuel J. Wright, father of Darwin Wright, deceased, late of Company A, Second Regiment of New York Cavalry Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NEWTON J. SHRAKE.

The bill (S. 3374) granting an increase of pension to Newton J. Shrake was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Newton J. Shrake, late of Company E, Seventh Regiment Missouri Cavalry, at $18 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM H. MAYS.

The bill (S. 3556) granting a pension to William H. Mays was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William H. Mays, late of Company C, Fourth Kentucky Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

J. W. PORTER.

The bill (H. R. 4792) to pension J. W. Porter was announced as next in order.

Mr. DAVIS. I ask that the bill be passed over informally.

The PRESIDENT *pro tempore*. The bill will be passed over informally, retaining its place on the Calendar.

ELIZABETH C. COLE.

The bill (H. R. 10659) for the relief of Elizabeth C. Cole was considered as in Committee of the Whole. It proposes to pay to Elizabeth C. Cole, dependent mother of William D. Cole, late a private in Company I, Ninth Regiment of Minnesota Volunteer Infantry, and now deceased, $72, the amount of pension which had accrued to William D. Cole, deceased, at the time of his death.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. CATHERINE BARBERICK.

The bill (H. R. 9252) granting a pension to Mrs. Catherine Barberick, of Watertown, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. Catherine Barberick, of Watertown, Minn., mother of Killian Barberick, late of Company E, Fifth Regiment Minnesota Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMMA F. READ.

The bill (H. R. 5408) granting a pension to Emma F. Read was considered as in Committee of the Whole. It proposes to place the name of Emma F. Read, the blind daughter of Capt. John Read, of the Falls Church, Va., Home Guards, upon the pension-roll, at the rate of $18 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DANIEL TANNER.

The bill (H. R. 4649) granting a pension to Daniel Tanner was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Daniel Tanner, father of Russell J. Tanner, deceased, late of Company C, One hundred and third Illinois Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. ANNA LEACH.

The bill (H. R. 10109) granting a pension to Mrs. Anna Leach was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. Anna Leach, dependent mother of Benjamin F. Leach, late of Company I, First Regiment Iowa Cavalry Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL M. REESE.

The bill (H. R. 7928) granting a pension to Samuel M. Reese was considered as in Committee of the Whole. It proposes to place the name of Samuel M. Reese, late private Company B, One hundred and fiftieth Regiment Ohio Volunteer Infantry, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN M. KRUNK.

The bill (H. R. 10769) granting a pension to John M. Krunk was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John M. Krunk, late a private of Company C, Thirty-fifth Regiment of Kentucky Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY A. M'COOL.

The bill (H. R. 8735) granting a pension to Mary A. McCool was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary A. McCool, mother of John Stanton, late a private in Company I, of the Twenty-fifth Regiment of Indiana Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MISS ELIZABETH A. TUTTLE.

The bill (S. 3529) granting a pension to Miss Elizabeth E. Tuttle was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "Elizabeth," to strike out the letter "E." and insert "A.;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the provisions and

limitations of the pension laws, the name of Miss Elizabeth A. Tuttle, an Army nurse during the late war of the rebellion, and to pay her a pension of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Miss Elizabeth A. Tuttle."

ISAAC ROSHON.

The bill (H. R. 6334) for the relief of Isaac Roshon was considered as in Committee of the Whole. It proposes to increase the pension of Isaac Roshon, now on the pension-roll at the rate of $13 per month, to such amount as he may be entitled by reason of a gunshot wound to the left knee, received by him while a member of Company F, Thirteenth Regiment Ohio Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY J. DRAKE.

The bill (H. R. 9173) granting a pension to Mary J. Drake was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary J. Drake, widow of Newton E. Drake, late a private in Company E, Fifty-second Regiment of Kentucky Volunteer Mounted Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HUGH BRADY.

The bill (H. R. 7683) granting an increase of pension to Hugh Brady was announced as the next pension bill on the Calendar.

Mr. DAVIS. I am advised that since that bill was reported favorably by the Committee on Pensions the Pension Bureau has reconsidered its action and allowed the claimant a pension. I therefore move that the bill be indefinitely postponed.

The motion was agreed to.

JANE JACKSON.

The bill (H. R. 9178) granting a pension to Jane Jackson was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Jane Jackson, widow of Nathan Jackson, late a private of Company B, Fifth Regiment of Kentucky Volunteer Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN LYNN.

The bill (H. R. 308) granting a pension to John Lynn was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John Lynn, late of Company A, Forty-eighth Regiment Kentucky Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS B. WALSH.

The bill (H. R. 7) granting a pension to Thomas B. Walsh was considered as in Committee of the Whole. It proposes to place the name of Thomas B. Walsh, late of Company D, Tenth Tennessee Cavalry, upon the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EPHRAIM NYE.

The bill (H. R. 210) granting a pension to Ephraim Nye was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Ephraim Nye, late a private in Company A, Second Kansas Volunteer Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH ROSIER.

The bill (H. R. 9668) granting a pension to Joseph Rosier was considered as in Committee of the Whole. It proposes to place the name of Joseph Rosier, a private in Captain Tripp's company, Colonel Brisban's regiment, South Carolina Volunteers, in the Florida and Seminole war of 1836, on the pension-roll at the rate of $20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MISS SARAH MARY CARROLL.

The bill (H. R. 2499) increasing the pension of Miss Sarah Mary Carroll was considered as in Committee of the Whole. It proposes to increase the pension of Miss Sarah Mary Carroll, late an Army nurse, from $12.50 to $25 a month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRIETTA WALDRON.

The bill (H. R. 7344) granting a pension to Henrietta Waldron was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Henrietta Waldron, of Wakeman, Huron County, Ohio, at the rate of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE WALLEN.

The bill (H. R. 9175) granting a pension to George Wallen was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of George Wallen, late a private in Company C, First Regiment of Kentucky Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BRIDGET CARROLL.

The bill (H. R. 9296) granting a pension to Bridget Carroll was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Bridget Carroll, mother of Patrick Carroll, late a sergeant of Company H, Fourth Regiment United States Artillery.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY KARSTETTER.

The bill (H. R. 7877) to place Mary Karstetter on the pension-roll was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary Karstetter, widow of Jacob Karstetter, late a private of Company C, Eighty-seventh Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES W. GEDDES.

The bill (H. R. 9791) for the relief of Charles W. Geddes was considered as in Committee of the Whole. It proposes to include the name of Charles W. Geddes, late assistant engineer, United State Navy, among those who served in the Mexican war, and to issue to him a land-warrant for his services as assistant engineer on the United States steamer General Taylor during that war.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MILTON WALLEN.

The bill (H. R. 10032) granting a pension to Milton Wallen was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Milton Wallen, of Clinton County, Kentucky, who was a member of Captain Brooks's company of Kentucky State troops.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMMANUEL P. STEED.

The bill (H. R. 10253) granting a pension to Emmanuel P. Steed was considered as in Committee of the Whole. It proposes to restore to the pension-roll the name of Emmanuel P. Steed, late of Company F of the First Regiment of West Virginia Cavalry Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CARTER W. TILLER.

The bill (H. R. 3681) granting a pension to Carter W. Tiller was considered as in Committee of the Whole. It proposes to place the name of Carter W. Tiller, dependent father of G. W. Tiller, late a private in Company A, Twenty-eighth Kentucky Volunteer Infantry, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLOTTE TAYLOR.

The bill (H. R. 9176) granting a pension to Charlotte Taylor was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Charlotte Taylor, widow of Thomas P. Taylor, late a private of Company C, Twelfth Regiment of Kentucky Volunteer Infantry, at the rate of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY ANN SHOOK.

The bill (H. R. 2702) granting a pension to Mary Ann Shook was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary Ann Shook, widow of Joseph G. W. Shook, late a private in the company of Daniel Hoke in the war of 1812.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM GALLAGHER.

The bill (H. R. 10515) to increase the pension of William Gallagher was considered as in Committee of the Whole. It proposes to increase the pension of William Gallagher, late a private in Company D, Twenty-eighth Regiment Kentucky Volunteers, to $18 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET M. HATCH.

The bill (H. R. 5751) for the relief of Margaret M. Hatch was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Margaret M. Hatch, mother of William E. Hatch, deceased, formerly of Company B, Seventh New York Heavy Artillery.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JONATHAN C. HARRISON.

The bill (H. R. 7887) granting an increase of pension to Jonathan C. Harrison was considered as in Committee of the Whole. It proposes to place on the pension-roll, at the rate of $36 per month, the name of Jonathan C. Harrison, late a private in Company B, Fifty-second Ohio Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL J. MURPHY.

The bill (S. 1311) granting an increase of pension to Samuel J. Murphy, of Marengo, Iowa, was considered as in Committee of the Whole. It proposes to pay to Samuel J. Murphy, late a private in Company D, Thirty-seventh Regiment of Iowa Volunteer Infantry, a pension at the rate of $16 per month, in lieu of that which he now receives.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BAKER SAINE.

The bill (H. R. 2707) granting a pension to Baker Saine was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Baker Saine, of Fort Seneca, Seneca County, Ohio, late a private in Company K, Forty-ninth Ohio Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LOUISA ROGERS.

The bill (H. R. 8549) granting a pension to Louisa Rogers was announced as the next pension bill in order.

Mr. DAVIS. Let that bill be passed over.

The PRESIDENT *pro tempore*. The bill will be passed over, retaining its place on the Calendar.

WILLIAM A. MATHES.

The bill (H. R. 8521) for the relief of William A. Mathes was considered as in Committee of the Whole. It proposes to increase the pension of William A. Mathes, late of Company B, Eighteenth Regiment Indiana Volunteers, to $45 per month.

Mr. EDMUNDS. Does the bill provide when the reallowance shall begin?

Mr. COCKRELL. It begins from the date of the passage of the act.

Mr. EDMUNDS. There is no doubt about that?

Mr. DAVIS. There is no question about it.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM E. SPRINGSTEIN.

The bill (H. R. 10199) for the relief of William E. Springstein was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William E. Springstein, of Company G, Fourteenth Regiment of Michigan Volunteers, at the rate of $45 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM E. PRINCE.

The bill (H. R. 3608) to grant an increase of pension to William E. Prince was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William E. Prince, late a private of Company I, Twenty-third Regiment of Missouri Volunteer Infantry, at the rate of $45 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES E. SCOTT.

The bill (H. R. 4887) granting a pension to Charles E. Scott was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Charles E. Scott, late a private in Company G, Twenty-third Illinois Infantry Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JEMIMA STERLING.

The bill (H. R. 4648) granting a pension to Jemima Sterling was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Jemima Sterling, mother of James Goldsmith, deceased, late of Company I, One hundred and third Illinois Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARK TOMLINSON.

Mr. DAVIS. I should like to go back to Order of Business 2465, the bill (S. 1455) for the relief of Mark Tomlinson, reported from the Committee on Military Affairs. It is a pension bill really, although reported from the Committee on Military Affairs.

Mr. COCKRELL. What bill is that?

The PRESIDENT *pro tempore*. It appears by the Calendar to be a bill reported by Mr. WALTHALL, for Mr. HAWLEY, from the Committee on Military Affairs, with an amendment. That can not be included under the order.

Mr. DAVIS. Can it not be included by unanimous consent?

The PRESIDENT *pro tempore*. It can.

Mr. DAVIS. I ask unanimous consent that the bill be considered.

Mr. HAWLEY. The object of the bill is that the beneficiary may get a pension. It is to correct an error—that is to say, an injustice, as we thought—in the record of his service.

Mr. COCKRELL. All right.

Mr. DAVIS. The bill directs the Secretary of the Interior to place the name of this man on the pension-roll notwithstanding the sentence of a court-martial. It is nothing but a pension bill, and it ought to be considered now.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to grant a pension, in accordance with the general pension laws, to Mark Tomlinson, late lieutenant and acting adjutant of the Tenth Connecticut Volunteers, notwithstanding the sentence of a court-martial, as shown by General Orders, No. 78, series of 1863, Department of the South, dated September 18, if said Tomlinson shall appear to be otherwise entitled to said pension.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELI J. YAMGHEIN.

The bill (H. R. 2236) granting a pension to Eli J. Yamghein was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Eli J. Yamghein, late of Company A, Sixth Regiment of Kansas Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMMA BIDDLE.

The bill (S. 3628) granting an increase of pension to Emma Biddle was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "fifty" and insert "forty-five;" so as to make the bill read:

Be it enacted, etc., That the pension of Emma Biddle, widow of Charles J. Biddle, late captain of United States Infantry, transferred to a captaincy in the United States Regiment of Voltigeurs, Mexican war, and colonel of First Rifles (Bucktails) of Pennsylvania in the rebellion, and acting brigadier-general, be, and the same is hereby, increased from $20 to $45 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

IDA M. HOWELL.

The bill (H. R. 2667) for the relief of Ida M. Howell was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Ida M. Howell, the dependent sister of the late Lieut. Col. Judd M. Mott, Sixteenth Michigan Regiment, Company I.

Mr. EDMUNDS. I should like to hear the report read in that case.

Mr. TURPIE. This is a very deserving bill. The deceased officer had no father, mother, or children, nor any relative who ever drew a pension or applied for a pension. His sister is put in the place. The sister was dependent upon him.

Mr. EDMUNDS. That is satisfactory to me.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH NEW.

The bill (S. 3694) granting a pension to Elizabeth New was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Elizabeth New, widow of Jethro New, late captain of Company D, Twenty-ninth Indiana.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN J. GORHAM.

The bill (S. 3072) granting a pension to John J. Gorham was considered as in Committee of the Whole. It proposes to place on the

pension-roll the name of John J. Gorham, father of George T. Gorham, who served in Company B of the Twenty-ninth Regiment of Massachusetts Infantry Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ROBERT KELLY.

The bill (S. 2530) granting a pension to Robert Kelly was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Robert Kelly, late a private in Company B, Third Regiment Maryland Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FRANK D. WORCESTER.

The bill (S. 3451) granting a pension to Frank D. Worcester was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Frank D. Worcester, late a member of Company B, First Maine Battery of Heavy Artillery.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JESSE J. CLARK.

The bill (H. R. 9654) granting an increase of pension to Jesse J. Clark was considered as in Committee of the Whole. It proposes to place the name of Jesse J. Clark, late a private of Company I, Thirty-first Regiment Indiana Volunteer Infantry, on the pension-roll at the rate of $20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HOUSE BILL REFERRED.

The bill (H. R. 11795) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1890, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

ORDER OF BUSINESS.

Mr. STEWART. I ask unanimous consent to proceed to the consideration of the bill (S. 3677) to open abandoned military reservations in the State of Nevada to homestead entry.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. EDMUNDS. I think that is quite an important measure. It ought to wait until morning. I am sure my friend from Nevada will not misunderstand me. I shall not object to-morrow morning.

Mr. TELLER. He will not get a chance to call it up to-morrow.

Mr. EDMUNDS. Yes, he will. I move that the Senate proceed to the consideration of executive business.

Mr. PADDOCK. Will the Senator from Vermont yield to me that I may make a report from the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. EDMUNDS. Certainly.

WORK OF THE COMMITTEE ON THE CENSUS.

Mr. PADDOCK. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by the Senator from Maine [Mr. HALE] relating to the work of the Committee on the Census, to report it with an amendment, and I ask for its present consideration.

The PRESIDENT *pro tempore*. The resolution will be read.

The resolution was read, as follows:

Resolved, That the Committee on the Census, in conducting its investigations, is hereby authorized to employ a stenographer, and shall have power to examine experts, send for persons and papers, and to have reports of hearings and papers printed for the use of the committee, the expenses of the same to be paid from the contingent fund of the Senate.

The PRESIDENT *pro tempore*. The amendment of the committee will be stated.

The CHIEF CLERK. After the word "same" it is proposed to insert the words "except the expenses of printing;" so as to read:

The expenses of the same, except the expenses of printing, to be paid from the contingent fund of the Senate.

The amendment was agreed to.

The resolution as amended was agreed to.

EXECUTIVE SESSION.

Mr. EDMUNDS. I renew my motion.

The PRESIDENT *pro tempore*. The Senator from Vermont moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twelve minutes spent in executive session the doors were reopened.

HOUR OF MEETING.

On motion of Mr. MORRILL, it was

Ordered, That when the Senate adjourn to-day it be to meet to-morrow at 11 o'clock.

ABANDONED MILITARY RESERVATIONS.

Mr. STEWART. I move that the Senate proceed to the consideration of the bill (S. 3677) to open abandoned military reservations in the State of Nevada to homestead entry.

Mr. VEST. I move that the Senate adjourn.

Mr. SAWYER. Let us pass two or three little bills, and then we can adjourn.

The PRESIDENT *pro tempore*. The Senator from Missouri moves that the Senate adjourn.

Mr. VEST. I do not want to interfere with the wishes of Senators.

The PRESIDENT *pro tempore*. Does the Senator from Missouri withdraw his motion?

Mr. VEST. Yes, sir.

The PRESIDENT *pro tempore*. The bill moved by the Senator from Nevada will be stated by title.

The CHIEF CLERK. A bill (S. 3677) to open abandoned military reservations in the State of Nevada to homestead entry.

The PRESIDENT *pro tempore*. The Senator from Nevada moves that the Senate proceed to the consideration of the bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Public Lands with amendments, in line 3, after the word "all," to insert the words "the agricultural lands embraced within the," and in line 4, after the word "which," to strike out the words "are useless for military purposes and;" so as to make the bill read:

That all the agricultural lands embraced within the military reservations in the State of Nevada which have been placed under the control of the Secretary of the Interior for disposition be disposed of under the homestead laws, and not otherwise.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MOTIER HOWE.

Mr. DOLPH. I move that the Senate proceed to the consideration of the bill (H. R. 11042) for the relief of Motier Howe.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to grant, relinquish, and confirm to Motier Howe, of Oregon, his heirs and assigns, the interest of the United States in and to the west half of the northwest quarter and northeast quarter of the northwest quarter, and northwest quarter of the northeast quarter of section 22, in township 12 south, of range 23 east, of Willamette meridian, in the State of Oregon.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

A. P. SWINEFORD.

Mr. SAWYER. I move that the Senate proceed to the consideration of the bill (H. R. 6012) for the relief of A. P. Swineford.

Mr. COCKRELL. That is a bill regularly reported from the Committee on Claims. There are a large number of bills of the same kind reported before it, which are upon the Calendar. I do not see why we should not go to the Calendar and dispose of those cases. It is not a very pleasant job for Senators to be objecting, and yet unless each Senator makes a contest to get the floor and to be recognized the bills he has reported will be ignored.

I suggest to the Senator from Wisconsin that we take up the bills on the Calendar regularly. We have not time to do it to-night, but let us take some time and go through the Calendar regularly, and give every one a chance.

Mr. SAWYER. I shall not press it if the Senator objects.

Mr. COCKRELL. This is the last case on the Calendar.

Mr. SAWYER. I know. It was reported by the Senator from Maryland [Mr. WILSON].

Mr. COCKRELL. It was reported on the 19th of the present month.

Mr. SAWYER. However, it was some time in the other House. It is a House bill.

Mr. COCKRELL. Then it is in so much better condition than Senate bills that have to go to the other House. Therefore there is no danger in delay. I think we had better adjourn for this evening.

Mr. SAWYER. I should like to have the bill passed. Still, if the Senator thinks differently, I will let it go over.

Mr. COCKRELL. What is the character of the bill?

Mr. SAWYER. It is to pay Mr. Swineford about $600 for money he has advanced. He is the present governor of Alaska, and is in need of it.

Mr. COCKRELL. He will not be governor long.

Mr. SAWYER. No; but I think we ought to pay what is due him.

Mr. COCKRELL. Let him have it, then.

Mr. SAWYER. That is what I thought. He used to live in the town I did. He was always a stanch Democrat.

The PRESIDENT *pro tempore*. The Senator from Wisconsin moves that the Senate proceed to the consideration of the bill (H. R. 6012) for the relief of A. P. Swineford.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to A. P.

Swineford, governor of Alaska, $611.33, amount of salary from July 1 to September 13, 1885.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM R. WHEATON AND CHARLES H. CHAMBERLAIN.

Mr. WILSON, of Iowa. At the request of the Senator from California [Mr. STANFORD] I ask the Senate to proceed to the consideration of the bill (S. 3646) for the relief of William R. Wheaton and Charles H. Chamberlain, of California.

Mr. COCKRELL. Pending that, I move that the Senate adjourn. We have passed three bills now coming from the Committee on Public Lands.

Mr. WILSON, of Iowa. I hope the Senator will withdraw the motion to adjourn for a moment.

Mr. DOLPH. The Senator from Missouri will recognize the fact that this is a bill which failed for want of the President's signature, after having been reported from the Committee on Public Lands and passed.

Mr. WILSON, of Iowa. It passed both Houses.

Mr. COCKRELL. I had forgotten the bill. I now remember all about it. I enter a motion to adjourn as soon as this bill is passed. [Laughter.]

The PRESIDENT *pro tempore*. The Senator from Iowa moves that the Senate proceed to the consideration of the bill (S. 3646) for the relief of William R. Wheaton and Charles H. Chamberlain, of California.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to William R. Wheaton, ex-register, and to Charles H. Chamberlain, ex-receiver of the land office at San Francisco, Cal., jointly, $3,800, being a portion of the amount deposited in the Treasury of the United States by them as fees for testimony which was taken by clerks whose compensation was paid from the private funds of the ex-register and the ex-receiver.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. COCKRELL. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 42 minutes p. m.) the Senate adjourned until to-morrow, Friday, December 21, 1888, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 19, 1888.

APPOINTMENT IN REVENUE SERVICE.

Capt. Joseph W. Congdon, of Rhode Island, to be a captain in the revenue service of the United States.

POSTMASTER.

Augusta B. Berard, to be postmaster at West Point, in the county of Orange and State of New York.

Executive nominations confirmed by the Senate December 20, 1888.

TERRITORIAL CHIEF-JUSTICE.

Thomas Burke, of Washington Territory, to be chief-justice of the supreme court of the Territory of Washington.

DEPUTY FIRST AUDITOR.

Orrin B. Hallam, of Kentucky, to be Deputy First Auditor of the Treasury.

APPOINTMENTS IN THE NAVY.

Patrick H. Bryant and Luther L. Von Wedekind, to be assistant surgeons in the Navy.

PROMOTIONS IN THE NAVY.

Naval Cadet George F. Hawk and Naval Cadet Edward T. Witherspoon, to be ensigns in the Navy.

Lieut. Commander Charles H. Rockwell, to be a commander in the Navy.

Lieut. William I. Moore, to be a lieutenant-commander in the Navy.

Lieut. (junior grade) Nathaniel R. Usher, to be a lieutenant in the Navy.

Ensign Nicholas J. L. T. Halpine, to be a lieutenant, junior grade.

PROMOTIONS IN THE ARMY.

Second Lieut. John P. Ryan, of the Fourth Cavalry, to be second lieutenant Third Cavalry.

Medical Department.

James D. Glennan, of the District of Columbia, to be assistant surgeon with the rank of first lieutenant.

Alfred E. Bradley, of New York, to be assistant surgeon with the rank of first lieutenant.

Fourth Regiment of Cavalry.

Additional Second Lieut. John P. Ryan, of the Third Cavalry, to be second lieutenant.

Ninth Regiment of Infantry.

Additional Second Lieut. Matthew C. Butler, jr., of the Fourteenth Infantry, to be second lieutenant.

Sixteenth Regiment of Infantry.

Additional Second Lieut. Capers D. Vance, of the Twenty-first Infantry, to be second lieutenat.

First Regiment of Artillery.

First Lieut. Allyn Capron, to be captain.

Second Lieut. Millard F. Harmon, to be first lieutenant.

Second Regiment of Artillery.

Lieut. Col. John Mendenhall, of the Fourth Artillery, to be colonel.

Fourth Regiment of Artillery.

Maj. Richard H. Jackson, of the Fifth Artillery, to be lieutenant-colonel.

Fifth Regiment of Artillery.

Capt. Tully McCrea, of the First Artillery, to be major.

Quartermaster's Department.

Lieut. Col. Henry C. Hodges, deputy quartermaster-general, to be assistant quartermaster-general, with the rank of colonel.

Maj. George H. Weeks, quartermaster, to be deputy quartermaster-general, with the rank of lieutenant-colonel.

Capt. Lewis C. Forsyth, assistant quartermaster, to be quartermaster, with the rank of major, October 19, 1888.

Medical Department.

Capt. Leonard Y. Loring, assistant surgeon, to be surgeon, with the rank of major.

Fourth Regiment of Cavalry.

Second Lieut. Charles P. Elliott, to be first lieutenant.

Ninth Regiment of Infantry.

Second Lieut. Albert S. McNutt, to be first lieutenant.

Sixteenth Regiment of Infantry.

Second Lieut. Walter K. Wright, to be first lieutenant.

Medical Department.

Lieut. Col. Basil Norris, surgeon, to be surgeon with the rank of colonel.

Maj. Charles H. Alden, surgeon, to be surgeon with the rank of lieutenant-colonel.

Capt. Joseph K. Corson, assistant surgeon, to be surgeon with the rank of major.

HOUSE OF REPRESENTATIVES.

THURSDAY, *December* 20, 1888.

The House was called to order at 12 o'clock m. by Mr. CRISP, who directed the reading of the following communication:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,
Washington, D. C., December 20, 1888.

SIR: I hereby designate Hon. CHARLES F. CRISP to preside temporarily as Speaker *pro tempore* at the opening of the session of the House to-day.

JOHN G. CARLISLE, *Speaker.*

Hon. JOHN B. CLARK,
Clerk House of Representatives.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

VETO MESSAGE—C. B. WILSON.

The SPEAKER *pro tempore* laid before the House the following message from the President of the United States; which was read, referred to the Committee on Claims, and ordered to be printed:

To the House of Representatives:

I return without approval House bill No. 5030, entitled "An act for the relief of C. B. Wilson."

This bill directs the Postmaster-General to credit to the beneficiary therein named, who is the postmaster at Buena Vista, in the State of Colorado, the sum of $225 for post-office funds forwarded by him to the deposit office at Denver, but which were lost in transmission.

A general law was passed on the 9th day of May, 1888, authorizing the Postmaster-General to make allowances and credits to postmasters in precisely such cases.

On the 8th day of September, 1888, under the sanction of that law, the credit directed by this bill was made. It is plain, therefore, that the bill herewith returned ought not to become a law unless it is proposed to duplicate the credit therein mentioned.

GROVER CLEVELAND.

EXECUTIVE MANSION, *December 19, 1888.*

AMERICAN HISTORICAL ASSOCIATION.

The SPEAKER *pro tempore* also laid before the House the amendments of the Senate to the bill (H. R. 10323) to incorporate the American Historical Association.

Mr. PHELAN. I ask unanimous consent to concur in the Senate amendments to the bill. They are purely formal.

The SPEAKER *pro tempore*. The amendments will be read, after which objection will be asked for.

The Senate amendments were read.

There being no objection, the amendments were considered and concurred in.

BRIDGES ACROSS THE TENNESSEE AND CUMBERLAND RIVERS.

The SPEAKER *pro tempore* also laid before the House the amendment of the Senate to the bill (H. R. 10023) to authorize the Cairo and Tennessee Railroad Company to construct bridges across the Tennessee and Cumberland Rivers.

The SPEAKER *pro tempore*. The Chair will state that the amendment to this bill is purely formal, inserting the words "commencing or" before the word "building," in the twenty-second line.

Mr. MCMILLIN. I ask unanimous consent to concur in the Senate amendment.

There was no objection.

ELIZA J. ALEXANDER.

The SPEAKER *pro tempore* also laid before the House the bill (S. 3135) granting an increase of pension to Eliza J. Alexander, with House amendment disagreed to by the Senate.

Mr. HUTTON. I ask unanimous consent that the House insist upon its amendment, and agree to the conference asked by the Senate on this bill.

Mr. MCMILLIN. Let us have the amendment read.

The Senate amendment was read, as follows:

In line 42, strike out "50" and insert "40."

Mr. MCMILLIN. I would suggest that this bill lie on the table for the present, to be called up hereafter.

The SPEAKER *pro tempore*. There being a disagreement between the two Houses on an amendment to the bill, it has now reached that stage where it is privileged and in order to move to agree to the conference asked.

Mr. MCMILLIN. I am aware of that, but I only wanted to suggest that as I remember when this bill passed the House its passage was resisted, and stress was laid upon the fact that the pension was only increased some five or ten dollars, $5 I believe, and thereupon it was permitted to go through without a quorum. Now, if it is to go through as originally submitted to the House merely by the form of a conference committee, it certainly would not be in accordance with the intention of the House when it was permitted to pass without a quorum.

Mr. DOCKERY. But I understand that the pending motion is in the line of the suggestion of the gentleman from Tennessee.

Mr. SPRINGER. The motion is that the House further insist upon its amendment disagreed to by the Senate.

Mr. MCMILLIN. I understand that, but I wanted to make this statement in advance of the appointment of a conference committee, so as to show the circumstances under which the bill passed.

There being no objection, the motion of Mr. HUTTON was agreed to.

PUBLIC BUILDING, SAN FRANCISCO.

The SPEAKER *pro tempore* also laid before the House the bill (S. 1931) to increase the appropriation for the purchase of a site for a building for a post-office, court-house, and other offices in San Francisco, Cal., with House amendment disagreed to by the Senate.

The SPEAKER *pro tempore*. This bill is in exactly the same condition as the preceding one. The Senate requests a conference on the disagreeing votes.

Mr. DIBBLE. I move that the House further insist upon its amendment to the bill, and agree to the conference asked by the Senate.

The motion was agreed to.

BRIDGES ACROSS THE RED RIVER.

The SPEAKER *pro tempore* also laid before the House the bill (S. 3666) to amend an act entitled "An act granting to the city of Grand Forks, Dak., the right to build two free bridges across the Red River," approved May 1, 1888; which was read a first and second time, and referred to the Committee on Commerce.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. DINGLEY, indefinitely, on account of important business.

To Mr. KELLEY, until January 8, 1889, on account of important business.

To Mr. WILKINSON, for five days, on account of important business.

To Mr. GROUT, indefinitely, on account of sickness in his family.

To Mr. BLOUNT, for ten days from Friday next.

To Mr. LAGAN, until the 16th of January, 1889, on account of important business.

To Mr. HENDERSON, of North Carolina, for two days, on account of important business.

To Mr. CLARK, for two weeks, on account of important business.

To Mr. TARSNEY, until January 7, 1889, on account of important business.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. DAVENPORT to withdraw from the files of the House of the Forty-ninth Congress, without leaving copies, papers in the case of DeWitt C. Amey.

PUBLIC BUILDING AT SAN FRANCISCO, CAL.

The SPEAKER *pro tempore*. The Chair will appoint as conferees on the part of the House on the bill (S. 1931) to increase the appropriation for the purpose of a site for a building for a post-office, court-house, and other offices in San Francisco, Cal., the gentleman from South Carolina, Mr. DIBBLE, the gentleman from Louisiana, Mr. NEWTON, and the gentleman from Illinois, Mr. POST.

ORDER OF BUSINESS.

Mr. BLANCHARD. Regular order.

Mr. O'DONNELL. Mr. Speaker, I present a privileged report from the Committee on Accounts.

Mr. PEEL. I ask consideration of the report of the committee of conference I submitted the other day, but will not demand the previous question.

The SPEAKER *pro tempore*. The Chair will recognize the gentleman from Michigan [Mr. O'DONNELL] to present a privileged report.

BRANCH FOLDING-ROOM.

Mr. O'DONNELL. I ask consideration of the report which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That the Doorkeeper of the House be, and he is hereby, authorized and directed to continue the lease of the house No. 225 Pennsylvania avenue, northwest, for a branch of the folding-room for one year from January 1, 1889, the expense of the same to be paid out of the contingent fund of the House.

The report (by Mr. O'DONNELL) was read, as follows:

The Committee on Accounts, to whom was referred the resolution of Mr. RICHARDSON (Miscellaneous Document No. 29) authorizing the Doorkeeper of the House "to continue the lease of the premises No. 225 Pennsylvania avenue for a branch of the folding-room for one year from January 1, 1889, the expense of the same to be paid out of the contingent fund of the House," have had the same under consideration.

Your committee find that the house, 225 Pennsylvania avenue (known as the old Adams Express building), is now occupied as a branch folding-room, and the lease of the same expires December 31, 1888. We find it necessary to lease this or some other room for another year. There are now stored in this building 206,000 books and 100,000 envelopes; there are 60,000 agricultural reports for 1887 yet to be delivered, which it is proposed shall be stored in the leased premises, besides CONGRESSIONAL RECORDS and other valuable publications which will from time to time be received from the Public Printer. There is no other room suitable for the storage and safe-keeping of documents. We find there is no room in the Government buildings available for such purposes. The building on the Library reservation and also all the storage rooms in the vaults of the Capitol which are dry enough for the purpose are now filled with public documents.

In order to provide a suitable place for the storage of the great number of volumes of public documents it is necessary to continue this lease, as the building is well suited for the purpose.

The committee propose that the resolution be amended by striking out the words "the expense of the same to be paid out of the contingent fund of the House" and inserting "the rental of the said premises for two months, amounting to $200, to March 1, 1889, to be paid out of the contingent fund of the House of Representatives, and that the Committee on Appropriations be instructed to make provision for the payment of the remaining ten months of said lease, amounting to $1,000, in the general deficiency bill."

Your committee recommend the adoption of the resolution as amended.

Mr. O'DONNELL. I move the adoption of the amendment.

Mr. RANDALL. I would like to know whether this is a provision for the use of that building till the 4th of March only?

Mr. O'DONNELL. It provides for the payment out of the contingent fund until the 1st of March, and instructs the Committee on Appropriations to provide for the remainder of the year.

The amendment was agreed to; and the resolution as amended was adopted.

Mr. O'DONNELL moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. BLANCHARD. Regular order.

Mr. SAYERS. I ask the gentleman to yield to me for a moment.

Mr. MCCREARY. I have a privileged report to present.

Mr. SOWDEN. I submit a privileged report from the Committee on Accounts.

The SPEAKER *pro tempore*. The Chair will recognize the gentleman from Pennsylvania [Mr. SOWDEN], who submits a privileged report.

DIGEST OF CONTESTED-ELECTION CASES.

The Clerk read as follows:

Resolved, That there be printed and bound for the use of the House the usual number of copies of the digest of contested-election cases of the Forty-eighth, Forty-ninth, and Fiftieth Congresses, together with an index of the same, to be prepared by the clerk to the Committee on Elections, for which, and for the necessary preparations and superintendence connected therewith, there shall be paid said clerk by the Clerk of the House from the contingent fund the sum of —— dollars; not more than $500 of which amount shall be paid before said work is completed, but the entire sum when the manuscript or copy for said work has been delivered to the Public Printer.

The report (by Mr. SOWDEN) was read, as follows:

The Committee on Accounts, to whom was referred the foregoing resolution, in relation to preparing and printing a digest of the election cases of the Forty-eighth, Forty-ninth, and Fiftieth Congresses, have considered the same, and report it back with the following amendment:

In line 7, immediately before "dollars," insert "fifteen hundred;" so as to make it read: "There shall be paid said clerk by the Clerk of the House from the contingent fund the sum of $1,500;" and as so amended your committee recommend that the resolution do pass.

Mr. SOWDEN. I ask that the amendment be agreed to.

The amendment was agreed to; and the resolution as amended was adopted.

Mr. SOWDEN moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced the passage of joint resolution (H. Res. 236) to pay the officers, clerks, and employés of Congress their salaries for December on December 20.

It also announced that the Senate disagreed to the amendments of the House to the bill (S. 139) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861, and asked a conference with the House on the disagreeing votes of the two Houses, and had appointed Mr. SHERMAN, Mr. MORRILL, and Mr. VANCE as conferees on its part.

The message also announced that the Senate had passed the bill (S. 3645) granting to the Astoria and South Coast Railway Company the right to construct a bridge across Young's Bay, a navigable stream in the county of Clatsop and State of Oregon, in which concurrence was requested.

The message further announced that the Senate had passed the concurrent resolution providing for an adjournment of the two Houses from Friday, December 21, to January 7, with an amendment in which concurrence was requested.

ENROLLED BILLS SIGNED.

Mr. KILGORE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution and bill of the following titles:

Joint resolution (H. Res. 236) to pay to the officers, clerks, and employés of Congress their salary for December, 1888.

A bill (H. R. 2579) authorizing the President to appoint and retire Andrew J. Smith, late colonel of the Seventh United States Cavalry and a major-general of volunteers.

ELIZA J. ALEXANDER.

The SPEAKER *pro tempore* announced the appointment of Mr. BLISS, Mr. BUTLER, and Mr. DE LANO as conferees on the part of the House upon the bill (S. 3135) to increase the pension of Eliza J. Alexander.

CHIPPEWA INDIANS, MINNESOTA.

Mr. PEEL. Mr. Speaker, I desire to call up the conference report on the bill H. R. 7935, which has heretofore been read and printed in the RECORD.

The SPEAKER *pro tempore*. The Clerk will report the title of the bill.

The Clerk read as follows:

Conference report on House bill 7935, a bill for the relief and civilization of the Chippewa Indians in the State of Minnesota.

Mr. PEEL. I move the adoption of the report; but before I call the previous question I desire to yield some time to the gentleman from Illinois [Mr. PAYSON], who wishes to make some remarks upon this subject. I will yield five minutes to the gentleman.

Mr. PAYSON. I suppose, Mr. Speaker, I ought to be grateful for five minutes' recognition upon a bill involving $15,000,000 worth of property. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. PAYSON. I desire to inquire whether, if the House shall refuse to adopt the report of the committee of conference, any further result will be brought about than simply to send the bill to another conference.

The SPEAKER *pro tempore*. A new conference would then be ordered by the House.

Mr. PEEL. I did not hear the gentleman distinctly. Do I understand him to move for another conference?

Mr. PAYSON. Well, I think that is what it will come to.

Mr. PEEL. That is not in order.

Mr. PAYSON. I am not making that motion now.

The SPEAKER *pro tempore*. The gentleman from Illinois [Mr. PAYSON] merely made a parliamentary inquiry of the Chair. The gentleman from Arkansas [Mr. PEEL] is entitled to the floor, and the Chair understands that he yields five minutes to the gentleman from Illinois [Mr. PAYSON].

Mr. PAYSON. Mr. Speaker, I do not care for five minutes. I would like to be heard with reference to the merits of this bill; but I would rather be recognized in my own right.

Mr. PEEL. Mr. Speaker, it is a matter of very great importance to have this bill disposed of, and I do not think the gentleman ought to ask more than five minutes. The only question before the House is whether it will adopt the report of the committee of conference or reject it. How much time does the gentleman from Illinois desire?

Mr. PAYSON. Probably fifteen minutes; perhaps not more than ten.

Mr. PEEL. I will yield the gentleman five minutes, and that is all I can yield.

Mr. PAYSON. I do not care to take that, Mr. Speaker. I desire to say, however, that this is one of the most important bills that have been presented for consideration since the last half of the last session. It involves millions of acres of land and millions of dollars in money, and it seems to me that the gentleman from Arkansas ought not to attempt to insist that it shall be disposed of in five minutes. I have some observations to make with reference to this bill which I think will be of interest. The gentleman from Arkansas knows as well as anybody else that I never ask for recognition simply for the purpose of talking. If he insists upon the demand for the previous question I hope that motion will be voted down, but I will not attempt to debate a proposition so important as this is in five minutes' time, and I submit to the gentleman that he ought not to insist upon my attempting to do so.

Mr. NELSON. I trust that, for the sake of harmony, the gentleman from Arkansas will yield fifteen minutes to the gentleman from Illinos.

Mr. PEEL. I do not see any necessity for that. The gentleman from Illinois, as I understood on yesterday, objected only to the mode provided in the bill for disposing of the pine lands, and I should think he could state his objections to that in five minutes.

Mr. PAYSON. Does the gentleman from Arkansas insist that the provisions of this bill are understood by the committee itself, much less by the House?

Mr. PEEL. It has been printed in the RECORD for several days in order that it might be understood by everybody.

Mr. HOLMAN. I suggest to my friend from Arkansas that he had better yield my friend from Illinois the time he desires, fifteen minutes.

Mr. PEEL (to Mr. PAYSON). Will ten minutes do?

Mr. PAYSON. No.

Mr. PEEL. Go ahead, then. I yield the gentleman fifteen minutes.

Mr. PAYSON. Mr. Speaker, if I may have the attention of the House with reference to this bill, it proposes to dispose of 4,731,000 acres of land in Minnesota. The bill as it passed the House provided that the Indians, seven tribes, aggregating some seven thousand souls, should be located upon a tract of land in Minnesota containing thirty-six townships of what is conceded to be excellent agricultural land; that the balance of this body of land (which aggregates, as I have said, 4,700,000 acres) should be classified into two classes, agricultural and pine lands. Any land upon which any pine is growing, no matter to how great or how small an extent, was to be designated as pine land, and the House bill provided that the timber upon it should be appraised. It also provided that the agricultural lands should be taken only under the provisions of the homestead law, with this addition, that $1.25 per acre should be paid by those who took possession of them in that way.

The pine land, it was provided, should be sold, and sold at public auction. The House bill provided that not more than one-tenth of the pine lands should be disposed of in any one year. The bill went to the Senate and was there amended, and features of the House bill which I think commendable have been stricken out, while new and I think unusual and improper ones have been inserted. For instance, the provision in the House bill restricting the disposition of these pine lands to one-tenth of the area each year has been entirely stricken out. Again, the House bill contained a provision for the negotiation of agreements with the Indians as to the amount which the Government should pay or procure to be paid for the cession of this land, and it was provided that those agreements should be approved by Congress.

Mr. NELSON. That is a mistake. I do not wish to interrupt the gentleman, but that was not in the House bill as passed.

Mr. PAYSON. I will read the provision of the House bill.

Mr. NELSON. A provision that the agreements should be ratified by Congress?

Mr. PAYSON. Yes, sir. The language is:

Provided, That all agreements therefor shall be ratified by Congress.

This provision was in the bill when it went to conference, and at all events is now stricken out by the report of the committee of conference. There was a provision in the bill that the agreements of cession and relinquishment which may be made by the commissioners and reported to the Secretary of the Interior shall be ratified by Congress. This provision for the ratification by Congress is stricken out, leaving the matter solely to the discretion of the Secretary of the Interior.

On that point, Mr. Speaker, let me say that 3,200,000 acres of this land is land the title to which is in the Government of the United States to-day. The Indian right to it is the bare right of ordinary occupancy. It stands upon the records as unceded Indian land. The only right that the Indians have upon this land is the right to hunt and fish upon it. Of course the buffalo and other game have disappeared; there is now no game there. But the provision for the approval by Congress of the agreement which may be made between these commissioners and the Indians for this vast area of land has been stricken out by the conference committee. It seems to me it ought to be retained. Congress should approve or reject the commission's action.

Then, there is another provision that all the pine lands shall be appraised and sold at public sale, with this further provision inserted by the Senate:

The residue of said lands remaining unsold after such public offering shall

hereafter be subject to private sale for cash at the appraised value of the same, upon application at the local land office.

That amendment, Mr. Speaker, introduces into this bill the old provision as to offered public lands, out of which so much scandal has arisen in the disposition of the public lands of this country, and particularly the timbered land in the Northwest. Everybody who has ever paid any attention to these matters knows that wherever great bodies of these lands are thus offered at public sale at a fixed minimum price not one acre in a thousand is ever sold at public sale if thereafter the lands are to be subject to private entry.

Now, this bill as it comes to us from the Senate with this provision will, if the conference report be adopted, put it in the power of any combination of capitalists who may desire to acquire all this timber land in the Northwest to simply refrain from bidding at the public offering, and thereupon the land becomes offered public land, subject to private entry, in unlimited quantities, at the minimum price. Gentlemen living in public-land States know what this means. I submit, Mr. Speaker, that this provision in the bill will not commend itself to the judgment of a single Representative living in a public-land State, or of any one who has ever seen the effect of permitting provisions of the public-land laws allowing private entry to operate in this way. This feature of the bill, incorporated by the Senate, ought not to be agreed to. The provisions in the House bill are preferable.

Recurring to the point from which I was diverted a moment ago, I submit, Mr. Speaker, that the action of any commissioners upon a subject involving so great an acreage of land as this, and where the rights of the Indians are so shadowy and slight, ought not to be permitted to become final without the approval of Congress. We ought to retain in our hands the power either to approve or to reject the action of these commissioners when the subject-matter of their agreement amounts, as I have been shown by the figures, to 7,000,000 acres of public land, and may amount to ten, fifteen, or twenty million dollars of the public money. If I have made myself understood, this is all I care to say.

Mr. REED. What are the commissioners to agree to?

Mr. PAYSON. To all the terms of cession of the Indians' rights in this land. The bill provides—

That the Secretary of the Interior is hereby authorized and directed, within sixty days after the passage of this act, to designate and appoint three commissioners, one of whom shall be a citizen of Minnesota, whose duty it shall be, as soon as practicable after their appointment, to obtain and acquire for the United States of America, from all the different bands or tribes of Chippewa Indians in the State of Minnesota, their complete cession and relinquishment in writing of all their title and interest in and to all the Indian reservations in the State of Minnesota, except the White Earth and Red Lake reservations, etc.

Now, on the map of these reservations which I hold in my hand, the portions colored in pink are the reservations affected by this bill. This [illustrating] is the Great Red Lake reservation, covering something over 4,000,000 acres. This [illustrating] is the White Earth reservation, six townships square, upon which it is proposed to settle the Indians when we shall secure these titles. Then, scattered about the State and as far over as the shores of Lake Superior, hundreds of miles away, are still other reservations. The entire acreage of land which is shaded in pink on this map is land over which these commissioners are given jurisdiction and as to which they are to negotiate with the Indians; and whatever agreement they may conclude, if approved simply by the Secretary of the Interior, is, under the provisions of the bill as agreed on in conference, to be a finality.

That right and that control ought to be reserved in Congress beyond all question. That, it seems to me, is too plain a proposition and too clear to need any discussion; and those provisions of the bill which provide, as I have shown, for the practice of all the evils that grew out of the right of private entry upon timber lands, pine lands in the Northwest, at the minimum rate and in unlimited quantities, ought to be voted down. No harm can result from a failure to adopt this report. It simply sends the bill to another conference committee to make another report after considering all these details.

I reserve the remainder of my time if I shall not have exhausted the whole of it.

The SPEAKER *pro tempore*. The gentleman has five minutes of his time remaining.

Mr. NELSON rose.

Mr. PEEL. I will ask the gentleman from Minnesota, my colleague on the committee, to state how much time he desires.

Mr. NELSON. I would like to have sufficient time to explain this report, twenty or thirty minutes.

Mr. PEEL. I will yield to my colleague ten minutes now, and if that is not found sufficient will yield further time.

Mr. NELSON. Mr. Speaker, these propositions of the gentleman from Illinois that he has been advancing here by way of objection to the bill, superficially and on their face seem to be well founded; but if I can have the opportunity and the attention of the House for a few moments, I shall endeavor to show that there is really no foundation for the objections he urges. I shall show that as a matter of fact, based upon the provisions of the bill itself; and shall also show that the House has treated this question in the same way in other cases.

I want to premise what I have to say by the statement that the whole question involved in this bill relates to these Indian reservations in Northern Minnesota [pointing to a map of Minnesota], in the Fifth Congressional district, which I have the honor to represent upon this floor, including over thirty counties, representing over 60,000 voters, who have sent me here, and among other things desire me to secure the opening of these reservations in a proper and legitimate manner, and the colonization of the Indians upon a reservation where they can become good and useful citizens.

Now, in the first place, the gentleman from Illinois says that this bill when it went into conference contained the provision to which he has referred, requiring its ratification by Congress, and the striking out of which, as he alleges, took all the life out of the bill. In that he is mistaken, as I shall endeavor to show.

Mr. PAYSON. Well, the Senate bill contained that provision, and it has been stricken out by the conference.

Mr. NELSON. Yes, but it was not in the House bill at all.

Mr. PAYSON. No; but it was stricken out of the Senate bill in that conference.

Mr. NELSON. So the gentleman concedes that it was not in the House bill after all.

Now, there is nothing discretionary in the bill for the commissioners to do. All the provisions of the agreement are fixed by the bill from beginning to end. The nature and manner in which the Indians are to be dealt with, the price to be paid to them for their lands, the manner in which the lands are to be sold and conveyed, the whole is clearly defined in the bill, and these commissioners are simply the instruments to carry out the legislative intent. If the plan proposed in this bill—and we have said so by our action—is just and proper, the three commissioners who are to negotiate have nothing to do but to carry out the provisions of the law in that regard. What further action, if we have given them proper power at the outset—as we say we have—is necessary on the part of Congress to ratify the action of the commission after they shall have performed their duty?

Mr. ADAMS. Does this bill fix the price of the lands?

Mr. NELSON. The bill defines how the lands are to be disposed of.

Mr. PAYSON. From the Indians to the Government?

Mr. NELSON. The Indians are to get the proceeds of the land, and the bill prescribes how these proceeds are to be obtained.

Mr. ADAMS. Does the bill fix the price of the lands?

Mr. NELSON. I am coming to that in a moment. It involves the question of the manner of disposing of the lands.

If the gentleman will bear with me perhaps I can answer the question better by a brief recapitulation of the provisions of the bill, and the answer will appear as I proceed. The three commissioners to be appointed by the President of the United States—one of whom shall be a citizen of Minnesota—are clothed with certain powers. They are to obtain the cession and relinquishment of the Indians, from the Indians themselves, of their title to these reservations—all or so much of the title as is not required for the allotment of lands in severalty to the Indians according to the general allotment bill—and while that is being done they are to take a census of the tribe, because in order to get the proper consent of the Indians it requires the assent of two-thirds of the male population, and a census is necessary to ascertain this fact. Then after the Indians agree to the cession and relinquishment, the commissioners are to see that the Indians are removed to the White Earth reservation, all except the Red Lake Indians, and after that lands are to be allotted to the Indians according to the general allotment law, known as the Dawes bill.

The gentleman from Illinois, unintentionally no doubt, misstated the quantity of land, and seemed to lay stress upon it by making the quantity of land enormously great.

Mr. PAYSON. I read from the report of the gentleman himself, which was furnished to me on yesterday afternoon.

Mr. NELSON. I will explain what the gentleman failed to explain. He apparently stated the truth——

Mr. PAYSON. I stated the facts as they appear on the face of the bill and from the report.

Mr. NELSON. Of course I do not mean that the gentleman would state intentionally what was not the truth, but I want to say that he overstated the quantity of land, the total acreage, as I will show. The total amount is 4,731,000 acres.

Mr. PAYSON. That is what I said.

Mr. NELSON. And there are seventy-five hundred Indians.

Mr. PAYSON. Seven thousand four hundred and ninety-six, I said.

Mr. NELSON. Yes; seventy-five hundred in round numbers, and they are to have their allotments out of the land, and after that there will not be 4,000,000 acres left, and that fact the gentleman failed to allow credit for in his statement, which is the error of which I complain.

Instead of having 4,700,000 acres to dispose of, there will be less than 4,000,000—not much more than 3,500,000 acres.

Now, coming to the disposal of the public lands, I will show to this House how foolish is the suggestion that frauds can be perpetrated under this law as under laws of the past, and comparing it with the frauds of the past. This bill classifies the land into two great classes. First, all the lands on which there is any pine timber are called pine lands, and all other lands are called agricultural lands. The agricultural land can only be taken under the homestead law, as it passed

the House, at a dollar per acre, but the Senate amendment increased it to $1.25 per acre. This price is to be paid in five annual installments, and at all events before final entry.

You all know what the homestead law is. But under this bill there is no commutation allowed. The settler must live five years before final entry. What does the bill provide for the pine lands? And first I will tell you where the frauds are committed in pine lands. Cash entries have for years been interdicted, and the lumbermen have undertaken to get these pine lands under our pre-emption and homestead laws; and to do so they have sent their mill-hands and choppers to go and settle on them, some for a week, some for a month, and then to go to the local land office and prove up or commute, as the case may be, and then get a transfer of the title. That is the way in which frauds have been committed under existing laws, but that can not be done under this law. These frauds that have transpired in the past in the lumber regions in Minnesota under the homestead laws and pre-emption laws I am as much opposed to as the gentleman from Illinois; but these frauds can not be perpetrated here, because no pine lands can be taken under the homestead law or pre-emption law under this bill.

Now, how are these pine lands to be sold? We provided in the House bill that there should be three appraisers appointed to pass upon the value of these lands, and the limitation upon their power was that they were not to appraise any of it at less than $3 per acre, and then after the land was appraised only one-tenth was to be sold at public sale in any year. The Senate modified these provisions, and improved them in my judgment. The Senate amendment provides that the Secretary of the Interior shall appoint appraisers—without limiting the number—who are to go and examine the lands and ascertain the amount of pine upon the lands upon the plan which is established by lumbermen—that of estimating the stumpage. Now, it is provided in the Senate amendment that after the examiners have examined the lands and estimated the amount of pine they must make their report of it to the Interior Department, and then the Commissioner of the General Land Office, under the direction of the Secretary of the Interior, is to make the final appraisal and fix the price of the land, but such appraisal can not be less than $3 per thousand feet, board measure. Just think of that. Have you ever heard of pine land anywhere sold on a fairer basis than this? You gentlemen representing the pine regions in Michigan and you gentlemen who represent the lumber districts of other States, have you ever heard of a bill as fair as that?

This is exactly the same plan on which lumbermen deal one with the other. Any one who knows anything of the lumber business knows that the stumpage in Minnesota is worth from $1 to $3 a thousand feet, according to locality. Ascertaining stumpage is the way of estimating the value of the pine. And here in this bill the minimum is put at $3 per 1,000 feet. Well, now, if there is any pine on an acre at all there is at least 1,000 feet, so that the value of any acre can not be less than $3.

The SPEAKER *pro tempore*. The time of the gentleman from Minnesota has expired.

Mr. PAYSON. I ask the gentleman from Arkansas [Mr. PEEL] to yield his colleague sufficient time to answer the inquiry I made.

Mr. PEEL. I will yield the gentleman five minutes more.

Mr. NELSON. Now, the House bill, as I have stated, limited the amount of the minimum put upon such pine land at $3 per acre. The Senate makes the minimum $3 per thousand feet, board measure; and you can all see that in that respect the Senate bill is a superior bill. For instance, if an acre of land will cut 10,000 feet of lumber, then it can not be sold for less than $30 per acre.

After the pine lands have been estimated and appraised as stated, they are to be sold at public sale, after due notice, to the highest bidder, but not for less than the appraised value.

Mr. WILSON, of Minnesota. The pine lands or the pine timber?

Mr. NELSON. The pine lands. After they have been offered at public sale what remains can be taken at private entry, but not at less than the appraised value, and always bear in mind that that can not be less than $3 per thousand feet.

Mr. CUTCHEON. Does the Senate amendment provide for these estimators giving any bond or security for the faithful performance of their work?

Mr. NELSON. No, it does not.

Mr. CUTCHEON. Then there is nothing to prevent their making a false return and no punishment if they do.

Mr. NELSON. But there is authority in the Commissioner or Secretary of the Interior to revise and change the estimate or appraisal if he thinks it is incorrect.

Mr. CUTCHEON. He can revise the appraisal, but can he change the estimate?

Mr. NELSON. Yes, I think so. I do not think it would make much difference whether we put these officers under bond and oath or not. It remains, after all, a question of the selection of honest agents to do the work, and we on this side of the Chamber at least ought to have confidence enough in the next Administration to suppose that it will select proper and competent men.

Mr. PERKINS. Not only that, but the Commissioner can send them out a second time if he is not satisfied with the result of the estimate.

Mr. NELSON. Certainly he can.

Mr. REED. What does the gentleman from Minnesota [Mr. NELSON] say as to the change from one-tenth to the whole?

Mr. NELSON. Now, I will be as honest with this House as though I was in a Methodist prayer-meeting. [Laughter.]

Mr. BLAND. That is not a great guaranty.

Mr. NELSON. If I had my own way about it I would prefer that only one-tenth of these lands should be sold each year, for the reason that it is better to have this pine string along through a number of years for the good of the settlers in that country.

But the objection made by the Senators—and gentlemen can see the force of it—is that fires are continually breaking out and destroying the pine from year to year, and that if you do not sell it now in a legal and proper manner, before you get around to it in the other way fires will have destroyed it, so that the Government and Indians will get nothing at all. And as a matter of fact from year to year the lumbermen have, by crooked ways, been getting this pine.

I will tell you how they do it. They get the Indians to set fires and burn portions of the pineries, and then they induce them to make application to the Department here for leave to sell "dead and fallen timber," and in that way the lumbermen get it for a mere trifle, just about what it costs the Indians to cut and bank it. That has been going on for years, and the only opposition to this bill that comes from Minnesota is from certain lumbermen who have a monopoly of getting this pine under the guise of "dead and fallen" timber. Now, I have given you the reasons why it was thought desirable to sell it at once instead of stringing it out over a series of years. The House will see that there is force in both these views. If the pine could be preserved intact without destruction, I should greatly prefer to have it sold only one-tenth each year; but if it is continued to be destroyed as it has been in years past, then the House will see that as a matter of business and as a matter of justice, it is much better to dispose of it at once.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. NELSON. I would like to have two or three minutes more.

Mr. PEEL. I yield the gentleman three minutes more.

Mr. NELSON. The gentleman from Illinois [Mr. PAYSON] makes a question, and I see its force, as to the provision allowing the private entry of what remains of this land after the public sale, and he refers to what has happened in the past. Recollect that in the past all of these lands that have not been sold at public sale have been sold at $1.25 an acre by private entry, no matter how valuable they may have been; and recollect, in this connection, that the portion of these lands that are not sold at public sale can not be sold at less than their appraised value, and that can not be less than $3 per thousand feet for the standing pine. I think that perhaps it is not a bad plan to allow the residue of these lands that are not sold at auction to be sold at private sale, for the reason that it will give an opportunity for the settlers in the surrounding territory to come in and enter small pieces of these lands, 40, 80, or 160 acres, whereas if there was only the public sale they would not have the opportunity at all. If the lands are not sold at public sale we all know by experience that private entries will string along from year to year for a number of years, thus giving an opportunity to the people of small capital in the surrounding country to get small portions of these lands, whereas if you force all the lands to be sold at public auction you put the matter entirely in the hands of the large capitalists, who will bid for them *en masse*.

Mr. Speaker, I am sorry I have taken so much time. I would like to have had an opportunity to explain this bill more in detail, and now if any gentleman desires to ask a question for information I shall be glad to answer it if in my power to do so.

Mr. SPRINGER. Did the gentleman from Minnesota [Mr. NELSON] say that the opposition to this bill in its present shape comes from the lumber merchants?

Mr. NELSON. I said in Minnesota; not anywhere else. I said the opposition in Minnesota comes from the heavy lumbermen who control the pine lands of the surrounding country. They are opposed to this bill because under it they can not get these lands, as they have been in the habit of getting land, for $1.25 an acre.

Mr. SPRINGER. This bill allows the settlers to go on the lands and the Indians to get the proceeds?

Mr. NELSON. Yes, sir; all the proceeds of these lands to go to the Indians.

Mr. HOLMAN. Mr. Speaker, I ask the attention of my friend from Arkansas [Mr. PEEL] and of the House for a moment to a fact in regard to this measure which ought to control our action for the present. On the day before yesterday, the 18th of the present month, my friend from Arkansas made this report from the conference committee of the two Houses. Upon an objection made by the gentleman from Georgia [Mr. BLOUNT] the matter then went over. By request of the gentleman from Arkansas the report of the conferees, with the bill, was ordered to be printed. It was taken for granted, I think, by all gentlemen desirous, like myself, to examine the question that the bill to be printed was the bill agreed upon by the conferees.

But it turns out that the bill as printed in the RECORD is the House bill, and the features to which objections are now urged do not appear in the House bill, except as to whether the President of the United

States, the Secretary of the Interior, or Congress should ratify the agreement of cession which may be made by these Indians. The provision objected to in this regard was in the House bill; the other provisions objected to are in the Senate amendments, and do not appear in the bill as printed. For instance, here is one of the provisions of the House bill as printed:

SEC. 5. That after the said pine lands have been surveyed, ascertained, listed, and appraised as aforesaid, the Secretary of the Interior shall, after having given two months' notice of sale through a newspaper of general circulation, published at St. Paul, Duluth, and Crookston in said State, through the United States land officers for the district where the said lands are situated, offer for sale and sell the same at public auction, to the highest bidder for cash, in 40-acre or lesser subdivisions; but such sale shall not be for a less price than the appraised value, nor shall more than one-tenth of said pine lands be disposed of in any one year, nor otherwise than in this act provided.

This is a provision of the House bill, and from reading the RECORD of yesterday morning it would naturally be taken for granted that this was included in the measure agreed upon by the conferees of the two Houses. But such is not the fact. The truth is that the bill as agreed upon by the conferees provides that the remaining lands not sold at public sale shall thereafter be subject to be entered at private sale at the appraised price. The objection to this provision has been pointed out by my friend from Illinois [Mr. PAYSON]. It will enable combinations to be formed by which there will be no competition at the public sale, and no lands sold, and immediately afterward these lands will be subject to private entry at the appraised value.

Mr. PAYSON. In unlimited quantities.

Mr. HOLMAN. Yes; in unlimited quantities.

I wish to call the attention of my friend from Arkansas to another fact. In the general land bill, which was during the last session fully considered and passed by the House and is now pending in the Senate, it was provided that there should be a severe limitation imposed upon the purchase of timber lands to be sold; that they should not be sold in such a manner as to enable a single combination to purchase vast bodies of land; that as far as practicable or possible a monopoly of these timber lands, and, indeed, of all other lands, should be prevented.

Mr. REED. Those were lands to be sold at a definite price, were they not?

Mr. HOLMAN. Under this bill?

Mr. REED. Under the bill you are talking about.

Mr. HOLMAN. No, under an appraisement.

Mr. REED. But these lands are to be sold under an appraisal as to their contents, so to speak.

Mr. HOLMAN. That was provided in the general bill.

Mr. REED. But that case is very different from this.

Mr. HOLMAN. That bill provided——

Mr. REED. What answer does the gentleman make to the statement of the gentleman from Minnesota [Mr. NELSON] that these pine lands are to be appraised and are not to be sold for anything less than the appraisal of their contents in pine lumber?

Mr. HOLMAN. The same provision is in the general bill. For the purpose of preventing railroad and other corporations from being engaged at the same time in business as carriers and also as owners of large bodies of land, there is a provision in the general bill directed to that end; there is a special effort made in the general bill to prevent the possibility of a monopoly of these timber lands. But that is not guarded against at all in this bill as now reported from the conferees.

Mr. NELSON. Your bill, however, contains no provision for estimating the value of the land by the thousand feet of lumber.

Mr. HOLMAN. No, sir; but it provides for an appraisement, though the details are somewhat modified.

Mr. NELSON. We propose to get an exact estimate of the number of feet of lumber.

Mr. HOLMAN. Yet the general bill provides for the appraisement of the timber on the land.

But the fact I wish specially to call my friend's attention to, as well as that of the House, is that the gentlemen who examined the subject have been acting under the belief the bill here printed was the bill agreed upon by the conferees of the two Houses, when in fact, by inadvertence in printing, it is the bill of the House and not the bill which was finally agreed upon.

I suggest, therefore, that inasmuch as this mistake has been made, and the House has been misinformed as to the real condition of the matter, and as there is certainly great force in the objection made by the gentleman from Illinois [Mr. PAYSON], I suggest, Mr. Speaker, that the House do not agree to the conference report, and that the subject be recommitted to the same conferees and let them further consider the several objections which have been pointed out. For, sir, this measure, which involves the remaining portion of the lands belonging to this tribe of Indians in Minnesota, over 4,000,000 acres, a very large portion of which consists of very valuable timber land, ought to be carefully considered before it is acted upon. These lands ought not to be left open to monopoly.

The SPEAKER *pro tempore*. The gentleman's time has expired.

Mr. CUTCHEON. Let me ask the gentleman from Arkansas a question.

Mr. PEEL. Certainly.

Mr. CUTCHEON. Is there any limitation of the amount of land any single individual or corporation may enter under the provisions of this bill?

Mr. PEEL. Pine land?

Mr. CUTCHEON. Yes, pine land. For, if there is no limitation of the amount which any one can enter, then any individual or corporation could enter the whole land.

Mr. PEEL. Yes, if they give the appraised value for it.

Mr. CUTCHEON. One other question. Is there any saving clause in reference to time in favor of the Union soldier?

Mr. PEEL. There is none.

Mr. CUTCHEON. I understand the gentleman to say there is no saving clause as to time of settlement on the part of Union soldiers such as is contained in other measures of a similar character?

Mr. PEEL. None that I am aware of.

Now, Mr. Speaker, I understood the House bill and the substitute were to be printed. I certainly, for one, have no disposition to mislead anybody, and I do not think I have done so in any respect whatever.

Mr. HOLMAN. But my friend from Arkansas does not meet the objection which I have stated.

Several MEMBERS. Withdraw your bill.

Mr. PEEL. If I can have the attention of the House for a few moments I can show clearly from what has been said by the gentleman from Illinois [Mr. PAYSON] and the gentleman from Minnesota [Mr. NELSON], as well as by my distinguished friend from Indiana [Mr. HOLMAN], this matter can be as well disposed of now as at any other time. So far as reprinting the bill is concerned, I certainly have no objection, but the only questions in dispute here are few and so plain I do not see any good reason why we should recommit the report of the committee of conference.

The main objection made to the bill by the gentleman from Illinois [Mr. PAYSON], as I understand him, is that under the provisions of the bill great capitalists throughout the country would have the opportunity to obtain large quantities of these valuable lands. Gentlemen should not forget the fact, which I understand to be true that for years past lumbermen have lived off these lands and speculated upon them, paying little or absolutely nothing to these Indians. These Indians have the right to use or dispose of the dead and down timber on these lands. I am informed as a fact that they set fire to the standing timber and thus burn through the pine forests, which furnishes a pretext to them to cut down vast tracts which they dispose of to the lumbermen, merely getting sufficient money to pay them for cutting and hauling. These Indians offer these lumbermen who live off these lands and speculate upon them merely the price of their work in cutting and hauling, and in no respect any price compared with the value of this pine timber.

Now is it not better, rather than let these lumbermen who live off these lands and speculate upon them and get this timber for a mere nominal price, is it not better, I ask, to let this land be appraised by men capable of inspecting it? According to the provisions of the bill the Secretary must appoint capable and competent men to go upon the land and report the character and value of the timber upon each 40-acre tract; that is, the value of the timber according to the lumberman's rule of value by board measure; but in no case are they to appraise any land upon which any timber is growing amounting to 1,000 feet at less than $3 an acre. The Secretary is also required to advertise for two months in the paper of largest circulation. They are to be disposed of at public sale to the highest bidder, but in no case at a less price than their appraised value.

Mr. SYMES. You said $3 an acre; you meant $3 a thousand feet, for an ordinary acre of pine land may bring $1,000.

Mr. PEEL. Yes, it might run up to $500. I meant to say that in no case is the land to be sold for less than the appraised value, and in no case, it is provided, shall they appraise any land upon which any timber is growing amounting to a thousand feet at less than $3 an acre.

But it is objected to this bill that there may be combinations made in case of a public sale of these lands. Can not they do it at a public sale as well as at a private sale? They can combine so as to prevent any sale at all. But if these lands are not disposed of these lumbermen will, in the future as in the past, live off of and speculate upon the timber upon these lands without paying an adequate price for it. Why should we permit them to steal it either from the Government or from these Indians as they have done? I do not use the word "steal" in a technical legal sense, but, as I have already stated, they take these lands from the Indians, pay them merely the price of their labor in cutting and hauling, and no more. There can be no question in my mind if we dispose of these lands at their full appraised value for the timber which is upon them and put the proceeds into the Treasury there will be some chance for these Indians getting the money fairly divided among them for these lands which belong to them.

But if it continues to stand as it is now, and these complaints from these Indian reservations all over the country where there is timber, these daily complaints of white people stealing timber and destroying it day by day, are to continue, why, then, of course, this report will be rejected. Now, if this state of facts does exist, as we believe there is

no question that it does exist under this bill, the Indians can not be hurt, because the lands must be fairly appraised and exposed to public auction in 40-acre tracts and sold to the highest bidder, and combinations would be hard to make under those conditions. Besides that, there is the other saving clause with regard to lands that are not sold to the highest bidder.

I think the House understands the condition now of the question, and I see no reason why we should not take a vote at once, because the report can not be recommitted to the committee. There is but one course for the House to take as a parliamentary proceeding, and that is either to adopt the report or reject it in its entirety. There is no such thing as recommitting a conference report.

Mr. HOLMAN. Yes, if my friend pleases, if this is not concurred in——

Mr. PEEL. Oh, of course, if this report is not concurred in the House can order a new conference, but it must either accept or reject the report as it is. It can not be recommitted.

I ask the previous question upon the adoption of the report.

The previous question was ordered.

The SPEAKER *pro tempore*. The question is on agreeing to the report of the conference committee.

The question was taken; and on a division there were—ayes 72, noes 16.

Mr. HOLMAN. I believe no quorum has voted upon this question.

The SPEAKER *pro tempore*. The Chair will appoint tellers.

Mr. HOLMAN and Mr. PEEL were appointed tellers.

The House again divided; and the tellers reported—ayes 131, noes 33.

So the conference report was adopted.

Mr. PEEL moved to reconsider the vote by which the conference report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LANDS FOR WATER RESERVATION.

Mr. PAYSON, from the Committee on the Public Lands, reported back favorably the bill (S. 426) granting to the city of Colorado Springs, in the State of Colorado, certain lands therein described for water reservation; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. MCCREARY, from the Committee on Foreign Affairs, reported a bill (H. R. 11879) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1890; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. HOLMAN. If it be necessary, I reserve all points of order upon the bill.

DEFICIENCY FOR PUBLIC PRINTING, ETC.

Mr. BLANCHARD. I demand the regular order.

Mr. SAYERS. I hope the gentleman will yield to me for a moment, to submit a bill from the Committee on Appropriations.

Mr. BLANCHARD. I will yield to the gentleman for that purpose.

Mr. SAYERS. I am instructed by the Committee on Appropriations to ask unanimous consent to consider the bill which I now introduce in the House as in Committee of the Whole.

The SPEAKER *pro tempore*. The title of the bill will be read, after which the Chair will ask for objection.

The Clerk read as follows:

A bill (H. R. 11878) making appropriations to supply a deficiency in the appropriations for the public printing and binding for the fiscal year ending June 30, 1889, and for other purposes.

The SPEAKER *pro tempore*. Is there objection to considering this bill in the House as in Committee of the Whole?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the following sums, or so much thereof as may be necessary, be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the following objects, namely:

PUBLIC PRINTING AND BINDING.

To supply a deficiency for the fiscal year ending June 30, 1889, in the appropriation for the public printing, for the public binding, and for paper for public printing, including the cost of printing the debates and proceedings of Congress in the CONGRESSIONAL RECORD, and for lithographing, mapping, and engraving for both Houses of Congress, the Supreme Court of the United States, the supreme court of the District of Columbia, the Court of Claims, the Library of Congress, the executive offices, and the Departments, including the salaries or compensation of all necessary clerks and employés, for labor (by the day, piece, or contract), and for all the necessary materials which may be needed in the prosecution of the work, $63,000; to be expended for the foregoing purposes ratably and in the proportion provided in the act making appropriations for the sundry civil expenses of the Government for the current fiscal year.

NAVAL ESTABLISHMENT.

For expenses of observing the total eclipse of the sun which will occur on the 1st day of January, 1889, to be expended under the direction of the Secretary of the Navy, $5,000, or so much thereof as may be necessary.

Mr. HOLMAN. What is the aggregate amount covered by the bill?

Mr. SAYERS. Sixty-eight thousand dollars.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. SAYERS moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

HOLIDAY RECESS.

Mr. MCMILLIN. I rise to a privileged motion.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. MCMILLIN. I move to concur in the Senate amendment to the concurrent resolution fixing the date of adjournment and the convening of Congress after the holidays.

The SPEAKER *pro tempore*. The Clerk will report the Senate amendment.

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES, *December* 20, 1888.

Resolved, That the foregoing concurrent resolution pass with the following amendment:

In line 5 strike out "Monday" and insert "Wednesday," and in line 6 strike out "7" and insert "2."

The resolution as amended is as follows:

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Friday, December 21, 1888, they stand adjourned until Wednesday, January 2, 1889.

Mr. MCMILLIN. I move the previous question on concurrence in the amendment.

Mr. SPRINGER. I hope the gentleman will withdraw the demand for the previous question.

The question was taken on ordering the previous question on concurring in the amendments; and the Speaker *pro tempore* announced that the ayes seemed to have it.

Several MEMBERS. Division.

The House again divided; and there were—ayes 75, noes 14.

So the previous question was ordered.

The question then recurred on concurrence in the Senate amendments to the resolution, when the Speaker *pro tempore* announced that the yeas seemed to have it.

A division was called for.

The House divided; and there were—ayes 85, noes 24.

So the amendments were concurred in.

Mr. MCMILLIN moved to reconsider the vote by which the Senate amendments were concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MESSAGE FROM THE SENATE.

A message was received from the Senate, by Mr. MCCOOK, its Secretary, requesting the House of Representatives to return to the Senate the bill (S. 139) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861.

The message also announced that the Senate had passed the bill (H. R. 7776) to authorize the construction of a bridge across the Missouri River in the county of Monona, in the State of Iowa, and in the county of Burt, State of Nebraska, and to make the same a post-route, with an amendment in which concurrence was requested.

RETURN OF BILL.

The SPEAKER *pro tempore*. If there be no objection, the request of the Senate to return the bill S. 139 will be concurred in.

There was no objection, and it was so ordered.

ORDER OF BUSINESS.

Mr. BLANCHARD. Let us have the regular order.

Mr. O'FERRALL. I ask unanimous consent to introduce the resolution which I send to the Clerk's desk for present consideration.

The Clerk read as follows:

Resolved, That Tuesday, the 22d day of January, 1889, or the night of the same day, is hereby set apart for the consideration of measures reported by the Committee on Mines and Mining, and in such order as may be reported by said committee, but not to interfere with appropriation or revenue bills; and if in any case whatever said day or night shall not be used, this order to be continued from day to day until a day shall be so used.

Mr. WEAVER. I object.

Mr. O'FERRALL. Then I ask that it be referred to the Committee on Rules.

There was no objection; and it was so referred.

Mr. BLANCHARD. I ask that the morning hour for submitting reports from committees be dispensed with, and pending that I ask that gentlemen having reports to make be allowed to file them with the Clerk.

Mr. CHEADLE. I object.

Mr. BLANCHARD. Then I move to dispense with the first morning hour.

The question was put, and the Speaker *pro tempore* announced that the ayes seemed to have it.

Mr. CHEADLE. Division.

The House divided; and there were—ayes 80, noes 4.

Mr. CHEADLE. No quorum.

Mr. BLANCHARD. I withdraw it in order to save time.

The SPEAKER *pro tempore*. The regular order is the call of committees for reports.

PARIS EXHIBITION.

Mr. MORROW, from the Committee on Foreign Affairs, reported back favorably the joint resolution (S. R. 115) authorizing the Government to use articles in their possession for exhibition at the Paris exposition in 1889; which was referred to the Calendar of the Committee of the Whole House on the state of the Union, and ordered to be printed.

CATALENA LYMAN.

Mr. LANE, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2626) granting a pension to Catalena Lyman; which was referred to the Private Calendar, and, with the accompanying report, ordered to be printed.

NEW YORK, LAKE ERIE AND WESTERN RAILROAD COMPANY.

Mr. SHAW, from the Committee on Claims, reported back favorably the bill (S. 779) for the relief of the New York, Lake Erie and Western Railroad Company; which was referred to the Private Calendar, and, with the accompanying report, ordered to be printed.

TEMPORARY OCCUPATION OF STREETS IN WASHINGTON, D. C.

Mr. COMPTON, from the Committee on the District of Columbia, reported back favorably the bill (H. R. 11785) to authorize the commissioners of the District of Columbia to permit the temporary occupation of the crossings of certain streets in the city of Washington and District of Columbia by the tracks of the Baltimore and Ohio Railroad Company to admit of the increased travel incident to the inaugural ceremonies on the 4th of March, 1889; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

CENTENNIAL OF THE CONSTITUTION.

Mr. RANDALL, from the Committee on Rules, reported back the joint resolution (S. R. 19) relating to the celebration of the centennial of the inauguration of the Constitution of the United States for reference to the Committee on the Judiciary.

The SPEAKER *pro tempore*. If there is no objection, that order will be made.

There was none, and it was so ordered.

INVESTIGATION OF CHARGES AGAINST A MEMBER.

Mr. RICE (when the special committee on the investigation of charges against a member was called). I move that the committee be discharged from the further consideration of that matter, having already reported upon it.

The SPEAKER *pro tempore*. The Chair understands they made their report last summer and the matter is disposed of.

FRANK BACKOF.

Mr. CUTCHEON, from the Committee on Military Affairs, reported back favorably the bill (H. R. 7326) for the relief of Frank Backof; which was referred to the Private Calendar, and, with the accompanying report, ordered to be printed.

The SPEAKER *pro tempore*. This completes the call of the committees for reports. The regular order is the call of committees for the consideration of bills, and the call rests with the Committee on Claims, which has a bill pending before the House.

REPAYMENT OF ADVANCES TO MARYLAND AND VIRGINIA.

Mr. SHAW. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 1521, and pending that I move that all general debate be limited to forty minutes. I would suggest to the opponents of the measure that I have no desire to limit debate upon this bill except for the purpose of reaching a vote, and I am perfectly willing, if an agreement shall be reached, that the whole forty minutes shall be taken by the opponents of the bill.

Mr. HOLMAN. I reserve a point of order on that, Mr. Speaker. I think the motion would scarcely be in order until the bill has been read for amendment by sections.

Mr. DOCKERY. This motion is simply to limit general debate.

Mr. HOLMAN. I concede that is right.

Mr. BUCHANAN. The bill has not yet been considered by paragraphs at all, and——

Mr. SHAW. We only propose to limit general debate.

Mr. BUCHANAN. I wish to say that I hope the gentleman from Maryland will not insist upon that motion. I will say for myself to the friends of this bill that I have no desire to be factious in my opposition. I know that there are other gentlemen who desire to speak against this bill.

Mr. SHAW. I have no desire to limit debate upon this bill except for the purpose of reaching a vote. I yielded half of my time to the opponents of the measure yesterday and submitted to interruptions from every source, and endeavored to meet fairly all questions that were presented to me.

Mr. BUCHANAN. I repeat that it is not my purpose to make any factious opposition to this bill.

Mr. SHAW. Will the gentleman agree that the debate shall cease in forty minutes, the opponents of the bill consuming the whole time?

Mr. BUCHANAN. I have no right to make any such agreement. I am not a member of the committee.

Mr. McCOMAS. I understand that my colleague's proposition is to give the opponents of this bill the whole of the forty minutes.

Mr. SHAW. Yes, sir.

Mr. McCOMAS. That is very fair, and I appeal to my friend from New Jersey to consent to that arrangement. I understand the proposition is that, out of the whole hour, forty minutes shall be occupied in opposition to the bill.

Mr. BUCHANAN. Exactly; when fifty-five minutes have been already occupied in its favor.

Mr. SHAW. No; I think the record will show that the opponents of the bill consumed as much of my hour yesterday as I did myself.

Mr. McCOMAS. And you propose to give them all the remaining time up to the time of taking the vote?

Mr. SHAW. Yes. All I desire is that there shall be time enough left to have a vote.

Several MEMBERS. That is fair.

Mr. WEAVER. What is meant by the proposition that there shall be a vote?

Mr. SHAW. That at the end of forty minutes a vote shall be had on the bill.

Mr. KERR. I could not consent to limit the time to less than forty-five minutes.

Mr. McCOMAS (to Mr. SHAW). Say forty-five, then.

Mr. KERR. I had already yielded thirty minutes of my time, and the gentleman from Illinois [Mr. ADAMS] wants five minutes.

Mr. SHAW. I will agree to forty-five minutes, with the understanding that at the end of that time a vote shall be taken.

Mr. BURROWS. No. That is to be the end of the general debate, but there will be the five-minute debate after that.

Mr. SHAW. There will be only fifteen minutes of the hour left, and when the hour expires every gentleman knows that will be the end of the bill for this session of Congress.

Mr. BURROWS. Mr. Speaker, this is a very important matter, involving about $500,000. The principal and the interest sought to be recovered aggregate about that sum, and I submit that forty minutes' debate upon a matter of this importance is not sufficient. This is a matter of very grave concern. It not only involves the States of Virginia and Maryland, but if this bill shall pass, upon its heels will come claims from Pennsylvania and New York resting upon the same basis in justice and equity as this. I have no objection, personally, to the general debate being limited to forty minutes.

Mr. SHAW. I should be perfectly satisfied that three or four hours should be consumed in the discussion of this bill. It is not my fault that the time is so limited. It is the fault of the rule.

The SPEAKER *pro tempore*. The question is upon the motion of the gentleman from Maryland that the House resolve itself into Committee of the Whole, and that all debate upon this bill be limited to forty minutes.

Mr. THOMPSON, of Ohio. I, for one, am not willing to consent that a vote shall be taken upon this bill at the end of forty minutes of general debate.

Mr. KERR. I am willing to consent that the general debate shall be limited to fifty minutes.

Mr. SHAW. If it can be agreed upon that a vote shall be then taken I am perfectly satisfied with that. All I want is a vote, and it seems to me that the most earnest opponent of this measure must admit that it has sufficient merit to entitle it to be submitted to a vote of this House.

Mr. KERR. It may have merit, but it has not merit enough to entitle it to be put through in this hurried way.

Mr. McCOMAS. Mr. Speaker, I suggest to my colleague that he ask consent that at the end of an hour's debate to-day, some evening session, or some other time, be fixed to conclude the consideration of this bill.

Mr. BUCHANAN. I shall object to that unless it is coupled with consent for a consideration of the eight-hour bill.

Mr. BLAND. Mr. Speaker, I demand the regular order.

The SPEAKER *pro tempore*. The regular order is the motion of the gentleman from Maryland [Mr. SHAW].

Mr. SHAW. Then, Mr. Speaker, I must insist on my motion that debate be limited to forty minutes; and upon that I call the previous question.

Mr. KERR. Mr. Speaker, I had the floor when the House adjourned on this bill, and under the circumstances the gentleman has no right to move the previous question.

Mr. SHAW. I have five minutes of my hour remaining.

Mr. KERR. As I understand, the gentleman can only occupy the floor by unanimous consent.

The SPEAKER *pro tempore*. Of course the presiding officer of the House can not know what took place in Committee of the Whole. It

is in the power of the House, on motion, to limit debate in the committee.

Mr. KERR. I move to amend the motion to limit debate so as to make the time fifty minutes.

Several MEMBERS. Regular order.

The SPEAKER *pro tempore*. The gentleman from Maryland demands the previous question on the motion to limit debate. If that demand be voted down, the amendment of the gentleman from Iowa [Mr. KERR] will be in order; but if the demand be sustained, it will not be in order. The motion of the gentleman from Maryland, on which the previous question is demanded, is that when the House again resolves itself into Committee of the Whole on House bill No. 1521 all general debate thereon be limited to forty minutes.

The question being taken on ordering the previous question, there were—ayes 48, noes 28.

Mr. KERR. I make the point that no quorum has voted; but I will say to the gentleman that if the time be extended to fifty minutes I will not insist on this point.

Mr. SHAW. If consent be given that the vote be then taken, I will agree to fifty minutes.

Several MEMBERS. Oh, no.

Tellers were ordered: and Mr. SHAW and Mr. KERR were appointed.

Mr. KERR (before the count by tellers was concluded). As a majority of a quorum has voted in the affirmative, I will withdraw the point of no quorum.

Mr. THOMPSON, of Ohio, renewed the point, but subsequently withdrew it.

The SPEAKER *pro tempore*. The point of no quorum being withdrawn, the ayes have it, and the previous question is ordered.

The question being taken on agreeing to the motion of Mr. SHAW that when the House resolves itself into Committee of the Whole on the state of the Union for the further consideration of House bill No. 1521 all general debate be limited to forty minutes, the motion was agreed to.

Mr. LANHAM. When does the hour begin?

The SPEAKER *pro tempore*. The hour began at five minutes before 2 o'clock; twenty minutes of the hour have expired.

The question recurring on the motion of Mr. SHAW that the House resolve itself into Committee of the Whole, the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union (Mr. DOCKERY in the chair) and resumed the consideration of the unfinished business, being the bill (H. R. 1521) to provide for paying certain advances made to the United States by the States of Maryland and Virginia.

The CHAIRMAN. By order of the House general debate has been limited to forty minutes. The Chair understands the gentleman from Maryland to have yielded the entire time for general debate to the opponents of the bill.

Mr. SHAW. No, sir; that was the proposition I made as a compromise, and it was not accepted.

Mr. KERR. I believe I have the floor.

The CHAIRMAN. The Chair understood that some arrangement had been made in regard to a division of time.

Mr. KERR. I believe I have the floor.

The CHAIRMAN. The Chair has not yet recognized any one for debate.

Mr. SHAW. Mr. Chairman, I believe I have five minutes of my hour yet remaining.

The CHAIRMAN. The gentleman from Maryland had five minutes at the conclusion of the debate on yesterday.

Mr. BUCHANAN. But, Mr. Chairman, the statement was made distinctly that the forty minutes would be given to the opponents of the bill; and it was upon that understanding that I urged members to withdraw the point of no quorum.

Mr. KERR. It was on that understanding I withdrew the point.

Mr. BUCHANAN. If that understanding is repudiated, I wish to know it, and to know it at once.

Mr. SHAW. I made that proposition in the nature of a compromise; I made it in connection with the proposition to compromise upon the time. I defy the gentleman to deny it. Whatever his understanding may have been, that is what I said and what I meant.

Mr. BUCHANAN. Was not your original proposition (which was no compromise, but an independent proposition) to the effect that debate be limited to forty minutes, that time to be given to members in opposition of the bill?

Mr. SHAW. Upon the condition that a vote should then be taken upon the measure.

Mr. BUCHANAN. That was the proposition in connection with the suggestion of fifty minutes. I call for the reading of the Reporter's notes.

Mr. SHAW. I offered to agree to forty minutes on the condition I have stated; and upon the suggestion of the gentlemen from Iowa I was willing to accept forty-five minutes; but my proposition was rejected.

Mr. BUCHANAN. I simply want to know how we are dealing in this matter.

Mr. ROWELL. I would like to ask whether the gentleman from Iowa was not entitled to the floor by recognition yesterday; and having the floor, is he not entitled to occupy the whole hour, except so much as has been occupied by this vote?

The CHAIRMAN. The Chair has not yet recognized the gentleman from Iowa. The Chair announced on yesterday that when the gentleman from Maryland had occupied his time he would recognize the gentleman from Iowa. The gentleman from Maryland has five minutes of his time remaining. The House, however, has limited general debate to forty minutes; and in the absence of an agreement the gentleman from Maryland would have the right to control the time.

Mr. SHAW. I will say to the gentleman from New Jersey that if his understanding of the matter was that the forty minutes were to be controlled entirely by the opponents of the measure, I am perfectly willing to yield the time to them, although I did not say so, and did not mean it.

Mr. BUCHANAN. The gentleman having stated that he did not say so, I repeat that such was my distinct understanding. But I do not ask him to yield the time; he may take it if he wishes; and of course we shall be governed by the circumstances.

Mr. SHAW. I am perfectly willing to divide the time equally between the friends and opponents of the measure.

Mr. KERR. I think the gentleman's proposition is the most unfair I have ever heard made in this House. He occupied fifty-five minutes yesterday of the time allotted to him under the rule, and this morning he came before the House and said that if we would consent to a limitation of debate to forty minutes we could have the entire time. On that statement numbers of men on this side passed through the tellers in favor of closing debate. After making that proposition he comes here now and asks us on a bill involving half a million dollars to be content with twenty minutes when it was agreed we should have forty minutes for debate. It beats anything I ever heard before in this House.

Mr. BUCHANAN. Except the bill itself.

Mr. SHAW. I ask whether the proposition to give the entire forty minutes to the opponents of the bill was not coupled with the proposition that then the vote should be taken? Was not that the proposition, and was not that proposition rejected each time it was made?

Mr. THOMPSON, of Ohio. Let the Reporter's notes be read and let the matter be settled in that way.

Mr. SHAW. Certainly, let the Reporter's notes be read.

The CHAIRMAN. The Chair is indulging this colloquy in the hope that some agreement may be reached so as to make a satisfactory and equitable division of the time allotted for general debate.

Mr. BAYNE. Does this discussion come out of the forty minutes?

The CHAIRMAN. It does.

Mr. BAYNE. And out of the morning hour?

The CHAIRMAN. It does.

Mr. BAYNE. Very well, then.

Mr. THOMPSON, of Ohio. Let the Reporter's notes be read.

Mr. SHAW. I ask for the reading of the Reporter's notes, in vindication of what I said.

The CHAIRMAN. The Reporter's notes have been sent for and will be read as soon as received.

Mr. KERR. I understand, Mr. Chairman, that this time is taken out of the five minutes of the gentleman from Maryland, who has the floor.

The CHAIRMAN. It is taken out of the hour. The Chair has been indulging gentlemen in the hope that some satisfactory conclusion would be reached. The Reporter's notes will be read in order to determine what the agreement was, it having been made in the House. The Chair understands that to be the request of the gentleman from Maryland.

Mr. SHAW. It is.

Mr. KERR. As the gentleman asks the Reporter's notes to be read, of course it will be taken out of the time of the gentleman himself.

The CHAIRMAN. It comes out of the forty minutes.

Mr. SHAW. Does the delay occasioned in getting the Reporter's notes come out of the hour?

The CHAIRMAN. It does. It is at the request of the gentleman himself. [Laughter.]

Mr. LANHAM. As a way out of the present difficulty I desire to submit a request for unanimous consent. I do not know whether it can be entertained in the Committee of the Whole or not.

The CHAIRMAN. The gentleman will state it.

Mr. LANHAM. It is this, that the first day after the holiday recess shall be set apart for the consideration of this bill.

The CHAIRMAN. That request can not be entertained in committee.

Mr. LANHAM. If agreed to here it would be confirmed in the House.

Mr. BUCHANAN. I do not object if a day can also be set apart for the consideration of the bill for the payment of claims under the eight-hour law.

Mr. ROWELL. That can not be agreed to in any event.

Mr. SHAW. How much of the hour still remains?

The CHAIRMAN. Twenty-five minutes.

Mr. SHAW I will yield fifteen minutes of that time to the gentleman from Iowa [Mr. KERR], if he desires it.

Mr. KERR. The agreement was that there should be forty minutes for debate. Then the gentleman proposed to give us half of that forty minutes, although there was an agreement we should have the whole forty minutes. Now he proposes to give us only fifteen minutes.

Mr. SHAW. There are only twenty-five minutes left, and I propose to give you fifteen minutes of that time, which is more than one-half.

Mr. KERR. Under the agreement we were to have forty minutes for debate.

Mr. SHAW. Does the gentleman accept of my offer to give him fifteen minutes?

Mr. KERR. I accept your first proposition.

Mr. SHAW. Then I yield ten minutes to my colleague [Mr. McCOMAS].

Mr. McCOMAS. I do not desire to occupy the floor at present.

Mr. KERR. The gentleman has only——

The CHAIRMAN. For what purpose does the gentleman from Iowa rise?

Mr. KERR. I rise to answer the suggestion of the gentleman from Maryland.

The CHAIRMAN. The gentleman from Maryland has yielded ten minutes to his colleague.

Mr. McCOMAS. I do not wish to take any of the time.

Mr. SHAW. Then I yield fifteen minutes to the gentleman from New Jersey [Mr. BUCHANAN]. [Laughter.]

Mr. BUCHANAN. I say to the gentleman from Maryland, as my understanding, that he has no time to yield, and I decline to accept his offer.

Mr. SHAW. I will say to the gentleman from New Jersey that his insinuation is unworthy of him and undeserved by me, and that the Reporter's notes sustain me in the position I have taken.

Mr. KERR. They do not.

Mr. SHAW. The Reporter's notes bear me out.

Mr. KERR. I ask to have them read.

Mr. DAVIS. I rise to a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. DAVIS. The gentleman from Maryland is only entitled to an hour's time, and that he has occupied within five minutes. He is now assuming to control some twenty-five minutes more time.

The CHAIRMAN. The Chair will cause the rule to be read.

The Clerk read as follows:

Clause 3, Rule XIV. The member reporting the measure under consideration from a committee may open and close where general debate has been had thereon; and if it shall extend beyond one day he shall be entitled to one hour to close notwithstanding that he may have used an hour in opening.

Mr. DAVIS. There has been no general debate.

The CHAIRMAN. There was general debate on yesterday.

Mr. PAYSON. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman from Maryland has the floor, but if there be no objection the gentleman will state his parliamentary inquiry.

Mr. PAYSON. I would ask simply whether the rule which has just been read applies to any other condition than under the general rule of the House?

The CHAIRMAN. The Chair is not quite clear that the rule which has been read is applicable to the present situation.

Mr. SHAW. In order to vindicate myself in the position that I have taken in this matter, I ask that the Reporter's notes bearing upon the question be read from the Clerk's desk.

Mr. KERR. That is what I have been asking.

The CHAIRMAN. That will be done. They will be read in the time of the gentleman from Maryland, and if there be no objection the Reporter will read the notes himself, as they have not yet been transcribed.

The Reporter read as follows:

Mr. SHAW. Will the gentleman agree that the debate shall cease in forty minutes?

Mr. BUCHANAN. Will the Reporter go back to the original motion?

The CHAIRMAN. The Reporter will read that portion of the debate which is now before him, and if that is not satisfactory the Chair will cause the entire debate to be reported by the Clerk.

The Reporter read from his notes the portion of the preceding debate referred to.

Mr. SHAW. I think that is all that is necessary to be read.

Mr. BUCHANAN. I call for the reading of the minutes at the time the original motion was made in the House.

Mr. SHAW. Mr. Chairman, it is apparent from the spirit manifested by the opponents of this measure that no progress can be made in the time remaining at my disposal, and I move that the committee now rise, deeming it unjust to other business to longer detain the House.

Mr. BUCHANAN. I claim the privilege of saying a single word after that remark.

Mr. TOWNSHEND. Let us have the regular order.

Mr. BUCHANAN. A single word only, and that of a very kindly nature.

The CHAIRMAN. The Chair will call the attention of the gentleman to the fact that the regular order has been demanded.

Mr. SHAW. I hope the gentleman from Illinois will not insist upon the demand.

Mr. TOWNSHEND. I withdraw it.

Mr. BUCHANAN. I simply wanted to say that the House will see from what has been read how very readily the gentleman from Maryland could have honestly entertained his understanding, and how readily I could also have my understanding about the matter under discussion. I did not charge him with anything, nor have I intended to make any insinuation as to his good faith in the matter, but simply desired to maintain what I consider to be the true state of things and what was my understanding, and the understanding upon which I acted when I asked the gentleman to withdraw the point of no quorum. I acquit him of any improper motive and ask that none be imputed to me.

Mr. SHAW. Mr. Chairman, I assure the gentleman from New Jersey as he arose without a friend he takes his seat without an enemy. [Laughter.] I now move that the committee rise.

The committee accordingly rose; and Mr. CRISP having resumed the chair as Speaker *pro tempore*, Mr. DOCKERY reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 1521) to provide for paying certain advances made to the United States by the States of Maryland and Virginia, and had come to no resolution thereon.

Mr. DOCKERY. I ask unanimous consent that the remainder of the hour be considered as having expired.

There was no objection.

ORDER OF BUSINESS.

Mr. BLANCHARD. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the river and harbor bill, and pending that I move that general debate be limited to fifteen minutes.

Mr. SOWDEN. I hope that that proposition will not be supported by the House. It seems to me that the time is entirely too limited.

Mr. JOSEPH D. TAYLOR. I object to that.

Mr. SOWDEN. I will move that it be two hours.

The SPEAKER *pro tempore*. The gentleman from Louisiana demands the previous question on his motion. If that be voted down, then the question will recur on the motion of the gentleman from Pennsylvania.

The question was put; and the Speaker *pro tempore* announced that the "ayes" seemed to have it.

Mr. SOWDEN and others. Division.

The House divided.

During the count,

Mr. KERR said: I would like to know if it is not a violation of the rules to insist upon closing debate after hearing only one side—after two hours have been spent by the friends of the bill?

The SPEAKER *pro tempore*. That will be a matter in the discretion of gentlemen voting, but there is nothing in the rules bearing on the subject.

The count was completed; and there were—ayes 68, noes 12.

Mr. SOWDEN and others. No quorum.

The SPEAKER *pro tempore*. The Chair will appoint as tellers the gentleman from Pennsylvania [Mr. SOWDEN] and the gentleman from Louisiana [Mr. BLANCHARD].

Mr. BLANCHARD. The gentleman from Pennsylvania [Mr. SOWDEN] and myself have agreed on forty-five minutes, he to control thirty minutes and I fifteen.

Mr. O'NEILL, of Missouri. I renew the point of no quorum. There are several of us who have something to say about this beside those who have already spoken.

Mr. O'NEILL, of Pennsylvania. I would like to make a suggestion to the chairman of the Committee on Rivers and Harbors——

Mr. O'NEILL, of Missouri. I withdraw the point of no quorum.

Mr. CHEADLE. I raise the point of no quorum, if it has been waived.

Mr. O'NEILL, of Pennsylvania. I would like to make a compromise if I can make one. I offer as a compromise that we go on with the general debate on the bill this afternoon and do not go into the bill for amendments; that we close general debate this afternoon, and after the recess that we go on with the bill by sections.

Mr. SPINOLA. I would propose to make this a special order and take it up to-morrow immediately after the reading of the Journal.

Mr. O'NEILL, of Pennsylvania. I do not want the Nicaragua bill crowded out. We want to get to the private bills.

After some time spent in counting,

Mr. BLANCHARD. The gentlemen who are opposing the limitation of the time consent with myself to an hour and a half for debate, those who are opposed to the bill controlling one hour and those who are in favor of it half an hour, those in favor of the bill taking their half hour last.

The SPEAKER *pro tempore*. The point of no quorum is withdrawn; the demand for the previous question is withdrawn; the gentleman from Louisiana withdraws his motion, and asks unanimous consent that when the House resolves itself into Committee of the Whole on the river and harbor bill an hour and a half be allowed for general debate, one hour to the opponents of the bill and half an hour to the friends of the bill. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The question now recurs on the motion of the gentleman from Louisiana, that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the river and harbor bill.

Mr. SPRINGER. Before that question is put I ask unanimous consent that House bill No. 8466, "to enable the people of Dakota, Montana, Washington, and New Mexico to form constitutions and State governments, and to be admitted into the Union on an equal footing with the original States," be reprinted, together with proposed amendments thereto, and also proposed amendments to Senate bill No. 185, to provide for the admission of the State of South Dakota into the Union and for the organization of the Territory of North Dakota.

The SPEAKER *pro tempore*. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The question was then taken on the motion to go into Committee of the Whole on the river and harbor bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. MCMILLIN in the chair.

RIVER AND HARBOR BILL.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of unfinished business, which is the bill (H. R. 11765) making appropriation for the construction, repair, and preservation of certain public works on rivers and harbors for the fiscal year ending June 30, 1890, and for other purposes, and all general debate is limited by the House to one hour and a half.

Mr. BLANCHARD. I will ask the Chair who is to be recognized by the Chair as controlling the time in opposition to this bill?

The CHAIRMAN. The gentleman from Pennsylvania [Mr. SOWDEN] is entitled to the remaining portion of his own time, and the Chair will recognize other gentlemen for the remainder of the time.

Mr. SOWDEN. I understood, Mr. Chairman, that I was to be recognized to control the whole of the time in opposition to the bill. That was the understanding.

The CHAIRMAN. Then the Chair will recognize the gentleman from Pennsylvania.

Mr. SOWDEN. Mr. Chairman, in the few moments that I shall occupy in the further discussion of the measure now before the committee, I desire to call attention to an extraordinary provision contained in it on page 38. It creates a committee to be composed of six members-elect of the House of Representatives of the Fifty-first Congress, to be appointed by the Speaker of this House, and who shall

Prior to the first Monday of December next, inquire into and investigate the expenditure of appropriations for river and harbor improvements, and the condition and progress of such works of improvement. Said committee shall have power to appoint subcommittees and visit the places where appropriations mentioned in this act are expended, and in doing so they are authorized to use Government conveyances and means of transportation. A sum sufficient to pay expenses of said committee and of its clerk is hereby appropriated, out of any money in the Treasury not otherwise appropriated, which shall be immediately available and payable on the draft of the chairman of said committee. As soon as said investigation shall have been completed said committee shall make report to Congress.

Now, Mr. Chairman, what is the purpose of this extraordinary committee which this bill proposes to create? Are we to have a committee who are to go off on a pleasure jaunt during the long interval between the adjournment of the present and the convening of the Fifty-first Congress? Are they to travel at the expense of the public and to be conveyed and transported in Government conveyances from one point of the country to another to inspect every improvement for which appropriations have been made under the river and harbor bills? What amount of money is it going to cost the tax-payers of the country for this committee to make the junketing trip contemplated in the provision cited? What is the object of it?

These improvements are in charge of the Secretary of War, who furnishes Congress from time to time with the necessary information, showing exactly the nature and character of these improvements, together with estimates of their probable cost. Whence the necessity, therefore, for the creation of this extraordinary committee to be composed of six distinguished members-elect to the Fifty-first Congress, and who are to make a needless and costly pleasure trip over this country at the public expense? Is this proper legislation? Is it wise economy to expend the public moneys for such a purpose? What benefit would the people derive from such a trip? Where are the precedents for such legislation?

There is but one instance of this character that I can presently recall. I refer to the committee appointed to visit the several Indian reservations of this country and examine into their mode of living, etc., which was headed by the distinguished gentleman from Indiana [Mr. HOLMAN], than whom there is no more honest, cautious, and watchful member on this floor. Who is to head this proposed committee? What guaranty have we that this committee contemplated by this bill will not expend many thousand dollars of the public moneys in their pleasant jaunt through the country in Government conveyances in search of the very information which the Secretary of War is bound to furnish Congress from time to time as required by law?

I call the attention of this House and of the country to this extraordinary proposition which is presented to this body by the Committee on Rivers and Harbors. Who ever heard of a proposition like it emanating from any committee of this House?

Again, section 5 of this bill appropriates $75,000 for contingencies which the committee, with all its wisdom and foresight, have not yet been able to discover. Is it prudent to provide for these unforeseen emergencies? Why, I ask again, these extravagant appropriations of the people's money?

Do they propose to drain the public Treasury of its surplus, so as to prevent any possibility of a reduction of taxation? I am surprised that the gentlemen on this side of the House who have been talking so loudly and so eloquently in favor of tax reduction and the reduction of the surplus should now advocate a measure that ultimately must result in emptying the Treasury and leaving it without any surplus at all. Mr. Chairman, it seems to me that the committee having this measure in charge have entirely overlooked the kindly admonition given to this House recently by the President of the United States. On page 3, CONGRESSIONAL RECORD, of date December 4, 1888, I find this passage, which I read from the President's message:

Appropriation bills for the support of the Government are defaced by items and provisions to meet private ends, and it is freely asserted by responsible and experienced parties that a bill appropriating money for public internal improvement would fail to meet with favor unless it contained items more for local and private advantage than for public benefit.

The chairman of this committee told us only yesterday that this bill, carrying appropriations amounting in the aggregate to nearly $12,000,000, contains an appropriation for each and every item that was provided for in the river and harbor bill which became a law less than five months ago without the signature of the President. When the present bill was prepared it must have been known to the committee having the matter in charge that the President withheld his signature from the last bill because it contained some provisions of an objectionable nature. It contained many of a national character that were wise and in the interest of the public good. This is what saved it from the Presidential veto.

I think the President made a mistake in not vetoing it. It is to be regretted that he did not exhibit his usual courage in this particular. Had he returned the measure unapproved and in his veto message to Congress pointed out its objectionable features, another bill meeting his objections might have been passed, clean of all appropriations of a local and private nature and not calculated to benefit the commerce of the country or promote the public good. This is the only way in which we can hope to secure judicious legislation on this important subject. No patriotic citizen will oppose any reasonable appropriations for the improvement of the great rivers and harbors of the country, but the wasteful appropriation of the public moneys for the improvement of the small rivers and creeks of the country should be carefully avoided.

Why were these objectionable features not omitted in the present measure? The committee have entirely overlooked this matter in the preparation of the bill now under consideration, and have presented nothing more than a copy of the old bill, the only difference being that the sums appropriated for the improvements named are less than in the last measure——

A MEMBER. This is "only a little one."

Mr. SOWDEN. Yes; this is only a little one. We heard that yesterday. The last measure contained "two bills in one." This, then, is the third bill of its kind for this Congress. Its redeeming feature seems to be that it only appropriates one-half of the amount of the other bills. What a sad commentary for this side of the House!

Mr. Chairman, I reserve the residue of my time and yield ten or fifteen minutes to the gentleman from New York [Mr. CUMMINGS].

Mr. CUMMINGS. Mr. Chairman, in the light of past river and harbor legislation thoughtful statesmen ought to travel slow. It is only a little over six years since President Arthur vetoed a river and harbor bill carrying over $19,000,000. It was a year's appropriation. The country stood aghast at the immense sum. The House passed the measure over the President's veto. Mark what followed. The destroying angel came. He struck down the first-born of the river and harbor statesmen throughout the country. There was weeping and wailing in both political parties. The lordly ex-Secretary of the Navy was stretched at the side of that blunt statesman from Cheesequakes Creek.

The good and faithful servants were returned. I see many of their faces here to-day. They beam in the delegations from Georgia and from Maine. A namesake of my ponderous friend from New Jersey was among them. I see some of them in the Illinois and some in the Indiana delegations. They smile in the Pennsylvania and New York contingents.

The river and harbor bill was passed in the August preceding the Congressional election of 1882. Within three months the people swept its warmest supporters into political oblivion. This bill comes up two

years before a Congressional election, but let its supporters not hug the delusion that their action will be forgotten.

The people have long memories. That bill appropriated $19,000,000 in one year. Pass this bill and the Fiftieth Congress will have appropriated $34,000,000 for rivers and harbors in five months and fifteen days.

Sir, I take my stand on the veto message of President Arthur. He said:

My principal objection to the bill is that it contains appropriations for purposes not for the common defense or general welfare, and which do not promote commerce among the States. These provisions, on the contrary, are entirely for the benefit of the particular localities in which it is proposed to make the improvements. I regard such appropriation of the public money as beyond the powers given by the Constitution to Congress and the President.

I feel the more bound to withhold my signature from the bill because of the peculiar evils which manifestly result from this infraction of the Constitution. Appropriations of this nature, to be devoted purely to local objects, tend to an increase in number and in amount. As the citizens of one State find that money, to raise which they in common with the whole country are taxed, is to be expended for local improvements in another State, they demand similar benefits for themselves, and it is not unnatural that they should seek to indemnify themselves for such use of the public funds by securing appropriations for similar improvements in their own neighborhood. Thus as the bill becomes more objectionable it secures more support. This result is invariable and necessarily follows a neglect to observe the constitutional limitations imposed upon the law-making power.

Now, sir, I am willing to vote for the fullest appropriations for the benefit of our genuine arteries of commerce. I would gladly vote $1,500,000 for the harbor of Galveston if needed, but to secure this appropriation I am not willing to vote thousands for the improvement of Powow River and Mingo Creek. [Laughter.]

I am willing to vote ample sums for work in the harbors of Mobile and Savannah, but to secure them I am unwilling to vote thousands for Duck Creek and the Wappoo Cut. [Laughter.]

I feel that it would be my duty to vote full appropriations for the harbors of Beaufort and Charleston, but when they carry with them appropriations for Nomini and Contentnia Creeks and for the Lumber River I am compelled to decline. I would give ample sums for the benefit of the ports of Norfolk, Baltimore, Philadelphia, New York, Boston, and Portland, but not when loaded with money for the improvement of the Narraguagus, the Waccamaw, and the Salkehatchie Rivers. [Laughter.]

I would proudly vote liberal sums for San Francisco and San Diego, but not with a Forked Deer and a Cowlitz accompaniment. I would even go my length on the Big Sunflower, but I kick when you hitch to it the Rouge and the Feather Rivers. Such appropriations do not make the people "feel as happy as a big sunflower." [Laughter.]

And even in the appropriations for these classical streams it seems to me that the committee has made an invidious distinction.

I find ample funds for the beautiful waters of the Steilaquamish, but not a cent for the purling Sagadahoc. I find thousands for the sweetly-singing Nootsack, but not a nickel for the immortal Kiskiminetas. [Laughter.] Even chaste Okeechobee and wondrous Tohopikalaga are left out. The Skagit, the Snohomish, and the Snoqualmie take the places that ought to have gone to the lovely Allokehatchie, the yellow Yalabusha, and the glorious Passamaquoddy. What's the matter with the whispering Withlacoochee? Where in thunder is the appropriation for Devil's Lake, Skunk's Harbor, and Stinking Water River? [Laughter.] The committee has not begun to do its duty by these magnificent ponds and creeks. It will not do to slight them in favor of Jekyl Creek, the Chehalis, and Caney Fork River.

No, sir. Put the money where it belongs. Give Galveston her million. Raise the appropriation for New York Harbor from $100,000 to $3,000,000, and you will not have steam-ships aground every week near Sandy Hook and United States men-of-war fastened in the mud at the Wallabout when they ought to be thundering at the water gates of Port au Prince and making music at the Samoan Islands.

Wipe out this log-rolling scheme and use the money in an honest way for the honest improvement of honest harbors, and I am with you heart and soul. Proportion the work according to the magnitude of its importance to the people and I will cheerfully vote for it. As it is, the measure can not secure my support.

Mr. SOWDEN. I now yield ten minutes to the gentleman from Iowa [Mr. KERR].

Mr. KERR. Mr. Chairman, the chairman of the Committee on Rivers and Harbors made some remarks yesterday in favor of this bill as it is; and he was followed by a gentleman who opposed the measure because it is not half large enough. I concur, however, in some of the remarks made by the gentleman who followed the chairman of the committee. I believe it is proper to make appropriations for rivers and harbors, but they should be for rivers and harbors of national importance—rivers and harbors in which it may be said the people in general have an interest.

The people of my State, and of the Western States generally, have been for years anxious that some legislation of importance should be undertaken for the creation of a water way between Lake Michigan and the Mississippi River in order that there may be some competition by water transit against the railroads of the United States; and if the vast sums of money which we appropriate or are asked to appropriate were to be expended for a few measures of national importance such as I have indicated, we would have substantial water competition with the transportation routes created by our railroads. But we have no such appropriations in this bill, or at least a very small amount is apportioned for that purpose. Not one in ten of the items of this bill is for a measure of national importance.

The gentleman from Texas [Mr. CRAIN] stated as a reason why a larger appropriation should pass that there is plenty of money in the national Treasury. I do not agree with that remark. Within two years, or a little longer, over $100,000,000 will have to be raised in excess of the amount now in the Treasury to pay a portion of the national debt which will then have matured. That money will be needed in about two years. The gentleman said that the Senate would not pass the House tariff bill. But the Senate will pass the Senate substitute, reducing the revenues to the limits of the present needs of the Government, and if the House will act wisely and approve that measure when it is returned from the Senate we shall have such a reduction of the national revenues as will make it necessary for the Government of the United States to economize the national resources in order to meet the obligations which will mature in the fall of 1891. There is no reason why money should be taken out of the national Treasury hurriedly in order to reduce the surplus. It will be reduced soon enough if the Senate substitute shall pass, as it ought to pass.

This is the largest appropriation by twelve to fifteen million dollars that has ever been appropriated by any Congress of the United States during a single term. I mean the amount of this bill with what was appropriated at the last session. As the gentleman from New York [Mr. CUMMINGS] said, many well-known public men were defeated a few years ago because they voted for an appropriation of $19,000,000 in one term; and this Congress proposes to appropriate $34,000,000 of the public money, more than half the entire expenditure of the National Government in 1860, and nearly one-half of the amount which would be needed for everything except extraordinary expenses of our Government for a year if a large portion of the machinery for collecting the revenues were dispensed with, as it should be.

There are in this bill three hundred and sixty-one items, but not one-tenth of these can any man claim to be measures of any national importance. While I do not believe that objections based upon constitutional grounds have much weight where members are anxious to vote appropriations, I think they ought to be considered. There is no power in the Constitution to appropriate the public money for the improvement of creeks or harbors of no national importance; and if this course is persisted in there will be before long a very strong protest from the American people that will be heeded.

Mr. BLANCHARD. I will take the floor and yield ten minutes of my time to the gentleman from Texas [Mr. STEWART].

Mr. STEWART, of Texas. Mr. Chairman, whenever a river and harbor bill comes into this House for consideration it is always entertained by such speeches as we have just heard from the gentleman from New York. He comes from that portion of the country which may be regarded as almost finished. Now, it is perhaps true that larger appropriations have been made in the past for the harbor of New York, the Hudson River, and for other places in the State of New York, than have been made for other portions of the country. Of this I do not complain, but ask that the same liberality be extended to other sections.

It is a sufficient answer to the objections made by the gentleman from New York to the appropriations made for what he terms "purling brooks," that there is no river provided for in this bill which does not come within the description of an interstate stream as defined by the Supreme Court of the United States. The appropriations, Mr. Chairman, contained in the last river and harbor bill were submitted to the Secretary of War, and he was requested to designate such appropriations as he thought ought not to have been made, and the amount so designated by him does not exceed 1 per cent. of the amount appropriated by the bill. .

Yesterday the pending bill was subjected to three criticisms—first, by my colleague [Mr. CRAIN], that it does not give enough; second, by the gentleman from Pennsylvania [Mr. SOWDEN], that it gave too much; and thirdly, by the gentleman from Illinois [Mr. ADAMS], that the whole system of appropriations for rivers and harbors was wrong and a perfect failure.

Certainly these objections go to the root of the whole matter, and I propose briefly to allude to them in their order. I sympathized with my colleague [Mr. CRAIN] when he complained that the bill was too small. I listened to his argument with great pleasure. His objection to the bill was characterized by the chairman of the committee as being unique.

It is usual for members to offer amendments for the purpose of increasing appropriations for improvements in which they have a special interest, but my colleague, with his characteristic unselfishness and patriotism, has offered a substitute for the pending bill which embraces the entire country. He criticised the action of the Committee on Rivers and Harbors, and charged that in the preparation of this bill they had acted with too much haste. Let me say to him in reply that this is the second and the short session of the Fiftieth Congress, and the formation of this appropriation bill is easier and can be done with more rapidity at this session because of the knowledge obtained by the committee in their

investigations of the subject-matter during the first or long session of this Congress.

There existed no good reason why the committee should not have reported this bill as soon as it was practicable for them to do so, and in my judgment there is no just cause of complaint against the committee for their prompt action. In the argument made by my colleague I understood him to say that the Committee on Rivers and Harbors should have been governed by the estimates furnished by the engineers having the different improvements in charge, and to fortify this portion of his argument he read a letter from the Chief of Engineers, which in substance stated that the amounts asked to be appropriated were actually necessary and could be properly expended during the next fiscal year. I thought the logic of his argument was this: that we should comply with the estimates made by the engineers.

Mr. CRAIN. I think so yet.

Mr. STEWART, of Texas. Then you failed to abide by the logic of your own argument. You failed to make your substitute correspond with your argument. On yesterday, when I asked why you did not, you responded, I know in sincerity and not irony, that it was because you were afraid of the influence of the Committee on Rivers and Harbors with this House. I tender my colleague the thanks of the committee for the compliment paid to it, but I wish to say further, on the part of the committee, that it does not arrogate to itself the power of controlling this House in regard to this measure, and that it has a wholesome fear of the House that is not without its influence in the preparation of a bill for its consideration and action. What did he offer?

The old bill of last year, which gave about 50 per cent. of the estimates, and this bill gives about 33⅓ per cent. of the present estimates; and he denominates this as a "driblet system." He stated, if I remember correctly, that under the "driblet system," as he was pleased to term it, it would take forty years for Galveston to have her harbor improvement completed.

Mr. CRAIN. Will the gentleman permit me to interrupt him?

Mr. STEWART, of Texas. Yes, sir.

Mr. CRAIN. You said——

Mr. STEWART, of Texas. I have but little time—only ten minutes—and I hope my colleague will not take up too much of it.

Mr. CRAIN. I will try to get the floor and yield my time to my colleague. You say my substitute simply increases the appropriations of your bill 16 per cent.

Mr. STEWART, of Texas. About 60 per cent. You intended to make this bill in amount equal to that of the last session, as I understand it.

Mr. CRAIN. Yes, in my substitute I increased it 100 per cent., and not 16.

Mr. STEWART, of Texas. We have given in this bill about one-third of the estimates as a rule—not an inflexible rule, it is true—and in the last bill we gave something like 47 per cent. of the estimates.

Mr. CRAIN. Last year you appropriated some $22,000,000, and this year you appropriate only $12,000,000.

Mr. STEWART, of Texas. No matter what the increase is, you desire that we should make the same appropriations in this bill that we did in the last, and if we did so, according to your argument, it would take forty years to complete the improvements at Galveston and Aransas Pass. The point I am endeavoring to make is that your action is inconsistent with the theories you have advanced. Why delay the people of Western Texas in obtaining an outlet to the sea at Aransas Pass? Why delay the intelligent and enterprising people of Galveston in obtaining deep water for forty years? Why do you not follow the conclusions of your argument by bringing in a substitute for the pending bill which complies with the suggestions of the engineers made in their reports?

On yesterday my colleague said that he was opposed to the system; that he thought it wrong, but that it had become the fixed policy of the Government and could only be corrected by public opinion asserting itself in opposition.

Mr. CRAIN. That is not what I said. I said if I had my way it would be different. I said that this policy had been so long pursued by the Government that it would be futile now to attempt to change it.

Mr. STEWART, of Texas. I understand the position my colleague occupies.

Mr. CRAIN. But I do not want to be put in a false position.

Mr. STEWART, of Texas. Nor do I desire to put you in a false position. I only wanted to show what you would do.

Mr. CRAIN. Ah! I would have to adopt the policy because, as I have said, it was fastened upon the Government.

Mr. STEWART, of Texas. Why not act in accordance with your theories? You confess that you can not, that the House will not pass a bill giving the entire estimates of the engineers, nor do I believe that a bill containing as large appropriations as are provided for in your substitute can pass this House.

I confess I would like to see a large river and harbor bill brought in if there was any probability of its passage. I believe there is no appropriation made that does so much for the people as the river and harbor bill, and I further believe, while I would say nothing depreciatory of the large harbors of the country and the appropriations for them, that the greatest benefit which accrues to the people of this country is in the improvement and development of the smaller streams. I believe they increase commerce more, and put more money in the pockets of the producers by what they save in the cost of transportation than do any other appropriations made by Congress. But not being able to obtain such a bill as I would like to have, I am not willing to incur the risk of losing all by endeavoring to obtain more than I know will be given.

The objection made by the gentleman from Pennsylvania [Mr. SOWDEN] is that the bill gives too much, and he says no appropriations should now be made because there are funds in the hands of engineers unexpended. I am not particularly well posted in regard to Philadelphia, but I do know that with few exceptions all the money appropriated in the last river and harbor bill is under contract, and will not be on hand during the next fiscal year, and that the appropriations made in the pending bill are for the year ending July 1, 1890. The proposition made by my friend from Pennsylvania if accepted and carried out, will delay river and harbor improvement for two years, and in that time the works will greatly deteriorate and much loss will result to the Government.

But my friend from Illinois says the whole system is wrong in that Congress constitutes itself a board of improvement, whereas he would have one general board of improvement or a board of improvement for the different sections of the Union. In the limited time allowed me I can not at length go into all my objections to this proposed plan, but I will only now say that it would result in providing for the larger ports, and leave much of the country unprovided for, and because of this injustice I shall be opposed to the proposed plan.

[Here the hammer fell.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEWART, of Texas. I should like to have a few minutes longer.

Mr. SOWDEN. I yield two minutes to the gentleman from New York [Mr. COX].

Mr. STOCKDALE. I ask unanimous consent that the gentleman from Texas be permitted to proceed.

The CHAIRMAN. The time for debate has been limited by order of the House.

Mr. STEWART, of Texas. Then if I can not get an extension of the time, I ask consent to extend my remarks in the RECORD.

Mr. COX. I ask the same privilege before beginning the two minutes yielded to me.

There was no objection.

Mr. COX. Mr. Chairman, my friend from Texas, as I understood him, stated that New York has received more by way of public improvements from the public Treasury than any other locality.

Mr. STEWART, of Texas. In this bill.

Mr. COX. Two remarks which have fallen from my honorable friend from Texas deserve reply.

The first was, if I understood him, that New York did not require so large an appropriation for her commerce in respect to her rivers and harbors as formerly, and, secondly, that she was finished.

New York finished? She is neither finished as to the increase of her population nor her importance as a commercial metropolis. She is the great center of life and industry of this country. I need not go back further than 1840 to make the comparison and to refute the remark of the gentleman.

Her increase from 1840 to 1850 was 88 per cent.; from 1850 to 1860, 68 per cent.; from 1860 to 1870, 29 per cent.; from 1870 to 1880, 34 per cent. Each decade numbers her increment by the hundred thousand. Her increase from 1840 to 1850 was 317,000, and in her last decade—from 1870 to 1880—583,000.

New York finished? Why, sir, if you consider New York and the suburbs in her immediate vicinity, I have the statement of an engineer on whom the gentleman relies before me to show that in fifty years more, in an area not less than 300 square miles, her population will probably be 8,000,000, and every available foot of water front within 10 or 15 miles of her present limits will be taken up by wharves and teem with steamers and ships.

New York finished? Why, sir, the energy and enterprise, which are every day expanding, have already outgrown the limits of her city by more than half a million since I entered within her gates—a quarter of a century ago.

Considering the adjacent cities of Brooklyn, Jersey City, and Williamsburgh, which are but branches of the parent trunk, she has a population now greater than that of any of the States in the Union excepting four.

Three millions of inhabitants within these precincts, progressive and active, do not indicate that New York is finished.

Why, sir, this magnificent port, with its entrances on East River into Long Island Sound and thus to the sea, and through New York Harbor, via Sandy Hook, to the ocean, imports two-thirds of the merchandise of our country, receives two-thirds of the import duties for our Government, sends out one-half of the domestic products of our land, and gives hospitality to one-half of the foreign tonnage trade with the

United States. Three-fourths of the passengers who come from and go to foreign countries, including three-fifths of all our immigrants, find their grand depot at New York Harbor.

Notwithstanding the discouragements to her shipping and her commerce by reason of obstructive laws, it is not yet entirely easy to effect an entrance to her port by the larger steamers, and, certainly, in many of her channels this difficulty is altogether obstructive.

If her channels were properly improved by deepening according to the plan of the engineers commended by my friend from Texas, there would be increased facilities for commerce by rendering the wharves in certain localities more accessible to vessels.

Why, sir, vessels are now obliged to pay a high bonus—seventy-five to one hundred dollars a day—for using other wharves, and these other wharves, in consequence of the great demand, are in constant occupation.

I am not now criticising harshly the bill presented by the honorable gentleman from Louisiana [Mr. BLANCHARD] from his committee. He has made a careful study of his subject from his own standpoint.

I have in the past criticised bills somewhat in the vein of my colleague from New York [Mr. CUMMINGS], and perhaps this kind of criticism has made our committees more cautious, and because of this caution the censorship of the American press and people has grown to be more lenient toward this class of legislation.

The bill reported to-day is not obnoxious to the objection which has been urged—that it follows another bill of nearly double the amount at the last Congress, for we well know that that bill comprehended two years.

The present bill appropriates $11,906,850, or, in round numbers, $12,000,000. One-third of this is for harbors and the rest for rivers.

We are informed, too, that the present bill provides for no new projects. I welcome this as in the line of reform, for certainly at this stage of our country we ought to know which of our water ways should be the object of Federal care and Federal money.

"Editorial provincialism" falls short of its mark when it would criticise this bill under the light of other bills in our past legislation.

But, sir, one thing strikes me, and with emphasis, in connection with this and all former bills as they affect New York Harbor and its adjacent channels, and that is this: that while it is admitted that New York has so large a preponderance of our commerce, with its exports and imports, the appropriation for the care of its harbor, which is based upon foreign and interstate commerce, is grotesquely inadequate.

If two-thirds of the imports and one-half of the exports pertain to New York Harbor, and inasmuch as the committee have taken the Supreme Court decision as the criterion for their action for the improvement of navigation from the Federal Treasury, why should not New York City have an amount commensurate with the admitted magnitude of her commerce?

Twelve millions in this bill! If you would test New York's quota by her share of the commerce of our country, she would be entitled to two-thirds, or at least one-half, of these appropriations. And certainly it would be startling to gentlemen to know that New York should receive six millions a year for her harbor.

No one would insist on it. I do not insist on it, for it is true that we have had advantages from the Federal Treasury which, however, should be continuing in order ultimately to answer the purpose for which they were originally intended.

This bill gives her $100,000 for New York Harbor, $20,000 for Gowanus Bay, $150,000 for the Harlem improvement, and $175,000 for the East River and Hell Gate. Hardly half a million.

But I am not here, as I said, to criticise harshly this measure, but to accept it in view of what has been done in the past for New York, and with the hope of so amending it as to make it better for New York Harbor. It is my pleasure to commend the results of the improvement made at Hell Gate, which is yet to be completed. I am not so conversant with the work at Harlem, which has a large surplus yet to be used for that locality.

Before the improvement of New York Harbor was undertaken by the United States, the lowest depth in its mid-channel on the bar was 23.7 feet at mean low water.

This was too low, for it was only at high water that vessels of great draught could cross these shoals.

Gedney's Channel, which leads into the harbor, should have 30 feet at mean low water. It should have periodical dredging, and should otherwise conform to the requisitions of the engineers, so as to preserve it from being scoured by the increasing current. The result of our expenditures in this channel, which is the great highway from Europe of all vessels of great draught, is not at all disheartening. This committee and this House are entitled to the credit of producing a channel across the bar of over 25 feet deep at mean low water.

More, however, is to be done so as to deepen the shoals inside the bar. No doubt that will be properly done and guarded by future engineering, legislation, and contracts.

We are informed that a channel has been obtained at this point not less than 500 feet wide, in which the least depth between the steamer wharves and the ocean is about 26 feet on the bar. The big steamers, as now loaded, are not delayed at the average low tide in coming in, nor are any of the large steamers which usually go to sea at high water obstructed.

Magnificent fruits have resulted, therefore, from our legislation, and for this I have no satirical or critical observations to make. More than that, which should gratify gentlemen of the committee and of the House, the investigations that were made in December, 1887, and in May, 1888, demonstrate that the shoaling has ceased on the bar for six months and that no dredging was required. Other investigations demonstrate the fact, as the engineers report, that the dredged channel across the bar may maintain its due dimensions by the action of the currents alone.

Although the committee report but $100,000 for Gedney's Channel, without which there is no New York Harbor, I will not complain, for in this they have made their rule flexible so as to go beyond the 33 per cent. appropriated of the estimates. The engineers have said that "the amount which could profitably be expended for the fiscal year ending June 30, 1890, was $160,000;" so that the committee as to Gedney's Channel have done for New York Harbor at this point better than the general average, but not as much as there is needed, and not so much by $60,000 as the engineers estimate.

Nor will I find fault with the result of the appropriation last year to Buttermilk Channel.

This channel lies between Brooklyn and Governor's Island in New York Harbor. Its shoaling was at its upper end, where it joins the East River. Formerly it had but a depth of 9½ feet at mean low water. The crest of this shoal was about 800 feet outside of the Brooklyn wharves. Various projects for improving this channel have originated with the engineers and the estimated cost of the improvement was $210,000. Nearly all of that has been wisely expended.

No one should underrate the importance of this channel as well for deep-draught vessels as for others, for in this channel there enters over 63 per cent. of the commerce of New York, and therefore it was wisely thought that the depth should be increased to 26 feet at mean low water. Thus far the shoal has been removed to a depth of 22 feet at mean low water, and the engineers have given their verdict that the result is a benefit to navigation. Still they demand the 26 feet, and there is available for that purpose for the year ending June 30, 1889, over $100,000.

Now I come, sir, to Gowanus Bay, New York. This gives me more concern. It is connected with Buttermilk Channel. In fact, it is a part of it. Its improvement is necessary for wharfage as well as for navigation.

The plan which was first adopted provided for giving 18 feet of depth and a width of 200 feet, with a channel leading up to the mouth of the creek on both the north and south sides for the distance of a mile. Part of this work has been done. The 18 feet of depth was obtained. It has since been reduced, owing to the softness of the material, to 15 feet. But, sir, there is no doubt in the minds of the engineers, and there was no doubt in the minds of the Senate when they amended our bill in the last session, that the channel for Gowanus Bay must be widened to 400 feet, and the depth if possible increased. The original depth of 7 to 12 feet was wholly insufficient for our shipping, and the Senate evidently intended that a better plan should be adopted, for they inserted in their amendment, which became the law, the following:

Improving channel at Gowanus Bay, New York: Continuing improvement, by deepening to 21 feet mean low water, and widening the channel to 400 feet on the northerly side from the foot of Percival street, along the wharves to the 23-foot curve, opposite the entrance to the Erie Basin, $60,000.

I hope to offer an amendment to the present bill increasing the sum to Gowanus Bay from the paltry $20,000 to $66,666, which is 33 per cent. of the estimate, the report of which is yet to be laid before the committee and the House. I am informed that a recent report (since that of October 1, 1888) has been made by the engineer in charge of Gowanus Bay channel. It is now in the hands of the Chief of the War Department. It has not yet been printed or reported here. It recommends that the amount that could be profitably expended to carry out the above plan of 400 feet width is $200,000. One-third of that sum, therefore, is on the basis of the committee's work. We all desire to conform as near as can be to the report of the engineers and to the amendment made by the Senate, which is now the law, and I hope it will receive the sanction of the committee as well as of the House. Or, in other words, because of the great increase of our tonnage in the channel and the draught of our sea-going vessels, we should increase the depth of this channel to at least 21 feet at low water, giving it a width of 400 feet. Those vessels could then be handled with facility in the narrow space near the mouth of Gowanus Creek, and there are other incidental improvements resulting from the increased appropriation.

The committee at the last session gave us $60,000. Sixty thousand dollars more was required, according to the then existing project, for its completion. But the committee have only given us $20,000 of this amount. Surely, since the $60,000 which they gave, when nearly $200,000 was required, was so inadequate that it could not be used, why should not the committee, at a place and for a channel whose exigency is so great, allow the full amount proposed by the engineers?

In all these appropriations, Mr. Chairman, for the city of New York

we have to meet no question as to their necessity or constitutionality. The water ways which we desire to have improved are not those of New York alone, and for every dollar expended there are benefits to the cotton-grower of the South and the grain-grower of the West. It increases the price of their product inasmuch as it facilitates its exportation. It facilitates locomotion of all kinds, and it does so because it aids a great commercial highway, both interstate and foreign. "It is not merely potential commerce," to use the words of the committee in their report. The need is actually existent.

If the harbors on our Pacific coast, Gulf, and Lakes call for such large taxation upon the people, to which New York, through her representatives, makes no resistance; if the new elements which are producing so many remarkable motors for transportation and travel have any significance for the American Congress, and if the advancement of our country in its material resources, reaching far inland, pleads for the aid of our natural advantages by generous and just appropriations, then this splendid harbor which nature has placed at the great gateway of our metropolis falls within the purview of the Constitution and the decision of our supreme tribunal. Adequate support for continuing its improvement can not but have a warm place in the good-will and judgment of the American people. [Applause.]

[Here the hammer fell.]

Mr. SOWDEN. I now yield ten minutes to the gentleman from Ohio [Mr. JOSEPH D. TAYLOR].

Mr. JOSEPH D. TAYLOR. Mr. Chairman, I wish to call the attention of the committee to page 177 of the Book of Estimates, and I desire to say in connection therewith that the Secretary of War, in this estimate, has made no recommendation whatever in regard to a river and harbor appropriation for this session of Congress. It has been customary heretofore for the Secretary of War, in this report and estimate, to indicate how much, in his judgment, could be profitably and judiciously expended in the improvement of rivers and harbors during the coming year, and to recommend that this sum be appropriated. I notice that the last Republican Secretary of War was not governed by the report of the Chief of Engineers in his recommendations to Congress, but on the contrary made an estimate for himself very much less than the amount recommended by the engineers, and in his report to the Forty-eighth Congress he recommended that the sum of $8,000,000 be appropriated for the improvement of rivers and harbors, and stated that in his judgment no greater sum could be judiciously expended within one year for this purpose; and in the face of the reports of engineers recommending a much larger sum he refused to ask for any greater appropriation than this, and yet a Democratic House nearly doubled the sum recommended by the Secretary of War in its appropriation for that session of Congress. This report, on page 177, the report of the present Secretary of War, shows that $22,250,116.90 was appropriated and left over from last year, and the Secretary of War is not asking for another dollar for this purpose. And in addition to calling the attention of the House to the report of the Secretary of War, I wish to say that it is utterly impossible to carry on successfully at the same time three hundred and fifty different projects, and yet this river and harbor bill makes at least three hundred and fifty distinct and different appropriations, appropriations for three hundred and fifty different purposes.

A MEMBER. Three hundred and sixty-one.

Mr. JOSEPH D. TAYLOR. Yes, three hundred and sixty-one appropriations, as my friend from Iowa suggests; three hundred and sixty-one distinct and separate appropriations made in one bill.

More than $22,000,000 were appropriated last year, or on the 31st of July last, only a few months since, and the Secretary of War has made no request for any appropriation of this kind for this year, and the passage of this bill by this House is, in the judgment of the Secretary of War, wholly unnecessary.

There was but one river and harbor bill passed by the Forty-seventh Congress, and but one river and harbor bill passed by the Forty-eighth Congress, and but one river and harbor bill passed by the Forty-ninth Congress, and I do not see why two river and harbor bills should be passed by the Fiftieth Congress when the bill passed at the first session of this Congress appropriated a larger sum than was ever before appropriated by any prior Congress for this purpose. The American people will bear a great deal, but such appropriations will not always be borne. The effect of the $18,000,000 appropriation by the Forty-seventh Congress ought not to be so soon forgotten.

Then I wish to enter my protest against the way in which this bill comes before Congress. The river and harbor bill of this House is an anomaly. It has no precedent in the legislation of any country on the face of the earth. It is absolutely without a single parallel in any country in the world. No other country secures the passage of a law by any method which corresponds to our method of passing a river and harbor bill, and we have no other such legislation in our own country.

If this method is right, why is not the Committee on Public Buildings and Grounds permitted to report all public buildings in one bill? We generally have forty or fifty separate bills on the Calendar for the erection of forty or fifty different public buildings, and yet nobody has ever suggested the propriety of giving to that committee the same powers and the same rights that are given to the River and Harbor Committee, that of putting three hundred and sixty-one appropriations in one bill, and passing them all at one time by one vote. Why do we not give the same authority to the Committee on War Claims? Page after page of the Calendar is covered with bills reported favorably from the Committee on War Claims, and yet nobody proposes that an omnibus bill of this kind shall come from that committee with the extraordinary rights and privileges of the River and Harbor Committee of this House. Why do we not have this kind of authority delegated to the Pensions Committee? There are thousands of soldiers who have bills pending before this House, and they, too, are separate bills and are denied consideration. Why can we not put the claims of three hundred and sixty-one soldiers in one bill and pass upon the merits of all in one bill as well as we can pass upon the merits of three hundred and sixty-one rivers and harbors? Are the claims of the soldier and the soldier's widow less meritorious than the claims of the rivers and harbors of the country? Why not group them together as we do these rivers and harbors and get rid of these Friday night sessions? In this way they would get a hearing some time; as it is, most of them never will during this Congress.

A MEMBER. The time will come when they will.

Mr. JOSEPH D. TAYLOR. Yes, sir; it will come. It will come in the next Congress.

Mr. Chairman, I desire to repeat what I said in the Forty-eighth Congress, and in doing so I mean no disrespect to the Committee on Rivers and Harbors. I have no complaint whatever to make against this committee. It has probably discharged its duty as well and as faithfully as it could do under the circumstances. What I said then, and what I desire to say now, is that in my judgment there ought to be no such committee. There ought not to be any Committee on Rivers and Harbors nor any Committee on Levees and Improvements of the Mississippi River. Congress ought to appropriate annually a gross sum of ten, fifteen, or twenty million dollars, and we ought to have a board of engineers or a board of competent men whose duty it would be to examine and survey the rivers and harbors of the United States, and determine what are or what are not needed improvements. In this way an experienced and competent board, free from party influence and local bias, could undertake the most worthy improvements and psuh them to a speedy completion. Lines of commerce would then be opened up, and the demands of travel and trade would meet an early response. The annual report of this board would be open to Congress and to the country, and its conduct would be subjected to the closest scrutiny and the severest criticism.

How is it possible under the present method for the country to realize very much benefit from this enormous expenditure of money? Many of these so-called improvements have had appropriations for ten, fifteen, and twenty years, and the expenditures in many cases have been wholly wasted on account of the reckless character of the undertaking; and sometimes where an improvement was actually necessary at the time the first appropriations were made the necessity ceased before the harbor was completed, and the appropriations proved a total loss. In other instances the cost was greatly augmented by the long delay in the completion of the work and the loss in interest on the large sums invested so long before the harbor was ready for use. I think, therefore, Mr. Chairman, that this whole plan should be changed. River and harbor appropriations should stand on the individual merit of each. I should like to inquire how many members of this House know about the appropriations for these three hundred and sixty-one distinct purposes sufficiently well to pass on their respective merits? What do we know about these appropriations in Texas or in Maine, in South Carolina or in North Carolina, in Florida or in Minnesota, along the Lakes in the North or along the Gulf in the South?

We know nothing about them. The committee knows nothing about them. It says nothing about them in its report; and no gentleman who is a member of this House or who is not a member of this House has had any opportunity of going before that committee for the purpose of presenting any request for any appropriation whatever. The River and Harbor Committee was only in session a few hours. It was only a few days from the time when Congress convened until this bill and the report came to this House; and no one from any part of the country had any hearing granted him by this committee or any opportunity to give it any information. I have a letter here from a gentleman of my own State, but the letter did not reach me until the committee had closed its sitting and made its report. This House had scarcely begun to do business when the distinguished chairman reported his bill for the appropriation of about $12,000,000. It was reported favorably and its passage recommended. This bill will not pass if it "does pass on its merits." How many of these three hundred and sixty-one appropriations would be made if they were in three hundred and sixty-one separate bills? The committee in the nature of things can know but very little about these rivers and harbors. They have had no opportunity of knowing. They never saw them. I venture the chairman of the committee never saw one-tenth of these rivers and harbors in his life. He can not know about them, and most of us know nothing about them. This House knows substantially nothing about them. We are groping in the dark. We may know the locality of some of them, but we do not know their needs nor the sum necessary to make needed improvements.

Mr. DUNHAM. They are going to have a committee of six to examine these improvements next summer, and they will spend plenty of money.

Mr. JOSEPH D. TAYLOR. My friend suggests that they are to have what has been styled a junketing committee to travel around in palace-cars and stop at elegant hotels, to visit the watering-places on the Atlantic and Pacific coasts; but these men are to go and find out, after the bill is passed, whether it is a wise thing or not.

They are going to lock the door after the horse has been stolen. They had better look out for the horse now. I think the appointment of that committee will come too late, and will amount to nothing but a pleasure trip to the appointees. We had better have a committee of inquiry made by the Government, composed of competent engineers, who shall be held responsible for the expenditure of this money. They should be given a sum in gross, and should be held responsible for its judicious expenditure. I should vote for a measure of this kind very cheerfully; but I protest against the passage of a measure that distributes money to nearly every State in the Union, and to three hundred and sixty-one different localities, thus offering a reward to the recipient of one appropriation to induce him to help every other beneficiary. This is bad legislation, and should not be permitted in one case and denied in every other. This is why this bill overrides all other legislation. This is why it takes precedence of the pension bills, of the Blair educational bill, of the honest claims reported by the Committee on Claims, and of a hundred other important bills which were reported to the House during the last session, but are denied now a single hour for consideration.

While I am in favor of the improvement of rivers and harbors, I am not in favor of a system of public plunder which groups all classes of improvement in one bundle and compels the success of all or none. Nor am I in favor of carrying on three hundred and sixty-one enterprises at one time when only a few are ever to be completed by the generation that begins them. Other nations select a few public improvements of national importance and complete them, and then take up others. We should do the same.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANCHARD was recognized, and yielded ten minutes of his time to Mr. HENDERSON, of Illinois.

Mr. HENDERSON, of Illinois. Mr. Chairman, I am a good deal amused at some of the remarks made by gentlemen in reference to the river and harbor bill, and somewhat surprised at others, and especially surprised at the remarks just made by my friend from Ohio [Mr. JOSEPH D. TAYLOR]. He says that the Committee on Rivers and Harbors does not know anything about these rivers and harbors for which they propose appropriations. If he had been studying the reports of the engineers who have seen these rivers, who have examined them, and who have reported to Congress upon the importance of their improvement, as long as the Committee on Rivers and Harbors have been studying them, I think he would know a great deal more on the subject than he does now. But it seems to be quite fashionable for certain gentlemen at every session of Congress, when the river and harbor bill comes up for consideration, to rise and mention certain singular names (some of which appear in the bill, but many of which are not in it at all) and make remarks upon them which go to the country and deceive the people in regard to improvements which are really, as I believe and as the Committee on Rivers and Harbors believe, of national importance.

My friend from Ohio says that not one-tenth of the improvements which are included in the river and harbor bill will be claimed to be of any national importance. Now I say that there are but very few of the items contained in the river and harbor bill but what are improvements of national importance, not only in the opinion of the Committee on Rivers and Harbors, but also of the engineers who have examined them and made reports as to their commercial value.

Mr. JOSEPH D. TAYLOR. The gentleman is mistaken. I did not make the remark he attributes to me.

Mr. HENDERSON, of Illinois. It was made by the gentleman from Iowa [Mr. KERR]. If I said it was the gentleman from Ohio, I did it inadvertently.

Mr. KERR. I made the remark, and I will ask the gentleman a question if he will permit me.

Mr. HENDERSON, of Illinois. I have not time to yield in the ten minutes to which I am limited. Mr. Chairman, I want to say this: I have seen it stated, and I believe it to be a fact, that the Chief of Engineers, on a careful examination of the last river and harbor bill, declared that of the total amount of money appropriated in it there was only about $30,000 to which exception could be properly taken. I do not vouch for the actual truth of that statement, but I do believe that of the twenty-two millions appropriated at the last session of Congress, $100,000 would cover every dollar appropriated for works to which exception could with any propriety be taken as to their commercial importance by any member of the House friendly to internal improvement.

Mr. BLANCHARD. If my colleague will allow me I will state that the Chief of Engineers told me that not exceeding one-fifth of 1 per cent. of the last river and harbor bill was objectionable.

Mr. SOWDEN. Then why did the President refuse to approve the measure? [Laughter.]

A MEMBER. He refused to approve another good bill, too. [Laughter.]

Mr. HENDERSON, of Illinois. I only wish I had a little more time, Mr. Chairman, but I hope these interruptions will not be taken out of my time. My friend from Pennsylvania [Mr. SOWDEN] said yesterday that there was $500,000 appropriated for Philadelphia in the last river and harbor bill and that it had not been expended, and he went on to criticise that and other appropriations upon that ground. Why, Mr. Chairman, these river and harbor bills make appropriations for fiscal years; they appropriate money to be expended during the fiscal year commencing on the 1st of July and ending on the 30th day of the succeeding June, and with very few exceptions, every appropriation made in the river and harbor bill at the last session of Congress was far below the engineers' estimate of the amounts which could be profitably expended on the works named during the year for which the appropriations were made.

A great cause of complaint is and has been that the Committee on Rivers and Harbors has not felt that it could recommend appropriations really adequate to meet the wants of the country in the improvement of rivers and harbors, and I repeat and emphasize what has been said by my colleague on the committee from Texas [Mr. STEWART], that there is no money expended by the Government of the United States which is expended so largely in the interest of the people as that which is appropriated for the improvement of our rivers and harbors. You may erect a great Library building here; you may erect costly and elegant public buildings in this city and in other places throughout the country in which to transact the public business; but the benefits from such expenditures are insignificant compared with those which result from the improvement of our rivers and harbors in the interest of the commerce of the country.

The gentleman from New York [Mr. COX] speaks of the appropriations for the harbor at New York; he says that those made in the last river and harbor bill were quite adequate, and that great good is resulting from them. That is true, and so, Mr. Chairman, is great good resulting from the improvement on some of these "creeks" that are so much talked about, and on the smaller rivers and smaller harbors which pour the riches of their commerce into the great harbor of New York and justify and necessitate its improvement. A few years ago the Chief of Engineers, General Wright, told me that when he was first appointed to that position he was strongly prejudiced against improving the smaller rivers, but that careful study and observation had convinced him that such improvements were more fruitful in proportion to their cost than the improvements on larger streams, because the main channels of commerce are already suitable for purposes of navigation and will continue to be used even though they may be obstructed here and there.

But the opening up of these smaller channels is sending down into the larger ones annually an increased commerce which shows the growing wealth, population, and progress of our great country. What would New York Harbor be, or Philadelphia Harbor, or any other of our larger harbors, but for these smaller channels of transportation which are annually pouring into them the wealth of the distant parts of the country? They would be of but little use.

Now, take St. Mary's Canal. At the last session we appropriated a million dollars for the new lock at St. Mary's Canal; we appropriated $500,000 for the Hay Lake improvement. We reported a sum sufficient to complete the improvement of the Detroit River. We also reported an appropriation for the improvement of the St. Clair Flats. And those large appropriations explain in some degree the very large sum appropriated in the last river and harbor bill. Every one concedes the importance of these appropriations. But if some of these gentlemen here would only take time to study the geography of the country they would know more about these channels of commerce; they would know more about these "unknown" rivers that they talk about; and I think that such study would not only enlighten their understanding but broaden their patriotism. If they had served upon the River and Harbor Committee, had studied these reports of the engineers—and it is made their duty to report upon the commercial importance of these improvements—they would know more of the importance of river and harbor improvements.

Mr. KERR. Is there any report of the engineers for this year?

Mr. HENDERSON, of Illinois. My dear sir, there are reports from the engineers for this year justifying every dollar, I think, appropriated in the bill under consideration; and if my friend had inquired he would have ascertained the fact.

Mr. KERR. I know there is none that I can get.

Mr. HENDERSON, of Illinois. We have had these reports——

A MEMBER. The committee may have them, but other members can not get them.

Mr. HENDERSON, of Illinois. Perhaps that is so; but the committee needs them more than you do, and it is not the fault of the committee that you do not have them. But my friend here would dispense with the committee. I am not opposed to a board of public im-

provements. I think that would be a wise measure; but I do not think that would dispense with the necessity for a River and Harbor Committee, nor with the propriety of Congress keeping control over the appropriations to be made for particular improvements.

[Here the hammer fell.]

Mr. BLANCHARD. I yield five minutes to the gentleman from New York [Mr. FITCH].

Mr. FITCH. Mr. Chairman, when I heard yesterday the glowing sentences of my friend from Texas [Mr. CRAIN] advocating larger appropriations for river and harbor purposes, I felt certain that the large improvements in my district had also had his generous care. Hence I was disappointed when I found that in preparing a substitute which would suit Galveston and other ports of Texas, the gentleman, instead of increasing the appropriation for Harlem River, which unites the Hudson with Long Island Sound, had reduced that appropriation from $150,000, as contemplated in the bill, to $70,000. I desire therefore to call his attention to the fact that no man who looks only at his own district can prudently prepare or propose a bill for the whole of the United States. He did not know what he was doing. He did not intend to strike down an improvement like that of the Harlem River, but his eye was fixed on Galveston, and in increasing the appropriation for that port he was willing to sacrifice the city of New York.

To-day my friend and colleague from New York [Mr. CUMMINGS] has given us a specimen of the descriptive fun of which he is past-master in this country. The arguments which he used were accompanied with such beautiful description, so sparkling with humor, that I have no doubt they commanded more attention than they would have received from any other member on the floor. But what arguments did he use? He said that the passage of a $19,000,000 river and harbor bill had sent into oblivion a number of Congressmen. We passed at the last session a $22,000,000 bill; we went home, and some of us are not at the bottom of the waters of oblivion to-day. He read as his main argument an extract from the veto message of President Arthur; but President Arthur was defeated for renomination, and his defeat for renomination is as good an argument against the veto of the bill as the defeat of the Congressmen is an argument for voting against it.

His second argument, I confess, has much more weight with me. I am sorry to see these small creeks, these inaccessible places, where only the lumberman or the trout-fisherman ever shows himself, coupled with the magnificent national improvements of which I am strongly in favor. But I must choose and he must choose—every one of us who has important national works going on in his district, improvements employing hundreds of men, and bringing incalculable good to the vicinity—we must choose between taking this bill as it is, or not taking it at all, and I say for myself that I believe the expenditure of this money in improving the Harlem River alone will bring in more wealth to the commerce of this country than all the money that may be wasted in all the rest of this bill.

Mr. BAYNE. Will the gentleman allow me a question?

Mr. FITCH. With pleasure.

Mr. BAYNE. The gentleman is disposed to be fair, and I would like to inquire whether he knows of a single appropriation in the present river and harbor bill which is not recommended first by a local engineer and subsequently by the Chief of Engineers, and the report on which does not show that commerce will be benefited by the appropriation? If the gentleman knows of any such case I hope he will point it out.

Mr. FITCH. I do not know of such a one; but as I desire to be fair I will say I do believe there is a great deal of money appropriated in this bill which the National Government ought not to spend; but I believe that the benefit which will accrue from the proper expenditures here proposed will make up for those unwise expenditures ten times over.

Mr. SOWDEN. I yield ten minutes to the gentleman from Missouri [Mr. O'NEILL].

Mr. O'NEILL, of Missouri, withholds his remarks for revision. [See Appendix.]

Mr. SOWDEN. How much time have I remaining?

The CHAIRMAN. The gentleman has eight minutes of his time remaining.

Mr. SOWDEN. I yield four minutes of the time to the gentleman from New Jersey [Mr. MCADOO].

Mr. MCADOO. Mr. Chairman, I rise for the purpose of making no captious criticisms upon this bill. I have steadily voted against river and harbor bills, and for the reason that I have been unable to support them, because in my opinion the system is a vicious one.

I entirely agree in what has been so ably and so well said by the gentleman from Iowa as to the general plan of the improvements of rivers and harbors. There is no money expended by Congress, if its purpose in that expenditure is honestly carried out, that does more for the people of the United States than the money legitimately expended in the improvement of our rivers and harbors.

But, while I am willing to admit that, I am compelled to adopt the conclusion that the system under which we are expending it is all wrong. I am in favor of appropriating a lump sum, and expending it either under a board of internal improvement or giving it to the control of the Secretary of War and the Chief of Engineers, to be expended on such improvements as in their judgment should be improved; and that is the only way, I think, in which you can do away with the present vicious practice of making appropriations for such improvements in driblets. We appropriate five, ten, fifteen, or twenty-five thousand dollars, as the case may be, and expend that on a certain improvement. Nature undoes, in the lapse of time, within the adjournment of one Congress and the meeting of the next, what has been done, and Congress must make a further appropriation to repair the damage to the work already done. Frequently all that has been done by the Government has been destroyed or damaged, and the engineer goes back and makes a resurvey and finds that a larger sum is needed than was demanded in the first instance.

We are simply in this manner pouring the money into the waters of the United States. We are pouring it out without getting any results; whereas, on the contrary, if we give a large lump sum to the War Department or the Chief of Engineers they will select an improvement upon which to expend it, and which can be completed with the appropriation. They will take from that aggregate sum a sufficient amount to carry on the work consecutively or until it is completed, and then we will rid ourselves, as members of Congress, of importunities from local interests and from appeals even of personality which are made to us as members of Congress for local improvements which may protect some schemes in the nature of private enterprises and not for the public good.

So long as the present practice continues, and this I say with the highest respect for the gentlemen constituting the Committee on Rivers and Harbors, with a full realization of the difficulties under which they labor, and with the highest tribute that I can make to the astuteness, perseverance, and industry of the distinguished chairman of the committee—so long as we have the present practice of allowing certain persons, members of the House, to undertake to parcel out the money along these various streams among themselves, their fellow-members, and the people of the United States, the criticisms on the bill will continue to grow until they will amount to a public clamor for a reform in this regard.

I hope before the debate on this bill closes an opportunity will be afforded to offer a substitute to the House and the country for the bill, such a measure as I have outlined, whereby the money which can be wisely expended in benefiting the commerce, manufactures, and agricultural industries of the United States will be so expended that the people can get the benefit of it, and that members of Congress, when they stand here to advocate an improvement, a righteous improvement, may not find themselves open to the imputation or criticism of their fellow-members that they are endeavoring to do that which is not for the public good, but for personal benefit.

The members of the committee themselves, I should think, would be glad to lay down the burden, and have the whole system changed, because they are subjected as it is now to a running fire of sometimes unjust criticism; and if items find their way into the bill which are perfectly natural and reasonable, from States represented by those members, it lies in the mouths of ungenerous critics to say, "He has got his share of the 'pork' before other members are considered."

Now as to these small streams that are found in the bill, I have myself frequently criticised them; and I hope when this bill is up for full consideration by this committee every member of this House will follow carefully the report of the local engineer or that of the Engineer-in-Chief, and where an appropriation appears to be uncalled for, and the committee finds that it is not of an interstate character, that it be exposed; but the mere fact that some of these streams are small I frankly admit is not a sufficient argument to operate against all the others.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. SOWDEN. I yield the balance of my time to the gentleman from Texas [Mr. CRAIN].

Mr. BLANCHARD. How much time has the gentleman left, Mr. Chairman?

The CHAIRMAN. The gentleman has four minutes of his time remaining.

Mr. CRAIN. In view of the fact that I have not occupied, from the beginning of this Congress up to the present, more than two hours of the time of the House, I ask unanimous consent that my time be extended five minutes.

Mr. BLANCHARD. I am constrained to object to that, as we desire to proceed with the bill.

The CHAIRMAN. Objection is made.

Mr. CRAIN. The gentleman from New York [Mr. FITCH] has said that I know nothing about that State, and for that reason had reduced the appropriation made by the committee from $150,000 for the improvement of Harlem River to $75,000.

Mr. Chairman, I boated and bathed in the Harlem River before that gentleman ever saw New York. I left that State before he ever went to it; and if he be present I will call his attention to the fact that he came to me voluntarily and proposed to take the same position which I occupy, and afterwards returned and said as the committee had in-

creased his appropriation from $75,000 of last year to $150,000 in the present he would be constrained to take the opposite position. [Laughter.]

Mr. BLANCHARD. Nothing wrong about that.

Mr. CRAIN. My colleague [Mr. STEWART, of Texas] has stated that I occupy a very unique position because, forsooth, in the interest of the country at large I had, in the substitute which I offered to this bill, complained that the appropriations in the bill before the committee were too small. I am perfectly willing to occupy a unique position if that may be so called, because I am opposed, unalterably opposed, to a waste of the public money by dealing it out in dribblets for public improvements. I believe that if the matter is of sufficient commercial and national importance to justify an appropriation at all, it ought to be sufficient to enable the engineers in charge of the work to carry it out to successful completion as early as possible.

He has said that I have placed myself in antagonism to the people of Southwestern Texas and to the people of Galveston because I antagonized this measure. He says, why antagonize these suffering people? Antagonize them, because, forsooth, I want this House to give them more money than your committee propose to give them. You offer them half a loaf, and I propose that they shall have a whole loaf, and yet I am charged with starving the people whom I desire to benefit. Mr. Chairman, the substitute the gentleman says ought to have followed the estimates of the engineers in order that my position should be logical. I did not propose a substitute in accordance with the estimates of the engineers, because I have been informed that it would be impossible for it to run the gantlet, not only of the House, but of the very committee that has this matter in charge. But I did propose a substitute that had passed through the tortuous modes of legislation in both Houses successfully; that had encountered the inspection of the President, and that had received his implied sanction, because he declined to veto it. I ask the chairman of that committee, I ask the members of that committee, to tell me the reason why this House should not pass as large a bill at this session as it passed at the last. Is it because there is not money sufficient? The answer is that there is a plethora in the Treasury of the United States, and that there is a danger of financial congestion there.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANCHARD. How much time is remaining to the advocates of the bill?

The CHAIRMAN. The gentleman had thirty minutes, as the Chair remembers. He has occupied twenty-five minutes, and there are five remaining.

Mr. BLANCHARD. I yield one minute to the gentleman from New York [Mr. FITCH].

Mr. FITCH. I was not within hearing of the last speaker's voice at the moment he spoke, but I am informed that he said I promised to vote for his substitute. He was mistaken entirely, Mr. Chairman. I said nothing of that character to him. I said that I agreed with him that the appropriations for important works ought to be larger, and that I thought selfishly he had increased the appropriation for his own district and decreased mine. I said, of course, that I could not vote for any such substitute.

Mr. BLANCHARD. In the four minutes remaining to me it is impossible to make a defense against all the arguments against this bill which have been presented here. I will confine myself more particularly to some of the objections to the bill urged by the gentleman from New York [Mr. CUMMINGS] who sits closest to the Chair, who made merriment for a portion of this House by his reference to the small rivers and water ways of the United States, most of them of a difficult and somewhat singular nomenclature.

Among those that he mentioned I shall select two or three as illustrations to show him the error into which he has fallen with respect to all of them. Before I proceed to do that, however, I desire to say to the gentleman that this bill will be considered in the ordinary way under the five-minute rule, for amendments, and I challenge him, or any other gentleman upon this floor, when these various small rivers and creeks to which they object are reached, to rise and oppose them and move to strike them out, and if the Committee on Rivers and Harbors can not, in every instance, give a good reason why they should be appropriated for, then I trust that the House will vote to strike them out. But I promise the gentleman in advance to furnish him a good and sufficient reason for every appropriation that is proposed in this bill.

Among those which the gentleman mentioned as being objectionable was Contentnia Creek, in the State of North Carolina. I ask his attention and the attention of the committee to what is said by the engineers concerning the importance of that water way:

When work commenced in 1881 the steam-boat commerce was nothing, its rafting commerce was insignificant, and the products of the neighborhood had to be hauled overland long distances to market.

At present four steam-boats (with an aggregate tonnage of 219 tons and carrying capacity of 600 bales of cotton) enter this river; of these boats, two stop near the mouth and two run 31 miles up the river to Snow Hill during nearly nine months of the year, carrying over $800,000 of goods per year.

The present rates of transportation are estimated to be nearly 50 per cent. less than those of 1881.

The river-marine insurance is now only one-tenth of 1 per cent. in contrast to one-eighth of 1 per cent. in 1886, and no fixed rate prior to that time.

The commerce is rapidly increasing. Each dollar so far spent on this improvement has been accompanied by the development of $20 of annual commerce.

Now, Mr. Chairman, the amount appropriated for that creek in this bill, a creek which has a commerce of $800,000 a year carried upon its waters, is the insignificant sum of $3,000. Will the gentleman from New York say that that appropriation of $3,000 is not justified by the showing of commerce made with respect to this water way?

Take another instance, Jekyl Creek in Georgia, to which the gentleman objects. I read what the engineer says about that:

The value of the commerce passing through Jekyl Creek is estimated at from $200,000 to $400,000 per annum. The advantages to be derived from the proposed improvement are that the steamers now plying on the "inside route" could run on schedule time, and vessels that now have to go outside could be towed through the creek, thus avoiding any risk from stormy weather at sea.

The military importance of this route in the event of war with a foreign power has already received attention and need not be stated here.

I transmit a chart showing the location of the proposed works of improvement.

Jekyl Creek is in the collection district of Brunswick, which is also the nearest port of entry.

The amount appropriated for that creek in this bill is $3,000. Is not that appropriation justified by the facts?

Take Wappoo Cut, in South Carolina, another item criticised. Here is what the engineers say about it:

Wappoo Cut is of considerable commercial importance. It is the first link in the chain of inland navigation which extends from Charleston to Florida. * * * I am indebted to Mr. Edward Willis, of Charleston, S. C., for the information that the commerce passing through Wappoo Cut in the year ending December 3, 1887, is as follows:

55,000 tons phosphate rock, valued at	$165,000
5,800 bags sea-island cotton, valued at	315,000
160,000 bushels of rice, valued at	150,000
118,000 crates of vegetables, valued at	210,000
1,200 tons of fertilizers, valued at	15,000
7,500,000 feet lumber and timber, valued at	65,000
Miscellaneous articles, valued at	15,000
Total commerce	935,000

The amount appropriated in this bill for that improvement is $10,000, and is it not justified by the facts? And so it is, Mr. Chairman, with every single one of the water ways which that gentleman has mentioned and in a spirit of fun and merriment has criticised. Let the gentleman from New York, or any other gentleman in the House, move to strike out those items from this bill and see whether the appropriations can not be justified. We are, of course, aware that the argument made by the gentleman from New York has been made before. It gets into the newspapers from time to time and it has its effects, and I trust that my friend, who is a newspaper man, will send out with his own admirable speech the antidote which is furnished by the extracts I have read from the engineers' reports.

The CHAIRMAN. The time allowed for general debate upon this bill has expired. The Clerk will report the bill by paragraphs.

The Clerk read as follows:

Improving harbor at Rockland, Me.: Continuing improvement, $20,000.

Mr. SOWDEN. I move to amend by striking out "twenty," in line 10, and inserting "ten." Mr. Chairman, at the last session of this Congress we appropriated for the improvement of the harbor at Rockland, Me., $30,000. How much of that appropriation remains unexpended? Is there not a sufficient balance on hand to carry on this improvement until the meeting of the next Congress, when another appropriation is likely to be made for the purpose?

How much of this money is now in the hands of the Secretary of War? I would like the chairman of the committee in charge of this bill to answer. Is it absolutely necessary to appropriate $20,000 at this particular time? Does the improvement demand it? Has any urgent request been made to this Congress for it? Is there not a sufficient amount of the $30,000 appropriated within the last five months for this improvement still on hand with which to conduct the work in progress on this harbor for the next year?

Mr. BLANCHARD. I will answer the gentleman by saying merely that the appropriation to continue this work is needed.

Mr. MILLIKEN. I move, *pro forma*, to amend by striking out the last word. While I can not answer all the questions of the gentleman from Pennsylvania [Mr. SOWDEN], I can make this statement in regard to Rockland Harbor: It is one of the most important on the coast of Maine—perhaps the most important next to Portland. It is a good harbor except when there is a southeast wind. At such times the sea often drives in there so that vessels will not lie at anchor and will not lie at the wharves. On account of the openness of the harbor to the sea on the southeast there have been very great disasters there. This appropriation is to continue the building of a breakwater which will make that harbor landlocked and render it safe in all kinds of weather.

From the city of Rockland is shipped more lime than from any other place, I believe, in this country. The commerce of Rockland is very large. New York City is interested in it; Charleston is interested in it; Baltimore is interested in it; it extends to all the commercial cities on the coast. I certainly hope this amendment will not be adopted.

The question was taken on Mr. SOWDEN's amendment, and it was rejected.

The Clerk read as follows:

For the construction of a breakwater from Mount Desert to Porcupine Island, Me.: Continuing improvement, $30,000.

Mr. KERR. I move to strike out the paragraph just read. In favor of this amendment, I will say that the report of the committee says nothing at all about this item; it gives no reason why this money should be appropriated. I think this House ought to know by something, either in the bill or in the report, that the money proposed to be appropriated for any improvement of this kind is needed, and that the work will be of some public advantage. In regard to all public measures coming before this House except the river and harbor bill—for instance, upon bills providing for the erection of public buildings—it is expected that we shall have given to us information at length, showing just why the appropriation should be made, and what public necessity demands that the money should be taken out of the public Treasury for the improvement proposed. I do not think it fair that we should be asked to vote upon the naked recommendation of a committee, without any knowledge on our part of the reasons which there may be in favor of the recommendation.

The question was taken on Mr. KERR'S amendment, and it was rejected.

Mr. SOWDEN. Mr. Chairman, I move to amend by striking out "$30,000" in the pending paragraph and inserting "$10,000." I see that the river and harbor bill of last August contains an appropriation of $50,000 for this improvement. This large sum has been appropriated within the last five months for the continuation of this work. We are now asked to make the further appropriation of $30,000. It seems to me needless to raise objection to this provision, because it is physically impossible for the engineers in charge of this improvement to expend within the next year the $50,000 already provided. The uselessness of this additional appropriation of $30,000 at this time is therefore very apparent. It seems to me that the able and distinguished chairman of the Committee on Rivers and Harbors [Mr. BLANCHARD] can not be in real earnest in asking for this additional sum of $30,000. It is surely not needed. I hope, therefore, that my amendment will prevail.

Mr. MILLIKEN. I desire to say just a word in answer to my friend from Pennsylvania [Mr. SOWDEN], and that is that if he knew as much about this harbor and appropriation as I know about it he would be in dead earnest in favor of it. More than 40,000 passengers landed in that harbor from steamers last year. This appropriation is for a breakwater, and the engineer recommended $100,000 instead of what is here appropriated. [Cries of "Vote!"]

Mr. SOWDEN. I agree with the gentleman who has just taken his seat in reference to the importance of this improvement, but I take issue as to the necessity of presently making a further appropriation of $30,000.

Mr. MILLIKEN. The engineers recommend $100,000.

Mr. SOWDEN. They recommend all these sums of money in order that they may control their expenditures upon these contemplated improvements.

The question was taken on Mr. SOWDEN'S amendment, and the noes were declared to have it.

Mr. SOWDEN. Division.

Mr. BLANCHARD. If the gentleman will withdraw his call for a division I will move that the committee rise.

Mr. SOWDEN. I will if my amendment is considered as pending.

The CHAIRMAN. It will be.

Mr. SOWDEN. All right, then; I withdraw the call for a division.

Mr. BLANCHARD. I move the committee rise.

The motion was agreed to; and Mr. CRISP having taken the chair as Speaker *pro tempore*, Mr. MCMILLIN reported that the Committee of the Whole House on the state of the Union had, according to order, had under consideration the bill (H. R. 11765) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors for the fiscal year ending June 30, 1890, and for other purposes, and had come to no resolution thereon.

ORDER OF BUSINESS.

Mr. WHEELER. I ask by unanimous consent the House shall remain in session for half an hour longer in order to continue the consideration of this bill.

Mr. BLAND. I move that the House do now adjourn.

Mr. BUCHANAN. I object to any extension of the time.

Mr. TAULBEE. I move the House proceed to the consideration of the resolution reported this morning as to the purchase of real estate in the District. It has gone on the Calendar and can be reached and disposed of, by unanimous consent, in a few minutes.

Mr. BLAND. We have only a minute remaining.

Mr. TAULBEE. It is the unanimous report of the committee.

Mr. KILGORE. The time for adjournment has arrived.

The SPEAKER *pro tempore*. The resolution has gone to the Printing Office.

Mr. KILGORE. It is 5 o'clock.

Mr. TAULBEE. I ask the time be extended for five minutes.

Mr. BLAND. We can do it in the morning. I insist on adjournment.

And then (the hour of 5 o'clock p. m. having arrived), in pursuance of previous order, the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. T. H. B. BROWNE (by request): A bill (H. R. 11880) granting a pension to Joanna W. Turner—to the Committee on Pensions.

By Mr. COGSWELL: A bill (H. R. 11881) granting a pension to James D. Neally—to the Committee on Invalid Pensions.

By Mr. COMPTON (by request): A bill (H. R. 11882) for the relief of Sarah C. Nicols—to the Committee on War Claims.

By Mr. GEST: A bill (H. R. 11883) to grant a pension to Samuel G. Dark—to the Committee on Pensions.

Also, a bill (H. R. 11884) to grant a pension to William Hawkins—to the Committee on Pensions.

By Mr. GIFFORD: A bill (H. R. 11885) for the relief of certain settlers in Hettinger County, Dakota—to the Committee on the Public Lands.

Also, a bill (H. R. 11886) to reimburse J. B. Bertrand, jr., for loss of property sustained by fire in the destruction of the post-office at Canton, Dak., September 25, 1888—to the Committee on Claims.

By Mr. HATCH: A bill (H. R. 11887) granting an increase of pension to B. Hackett—to the Committee on Invalid Pensions.

By Mr. LEE (by request): A bill (H. R. 11888) for the relief of Rachel Dyer—to the Committee on War Claims.

Also (by request) a bill (H. R. 11889) for the relief of Alfred Carter—to the Committee on War Claims.

By Mr. LYMAN: A bill (H. R. 11890) for the relief of Patrick Smith—to the Committee on Claims.

By Mr. MILLIKEN: A bill (H. R. 11891) to confer the rank of lieutenant by law on Nathaniel Johnson Coffin—to the Committee on Military Affairs.

By Mr. PEEL (by request): A bill (H. R. 11892) for the relief of Elizabeth Fitzhugh—to the Committee on War Claims.

Also, a bill (H. R. 11893) for the relief of Mahala Fields—to the Committee on War Claims.

By Mr. PIDCOCK: A bill (H. R. 11894) granting a pension to John C. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11895) restoring to the pension-roll the name of Abram Spargo—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11896) granting a pension to George H. Fenton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11897) granting a pension to William O. Woodruff—to the Committee on Invalid Pensions.

By Mr. SYMES: A bill (H. R. 11898) to amend an act to enable the city of Denver to purchase certain lands for cemetery purposes—to the Committee on the Public Lands.

By Mr. WALKER: A bill (H. R. 11899) granting a pension to Levi M. Lincoln, of Glen Allen, Mo.—to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BANKHEAD: Petition of Daniel B. Drennon, administrator of Walter B. Drennon, of Walker County, Alabama, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. BIGGS: Resolutions of the California State Grange, in favor of pure food—to the Committee on Agriculture.

By Mr. T. M. BROWNE: Petition of 103 commercial travelers, merchants, and manufacturers of Richmond, Ind., for an amendment to the interstate-commerce act authorizing reduced railroad rates to commercial travelers—to the Committee on Commerce.

By Mr. J. E. CAMPBELL: Petition of William W. Graham and 60 others, of Clarkson County, Ohio, in favor of pure lard—to the Committee on Agriculture.

By Mr. GAINES: Petition of John J. Crawford and 55 others, of Dinwiddie County, Virginia, in favor of pure lard—to the Committee on Agriculture.

By Mr. GEST: Proof upon the bill No. 10353, to pension Eliza Richardson, and also upon the bill to pension William Hawkins—to the Committee on Invalid Pensions.

By Mr. GLASS: Petition of B. J. Pulliam, of Obion County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. HOWARD: Petition of citizens of New Albany, Ind., against a reduction of the tariff on window-glass—to the Committee on Ways and Means.

Also, petition of soldiers and sailors of the Union Army and Navy, indorsing the per diem rated service-pension bill—to the Committee on Invalid Pensions.

By Mr. LEE (by request): Paper in the claim of Randolph Barnhouse—to the Committee on War Claims.

By Mr. McCOMAS: Petition of heirs of David Reel, of Hezekiah Routzahn, of William B. White, and of James Freeze, of Maryland, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. MILLIKEN: Petition of C. M. Morelen and 65 members of Comet Grange, of Waldo County, Maine, in favor of pure food and pure lard—to the Committee on Agriculture.

Also, petition of Gustavus Cooley, for a pension—to the Committee on Invalid Pensions.

By Mr. NEWTON: Petition of J. W. De France, heir of Laura L. De France, of James H. Gilfoil, heir of Patrick Gilfoil, of L. C. M. McIntosh, guardian of minor children of Jenet McIntosh, of John Lowhead, and of heirs of Henrietta Bowers, of Louisiana, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. OSBORNE: Resolution of the Philadelphia Maritime Exchange, favoring the branch hydrographic offices—to the Committee on Appropriations.

By Mr. PETERS: Protest of citizens of Kingman County, of Hodgeman County, and of Gray County, Kansas, against the passage of the Oklahoma bill—to the Committee on the Territories.

By Mr. REED: Petition of Humphrey G. Edwards, for a pension, with accompanying papers—to the Committee on Invalid Pensions.

By Mr. RICE: Petition of the governor and 227 other citizens of Minnesota, for the passage of House bill No. 5664, to increase and regulate the salaries of post-office clerks—to the Committee on the Post-Office and Post-Roads.

By Mr. ROBERTSON: Petition of Charles P. DeLee, of East Feliciana Parish, Louisiana, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. ROMEIS: Petition of R. L. Holman and others, of Fremont City, Ohio, in favor of pure food and pure lard—to the Committee on Agriculture.

By Mr. WICKHAM: Petition of J. W. Palmer and 22 other citizens, and of S. R. Hayesman and 66 others, of Mansfield, Ohio, in favor of pure food and pure lard—to the Committee on Agriculture.

By Mr. WISE: Petition of A. S. Lee, of Henrico County, Virginia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

The following petitions against the passage of the international copyright bill were received, and severally referred to the Committee on Patents:

By Mr. BLISS: Of printers and others, of New York and Brooklyn.

By Mr. FELIX CAMPBELL: Of printers and others, of New York and Brooklyn.

By Mr. T. J. CAMPBELL: Of printers and others, of New York and Brooklyn.

By Mr. CUMMINGS: Of printers and others, of New York and Brooklyn.

By Mr. GEST: Of Lucy S. Thornben, of Powellton, Ill.

By Mr. MAHONEY: Of printers and others, of New York and Brooklyn.

By Mr. RICE: Of printers and others, of St. Paul, Minn.

By Mr. SPINOLA: Of printers and others, of New York and Brooklyn.

By Mr. SHIVELY: Of editors of the Daily Republican and Herald-Chronicle, and also president of the Laporte Printing Company.

By Mr. S. V. WHITE: Of printers and others, of New York and Brooklyn.

SENATE.

FRIDAY, *December* 21, 1888.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a letter from the Secretary of the Treasury, communicating, in response to a resolution of the 13th instant, information in regard to the condition of the inhabitants of Alaska; which was referred to the Committee on Indian Affairs, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore*. The Chair presents the petition of the Chicago and Atchison Bridge Company and sundry other corporations, praying for reimbursement for expenditures made for the protection of the Missouri River near Winthrop, in the State of Missouri; which will be referred to the Committee on Appropriations.

Mr. VEST. Ought not the petition to go to the Committee on Commerce?

The PRESIDENT *pro tempore*. The Chair understands that the appropriation prayed for would properly be made as an amendment to the deficiency appropriation bill. It can, if the Senator desires, be referred to the Committee on Commerce.

Mr. VEST. I think the Chair is right.

Mr. PADDOCK. I think that the memorial should be referred to the Committee on the Mississippi River and its Tributaries.

The PRESIDENT *pro tempore*. Unless there be objection, the petition will be referred to the Committee on Appropriations. The Chair hears no objection, and it is so referred.

Mr. CULLOM presented the petition of Cordelia R. Jones, of Metcalf, Ill., praying to be allowed arrears of pension; which was referred to the Committee on Pensions.

Mr. CHANDLER. I present the petition of C. B. Reed and 94 others, residents of the county of Orangeburgh and the voting precinct of Gleaton's, in the State of South Carolina, stating that they are legally qualified registered voters; that on the 6th day of November last they presented themselves at said voting precinct in order to vote for Presidential electors and members of Congress, and that they were denied the right to vote. The petitioners pray for an investigation, and that some means be devised to secure to them the free exercise of the rights guarantied to them by the constitution of South Carolina and the laws and Constitution of the United States.

I move that the petition be referred to the Committee on Privileges and Elections.

The motion was agreed to.

Mr. CHANDLER. I also present the petition of Adam Pelzer and 157 other residents of the county of Orangeburgh and voting precinct of Fort Motte, in the State of South Carolina, making the same prayer. I move the reference of the petition to the Committee on Privileges and Elections.

The motion was agreed to.

Mr. CHANDLER. I also present the petition of Mack William and 153 other residents of Orangeburgh County, and the voting precinct of Fort Motte, in the State of South Carolina, making the same prayer. I move the reference of the petition to the Committee on Privileges and Elections.

The motion was agreed to.

Mr. GIBSON. I ask consent to introduce a paper I hold in my hand from Professor Samuel P. Sadtler, of the University of Pennsylvania, on the sources of the sugar supply in this country. It is a short paper. I have a memorial from sugar-planters of Louisiana that I intended to offer this morning, but I have misplaced it. I ask that this paper, from a gentleman of very high standing and scientific attainments, may be printed and referred to the Committee on Finance.

Mr. HAWLEY. If the Senator has the usual number printed, a majority of the copies will go where there is no special use for this document. I suggest that an order be made to print a thousand copies for the use of the Senate.

Mr. GIBSON. I wish just a small number printed for the use of the Senate and the Finance Committee.

Mr. HAWLEY. It is a short paper. I think there ought to be a thousand copies printed for the use of the Senate.

Mr. GIBSON. A thousand copies would be ample. Five hundred would be sufficient.

Mr. HARRIS. On what subject is the paper?

Mr. GIBSON. It is on the sources of the sugar supply in this country. It is a very important subject and a very interesting paper.

The PRESIDENT *pro tempore*. If there be no objection, the paper will be referred to the Committee on Finance, and 500 copies will be printed as a document.

Mr. HAWLEY. The difference between the cost of 500 and 1,000 copies will be inappreciable, as it is a small paper. A great many are interested in the subject.

The PRESIDENT *pro tempore*. One thousand copies will be printed, if there be no objection. It is so ordered.

REPORTS OF COMMITTEES.

Mr. PADDOCK, from the Committee on the Improvement of the Mississippi River and Tributaries, to whom were referred the following bills, reported them adversely; and they were postponed indefinitely:

A bill (S. 742) to make the Lake Borgne outlet, to improve the low-water navigation of the Mississippi River from New Orleans, La., to Cairo, Ill., and incidentally to reclaim and protect the valley lands of the Mississippi River and tributaries from overflow without levees; and

A bill (S. 3324) to make the Lake Borgne outlet, to improve the low-water navigation of the Mississippi River from New Orleans, La., to Cairo, Ill., and incidentally to reclaim and protect the valley lands of the Mississippi River and tributaries from overflow.

Mr. PADDOCK. I desire to state that at an early day I will file a written report to accompany these bills.

PENSACOLA AND MEMPHIS RAILROAD.

Mr. HALE. I report from the Committee on Naval Affairs without amendment the bill (S. 3732) granting the right of way to the Pensacola and Memphis Railroad Company over and through the public lands of the United States in the States of Florida, Alabama, Mississippi, and Tennessee. and granting the right of way to said railroad

company over and through the United States naval and military reservations near Pensacola, in the State of Florida. I ask that the bill may be put upon its passage at this time.

Mr. COCKRELL. Let the bill be read for information.

Mr. HALE. I will say before the bill is read that this is the identical bill that was passed at the last session of Congress in both Houses, but did not reach the President. It has been submitted to the Navy Department and has the approval of that Department. The only point is as to the construction of the road over the navy-yard. It is important that the bill should be put through early, because the enterprise is hindered. That is why I ask the Senate to pass it now.

The bill was read, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DEFICIENCIES IN APPROPRIATIONS.

Mr. HALE. I am instructed by the Committee on Appropriations to report back without amendment the bill (H. R. 11878) making appropriations to supply a deficiency in the appropriation for public printing and binding for the fiscal year ending June 30, 1889, and for other purposes; and I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MISSOURI RIVER BRIDGE AT OMAHA.

Mr. PADDOCK. I am instructed by the Committee on the Improvement of the Mississippi River, to whom was referred a memorial of T. J. Power, of Montana, alleging an obstruction to the navigation in the Missouri River caused by the construction of piers for the Union Pacific Railway Company at Omaha, and also a resolution based upon such memorial, passed by the Senate, directing the committee to investigate in respect to these obstructions, to report the memorial and resolution back, and to move that the committee be discharged from the further consideration of the same. I submit a written report, accompanied by somewhat voluminous testimony, maps, etc. And I may be permitted to say that this testimony is entirely conclusive as to the absence of obstructions as alleged, and the committee have so unanimously determined.

The PRESIDENT *pro tempore*. The report will be received and printed, and the committee will be discharged from the further consideration of the memorial and resolution, if there be no objection.

Mr. PADDOCK. It is not necessary to print the evidence, which is quite voluminous, including elaborate maps.

The PRESIDENT *pro tempore*. The report will be printed without the evidence. It is so ordered.

MESSENGER FOR COMMITTEE ON INDIAN TRADERS.

Mr. PADDOCK. I am instructed by the Committee to Audit and Control the Contingent Expenses of the Senate to report back without amendment the resolution submitted by the Senator from New Hampshire [Mr. CHANDLER] providing for a messenger for the Committee on Indian Traders; and I ask for its present consideration.

The resolution was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Select Committee on Indian Traders be, and hereby is, authorized to appoint a messenger to serve during the remainder of the present session; such messenger to be paid out of the contingent fund of the Senate the usual compensation allowed to messengers of the Senate on vouchers duly approved.

BILLS INTRODUCED.

Mr. STEWART introduced a bill (S. 3755) for the relief of Lucy A. Adkison; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. CHANDLER introduced a bill (S. 3756) punishing crime against the elective franchise; which was read twice by its title, and referred to the Committee on Privileges and Elections.

Mr. MORRILL introduced a bill (S. 3757) for the establishment of a zoological park in the District of Columbia; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

AMENDMENT TO BILL.

Mr. HOAR submitted an amendment intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

INDIAN DEPREDATION CLAIMS.

Mr. MITCHELL. I submit, by request, an amendment in the nature of a substitute intended to be proposed to the bill (H. R. 8990) to provide for the adjudication and payment of claims arising from Indian depredations. I have heretofore introduced an amendment to that bill myself. I introduce this amendment by request, that it may be printed and considered by the committee. I move its reference to the Committee on Indian Affairs.

The motion was agreed to.

OFFICE OF SUPERVISING ARCHITECT.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a resolution submitted by the Senator from Colorado [Mr. TELLER], coming over from a previous day under objection.

The resolution submitted yesterday by Mr. TELLER was read, as follows:

Whereas there have recently appeared in the press of the country certain charges of irregularities and violations of law in the conduct of the office of the Supervising Architect of the Treasury as to the selection of sites for public buildings, the letting of contracts for the erection thereof, the methods in which plans and specifications and contracts have been prepared and drawn, and otherwise: Now, therefore,

Resolved, That the Committee on Public Buildings and Grounds be, and the same is hereby, authorized and instructed to make, either by the committee or a subcommittee thereof, an investigation into the conduct of the office of the Supervising Architect of the Treasury Department during the administration of the present Supervising Architect, and for that purpose the committee, or said subcommittee, if appointed, is authorized and empowered to send for persons and papers and to administer oaths; said committee to report by bill or otherwise.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

Mr. VEST. I move to amend the resolution in the third and fourth lines from the end by inserting after the word "Architect" the words "and of his immediate predecessor."

Mr. TELLER. I am willing to accept that modification.

The PRESIDENT *pro tempore*. The amendment will be stated.

Mr. ALLISON. I should like to have some reason given for that modification.

Mr. VEST. I can give it.

Mr. ALLISON. The Supervising Architect who immediately preceded the present one is out of office, and has been for several years. He has gone to a distant city; and is it proposed to investigate him now?

Mr. VEST. If the Senator from Colorado will permit me, I will answer that question.

I take it for granted that this is not a personal attack upon anybody. I certainly do not intend my amendment for that purpose; but I feel considerable interest as a legislator in this entire subject for reasons that I shall state as briefly as possible.

I have served upon the Committee on Public Buildings and Grounds for ten years, and if I have learned anything in my experience as a member of that committee it has been the absolute and unquestionable vice or vices of the present system in regard to the construction of public buildings. I have endeavored session after session to secure legislation that I thought would do away with the defects, to use the mildest term, of the administration of that office, but my endeavor has been so far without success.

The Committee on Public Buildings and Grounds four years ago, my recollection is, reported a bill to change the entire system, and instead of this jobbing and log-rolling for the sites of public buildings and the construction of public buildings, to put the whole thing under a uniform, systematic policy, the contract system, which on the ground both of avoiding fraud and of saving money is infinitely superior to the other.

In passing I wish to make one statement. I had a conversation with the Chief of the Bureau of Engineers, General Casey, a few days ago, in his own office, with regard to the difference between the contract system and the system of doing public work by day's labor, the question having come up in regard to an application I made to him to put an improvement on a river in the West, in my State and in the State of Arkansas, under the contract system, the other system having utterly failed and the money having been thrown away year after year. Responsible parties made a bid to do the work under the contract system and give bond for its faithful performance, and I went to see General Casey about it. In connection with that subject he commenced talking about the contract system. He said, "This building in which we sit is the best illustration of the difference in the two systems."

Mr. SPOONER. Who said that?

Mr. VEST. General Casey, of the Bureau of Engineers, who now has charge of the Public Library building, and he is the best administrative officer in the erection of public buildings in the United States, if not in the world. Experience has shown it. He said, "In this very building, which has two wings, the southern wing being where the Secretary of State has his Department, and the northern wing being that in which is the War Department, the southern wing was done under the day's work system, and the plastering and frescoing (and he took out the bills from his drawer) cost $108,000." He said, "Then I was put on duty in Washington and took charge of this wing, which is identical in dimensions and in every respect with the other, and here is the bill under which I did better frescoing and better plastering for $33,000, and did it in one-third the time."

Mr. President, just look at the work being done here now upon the parapets around the Capitol building, "dragging its slow length along," under an honest administration, for there is not a more honest man living than Mr. Clark, the Architect of this Capitol. Under that system, partly by contract, partly by day's work, it looks as if the job would be interminable; and the Library building would never have been erected during the service of any present member of the Senate in my opinion, not even of the youngest of us, if it had gone on under the day's work system as it was commenced.

The Public Buildings Committee introduced a bill, and the Senator from Wisconsin [Mr. SPOONER] and myself worked earnestly and

laboriously to pass it through this body, which changes this system to the contract system, and puts the selection of sites and the doing of the work on a safe and economical basis; and yet we were cut off by some political measure and have never been able, after having three days' discussion on the bill, to pass it through the Senate, and it is on the Calendar to-day in an unfinished and inchoate condition.

I wish to say in regard to this resolution that I have known Colonel Fréret since 1861. I have always believed him to be an absolutely honest and incorruptible man. I made his acquaintance under circumstances when if he was a dishonest man he had the largest opportunity of showing it, and he did not show it. As to his administrative ability, I am not able to speak advisedly. But I want to say that, in my judgment, it will be found by this committee after investigation that the trouble in the whole matter is in the system. As long as you have the present system you will have these scandals. They are absolutely inseparable from the system.

Sir, in our Committee on Public Buildings and Grounds to-day is a good-sized room filled with the evidence taken by an investigation committee as to the administration of the Supervising Architect's office by the incumbent in 1878, 1879, and 1880, and this town was rotten with the scandal that grew out of the administration of that office then. It was stated in the public prints that the incumbent then went out with a large fortune, and he came here an absolutely poor man. But there was enough evidence developed to show that money had been corruptly obtained, and it was absolutely impossible to present it. There was a ring in this town that existed here for years, and that evidence developed it. I went through part of it, but life was too short to go through all of it, for it filled up a whole room. However, I saw enough to satisfy me that a ring was formed in this town and existed here for years, and not a contract could be had outside the members of it. There is a little paper here hardly bigger than this blotter [exhibiting] in which the advertisements for bids were published. Nobody saw them except a few favored people. No man who lived in the vicinity of a public building could get in a bid; the contracts all went to men around this Capitol, and what was the result? The whole thing became tainted, until finally this scandal broke loose in the newspapers, there was an investigation, and the man investigated went out of office and went to his home, and that was the last of it.

Mr. HAWLEY. During whose administration was that? I did not happen to hear.

Mr. VEST. It was the year I entered the Senate. I came into the Senate in March, 1879, and the investigation was going on then. It began in 1878. The Senator from Vermont [Mr. MORRILL] knows the year exactly. I can turn to the evidence.

Mr. HALE. The Senator must refer to the administration of this office under Mr. Hill, I think, who succeeded Mr. Mullett.

Mr. VEST. No, it was not Mr. Hill.

Mr. TELLER. It was the one under whose direction the Chicago post-office building was erected?

Mr. VEST. That is the one.

Mr. TELLER. That was under Hill.

Mr. HALE. That was under Hill.

Mr. VEST. I know the evidence is in our committee-room, unless it has been moved to that general receptacle of waste paper, the basement of the Capitol. It was there last session.

Without saying anything more of a personal nature—I did not want to mention anything personal at all if I could avoid it—just as long as we have the present system by which favoritism can be exercised, we shall have just such scandals as the one that has brought about this resolution.

Mr. MORRILL. The Senator will allow me to say that according to my recollection the examination in the case of Mr. Hill entirely exculpated him from any fraud whatever.

Mr. HALE. Entirely. I want to say a word about that.

Mr. VEST. Well, I do not undertake to say that there was any guilt proved, but I do undertake to say this, and I can show it—there is no doubt about it—that there were contracts put out not to the lowest and best bidder, and there was a ring in the capital, and it existed here for years, and it was impossible for any mechanic or contractor who lived in a town or city where a public building was to be erected to obtain a contract. I assert that positively and I can show it.

Mr. HALE. Mr. President, the Senator from Missouri, I know, does not desire to cast any aspersions unjustly upon the character of any public servant. It is not like him to do that. The investigation that he refers to took place upon the administration and the work of the former Supervising Architect of the Treasury, Mr. Hill, who succeeded Mr. Mullett. Mr. Hill had been for years a faithful, painstaking, and laborious subordinate official in the department under Mr. Mullett. He was selected because it was believed that his experience and skill fitted him for the most important and great place, for it is a place of great importance. The investigation that took place was thorough and exhaustive and attended by a temporary suspension of the Supervising Architect from his duties in charge of that department. Examinations were made here and in Chicago resulting in a complete exoneration of the Supervising Architect, Mr. Hill; and I may say, Mr. President, from some familiarity with the subject at the time, and some familiarity with the duties and work of this branch of the Government since, that in my judgment, and I think in the judgment of all men who looked at that investigation, the Supervising Architect went out of it unharmed and exonerated.

Mr. VEST. The Senator from Maine will permit me to say that if I know myself I would not make any charge in this Senate, or anything which could be considered a charge, that I would not make outside and be entirely responsible for. I do not say that these things were proven upon Mr. Hill. My recollection—I have not particularly thought about it for some time—is that he was permitted to resign. Am I correct in that?

Mr. HALE. He was restored to his place.

Mr. VEST. And then resigned.

Mr. HALE. He held his place. The Senator from Ohio can give the date; he held his place for a long time, and I heard after that no imputations made upon him in the Department. I do not think the Senator from Missouri means to do this man personal injustice.

Mr. VEST. I do not want to do him any injustice, but the point I make, and that is the salient point of my argument, is that there was proof, and I think I can produce it without any sort of trouble, that a ring existed as to these contracts. There is no question about that. Whether Mr. Hill was connected with it or not, whether they brought that home to his door or not, I shall not undertake to say.

Mr. HALE. I want to say right there that nothing was brought home to the door of this man. I have no interest in him; he is not a constituent of mine. I only wish to say a word further about him, in answer to the intimation made by the Senator from Missouri that it had been said that this architect retired with a fortune. So far from that being the case, he was a poor man before he went into the office; he was a poor man during his holding of the place; and when he went out of it he went patiently and laboriously to work in his profession. He has been earning an honest livelihood since. I do not believe that anybody who knows him and knows his connection with the Department feels that any imputation should rest upon him, and there I leave it.

I have not believed, Mr. President, either then or since or now, that the contracts which are made, covering thousands and tens of thousands and millions of dollars, in this department of the Government have been made under the control or dictation or for the purposes of any ring. I have never believed that. I do not think that is done now under the present Supervising Architect. All my impressions about him personally have been in his favor. If any of the things that are referred to and recited in the resolution offered by the Senator from Colorado are true, it is, I believe, because Colonel Fréret has been importuned and pushed and pressed into things that his own judgment and his own integrity would not assent to. The truth is that the Supervising Architect of the Treasury has one of the most important positions under the Government, and a position that peculiarly opens him to constant importunity by Senators and Members of Congress.

It is not possible for a scheme to be set afoot for a public building in any State of the Union that at once the Supervising Architect is not beset by influence from here and the other Chamber to recommend such and such a building and such and such a site. Everybody knows enough about human nature to know that that kind of pressure is most powerful upon any public servant in any Department. There is not a case of a public building commenced under a limitation fixed and defined by Congress, that the Supervising Architect is not liable to be pressed and pushed and hammered by Senators and Representatives to recommend an increase of limit; and it is not in human nature always to resist such pressure. There is not a case where a contract is to be made for a building or a part of a building that the Supervising Architect is not beset by contractors, in many cases backed up properly enough by the Representatives whose constituents they are; and it is a most laborious, difficult, and delicate place.

I do not believe that investigation will show deliberate fraud or malfeasance on the part of the old Architect, and from what I know of the present Architect in his acts, I have no doubt that bad practices and perhaps improper things will be brought out just now under the pressure that the Architect has been subjected to.

There is another truth about this whole subject, Mr. President, and that is that, considering the importance of this work, the delicate relations that the Supervising Architect is always under, the pressure upon him from Congress and elsewhere, the immense sums of money that must be expended under him, the great structures that are constantly being erected and the small buildings all over the country, it may be that the *personnel* of the office may be found not to be up to the magnitude of the work. There are many cases throughout the United States where the architect of a single great building erected by private enterprise or by municipalities or by States receives a larger compensation every year than the Supervising Architect of the Treasury, who has charge of all our great Government works; and the wonder is to me that a good architect, prospering in his profession, making for himself a name and a reputation, can afford to go into this office.

I agree with the Senator from Missouri that the Committee on Public Buildings and Grounds can not set themselves to a more meritorious work than to devise some plan that will bring more order, more thrift, more good management, more efficient work out of this Depart-

ment of the Government. How that can be done I do not know myself. That committee has investigated the subject, and it ought to be able to furnish a plan to the Senate. But the magnitude of the work and the difficulties that beset whoever may be at the head of this work have not been appreciated generally heretofore.

Mr. CALL. Mr. President, I think that when any Senator presents a resolution here for an investigation he has a right by virtue of his position to have that investigation made; but I think there is no vice attending our legislation so great as that of investigation in regard to public officers, implying at least some reflection upon them, made without some substantial reason for it. The mere fact that a statement is made in a newspaper by some correspondent or by an editor that something wrong has been done, does not, in my opinion, furnish a justification for a resolution of inquiry by the Senate; and although I shall vote for this resolution I desire to express my sorrow that such a habit should prevail in the Senate.

I have had no reason to believe in my service of nearly ten years here that any of the predecessors of Mr. Fréret in the office of Supervising Architect have been guilty of anything wrong. Nothing has come within my observation nor has any evidence been presented to this body which would warrant a reasonable conclusion of this character.

In regard to Mr. Fréret, I desire to say that there is no architect in the United States of greater ability or of higher standing professionally and personally than this gentleman. He is devoted to his profession. He is not a man engaged in any kind of work outside of his business as an architect, and he has accepted this place, retiring from a profitable business and one in which he had gained a reputation and won the respect and confidence of all who knew him in one of the most important business centers of the country. He has accepted it simply because of the public reputation which it gave him as the chief architect and the distinction which the office is supposed to confer.

Now, I will venture to say that the most rigid investigation will establish the fact that not only is there nothing that has been done wrong in the office with which Mr. Fréret is connected, but on the contrary will show that his administration has been as economical, as wise, and as promotive of the public interest as any that has ever existed in that office.

Mr. President, the imputation of this resolution will go forth in the public papers all over the country. It will be asserted that there was some ground for an inquiry into the conduct of this office. Some kind of sanction will be given to these newspaper reports. That can not now be avoided; but I desire to say that in the intercourse I have had with Mr. Fréret, he has always declared that he would not consider personal solicitations in reference to the selection of sites for public buildings, that the contracts which were let should be to the lowest responsible bidder; and I have no question that the most careful investigation will establish that fact in every instance that has occurred, and will show conclusively that the selection of sites has in all cases been made by the Secretary of the Treasury after a full report of all the statements of persons offering property and on the recommendation and statements of business men and citizens of character of the place, who had no other interest but that of the public service.

Now, in reference to the observations of the Senator from Missouri in regard to the contract system, I will say that every public officer has it in his discretion, if the contract system is the better one for any public work, to adopt it, and if it is as efficient and saves money it is an imputation upon the officer that he has not adopted it. But, in reference to the contract system being able always to secure the best work and the most honest performance of duty, let us examine into the Post-Office Department. Here is a vast sum of money, far exceeding that which the Supervising Architect expends—$50,000,000 annually, and more—let by contract, and yet these contracts are always taken here in the city of Washington, or by persons who have their agents here. None of the mail contracts in the State of Florida are let to persons resident there. The whole of that money is taken under the contract system by regular and professional bidders, and there is no protection to the people living away from the capital and unrepresented here. So we do not get, by the contract system alone, a certain security for the best work or the most efficient work. Nor do we prevent a system by which the people of the place where the mail service is to be performed are deprived of the contracts and have to do the service as subcontractors, generally paying a part of the money earned to the professional bidder.

Efficient service in constructing or supervising any public work must depend upon the integrity and administrative ability of the public officer, whoever he may be or wherever he may be, and I venture to say that this investigation will leave Mr. Fréret's character and his ability as an architect higher than they were before. No more meritorious officer can be found in the public service, and he has nothing to fear from any investigations, nor, in my opinion, will there be found anything wrong permitted by him in any subordinate or anything which has escaped his notice.

I agree entirely with the Senator from Maine [Mr. HALE] in his observation that the compensation paid to these officials is entirely inadequate, and that it is a matter of astonishment that men of ability and standing high in their profession and deriving liberal compensation should be willing to accept this position. It is only for the professional reputation which it is supposed to give, and I for one do not desire to see a man of that character, whether he be of one party or another, whether the predecessor or successor of Mr. Fréret, the present incumbent, subjected to imputations without evidence presented that there is some reason to suppose he has been guilty of something wrong.

Mr. TELLER. Mr. President, I do not understand that this resolution is any reflection upon the Supervising Architect whatever, while it may be a reflection upon the methods in which business is done in that office, and I suppose it is done in his office just as it has been done for twenty-five years. As the Senator from Missouri has said, it is the vice of the system. I am quite willing, therefore, the Senator should amend this resolution, or I will accept his modifications, so as to put it in such shape that the committee can determine what have been the methods heretofore, what are the methods now, and what change ought to be made.

So far as I know personally the Supervising Architect is not amenable to any charge, and nobody proposes to make any against him. He seems to me to be a business man from what little intercourse I have had with him, and to be anxious to do his duty. He has under him a great number of officials. He went into the office with the system established, and I suppose he is doing what every man does; unless he be directed by the legislative authority to make changes he follows the usual course. He is not responsible for the fact that contracts ought to be let when they are not, and it is no reflection upon him in any shape or manner, and is not so intended. Therefore I accept the proposition for amendment made by the Senator from Missouri.

Mr. GIBSON. Mr. President, I was called away from my seat and have not heard the debate, and have only this moment glanced over the resolution. I know it is not the purpose of the Senator from Colorado to do an injustice to the Supervising Architect of the Treasury, and I am very glad to hear him say he intends by this resolution no reflection upon the personal or the official character of that gentleman. Mr. Fréret is a citizen of the State I in part represent. No one stands higher in the city of New Orleans as an architect or as a gentleman of the highest probity; no one is more esteemed than Mr. Fréret. I have known him for many long years and I have never heard a breath against his perfect integrity.

I do not know upon what information the Senator proceeds nor by whom this resolution is invoked. The resolution recites that there have been charges and criticisms against the Supervising Architect in the newspapers. I have not seen them. For aught I know they may be vague and indefinite, nebulous, and if founded in error or malice and treated with silent disdain they will disappear. But if they have any groundwork to rest upon they should be distinctly formulated into specifications, giving facts and instances, something definite, something tangible.

For one, sir, I do not think it compatible with the dignity of the Senate to give its indorsement to an investigation upon vague, general, intangible newspaper statements against a public officer charged with weighty responsibilities such as rest upon the Supervising Architect. In my judgment this resolution should be referred to the Committee on Public Buildings and Grounds. This officer is well known to that committee, and they will be better able than the Senate to say whether the newspaper criticisms and charges should be entitled to any weight or attention.

The readiness with which charges are made against public men in the United States is one of the characteristics of our politics and times. We should remember that a character unassailed is not like a character once assailed, even when the assault has been triumphantly repelled. Wounds and pain are inflicted, and even after vindication the fact that accusation was made tends to impair, to disparage, to belittle. This is not only true of individuals but of communities. Senators who have visited Europe must have been amused and incensed at the pictures of life in the United States set forth in the newspapers of every nation on the Continent and in England. If we could believe them there is no security for life or property, no sense of honor or decency, no reverence for law or character, no self-restraint in our American life; that our Government is in the hands and control of demagogues, and that this Senate represents not intelligent and enlightened commonwealths, but disorderly communities, resembling plundering mobs more than well-organized States.

The European press gives mere caricatures of the United States; and even in our own country there is not an occurrence remote from the place where the newspaper is published but that it is distorted or magnified or maligned, and when political or party interest is added to the natural disposition of man to censure those who live far away, it is not astonishing that people in one section of the Union believe, like Europeans, all the hobgoblin stories, calumnies, and misrepresentations of the people living in some other distant part of the country.

If the people only knew one another there would be no sectional ill-will, and each portion of the country would find its own interests, sentiments, prejudices, hopes, and aspirations reflected in those of the other section.

These charges against Mr. Fréret are probably made by persons un-

acquainted with him or with the operations of his office, resting upon mere hearsay or idle rumors, and if not noticed by the Senate they will die in the hour that gave them birth. But if you instruct the committee to investigate them and his vindication be established (as it surely will be), no public object, no wise or good purpose, will have been accomplished. I suggest to my friend from Colorado, in the absence of specific charges, that this whole matter should be referred to the appropriate committee. What are our committees for if not to take jurisdiction of such matters as these? The Senate should give no attention to any charges affecting the character of public officers or of communities unless after due and careful consideration by one of the committees of this body.

The Senate owes it to itself to assert and maintain its quasi-judicial character in matters of this kind.

Mr. TELLER. This resolution is the ordinary resolution when it is proposed to make an investigation. If the Senator from Louisiana desires to depart from the ordinary rule and offer what he proposed himself in the resolution he submitted yesterday morning, where he did not assail an individual but assailed whole communities, let him make his suggestion. There is no assailing of anybody in this resolution; it is the ordinary resolution that has been presented in this body time after time for a hundred years nearly. If there is any charge at all made in or implied from the resolution, it is because the friends of the Supervising Architect choose to apply it in that way. The proposition made by the Senator from Louisiana is as severe a condemnation as the original resolution. There is no difference whatever between them in that respect. The Architect must go before the committee or evidence must be brought to show whether these charges are true. The charges are not made against the officer; they are made against the administration of the office, for which he may not be responsible at all.

The PRESIDENT *pro tempore*. Does the Chair understand the Senator from Colorado to accept the amendment proposed by the Senator from Missouri?

Mr. TELLER. I do, though it is a *non sequitur*, for no charges are made against this officer. I do not assume that we can afford to investigate only charges made under this Administration if there should be proof that the same things have occurred under former administrations, and therefore I accept it. I think it is fair.

The PRESIDENT *pro tempore*. The resolution is modified by the mover by the introduction of the language proposed by the Senator from Missouri.

Mr. VEST. I wish to say a word in regard to what was said by the Senator from Louisiana. My relations with Colonel Fréret are as friendly as his, and I have just as high an opinion of him as he can possibly have. I must say, however, that I disagree with him as to the proper way in which this thing should be conducted.

Now, as far as Colonel Fréret is concerned, the charges that were made in the Washington Post were distinct and emphatic and gave the names of the persons and the dates.

Mr. SPOONER. And repeated in other papers.

Mr. VEST. I saw them only in that paper, and never heard of them before. To refer this resolution to our committee is simply to put upon us the duty as a preliminary investigation of going through the entire proof. That is absolutely unnecessary. The resolution ought to be either passed or rejected. I never heard of it until the Senator from Colorado introduced it, but as a friend of Colonel Fréret I must be permitted to say to the Senator from Louisiana that I think it would be better to take up these charges made here in a paper published in the capital of the country, and investigate them, than to let the matter go off on any side track. If he were my constituent as he is my friend, I certainly should take that course. I believe he is an honest man; I have no doubt about it, but—and I will say that frankly, and it is my duty to say it—he has men in that department who have been there for years, through all these other scandals, whose names have been connected with them, and if there is any foundation for this resolution it comes from the action of those subordinates, in my judgment. That is my conviction about it.

The PRESIDENT *pro tempore*. Does the Chair understand the Senator from Louisiana to submit a motion to refer the resolution to the Committee on Public Buildings and Grounds?

Mr. GIBSON. I was not aware that there were any specific charges upon which the resolution was based. I supposed they were mere newspaper charges. But as the Senator from Missouri informs the Senate that there were specific charges made, with names and dates and everything of that kind, I withdraw my request to the Senator from Colorado and hope to see the resolution pass.

Mr. VEST. I wish the Senator to understand that the charges to which I referred were made in the newspapers. I never heard of them in any other place.

Mr. STEWART. I think since the resolution has been introduced that it had better be passed, and I wish to remark that I have found Mr. Fréret to be a very vigilant and economical officer. There was an appropriation for a public building in my town that had been made for several years, and there were superintendents there, at a considerable expense. Immediately when Mr. Fréret came in he discharged all that were of no use, stopped the expenses, and put out advertisements, and went to work in a very vigorous way; and in my conversation with him in regard to that I found he was making many reforms, and I think he has been working very hard since he has been in for that purpose.

It there is anything in that department among his subordinates that is wrong I think he would like to have it investigated. He has investigated himself to the extent of his power, and I think, this resolution having been offered, he would desire its passage; for I believe he as much as anybody else would like to have anything developed in his department that is wrong, and he will correct it as far as he can.

Mr. SHERMAN. Mr. President, I feel bound by a sense of honor and duty to say a word in regard to Mr. Hill. I do not desire to go into the merits of the pending resolution, about which I know nothing.

Mr. Hill was an officer of the bureau to which he belonged for many years before he became its chief. He went through all its various grades. He is educated and trained as an architect, and skillful and familiar in all the duties of that bureau.

A controversy grew up in regard to certain contracts made by Mr. Mullett, who had previously been Supervising Architect, as to what were called 15 per cent. contracts, or contracts that allowed the contractor to have 15 per cent. on the amount of the cost of the work done entirely by day's work for tools, implements, and raw materials furnished by the contractors. That system was found to be very expensive, and it was discontinued, and Mr. Hill was placed in charge.

The matter ran along for some time until such contracts under the control of the Treasury Department were entirely set aside. Colonel Casey, an engineer of the United States Army, was at that time superintendent of the State, War, and Navy Department building, the work being under his control. He discontinued a similar contract for work to be done on that building, so that all the 15 per cent. contracts were discontinued while I was Secretary of the Treasury, and new contracts were made upon a different basis.

Mr. Hill was, as I believe, an honest, faithful employé, who discharged his duties well, and no allegations were made against him until an investigation was ordered by Congress, perhaps by the Senate, to examine into the work done under his bureau, and especially that on the Chicago custom-house building, and some charges were made in regard to Mr. Hill of a serious character, which would, if true, have greatly affected his reputation.

The result was that the Department suspended him from his duties, but did not dismiss him, pending the investigation. After it was over, upon information from the committee having it in charge that the charges against Mr. Hill had proved to be unfounded and that there was nothing proven in the course of the investigation to affect his character, he was restored. I myself never examined the testimony that was given, but I took the report of the committee or the action of the committee as conclusive, and Mr. Hill was restored to his place. Afterwards he was superseded under a subsequent administration by some other gentleman, I think from Iowa, and Mr. Hill then became a private citizen here in this District, where he is now following his profession as an architect.

The allegation that he has made a fortune or derived any profit from his office except his salary I think must surely be a mistake. Mr. Hill is now a private citizen here engaged in the ordinary work of an architect, employed by private parties in building houses, and so far as I know nothing has been proved that affects in the slightest degree his reputation. It has stood good and untarnished so far as I know anything about it, and now he is employed by some of the leading citizens of Washington and intrusted with buildings that are going on all around us.

Mr. HAWLEY. Mr. President, if I were called upon to draught this resolution I would strike out the entire preamble about charges of irregularities, violations of law, etc., and strike out the words "during the administration of the present Supervising Architect" and say:

That the Committee on Public Buildings and Grounds be, and the same is hereby, authorized and instructed to make, either by the committee or a subcommittee thereof, an investigation into the conduct of the office of the Supervising Architect of the Treasury Department, and to inquire into the laws, regulations, and customs relating to the erection of public buildings, and report by bill or otherwise.

That would give full authority to make an inquiry not only into the conduct of any particular officer, but the conduct of the department generally, and also the laws, regulations, customs, and practices, with a view to a better method of doing business. That is what I should have more in view than any personal investigation.

Mr. VEST. I hope the Senator from Colorado will accept that amendment, because it divests the inquiry of any personal character and goes into the whole subject. It is a very important one, and I think it is a good amendment.

Mr. HAWLEY. As a member of the committee gives me his approval, I will submit the amendment to strike out the preamble and the words I have suggested in the resolution and make the change I have named.

Mr. TELLER. Let the amendment be read.

The PRESIDENT *pro tempore*. The proposed amendment will be stated.

The CHIEF CLERK. It is proposed to strike out the preamble and to amend the resolution so as to make it read:

Resolved, That the Committee on Public Buildings and Grounds be, and the same is hereby, authorized and instructed to make, either by the committee or a subcommittee thereof, an investigation into the conduct of the office of the Supervising Architect of the Treasury Department, and to inquire into the laws, regulations, and customs relating to the erection of public buildings; and for that purpose, the committee, or said subcommittee, if appointed, is authorized and empowered to send for persons and papers, and to administer oaths; said committee to report by bill or otherwise.

Mr. HAWLEY. I propose the amendment partly because I do not believe that there has been any Supervising Architect since we have had that office who has gone there with the intent of being corrupt, or who has intentionally violated the law. The salary is such that, while we have had competent men there, I am induced to believe, and everybody does believe, I think, that they went there for the sake of the reputation the office would give them. It can be said of them afterwards during their lives that they were Supervising Architects of the Treasury, and that will assist them in doing a lucrative and honorable business.

Mr. ALLISON. Mr. President, I hope the Senator from Colorado [Mr. TELLER] will accept the amendment suggested by the Senator from Connecticut [Mr. HAWLEY].

I criticised somewhat the proposed amendment of the Senator from Missouri [Mr. VEST] for the reason that I did not think it quite fair to the immediate predecessor of the present occupant to have him subjected to an investigation such as is proposed by this resolution.

Mr. Bell, who was the immediate predecessor of the present Supervising Architect, is a young man from my State, an architect having skill in his profession, and I think the chief architect or substantially so of our State capitol. He came here on his merits as an architect, and I think his administration of the office was an honest administration. It may not have been always wise. I know the difficulties that the Supervising Architects have in respect to the selection of sites for public buildings, and with respect to contracts where competition arises about what stone shall be used or what particular material shall be used in the construction of a building. I have had a recent experience in my State with the present Architect in the selection of a small public building at Ottumwa.

I have received within three or four days letters from the city of Ottumwa in my State asking that the selection of a site be suspended until a further hearing, stating that the young man who had selected the site, an employé of the Architect's office, had only spent a portion of a day there, and that full opportunity had not been given, and so on, and so on. I called at the office of the Supervising Architect, and all the papers were laid before me. Being somewhat familiar with that city myself I found that the young man who had selected the site had selected it with wisdom, so far as I could judge, and therefore I telegraphed to our people that the site had been selected and approved, and I thought it was a good one. I have recently received letters that the people there are well satisfied with the selection of the site. But I can readily see that in the selection of these sites persons who have real estate to sell or who have real estate which may be affected by the selection may be dissatisfied and may feel like making charges against the Supervising Architect; but I trust we shall not enter upon an investigation here suggesting even irregularities or violations of law, unless we have reason to believe that there have been such irregularities or violations.

I find no allegation made even by the Senator from Missouri that the Architect preceding the present one was guilty of violating the law, or that irregularities existed during his administration of the office. Therefore I hope the Senator from Colorado will accept the amendment suggested by the Senator from Connecticut, and thus relieve both these officers from this implication.

Mr. TELLER. I do not understand that the resolution implies any misconduct on the part of the officer. I am quite willing, however, to accept the modification if it shall appear otherwise to members of the Senate.

I believe there has been no time since this bureau has been organized when there has not been a scandal about it. I do not believe that there has been a public building erected in the United States of any considerable value that there has not been more or less scandal about it, and perhaps there never will be; there certainly will not be if for the selection of sites irresponsible men are sent out. The bureau does not have the money to get proper persons, and can not afford to have anybody but some of its employés go out 500 or 1,000 miles away from the Supervising Architect to make the selection of a site. There may be people who are willing to pay for getting a certain selection, and undoubtedly in some instances the officers sent out succumb to that kind of influence. I do not say under this administration, for I am not speaking of it particularly, but during the years past. That, of course, reflects upon the Supervising Architect, whoever he may be.

Since I have been particularly familiar with public affairs we have had four Supervising Architects, every one of whom has been attacked from all over the country about the management of his office. I do not believe a single man of them went out of office with more money than properly belonged to him. The first officer, Mr. Mullett, who was a very capable man, as everybody knows, was bitterly assailed, and the administration of his office denounced in unmeasured terms all over the country. I do not suppose that anybody to-day would charge Mr. Mullett with having been a dishonest man.

When Mr. Hill came in great scandals grew up about the Chicago post-office building. There were undoubtedly errors of judgment in the construction of that building, but I believe the investigation, as stated by the Senator from Maine [Mr. HALE] and the Senator from Ohio [Mr. SHERMAN], showed that the Supervising Architect was not guilty of anything improper. He has to have his agents to do these things; he can not attend to them all in detail. It is the system that is wrong. The site of a public building should never be selected by a person from Washington. It should be selected by some commission that should be provided for composed of citizens of the State where the building is to be erected, and that could be easily done by statute, or it could be done by a system that could be established in the Supervising Architect's office, by which the governor of the State, the secretary of state, or some officers of that kind could be an advisory committee at least. Something of that kind should be done to prevent these continued scandals.

There is nobody here who is not familiar with the complaints of the location of the post-office at Binghamton, N. Y. Whether they are well founded or not I do not know, but it is not a good thing that such scandals should always arise against a public officer or a public bureau, and a system that permits it, a system that encourages it, is not a right system. And it is no injustice to an officer when you say that newspaper reports, as there have been now in the papers of both political parties, have attacked the administration of this office. I do not refer to them as particularly attacking the honesty of the head of the bureau, but the system and the employés, the subordinates, the persons who have been sent out to select sites. The system ought to be changed that induces and furthers such attacks. That is all I want.

So far as my personal knowledge of this Supervising Architect is concerned, I repeat that he has struck me as a man of business, and I have never seen any reason to suppose that he was not honest. I have no personal complaint to make against him for anything that has come to my personal knowledge. I might have come here and lodged complaints against him that people are ready to make, but I did not think that was my business. If they have got complaints let them go to this committee. I have no right to investigate them, and I do not want to express an opinion on them. I am not on the committee. I will not have anything to do with this unless the matter comes before the Senate, and then when it comes here I think it will be found that it is a question what shall be the change in the methods of the office, the administration of the bureau. It is a question more of administration than it is of individuals, in my judgment, and it will be found probably that, if their complaints are properly made, they are made because of an improper system that enables people to go out who are not properly qualified to judge or who in some instances, in the past at least, I may say, were improper persons to be selected for that kind of a trust.

So I am willing to adopt the suggestion made by the Senator from Connecticut and accept that as the resolution.

Mr. SPOONER. Mr. President, I think the Senator from Colorado [Mr. TELLER] is very much more willing to accept the modification suggested by the Senator from Connecticut [Mr. HAWLEY] than he would be if he were a member of the Committee on Public Buildings and Grounds and was to be charged by the Senate, if this suggestion of the Senator from Connecticut should be adopted by the Senate, with the labor which would be involved.

Mr. TELLER. Very likely.

Mr. SPOONER. The proposition is, because of this resolution to investigate certain irregularities which are specifically charged in the press of the country, that out of consideration for the present incumbent the Committee on Public Buildings and Grounds must be charged by the Senate with an investigation of the conduct of the office of the Supervising Architect from the time that office was created down to date. I respectfully, for one—and I am a working member of that committee—shall ask to be excused from undertaking, without some better support for the proposition than I have heard, so great, and in my judgment so useless a labor.

I have intended, Mr. President, to vote for this resolution without in the slightest degree meaning to thereby put an affront upon the present Supervising Architect. I do not know him. I have never seen him. What I have seen as a member of the Committee on Public Buildings and Grounds of his work I have been for the most part pleased with, and before to-day, in debate upon a kindred subject, I have taken pleasure in bearing testimony on the floor of the Senate to what seemed to me to be a high order of qualification in that gentleman. But if there is any reflection upon him in the preamble of this resolution, it does not come from the Senator from Colorado; it does not originate in the Senate. These charges have been repeatedly published in the newspapers; they have been made specific, and while they have not imputed to the Supervising Architect of the Treasury any

personal corruption or dereliction, they are an impeachment of the manner in which the affairs of his office have been conducted.

I should think the Supervising Architect of the Treasury, who I believe to be an honest man, would heartily thank the Senator from Missouri [Mr. VEST] for his friendship and his fidelity in inviting under the circumstances this investigation. The charges have been made, and repeatedly made, and I should suppose the Supervising Architect would be not only glad but eager to have them exploded if they are false. That can only be done by investigation.

It is useless to refer the matter to the Committee on Public Buildings and Grounds preliminarily, as suggested by the Senator from Louisiana [Mr. GIBSON], for the reason that we would have no power to send for persons and papers, to administer oaths, or to ascertain the facts to any greater extent than they are now known.

I know, Mr. President, nothing about any of these charges and no support for any of them except as to one matter. As a member of the committee headed by the Senator from Maine [Mr. HALE], on the condition of the civil service, I was called upon to investigate collaterally the selection of the site for a public building at Binghamton, N. Y. The question came within the jurisdiction of that committee because of the action of one of the Federal officers in New York in connection with it, and I say now that the testimony taken before that committee developed the fact that the gentleman who had been sent from Washington to select a site for the public building at Binghamton was guilty of at least the gravest and the grossest impropriety.

I say that upon my responsibility, having investigated the matter in this collateral way. I never should think of imputing that, and I suppose no other Senator would, to the Supervising Architect of the Treasury Department.

If there are other cases of the same sort as charged in the newspapers, they ought to be investigated and they ought to be exposed; but that would not necessarily involve, as I have said, personal fault, or even official delinquency in the Supervising Architect. I think one of the gentlemen who have been mentioned unfavorably in connection with the selection of sites, was inherited, so to speak, by the Treasury Department from another administration.

I have been unable to discover any impeachment here of the Supervising Architect which ought to lead to the defeat of this resolution, and I protest as one member of that committee against the Committee on Public Buildings and Grounds being charged, as suggested by the Senator from Connecticut, with an investigation of the conduct of that office from the time it was created. It seems to me utterly needless and that there is nothing in the situation which calls for it.

I am inclined to agree with the Senator from Missouri as to the vice of the present system. It would be very easy for the Senator from Connecticut, if he desires to put upon the Committee on Public Buildings and Grounds the duty of investigating that subject and of reporting by bill or otherwise to the Senate, to limit the inquiry in that way and to secure an early report from the committee; but to propose that we shall investigate the conduct of the office of the Supervising Architect from the outset seems to me to be altogether too much.

Mr. HAWLEY. Mr. President, I have no pride of opinion or personal preferences in this matter. I do not know that I ever saw the present Supervising Architect, and I had the slightest possible acquaintance with his predecessor. My object in suggesting the amendment was to avoid the appearance of a sort of criminal trial of this man or any other man. I am rather tired of that sort of thing in the absence of any specific and sustained charges. The resolution as it stands does not require that the conduct of Mr. Mullett and Mr. Hill and Mr. Bell shall be inquired into; it authorizes and instructs the committee to make an inquiry into the management of that office. They need not go back over a fortnight, unless they choose to do so. They are to inquire into the way in which things are done, the laws and regulations and customs which govern that office.

I agree with much that has been said by the Senator from Colorado, that it is not a matter of the personal integrity of the Architect for the time being so much as it is a matter of defect in the system, for which the legislative power of the Government is very largely responsible, and the executive to some extent to be sure, for I think there is much discretion in the office; but the hardship is that we have not made the system better than it has been. The resolution simply directs an inquiry into the system, without saying anything about five or ten or fifteen years back. The discretion is left to the committee. If it should seem worth while to inquire into that old and antiquated system under which there were great abuses, paying 15 per cent. for supervision, they are not prevented from doing it; but nobody supposes that is of any consequence now. The abuse was discovered and cured years ago. I do not think the resolution, even if amended as I propose, is open to the criticisms of the Senator from Wisconsin.

Mr. SPOONER. The resolution would then stand in this wise: the committee would be instructed, not authorized, but instructed, to investigate the conduct of the office of the Supervising Architect of the Treasury, with power to send for persons and papers and administer oaths and to employ a stenographer. I, as a member of that committee, certainly could not put upon this resolution, if passed, the construction suggested by the Senator from Connecticut, and say that the committee would have done its duty and obeyed the order of the Senate by simply making a farcical investigation into the conduct of that office for a couple of weeks or a couple of months. I prefer——

Mr. VEST. Will the Senator permit me?

Mr. SPOONER. Certainly.

Mr. VEST. His objection might be removed by simply inserting the words "as far as the committee may deem necessary," or "such administrations as they may deem necessary."

Mr. HAWLEY. I will make that amendment, that correction, or change suggested by the Senator from Missouri.

So far as may be deemed necessary.

Mr. HALE. I do not think that is needed.

Mr. HAWLEY. I do not think it is.

Mr. HALE. Because resolutions in precisely this form are frequently passed; and it is a question for the committee to settle in the course of the investigation how far it will go back in order to illustrate the present conditions. It clearly would not oblige the committee to investigate the department from the time of its first being created; it is all left with the committee. I presume that was the intention of the Senator from Connecticut.

Mr. HAWLEY. Certainly.

The PRESIDENT *pro tempore*. The Senator from Colorado modifies his resolution to read as will now be stated.

The Secretary read as follows:

Resolved, That the Committee on Public Buildings and Grounds be, and the same is hereby, authorized and instructed to make, either by the committee or a subcommittee thereof, an investigation into the conduct of the office of the Supervising Architect of the Treasury Department as far as it may deem necessary, and to inquire into the laws, regulations, and customs relating to the erection of public buildings; and for that purpose the committee, or said subcommittee, if appointed, is authorized and empowered to send for persons and papers, and to administer oaths; said committee to report by bill or otherwise.

Mr. SPOONER. I have no objection to the resolution as modified on the suggestion of the Senator from Missouri.

Mr. HALE. Does not the Senator want a provision for the expenses of the committee?

Mr. TELLER. That can be done afterwards.

Mr. CALL. Mr. President, before we pass away from this subject it perhaps may contribute something to relieve the office of the Supervising Architect in this matter of selecting sites by a statement that the site is not selected by the Supervising Architect, but it is approved and virtually selected by the Secretary of the Treasury. In the instance which occurred in the State of Florida I know that the agent of the Supervising Architect sent to that State, took the statement of the leading citizens of the city of Jacksonville and of a large number of people, and the propositions of the different persons proposing to sell. The evidence was reported, the statements of persons not interested, of business men in the city, to the Supervising Architect, and by him submitted to the Secretary of the Treasury.

I know my own opinion was asked as to the persons who had made these statements, their character, their reputation, and I was called on to give my opinion as to the site to be selected; but I refused to do so, and I was requested to make a statement as to the character of persons giving evidence in the matter and the fact of their being business men and acquainted with the value of property there. Some were for one locality and some for another, and a selection was made, not by the Supervising Architect nor by the person sent by the Department to take this testimony and to report upon all the sites proposed, but the entire evidence was submitted to the Secretary of the Treasury, examined, and approved or disapproved by him. It will therefore be seen that these charges or statements in regard to Mr. Fréret and his subordinates in the selection of sites are entirely groundless, inasmuch as the selection of sites for public buildings is not made by the Supervising Architect or his subordinates, but is made by the Secretary of the Treasury.

The PRESIDENT *pro tempore*. The question is on the passage of the resolution as modified.

The resolution as modified was agreed to.

TREASURY BOND PURCHASES.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a resolution submitted by the Senator from Kansas [Mr. PLUMB] coming over from yesterday, which will be read.

The Secretary read as follows:

Resolved, That the Secretary of the Treasury be, and hereby is, directed to report to the Senate, at the earliest possible moment, a full statement of all purchases of bonds made by the Treasury Department during the period from March 4, 1885, to date, specifying in detail the classes of bonds, amount and date of purchase, the party from whom purchased, the price paid, the market quotations in New York at the date of respective purchases, and in addition thereto a statement of bids rejected, showing date of bid, premium asked, and market quotations; also showing the available surplus in the Treasury on the 1st of each month during the period above named.

The resolution was agreed to.

JOHN H. PARKER.

Mr. HOAR. At the request of the Senator from Vermont [Mr. EDMUNDS], I ask leave to report from the Committee on the Judiciary and put on its passage the bill (H. R. 10621) for the removal of the political disabilities of John H. Parker, of Virginia, with an amendment.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on the Judiciary was, in line 4, to strike out the words "legal and;" so as to make the bill read:

Be it enacted, etc., That the political disabilities imposed by the fourteenth amendment of the Constitution of the United States by reason of participation in the late rebellion, be, and they are hereby, removed from John H. Parker, of Chesterfield County, in the State of Virginia.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed—two-thirds of the Senators present voting in the affirmative.

LOUISIANA ELECTION INVESTIGATION.

Mr. CHANDLER. I give notice that on the first day of the assembling of the Senate after the holiday recess I shall move to take up for action the resolution for the investigation of the Louisiana election.

Mr. VOORHEES. We could not quite hear the Senator from New Hampshire. I understood him to give notice that he would call up the resolution touching matters in Louisiana after the recess.

Mr. CHANDLER. On the first day of the assembling of the Senate after the holiday recess.

Mr. VOORHEES. I simply desired to understand it.

STATE OF THE SUFFRAGE.

Mr. CHANDLER. I also desire to offer some amendments to the resolution submitted by the Senator from Louisiana [Mr. GIBSON] on the 20th instant in relation to the investigation of elections, which I ask may lie on the table and be printed.

The PRESIDENT *pro tempore*. The amendments will be received, ordered to lie on the table, and ordered to be printed.

The amendments are as follows:

1. Strike out the first two lines and insert the following:
"*Resolved*, That it shall be the duty of the Committee on Privileges and Elections to."
2. In the fifth line, strike out the words "month of April last in the States of Rhode Island and Louisiana" and insert the words "year 1888."
3. Strike out the words "in the States of New York and Indiana."

Mr. PLUMB. Mr. President——

Mr. ALLISON. I only design to remark, Mr. President, that the Senator from New Hampshire of course expects to take up his resolution subject to the consideration of the tariff bill.

Mr. CHANDLER. I do, but I also expect that there will be so little delay in disposing of it that the chairman of the subcommittee on the tariff bill, the chairman of the Committee on Appropriations, will make no objection to its consideration at that time.

Mr. ALLISON. If it takes no time.

SUGAR AND STANDARD OIL TRUST REPORT.

Mr. PLUMB. I move that the Senate proceed to the consideration of the bill (S. 2511) to withdraw the public lands of the United States in Mississippi from sale at ordinary private entry, and to restrict disposals thereof under general statutes to homestead settlers.

The PRESIDENT *pro tempore*. The Chair will first call for further morning business. Is there further morning business?

Mr. MANDERSON. I am directed to report favorably from the Committee on Printing a concurrent resolution of the House of Representatives and ask for its present consideration.

The resolution was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed, for the use of the House and Senate, 5,000 copies of the report, with evidence, lately made by the Committee on Manufactures of the House in relation to the sugar trust and Standard Oil trust, 3,000 copies for the use of the House and 1,500 copies for the use of the Senate.

Mr. MANDERSON. I move to amend the resolution by striking out "5,000" and inserting "4,500."

The amendment was agreed to.

The resolution as amended was concurred in.

CANCELED LAND ENTRIES.

Mr. VOORHEES. I offer the following resolution:

Resolved, That the Secretary of the Interior be, and he is hereby, requested to furnish to the Senate, prior to the expiration of the present session of Congress, a list of all homestead, timber-culture, and pre-emption entries to public lands which have been canceled after issuance of final receipt and certificate therefor, during the present administration, for any cause other than voluntary relinquishment. Such list shall be similar in the data supplied to the list of canceled desert-land entries furnished in response to a prior resolution of this body.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. PLUMB. I object.

The PRESIDENT *pro tempore*. The resolution lies over under the rule, and will be printed.

DISPOSAL OF PUBLIC LANDS.

Mr. PLUMB. I move that the Senate proceed to the consideration of Senate bill 2511, Calendar No. 919.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2511) to withdraw the public lands of the United States in Mississippi from sale at ordinary private entry, and to restrict disposals thereof under general statutes to homestead settlers.

The bill was reported from the Committee on Public Lands with amendments, in line 4, after "United States," to strike out "in the State of Mississippi shall cease to be subject to disposal by sale at ordinary private entry and" and insert "now subject to private entry;" in line 6, after the word "of," to strike out "under general statutes in no other manner than" and insert "under and;" and at the end of line 8, after the word "laws," to insert "only;" so as to make the bill read:

That from and after the passage of this act the public lands of the United States now subject to private entry shall be disposed of under and according to the provisions of the homestead laws only.

The amendments were agreed to.

Mr. WALTHALL. I offer the following amendment, which I think will be accepted by the Senator from Kansas:

But this act shall not be so construed as to deny to any State the right to select lands in place or indemnity lands in accordance with existing laws making land grants to States.

This amendment is intended to meet what the Committee on Public Lands consider an erroneous construction put upon the terms of the bill by the Commissioner of the General Land Office, the same language appearing in a joint resolution passed at the last session, which has been construed by the Commissioner.

The PRESIDENT *pro tempore*. The amendment will be read by the Secretary.

The CHIEF CLERK. It is proposed to add to the bill:

But this act shall not be so construed as to deny to any State the right to select lands in place or indemnity lands in accordance with existing laws making land grants to States.

Mr. CALL. I suggest that the amendment should be amended so as to confine it to the State of Mississippi, as the act relates entirely to that State. Otherwise it might imply a construction of the law in regard to which we have no definite information or knowledge.

Mr. WALTHALL. The Senator has overlooked the fact that the act which was originally applicable to Mississippi alone has been made general by the amendment just adopted.

Mr. CALL. I did not understand that. That is precisely what I shall object to. This is a bill, as I understand, confining the disposition of public lands in the State of Mississippi to the homestead law and the provisions of that law.

Mr. PLUMB. It has been so amended by the action of the committee and the action of the Senate as to apply to all the lands of the United States now subject to private entry. In other words, it accomplishes just what the temporary resolution which the Senator was instrumental in having passed at the last session did for this same class of lands in certain States.

Mr. CALL. I should be glad to have that read again.

The PRESIDENT *pro tempore*. The bill will be read.

The Chief Clerk read the bill.

Mr. CALL. I will ask the Senator from Kansas to allow that to stand over in order that I may make some suggestions in reference to some amendments that I desire shall be made if we are to pass such a bill as this.

Mr. PLUMB. Of course I shall comply with the request of the Senator from Florida, but I want to call his attention to the fact that we have already passed a joint resolution carrying out this same idea during the existence of this Congress, and which the Senator was anxious about as regards the State of Florida, and was there done at his request. This simply makes permanent this policy, which has heretofore been adopted temporarily by the joint resolution of which I have spoken.

Mr. CALL. I understand that, Mr. President, but there are some limitations that I think should be made—some exceptions.

Mr. PLUMB. The Senator will understand that the period is very short, and that anything which may involve this question in any serious way would undoubtedly prevent the final passage of the bill.

Mr. CALL. I do not think the amendment I shall propose will be objected to.

Mr. PLUMB. I will not press the matter further at the present time.

The PRESIDENT *pro tempore*. The bill resumes its place on the Calendar.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore:*

A bill (H. R. 11878) making appropriations to supply a deficiency in the appropriation for public printing and binding for the fiscal year ending June 30, 1889, and for other purposes; and

A bill (H. R. 337) granting a pension to Mary E. Johnston.

JAMES TRABUE AND OTHERS.

Mr. JONES, of Arkansas. I ask that the Senate proceed to the consideration of House bill 5349, Calendar number 2415.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5349) for the relief of James Trabue, Thornton Thatcher, Michael Callahan, and the widow of John

Waters. It provides for the payment in full settlement of claims for use and occupation of property by the United States to James Trabue, of $600; to Thornton Thatcher, of $93.33; to Michael Callahan, $113.66; and to Annie M. Williams, late widow of John Waters, deceased, $1,825.

Mr. JONES, of Arkansas. I move to amend in line 9 by inserting the words "Richard Trabue, executor of," and the word "deceased" after the name "James Trabue."

The PRESIDENT *pro tempore*. The amendment will be reported.

The CHIEF CLERK. In line 9, after the word "to," it is proposed to insert "Richard Trabue, executor of," and after the name "James Trabue" to insert "deceased;" so as to make the clause read:

To Richard Trabue, executor of James Trabue, deceased, $600.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Richard Trabue, executor of James Trabue, deceased, Thornton Thatcher, Michael Callahan, and the widow of John Waters."

ORDER OF BUSINESS.

Mr. BLAIR. Mr. President——

Mr. ALLISON. I move to proceed to the consideration of the revenue bill.

Mr. BLAIR. I would ask the indulgence of the Senator from Iowa to say to him that last May I introduced a joint resolution (S. R. 86) proposing an amendment to the Constitution of the United States respecting establishments of religion and free public schools, and asked the courtesy of the Senate that it might be laid upon the table with a view of addressing the Senate at some time at considerable length upon the subject; but the increasing pressure of public affairs induces me to ask him to allow me to have this resolution, if the Senate will consent, taken from the table, that I may occupy five, or at most, not over ten minutes, and move its reference to the committee.

Mr. ALLISON. I suggest to the Senator from New Hampshire to postpone that until later in the day. I think later in the day there will be no objection.

Mr. BLAIR. It will not take more than five minutes now.

Mr. ALLISON. It will not take more than that later in the day.

Mr. BLAIR. It will be a convenience to have the matter off my hands.

Mr. ALLISON. I am pressed on all sides, and after we have spent two or three hours on this bill I shall consent to give way to the Senator.

Mr. BLAIR. I will not press the request now.

Mr. COCKRELL. Mr. President——

The PRESIDENT *pro tempore*. Does the Senator from Iowa yield to the Senator from Missouri [Mr. COCKRELL]?

Mr. ALLISON. I can not at this moment. Later in the day I shall be glad to yield to the Senator.

The PRESIDENT *pro tempore*. The Senator from Iowa moves that the Senate proceed to the consideration of House bill No. 9051.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore:*

A bill (H. R. 10023) to authorize the Cairo and Tennessee River Railroad Company to construct bridges across the Tennessee and Cumberland Rivers; and

A bill (H. R. 10323) to incorporate the American Historical Association.

PACIFIC COAST DEFENSES.

Mr. DOLPH. On Wednesday last there was a communication received from the Secretary of War, transmitting, in response to a resolution of June 11, 1888, such correspondence as has been found of record from April 15, 1861, to August 20, 1866, of the War Department with the division commanders of the Pacific and the department commanders of the Columbia and California, in relation to the subject of raising and organizing volunteer troops for the purpose of guarding the overland and inland mail and emigrant routes. The communication was laid on the table for future action. I move now that the communication be referred to the Committee on Printing.

The motion was agreed to.

THE REVENUE LAWS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

The PRESIDENT *pro tempore*. The Secretary will proceed with the reading of the substitute, beginning with paragraph 313.

The Chief Clerk read as follows:

SCHEDULE I.—COTTON MANUFACTURES.

313. Cotton thread, yarn, warps, or warp-yarn (not wound upon spools), whether single or advanced beyond the condition of single by twisting two or more single yarns together, whether on beams or in bundles, skeins, or cops, or in any other form, valued at not exceeding 25 cents per pound, 10 cents per pound; valued at over 25 cents per pound and not exceeding 40 cents per pound, 18 cents per pound; valued at over 40 cents per pound and not exceeding 50 cents per pound, 23 cents per pound; valued at over 50 cents per pound and not exceeding 60 cents per pound, 28 cents per pound; valued at over 60 cents per pound and not exceeding 70 cents per pound, 33 cents per pound; valued at over 70 cents per pound and not exceeding 80 cents per pound, 38 cents per pound; valued at over 80 cents per pound and not exceeding $1 per pound, 48 cents per pound; valued at over $1 per pound, 50 per cent. ad valorem.

Mr. VEST. In line 1211 I move to strike out "10 cents per pound" and insert "35 per cent. ad valorem;" so as to make the item read:

313. Cotton thread, yarn, warps, or warp-yarn (not wound upon spools), whether single or advanced beyond the condition of single by twisting two or more single yarns together, whether on beams or in bundles, skeins, or cops, or in any other form, valued at not exceeding 25 cents per pound, 35 per cent. ad valorem.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Missouri [Mr. VEST].

Mr. VEST. Mr. President, it is necessary in order to discuss any of the items in regard to these cotton yarns, to discuss the entire schedule upon that subject and to notice the remarkable fact which I had occasion to mention in the Senate some time since, that the Committee on Finance have seen proper to increase the duty upon the cheaper qualities of cotton yarn, whilst they allow the duty to remain the same upon the higher-priced articles. I have not the slightest question but that it is in accordance with the demands of the manufacturers. The testimony taken before the Finance Committee and before what was known as the Morrison tariff committee all goes to show that the manufacturers of New England, recognizing the fact that they can no longer compete as to the cheaper cotton yarns and cottons with the Southern manufacturers at Augusta and other places in the South, now demand this additional protection in order to secure them in their specialty of manufacturing the finer cotton goods. Even a superficial examination of this schedule will show that my statement is correct.

Analyzed, this schedule is as follows: Upon cotton yarns valued at 25 cents and not exceeding 40 cents a pound the existing law imposes a duty of 44.10 per cent. ad valorem, the House bill 35 per cent. ad valorem, and the Senate bill 44.10 per cent. Over 25 but not exceeding 40 cents a pound, the existing law imposes a duty of 42.30 per cent., the House bill imposes a duty of 35 per cent., and the Senate bill imposes a duty of 50.75. The existing law, as I have stated, is 42.30 per cent., and the committee have increased it over the existing law 8.45, that is, upon yarns that are 25 cents and not exceeding 40 cents to the pound.

Over 40 cents but not exceeding 50 cents, the existing law imposes an ad valorem duty of 45.38 per cent., the House bill 40 per cent., and the Senate bill 52.18 per cent., an increase over the existing law of the difference between 45.38 and 52.18.

On the yarns costing 50 cents a pound, but not exceeding 60 cents, the existing law imposes a duty of 45.21 per cent. ad valorem, the House bill 40 per cent. ad valorem, and the Senate bill 50.64 per cent. ad valorem, which is an increase of the difference between 45.21 in the existing law and 50.64 in the Senate substitute.

Over 60 cents a pound, but not exceeding 70 cents, the existing law imposes a duty of 50.89 per cent. ad valorem, the House bill 40 per cent. ad valorem, and the Senate bill 50.90 per cent. ad valorem, or an increase of one one-hundredth per cent. over the existing tariff.

Now we come to the finer articles. These cotton yarns are the raw material out of which the cotton manufacturer makes the goods. According to the doctrine so often enunciated in this Chamber, the increase upon the raw material must be followed through all the schedule by an increase upon the manufactured article.

In the classification of over 70 cents and not exceeding 80 cents, the duty is kept the same as under the existing law. Over 80, but not exceeding $1, the duty is kept the same. Over $1, under the existing law, the duty is 50 per cent., under the House bill 40 per cent., and under the Senate bill 50 per cent. So on the higher-priced qualities of cotton yarn, which is the raw material of the manufacturer, that duty is kept the same, but it is increased systematically upon all the lower grades.

The reason of this is plain when we read the testimony taken before the committee. It is a notorious fact in manufacturing circles throughout the country that the machinery of the New England manufacturers has been changed to the manufacture of the higher-priced cotton. But upon the cheap goods that go into the ordinary lives of the people of this country, that are used by the poor, by the workingmen, by the laborers, by the farmers who are dependent upon their daily toil, the duty has been increased, because they are willing in New England to surrender this manufacture to the people of the South and to retain the manufacture of the higher-priced and more expensive articles.

What is the necessity for this increased duty? Is the cotton-manufacturing industry of the United States in a languishing condition? Is there anything to-day that calls for the iron hand of protection in order to make these manufactures self-sustaining?

I find that we exported in 1887 over $14,000,000 of manufactured products of cotton, including wearing apparel. In 1888 we exported over $13,000,000. Speaking accurately, we exported in 1887 $14,929,342 worth of manufactured cotton goods, including wearing apparel. In 1888 we exported $13,013,189 worth.

We are able to-day to compete with the foreign manufacturer. It is true that we imported in 1888 some $47,000,000 worth of these manufactured goods, but what does that prove? it proves that the American manufacturers are taking their full pound of flesh in the way of profit, and therefore the foreigners are able still, even with this high protective duty, to come into the American market and sell this amount of goods to the American consumer.

We know that the American manufacturer can supply the domestic market, that he has the capacity to do it, and if it is not done it is because the American manufacturer is taking advantage of the tariff duty and selling up to the full limit with the tariff tax imposed upon the imported article—that is to say, as I believe to be the case with all importations, the cotton manufacturer comes up to almost the margin of the foreign cost, with the tariff added, and undersells it but a few cents, but if circumstances do not require this, he sells for the full amount of the cost of the imported article with the tariff duty added.

To show that we are able to compete with the foreign importer, I ask the Secretary to read the testimony of one of the Senators who formed this bill, a Senator who has taken a prominent part in this debate, and who two years ago went over this entire question and stated emphatically that the manufacturer of cotton goods was able to compete with the foreign manufacturer, and that the only reason we were not supplying all the South American markets was because we had lost the carrying trade for some reason which that Senator did not choose to mention.

The PRESIDENT *pro tempore*. The Secretary will read as requested.

The Secretary read as follows:

He who has watched the progress of our manufacturing industries for the last twenty years knows this to be a fact, that in nearly all that they consume in South America, in the Central American states, and in Mexico, and which is produced in this country and in Europe, we, to-day, need no protective tariff to protect our home markets against the foreign producers. In all the cheaper fabrics, and they are the only ones for which they afford a market, we can and do compete with the world. As to all fabrics, iron, steel, wood, and leather goods, largely made by machinery, and in which manual labor is comparatively a small element, we need no protection whatever. We can make and sell them on equal terms with the rest of the world. This is so true in the iron and steel industries that I believe the exportation of iron and steel goods to those and other foreign markets within the last year amounted to over $16,000,000, and yet we can not compete with England in all the steel goods; but in machinery, in agricultural implements, the hoe, the ax, the shovel, the auger, the bit, nails, wire, and mowers, reapers, plows—in all an agricultural people consume, we can and do.

These are goods that Mexico and Central and South America demand, and will buy from us, and are buying from us to a certain extent to-day, and will continue to buy if we can ship them there. This is true also as to cotton fabrics. All the cheaper grades of cotton goods we can produce in this country, and compete successfully with the manufacturers of the world, to-day. I will not limit, however, quite so closely—I have been told, within the year, our producers of the cheaper, coarser cotton fabrics have been able to produce and export, and sell, in the English colonies their goods in competition with the English manufactured goods, because they were enabled to produce them cheaper by the aid of labor-saving machinery; and this is proved by the fact that our yearly exports of them amount to $12,000,000; of many products of leather all this is equally true.

Of leather goods we export to a foreign market about $10,000,000 in value; and you may go through with lines of goods those people buy and consume, and you will establish the fact that by the development of our manufacturing industries by the use of machinery we are able to make and sell to them as cheap as any one else those goods of which they consume considerable quantities and which make up their foreign commerce, but which they now the more largely buy in Europe, and we are unable to compete with Germany, with England, and with France only when they monopolize, control the transportation, the carrying trade. I am asked to explain why we can do this and yet pay more for our labor. I answer, because our manufacture of the goods I have mentioned is largely done by machinery; in the use of machinery but little manual labor is required to make them.—*Congressional Record*, Forty-ninth Congress, first session, part 5, page 4686, May 19, 1886.

Mr. VEST. That is a valuable contribution to this debate, for several reasons. The honorable Senator from New York [Mr. HISCOCK] who made that statement was certainly cognizant of all the facts. He has made a specialty of this tariff question; and he states very emphatically that we are able to export to the English colonies these coarser cotton fabrics and compete successfully with the English manufacturers.

He asks, it is true, why it is that we can not command this South American trade; and gives no reason why we have lost the carrying trade between the United States and the countries of South America. Sir, there can be no sort of question but that we have lost that carrying trade on account of this high protective tariff.

I have before me a statement furnished by the Bureau of Statistics that is the most shameful exhibit as against the United States that can be conceived. We, a people of more than sixty million in number, in whose veins flows the mingled tide of conquest and aggression, with all the elements to command both the land and the ocean, with 10,000 miles of seaboard, with all the materials to build ships either of iron or of wood, to-day permit Great Britain to pass by our shores and take at our very doors the South American trade. Yet my honorable friend from New York alludes to that fact, but does not give the reason.

Without reading this table, I want to give the aggregate. There are the South American states, commencing with Mexico and ending with Peru. The total amount exported from the United Kingdom of Great Britain to those countries is $46,456,727 annually, and the United States exports to the same countries $6,335,701. I submit the table, which is as follows:

Total values of the exports of domestic manufactures of cotton from the United Kingdom and the United States to Mexico, Central and South America, and to the West Indies in 1886.

Countries to which exported.	Exported from United Kingdom.	Exported from United States.*
Mexico	$2,239,870	$829,596
Central American states	2,288,632	377,612
British Honduras	69,513	27,883
British West Indies	†2,799,084	152,672
Other West Indies	5,292,483	1,436,148
United States of Colombia	2,350,607	443,112
Venezuela	1,297,356	602,131
British Guiana	(†)	21,408
Brazil	14,915,978	705,638
Uruguay	2,401,798	188,358
Argentine Republic	7,227,779	797,246
Chili	3,152,567	408,434
Ecuador	665,630	235,401
Peru	1,845,430	90,062
Total	46,456,727	6,335,701

*Year ending June 30, 1887.
†Includes British Guiana.
‡Included in British West Indies.

TREASURY DEPARTMENT, BUREAU OF STATISTICS, *April* 17, 1888.

A brother Senator furnished me some weeks ago one of the most interesting books I have ever read. It is the account of the South American Commission by Mr. Curtis, a newspaper correspondent, now in this city, who was secretary of that commission. It developed to me a new world in South America of which I had never dreamed. His description of the Argentine Republic sounds like romance, but he gives facts and figures beyond any question. Buenos Ayres, a city of half a million people, has one bank with $40,000,000 capital, another with eight million, another with five million; it has magnificent public buildings, with universities, libraries, and all the comforts and improvements of modern life. The Argentine Republic imports $100,000,000 of manufactured goods yearly, one-third from England, and one-fifth each from France and Germany, whilst this country ranks with Sweden, Denmark, and Chili. The United States flag, Mr. Curtis says, is seldom seen in a South American port. There are twenty-three lines of steam-ships running to Buenos Ayres from Europe, but the Stars and Stripes are rarely seen upon the oceans that surround the South American countries.

Why is this? It is because we have cut off the reciprocity of commerce. Some years ago when serving upon a subcommittee of the Committee on Commerce, in the city of New York, a gentleman appeared before us from Boston, who said he had built a ship to go into the South American trade. As a matter of patriotism, if not of profit, he declared that he wanted to participate as a citizen of the United States in that immense commerce. He had proposals to build an iron vessel from Mr. John Roach and from Harlan & Hollingsworth, but found that on the Clyde he could build this iron vessel, called a commercial tramp, for $20 less on the ton than he could in the United States.

He had it built abroad, came back to the United States, applied for American registry, and was told he could not put the vessel he had built himself under the American flag because it was foreign-built. He loaded it with Yankee notions, went under the British flag to South America, sold his Yankee notions at a large profit, and then undertook to put into his vessel an incoming cargo, because when a ship, like a railroad train, goes loaded only one way it goes into bankruptcy. When he undertook to load for the return voyage he found he must load with copper and wool, because at Callao, upon the western coast, where he had gone, the exportations of that country were wool and copper. He loaded with copper and wool, for he could get nothing else; fruits were perishable, and he could not load with them. He came back to the United States and undertook to enter our ports in order to sell this wool and this copper to American manufacturers. According to his own statement he was met with this prohibitory tariff duty, and the result was he was compelled to take his cargo to England and sell to the English manufacturers, who made out of that wool and copper the manufactured article for export to other countries.

Mr. ALLISON. Why could he not sell the wool here?

Mr. VEST. Because there was a high duty upon wool.

Mr. ALLISON. If the consumer pays the duty, I do not see any difference to him.

Mr. VEST. Ah, that is the very question. I am glad to hear the Senator admit that the consumer pays it.

Mr. ALLISON. I say if the consumer pays it, as the Senator says.

Mr. VEST. Yes; but this importer under that tariff duty could not find the profitable market that he could find abroad. He found that if he paid that duty he would run the risk of not being able to sell at a price that would pay him the cost in South America together with the

tariff duty imposed upon the article. Does the Senator admit that that is the operation of the tariff? Does he admit that the duty is paid by the consumer?

Mr. ALLISON. I do not admit anything at all. I was merely asking the Senator to explain on his theory of the tariff how it was that this man could not sell in our market.

Mr. VEST. With due respect to the Senator, I shall fail to reach his intellectual apprehension if he can not see the difference between an importer taking no risk at all by going into a free-trade market and his paying an enormous tariff duty and taking the risk of selling at a profit inside of that market. This importer could go to England and know exactly what he would get and take no risk, but if he paid this tariff he was out so much more, which he had to get back in order to make him whole upon his voyage. If the Senator can not see that, argument is utterly inadequate.

We have lost the carrying trade through the operations of this tariff. What we on this side seek to do is to take the tax off from raw materials as far as we can. We want to extend the markets of the people of the United States. We want to break down this almost commercial Chinese wall that is being steadily built around this country.

Mr. DAWES. Will the Senator tell me just the advantage——

The PRESIDING OFFICER (Mr. MANDERSON in the chair). Does the Senator from Missouri yield to the Senator from Massachusetts?

Mr. VEST. Certainly.

Mr. DAWES. What would be the advantage in going 3,000 miles after an article that you can get here?

Mr. VEST. Oh, yes, the people can get it here with enormous profits in the pockets of New England manufacturers. That is what the Senator means by getting it here.

Mr. DAWES. The profit of the New England manufacturer is not what he pays for his raw material. If this importer finds such trouble in selling here in our market, is it not because somebody else sells here in our market, and that is the American producer?

Mr. VEST. He finds this trouble, that he must get back the tariff duty on the imported article. Senators on the other side declare that the tariff duty comes off the manufacturer and there stops.

Mr. DAWES. That is what I said the other day. He can not get it off from the consumer here. If there is somebody here to produce it he can not get it off from the consumer here. Our policy is that he shall not get it off from the consumer here. That is the end and purpose of a protective tariff, to keep him off from the consumer and let the consumer here and the dealer here deal with each other.

Mr. VEST. I have heard that over and over again, and yet the manufacturers come in the name of the consumer and besiege the Committee on Finance to put up the tariff duty. For what? Is it their philanthropic zeal for the people who consume the manufactured article? Why are they so much interested? Why do they want to keep out these imported goods? I have read here, day after day, the evidence of those manufacturers, one of them a gentleman who carried his plows over into Canada and sold them for 15 per cent. less there than he did in the United States, and yet made a profit; another, the largest lead-mine owner in Missouri, who testified that the instrumentalities, the picks and shovels, the powder, and rails upon the tracks under the ground that were used by the miners were all under a heavy import duty which was paid by the miners themselves. Who are to know how this thing operates if it is not the men who are engaged in the business?

Why are the manufacturers here besieging this Capitol and thronging these halls and corridors and demanding additional duty? The Senator from Massachusetts says to protect the consumer. Disinterested philanthropy! Christian zeal! Who believes it? It is to increase their own profits, because when they can exclude the foreign competition and have a market to themselves they then by combinations and trusts put it up to the price that will give them a large profit, and if necessary they shut down their factories when they have an overproduction without regard to the workman.

I know that that is the salient point in this whole question. If Senators on the other side of this Chamber can convince the people of the United States that this tariff tax does not come out of the consumer that is the end of this question. All you have to do is to put up your tariff and construct a commercial Elysium such as the world never dreamed of, not even Plato in his model and imaginary republic.

Mr. CHACE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. VEST. Of course.

Mr. CHACE. That is what we have done. The world has never seen such a commercial Elysium as has existed in this country for the last twenty-five years.

Mr. VEST. Of course we have got an Elysium for New England.

Mr. CHACE No such prosperity has ever existed on earth as has existed in this country.

Mr. VEST. What you would do beggars all description. The way to put this country on a pinnacle such as can be reached by no imagination whatever is to go on increasing your tariff duty and keeping it up.

Mr. DAWES. I want a little instruction.

The PRESIDING OFFICER. Does the Senator from Missouri yield?

Mr. VEST. I do.

Mr. DAWES. The Senator says this opposition to duty upon raw material arises from the manufacturer, so as to increase his profit. Then he gets his raw material cheaper by this duty, or else he does not increase his profit. The idea that the manufacturer wants a duty on raw material for the purpose of increasing his profits is incomprehensible to me upon any other principle than the conviction on the part of the manufacturer that by keeping out the foreign producer he will ultimately have cheaper raw material furnished him here at his own door. There is no other principle upon which he can be said to be actuated by a selfish desire to make more out of his product.

Mr. VEST. I was unfortunate if I said any such thing as the Senator from Massachusetts ascribes to me. I did not say that the manufacturers, all of them, oppose free raw material. I said the Senators on the other side of the Chamber opposed it in this bill, and the Democratic party has attempted to take the tax off of raw material in the bill that came from the other House.

Mr. ALDRICH. I should like to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. VEST. Certainly.

Mr. ALDRICH. Will the Senator from Missouri kindly point to one article that can be fairly called raw material, except wool, that is placed upon the free-list by the House bill that is not placed upon the free-list by the Senate bill? I do not admit that wool is a raw material, but we will make that exception for the purpose of the argument for the time being.

Mr. VEST. I suppose the Senator from Rhode Island holds with the Senator from Vermont [Mr. EDMUNDS] that there is no such thing as raw material.

Mr. ALDRICH. Will the Senator name an article that he considers raw material?

Mr. VEST. Does not the Senator consider tin-plate raw material?

Mr. ALDRICH. Not by any means.

Mr. VEST. The protected article is raw material to the man who buys it and undertakes to change its form into something else. Everything is raw material to the man who commences another process. Pig-iron is raw material to the man who makes structural iron and steel beams. The fallacy of the Senators upon the other side is that they commence with the raw material only in the ground or upon the trees.

Mr. ALDRICH. I should like to have the Senator from Missouri explain upon what article under his theory a duty could be placed. If pig-iron is raw material for the structural-iron manufacturer, and structural iron is raw material for the bridge builder, and steel watch-springs are raw material for the watch manufacturer, where in this long process is a duty to be fixed? Upon what article is it to be fixed?

Mr. VEST. We come back to the fundamental difference between the two parties in all these arguments, and it is going in a circle. We come back to the fundamental difference. We say that no duty should be put upon anything for the sake of protection alone. It is useless to talk about what is raw material. We say you have no right and it is unjust to tax the consumers in the United States for the purpose of building up any special industry without regard to the necessities of the Government. I am willing to impose duties in order to raise the amount that is necessary to sustain this Government and to pay its expenses economically administered, but when you enter into the broad domain of limitless protection, as the Chicago platform did and as the Senators now propose to do, simply for protection, without regard to the necessities of the Government, then I say you strike down the very theory of free institutions, which is equal rights to all and exclusive privileges to none.

Mr. ALLISON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Iowa?

Mr. VEST. Of course.

Mr. ALLISON. I understand the Senator now to be in favor of that method of taxation which will raise the necessary money to support the Government from duties on imports. If it be true that the consumer pays these duties and that the price of the domestic article is enhanced to a sum equivalent to the duties, is not that the most expensive method of taxation that can possibly be devised, because for every dollar that goes to the Government $10 go into the pockets of the men who make the same article in this country, no matter what the rate is?

Mr. VEST. We are not discussing now the question of the expense; we are discussing the question of the justice of the tax.

Mr. ALLISON. But I want the Senator to explain why it is that by his method he would impose taxes upon articles imported.

Mr. VEST. I would impose taxes in order to raise the revenue necessary to support the Government; and the adjustment of the details of those taxes should be honestly and equitably distributed with regard to the demands and rights of all sections of the country and of every individual in it.

Mr. ALLISON. I wish to say that if I understand the Senator now, he is willing to levy duties upon cotton goods, for example, to main-

tain the Government. Suppose a duty of 1 cent a pound is levied upon cotton yarns instead of 10 cents, and then nine-tenths of the entire consumption of the yarns in this country are manufactured here. According to the theory of the Senator that 1 cent is added to the entire consumption of yarns and only one-tenth goes into the Treasury and the other nine-tenths are paid by consumers of yarns.

Mr. VEST. It is no theory; it is a question of actual fact.

Mr. ALLISON. Very well. Now that being the fact, I submit to the Senator that his method of taxation is the most unjust and oppressive that could possibly be devised.

Mr. VEST. How does the Senator remedy it by his bill? Instead of 1 cent he puts 70 cents.

Mr. ALLISON. I do not believe in the theory of the Senator.

Mr. VEST. What other theory can obtain, unless the Senator holds the manifest absurdity, to my mind, that the manufacturer pays the duty, and that is the end of it. That he brings the goods in here and loses the whole gate-money, throws it away, and this right in the teeth of the testimony of the American manufacturers themselves.

Mr. BLAIR. Is it not, then, the theory that it is not paid at all, because the foreign article is not sold here?

Mr. VEST. If nobody pays it, if it does not exist at all, as a matter of course we are engaged in something like a Midsummer Night's Dream of moonshine and fairies.

Mr. BLAIR. I submit to the Senator that the Republican position is that the foreign article is not consumed here, it is not paid for, it is not traded for, it does not come to America at all, and our theory keeps it away, and then nobody pays it because the foreign article is not sold.

Mr. VEST. From the export and import duties of the United States we see how much is brought into this country.

Mr. BLAIR. That is because our theory is not carried out.

Mr. VEST. Forty-odd million dollars of manufactured cotton goods are brought here. Who pays that? The Senator from New Hampshire says nobody. That is a very large donation.

Mr. BLAIR. No, I said nothing of the kind. The theory is not carried out. Those foreign goods have no business here. The Republican theory is debauched by Democratic free-trade doctrines, and the foreign goods find their market here in the United States and are consumed in the United States, when, if our theory was carried out, they would remain at home, our own people would manufacture those goods, and they would sell to their own people, and we should consume what was created here. It is altogether in carrying out the theory.

Mr. VANCE. Take the $12,081,000 that went into the Treasury of the United States to support the Government last year. If these miserable foreigners' goods were kept out, where would we have got that money?

Mr. VEST. Nobody paid it!

Mr. VANCE. It seems that the importer pays it, and nobody pays it, and yet it supports the Government!

Mr. DAWES. I will tell the Senator where we get that money. We get it by a tariff for revenue only.

Mr. VEST. Have you got one now?

Mr. VANCE. If the foreign products were kept out, how would you get that $12,081,000?

Mr. DAWES. By tariff for revenue only.

Mr. BLAIR. I will answer the Senator's question, if he directed it to me.

The PRESIDING OFFICER. The Senator from Missouri [Mr. VEST] has the floor. Does he still yield?

Mr. BLAIR. We will pay that $12,081,000 out of the increased taxable property we have here in the United States. Our own people will be that much wealthier. We can by virtue of the employment of our own people and the creation of wealth among our own people amply pay the expenses of our own people.

Mr. VANCE. How shall we lay the tax?

Mr. BLAIR. We can lay it on North Carolina whisky, if you please, for one thing.

Mr. VANCE. Except that portion used in the arts for the manufacture of hair dyes or restorers for your people up North. That comes in free by this bill. [Laughter.] One of the blessings of protection is the encouragement of the hair in the place where it ought to grow.

Mr. BLAIR. I will say to the Senator that, if it is necessary, we can protect the Senator's peanuts also, in order that statesmanship may not fail in the State of North Carolina. Now, Mr. President, I will give the Senator my theory as to whether it is Republican or not——

Mr. VEST. Would it suit the Senator just as well to give us his theory in his own time?

Mr. BLAIR. Certainly, if the Senator prefers.

The PRESIDING OFFICER. The Senator from Missouri is entitled to the floor.

Mr. BLAIR. But the Senator was promulgating his theory with such audacious brilliancy that I thought it called for a little explanation.

Mr. VEST. I take it for granted I am not to be subjected to a cross-fire *ad libitum*.

Mr. BLAIR. Let the Senator go on and illuminate.

The PRESIDING OFFICER. The Senator will be in order.

Mr. VEST. The assertion has been made by the Senator from Ohio [Mr. SHERMAN], in his celebrated speech at Springfield, Ill., just before the commencement of the last canvass, that the expenses of the Government were paid out of internal-revenue taxes and imports mainly collected on luxuries. That was his statement. Now, let us see how this tariff duty does operate, which is paid by nobody. We collected in 1887, on articles of necessity, $102,199,129 under the tariff of 1883.

Mr. ALDRICH. I should like to suggest to the Senator——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. VEST. Of course.

Mr. ALDRICH. About $60,000,000 of that is collected on sugar.

Mr. VEST. If the Senator will just content his soul in patience for a minute I will come to sugar. On sugar we collected $51,778,948 besides the $102,199,129 on absolute necessaries. On luxuries we collected $34,401,320. The total revenue from customs was $188,379,397. That is the absolute mathematical division, but still we are told——

Mr. ALDRICH. Will the Senator please give his authority for the statement which he is making?

Mr. VEST. I give the statement made by myself, and prepared by an expert under my supervision.

Mr. ALDRICH. Does the Senator mean to say that he made the computation himself?

Mr. VEST. I do not mean to say that I went through every item, but I believe it is absolutely correct.

Mr. ALDRICH. Will the Senator be kind enough to give the name of the expert?

Mr. VEST. I will give the whole table. It is as follows:

On works of art	$629,191
On carriages and parts thereof	89,728
On clocks and watches	356,504
On all fancy articles	2,456,398
On gold and silver manufactures	167,575
On jewelry and precious stones	900,474
On liquors, spirits, and wines	7,194,147
On musical instruments	358,093
On manufactured silks of all kinds	13,938,096
On tobacco and cigars	8,311,114
Total	34,401,320

The revenue from customs in 1886 would therefore be divided thus:

On articles of necessity	$102,199,129
On sugar	51,778,948
On luxuries	34,401,320
Total revenue from customs	188,379,397

Now, we have a tax on sugar of 80 per cent. That is a necessary:

	Per cent.
Tax on sugar	80
Tax on rice	112
Tax on salt	83
Tax on corn starch	93
Tax on potatoes	46
Tax on woolen dress goods costing 22 cents a yard	71
Tax on common cloth	91
Tax on woolen hosiery	70

	Per cent.
Tax on flannels	72
Tax on common woolen shawls	87
Tax on cotton hosiery	45
Tax on cotton-bagging	54
Tax on plain earthenware	55
Tax on window-glass	86
Tax on plate-glass	147
Tax on steel rails	80

Yet we are told that the import duties of the United States are upon luxuries and not upon the necessaries of life! But, as a matter of course, if nobody pays this, or if it is not paid by the consumer, then it amounts to nothing, and we are engaged here in the most absolutely frivolous amusement that outside of children was ever known in the civilized world, and we are from day to day and from year to year fighting for a reduction of taxation upon the foreign importer with no interest upon the part of the people of this country in regard to the matter.

The Senator from Vermont [Mr. EDMUNDS], who I am sorry to see has just left the Chamber, in two articles (I said the other day one, but I have ascertained since that he has written another; the one I saw was in the Forum; the last one is in Harper's Magazine) undertakes to show that the consumer does not pay the import duty by taking up the article of coffee. As I told him the other day, that is the only single article in the commerce of the world that he could have selected which would approximate to anything like proof of his proposition. The idea that a man pays 70 per cent. to get his goods into this market and throws away the 70 per cent. and sells below what he could sell abroad for seems to me worthy only of a place in a lunatic asylum. I cross a bridge and it costs me 5 cents a pound upon my product in order to get to a market upon the other side. Does anybody mean to tell me that I do not put that toll upon the price of that article when I get across? Is it not as much a part of the cost of that article to me in that market as if it were my labor, my toil, my sweat? Yet we are told that nothing becomes of this tax; it melts away; it is put upon the importer, and that is the last of it.

In regard to the import duty upon coffee, I stated to the Senator from Vermont that his position, in my judgment, was incorrect, and we might as well settle it now. Coffee is the most speculative of all the articles known to the commerce of the world. It has been in the hands of a Portuguese syndicate, assisted by a few agents in the city of New York, and it furnishes no sort of legitimate argument or conclusion in regard to the subject in controversy between the two sides of this Chamber.

I read from the best work upon that subject, "Coffee from Plantation to Cup," by Mr. F. B. Thurber—not a political essay by any means, but a most exhaustive and elaborate description of the whole coffee culture and coffee trade in all parts of the world. He says:

In view of these conflicting opinions, it is well to keep in mind some peculiarities of coffee culture and of the staple itself, which may sometimes mislead calculations or temporarily suspend logical results. It takes, as we have seen, from three to four years for new coffee plantations to come into bearing; hence the necessity for a considerable outlay of capital to open a plantation; hence, also, ample working room for speculative operations to move in before the field can possibly respond to the market. And speculation finds still further assistance in the nature of the article, which, not deteriorating, but improving with age, constitutes an excellent security on which to borrow money. There is, therefore, no doubt that a "ring," backed by sufficient capital, could for a long time keep up an artificial situation.

That is the reason why coffee fluctuates in the market from year to year, and is, as I have said, the best subject known to commerce for speculations and combinations and trusts. In answer to the statement of the Senator from Vermont, that coffee has been higher since 1872, when we took the import duty off, than ever before, I shall put on record the prices of coffee from 1858 to 1880, showing that after 1872 it fluctuated as I have stated:

Year.	Lowest.	Highest.	Average.
	Cents.	*Cents.*	*Cents.*
1858	13½	20	16.13
1859	13½	16	14.79
1860	14½	18½	16.51
1861	15½	25	18.38
1862	24½	35	27.50
1863	33	41	37.04
1864	40	60	49.10
1865	24	51	25.82
1866	24	28½	26.08
1867	24	27	24.75
1868	21	27	23.41
1869	21	25	23.02
1870	19	23	21.19
1871	17½	26½	21.29
1872	18½	25	21.30
1873	19	34	23.63
1874	22	35	26.68
1875	24	30	26.71
1876	18	26	21.57
1877	22	25½	23.82
1878	20½	25	22.48
1879	23½	24¾	24.14
1880	18	24	22.62

Says this author:

The decline in the receipts from 322,700,479 pounds in 1871 to 277,636,258 pounds in 1872 was due to a short crop in the Brazils, from whence the bulk of supplies came, and to the failure of the Java crop. On July 1 the remaining duty of 3 cents was removed, and yet the average gold price of fair to prime Rio was 2½ cents above that of 1871; Maracaibo and Laguayra averaged nearly 2 cents higher, while Java was 21.3 cents, as against 21.29 cents the year preceding, the lowest price being made in November, when it sold at 18½ to 19½ cents; the highest in January, when it was held at 23 to 25 cents.

All through these reports, without regard to duty, it will be seen that the supply regulated the price, together with the manipulations of the syndicate under the control of the Portuguese importers and their agents in the city of New York.

Now, Mr. President, take tea, to which the Senator from Vermont alluded the other day, and which is not under the control of any syndicate.

Prices of tea in New York from June to December, 1872.

[From Beebe & Brother's Circular, New York.]

Description.	June 20.*	July 20.†	Aug. 20.†	Sept. 20.†	Oct. 21.†	Nov. 19.†	Dec. 18.†
Green teas:	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*
Gunpowder	72-108	57-92	55-88	55-85	55-85	55-83	53-85
Young Hyson	45- 95	30-78	30-75	30-75	27-75	27-72	26-72
Hyson	52 85	35-70	35-70	32-65	32-65	30-65	30-65
Twankay	34- 44	20-28	20-27	20-27	20-27	20-27	20-27
Oolong teas:							
Foochow	43- 90	26-70	25-70	23-70	21-60	20-60	Noml.
Amoy	42- 70	26-60	25-55	23-55	21-50	20-50	21-55
Congou and Souchong tea	29- 70	10-55	10-55	10-55	10-55	10-55	15-65
Japan tea	45- 82	27-63	25-58	25-55	25-55	25-55	28-55

* Duty paid, 15 cents. †Free.

The price of tea has corresponded almost exactly with the removal of the import duty. I have here a communication in regard to coffee, made by an expert, a coffee merchant, and furnished to me at my request. It is as follows:

An examination of the course of prices of coffee in New York during the years 1870-1874 shows that the advance in prices, when the duty was reduced and removed, was due to other causes than the alteration of the tariff.

Prices of coffee rose in 1870 from 10¾ cents in January to 17½ cents in December, following the natural law of supply and demand, consumption having increased while importations had diminished from 243,000,000 pounds in 1869 to 235,000,000 in 1870. In January, 1871, the duty was reduced from 5 to 3 cents, and the immediate effect of the reduction was to lower the price of coffee from 17½ cents to 15¾ cents. It remained at about this figure for the next six months, varying but slightly, and touching 15½ cents in July, 1871. From this latter date there was a rapid and constantly increasing advance in consequence of a probable short supply from Brazil, from whence nearly all the coffee used in the United States is imported.

In December, 1871, the price was 20½ cents; in January, 1872, it was 21¾ cents. The existing duty of 3 cents was removed in July, 1872, and the immediate effect of this change in the tariff was to lower the price to 19½ cents; short supply again counteracted the effect of the reduction of the duty and caused a further advance. During the years 1870 to 1874 the fluctuations in the average prices followed the supply, rising with a short production, or an anticipated short supply, falling with increased importations, or anticipated increased supply, speculation always exaggerating the fluctuations in one sense and the other.

In 1870, duty 5 cents, the average price was 16.33 cents, the importation 235,000,000 pounds.

In 1871, duty 5 cents, the average price was 15.91 cents, the importation 317,000,000 pounds; the price was lower because the supply was larger.

In 1872, January to June, duty 3 cents, the average price was 19.48 cents; July to December, free, the average price was 17.27 cents; importations for the year were 273,000,000 pounds. Notwithstanding the reduction of 2 cents in the duty, prices for the first six months were higher by reason of a smaller supply; when the duty was totally removed the average price shows a decline of 2.21 cents, as against 3 cents duty removed.

In 1873, free, average price was 19.99 cents; the importation 266,000,000 pounds, showing an advance in price in consequence of reduced supply.

In 1874, free, average price was 21.08 cents; the importation was 268,000,000 pounds, showing an advance in price because the supply was still short and had not kept pace with a consumption which, like the population, was steadily increasing.

In 1875, free, average price was 18.87 cents; the importation 350,000,000 pounds; a decline had taken place, as the supply had largely increased.

During these years fluctuations in prices were very great—much too great to be accounted for by the changes in the tariff—yet careful examination reveals the effect of these changes, temporarily lowering prices, although overcome by the speculative activity induced by actual and anticipated short supplies. In this connection I would call your attention to an article in the Nation for April 5, 1888. I would also remark that coffee has always been a very speculative commodity in New York; often local and temporary causes affect the course of prices, and by disturbing the regularity of averages render it difficult to discern the real influences at work.

There are other articles of a staple nature which may be more profitably studied as being less liable to capricious and irregular disturbing causes. Tea is very largely consumed, and its prices are rarely affected by speculation or similar influences; they follow very steadily the ordinary and regular laws of trade.

The duty on tea, 15 cents per pound, was removed on July 1, 1872. The inclosed table shows the prices of various kinds and grades in New York from June to December, 1872, and it will be seen that the removal of the duty was followed immediately by a corresponding decline in prices—which decline was steadily maintained through the succeeding months in the absence of any other important disturbing influence.

My examination of this question with the authority of persons entirely disconnected from any political party, has been to the effect that coffee is an exception to the rule, and it is the only single article that the Senator from Vermont could have selected in all commerce that would seem for a single instant to bear out his conclusion that the consumer does not pay the import duty, or the largest portion of it, upon every article brought into this country.

For the present, sir, until we reach the article of cotton goods, when I shall have something else to say upon the subject, I will close my remarks.

Mr. HISCOCK. Mr. President, it would afford me great gratification if the Senator from Missouri [Mr. VEST] would indorse the whole of the speech from which he has read a portion, although I confess to a degree of gratification that he indorses, as I assume he does, that part which he has had read from the Secretary's desk.

I said then that as to the cheaper fabrics which are manufactured in this country, in the cost of which manual labor plays an unimportant part, with the raw material produced here, we can compete with the world; and I repeat with emphasis that declaration.

I wish to remark further that as to the South American states and Mexico, and the Central American states, those were the goods which they import for consumption, and I then regarded it as the duty of Congress to build up a foreign trade with those states in those products, and I do now.

It is not unlikely that it would be well if in the preparation of a tariff bill we could so adjust the rates that as to such cheaper fabrics there should be a nominal duty, or none at all. I suppose our manufacturers would be indifferent on that subject and I should be indifferent, but the difficulty with reference to the construction of a tariff bill is that that is practically impossible, as the line is so shadowy between the lower-priced and the higher-priced goods.

I said that I would be gratified if the Senator would indorse the whole argument from which he has read a part. Then I was in favor, as I am now, of fairly, adequately paying to our own steam-ship lines a just compensation for carrying American mails. For the purpose of striking down our trade, England and Germany would underbid our steam-ship lines with reference to the carrying of mails and practically carry them for nothing to destroy this commerce that I wanted to build up then and want to build up now; and the Senator from Missouri, in the interest—I do not mean to charge that he was interested, but the effect of his action was in the interest—of English and German manufacturers, resisted a proposition of that kind as he resists it now.

We have been cited to free-trade England as an example for us to follow. Does not the Senator know that England to-day affords the highest protection of any nation upon the face of the earth to her man-

ufacturers? Perhaps I made that statement a little strong; I should say a very high protection to them.

I have before me the amount which England appropriates for the support of her army. The pay is simply nominal; the support is in the armament of her army, iron, steel, and clothing. England each year disburses for her own domestic army $90,000,000, and in British India $87,000,000 more to support her industries.

I will call attention to the navy of England. She pays to her navy $54,000,000 a year to sustain her iron and steel industries and for the clothing that is consumed by the men in the service.

But I will go to that particular branch of the service that I was discussing at the time when I made the speech from which the Senator has quoted.

Mr. VEST. I do not wish to interrupt my friend from New York, but he says, as I understand him, that he still adheres to what he stated in that speech.

Mr. HISCOCK. I have repeated it with emphasis here.

Mr. VEST. Let me ask the Senator if he now deliberately affirms that—

As to all fabrics, iron, steel, wood, and leather goods, largely made by machinery, and in which manual labor is comparatively a small element, we need no protection whatever.

Mr. HISCOCK. I said that, and I repeat it now, not as to all productions, but as to those in which machinery plays the most important part and manual labor an insignificant part. It is possible that could have been made a little clearer, and I think if the Senator will consult the speech as it is reported in the RECORD, he will find that there was a semicolon instead of a period at that point. But if he will read the whole speech there will be no question about what I meant—none whatever. I had emphasized that the cheaper fabrics which we are exporting—boots and shoes, which are made entirely by machinery, or practically so, and cheap cotton fabrics and cheap woolen fabrics need no protection. As to them what I said then was true, and the Senator can not read that speech without clearly comprehending what I meant, and I believe that I said what I meant. There is no chance for any mistake in reference to my meaning and the line of my argument.

But again, we will take the protection which is given by England, to which I referred in that same speech:

Take the Peninsular and Oriental Company, engaged in the trade with Japan and China. That line includes 664,874 miles of travel per year; and the gross amount paid by England is $2,250,000, being at the rate of $3.38 per mile. The same rate, if paid to the Pacific Mail Steam-ship Company, would yield $517,140. Under this amendment of the Senate, which they tell us subsidizes the Pacific Mail Steam-ship Company, that company will receive $76,800 as against $2,250,000 paid for similar service to rival lines.

And yet that provision was resisted in the interest of free trade as against this protection afforded by our great competitor in the markets of the world.

Take the Peninsular and Oriental Company's line to Australia and the Straits colonies, running annually 145,600 miles. That company receives the gross sum of $650,000, being at the rate of $4.18 a mile. The Pacific Mail Steam-ship Company, if paid at the same rate, would receive $642,048, but under the Senate amendment will receive $112,500.

And yet on the line of the resistance to this bill the other side of the Chamber almost solidly voted to sustain England in this subsidizing of her lines as against our steam-ship lines.

Take the Royal Mail, running to Central America and the east coast of South America. For 480,960 miles annually traveled that line receives $495,000, being at the rate of $1.03 a mile. The same rate paid to the American line which would compete with this foreign line would yield $135,960.

The measure which was resisted, and which I was arguing in favor of, would have given to our American steam-ships the sum of $66,000.

Mr. President, it is not clear even as to these cheap goods we can export that it would be the part of wisdom to strike down the protection that is afforded them. It may well be argued that retaining for them the control of the American market—and there is ample competition in their production here—would enable them more successfully as to their surplus to compete with the foreign manufacturers.

Germany has a high protective tariff, and what is the result? Her market is held for her home production, and her surplus is sent to the markets of the world; and it is patent to-day that England with her free-trade tariff is suffering under the competition that she has to meet with the surplus production of Germany.

I find this in a paper which has been laid on my desk:

LONDON, *December* 19.

The Manchester Chamber of Commerce, by an overwhelming majority, has passed a resolution holding that all foreign goods similar to those produced in England should pay the same proportion of the imperial and local taxation which they would have paid had they been manufactured in Great Britain.

But the policy of the other side of the Chamber is to make our domestic manufacturers pay all these taxes. Their argument is upon that line, that they should pay all the taxes, local, State, and national, and that goods produced abroad should be let in here to free competition with them. I understand of course that in the amendments which are moved they do not go to that extent, but the logic of the argument that is made on the other side does go to the full extent of imposing all these burdens of taxation upon the domestic manufacturer and giving free competition to the products of Germany and of England.

As I said a little while ago, it may well be argued that the policy of Germany is the wisest. I think it has done as much to reduce the price of her products in the markets of the world as anything that has occurred. Take sugar to illustrate it. With her high protective tariff and with her bounty, her sugar manufacturers holding the German market and selling the surplus abroad, she has forced that necessity down to a point heretofore unknown in the history of the markets of that empire; and it may well be argued that it is the true policy for any nation and for every nation to hold her markets for her own people. They may depend upon them thoroughly for their support to employ their own labor in and about them and their own capital in and about them and send their surplus into the commerce of the world.

I believe that in this country we should not need or require the protective duties which are imposed if that same governmental aid was extended by this country to her industries that is extended by France, Germany, and Great Britain to theirs. I called the attention of the Senate a moment ago to the vast sum which is expended by England every year upon her army and navy, coupled with the bounties which she pays to her steam-ship lines, that they may find all the markets in all the islands and in all the ports on all the coasts of the seas. If the same national policy characterized the American Government, it would do very much to reduce the necessity for what are styled protective duties upon the other side of the Chamber; and I hope when we shall have finished the consideration of this bill, and it shall have become the law of the land, that the Senator from Missouri will co-operate with me in a policy that will enable us to build up a merchant marine between this nation and those nations where there is a demand for the products of our factories and the products of our shops and the products of our farms.

Mr. COKE. Mr. President, we have before us now "the cotton and manufactures of cotton schedule," and I desire to speak very briefly upon that subject.

I hold in my hand a table compiled from the United States Census Report for 1880 by the Chief of the Bureau of Statistics, which places the per cent. of wages paid to employés in the cotton manufacture at 21.62 per cent. The meaning of the statement is that in every $100 worth of manufactured cotton goods there are $21.62 paid out for wages in the manufacture thereof.

Assuming what is incontestably true, that the duty imposed on the foreign article of the same character imported into this country is added to the price of the domestic article here, the duty of 40.17 per cent. added to the domestic article, which is the average duty on cotton manufactures, will pay back every dollar of the wages paid out for the manufacture of the cotton and leave to the manufacturer the difference between 21.62 and 40.17 per cent. of duty for his profit.

Mr. CHACE. Will the Senator yield to me a moment?

Mr. COKE. Certainly.

Mr. CHACE. Do I understand the Senator to say that this percentage of the amount of labor is from the Census report?

Mr. COKE. I have the certificate of William F. Switzler, Chief of the Bureau of Statistics, that this table is compiled from the census reports of 1880.

Mr. CHACE. Does Mr. Switzler say that that table comprises, as the Senator says in his emphatic way, all the wages paid in the manufacture of cotton goods?

Mr. COKE. He does. I will read the statement in full.

He gives the capital employed in the manufacture of cotton as $219,504,794; value of materials, $113,765,537; total amount paid in wages during the year, $45,614,419; value of products, $210,950,383; per cent. of materials, 53.93; per cent. of wages, 21.62.

Mr. CHACE. The Chief of the Bureau of Statistics does not say that that is all the money paid for labor and services in the business.

Mr. COKE. When he is called on for a statement covering the whole question he gives that as the entire amount of money paid out in wages. His statement is full, clear, and explicit.

Mr. CHACE. I ask the Senator from Texas if he has examined the report on cotton manufactures in the Tenth Census?

Mr. COKE. I will say to the Senator from Rhode Island that I have been content with the official statement and certificate of the Chief of the Bureau of Statistics, whose business it is to know about this.

Mr. CHACE. Does not the Senator know that in the preliminary article (which, by the way, was written and prepared by one of the most prominent free-traders in this country, Edward Atkinson), he says distinctly that they have purposely left all the administrative labor out of the labor reports, so that parties can not figure from figures in the census the profits of the business or the proportion of capital and labor? If the Senator does not know that fact, I can tell him that it is the fact, and if he will turn to the preliminary essay in that volume of the Census he will find it to be as I tell him. So these figures are not a statement of all the money paid for services in the manufacture of cotton.

Mr. COKE. The statement I read from is certainly a statement of the wages paid in the manufacture of cotton cloths, all the wages, and the wage question is the one I am dealing with.

Mr. CHACE. I beg the Senator's pardon. Does that say "all of the wages?"

Mr. COKE. That is exactly what it does say. It is a statement——

Mr. CHACE. I think the Senator is mistaken. I think it does not state that it is "all the wages." I think it simply quotes what the Census report says.

Mr. COKE. I have read the statement and am not mistaken.

I referred the other day to a statement made by the Hon. H. C. Burchard, of Illinois, in a speech made in the House of Representatives in 1878, in which he makes a statement on the same subject, and he places the per cent. of the wages paid out in the manufacture of textiles, which includes the cloths about which we are now speaking, at 19.8 per cent. Mr. Switzler places it at 21.62 per cent. Mr. Switzler's estimate is a more liberal one than Mr. Burchard's. Mr. Burchard was a distinguished Republican. His speech is very able and exhaustive. He was catechised and questioned during its delivery from all sides of the House, but maintained himself handsomely in the propositions which he made.

Here are two statements—one an official statement by the Chief of the Bureau of Statistics, and the other by Mr. Burchard, who, I will remark, was afterwards appointed Director of the Mint by a Republican President—both of them certifying to the fact that these amounts represented all the wages paid out in all cotton manufactures. Now, I desire to call attention to a statement made by Mr. Blaine, when Secretary of State, on this subject. We have heard it stated here in every possible form that the tariff is for the protection of American labor; that it is for the benefit of the American workingman. It has been stated on this floor, and Mr. Blaine and other Republican orators stated it in the canvass, that capital could take care of itself and needs no protection; that were it not for the interest of the workingman we could have free trade.

The amount of wages certified to by the Chief of the Bureau of Statistics as paid out to the laborer in cotton manufacture, is 21.62 per cent., while the duty under the existing law is 40.17 per cent., and under the Senate bill we are now discussing it is raised very considerably. A duty of 21.62 per cent. would pay back to the manufacturer every dollar he pays out for wages in the manufacture of cotton, will pay back not only the difference between American and foreign wages, but pay back to the manufacturer every dollar and every penny that he pays out for wages. And yet Senators on the other side are not content to allow the law to remain where it is, at 40.17 per cent., but in this bill they have raised the duty and increased the already exorbitant profits of the manufacturer, while the laboring man has no assurance that he will receive anything more than the 21.62 per cent. certified to officially as the percentage of wages paid out in cotton manufactures.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. COKE. I desire to call attention to an extract from the letter of Mr. Blaine, when Secretary of State, introductory to the report of consuls in Europe on the cotton-goods trade of the world, dated June 25, 1881. He said, on page 95 of that report:

In commenting on the strikes then imminent in Manchester, Consul Shaw, in the report transmitting the foregoing table, says:

Now I call especial attention to this:

"The plea that the factory operatives are now receiving higher wages in proportion to the time they work than American operatives is urgently made by manufacturers here, and this, together with increasing financial distress among mill-owners, is gradually allaying the discontent among operatives."

Consul Shaw, at Manchester, says that the mill-owners are allaying the discontent among the operatives by showing that they are receiving better wages than American operatives receive in American mills.

Mr. HAWLEY. I should like to know whether the Senator believes that or makes that assertion broadly. Was that in England generally, or is it true now that they receive better wages than our people do?

Mr. COKE. I am stating what Mr. Secretary Blaine said in his report.

Mr. HAWLEY. I understood the Senator to be reading from Consul Shaw.

Mr. COKE. Mr. Blaine recites the statement of Consul Shaw at Manchester. Now I will proceed. That is what Mr. Blaine said:

The hours of labor in the Lancashire mills are fifty-six, in the Massachusetts mills sixty per week. The hours of labor in the mills in the other New England States, where the wages are generally less than in Massachusetts, are usually sixty-six to sixty-nine per week.

The hours of labor are longer in the Massachusetts mills than in the Lancashire mills.

He proceeds:

Undoubtedly the inequalities in the wages of English and American operatives are more than equalized by the greater efficiency of the latter and their longer hours of labor. If this should prove to be a fact in practice, as it seems to be proven from official statistics, it would be a very important element in the establishment of our ability to compete with England for our share of the cotton-goods trade of the the world.

That is Mr. Blaine. He said further:

In the two prime factors which may be said to form the basis of the cotton-manufacturing industry, namely, raw material and labor, we hold the advantage over England in the first, and stand upon an equality with her in the second. Having the raw material at our doors, it follows that we should be able to convert it into manufactures, all things else being equal, with more economy and facility than can be done by England, which imports our cotton and then manufactures it in her mills. The expense of handling, transportation, and commission must be an important item in this regard as compared with our turning in the fiber from our cotton-fields to our mills and shipping it in the advanced form of manufactured goods. Add to this the secondary fact that it costs us no more to handle and manufacture the same than it costs in England, and we stand on an undoubted equality thus far in the race of competition.

That is the language of Mr. Blaine, and with 40 per cent. and more of duty under existing law the bill now before the Senate, in the face of this admission, increases the duty upon cotton goods.

Mr. HAWLEY. I wish to ask a question for information. I was not quite sure whether what the Senator was reading was what Mr. Blaine said or what a consul said in his report to the Secretary of State.

Mr. COKE. I have read what Mr. Blaine said.

Mr. HAWLEY. Not the consul?

Mr. COKE. Not the consul, because the quotation from the consular report is in quotation marks here. Here is what was said by the distinguished Senator from New York [Mr. EVARTS] when he was Secretary of State. In a letter, transmitting the consular reports on the state of labor in Europe, Mr. Secretary Evarts, in an enumeration of his conclusions drawn from these reports, on page 36, says:

9. That the average American workman performs from one and a half to twice as much work as the average European workman. This is so important a point in connection with our ability to compete with the cheap manufactures of Europe, and it seems on first thought so strange that I will trouble you with somewhat lengthy quotations from the reports in support thereof.

He proceeds to make the quotations, and establishes conclusively the truth of his proposition.

Mr. President, here is the statement of the Chief of the Bureau of Statistics officially certified; here is distinguished Republican authority, to wit, the statement of Mr. Burchard as to the per cent. of wages paid out in cotton manufactures; here is the testimony of the distinguished senior Senator from New York [Mr. EVARTS] that the American laborer performs from one and a half to twice as much work as the average European workman; here is the testimony of Mr. Blaine's report that the hours of work in the Massachusetts mills are greater in number than in the English mills; and here is the statement of Mr. Blaine that the inequalities in the wages of English and American operatives are more than equalized by the greater efficiency and the longer hours of labor here. And yet in the face of facts like these, Republican Senators, in a bill professing to reduce taxation and revenue and to be framed solely in the interest of the American workingman, have largely increased the duty on cotton manufactures. When we are told that the workingman is the sole beneficiary of the protective tariff and we point to the fact that he receives only 21 per cent. of the 50 per cent. of the tariff tax levied in his name, we are met with all sorts of evasion and every form of sophistry that ingenuity can invent.

Mr. President, we have heard a great deal here about the American workingman. We had a fancy picture painted here of his condition by the Senator from Vermont [Mr. EDMUNDS] a day or two ago. I have a picture of the condition of some of the workingmen engaged in the cotton-manufacturing industry which I find in a report made by the Senator from New Hampshire [Mr. BLAIR], chairman of the committee which took a large mass of testimony on this and other subjects, and I desire to lay it before the Senate, and for that purpose to read the testimony of Thomas O'Donnell, found in the first volume of the testimony, commencing on page 451:

Thomas O'Donnell examined.

* * * * * * *

LIFE OF A MULE-SPINNER.

Q. What is your business?

A. I am a mule-spinner by trade. I have worked at it since I have been in this country—eleven years.

Q. Are you a married man?

A. Yes, sir; I am a married man; have a wife and two children. I am not very well educated. I went to work when I was young, and have been working ever since in the cotton business; went to work when I was about eight or nine years old. I was going to state how I live. My children get along very well in summer time, on account of not having to buy fuel or shoes or one thing and another. I earn $1.50 a day and can't afford to pay very big house rent. I pay $1.50 a week rent, which comes to about $6 a month.

Q. That is, you pay this where you are at Fall River?

A. Yes, sir.

Q. Do you have work right along?

A. No, sir; since that strike we had down in Fall River about three years ago I have not worked much more than half the time, and that has brought my circumstances down very much.

Q. Why have you not worked more than half the time since then?

A. Well, at Fall River if a man has not got a boy to act as "back-boy" it is very hard for him to get along. In a great many cases they discharge men in that work and put in men who have boys.

Q. Men who have boys of their own?

A. Men who have boys of their own capable enough to work in a mill, to earn 20 or 40 cents a day.

* * * * * * *

ONE DOLLAR AND A HALF A DAY FOR NINE MONTHS TO SUPPORT SIX PEOPLE TWELVE MONTHS.

I have a brother who has four children, besides his wife and himself. All he earns is $1.50 a day. He works in the iron works at Fall River. He only works about nine months out of twelve. There is generally about three months of stoppage, taking the year right through, and his wife and his family all have to be supported for a year out of the wages of nine months—$1.50 a day for nine months out of the twelve to support six of them.

I will state that the report of Mr. Carroll D. Wright upon the indus-

tries of Massachusetts, made several months ago, shows that there was an average of four months in the year for which he was reporting when one-third of the labor of Massachusetts was unemployed; and this statement of O'Donnell is corroborated by the statement of Mr. Carroll D. Wright.

It does not stand to reason that those children and he himself can have natural food or be naturally dressed. His children are often sick and he has to call in doctors. That is always hanging over him and is a great expense to him. And then if he does not pay the bill the trustee law comes on him. That is a thing that is not properly looked after. A man told me the other day that he was trusteed for $1.75, and I understood that there was a law in this State that a man could not be trusteed for less than $10. It seems to me there is something wrong in the Government somewhere; where it is I can't tell.

Q. How much money have you got?
A. I have not got a cent in the house; didn't have when I came out this morning.
Q. How much money have you had within three months?
A. I have had about $16 inside of three months.
Q. Is that all you have had within the last three months to live on?
A. Yes; $16.

SUPPORTING A FAMILY ON $133 A YEAR.

Q. How much have you had within a year?
A. Since Thanksgiving I happened to get work in the Crescent Mill and worked there exactly thirteen weeks. I got just $1.50 a day, with the exception of a few days that I lost—because in following up mule-spinning you are obliged to lose a day once in a while; you can't follow it up regularly.
Q. Thirteen weeks would be seventy-eight days, and, at $1.50 a day, that would make $117, less whatever time you lost.
A. Yes. I worked thirteen weeks there and ten days in another place, and then there was a dollar I got this week, Wednesday.
Q. Taking a full year back can you tell how much you have had?
A. That would be about fifteen weeks' work. Last winter, as I told you, I got in, and I worked up to about somewhere around Fast day, or maybe New Year's day; anyway, Mr. Howard has it down on his record, if you wish to have an exact answer to that question; he can answer it better than I can, because we have a sort of union there to keep ourselves together.
Q. Do you think you have had $150 within a year?
A. No, sir.
Q. Have you had $125?
A. Well, I could figure it up if I had time. The thirteen weeks is all I have had.
Q. The thirteen weeks and the $16 you have mentioned?
A. Yes, sir.
Q. That would be somewhere about $133, if you have not lost any time?
A. Yes, sir.
Q. That is all you have had?
A. Yes, sir.
Q. To support yourself and wife and two children?
A. Yes, sir.
Q. Have you had any help from outside?
A. No, sir.
Q. Do you mean that yourself and wife and two children have had nothing but that for all this time?
A. That is all. I got a couple dollars' worth of coal last winter, and the wood I picked up myself. I goes around with a shovel and picks up clams and wood.

DIGGING CLAMS TO EKE OUT AN EXISTENCE.

Q. What do you do with the clams?
A. We eat them. I don't get them to sell, but just to eat, for the family. That is the way my brother lives, too, mostly. He lives close by us.
Q. How many live in that way down there?
A. I could not count them, they are so numerous. I suppose there are one thousand down there.
Q. A thousand that live on $150 a year?
A. They live on less.
Q. Less than that?
A. Yes; they live on less than I do.
Q. How long has that been so?
A. Mostly so since I have been married.
Q. How long is that?
A. Six years this month.
Q. Why do you not go West on a farm?
A. How could I go, walk it?

TOO POOR TO GO WEST.

Q. Well, I want to know why you do not go out West on a $2,000 farm, or take up a homestead and break it and work it up, and then have it for yourself and family?
A. I can't see how I could get out West. I have got nothing to go with.
Q. It would not cost you over $1,500.
A. Well, I never saw over a $20 bill, and that is when I have been getting a month's pay at once. If some one would give me $1,500 I will go.
Q. Is there any prospect that anybody will do that?
A. I don't know of anybody that would.
Q. You say you think there are a thousand men or so with their families that live in that way in Fall River?
A. Yes, sir; and I know many of them. They are around there by the score. You can see them every day; and I am sure of it because men tell me.
Q. Are you a good workman?
A. Yes, sir.
Q. Were you ever turned off because of misconduct or incapacity or unfitness for work?
A. No, sir.
Q. Or because you did bad work?
A. No, sir.
Q. Or because you made trouble among the help?
A. No, sir.
Q. Did you ever have any personal trouble with an employer?
A. No, sir.
Q. You have not anything now, you say?
A. No, sir.
Q. How old are you?
A. About thirty.
Q. Is your health good?
A. Yes, sir.
Q. What would you work for if you could get work right along; if you could be sure to have it for five years, staying right where you are?
A. Well, if I was where my family could be with me, and I could have work every day, I would take $1.50 and be glad to.
Q. One dollar and fifty cents a day, with three hundred days to the year, would make more than you make now in three or four years, would it not?

ONLY A DOLLAR'S WORTH OF COAL IN TEN MONTHS.

A. Well, I would have no opportunity then to pick up clams. I have had no coal except one dollar's worth since last Christmas.
Q. When do the clams give out?
A. They give out in winter.
Q. You spoke of fuel—what do you have for fuel?
A. Wood and coal.
Q. Where does the wood come from?
A. I pick it up around the shore, any old pieces I see around that are not good for anything. There are many more that do the same thing.
Q. Do you get meat to live on much?
A. Very seldom.
Q. What kinds of meat do you get for your family?
A. Well, once in awhile we get a piece of pork and some clams and make a clam-chowder. That makes a very good meal. We sometimes get a piece of corn beef or something like that.
Q. Have you had any fresh beef within a month?
A. Yes; we had a piece of porksteak for four of us yesterday.
Q. Have you had any beef within a month?
A. No, sir; I was invited to a man's house on Sunday. He wanted me to go up to his house, and we had a dinner of roast pork.
Q. That was an invitation out; but I mean have you had any beefsteak in your own family, of your own purchase, within a month?
A. Yes; there was half a pound or a pound, one Sunday, I think it was.
Q. Have you had only a pound or half a pound on Sunday?
A. That is all.

The Senator from Vermont certainly differs very widely from this witness in his statement of the condition of the American workingman.

Q. Have you had only a pound or half a pound on Sunday?
A. That is all.
Q. A half pound of pork?
A. Yes. About 2 pounds of pork I guess we have had in the month, to make clam-chowder with, and sometimes to fry a bit.
Q. And there are four of you in the family?
A. Yes, sir.
Q. How many pounds of beefsteak have you had in your family, that you bought for your own home consumption, within this year that we have been speaking of?
A. I don't think there has been 5 pounds of beefsteak.

And he had just stated that he had about 4 pounds of pork.

Q. You have had a little porksteak?
A. We had half a pound of porksteak yesterday; I don't know when we had any before.
Q. What other kinds of meat have you had within a year?
A. Well, we have had corn-beef twice, I think, that I can remember this year—on Sunday, for dinner.
Q. Twice is all that you can remember within a year?
A. Yes—and some cabbage.
Q. What have you eaten?
A. Well, bread mostly, when we could get it; we sometimes couldn't make out to get that, and have had to go without a meal.
Q. Has there been any day in the year that you have had to go without anything to eat?
A. Yes, sir; several days.
Q. More than one day at a time?
A. No.
Q. How about the children and your wife—did they go without anything to eat, too?

THE CHILDREN CRYING FOR FOOD.

A. My wife went out this morning and went to a neighbor's and got a loaf of bread and fetched it home, and when she got home the children were crying for something to eat.
Q. Have the children had anything to eat to-day except that, do you think?
A. They had that loaf of bread; I don't know what they have had since then, if they have had anything.
Q. Did you leave any money at home?
A. No, sir.
Q. If that loaf is gone, is there anything in the house?
A. No, sir; unless my wife goes out and gets something; I don't know who would mind the children while she goes out.
Q. Has she any money to get anything with?
A. No, sir.
Q. Have the children gone without a meal at any time during the year?
A. They have gone without bread some days, but we have sometimes got meal and made porridge of it.
Q. What kind of meal?
A. Sometimes Indian meal, and sometimes oatmeal.
Q. Meal stirred up in hot water?
A. Yes, sir.
Q. Is it cold weather down there now?
A. It is very cold now.

SCANT CLOTHING IN COLD WEATHER.

Q. What have the children got on in the way of clothing?
A. They have got along very nicely all summer, but now they are beginning to feel quite sickly. One has one shoe on, a very poor one, and a slipper, that was picked up somewhere. The other has two odd shoes on, with the heel out. He has got cold and is sickly now.
Q. Have they any stockings?
A. He had got stockings, but his feet comes through them, for there is a hole in the bottom of the shoe.
Q. What have they got on the rest of their person?
A. Well, they have a little calico shirt—what should be a shirt; it is sewed up in some shape—and one little petticoat, and a kind of little dress.
Q. How many dresses has your wife got?
A. She has got one since she was married, and she hasn't worn that more than half a dozen times; she has worn it just going to church and coming back. She is very good in going to church, but when she comes back she takes it off, and it is pretty near as good now as when she bought it.

The man has two children and his wife has had one dress since he married her—six years!

Q. She keeps that dress to go to church in?
A. Yes, sir.
Q. How many dresses aside from that has she?
A. Well, she got one here three months ago.
Q. What did it cost?
A. It cost $1 to make it, and I guess about a dollar for the stuff, as near as I can tell.
Q. The dress cost $2?
A. Yes.

Q. What else has she?
A. Well, she has an undershirt that she got given to her, and she has an old wrapper, which is about a mile too big for her; somebody gave it to her.
Q. She did not buy it?
A. No; that is all that I know that she has.
Q. You have had $1 or $2 worth of coal last winter?
A. I think it was a quarter of a ton, and I believe it was $2.25 worth.
Q. Is that all you have had?
A. That is all I had last winter. All the rest I picked up—wood.
Q. Did you try to get work?
A. I was working last winter.
Q. You say that a good many others are situated just like you are?
A. Yes, sir; I should say as many as a thousand down in Fall River are just in the same shape, if not worse; though they can't be much worse. I have heard many women say they would sooner be dead than living. I don't know what is wrong, but something is wrong. There is an overflow of labor in Fall River.

That is the protected American workingman, to pay whom and to support whose family the American people are taxed an average of 47 per cent. upon everything they eat, drink, or wear, and even upon the grave-clothes of the dead.

Mr. BLAIR. Mr. President——

The PRESIDENT *pro tempore*. Does the Senator from Texas yield to the Senator from New Hampshire?

Mr. COKE. I should prefer not.

The PRESIDENT *pro tempore*. The Senator from Texas declines to yield.

Mr. BLAIR. I took that testimony, I drew out those facts, and I asked those questions——

The PRESIDENT *pro tempore*. The Senator from Texas declines to yield.

Mr. COKE. I suppose I must yield to the Senator.

Mr. BLAIR. I examined that witness. I have no doubt he told the truth. It was a case of most pitiable distress. It was an illustration of many other cases. The witness was brought before the committee in the autumn of 1883 at Boston, by Mr. Howard, a State senator of Massachusetts, who resided in Fall River and produced this witness before the committee. He truly described his situation as one of great hardship, as was proved by his appearance, and I have no doubt of the truth of what he said.

It was also the fact that the agitation on the tariff that year and immediately previous and about that time had produced considerable dearth of labor and a feeling of uncertainty among the manufacturers of the North, and employment was unusually scarce and labor of course was unusually abundant. The agitation for the reduction of the tariff was what largely had thrown these people out of employment. The evidence before the committee indicated that that condition of unrest and uncertainty had much to do, as I think, with the condition of that man at that time.

But, sir, that is not all. That does not wholly account for all the facts there stated. There was at the North at that time, and there is now, a class of men who find great difficulty in getting a living, who suffer much, and as the industries of the North are disturbed by the proposition to give the work of America to foreigners their distress increases. The Senator ought to understand that the destruction of the commercial or the industrial system of the East by the reduction of the tariff on which it is now based only adds to the misery and destitution of the class of men whose testimony has been read on this occasion.

In the progress of the examination it was designed to force from the witness the exact description of his condition; and where he is questioned with reference to the purchase of a farm out West, and all that, the questions must not be understood, as some dull-witted people seem to have understood them, as being asked with any other than the purpose of developing the utter absurdity of the recommendation of many well-to-do people in this country that these poor folks go West, or go elsewhere, and establish themselves on farms, and thus lay the foundations of fortunes, and of happiness and protection to their families, and the families of the future, when they can not get a single meal of victuals or a single suit of clothing, and can not get a mile from their homes without the assistance of society.

I wished to make that explanation with reference to the form of the questions.

Mr. COKE. The witness states that he was in this condition some six years. It was no new thing, it was no unusual thing, and his testimony accords exactly in one particular with that of Mr. Carroll D. Wright.

Mr. DAWES. Will the Senator tell me where this man resided?

Mr. COKE. At Fall River.

Mr. DAWES. In my State?

Mr. COKE. Yes, sir; in Massachusetts. His statement accords with that of Mr. Carroll D. Wright in his report on the statistics of labor in the State of Massachusetts published in December, 1887. He says, on page 294 of that report:

As to the essential result of this investigation, it may be stated, then, that out of a total of 816,470 persons employed in gainful occupations in this State 251,589, or 29.59 per cent., were unemployed at their principal occupation, on an average, 4.11 months during the census year, the average unemployment for persons engaged in manufactures, pure and simple, being 3.90 months; in short, that about one-third of the total persons engaged in remunerative labor were unemployed at their principal occupation for about one-third of the working time.

Mr. President, there is nothing transitory about this; there is nothing unusual about this. This man O'Donnell says that for six years his wife had had but one dress; for six years he had lived on about $133 a year with his wife and two children.

Mr. HOAR. Will the Senator allow me to ask him a question?

Mr. COKE. Yes, sir.

Mr. HOAR. Upon what does the Senator base his statement that it is not an unusual occurrence?

Mr. COKE. Because the witness says so in his testimony. He said there were at least one thousand people in Fall River in as bad or worse fix than himself.

Mr. HOAR. Because he says so. I thought it was the Senator saying it.

Mr. DAWES. Will the Senator allow me to call his attention——

Mr. COKE. I should prefer not to be interrupted.

Mr. DAWES. I merely wish to call the Senator's attention to another table of statistics of Carroll D. Wright in reference to the Massachusetts employés in connection with that.

Mr. COKE. That is a different matter entirely.

Mr. DAWES. My idea is that it bears directly upon the Senator's speech; but I will not interrupt him if he would rather not.

Mr. COKE. I will yield if the Senator wishes.

Mr. DAWES. There is no doubt that there are instances of suffering and hardship owing to the difficulty of obtaining employment in Massachusetts as well as in all the other States. The question is not whether there are such cases as that, but what is the best remedy, whether it is to furnish employment or to take employment away from those who need it.

The general condition of the wage-earners of Massachusetts has been stated by Mr. Carroll D. Wright in this way: The savings-banks of Massachusetts have deposited in them $315,000,000—more money than there is in the Treasury of the United States—and Mr. Carroll D. Wright says that 75 per cent. thereof is the deposit of wage-earners.

Mr. COKE. What per cent.?

Mr. DAWES. Seventy-five per cent. of it is the deposit of wage-earners from week to week and month to month, the result of their earnings in and about our manufacturing establishments. I want that to go along with these instances of hardship and suffering which the Senator has produced.

Mr. COKE. I am entirely willing that the Senator should put in any statement here that will ameliorate and modify this testimony, as this is a very bad statement.

This man subsisted with his wife and two children on $133 a year. He eked out a subsistence by digging clams out of the river bed at Fall River and by picking up drift-wood, and when asked how many persons were situated as he was and living as he lived in Fall River, he said there could not be less than a thousand. It was a general condition.

Mr. BLAIR. Oh, the Senator is quite wrong about that.

Mr. COKE. That is what the witness said.

Mr. BLAIR. It is not a general condition. Fall River has 50,000 inhabitants, very largely operatives.

Mr. COKE. A thousand of the operatives living in that condition would make it pretty general, I submit.

Mr. BLAIR. A thousand people living in that condition! He speaks of his brother, who, he says, was not an operative. The Senator would introduce a theory or a practice which would deprive them of the little work they now have.

Mr. COKE. Here is what he said:

Q. You say that a good many others are situated just like you are?
A. Yes, sir; I should say as many as a thousand down in Fall River are just in the same shape, if not worse; though they can't be much worse.

That is the statement.

Mr. BLAIR. He does not say they are all operatives.

Mr. COKE. It is not alone at Fall River. This is in the cotton-manufacturing business. But here, from the same report, is testimony taken by the Senator from New Hampshire as to the condition of the coal-miners in Pennsylvania. They are protected just as the cotton operatives are protected.

Mr. BLAIR. They are not protected enough, either of them.

Mr. COKE. As to the condition of the Pennsylvania coal-miners I have here the testimony of Mr. John Jarrett, a citizen of Sharon, Pa., and at that time president of the Amalgamated Association of Iron and Steel Workers of the United States, in which he says:

CONDITION OF THE PENNSYLVANIA COAL-MINERS.

Q. Do you know anything about the condition of the workingmen in other trades than your own?
A. I have not given that subject one-tenth of the attention that I have given to the condition of the workers in my own trade.
Q. Do you know anything about the condition of the men who mine the iron?
A. I do, sir; did you say the coal-miners?
Q. The men who mine the iron and coal?
A. Well, coal-mining in Pennsylvania, in my opinion, is a more important interest than ore-mining, and the condition of the coal-miners in the State of Pennsylvania is pitiable, miserable.
Q. How many of them do you think there are?
A. There must be at least ninety thousand coal-miners in Pennsylvania.
Q. Do you mean heads of families or workers altogether?
A. I would assume that there would be among them about sixty thousand heads of families.
Q. You say their condition is pitiable and miserable; how so, and how much so is it?

A. It is because the wages of coal-miners are too low. They are ill-paid. Then, too, they suffer from the truck system. Under that system they pay 100 per cent. more for what they buy than our people do. Then the houses they live in are extremely miserable. If I feel particularly for any branch of labor in this country it is the poor coal-miner. He risks his life day after day for a mere pittance. Every time he departs from the light of day he does not know whether he will ever see it again. And while in some branches it does not require much skill to be a miner, in others it does, and I think the coal-miner ought to be better paid, better clothed, better housed, and better fed than he is.

THE ENGLISH MINERS BETTER OFF.

Q. Have you been among those miners?

A. Yes, sir; and from my experience among the coal-miners in England I may say that they are really better cared for there than are the coal-miners in the United States. I do not say that the English miner gets as much money for his labor, but he is better cared for.

Q. Do you mean that he has more comfort during the year?

A. Yes, sir; the government there has taken care to make very stringent laws for the protection of the miners. The colliery laws control all the mines there, and I think it is the duty of our Government here to make equally strict laws to apply to that subject.

By Mr. CALL:

Q. Of what nature are those laws?

A. Well, they constitute a general shield of protection thrown around the workingman, by which many of the evils to which he is subject in his calling are obviated.

Q. Give us some idea of the provisions of those laws.

A. Well, they have regular men that go to examine into the condition of the mines before the men can go to work; these examiners have to go in every morning immediately before the men go into the mines, to see that they are in fit condition. Then the truck system has been entirely wiped out there; the men get their money every week.

By "the truck system" is meant the system through which the employers get all the wages of the employés for goods furnished at what this man says are 100 per cent. higher prices than other people have to pay for them.

Mr. President, I do not like to take up so much of the time of the Senate——

Mr. ALDRICH. Before the Senator leaves that branch of the subject, will he allow me to ask him how the coal-miners of Pennsylvania are protected? He said they were protected. How are they protected?

Mr. COKE. This man says that the English miners are protected——

Mr. ALDRICH. I understand, but at the beginning of the statement in regard to the coal-miners of Pennsylvania the Senator said they were protected. I should like to know how they are protected. By a protective tariff?

Mr. COKE. Have you not protection for coal in this tariff?

Mr. ALDRICH. Not by any means, and have not had for a generation.

Mr. COKE. It is protected under the existing law.

Mr. ALDRICH. No, not under the existing law. Anthracite coal, such as is mined in Pennsylvania, has been upon the free-list for a generation. There is no duty on it and no attempt to impose a duty upon it.

Mr. COKE. I think the Senator is mistaken in saying that there is no protection to coal under the existing law.

Mr. ALDRICH. Bituminous coal, that is mined in West Virginia and Maryland, is on the dutiable-list, but the great mass of coal-miners in Pennsylvania mine anthracite coal, upon which there is no duty under the existing law and there has been none for many years, and there is no proposition to put one on by this bill.

Mr. COKE. The mining of coal is simply a part of the iron industry. It is an adjunct, an auxiliary, a necessary part of the iron industry, and it is the protection accorded to iron and steel as well as to coal that entitles these people to more consideration and better wages than they seem to be getting in Pennsylvania.

Mr. ALDRICH. Coal enters into the cost of every product and is used by every family. It is not confined by any means to the manufacturers of iron or steel.

Mr. COKE. Coal is, of course, used in all the industries, and all the industries are protected, and in fixing the amount of protection the cost of mining the needed coal is an important element, one never overlooked or underestimated, and the people who mine it are as much within the purview and limits of the protective policy as any others. Now I will read an extract on this subject from the Cleveland Herald, but will remark in passing that we have heard during this debate that the American workingman is the object of the care, the kindness, and the affection of those who favor a high protective tariff.

I wish, Mr. President, that the workingman could get his share of the protective taxation levied and collected in his name. That the taxes are paid by the people is certain. That the workingman does not receive them is equally certain. It is also certain that the bulk and mass of them go into the pockets of the capitalists who own the manufacturing establishments. Mr. Carnegie with his income of $5,000 per day from his protected iron works, with his Scotch castle and his magnificent coaches, his liveried servants, and his other conditions and appliances of luxury, and not his employés and workingmen, is the beneficiary for the most part of our tariff taxation.

Mr. BLAIR. May I ask the Senator a question?

Mr. COKE. Yes, sir.

Mr. BLAIR. Will it help the condition of these people to deprive them of what little work they have?

Mr. COKE. Well, I do not suppose it would.

Mr. BLAIR. If you break down this industry and allow the product to come in from abroad and break down the American iron industry, you destroy the chance for employment.

Mr. COKE. I do not propose to break down any industry, and what I would do would not deprive them of their work. I think it would give them more work. It would give them better wages. It would take the tax off the cost of their living. It would take the tax off their woolen clothing, off their cotton clothing, off the lumber that goes into their houses, off their fuel and off everything they eat, drink, and wear, and it would make the wages that they earn buy more and be more potent in the market.

Mr. BLAIR. If they have no work, whence will they get wages, and if they have no wages where will they get any of these things at all?

Mr. COKE. It is said by the campaign orators of the Republican party that capital needs no protection; that it is able to take care of itself; that it is the workingman who needs protection. Ask Thomas O'Donnell, whose wife has had but one dress in six years and who is laboring in an industry protected on an average 50 per cent.—ask him if this tariff gives protection to the American laborer!

Mr. BLAIR. If the Senator will permit me, I will ask him a question. I have asked him several which he said he would answer, but he immediately went off to Carnegie, Scotland, and Thomas O'Donnell.

Mr. COKE. I would prefer not to yield.

The PRESIDENT *pro tempore*. The Senator from Texas declines to yield.

Mr. COKE. Now, I will read from the Cleveland Herald, an Ohio paper. On February 6, 1884, the Cleveland Herald contained the following:

For some time past all sorts of stories have been circulated in reference to the suffering of the miners and their families scattered along the Pennsylvania Railroad between this city and Allentown. These people have had their wages reduced from time to time, until they are now only getting from 60 to 70 cents per day, or an average of about 65 cents. These reports have excited considerable comment, and in order to verify them a Herald correspondent visited the mines.

"After arriving in Alburtus, Pa.," writes the correspondent, "I procured a sleigh and drove through the entire district, covering some 30 miles, and visited many homes of the miners, beside some forty-five mines in full operation. Alburtus has a population of nearly 600 people and their true condition is probably expressed in the words of Isaac Bickel, proprietor of the American House, who said:

"'Never in the history of the town has there been so much suffering among the poor. The panic of 1873 is no comparison.'

Mind you, the war tariff was in operation then, as it is now, put on for the protection of the American workingman.

"The storekeepers have shut down on the men, and are now doing a strictly cash business throughout the ore district."

George Schrack, residing in a small log hut near Farmington, was called on in the evening.

* * * * * * *

"Will you kindly give me an insight into your daily life, Mr. Schrack?

"Well, to tell you the truth, it is a tough one. I get up at 4 o'clock every morning and leave here half an hour later in order to reach the works at 6 o'clock.

"What are your duties?

"I am a loader, and with the help of another man we load from sixty to seventy cars per day.

"What are you getting per day?

"Sixty-two cents.

"How do you manage to live with that amount?

"Oh, we manage to just hang together. We can't afford meat but once a week. Bread and molasses constitute our chief diet, with a few potatoes and corn-meal thrown in.

"How about your clothing, shoes, etc.?

"The children have no shoes, and really I can not afford to buy any for them.

"How much did you earn in January?

"Eleven dollars and thirty-eight cents. I made a little over eighteen days.

"How much does it cost you to live?

"My earnings did not quite cover the bills, and the grocer told me that hereafter none of the men would be allowed to exceed their earnings. I have not handled a cent since December the 1st.

"How's that?

"Why, you see, after the grocer is paid nothing is left."

This is the story of a dozen or more, and with the exception of one or two cases, all tell the same story.

* * * * * * * *

The Chicago Herald of July last contributes the following: "Newspaper correspondents have lately achieved the difficult task of exploring this beautiful region"—meaning the collieries of Hazleton, Pa.—"hitherto so severely ignored by the protectionist hair-raisers. With what commiseration for poor Ireland and benighted free-trade-ridden England, with what pride in the institutions of the land of his birth, must every American read of the recent evictions at Hazleton collieries, near Wilkes Barre!

"For brutality and consequent misery they surpass the most exaggerated horror yet reported from Ireland.

"Hazleton is a delightful village nestling in the carboniferous hills near the Hazel Brook mines. Village and hills and collieries are the property of a firm named J. S. Wentz & Co. The firm will not sell or lease a foot of land to anybody, nor allow a man to build a house for himself. It compels every employé in the mines to rent from it at from $5 to $6 a month. The men are forced to sign a lease which places them absolutely at the company's mercy. They expressly waive every benefit or protection which they might have under the laws of the State. They agree that the moment they cease work for the company they must leave their homes, and can be ejected on ten days' notice; and they further have to sign what is termed an 'amicable suit of ejectment,' by which the company can at any moment issue a writ and evict them.

"This, mind you, is a strictly American and highly protected lease. Mark how it operates. Notices to quit were sent round to the strikers some weeks ago. On Saturday Deputy Sheriff Brockway, armed with the writs issued in 'amicable suit of ejectment,' and backed by a body of coal and iron police in the pay of the company, appeared in the village and began to evict. Six families, with all their goods and chattels, were thrown on the hillside; they were the families of

Neal Gallagher, Daniel Nigan, Patrick Bowen, Barney Gallagher, Joseph McGonegal, and Patrick Dunlavy. Everything the house contained was thrown pell-mell out of doors and windows, the women and children driven out, and the doors locked behind them. From their names it is apparent that these tenants came from the land of iron leases and heartless evictions, in the full hope, presumably, of finding relief in the land of the free.

"Their oppression did not stop here. Not only were they thus deprived of home and shelter, but not a soul in the village dared shelter them or their goods."

That is in the grand old State of Pennsylvania. These men, whose goods were thrown in the streets, were evicted by men protected more highly than all others under the tariff now before the Senate as well as under the existing law, a tariff said to have been enacted in the interest and for the benefit of the American workingman. Ah, Mr. President, the livery of heaven has been stolen to serve the devil in.

"The company had given notice that any tenant affording shelter to those evicted would be himself dispossessed. Mrs. Dunlavy was sick in bed when the officers entered the house, but she had to go, and her bed was put outside after her. It was with difficulty that she obtained permission to stop over night at a neighbor's, nor were the evicted tenants able to remove their goods, for the company had prohibited any wagon from entering its lands for that purpose, and refused to grant the use of its own teams. Women and children were compelled to hunt miles in search of a place to spend the night, and some, unable to obtain shelter, were forced to sleep on the bare ground, without roof to cover them. Their goods are lying to-day just as they were thrown out, the people being unable to move them.

"It is not to be supposed that such things could happen without comment. On the contrary, the whole region was boiling over with indignation, though choking its impotent wrath through fear of incurring the horror themselves, for everybody thereabouts belongs to Wentz & Co. Even the press dared not make mention of what took place. 'What can we do?' a local editor demanded of the correspondent. 'The coal kings have the making of the postmasters, no matter which party is in power. If any paper dares to open its mouth about these outrages the postmasters get the wink and our paper is kicked upon the floor—its subscribers look in vain for it. One paper near here, at Freeland, has defied the autocrats and told the truth about them, and for years the editor has labored upon the verge of bankruptcy. Oh, I tell you these men are above the law. We have submitted to them, and not until the metropolitan press take hold of the matter will justice ever be done here.'

"The company store system is, of course, prevalent in this region, and not the least of the links in the chain of slavery. The Stone bill, passed in the Pennsylvania Legislature in 1884, makes this system illegal. But what of that? What is law to a protected coal baron? The miners are not now compelled to trade at the company's stores, but if they don't do so—well, their services are no longer required. Then there is a doctor furnished by each company, and each miner with a family must pay 75 cents a month, whether sick or well, while each single man of twenty-one or more is docked 50 cents a month for the benefit of this pampered physician. Other doctors are not allowed. Hundreds of company doctors have made fortunes out of the business. Then each man pays 50 cents a month toward the support of a priest, but this is not insisted on. Four dollars is stopped for rent, and $1.90 for coal, with 65 cents added for delivery, and sometimes taxes are added upon the dwelling. Thus it results that the men very rarely draw more than $2 or $3 in money at the end of the month. Their slavery is complete. It is remarked that, under these conditions, the mining population grows sullen and dispirited, that the young men flee away to the cities as they grow up, leaving their places to be filled by cheap Slav labor imported for the purpose; that the young women take to a life of shame rather than live in the cursed atmosphere of their youth; that the children are joyless and ignorant. The houses are horrible; the saloons are better, and the company sells the liquor. Men take to dissipation from sheer despair. A strained, unnatural feeling of dread pervades the place, for every one knows that spies are about and he dare not speak."

This is from a newspaper printed in the State of Ohio. These are the peculiar wards of the protective policy—a policy which taxes the American people and makes the manufacturers the trustees to receive the money and pay it over to the American workingman! They have promised faithfully to pay it out to the American workingman, and what I have read shows how these promises are kept.

This is protection! This is what is called the American policy! This is high tariff! This is the policy which it is claimed received the indorsement and sanction of the American people in the late election. I tell you, Mr. President, this policy has never been indorsed by the American people, and it never will be. No, Mr. President, the American people will never indorse this policy when they understand it. When facts such as these I have read are brought home to the American people, and it is seen that the taxation that they have been submitting to for the supposed benefit of the American workman is being appropriated by capital, while the labor of the country is being enslaved, they will repudiate it, condemn it, and put it away never to be restored.

Mr. HAWLEY. Mr. President, there is a whole encyclopedia of facts and arguments which might be used to refute the statements made by the Senator from Texas [Mr. COKE] and others on this interesting subject, but, without entering into them, I just wish to mention two little facts that have some bearing upon what the Senator has said.

I do not know any such people as those the Senator has referred to in my State out of the almshouses or more than 50 feet away from them. There are some shiftless, idle men who do not earn $150 a year, but I say that any industrious, sober, decently intelligent man can do a great deal better than O'Donnell has been doing. I do not know of such people, unless it be an exceptional case in a thousand, as the Senator from Texas will find in Texas.

The two facts I rose to mention are just these: In Connecticut a majority of the people have money in the savings-banks. The total for a population of about 670,000 is $102,000,000. If the Senator will go and look over the books of the banks, which they will gladly show him, he will see that the deposits are by the servant-girls, the boys and girls in the factories, and the people of the working class generally, poor people, running from one dollar to two, three, four, five, or six hundred. In Massachusetts there is about the same proportion, and in its savings-banks the total deposits amount to $315,000,000.

These two sums in themselves are a most emphatic answer to what the Senator from Texas has been saying about the condition of the working people in the North. If they were the oppressed and degraded slaves that the Senator and others frequently describe them to be, they surely would know it. If they were such, not a month would pass by without something like a revolution. Does the Senator think that these people are year after year and generation after generation deceived as to the political argument?

Why, sir, if he should go there he would make the mistake that the Grand Duke of Russia made when he went through our State. He went to various parts of the State, and arriving in a town when the factories were just pouring out their thousands of comfortable-looking, well-dressed operatives, the Grand Duke said, "Where are your peasants?" If the Senator will follow his example and see our people he will ask, "Where in the world is O'Donnell?"

The PRESIDENT *pro tempore*. The pending amendment will be stated.

The SECRETARY. In paragraph 313, line 1211, after the word "pound" where it first occurs, it is proposed to strike out "10 cents per pound" and insert "35 per cent. ad valorem;" so as to read:

313. Cotton thread, yarn, warps, or warp-yarn (not wound upon spools), whether single or advanced beyond the condition of single by twisting two or more single yarns together, whether on beams or in bundles, skeins, or cops, or in any other form, valued at not exceeding 25 cents per pound, 35 per cent. ad valorem.

Mr. HOAR. Mr. President, I do not know that there is much to be said in reply to what the Senator from Texas [Mr. COKE] has read and what he has observed upon it which is not contained in the pithy and pregnant statement of the Senator from Connecticut [Mr. HAWLEY]. Of course under any system of government, under any condition of things, you can find some discontented crank, some man in whom, to use the Yankee phrase, there is a "screw loose," who has passed his life or passed six years of it under the condition described by the Senator or by the testimony which the Senator read.

Mr. COKE. If the Senator will permit me I will observe that I am not responsible for that testimony. It was taken by the committee of which the Senator from New Hampshire [Mr. BLAIR] was chairman.

Mr. HOAR. Of course the Senator is not responsible for it. I suppose nobody is responsible for it but the man who gave it. But the statement that a man had allowed his wife to go for six years without decent clothing, that he had allowed his children to live in the manner described by that witness in the city of Fall River, Mass., would be enough anywhere among that people to mark him a man either incompetent or undeserving in himself, a man of bad habits either as to laziness or as to drink, or with some other defect in his character.

There is no such condition of things as the Senator from Texas has described in Massachusetts. It is not a picture of the working people there. The working people are thriving, happy, educating their children, a majority of them with money in the savings-banks—$315,000,000 in the savings-banks of Massachusetts, of which, as my colleague quoted from Mr. Carroll D. Wright's statement, at least 75 per cent. is the property of the working people. The operatives of Lowell can buy Lowell, the working people of Worcester can buy Worcester and every factory and the capital invested in it.

Mr. BUTLER. May I interrupt the Senator for one moment to get at a matter of information really? He refers to $315,000,000 in the savings-banks of Massachusetts. Is that money deposited by the working people?

Mr. HOAR. If the Senator had listened to what I said, he would have got the answer to his question. I said as the Senator was rising that Mr. Wright, the statistician, calculated that 75 per cent. of the amount was the deposits of the working people, of the wage-earners of Massachusetts. I have gone over that matter carefully, and a few years ago we required the statistics to be given of the amounts deposited and the ages and sexes of the persons making the deposits, and it is shown very conclusively that that is a fair and just and proper estimate.

Mr. President, I live in a city just about the size of Fall River. Sometimes Fall River is a little ahead of Worcester, and sometimes Worcester is a little ahead of Fall River. I suppose we shall have by the next census about 85,000 people, and the city of Fall River will have about 75,000 people. The two cities are not very dissimilar. Worcester is a little more fortunate, because Fall River has the single cotton industry, while Worcester has a great variety of industries requiring skilled workmen.

When I was a young man and when I first went to that city to live, it contained about 15,000 people, and we had a winter of unusual distress and hardship, and the different churches appointed committees and apportioned out districts of the town which each church was to take care of in regard to the matter of poverty and distress. I was a member of that committee for the religious society to which I belonged, and I knew at that time all about the condition of the people, and I undertake to say—that was before 1860—that the amount of suffering and poverty and squalidness and wretchedness in that town of 80,000 or 85,000 inhabitants is not only not so great proportionally, but not so great in the aggregate to-day as it was then, when it had a population of 15,000.

Those working people are living in comfortable homes. Go through the streets where they live and you see from the outside of the house

that it is a place of comfort and content and taste inside. You go into that dwelling and you find the picture and the book. An English workingman, who came to this country within the last three months, expressed in my hearing his surprise at the condition in which he found the working people of Massachusetts, the condition in which he found old friends and acquaintances of his, by whose side he had worked in the old country, and he related one very curious anecdote. He said that there was a man who had been a shop-mate of his when a boy in Leeds, I think it was, or in some English manufacturing city, who had joined the Democratic party pretty soon after he came over here, and was a free-trader. This man undertook to talk with him. He said, "Why, how can you be a free-trader when you get so much better wages over here under the tariff than you used to do at home?" "Well," said the shop-mate, "I know I get better wages, but I tell you I have to pay duties; I have to pay taxes on everything I buy, and it eats up the wages." "Well," said the other, "what is there in your house the price of which is increased by the tariff?" The man hesitated a moment and looked around, and said, "Why, there is the piano, and the carpet, and the sewing-machine," and the workman's wife spoke up and said, "We did not have them in England;" and the fellow said he thought "it was a pity a man could not make an argument without a woman putting in her oar all the time." [Laughter.]

Mr. President, this stuff which the Senator from Texas talks and reads is pure, arrant nonsense, as every man who knows the condition of the people of New England knows perfectly well. If he should go into a Fall River or Worcester audience of Democrats and undertake to make the speech he has made here he would be received with a universal guffaw. He can go there. This question can be debated there and has been, and the result was that of twenty-five manufacturing cities in Massachusetts with a very large foreign population, nineteen gave substantial Republican majorities at the last election. With a large foreign population knowing the condition of the workmen abroad and knowing the condition of the workmen in this country, as they do, our State gave some 37,000 majority over the free-trade party in the last election, and it was a majority given on a discussion of this very question, the condition of the workmen under the protective tariff and their desire to continue it. Nobody raided the ballot-boxes. Nobody from that State drew up tariff bills and undertook to impose them on the rest of the country that he would not allow to be discussed in his own district without having his brains blown out if a man undertook to do it.

That is the answer to the statements and pictures drawn by the Senator from Texas.

Mr. VANCE. Mr. President, I simply rise to say that I am sorry to see Senators on the other side take so much pains to prove what we have been charging all the time on this side, and what we are perfectly ready and willing to admit, to wit, that they have grown rich by the taxation of their neighbors. The Senator from Massachusetts [Mr. HOAR] has told us how rich those two towns in his State are, and how much money they have in the savings-banks, and how many of the working people have pianos in their rooms and carpets on their floors, etc. There is nobody on this side of the Chamber who denies that. That is just what we have been saying. People who have not sense enough to get rich when a tax is levied on their neighbors to put the money in their pockets ought not to be permitted to live anywhere. If you would take the people of my State who are engaged in labor, mostly in the field, and if you would give them a high protective duty on everything they had to sell and let them buy everything they had to buy in free-trade markets, I assure you the savings-banks would be in my country instead of in Massachusetts in a very short time. It would naturally follow. The unprotected classes in this country are as much entitled to claim those savings in the banks of Massachusetts as the men in whose names they are deposited. It is money taken from them by taxation and deposited in those banks, not to their credit, but to the credit of the recipients of this taxation.

But surely, Mr. President, they have to take the good with the evil. An old land speculator in the mountains of North Carolina once said he made the bottoms sell the uplands. The tail has to go with the hide; and surely they are willing to admit, if tariff taxation, if protection has produced all this wealth, and it is not due to the industry and to the zeal and the intelligence of the workmen, but all comes from taxation, surely they ought to admit that the destitution and the poverty which appear side by side with the prosperity are also due to the tariff.

It seems to me, sir, that there is no escape from that proposition unless the tariff has some peculiar quality about it that it works only good and can not possibly be responsible for evil. Old Job said he received good at the hands of the Almighty, and should he not receive evil also. He was willing to admit that the Great Controller of events controlled all events, whether for good or for evil, but this system of protection is above and beyond all that.

Some comment has been made upon the Senator from Texas [Mr. COKE] for daring to read this sworn testimony of a workman who lives right in the midst of this protection paradise, enjoying the zephyrs that play among the trees and sport among the flowers of that delightful region. It seems that he ought not to have read that, in their opinion, but when Senators on that side of the Chamber constantly regale us with pictures of the delightful and prosperous condition of the workingmen in their section, is it not competent and proper on this side to read the contrary picture? It would seem not, according to the view they take of it. But the truth is, as Senators upon this side contend, that good and evil befall men under all laws and under all circumstances and conditions, and after all that has been said and done, with equal terms in the law, men's prosperity depends on themselves.

If the laws are fair and just, then the industrious and the thrifty and the intelligent man goes ahead of the other. If the laws are fair and just, the intemperate, the unindustrious, the lazy, the thriftless man falls behind. Those are the moral conditions that govern the prosperity of men in the world, and any attempt, especially the one which undertakes to show that taxation is the cause of universal prosperity or the cause of any prosperity of anybody except the recipients of the tax, is contrary to the order of the moral world and contrary to reason and philosophy.

Mr. President, I believe I will not pursue my remarks any further, but will move that we go into executive session.

Mr. BLAIR. Before the Senator makes that motion, I should like to read some testimony following on this statement.

Mr. VANCE. I will yield for that purpose.

Mr. BLAIR. I commend to the Senators on the Democratic side of the Chamber and upon the free-trade side of this question the fourth volume of the testimony taken by the committee of which I was chairman, which relates exclusively to the condition of labor industries in the Southern States, and in all that I have ever heard read upon the floor of the Senate of this investigation by Senators upon my left—nearly every one of them from the South—they never have read, so far as I now recollect, from the fourth volume, bearing upon the condition of the farming population and the working people of the South. There is a great deal of very interesting matter in that fourth volume, and it may be that a portion of the interest they feel in the report is the concealment of the contents of that volume. I call attention to it, and I hope that hereafter in discussing the industrial conditions of this country and the effect of different industrial and economic theories where they are being reduced to practice and have been for generations, they will consult the fourth volume of this same investigation. I wish first, however, to read from the third volume, which is the testimony taken at Boston, relating particularly to New England. I wish to read the statement of Mr. Thomas Webb, on page 628 of the third volume:

Thomas Webb examined.

BOSTON, MASS., *October* 22, 1883.

By the CHAIRMAN:

Q. Where do you reside?
A. In Fall River, Mass.
Q. How old are you?
A. I am nearly seventy years of age.
Q. How long have you lived at Fall River?
A. About thirty-five years.
Q. Where were you born?
A. In Ireland.
Q. How long have you lived in this country?
A. Thirty-five years and some months, more or less.

The CHAIRMAN. I received a letter from somebody at Fall River whom I don't know, referring to a Mr. Thomas Webb who would testify before the committee. I suppose you must be the person referred to. Won't you go on and state why you appear before the committee?

The WITNESS. My object in appearing before the committee is to do what little I can for the purpose of helping the workingmen to a proper view of their own position. The reason why I appear is because I have been requested by a few men, seeing that I had other business up here, to call upon the committee.

Q. At whose request do you call?
A. I have been requested by some men who work in the mills and some few laboring men.

Then he goes on to give his testimony in regard to the condition of things in Fall River, which is very interesting, but I shall not detain the Senate by reading it. Here is one of the subtopics:

TEMPERANCE.

I have watched the progress of this investigation largely, and I have noticed that sometimes it has turned on the question of temperance. Now, the working people, that is the factory operatives, have really not a great deal to spend at the best of times, and to say that is a fault of the system here in America is a misrepresentation of facts. It is not so. It is an old custom, introduced by old-country people like myself. In England, where I was reared, the habit was for a man, when he drew his pay every Saturday night, to go in and enjoy himself. He was not considered a drunkard; neither do I consider the people of Fall River drunkards. They are nothing of the kind. They go in and get their glass of beer as they do in the old country. In this country there has perhaps been some spirits introduced, but the people are not anything like drunkards. Neither is their poverty to be attributed to it.

Then he goes on to other questions, and comes to this:

There is one thing I wish to draw your attention to in relation to the condition of things at Fall River. There was a statement made here the other day by some person of the condition of the people in Fall River. Now, sometimes a man gets out of work who has a large family, and occasionally he does get into terrible difficulties—he is in hunger and want; that I know; but in a long life-time in Fall River I have never known such a condition of affairs as that which has been represented here by one of the men—that is, that there was a thousand persons in that very destitute condition.

Q. Do you mean the statement by O'Donnell?
A. I don't know; I think his name was O'Donnell.
Q. Do you know the man?
A. No; and I don't mean to say that he has not suffered, but I say that in my long experience in Fall River I never knew of such an instance before, and for the credit of this country I hope I shall never see it; and there are a great many people who doubt it; but there are people, as I said before, particularly people

who draw their pay monthly, who, if they are turned out of work, sometimes can't get work for some time.

The CHAIRMAN. No doubt a great deal of suffering comes that way.

The WITNESS. For a man to be six or eight months without tasting meat of any kind is something I have never known. If it has been so, he has been more unfortunate than others.

Mr. COKE. I ask the Senator to state what witness that is and what is his occupation.

Mr. BLAIR. This is witness Thomas Webb.

Mr. COKE. Is he a workingman?

Mr. BLAIR. He had been thirty-five years a resident of Fall River.

Mr. COKE. Is he a laborer?

Mr. BLAIR. He does not say whether he is a laborer. He gives an account of his coming from the old country. He was an Irishman who came over from the old country, and was requested to appear before the committee, as he says, by some men who worked in the mills and some few laborers. Undoubtedly he is a good man. He appears to be a responsible man, and is a very intelligent witness, who discusses economic questions and states facts in a way that would interest the Senate if there was time to read what he has to say of temperance, lands, free trade, etc. I think probably he might give us all some instruction upon those points. The Senator will find the testimony at page 628 of the same volume from which the testimony of O'Donnell is taken.

Mr. President, I have never dwelt upon this testimony very much, nor upon the fourth volume of the testimony. I have thought, as our debates are apt to take somewhat of a sectional turn, that it was not worth while. I have been engaged for several years in an anxious effort to accomplish what I think is the only end that legislation can accomplish, to relieve the difficulties of the South which are developed in that fourth volume. If the Senator from Texas would take hold with me with that vigor and power of intellect and that strength of demonstration which he possesses, and address himself to the facts in Texas, he would be exhibiting, I think, fully as high an order of patriotism as he does in quoting the contradictory testimony of Mr. O'Donnell here on the floor, and certainly he would relieve me of a strong inclination that I have from time to time as I have listened to the reading of these detached portions of testimony touching the exceptional conditions which prevail here and there in the North. I say it would relieve me from a very strong temptation that I have to retort by exposing the contents of that fourth volume. I pray the Senator to take hold and help pass the educational bill, and there will never be much more occasion to quote from the fourth volume than from the third.

Mr. COKE. I did not hear what the Senator had to say about the fourth volume. I have never read it.

Mr. BLAIR. I take it not, but I hope the Senator will read it.

Mr. ALLISON. I promised at a later stage to yield to the Senator from New Hampshire [Mr. BLAIR] for some purpose. It is now after 4 o'clock. He desires to call up a matter of which he spoke to me. I will yield to him if the Senator from North Carolina will for a moment withdraw his motion.

Mr. VANCE. Very well.

The PRESIDENT *pro tempore*. The Senator from North Carolina withdraws the motion to proceed to the consideration of executive business.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a bill (H. R. 11624) to increase the pension of Jacob Rogers; in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 3732) granting the right of way to the Pensacola and Memphis Railroad Company over and through the public lands of the United States in the States of Florida, Alabama, Mississippi, and Tennessee, and granting the right of way to said railroad company over and through the United States naval and military reservations near Pensacola, in the State of Florida.

RELIGION AND SCHOOLS.

Mr. BLAIR. Mr. President, I ought perhaps to apologize to the Senate for availing myself of the courtesy of the Senator from Iowa, but it is a matter which I wish to do at some time, and perhaps it may be done now. As it will relieve the Senate from a long speech later on, I think there will be an inclination perhaps to indulge me at this time.

On the 25th of May last I introduced a joint resolution (S. R. 86) proposing an amendment to the Constitution of the United States respecting establishments of religion and free public schools, which was allowed to lie on the table with a view to my addressing remarks to the Senate on the subject at length later on. Petitions have begun to come in, some of them signed in large numbers, bearing upon the subject, and I have thought that in the pressure of affairs it would be better that I should ask the indulgence of the Senate to call up the joint resolution now, and occupy perhaps five minutes instead of an hour, and then I shall ask the reference of the joint resolution to the Committee on Education and Labor.

The PRESIDENT *pro tempore*. The joint resolution is before the Senate as in Committee of the Whole, if there be no objection. It will be read.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment to the Constitution of the United States be, and hereby is, proposed to the States, to become valid when ratified by the Legislatures of three-fourths of the States, as provided in the Constitution:

ARTICLE —.

SECTION 1. No State shall ever make or maintain any law respecting an establishment of religion, or prohibiting the free exercise thereof.

SEC. 2. Each State in this Union shall establish and maintain a system of free public schools adequate for the education of all the children living therein, between the ages of six and sixteen years, inclusive, in the common branches of knowledge, and in virtue, morality, and the principles of the Christian religion. But no money raised by taxation imposed by law or any money or other property or credit belonging to any municipal organization, or to any State, or to the United States, shall ever be appropriated, applied, or given to the use or purposes of any school, institution, corporation, or person, whereby instruction or training shall be given in the doctrines, tenets, belief, ceremonials, or observances peculiar to any sect, denomination, organization, or society, being, or claiming to be, religious in its character, or such peculiar doctrines, tenets, belief, ceremonials, or observances be taught or inculcated in the free public schools.

SEC. 3. To the end that each State, the United States, and all the people thereof, may have and preserve governments republican in form and in substance, the United States shall guaranty to every State, and to the people of every State, and of the United States, the support and maintenance of such a system of free public schools as is herein provided.

SEC. 4. That Congress shall enforce this article by legislation when necessary.

Mr. BLAIR. The Senator from Massachusetts [Mr. HOAR] presented yesterday morning, as the Senate may have observed, a petition signed by 3,228 citizens of Massachusetts, praying for the adoption of a constitutional amendment which will prohibit the interference of any religious sect with the system of common public schools. The subject has been agitated in other parts of the country. I ask that the petition be printed as a portion of my remarks.

Mr. HAWLEY. If the Senator will allow me a suggestion, will not the prayer of the petition answer without the list of names?

Mr. BLAIR. I ask that the prayer simply be printed. It is signed, I may say, by a large mass of the most intelligent and influential citizens of the Commonwealth, and there is no occasion of course for the printing of the names. I should like to have the petition itself, which is comparatively brief, to appear as a part of my remarks.

The PRESIDENT *pro tempore*. The petition will be printed as desired.

The petition is as follows:

To the honorable Senate and members of the House of Representatives at Washington, D. C.:

We, the undersigned citizens of Massachusetts, sensibly impressed with the importance of education among the people of our land, in the conservation of our Government and the liberties which we so richly enjoy; believing also, as expressed in a late public gathering of patriotic citizens of Boston, in old Faneuil Hall, that "it has now become necessary to guard well the public school as the palladium of our liberty;" and being persuaded also that this desired protection will be more fully effected by a provision in the fundamental laws of the land (as urged upon Congress by that eminent and patriotic citizen, General Grant, while in the Presidential office), would respectfully petition your honorable bodies to speedily frame such article for submission to the Legislatures of the several States for their approval or rejection as will prevent the interference of any religious sect with the "common-school system" or the appropriating of any of the "public funds" for sectarian uses; such a measure as this being, in our judgment, the only safeguard against religious encroachments, such as now threaten our time-honored and truly endeared methods of teaching and training our youth for the duties and responsibilities of American citizenship; to the end also that there may be preserved to us and transmitted to our children's children "a government of the people, by the people, and for the people."

Mr. BLAIR. The joint resolution proposes in the first article, section 1, that "no State shall ever make or maintain any law respecting an establishment of religion, or prohibiting the free exercise thereof." I need not remind the Senate that the Constitution now simply provides, in article first of the amendments, that—

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

There is no restriction whatever placed upon the power or the action of the States in this regard, and yet it is easy to perceive by a little reflection that any State is quite as likely to infringe upon the general and universal principles of liberty by enacting laws respecting establishments of religion or creating establishments of religion, as is the nation itself; and perhaps even more so, because it is so much easier for the influences which would be necessarily exerted in accomplishing that end to prove victorious when brought to bear upon a single State than when brought to bear upon the entire Government at large.

We have in our existing condition, as in the Territory of Utah, an illustration. I need not go further and seek other illustrations. We have there a sufficient illustration of the danger. There is a Territory otherwise entitled unquestionably to admission into the Union, which, if so admitted, would come in with an establishment of religion already an accomplished fact; and it would only require the slightest and most indifferent formality by which she would when once in the Union with a constitution free in its terms proceed to revise that constitution and establish the Mormon religion as the religion of the State. It is designed to guard against this danger by placing upon the States the limitation now imposed in the first article of the amendments by the States

upon the nation, the States consenting to place that same limitation upon themselves by the ratification of the proposed amendment.

The second section of the article provides that—

Each State in this Union shall establish and maintain a system of free public schools adequate for the education of all the children living therein, between the ages of six and sixteen years, inclusive, in the common branches of knowledge, and in virtue, morality, and the principles of the Christian religion.

It may be objected, and it is a matter of discussion, that there should be no interference by the General Government in the way of requiring the States to maintain free public schools; but this provision can not be imposed without the consent of the States, hence there is no objection to its submission to them; and there is no otherway by which liberty can be preserved in the States except by the maintenance of a free public-school system. So it seems to me. The object of this provision is to make that duty compulsory upon the States by virtue of the consent of the States previously obtained in the form of the ratification of the amendment.

The clause to require instruction to be given to those between the ages of six and sixteen years inclusive in the common branches of knowledge only, and in virtue, morality, and the principles of the Christian religion, brings up a question much discussed and upon which the public mind is not settled; but it has seemed to me that the fathers' and our own experience, the general assent, I think, of intelligent people throughout the country, require instruction in virtue and morality as much as in the common branches of knowledge and a training of the intellect in the common processes of the mind, virtue and morality being as indispensable to the existence of the State as intelligence itself. We should give instruction in these great ideas and the general duties of the citizen to society and to individuals in the common schools of the country.

It is said that this sort of instruction should be turned over to the clergy, to the churches, to other influences, to the family especially; but we all know, not perhaps mathematically, for we can not settle it exactly, that there are not far from one-third of the children of this country who never see the inside of a church, and who in their family relations are so unfortunate as to have little, if any, training in the ordinary principles of virtue and morality. If it be indispensable that they have training in these ideas, that these ideas be implanted in the young mind with a view to a safe and proper citizenship in the future, the instruction must be given by the public schools dependent upon the power of the State. The preservation of the State demands it, and self-preservation is the first law of nature to the State as of individuals.

In regard to the general principles of the Christian religion, no one but a bigot would think of having introduced into the public schools instruction in favor of any form of sectarianism; but a knowledge of the Christian religion, even if there be no enforcement of those truths upon the conviction and belief of the child, instruction in those principles, a statement or explanation of what they are, exactly as instruction is given in the principles of arithmetic and geography and any of the common branches of science, is exceedingly desirable and important for every citizen of this country to possess, whether he applies the principle in his personal conduct or not, because they are the warp and woof, the very fabric of society, of the surroundings in which he lives, the basis of our customs and laws and of the conduct of life. These general principles are exceedingly essential and important not only to apply in personal conduct, but a knowledge of them should be possessed by any one who is to enter successfully into the ordinary competitions and relations of life. There never was a great nation yet which was without an affirmative religious belief and practice—a religion which was the source and inspiration of perhaps the noblest deeds of the people.

Section 2 then goes on further to guard against anything like sectarian instruction in the following words:

But no money raised by taxation imposed by law or any money or other property or credit belonging to any municipal organization, or to any State, or to the United States, shall ever be appropriated, applied, or given to the use or purposes of any school, institution, corporation, or person, whereby instruction or training shall be given in the doctrines, tenets, belief, ceremonials, or observances peculiar to any sect, denomination, organization, or society, being, or claiming to be, religious in its character, nor shall such peculiar doctrines, tenets, belief, ceremonials, or observances, be taught or inculcated in the free public schools.

I need not advert to the very large accumulation of facts in all parts of the country which have admonished the public mind already that it is essential to the preservation of our institutions, if we would keep them free from the interference of ecclesiastical intolerance and encroachment, that the hand of the State lay itself by constitutional enactment, reaching everywhere throughout the country, upon the increasing practice of the appropriation of the public funds to the promotion and to the maintenance of private religious institutions—in a word, of sectarianism.

I do not enter upon any minute discussion of that subject. That must inevitably come hereafter, because it is up in the country. It is one of those questions which will not down until it is settled, and settled as it ought to be settled.

The third section is as follows:

To the end that each State, the United States, and all the people thereof, may have and preserve governments republican in form and in substance, the United States shall guaranty to every State, and to the people of every State and of the United States, the support and maintenance of such a system of free public schools as is herein provided.

The most important guaranty of the Constitution to the States is the possession of governments republican in form, which is found in section 4 of the fourth article:

The United States shall guaranty to every State in the Union a republican form of government; it shall protect each of them against invasion, etc.

In that guaranty by the National Government to the States of governments republican in form, is to be found, to my mind, the all-important and preservative function of this nation. I see but two ways in which that guaranty can be made good where in a State it does not already exist, whether it be in an aristocratic form, a government of the many by the few, or whether it be in any other form than a government that is republican. I see, I say, no way in which that guaranty can be made good except it be by force, or that it be by qualifying the citizen in advance to discharge the duties which are incumbent upon him as one of the sovereigns of his country; in other words, to guaranty education, instruction, knowledge, intellectual knowledge, and also a knowledge of the principles of virtue and morality, and of the general principles of that religion which is the religion of the United States.

The object of this third section is to specify a way in which, in advance, the guaranty of a government republican in form can be given to every State. This is not a duty to be entered upon unless the parent fails. The State does not enter upon it unless the parent fails, but the fact is that as a rule parents can not educate their children. Therefore it is that the State is called upon to do it, and it does it in every State of the Union so far as constitutions and theories and laws are concerned as to every child. That is the theory. If the parent did this the State would have no occasion to do it. But the parent does not do it; the parent can not do it, and the State assumes that burden of necessity.

If the State fails, since intelligence and virtue are indispensable to the existence of republican government in the State, how is the nation to accomplish this guaranty unless by qualifying the child, or at least giving the opportunity of the qualification to the child who is to become the citizen? So I have proposed in this amendment that this guaranty, where the State fails and only where the State fails, shall be made good, not by force, but by a preliminary preparation of the child to be a citizen, so that when he becomes a sovereign, wherever he is, a government republican in form prevails as a matter of course.

Force may establish the government republican in form, but education alone can preserve, or, in the language of the Constitution, can guaranty its continuance to the States or its preservation to the nation itself.

Such, very briefly indeed, are the provisions of this proposed amendment and the principles upon which it is founded. It has been pending since last May, as I said before, and I now move that the joint resolution be referred to the Committee on Education and Labor.

The motion was agreed to.

THE SAMOAN ISLANDS.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Congress:

On the 2d of April last I transmitted to the House of Representatives, in response to its resolution of the 8th of the preceding March, a report of the Secretary of State, with accompanying correspondence, relative to affairs in Samoa. On the same day I answered a resolution of the Senate of the 21st of the preceding December to the same effect, but adopted in executive session; and, in order to avoid duplication of the numerous documents involved, referred to the correspondence which accompanied my public response to the resolution of the House of Representatives and which was duly printed and published by order of that body. (House Executive Document No. 238, Fiftieth Congress, first session.)

In my annual message of the 3d instant I announced my intention in due course to lay before Congress further correspondence on Samoan affairs. Accordingly, I now transmit a report of the Secretary of State with accompanying correspondence on that subject.

GROVER CLEVELAND.

EXECUTIVE MANSION, *Washington, December* 21, 1888.

JAMES A. TERRELL.

Mr. COCKRELL. This morning I asked the Senator from Iowa to give way until I could call up the bill (S. 1278) for the relief of James A. Terrell, which has been unanimously reported from the Committee on Claims, and simply refers a claim to the Quartermaster's Department to be investigated and reported on to Congress. I hope it will pass. It will only take a moment.

The PRESIDENT *pro tempore*. The Senator from Missouri moves that the Senate proceed to the consideration of the bill (S. 1278) for the relief of James A. Terrell.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Claims with an amendment, in line 13, after the word "purposes," to strike out the words "the amount of the injury and damage to such hotel arising from and incident to such use and occupation;" so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and hereby is, authorized and directed to cause to be investigated by the Quartermaster-General of the United States Army the circumstances, character, and extent of the alleged use and oc-

cupation by the United States military authorities for Government purposes, during the late war, of the large frame hotel situate on block 2, in and on the east side of Macon City, in the county of Macon, in the State of Missouri, and of a large tract of timbered land on the west and adjoining said Macon City, the actual value of the use and occupation of the said hotel for the time it was so used and occupied for Government purposes, and the value of the timber taken from such timbered land by military authority for Government purposes, and to find, award, and certify to the Secretary of the Treasury what amount of money, if any, is equitably due to said James A. Terrell from the United States as the reasonable value of such use and occupation of said frame hotel so occupied, and for the injuries and damages to such hotel building, the natural result of such use and occupation, and the value of the timber taken from said timbered land, by military authority, for Government purposes and so used; and the Secretary of the Treasury is hereby authorized and directed to pay to said James A. Terrell, out of any money in the Treasury not otherwise appropriated, the amount, if any, so found and awarded to be due from the United States, not to exceed $3,456; and the acceptance by said Terrell of any sum awarded under this act shall be in full satisfaction of all claims of every character and nature for such use and occupation and all damages resulting therefrom, and for all such timber.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DISTRICT ELECTRIC WIRES.

Mr. HAWLEY. I have a report or two from the Committee on Printing that I would be glad to submit to the Senate.

The PRESIDENT *pro tempore*. The report will be received, if there be no objection.

Mr. HAWLEY. I have first the appendices to Major Raymond's report concerning conduits in the District of Columbia. The committee reports, of course, that they should be printed. The cost is moderate, being $760.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

Mr. HAWLEY. Including the maps and papers.

The PRESIDENT *pro tempore*. Are the maps to be reprinted?

Mr. HAWLEY. They are to be printed. The report itself was ordered printed heretofore, and has been referred to the Committee on Appropriations; but the appendices were referred to the Committee on Printing for an estimate. The committee recommends that they be printed, and the cost will be $760.

The PRESIDENT *pro tempore*. The order to print will be made, if there be no objection. The Chair hears none, and it is so ordered.

DISTRIBUTION OF SUPREME COURT REPORTS.

Mr. HAWLEY. I wish to call up the bill (H. R. 1860) to amend section 683 of the Revised Statutes, for which the Committee on Printing recommends a substitute.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was reported from the Committee on Printing with an amendment, to strike out all after the enacting clause and insert:

That section 683 of the Revised Statutes of the United States be, and the same is hereby, so amended as to provide for the distribution, by the Secretary of the Interior, of one set of the official reports of the decisions of the Supreme Court of the United States, or an exact reprint of the same, comprising volumes 1 to 122, inclusive, or so many volumes as may be needed with those already supplied to make one such set, to each of the places where the circuit and district courts of the United States are regularly held: *Provided*, That where a circuit court and district court are both holden at the same place, only one such set, or so many volumes as may be needed with those already supplied to make one such set, shall be distributed to that place: *Provided further*, That for the sets or parts of sets distributed as aforesaid not exceeding $2 per volume shall be paid; and said report shall be kept by the clerks of said courts and their successors in office for the use of said courts and the officers thereof; and the sum of $28,000, or so much thereof as may be necessary, is hereby appropriated to carry out the above provision.

SEC. 2. That, beginning with volume 123, the reporter of the decisions of the Supreme Court of the United States shall deliver to the Secretary of the Interior, in addition to the number heretofore required by law to be so delivered by him, 76 copies of each volume of the reports of said decisions, for which additional copies he shall be allowed not exceeding $2 per volume. And hereafter all the copies of said reports furnished by said reporter shall be distributed by the Secretary of the Interior in the manner heretofore authorized by law: *Provided*, That the Secretary of the Interior shall also distribute to each of the places where the circuit and district courts of the United States are regularly holden one copy of the reports so furnished, to be kept by the clerks of said courts and their successors in office, for the use of said courts and the officers thereof: *Provided, further*, That where a circuit court and a district court are both holden at the same place, only one copy shall be distributed to that place, and the residue of the copies shall be deposited in the Library of Congress. And the said reports, in all cases where the same are distributed as aforesaid, shall remain the property of the United States, and be preserved as such by the above-named officers, and by them to be turned over to their successors in office; and so much of section 386 of the Revised Statutes as charges the Department of Justice with the distribution thereof is hereby repealed.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment reported from the Committee on Printing.

Mr. CALL. I move to add to the amendment the words "one copy to each Senator and Representative." I suggest that amendment to the Senator from Connecticut.

Mr. HAWLEY. I hope the Senator will excuse me from agreeing to that. I think it opens quite another question to give one hundred and fifty volumes, more or less, to each Senator. We want to provide the circuit and district courts with a set of the reports. It seems to be entirely proper to do so. Some of them have a partial set, and it is proposed to fill out the sets.

The bill came from the House of Representatives, but seemed to be quite imperfect as it came here. It has been submitted to the Secretary of the Interior and the Attorney-General, and the draught which the committee submits as an amendment came from the Attorney-General's Office, and was carefully drawn to supply what he thinks ought to be supplied, remodeling to some extent the old section 683. I beg the Senator from Florida not to try to add to it a present to Senators and Representatives.

Mr. CALL. I shall not embarrass the passage of the bill against the wishes of the Senator who has it in charge. I will, however, say that there can be no possible reason why a judge of a court should be better informed in regard to the construction of the laws than the members of the legislative bodies that have to create the law.

Mr. HAWLEY. I suppose the answer to that is that we have a library right at our own hands for reference, and that a set of the reports at a court are used by the whole bench and bar.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment reported by the Committee on Printing.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill to amend section 683 of the Revised Statutes, relating to the distribution of the reports of the Supreme Court."

Mr. HAWLEY. I move that the Senate request a conference with the House of Representatives on the bill and amendment.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. HAWLEY, Mr. HOAR, and Mr. GORMAN were appointed.

DISPOSAL OF PUBLIC LANDS.

Mr. PLUMB. I move that the Senate proceed again to the consideration of the bill (S. 2511) to withdraw the public lands of the United States in Mississippi from sale at ordinary private entry, and to restrict disposals thereof under general statutes to homestead settlers, it being the bill which was under consideration this morning.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill, the pending question being on the amendment of Mr. WALTHALL to add:

But this act shall not be so construed as to deny to any State the right to select lands in place or indemnity lands in accordance with existing laws making land grants to States.

The amendment was agreed to.

Mr. PLUMB. After the word "entry," in line 6, I move to insert the words "except those in the State of Missouri."

The amendment was agreed to.

Mr. PLUMB. I move to add at the close of the bill the following proviso:

Provided, That this act shall not interfere with the existing authority to enter lands for town sites, nor with the authority of the Commissioner of the General Land Office to sell isolated and disconnected tracts of land of less than 160 acres in extent.

The amendment was agreed to.

Mr. DOLPH. I ask that the bill be read as amended.

The PRESIDENT *pro tempore*. The bill will be read as it stands with the amendments.

The Chief Clerk read as follows:

That from and after the passage of this act the public lands of the United States now subject to private entry, except those in the State of Missouri, shall be disposed of under and according to the provisions of the homestead laws only. But this act shall not be so construed as to deny to any State the right to select lands in place or indemnity lands in accordance with existing laws making land grants to States: *Provided*, That this act shall not interfere with the existing authority to enter lands for town sites, nor with the authority of the Commissioner of the General Land Office to sell isolated and disconnected tracts of land of less than 160 acres in extent.

Mr. DOLPH. I call the attention of the Senator from Kansas to the fact that the proviso might prevent the perfection of title to pre-emption claims, if there be any, upon these offered lands. I suggest that he add to the proviso "nor to prevent the perfection of title to pre-emption claims already initiated."

Mr. PLUMB. Very, well; I do not think it would do so, but I will move that amendment.

Mr. DOLPH. The law is that the United States may make another disposition of the land upon which there is a pre-emption claim until the patent finally issues. I think this might be held to be another disposition of the land and cut off those pre-emption claimants.

Mr. PLUMB. I move to add to the proviso the words "nor to prevent the perfection of titles to pre-emption claims already initiated."

The PRESIDENT *pro tempore*. The proviso will be read as proposed to be amended.

The Chief Clerk read as follows:

Provided, That this act shall not interfere with the existing authority to enter lands for town sites, nor with the authority of the Commissioner of the General Land Office to sell isolated and disconnected tracts of land of less than 160 acres

in extent, nor to prevent the perfection of titles to pre-emption claims already initiated.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide for the disposal of certain public lands of the United States under the provisions of the homestead laws only."

MICHAEL PIGOTT.

Mr. CULLOM. I move that the Senate proceed to the consideration of the bill (H. R. 8469) for the relief of Michael Pigott.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay Michael Pigott, late postmaster at Quincy, Ill., $48, paid by him for use of telephone for the year ending June 30, 1873.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NATIONAL CEMETERY ROAD AT FLORENCE, S. C.

Mr. BUTLER. I move that the Senate proceed to the consideration of the bill (H. R. 10869) to construct a road from Florence, S. C., to the national cemetery adjacent thereto.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to appropriate $15,000, to be used in the construction of a macadam or gravel road leading from the town of Florence, S. C., to the national cemetery in the vicinity of that town.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EQUIPMENT OF OREGON MILITIA.

Mr. MITCHELL. I move that the Senate proceed to the consideration of the bill (H. R. 5009) to provide certain arms, ammunition, and equipage to the State of Oregon for the militia thereof.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

EQUIPMENT OF MONTANA MILITIA.

Mr. STEWART. I move that the Senate proceed to the consideration of the bill (H. R. 1959) authorizing the Secretary of War to issue to the governor of the Territory of Montana military stores for the use of the regularly enlisted, organized, and uniformed active militia.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Military Affairs with an amendment, after the word "artillery," in line 11, to add the following proviso:

Provided, That the amount to be expended under the provisions of this act shall not exceed the sum of $33,860.76, being the balance remaining charged against said Territory on account of the sum of $69,296.77, charged against said Territory on account of the issuance of field artillery, arms, etc., in August, 1867; and to enable the Secretary of War to carry out the provisions of this act said sum of $33,860.76 is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MOORHEAD, LEECH LAKE AND NORTHERN RAILWAY.

Mr. DAVIS. I move that the Senate proceed to the consideration of the bill (H. R. 7261) granting the right of way through certain lands in the State of Minnesota to the Moorhead, Leech Lake and Northern Railway Company.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RETIREMENT OF NAVAL OFFICERS.

Mr. HALE. I move that the Senate proceed to the consideration of the bill (S. 870) to provide for the retirement of a certain class of officers in the United States Navy.

Mr. COCKRELL. I hope the Senator will not insist upon taking that bill up now. I shall be compelled to discuss it at some little length, and I shall be compelled also to ask for a yea-and-nay vote upon it. I am afraid the Senator would not be able to get it through this evening, and there will be time for its consideration after the holiday recess. I trust the Senator will not insist upon it this evening. It certainly can not be passed this evening.

Mr. HALE. I can not urge it if the Senator insists. I had hoped that by this time he would have permitted it to go through without objection. If he desires to discuss it or to call for the yeas and nays, of course I can not insist on going on with it now.

Mr. COCKRELL. I will say frankly that I shall be compelled to do that.

FORFEITURE OF MICHIGAN RAILROAD GRANT.

Mr. VANCE. Mr. President——

Mr. PLUMB. I ask the Senator from North Carolina to yield to me until I can make a report from the Committee on Public Lands.

Mr. VANCE. Very well.

Mr. PLUMB. I am instructed by the Committee on Public Lands, to whom were referred the amendments of the House of Representatives to the bill (S. 858) to forfeit lands granted to the State of Michigan to aid in the construction of a railroad from Marquette to Ontonagon, in said State, to report back the bill with the recommendation that the Senate non-concur in the amendments of the House of Representatives and ask for a committee of conference. I make that motion.

The PRESIDENT *pro tempore*. The Senator from Kansas, from the Committee on Public Lands, reports the bill stated by him with the recommendation that the Senate disagree to the amendments of the House of Representatives and ask for a conference upon the bill and amendments. The question is on agreeing to the motion of the Senator from Kansas.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate; and Mr. PLUMB, Mr. BLAIR, and Mr. WALTHALL were appointed.

AMENDMENT TO APPROPRIATION BILL.

Mr. TELLER submitted an amendment intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations.

HOUSE BILL REFERRED.

The bill (H. R. 11624) to increase the pension of Jacob Rogers was read twice by its title, and referred to the Committee on Pensions.

EXECUTIVE SESSION.

Mr. VANCE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock p. m.) the Senate adjourned, the adjournment, under the concurrent resolution of the two Houses, being to Wednesday, January 2, 1889, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate the 21st day of December, 1888.

UNITED STATES CONSULS.

John Tyler Campbell, of California, now consul at Auckland, to be consul of the United States at Foo-Chow, *vice* Joseph C. A. Wingate, resigned.

John Darcey Connolly, of California, to be consul of the United States at Auckland, in the place of John Tyler Campbell, nominated to be consul at Foo-Chow.

William H. Robertson, of the District of Columbia, now commercial agent at Port Hope, Canada, to be consul of the United States at St. Galle, in place of Peter Staub, resigned.

COLLECTOR OF CUSTOMS.

Daniel W. Moseley, of Virginia, to be collector of customs for the district of Richmond, in the State of Virginia, to succeed Otis H. Russell, removed.

POSTMASTER.

Rufus H. Steadman, to be postmaster at Perry, in the county of Wyoming and State of New York, in the place of Hugh M. Scranton, whose commission expired December 19, 1888.

HOUSE OF REPRESENTATIVES.

FRIDAY, *December* 21, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

Hon. WILLIAM L. SCOTT, of Pennsylvania, appeared and took his seat.

HOUSES FOR OFFICERS, NAVAL ACADEMY.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting estimates of appropriations for the construction of houses for officers of the Naval Academy; which was referred to the Committee on Appropriations, and ordered to be printed.

CONTINGENT FUND, NAVY DEPARTMENT.

The SPEAKER also laid before the House a letter from the Secretary of the Navy, transmitting a statement of expenditures for contingent expenses of the Navy Department for the fiscal year 1888; which was referred to the Committee on Expenditures in the Navy Department.

LIMIT OF ADVANCES TO UNITED STATES MARSHALS.

The SPEAKER also laid before the House a letter from the Attorney-General, in response to a resolution of the House calling for information as to the effect of the provision of law limiting advances to United States marshals to $300,000; which was referred to the Committee on Appropriations.

SPOLIATION CLAIMS.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting conclusions of fact and law in certain spoliation cases; which was referred to the Committee on Claims.

REFERENCE OF SENATE BILL.

The SPEAKER laid before the House the bill (S. 3645) granting to the Astoria and State Coast Railway Company the right to construct a bridge across Young's Bay, in the county of Clatsop, State of Oregon; which was read a first and second time, and referred to the Committee on Commerce.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. O'DONNELL, for this day.

ENROLLED BILL SIGNED.

Mr. ENLOE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (S. 337) granting a pension to Mary E. Johnston; when the Speaker signed the same.

ORDER OF BUSINESS.

Mr. TAULBEE. I ask unanimous consent to consider the resolution I send to the desk at this time.

The SPEAKER. Has this resolution been reported from a committee?

Mr. TAULBEE. Yes, sir; it is on the Calendar. I ask to discharge the Committee of the Whole House on the state of the Union from the further consideration of the resolution providing for an investigation into certain affairs in the District of Columbia——

The SPEAKER. The resolution will be read, subject to objection.

The resolution was read at length.

Mr. ATKINSON. I object.

Mr. TAULBEE. I understood that this was unanimously reported from the Committee on the District of Columbia, and I wish to state to the gentleman that I call this up at the request of the chairman of the District Committee.

Mr. ATKINSON. I wish to say that I still adhere to my objection.

Mr. TOWNSHEND. Regular order.

Mr. TOOLE. I hope the gentleman will withdraw that request for a moment.

Mr. TOWNSHEND. Very well, I will withdraw it.

Mr. TOOLE. I ask unanimous consent to discharge the Committee of the Whole House on the state of the Union from the further consideration of Senate bill 1941, to provide for the erection of a public building at Helena, Mont., and pass the same with an amendment reported by the committee.

The SPEAKER. The bill will be read, after which the Chair will ask for objection.

The bill was read at length.

Mr. BROWNE, of Indiana. Is the consideration of this bill asked for, or simply the consideration of an amendment?

The SPEAKER. The consideration of the bill. The committee reports an amendment. Is there objection to the present consideration of the bill?

Mr. BRECKINRIDGE, of Arkansas. I demand the regular order.

The SPEAKER. This being Friday, the regular order is the call of committees for reports on bills of a private nature.

AFFAIRS IN MADAGASCAR.

Mr. McCREARY. I wish to submit a privileged report from the Committee on Foreign Affairs.

The Clerk read as follows:

The Committee on Foreign Affairs, to whom was referred the following resolution—

"*Resolved*, That the President be, and he is hereby, requested to communicate to this House, if not incompatible with the public interests, any recent information in the Department of State touching affairs in Madagascar"—

having had the same under consideration, report it back and recommend its passage.

The resolution was adopted.

Mr. McCREARY moved to reconsider the vote by which the resolution was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PRINTING THE DIGEST.

Mr. RICHARDSON. I wish to submit a privileged resolution.

The SPEAKER. It will be read.

The Clerk read as follows:

Resolved, That 2,500 copies of the Digest of the present session, prepared by John C. Robinson, Journal Clerk, under the act of March 3, 1877, be printed and bound for the use of the House, the same to be printed under the direction of the Speaker and the Clerk of the House.

Mr. RICHARDSON. This is the usual resolution in regard to the Digest which has been adopted heretofore.

Mr. BURROWS. Is that reported from the committee?

Mr. RICHARDSON. It is not reported by the committee. I now offer the resolution for consideration.

The SPEAKER. The Chair understood the gentleman to rise to submit a report from the committee.

Mr. RICHARDSON. No, sir. I offer it as a privileged resolution for present consideration.

The SPEAKER. It is not privileged in its present form. If reported by the committee it would be a privileged resolution.

Mr. RICHARDSON. Then I ask its reference to the Committee on Printing.

There being no objection, the resolution was referred to the Committee on Printing.

ORDER OF BUSINESS.

Mr. TAULBEE. I hope the gentleman will withdraw his demand for the regular order, as the gentleman from Pennsylvania [Mr. ATKINSON] has withdrawn his objection to the consideration of my resolution.

Mr. WILKINS. Is it the resolution for the investigation?

The SPEAKER. It is.

Mr. WILKINS. Then I object.

Mr. TAULBEE. I would like to announce to the gentleman that we are——

Mr. WILKINS. Regular order.

Mr. TAULBEE. But attempting——

Mr. WILKINS. Regular order.

The SPEAKER. The regular order is demanded.

Mr. TAULBEE. I understand that.

Mr. LANHAM. I ask unanimous consent to dispense with the call of the committees for reports.

Mr. TAULBEE. Regular order. [Laughter.]

IRRIGATION IN EGYPT.

Mr. GEAR, from the Committee on Military Affairs, reported back favorably the House resolution requesting the Secretary of War to transmit to the House the translation made by Maj. A. M. Miller, Corps of Engineers, United States Army, of a work on irrigation in Egypt by a French engineer officer, with accompanying plates.

The SPEAKER. This is a public measure, and the regular order is the submitting of reports on private measures; but if there be no objection the Chair will entertain the request of the gentleman.

Mr. GEAR. I move to refer it to the Committee on Printing, as it carries an appropriation.

The SPEAKER. The Committee on Military Affairs will be discharged from its further consideration, and it will be referred to the Committee on Printing.

DIGEST AND MANUAL OF RULES AND PRACTICE OF THE HOUSE.

Mr. RICHARDSON. Mr. Speaker, I desire to make the following report.

The Clerk read as follows:

The Committee on Printing, having considered House resolution to print 2,500 copies of the Digest and Manual of the Rules and Practice of the House of Representatives, report the same with the recommendation that it pass.

Mr. BUCHANAN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BUCHANAN. Is not that the resolution which was referred to the committee a few minutes ago?

The SPEAKER. It is.

Mr. BUCHANAN. I make the point of order that the committee has had no session since the resolution was referred to it; and that it has no authority to sit during the sessions of the House.

Mr. RICHARDSON. Then I withdraw the resolution.

The call of the committees was completed.

ORDER OF BUSINESS.

Mr. LANHAM. I move that the House resolve itself into Committee of the Whole for the consideration of bills on the Private Calendar.

Mr. VANDEVER. I ask leave to introduce a bill for reference.

The SPEAKER. The regular order is insisted upon by several gentlemen; but if the gentleman will send up his bill the Chair will cause it to be referred.

The motion to go into Committee of the Whole on the Private Calendar was then agreed to.

The House accordingly resolved itself into the Committee of the Whole on the Private Calendar, Mr. McMILLIN in the chair.

NICARAGUA MARITIME CANAL.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of bills on the Private Calendar. The Clerk will report the unfinished business.

The Clerk read as follows:

The bill (S. 135) to incorporate the Maritime Canal Company of Nicaragua, with the following pending amendment: On page 4, section 2, line 3, after the word "each," strike out down to and including the word "each" in line 4.

Mr. ADAMS. In regard to this amendment and other amendments that have been proposed I wish to say this: A large majority of members in this House are in favor of this project, but many gentlemen have proposed amendments calculated to hamper and restrain the action of the incorporators of the new company.

The CHAIRMAN. The gentleman from Illinois will suspend until order is restored.

Mr. PAYSON. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. PAYSON. What is the question before the committee?

The CHAIRMAN. The question is on the amendment which the Clerk has just read.

Mr. PAYSON. In the confusion it was not quite heard here.

The amendment was again read.

Mr. ADAMS. Mr. Chairman, in regard to this amendment proposed by the gentleman from New York [Mr. SPINOLA], and I may say in regard to amendments proposed by other gentlemen, I wish to point out that although they are proposed by gentlemen with the utmost good faith, they are for the most part unnecessary, and therefore, as I think, they are injurious.

I have noticed in the course of this debate that hardly a single member of the House has spoken against the project of a canal across the Isthmus by the Nicaragua route. We all seem to be in favor of the enterprise. But gentlemen propose amendments to the bill, and the effect of all these amendments is to hamper or restrain the action of the incorporators of the canal company, either in the formation of the company or in the prosecution of its business after the incorporation has been effected. The idea seems to be that without such restraints there is danger that the company will be perverted from its legitimate functions and become a mere stock-jobbing or kite-flying concern.

I do not believe there is the slightest danger of that, and therefore I think that most of the amendments proposed are unnecessary and injurious. I am unwilling to hamper in the outset the greatest American enterprise that has been set on foot during this generation by any amendment to this bill the propriety and necessity of which can not be clearly proved. I am not willing by my vote to place the slightest obstacle in the way of the successful inauguration and completion of a project fraught with almost incalculable advantages, political as well as commercial, to the people of the United States.

Mr. Chairman, let us remember when we vote on these amendments that if we incorporate this company it will go into the money markets of the world and solicit subscriptions to its stock and bonds under great disadvantages. It will encounter from the very beginning strong and persistent opposition from many quarters. All its operations from the opening of its subscription-books till the canal is in actual operation will be carried on under the electric light, if I may say so, of hostile criticism.

The stockholders of the present Panama Canal Company, or of the new Panama Canal Company, if there shall be a new one, will have the strongest motives to discourage this new undertaking. If successful it will be an active rival of their own enterprise. So long as human nature is what it is they may be expected to exaggerate its difficulties and discourage subscriptions to its stock. The stockholders of the Suez Canal Company will be influenced by the same motives, and they will act in the same way. The success of this enterprise will open a new and rival route between Liverpool and Hong-Kong. The Pacific railroads of the United States, and for all I know the Pacific Mail Steamship Company, will watch with jealous scrutiny every step in the progress of this new corporation. The Panama Railroad Company and the American Atlantic and Pacific Ship Canal Company, which has mailed a circular to all of us, also have an interest antagonistic to the Nicaragua Canal Company.

But that is not all. It is not improbable that the entire merchant marine of Great Britain, and particularly the steam-ship interest of England and Scotland, will have some reason to look upon the Nicaragua project with an unfriendly eye. It has been pointed out by Commander H. C. Taylor in a recent number of the Forum magazine that the Nicaragua route between Europe and the East has such a relation to the course of the trade-winds that the opening of this route will probably give an impetus to the building and use of sailing vessels instead of steamers for the ocean carrying trade. If that is so it will endanger the supremacy of the tramp steamer. And as the tramp steamer is the most important factor in the present supremacy of the British merchant marine, it is not impossible that the success of the Nicaragua route will mark the first step in the restoration of the American merchant marine. It is more than probable that the vast amount of capital invested in the building and running of British freight steamers will foresee this, and will view the success of the Nicaragua Canal Company with jealousy and alarm.

The consequence of the antagonism of all this vast amount of capital which I have referred to will be that every restriction which we lay upon the management of the enterprise will be an additional obstacle to its success, while at the same time the jealous scrutiny to which it will be subjected by hostile criticism tends to render unnecessary those checks and safeguards which, under other conditions, would be entirely proper. I believe that the circumstances under which the Nicaragua Canal Company will have to fight its way to success will render it impossible to make of it a kite-flying or a stock-jobbing concern.

But, Mr. Chairman, that is not all. I have spoken of the commercial rivals of the Nicaragua Canal. Let me remind the committee that political influences may be against it. There is a political power, not strong on the floor of this House, but strong in London, Paris, and Frankfort, where the company may go for the capital to carry on the work which is likely to look askance on a Nicaragua Canal Company incorporated by Congress under a charter which Congress has the right to amend, and governed by a board of directors a majority of whom must be citizens of the United States. I mean the political power of the British Empire. Let me remind the committee of the diplomatic contention between Great Britain and the United States in regard to the Monroe doctrine, or rather in regard to the application of that doctrine to the question of transit across the American isthmus.

When the Monroe doctrine was first announced as the American policy, over sixty years ago, it was with the approval, and even at the suggestion of Great Britain. It was then demanded by British interests as well as American. But twenty-five years later, when we projected a Nicaragua canal on the very route now proposed, we found the eastern terminus of the proposed canal in possession of a tribe of Indians under the protectorate of Great Britain. For that reason, and only for that reason, we made the Clayton-Bulwer treaty. From that time to this the British contention has been that by making that treaty we have debarred ourselves from applying the Monroe doctrine to the question of transit across the isthmus.

Our contention, on the other hand, has been for the last twenty-five years that neither the Clayton-Bulwer treaty nor anything else ought to prevent us from carrying out what President Hayes declared to be the policy of this country—a canal under American control.

Now, then, can we suppose that the same British influence which was exerted to delay and embarrass the building of the Suez Canal until it was seen to be more of a benefit to the British Empire than to any one else, will not be exerted directly or indirectly to embarrass and delay the sale of the stocks and bonds of this American company in the money centers of Europe?

Mr. PAYSON. Will my colleague permit an inquiry at that point?

Mr. ADAMS. Certainly.

Mr. PAYSON. A single question. How are the difficulties which my colleague suggests to be met by permitting this corporation to issue fictitious evidences of capital?

Mr. ADAMS. But I am not in favor of allowing that. No part of this bill will permit the issue of fictitious evidences of capital or indebtedness. I have not the time to go into that question at length. If the capital can be enlarged—that is, the shares of capital stock—it will only be because more money has been paid in. I am not in favor of stock-watering, nor do I think there is any danger of it under this bill.

Mr. Chairman, the passage of this bill and the inauguration and completion of the Nicaragua Canal under the provisions of this bill will be a practical assertion of the Monroe doctrine as applied to the question of canal transit across the Isthmus. The failure to pass this bill or the failure of the company to organize under its provisions will leave that great question undecided. It ought to be decided now. It is far better to secure the building of a canal under American control at the present time, when our relations with foreign powers are friendly, than to postpone action to a time when complications with European powers may exist, and when our action may be attributed to a desire to add to those complications, or to take advantage of them.

We do not know whether the Panama Canal will be built by the present company or by some new company. We do not know whether it will ever be built at all. If it is built we do not know whether the stock will continue to be owned by citizens of France, as it is now, or will be transferred to British subjects, or even to the British Government, as a large part of the stock of the Suez Canal Company was transferred.

One thing we do know—we have nothing to lose and everything to gain by the speedy completion of the Nicaragua Canal under American auspices. We can not afford to take the slightest risk of failure or delay. We can not afford even to allow the work to be done under a State charter, which Congress would not have the right to amend. We ought to pass the bill in such a shape that the company will be promptly formed, the money promptly subscribed, and the work promptly completed.

For that reason we ought not to adopt any amendment to the bill unless it is clearly shown to be necessary. To say that the passage of

the bill imposes an additional political responsibility upon the United States is nothing against it. That responsibility we ought not to hesitate to assume. It means simply that Congress by an act of legislation will assert the same American policy which our Presidents and Secretaries of State have been asserting for the last twenty-five years.

Mr. CLARDY. Mr. Chairman, the gentlemen on the other side are entitled to five minutes if they desire to occupy it.

The CHAIRMAN. Those who are opposed to the bill are entitled to five minutes more, and if no other gentleman desires to occupy the time the Chair will recognize the gentleman from Illinois [Mr. PAYSON].

Mr. SPINOLA. Mr. Chairman, I rise to a question of order. The motion to limit the debate to ten minutes did not prevail. The motion was made, and it was under consideration when the House adjourned.

Mr. CLARDY. On the contrary, Mr. Chairman, the motion did prevail.

The CHAIRMAN. The Chair is so informed by the clerk who keeps the time.

Mr. SPINOLA. We proceeded to a vote, but the point of "no quorum" was raised, and the matter went over.

The CHAIRMAN. The Chair will have read by the Clerk the portion of the RECORD which pertains to the question raised by the gentleman from New York [Mr. SPINOLA].

The Clerk read as follows:

The SPEAKER. The gentleman from Missouri moves that the House resolve itself into Committee of the Whole House on the Private Calendar for the further consideration of the pending bill; and pending that he moves that all debate upon the second section and amendments thereto be limited to ten minutes. The gentleman from Illinois [Mr. PAYSON] moves to amend by striking out "ten" and inserting "twenty."

Mr. PAYSON. And also by limiting the motion to the section and the pending amendments.

Mr. CLARDY. My motion applies to all amendments to the section. I will say to the gentleman from Illinois [Mr. PAYSON] that I am willing to agree to twenty minutes, provided the limitation applies to all the amendments to the section.

Mr. PAYSON. I do not agree to that. I am willing to have a short limitation, provided it be confined to pending amendments; but I desire to have it so that those who have substantial amendments to offer shall have an opportunity to discuss them.

The question was taken on the amendment of Mr. PAYSON; and there were—ayes 15, noes 63.

Mr. SPINOLA. No quorum.

The SPEAKER. The point being made that no quorum has voted, the Chair will appoint as tellers the gentleman from New York [Mr. SPINOLA] and the gentleman from Arkansas [Mr. DUNN].

The House divided; and the tellers reported—ayes 13, noes 150.

So the amendment was disagreed to.

The SPEAKER. The Chair is advised that the previous question has already been ordered. The question recurs on the motion of the gentleman from Missouri [Mr. CLARDY].

The House divided; and there were—ayes 74, noes 13.

Mr. SPINOLA. No quorum.

The SPEAKER appointed as tellers Mr. SPINOLA and Mr. CLARDY.

The House divided; and the tellers reported—ayes 148, noes 16.

So the motion was agreed to.

The CHAIRMAN. The Chair will recognize the gentleman from New York [Mr. SPINOLA] to control the time in favor of the amendment, if he desires recognition. The gentleman is entitled to five minutes.

Mr. SPINOLA. My purpose, Mr. Chairman, in presenting the amendment was to limit, if possible, the amount of capital with which this company shall go into operation. It appeared to me that $100,000,000 was a very large sum of money for this purpose, and with the right to issue an unlimited amount of bonds would give the company all the facilities they would require in the construction of this great public work; for it is a great public work, and I so recognize it. I wish to state here that the amendments I have offered have been offered in good faith and for the sole purpose of perfecting the bill by making it as acceptable as possible to the House of Representatives and the public at large.

Mr. O'NEILL, of Pennsylvania. And pulling back its passage all the while, you might as well say.

Mr. SPINOLA. You may throw that fling out if you please. I will continue, while on the floor of the House, to "pull back the passage" of any bill which I do not consider proper.

Mr. O'NEILL, of Pennsylvania. Well, it is a nice way to destroy the bill.

Mr. SPINOLA. My dear friend, I could be persuaded to do almost anything in the world for you that you might ask or suggest, except to vote for a measure which does not fully meet my approbation.

Mr. O'NEILL, of Pennsylvania. Well, I hope the gentleman will soon get the bill into a shape to meet his approbation, and let us vote upon it.

Mr. SPINOLA. This is my time——

Mr. O'NEILL, of Pennsylvania. Yes, but you are polite enough to allow me to interrupt you; you are always very polite; still you are sometimes very damaging to the progress of legislation. [Laughter.]

Mr. SPINOLA. When an amendment is offered which, from my point of view, appears detrimental to the public interest, I desire to be as "damaging" as possible. Upon any other question the gentleman will find me pliable—as soft as putty. [Laughter.]

My purpose in this amendment, as I have stated, was to limit the amount of stock this company shall issue.

Mr. BUTTERWORTH. In other words, to provide that the stock shall have some relation to the cost of the work.

Mr. SPINOLA. Yes, that is my purpose.

Mr. BUTTERWORTH. I do not think that is a very bad proposition.

Mr. SPINOLA. Now, if the House should not think proper to adopt my amendment, I can not help it. I shall feel that I have done my duty. A majority of members, doing what they think to be right, may vote the other way. I shall vote for the amendment, because I consider it a proper one to be adopted.

One word in regard to all these adverse interests which the gentleman who preceded me [Mr. ADAMS] has enumerated, going over the five fingers of his hand. If he had five fingers more, he could have named probably five more. [Laughter.] I simply desire to state that those interests to which the gentleman has referred have none of them appealed to me by letter or otherwise; on the contrary, I have in my drawer a large number of telegrams and private letters from some of the best men in the city of New York, some of my most intimate and close personal friends, asking me to favor the passage of this bill.

Mr. ADAMS. I hope the gentleman did not understand me as saying that those parties are opposing the passage of this bill here on the floor of the House. I said they would embarrass the sale of its stock and bonds in the money markets of the world, so long as human nature is what it is.

Mr. SPINOLA. They may do that anyhow. Of course that is human nature, and we can not prevent it.

Mr. BUTTERWORTH. What is the estimated cost of this work?

Mr. SPINOLA. As I understand by the reports coming from the Senate, and from the statements made before the Senate committee, the engineer, Mr. Menocal, who has charge of the enterprise, has fixed the amount at $64,000,000, or thereabouts.

Mr. CLARDY. One of the engineers estimates the cost at $147,000,000.

Mr. SPINOLA. And one estimate is as low as $46,000,000; so that there is a disagreement among the doctors.

Mr. BUTTERWORTH. If I understand the purpose of my friend from New York [Mr. SPINOLA], his sole object is to provide in the bill that the amount of capital when issued shall have some just and proper relation to the cost of constructing the work.

Mr. CLARDY. Stock can only be issued, as I said the other day, for property to be used in the operation of the canal and for money paid in.

Mr. BUTTERWORTH. I only want to say further, if my friend from New York [Mr. SPINOLA] will permit me, that in my judgment, if there is any one thing from which our people are suffering to-day, it is from the increased cost of transportation resulting from the necessity of declaring dividends upon watered stock.

A MEMBER. Fictitious capital.

Mr. BUTTERWORTH. Yes, "fictitious capital;" and my friend from Missouri will certainly agree with me that there ought to be in this bill such limitations as will prevent the consummation of a wrong like that. I do not say that it is intended.

The CHAIRMAN. The time limited for debate on this section is exhausted.

MESSAGE FROM THE SENATE.

The committee informally rose; and a message was received from the Senate, by Mr. MCCOOK, its Secretary, which announced the passage of bills of the following titles; in which concurrence was requested:

A bill (S. 1311)) granting an increase of pension to Samuel J. Murphy, of Marengo, Iowa;

A bill (S. 1455) for the relief of Mark Tomlinson;

A bill (S. 2530) granting a pension to Robert Kelly;

A bill (S. 3042) granting a pension to Mrs. Philena T. Carpenter;

A bill (S. 3072) granting a pension to John J. Gorham;

A bill (S. 3374) granting an increase of pension to Newton J. Shrake;

A bill (S. 3451) granting a pension to Frank D. Worcester;

A bill (S. 3529) granting a pension to Miss Elizabeth A. Tuttle;

A bill (S. 3538) granting a pension to Mary Saeger;

A bill (S. 3556) granting a pension to William H. Mays;

A bill (S. 3561) granting a pension to Edwin W. Warner;

A bill (S. 3628) granting an increase of pension to Emma Biddle;

A bill (S. 3694) granting a pension to Elizabeth New;

A bill (S. 3732) granting the right of way to the Pensacola and Memphis Railroad Company over and through the public lands of the United States in the States of Florida, Alabama, Mississippi, and Tennessee, and granting the right of way to said railroad company over and through the United States naval and military reservations near Pensacola, in the State of Florida;

A bill (S. 3646) for the relief of William R. Wheaton and Charles H. Chamberlain, of California; and

A bill (S. 3677) to open abandoned military reservations in the State of Nevada to homestead entry.

The message also announced the passage of House bills of the following titles:

A bill (H. R. 7) granting a pension to Thomas B. Walsh;
A bill (H. R. 206) granting a pension to William H. Starr;
A bill (H. R. 210) granting a pension to Ephraim Nye;
A bill (H. R. 308) granting a pension to John Lynn;
A bill (H. R. 724) for the relief of Louisa McLain;
A bill (H. R. 2061) granting an increase of pension to Francis De Freitas;
A bill (H. R. 2236) granting a pension to Eli J. Yamgheim;
A bill (H. R. 2499) increasing the pension of Miss Sarah Mary Carroll;
A bill (H. R. 2667) for the relief of Ida M. Howell;
A bill (H. R. 2702) granting a pension to Mary Ann Shook;
A bill (H. R. 2707) granting a pension to Baker Taine;
A bill (H. R. 2839) granting a pension to Henry Sommers;
A bill (H. R. 3512) granting a pension to Anthony Shafer;
A bill (H. R. 3608) to grant an increase of pension to William E. Prince;
A bill (H. R. 3681) granting a pension to Carter W. Tiller;
A bill (H. R. 4101) granting a pension to Martha Giddings, formerly Martha Priest;
A bill (H. R. 4648) granting a pension to Jemima Sterling;
A bill (H. R. 4649) granting a pension to Daniel Tanner;
A bill (H. R. 4737) granting a pension to Micah French;
A bill (H. R. 4887) granting a pension to Charles E. Scott;
A bill (H. R. 5408) granting a pension to Emma F. Read;
A bill (H. R. 5593) granting an increase of pension to Laura L. Wallen;
A bill (H. R. 5751) for the relief of Margaret M. Hatch;
A bill (H. R. 5919) restoring to the pension-roll the name of James Monohan, minor child of Richard Monohan, deceased;
A bill (H. R. 6334) for the relief of Isaac Roshon;
A bill (H. R. 7305) granting a pension to Aaron R. Gilkison;
A bill (H. R. 7344) granting a pension to Henrietta Waldron;
A bill (H. R. 7877) to place Mary Karstetter on the pension-roll;
A bill (H. R. 7887) granting an increase of pension to Jonathan C. Harr'son;
A bill (H. R. 7928) granting a pension to Samuel M. Reese;
A bill (H. R. 8521) for the relief of William A. Mathes;
A bill (H. R. 8613) granting a pension to Ann Bryan;
A bill (H. R. 8735) granting a pension to Mary A. McCool;
A bill (H. R. 9173) granting a pension to Mary J. Drake;
A bill (H. R. 9175) granting a pension to George Wallen;
A bill (H. R. 9176) granting a pension to Charlotte Taylor;
A bill (H. R. 9178) granting a pension to Jane Jackson;
A bill (H. R. 9252) granting a pension to Mrs. Catherine Barberick, of Watertown;
A bill (H. R. 9296) granting a pension to Bridget Carroll;
A bill (H. R. 9310) granting a pension to William J. Duley;
A bill (H. R. 9388) to increase the pension of Joseph Holmes;
A bill (H. R. 9654) granting an increase of pension to Jesse J. Clark;
A bill (H. R. 9663) granting a pension to Jesse Spencer;
A bill (H. R. 9668) granting a pension to Joseph Rosier;
A bill (H. R. 9759) granting a pension to John Wallace;
A bill (H. R. 9776) for the relief of Nancy E. Sawyer;
A bill (H. R. 9784) granting a pension to Anna Boppell;
A bill (H. R. 9791) for the relief of Charles W. Geddes;
A bill (H. R. 10032) granting a pension to Milton Wallen;
A bill (H. R. 10073) granting a pension to P. F. Jonte;
A bill (H. R. 10109) granting a pension to Mrs. Anna Leach;
A bill (H. R. 10199) for the relief of William E. Springstein;
A bill (H. R. 10253) granting a pension to Emmanuel P. Steed;
A bill (H. R. 10433) for the relief of Leaman L. Bowers;
A bill (H. R. 10488) granting a pension to Myra Sinclair;
A bill (H. R. 10494) granting a pension to Emelia Mumm;
A bill (H. R. 10515) to increase the pension to William Gallagher;
A bill (H. R. 10647) granting a pension to Samuel J. Wright;
A bill (H. R. 10659) for the relief of Elizabeth C. Cole;
A bill (H. R. 10694) granting a pension to John W. Ellis;
A bill (H. R. 10769) granting a pension to John W. Krunk;
A bill (H. R. 10825) granting a pension to Mary Jane Jelly;
A bill (H. R. 10908) granting a pension to Mrs. Almira J. Towner;
A bill (H. R. 10911) granting a pension to Ira E. Baldwin;
A bill (H. R. 10947) for the relief of John Sweeney;
A bill (H. R. 11317) granting a pension to Fredericka Liesegang;
A bill (H. R. 11333) granting a pension to Mrs. Louise M. Humphrey;
A bill (H. R. 11362) for the relief of William R. Rodgers;
A bill (H. R. 11042) for the relief of Motier Howe;
A bill (H. R. 6012) for the relief of A. P. Swineford; and
A bill (H. R. 11878) making appropriations to supply a deficiency in the appropriation for public printing and binding for the fiscal year ending June 30, 1889, and for other purposes.

The message announced passage of House bills of the following titles, with amendments in which concurrence was requested:

A bill (H. R. 5985) to increase the pensions of Mrs. Mary Ann Cross, Mrs. Minnie L. Gardiner, and Mrs. Lilla May Pavy to $30 per month; and
A bill (H. R. 9385) for the relief of Christian Kunzie.

NICARAGUA MARITIME CANAL.

The Committee of the Whole resumed its session.

The CHAIRMAN. The question is on the amendment of the gentleman from New York [Mr. SPINOLA].

The question was taken; and on a division there were—ayes 22, noes 46.

Mr. HOLMAN. No quorum.

The CHAIRMAN appointed as tellers Mr. SPINOLA and Mr. CLARDY.

The committee again divided; and the tellers reported—ayes 25, noes 138.

So the amendment was rejected.

The CHAIRMAN. The Clerk will report the next section.

Mr. KILGORE. I wish to submit a parliamentary inquiry. I understand the rule requires, when a vote of the committee discloses the absence of a quorum, that the roll shall be called.

The CHAIRMAN. The gentleman is correct in his premises; but by the last announcement of the tellers a quorum has voted on this question.

Mr. PAYSON. I offer a further amendment, to come in after the word "corporation," in the last line but four of the amendment of the gentleman from Minnesota [Mr. WILSON].

The CHAIRMAN. The Chair will state that there is an amendment pending, offered by the gentleman from Mississippi [Mr. STOCKDALE], which is first in order, and which the Clerk will now report.

The Clerk read as follows:

To be inserted after section 2:

"*Provided*, That the concessions of the Nicaraguan Government, nor any part thereof, shall not be changed, nor shall the company here chartered release the Government of Nicaragua from any of said concessions without the consent of the Government of the United States first obtained; and any violation of this provision shall operate as a forfeiture of the franchises of the company."

The question was taken; and on a division there were—ayes 18, noes 68.

So the amendment was rejected.

Mr. PAYSON. Mr. Chairman, the amendment I desired to offer a moment ago was proposed to be offered to the amendment of the gentleman from Minnesota, and as a part of section 2. I observe that that amendment becomes a new section, section 3, and as there are possibly other amendments pending with reference to the second section, and as I do not desire to forestall any action on the part of those who have amendments to offer to section 2, I shall withdraw the amendment for the present until section 3 is reached in its regular order.

Mr. SPINOLA. I offer the amendment I send to the desk.

The Clerk read as follows:

Add at the end of section 2 as follows:

"Nothing in this act contained shall interfere with the rights, privileges, immunities, and franchises of the Central American Transit Company, a corporation organized under the laws of the State of New Jersey."

The amendment was rejected.

Mr. PAYSON. I now offer the amendment to which I referred a few moments ago, to come in at the end of section 2.

The CHAIRMAN. The amendment will be read.

The Clerk read as follows:

Insert after section 2:

"All bonds, stocks, and certificates issued for or as a part of the capital of the company shall be issued at its principal office in the city of New York."

Mr. CLARDY. That section has been passed from.

The CHAIRMAN. The Chair will state that the amendment of the gentleman from Illinois was sent up some time ago, but was temporarily withdrawn, as the Clerk was about to commence the reading of the third section and the question was raised as to whether it was amendable or not. The Chair thinks it is but right to allow the gentleman to offer the amendment under the circumstances.

Mr. CLARDY. I will make no objection.

The CHAIRMAN. The question is on agreeing to the amendment which has just been read.

Mr. CLARDY. I have no objection to the amendment.

The amendment was adopted.

Mr. PAYSON. I now offer a further amendment, to come in at the end of section 2.

The Clerk read as follows:

Insert after the amendment just adopted:

"All shares, stocks, bonds, certificates, or other securities of this company, shall be disposed of only for cash, to be paid into the company's treasury and used for corporate purposes: *Provided*, That this shall not apply to bonds or certificates issued under article 50 of the concession of Nicaragua to the canal company."

The question was taken; and on a division there were—ayes 21, noes 58.

Mr. HOLMAN. No quorum has voted.

The Chair appointed as tellers Mr. PAYSON and Mr. CLARDY.

Before the result was announced,

Mr. CLARDY (one of the tellers). I ask unanimous consent that

the amendment offered by the gentleman from Illinois may be again submitted to the committee.

There was no objection.

The amendment was agreed to.

ENROLLED BILL SIGNED.

The committee informally rose; and the Speaker having resumed the chair, Mr. KILGORE reported that the Committee on Enrolled Bills had examined and found duly enrolled the bill (H. R. 11878) making appropriations to supply a deficiency in the appropriations for public printing and binding for the fiscal year ending June 30, 1889, and for other purposes; when the Speaker signed the same.

NICARAGUA MARITIME CANAL.

The Committee of the Whole resumed its session.

The CHAIRMAN. The Clerk will report the next section of the bill.

The Clerk read as follows:

SEC. 3. That the affairs of the said company shall be managed by a board of directors, fifteen in number, who shall hold their office for three years and until their successors are duly chosen and qualified, and a majority of whom shall be citizens and residents of the United States. At the first election five shall be chosen by the stockholders for one year, five for two years, and five for three years, and at each annual election thereafter five shall be chosen by the stockholders for three years. The said board shall elect from its number a president, who shall be a citizen and resident of the United States, and one or more vice-presidents of the company, who shall hold office for such terms as the by-laws of said board may provide and until their successors are duly elected and shall have qualified.

Mr. LANHAM. I offer the amendment I send to the desk.

The Clerk read as follows:

In line 4, section 3, strike out the words "a majority of whom" and insert "who."

Mr. LANHAM. The object of this amendment is to require that all the directors of the company shall be citizens of the United States. The text of the bill requires a majority of them simply to be citizens of the United States. My purpose is to Americanize this institution as far as practicable if the bill shall become a law.

Mr. JOSEPH D. TAYLOR. I wish to offer an amendment to the amendment; to strike out the words, on page 5, line 4, "a majority," and insert "two-thirds;" so that it will read:

And two-thirds of whom shall be citizens and residents of the United States.

Mr. BAYNE (to Mr. LANHAM). That is better; perhaps you had better accept that.

Mr. HOLMAN. No; it is right as first suggested.

Mr. CLARDY. The bill as originally introduced was without any provision as to citizenship or residence of the directors, but it was amended by the committee so that a majority of the directory should be residents and citizens of the United States. It will be necessary, of course, as has been frequently stated on the floor, to go abroad to raise money to construct the canal; and it has been thought, as perhaps much more than half the capital would be raised elsewhere, it would be but right and proper that some representation should be given to the foreign stockholders.

And I think myself that if the majority of the directors are Americans, it sufficiently, to use the language of the gentleman from Texas [Mr. LANHAM], Americanizes this enterprise, and I do not believe the amendment ought to be insisted upon. I know the gentleman from Texas would do nothing he believed would militate against the passage of this bill in such a shape as that the money could be raised and the canal be built under it; and I therefore think that neither the amendment presented by the gentleman from Texas, nor that presented by the gentleman from Ohio, providing that two-thirds of the directors shall be Americans, should be adopted.

Mr. JOSEPH D. TAYLOR. It seems to me that when this charter is given by the Congress of the United States that we ought to have two-thirds of the directors citizens of the United States. If the bill is as important as it has been stated to be, and I believe it is, I think it is a matter of great importance to this country, and for that reason I am in favor of more than a majority. I think where we have a board of fifteen directors two-thirds of these should be citizens and residents of the United States. Where you have a board of fifteen and only have a bare majority, that bare majority may not control in important meetings and in regard to important questions. We would only have eight Americans and might have seven foreigners. The sickness of a single member might change control for the time being. I think that would not be entirely safe, and if we propose to enforce the Monroe doctrine in this country, and propose to charter this corporation for this important purpose, we ought to have two-thirds inserted in this bill as the number of Americans who should be on this board of directors, and therefore I insist upon my amendment.

Mr. MCADOO. I hope the chairman of the committee will accept that amendment. I am, as every one knows, a friend of this bill; but I think this is a very proper amendment. We are going out of our way to incorporate this company. It is a very unusual thing for the United States to incorporate a great private corporation. We are doing it with the view of building the canal under American auspices, and we want to make this incorporation as safe as possible. Therefore I, for one, as a friend of the measure, will accept the amendment.

Mr. CLARDY. Mr. Chairman, I have no authority to accept an amendment of that kind. If I may be permitted to say so, this whole question was considered before the committee, and it was the judgment of the committee that a majority of the directors being citizens of the United States would be sufficient.

Mr. PLUMB withholds his remarks for revision. [See Appendix.]

Mr. WILSON, of Minnesota. While in favor of guarding in every possible way the interests of our country, we certainly should be careful that we do not incumber the bill with provisions that will embarrass this corporation. By the bill as it is now drawn, a majority of the directors must not only be citizens, but residents of the United States, and by the bill as it now stands, the president must not only be a citizen, but a resident of the United States.

So far as the protection of the rights and interests of the United States is concerned, therefore, that is just as valuable as if we had every one of the directors, because it gives us control of the company. Now, when we bear in mind the fact that perhaps the bulk of this capital must be raised abroad, and the many other clauses that we have introduced into this bill for the purpose of protecting the interests of our own country, it will be seen that this is not necessary. If we should adopt the amendment of the gentleman from Texas [Mr. LANHAM] it would make it impossible for us to have even a director resident in Nicaragua, because all of the directors would be required to reside within the limits of the United States. I submit that that would be entirely unnecessary, would be in no sense a benefit to the United States, and would not protect our interests any further than they would be protected by the other provisions, but would simply result in embarrassing this enterprise unnecessarily, and in making it more difficult to raise the money abroad.

Mr. RAYNER. Mr. Chairman, I would be very much in favor of the amendment of the gentleman from Texas [Mr. LANHAM] were it not for the fact that it contravenes the provisions of the concession. The concession, in article 11, provides that—

The Government of Nicaragua, in its character of shareholder in the company of execution, as hereinafter provided for, shall have the perpetual right of naming one director, who shall be an integral part of the board of directors of the company, with all the rights, privileges, and advantages conferred upon them by the statutes of the company and the laws of the country under which it shall organize.

That is the concession. As to the amendment providing that all the directors shall be residents of the United States, I am in favor of it, but I call attention to the fact that it contravenes the terms of the concession.

Mr. MCADOO. We do not ask that all shall be residents of the United States, only two-thirds.

Mr. LANHAM. As I understand the provision of the concession just read by the gentleman from Maryland, it only provides that one director shall be a citizen of Nicaragua.

Mr. RAYNER. But your amendment provides that they shall all of them be citizens of the United States.

Mr. LANHAM. Well, I am willing that my amendment shall be modified so as to permit the one Nicaraguan director provided for in the concession.

Mr. WILSON, of Minnesota. What benefit will that be to us?

The CHAIRMAN. The gentleman from Texas [Mr. LANHAM] proposes to modify his amendment so as to allow one director in accordance with the terms of the concession cited by the gentleman from Maryland [Mr. RAYNER].

Mr. MCADOO withholds his remarks for revision. [See Appendix.]

The question was taken on the amendment of Mr. JOSEPH D. TAYLOR to the amendment of Mr. LANHAM, and the amendment was agreed to—ayes 40, noes 12.

The CHAIRMAN. The question recurs upon the amendment of the gentleman from Texas [Mr. LANHAM] as amended.

Mr. HOLMAN. I desire to offer a substitute for the amendment as amended.

The proposed substitute was read, as follows:

Strike out in lines 4 and 5 the words "and a majority of whom shall be citizens and residents of the United States" and insert "the directors shall be citizens of the United States or of Nicaragua, and a majority of such directors shall be citizens and residents of the United States."

The CHAIRMAN. The Chair is of opinion that that would not be in order as an amendment to the amendment which has just been adopted, but that it would be in order as a substitute for the proposition of the gentleman from Texas as amended.

Mr. HOLMAN. That is the way in which I offer it. It is very obvious that unless some such amendment is adopted this company is to be practically a foreign corporation, because the great body of the capital is to be furnished by foreigners. The country seems to be very sensitive upon some questions in connection with our foreign relations; but when it comes to extending undue favoritism to foreign capital we seem to be very prompt in granting extraordinary franchises, such as we have never granted to our own citizens in such sweeping form.

If this corporation is to have any American character at all, its board of directors at least should be American, or if not entirely American, should pertain to the American continent. I admit that under the terms of the concessions—the so-called concessions (for it is a matter of doubt whether any have been made by the Nicaraguan Government)—

that Government is entitled to one director. But I hope this Congress will not allow this matter to go beyond the two governments at least. If by an extraordinary provision we should create a corporation foreign in its capital and largely foreign in its control, we might be embroiled not only with the southern governments of our own continent, but also with European governments. I insist that this company should at least have the merit of being confined to the two governments concerned—the one that is to take the responsibility of controlling this great enterprise, the other the government within whose territorial limits these extraordinary powers are to be exercised. It seems to me that an argument in favor of such a line of policy is apparent in this: that we are taking a new departure here; we are taking a step of exceedingly doubtful constitutionality in legislating in a field from which Congress has heretofore shrunk. We are proposing to assume the responsibility of coming in contact, direct contact, with the European as well as the South American powers. I hope to this extent at least some protection will be furnished.

Mr. CLARDY. If we can have a vote now, I shall not move that the committee rise, otherwise I must do so.

The CHAIRMAN. The question is on agreeing to the substitute of the gentleman from Indiana [Mr. HOLMAN] for the amendment of the gentleman from Texas.

Mr. CUTCHEON. I ask that the amendment be again read.

The Clerk read as follows:

Strike out in lines 4 and 5 the words "and a majority of whom shall be citizens and residents of the United States" and insert "the directors shall be citizens of the United States or of Nicaragua, and a majority of such directors shall be citizens and residents of the United States."

The CHAIRMAN (having put the question) said: The noes seem to have it

Mr. HOLMAN. I call for a division.

The question being again taken, there were—ayes 32, noes 33.

Mr. HOLMAN. No quorum.

Mr. BAYNE. I hope the vote will be taken over again.

The CHAIRMAN. If there be no objection, the Chair will put the question again, as there was a very small number voting.

The question being again taken, the amendment of Mr. HOLMAN was adopted.

Mr. LANHAM. I move to amend by inserting, in line 11 of section 3, after the words "one or more vice-presidents of the company," the words "who shall also be citizens and residents of the United States."

The amendment was agreed to.

Mr. BRECKINRIDGE, of Arkansas. I move to amend by inserting at the end of section 3 the provision which I ask the Clerk to read.

The Clerk read as follows:

All tolls, charges, and regulations concerning commerce of or with the United States shall be reasonable and just; and in case of dispute between this company or any of its agents and any citizen, firm, or corporation engaged in interstate or foreign commerce in or with the United States concerning any tolls, charges, or regulations of this company, the Interstate Commerce Commission shall have jurisdiction under such rules of practice as the commission may determine; and all tolls, charges, and regulations shall be subject to the revision and jurisdiction of the commission.

Mr. BRECKINRIDGE, of Arkansas. Mr. Chairman, the object of this amendment is to place this corporation in the same attitude with reference to foreign and interstate commerce in which we have placed all the railroads of the country, and to provide for citizens having any dispute with the corporation a court of adjudication, it being a principle of our existing law, as it is of our civilization, that no disputes between citizens or between citizens and corporations ought to be without some court for the adjudication of such differences. This amendment contemplates the same character of adjudication that we provide for the residue of our interstate and foreign commerce.

Mr. RAYNER. How can we constitute a court with jurisdiction outside of the limits of the country?

Mr. BRECKINRIDGE, of Arkansas. I admit that our authority in this matter may be a little nebulous in its character, but the whole question of our giving status to this business upon foreign soil is in the same attitude. If we can pass a measure of this kind, if we can adopt any substantial provisions, such as are here contemplated, we can at least take the usual steps to provide a method of redress for our citizens who may have grievances arising out of their business with this corporation.

Mr. RAYNER. Only one word in answer to the gentleman from Arkansas. There is no objection to the amendment substantially. We have no right under the Constitution to organize a court outside of the territorial limits of the country. It would be absolutely void if we did so.

Mr. BRECKINRIDGE, of Arkansas. They are bound to do it outside the limits of the country. If we can create this thing we can follow it up and protect our own citizens. If you can not do that, do not have anything to do with it.

Mr. ADAMS. I desire to call the attention of the gentleman from Arkansas to the fact that it is provided in the concession these tolls must be subject to the approval of the Republic of Nicaragua and shall not exceed a certain amount, and further, that when they exceed a certain amount they shall be reduced. They have to be reduced when they exceed a certain amount, and that reduction must be enforced under the provision of article 52 for the benefit of the toll-payers or taxpayers. An amendment requiring the collection of these tolls under the interstate-commerce act would therefore be inconsistent with the concession under which the canal alone can be built.

Mr. SPINOLA. I move to amend the amendment by adding the following:

The Clerk read as follows:

All vessels sailing under the American flag shall be entitled to a rebate of 20 per cent. from the lowest charges made upon vessels sailing under the flag of any other country, except vessels belonging to the American Navy, which shall be entitled to a rebate of 50 per cent. from the lowest price charged the vessels belonging to the navy of any other country.

Mr. CLARDY. That is all right; but all American vessels are entitled to a rebate of 50 per cent. under the concession.

Mr. SPINOLA's amendment to the amendment was disagreed to.

The question recurred on the amendment of Mr. BRECKINRIDGE, of Arkansas.

Mr. OATES. Mr. Chairman, I do not rise to address the committee directly on the amendment now pending. I have given the details of the bill but slight and imperfect consideration; hence I will not enter upon the discussion of them. I have given attention and consideration to the subject-matter of the bill, and it is to that I propose to speak.

I thought I heard a few moments ago an expression of doubt by my esteemed friend from Arkansas [Mr. BRECKINRIDGE] as to the power of Congress to pass this measure. I like to hear such expressions, for they evince a respect for the limitations put upon our power by the States and people of this nation. It is both wise and patriotic to inquire and see what things we are commissioned to do.

I have heard similar doubts expressed by others at an earlier period of this debate. I have given this matter some attention. The gravity and importance of the query, as well as of the merits of the bill itself, demanded it. The bill is to incorporate a company of capitalist citizens of the United States to construct what is known as the Nicaragua Canal through a part of Costa Rica and Nicaragua, utilizing the great lake of the latter name, so as to secure a passage for ships through the Isthmus from the Atlantic to the Pacific Ocean.

The work which the company when incorporated proposes to do lies entirely outside of the geographical limits of the United States, and that fact makes it necessary for Congress to know that the country in whose jurisdiction the work proposed is to be done has made or will make a concession to such corporation of the right to do it, for in the absence of such concession the corporation would fail for manifest reasons. But such concession having been made by the proper authorities, the point is now made that Congress has no right to create a corporation of this character. The law as well as Government is a progressive science.

It was held by the Supreme Court of the United States many years ago, in the celebrated case of McCulloch *vs.* Maryland, adhered to and reaffirmed in the Bank of Augusta *vs.* Earl, in 13 Peters's Reports, to be common-law doctrine that a corporation, being created by law, could exist only within the boundary of the sovereignty which gave it life. That it must reside and have its home and being within the geographical boundary which gave it birth. But in practical application the rule has qualifications and conditions attached to it in order that it may not obstruct commerce and business. So the same court held in the Railroad *vs.* Koontz, 104 United States Reports, that such corporation might do business in all places where its charter allows, the local authorities of course assenting thereto.

Wherever it goes for business it carries its charter, as that is the law of its existence. (Relf *vs.* Rundel, 103 United States.)

The charter is the same abroad as at home. (Canadian Southern Railway *vs.* Gebhard, 109 United States.)

It is well settled that Congress has no power to create corporations and grant franchises to operate within the territorial jurisdiction of the States except for the purpose of carrying into effect and giving operation to some of the powers delegated to it by the Constitution. That was decided by the Supreme Court a half century ago, and has been adhered to ever since. The opponents of the bill may claim with an apparent plausibility that there is no grant of power to Congress to which this bill may be referred. I will not assert that the power to regulate commerce with foreign nations is broad enough to warrant the incorporation of a company to construct a maritime canal in a foreign country, though I am inclined to that opinion. I am quite sure, however, that Congress could not grant a charter or incorporate a company to dig a canal from one of our States to another for the regulation of commerce among the States, because the power to construct canals is not granted.

It may be possible that the power to regulate commerce, the United States having an agreement to that effect with a foreign nation concerned therein, vests Congress with authority to pass the measure, but I would prefer not to rest it there. I think that the power may exist under the treaty-making clause of the Constitution, which is very broad.

But, sir, we are not confined to that. I believe that Congress may enter a broader field and find therein ample power for the legislation proposed. When we view the Constitution in its true light new beauties and excellences illumine our pathway, and every hour's study we give to it but adds to its beneficence. But, sir, it was designed to op-

erate only upon and among the parties to its creation, which were the States. It is a compact of union made by them for their mutual convenience, benefit, and protection; and they vested in it all powers they had touching international affairs.

The powers delegated to the United States to make treaties, regulate commerce, etc., with foreign nations, meant upon the part of the States that they renounced these sovereign and unlimited powers and transferred them in all their original plenitude to the National Government.

The Constitution created a national government with limited powers over, among, and between the States who created it, but with unlimited powers toward all other nations and peoples. Each of the parties to its creation was before its adoption a sovereign and independent State or nation, and was so acknowledged by Great Britain at the peace. Each possessed the right to make treaties and regulate commerce with foreign nations without limit until they delegated or granted that right to the United States, and ever since they have had no power over either.

If the States had these powers without limit, all that they possessed passed by the grant, and it follows as a logical sequence that the United States, in dealing with foreign powers, is not restrained by constitutional limitations nor restricted to affirmative grants. Other nations do not recognize New York or Georgia as sovereignties. They do not recognize any State or any number of States as having any right to deal with them in any respect whatever. They deal with the United States as a single sovereignty, as one of the nations of the earth. They take no note of any limitation of its power or want of power. They know nothing of the Constitution and its restraints, and care less. And when the United States make treaties, regulate commerce, or transact any other business, they act as though they were but one State—a solid body—as though Congress and the President were sovereign or empowered without limit, save their own discretion, which is in fact no limit at all, except that their policy may be condemned by the people at the next election.

This idea is not altogether new; it did not originate with me. I have seen that it was advanced in debate as far back as 1848 by Mr. Calhoun, when he was called upon to cite constitutional power or authority for the appropriation which was proposed for the relief of the starving Irish people, and he said that there was no constitutional question involved, because the powers of this Government as to foreign nations were not restricted to constitutional grants; and I think he was right.

I have often heard the assertion that the purchase of Louisiana was an unconstitutional act, and Mr. Jefferson himself was of that opinion. In his letter to Dr. Sibley in June, 1803, he admitted it. He was anxious that a constitutional amendment should be adopted giving such power, and said:

That it will be desirable for Congress to do what is necessary in silence.

He also said:

Whatever Congress shall think necessary to do should be done with as little debate as possible, and particularly so far as respects the constitutional difficulty.

It seems never to have occurred to him, notwithstanding all of his learning and profundity of thought on the problem of government and familiarity with his own, that its foreign policy was not restricted to constitutional grants of power; and yet the Supreme Court subsequently substantially so decided in Canter's case, reported in 1 Peters's Reports; also see note *a*, 1 Kent's Commentaries, side page 159. In 1833 Judge Story, commenting upon this subject in connection with this decision, employed the following language:

As an incidental power the constitutional right of the United States to acquire territory would seem so naturally to flow from the sovereignty confided to it as not to admit of very serious question. The Constitution confers on the Government of the Union the power of making war, and of making treaties; and it seems consequently to possess the power of acquiring territory either by conquest or treaty.

It is said that the cost of constructing the canal will be but $65,000,000. Grant that it may cost double that sum, and then it is a mere bagatelle compared with the value of the work when completed to the commerce of the world. I do not know the ability of the proposed corporators, but I take it for granted that they are both earnest and honest men, possessed or assured of ample means to prosecute the enterprise with diligence and to secure its completion within a reasonable time, perhaps within five years from the date of beginning operations.

The commercial importance of the canal can not well be overestimated. Ships from Europe bound for Australia, Borneo, Japan, and other countries of the Pacific, would pass just to the southward of Hayti, taking an air line through the proposed canal, thereby saving in sailing distances from 1,000 to 5,000 miles. The course of vessels sailing from any of the Atlantic ports of the United States or Canada to California or to any of the islands or countries of the Pacific Ocean, would be via Cuba and the Gulf of Mexico, and would save to them from 8,000 to 11,000 miles of sailing distance over the present route around Cape Horn.

The construction of this canal would add more than 8,000 miles to the coasting trade, giving to our vessels an unobstructed run from Maine to Alaska. It will give special advantages to the feeble and languishing commerce of the United States over the trade of the East Indies and the countries of the Pacific Ocean. It will save in distance—

	Miles.
Between New York and San Francisco	10,000
Between New York and Alaska	8,000
Between New York and Hong-Kong	4,100
Between New York and Melbourne	3,300
Between New York and Sandwich Islands	7,800
Between New York and Valparaiso	9,700
Between New Orleans and San Francisco	11,000
Between New Orleans and Valparaiso	9,900
Between Liverpool and San Francisco	7,200
Between Liverpool and Melbourne	400
Between Liverpool and Hong-Kong	1,300
Between Liverpool and Yokohama	3,900
Between Hamburg and Acapulco	7,000
Between France and Tonquin	1,300

From New Orleans around Cape Horn to San Francisco is 15,000 miles—more than 1,000 miles further than it is from New York to San Francisco, notwithstanding New Orleans is by land 1,000 miles nearer. This results from the latter being situated on the Gulf, which extends more than 1,000 miles inland from the track of the ocean steamer from New York to Cape Horn. By the proposed canal the distance from New York to San Francisco will be 4,700 miles, and from New Orleans to San Francisco but 4,000 miles. I take New Orleans as indicating the mean distance of all the Gulf ports.

It will liberate the people of California and the Pacific Slope from the commercial bondage in which they are held by railroad corporations. It will give to this country a safe harbor and the most advantageous naval station on the western hemisphere, in Lake Nicaragua, from which, in case of war, our ships could operate with equal facility in both oceans and the Gulf of Mexico. The United States would then be in condition to enforce the Monroe doctrine otherwise than on paper and by protest, if the necessity therefor should ever occur; and besides all this, the present bill looks to the consummation of this great work as well as its subsequent management by citizens of the United States.

A practicable passage through the Isthmus has been discussed, talked of, and sought after nearly ever since Columbus discovered America. The United States have expended many thousands of dollars in surveys and examinations, and the grand result of ages of investigation and effort is the Nicaraguan route.

In the colonial days of this country the South was the seat of wealth, power, opulence, and happiness. Just preceding the Revolution, which resulted in separation from Great Britain, the imports received into New York amounted to less than $1,000,000 in value. Pennsylvania received not over two and a half millions, and all New England about three millions, while Virginia alone imported four and a quarter millions and South Carolina nearly $3,000,000 worth, quite as much as the whole of New England.

Some forty years after the adoption of the Constitution New York's imports reached twenty-five millions while South Carolina's remained about the same. In 1832 New York's reached fifty-seven millions, more than double, while South Carolina had fallen to about one and a quarter and Virginia had dwindled to a half million dollars. This change of trade, which it was claimed was produced by Federal legislation, was the cause of nullification in South Carolina.

The loss of trade to the South and the transfer of it to the Northern section of the Union was, while no doubt partly due to natural shipping advantages possessed by the North, attributed entirely to the course of Federal legislation contrary to the objects of the Union. The protective tariff, internal improvements, national debt, pensions, bounties, subsidies, the multiplication of offices, national banks, the funding system, and extravagant expenditures tending to convert the limited and simple Government established by the fathers into an unlimited one, were the chief factors in subtracting capital from the South and transferring it northward, and gave rise to that discontent which finally led to the effort of the South to withdraw from the Union.

In 1860 the imports of New York were over two hundred millions and those of Massachusetts sixty millions, while those of Virginia were one and a quarter and of South Carolina a little less than two million dollars. The discontent continued to grow, as Mr. Madison feared that it would. In his eighty-sixth year he wrote as follows:

The visible susceptibility to the contagion of nullification in the Southern States, the sympathy arising from known causes, and the inculcated impression of a permanent incompatibility of interest between the North and South may put it in the power of popular leaders, aspiring to the highest stations, to unite the South on some critical occasion in some course of action of which nullification may be the first step, secession the second, and a farewell separation the last.

The "critical occasion" upon which the popular and aspiring leaders united the South was the election of Mr. Lincoln to the Presidency upon his proclamation of the irrepressible conflict between free labor and slave labor, which would continue until all were free or all slave.

Of the result I will not speak, since it is foreign to my subject, except to say that the commerce of the Southern States, coastwise and foreign, was completely destroyed.

The proposed construction of the Nicaragua Canal is the first indication I have seen since the war which offers a hope for commercial life and prosperity for that much-abused but glorious section of our common country. The stream of commerce which will flow through the

Gulf of Mexico when the canal is completed will inevitably add greatly to the trade of the Gulf ports, and thereby afford a readier market and better prices for all the marketable products of the Gulf States.

[Here the hammer fell.]

Mr. DUNN. Does the gentleman from Alabama desire more time?

Mr. OATES. I should like to have a few minutes longer.

Mr. DUNN. If I am recognized, I will yield to the gentleman from Alabama.

Mr. OATES. I am very much obliged to the gentleman from Arkansas.

I do not share, Mr. Chairman, in the apprehensions expressed a few days ago by my distinguished colleague from Alabama [Mr. HERBERT], whose opinions I always respect, because he is one of the most conservative and painstaking members of this body. He assumed that it was a very dangerous experiment for the United States to charter this company, from the fact that the United States would be committed to the protection of the property which these corporators would acquire under the charter, and that it would involve the necessity of a great standing navy and at least two naval stations in the vicinity of the work, and that this would involve the country not only in a heavy outlay but in all probability in a war with some other nation.

Mr. Chairman, it is the duty, and always has been, of the United States to protect the persons and property of their citizens wherever they may be. Shall we refuse this act of incorporation, and to give the project reasonable encouragement, not by money but simply by this enactment, to prosecute the work, because it would then become the duty of the Government to protect them in the enjoyment of that property?

If a nation sees proper to invade their rights, I do not see why this Government should not protect them as fully as it would protect any other citizen of the United States in the enjoyment of any property rights, however acquired, elsewhere; and while I would not welcome a war at any time or on any occasion, I am not sure that, if the cause of the United States was just, our involvement in a foreign war would be of any very great or serious detriment to the interests of the country. I believe it would have one beneficial effect at least, and I am somewhat apprehensive that nothing else will ever completely accomplish that; I mean the eradication of sectionalism in this country.

I believe, sir, that sectional division, sectional feeling, and even hatred, is stronger in this country to-day than it has been at any time in the last fifteen years. Organizations of soldiers and the sons of veterans marched as such organizations under political banners in the late campaign.

Political parties are essential to give expression to and enforce the policy of the majority, but there are questions which rise in importance far above that of the predominance of any political party, and one of these is that of sectional animosity and prejudice. The cultivation of the bitter memories of the war is the one thing which to-day above every other appeals to patriotic hearts, North and South, to unite in putting it down, and striving to disseminate fraternal and patriotic feeling throughout the Union. Let the white men of America differ on questions of policy as they may, but be one universal brotherhood.

Let Southern men no longer sneer at the despised Yankee, and Northern men cease to point to the "scars of rebels" as dishonorable mementoes of "a foul conspiracy and the crime of rebellion." Such a bandying of epithets, like grievous words, stir up anger, and will make the young men of the South love those of the North like the French inhabitants of Alsace and Lorraine love the Germans, or as the Catholic Irish love the English; and the young men of the North, under such tutelage, will manifest towards those of the South the same feeling of superiority which the English Tory manifests for the Catholic Irish.

When statesmanship and a lofty manhood unite in magnanimity to a fallen foe they never fail to inspire respect and confidence which soon ripen into sincere affection.

A war with a foreign power would heal old wounds, turn attention to the later exhibition of heroism and triumphs of the arms of the nation, and restore fraternal feeling from the Canadas to the Gulf. But, sir, neither the construction nor operation of that canal will involve the United States in war unless it should be constructed and operated by a company of Europeans in the interest of their home government.

The situation of the United States relieves them from all of the complications of European nations, and this, with our numerical strength and exhaustless internal resources, absolutely exempts us from even remote probability of war. The construction of the canal will benefit the commerce of the world and give cause for rejoicing rather than for war. I congratulate my friend from Missouri [Mr. CLARDY] upon the fortunate connection of his name with this great enterprise by his skillful management of this bill. I take great pleasure in recording my vote in its favor, and hope to see grand results flow from this legislation.

Mr. CLARDY. Mr. Chairman, in the consideration of the pending bill no gentleman has expressed a doubt of the commercial importance of the great enterprise the measure seeks to inaugurate. Some gentlemen oppose it because they do not believe that Congress has the power to incorporate a company to do an extraterritorial act; and others look with disfavor upon it because, in their opinion, the Government may at some distant day be appealed to to come to the rescue of the company or its stockholders to make good their losses or to afford protection to their property. But all agree, I think, that the passage of this bill will most likely lead to the construction of a canal that must prove of incalculable benefit to all sections of our country.

After what has been said by my friend from Alabama and other gentlemen on this floor, it is hardly necessary to speak of the power of Congress, under the Constitution, to grant a charter. The greatest Chief-Justice the country ever had, interpreting what is known as the commercial clause of the Constitution, said that "it means intercourse between nations and parts of nations in all their branches."

Another justice of the Supreme Court, speaking for the court, said of this clause:

It is general, and includes alike commerce by individuals, partnerships, associations, and corporations.

The same justice, speaking for the court in the Daniel Ball case, 10 Wallace, said "that the commercial power given to Congress authorizes all appropriate legislation for the protection or advancement of either interstate or foreign commerce." And in Veazie *vs.* Moore, 14 Howard, and in Lord *vs.* Steam-ship Company, 102 United States Reports, the court has expressly declared that Congress has the power to incorporate a company to do an extraterritorial act. This is the construction the Supreme Court has placed on the provision of the Constitution referred to. And as showing the construction placed upon it by the executive department I beg to refer to the fact that at least twelve engineering parties have been sent by the executive department of our Government to Panama, Nicaragua, and Tehuantepec with directions to ascertain whether it was possible to construct a ship-canal between the two oceans, and the expenses of the numerous surveys and explorations made were paid for out of money appropriated by Congress for that purpose.

Were these engineering parties sent out to gratify an idle curiosity on the part of the American people? Did they go to look for the strait which the great discoverer believed nature had left as a passage way between the continents, or to prove the continuity of the Isthmus and the unreality of the long-sought strait? Or did they go for the practical purpose of ascertaining if a canal could not be made to span the Isthmus and wed the sunrise to the sunset?

Mr. HERBERT withholds his remarks for revision. [See Appendix.]

Mr. CLARDY. I trust, Mr. Chairman, we shall now get a vote.

The question was taken; and the amendment offered by Mr. BRECKINRIDGE, of Arkansas, was rejected.

The Clerk read as follows:

SEC. 4. That for the management and disposition of the stock, property, estate, and effects of the said company the board of directors may make such by-laws, rules, and regulations as may conform to the authority granted in such canal concession or concessions, and not be inconsistent with this act or the laws of the United States or the existing treaty stipulations of the United States with the Government of Nicaragua or of Costa Rica, if the said canal should be in part in the territory of that Republic; and may fix the time for election of directors, and in case of vacancy in said board, caused by death, resignation, or otherwise, may fill the same. No person shall be a director who is not a stockholder, and any one ceasing to be a stockholder shall cease to be a director. All meetings of stockholders shall be held at the office of the company in the city of New York, and at least one such meeting shall be held in each year; but failure to elect directors on the day appointed by said by-laws shall not be deemed to dissolve said company, but such election may be holden on any day appointed thereafter by the directors first giving thirty days' notice thereof, in manner aforesaid. The directors, of whom eight, including the president, shall be a quorum, shall have full power touching the election or appointment of all officers of the company, and said officers shall hold office at the will and pleasure of said board.

Mr. MACDONALD. I have an amendment to offer to that section which I think will commend itself to the favorable consideration of the House.

The Clerk read as follows:

Add to section 4 the following:

"*Provided*, That no change or concessions heretofore or hereafter granted by the Nicaragua and Costa Rica Governments for or in behalf of the construction of said canal which in any manner affect the rights of the American citizens to the use of said canal, or which affect the rights of the Government of the United States to have a voice and governmental control of the use of the same, shall be made until the consent of the Government of the United States to such change shall have been first given thereto."

Mr. SCOTT. Mr. Chairman, I am not competent to consider the proposition whether under the powers vested in Congress by the Constitution we have the right to grant a charter such as it is proposed to confer under the bill we are now considering. I shall assume that we have such power, and I arrive at this conclusion because gentlemen on this floor, learned in the law, and in whose legal abilities and patriotism I have the utmost confidence, say we have.

Furthermore, sir, as far as I am able to judge or form an opinion, during the past twenty-five years the Constitution of our country has been so construed, not only by the Congress but by the courts of last resort, that to-day it can be made to mean anything or nothing, and has long ago ceased to be our compass and chart, limiting or defining the powers of the Federal Government, when it has stood in the way of party supremacy or party success. Sir, no man regrets this condition of affairs more than I do; but if the venerable instrument can stand such strains as it has been subject to during the period I have referred to, threatening the fundamental principles upon which it was based,

may we not hope that in case this bill should become a law it will not so impair the venerable instrument but that what may be left of it may be of some utility and value to future generations?

But, sir, I wish to say a few words in regard to the bill from a national and commercial standpoint, and I might say from a cosmopolitan standpoint, for the construction of this canal will, in my judgment, not only affect our commercial interests but that of the world. To my mind, sir, it is wonderfully strange that a problem which, during the close of the fifteenth century, occupied the minds of the people of Europe and which the Spanish and Portuguese navigators were endeavoring to solve—a short route to the Indies—should yet remain unsolved in this the close of the nineteenth century so far as this continent has any interest in it. While the Portuguese in the latter part of the fifteenth century were endeavoring to solve this problem by the doubling of the Cape of Good Hope, the conception of the Spanish navigators, that not only a new continent existed but that the short route to the Indies was by sailing westward, ultimately led to the discovery of this continent, and for centuries after the southern half of it was settled expeditions still left the shores of Europe seeking for some break in it between the Atlantic and Pacific Oceans which would solve the problem they had so much at heart.

Sir, it is a remarkable fact in connection with this whole subject, which it has required four centuries of time to demonstrate, that within a few hundred miles of the port from which Columbus set sail in the Mediterranean the short route to the Indies, so far as the interests of continental Europe were concerned, was to be found, and that the construction of the Suez Canal has finally settled this question for continental Europe. It is hard, sir, to overestimate the importance of the Suez Canal and its beneficial results upon the commercial interests of Europe; and probably to no people have its direct results been more injurious than to those of the United States. The English people, ever alive to their commercial supremacy, either did not believe in the feasibility of the project or for some ulterior reasons discouraged it, and it was left to the enterprise and the ingenuity of a Frenchman to demonstrate its practicability.

When we consider, sir, the fact that England is practically the mistress of the Mediterranean, occupying as she does not only Gibraltar but the Island of Malta, one would naturally infer that her best interests would have been identified with the construction of this canal, and that her naval supremacy, together with her military stations in the Mediterranean, would have assured to her all the rights and immunities for her commerce she could reasonably demand. The statesmanship of the younger Pitt was never more clearly demonstrated than after the capture of Malta by the English. Rather than surrender it, as the condition of peace made by the first Napoleon, he continued a war when England was virtually bankrupt, and to-day Malta virtually controls the Suez Canal from a military standpoint. But, sir, what has this policy demonstrated? No sooner had this canal become a success than a majority of its shares was bought up by an English ministry and to-day are in the treasury of Great Britain. And she did not stop here, sir, for the occupation of Egypt to-day by the English forces and the complications surrounding this occupation are but a part of a general plan to insure the control of this water way for English commerce and English trade.

We may, if these statements are correct, form some opinion as to the value to English interests of a short route to the Indies; and just here it may be well to inquire what effect the construction of this canal has had upon us as a people and our interests. We all know that prior to its construction it was practically impossible to ship the wheat of India to European ports. It was neither raised nor exported largely. The exports of wheat from India prior to the construction of this canal were practically nothing. But since its construction it has risen from a few millions of bushels up to as high as thirty or forty millions of bushels per annum. Climatic causes stood in their way; the long voyage in doubling the Cape of Good Hope, with their cargoes of grain passing through the tropics, so deteriorated its quality that much of it was hardly merchantable upon arriving at its port of destination. But the Suez Canal has changed all this, and the low price of our cereals, especially wheat, during the past five or ten years, can be more attributed to India competition than to any other cause.

Sir, after the construction of the Suez Canal the problem of a short route to the Indies was transferred from the continent of Europe to this continent, and it confronts us to-day.

If practical experience and engineering ability are of any value, I think we may safely come to the conclusion that the construction of the Nicaragua Canal is the only feasible and practical solution of this question for us as a nation. And when we consider the fact that it will not only furnish us the shortest route to the eastern continent, but will accomplish something perhaps even of more value to us—the shortest possible oceanic route to our possessions on the Pacific—I do not see how its importance from a national standpoint of view can be overestimated. It will not only accomplish this, but it makes it possible for us to secure our due share of the trade of the South American Republics on the Pacific Slope.

If we are never again to be a factor in the foreign commerce of the world, the construction of this canal will at least add to our coastwise trade and tonnage, and possibly build up our merchant marine, which, in case of necessity, may be an important factor in our future relations with foreign nations.

As a business proposition, divested of any constitutional considerations, I would be willing to vote the necessary money out of the Treasury of the United States to construct this canal, if it could be absolutely owned and controlled by our Government. [Applause.] This is what I understand the Monroe doctrine to mean. I know of no more important coaling station or naval rendezvous unoccupied in the world today from a strategic point of view than can be found on the shores of Lake Nicaragua if this canal is built, through which ships of war of heavy draught can pass.

Sir, the construction of this canal will unquestionably enable our manufacturers on the eastern slope of the Rocky Mountains and the Gulf of Mexico to favorably compete, not only in the markets of South America, but in our Pacific States, with the manufacturers of the world. There is hardly any section of our common country which will not be benefited by it. The Southern States unquestionably have a large interest in it. The development of the manufacturing and mineral interests of some of them, now going on, located as they are so near the Gulf of Mexico, ought to find a market for their products on the western shores of this continent by the construction of this canal, and coal now mined within 250 miles of the Gulf of Mexico should compete in South America and in our Pacific States with coal now shipped and imported from Australia and British Columbia.

To the wheat-growers of our Pacific States and Territories the construction of this canal and cheapening the cost of transportation to Europe must be of inestimable value. From San Francisco to Liverpool, via Cape Horn, the distance is estimated to be 14,690 miles, and via the Nicaragua Canal 7,508 miles, showing a saving of 7,182 miles of ocean navigation. From New York City to San Francisco the saving would be, over that of the Cape Horn route, 18,080 miles, from New Orleans 11,005 miles, and an average to South American ports south of the equator of from six to eight thousand miles.

I trust, Mr. Chairman, that this bill will receive the favorable consideration of this House; and that, while it may have thrown around it all the safeguards essentially necessary to protect those of our people who may be induced to invest their money in it, that it may not be incumbered with unnecessary restrictions and limitations which would virtually make a charter granted by the Congress useless for practical business purposes.

The CHAIRMAN. The question is upon the amendment of the gentleman from Minnesota [Mr. MACDONALD].

The question was taken, and the Chairman declared that the noes seemed to have it.

Mr. MACDONALD. I do not think, Mr. Chairman, that gentlemen understand the full effect of this amendment, and I ask that it be again reported.

The Clerk again read the amendment.

The amendment was agreed to.

Mr. BAKER, of New York. Mr. Chairman, I desire to offer as an additional section, section 5, the amendment which I send to the desk.

The Clerk read as follows:

SEC. 5. Said company shall make a report on the first Monday in each year to the Secretary of the Interior, which shall be duly verified by the president and secretary thereof, giving such detailed statement of its affairs and of its assets and liabilities as may be required by the Secretary of the Interior, and any false statement so made shall be deemed perjury and punished as such; and it shall be the duty of the Secretary of the Interior to require such annual statement and to prescribe the form thereof and the particulars to be given thereby.

Mr. BAKER, of New York. Mr. Chairman, it will be noticed that the bill as it comes to the House contains no provision for an annual report being made of the affairs of this proposed corporation to any person or power. Under the laws of the State of New York all corporations are required to submit annual reports of their affairs, their assets, and their liabilities to the controller. The only criticism I can make on this bill as a friend of the project is that it does not provide for an annual report to some authority, and I propose to remedy that defect by the additional section just read. Such a report will enable the public, the stockholders, the bondholders, the creditors of this corporation to learn once a year through the medium of the Interior Department just what the "true inwardness" of the corporation is, what it has done, and what is the situation of their interests. It strikes me as due to the public as well as to the corporate interests concerned, and I think the amendment will commend itself to all friends of the measure.

The CHAIRMAN. The question is on the amendment of the gentleman from New York [Mr. BAKER].

Mr. PLUMB. Mr. Chairman, it seems to me that the amendment offered by the gentleman from New York [Mr. BAKER] ought not to be made. I think a moment's reflection will convince every member here that the adoption of such an amendment would commit the United States to this enterprise in a way not contemplated by the bill itself, nor by the concessions made by the Republic of Nicaragua to the association that seeks a charter from this Government.

If our Interior Department is to have cognizance of this work, as provided by this amendment, then the Government would seem to be fairly committed to the control of the building and operation of this

canal. If the report of the directors of the canal company is to be made to the Secretary of the Interior, it must be for the purpose of giving the Government of the United States such information as any nation seeking to control the enterprise might properly require.

Sir, as I understand the Monroe doctrine, it means that no foreign government shall be permitted to undertake a work of this sort, but it does not mean that the Government of the United States may undertake such a work; and hitherto it has been impossible to get a measure of legislation passed by Congress that would commit the United States to its control. If the report of the directors of this canal company is to be made annually to the Secretary of the Interior it would, of course, give information to the public, but its prime object would appear to be to give to the Government such information as would enable it to exercise control and supervision of the enterprise, not only while the canal is being constructed, but in its subsequent use.

Article 8 of the concession provides that "the company of execution" can not, nor can the Republic of Nicarauga in any case, transfer any part of said concession to any foreign government. In what possible contingency, then, can it be proper to connect the Secretary of the Interior with the control of the proposed canal?

Mr. Chairman, it seems to be understood by some that the Monroe doctrine requires that the United States Government should control this canal. I do not so understand that doctrine. The position taken by President Monroe, and which has ever since been sanctioned by the American people, is that no government outside of Central America can ever, without the approval of the United States, be allowed to control that country, or to build a canal across the Isthmus of Darien; but it is nowhere maintained in that doctrine that this Government has that right, or can have it, except by treaty, and no such treaty has as yet received the sanction of the Republic of Nicaragua and of the United States.

As is well known, such a treaty has been under consideration, but has never been confirmed; and, what is more, no one can now say that another opportunity to make such a treaty will ever be given to this Government by the Republic of Nicaragua. It would seem that that Republic has concluded to grant to the association which asks Congress for this charter the concession contained in the decree before us, and to retain under its own control everything pertaining to the proposed water way, except what is so clearly set forth in the fifty-five articles in which the concession appears.

Mr. Chairman, the Monroe doctrine should be sedulously maintained, but I very much doubt the propriety of going beyond it and claiming for ourselves what we deny to others. If such a step was absolutely necessary, in order to secure a passage way for the commerce of the United States and of the world, through this barrier, we might take it, and with it take the consequences; but I submit, Mr. Chairman, that the project now before us presents a better plan.

Here we have presented the most feasible route for a ship-canal that experienced engineers, after years of search, have been able to find, and it is beyond question the cheapest and the most practicable of any. Nature herself has beckoned the engineer to the San Juan River and to Nicaragua Lake with its great basin, where the vast watershed that surrounds it furnishes an ample supply of water for all possible requirements for the canal. The repeated surveys made reveal such superior advantages for this route that an association of capitalists of high character are willing to give their money and their energy to this great work. Sir, we should not hesitate to grant to these gentlemen the charter they ask; and for one I regret that so many members of the committee have felt it to be their duty to offer amendments to this bill, which, although well intended, will, if adopted, endanger the success of this work.

The amendment offered by the gentleman from Ohio [Mr. JOSEPH D. TAYLOR], which requires that two-thirds of the directors of the canal company shall be citizens and residents of the United States, seems to me to be open to the objection I have just indicated. To construct this great water way and make it equal to the requirements of the steam-ships and large sail vessels of the present period will require an amount of money so large that it is not probable that it would all be furnished by American capitalists; on the contrary, it is more than likely that a majority of the one hundred or more millions of dollars needed will be furnished by foreign investors. In such a case what propriety or what fairness would there be in insisting that two-thirds of the directors who are to control the construction and operation of the canal should be American citizens?

This is a business operation and should be dealt with on business principles. The restrictions and regulations contained in the articles of concession, and found in the bill before us, are sufficient to secure the successful opening and working of the contemplated water way, and that is what is most wanted by the people of the United States. To us it is a matter of no consequence whether the money comes from Europe or America, and especially is it so since it is inexpedient for this Government to build and control this canal, and it becomes our duty to guard against such restrictions as will tend to defeat its successful accomplishment.

Mr. Chairman, every material interest of our people will be advanced by this water way that is to shorten by thousands of miles the distance required by our merchant marine to reach our Atlantic and Pacific ports. It will, moreover, effect as great a revolution in the world's commerce as was done by the opening of the Suez Canal, with which the Nicaragua Canal would be a competitor.

But not alone in our shipping interests are our people to be benefited. In fact, the greatest good will come to our internal industries, both agricultural and manufacturing. The South American trade manifestly and legitimately belongs to us, and yet is wrested from us by European statesmanship and European enterprise, and to secure it for our own people has come to be a thought uppermost in the American mind.

The able and interesting report of the commission appointed by President Arthur to "ascertain and report upon the best modes of securing more intimate national and commercial relations between the United States and the several countries of Central and South America" demonstrates not only the importance of that trade to the United States, but gives the humiliating fact that only 10 per cent. of it is now enjoyed by our people.

Mr. Chairman, of the 27,000,000 of people in the South American states nearly 14,000,000 inhabit Central America, Venezuela, and the republics situated on the west coast of South America, all of which are more contiguous to us than to any other nation, and yet we do not have their markets nor do they have ours to any extent, except as reached by way of Liverpool.

We have an increasing commerce with Venezuela and such portions of the Central American states as skirt the Caribbean Sea, but the Pacific coast line of those states, and the republics on the west coast of South America, though geographically near us, have hitherto been beyond our reach. A glance at the map will show that a line extended through Tallahassee, Fla., due south, leaves the entire west coast of South America to the eastward of such a line. Now, let the Nicaragua Canal be built, and ships from New Orleans and New York could reach the ports of these South American republics without loss of distance or time, and at rates of freight remunerative and cheap compared with the possibilities of the present. New Orleans would, with this canal, become the entrepôt for the trade of the Mississippi Valley with the portions of Central and South America we have been considering.

The city of New Orleans, situated where the drainage of the Mississippi Valley, consisting of 18,000 miles of navigable rivers, finds its way into the Gulf of Mexico, being also the objective point of extended railway systems, with a depth of water in its harbor sufficient for the largest ships, ought to have an immense trade with the countries I have named. But what are the facts?

The countries of Central America, Colombia, Bolivia, Argentine Republic, Chili, Peru, and Ecuador, all of which are most accessible from the Pacific Ocean, contain a population of 17,000,000 in round numbers, or more than one-half of the whole of South America. The export and import trade of that entire continent amounts, as stated, to $700,000,000 annually, but not more than one-tenth of this commerce has up to this time been secured by the United States.

The total value of merchandise imported into New Orleans for the year ending June 30, 1888, was $11,617,749, or only 1.6 per cent. of the aggregate imports for the whole country.

The total exports from that port for the same period were $80,788,696. Now, if you deduct from this amount $71,844,280 for cotton, and $2,709,642 for cotton-seed products, there remains $6,234,174 for the total exports except cotton and cotton-seed products, or ninety-one one-hundredths of 1 per cent. of the exports of the United States. This, be it remembered, is the entire commerce of New Orleans.

The extent of the trade from this port with Central and South America is shown by official reports to be as follows:

Domestic exports from New Orleans to Central America in 1887, $509,684, and to all other countries of South America, $90,276.

The imports from Central America $1,347,733. Imports from all other South American countries $68,422.

Mr. Chairman, how is this almost total extinguishment of commerce between the most contiguous and important portions of North and South America—I mean New Orleans and the republics on the Pacific coast—to be explained? The northern hemisphere is peopled with a race noted for their energy and enterprise, whose mechanics and workingmen for practical ingenuity are the peers of any on earth; while the temperate climate and rich soil enjoyed by the agriculturists of the Mississippi Valley enable them to produce largely of those staples which are in demand in the southern hemisphere. The tropical and semi-tropical climates of the southern republics produce what we need both for consumption and manufacture. Their principal products are sugar, coffee, cocoa, fibrous plants, hard woods, cochineal, dye-stuffs, immense herds and flocks furnishing countless hides and quantities of wool, beside numerous other products, all of which are needed in the United States, in return for which they should receive the goods we manufacture from cotton, iron, and other metals, agricultural implements and machinery, shoes, hats, watches, window-glass, bottles, reapers, wind-mills, wooden ware, with a long list of other articles made in this country suited to their wants; beside flour, bacon, butter, cheese, lard, and other provisions. As I have said, the imports and exports of Central and South America as estimated reach $700,000,000 per annum, of which the entire United States gets scarce 10 per cent., and New Orleans about 1 per cent.

Now, Mr. Chairman, not less than $300,000,000 of this is produced

in Central America and those republics on the west coast of South America, the major part of which legitimately belongs to us, but we have secured only a trifling percentage of it.

What, Mr. Chairman, is the remedy? I reply, the first thing to do is to encourage and secure the construction of a ship-canal across the Isthmus. This obstacle removed from the pathway to our sister republics, and the desired exchange of product can be made. Let this work be entered upon now, and let no pennywise policy induce us to impose onerous conditions upon the capital that proposes to confer on the commerce of the world this great boon. Our true position on this isthmian-canal question as set forth in the Monroe doctrine can best and most satisfactorily be maintained by creating a corporation composed of capitalists of any and all countries. By them let the great work be consummated, not solely for our advantage, but for the benefit of the entire world. This done, and the ships of all nations, whether coming from or going towards the rising or setting sun can have an unimpeded right of way.

Mr. Chairman, every American port on the Atlantic and Pacific coasts is deeply interested in securing the construction of the Nicaragua Canal. By it they will be brought nearer together by thousands of miles and months of time; and especially is it needed by New Orleans and the Mississippi Valley. The continent of South America, vast in extent, rich in material resources, with a population more than half as great as that of North America, is now assuming a new importance among the nations. To it have been attracted the energy and capital of Europe; extensive railway routes have been opened, some of which now nearly span the continent, and with its navigable rivers there will soon be developed a complete system of internal transportation. A large portion of the trade of that country is naturally ours. The corporation we are asked to create will materially assist us in securing that trade.

The equality thus enjoyed by all, and vouchsafed to all, will justify the Government of the United States in the eyes of Christendom in asserting and maintaining the Monroe doctrine against any other government that at any time may have the temerity to seek the control of this or any other communication across the Isthmus of Darien.

The French people, whose confidence in De Lesseps has allured them to furnish the millions already expended in the brave attempt to compass an impracticable scheme at Panama, are entitled to a better outcome for their adventure than now seems possible. In cheapness of construction, in reliability for use if ever finished, it can never compare with the Nicaragua route. The American people will not consent to an assumption of the work by the French Government, yet all Americans will cordially extend to the French company their good wishes, and will hope that if possible they may carry out what they have undertaken at such fearful cost.

The completion of both the Panama and Nicaragua Canals will work no harm to the commerce of the world.

Mr. Chairman, the bill now before us to incorporate the Maritime Canal Company of Nicaragua, as passed by the Senate and recommended by the Committee on Commerce, taken with the fifty-five articles of concession to be made a part of it, contains all necessary safeguards for the public, and the amendments proposed by the gentleman from Ohio [Mr. JOSEPH D. TAYLOR] and the gentleman from New York [Mr. BAKER], as well as other amendments that have been considered, are much more likely to retard this great work than to accomplish any good, and I trust the bill may be passed essentially as it stands.

Mr. CUTCHEON. Mr. Chairman, I do not see that the adoption of this amendment will in any way or to any extent commit our Government to this enterprise. The amendment is similar to provisions which prevail, I think, in nearly all the States of the Union, under which corporations chartered by a State are required to make reports to the State authorities in order that the condition of the corporation may be known to the citizens of the State. This is proper as a matter of public information. It is true that the stockholders of this company will receive their reports, but those would not be open to the public. The citizens of the United States who will be patrons of this great enterprise will be entitled to information——

Mr. COBB. The gentleman will allow me to ask whether State laws requiring a corporation to report to the State are not for the purpose of enabling the State to control its business interests?

Mr. CUTCHEON. Undoubtedly.

Mr. COBB. Now, will the United States have the right to control business interests of this corporation?

Mr. CUTCHEON. Mr. Chairman, in answer to the gentleman I simply say that this corporation is seeking a charter at the hands of the United States Government; and when the corporation has been created by our authority, it ought to be in some manner responsible to the Government which creates it.

But, Mr. Chairman, I want to avail myself of this opportunity—the only one I have had—to say a few words in regard to the main project. I believe this enterprise is within the purview of the Constitution. I believe it is an enterprise which this Government ought to foster. I believe it is an enterprise which ought to be under the control of citizens of the United States; and I think it is an enterprise which ought to be carried out without any unnecessary delay. Whether we look at it from the standpoint of commerce or from the standpoint of the common defense, it is equally and immeasurably important in either of these points of view. As was stated a moment ago by the gentleman from Pennsylvania [Mr. SCOTT], this enterprise as a matter of public defense will double our naval power. It extends the coast line of the United States from the Atlantic to the Pacific. The great water-way system of the United States, the greatest almost in the world, consists of three branches, the ocean water ways, the river water ways, and the lake water ways.

I avail myself of the moment now remaining to me to say that these three ought to be made one; that the two oceans ought to be joined; the coast line of the United States ought to be extended from the Atlantic to the Pacific, in the interest of commerce, oriental and occidental; and then the Lake system ought to be joined with the Gulf system (which is a part of the ocean system) by a ship-canal which will connect the Great Lakes with the Mississippi River; so that the commerce of the great Northwest may flow from the Lakes into the Mississippi, and then through the Gulf and by way of this canal to the Pacific. To complete this magnificent water system, the Atlantic ought to be connected somewhere from the Hudson at tide-water with the Great Lake system. This ought to be done in the interest both of commerce and of defense, so that an American gun-boat might pass from New York Harbor through a ship-canal into the Lakes, above Niagara Falls; thence around through a ship-canal connecting the Lakes with the Mississippi River; down the Mississippi and through the Gulf of Mexico and the Nicaragua Canal to the Pacific. When this shall have been done, our magnificent water-way system will have been completed in the interest alike of commerce and of the public defense.

[Here the hammer fell.]

Mr. CLARDY. I hope now we shall have a vote.

Mr. COBB withholds his remarks for revision. [See Appendix.]

Mr. CLARDY. I hope we may now have a vote.

Mr. BAKER, of New York. I wish to say a word.

Mr. CLARDY. I will yield the gentleman two minutes of my time.

Mr. BAKER, of New York. I propose to submit what I have to say in the fewest possible words, but I do not wish to be limited to two minutes, and will therefore speak in my own time.

The CHAIRMAN. The Chair will recognize the gentleman from New York.

Mr. BAKER, of New York. The gentleman from New York objects to this amendment and the gentleman on my left [Mr. COBB] criticises it in the direction of retaining in the control of the Government this corporation. We should remember in the last section of the bill it is proposed the Congress at all times in the future may alter, amend, or repeal this act when in its judgment the public good may require it.

Mr. COBB. Will the gentleman excuse me a moment if I interrupt him?

Mr. BAKER, of New York. Certainly.

Mr. COBB. Does not the gentleman know the effect of that part of the bill he has just read is entirely different from that of his amendment and has no relation whatever to it?

Mr. BAKER, of New York. I know, but I think every gentleman of the committee understands the proposed section offered by myself is in the direction of a better administration of the affairs of this corporation, in the direction of the good of the people of this country, of the men who invest capital in it, and for the better management of the enterprise in all respects. I can see no reason in the world, Mr. Chairman, why the provision should not be incorporated exactly as it is offered by me.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from New York.

Mr. JOSEPH D. TAYLOR. I offer a further amendment; to insert after the word "report" the words "which report shall be verified by the oaths of the president and secretary."

Mr. SPINOLA. That is in already.

Mr. JOSEPH D. TAYLOR. Not as I understand the amendment. It provides that if a false report is made they may be punished for perjury.

Mr. BAKER, of New York. It requires that the report shall be verified under oath.

Mr. JOSEPH D. TAYLOR. Then I withdraw the amendment.

Mr. BAYNE. I hope the proposition of the gentleman from New York will be adopted. It seems fair enough. It simply requires reports of the operations of the corporation, and places such reports where the stockholders and others interested may have access to and investigate them.

The amendment of Mr. BAKER, of New York, was adopted.

The Clerk read section 5, as follows:

SEC. 5. Nothing in this act contained shall be deemed or construed to in any wise restrict or impair any right of the United States under any treaty in force with the Republic of Nicaragua.

Mr. BAKER, of New York. I move to amend the numbers of the sections so far as read, to conform to the amendments heretofore adopted.

The CHAIRMAN. That will be done by the Clerk, if there be no objection.

There was no objection.

Mr. BLAND rose.

Mr. BAKER, of Illinois. I offer the amendment I send to the desk, to come in as a new section after the fifth section.

The Clerk read as follows:

SEC. 6. That at any time hereafter the Government of the United States shall have the right, at its own option, to acquire, by purchase, the entire property of said company in said canal and its appurtenances at a price equal to the actual cost thereof, with interest on such cost at the rate of 5 per cent. per annum.

The CHAIRMAN. The gentleman from Missouri rose for what purpose?

Mr. BLAND. To submit an amendment.

The CHAIRMAN. If the amendment of the gentleman from Missouri is to the section just read by the Clerk, it will properly come in before that of the gentleman from Illinois.

Mr. BLAND. I want to offer a further proviso to section 5.

Mr. BAKER, of Illinois. Then I will temporarily withdraw my amendment.

The Clerk read the amendment proposed by Mr. BLAND, as follows:

And nothing herein shall be construed to estop this Government from asserting at any time any of the rights or powers that may now exist by virtue of the laws of nations, or that may be acquired by treaty stipulations, with respect to the rights of transportation of the citizens of the United States or their property over this canal or the country through which the same may be constructed, or to transport troops or munitions of war in time of peace.

Mr. CLARDY. There is no objection to that.

Mr. BAYNE. It is a good amendment.

The amendment was adopted.

Mr. BAKER, of Illinois. I now submit the amendment which was temporarily withdrawn.

The CHAIRMAN. The amendment has been read, and unless the reading is again called for the question will be taken upon its adoption.

Mr. BUCHANAN. Mr. Chairman, I would desire to call the attention of my friend from Illinois to the fact that his amendment may produce a result which is foreign, I know, to his intention. It reserves the right to the Government at any time to take this work at its actual cost with 5 per cent. added. Suppose after the lapse of twenty years from the construction of the work the Government should desire to exercise that option, it would have to pay the cost of the work and interest thereon for the twenty years.

If he will frame his amendment so that the Government may take the works at cost, with 5 per cent. added, deducting the net receipts, he will possibly accomplish the purpose he desires. As it now stands, the longer the Government defers the option the greater the price it will have to pay for the property.

Mr. ADAMS. I think my colleague has overlooked the fact that a part of this stock, by the terms of the concession, is to go to the Republic of Nicaragua. This Government can not acquire that stock, and I believe it is one of the conditions of the concession that the cession shall not be made to or transferred to any foreign government.

Mr. DUNN. The gentleman is correct in that, and I will read that clause of the cession. Article 8 provides:

The present cession is transferable only to such company of execution as shall be organized as the Nicaragua Canal Company, and in no case to governments or to foreign powers; nor shall the company cede to any foreign government any part of the lands granted to it by this contract, but it may make transfers to private parties under the same restrictions.

So it will be seen that any effort to cede or forfeit the charter or concession to this Government, or any other government, would forfeit, by the conditions of the cession, all the rights acquired by this company from the Nicaraguan Government.

Mr. BAKER, of Illinois. I call for the question.

The question being taken on the amendment of Mr. BAKER, of Illinois, the committee divided, and there were—ayes 5, noes 81.

Mr. BAKER, of Illinois. No quorum.

The CHAIRMAN appointed Mr. BAKER, of Illinois, and Mr. CLARDY as tellers.

Mr. CLARDY. I would suggest to the gentleman from Illinois that he permit a vote to be taken in the House on his amendment.

Mr. HOLMAN. I think we had better have a vote on it now.

The CHAIRMAN. The tellers will take their places.

Before the result of the vote was announced,

Mr. BAKER, of Illinois (one of the tellers) said: I will withdraw the point of no quorum in view of an understanding had with the gentleman from Missouri.

Mr. HOLMAN. There ought to be a vote on this question. I call for the regular order.

Mr. CLARDY. I hope the gentleman from Indiana will hear a proposition in regard to the pending question.

Mr. HOLMAN. I think this is a matter that ought to be settled now.

Mr. CLARDY. The gentleman from Illinois asks leave to withdraw the point of no quorum, which, of course, he has the right to do, upon an agreement, however, that there shall be another vote in the committee, he reserving, of course, the right to make a further point of order if he shall desire to do so.

Mr. HOLMAN. I am understood as calling for the regular order for the present.

If it shall be agreed that a yea-and-nay vote may be taken in the House upon the proposition, I shall not object to the suggestion of the gentleman from Missouri.

Mr. CLARDY. This is a proposition simply that another vote may be taken in committee on the amendment offered by the gentleman from Illinois [Mr. BAKER].

The CHAIRMAN. If there be no objection, the Chair will put the question to the committee again.

Mr. HOLMAN. I will call for the regular order.

The CHAIRMAN. The gentleman from Illinois withdraws the point of no quorum and the gentleman from Indiana renews it. The tellers will take their places.

After some time spent in consultation,

Mr. CLARDY said: The gentleman from Illinois [Mr. BAKER] withdraws his point of no quorum, and another vote is to be taken with the consent of the House. In consideration of that fact the gentleman from Indiana [Mr. HOLMAN] withdraws the point of no quorum on an agreement that we shall take a yea-and-nay vote upon the pending amendment and also upon the amendment offered by him which was amended by the amendment of Mr. COBB, and another offered by my colleague from Missouri [Mr. BLAND], and another offered by the gentleman from Illinois [Mr. PAYSON], which was withdrawn, I believe, and which at the time he said he would present to the House. We agree that a yea-and-nay vote shall be taken in the House upon these three propositions, with the understanding that the point of no quorum is now withdrawn.

The CHAIRMAN. The ayes are 6, noes 115. The noes have it and the amendment is not agreed to. An agreement made in committee would not bind the House except so far as the gentlemen who make it can control the matter in the House. The Clerk will read the next section.

The Clerk read as follows:

SEC. 6. That Congress shall at all times have the power to alter, amend, or repeal this act when in its judgment the public good may so require.

Mr. CLARDY. I now move that the committee rise and report the bill to the House with the recommendation that it do pass.

The motion was agreed to.

The House accordingly rose; and Mr. CRISP having taken the chair as Speaker *pro tempore*, Mr. MCMILLIN reported that the Committee of the Whole on the Private Calendar had, according to order, had under consideration the bill (S. 1305) entitled "An act to incorporate the Maritime Canal Company of Nicaragua," and had directed him to report the same back with sundry amendments.

The SPEAKER *pro tempore*. The question is on the amendments to the bill made by the committee. Is a separate vote demanded?

Mr. CLARDY. I ask the previous question on the bill and amendments thereto.

Mr. SOWDEN. Pending that motion, Mr. Speaker, I move that the House take a recess until 8 o'clock.

Several MEMBERS. Oh, no.

Mr. CLARDY. I hope the gentleman from Pennsylvania will withdraw that.

Mr. SOWDEN. I withdraw the motion temporarily.

Mr. CLARDY. I demand the previous question on the bill and amendments.

The previous question was ordered.

ENROLLED BILLS SIGNED.

Mr. KILGORE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 10023) to authorize the Cairo and Tennessee River Railroad Company to construct bridges across the Tennessee and Cumberland Rivers; and

A bill (H. R. 10323) to incorporate the American Historical Association.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced the passage of bills and a concurrent resolution with amendments in which concurrence was requested:

A bill (H. R. 10621) for the removal of the political disabilities of John H. Parker, of Virginia;

A bill (H. R. 5349) for the relief of James Trabue, deceased, and others; and

Concurrent resolution providing for the printing of 5,000 copies of the report and evidence lately submitted by the Committee on Manufactures of the House in relation to the sugar trust and the Standard Oil trust.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States, by Mr. PRUDEN, one of his secretaries, was received.

The message further announced that he had approved and signed joint resolution (H. Res. 226) to pay the officers, clerks, and employés of Congress their salary for December on December 20, 1888.

ORDER OF BUSINESS.

Mr. SOWDEN. I now move that the House take a recess until 8 o'clock to-night.

Mr. COX. I move that the House adjourn, in order that members can start for home.

Mr. MCMILLIN. The recess begins to-morrow, and I think it would be well that the motion of the gentleman from New York should prevail.

Mr. CLARDY. Before the question is taken I will say that I have been asked by several gentlemen that they may have leave to publish in the RECORD or to extend remarks on the bill which we have just concluded. I hope that leave will be granted.

The SPEAKER *pro tempore*. Is there objection to the request that leave be given to print and extend remarks on the bill which has just been reported? The Chair hears none, and it is so ordered.

The Chair will ask the gentleman from Pennsylvania to withdraw the motion to take a recess for a moment in order that a message from the President of the United States can be submitted to the House, as this will probably be the last opportunity before the recess.

Mr. SOWDEN. I withdraw it temporarily for that purpose.

SAMOA.

The following message was laid before the House:

To the Congress:

On the 2d of April last I transmitted to the House of Representatives, in response to its resolution of the 8th of the preceding March, a report of the Secretary of State, with accompanying correspondence, relative to affairs in Samoa. On the same day I answered a resolution of the Senate of the 21st of the preceding December to the same effect, but adopted in executive session; and, in order to avoid duplication of the numerous documents involved, referred to the correspondence which accompanied my public response to the resolution of the House of Representatives and which was duly printed and published by order of that body. (House Executive Document No. 238, Fiftieth Congress, first session.)

In my annual message of the 3rd instant I announced my intention in due course to lay before Congress further correspondence on Samoan affairs. Accordingly, I now transmit a report of the Secretary of State with accompanying correspondence on that subject.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, December 21, 1888.

The message and accompanying papers were referred to the Committee on Foreign Affairs.

ATTENDANCE OF WITNESSES AT HEARINGS, ETC.

Mr. VANDEVER, by unanimous consent, introduced a bill (H. R. 11900) to require the attendance and testimony of witnesses at hearings before registers and receivers of district land offices, fixing the fees of witnesses, and prescribing penalties; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

LAKE-VIEW WATER-WORKS.

Mr. ADAMS, by unanimous consent, introduced a bill (H. R. 11901) to authorize the city of Lake View, Ill., to erect a crib in Lake Michigan for water-work purposes; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

RIGHT OF WAY THROUGH PENSACOLA NAVAL RESERVATION.

Mr. HERBERT. I ask unanimous consent to take up and pass a bill passed by both Houses at the last session, but through a mistake did not go to the President. It is a bill giving the right of way to the Pensacola and Memphis Railroad through a portion of the Pensacola naval reservation. That company is ready to begin work and desires to begin on the 1st of January. It is a bill (S. 3732) granting the right of way to the Pensacola and Memphis Railroad Company over and through public lands of the United States in the States of Florida, Alabama, Mississippi, and Tennessee, and granting the right of way to the said railway company over and through the United States military and naval reservations near Pensacola, in the State of Florida.

Mr. PAYSON. What is the question?

The SPEAKER *pro tempore*. The gentleman from Alabama [Mr. HERBERT] requests consent for the present consideration of this bill.

Mr. HERBERT. This bill passed both Houses, and by mistake was overlooked by the President. I understand he has no objection to it. It was considered by a committee of this House.

Mr. PAYSON. What committee?

Mr. HERBERT. The Committee on Naval Affairs.

Mr. PAYSON. How does the Committee on Naval Affairs get jurisdiction over a bill granting a right of way through public lands?

Mr. HERBERT. There is a general law granting a right of way through the public lands of the United States, and this was referred to the Committee on Naval Affairs simply because the bill related to a right of way through the naval reservation at Pensacola.

Mr. PAYSON. Are there any provisions in the bill enlarging the rights of the company beyond what it would get under the general law?

Mr. HERBERT. No, sir.

Mr. PAYSON. Then I am content with it.

Mr. HOLMAN. I think the bill had better be read.

The bill was read, as follows:

Be it enacted, etc., That the Pensacola and Memphis Railroad Company, a company organized under the laws of the States of Florida, Alabama, and Mississippi, is hereby granted the right of way, 100 feet wide, through the lands belonging to the United States lying near Pensacola, in the State of Florida, known as the naval reservation, be, and hereby is, granted to the Pensacola and Memphis Railroad Company, a corporation organized, etc., to be located to the satisfaction of the Secretary of the Navy, evidenced by his written consent: *Provided*, That the said railroad company, on notification by the Secretary of the Navy, shall, within a reasonable time thereafter, construct, maintain, and operate at its own expense a spur track or tracks to enter into and be located at such place or places within the present limits of the navy-yard inclosure on said reservation as may be designated by the Secretary of the Navy: *And provided further*, That the Secretary of the Navy be, and is hereby, authorized to allow the use by said company, in the accommodation of its general traffic and the maintenance of a coaling station, of so much of the land and water-front of the said reservation lying west of and outside the present navy-yard inclosure as in his judgment will not be required for naval purposes and as will not be a hindrance to the public defense nor prejudicial to the health of those residing on the Government reservation, and not to exceed in any case 300 feet of water-front, which width may extend back along the line of said road not more than 1,000 feet; the value of the use of land to be appraised by a board of naval officers, to be appointed by the Secretary of the Navy: *And provided further*, That said company shall reimburse the residents of said reservation for any damage to their property or tenements caused by the construction, excavation, or operation of said road, such damage in all cases to be fixed by said board: *And provided further*, That the right of way and other privileges granted in this section shall become inoperative and null and void unless the said railroad company shall complete the construction of and have in use its tracks across said reservation within one year from the date of the passage of this act.

The Secretary of the Navy may, at any time when he shall deem it necessary for the public good, cause to be removed or destroyed all or any of the structures hereby permitted, without subjecting the Government to damages, and Congress may at any time alter or repeal this act.

And the said company shall not erect or allow the use of any residences on said reservation, nor shall it erect any structures of any kind thereon, except such as the Secretary of the Navy shall approve, and all approvals in this act required shall be in writing.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

There was no objection.

The bill was taken up, ordered to a third reading, and accordingly read the third time, and passed.

ORDER OF BUSINESS.

Mr. MATSON. I move that the House do now adjourn.

Mr. COX. When I made that motion a few minutes ago, Mr. Speaker, I agreed to withdraw it in order to allow my friend from Iowa on the other side [Mr. GEAR] to call up a bill for a pensioner who is one hundred and five years of age.

Mr. GEAR. I hope the gentleman from Indiana [Mr. MATSON] will withdraw his motion.

Mr. MATSON. I will withdraw it for that purpose.

Mr. GEAR. I will state to the House that the pensioner for whose benefit this bill is, is well attested to be one hundred and five years of age. He was a soldier in the war of 1812.

JACOB ROGERS.

The SPEAKER *pro tempore*. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Jacob Rogers, late a private in Capt. J. McChesney's company, in the Sixteenth United States Infantry, war of 1812, to $50 per month, to date from the 1st day of September, 1887.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill? [Cries of "Vote!" "Vote!"]

Mr. GEAR. As I have already said, it is a well-established fact that this man is one hundred and five years of age. The Committee on Pensions have recommended an amendment striking out "fifty" and inserting "thirty;" so as to make the pension $30 a month, but I say that a man who is of that age, who has served his country as this man has done, and who bears in his person a British bullet, is entitled to a pension of $50 a month, and I hope the House will not agree to the amendment recommended by the committee. [Renewed cries of "Vote!"]

Mr. BLAND. Is he disabled?

Mr. GEAR. He is incapacitated and nearly blind.

Mr. BLAND. Well, he ought to have it all.

Mr. SOWDEN. How much does he receive now?

Mr. GEAR. Eight dollars a month.

Mr. SOWDEN. He ought to have $100. [Laughter.]

Mr. GEAR. Certainly he ought.

The question was taken on the amendment of the committee, striking out "fifty" and inserting "thirty," and it was rejected—ayes 24, noes 71.

Mr. MATSON. I move to amend the bill by striking out the words "to date from the 1st day of September, 1887." That will strike out the arrears feature.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. GEAR moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. COX. Now, Mr. Speaker, I insist on my motion that the House adjourn.

MISLAID BILL.

The SPEAKER *pro tempore*. Before putting that motion, the Chair will state that Senate bill No. 3159, for the relief of the Oregon Paving and Contract Company, which was sent over from the Senate, has been mislaid, and, if there be no objection, an order will be made requesting the Senate to send a duplicate copy to the House.

Mr. HERMANN. I hope that will be done.

There was no objection, and it was so ordered.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The question is on the motion of the gentleman from New York [Mr. COX], that the House do now adjourn.

The motion was agreed to—ayes 56, noes 41; and accordingly (at 3 o'clock and 30 minutes p. m.) the House, under previous order, adjourned until the 2d day of January, 1889.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. BLISS: A bill (H. R. 11902) to restore the name of Florida Kennerly to the pension-roll—to the Committee on Pensions.

By Mr. CANDLER: A bill (H. R. 11903) for the relief of Elizabeth Young, widow of Robert Young—to the Committee on Pensions.

By Mr. HOLMAN: A bill (H. R. 11904) granting a pension to Louisa Wells—to the Committee on Invalid Pensions.

By Mr. LAWLER: A bill (H. R. 11905) granting a pension to James H. Fleming—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11906) granting a pension to Thomas J. Cassidy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11907) granting a pension to Mrs. A. A. Rowe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11908) granting a pension to Mrs. Maria Clark—to the Committee on Invalid Pensions.

By Mr. McCREARY: A bill (H. R. 11909) granting a pension to James Phelps—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11910) for the relief of R. F. Harrison—to the Committee on Foreign Affairs.

Also, a bill (H. R. 11911) for the relief of the administrator of Cynthia Todlock, deceased—to the Committee on War Claims.

By Mr. PUGSLEY: A bill (H. R. 11912) to restore the name of Rollin B. Stadden to the pension-roll—to the Committee on Invalid Pensions.

By Mr. E. J. TURNER: A bill (H. R. 11913) granting a pension to William Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11914) granting a pension to Hiram C. Main—to the Committee on Invalid Pensions.

By Mr. YOST: A bill (H. R. 11915) for the relief of the heirs of David Garber—to the Committee on War Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. ABBOTT: Petition of citizens of Ellis County, Texas, in favor of pure food—to the Committee on Agriculture.

By Mr. BIGGS: Petition of manufacturers of macaroni, vermicelli, and Italian paste, praying for increased duties on these articles—to the Committee on Ways and Means.

By Mr. BUNNELL: Petition of citizens of East Smithfield and of Bradford County, Pennsylvania, in favor of pure food and pure lard—to the Committee on Agriculture.

By Mr. LODGE: Petition of the Boston Chamber of Commerce for the protection of shipwrecked and needy seamen on the Arctic coast—to the Committee on Appropriations.

By Mr. MATSON: Petition of Richard M. Butcher and 60 others, citizens of Monroe County, Indiana, for a special act granting a pension to Mrs. Ellen Downing—to the Committee on Invalid Pensions.

By Mr. MOORE: Petition of W. D. Darley and 61 others, of Fayette County, Texas, in favor of pure lard and pure food—to the Committee on Agriculture.

By Mr. MORSE: Resolutions of the Boston Chamber of Commerce, in aid of a petition for the protection of shipwrecked and needy seamen on the Arctic coast—to the Committee on Appropriations.

By Mr. CHARLES O'NEILL: Memorial of the Philadelphia Board of Trade, urging the passage of bills providing for the constitutional centennial celebration of 1889, the world's exposition of 1892, and the permanent exposition of the three Americas—to the Committee on Foreign Affairs.

By Mr. OSBORNE: Resolutions of the Philadelphia Board of Trade, favoring branch hydrographic offices—to the Committee on Appropriations.

By Mr. SAYERS: Petition of citizens of San Saba County, Texas, for the passage of a law regulating the sale of food—to the Committee on Agriculture.

By Mr. WILLIAM WHITING: Petition of the Boston Chamber of Commerce, in aid of a petition for the protection of shipwrecked and needy seamen on the Arctic coast—to the Committee on Appropriations.

The following petitions against the passage of the international copyright bill were received and severally referred to the Committee on Patents:

By Mr. BLISS: Of printers and others, of New York City.

By Mr. BRYCE: Of printers and others, of New York and Brooklyn.

By Mr. T. J. CAMPBELL: Of printers and others, of New York City.

By Mr. CUMMINGS: Of printers and others, of New York and Brooklyn.

By Mr. FITCH: Of electrotypers, pressmen, and others, of the Thirteenth district of New York.

By Mr. GEST: Of De Witt Owen, of Port Byron, and of J. C. Coulson, of La Harpe, Ill.

By Mr. KERR: Of J. W. Arnold, of Garrison, and of Longley & Rider, of Tipton, Iowa.

By Mr. MAHONEY: Of printers and others, of New York City.

By Mr. SPINOLA: Of printers and others, of New York and Brooklyn.

SENATE.

WEDNESDAY, *January* 2, 1889.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

JAMES Z. GEORGE, a Senator from the State of Mississippi, and WADE HAMPTON, a Senator from the State of South Carolina, appeared in their seats to-day.

The Journal of the proceedings of Friday, December 21, 1888, was read and approved.

CERTIFICATES OF ELECTORAL VOTES.

The PRESIDENT *pro tempore* laid before the Senate communications from the Secretary of State, transmitting certified copies of the final ascertainment of the electors for President and Vice-President appointed by the States of Arkansas, Florida, Indiana, Iowa, Massachusetts, Nevada, Pennsylvania, Rhode Island, Texas, New York, and Virginia; which were ordered to be printed, and, with the accompanying certificates, to lie on the table.

COURT OF CLAIMS REPORT.

The PRESIDENT *pro tempore* laid before the Senate a communication from the clerk of the Court of Claims, transmitting, in pursuance of the act of January 20, 1885, the decision of that court in a certain French spoliation claim; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. EDMUNDS. I present the memorial of one branch of the Woman's Relief Corps, of James B. McLean Post, No. 1, of Salt Lake City, Utah, remonstrating against any action by Congress looking to the admission of Utah as a State, setting forth that it would be a polygamous State if admitted, and that the good interests of all citizens who are in favor of right morals in life would be put in jeopardy. I am happy to say that, as I think, there is no danger of the State being admitted at this session at least.

I move that the memorial be referred to the Committee on Territories.

The motion was agreed to.

Mr. HOAR presented the petition of Harriette R. Shattuck, Dora B. Smith, Harriet H. Robinson, and 15 others, officers and members of the National Woman Suffrage Association, praying for the submission to the States of an amendment to the Constitution of the United States prohibiting disfranchisement on account of sex; which was referred to the Select Committee on Woman Suffrage.

Mr. SHERMAN. I present a memorial of the National Board of Trade, which, as it is very brief and upon an important subject of public interest, I ask may be read.

The memorial was read, and referred to the Committee on Finance, as follows:

NATIONAL BOARD OF TRADE, SECRETARY'S OFFICE,
Boston, December 10, 1888.

To the Senate and House of Representatives of the United States in Congress assembled:

The memorial of the National Board of Trade respectfully showeth:

Whereas the present coinage of silver dollars, in connection with other forms of currency, is sufficient for all the requirements of the domestic trade and commerce of the United States; and

Whereas the profits which result from this coinage, and which are counted as part of the annual income of the Government, are not a legitimate source of revenue under the Constitution of the United States; and

Whereas, when the condition of foreign exchanges may require the export of precious metals, these dollars can not, on account of their overvaluation, be sent abroad without ruinous loss to all classes of the population:

Congress is hereby memorialized to provide by law for the suspension of the purchase of silver bullion and of the coinage of silver dollars.

By vote, and in behalf of the board.

FRED FRALEY, *President.*
HAMILTON A. HILL, *Secretary.*

Mr. HALE. I present the memorial of Henry Hall, of New York, urging legislation that shall incorporate in the next census provisions for taking a complete enumeration of the surviving veterans of the war of the rebellion, including name, age, residence, length of service, and the command under which they served. The proposition of the memorial is stated with such distinctness and force that I ask to have it printed as a document.

The PRESIDENT *pro tempore*. The memorial will be printed as a document, if there be no objection, and referred to the Committee on the Census.

Mr. MANDERSON presented a petition of the Woman Suffrage Association of Nebraska, praying for legislation allowing women to vote for delegates to constitutional conventions in case of the admission of Dakota, Montana, Washington, and New Mexico; which was referred to the Select Committee on Woman Suffrage.

Mr. DOLPH presented a petition of the National Board of Trade, praying Congress to make from time to time ample appropriations for the judicious improvement of the principal rivers, harbors, and water ways of the Union; which was referred to the Committee on Commerce.

He also presented a petition of the National Board of Trade, praying Congress to provide immediately such defenses as will be necessary in the event of war to protect our sea, gulf, and lake coasts and harbors; which was referred to the Committee on Coast Defenses.

Mr. CALL. I present two petitions, one from citizens of South Florida, on the Atlantic coast, signed by W. S. Walber and numerous other citizens, and another from citizens of South Florida, praying for the deepening of Mosquito Inlet on the Atlantic coast, and setting forth the reasons which render it necessary for the commerce of the country. I move the reference of the petitions, with the accompanying papers, to the Committee on Commerce.

The motion was agreed to.

Mr. CHANDLER presented the petition of Charles Jones and 111 other citizens of Midway, S. C., being qualified voters, who were deprived of the right to vote for want of registration certificates, praying the Congress of the United States to take steps to amend or abolish the State law of registration which deprives them of the right as citizens to vote in the election for presiding officers in the State and nation; which was referred to the Committee on Privileges and Elections.

GOODLOE'S INTERNAL-REVENUE COMPILATION.

Mr. HAWLEY. In behalf of the Committee on Printing I ask that that committee be discharged from the further consideration of certain manuscripts, being a historical compilation of the internal-revenue laws of the United States prepared by D. R. Goodloe, and that the manuscripts be returned to him.

The PRESIDENT *pro tempore*. That order will be made, if there be no objection.

BILLS INTRODUCED.

Mr. MANDERSON introduced a bill (S. 3758) to increase the pension of Ziba Yarnell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 3759) to increase the pension of Zachariah T. Crawford; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HOAR introduced a bill (S. 3760) to refund excessive duties caused by extraordinary overvaluations of the Austrian florin in the year 1878; which was read twice by its title, and referred to the Committee on Finance.

Mr. STEWART introduced a bill (S. 3761) to provide for the heating and keeping in order of the rooms occupied by the circuit and district courts of the United States and the chambers of the judges of said courts, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. PADDOCK introduced a bill (S. 3762) granting a pension to Nancy Polock; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DANIEL (by request) introduced a bill (S. 3763) to authorize the Falls Church and Potomac Railway Company to construct, maintain, and use a bridge over the Potomac River; which was read twice by its title, and referred to the Committee on Commerce.

He also (by request) introduced a bill (S. 3764) to license and authorize the Falls Church and Potomac Railway Company to construct and operate a railway over the Arlington estate lands of the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TELLER (by request) introduced a bill (S. 3765) for the relief of Harriet Young; which was read twice by its title, and referred to the Committee on Public Lands.

AMENDMENTS TO BILLS.

Mr. JONES, of Arkansas, submitted an amendment intended to be proposed by him to the bill (H. R. 2952) for the allowance of certain claims for stores and supplies taken and used by the United States Army, as reported by the Court of Claims under the provisions of the act of March 3, 1883, known as the Bowman act; which was referred to the Committee on Claims, and ordered to be printed.

Mr. DOLPH. I submit an amendment intended to be proposed to the river and harbor bill, which I ask may lie on the table and be printed. I offer the amendment at this time for the purpose, if I may be permitted to do so, of at an early day submitting some remarks upon it. It proposes to make an appropriation for a boat railway at The Dalles of the Columbia.

I move that the amendment lie on the table and be printed.

The motion was agreed to.

RIGHTS IN BEHRING SEA.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested, if not incompatible with the public interest, to communicate to the Senate all correspondence which may have taken place with the Government of Great Britain in regard to the right of fishing, taking seal, or navigating in Behring Sea or in any waters adjacent thereto;

Also the circumstances in regard to the seizure or release of any British vessels in or near said waters by the United States;

Also all regulations, rules, or directions which may have been promulgated by the Government of the United States, or any Department thereof, in relation to fishing or taking seal in said sea or waters;

Also to inform the Senate whether any rules or regulations concerning such fishing or taking seal are enforced against citizens or vessels of the United States which are not enforced against the citizens or vessels of other countries.

EDMUND RANDOLPH'S ACCOUNT.

Mr. DANIEL submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to inform the Senate whether the account of Edmund Randolph, formerly Attorney-General of the United States, has ever been settled and paid in full, and to state what is its condition.

CANCELED LAND ENTRIES.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a resolution offered by the Senator from Indiana [Mr. VOORHEES], coming over from a previous day under objection, which will be read.

The Chief Clerk read the resolution submitted by Mr. VOORHEES December 21, 1888, as follows:

Resolved, That the Secretary of the Interior be, and he is hereby, requested to furnish to the Senate, prior to the expiration of the present session of Congress, a list of all homestead, timber-culture, and pre-emption entries to public lands which have been canceled after issuance of final receipt and certificate therefor, during the present administration, for any cause other than voluntary relinquishment. Such list shall be similar in the data supplied to the list of canceled desert-land entries furnished in response to a prior resolution of this body.

The PRESIDENT *pro tempore*. Is the Senate ready for the question upon agreeing to the resolution?

Mr. ALLISON. I do not see the Senator from Indiana [Mr. VOORHEES] in his seat, nor the Senator from Kansas [Mr. PLUMB], the chairman of the Committee on Public Lands. I think the resolution had better lie over.

The PRESIDENT *pro tempore*. If there be no objection, the resolution will lie over without prejudice, subject to be called as morning business to-morrow.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. PRUDEN, one of his secretaries, announced that the President had on December 24, 1888, approved and signed the following acts:

An act (S. 3144) granting a pension to Nancy A. Hayes;

An act (S. 2666) granting a pension to Lemuel S. Skinner;

An act (S. 2639) granting a pension to Mrs. Louisa Ward;

An act (S. 2240) for the relief of George S. Thwing;

An act (S. 3397) granting an increase of pension to Caroline M. McDougal; and

An act (S. 2254) to increase the pension of Mrs. Ella M. Grover.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 4982) prohibiting the allowance of fee in any claim for increase of pension on account of the increase of disability for which the pension was allowed;

A bill (H. R. 6172) providing for additional leave of absence for employés of the Bureau of Engraving and Printing; and

A bill (H. R. 11794) to amend the postal laws of the United States in reference to letters bearing special-delivery stamps.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 7935) for the relief and civilization of the Chippewa Indians in the State of Minnesota; and it was thereupon signed by the President *pro tempore*.

THE REVENUE LAWS.

Mr. ALLISON. Mr. President——

The PRESIDENT *pro tempore*. Is there further morning business?

If there be none, that order is closed and the Calendar under Rule VIII is in order.

Mr. ALLISON. I move that the Senate proceed to the consideration of House bill 9051.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue, the pending question being on the amendment proposed by Mr. VEST, in Schedule I, cotton manufactures, line 1211, to strike out "10 cents per pound" and insert "35 per cent. ad valorem;" so as to make the paragraph read:

313. Cotton thread, yarn, warps, or warp-yarn (not wound upon spools), whether single or advanced beyond the condition of single by twisting two or more single yarns together, whether on beams or in bundles, skeins, or cops, or in any other form, valued at not exceeding 25 cents per pound, 35 per cent. ad valorem.

Mr. VEST. Before the holiday recess, in discussing this amendment, I stated in general terms that the effect of the changes made in the existing law by the substitute now pending would increase the duty upon all the higher-priced cotton fabrics, both as to the threads—which are the raw material of the manufacture—and as to the cotton cloth after it is in the finished condition. I made that statement upon what was a cursory examination of this schedule; but during the time afforded by the recess I have been more than confirmed in the conclusion which I then stated. Like that eastern queen who was dazzled by the glories of the court of Solomon, "the half was not told me."

When I examined this schedule I found the artistic hand of my friend from Rhode Island [Mr. ALDRICH] evident in every line of these increases. In 1883 there was an increase upon the cotton schedule, not adopted in either House after deliberate and fair discussion, but put in by a conference committee without a vote by either House upon it, and that at a time when the cotton manufacturers did not need that increase except as a matter of profit. It is a notorious fact, easily established from the tables of statistics and the returns from those factories, that the cotton manufacturers of the country are in a more prosperous condition to-day than any other manufacturers in the United States. There are losses occasionally upon woolen mills, but the testimony of the cotton manufacturers themselves is, and their reports exhibit it, that the industry is in a prosperous condition.

Mr. ALDRICH. Would it interrupt the Senator from Missouri if I should ask him a question?

Mr. VEST. Certainly not.

Mr. ALDRICH. I understood the Senator from Missouri to say that the conference committee upon the bill of 1883 proposed an increase, which was afterwards enacted into law, in the rates of duty upon some kinds of cotton goods above the law which was then in existence. Did the Senator from Missouri make that statement?

Mr. VEST. Yes, sir, I did.

Mr. ALDRICH. I wish, then, to enter my denial, and to say that that is not true; and I shall show it from the record.

Mr. VEST. I have heard before from the Senator from Rhode Island that he proposed to take an early opportunity to deny the statement in regard to the increase of duties on the woolen and cotton schedules made by the conference report of 1883. I should be glad to hear the Senator upon that subject. I say that there was an increase in the cotton schedule.

Mr. ALDRICH. Does the Senator desire to hear me now?

Mr. VEST. I have not the slightest objection. I think I am a fair debater, and I am always ready to meet any antagonist at any time.

Mr. ALDRICH. I will consult the convenience of the Senator from Missouri.

Mr. VEST. It is entirely convenient to me. The Senator can go on if he wants to make the statement now.

Mr. ALDRICH. I will state, then, that there was but one change made in the cotton schedule by the conference committee in the bill as it passed the Senate in 1883, and that change was a proviso which was incorporated in the existing law, providing that upon goods of a certain value certain rates should be fixed. I have not the proviso before me, but I will send to the committee-room and obtain it. In each one of those cases there was a large reduction over the rates of duty then in existence. I will send to the committee-room and get the proviso. It was a new proviso, which established rates less than the rates then in existence. I will have it for the Senator in a few minutes, if he will allow me.

Mr. VEST. Certainly.

Mr. ALLISON. While the Senator is waiting for that, I ask leave to go back to page 105, paragraph 134.

The PRESIDENT *pro tempore*. Shall the clause be read?

Mr. ALLISON. No, sir; I do not care to have it read. I had some controversy with the Senator from North Carolina [Mr. VANCE] about chains. The committee have examined that matter further, and in line 474, before the word "cents," I move to strike out "3" and insert "2½."

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Iowa will be stated.

The CHIEF CLERK. On page 105, in line 474, before the word "cents," it is proposed to strike out "3" and insert "2½;" so as to read:

134. Chain or chains of all kinds, made of iron or steel, not less than three-fourths of 1 inch in diameter, 1.6 cents per pound; less than three-fourths of 1 inch and not less than three-eighths of 1 inch in diameter, 1.8 cents per pound; less than three-eighths of 1 inch in diameter, 2½ cents per pound.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Iowa.

Mr. ALLISON. That restores the existing law upon that quality of chains.

Mr. VANCE. Does the Senator from Iowa concede that that refers to trace-chains?

Mr. ALLISON. I concede that it may include some chains that I did not think it included when I had the discussion with the Senator from North Carolina.

Mr. VANCE. I have a specimen of trace-chains and a letter from an importer of those articles which puts it beyond a doubt that under that classification of less than three-eighths of an inch in diameter trace-chains are included.

Mr. ALLISON. I have also specimens; I shall be glad to submit them for examination later.

Mr. VANCE. Does the Senator wish to have his amendment acted upon now?

Mr. ALLISON. Yes. I desire to reduce the rate to 2½ cents a pound.

Mr. VANCE. I should like to ask the Senator if he has the means of saying what would be the equivalent ad valorem of 2½ cents a pound?

Mr. ALLISON. Yes, sir; I have that. It is 44.37 per cent., a little less than the 45 per cent. rate.

Mr. EDMUNDS. At present prices?

Mr. ALLISON. Yes.

Mr. MCPHERSON. The proposition is merely to return to the existing law, not reduce the rate?

Mr. ALLISON. Yes.

Mr. MCPHERSON. There is no reduction proposed?

Mr. ALLISON. No reduction and no increase. That is the existing law.

Mr. VANCE. Would an amendment to the amendment be in order?

Mr. ALLISON. Undoubtedly it would.

Mr. VANCE. I move to amend the amendment of the Senator from Iowa by striking out the words "two and one-half cents per pound" and inserting "30 per cent. ad valorem."

The PRESIDENT *pro tempore*. The amendment to the amendment will be stated.

The CHIEF CLERK. It is proposed to strike out "2½ cents per pound" and insert in lieu thereof "30 per cent. ad valorem;" so as to read:

Less than three-eighths of 1 inch in diameter, 30 per cent. ad valorem.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment to the amendment.

Mr. VANCE. I have here a letter from a leading hardware-importing house in the city of New York. It is a letter from the importing firm of Alfred Field & Co., 93 Chambers street, as follows:

Hon. Z. B. VANCE:

DEAR SIR: Inclosed I hand you calculations of duties on chains, which I hope may be of service to you in showing the rates of the Senate bill.

I ask the Chief Clerk to read the calculations, showing the duty on a number of chains, including trace-chains, which I have reason to believe is much higher than is represented by the tables of the Treasury Department.

The PRESIDENT *pro tempore*. The Chief Clerk will read as requested.

The Chief Clerk read as follows:

Calculation showing ad valorem rates on trace-chains under present tariff and under proposed Senate bill.

[The sizes selected are the three leading sizes used, 6½ by 10 by 2 being the standard size.]

Sizes.	Weight per pair.	Cost abroad per pair.	Present duty.		Senate bill at 3 cents per pound.
			2½ cents per pound.	Equals ad valorem rate of—	
	Pounds.	*Cents.*	*Cents.*	*Per cent.*	*Per cent.*
6½ feet long, 10 links to foot, No. 3 iron-wire gauge	5½	15.50	13.75	89	106½
6½ feet long, 10 links to foot, No. 2 iron-wire gauge	6½	18	16.25	90	108
7 feet long, 10 links to foot, No. 2 iron-wire gauge	7	20	17.50	87½	105

The duty of 2½ cents per pound has been practically prohibitory for over fifteen years past. All the above are less than one-quarter inch diameter.

Calculation showing ad valorem rates on ship-chain under present tariff and under Senate bill.

Sizes.	Present duty per pound.	Duty Senate bill per pound.	Per 112 pounds.			
			Present cost abroad.	Present duty.	Ad valorem rates.	Duty Senate bill ad valorem.
	Cents.	Cents.			Per cent.	Per cent.
3/16 inch diameter	2½	3	$4.25	$2.80	66	80
¼ inch diameter	2½	3	3.16	2.80	90	106
5/16 inch diameter	2½	3	2.92	2.80	96	115
⅜ inch diameter	2	1.8	2.67	2.24	84	76
7/16 inch diameter	2	1.8	2.55	2.24	90	79
½ inch diameter	2	1.8	2.37	2.24	94	85
⅝ inch diameter	2	1.8	2.18	2.24	103	93
¾ inch diameter	1½	1.6	2.12	1.96	92	85
1 inch diameter	1½	1.6	2.00	1.96	98	90

Under present tariff all sizes larger than three-sixteenths inch diameter have been practically shut out for many years. Very small quantities of three-sixteenth inch are imported. My estimate is that 90 per cent. of this size is made in America and 10 per cent. imported.

Calculation showing ad valorem rates on bright coil chain (used mainly for agricultural machinery) under present tariff and under Senate bill.

Sizes.	Iron-wire gauge.	Per 100 feet.			
		Present cost abroad.	Present duty.	Ad valorem rate.	Ad valorem rate Senate bill.
			Cents.	Per cent.	Per cent.
No. 000	5	$1.30	92	70	86
No. 00	6	1.15	76	66	80
No. 0	7	1.05	60	57	70
No. 1	8	.96	48	50	60
No. 2	9	.91	37	40	50
No. 3	10	.86	28	32	40
No. 4	11	.83	22	27	31
No. 5	12	.81	18	22	26
No. 6	13	.80	11	14	16

Halter-chains for tying up cattle will figure out just about as above. The leading sizes are 000, 00, 0, and 1. The other sizes are not of much value. This bright coil chain and halter-chains are about the only agricultural chains now imported, and the American manufacturers are now making a lot of it, and are very close competitors.

Present duty, all sizes, 2½ cents per pound.

Senate bill duty, all sizes, 3 cents per pound.

Mr. VANCE. I have a further letter from the same firm in explanation of the duty on chains, which I shall read without troubling the clerks:

NEW YORK, *December* 17, 1888.

DEAR SIR: We have been very much amused over the debate about duty on trace-chains. Mr. ALLISON has been misled; there are no such chains as he thinks imported. Also there are no trace-chains of any account imported, and have not been for many years. The chain that comes in is called coil chain, main sizes 5, 6, 7, and 8 wire gauge, *i. e.*, size of iron the chain is made of, and is used mainly for agricultural machinery. There are also some halter-chains and cow-ties imported, and these are the chains that are mainly imported; all others are shut out. We used to import hundreds of thousands of pairs of trace-chains, but we have not for years been able to import any. We send you per express, prepaid, sample of the leading trace-chain used in this country, and also sample of halter-chain and cow-tie, and trust they may be of service to you in setting Senator ALLISON right.

Very truly,

ALFRED FIELD & CO.

Hon. ZEBULON B. VANCE, *Washington.*

If those chains are already excluded by the amount of the duty, if it is not possible to import them, why increase the duty? I can see no object in increasing the duty unless it may be a desire on the part of the American makers of trace-chains to combine and put up the price, which they could not do except by the help of a duty which excludes foreign competition. That the rate of 2½ cents proposed is an increase, and a very considerable one, I think the letter which has been read from the importer conclusively establishes.

Mr. ALLISON. The amendment which I propose is the existing law, 2½ cents per pound, upon this class of chains. Under it quite a number of chains are imported, but very probably, as Alfred Field & Co. say, only the finer chains are imported. I was glad to have the corroborative testimony of this large importing house to what I already knew, namely, that there is close competition in our own country in the production of these chains, and that they are entirely produced in this country, except a small amount of the chains covered by this amendment.

I also thank the Senator for calling my attention to the letter showing the misapprehension on my part respecting these chains. A further examination of the subject shows that trace-chains of a certain size may be included in this paragraph. But the chains to which I alluded when the question was up before were the small steel chains, which are of high value and are imported. Now, the committee propose to restore the existing duty, and notwithstanding Messrs. Fields' statement, according to the statement produced here by the other side of the Chamber, the statement of the Treasury Department, the present rate of duty is an ad valorem of 44.37 per cent. Upon the larger size chains this amendment reduces the existing rate of duty. On this particular class of chains I propose the existing rate.

I trust that will be satisfactory to the Senator from North Carolina, and that he will not press an amendment which would reduce the ad valorem rate below the cost of the raw material in our own country.

The PRESIDENT *pro tempore.* The question is on agreeing to the amendment of the Senator from North Carolina [Mr. VANCE] to the amendment of the Senator from Iowa [Mr. ALLISON].

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. GEORGE (when his name was called). I am paired with the Senator from New Hampshire [Mr. BLAIR]. At the suggestion of the Senator from Maine [Mr. HALE] my pair will be transferred to the Senator from Kentucky [Mr. BECK], so that the Senator from Maine and myself may vote. I therefore vote "yea."

Mr. GORMAN (when his name was called). I am paired with the Senator from Maine [Mr. FRYE].

Mr. HALE (when his name was called). I am paired with the Senator from Kentucky [Mr. BECK]. I transfer that pair to the Senator from New Hampshire [Mr. BLAIR] and vote "nay."

Mr. HAMPTON (when his name was called). I am informed that I am paired with the Senator from Colorado [Mr. BOWEN].

Mr. JONES, of Arkansas (when his name was called). Did the junior Senator from New York [Mr. HISCOCK] vote?

The PRESIDENT *pro tempore.* He is not recorded.

Mr. JONES, of Arkansas. I am paired with that Senator.

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN]. If he were present, I should vote "nay."

Mr. MORRILL (when his name was called). I am paired with the Senator from Tennessee [Mr. HARRIS], and therefore can not vote

Mr. PADDOCK (when his name was called). I am paired with the Senator from Louisiana [Mr. EUSTIS], but my pair has been transferred to the Senator from Illinois [Mr. FARWELL]. I therefore vote "nay."

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL], but my pair having been transferred to the Senator from Louisiana [Mr. EUSTIS], I vote "yea."

Mr. TELLER (when his name was called). I am paired with the Senator from Louisiana [Mr. GIBSON].

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB]. If he were present, I should vote "yea."

Mr. WALTHALL (when his name was called). I am paired with the junior Senator from Wisconsin [Mr. SPOONER].

Mr. WILSON, of Iowa (when his name was called). I am paired with the Senator from Maryland [Mr. WILSON]. If he were present, I should vote "nay."

The roll-call was concluded.

Mr. DAVIS (after having voted in the negative). I am paired with the Senator from Indiana [Mr. TURPIE]. He not having voted, I desire to withdraw my vote.

Mr. JONES, of Arkansas. I desire to announce the pair between my colleague [Mr. BERRY] and the Senator from Oregon [Mr. MITCHELL].

Mr. MANDERSON. In order to make a quorum, I have arranged with the Senator from Maryland [Mr. GORMAN] to transfer pairs. I announce a pair between the Senator from Kentucky [Mr. BLACKBURN] and the Senator from Maine [Mr. FRYE], and will vote. I vote "nay."

Mr. GORMAN. I vote "yea."

Mr. DAVIS. I desire to announce the pair of my colleague [Mr. SABIN] with the Senator from West Virginia [Mr. KENNA].

Mr. GIBSON. I inquire if the Senator from Colorado [Mr. TELLER] is recorded.

The PRESIDENT *pro tempore.* He announced a pair with the Senator from Louisiana [Mr. GIBSON]. He was in the Chamber a moment since.

Mr. GIBSON. As the Senator from Colorado is not recorded, I will withhold my vote.

Mr. MORRILL. I transfer the pair I have with the Senator from Tennessee [Mr. HARRIS] to the Senator from Colorado [Mr. BOWEN] and vote "nay."

Mr. HAMPTON. I will transfer my pair to the Senator from Tennessee [Mr. HARRIS] and vote "yea."

Mr. GIBSON. The pair of the Senator from California [Mr. HEARST] with his colleague [Mr. STANFORD] has been transferred, and the Senator from California [Mr. HEARST] is paired with the Senator from Colorado [Mr. TELLER]. I cast my vote "yea."

Mr. STANFORD. I vote "nay."

The result was announced—yeas 19, nays 21; as follows:

YEAS—19.

Bate,	George,	McPherson,	Ransom,
Call,	Gibson,	Morgan,	Reagan,
Cockrell,	Gorman,	Pasco,	Saulsbury,
Coke,	Hampton,	Payne,	Vance.
Daniel,	Jones of Arkansas,	Pugh,	

NAYS—21.

Aldrich,	Evarts,	Manderson,	Stanford,
Allison,	Hale,	Morrill,	Stewart,
Chandler,	Hawley,	Paddock,	Stockbridge.
Cullom,	Hiscock,	Palmer,	
Dolph,	Hoar,	Platt,	
Edmunds,	Ingalls,	Sherman,	

ABSENT—36.

Beck,	Chace,	Harris,	Sawyer,
Berry,	Colquitt,	Hearst,	Spooner,
Blackburn,	Davis,	Jones of Nevada,	Teller,
Blair,	Dawes,	Kenna,	Turpie,
Blodgett,	Eustis,	Mitchell,	Vest.
Bowen,	Farwell,	Plumb,	Voorhees,
Brown,	Faulkner,	Quay,	Walthall,
Butler,	Frye,	Riddleberger,	Wilson of Iowa,
Cameron,	Gray,	Sabin,	Wilson of Md.

So the amendment to the amendment was rejected.

The PRESIDENT *pro tempore*. The question recurs upon the amendment proposed by the Senator from Iowa [Mr. ALLISON].

The amendment was agreed to.

The PRESIDENT *pro tempore*. The question now recurs on the amendment proposed, in line 1211, by the Senator from Missouri [Mr. VEST].

Mr. ALDRICH. In answer to the allegation made by the Senator from Missouri, which has been made in the Senate before, that the duties on some articles in the cotton schedule were increased on the recommendation of the conference committee by the tariff act of 1883 to rates which were in excess of those imposed by the law then in force, I desire to submit a statement of the facts.

I call the attention of the Senator from Missouri to the fact that the only changes made or suggested by the conference committee in the cotton schedule were two: First, by adding a proviso in line 1215 of the bill, a copy of which I have before me, which reads as follows:

Provided, That on all cotton cloth not exceeding two hundred threads to the square inch, counting the warp and filling, not bleached, dyed, colored, stained, painted, or printed, valued at over 8 cents per square yard;

Bleached, valued at over 10 cents per square yard;

Dyed, colored, stained, painted, or printed, valued at over 13 cents per square yard, there shall be levied, collected, and paid a duty of 40 per cent. ad valorem.

And, second, in line 1229 the word "such" was inserted; so as to read:

Provided, That on all such cotton cloths not bleached, dyed, colored, stained, painted, or printed, valued at over 10 cents per square yard;

Bleached, valued at over 12 cents per square yard;

And dyed, colored, stained, painted, or printed, valued at over 15 cents per square yard, there shall be levied, collected, and paid a duty of 40 per cent. ad valorem.

So that this proviso would only apply to goods counting more than two hundred threads to the square inch.

The proviso which I have last read, with the exception of the word "such," was in the bill as it passed the Senate and went to the committee of conference. The only change made by the conference committee in that proviso was the insertion of the word named.

An examination of those two provisos together will disclose the fact that the only effect of the first proviso was to reduce the limit of valuation on goods not dyed, etc., from 10 cents a square yard to 8 cents a square yard; on bleached goods, from 12 cents to 10 cents, and on dyed, colored, stained, painted or printed, from 15 to 13 cents. The goods included within these limits were the only goods which were or could be affected by the changes proposed.

The rate of duty fixed by these amendments on the goods within the limits I have named was 40 per cent. ad valorem, and the charge made by the Senator from Missouri is that this rate was an increase over the duty which was then imposed upon this class of goods. Now, let us see whether this is the fact or not. The law in existence prior to March 3, 1883, imposed the following rates on the goods named, namely, in paragraph 2 of Schedule A:

2. On finer and lighter goods of like description, not exceeding two hundred threads to the square inch, counting the warp and filling, unbleached, 5 cents per square yard; if bleached, 5½ cents per square yard; if colored, stained, painted, or printed, 5½ cents per square yard, and in addition thereto 20 per cent. ad valorem.

That is on one description. Another class is provided for in paragraph 5 of the same schedule, as follows:

5. On finer or lighter goods of like description, not exceeding two hundred threads to the square inch, counting the warp and filling, if unbleached, 6 cents per square yard; if bleached, 6½ cents per square yard; if colored, stained, painted, or printed, 6½ cents per square yard, and in addition thereto 15 per cent. ad valorem.

Those two provisions covered the goods to which I have alluded, and fixed duties varying, as shown, from 5 to 5½ cents per square yard and 20 per cent. ad valorem to 6 and 6½ cents per square yard and 15 per cent. ad valorem. The goods affected by the conference committee amendments were all valued, it will be noticed, at between 8 and 10 cents if unbleached, 10 and 12 if bleached, and 13 and 15 if printed or dyed; and the rate on all these goods was fixed by the conference amendments at 40 per cent. ad valorem. Forty per cent. on the first class, unbleached, valued between 8 and 10 cents, would be on the lowest grade 3.2 cents per square yard, and on the highest 4 cents per square yard, and on intermediate values sums ranging between 3.2 and 4 cents per square yard. The lowest rate of duty fixed by the law then in existence on this class of unbleached goods was 6.6 cents per square yard (5 cents per square yard and 20 per cent. ad valorem), and it ranged from that to 7.2 cents per square yard. So, then, instead of being an increase, there was a reduction upon that class of goods from 6.6 cents and 7.2 cents per square yard to 3.2 to 4 cents, or an approximate reduction of 50 per cent.

In other words, the duty levied under the committee's proviso must be from 3.2 to 4 cents a yard; it could not exceed 4 cents, and would never be less than 3.2 cents. Under the law then in existence the duty upon the same goods would run from 6.6 to 7.2 cents a yard; never less than 6.6 and never more than 7.2.

On the next grade—bleached goods—the duty under the proviso would be, on goods valued at 10 cents, 4 cents; goods valued at 12 cents, 4.8 cents. Under the provisions of the law then in existence the duty on this class of bleached goods would have been from 7½ on the lowest class to 8.3 cents a square yard on the highest, or a reduction in rates of nearly 50 per cent. I will not stop to give the exact percentage of reduction, but it is certainly 40 per cent. On goods dyed or printed the duty fixed by the proviso would range from 5.2 to 6 cents a square yard, while under the provisions of the law then in existence the duties would have been from 8.1 to 8.45 cents per square yard.

It will be observed that instead of an increase of duty by the conference provisions, there was a reduction effected on every item ranging from 35 to 50 per cent. This should have been known to any man who had the slightest knowledge of the provisions of the act of 1883 and the law in force prior to that time. A similar statement has been made in regard to changes made in the woolen schedule, and with no more truthfulness. I say to the Senator from Missouri that the only reason I have not made this statement in detail before was the absence of the Senator from Kentucky [Mr. BECK], who had probably been misled into repeating these falsehoods. I trust the explanation I have now made will convince the Senator from Missouri that there was no increase in existing duties upon articles in the cotton schedules effected by the terms of the proviso adopted by the conference committee in 1883.

Mr. VEST. I have supposed that the minority report made by the Senator from Kentucky [Mr. BECK] was correct, for he is very accurate generally in regard to these matters. He says that in Schedule I, cotton goods, a new proviso was added increasing the tax, and he follows that by quoting the proviso.

Now, will the Senator from Rhode Island, in addition to the information he has given us—for he is an expert in these matters—tell us why did that conference committee reduce these rates; why did they reduce them from the law before 1883?

Mr. ALDRICH. Because the reduction was made all along the line. I have already stated in the hearing of the Senator that there was no single schedule in that whole tariff that was so greatly reduced and so greatly simplified as the cotton schedule, and the whole effect of this proviso and the sole object of its insertion was to make an equitable arrangement by which the duties should be levied on various classes of goods in a proper manner.

Mr. VEST. I have a statement made by an expert in regard to the cotton schedule and the changes made in it by the conference report of 1883. I was so certain that the statements I have heard made in regard to that matter were correct that I left the paper at my residence. I have sent for it, and I shall put that in evidence when it comes. There is a great discrepancy between the statement of the Senator from Rhode Island and of the experts who have hitherto examined this matter. One of the members of that conference committee was unquestionably of the opinion that the cotton schedule was increased—I mean the distinguished Senator from Ohio [Mr. SHERMAN]—because in an interview published in the Commercial-Gazette soon after the adjournment of that session of Congress he made a statement in regard to it:

The truth is there was a grave fault in constituting the committee on the part of the Senate. The two members of the Finance Committee from New England were put on the conference committee, when, by custom and precedents, Mr. JONES, of Nevada, should have been a member, or, if he declined, Mr. ALLISON. The result was that these two New England Senators controlled the conference, and they were known to be opposed to the duty on wool and in favor of an increase on woolen and cotton goods.

And if a member of that conference committee was mistaken in regard to the cotton schedule, it must be admitted that a layman like myself might have made a similar mistake, if it be one.

Mr. ALLISON. It ought to be stated in connection with what the Senator from Missouri has read as to the construction of that conference committee that it so happened that the conference report was made at the short session of Congress, and my time was wholly occupied in the Committee on Appropriations, as the Senator very well knows. Therefore I could not serve upon the conference, although, as it is said, on

the order of precedence usually observed I should probably have been put upon it if I could have served; and the Senator from Nevada [Mr. JONES] happened to be absent. So the conference committee was made up of the gentlemen of the Finance Committee who could serve on it, all the Democrats having declined.

Mr. VEST. Mr. President, since this matter has been opened up I shall take occasion some time during this discussion to submit an analysis of that report of the conference committee. I know that I can not be mistaken in the assertion I have made to-day that there are increases of duty in the cotton and woolen schedules, and also in the metal schedule, directly against the vote of the Senate. I recollect one of them distinctly now. It was in regard to what are called wire cloths in the metal schedule. If I am not mistaken, the Senator from North Carolina [Mr. VANCE] moved an amendment to the bill reported by the Finance Committee in 1883 that decreased the duty on wire cloth. That amendment was carried in the Senate. It went to the conference committee, and they reported back an increase over the bill, ignoring the action of the Senate upon the amendment, and that conference report was adopted finally on the last night of the session, at nearly 12 o'clock, by a vote of 32 to 31, when the bill that passed the Senate had gone through by a vote of 42 to 19. I recollect that item, and I shall take occasion to refer to that and others before this debate closes.

Mr. ALDRICH. The question at issue between the Senator from Missouri and myself is not who constituted the conference committee, and not whether it was properly constituted, and not what was the opinion of any Senator as to the result of that conference committee's action, but whether the amendment to the cotton schedule resulted in an increase of duties above the then existing law. That was the point I was discussing.

It is undoubtedly true that that conference committee increased the rates which had been fixed in the Senate. What is the object of a conference committee if it is not to arrive at conclusions on matters in issue between the two Houses? We certainly increased the rates upon many things. I presume we did. I can tell very easily upon an examination of the bill before me. But that is entirely aside from the questions I am now discussing. When the Senator presents his report of the experts I shall be glad to see it.

Mr. VEST. I made no issue in regard to the *personnel* of that committee. I simply quoted what was said by a member of the committee as to the action of the majority. That is all. I certainly have a parliamentary right to do that.

The Senator from Ohio complained of the action of that committee in the public prints after the adjournment of Congress, and said in very plain language that the committee had been constituted so as to increase the woolen and cotton schedules. His principal complaint was in regard to wool. He said the duty had been decreased upon the raw material, but increased as to manufactured goods; in other words, that the wool-producers of Ohio had been made to lose upon this wool product, whilst at the same time they were compelled to pay a higher price for woolen clothing.

Mr. ALDRICH. It is much more simple for me to demonstrate that the change made in the woolen schedule was not an increase from the existing law than it is to demonstrate that the cotton schedule was not increased; and whenever the Senator makes that statement I shall be glad to challenge him with the facts.

Mr. VEST. I hope, then, the Senator will be able to explain the action of that conference committee on sugar, which is a very material part of the bill.

Mr. ALDRICH. I shall be very glad to do so.

Mr. VEST. Because it is now attempted by the Republican party, through the report of this bill, to reduce the surplus in the Treasury by a decrease of the duties on sugar, every dollar of which, except the very small portion which is spent for collection, goes into the Treasury as revenue, but at the same time they increase the duty upon imported woolen and cotton goods, one-fifth of which goes to the Treasury and four-fifths to the manufacturer, and that sugar schedule is most important. I recollect in regard to the sugar schedule, as we are upon it, that we took a vote in the Senate in 1883, and put the duty upon sugars between 14 and 16, Dutch standard, at 2.40 cents per pound. Then when certain Democrats who had charge of the matter upon the Finance Committee agreed to fix the duty at 2.50, at the instance, I believe, of the Senator from Vermont [Mr. MORRILL], the report came back from the conference committee at 2.75. Does the Senator from Rhode Island deny that statement? It came back from the committee at 2.75 when the Senate had first fixed it at 2.40 and then the agreement made it 2.50, and yet that duty was put up in that conference committee and rushed through here at nearly 12 o'clock at night by a majority of one and became the law of the land, in direct violation of the agreement had in the Senate and of the sentiment of both Houses.

Mr. ALDRICH. Does the Senator from Missouri mean to state that a conference committee has no right to change the rates fixed by the Senate upon any article, and does he mean to say that the House had fixed a different or lower rate upon sugar from the rate he mentioned?

Mr. VEST. The House was not consulted about the matter, not permitted even to take a vote. The matter was rushed into a conference committee and put through under whip and spur at nearly midnight. There were not three men in the Senate who knew what was in that conference report.

Mr. ALDRICH. It was their own fault if they did not know.

Mr. VEST. The members of the Committee on Finance on this side were not in that conference.

Mr. ALDRICH. Why?

Mr. VEST. Because they did not propose to be made parties to what they knew was a preadjudged matter. That was the reason. They did not propose to be bound by the action of a tribunal which was *ex parte*, according to the testimony of the Senator from Ohio, which was so constituted that the duties in favor of the New England manufacturers could be increased by the action of that committee.

Mr. ALLISON. On this question of the conference, I wish to say that it is the uniform custom in making up conference committees that the minority shall be represented, and it often happens here that the minority does not consent to a report. Surely no man could excuse himself from serving on a committee because he belonged to the minority and the majority was likely to overrule him. That is the argument of the Senator.

Mr. VEST. Not at all.

Mr. VANCE. Will the Senator from Missouri allow me a moment?

Mr. VEST. Certainly.

Mr. VANCE. I think the Senator from Iowa will remember that one reason why the minority was not represented on that conference committee was that they claimed that it was not a free conference, that the House had passed a resolution that the substitution of an entire tax bill in the manner in which that bill in 1883 was substituted by the Senate was a violation of the privilege of the House, which alone has the power to originate tax bills, and they passed that resolution, and the committee from the House attended with that resolution in their pockets, and the members of the minority of the Senate committee objected, stating that if the conference suited the House they would keep the authority in their pockets and not produce it; if the conference did not suit the members of the House, they would withdraw, questioning the legality of the Senate bill, and for that reason Messrs. BECK and Bayard both withdrew, and were not present when the conference was concluded. That is my recollection of it.

Mr. ALDRICH. The Senator is mistaken in his history. No such statement was made to the conference committee, and the gentlemen appointed from that side of the Chamber never attended any meeting of the conference.

Mr. VANCE. If the Senator will remember, that statement was made by both Messrs. BECK and Bayard upon this floor, and he will so find it in the RECORD.

Mr. ALDRICH. They based their action solely on certain resolutions that passed the House of Representatives. They never attended any conference, and no such statement was made in conference.

Mr. VANCE. They declined to attend it for that reason as I find it. They declined to participate and be bound by a conference which was not free, and it was so stated here upon the floor.

Mr. VEST. Mr. President, I did not propose to open a question which is almost ancient history now as to that conference committee, but there were statements made by members of that committee which were very significant, and which ought not to make that a very pleasurable reminiscence to anybody engaged in the business. Here is what one member of the committee said. The Senator from Ohio [Mr. SHERMAN] said:

> The classification is so changed that none but an expert can understand it.

I do not deny that a conference committee has the right——

Mr. ALDRICH. What classification is that?

Mr. VEST. As to the question of the cotton schedule.

Mr. ALDRICH. I have already stated to the Senator that the only change made was the insertion of that proviso, which did not change the classification one particle.

Mr. VEST. I am quoting from a member of the conference committee.

Mr. ALDRICH. The Senator seems to be adopting his language.

Mr. VEST. I quote the language.

Mr. ALDRICH. You seem to be adopting it.

Mr. VEST. I am quoting it. He says:

> The classification is so changed that none but an expert can understand it.

That was the statement of the Senator from Ohio, and it is very well known that a newspaper controversy was had afterwards between two distinguished Senators, the Senator from Ohio [Mr. SHERMAN] and the Senator from Vermont [Mr. MORRILL], in regard to that conference report, in which one charged the other with having taken advantage of the *personnel* of the committee with two New England Senators upon it to put up the duties on cotton and woolen goods, whilst the Senator from Vermont retorted that the Senator from Ohio worked the matter so as to put up the duties on iron and steel. The Senator from Vermont replied at considerable length in the New York Tribune to the Senator from Ohio, in which he stated:

> The distinguished Senator is a remarkably cool and sagacious man, but he was evidently in a pet, and by this time he will regret some of his rather exaggerated and hasty statements. He criticises the fact that two members of the conference committee were from New England, and would seem to indicate that

this brought to bear a malign sectional influence, forgetting that two of the members of the conference committee were from the State of Ohio alone, and perhaps, too, sensitively remembering that the large increase of duties on plain white crockery-ware had never been insisted upon in the Senate by New England.

In other words, the Senator from Ohio charged that two other members of the conference committee had taken advantage of their position on the committee to put up the duties on cotton and woolen fabrics, whilst he is charged with doing the same thing as to an Ohio product—crockery-ware. Further, the Senator from Vermont said:

But the Senator complains that the duties on woolens were raised in the conference committee; so they were on pig and bar iron.

Now, I understand the Senator from Rhode Island to say there was no increase on the woolen schedule; but the Senator from Vermont admitted that there was an increase, and retorted by saying to the Senator from Ohio, "Well, you're another; you also increased the duty upon pig-iron in the interests of the Ohio producers." Again he said:

Only a proviso was inserted in the conference committee by which a special class of cotton cloth should be subject to a duty of 40 per cent., which is the same or a little less than the existing law.

Now the Senator from Rhode Island says that there is a reduction of 50 per cent. under that proviso, whilst the Senator from Vermont declared it was just the same as the then existing law or a little less.

Mr. ALDRICH. I have given the figures and they will appear in the RECORD. The Senator can figure his own percentage and ascertain the amount.

Mr. VEST. I have never taken the position that a conference committee could not put different provisions in a bill from those contained in it when referred to them; but I do submit that the ordinary and proper mode of procedure is when a conference committee is created and a vote has been had by the body which appointed them indicating the sentiment of that body, that decent respect should be paid to that legislative action; and new provisions and higher rates of duty after the Senate had voted against them should not have been inserted in that report. But the result is always the same. There is either an increase of duty, or there is some sort of proviso put into a bill which meets the wishes of the manufacturers without regard to the interests of the consumers of the country.

Mr. ALDRICH. If it does not interrupt the Senator, I should like to make an additional statement to show what was done in regard to the woolen schedule.

The PRESIDING OFFICER (Mr. PALMER in the chair). Does the Senator from Missouri yield?

Mr. VEST. Of course, if the Senator wishes to go on.

Mr. ALDRICH. I have no wish about it except the convenience of the Senator from Missouri.

Mr. VEST. I prefer to get through with what I have to say.

Now, Mr. President, I want to call attention to the fact that the majority of the Committee on Finance devoted a large portion of their report to a denunciation of the system of ad valorem duties, and when they come to these cotton threads adopt precisely that system. When it suits them and has the effect of increasing the duty, then the ad valorem system is good enough. Take the provisions in this bill in regard to cotton threads:

313. Cotton thread, yarn, warps, or warp-yarn (not wound upon spools), whether single or advanced beyond the condition of single, by twisting two or more single yarns together, whether on beams or in bundles, skeins, or cops, or in any other form, valued at not exceeding 25 cents per pound, 10 cents per pound.

There is the valuation which has given rise to so much fraud, according to the report of the Finance Committee. Why is it they disregard their own argument? Why is it that they trample under foot their own declaration that overvaluation is the prolific source of fraud, and adopt that very system in regard to these cotton threads? All through this cotton-thread section we find valuations, and if the specific duty be the only proper way in which to fix duties on imports, why is it that the committee abandon that and adopt this infamous system, as they denounce it in their report?

It is almost impossible to consider this question of cotton threads without considering the whole cotton schedule, and, as I stated before the recess—and I have examined it analytically since as best I could—the whole meaning and purpose of the changes in the cotton schedule is to increase duties for the benefit of the New England manufacturers without regard to the manufacturers in other sections of the country or to the interest of the consumers. Is there any doubt that the cotton manufacturers of this country are in a flourishing condition to-day? I read some time ago in the Senate, and I can read it again if necessary, the report of the dividends made by the cotton factories in New England. If there is any other industry in this country that is in as flourishing a condition I do not know it. I read from a paper published in the city in which is the residence of my friend from Rhode Island himself [Mr. ALDRICH], the Providence Journal, giving the dividends and profits for three months during the last summer. American Company, capital stock $400,000, net profits for three months $25,000, more than 25 per cent.; Bourne Mills, capital stock $400,000, net profits for three months $16,000; Chace Mills, capital stock $500,000, net profits for three months $10,000, and so on through the whole of this list, making dividends of 9, 10, 12, 15, and up to 25 per cent.; and yet we are asked now deliberately to increase the profit of these manufacturers without regard to the interests of the consumers. There is no increase of duty upon the coarse cotton cloths manufactured in the South, and nobody asks for that increase. New England to-day has a monopoly of the manufacture of the finer cotton cloths in the United States. They have changed their machinery because they know they can not compete with the Southern factories in the manufacture of the coarser and heavier cloths, because the difference in the price of cotton, in freight, and in price of labor gives the advantage to the Southern factories, and the New England manufacturers have abandoned to them this trade, which asks no additional protection from the Congress of the United States.

I am glad to say that the cotton factories of the South are in a flourishing condition, and that they are exporting their products to China, to Brazil, to Mexico, and to all the South American countries; and, as the evidence taken before this committee and before the committees of the House shows, the cotton factories in the Southern States are making large dividends. They can compete successfully with the English manufacturers. They are taking from the English their own markets in their own provinces, and I am exceedingly gratified to be able to state that fact here and now.

But the cotton factories engaged in the manufacture of finer fabrics in New England are not satisfied with the present duty, not satisfied with these dividends I have read. Do they ask to have these increases on cotton threads and the finer cotton cloths to protect the workingmen of New England? We hear that continually in this debate. No legislation for the capitalist—all of it for the poor workingman, the American laborer! And we have had rosy descriptions of the comfortable homes, the almost luxurious abodes of the cotton-spinners and workmen in the cotton factories of Massachusetts and Rhode Island.

Mr. President, we might as well have all the facts in regard to this matter. In the last canvass and upon this floor we are continually reminded that this is not a question for *doctrinaires*, and as the President of the United States said, "The Republican party wants markets, not maxims," and in that sign they conquer. I do not want to figure as a *doctrinaire;* I do not want the statements of politicians, but I want the statements of workmen in regard to whether they are protected by these duties, and I have taken some pains to ascertain what they say in direct contradiction to statements made upon this floor.

I hold in my hand volume 1 of the Report on Relations between Labor and Capital from a committee over which my distinguished friend from New Hampshire [Mr. BLAIR] presided, and I have here the testimony, which I have read from beginning to end with the greatest possible interest, of Mr. Robert Howard:

Q. What is your occupation?

A. Mule-spinner in the cotton mills; that was my occupation up to the last two or three years. Now I am the paid secretary of our organization.

That is, the mule-spinners' organization.

Q. Are you now or were you formerly a member of the Massachusetts Legislature?

A. I was a member of the Legislature of Massachusetts in 1881. I served one year, and the year following I was nominated again, but I declined. I thought it would have a tendency to create bad feeling among the members of our organization, some of them perhaps thinking that I was seeking political honors, and therefore I declined the nomination.

Q. Have you knowledge of the condition of the working people generally, or of those of your own craft in New England and also in Old England?

A. Yes, sir; I have a thorough knowledge of it.

THE ENGLISH MULE-SPINNERS BETTER OFF THAN THE AMERICAN.

Q. Before proceeding to a detailed statement of the condition of the working people as you have observed it in this country, please give us a somewhat particular account of the condition of the working classes in Great Britain, and in Ireland also, if you are acquainted with it.

A. I worked in England upwards of seventeen years as a mule-spinner and a piecer for the mule-spinner—that is, simply an assistant—and my opinion of the condition of the workmen in that branch of industry relative in the United States and England is that the English spinner is in a far better condition. I will not speak for the weavers, but only for the mule-spinners; they are better off in England because the manufacturers there don't appear to be so desirous of working the men so much like horses or slaves as they do in our State—they don't work at the same extraordinary rate of speed that we do in Fall River. There they give a man a pair of mules, that is cotton-spinning frames, and they give a man an assistant to work between the mules with him, and also an assistant to work on the back of the mules; but in this country it is a very peculiar fact (but I know it is so with the exception of one or two places) that however large the mules may be, no matter how many spindles they may contain, the employers will not come down to the same policy adopted in England.

This gentleman—it is not necessary that I should read everything he states—goes on to give the product in the mills at Fall River:

We have worked out by figures the rate of our production, and we find that we turn out cloth at the rate of a mile a minute in Fall River, and, as I have said, three-fifths of the entire production of print cloths in the United States is in that city.

Q. In Oldham, that English city which you have mentioned, do they turn out as much cloth in proportion to the number of mules as they do in Fall River? That is, do they turn it out at the rate of 5 miles per minute?

A. I think they can get about the same production there that we get in Fall River. But the spinners have more assistance there. There is not as much labor put upon one man there as there is in our city, and our machinery goes at a higher rate of speed.

Q. Then, mule for mule, Fall River produces more cloth?

A. Yes.

By Mr. GEORGE:

Q. Is that on account of the greater rate of speed of the spindles of Fall River?

A. To a great extent it is; but there is one other thing that we should not lose sight of. We get in Fall River the pick of all the help coming out here from

England. A boat runs direct from New York to Fall River, which is on the route to Boston, and on the other side Boston is so near to us that all the picked help who are continually coming to these great cities, or the majority of them, come and settle here in Fall River.

He goes on and gives a very interesting and intelligent account of the working of the mills at Fall River. He then proceeds to say:

But in England they manage those matters very differently. The manufacturers have a board of trade with a paid secretary (I am speaking now of Oldham, the largest print-manufacturing place there), and the spinners have an organization of some 5,000 members, and they also have a permanent paid secretary. Then they have a list to go by.

Then he comes to the question of the American cotton manufactures, can they compete with the English? I hold this to be the most valuable testimony, because it comes from a man who has been all his life engaged in this manufacture, who has been intelligent enough to be a representative in the Massachusetts Legislature, who is the president of an association of his fellow-workingmen, and who, his whole evidence shows, has thought and reflected and is acquainted experimentally with what he is talking about. He says, referring to Consul Shaw:

Again, the year before, in a letter that he sent to the Secretary of State, Mr. Blaine, he says that he does not see why we should not be able to compete with the English manufacturers, and indeed Mr. Blaine himself says that he can not see why, either. Mr. Shaw mentions several kinds of cloth of which the cost of production in England is in the ratio of 2.55 there against 2.50 here, so that it really costs more in England.

ENGLISH AND AMERICAN WAGES.

Mr. Shaw gives also the wages of the weavers and spinners in England, and the reason that I did not want to go into that matter in detail now was that I have not those figures with me, but I think the wages given by Mr. Shaw for the weavers commence at $3.84 and range all the way up to $8.64, and the wages earned in America by the weavers commence at $4.62 and run up to $8.73, so that there is hardly any perceptible difference between the wages in England and the wages here. I think the wages paid to spinners in America he puts at from $7.20 up to $10.63, and the wages paid to spinners in England, if I recollect right, start at a little higher than the lowest wages here and run up to a few cents lower than the highest here; but there is hardly any difference in the figures. And, moreover, we are not paid so much in proportion to our production here as they are paid in England; for the reason that if we get as much wages here, we have to give more work for it.

AMERICAN OPERATIVES WORK HARDER THAN ENGLISH.

You will see a good smart girl running eight print-cloth looms in our mills here. She ought not to be allowed to do it, but she does it; and there is not a weaver in England that is allowed to run over four, and the English weaver has an assistant in running even four. So that the weavers do not get paid as much per loom for their production here as they get in England.

AMERICAN MILLS "RUN" AT LESS COST THAN ENGLISH.

I also noticed in Mr. Shaw's report this year some figures showing the cost of running mills in Massachusetts and at Ashton-under-Lyne, and also at Blackburn, in England, and he shows that some of the mills here are run on less cost than those English mills, particularly the Rhode Island mills, which are run by water and which, with the exception of Conant's mill, pay very low wages. The wages generally are about $7 or $7.50 a week, but in Conant's mill it is exceptional; there they pay as high as $12 a week. These facts were the basis for Mr. Blaine's inference from Mr. Shaw's report.

This gentleman goes on to testify in regard to the manner in which these corporations in New England conduct their business, and he is asked this question:

Q. Have you ever known an instance where, there being a rise in the market, the employers voluntarily, without solicitation and without active effort on the part of the operatives, raised their wages?

A. Not one.

Q. Did you ever hear of such an instance?

A. I have heard of instances where shortly after the men had returned to work after a strike the employers advanced them.

Q. But I mean an instance where there was no active effort on the part of the operatives, and where, there being a rise in the market price of the thing produced, the employer came forward voluntarily and said to his operatives, "I will give you more wages; I can afford to do it?"

A. I never heard of any such occurrence as that. In 1880, when there was an extraordinary rise in prices, there was an advance given by our manufacturers in Fall River on the very same day that some resolutions of ours appeared in the papers resolving to strike their mills.

Q. What do you say your resolutions were?

A. Our resolution was that if we were not to be given better wages—if we were not to get back some of the 30 per cent. reduction of wages that we had been suffering under from 1873—we would strike ten mills in Fall River; and the same day that our resolution went to print the manufacturers' resolution to give us an advance also went to print.

Q. Whose resolution was adopted first in point of time?

A. I don't know; I think that both parties were ignorant of each other's action because the Boston papers and the Providence Journal began to fool us, saying, "What is the matter with Fall River, an advance asked for and an advance given on the same day!" But I do think the manufacturers did hear some little murmuring going on among the men in the mills.

By Mr. PUGH:

Q. Was the advance which they gave equal to the demand of the men?

A. Yes, sir; it was equal to the demand, only it was given in a different way.

By the CHAIRMAN:

Q. Have you ever known another instance of that kind?

A. Not a solitary one.

Q. Either in the Old World or in the New?

A. Well, in England, both the secretary of the Manufacturers' Board and the secretary of the Spinners' Association have their eyes on the market all the time, and if there is a change in the market, the secretaries will ask through each other for a corresponding change in wages.

Q. I suppose it would be fair to ask you now if you have ever known an instance where, there being a fall in the market price of the thing produced, the operatives voluntarily asked to have their wages reduced?

A. I have never known an instance of that; but there is no need to ask that, because when there is a fall in the market, the employers will tell you a hundred times about it before it comes on the street. I do think, however, that there is more harm done at the street corners by the men who tell stories there than by anything else.

Q. I asked the question in order to develop your idea of the good influence of organization among the workingmen in securing their rights.

A. Well, I do not think there ever was a case of the kind you suggest, and it would be a very unadvisable course for the help to follow, because the employers would think they could reduce them a little more after that, and would get them down and down in that way. But I will show you the way they gave us that 10 per cent. advance. It is laughable to see the little trickery that goes on sometimes. We got reduced 10 per cent. on our prices, and the 10 per cent. which they gave us as an advance was 10 cents on the dollar earned. I wrote to the secretary of the Manufacturers' Board about it, but he did not seem to answer my letter, and I met some of the others on the street and I said to them, "I am afraid there is going to be trouble among our fellows." So we met two or three of the other agents and we talked for three hours, but we could not come to anything satisfactory to me.

The result of the testimony is that they demanded and threatened to strike ten mills unless they got an increase, and on the same day it was given to them.

The witness was then asked:

Q. If in the American market there is a certain amount of a certain kind of goods, and in the foreign market there is a certain surplus amount of the same kind of goods which is kept out from our market by a tariff, and if you remove that tariff and let that European surplus in, and you are a producer of the same kind of articles here, will you get more wages or less wages as a result of removing that tariff?

A. I do not think we would get any less in our city in our branch of industry. At first we might suffer on account of our corporations being built up under the tariff law; but if no tariff restrictions had been in existence when our corporations were built up I believe we would not suffer now by goods coming in from abroad. I think that what it took $600,000 to build under the tariff law could be built for $400,000 without it. Consequently the sales of a given amount of goods would yield a greater dividend and would enable our manufacturers to pay us good wages and compete with England. But the mills are there; the money is invested in them, and the owners want a return on it. We only want to do what is fair between capital and labor. Some of the new mills I think would not be able to stand; but some of the old ones would be able to stand against the competition of foreign goods.

Q. You think they have arrived at that point now?

A. I do, as to our branch of industry. I could not speak for all branches.

Q. How came those mills to be in existence in this country? Have you been observant of the rise of the manufacturing industries in this country?

A. No longer than for the past eleven years.

Q. Do you know whether the interest upon capital is higher or lower in this country than in European countries?

A. I suppose it is higher here.

Mr. President, one important portion of this testimony is in regard to the condition of operatives. I have not the strength to read it all, although I would be glad to do so, because it comes from the best source in the world, from an operative who is familiar with what he is talking about and who had seen the condition of labor in the old country and in this.

Q. In regard to the actual physical condition of the operatives in Fall River and elsewhere, can you give us any information?

A. The condition of the operatives in our city is a very unenviable one. The work there is very hard and the wages are very low—low in proportion to what they used to be some ten years ago, before the financial depression set in. Our females in particular are overworked; their strength is entirely overtaxed by the labors they have to perform. I have often argued myself that if our manufacturers would give over preaching so much about temperance and other things and try to bring about a reform in the condition of their operatives, it would be better than all the many thousand temperance lectures and temperance tales.

REDUCTION OF HOURS OF LABOR.

Q. What things would you suggest in the way of reform?

A. Well, we can not start anything in Fall River until we get New Hampshire and Rhode Island to do something, and the only practical thing we can see for them is to bring about a further reduction in the hours of labor.

OVERWORK AND ITS EFFECTS.

The work is too severe. Nobody would credit the amount of labor that a cotton operative has to perform. You may take a girl, boy, or man, from outside and put him in there to walk by the side of one who is employed in those mills, and I tell you that unless he has a very good constitution you will soon perceive a failure—that is, on account of the mere traveling, irrespective of the peculiar labor they have to perform. It is dreadful to see those girls, stripped almost to the skin, wearing only a kind of loose wrapper, and running like a race-horse from the beginning to the end of the day; and I can perceive that it is bringing about both a moral and physical decay in them. I do not want to say a word that would reflect disagreeably on my city or its people, because I think others are quite as bad, but I must say that I have noticed that the hard, slavish overwork is driving those girls into the saloons after they leave the mills in the evenings; and you might as well try to deprive them of their suppers; after they leave the mills you will see them going into saloons, looking scared and ashamed, and trying to go in without any one seeing them—good, respectable girls, too—but they come out so tired, and so thirsty, and so exhausted, especially in the summer months, from working along steadily from hour to hour and breathing the noxious effluvia from the grease and other ingredients that are used in the mills, and they are so exhausted when the time comes to quit that you will find that all their thoughts are concentrated on something to drink to allay their thirst.

I know of one girl in particular that lived close by me; her father died in the war and she lives with her widowed mother, who is receiving a pension from the State. The girl's health began to fail her some time ago and she had to go round the country trying to recruit her strength, and finally the doctor told her that the work was too hard and tried to keep her out of the mills, but the mother found it hard to get along, because it is so difficult to get occupation outside of the mills, and the doctor advised the mother to tell the girl to get a glass of beer or something to stimulate her appetite, as she could not eat anything; for beer, with all its bad faults—and I do not believe it is a good thing for anybody, still it has an effect sometimes in stimulating the stomach and creating the desire for something to eat, and without they do eat they won't work long in the mills. I would not put a child of mine in to be a mule-spinner for anything—I think I would sooner put it to a chimney-sweep to learn his trade. It is a trade and it is no trade, mule-spinning, and if the manufacturers would only try it a little they would think so too, because it is a continual race from morning till night, and there is not one man in twenty not brought up in the business who could follow a mule-spinner from the beginning of his day's work to the end, even considering nothing but the walking. I noticed one time in reading the history of the agitation for the ten-hour law in England that at that time assertions were made that the girls employed on spinning-mules, to work for the spinners, walked, say, from 17 to 20 miles per day.

There was a board of commissioners appointed by the Government to ascertain, among other things, whether those figures were correct. Lord Palmers-

ton was one of those who were interested in the matter, and after the subject was investigated the calculation was made out; they decided that the operative had to walk from 18 to 25 miles per day. But I have often asked myself since whether they were correct in that statement, because at that time the mules only went about two stretches in a minute. They go to-day four stretches and over four stretches in one minute, which is as fast again as they went at that time, so that working it out in proportion, if two stretches a minute give a distance of from 18 to 25 miles a day what must be the distance traveled now by the operative in ten hours at the rate of four stretches a minute? But at any rate, whatever the exact figures may be, it is a constant race from morning to night after this machinery; and you may know as well as I can tell you how a man must feel in this hot weather following such an occupation as that. He just feels no manhood about him. He can only take a glass of beer to stimulate him, to give him a little appetite so that he may eat in order to be able to go through his daily drudgery. I have been there and I know it. From the time I was very young I was fond of reading, and I remember many occasions when I have gone to my supper and taken my daily paper and have fallen asleep with the paper in my hand and have slept there until about 11 o'clock. Then I have been determined to read it, and have put my lamp beside me when I went to bed, and have gone to sleep again with the paper in my hand and lain there just as I put myself down, without stirring until morning—the result of exhaustion.

Now, we can never expect to advance civilization among such a class of people until we get a reform of this miserable condition of affairs.

This workman comes now to the dwellings of operatives. I am not here to put any personal knowledge against that of the Senators from Massachusetts and Vermont, or those roseate pictures that almost equal the description in the Lady of Lyons of that palace by the Lake of Como "lifting its head to eternal summer," etc. Here is the evidence of a man who has gone through this thing, manifestly a superior man in his business, a representative man, who has been a member of the Legislature of Massachusetts and is president of this association; here is what he says about the dwellings of the operatives:

Q. In regard to the actual tenements in which the operatives live, and their sanitary condition generally, what have you to say?

A. Well, I think that in Fall River we are behind other cities of Massachusetts in regard to our dwellings.

Q. I do not ask you about Fall River alone, but about that and the other manufacturing cities, such of them as you have observed.

A. Well, I think myself that there should be something done by the city government in regard to those houses. I think there ought to be something done to prevent the building of these huge blocks of tenements with only one room for a man to sit in and cook in and live in. They will have two bedrooms and a kitchen, and in that kitchen they must cook and sit; and if a friend comes in they have got to meet him there. When I have gone into those places in the night where there was a hot stove and they were cooking, I have felt fit to run anywhere out of them. There is no comfort at all. If a man had a little room where he could go and read his paper and be comfortable, I think he would be more likely to stay at home instead of going abroad to seek other kinds of enjoyment.

This is not that typical New England cottage, with the piano, and the pictures, and the library, and a little garden, and the contentment of home, and the hope of the future, but this is an actual, real description given by a man who, to use his own language, "has been there."

In regard to the savings of factory operatives which we are told here could buy whole cities, I read the following from the testimony of the same witness:

Q. What do you say in regard to the adequacy of the wages received by the working people in the factories in Massachusetts and other places with which you are familiar? State first, if you please, to what extent you have known, or do know, of accumulations of property among the wage-workers in manufactories.

A. If I had been aware of it that I was to appear before this committee I could have brought you some figures on that subject. I intended to make a point on that, but not having the exact figures with me I could not venture to do it with safety. We have building associations in our city, and there are many private houses springing up now. I am the president of the finance committee of one of those associations. The members pay in so much money per month and sell the dwellings at auction.

Q. Are the operatives generally saving anything?

A. Very few of them save anything.

Q. About what proportion of them do you think are saving?

A. I do not think that 10 per cent. of them are saving; because, as I have said, they are overworked and they spend their money in order to try to keep up their physical condition.

OVERWORK LEADS TO DRINKING AND IMPROVIDENCE.

Q. In regard to the other 90 per cent., do you attribute their failure to save to improvident habits on their part, or to inadequacy of compensation?

A. I attribute it more to overwork than anything else. Wherever you go in this country, or in any other country in the world, near the abodes of people who are overworked, you will always see the sign of the rum shop. Wherever you find men toiling at some miserable, laborious occupation, you will always find that sign, and the more miserable the condition of the people is the more custom there is for the rum shop.

Q. Do you mean, then, the failure of the operatives to save results from their too-prolonged hours of labor rather than from the inadequacy of their pay?

A. I believe it is largely attributable to too long hours. Drinking is most prevalent among the working people where the hours of labor are long.

This gentleman is further asked in regard to what labor contributes to the value of the cotton product:

Q. I want to get your knowledge or your views as to the value which the labor of the operative imparts to the articles that are manufactured in the cotton mills at Fall River where you work. How much of the value does the labor of the operative impart to the cotton fabrics made there?

A. Do you mean what dividends are the mills making?

Q. No; I mean what proportion of the whole cost of the fabric, when it is put upon the market, is made up in the cost of labor—the wages paid to the operatives?

A. That question I could answer accurately if I had my report of the bureau of statistics with me; but I have not, and that is the reason that I said awhile ago that I did not want to go into figures.

Q. What per cent. of the cost of the fabric to the manufacturer is made up of the price he pays for labor? Can you tell what relation the cost of the labor bears to the other items of cost in producing the article?

A. I will tell you what I will do. I will send all these data to the committee in figures; because we have it in the last report of our bureau of labor statistics. I think it is 20 or 22 per cent., but I am not certain.

Q. What is your knowledge and information as to the share that the laborer gets of the product when a division is made between him and the manufacturer? What is your idea also as to whether that share is equitable and just and right—whether it is such a share of the product as the laborer should have in proportion to the amount of work that he does and the amount or value that his labor imparts to the product?

A. There is a wide difference between towns and cities. For instance, here are the Pacific Mills in Lawrence. Last year they reduced the wages of their help somewhere about 25 per cent., and we could prove that for nineteen years preceding the corporation had declared dividends averaging 20½ per cent. We could find evidence of that in our State records.

Q. You are telling us now what the capitalist, the manufacturer, got in that case?

A. Yes, sir; that is the kind of dividends they get in good times, and then when the first cloud of adversity comes, they never think of the large dividends they have been making for years, but they look around and say, "The market is falling, and we must keep up these dividends in some way;" and then they try to do it by cutting down the wages of their workmen.

Q. That is, they are not willing to lose any portion of these 20 per cent. dividends when revulsions in trade come and panics take place—they are not willing to lose anything themselves, but they make labor bear the loss?

Mr. ALLISON. I did not quite gather the statement there about the Pacific Mills. I understood this witness to state that for nineteen years prior to his statement the Pacific Mills had made an annual dividend of 28 per cent.

Mr. VEST. Twenty and one-ninth per cent.

Mr. ALLISON. Annually for nineteen successive years?

Mr. VEST. I will again read the statement:

Last year they reduced the wages of their help somewhere about 25 per cent., and we could prove that for nineteen years preceding the corporation had declared dividends averaging 20½ per cent. We could find evidence of that in our State records.

* * * * * * *

And the Pacific Mills that I have spoken of have not only made that dividend, but their capital stock has been increased from $2,500,000 to $5,000,000.

I have not the strength to read more of this evidence. I make no apology for reading it, however, because it strikes on the main point in this connection, and that is whether this increase of duties goes to the capitalist, to the manufacturer, or goes to the workingman, and I take it the best evidence in the world—not from *doctrinaires*, not from tables of statistics that can be manufactured, but from an intelligent workingman himself, who, not influenced by political considerations, has nothing before him but the good of his fellow-workmen.

Mr. ALLISON. What is this gentleman's name?

Mr. VEST. I gave it. His name is Howard, and he is an ex-member of the Massachusetts Legislature, and greatly to his credit he declined a re-election. I will read it again for the benefit of my friend from Iowa [Mr. ALLISON] if he takes any personal interest in it. I do not know him, and I went through this vast volume of testimony without particular attention to statements of the *doctrinaires* and the professors and the politicians, and accepted this man's statement as worth all of them put together. He has worked in both countries; he knows certainly what he is talking about, and he makes these statements from personal observation.

Mr. ALDRICH. Will the Senator from Missouri allow me to make a statement just there?

Mr. VEST. Certainly.

Mr. ALDRICH. This gentleman—undoubtedly he is a very worthy man—is politically a Democratic free-trade agitator.

Mr. VEST. I do not know anything in the world about him, and do not know whether he is a Democrat or Republican, and he does not state.

Mr. ALDRICH. I can inform the Senator that he is one of the Democratic leaders in the city of Fall River.

Mr. VANCE. That is all the better.

Mr. ALDRICH. I will say, so far as his connection with labor organizations is concerned, that I do not think he has done any work himself for a good many years, except to draw his salary as a floor-walker or agitator or something of that kind.

Mr. VEST. That is always the way when anybody testifies against these manufacturers who make enormous profits. I have no doubt that my friend from Rhode Island would, if he had the power, put in the statutes of the United States a provision that any man who votes the Democratic ticket should be disqualified as a witness or juryman. I have not the slightest doubt of it. I know of no crime in the eyes of the manufacturers and their defenders here greater than that of resisting this system of taking enormous profits; and it matters not where the testimony or the arguments come from, we are met with an assault like this: "Is that man a Democrat? Does he vote the Republican ticket? Has he dipped in this political Pool of Siloam called the Republican party? If not, out with him! He is an agitator, a floor-walker, an incendiary; he is against the interests of the Republic!"

Mr. ALLISON. I was surprised to hear the statement of the Senator from Rhode Island after hearing the eulogy of the Senator from Missouri, who stated that after looking over that vast volume and reading the statements of amateurs and experts and politicians, he finally struck an honest man who took no interest in politics; and now it turns out that this man is a professional agitator. [Laughter.]

Mr. VEST. The Senator from Rhode Island makes that statement.

Mr. ALDRICH. He has been a Democratic candidate for State senator from Fall River for eight or ten years.

Mr. VEST. It seems he has been elected.

Mr. ALDRICH. Sometimes he has been, and sometimes he has been defeated—oftener defeated.

Mr. VEST. Here is his statement under oath:

I was a member of the Legislature of Massachusetts in 1881. I served one year, and the year following I was nominated again, but I declined. I thought it would have a tendency to create bad feeling among the members of our organization, some of them perhaps thinking that I was seeking political honors, and therefore I declined the nomination.

Mr. ALDRICH. He reconsidered that good resolution and ran the next year.

Mr. VEST. He may have committed perjury, but I have come to that time of life when I am very reluctant to believe that a man could deliberately swear to a lie without any other incentive to do it except simply the facility for doing so.

Mr. JONES, of Arkansas. This statement was made under oath, was it not?

Mr. VEST. It was made before the committee of which the Senator from New Hampshire [Mr. BLAIR] was chairman. Here is this man's unpardonable sin. He was asked:

Q. What about its being a fact publicly known to the whole country that protection through the imposition of tariff laws is claimed, by members of Congress who represent that policy, for the benefit of the American laborer? Is not the tariff adjusted, or said to be adjusted, so as to afford protection for the benefit of the American laborer by enabling the manufacturer to pay him the highest wages for his work? Is not that the general ground on which it is claimed that there should be protection?

A. That is the ground upon which it is claimed; but that is not the prevalent opinion among the working people.

Q. Then, while this protective law is claimed to be and is passed in order that it may be a benefit to the operatives in our manufactories, I want to know how much benefit they do actually get from the increased prices which the protective tariff gives to the product. What share do the operatives receive when the product is sold and the proceeds are divided between them and capital?

A. The benefit? Looking at the wages here compared with the wages in England, I can not see any benefit.

Q. That is, the manufacturer takes the whole of the benefit; is that it?

A. Yes. They will go over to Canada and bring over hordes of French people here to work in our mills at 50 or 75 cents a day.

Q. Are not the operatives in New England intelligent enough to know that this protection that was intended for them in the passage of this tariff law does not reach them; and is not that one reason of their discontent?

A. Yes, sir. Secretaries of trades organizations in England write to me that we are selfish in keeping on our tariff laws.

But as a matter of course this man has committed the unpardonable sin in that he has dared to express the opinion that the protective system, as it is called, of the United States inures to the benefit of the capitalist and not to that of the laborer. If he had held the opposite opinion he might have been worthy of the following encomium, which I commend to the Senator from Rhode Island with the simple observation that if he continues as he has commenced the time may come when this mantle will fall upon him and he will stand upon the pedestal now occupied by our venerable friend from Vermont [Mr. MORRILL]. Here is what the president of the Manufacturers' Association says of the honorable Senator from Vermont, for whom I have a great regard:

Mr. MORRILL'S marvelous success did not proceed so much from his genius and intuitive suggestions as from a faculty higher than any genius which this statesman possesses in a degree unequaled by any other in the country—with perhaps the exception of Mr. KELLEY—of ascertaining in the minutest details the wants of every interest in connection with tariff legislation.

That is the highest element of statesmanship, to find out what the manufacturers want and give it to them. That is higher than genius, higher than anything else. Go down to the minutest detail and find out what they want and give it to them, and then you are entitled to the encomiums passed upon my honorable friend from Vermont in this evidence.

But, Mr. President, whether it is one constructor of a tariff bill or another, whether it is one Republican committee or another, the result is always the same—an increase of duty either by classification or by direct provision, always inuring to the benefit of the manufacturers without regard to the consumers, who are told simply to stand off and look upon this marvelous programme without any interest in it whatever, the entire tariff duty being paid by the foreign importer, and it being a question entirely with the manufacturer and importer in which the people of the country are not at all interested! If I should put a paraphrase upon some well-known lines I should say that—

> Protection's battle once begun,
> Bequeathed from grasping sire to son,
> Though often lost, is ever won.

There is never any end to it, and until the people of this country recognize the fact that the object of this system is to put money into the pockets of capitalists over and above any reasonable profit it is useless to make any argument or exhibit any facts.

Mr. STEWART. Mr. President——

Mr. VEST. I yield if the Senator wants to ask a question.

Mr. STEWART. No; I thought the Senator was through.

Mr. VEST. Mr. President, a great deal has been said in this connection in regard to the beatific condition of the operatives in the States of Massachusetts and Rhode Island. I have in my hand the "Fourth Annual Report of the Bureau of Statistics of Labor, embracing the account of its operations and inquiries from March 1, 1872, to March 1, 1873, of the Commonwealth of Massachusetts."

I suppose this does not come from a false witness. This comes from a State board created by law, making their report and making it upon some points that are very material in this controversy; and I commend it to the Senators from Massachusetts and the Senator from Vermont [Mr. EDMUNDS]. We have heard a great deal here about the deposits in savings-banks, and in regard to that point I want to read the report of this bureau in 1873:

In further confirmation of the fact of poverty, we quote from the report of the State visiting agent of the board of State charities of Massachusetts.

Then follows a long report, showing the impoverished condition of the working people. Now, says the report of the bureau of statistics of labor:

To aid in the abolition of this condition, savings-banks were established. How far they represent the true condition of labor can be best understood by examination of our statistics. The people have not had the ability, nor the opportunity, nor the inclination to save much. Those who saved are not always the best cultured, nor the most intelligent, nor the best paid, best housed, or best clad. These do not save as a rule. Upon this point we are sustained by the bank commissioner of this State, whose testimony we have quoted in another part of the report. People save money by stinting their households, and this in matters of education, health, and culture.

To this mass of testimony of wages, earnings, and savings, or inability to save, we have added this year a table of returns from the assessors of 295 towns in the Commonwealth, showing that the total number of resident tax-payers in those towns was 212,000, of whom 87,000 paid only a poll-tax, 106,880 persons paid a tax under $50, and that five-sixths of the tax-payers own one-fifth of the total amount of real and personal estate in those towns.

As a rule, those wage-laborers who own real estate would not be likely to pay over $25 taxes. Of this latter class there are 40,000 tax-payers. It must also be borne in mind that, as a rule, this property is more or less mortgaged. And if it is claimed that the tax does not represent the full value of the property, it can be said to represent, at least, the full value of the property not mortgaged.

* * * * * * *

It is well known that the smaller deposits are more frequent than the larger ones. Perhaps the most frequent are those between $5 and $25, the less frequent being those over $300. It would take five deposits per year, of those who deposit at one time between $5 and $25, to reach the amount deposited by those depositors who deposit in the year the average under $300—that is, the average deposit between $5 and $25 is $15.25; five deposits in the year would amount to $76.25. The average amount of deposit in the year under $300 is $77.36. Many persons are supposed to deposit something from their weekly earnings; these would be of the class under $5. Of course, in many weeks no deposits are made by the same person.

* * * * * * *

The mass of testimony we have presented in this and the preceding report, consisting as it does of extracts from the reports of the bank commissioners from 1851 to 1870, from returns of 125 banks, and from the inaugural addresses of Governor Claflin, as well as the almost universal testimony of intelligent workingmen, sustains us in our claim that the fact of large sums of money in our savings institutions is not an index of the prosperity of the working classes.

Members of the last Legislature, who voted against the bureau, have stated that they know our deductions to be true. We could fill the space of this report with testimony substantiating every point we have claimed. But such testimony is not needed. We take the testimony and returns of the savings-bank officers themselves, and from their statements and figures have proved the utter fallacy of the savings-bank theory, and establish the fact, beyond contradiction, that nearly half, at least, of the amount of deposits is held by those who can deposit $573 at one time; a sum that wage-laborers can not save from the earnings of a single year, much less deposit at a single deposit; and the exceptions to which we have referred only prove the rule.

Reference was made, in the hearing before the bank committee, to an investigation made of the banks in the year 1871.

I will not undertake to read all of this report, but I make extracts from it. The deductions of the board are as follows:

From these figures it appears that in 1867 one-eighteenth of the whole number of deposits amounted to one-third of the whole amount deposited.

In 1868 and 1869 one-seventeenth of the whole number of deposits amounted to two-fifths of the whole amount deposited and sixteen-seventeenths to the remaining three-fifths.

In 1870 one-fourteenth of the whole number of deposits amounted to three-sevenths of the whole amount deposited, the remaining four-sevenths being the amount of thirteen-fourteenths.

In 1871 one-fourteenth of the whole number of deposits amounted to nearly one-half of the whole amount deposited.

From 1867 to 1871, inclusive, there has been an increase in the number of deposits of 64 per cent. and an increase of 98 per cent. in the number of deposits of and exceeding $300 at one time.

The facts and figures we have given in this and the preceding reports establish beyond a reasonable doubt—

First. That persons not wage-laborers are depositors to at least one-half of the whole amount deposited.

Second. That, as a rule, the wage-labor deposits average under $50 deposited at one time.

Third. That manufacturers, traders, and lawyers use these banks instead of banks of discount as a place of safety and convenience.

Fourth. That capitalists, persons living upon their income, use these banks to escape taxation and the care necessitated by other investments.

In making these statements we are not making charges against savings-banks. They are not responsible for the inability of the wage-laborer to save, or for the necessity compelling him to withdraw his savings; they are, undoubtedly, as a rule, carefully managed in the matter of security, and deserve the protection and fostering care of the State. The dangers that beset them are many. As security against these dangers, a uniform system of booking should be demanded by the State, small loans should be encouraged or compelled, discounts should be forbidden, and large rates of interest prohibited,

By the United States census it appears that the average number of days of work in the manufacturing and mechanical industries of the State for that year was 280. It is well known that carpenters, bricklayers, etc., can work only during the spring, summer, and fall months, some of even that time being lost from inclement weather and other causes. In the textile fabrics no such loss occurs. In them the stoppage is generally for repairs, breakage, etc., or on account of high or low water. This last is being constantly obviated by the introduction of steam as an auxiliary, even in places where there is water power. In such closely confined employments time is lost, however, from sickness and other causes, it being considered that two and one-half days a month is a fair average for such lost time.

With these average earnings, then, our statements of inability to save or to secure a home, or to acquire a competence, can be easily understood. By our

cost-of-living tables, derived almost wholly from the higher classes of working people, it will be seen that the cost of living is in excess of these annual wages. We have attempted to obtain from traders an average percentage of the loss on bills due from the working classes, but have been unable to gain any important statistics upon that point, but enough is known to establish the fact of such loss. Our statements of these facts in the past reports have called forth the remark, "How does it happen that the working people continue to live if in debt?"

The only reply to be given is the fact of the non-payment of the debt, it being a well-known practice that such debtors often change from one creditor to another, or suddenly remove from one place to another, leaving the debt unsettled, and begin again. Lawyers, doctors, landlords, grocers, and traders have reason to know that not only are large numbers of wage-laborers in debt, but that even men of the middle class, salaried persons, even traders themselves, are not free from this incumbrance, the trader having the advantage that by failing he can close up his accounts and start again. How many of this class succeed in business? We have heard it placed below 10 per cent. by the very best authority, in reference even to the higher mercantile class.

Then the report goes on to speak of "the serving of trustee processes," etc.

Mr. ALDRICH. Will the Senator state by whom that report is signed?

Mr. VEST. It is an official document which I obtained from the Congressional Library. All I know about this book is that it purports to be the "Fourth Annual Report of the Bureau of Statistics of Labor, embracing the account of its operations and increase from March 1, 1872, to March 1, 1873, printed by order of the Legislature of Massachusetts."

Mr. ALDRICH. Who was the commissioner of labor?

Mr. VEST. I really did not examine, for I took no interest in the *personnel* of the business. The book is printed by authority of the Legislature and is an official document. If they are floor-walkers or politicians, I do not know it. I know that this is the official statement of the bureau.

From the report for 1871 of the same bureau I read as follows:

Did you ever know an instance of a workman (other than an overseer) working at ordinary day wages, or at piece-work pay, who acquired a competence upon which he could live without work; and, if yes, in how many years did he acquire such competence?

Upon that question this bureau makes the following statement:

Remarks.—This question has been answered by all except five, and almost invariably in the negative. A large number declare that it is impossible. A few have cited instances of men who have accumulated what they deem a competence, which we here give. A woolen-spinner says: "I never knew such a person. I know a man, however, who has acquired $1,200, but has done it by thrift and injustice to his own stomach. It has taken him twelve years to accumulate that sum, and he has denied himself and family many things which I consider the necessaries of life, such as sugar, butter, butcher's meat, eggs, etc. I don't call that living. There are some people who can live on what others would starve. I believe in doing justice to the stomach; it is of the utmost importance, clothing being only of secondary importance. There are men working for this company, in the finishing department, who get but a few cents over a dollar per day. How they manage to get along I can not imagine. There are many women working in the card-room for 65 cents a day."

A dress-tender says: "I never knew a man who acquired a competence by working in the mills."

A boot-maker says: "I do not think there is such a case on record. I would go a great way to see such a man and get a full account of how he did it."

Mr. ALDRICH. What is the Senator reading from now?

Mr. VEST. I am reading from a speech of Mr. Read, of Kentucky, in 1872, and these are extracts from the report of that same bureau of labor of Massachusetts.

Mr. ALDRICH. I will say that that report was written by Mr. George E. McNeil, who is also a professional agitator.

Mr. VEST. Well, they are thick. I presume that is claimed to be true of any man who belongs to any of these organizations who is not a Republican politician.

Have you ever known instances wherein an ordinary operative earned a competence or was enabled to retire at fifty years of age on moneys earned as a wage-laborer? If yes, what percentage would the number of employés so earning be of the whole number of your employés?

The report says:

The answers to these questions and the extracts show better than any theorizing the actual condition of the wage-laborer, the results of the system of wages, and that the instances of even small competences are the very rare exceptions to a general rule.

This question was submitted to the operatives:

Have your present earnings and present cost of living each increased in the same proportion to what they were before the late war, or has the cost of living increased in a greater ratio?

The report says:

The answers to this question, without exception, agree with the statement of Commissioner Wells, that wages have not increased in the ratio of the increased cost of living.

I suppose that Commissioner Wells is another agitator.

Mr. ALDRICH. If the Senator will allow me, I suppose he refers to David A. Wells.

Mr. VEST. It just says Commissioner Wells.

Mr. ALDRICH. He was at that time Commissioner of Internal Revenue.

Mr. VEST. He is an agitator, of course, because he is opposed to a protective tariff.

Mr. ALDRICH. But he was not a Republican agitator so far as we are aware.

Mr. VEST. He was a Republican, I believe, at one time. I know he has written an unanswerable work on American shipping that I have heard a good many Senators try to answer on this floor.

Mr. ALDRICH. Was that one of his earlier or later works, does the Senator know?

Mr. VEST. I do not know that he ever prepared more than one such work, and that was "The American Merchant Marine."

Mr. ALDRICH. He has written on both sides of the subject at various times, and I did not know to which the Senator referred.

Mr. VEST. I have never read more than one statement from Mr. Wells, and that is his "American Merchant Marine," which is an unanswerable argument, showing the destruction of the merchant marine in this country by the protective-tariff system.

This question was put:

What proportion of the working people, so far as you know, are in debt? What in your knowledge or judgment were the causes of such debts?

The report of the bureau says:

These questions were quite fully answered, and they indicate that a very large percentage of wage-laborers are in debt. The causes generally assigned are insufficient remuneration, and the habits that spring out of such insufficiency, habits tending to waste and not to thrift.

A boot-crimper says:

The working people are in the hands of their employers by way of mortgages, etc., caused by not having pay enough for labor. I have known temperate men in actual distress, owing to large families, to such an extent as to require aid from the societies to which they belonged.

Then come statements from a nail-maker, a female weaver, and a dress-maker, and so on.

The same report gives the average dividends of the cotton mills: Chicopee Mills, dividends 26¼ per cent.; capital, $420,000; value of stock, $325 on par of $100. Merrimac Mills, 15½ per cent. Middlesex Mills, 22½ per cent. Naumkeag Mills, dividend 19⅝ per cent. Pacific Mills, dividend 21¼ per cent. Salisbury Mills, dividend 22½ per cent.

Mr. President, a plain unsophisticated Western countryman must be excused if he doubts these highly-colored pictures of domestic affluence among the operatives in Massachusetts. I must confess that whilst I sympathize with these operatives, my chief objection to a high protective tariff is the enormous amount which it makes my people in the West pay, the real producers of this country, in order to increase the profits of the manufacturing capitalists of New England. I have no objection to a reasonable profit, but I do object to these enormous profits and this persistent attempt year after year to increase the tariff, and under the miserable subterfuge, for it is nothing else, with all respect to the gentlemen who make it, that the tariff duty does not come out of the consumer, but that it is gate-money paid by the importer, and that it does not affect the price of the commodity to the man who uses it.

That is all I desire to say now upon the subject.

Mr. STEWART. Mr. President, I desire to discuss the tariff, but I find it so connected with the question of money that I am unable to separate them. Therefore I ask the indulgence of the Senate to consider them in connection with each other.

"A feast is made for laughter, and wine maketh merry: but money answereth all things." It is now more than three thousand years since this truth was declared by the great lawgiver in Israel. Napoleon was once asked, "What are the three most essential requisites in war?" and replied, "The first is money; the second is money; and the third is money." What is true of war is true of every undertaking or enterprise. The power of money is not confined to the acquisition of property and services, but it draws after it rank, station, and badges of nobility. All things are estimated in money. Countless millions toil for it; commodities are manufactured and produced to secure it; trade and commerce are conducted to obtain it; the hidden mysteries of nature are explored for inventions and discoveries to be rewarded in money. The acquisition of money is the ruling motive for industry and progress. Nothing is wealth that can not be exchanged for money. If money is not wealth, it is better than wealth; it commands all things.

BRIEF SKETCH OF EARLY HISTORY OF MONEY.

Some medium of exchange has always existed in every tribe, community, or nation of which we have any knowledge. Many things have been used at different times as money. It is impossible to determine what was first used. The American Indians used wampum, the ancient Greeks cattle, the Carthaginians stamped leather, the Abyssinians salt, the Icelanders codfish, the Anglo-Saxons used living money—slaves and oxen—in payment of debts; the Chinese the bark of the mulberry tree stamped by the sovereign.

Silver and gold have from a very early period been regarded as best adapted for use as money. For many centuries they have been designated "the precious metals" and employed as legal tenders and measures of value. During all the period recorded in the Bible silver is constantly referred to as money. Abraham, two thousand years before the Christian era, "was very rich in cattle, in silver, and in gold." On the death of his wife he purchased a burying-place with "four hundred shekels of silver, current money with the merchant." Joseph, his great grandson, was sold by his brethren into Egyptian slavery for twenty pieces of silver, and when he became minister of the king his brothers brought silver in their sacks' mouths to purchase corn. When making himself known to his brethren Joseph presented to his younger brother three hundred pieces of silver. After the Israelites returned

to the promised land they used silver as money, which practice has continued in that country until the present day.

There is no record in the Bible of the use of gold as money, although it was extensively mined. The gold fields of Havilah are referred to in the second chapter of Genesis, and it is declared that "the gold of that land is good." Gold was used for ornaments of the person, like the onyx, sapphires, crystals, pearls, rubies, and other jewels, and also for the decoration of altars, temples, and palaces. King Solomon acquired it in great quantities from the land of Ophir, and used it with magnificent liberality in the construction of his temple in Jerusalem.

Silver for many centuries passed current by weight before the practice of coining was adopted. Herodotus tells us that the Lydians coined gold and silver nine hundred years before the commencement of the Christian era, and that Greece proper commenced coining some time in the eighth century before Christ. The Romans first coined silver 281 B. C., and gold 207 B. C.

Since that time both gold and silver coin have passed as legal-tender money in all civilized countries until a very recent period, but barbarous and semi-civilized people have from time to time used other material for money, and some of them do so at the present day. England ceased to coin silver as legal-tender money in 1815. Holland during most of her history used the single silver standard. Belgium adopted the silver standard in 1857 and restored the double standard in 1861. Austria and Germany suspended the coinage of gold in 1857, and Germany restored it in 1871, and at the same time demonetized silver by excluding it from her mints. The United States omitted the silver dollar from its list of coins in 1873. The demonetization of silver by Germany and the United States induced France, Italy, Belgium, Holland, Switzerland, Spain, and other European countries to first limit the coinage of that metal and afterwards to cease to coin legal-tender silver.

At the end of the year 1876 every mint in Europe was closed against silver and most disastrous results followed, as I shall hereafter show. In 1878 Congress provided by law for the purchase and coinage of not less than two nor more than four million dollars' worth of silver bullion per month, and although the Secretary of the Treasury has never purchased in excess of the minimum, about $300,000,000 of silver and silver certificates are now in circulation, without which this would be an era of universal bankruptcy. But the United States does not, as heretofore, recognize silver bullion as a money metal interchangeable for coin at its mints at a fixed ratio, but treats it as a commodity to be purchased at the lowest market price.

THE EXTENT TO WHICH GOLD AND SILVER ARE NOW USED AS MONEY.

Gold is the standard measure of legal-tender money in Europe, the United States, Australia, and Canada, with an aggregate population of about 400,000,000.

Asia, the islands of the Pacific, Mexico, and South America, with an aggregate population of not less than 800,000,000, adhere to silver, and from the habits of the people and the state of civilization in those countries they must continue to do so for an indefinite period. Africa, with an estimated population of 268,000,000, still uses in many sections a variety of trinkets as money; in other places silver, but very little gold coin is in circulation. In the progress of civilization in that country silver must be the principal money in use. Gold is too valuable to be used by the barbarous and semi-barbarous people of the dark continent. If the United States, with Europe, adheres to the gold standard less than one-third of the inhabitants of the earth will recognize gold as the measure of value, while two-thirds will use only silver.

No inconvenience resulted from the use of gold in some countries and silver in others as long as the double standard was maintained in the United States and Europe. The fixed ratio between the two metals prevented material fluctuation in their relative value and preserved uniformity of exchange throughout the world. The value of each metal was easily estimated in the other. Great obstructions to commerce now exist between Europe and America and the balance of the world by reason of the constant fluctuations in the relative value of the two metals. In all commercial contracts between countries having the gold standard and those having the silver standard this fluctuation is taken into consideration, and one party or the other must necessarily suffer a loss.

If the United States ever secures a valuable foreign market for its manufactured commodities it must be in Mexico, South America, Asia, or the islands of the Pacific, where the silver standard prevails. When the United States withdraws from the gold-standard combination and unites with the silver-standard countries, less than one-fourth of the inhabitants of the world will have the gold standard. Europe must then remonetize silver or the United States will have superior advantages in her commercial intercourse with those countries having the silver standard.

One of the principal objections to the use of paper money is that it has no fixed commercial value in foreign countries and can not in any sense be a money of universal use. The same is true to a certain extent of gold. It never can be universal money. It may have a commodity value in every part of the world, but two-thirds of the inhabitants of the globe will continue to use the white metal as money.

The only practicable way to again attain a common measure of value throughout the world is to return to the double standard. By such action the relative value of the two metals would be fixed, and by the use of silver as well as gold the volume of the circulating medium would be largely increased. Recent discoveries of gold and silver mines and improved methods of mining give reasonable assurance of a sufficient supply, if both metals are used as money, to increase the volume of currency to correspond with the increase of population and the necessity for the use of money. No such prospect was ever before presented to man. In all previous ages the want of means of travel and transportation and the crude methods of mining limited, with few exceptions, the supply of the precious metals to less than the necessities of the people required. Every country which has had the good fortune to be an exception to the general money famine of the world has exhibited wonderful progress in civilization and a marvelous increase in the enjoyment of the comforts and luxuries of life.

HOW MONEY AFFECTS CIVILIZATION.

The researches of Jacob and other historians into the production of the precious metals disclose the fact that the Israelites, at the zenith of their glory, were abundantly supplied with gold and silver; that their prosperous neighbors, the Phœnicians, gathered the precious metals from India, Africa, Arabia, Spain, and the islands of the Mediterranean; that Egypt, at the time of the Pharaohs, possessed large accumulations of gold and silver from the mines of Nubia. At this time the inhabitants of Greece and Rome were semi-barbarians, but in the eighth century before Christ the Greeks commenced to accumulate and coin money.

From that time forward the circulating medium increased with the development of civilization. When architecture, sculpture, painting, and literature reached their greatest perfection in that country Greece was abundantly supplied with gold and silver coin. The history of the rise of the Roman Empire is a history of conquest and accumulation of gold and silver. All the mines of these metals then known to exist were gradually turned over to the dominion of Rome by the conquest of Carthage, Spain, Germany, Greece, Western Asia, and Egypt, and all accumulations of the precious metals which could be found in those countries were taken and appropriated by the Romans.

At the time of Augustus the mineral wealth of the world was concentrated in his dominion. The nations of ancient times decayed and their civilization was destroyed when their gold and silver disappeared. The decay and ruin of the Roman Empire followed or kept pace with the loss of her stores of precious metals. Jacob estimates the coined money of the empire at the time of Augustus at about eighteen hundred millions. The value of the accumulations of gold and silver used as ornaments or uncoined can not be ascertained, but it was probably several hundred millions.

Following the reign of Augustus internal dissensions, domestic and foreign wars, abandonment of mining, and wear and loss of gold and silver occasioned a rapid decrease of the stock of precious metals, and during eight hundred years after his reign Jacob estimates that the gold and silver money of the countries composing the Roman Empire was reduced to about one hundred and sixty millions. In the seven centuries between 800 and 1500 very little mining was prosecuted. Jacob tells us that—

> The art of separating the precious metals from the ores and from the inferior metals with which they were mingled had been lost since the time of the Roman operations and were recovered by the same slow and gradual steps by which the ancients had proceeded.

This was a period of extreme poverty, feudal slavery, and barbarism. There was no power in the people to resist oppression, for they had no money.

The want of money extracts the courage and ambition from both individuals and nations. The constant efforts of nations to acquire money by conquest and the devices to provide money for defense show that the necessity for money to national existence has been universally recognized. When a supply of the precious metals has been exhausted it has been customary, especially in times of war, to substitute paper or some other device for money. These experiments have been more or less successful, depending upon the stability of the government resorting to them and the safeguards limiting the amount of the improvised money.

Many times in the history of each of the great powers of Europe the issue of paper money was necessary to maintain national existence. By this means, it is claimed by many, the independence of the United States was achieved in the war of the Revolution and the union of the States preserved in the war of the Rebellion. However that may be, it must be conceded that a nation without money and without credit is destitute of the means of securing the comforts and luxuries of peace and is defenseless in war. We witness in daily life the marvelous effects of money upon the character of individuals. The haughty capitalist becomes a cringing and cowardly suppliant by the loss of his money, while the beggar who inherits a fortune is transformed into an aggressive and domineering aristocrat. Two hundred dollars in the pocket of a tramp will make him walk erect and assert his manhood.

Fifteen hundred years of contraction by the wear and loss of the precious metals between the reign of Augustus and the discovery of America nearly extinguished the civilization of the ancients and reduced the people of Europe to feudal slavery.

The discovery of gold and silver in Mexico and South America revived mining for the precious metals in the Old World as well as the New. The despairing serfs and slaves of poverty-stricken Europe were inspired with courage, enterprise, manhood, and independence by the gold and silver produced by the revival of mining. A new civilization was created which soon rivaled, and now surpasses, the glory of antiquity.

For more than three hundred and fifty years the flow of the precious metals from the New World has been added to the product of the mines of the Old, and gradually, but constantly, distributed among the people. Fluctuations in production have at times occasioned scarcity of money; but the want of money and the distress caused thereby, since the discovery of America, have mainly resulted from unwise legislation and combinations and conspiracies among the rich to deprive the people of their just share of the rewards of labor and enterprise.

Sir Archibald Alison, in his old age, after having contributed eight large volumes to the discussion of the new civilization in Europe which resulted from the discovery of gold in America, significantly remarked that—

This history has been written with little purpose if it is not apparent that in an ancient, opulent, and commercial nation—

Meaning England—

the monetary measures which the holders of realized wealth, for their own sake, are prompted to pursue, are the source of such unbounded industrial distress and frequent recurrence of monetary and commercial crises as perhaps more than any other cause impels the industrious part of the nation into distant lands.

We would not complain of the monetary measures of Europe which banished millions of its best population to America if the holders of realized wealth in money, bonds, and securities in Europe and America were not now engaged in a conspiracy to impoverish and oppress the people of this country by robbing them of the glorious opportunity afforded for wealth and prosperity by the discovery and development of the gold and silver mines of our own favored land.

Money famines, occasioned by failure in the production of the precious metals, have been rare since the discovery of gold and silver in the New World. The most disastrous and prolonged interruption in mining which has occurred in the last three hundred and fifty years happened in the present century. In speaking of the reduced production of gold and silver from the beginning of the year 1810 to the end of the year 1829, occasioned by the Spanish-American wars, Jacob says:

We are now arrived at a period when a great and sudden change took place in the production of the mines of gold and silver. After a space of more than three centuries, during the whole of which there had been a constant increase of the quantities obtained, and each succeeding decennial period yielding a larger portion than the similar number of years that preceded it, the whole of the mines in every part of the western continent declined greatly in their produce; and though they have in some measure been restored, it has been by slow degrees, and they are yet very far from having the copious produce which they yielded before their general abruption from European government.

Jacob estimates the average annual production of gold and silver in the world during the period above referred to as not exceeding $25,000,000. There was some increase of production of the precious metals between 1830 and 1850 from the mines of Russia. This did not raise the average annual production from 1809 to 1850, exclusive of the gold produced in California, above $40,000,000. It has been contended that this supply did not exceed wear, loss, and consumption in the arts. At all events the addition to the stock of coin on hand during the forty years preceding 1850 was wholly inadequate to meet the demands of an increasing population. Prices declined until they reached a lower point in 1850 than at any time within the previous century.

In 1810, when the effects of a failing supply of gold and silver were first felt, the tide of prosperity was at full flow, but the power that impelled it was withdrawn. Reaction, stagnation, and depression followed the inadequate supply of money in every part of the civilized world. The rich and virgin lands of the United States mitigated but did not exempt the people from the evils of stagnation and depression.

The compromise tariff of 1833, which scaled down the duties on imports from year to year to reach a horizontal ad valorem duty of 20 per cent. in 1843, occasioned a glut of foreign commodities, arrested home manufactures, and sent the meager supply of coin in the United States to Europe in payment of foreign imports. Universal bankruptcy in 1837 was the necessary consequence of the decline in the production of the precious metals and the unwise legislation of Congress which forced the people to purchase the necessaries of life in the Old World, which ought to have been produced at home.

The protective tariff of 1842, by enabling the people to do their own work and supply themselves with the necessaries of life, checked the outflow of the precious metals and partially relieved the distress which resulted from the scarcity of money. Strange as it appears, in 1846 another reduction was made in the duty on imports in utter disregard of the lesson of the disaster of 1837. Two unanticipated events happened which counteracted for a time the injurious consequences of this legislation—famine in Ireland and short crops in England and other parts of Europe in 1847, and the discovery of gold in California in 1848. Imports of merchandise in 1847 increased $6,000,000 over 1846, but our exports increased over $48,000,000 during the same year. This increase of exports consisted chiefly of breadstuffs, the amount of breadstuffs exported in 1847 being $37,000,000 more than was exported in the previous year.

Famine reversed the trade relations between the United States and Europe from an adverse balance of $9,000,000 in 1846 to a balance in our favor of $34,000,000 in 1847. Our people were relieved from the necessity of sending the precious metals abroad to pay for manufactures, and Europe was compelled to send to this country in that year over $22,000,000 of gold and silver to buy food. The advocates of free trade attributed the beneficial results of this extraordinary market in Europe for our breadstuffs to the tariff of 1846 and ignored the fact that the increase of importations resulting from the reduction of duties would have required the export of our gold and silver if the failure of crops in Europe had not produced an extraordinary demand for food. The demand for breadstuffs in Europe in 1848 fell off by reason of better crops, and the legitimate consequences of the reduced tariff of 1846 were shown in an adverse balance of trade in merchandise of over $10,000,000.

Gold came from California at this critical juncture to rescue the United States from many of the evils which must have resulted from the purchase of foreign commodities with our current coin. This discovery, followed by a like discovery in Australia in 1852, not only furnished the United States with money to buy foreign products, but infused new life into industry, progress, and development throughout the world. It came at a time when civilization was at a standstill and the wheels of progress were clogged for want of money. A new era of mining was inaugurated. The aggregate product of gold and silver from the mines of the world has gradually increased from 1850 until the present time, the average annual product being nearly $200,000,000, which is five times greater than the average annual production in the preceding forty years. The increase of wealth, civilization, and progress fully kept pace with the increase in the production of the precious metals. Since 1875 the annual production of the two metals has continued to increase.

WHY MONEY IS DEAR AND PROPERTY CHEAP.

But the financial legislation in Europe and the United States, secured by the holders of accumulated wealth in money and securities, has diminished the supply of money during the last fourteen years fully one-half by the demonetization of silver. The production of gold and silver since 1875 has been about equal, but silver has been excluded from the mints and treated as a commodity. The progress of the world is again checked. Stagnation and depression have returned. Industry and enterprise are languishing, not by reason of failure of the mines, but by the measures adopted by the holders of fixed capital to enhance the value of the money and securities they hold by contracting the circulating medium of the world.

The volume of money now in the United States is altogether inadequate to the necessities of the people. It is at least one-third less per capita than it was in 1865. I employed a learned accountant last spring to examine the reports of the Treasury Department for the purpose of determining whether the amount of money in the United States of all kinds had been increased or diminished since 1865, and after several months of careful examination he reported to me that the amount of circulation outside of the Treasury on June 30, 1865, was $1,112,044,114; and at the time of making the computation (May 1, 1888) there was in circulation among the people, exclusive of the amount locked up in the Treasury, only $1,071,653,057, a decrease of $40,391,057, and a decrease per capita from $46.37 in 1865 to $17.29 in 1888. Other accountants might arrive at different results. There is nothing positive in the estimates of the Treasury Department; but it is immaterial whether Dr. Michels, who made the computation for me, was right or wrong. The condition of the money market corroborates his report so far as to establish the fact that money is scarce and dear. The price of commodities also furnishes abundant evidence tending to the same conclusion.

From 1850 to 1875, while the world enjoyed the benefits of the product of both gold and silver, yielding annually nearly $200,000,000, prices rose about 33⅓ per cent. Since one-half of the world's product of gold and silver has been cut off by the demonetization of silver, prices have fallen in the brief period of fourteen years to a lower point than they reached in 1850. Volumes of testimony have been recently taken by the royal commission on gold and silver in England to determine the cause of this alarming decline in the general range of prices of commodities, and although the gold-standard contractionists, representing the bondholding interest of the principal creditor nation of the world, labored hard to find other reasons than the demonetization of silver for the decline of prices, the whole testimony establishes beyond controversy that the action of Germany, the Latin Union, and the United States in excluding silver from their mints was the principal cause of the decline. There was no difference of opinion among the commission in summing up the testimony as to the cause of the fall in the gold price of silver. On page 76 of their final report they say:

We have all of us come to the conclusion that the dissolution of the tie between silver and gold created by the bimetallic system of France and the Latin Union distinguishes the period subsequent to 1873 from former times, and has left other causes of demand for and supply of gold and silver free to act.

So long as the ratio between gold and silver remained approximately stable the two metals might practically be considered one; and the relations of ex-

change between a country with a gold standard, such as England, and a country with a silver standard, such as India, did not differ in any essential particular from the relations of exchange between two countries with a gold standard, such as England and the United States, or England and Australia. A quasi par of exchange was established between the sovereign and the rupee, which, though not absolute, as in the case of coins of the same metal, fluctuated within narrow limits. * * *

Now, on the assumption that we are right in our view of the operation of the bimetallic tie, the relations of England and India in regard to exchange were, during the operation of that tie, substantially the same as those of England and the United States, or of England and Australia.

LOW RATE OF INTEREST MEANS DEAR MONEY.

The fact that United States 4 per cent. bonds, having eighteen years to run, are selling in the market at 28½ per cent. premium establishes beyond controversy that money is scarce and dear. The Secretary of the Treasury reports the purchase of $101,705,500 of bonds since April last at prices which saved to the Government less than 2 per cent. annually between the date of purchase and the maturity of the bonds. The Secretary bought these bonds at the market price, which proves that the rate of interest in the United States for a long term on perfect security is less than 2 per cent. Superficial thinkers have suggested that a low rate of interest indicated abundance of money, but a moment's reflection will satisfy any man of sense that a low rate of interest indicates depression of business, want of security, and few responsible borrowers. To borrow money and go in debt is analogous to a "short" sale of stock. It is an agreement to deliver at a future day what the promisor does not possess at the date of the contract. A wise operator will never sell stock "short" unless he is confident it will decline in price at the date of delivery. In like manner a prudent business man will decline to borrow money to invest in property when money is growing dearer and property cheaper.

Enterprising business men who use money in the development of the resources of the country are cautious and will not borrow money at any rate of interest to invest in property while prices are declining, as they have been for the last fourteen years. The royal commission of England investigated this question of interest and came to the conclusion that a low rate of interest indicated a scarcity of money. They said (page 19):

The rate of interest on permanent investments is also declining for reasons, it is urged, similar to those which have been described above as affecting the rate of discount. When gold is scarce and commercial activity is checked by the resulting fall of prices, the demand for permanent investments increases and the price of such securities rises. Owing either to the actual or the apprehended scarcity of gold there is a tendency to invest in securities bearing a fixed interest payable in gold, which raises their price and reduces the net return obtainable from them.

Occasional fluctuations in prices resulting from an increased production of a particular article have very little significance as indicating the supply of money, but a general decline of prices for a period of fourteen years was never known to occur when there was an inadequate supply of money. When business is active and the price of commodities is advancing, furnishing a reasonable prospect of profitable investments, men of enterprise borrow money and pay a fair rate of interest with firm confidence that they can return the money with interest and make a profit for themselves. But in times of stagnation and depression safe borrowers are few. Money-lenders are then forced to seek investments in Government bonds or let their money lie idle. The obscure, tangled, and uncertain reports as to an increasing volume of the circulating medium have no tendency to satisfy the public that money is plenty when prices are falling, business stagnant, and prudent men preparing for a crisis.

COIN TOO SCARCE TO BUY FOREIGN GOODS.

A proposition to reduce the tariff at this time, of all others, is most unreasonable. The balance of trade is now against the United States. The immediate effect of a reduction of duties would be more importations and more money sent abroad to pay for them. It would be the bitter experiences of 1837 and 1857 over again on a larger scale. It is unsafe to anticipate an immediate famine in Europe, as in 1847, to increase our exports, and an increase of our exports without famine, war, or some other great calamity in the Old World is improbable. England will only buy of us such breadstuffs as she can not produce at home or obtain from India with cheap silver. Her vast manufacturing establishments, which have a permanent market for their products among more than two hundred and fifty millions of people, from which all other nations are practically excluded, will supply her people at home at a price which will exclude us and all other nations.

The policy of Great Britain of breaking up the manufacturing establishments of other countries by the surplus of her vast establishments has forced every nation of continental Europe to establish high protective tariffs to enable them to manufacture at home. Those tariffs exclude our products as well as those of Great Britain. I have examined with care and diligence the tariffs of other nations in connection with their efforts to force foreign trade by low prices, financial accommodations, and subsidized steam-ships, and it is impossible for me to indicate a country to which any considerable increase of our exports can be sent.

There is no doubt that free and reciprocal intercourse between the United States, Mexico, and South America would be advantageous to all the countries concerned, but the tariffs of those countries are such as practically to exclude our products, and until those tariffs are modified by legislation or treaty it would be folly, and worse than folly, to reduce our tariff, destroy the market for the manufactures already established, prevent the investment in new establishments, and waste our circulating medium in the purchase of foreign commodities.

The Government of the United States has no right to grant privileges or bounties to foreigners at the expense of our people without securing equal benefits in return. To surrender our home market to all the world without reciprocity anywhere will not be tolerated by the people. Trade with foreign countries is business to be engaged in to make money, and the question to be determined in prescribing the terms and conditions upon which such business shall be conducted is whether the people of the United States will make or lose money by the venture. If any country will exchange commodities with us on equal and fair terms and pay us as much cash as we pay it the question of reciprocal free trade with such country is then worthy of consideration. But no such case is presented. No foreign country is proposing to enter into any trade arrangement with us unless it can obtain an undue advantage.

England, which is most clamorous for free access to our markets, does not propose to pay us cash, but to send us her surplus manufactures, which overflow from her vast establishments, maintained by a permanent market among more than two hundred and fifty million people in countries where our products are denied access. In free trade with England the contest would be for our markets and none other, and we would be similarly situated to an infant telegraph company attempting to compete with the Western Union. The former would struggle against bankruptcy while the latter would do business at a loss on competing lines and continue to make dividends from its lines where no competition existed. We will not enter into such an arrangement with England and sacrifice our manufactures and allow her to rob us of our coin.

The argument that free trade will make the necessaries of life cheaper would be sound if such necessaries would remain cheaper and the people would have plenty of money to pay for them. Such would not be the case. England would follow the example of the Western Union, and when she had destroyed our manufactures and removed competition she would put up prices, as she always does where she has a monopoly. What benefit could our people derive from cheap foreign products without money to buy them, which would soon be the case if we should send our money abroad to pay foreign workmen and leave our people without employment? Any citizen of the United States, or any person who has declared his intention to become such, is at liberty to leave and go where commodities produced by slave labor are cheaper than the free labor of this country can provide them, and he should do so at once if he is unwilling to pay the necessary cost of production by free labor in the United States.

It seems to me that it is the part of wisdom and statesmanship to remonetize silver and increase our stock of the precious metals, do our own work and keep our money at home by protecting our manufacturing industries.

WHY SILVER SHOULD BE REMONETIZED.

What objection can there be to the remonetization of silver? Why was silver demonetized? It had been used as money for more than four thousand years and was universally considered previous to 1873 better suited for that purpose than gold, and more than two-thirds of mankind are still of the same opinion. If the supply of gold and silver had been exhausted and a necessity had arisen to substitute some other material for money, a good reason for doing so would have existed.

If in the ninth century, when society was practically dissolved for want of money, it had been possible to have substituted some other medium of exchange for gold and silver, civilization might have been revived before the discovery of the mines of the New World; or if, in 1830, when progress was paralyzed by a money famine, the world could have agreed upon a universal currency, there might have been some reason for discarding metallic money altogether. But who could have anticipated that in 1873, when the world was in the full tide of prosperity from an abundant supply of gold and silver, and all civilized nations were realizing more of the comforts and luxuries of life than the fondest dreams of philanthropists had ever contemplated, that any combination of men would conspire with a view of enhancing their own fortunes to rob the world of the only agency by which that prosperity could be continued? Strange as it may appear, so it was.

As soon as prosperity became universal by the flow of gold from California and Australia, Chevalier and others advocated the demonetization of that metal for the purpose of limiting the supply to silver alone, and thereby enhance the value of bonds and other obligations for the payment of money. Germany, Austria, Belgium, and other countries engaged in that conspiracy and demonetized gold.

Failing in that, in 1871 Germany led the scheme to demonetize silver, for the avowed purpose of enhancing the value of securities. The United States and the countries of the Latin Union followed blindfold the lead of the bondholding conspirators. Before the world knew what was proposed the work was accomplished. The yield of the mines for the purposes of money was reduced one-half, and the glorious prospect of an adequate supply of money for many future generations was cut off.

The United States was the most stupid victim lured into the conspiracy. She was at the time most emphatically a debtor nation. She owed more than $2,000,000,000, and produced more silver than all the rest of the world combined.

Nearly all the States and municipal corporations in the Union were also large borrowers of money. Enterprising citizens had borrowed vast sums of money to build railroads and develop the resources of the country. All these debts were payable by the terms of the contracts by which they were created in either gold or silver. The right to pay them in silver was surrendered without consideration. Many hundred millions were extorted from the people to pay obligations in gold which, of right, should have been paid in silver. This manipulation of currency has done more to make the rich richer and the poor poorer than all other causes combined. The end is not yet. The prices of wheat, cotton, and all the products of labor in this country are fast being reduced below the cost of production. Still the holders of accumulated capital resist every measure of relief and demand the last pound of flesh.

We are coolly informed by the representatives of the gold-standard contractionists that the United States is powerless to mitigate or redress the great wrong without the consent of the conspirators who demonetized silver, and who are constantly devising measures to transfer the wealth of the many to the few and monopolize the fruits of labor and enterprise. They assert with the arrogance of wealth that an agreement with the leading powers of Europe must be obtained before the United States can resume the free use of silver as money and provide the people of this country with a constant and sufficient supply of that circulating medium which has been regarded as best suited for use as money through all ages since man emerged from barbarism. They know full well that Europe is controlled by an aristocracy of accumulated capital, and that the people have no voice in determining what financial schemes shall be devised and carried into execution for their oppression, and assume from the success of their financial measures in this country for the last twenty years that the people of the United States have no more knowledge of their rights or capacity to protect them than the people of the Old World.

Subsidized newspapers and hired political economists have done much to keep the people ignorant of the wrongs they suffer, but outside of the money centers in this country, where free speech does not impair financial standing and endanger success in business, the people are fast being educated on the money question, and will soon assert their rights in the most effective manner.

The great mass of the people view with alarm and indignation the power exercised by the money-changers of New York over the Treasury Department. The number of clerks, servants, and agents of the gold-standard contractionists and money manipulators of New York who have held and now hold high places in that Department, and the brazen effrontery with which they use the funds of the Government for their favorites without interest has shocked the moral sense of the nation, and tame submission to Wall street rule is at an end. The people of the United States will be represented in the great financial department of the Government or they will know the reason why. President Cleveland has already received some slight intimation of the views of the people with regard to the management of the Treasury Department.

An examination of the evidence taken before the English royal commission on gold and silver and the report of that commission will furnish much valuable information for consideration in this country. Although the commission was equally divided as to the advisability of inviting the United States, Germany, and the countries forming the Latin Union to join in consultation with Great Britain and her colonies to discuss the expediency of fixing a ratio at which the coins of either metal shall be available for the payment of all debts at the option of the debtor, it is morally certain that England will take no action in that direction. The hesitation with which six of the twelve commissioners suggest such a consultation and the many reasons they assign against it show that they are overawed by the holders of accumulated capital and have no courage to pursue the right as they seem to see it, "through a glass darkly." The following extract from their report indicates the power of the influences which will compel the people of England to submit to the single standard and continued contraction:

We need hardly dwell upon the fact that the financial position which this country occupies is a matter of immense importance; that the risk even of interfering with it, or of taking any course which could reasonably be expected to affect it, is not to be lightly encountered; and even those who do not entertain grave apprehensions of a disturbance of existing financial conditions, if we were to depart from monometallism and accept the bimetallic standard, can not dispute the fact that the existence of such apprehensions is not to be treated as a trivial circumstance or one to be lightly regarded.

The danger may be enhanced by the circumstance that the mere fact of one change having been made would lead to the apprehension that others might follow. (Page 87.)

The following, from this timid report of those commissioners, who longingly but doubtfully look towards bimetallism, is the key-note of the situation in Great Britain:

It must be remembered, too, that this country is largely a creditor country of debts payable in gold, and any change which entailed a rise in the price of commodities generally, that is to say, a diminution of the purchasing power of gold, would be to our disadvantage. (Page 90.)

It was impossible for the witnesses before the commission to conceal their contempt for the stupidity of the people of the United States in submitting to the gold standard. The following is an illustration of English opinion with regard to the action of the United States in demonetizing silver. Mr. Daniel Watney, while under examination as a witness, used the following significant language:

I can not suppose that everybody is wise. Just think of the folly of the United States when they were a debtor nation in adopting a gold coinage. They knew nothing about currency matters; they did not know that it was going to increase their debt enormously. (Second report, page 210.)

Justice and self-respect require the United States to ignore the action of Europe with regard to silver and join with the rest of mankind in the establishment of a common ratio between the two metals. The power of the United States to remonetize silver independent of Europe can not be questioned. If she identifies herself with the silver-standard countries three-fourths of the human race will be in accord, and it will be easy to establish between them a uniform medium of exchange, to which Europe must conform or be subjected to great inconvenience in her commercial intercourse with Asia and the western hemisphere. Free coinage of silver, or, what is better, the acceptance by the United States of all gold and silver offered in exchange for coin, or coin certificates redeemable in the coin of either metal is the legislation required.

The objection urged by the gold-standard contractionists to such legislation consists of a suggestion that the United States would be flooded with silver and its financial credit destroyed. There is no foundation for this suggestion. All the silver produced is now used in the arts or converted into money by the silver-standard countries. There is no surplus bullion in Europe or America or elsewhere. There is less than one thousand millions of legal-tender silver money in all Europe. This money is a necessary part of the circulation in the countries where it was coined, and is on a par with gold at the rate of 15½ to 1. If any part of it could be dispensed with without financial distress, which is denied, it could not be purchased and exported to this country without great loss.

It would require an ounce of gold to buy 15½ ounces of this legal-tender silver money, which in this country could not be sold at our mints at par, but would be at a discount of about 3½ per cent. The established ratio in the United States being 16 to 1, the importer of European silver would be required to add one-half an ounce of silver to the 15½ ounces which he bought with an ounce of gold in Europe to obtain in return an ounce of gold in the United States. There is no possible danger of acquiring under any circumstances too much of either gold or silver. No country has ever succeeded in procuring more of either gold or silver than was beneficial and useful.

If from any unknown source more silver should be offered than is necessary to relieve the present stringency of the money market and keep pace with our growing population, it is easy to make room for all that can possibly be produced by retiring a portion of our paper circulation. The paper money of the United States amounts to about $630,000,000, and consists of State-bank notes, demand notes, one and two year notes, compound-interest notes, fractional currency, national-bank notes, United States notes, and certificates of deposit. All this paper rests upon the credit of the United States. Coin certificates representing bullion on deposit would at least be equally safe and satisfactory to the public. It would cost the Government nothing and save wear and loss of the precious metals. The Government would have the benefit of the certificates that were destroyed or lost, instead of the national banks, and would save the interest on bonds securing national-bank currency, which is a gratuitous subsidy to the banks. The power of Wall street to expand and contract the currency for speculative purposes will cease. If a sufficient amount of silver could be obtained to retire all this paper except the greenbacks, our financial system would be simplified and strengthened and a large saving made for the people of the United States who now pay interest on bonds held for security for national-bank notes. Whether any of this money can be retired after a law is passed providing for the exchange of both gold and silver bullion for coin certificates the future will determine.

Now is the opportunity for the United States to accumulate sufficient of the precious metals to reach a metallic basis, dollar for dollar, without loss, and to be placed in accord with more than two-thirds of the people of the world. Such a policy would make this country the clearing-house for all nations, with a currency that would circulate at par among all the people with whom it is profitable for us to trade. Our mines produce fully half of the precious metals annually turned into the channels of commerce, and are as yet comparatively untouched. Improved processes and cheaper transportation will continue this supply through many generations to come. There ought to be no hesitation in the enactment of a law requiring the receipt by the Treasury Department of all gold or silver offered in exchange for coin certificates redeemable in either gold or silver.

Immediately following such legislation an invitation should be extended to all silver-standard countries to unite on a fixed ratio between the two metals. The money of the United States would then circulate at par among three-fourths of the inhabitants of the world, and whether the gold-money contractionists of Europe conformed to our

standard or not would be immaterial. It would, perhaps, be better for us if they would not. Negotiations with them should never have been entertained, and should now be abandoned. We must be independent of Europe financially as well as politically if the interests of our own people are to be regarded and our commercial standing as a nation to be respected.

I do not wish to be understood as contending that the mines will during all time to come furnish an adequate supply of money, or that it may not be necessary under some circumstances to increase our circulation beyond the amount of gold and silver it is possible for us to obtain. Civilization is advancing throughout the world. The number of people who require money is increasing beyond computation. When the United States has made use of all the gold and silver attainable, and a deficiency of money should still exist, it would be the duty of the Government to issue more greenbacks or some other non-interest-bearing paper to circulate as money, but it will be time enough to consider that question when silver is restored and the precious metals prove to be insufficient.

Our Government can hardly be preserved if it fails to perform its most important function—to provide the people with an adequate circulating medium, without which civilization must languish or decay.

Mr. JONES, of Arkansas. The Senator from Rhode Island [Mr. ALDRICH], during the speech of the Senator from Missouri [Mr. VEST], after the latter had read the testimony of a witness, disposed of that witness by charging that he was a mere "floor-walker," a "labor agitator," a "professional office-seeker," applying other like opprobrious epithets to him. I happened to have had my attention called to the fourth volume of the same testimony from which the Senator from Missouri read, and I remembered the testimony of a citizen of Georgia who I thought perhaps might escape being classed as a "floor-walker" or as a politician. However, he may be a Democrat, and it may be that there is something else so ugly in his record as to make him unworthy of belief. But he made some statements before that committee which I think are worthy of attention, and while they do not relate to the particular item of this bill now under consideration, but to one which will be reached in the course of a few minutes more of the reading of the bill, I think it not improper to call the attention of the Senate to a few statements he made. I refer to the testimony of Mr. William H. Young. I shall read only a few points. He stated among other things, in answer to a question, as follows:

Well, we were burned all up, as I have told you, but in a year after we had a new company organized, and started the Eagle and Phœnix Mill No. 1. In two years we found the demand so great that we doubled our capacity and built No. 2, and in 1876 we began No. 3, and put it in operation in 1879. We now run 46,620 spindles, 1,485 looms. We consume yearly of cotton, in round numbers, 14,500 bales. We employ 1,883 hands, of whom 1,829 are employed inside the mills and 54 outside the mills. All the labor inside the mills is white. All outside the mills is colored, the yard hands, laborers, etc. Of the operatives, 832 are males and 739 are females; 312 are children. The average pay-roll weekly is $8,070. We produce daily, in round numbers, 50,000 yards of cloth, 25,000 pounds of rope, 1,000 pounds of sewing-thread, and 400 pounds of yarns for sale to people in the country for them to weave themselves. Our mill is now mainly a colored mill, making colored goods—not entirely, but mainly so. We do our own dyeing. We do everything connected with it. In explanation of that I may say that many mills of the North send their goods to a dyer and have them dyed, but we have to do all that ourselves. Our capital is $1,250,000, but out of the earnings we have built No. 3, and our really employed capital is about $2,200,000. Our daily average outlay in money for cotton, wool, and other materials and for labor is about $4,500.

I have read this much of the statement of this witness to attempt to establish the fact that he at least is not liable to the charge of being a "floor-walker" or a mere "labor agitator." He seems to belong to what gentlemen on the other side consider a higher class of individuals, the owner of a mill. This ought certainly to give very great weight to the remainder of his testimony, to certain points of which I desire now to call the attention of the Senate. Upon the question of dividends he made this statement:

Q. What have been your annual dividends?
A. They have averaged from 6 to 10 per cent. When we built No. 3 we built it without any extra investment, out of the earnings, and during that period we reduced our dividends to 6 per cent. We never paid less than 6 nor more than 10 per cent. dividends, but we accumulated a surplus fund. Our average earnings since 1870 up to the end of the last year (which is the last for which we have any data) have been 17 per cent.; though for a time we declared a dividend of only 6 per cent., but we now pay 8 per cent.

I shall not detain the Senate by reading at any very great length from the testimony of this witness, but on another point, as it bears directly on this question, I shall read an answer to another question:

Q. Senator PUGH suggests that I ought to ask your views in regard to the tariff, its general effect on the manufacturing business, and its importance with reference to your industry.
A. I am an anti-tariff man dyed in the wool. I never did believe in the tariff, on principle. In the first place I did not believe it was right to make people pay for the business advantages of anybody else. That was the principle. Now, so far as it concerns us, if I were to imitate the English goods and make goods in the style that they make theirs, I could sell those goods in England at a profit. I have had the English prices and samples sent over to me, and I am satisfied that I could make the goods and sell them at the prices named, and pay expenses there and make a good profit—perhaps a better profit than I am making at home on the style that I do make here—these heavy goods. Oh, no, I have no use at all for a tariff.

Yet in the class of goods that this man manufactures, where there has been heretofore a tariff of 3 cents, I believe, per square yard, the committee propose to reduce the tariff only to 2½ cents, and this, too, after this mill-owner had stated upon oath that he had made from 1870 down to the year before this testimony was taken an average of 17 per cent.; that the mill had paid a dividend of from 6 to 10 per cent., and besides that, out of the profits had been built an additional mill; that they were consuming this vast amount of cotton and employing this great number of hands, and they do not want any protection at all. Yet the committee propose to give it to them anyway. I do not know very well how to account for that unless it is done on the principle that seemed to animate a citizen who appeared before the Finance Committee in its recent examination——

Mr. HOAR. Will the Senator allow me to ask him a question?

Mr. JONES, of Arkansas. Certainly.

Mr. HOAR. I desire to ask the Senator whether he reads that statement which he has just read as being himself satisfied with its conclusions, believing that they are true?

Mr. JONES, of Arkansas. I read the statement, believing that this gentleman believed it was true, for he stated it on oath.

Mr. HOAR. I suppose the Senator would hardly do that if he himself disbelieved it.

Mr. JONES, of Arkansas. Does the Senator wish to know my own opinion about it?

Mr. HOAR. Yes.

Mr. JONES, of Arkansas. I believe it is the truth.

Mr. HOAR. Then I wish to ask the Senator if it does not utterly refute the opinion which he and other Senators on his side of the Chamber have advanced, that the tariff is putting great profits into the pockets of the manufacturers. As I understand the Senator, this witness says, and the Senator himself believes, that the tariff has nothing whatever to do with the question of the profit of that business, and that the man could carry it on at a profit if there were no tariff and undersell England in her own market. If that be true, what becomes of the claim which has been preached in the last twenty years, that the tarift is putting enormous profits into the pockets of cotton manufacturers?

Mr. JONES, of Arkansas. It is a difficult matter to make the average protectionist understand that one swallow does not make a summer. That there are some articles, a very few, from which the protectionists do not get any benefit by reason of protection there is no question, yet it is also true in almost, though in not quite, every protected article that by reason of increased prices the manufacturers of this country do make enormous and unreasonable profits. I read the statement of this man to show that you propose to keep up a tariff, a semblance, a pretense of protection, upon one class of goods when it is clearly not needed and not wanted by those interested, and I had begun to state the reason why I supposed that was done. I had begun to say that I could not account for the committee insisting on putting a tariff of 2½ cents upon these goods while the manufacturers themselves here testify that they do not need any protection, except upon the principle that had appeared in the testimony of a gentleman who went before the committee in a recent session, who testified that he was a manufacturer of grain-bags——

Mr. HOAR. Of what class of goods is the Senator speaking now?

Mr. JONES, of Arkansas. Of the coarser cotton goods.

Mr. HOAR. Then, if the Senator will allow me to get at the fact, we can talk about the folly or confusion of mind of the protectionist afterwards. I understand the Senator from Arkansas gives us his high authority to the effect that it is not true that the tariff puts enormous profits into the pockets of manufacturers of coarse cotton in this country. We have got so far. That is what I want to get at.

Mr. JONES, of Arkansas. I do not know what the Senator from Massachusetts understands. I had begun to try to say what I thought, and if the Senator will allow me to finish the statement I have twice begun, I will try to make myself understood by the Senate.

I said just now that upon this class of goods the protection did no good in my opinion. It is of no benefit to the manufacturer, certainly not to this class of manufacturers, because they desire to get rid of it; and I do not understand why the committee should endeavor to compel these people to submit to having their interests protected by a high tariff, except upon the principle that seemed to animate a gentleman who appeared before the committee a short time ago, who stated that he was a manufacturer of grain-bags; that the raw material of his manufacture was burlaps; that he wanted a certain tariff fixed on burlaps, a tariff lower than has heretofore prevailed.

A member of the committee said, "You are a manufacturer of grain-bags?" He answered, "Yes." "And the burlaps are your raw materials?" He said, "Certainly." He asked, then, "Why do you not ask for free burlaps so as to have your raw material without any duty?" He said, "If I were to ask for free burlaps I might get free bags." The trouble with these gentlemen is that if they allow this class of coarser, heavier cotton goods which are manufactured to come free into the country some other goods might come free that they want to have protection upon.

Mr. VANCE. Will the Senator from Arkansas allow me to make a suggestion to him?

Mr. JONES, of Arkansas. With pleasure.

Mr. VANCE. I should say that the bill before us is a sufficient explanation of the reason why they reduce the duties on these coarse

goods manufactured in Southern mills. It is done to give countenance to the increase on the finer goods with which they have to compete with English manufacturers. If the Senator will look forward he will see that in the paragraph or two next ensuing they have largely increased the duties on all that class of cotton goods which come in competition with English goods, and they very generously reduce the duties on those goods manufactured by the Southern mills that do nobody any harm or any good. It is merely used as a stalking-horse for their own increase.

Mr. JONES, of Arkansas. And that reduction is a mere piece of masquerade in itself?

Mr. VANCE. Certainly.

Mr. JONES, of Arkansas. Another witness, testifying before this committee at the same time, made some statements to which I desire to call the attention of the Senate. This witness too, I think, may safely be said not to be a "floor-walker," not to be a mere "labor agitator," not to be a mere Democratic candidate, as he testifies he has been engaged in manufacturing for a great many years. This is Mr. Phinizy, who says on the subject of profits:

* * * We paid 20 per cent. dividends, commencing in 1865, up to 1873. Then we reduced the dividends to 12 per cent., and paid quarterly dividends of 3 per cent. from 1873 until 1878. We then reduced the dividends to 8 per cent., and paid at that rate until about three years ago, when we went back to 10 per cent.; but last January the board, as a matter of abundant caution, although they made some 12 per cent., foreseeing the present state of things, reduced the dividend again to 8 per cent., 2 per cent. a quarter, and events have justified their foresight. The reason we reduced the dividends, I think, was the fact that although we paid 20 per cent. we had accumulated a considerable surplus in addition to that 20 per cent., and our board determined to enlarge the mill, and the estimate of the cost of the enlargement which we received from experts was about $175,000, but when the work was completed it cost us $350,000. That, I think, was the immediate cause of the reduction.

Q. Was that enlargement paid for from your surplus?

A. It was paid for from the surplus. We had $170,000 of bonds, but in addition to those bonds we have a surplus of about $90,000.

Q. Are you adding to that surplus from year to year?

A. We have been doing so heretofore, but I think we shall add little, if anything, this year. It is a singular fact that we sell more goods in Boston than in any other part of the United States.

In speaking of their ability to sell these goods abroad, he said:

Q. To which do you send most, to China or to Africa?

A. We send most to China. I am shipping goods there now, as Mr. Estes told you; I have sold 400 bales recently to go to China, and I am now shipping the goods.

Q. What will be the value of that 400 bales?

A. Well, that 400 bales will be worth about $20,000. Our bales are very large; we put 1,200 yards in a bale.

Q. Can you make an approximate statement of the value of the goods that you ship to China and to Africa annually?

A. I suppose it would be about from $100,000 to $150,000 a year in money value. We have done it in the past, and we hope to increase our shipments in the future.

Q. Do you find the demand in that quarter increasing rather than diminishing?

A. Yes, sir; we could have shipped more than ever before in the last six months if we had accepted the prices that were offered. They were, of course, disposed to take advantage of the depression. They generally make a bargain with me, say to-day, for 1,000 bales of goods, which I deliver at the rate of so many per week, but I do not have the goods on hand when I make the sales. If I had had the goods on hand I would probably have sold more than I have sold, but I was unwilling, in the depressed condition of the market, to sell my product ahead. I would rather take the chances when I get the goods made of getting better prices. Now, we sell a great many goods to bleacheries near Boston, and also to the shoe-men.

Upon the question of tariff, this witness, who controlled a mill worth $1,250,000, said:

Q. Do you want the tariff reduced?

A. Upon the subject of the tariff I am in theory an absolute free-trade man; but the Government has to be supported, and I do not see how it can be supported without a tariff, unless you resort to a land tax or a direct tax, and everybody says that the people will not stand either of those. Then, as a matter of course, where the Government is driven to have a tariff, I believe in having as low a one as will serve to support the Government on an economical basis, and in having that tariff so adjusted as to protect our industries. In other words, I want a tariff for revenue.

Q. Rather for revenue than for protection?

A. Well, the protection follows as a matter of course.

Q. Do you want the tariff primarily for the benefit of the Government, or for the benefit of our industries?

A. I want it as a necessity for the Government.

Q. Do you want it arranged so that it will afford any protection to the manufacturing industries of the country?

A. Well, I think if it protects anything we have a right to be protected as well as anybody else, but I think we can live without protection.

Q. You think your cotton industries can live here without any protection?

A. I think that what I have told you shows that we can go to China in competition with other countries.

Q. Then, so far as you are concerned, you are willing that the tariff should be removed?

A. I am, so far as I am concerned.

Q. The line of goods that you manufacture is one in which you can get on without any tariff at all?

A. I think so; that is my opinion. I may be mistaken, however. Others differ with me.

Q. If that be so, that you can get along in your line of manufacture without a tariff, and if we are bound to have a tariff for revenue, don't you think it should be adjusted so as protect other industries that require protection, and not yours which requires no protection?

A. Well, I think they ought to give us a little, too.

Q. The manufacturers up North say they need protection, and therefore don't you think it would be a proper thing under the circumstances to adjust the tariff so as to give them the protection they need, but to leave you unprotected, as you may require no protection?

A. Well, in principle it is a mighty hard thing that I should pay 100 per cent. more for an article than I can buy it for in the markets of the world—that I should pay that money to be put into somebody else's pocket; but I suppose that it is a matter of necessity to some extent. I would like to see trade as free all over the world as it is between South Carolina, Georgia, and New York, but when that comes to pass the millennium will come. I believe really that in adjusting the tariff you ought to give all our industries a little protection, but give most to those that can not live without it. But I think they all make a mistake on that point. I think we would all be better off if we had no protection, even the iron interest. Let me give you an instance of the operation of the tariff. When I was president of this railroad company, one year I bought 7,000 tons of steel rails, and the duty on them was about as much as I paid for the rails in England. I paid $28 a ton duty on the rails and they cost me in England about $28 a ton. Now, that seemed mighty hard that I had to pay $28 a ton more for those steel rails than I could have bought them for in the markets of the world, just for the benefit of some iron manufacturers in Pennsylvania.

To show the spirit with which our friends on the other side look at all these questions, I will read a question asked by the honorable Senator from New Hampshire [Mr. BLAIR], who was chairman of this committee. He said:

From what I have seen of these working people, and what I have seen of these industries I do not believe they are making money, and I do not believe they can afford to pay more than they do pay and build up and maintain these factories. I believe that protection is as necessary to them as it is to the New England manufacturers, and I believe these gentlemen give utterance to sentiments which, if they were carried out, would ruin their own industries here. There is no profit now in any of the great manufacturing industries in this country to-day.

To a man who had not listened to the assertions made upon this floor that the levying of a tax upon foreign goods introduced into this country does not raise the price to the consumer, to a man who had not listened to the sophistries that we hear on the other side when endeavoring to persuade the American people that the only way to make them rich is to tax themselves higher and higher, it would seem utterly absurd to suggest that any Senator, a chairman of a committee sent out to ascertain facts, would have the audacity, in the face of the sworn testimony of men who state that they have paid a dividend of 20 per cent. for almost twenty years and at the same time saved a surplus out of which they built mills that cost $350,000, to say that they were not making money and that they did not understand their own business.

Mr. ALDRICH. Will the Senator allow me to interrupt him?

Mr. JONES, of Arkansas. Certainly.

Mr. ALDRICH. I wish to suggest that possibly the fact that the mills in the South engaged in the manufacture of cotton pay larger dividends than those in New England engaged in the same industry is owing to the circumstance that in some of the Southern States not more than one-half and in all the other Southern States not more than two-thirds as much is paid to the operatives for their labor.

Mr. JONES, of Arkansas. The testimony of these people was that there had never been a strike known in any of these factories in all their history. If in the Northern States you pay so liberally and generously to your operatives, why in the name of common sense is it that they are all the time undertaking to compel you by force to pay them higher wages than you are willing to give them?

Mr. ALDRICH. My State is as largely engaged in cotton manufactures as any State in the United States in proportion to its population, and I have not known a strike in Rhode Island for five years at least; and but very few for the last generation.

Mr. JONES, of Arkansas. The testimony of operatives taken by this committee in these mills was that they were satisfied and content with their wages. These people were paying them a fair compensation for what they did, and they were satisfied with the results. But the astonishing thing to which I wish to call the attention of the Senate is that the chairman of this committee should state, and it should be put in print in his report to Congress, that he did not believe these people were making money when the sworn testimony of the managers of these mills showed that for almost twenty years together they had been paying dividends of 20 per cent. and saving a surplus besides. There are none so blind as those who will not see.

It will not do to say that these people are "floor-walkers." It will not do to say that they are "mere labor agitators" or that they are Democrats. They were upon oath before that committee, and I take it that they were as honorable and as honest men as were to be found anywhere in the country. They were born in the North. I think both these from whom I read, and quite a number of others, testified that they went from Ohio, from New York, and from New England. They were practical operatives in New England mills in some instances who went South and built up these industries, and I imagine that when they speak about their own experience in their own business they are entitled to some sort of consideration.

We are constantly being told that the one purpose of all this tariff tax is to enable the manufacturers to pay high wages to their operatives. I am not an expert in that business. I know but little about manufacturing of any sort, and of course I can not pretend personally to say whether or not these pretenses are true; but I have given some attention to the subject. I have endeavored to find out the facts. I have no selfish purpose to serve in this matter. If it was honestly and fairly necessary, to pay fair compensation to operatives in this country, to have a tariff tax, and if when paid the laborers got it, if I could be made to understand that, I would be willing to vote all the protection that was necessary to accomplish that purpose, which would not bear unjustly on other callings. But the more I look into it, the more

I understand the facts, the better satisfied I am that the whole of that claim is a barefaced fraud, a false pretense from the beginning to the end, and that it is not founded in fact.

The United States consul at Tunstall, England, Mr. Schoenhof, is, I suppose, a *doctrinaire*. Of course a *doctrinaire* is as bad as a "floor-walker." One of these people who dares to consider general principles and to follow out arguments to rational conclusions on this great question is not to be trusted. Nobody can be believed except one of those who own a manufactory, and they can not be believed if they go before a committee and state frankly that they have been making profits of more than 20 per cent. a year for twenty years together.

This American consul, however, in a special report which he made to the State Department in July last, presented some facts which it occurs to me will give the members of the committee some trouble to get around. He made a careful investigation of the labor cost of the production of certain classes of goods in Massachusetts, in England, and in Switzerland. Knowing well the difficulties about making these comparisons, and knowing that the charge would be made, whenever a report came in, that he had looked at one class of goods in one country and at another class in another, he states in his report that he took samples of goods from Massachusetts mills and that he talked with the managers and posted himself fully about their expenses, taking statements from the books of the mills showing the output and cost in detail.

He made a report that has been to me wonderfully interesting. He gives the statement, for instance, of one quarter's output in a Lancashire mill, in which he states every item of expense, thus ascertaining the exact labor cost in detail of each operative in the manufacture of a yard of goods.

Of course I shall not detain the Senate by reading at any great length from this report. I hope that every member of the Senate has looked at it as carefully as I have, as I know Senators would derive very great benefit from doing so. I call attention, however, to a statement made by him. Comparing the English expense as classified above, the statement which I will read here is the comparative cost in Lancashire and Lowell of the cost per pound of yarn.

Items.	Lancashire.	Lowell.
Total wages	1.708	1.995
Power and taxes	.418	.298
Supplies	.240	.240
Repairs and depreciation	.6	.475
Interest on loan, etc	.3	.6
Carriage	.18	
Expense, etc		.150
Addition		.090
Total	3.506	3.205

Showing that it actually cost the Massachusetts mill .301 of 1 cent less to manufacture 1 pound of yarn than it did the Lancashire mill.

On the whole it will be seen—

He says in another place—

even making allowance for the fact that some mills in Switzerland may work under more disadvantageous circumstances, that, view as we may, in these counts at least they have no great advantage in their cheaper labor, but, on the contrary, work at higher cost. Under all conditions, taking the most profitably worked mill in England as a basis for comparison with our mills in America, it will be seen that in the cost of spinning medium numbers our cost is almost on a par, and that we pay no more for our labor than is paid in cotton-spinning in England and considerably less than is paid on the Continent, if we take the wages by the pound or product, and not by the day wages earned by the spinner in the different countries. In fact, the latter is an illusory measure of cost, and the former the only true one.

* * * * * * * *

In throstle spinning in England one girl attends four sides of 144 spindles, or 576 spindles; in America, as many as eight sides. The average, as given to me, in the print-mill of Lowell is 960 spindles per spinner (girls and women). In other words, 50 per cent. of higher earnings are balanced by 66⅔ per cent. more work turned out or spindles attended to. The speed in England is about 5,300 in throstle spinning and about 8,000 in mule spinning. While the cost of spinning in England and America is about the same, the wages are also nearly the same. When higher in America, the difference is balanced by higher exertion and output, while in Switzerland earnings are considerably lower, with a disproportionately greater cost of production.

There are a number of other points that I had noted here to which I would like to call the attention of the Senate, but I do not wish to occupy much time. Here is a comparison between Lowell and Burnley, however, which I will present. Compared with England, for the same length, we have in labor cost:

Items.	Lowell.	Burnley.
	Cents.	*Cents.*
Weavers' wages	2.8	3.57
Dressing or sizing	.469	.479
Beaming, twisting, winding, etc	.428	.753
Extra board	.039	
	3.736	4.802

The sizing or dressing costs about the same as in America. The extra board paid in American mills, as stated in the American account, is paid by the mill to the boarding-house keepers for all female employés boarding in the mills boarding-houses, and of course is not an expense in the cost of manufacture in Lancashire. It must, however, be taken as an additional cost of manufacture in America, and in a comparison of the cost is to be counted. We have, therefore, a total labor cost in weaving 1 pound of print cloth in England as 4.802 and in America as 3.736, or 1.066 cents higher labor cost in England than in America for an equal amount of work turned out in number of yards.

* * * It appears, therefore, that in the general expense of manufacture in the weaving department the difference is not very great between America and England, and that the only difference existing consists in the lower rate of wages paid to American operatives compared with England.

Actually showing that while we make a pretense of paying high wages to workingmen, in point of fact we, while claiming protection on their account, pay them lower wages than are paid in England.

I shall not detain the Senate by reading these details, but quote as follows:

We have, therefore, 8.551, 9.685, and 10.12 cents (reducing the cost in Switzerland to the standard in America) as the total cost of manufacturing in America, England, and Switzerland.

The nominally lower wages paid makes the greater labor cost in English fabrics and in Switzerland, for the still lower wages paid the still higher labor cost of the goods, clearly showing that the superior efficiency of American labor, while nominally higher, really yields to its employers a larger quantity of goods for each dollar invested than any other country.

This is further shown by the following quotation:

The relative working capacity of and wages paid to weavers in America are, according to information from one of the leading mills, an average of six and three-quarters looms to the weaver. I have recently been informed that in England four looms is the highest rate of single weavers making this class of cloth. Some run six looms, but they invariably have a helper to assist them, who is paid by the weaver out of his wages. These are men; the four-loom weavers are mostly women. For single weavers no more than four looms are taken. The general average, taking all weavers, poor and good, is given by competent judges to be not more than three and a half looms. The average earnings per loom are given as 5*s.* 3*d.*, or say $1.25 per loom, or averaging earnings for finished weavers of $5 per week. A guinea per week, as I was told at Burnley, is a fair average for good single weavers. At the rate at which weaving is paid this would indicate for four looms a weekly output of 980 yards; but if we take the three-and-a-half loom average, of only 857 yards.

I have statements from two mills, both in Lowell, one giving the earnings per loom at 81 cents. This would indicate a weekly earning of $5.08, and at the rate of 40 cents per 100 yards be an output of 1,270 yards per week. At another mill, running a fairly equal percentage of looms per weaver, it was stated at the time of my visit that 4½ cuts of 50 yards was the output of one loom per week, which, taking an average of six looms only, would be a little over 27 cuts of 50 yards, or 1,350 yards, and at the rate of 40 cents per 100 yards would be $5.40 as the weekly earnings.

It will therefore be seen that the earnings of English weavers at the present time in these cotton mills are nearly the same as the American. The labor cost, however, by the piece, cut, or yard is considerably above. The American earnings can only be brought up to the English earnings by a considerably greater output by the American operatives.

This "*doctrinaire*," Democrat as he is, unreliable perhaps as he would necessarily be from being liable to both those charges, when he goes to the mills and takes the facts from their books, when he takes the statement from their book-keepers showing the yards they manufacture and the amounts paid for wages and the amounts paid for material, it seems to me, demonstrates without any sort of doubt that the labor cost of the goods produced in England is just as high or higher than that of those produced in this country. Although we pay higher wages by the day, we do not pay any more by the piece; and when you go further and compare the American product with the product of continental Europe you find that we get a still greater difference between their production and ours. If this is true, then what becomes of this claim that the intention of levying a tariff is to enable American manufacturers to pay higher wages to their working people? There is no foundation for it; there is no truth to sustain it, and it ought not to be any longer tolerated by an intelligent American Congress.

There is a little more, Mr. President, that at the risk of boring the Senate I shall ask your patience to hear:

The agent of an American print-works mill, with whom I exchanged views on the subject at the time of my late visit, told me that he knew that he did the spinning cheaper than they did it in England, but he had not known that the weaving was done at a lower price in America than in England; that if this were so they would be able to export print cloth to England, which they were, however, not able to do.

Then he goes into an analysis of the reasons why they were not able to enter into it, plainly showing the difficulties by which we are encumbered and hampered and the reasons why this is not done. I shall not detain the Senate by reading from this report any longer.

The course of the committee in the construction of this bill and in the management of it has been remarkable in a good many respects. On the last day that we were in session the junior Senator from New York [Mr. HISCOCK] made use of the following language as expressive of his opinion of what ought to be done by tariff legislation:

As I said a little while ago, it may well be argued that the policy of Germany is the wisest. I think it has done as much to reduce the price of her products in the markets of the world as anything that has occurred. Take sugar to illustrate it. With her high protective tariff and with her bounty, her sugar manufacturers holding the German market and selling the surplus abroad, she has forced that necessity down to a point heretofore unknown in the history of the markets of that empire; and it may well be argued that it is the true policy for any nation and for every nation to hold her markets for her own people. They may depend upon them thoroughly for their support to employ their own labor in and about them and their own capital in and about them and send their surplus into the commerce of the world.

While there is no doubt that the tendency of this system leads di-

rectly down to this result, I did not believe there was a protectionist living who would have the face to stand up in the Senate of the United States and assert that that was the purpose for which he was striving. Has it come to this, that the American people are to be told by distinguished advocates of a system of tariff taxation that the purpose is to compel American consumers to buy everything they buy from American manufacturers; that they are to absolutely control the market of this country, to hold it for all time; and that when they have a surplus it is to be taken to the markets of the world and sold for a lower price than the American consumer is allowed to have it at? When you pretend that the purpose of the tariff system is to enable you to pay high wages to workingmen, I ask you, in the name of all that is good and holy, how can you deny to the American consumer the right to have the product he consumes at the same price at which the rest of the world is to have it? You are to-day discriminating against the consumers of the country in your levy of taxes.

American sugar, refined sugar, is to-day sold cheaper in London than the American consumer is allowed to have it. Two dollars and sixty cents on the hundred I believe is refunded upon your tariff tax upon reshipment abroad, and that difference marks the difference between the sugar consumed by the American citizen and the sugar consumed by the pauper labor of Europe against whom you pretend every day and hour of your lives you are intending to protect the American laborer! Was there ever a more shameless outrage?

But there are some other things in connection with this bill that ought not to be overlooked or forgotten. It seems to me if the committee had declared that their purpose was to discriminate against every man who, following the avocation of Cain, was trying to make his living out of the soil, it could not have been more plainly stated than it has been in the pages of this bill. When we had under consideration the question of taxing the cotton-ties I called attention to the discrimination between wool and cotton, that wool had less of human labor than any other agricultural product, while cotton had more; and yet while giving wool high protection and increasing the protection higher and higher, still you were looking about for every scheme and excuse by which to levy more taxes on the cotton-grower.

When we asked that we might be allowed to have cotton-ties to come in on the same tax that the same committee fixed in 1883, you refused it. When the Senator from Texas [Mr. COKE] made the motion that the tax be allowed to remain as you yourselves fixed it, you refused. There was a difference in cotton-ties and tin-plates. It is a somewhat singular circumstance that in the millions of dollars' worth of tin-plates introduced into this country, the millions of dollars of revenue that are collected, there is no industry established in this country for manufacturing tin-plates, but all are imported here. We have a tax of 1 cent a pound on tin-plates, and we had a tax of 35 per cent. ad valorem on cotton-ties under a revenue tariff.

The gentlemen of this committee tell us there was no such thing as building up a cotton-tie industry upon this tariff. This was also true of tin-plates; they were situated just alike. Then why did they not treat both these articles alike? Why did you propose to raise the tax on cotton-ties more than 200 per cent. for the purpose of building up an industry, and not propose to increase the tariff on tin-plates for a similar reason? They were standing exactly in the same position. They were both being imported, and none of either were manufactured here. The total amount consumed in the country is imported. There was no difference in the circumstances that entered into the two; but yet, as I think must have been the case, because one is an article that enters into every home and fireside in the great North, you did not dare to raise the tax upon it, while you did raise it outrageously upon the other, because it was consumed in the South, and by farmers. I believe, Mr. President——

Mr. ALLISON. If I do not interrupt the Senator from Arkansas on this question of tin-plates——

The PRESIDING OFFICER. Does the Senator from Arkansas yield?

Mr. JONES, of Arkansas. Certainly.

Mr. ALLISON. I should like to say that when this bill was reported the committee expressly stated that they intended at a later day to make some provision respecting tin-plates, and I think the committee will be able to present something in a very brief time upon that subject.

Mr. JONES, of Arkansas. I have not the slightest doubt of the ability of the committee to present something on that subject within a very few days. They have brought a bill into the Senate in which they propose to leave the tax on tin-plates exactly where it was under the law of 1883, and in that same bill they propose to raise the tax on cotton-ties more than 200 per cent., neither being produced in this country. If it was good policy to raise the tax on one in order to build up an industry here, why not increase the tax on the other for the same reason?

The Senator says that in a very few days they will be able to bring something here. You may do it in the course of a few days. I have not a doubt that your committee can change the bill so as to increase the tax on tin-plates 200 per cent. Do it if you dare. Do it if you believe that the people who live in the cabins all over this great land do not care anything about the increase on an article that every single one of them is bound to consume.

Tell them, if you choose, that you intend to increase that tax upon them so as to swell the fortunes of some favored individual who is going to engage in the manufacture of tin-plates. When you do, you will set a class of people to thinking about the injustice and about the inequality of this thing that you will probably prefer not to stir up, and one that you may consider more formidable than the cotton-growers of the South.

You will then have the tin-plate manufacturers to stand up and declare that we are having a "commercial Elysium," but you will at the same time incur the danger of having a much larger number of that class of people whose silver is made of tin to tell you that they will not be robbed to make a "commercial Elysium" for a few of your pets.

I was not surprised to hear the Senator from Rhode Island [Mr. CHACE] the other day in his place, in talking about the glories of this system in which everybody in this country is compelled to contribute to the fortunes of private individuals, this system, not a tax for public revenue but a tax for private tribute—I was not surprised to hear him, coming from the section of country he does, exclaim in the fullness of his heart that for the last twenty-five years we have had a perfect "commercial Elysium," an absolute heaven from the tariff. And yet when you gentlemen come here and the Senator from Missouri reads to you the enormous profits you have been making you deny all of it and say you have made no profits, and one would think from your statements that only your laborers prosper and your poor mill-owners make nothing. You have had no Elysium, then. You ought to be more consistent in your assertions. One of you ought not to assert that you have been having a genuine heaven commercially and another deny that you have made any profits.

If any one of you says that the manufacturers have been getting large profits by reason of the tariff, and that for twenty-five years you have had a "commercial Elysium," we understand that you have had a glorious time financially, and you have certainly made profits.

One of the difficulties with this country is that it has grown to be so large and there are so many people in it that a great many people in one portion of the nation have no correct idea about the facts that enter into the daily lives of others. If every man in this land could know and understand what the truth is pervading all the business of this country, I should have no doubt about the solution of any question of this sort fairly, honestly, and rightly.

I do not believe that the laboring men of the country, North or South, are willing to do any act of injustice for the purpose of building up their own business at the expense of other people situated in a like way; but I know from my own personal observation that for twenty-five years past, ever since the close of the war, the people of the State in which I live have worked as hard, as earnestly, and as honestly as I believe any people on the face of the earth ever did or could. They are sober, they are honest, they are industrious. They have not fooled away their time in nonsense and dissipation. They have worked all the days of their lives. No eight-hour law was ever thought of by them. They arise as soon as they can see how to strike a lick of work in the morning and stick at it industriously all the day long. The climate is such that there is hardly a day in the year in which they can not labor out of doors.

The farmers of that State have honestly labored themselves, and their wives and their children have helped them in an endeavor to improve their condition, but it has not come about. I should like you to show the statement of the Senator from Rhode Island that you have had twenty-five years of a commercial Elysium to those men, and they will tell you that if what they have experienced for twenty-five years is heaven, they would prefer a little taste of the other place for a change; they would take a little of the infernal regions in preference.

Those people have been barely able to make a living, many of them not able to keep out of debt. I was talking last fall while at home to a man I have known well for years; he is a man of fine sense, and a close observer, a farmer who makes his living at the plow-handle, and he told me that in looking around him, in a country of fine soil, in a splendidly watered district, filled up with excellent men, in ten years past that country had scarcely changed at all and could not be said to have improved above the financial condition they were in ten years ago. While having this commercial Elysium you are playing destruction with us and with our interests. I think the time has come when there should be a little bit of letting up of this system or the time will come when an outraged people will compel a recognition of their rights.

But, Mr. President, I began what I have been saying simply to call attention to the fact that it was not only "floor-walkers" who believed this tariff tax is outrageous and iniquitous, that it was not only "labor agitators" who believed this, but that there are honest manufacturers in this country who frankly state upon their oaths that such is the case—stating the profits they had made and that they did not believe there ought to be any tariff tax at all—and I commend their example to those who are now endeavoring to fleece the farmers and consumers of "free America" to enrich themselves.

CHINESE IMMIGRATION CORRESPONDENCE.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a message from the President of the United States, which will be read.

The Chief Clerk read as follows:

To the Senate:

On or about the 25th day of September, 1888, I received a copy of a resolution adopted on that day by the Senate in executive session, requesting the transmission to that body by the President "of all communications and correspondence not heretofore sent to the Senate and under his control, on the subject of the proposed convention with China, transmitted by him to the Senate by message dated 16th March, 1888, and on the subject of the reported failure of the Government of China to finally agree to the same."

A few days after a copy of this resolution was received by me, on the 1st day of October, 1888——

Mr. SHERMAN. From the reading of that paper I infer that it should be presented in executive session.

The PRESIDENT *pro tempore*. The transactions have all been made public.

Mr. SHERMAN. The message is in response to an executive resolution.

The PRESIDENT *pro tempore*. It will lie on the table for further examination.

Subsequently,

The PRESIDENT *pro tempore* said: The message transmitted by the President was sent to the Senate in legislative session, not marked "Executive." It will lie on the table, however, for examination by the Senators desiring to look at it.

Mr. HOAR subsequently said: Mr. President, the Chair laid before the Senate a little while ago a message from the President of the United States in answer to a resolution adopted in executive session. I am informed by the Chair that the proceedings upon that resolution were afterwards, on the 10th of October, made public, the injunction of secrecy being removed by a vote. On looking at the message itself, I find that the President simply answers the resolution in a large part and he merely gives to the Senate the full text of one communication, an abstract of which was in his other message. In order that the communication may be complete, all the other matter contained in his answer having been printed as an ordinary Senate document at the last session, it seems to me there is no reason why the message should not be taken from the table and communicated to the Senate as usual and printed.

HOUSE BILLS REFERRED.

The bill (H. R. 4982) prohibiting the allowance of fee in any claim for increase of pension on account of the increase of disability for which the pension was allowed was read twice by its title, and referred to the Committee on Pensions.

The bill (H. R. 6172) providing for additional leave of absence for employés of the Bureau of Engraving and Printing was read twice by its title, and referred to the Committee on Finance.

The bill (H. R. 11794) to amend the postal laws of the United States in reference to letters bearing special-delivery stamps was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting, in pursuance of the requirements of the sundry civil appropriation act for the fiscal year ending June 30, 1889, a report of the Director of the Geological Survey on the organization and prosecution of the survey of the arid lands for purposes of irrigation; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

THE REVENUE LAWS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

Mr. HAWLEY. Mr. President, I have been amused for a considerable time by hearing the remarks of the Senator from Arkansas [Mr. JONES]. It is the old straw thrashed over again, and I do not propose to reply to his argument, particularly because I rose to give some statistics to the Senator from Missouri [Mr. VEST]. But when one hears that in England the operatives are paid as much as they are here, he wonders why they insist upon coming here and complain of their sufferings abroad, and indulge in strikes there, and exhibit there an increase of pauperism, the old country having a rate of pauperism greater than that of our New England States. The birds of the air know where to go for comfortable weather and food, and the human race has something of the same instinct without reading lectures on political economy, and it is one of the studies of the American statesman now to see how we can keep from our being absolutely flooded by the people who are coming from places where they get higher wages and better food, according to what we have heard here to-day.

The Senator from Arkansas took pleasure in showing us that there is a cotton-mill somewhere—I did not hear where—down South, I believe, making very coarse goods, where they had made, I think, an average of 17 per cent. profit for several years, and made money in spite of the tariff. The inquiry of the Senator from Massachusetts was quite *apropos*, if that be so, how much did the tariff help or hurt those people? They are doing well enough exactly as they are, and if under this tariff they are making that per cent., it does not appear to be hurting anybody specially.

But the difficulty is that there is no use of arguing from any one exceptional case. I see no reason in the world why a cotton establishment should not be put up in Georgia, or South Carolina, or Mississippi, and make money. There is no reason but the inaptitude of the people and their lack of previous educational preparation—none in the world—for the people down there, families there, are accustomed to live in such circumstances and with surroundings such as would not be submitted to for a week in New England among our oppressed operatives. The climate is such that they do not need the quantity of fuel and they do not need the heavy clothing. Their expenses of living need not be over two-thirds of what they are in Connecticut or Massachusetts with our long, cold winter seasons. Therefore they can afford to work more cheaply; but it is only exceptional.

I have no doubt their manufacturers will increase, and they will have an influence in adjusting wages throughout the country; but as to profits of 15 or 20 per cent. being common, or being an average, or being anything typical of the manufacturing industries of this country, it is a monstrous mistake.

Every man familiar with the subject knows that, and some of the Senators know a thousand times more about it than I do. Every man familiar with the condition of capital, with the condition of the money market, knows that there are tens and hundreds of millions of dollars lying about idle, glad to get 4, 3, or even 2 per cent. temporarily. Every man knows perfectly well that if there be anything approaching a guaranty of 6 per cent. regular profit, a thousand million dollars would answer to the demand within three months; it would come on the wings of the wind from all portions of the world to that Elysium where 6 per cent. was a certain thing. So when the Senator has found a manufacturer that makes 17 per cent., let that manufacturer thank God, but let him not suppose that other people are making anything like it.

I could not understand all that the Senator from Missouri said, because unfortunately I was interrupted and did not hear it all, so that perhaps what I did hear I did not get in proper connection; but I understood his argument to be in general that the savings-banks statements of the Northern and Eastern States, or more properly the manufacturing States, were illusory and deceptive; that it is not a fact that they represent the increment of earnings of the average and poorer laboring people at all, but that they are rather the surplus moneys of the rich put in there for temporary uses and in order that they may get a dividend easier, etc.

The difficulty with the argument of the Senator from Missouri and the Senator from Arkansas is that they do not go and see the untruth of their statements. I do not care what that consul in Tunstall wrote; I do not care about the argument that the operative in New England does not save money and get him a home. I beg those gentlemen to come with me in the next long vacation, and I count in my mind on my fingers village after village by the score that are manufacturing villages, and some of them in my own prosperous State, that were woods and fields and rocky streams ten, fifteen, twenty, or thirty years ago. No capitalist went into them. I bear one in mind now. I do not think the man had $5,000. He went into that little valley because the hillsides were surrounded with woods that he could cut for charcoal for his ax factory; and now there is a population of from 2,000 to 3,000 there. There is nobody in that town now worth $100,000, and never has been such a person there. I think the estate of the chief promoter of that enterprise, who worked at it forty or fifty years, is not worth more than $100,000. All along that beautiful hillside and along the banks of that stream are the neat little cottages, and some of the superior class—higher grade and lower grade—comfortable homes and prosperous savings-banks and churches and school-houses; and every dollar, so far as I know, is directly traceable to the one man with a few thousand dollars who started a little bit of an ax factory there.

Tell me that these operatives do not save! I speak of the town of Winsted. I am old enough to know how it looked in 1837. I can go there and drive the Senator for hours along streams and roads there and in Plymouth and in the vicinity of Waterbury and the town of Stonington and all around there, riding by house after house and place after place that has been got from the earnings of the families who worked in the factories. The father worked and likely the wife worked when she was young, before she was married. They got acquainted there and married there, and the children grew up, and the increment of all these earnings made a home where the old people live now.

I do not care what your books say; I know the people, and when the Senator tells me that these savings-banks deposits do not represent earnings I ask him whether he supposes that there are 219,993 rich people in Connecticut who have got $500 each lying in our savings-banks?

Mr. ALLISON. How many?

Mr. HAWLEY. Two hundred and nineteen thousand nine hundred and ninety-three people in my State have money in sums of less than $500 each in the savings-banks. The population of Connecticut in 1880 was 622,700. Judging by previous decades, I think it fair to

say that we are just about 660,000 people now. The total number of depositors in the savings-banks is 278,415. I have taken the trouble to cipher a little, and that is 42.6 per cent., nearly 43 per cent., of all our people, men, women, children, old men, babies, and all—about 43 per cent. of them have money in the savings-banks.

Mr. ALDRICH. Will the Senator from Connecticut state how many persons there are in Connecticut engaged in useful occupations?

Mr. HAWLEY. I have not the census statistics. I know there are very few indeed who are not doing something for a living.

Mr. ALDRICH. I have no doubt the number of depositors in the savings-banks is almost precisely identical with the number of persons engaged in gainful occupations, the wage-earners of the State.

Mr. HAWLEY. Really those who have money in the banks are 42.6 per cent. and those who have not are 57.4 per cent.; and those who have $500 and less, the aforesaid 219,993, are within a few of one-quarter of the people of the State; just about one-fourth of all the people of the State.

Now, sir, I can say with regard to this matter that I know better than any man who theorizes outside, and I can prove it to those gentlemen if they will come with me, and I will open to them the books of the saving-banks that have from a half million dollars up to $10,000,000 on deposit. They may go into Bridgeport, a town of 25,000 inhabitants that has grown up by manufactures, and they will find some eight or nine thousand depositors in that city. Some come from across the river in Stratford or down in Fairfield. Perhaps that is a sample of the factory population, with eight or ten thousand depositors in that saving-bank.

Do not tell me this is not money saved by the operatives. Where does it come from? You count upon your fingers the men who are worth $100,000 in the country; and you will find a great many when you begin to go further down, some with $50,000, some with $25,000, and some with twenty, fifteen, ten, and five thousand dollars; these latter begin to be large, and that is the result of our system of industry. I do not care for theories as against these indisputable facts.

Mr. VEST. Mr. President, I will not use the word "fair," but it is not a legitimate mode of discussion for a Senator to state that he puts his individual knowledge into a debate here against public and official statements.

Mr. HAWLEY. Mark, if the Senator please, that I do that in this one thing as to people who work in factories having saved money. I do not care who says they have not. I know them by the thousand.

Mr. VEST. Of course, that settles it.

Mr. HAWLEY. It does settle it as to our region of country.

Mr. VEST. That makes an issue which by no sort of reasoning can be met.

Mr. HAWLEY. Ispe ak officially in that matter as well as any clerk in a Department. I am a Senator, and I know the people.

Mr. VEST. Of course. That as a matter of course makes no issue which is possible of solution in a logical way in a body like this.

I am not responsible for these statements. I have never arrogated to myself any personal knowledge about the operatives in New England. I have never belonged to that school of philanthropists who find themselves called upon to go into any localities other than those where their legitimate business is, to investigate the condition of the people. I find public, authoritative publications made by regularly organized and legal bodies established for that purpose, with reports from savings-banks' officers under oath, with statements as to where the deposits come from; and if the Senator from Connecticut wants to put his personal knowledge against these statements, that is a question of taste with which I have nothing to do.

Mr. HAWLEY. I put against those statements the sworn reports of our savings-banks in Connecticut, and the report of the bank commissioners of that State—my State's official documents on that subject.

Mr. VEST. I have not examined them.

Mr. HAWLEY. Here they are.

Mr. VEST. And I had nothing to say this morning about the reports of any statistics of the bureau of labor or statistics in the State of Connecticut. I have not done that, but I have put here in evidence the reports of the bureau of statistics of labor for the State of Massachusetts for what they are worth.

Mr. HAWLEY. Fifteen years old.

Mr. HOAR. Seventeen years old.

Mr. VEST. One report was made in 1873, and that is the last I could obtain from the Librarian of the Congressional Library.

Mr. HOAR. They were for the period of 1872—seventeen years ago.

Mr. VEST. There were the reports for 1871, 1872, and 1873, and they were all I could get. If any Senator has later reports I shall be obliged to him if he will return them to the Library so that I may investigate them. I use the material that is furnished me.

As a matter of course that argument is just as good fifteen years ago as it is in regard to last year's condition of the operatives in New England, because the same system was in operation as this year, the protective tariff was as much in force then as to-day; and if gentlemen's rose-colored statements in regard to the condition of the operatives under the high protective tariff are true they were true in 1871, 1872, and 1873 as much so as to-day. I am not responsible for these statements. They were furnished by legislative authority, and that is the only way in which I can arrive at a proper understanding. I am not going to make any personal issue with the Senator from Connecticut that is not susceptible of solution.

Mr. HAWLEY. There is no necessity for any personal issue. I am putting a document against his, and I have a little personal knowledge too.

Mr. VEST. I made no statement about the State of Connecticut. I read here the testimony of a Mr. Howard, I believe, who said he was acquainted with the condition of the operatives in all the New England States. I read that, and if there is any issue as to Connecticut it was made by him under that general language.

Mr. HAWLEY. The difficulty with the Senator's argument is that if it be true there ought to be an enormous pauper population in my State and in Rhode Island and Massachusetts, and there is no such thing. The pauperism is very small.

Mr. VEST. The Senator has the document in his hand. I have not examined it. Does that document undertake to show the proportion or any approximate proportion of the deposits made by workingmen and by others?

Mr. HAWLEY. No; it does not state how many there are from outside of the State, but I know the great majority of them are Connecticut people, because they do not come from the extreme Western States. They can do better with their money there than to bring it to our State and get 4 per cent. Eighty million dollars of this $102,000,000 in this little State is content to receive 4 per cent. dividends; a very few pay something over that, but the body of them stands at 4 per cent., some at 3½, some at 4¼, and some at 4½. Men do not come from Massachusetts to put money in our banks to get that; they do not come from Rhode Island to do it; they do not come over from New York to do it, because as you move westward from the Hudson River, as a general rule, money gets higher returns invested in land or invested in manufactures than it gets in the older States. That is the uniform rule. Our people lend their money West, and in the West get 4, 5, 6, 7, or 8 per cent. for it. They used to get more than that, but as the country has settled up and the people there have saved money they will not pay so much. They do not need to pay it for improvements of the farms, because the improvements are made.

The Senator has not told me how he would get along with 219,000 people in our State who are rich who make these deposits. It is impossible to suppose they are other than this great body of working people. And the increase in the number of small depositors he will find from $150 to $200 in the year 1887 was 8,734, and the increase in the total depositors during the year 1887—this report is just one year old, and the other is coming in to-morrow to the Connecticut Legislature—was $4,756,113.87, a total of $102,189,934.72 of deposits, and the interest on hand not paid, and a reasonable surplus, bring the total in those banks that belongs to the people to $107,000,000.

You find that all around us it is the same way. It is impossible to find that without being compelled to believe that industry, and pretty steady industry, and good habits characterize the majority of the people, saving their wages with a view to a better future and a hopeful future before them. There is the stimulus all around New England. Take the Irish servant girls in the towns and I venture to say that 80 per cent. of them have got their little savings-bank book, and the joke in my town is that the Irish girls own the town, because our merchants, capitalists, and speculators will go to the savings-banks and borrow money, formerly at 6 and now at 5 per cent., because they can make more with it, and the savings of the poorer people are in that way utilized.

These are the results not alone of a protective tariff. I do not pretend to claim that they are. These are the results of more than two centuries of common schools and the gospel of the Lord. That is what they are largely deducible from. But the tariff has not kept our people from saving money; it has not robbed them. There are manufacturing concerns there, by the way, that do appear to divide 8, 10, and 12 per cent. on their capital. I have one of these in my mind, a large one, that manages to get out something like 12 per cent. now. But what is the fact? I remember, about twenty-five years ago, when that concern failed and the whole outfit sold for $200,000 that had cost a million and a half; and as they got more money together they had to call in some money to run it, to build it up, and it went up to a capital of $1,000,000 and owning property that could not be replaced for $4,800,000 or $5,000,000.

This 12 per cent. is paid upon sunken and buried money. It is not 4 per cent. on the actual cost of what these buildings and properties are worth, or 4 per cent. on what it would cost to replace them. By and by New England will all be dotted over with buried foundations of industries like those monstrous piers that are below the great bridges. Owner after owner, corporation after corporation has gone down in the distress of our fluctuating industries and the ruins sold for a trifle, and the next man of course can divide 12 per cent. after awhile.

I have just one word more. Those gentlemen who made these arguments do not know how soon a business is found out to be profitable. The secret leaks out, no matter with how much zeal it may be covered up, and other capital rushes into it, and I wish I could tell gentlemen with what satisfaction millions of dollars have been let loose in New

England, New York, and Pennsylvania since the 6th day of November. In our State the foundations are being laid for shop after shop, and millions have rushed down below Mason and Dixon's line to bless the men who fight the tariff.

Mr. VANCE. Will the Senator allow me to ask if some of that money was not let loose before the 6th of November, and let loose in "blocks of five" and in "fried fat," as it was called?

Mr. HAWLEY. That opens up a large question. My impression is that there is a fearful amount of corruption, something which has struck me with dismay as to the illegitimate use of money in the United States; but if it be any satisfaction to the Senator, my best information from the people who know about those things is that we should not have lost my State if it had not been for the superabundant corruption fund among the Democracy. [Laughter.]

Mr. ALDRICH. Mr. President, so far as I am aware, and I have given some investigation to this subject, no statistics have ever been printed in any State which undertook to show the proportion of the savings-bank depositors who were wage-earners or workingmen or workingwomen. Certain general facts have been stated, such as were stated in the report read from by the Senator from Missouri [Mr. VEST], and from those facts certain deductions have been made; but the savings-banks managers of the country have never undertaken to investigate in any sense, so far as my knowledge goes, the exact proportion of their depositors who were workingmen and the proportion who were capitalists; and you can only reach any sort of conclusion by an examination of certain facts. For instance, in my own State the savings-banks deposits of Rhode Island amount to more than $800 to every family in the State, and the number of depositors is a little greater than the total number of persons engaged in all gainful occupations in the State—men, women, and children—and more than 50 per cent. of our entire population, as the Senator from Connecticut well says. From those facts we can conclude, I think, that a large proportion of the working people of that State are depositors in the savings-banks. Superadded to that is the personal knowledge of every man who has given the subject any investigation that the operatives in the various establishments in the different villages and cities are depositors and deposit in large numbers in the savings-banks.

There is another fact. It was undoubtedly true in 1873, when the report from which the Senator from Missouri has read was made, that there were persons who were in a certain sense capitalists, who did deposit money in savings-banks because of the amount of dividends paid by the savings-banks in New England, which then amounted to some 6 or 7 or 8 per cent. At the present moment the dividends of the savings-banks have been reduced to 4 and 4½ per cent., and that class of depositors, such of them as were in existence, have been very largely, if not entirely, eliminated from our savings-banks depositors.

The Senator from Massachusetts [Mr. HOAR] very well suggests to me that in almost all these savings-banks there is a limit as to the amount they will receive from any one depositor. That limit in some cases is as low as $300.

Mr. PLATT. Five hundred dollars in Connecticut.

Mr. ALDRICH. It is $500 in Connecticut. So that it is impossible for any man to use these banks for the purpose of making investments on which he is to receive large dividends.

There is another fact which has some bearing on the condition of the workingmen in New England. I can take the Senator from Missouri to fifty villages in my State, and almost a limitless number in surrounding States, where every fifth house is owned by operatives, owned by men who have earned them by their own labor—labor in the cotton factories and other manufacturing industries.

It is useless for Senators on the other side to think that they can delude the people of New England by reading from the testimony of men like Mr. Howard and Mr. O'Donnell. They understand this question quite as well as the Senators on the other side of the Chamber as to their own condition and that of the people who are engaged with them in our various industries.

I say to the Senator from Missouri that I know that these statements are not true. I know that from living with these people, as the Senator from Connecticut [Mr. HAWLEY] has already said, and there is not a Senator on this floor representing a New England State but what knows they are untrue. You might read testimony here for three months from the character of witnesses of these men and it would make no difference in the facts. It is simply a matter of opinion on their part. There are no statistics of the nature which the Senator alludes to, and we place our opinion side by side with that of Mr. Howard and Mr. O'Donnell.

Mr. SAULSBURY. Mr. President, I do not intend to enter into any discussion of the merits or demerits of this bill, but I have no objection to the discussion, and I have listened with pleasure to the description of the prosperous condition of the people of New England, not only of the capitalists, but to the glowing description of comfort which surrounds the homes of the operatives in New England. I shall not enter into any question as between the statistics read by the Senator from Missouri and the personal statements of the Senator from Connecticut and the Senator from Rhode Island, but if their personal statements are true that New England is rich, that not only her capitalists are dividing large dividends, but that the operatives in her mills are becoming rich and depositing their surplus in the savings-banks of the country, let me ask what kind of argument that is why the people of the other sections of this country should be taxed to fill the coffers of the capitalists and to make comfortable homes for the operatives of New England?

Why should the farmers in Delaware and in the West, why should the people who plant cotton and work the year round in the South, who are living in abject poverty, be taxed in order that the capitalist and the operatives in New England mills may deposit in the savings-banks their untold millions of wealth? Is it not an argument addressed to the people of this whole country that they are being taxed for the benefit of a limited number of persons?

There are not exceeding 3,000,000 people who are operating in the mills of this country to-day, and yet there are more than 8,000,000 people who are working in the corn-fields and the cotton-fields of this country. Why should they be taxed? They derive no protection from your policy. They are not benefited by heavy taxation upon the necessaries of life, and why should they be longer subjected to this onerous burden of taxation in order that the people of New England, the capitalists of New England, and the operatives in their mills, may be able to pile up their untold millions in the savings institutions of the country?

Why, Senators, you are furnishing one of the very strongest arguments against the justice of your system. Are the farmers of the West, are the farmers of the Middle States, men who go out at early dawn and work in the sun with their families, to be taxed on all they buy, on the clothes they wear, on every particle of machinery that they use in their employments, for all that is subject to the taxation which your Senate bill provides to-day? You propose to keep up this onerous system of taxation upon that class of men in order that your capitalists may put their hundreds of thousands of dollars into the banks and take it out West and put it into mortgages upon Western lands, and carry it down South, as was intimated by the Senator from Connecticut, and put it there, and with your wives living comfortably in their homes which you say they have provided you may put in an average of $800 per family into the savings institutions of New England.

You are furnishing a strong argument why the people of this country should not be taxed longer for the benefit of this favored class. Why should the women who live by hard labor——

Mr. MORRILL. Will the Senator from Delaware permit me to ask him a question?

Mr. SAULSBURY. Certainly.

Mr. MORRILL. I should like to ask the Senator from Delaware whether in considering the state of prosperity of the New England States he is not aware that the census every time it has been taken for the last twenty or thirty years has shown that the people of Illinois, of Kansas, of Iowa, of Missouri, of Florida, of Alabama, and of Georgia are exceeding in the amount of their annual increase of wealth far beyond anything that has ever been witnessed in New Ehgland.

Mr. SAULSBURY. I know from personal observation of the people whom I meet in the rural and agricultural sections of this country that there is no people on earth who labor harder than the farmers of this country. I have seen the farmer myself sometimes after his head has grown gray, working day after day at least ten or twelve hours a day, his wife doing the drudgery of the household, and his children at work, and yet all he could do was to make a comfortable and sometimes not a comfortable living for his family——

Mr. STEWART. I should like to ask a question.

Mr. SAULSBURY. I trust the Senator will allow me to proceed.

The farmer often is not able to make a comfortable living, and at the end of the year is scarcely able to pay the bills that have accumulated, notwithstanding the economy he has been compelled to practice; and yet we tax him upon all he wears, upon the dress that his wife wears, upon the flannel that wraps his child, upon the socks upon his baby's feet, and upon everything that enters into his household, upon his implements of industry used in the occupation in which he is engaged; we tax him and tax all his, and yet you say that as the result of that taxation the capitalists of New England are accumulating immense fortunes and putting four or five million dollars in a manufacturing plant, as was said by the Senator from Connecticut, and that the operatives in those mills are putting their vast and untold thousands and millions in the savings-banks of New England.

You have furnished by your statements to-day, Senators, one of the very strongest arguments why the people of this country should wake up to the injustice that is being done by the taxation of a large portion of this country for the benefit of a certain class of men engaged in the manufacturing interests.

Mr. STEWART. Now will the Senator allow me to ask him a question?

Mr. SAULSBURY. Certainly, but it is unpleasant to be interrupted in the middle of a sentence.

Mr. STEWART. Does not the Senator think it would be cruel to drive all the people into farming, after the description of their suffering which he has given?

Mr. SAULSBURY. You can not drive the New England people into farming. I saw a statement this morning in answer to this question of a home market; a statement was made in one of the leading papers of the country that a few years ago the rural population, that is, the population living in the country and small towns, was about 60 per cent. of the entire population of the State of Massachusetts, and that a change has been brought about so that to-day there is not exceeding 43 per cent. of the people of Massachusetts who live in cities and towns with a population of less than four and five thousand. Why is it, if this home market is to build up the agricultural States, that the agriculturists of Massachusetts have abandoned their farms and gone into the manufacturing business in order to accumulate fortunes?

Mr. TELLER. Mr. President, the Senator from Delaware refers to the downtrodden farmers of the West. Every time that this question has been discussed they have found a champion on that side of the Chamber, a champion who always exhibits his entire ignorance of their sentiments and of their condition before he sits down. They are as ignorant of the condition of the Western people as they are of the Eastern. They have lost sight of the fact that manufactures have moved West.

They have lost sight of the fact also that there is not any portion of the United States where intelligence is greater than it is in the West. They have lost sight of the fact also that when the people met this question in November it was the farmers in the West who settled it. They have lost sight of the fact that the magnificent majority of eighty-odd thousand in Kansas was from a farming community. They have lost sight of the fact that the majority in the State of Illinois for the doctrine of protection came from the rural districts, from the farms and not from the cities. They have lost sight of the fact that the State of Illinois is the fourth State in the list in manufactures. They have lost sight of the fact that Indiana to-day manufactures almost if not quite as much as Connecticut, and that it was the farmers of Indiana who carried Indiana for Harrison and protection. They have lost sight of the fact that everywhere in the West where the intelligence of the country was appealed to, where men read and where men write, and where men are better informed than in the section they represent, there was a decided vote for the American system of protection.

I want to say to them that there are no people in the West or in the Northwest who are appealing to them to relieve them from the weight of the protective system. The people of Minnesota, when they said they would have a Democratic majority on the question of protection, turned up a bigger majority than they had given in years; and so it may be said of all the Northwest and the West, including the State that I have the honor in part to represent, a non-manufacturing State, but we know enough in the West to know that what is good for New England is good for us if we have got the brains and the courage to take advantage of the system, and that is what we are proposing to do in the West; and that is what, if the South will do, they will have less talk of poverty, and it is that which they can do. Why do they not manufacture? They say New England manufactures. The Senator from Missouri says New England manufactures a fine grade of goods. Does he mean to say they can not manufacture a fine grade of cotton goods in the South? Why not? Every advantage that a New England manufacturer has they have got in the South, and in many portions of it fourfold more advantages than they have in New England. If they lack anything it is the sturdy enterprise, the manual industry of the New England men. The State that the Senator represents is richer in natural wealth than all the States of New England, and why is it not a manufacturing State? Is it for lack of money?

Mr. President, if there is so much money made in New England, as was said here the other day, why do not the people of Missouri borrow that money when they can borrow it at 4 per cent. or at 5 per cent.—6 per cent. is considered a large interest—and put it in manufactures which return, as was stated here to-day, 25 per cent.? Everybody knows that there is nothing in that. There are to-day more than two hundred kinds of railroad bonds in the United States bearing interest at less than 8 per cent., many of them not to exceed 5 per cent., that are selling far above par. There are plenty of railroad bonds in the United States that pay 7 per cent. interest which are selling at from 25 to 45 per cent. premium.

Why do the people put their money in those things if the New Englanders are making such extraordinary and extravagant profits? They are not. The difference between those people and some other people is that the New England people have economy, they have industry, and they have enterprise, and when they have earned a dollar they put it out, and it is a disposition that they have to become the owners of the houses in which they live. And if the South and Southwest want to participate in the great prosperity that comes from this system, nobody is preventing them, nobody denies them the opportunity. Arkansas could be a manufacturing State that would exceed any State in New England if her people would so choose. They have the opportunity and all they lack is the will, the enterprise, the industry, and the courage to take hold of it.

And yet the Senators from all this section of country insist that this is a monopoly. The Senator from Missouri to-day said it was a monopoly. What is to prevent the capitalists of Missouri from being engaged in this monopoly? What is to prevent the capitalists of any section of the country from engaging in manufactures? There can be no monopoly in the manufacture of anything in this country when every single section of the country has an equal advantage with the others so far as the law is concerned, only to be changed by the conditions and the natural advantages; and whenever any section of the country has more natural advantages than New England, I repeat that all this talk about the poverty of New England comes because the men who repeat it on this floor are ignorant of the condition of labor in the East and in the West and in the Northwest.

They have not seen the industries, they have not seen the cozy little homes of New England, they have not seen the honest laborer that has, year after year, added, it may not be a great sum, but yet a sum, until he has accumulated in the savings-banks of this country more money than all the other savings-banks in the world combined, and to-day, making a fair estimate for the money that may be put into such banks by capitalists, there are more than a thousand million dollars in the United States that belong to the men who labor day by day for daily or monthly wages. In the State of New York last year the laboring people put $25,000,000, in addition to what they already had, into the savings-banks of that State.

The Senator may find some man who comes here and talks about the poverty of New England or the poverty of a manufacturing country, and yet he can not find in this country any considerable degree of pauperism. I repeat, with a full knowledge of what I say, that no civilized land under the sun presents so few paupers in proportion to its numbers as the United States, and no land presents so few as that section of country where the protective system is in full force.

Mr. REAGAN. Mr. President, I will not detain the Senate by any protracted observations, but it seems to me while the Senator from Colorado is pointing out the ignorance of persons who do not agree with him in opinion on the subjects which he has discussed, he might have recognized a fact which I think will be recognized by most persons, that under the operation of a protective tariff we are transferring in this country annually more than five hundred and probably more than six hundred millions of dollars from the consumers of manufactured products to the makers of the manufactured products. This fact of itself will account, I think, for a good deal of the wealth of which gentlemen have boasted this evening; and when it is remembered that these five or six hundred millions of dollars are transferred substantially from the West and South, the agricultural portions of the country, to the manufacturing States of the Northeast, we understand another reason why the people of that portion of the country should be prosperous and why the people of other portions of the country should be less prosperous.

I was surprised to hear the Senator from Colorado speak of the prosperity of the West as compared with that of the Northeast. It is true that nature has spread her bounties there; a soil unequaled in its fertility, productions valuable, yet with all the advantage of nature which the great West has, statistics have been shown here that hundreds of millions of dollars' worth of farms in the West are mortgaged to capital, secured to the manufacturers of the East by that process of transfer of capital to which I have referred, from the consumers to the manufacturers. And the fact has been shown here—I shall not go into it now, but Senators will remember it—that relatively the agricultural States have not increased in wealth as the Senator from Colorado supposes, while the manufacturing States have increased enormously in wealth. While they own in the manufacturing States their own property, they own hundreds of millions of dollars' worth of the property of the people of the West and South, and hold mortgages upon their farms to pay for it, which, if enforced, would bankrupt the West to-day.

Mr. President, it is not simply that the people of the manufacturing States are a different people, more thrifty, more industrious than the people elsewhere. We are all of the same race and the same lineage. Give us equal chances and we will all prosper alike or suffer alike. But change the legislation, if you will, so as to tax the manufacturing States 47 per cent. on their purchases of all such articles as are taxed as imports, and transfer that annually to the West and South for ten years, and you will find the West and South teeming with wealth; you will find there the beautiful cottages, the ornamented grounds, the pleasant homes that Senators have described as being in New England, and our friends of New England would come to the conclusion that they were a pretty lazy and lousy set after they had stood that tax for ten years. Senators ought to understand that they may make such speeches as they please, but there stands the great monumental question unanswered and unanswerable, that hundreds of millions of dollars are being transferred by operation of law, without price and without consideration, annually from the consumers of manufactured products to the manufacturers themselves.

Mr. TELLER. If the Senator from Texas would study the statistics of the Government he would find out that the poverty-stricken country of which he speaks has increased faster in wealth since 1860 than the New England section of which he speaks. He would find, Mr. President——

Mr. HOAR. I would like to ask the Senator a question at a con-

venient time, if he will permit me. He can state the answer very much better than I can. I will ask him whether the mortgages which the Western people give to the Eastern people are, as a rule, an indication of embarrassment or poverty, or whether they are not simply a young community, young men getting the advantages of credit in developing their farms, buying their farms, borrowing the money to pay for them, and then paying off the mortgages; whether, in other words, the Western mortgages are not put on by men who are prosperous and thriving?

Mr. TELLER. I will say in reply to that, before I touch another subject, that the report of the Commissioner of Agriculture, who sent out special examiners for the purpose of determining what was the condition of the farmers of the United States, shows that in nearly all the States, if not all, the farm indebtedness has been decreasing for a number of years. It is less to-day in proportion than it was ten years ago. It is less than it was twenty years ago.

Now, as the Senator from Massachusetts suggests, in a new community a man starting a new farm, with no money, after he has gone on and made his home, if it is a homestead, wants money for improvements, he wants money for stock, and he borrows all the way from a few dollars up to a few thousand upon his farm. I deny (and the statistics of the Government will show that it is not true) that the farmers of this country are weighed down with debt. It is a fancy that certain Senators indulge in. Not long ago a St. Louis paper, the Republican, published what purported to be the indebtedness of the farmers of the United States, and actually took the census report of 1880 of the valuation of the farms in the United States and palmed it off on the people of the United States as a true statement of the farm mortgages; and so credulous are some people that in the House of Representatives that was read as a fact, and it has been repeated in the Senate. It was stated that there was more than a thousand millions of indebtedness on the farms in Illinois, while the entire valuation as shown was a little over $1,000,000,000.

Mr. VEST. Does the Senator seriously state that the St. Louis Republican took the whole valuation of farm lands in the United States and said that was the amount of mortgage debt in the West?

Mr. TELLER. I stated that it was published in the St. Louis Republican. They stated, they did not know whether truthfully or not, that a Missouri member of Congress in the other House presented it as a fact to the House.

Mr. VEST. The Senator is certainly mistaken.

Mr. TELLER. I am not. The State of Michigan was put down at what the valuation of its land was. The State of Kansas was so put down. The State of Illinois was put down within $9,000,000 of its real valuation. That statement has gone abroad, and has appeared in so respectable a paper as the Bankers' Magazine, of the city of Chicago, as a fact.

Mr. VEST. All this can be very easily ascertained by reference to the paper on file. I recollect that statement, and I recollect distinctly that the St. Louis Republican said at the time that this was an estimate based upon reports to the different granges, the local granges, who had taken an estimate of the amount of mortgages upon the farm lands in the State of Illinois.

Mr. COKE. If the Senator from Missouri will allow me, I have the statement here.

Mr. VEST. Very good; read it and let us see.

Mr. TELLER. Wait a moment.

Mr. VEST. Will not the Senator from Colorado allow the statement to be read?

The PRESIDENT *pro tempore*. Does the Senator from Colorado yield?

Mr. TELLER. I will yield in a moment. Before that is read I wish to say that it has been repeatedly changed in its figures. There have been very trifling changes as a general rule, but as it was read in Mr. BLAND'S speech in the other House it is *verbatim* as to several particular States.

Mr. COKE. If the Senator will allow me, I will read the statement.

Mr. TELLER. Certainly.

Mr. COKE. It is as follows:

It would be instructive to have the exact figures showing farm mortgages in the United States. There is no Federal law nor general law in the States for collecting the statistics, and they can therefore only be estimated. A correspondent of the New York Times, writing from Gypsum City, Kans., taking for a basis the recent statement that one-half the farms in Michigan are mortgaged, makes the following estimate for the ten leading Western States:

In Ohio	$701,000,000
In Indiana	398,000,000
In Illinois	620,000,000
In Wisconsin	250,000,000
In Michigan	350,000,000
In Minnesota	175,000,000
In Iowa	351,000,000
In Nebraska	140,000,000
In Kansas	200,000,000
In Missouri	237,000,000
Total farm mortgages in the ten States	3,422,000,000

Mr. TELLER. What does it say of Illinois?

Mr. COKE. Illinois is put down at $620,000,000.

Mr. TELLER. I am not mistaken at all. Kansas was given at $235,000,000. A member from Illinois denounced it on the floor of the House when it was made, and said it would be equivalent to a mortgage of $30 an acre on every acre of land in the State. Yet it has been practically repeated when everybody knows that there can be no statement made definitely of the mortgages on the farms in this country.

Mr. VEST. The Senator has Spofford's Almanac?

Mr. TELLER. I have Spofford's Almanac.

Mr. VEST. Is the statement as to the value of farm lands in the United States identical with the amounts read by the Senator from Texas?

Mr. TELLER. That is not the statement that was published in the St. Louis paper. It is not the statement published in the House debates. It has been modified, for I distinctly recollect that the State of Illinois was put down at one thousand million dollars, which is within $9,000,000 of the total valuation of all the farm lands in that State.

Mr. COKE. If the Senator will allow me, I will say that the statement I have just read was taken from the Republican, and the comments of the Republican are given with the statement.

Mr. TELLER. When was the statement taken from the Republican?

Mr. COKE. I suppose six or eight months ago.

Mr. TELLER. I am not mistaken about it, because I recollect it very well. To say that there is a mortgage of $17 or $18 an acre on every farm in Illinois is a slander upon the whole State of Illinois. That all the farming land in Kansas is mortgaged except $35,000,000 is another slander. That is just in keeping with many other statements that have been made. It is not true.

Mr. President, I know something about the Western country. I know something about the State of Illinois. The population is greater, but there are not anything like as many men suffering under mortgages in the State of Illinois as there were thirty years ago. There may be as many mortgages in the State, but the mortgagors are able to pay. They are getting better prices for their crops than they got thirty years ago under the semi-free-trade system.

I wish to go back to what I started to say. The only thing I intended to say was with reference to the increase of wealth. The State of Missouri, represented by the Senator who has talked to-day about this monopoly, has increased faster in wealth than the State of Massachusetts. So you may take State after State in the West, and the increase has been greater than it has been in any of the New England States. All this attempt to make it appear that one section of the country had by some hocus pocus or other got control of a system that inures to its benefit and to the destruction of all other portions of the country is hardly up to the intelligence of the people of this nation.

I wish to repeat that the farmers of New York met this question when they sent down to Harlem bridge that magnificent majority in favor of protection. In the farming counties of that State we increased our vote, and, as I said before, the vote of the farming counties, where the intelligence of the State is, overcame the great city of New York, with its ignorance and vice. Do the Senators think they can persuade the people of New York, or of Illinois, or of Indiana that the protective system is not good when they have realized its benefits, when they have seen manufactures grow up by their side and increase not only the price of their commodities but increase the price of their lands? To-day just in proportion as a State manufactures, so is the value of its farms. Where they manufacture, there the land brings a high price, there labor is well compensated and remunerated.

The lowest labor and the poorest labor and the most degraded labor in the United States is in those States that decline to manufacture, that decline to take advantage of this American system. The best paid labor, the most independent labor, the most powerful labor, that which makes itself felt on society, is the labor of the manufacturing regions of the United States. New England is not the whole center of manufacturing. I repeat that Illinois is the fourth manufacturing State in the United States. Indiana is nearly up to Connecticut.

Mr. PLATT. Quite.

Mr. TELLER. Quite, I have no doubt, by this time, and the next census will show that Indiana manufactures are of more value than those of the State of Connecticut. They manufacture, and their farms by the side of the manufactories have a market. It was the rural districts of that State, too, that determined the electoral vote of that State in the recent election.

The Senator who sits before me [Mr. PLATT] suggests that South Dakota has $100,000,000 of assessed value of property. That is not a manufacturing Territory. They have grown rich. The truth is the whole country has grown rich; and the great high-priest of free trade in the city of Boston, Mr. Atkinson, declared that there never had been a time in the history of this country when the distribution of wealth was so uniform as it is to-day. It is a fact that every man who keeps close to the people and who keeps abreast of the condition of affairs in this country knows that there never was a time when so many men lived in their own houses, when so many men who labor have all the comforts of life, as they have in this country now. It is a notorious fact that just in proportion as the people have seized upon the advantages of this system and applied it, just so they have prospered and grown rich and happy and comfortable.

I suggest that it would be a good deal better for those regions that

have not taken advantage of it to turn their attention to seeing how they can get some of this prosperity than to stand here growling at the prosperity of other sections of the country.

Mr. ALLISON. Mr. President, one word as respects the growth of Western States, and in response to the Senator from Texas, who thinks that we are growing poorer for the benefit of New England. I do not wish to enter into that discussion, but I take this interesting volume called the American Almanac——

Mr. GEORGE. For what year?

Mr. ALLISON. It is for the year 1888, the latest. I believe that of 1889 is not yet printed.

Mr. COCKRELL. It is not out yet.

Mr. ALLISON. I observe a table showing that Iowa in 1860 had an estimated valuation of $366 per capita. Ten years later she had an estimated valuation of $601 per capita, and in 1880, $871 per capita, showing a reasonably vigorous and healthy increase in the State of Iowa, which is an agricultural State, during these three decades.

Mr. HAWLEY. There has been an enormous increase in population as well as an increase in per capita wealth.

Mr. VEST. What is the per capita of Massachusetts and Rhode Island?

Mr. ALLISON. I am not on that point just at this moment. In twenty years the State of Iowa more than doubled its per capita valuation, and as a matter of fact its population substantially increased more than double during those twenty years. The population of Iowa in 1880, as I remember (it is not given here), was 1,624,000 in round numbers. In 1860 it was about 660,000, increasing 1,000,000 between 1860 and 1880, and passing through some distressing periods during that time, which I shall not stop to relate.

I would not have said a word but for the fact that the Senator from Texas has taken occasion to put into the RECORD a statement that the farmers of Iowa owe $350,000,000. We have in Iowa 33,000,000 acres of land, and I think I can say that it is nearly all arable land. Certainly ninety-nine one-hundredths of those acres are acres fit for cultivation. According to that statement, published of course in a newspaper, reiterated in the House of Representatives, and now resurrected by the Senator from Texas, it would disclose a mortgage of $10 per acre upon each acre of land in the State of Iowa, and a fraction besides. Is there any man of sense or any man who has any knowledge on the subject who believes that?

When that statement was first made a member of the House of Representatives telegraphed to the governor of Iowa to ascertain as nearly as could be ascertained from the State census of 1885 and other documents in the capitol of the State the actual indebtedness of the people of the State of Iowa, including indebtedness of every name and nature. The answer was that it was less than $70,000,000, and I venture the statement now, in the presence of the Senate, that all the subsisting mortgages upon the farms of Iowa do not reach $70,000,000.

I wish to say another thing, because I do not intend that Connecticut, Massachusetts, and Rhode Island shall run away with the idea that they are the only prosperous people in this country.

Mr. PLATT. We do not.

Mr. ALLISON. I thought the Senator from Texas seemed to carry the idea that we were all in poverty and rags except New England. I live in a city of 30,000 people. We take a semi-decennial census in the State of Iowa. That was taken in 1885. The people of the city in which I live are all working people, because we have not so accumulated means there that we have a capitalistic, monopolistic, bondholding, or money-lending class. We are a people who are at work day by day, beginning in the morning as early as they do in Texas, and working as late as they do there at night.

Of all those people more than four-fifths live in houses which they own, and I venture the statement that a careful ascertainment of the population of the city in which I live will disclose that seven-eighths of the people of that city own the houses in which they dwell. I merely mention this for the purpose of showing that a great deal of this statement as respects the prosperity of different sections of our country must be taken *cum grano*.

I wish to say another thing, and I do not intend to say it as respects the tariff. Our system, whatever it is, whether it be our land system, our labor system, or our system of government, evolves in every State in this Union a condition of prosperity not found elsewhere; and I venture to say that in the State in which I live there is at this moment a high condition of prosperity among our agriculturists, among our laborers and producers whatever they may be engaged in producing. As respects our present condition, I must dissent, therefore, from the idea suggested by the Senator from Texas nearest to me [Mr. REAGAN] that we are making great contributions to other sections of this country at our own expense. They may be prospering more rapidly than we are.

Mr. ALDRICH. Will the Senator allow me to interrupt him just at that point? As to the increase of per capita wealth between 1870 and 1880 in the three New England States mentioned, it was $105 per capita in Massachusetts and $153 in Rhode Island, while in Connecticut there was a decrease of $73 per capita between 1870 and 1880. The increase in Iowa in the same decade was $270 per capita.

Mr. ALLISON. I thank the Senator for the interruption. It is only a confirmation of what seemed to me to be the condition of prosperity in my own State.

These are the conditions in the part of country in which I live and about which I have special knowledge. Whilst it is true, as the Senator from Texas [Mr. COKE] has stated, that there are mortgages upon farms in my State, it is also true that in the greater part these mortgages are in the newer portions of our State and have been put upon farms for the purpose of their rapid development; and in that sense probably you may account to a large degree for the great prosperity in Iowa between 1870 and 1880. When the census of 1870 was taken about one-sixth of the northwestern portion of the State in which I live and which I represent with my colleague on this floor, was practically an uninhabited section, that is to say, it contained a sparse population. Between 1870 and this moment that has become the most prosperous agricultural region in our State, and it is dotted over with prosperous farms. In every part of it railroads have threaded their pathway through it; and thus that is a prosperous region.

But the men who are engaged in developing these farms and opening up these new communities have been compelled to go to the East perhaps, or to certain agencies, to procure money with which to aid them rapidly to develop these farms. That is what they have done. Therefore, so far from these mortgages being an indication of poverty, they are in many cases, perhaps in nine-tenths of the cases, indications of rapid and successful development.

Mr. CHANDLER. I should like to ask the Senator from Iowa, if he will allow me to put a question on that subject, whether there is any considerable defalcation in the payment of interest or of installments of principal on those farm mortgages in his State to which he alludes?

Mr. ALLISON. I have no accurate information on that subject, but incidentally I have some knowledge, and that is that on the mortgages in my State there is scarcely a defalcation, and if a defalcation occurs it is only for a brief period. In other words, the occupation of the lawyer, the counselor, and the attorney is practically an occupation of the past in my State, as members of the profession complain, for the reason that there are no foreclosures of mortgages.

Mr. CHANDLER. I should like to ask the Senator one additional question, and that is whether as a general rule the annual payments of interest and installments of principal are not paid from the profits of the farms?

Mr. ALLISON. Undoubtedly they are. In the northwestern region of which I speak, and which goes far into the Territory of Dakota, I have known instances where farmers have made the cost of their lands in a single year on the product of a good farm.

Mr. VANCE. Mr. President, I have learned a good deal in the course of this debate. I have learned among other things that the higher the tax imposed upon the goods the cheaper the goods. I have now learned from the Senator from Iowa that a heavy mortgage on the plantation is an evidence of the prosperity of the owner.

Mr. ALLISON. I want to interrupt the Senator long enough to say to him that he has not learned that fact from me, because I did not state it.

Mr. VANCE. The Senator stated that it was not an evidence of want of thrift or prosperity, but that, on the contrary, it was evidence of a high degree of prosperity. Did he not say that?

Mr. ALLISON. I stated, and I repeat, that the fact that a farmer or a merchant, if you please, or a manufacturer borrows money is not necessarily an indication of poverty, but it may be an indication, and in most cases in my own State it is an indication of prosperity.

Mr. VANCE. That is substantially what I said. That is a very important economic fact, Mr. President.

The Senator from Colorado [Mr. TELLER] did the section of country in which I live the honor to intimate that it was want of intelligence that caused the people there to think that they were not enriched by taxation, and he said that all the champions of the agricultural people who rose on this side displayed quite as much ignorance on the subject as they did. Colonel Ingersoll is once reported to have said concerning men who aver that mankind are superior to womankind that under the laws of evidence they could not put themselves in evidence of the fact. With the statement before me, I think I can say to the Senator from Colorado, with his claim of superior intelligence on the part of the representatives and people of Colorado, that he can not put himself in evidence of the fact. Neither can the Senator from Iowa.

I was going to say that having learned these very important politico-economic truths, and desiring to meditate over them during the quiet hours of the night, I move that the Senate adjourn.

Mr. HOAR. I wish the Senator would withdraw that motion for a moment. I wish to say one or two words only on this question.

Mr. VANCE. If the Senator will renew the motion when he is done, I will withdraw it.

Mr. HOAR. Very well. The Senator from Iowa has stated substantially what I tried to get the floor to say some time ago, and of course a great deal better than I could have said it; but I wish to say that both the Senators from Texas and the Senator from Missouri and the Senator from North Carolina, when they speak of the mortgages in

the West as an evidence of want of prosperity, seem to me to overlook what is the history of all vigorous youth, whether it is the youth of an individual or the youth of a community. I suppose that almost every thriving and capable young man who starts in America starts in debt to some extent. He gets married or he wants to get married, and the first thing he does is to get a little piece of land and put up a house and mortgage it; and that transaction is the one thing which anchors him to the community where he lives and makes him a fixed, settled, thriving, steadfast citizen.

Now, that is the history of our Western States. What would have happened with one of our new Territories, with its mines, with its agricultural lands, with its railroads, if it were not for the credit system in this country? How many of the Western railroads which have opened those countries would you have had if the people had waited until they had laid up and saved the money which they paid for them? How many Western farms, how many Western farm-houses, or barns, or fences, or other improvements would you have had if you had waited until their owners wrung out of the soil, without credit, the means to make the payment?

These debts, as an almost universal rule, are the signs of thriving, vigorous life and of good credit. They are the things which have enabled these Western communities to be developed and to grow. Instead, therefore, of being, as the Senators state, a sign of dependence, it is a sign of thrift and growth and rapid life.

Mr. VANCE. I renew my motion.

Mr. HOAR. I move that the Senate adjourn.

Mr. VEST. Will the Senator permit me just to put in evidence one statement?

The PRESIDENT *pro tempore*. Does the Senator from North Carolina yield to the Senator from Missouri?

Mr. VANCE. Yes, sir; if he will renew the motion.

Mr. VEST. The Senator from Colorado made the statement that the St. Louis Republican, a Democratic paper, had stated, and it had been repeated by a Democratic member of Congress in the other House, that the amount of mortgages on Western farm lands was equal to the whole amount of the estimated value of the lands.

Mr. TELLER. Oh, no; I did not make any such statement.

Mr. VEST. What was the Senator's statement?

Mr. TELLER. I said that they published the statement of the amount of indebtedness, which I say was equal to the estimated value. They did not say it was equal. The Senator misunderstood me.

Mr. VEST. Very good. Now, I happen to have——

Mr. TELLER. I said they published Kansas as having $235,000,000 of farm mortgages, and that was the value of the farm lands in the State in 1880.

Mr. VEST. I happen to have in my scrap-book the identical article, which I thought I could not have forgotten, from the St. Louis Republican. It says:

They tell us the agricultural States have grown rich, too. They have also prospered under protection. See how farms have multiplied in the West and Northwest, and see how railroads have been built in Illinois, Michigan, and Wisconsin, and the States and Territories west of the Mississippi, even to the Pacific—and how this vast region has been subdued to settlement!

All true. But who owns these farms and railroads in the Western States? In one word, who owns the West? The people of the West, it might be answered, but the answer would not be true, as a few indisputable figures will sufficiently prove.

First, as to farms. In 1880 there were 138,500 farms in Kansas, 256,000 in Illinois, 194,000 in Indiana, 247,000 in Ohio, 185,300 in Iowa, 154,000 in Michigan, and 134,300 in Wisconsin, making a total of 1,309,100 in seven States named.

Now, it gives the statement as to the amount of indebtedness:

Recent statistics—

Just what I said this paper stated—

collected by granger associations and printed in farm journals make the following exhibit of farm mortgages in these same States.

Mr. TELLER. Now, let the Senator read them.

Mr. VEST. Well. The table given is as follows:

Kansas	$235,000,000
Illinois	1,000,000,000
Indiana	635,000,000
Ohio	1,227,000,000
Iowa	567,000,000
Michigan	500,000,000
Wisconsin	357,000,000
Total	4,521,000,000

These figures—

Says the paper—

are so startling in their enormity as to seem incredible. We do not vouch for their accuracy.

Mr. TELLER. I did not say they did.

Mr. VEST. The paper continues:

They represent the 1,309,100 farms in seven Western States as incumbered, etc.

They do not pretend to vouch for their accuracy. This paper never pretended to vouch for it.

Mr. TELLER. I did not say that it did.

Mr. VEST. I understood the Senator to make the absolute statement that this had been repeated in the House of Representatives.

The Senator from Iowa, I may be permitted to say, speaks of the wealth in his State. I have here the statement of the railroad commissioners of Iowa as to the ownership of the railroads in Iowa, which is of course counted in the wealth of the State of Iowa:

The last report—

The official report—

of the Iowa railroad commissioners states that only one out of forty stockholders in Iowa roads lives in the State, and only one-seventieth of the capital stock is held in the State. In Illinois a similar condition of things prevails.

Mr. ALLISON. I wish to interrupt the Senator right there. In the estimate, as I understand it, in Spofford's Almanac, the railroads are not included. It includes the real and personal property. The railroads in my State as capitalized would be more than the whole statement of 1880 as to the wealth of Iowa.

Mr. VEST. I happen to have that right here.

Mr. ALLISON. Now, let us hear what it is.

Mr. VEST. Iowa, stocks and bonds, $105,000,000. That is, in railroads. Net earnings, $2,180,000.

Mr. ALLISON. Then I will withdraw my remark. If it is only $105,000,000, it cuts a very small figure in the wealth of the State.

Mr. VEST. I happen to have those statistics. It gives also the railroads in the different States. In Kansas the stocks and bonds of railroads by the last report are $195,700,000, and their net earnings amount to $9,440,000; Illinois, stocks and bonds $640,000,000, and their earnings $16,000,000; Indiana, stocks and bonds $320,000,000, net earnings $5,700,000; Iowa, stocks and bonds $105,000,000, net earnings $2,180,000; Michigan, stocks and bonds $214,000,000, net earnings $5,000,000; Wisconsin, stocks and bonds $236,000,000, net earnings $6,900,000; Ohio, stocks and bonds $767,000,000, net earnings $12,300,000.

Mr. ALLISON. Now I wish to say a word about railroads. I may have been mistaken as to the inclusion of railways in the real and personal property in Iowa, but inasmuch as the total real and personal property of Iowa, as shown by the census of 1880, is $1,415,000,000, in round numbers, as I recollect, not having the book before me, it may possibly include railroad property. If it does, it only includes $105,000,000 in value, according to the statement of the Senator from Missouri; and that the indebtedness of the State is only 5 per cent. upon the wealth of the State, as shown by Spofford's Almanac.

Mr. VEST. There is no doubt that Iowa is a wealthy State.

Mr. TELLER. I do not desire to detain the Senate, but I wish to show that I was correct in my statement, and that the quotation of the Senator from Texas [Mr. COKE] is not correct.

In the report of which I spoke Kansas is put down at $235,000,000 of mortgages. That is the entire value of the farm lands of Kansas, lacking $178,936.

Mr. VEST. The assessed valuation of all States is given just below.

Mr. TELLER. That is what I am talking about. They took this list. It was not an accident. The farm lands of Illinois are put down as having $1,000,000,000 of mortgages. The value of the farm lands of Illinois is $1,009,000,000, so that it is within $9,000,000 of the amount. Ohio is put down as having $1,227,000,000 of farm mortgages, which is $100,000,000 more than the value of all the farms in the State in 1880. Michigan is put down at a little more than the value of all the farm lands in the State, just a trifle, it being $499,000,000, and they put the mortgages at $500,000,000.

So you may take the whole list through; there is not a word of truth in the statement. I admit the paper stated that it did not vouch for its accuracy, but it went out and was adopted, as I said, by a member of the other House, and has been repeated on the stump again and again all over the country. It is not true, and to-morrow when the Senate has time I shall put in the RECORD what the Agricultural Bureau said about the farm mortgages in the United States.

Mr. ALLISON. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock p. m.) the Senate adjourned until to-morrow, Thursday, January 3, 1889, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January* 2, 1889.

The House met, pursuant to adjournment, at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of the 21st day of December last was read and approved.

PRINTING FOR DEPARTMENT OF STATE.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting additional estimates from the Secretary of State of printing for that Department for the current fiscal year; which was referred to the Committee on Appropriations, and ordered to be printed.

FEES AND EXPENSES UNITED STATES MARSHALS, SOUTH CAROLINA.

The SPEAKER also laid before the House a letter from the Attorney-

General, inclosing a letter from the United States marshal of South Carolina relative to the appropriation for fees and expenses of marshals for the fiscal year 1889; which was referred to the Committee on Appropriations, and ordered to be printed.

SPOLIATION CLAIMS.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting conclusions of fact and of law in certain spoliation claims; which was referred to the Committee on Claims.

CHARTING THE SKY.

The SPEAKER also laid before the House a letter from the Assistant Secretary of the Treasury, transmitting an estimate from the Secretary of the Navy of an appropriation for the purpose of photographic telescope and pointers, and for the construction of buildings for the same, for the proposed international project for charting the sky; which was referred to the Committee on Appropriations, and ordered to be printed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CARUTH, indefinitely, on account of sickness.

To Mr. DALZELL, until January 7, on account of important business.

To Mr. DIBBLE, until January 8.

To Mr. LYMAN, indefinitely, on account of illness.

To Mr. MOFFITT, indefinitely.

To Mr. O'DONNELL, for two days.

NICARAGUA CANAL.

On motion of Mr. WILSON, of Minnesota, by unanimous consent, it was ordered that the bill (S. 1305) to incorporate the Maritime Ship-Canal Company of Nicaragua, with the amendments agreed to in the Committee of the Whole, should be printed in the RECORD for the information of members.

The bill and amendments are as follows:

Be it enacted, etc., That Frederick Billings, Charles P. Daly, Daniel Ammen, Francis A. Stout, Horace L. Hotchkiss, Edward F. Beale, Hiram Hitchcock, C. Ridgley Goodwin, A. C. Cheney, J. F. O'Shaughnessy, H. C. Taylor, J. W. Miller, A. S. Crowninshield, A. G. Menocal, Charles H. Stebbins, T. Harrison Garrett, Jules Aldige, R. A. Lancaster, Alfred E. Mills, Gustav E. Kissel, Horace Fairbanks, George H. Robinson, Alfred B. Darling, Joseph E. Macdonald, James Roosevelt, Christian Devries, Frederick F. Thompson, Henry A. Parr, and such other persons as may be associated with them and their successors are hereby constituted and created a body corporate and politic in deed and in law, by the name, style, and title of "The Maritime Canal Company of Nicaragua," for the construction, equipment, management, and operation of a ship-canal from the Atlantic to the Pacific Ocean, either entirely through the territory of the Republic of Nicaragua or through Nicaragua and in part through the territory of the Republic of Costa Rica, with such collateral, connecting, or cross canals as may be necessary to connect therewith, and to exercise such other powers as have been conferred by the Government of Nicaragua, by the concession of that Republic to the Nicaragua Canal Association, through Mr. A. G. Menocal, its representative, and dated the 23d day of March, A. D. 1887, and finally approved by the legislative and executive authority of the Republic on the 20th, 23d, and 24th days of April, A. D. 1887, and such powers as the Republic of Costa Rica may confer of the same kind as those named in said concession; and the said Maritime Canal Company of Nicaragua, by that name shall have perpetual succession; may sue and be sued, plead and be impleaded, defend and be defended in all courts of law and equity within the United States; may make and have a common seal; and shall have and possess the rights, powers, and privileges usually possessed by similar companies. It may receive, purchase, hold, and convey such real and personal estate, property, and rights of property or concessionary rights as may be necessary to carry into effect the purposes of this act; may issue stock to the amount of the value thereof in payment therefor, and the stock so issued shall be declared and taken to be full-paid stock and not liable to any further calls or assessments; may do all lawful things to secure the full enjoyment of the powers, privileges, rights, benefits, and grants contained in any canal concession so made by the Republic of Nicaragua or to be made by the Republic of Costa Rica, as aforesaid; and to aid in the construction of said canal and to carry out the purposes of this act, the said Maritime Canal Company of Nicaragua is hereby authorized to issue its bonds, and to secure the same by mortgage on its property and rights of property of all kinds and descriptions, real, personal, and mixed, including its franchise to be a corporation. The principal office of said corporation shall be in the city of New York, and all legal process may be served upon the person who may at the time be in charge of said office or upon the attorney of said company, whose name and address shall be certified by the president of the company; and such certificate shall be filed in the office of the Secretary of State of the United States.

The following amendments to section 1 are reported by the Committee of the Whole on the state of the Union:

By Mr. BAYNE:

In line 42, section 1, insert, just before the word "value," the words "fair and reasonable."

By Mr. HOLMAN:

Add at the end of the first section: "*Provided, however*, That nothing in this act contained shall be so construed as to commit the United States to any liability whatever for or on account of said company, nor shall the United States be held in any wise liable or responsible in any form or by any implication for any debt or liability in any form which said company may incur, nor be held as guarantying any engagement or contract of said company, or as having assumed by virtue of this act, or otherwise, any responsibility for the acts or proceedings of said company in any foreign country, or contracts or engagements entered into in the United States.

"And this proviso shall be printed on every bond, contract, certificate of stock, or other obligation issued by said company."

SEC. 2. That the capital stock of said company shall consist of not less than 1,000,000 shares of $100 each, with the right to increase the capital stock to 2,000,000 shares of $100 each, upon the vote of two-thirds of the stock of said company at any time outstanding, which shares shall in all respects be deemed personal property and shall be transferable in such a manner as the by-laws of said corporation may provide. Five incorporators, who shall be chosen by a majority of the number from those named in this act, shall have power to open books of subscription to the capital stock of said company in the city of New York, and at such other places in the United States, Nicaragua, or elsewhere, as they may designate, who shall receive all subscriptions for stock; and no stock shall be transferable except upon the books of the company provided for that purpose. The said incorporators shall give thirty days' notice of the time and place of the opening of said books, by publication in one daily newspaper in New York City, and one newspaper in Managua, Nicaragua, and one in San José, Costa Rica, if the said canal should be in part in the territory of that Republic. Sixty days' previous notice shall be given of the payment required, of the time and place of payment by publication in one daily newspaper in the city of New York, and in one newspaper in Managua, Nicaragua, and one in San José, Costa Rica, if the said canal should be in part in the territory of that Republic; and in case any stockholder shall neglect or refuse to pay, in pursuance of such notice, the stock held by him may be sold to the highest bidder for cash, according to the regulations to be made therefor in the by-laws of said company. The directors hereinafter provided for may adopt regulations and by-laws not inconsistent with the provisions of this act.

By Mr. PAYSON:

Add to section 2: "All bonds, stocks, and certificates issued for or as part of the capital of the company shall be issued at the principal office in the city of New York."

And add to the above amendment the following:

"All shares, stocks, bonds, certificates, or other securities of this company shall be disposed of only for cash, to be paid into the company treasury and used for corporate purposes: *Provided*, That this shall not apply to bonds or securities issued under Article L of the concession of Nicaragua to the canal association."

By Mr. WILSON, of Minnesota:

After section 2 add the following words:

"SEC. 3. That no certificate for stock shall be issued till at least 10 per cent. of the same shall be fully paid for in money at the par value of said stock, and the money deposited in the treasury of said company, and said stock so subscribed shall not be assignable until the whole of the same shall be so paid in, and no payment on account of the capital of said company shall be made except in money, and said company is hereby prohibited from returning or repaying any part of the money so paid. No bonds in excess of the amount of capital paid and received shall be authorized or issued until such paid capital shall amount to the sum of $5,000,000. No part of the capital stock paid in shall be at any time withdrawn or returned to the stockholders, or in any manner diverted from the proper uses of the corporation. Every person violating or aiding in the violation of the foregoing provisions shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding $10,000, or by imprisonment not exceeding five years, or by both said punishments, in the discretion of the court."

SEC. 3. That the affairs of the said company shall be managed by a board of directors, fifteen in number, who shall hold their office for three years and until their successors are duly chosen and qualified, and a majority of whom shall be citizens and residents of the United States. At the first election five shall be chosen by the stockholders for one year, five for two years, and five for three years, and at each annual election thereafter five shall be chosen by the stockholders for three years. The said board shall elect from its number a president, who shall be a citizen and resident of the United States, and one or more vice-presidents of the company, who shall hold office for such terms as the by-laws of said board may provide and until their successors are duly elected and shall have qualified.

By Mr. LANHAM:

In line 11, section 3, after the word "company," insert "who shall also be citizens and residents of the United States."

By Mr. HOLMAN:

Strike out in lines 4 and 5, section 3, "and a majority of whom shall be citizens and residents of the United States," and insert "the directors shall be citizens of the United States or of Nicaragua, and a majority of such directors shall be citizens and residents of the United States."

SEC. 4. That for the management and disposition of the stock, property, estate, and effects of the said company the board of directors may make such by-laws, rules, and regulations as may conform to the authority granted in such canal concession or concessions, and not be inconsistent with this act or the laws of the United States or the existing treaty stipulations of the United States with the Government of Nicaragua or of Costa Rica, if the said canal should be in part in the territory of that Republic; and may fix the time for election of directors, and in case of vacancy in said board, caused by death, resignation, or otherwise, may fill the same. No person shall be a director who is not a stockholder, and any one ceasing to be a stockholder shall cease to be a director. All meetings of stockholders shall be held at the office of the company in the city of New York, and at least one such meeting shall be held in each year; but failure to elect directors on the day appointed by said by-laws shall not be deemed to dissolve said company, but such election may be holden on any day appointed thereafter by the directors first giving thirty days' notice thereof, in manner aforesaid. The directors, of whom eight, including the president, shall be a quorum, shall have full power touching the election or appointment of all officers of the company, and said officers shall hold office at the will and pleasure of said board.

By Mr. MACDONALD:

Add to section 4 the following:

"*Provided*, That no change of concessions heretofore or hereafter granted by the Nicaraguan and Costa Rica Governments for or in behalf of the construction of said canal which in any manner affects the rights of American citizens to the use of said canal, or which affects the right of the Government of the United States to have a voice in the governmental control of the use of same, shall be made until the consent of the Government of the United States to such change shall have been first given thereto."

SEC. 5. Nothing in this act contained shall be deemed or construed to in any wise restrict or impair any right of the United States under any treaty in force with the Republic of Nicaragua.

By Mr. BLAND:

Add to section 5:

"And nothing herein shall be construed to estop this Government from asserting at any time any rights or powers that may now exist by virtue of the laws of nations or that may be acquired through treaty stipulations with respect to the right of transportation of the citizens of the United States or their property over this canal or the country through which the same may be constructed, or to transport troops or munitions of war in time of peace or war."

By Mr. CULBERSON:

Add at the end of section 5 the following:

"And nothing in this act shall be held or construed to in any manner involve the United States in any pecuniary obligations whatever, other than in respect of the payment of tolls as provided for in this act."

By Mr. BAKER, of New York:

Add as new section:

"Said company shall make a report on the first Monday of December in each year to the Secretary of the Interior, which shall be duly verified by the president and secretary thereof, giving such detailed statement of its affairs and of its assets and liabilities as may be required by the Secretary of the Interior, and

any false statement so made shall be deemed perjury and punishable as such. And it shall be the duty of the Secretary of the Interior to require such annual statement and to prescribe the form thereof and the particulars to be given thereby."

Make "section 5" read "section 6," and "section 6" read "section 7."

SEC. 6. That Congress shall at all times have the power to alter, amend, or repeal this act, when in its judgment the public good may so require.

By Mr. MAISH:

Add to section 6:

"*Provided*, That the construction of said ship-canal shall be commenced in good faith within three years."

By Mr. BLAND:

Add to section 6:

"Congress hereby reserves the right to alter, amend, or repeal this act, and to regulate the toll or tariff rates for the transportation of persons or property by this company or its assigns."

By Mr. BAKER, of Illinois:

Add, as section 6, the following:

"SEC. 6. That at any time hereafter the Government of the United States shall have the right, at its own option, to acquire by purchase the entire property of said company in said canal and its appurtenances at a price equal to the actual cost thereof, with interest on such cost at the rate of 5 per cent. per annum."

Mr. PAYSON offered the following amendment, which was rejected in Committee of the Whole on the state of the Union; but it was agreed a vote should be taken upon it in the House:

Strike out all after the word "act," line 41, page 3, to the word "may," in line 44, and insert:

"All shares, stocks, bonds, certificates, or other securities which the company may issue to raise the corporate capital shall be executed and issued at the principal office in the city of New York; and all such shares, stocks, bonds, certificates, or other securities shall be disposed of only for cash, to be paid into the company treasury and used for corporate purposes: *Provided*, That this shall not apply to bonds or securities issued under Article L (50) of the concession of Nicaragua to the canal association."

It was also agreed a separate vote in the House should be taken upon the amendment offered by Mr. BAKER, of Illinois, printed above.

BUSINESS OF COMMITTEE ON PRINTING.

Mr. RICHARDSON. I ask unanimous consent that on Tuesday next, immediately after the reading of the Journal, the Committee on Printing be allowed one hour for the consideration of its business by the House. Quite a number of bills which have been considered by that committee may never be reached unless an order of this kind be made.

The SPEAKER. The gentleman from Tennessee [Mr. RICHARDSON] asks unanimous consent that on Tuesday next, immediately after the reading of the Journal, one hour be set apart for the consideration of measures reported from the Committee on Printing. Is there objection? The Chair hears none; and it is so ordered.

ORDER OF BUSINESS.

The SPEAKER proceeded to call the committees for reports. The call having been concluded,

The SPEAKER said: The hour for the consideration of bills reported from committees begins at 12 o'clock and 13 minutes. The call rests with the Committee on the Militia, if claimed by that committee. The bill called up by the committee was left unfinished at the conclusion of the hour, and it was agreed, on account of the absence of the gentleman from New Jersey [Mr. MCADOO], that the committee should be passed over without losing its right. If that committee does not desire to occupy the present morning hour the Committee on War Claims, which has also been passed over, is next entitled to present its business.

Mr. BUCHANAN. I understood the Chair to call the Committee on the Militia. I understood the committee had the privilege of waiving its right for the time being.

The SPEAKER. The Committee on the Militia had an unfinished measure pending at the expiration of its hour, and on the subsequent day the committee was passed over because of the absence of the gentleman from New Jersey [Mr. MCADOO], who is also absent this morning.

Mr. BUCHANAN. I ask that the order with reference to the call of that committee be continued.

The SPEAKER. The Chair so regards it.

Mr. STONE, of Kentucky. I ask that the Committee on War Claims be passed over this morning without losing its place.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? The Chair hears none; and it is so ordered.

The SPEAKER proceeded with the call of committees.

Mr. O'NEILL, of Pennsylvania (when the Committee on the Library was called). Mr. Speaker, I ask that the Committee on the Library be passed over without losing its place.

The SPEAKER. If there be no objection that order will be made.

There being no objection, it was ordered accordingly.

LEAVE OF ABSENCE IN BUREAU OF ENGRAVING, ETC.

Mr. RICHARDSON (when the Committee on Printing was called). I am directed by the Committee on Printing to call up the bill (H. R. 6172) providing for additional leave of absence for employés of the Bureau of Engraving and Printing.

The bill was read, as follows:

Be it enacted, etc., That from and after the passage of this bill the employés of the Bureau of Engraving and Printing shall be granted in each year thirty days' leave of absence with pay, instead of fifteen days, as at present, so as to place said employés on an equal footing with other employés of the Government.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. RICHARDSON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

FEES IN CLAIMS FOR INCREASE OF PENSIONS.

Mr. MATSON. The Committee on Invalid Pensions on a previous call was passed over with the understanding that it should not lose its place. I desire now, on behalf of that committee, to call up for consideration the bill (H. R. 4982) prohibiting the allowance of fee in any claim for increase of pension on account of the increase of disability for which the pension was allowed.

The SPEAKER. The Committee on Invalid Pensions has reported what is substantially a substitute for this bill. Is it desired that the original bill as well as the substitute be read?

Mr. MATSON. Yes, sir.

The bill was read, as follows:

Be it enacted, etc., That section 4 of the act approved July 4, 1884, entitled "An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1885, and for other purposes," be amended by adding to the first proviso, after the word "nor," the following: "shall any fee be demanded, received, or allowed;" so that the section as amended will read as follows:

"SEC. 4. That section 4786 of the Revised Statutes is hereby amended so as to read as follows:

"'SEC. 4786. The agent or attorney of record in the prosecution of the case may cause to be filed with the Commissioner of Pensions duplicate articles of agreement, without additional cost to the claimant, setting forth the fee agreed upon by the parties, which agreement shall be executed in the presence of and certified by some officer competent to administer oaths. In all cases where application is made for pension or bounty land, and no agreement is filed with the Commissioner as herein provided, the fee shall be $10 and no more. And such articles of agreement as may hereafter be filed with the Commissioner of Pensions are not authorized, nor will they be recognized except in claims for original pensions, claims for increase of pension on account of a new disability, in claims for restoration where a pensioner's name has been or may hereafter be dropped from the pension-rolls, on testimony taken by a special examiner, showing that the disability or cause of death on account of which the pension was allowed did not originate in the line of duty, and in cases of dependent relatives whose names have been or may hereafter be dropped from the rolls on like testimony, upon the ground of non-dependence, and in such other cases of difficulty and trouble as the Commissioner of Pensions may see fit to recognize them: *Provided*, That no greater fee than $10 shall be demanded, received, or allowed in any claim for pension or bounty land granted by special act of Congress, nor shall any fee be demanded, received, or allowed in any claim for increase of pension on account of the increase of the disability for which the pension has been allowed: *And provided further*, That no fee shall be demanded, received, or allowed in any claim for arrears of pension or arrears of increase of pension allowed by any act of Congress passed subsequent to the date of the allowance of the original claims in which such arrears of pension or of increase of pension may be allowed.

"'The articles of agreement herein provided for shall be in substance as follows, to wit:

"'ARTICLES OF AGREEMENT.

"'Whereas I, —— ——, late a —— in Company ——, of the —— Regiment of —— Volunteers, war of 1861 (or if the service be different, here state the name), having made application for pension under the laws of the United States:

"'Now this agreement witnesseth that for and in consideration of the services done and to be done in the premises, I hereby agree to allow my attorney, —— ——, of ——, the fee of —— dollars, which shall include all amounts to be paid for any services in furtherance of said claim; and said fee shall not be demanded by or payable to my said attorney (or attorneys), in whole or in part, except in case of the granting of my pension by the Commissioner of Pensions; and then the same shall be paid to him (or them) in accordance with the provisions of sections 4768 and 4769 of the Revised Statutes.

"'(Claimant's signature.)

"'(Two witnesses' signatures.)

"'STATE OF ——, *County of* ——, *ss:*

"'Be it known that on this the —— day of ——, A. D. 188—, personally appeared the above-named —— ——, who, after having had read over to ——, in the hearing and presence of the two attesting witnesses, the contents of the foregoing articles of agreement, voluntarily signed and acknowledged the same to be —— free act and deed.

"'(Official signature.)

"'And now, to wit, this —— day of ——, anno Domini 188— I (or we) accept the provisions contained in the foregoing articles of agreement, and will, to the best of my (or our) ability, endeavor faithfully to represent the interest of the claimant in the premises.

"'Witness my (or our) hand, the day and year first above written.

"'(Signature of attorney.)

"'STATE OF ——, *County of* ——, *ss:*

"'Personally came —— ——, whom I know to be the person he represents himself to be, and who, having signed above acceptance of agreement, acknowledged the same to be —— free act and deed.

"'(Official signature.)

"'And if in the adjudication of any claim for pension in which such articles of agreement have been or may hereafter be filed it shall appear that the claimant had, prior to the execution thereof, paid to the attorney any sum for his services in such claim, and the amount so paid is not stipulated therein, then every such claim shall be adjudicated in the same manner as though no articles of agreement had been filed, deducting from the fee of $10 allowed by law such sum as claimant shall show that he has paid to his said attorney.

"'Any agent or attorney or other person instrumental in prosecuting any claim for pension or bounty land who shall directly or indirectly contract for, demand, or receive or retain any greater compensation for his services or instrumentality in prosecuting a claim for pension or bounty land than is herein provided, or for payment thereof at any other time or in any other manner than is herein provided, or who shall wrongfully withhold from a pensioner or claimant the whole or any part of the pension or claim allowed and due such pensioner or claimant, or the land warrant issued to any such claimant, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall for every such offense be fined not exceeding $500 or imprisoned at hard labor not exceeding two years, or both, in the discretion of the court.'"

The amendment reported by the Committee on Invalid Pensions was read, as follows:

Strike out all after the enacting clause and insert the following:

"That no agent or attorney shall demand, receive, or be allowed any compensation in any claim for increase of pension on account of the increase of the disability for which the pension has been allowed, or for services rendered in securing the passage of any special act of Congress granting a pension or an increase of pension in any case that has been presented at the Pension Office or is allowable under the general pension laws.

"SEC. 2. Any agent, attorney, or other person instrumental in prosecuting any claim for increase of pension on account of the increase of the disability for which pension was allowed, or who has rendered services in procuring the passage of any special act of Congress granting a pension or an increase of pension in any case that has been presented at the Pension Office or is allowable under the general laws, who shall directly or indirectly contract for, demand, receive, or retain any compensation for such services, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every such offense, be fined not exceeding $500, or imprisoned not exceeding two years, or both, in the discretion of the court."

Mr. MATSON. Mr. Speaker, this bill was introduced by the gentleman from Missouri [Mr. DOCKERY], and the substitute has been reported by the Committee on Invalid Pensions. The scope of this substitute is to provide that no fee shall be charged by any agent or attorney in any claim for the increase of a pension already allowed; that is to say, where a pension has been allowed for a certain disability, and an increase of pension is asked at the Pension Office, the agent or attorney who may present the claim shall charge no fee for his service. There is no need for the allowance of any fee in a case of this kind. All that ought to be required is for the claimant to inform the Pension Office that he desires a re-examination of the disability for which he is pensioned. The agent is required to do absolutely nothing, except perhaps fill in the form of a blank declaration; and the services of an agent are not necessary, I apprehend, for that purpose.

The substitute goes one step further than the original bill. It provides that there shall be no fee paid for securing the passage of any special act of Congress granting a pension or an increase of pension which is allowable under the general pension laws, or where an application has already been made at the Pension Office. The fee will still be allowed to any one who procures the passage in Congress of an original claim; but when a claim has gone through the Pension Office and been rejected, the papers on file showing the circumstances of the case are readily accessible; and certainly an agent ought not to be allowed to charge a fee of $25 or any other sum for prosecuting a claim which requires no service. That is the entire bill as I understand it. The second section provides penalties for the violation of the provisions of the bill.

I will now yield to the gentleman from Missouri [Mr. DOCKERY].

Mr. DOCKERY. I do not wish to discuss the bill further.

Mr. MATSON. Then I will yield to any other gentleman who may wish to be heard.

Mr. DOCKERY. The gentleman from Kansas [Mr. PETERS] has an amendment which he desires to offer.

Mr. MATSON. Very well, I will yield to the gentleman from Kansas to move his amendment.

Mr. PETERS. I offer the following amendment to section 1.

The Clerk read as follows:

Provided, That the applicant may contract with any person in the State or Territory in which said applicant lives, to pay not exceeding $3 for services rendered should such increase be allowed.

Mr. PETERS. I should like to make an explanation of that amendment.

Mr. MATSON. How long?

Mr. PETERS. Five minutes probably.

Mr. MATSON. I yield for that length of time.

Mr. PETERS. The substitute as reported by the Committee on Invalid Pensions precludes the contract for making up an application for increase if such increase has been granted. I think this would do injustice to a number of pensioners in the country who neither have the blanks nor are able themselves to fill out such application for increase of pension. Consequently the amendment I propose allows simply a fee not exceeding $3 to be given to attorneys at their homes who will furnish a blank and who will prepare the application for increase, so there will be some inducement for some one in each county-seat to keep on hand blanks and prepare applications for increase of pension. It is well known there are a great many pensioners who are themselves unable to prepare their applications in a proper manner, and therefore who must look to some one else to prepare their applications for increase for them, and it is also known there are no blanks kept on hand in these various places except by those who are interested in prosecuting claims for pensions or for increase of pensions. My amendment, therefore, allows any party to contract with an attorney at his home for the payment of a fee not to exceed $3 for furnishing the blank and filling out the application for increase, which will cover all expenses of the preparation and execution of application for increase. This amount will cover all these expenses fully and completely, and I doubt whether there is a single pensioner who makes application for increase but will be willing to allow a sum not exceeding $3 to any one who will furnish him with the blank and prepare the application and present the case properly to the Pension Office.

Mr. WEAVER. I understand the gentleman to say that his amendment provides the fee shall not exceed $3 in each case.

Mr. PETERS. Yes, sir; not to exceed $3. It is well known in these applications for increase of pension there is nothing to be done except to furnish the blank and fill it in a proper manner. All the rest depends upon the medical examiners. The party is ordered before a medical board for examination, and if that board decides the disability for which the party has been pensioned has increased since his last examination, he is, of course, under the law, entitled to such increase of pension. The pension agent, therefore, in Washington or elsewhere can have no power in securing this increase, as it depends altogether on the medical examination. I think, however, it is only right and would be justice to the pensioner to allow the payment of a small fee of $3 to an attorney at his home, who will furnish the blank and prepare the application for increase of pension.

Mr. BUCHANAN. I would like to inquire of the gentleman from Kansas whether his amendment does not go further than he intends. Will it not allow the payment of fees for Congressional applications for increase of pension?

Mr. PETERS. I think not.

Mr. BUCHANAN. Of course the gentleman will agree with me no such fee should be allowed.

Mr. PETERS. I ask the amendment be again read.

The amendment was again read.

Mr. PETERS. I will modify my amendment, confining the payment of fees in preparing applications for increase of pension exclusively to such applications for increase made to the Pension Office.

Mr. BUCHANAN. I have made the suggestion because it is well known to gentlemen these pension agents get $5 to $10 each for services performed by them in preparing special bills for presentation to Congress, when, in fact, they perform no service in securing increase of pension.

Mr. PETERS. I wish to cut off that class of claims on the part of these pension agents. They can accomplish nothing and should receive nothing. It is my intention to limit the payment of the fee under my amendment to those who furnish blanks and prepare the applications for increase of pension at the homes of the pensioners.

Mr. TAULBEE. I wish to ask the gentleman whether he will not consent to an amendment to his amendment; and that is, that this fee of $3 shall be paid only where it is necessary, for in most cases it is only necessary to apply for a medical examination, which can be done by letter on the part of the applicant as well as by letter on the part of the attorney. I will suggest the fee of $3 to the attorney or agent shall be allowed only where it is necessary, in order to secure increase of pension, that the attorney should prepare and file something additional in the nature of an application.

Mr. WEAVER. I do not think that is the case.

Mr. PETERS. I will state to the gentleman from Kentucky that in all applications for an increase of pension there is a regular blank form prescribed, and which is furnished by the Pension Department to the applicant to fill out. The applicant can not obtain a medical examination by merely writing a letter, as suggested by the gentleman. He must obtain this blank, have it filled out, and make his application in the form prescribed by the department.

Mr. DOCKERY. Here is a copy of the form required.

Mr. PETERS. And this amendment is for the purpose of offering some encouragement to the local agents to keep these blanks on hand and fill them up for the applicants, and limit the fee to an amount not exceeding $3.

Mr. TAULBEE. I do not understand, if the gentleman will pardon me, that that is a rule of the Pension Office.

Mr. PETERS. It is.

Mr. DOCKERY. Oh, yes.

Mr. TAULBEE. I have had considerable experience in the office, and I do not now recall any particular case where that rule was applied. I know, on the contrary, in my own experience and observation, that re-examinations have been had without even a letter on the part of the claimant where there was a report of the preceding medical examination wherein it was intimated that the disability might increase or that the pensioner might to some degree recover. They have periodical examinations in many cases where the disability is what is designated as "not fixed;" and I think in any event the claimant could by merely writing a letter to the office procure a blank himself wherein everything is indicated that is necessary for him to do, and if he can only write intelligently I think he might do the work himself. This amendment affords encouragement to certain people to take advantage of these applicants. In the event that there is a new application it might be necessary to employ some one to prepare the papers, that is, where there is a new disability, and I would not object to a case of that kind, but it should be provided that these fees are to be contracted for and paid only when it becomes necessary to file an additional declaration.

Mr. PETERS. In response to the gentleman, I think the amendment sufficiently explains away the objection he makes.

[Here the hammer fell.]

Mr. MATSON. I have no objection personally to the amendment of the gentleman from Kansas. It is perhaps a very proper amendment, and I do not know that the committee has any objection to it; but I yield five minutes to the gentleman from Ohio [Mr. THOMPSON], who is also a member of the committee.

Mr. THOMPSON, of Ohio. Mr. Speaker, I do not think the amendment of the gentleman from Kansas should prevail. This bill was reported unanimously by the committee.

I have no desire to say anything more than to merely state the position of the committee in regard to it, especially of the Republican membership. There is no necessity, in my judgment, for employing an attorney to prosecute an application for increase of pension. The Pension Office will, upon proper application, furnish a blank to any one who desires to have his pension increased, and the statement to be filed is quite a simple one. Instructions are given on the face of the blank which will enable anybody who can read and write to make out the application. Any one who may be unable to either read or write can go to the nearest justice of the peace, and I do not believe that there is a justice of the peace in the land who will not be able to fill up the blank necessary to prosecute the application.

Mr. JOHNSTON, of Indiana. I would like to ask the gentleman a question for information just at this point.

Under the first section of the bill if three disabilities, for instance, are applied for and the Pension Office allows upon one, does it preclude the applicant from employing an attorney to prosecute his claim for the other disabilities which the office may not have allowed? There are many cases in the office where they allow $2 a month for one disability, but where other disabilities also exist which would add largely to the pension if the claims were allowed.

Mr. THOMPSON, of Ohio. The application for an increase must be based upon the evidence on file, supplemented by an examination by an examining board in the locality where the pensioner resides. If the result of the examination shows an increase of the disability since the last allowance, an increase will be granted in the office without any further steps. But if some new case is to be made out, or a new disability, or rerating, it will require additional evidence; and this law does not apply in such cases. In such event the applicant may employ his attorney and prosecute his claim as under existing laws. This refers simply to an application for an increase of pension for a disability already existing, and I undertake to say that there is no occasion for the services of an attorney, and if the amendment of the gentleman from Kansas prevails it opens the way for attorneys to procure, in their peculiar way, all cases for increases that may be pending throughout the country, and secure their $3 compensation in each individual case, where no substantial service to the applicant was or can be rendered.

Mr. WHEELER. Let me interrupt the gentleman to say that in the case of a bill which was passed by the House and went to the Senate I found it had been stopped there, and upon application ascertained that it had been stopped by an attorney because the applicant would not allow him the $10 which he claimed.

Mr. THOMPSON, of Ohio. I hope the amendment of the gentlemen from Kansas will not prevail.

Mr. MATSON. I yield now such time as he may desire to the gentleman from Missouri.

Mr. DOCKERY. I shall only want a moment or two. I do not desire to occupy the time of the House at length in view of the fact that the members are now fully in possession of all the facts necessary to a proper understanding of this measure. The amendment of the gentleman from Kansas, in my opinion, should be adopted. It is offered out of abundant caution and involves but a small amount of money; it insures the preparation of the necessary papers for the pensioners throughout the country, who may be themselves unable to prepare them, and authorizes a sufficient amount for any service that can possibly be rendered by attorneys in such cases. For that reason I believe the amendment should be adopted.

Mr. MATSON. I yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. I want to ask the gentleman from Indiana [Mr. MATSON] if under the existing law the contract for attorneys' fees must be approved by the Commissioner of Pensions or the Secretary of the Interior?

Mr. MATSON. As far as original cases are concerned they have.

Mr. CANNON. The gentleman from Indiana says, as I understand him, that as to original claims the contract for the payment of fees must be approved by the Secretary of the Interior——

Mr. MATSON. Where it exceeds $10.

Mr. CANNON. Where it exceeds $10. I think the law might well be amended. I want to suggest an amendment here to this bill so as to allow all contracts for the payment of fees to be approved by the Secretary of the Interior, or rather to require that they be so approved. But this bill goes further. It absolutely prohibits the making of a contract for any fee whatever in increase cases or any fee whatever for attention to legislation and the presentation of the case of the party who desires special legislation. Of course I understand, with other gentlemen, that abuses have been committed by parties who are anxious to make a profit and who sometimes perhaps have but little conscience in dealing with their fellow-men, and I fear we are about to add to abuses by the proposed legislation. I can conceive of many cases, and no doubt many cases do exist, where men are either ignorant or poor and where they are absolutely entitled to an increase of their pension, but where, for want of proper knowledge and ability to attend to it themselves, they do not get it.

You propose to shut the door in the face of that class of people—the weakest and most defenseless people of the country—and say to them you shall not have the privilege of agreeing to pay a contingent fee of $10 to an attorney who will take the time and expend the money necessary to prepare your case for proper presentation at the Pension Office or by way of petition or affidavit to the Congress for consideration.

Mr. DOCKERY. I would suggest, Mr. Speaker, it is not difficult to furnish the applicant for pension the proper opportunities to present his claim, or that the parties should not be sufficiently remunerated for the services rendered in prosecuting those claims; but it seems to me the gentleman from Illinois wants to go beyond that, and give larger powers——

Mr. CANNON. Would the gentleman undertake by law to interfere with the power of a great block of citizens of the country to contract for the payment of a contingent fee; in other words, to become the guardian by law of every individual in the country who has a pension claim, running up perhaps to half a million? If you do, in many cases it is a grave question to my mind whether there will not be a much greater abuse than that which now exists under present legislation.

Mr. DOCKERY. Will the gentleman allow me?

Mr. CANNON. If the gentleman will allow me to get through with this sentence.

Mr. DOCKERY. I want to put a question right here.

Mr. CANNON. I am perfectly willing to vote for a modification of the law, as follows: Say in line 6 of the proposed substitute you insert "unless the contract shall be approved by the Secretary of the Interior;" so as to read:

No agent or attorney shall receive or be allowed any compensation in any claim for increase of pension on account of increase of the disability for which pension has been allowed unless the contract shall be approved by the Secretary of the Interior.

Mr. DOCKERY. That would leave the fee at $10.

Mr. CANNON. If approved by the Secretary of the Interior.

Mr. DOCKERY. But that is exactly what the Committee on Invalid Pensions by unanimous voice declined to do. They think that in "straight increase cases" $10 is an unnecessary imposition on the applicant.

Mr. CANNON. If the gentleman will allow me I will state that I have no doubt in the majority of cases the payment of any fee in an increase claim is unnecessary; but I am of the opinion there is a large majority of cases where the payment of a contingent fee is proper; and if you deny an individual the right to contract for the payment of a contingent fee under any circumstances, you deny him that justice which he should receive from the Government.

The SPEAKER *pro tempore*. The time of the gentleman from Illinois has expired.

Mr. CANNON. If the gentleman will permit me, I will say, in conclusion, if you offer an amendment to the law that requires the approval of the Secretary of the Interior in each case before any contract will be recognized, it occurs to me you would do more good than would be accomplished if the bill were passed in its present condition.

Mr. MATSON. The gentleman from Illinois [Mr. CANNON] proposes to amend it so that any contract made for a fee in a case for increase shall be subject to the approval of the Secretary of the Interior, so that the contract might be made for $10, $100, or $1,000.

Mr. CANNON. Oh, no; not exceeding $10.

Mr. MATSON. The gentleman did not so state it.

Mr. CANNON. But the gentleman so meant.

Mr. MATSON. I accept, then, the meaning of the gentleman.

Mr. CANNON. All I want to get is a proper amendment.

Mr. MATSON. This bill has been reported by the Committee on Invalid Pensions for the express purpose of protecting the weak and unintelligent. That is the very proposition here. The fact is that these claimants who are weak and unintelligent are persuaded by claim agents that they need attorneys in cases where they make an application for an increase of pension. Where they are already pensioned they do not need an attorney, and all intelligent men know that an attorney can be of no service to them. All that is required is that the claim should be made out and sent to the office. The bill is intended to protect the weak and unintelligent, from whom millions of dollars have been taken under these fees for increase claims.

Mr. DOCKERY. In other words, as I understand the law and the practice, it is this: The rate of pension is determined by the opinion of the local medical examining board as reviewed by the medical referee in the Pension Department, and not influenced or in any wise affected by the fee that may be paid to the attorney. It is wholly a question of medical opinion, and the attorney can not render any substantial services. At least the amount of the Peters amendment will certainly fully compensate.

Mr. MATSON. The gentleman from Illinois [Mr. CANNON] has not perhaps observed that this provision is confined exclusively to cases where the application is on account of a disability for which the claimant is already pensioned. It does not apply in any case where there is a new disability, but only to cases where the application is for an increase on account of a disability for which the applicant is already drawing a pension. Now, in such cases there is no need of an attorney, and he can not render any service of value to the applicant because the question is merely a medical one. The gentleman from Kansas [Mr. PETERS] insists that if an attorney writes out an application he ought to be entitled to a fee of $3. So far as I am concerned I have no personal objection to that, but the gentleman from Ohio [Mr. THOMPSON], who represents the committee as well as I do, says that he has. It seems to me, however, the underlying idea of refusing to give a fee where there is no need of the services of an attorney is certainly correct. I yield now to the gentleman from Illinois [Mr. ADAMS].

Mr. CANNON. Will the gentleman allow me to offer my amendment?

Mr. MATSON. I have no objection to that.

Mr. ADAMS. Mr. Speaker, I doubt whether any fee should be allowed for services in passing a pension bill through Congress. If this substitute passes, then such fees may be allowed, and, as I understand it, the Pension Office will retain the pension in order to secure the payment of the fee in cases which have not been presented at the Pension Office or are not allowable under the general pension law. I believe that the passage of this substitute in its present form will give rise to controversy in numerous instances as to whether the particular case is one which is allowable under the general pension law, and if we forbid the payment of fees in cases which have been presented at the Pension Office, or which are allowable under the general pension law, I see no harm in forbidding them likewise in cases that have not been so presented and are not so allowable. Therefore I suggest that the words covering that point are unnecessary, and that the retention of them in the bill will give rise to a great deal of trouble hereafter, because pension agents will see to it that the claims are not presented, or will try to make out that they are not liable under the general pension laws. Therefore I shall move, if I am permitted, to strike out those words.

Mr. MATSON. As to that amendment I only desire to say that perhaps if the question had been left to me I would have been willing to go as far as the gentleman from Illinois [Mr. ADAMS] indicates; but the committee thought there were some original cases that had not been presented at the Pension Office, and in which the services of an attorney might be needed to prosecute the claims before Congress, and therefore they modified the bill to that extent.

I now demand the previous question on the amendments, and upon the engrossment and third reading of the bill.

Mr. ADAMS. I would like to be allowed to offer my amendment.

Mr. MATSON. It is understood that the amendment of the gentleman from Illinois [Mr. ADAMS] is pending, as well as the amendment of the other gentleman from Illinois [Mr. CANNON].

The SPEAKER. If the amendment of the gentleman from Illinois [Mr. CANNON] is pending, then the other would not be in order.

Mr. MATSON. Then I ask unanimous consent that both amendments be considered as pending.

There was no objection, and it was so ordered.

The previous question was ordered.

The question was taken on the amendment of Mr. PETERS; and the Speaker declared that the ayes seemed to have it.

Mr. TRACEY. I ask for a division.

The House divided, and there were—ayes 48, noes 20; so the amendment was agreed to.

The SPEAKER. The question now is upon the amendment proposed by the gentleman from Illinois [Mr. ADAMS], which is to strike out, in section 1 of the substitute, the words "in any case that has been presented at the Pension Office or is allowable under the general pension law."

The amendment was rejected—ayes 28, noes 45.

Mr. CANNON. Now, Mr. Speaker, I desire to offer my amendment.

The SPEAKER. The previous question has been ordered.

Mr. CANNON. I understood that it was agreed that my amendment should be considered as pending.

Mr. MATSON. I asked unanimous consent that the gentleman's amendment should be considered as pending.

The Clerk read the amendment offered by Mr. CANNON, as follows:

After the word "allowed," in line 6, section 1, insert "unless the contract therefor has been approved by the Secretary of the Interior."

The amendment was rejected.

The substitute as amended was then agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. MATSON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. MATSON subsequently said: Mr. Speaker, I desire to ask unanimous consent for an amendment in the second section of the bill (H. R. 4982) in regard to fees in claims for increase of pension. In order that the second section of the bill may harmonize with the first it is necessary, in view of the amendment of the gentleman from Kansas [Mr. PETERS], to add the words "except as provided in section 1."

The SPEAKER. The bill has been sent out. The Chair will have it brought in in a few minutes.

Mr. DOCKERY. There will be no objection to the amendment suggested.

Mr. MATSON. I ask unanimous consent to insert, in line 9, section 2, the words "except as provided in section 1."

Mr. WHITE, of New York. I wish to call the attention of the gentleman from Indiana to an omission which ought to be remedied. I had intended to speak of it when the bill was under consideration, but was called out of the Hall. The language of the provision does not include the District of Columbia, but speaks only of the States and Territories.

Mr. MATSON. The gentleman is referring now to the amendment of the gentleman from Kansas [Mr. PETERS]?

Mr. WHITE, of New York, Yes, sir.

The SPEAKER. Is there objection to the amendment suggested by the gentleman from Indiana [Mr. MATSON]? The Chair hears none.

FEES AND EXPENSES OF EXAMINING SURGEONS.

Mr. MATSON. On behalf of the Committee on Invalid Pensions, I call up for present consideration the bill (H. R. 6651) establishing the fees and expenses of examining surgeons.

The bill was read, as follows:

Be it enacted, etc., That the fees of examining surgeons appointed by the Commissioner of Pensions under the provisions of section 4744 of the Revised Statutes of the United States, as amended by chapter 349 of acts of the year 1882, shall be as follows:

For each examination and satisfactory certificate thereof, $2 to each member when made by a board, and $2 when made by one surgeon: *Provided*, That when a claimant is so disabled as not to be able to present himself to the board of surgeons for examination, the Commissioner may order a surgeon to make such examination at claimant's residence, and the fee for such examination shall be $2, in addition to the actual traveling expenses of the surgeon: *Provided further*, That no fee shall be allowed or paid to any member of said board of examining surgeons who does not actually participate in such examinations and sign the certificate thereof.

SEC. 2. That so much of the provisions of an act approved January 18, 1887, as is inconsistent with the provisions of this act is hereby repealed.

SEC. 3. That this act shall take effect on the first day of the fiscal year ending June 30, 1889.

The amendments reported by the committee were read, as follows:

In line 9, after the word "thereof," insert "hereafter made."

Strike out section 2, and insert the following:

"SEC. 2. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed."

In section 3, after the word "effect," strike out "on the first day of the fiscal year ending June 30, 1889," and insert "from and after its passage."

Mr. MATSON. I ask that the report of the committee be read.

The Clerk read as follows:

The committee are unanimously of the opinion that the provisions of the bill are just and right, and that the same ought to pass. We recommend the following amendments:

In line 9, after the word "thereof," insert "hereafter made."

Strike out section 2, and insert the following:

"SEC. 2. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed."

In section 3, after the word "effect," strike out "on the first day of the fiscal year ending June 30, 1889," and insert "from and after its passage."

And when so amended we recommend the passage of the bill.

The SPEAKER. The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

The SPEAKER. The question is now on ordering the bill as amended to be engrossed and read a third time.

Mr. HOLMAN. I hope my colleague [Mr. MATSON] will explain the effect of the bill and show to what extent it enlarges the fees of examining surgeons.

Mr. MATSON. The proposition of the bill is to pay examining surgeons $2 for each examination. The provision of the present law, adopted first upon an appropriation bill under the direction, perhaps, of my colleague [Mr. HOLMAN], allows a fee of $2 for each examination, not exceeding five, on a single day, and $1 for each subsequent examination on the same day.

Mr. HOLMAN. And that was recommended by the then Commissioner of Pensions.

Mr. MATSON. The Committee on Invalid Pensions, after considering this matter, thought that if these examinations were worth $2 apiece for the first five, the sixth or any subsequent examination was also worth $2. That was the conclusion of the committee.

Mr. DOCKERY. And this bill proposes to relieve the present injustice.

Mr. MATSON. Yes, sir; it proposes to pay these officers a uniform fee for each examination, no matter how many.

Mr. DOCKERY. A very proper measure.

Mr. HOLMAN. These boards may examine as many as twenty cases at a single session of the board.

Mr. RANDALL. Mr. Speaker, I want to warn the House that the

adoption of this measure will add enormously to the expenses of the Government——

Mr. DOCKERY. But properly.

Mr. RANDALL. Without benefiting anybody except these examining surgeons. If my memory serves me right, these officers now get from $700 to $800 a year under the reduced fees fixed by Congress. The former fee was $2 for each case, but the Committee on Appropriations, after full examination, determined that a sufficient allowance would be $2 for the first five cases examined on any one day, and a dollar each for every case subsequently examined on the same day. I am very sorry to differ with the Committee on Invalid Pensions in this connection, but I feel it proper the House should have notice that a very large sum—as much, I fear, as $200,000 annually—will be added by this measure to the expenses of the Government. It is an increase of compensation not recommended by equity or justice. Of course the examining surgeons naturally want this increase; I do not blame them for asking it. But in my judgment there are two sides to this question.

Mr. MATSON. I am quite sorry indeed the gentleman from Pennsylvania disagrees with the Committee on Invalid Pensions. I have known of that gentleman's position for some time. I have never been able to agree with him as to the justice of this proposition.

Now, Mr. Speaker, this is merely to do justice to these parties who are required to perform this service. As an abstract, elementary proposition, if it is true that it is worth $3 to examine one man it is certainly worth $3 to examine another.

Mr. HOLMAN. Can my colleague state to the House the average compensation now received by the examining surgeons?

Mr. MATSON. Perhaps at Philadelphia, from where the gentleman from Pennsylvania comes, where there are only two boards, it is much higher than it is elsewhere.

Mr. RANDALL. They seek this increase, but I am not their representative in that connection.

Mr. MATSON. In rural districts, like that from which my colleague comes, of course it is not so large.

Mr. HOLMAN. As I understand the present compensation has secured efficient and competent boards.

Mr. MATSON. I think the extravagant fee of $10 allowed attorneys has had the effect of stimulating men to present these cases who otherwise would not do so. I know large sums have been appropriated in the pension bill to pay examining surgeons, but the fee allowed attorneys has encouraged many claimants to file claims when they themselves knew they really had no basis for such claims.

The SPEAKER. The hour has expired.

TREASURY EXPENDITURES.

Mr. WHEELER. Mr. Speaker, I was not here when my committee was called, and I ask unanimous consent that it be passed over without prejudice.

There was no objection, and it was ordered accordingly.

ADMISSION OF ARIZONA AND IDAHO AS STATES.

Mr. SPRINGER, by unanimous consent, introduced a bill (H. R. 11916) to enable the people of Arizona and Idaho to form constitutions and State governments and to be admitted into the Union on an equal footing with the original States; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

ELECTION OF PRESIDENT AND VICE-PRESIDENT, ETC.

Mr. SPRINGER also, by unanimous consent, introduced a joint resolution (H. Res. 244) proposing an amendment to the Constitution in relation to the election of President and Vice-President of the United States and Representatives in Congress; which was referred to the Committee on the Election of President and Vice-President of the United States and Representatives in Congress, and ordered to be printed.

FORTIFICATION BILL.

Mr. SAYERS, from the Committee on Appropriations, reported a bill (H. R. 11917) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Mr. BRECKINRIDGE, of Kentucky. I reserve all points of order.

Mr. SAYERS. I ask, by unanimous consent, the report accompanying the bill may be submitted hereafter.

There was no objection, and it was ordered accordingly.

SPECIAL-DELIVERY STAMPS.

Mr. BLANCHARD. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of resuming the consideration of the river and harbor bill.

Mr. WHITE, of New York. I ask, by unanimous consent, to call up from the House Calendar for present consideration the bill (H. R. 11794) to amend the postal laws of the United States in reference to letters bearing special-delivery stamps.

Mr. BLANCHARD. I will yield for that purpose, as the gentleman tells me it will consume but two or three minutes.

The SPEAKER. The bill will be read, subject to objection.

The bill was read, as follows:

Be it enacted, etc., That section 3, chapter 342, of the act of Congress approved March 3, A. D. 1885, be, and the same is hereby, amended by adding to said section the following proviso:

"*Provided, however*, That the omission by the sender to place the lawful postage upon a letter bearing such special-delivery stamp and otherwise entitled to immediate delivery under the provisions of this section shall not hinder or delay the transmission and delivery thereof as provided herein; but such lawful postage shall be collected upon its delivery, in the manner now provided by law for the collection of deficient postage resulting from the overweight of letters."

Mr. WHITE, of New York. That bill, introduced by myself, has been reported from the Committee on the Post-Office and Post-Roads, and I hope there will be no objection to its passage.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. WHITE, of New York, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

RIVER AND HARBOR BILL.

Mr. BLANCHARD. I now renew my motion that the House resolve itself into Committee of the Whole.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. MCMILLIN in the chair.

The CHAIRMAN. The Clerk will report the unfinished business coming over from the last session of the committee.

The Clerk read as follows:

A bill (H. R. 11765) making appropriations for the construction, repair, and preservation of certain public works on river and harbors, and for other purposes.

The CHAIRMAN. The Clerk will now report the pending paragraph and the amendment.

The Clerk read as follows:

For the construction of a breakwater from Mount Desert to Porcupine Island, Maine: Continuing improvement, $30,000.

It is proposed to amend by striking out "thirty thousand" and inserting "ten thousand."

The amendment was rejected.

The Clerk read as follows:

Improving New York Harbor, New York: Continuing improvement, $100,000.

Mr. BLANCHARD. I ask unanimous consent that the lines just read by the Clerk be passed over informally and without prejudice, to be recurred to hereafter, because of the absence of the gentleman from New York [Mr. COX].

There was no objection.

The Clerk read as follows:

Improving the harbor of Philadelphia: For removal of Smith's Island and Windmill Island, in the State of Pennsylvania, and Petty's Island, in the State of New Jersey, or such parts of them and the shoals adjacent thereto as may be required, and for the improvement of the harbor between the cities of Philadelphia, Pa., and Camden, N. J., $200,000: *Provided*, That no part of this sum shall be expended until the title to the lands forming said islands shall be acquired and vested in the United States without charge to the latter.

Mr. BLANCHARD. I offer the amendment I send to the desk.

The Clerk read as follows:

After the word "latter," in line 5, insert "beyond the expenditure of $300,000, as provided for in the act of August 11, 1888, Statutes Fiftieth Congress, session 1, page 403."

Mr. BLANCHARD. There is a communication from the Chief of Engineers on that subject which explains the reason for offering this amendment.

Mr. RANDALL. Let that communication be printed in the RECORD.

The communication referred to by Mr. BLANCHARD is as follows:

WASHINGTON, D. C., *December* 15, 1888.

MY DEAR MR. BLANCHARD: I see in proposed river and harbor bill 11765 the following in reference to improving harbor at Philadelphia (see lines 2 to 5, page 8):

"*Provided*, That no part of this sum shall be expended until the title to the lands forming these islands shall be acquired and vested in the United States without charge to the latter."

Would it not be well to add to this words something like these: "Beyond the expenditure of $300,000, as provided for in the act of August 11, 1888, Statutes Fiftieth Congress, session 1, page 403." Otherwise, I think, it may be apprehended that question will arise whether expenditure under the proposed bill can be made if the United States has been to any charge even under the appropriation already made.

Very respectfully, your obedient servant,

THOS. LINCOLN CASEY,
Brigadier-General, Chief of Engineers.

Hon. N. C. BLANCHARD,
House of Representatives.

The amendment was adopted.

The Clerk read as follows:

Improving harbor at Savannah, Ga.: Maintaining existing works, $20,000.

Mr. CRISP. Mr. Chairman, I offer the amendment I send to the desk.

The Clerk read as follows:

Strike out all after the word "Georgia," in line 17, and insert "under new plans and estimates, $200,000."

Mr. CRISP. Mr. Chairman, under an act of Congress new surveys

have been made of the harbor of Savannah, with a view to getting deeper water, and the report of the engineer containing estimates will be found in Executive Document No. 1, part 2, second session Fiftieth Congress. That report contains an estimate of the cost of obtaining 28 feet of water in Savannah Harbor.

It is unnecessary, perhaps, for me to say anything here and now as to the importance of this harbor. I only want to say to the Committee of the Whole that I offer this amendment at the suggestion of my colleague [Mr. NORWOOD] who is not now in the city, and that we have an estimate from the engineers recommending a very much larger amount than is set forth in the proposed amendment.

The Committee on Rivers and Harbors in considering this question have not entered upon or made an appropriation for the new plan of improvement. The amendment offered at the instance of my colleague is to authorize the engineers to enter upon the new plan of improving this harbor so that there may be no great lapse of time before we shall obtain what is so much desired—28 feet of water in the harbor.

Mr. BLANCHARD. Mr. Chairman, the importance of the harbor of Savannah is fully admitted by the Committee on Rivers and Harbors; but this condition of facts exists in reference to that harbor: In the bill passed at the last session of Congress we appropriated $180,000 to complete the existing project, which has been under process of construction for several years. That money is not yet expended, and the present project of improvement there has not yet been completed. The new plan, of which my friend from Georgia speaks, was submitted to the River and Harbor Committee at the first session of this Congress. Upon examining it we found it involved an expenditure, over and above the present project under which work is now progressing, of nearly $7,000,000.

The committee considered that it were better to complete the existing project before beginning with a new one which was so costly. The present plan is to deepen the harbor to 22 feet, and certainly it seems to me it would be wise to wait until that project is completed before entering upon so expensive a plan as that involved in the amendment of my friend from Georgia, which proposes to get a depth of 28 feet of water at an additional cost of nearly $7,000,000.

Mr. TURNER, of Georgia. Will the gentleman from Louisiana permit me to ask if the plan referred to in the amendment proposed by my colleague contemplates 26 or 28 feet?

Mr. BLANCHARD. Twenty-eight feet.

Mr. TURNER, of Georgia. Will the gentleman from Louisiana tell me whether or not the Chief of Engineers does not now recommend a project which will give a depth of 26 feet on the bar at Savannah?

Mr. BLANCHARD. The Chief of Engineers makes no estimate or recommendation whatever for Savannah for the fiscal year 1890, except the sum of $50,000 for maintaining existing works at that point. Now, of that estimate of $50,000 for maintaining existing works this bill provides $20,000. There is no estimate from the Chief of Engineers or the War Department relating to the adoption of this new project.

Mr. TURNER, of Georgia. It is due to the gentleman from Georgia to say that my inquiry on this last point was actuated by reason of a conversation I had with the Chief of Engineers a few days ago relative to this proposed new project.

Mr. BLANCHARD. I have no doubt the Chief of Engineers thinks that 22 feet of water in Savannah Harbor, as proposed in the present plan, is hardly sufficient, but he has not recommended to Congress——

Mr. TURNER, of Georgia. You mean in any official report?

Mr. BLANCHARD. He has made no recommendation to increase the depth to 28 feet, at a cost of nearly $7,000,000. In view of the magnitude of the cost for this work, and in view of the fact that this bill provides merely for the continuation of projects already under way, the committee did not see their way clear to putting in the bill any provision for this new project, and I do not think the Committee of the Whole should adopt the amendment of the gentleman from Georgia.

Mr. CRISP. The bill provides for the simple maintenance of existing works, $20,000; not a dollar for the improvement of the harbor of Savannah. Perhaps, Mr. Chairman, gentlemen are not aware that this is the most important port on the Southern coast. Perhaps they are not aware of the extent of the commerce that enters and goes out of the harbor of Savannah. I have before me a report of the engineer which shows that since the Government began to improve the harbor there has been a steady increase made of the exports and imports. I will not take the time of the House to read it all, but I will ask permission to print some of it in the RECORD. The last report, made in June, I believe, states:

With the improvement of the harbor at Savannah the commerce of the port has increased at an extraordinarily rapid rate, amounting, at the present low prices of the principal articles of export, to more than $105,000,000 annually. The value of the exports alone of the port for the year 1887 was $68,301,909, an increase of more than $3,500,000 over that of the preceding year.

Following upon the improvements already executed in the harbor, and relying upon their extension so as to secure in the near future a still greater depth of water, lines of railway have been extended into the interior, opening up to those places markets for their products which before did not exist, and ships of large carrying capacity have been constructed and others are now building to ply between this and Northern ports. At the present time there is an average of one steamer per day clearing for Northern coastwise ports. In addition to this there is a large fleet of foreign steamers and coastwise and foreign sailing vessels, the foreign vessels, both sail and steam, being as a rule of great draught. The increased facilities for navigation afforded by the improvements already executed have resulted in largely reducing rates of marine freight and insurance. At the lowest estimates the annual saving in freight rates alone, due to this cause, amounts to more than the total sum of money expended by the United States upon the harbor since the close of the civil war, and there is no reason to believe that money expended in the further improvement of the harbor would yield a less valuable return.

Wharves are being continually pushed out into the navigable channel along the city front. A new bulkhead line should be established and wharf-owners compelled to conform to it. The works for the improvement of the Savannah River and Harbor extend from the Cross-Tides, above the city, to Tybee Roads, a distance of 20 miles. Future operations should be carried on simultaneously throughout the whole extent of the river, and to secure successful and permanent results dredging should be accompanied or promptly followed by contracting works. To secure the fullest benefits from the improvements already executed, and in order that the future growth of the port may not be seriously retarded, it should be enabled to furnish an outlet for the rapidly growing commerce brought from the interior. As the present depth of water is inadequate for this purpose it is very important that work upon the plan for obtaining 28 feet of water from Savannah to the sea, submitted in accordance with the instructions of Congress, should be begun at an early date. It is proposed to expend any funds which may become available during the year in the construction of training-walls and in dredging as provided for in the project mentioned. A vigorous and economical prosecution of the work will be possible only with regular and adequate appropriations. The insufficient and irregular appropriations of the past have rendered satisfactory progress impossible, and have increased the cost of the work in some instances as much as 100 per cent. The sum asked for during the next fiscal year is $2,500,000. The most desirable and satisfactory results can not be obtained with an expenditure during the year of a less amount.

What I desire to impress upon the committee is that the money expended on the harbor has been abundantly and amply returned in the increased commerce of the country. I simply ask that $200,000 be appropriated to enter upon the new project in the improvement of this harbor; and if a river and harbor bill is to be passed during this session I can see no reason why this important port of the Southern coast should be left absolutely without an appropriation. I repeat what I said before. There is an estimate of the engineers here which would justify ten times the amount mentioned in this amendment, so that there can be no question of there being no estimate. The simple idea and the only idea the gentleman from Louisiana [Mr. BLANCHARD] offers in response is that the Committee on Rivers and Harbors have not felt justified in entering upon new projects. The engineer's report would have fully justified them in doing it. And in view of the very great importance of this port, the most important on the Southern coast, I earnestly appeal to the Committee of the Whole to adopt the amendment which I have offered appropriating $200,000 for the improvement of the harbor of Savannah under the new project. I call attention to the cotton statistics of the port of Savannah, Ga., for the commercial year ending August 31, 1887, by E. F. Bryan, superintendent of the Savannah Cotton Exchange:

Receipts from all sources.

Description.	Quantity.	Weight.	Value.
	Bales.	*Pounds.*	
Upland	781,069	372,765,180	$34,367,036
Sea island	27,365	10,316,605	1,970,280

Exports from Savannah.

Destination.	Upland.	Sea island.
	Bales.	*Bales.*
Coastwise	289,828	26,195
Great Britain	223,391	1,744
France	18,648	.....
Other continental ports	243,960	.....
Total	775,827	27,939

Receipts from all sources.

Description.	Quantity.	Weight.	Value.
	Bales.	*Pounds.*	
Upland	775,827	370,263,436	$34,136,368
Sea island	27,939	10,533,003	2,011,608

With the exception of 20,170 bales of cotton included in coastwise exports, which is transit to Charleston by rail, this port is solely dependent upon her water-way facilities for transporting the remainder of the above exports.

The number of steam-ships carrying cotton to foreign ports from Savannah during the cotton season of 1877-'78 amounted to 11; 1879-'80, increased to 39; 1882-'83, increased to 42; 1884-'85, increased to 63; 1886-'87, increased to 81.

Taking the freight rates to Liverpool as a basis, the prevailing rate for cotton by steam-vessel during the season of 1877-'78 was three-eighths to seven-sixteenths pence per pound; 1887-'88, was seventeen sixty-fourths to twenty-one sixty-fourths pence per pound.

The marked increase in the number of vessels is principally due to the offerings of the port in freights, but the lowering of the freight rate is almost entirely due to the facilities afforded vessels of larger capacity, by virtue of deeper water in our river, for reaching our wharves and cotton-presses as well as the railways terminating at this point. Ten to fifteen years ago a large number of heavy-draught vessels, steam and sail, could only load part cargo at our presses and wharves, taking in and completing cargo some 8 or 10 miles below the city at deep water; that portion of cargo taken at deep water was conveyed to the vessels on lighters propelled by tug-boats; this involved much expense to the vessel, which was necessarily added to the freight rate, the last analysis being smaller net returns to the producer. To-day, with what improvements have been made by the Government in the river and harbor, it is the exception when a vessel does not take in her entire cargo at the city wharves and presses.

The improvements have thus far been of material benefit to this port. With greater facilities for larger vessels will come lower rates of ocean freights. This means greater net returns to producers, and does not apply to cotton alone, but to every article for export, whether from the soil, the factory, or the furnace.

Mr. BLANCHARD. The estimates the gentleman refers to are those made by the local engineers, who, under an order of survey adopted by Congress a few years ago, made a survey of the harbor of Savannah for this project. There is no estimate before the House or before the committee from the Chief of Engineers or the War Department in regard to this new project. Indeed, I might say that it is not customary for the War Department or the Chief of Engineers to embody in their estimates any amount for a given project until Congress, acting upon the report of the local engineer, shall have formally adopted that project.

Now, I concede that the demands of Savannah Harbor for improvement are great; but I submit that this is a small bill, merely to provide money for the continuation of works already begun. The gentleman knows that this new plan of improvement is a costly project. It should not be grafted on this bill. It had better wait for a larger bill in another Congress. The present bill is made up entirely upon the idea of excluding all new projects. The one which the gentleman wishes to have adopted is a new project in the sense that it has never been adopted by Congress and never heretofore appropriated for, and I repeat what I said before, that it does seem wise to complete the old project, for 22 feet depth, before beginning a new one that is to yield 28 feet depth, at a cost of about $7,000,000.

Mr. CRISP. Will my friend allow me to ask him a question?

Mr. BLANCHARD. Certainly.

Mr. CRISP. Is not the old project completed?

Mr. BLANCHARD. Not yet.

Mr. CRISP. Have we not appropriated already a sufficient amount to complete the old project?

Mr. BLANCHARD. We have in the last bill; but that money is yet unexpended, and that old project is not yet completed.

Mr. CRISP. If the gentleman will permit me a word I would state that he has not framed this bill upon the idea that it is to complete existing works. Under the provisions of this bill he has made an appropriation to maintain the works. That would seem to mean after completion.

Mr. BLANCHARD. The engineer estimates that $50,000 is required to maintain existing works. These works as they progress have to be maintained even before completion as well as after they have been completed. I do not think it wise for the Committee of the Whole to adopt this amendment. It would set a precedent for other new projects to be incorporated upon the bill.

The question was taken on the adoption of the amendment; when the Chairman announced the noes seemed to have it.

Mr. CRISP. Division.

The committee divided; and there were—ayes 20, noes 31.

So the amendment was rejected.

Mr. BAKER, of New York. I ask unanimous consent to return to page 5, in order that I may offer an amendment in relation to the appropriation for the harbor of Charlotte.

Mr. BLANCHARD. The amendment which the gentleman from New York desires to offer is merely verbal, and I have no objection to it.

The amendment was read, as follows:

Line 20, page 5, after the word "dollars," add "which amount, with any unexpended moneys heretofore appropriated, shall be available for any necessary repairs or dredging."

The amendment was agreed to.

The Clerk read as follows:

Improving Aransas Pass and Bay up to Rockport and Corpus Christi, Tex.: Continuing improvement, $65,000.

Mr. SOWDEN. I move to strike out the last words of that paragraph, "$65,000."

Mr. Chairman, the gentleman from Texas [Mr. CRAIN] complains that the appropriations carried by this bill are inadequate. He demands increased and still more extravagant appropriations. Let us see what the committee has done for his State, and whether he has any reason to complain.

This bill appropriates $65,000 for continuing the improvement of Aransas Pass and Bay up to Rockport and Corpus Christi, Tex., when there is an unexpended balance of $102,182.20 on hand now with which to prosecute this work.

It also appropriates $300,000 for continuing the improvement of the entrance to Galveston Harbor, Texas, when there is an unexpended balance of $502,871.13 presently available for this purpose.

It also appropriates $150,000 to continue the improvement of Sabine Pass and Blue Buck Bar, Texas, when there is an unexpended balance of $251,804.23 for expenditure upon these works.

It also appropriates $35,000 for continuing the improvement of the ship-channel in Galveston Bay, in the State of Texas, from Morgan's Cut to Bolivar Channel, when there is an available fund on hand now for this improvement of $107,278.70.

The importance of these improvements I do not propose to underrate, but I do most sincerely doubt the propriety of this Congress making any more appropriations for them. Let the large sums of money already set apart for these purposes be first expended.

This bill also appropriates $16,500 to continue the improvement of Buffalo Bayou, Texas, when there is an unexpended balance available for it now of $26,087.80.

The improvement of this stream is of a very doubtful character. It has already cost this Government the immense sum of $117,602.20.

We are told by the engineers in charge of this work that the expenditure of this large sum of money "has resulted in cleaning the channel of the most prominent snags, stumps, and overhanging trees, in easing some of the bends, and in removing such shoals as obstructed a 7-foot navigation." These obstructions are renewed in greater or less degree each year, say they, and that the project is not capable of permanent completion. It would seem from this, therefore, that the Government is to have a perpetual job on hand in the improvement of the Buffalo Bayou. A grand and most extravagant contemplation.

This measure also appropriates $4,000 for the continuation of the improvement of Trinity River, Texas, when in the act of August 11, 1888, there is $12,500 appropriated for this work.

On July 1, 1888, there was an unexpended balance of $15,224.06 on hand and available for the continuation of the improvements which I have mentioned, and the act of August 11, 1888, adds to this balance $987,500, so that the immense sum of $1,002,724.06 is on hand and available now for the promotion of these improvements, while the bill under consideration proposes to make the additional appropriation of $670,500 therefor.

Whither are we drifting? Is there to be no limit to these expenditures? Had this matter not better be delayed until after the meeting of the next Congress? Why shall we make these wasteful and unnecessary appropriations? What imperative necessity is there for it? That the accumulating surplus in the Treasury is a constant menace and temptation to needless and extravagantly large appropriations and expenditures is clearly evidenced in the undue haste exhibited by the Committee on Rivers and Harbors in presenting a second bill to this Congress appropriating $11,906,850, when in the act of August 11, 1888, nearly $23,000,000 were appropriated for the improvement of the same rivers and harbors provided for in this measure.

What I have just said applies with equal force to almost every item of appropriation contained in this bill. I have instanced but a few, and them only because of the very unique position assumed by the gentleman from Texas [Mr. CRAIN] on this subject.

Now, Mr. Chairman, I shall be pleased to hear from "Buffalo Bayou." [Laughter.]

Mr. CRAIN. Mr. Chairman, it is a subject of congratulation for the country that the "Last of the Tribunes," representing here the district in Pennsylvania from which the gentleman who has just taken his seat comes, has experienced the salutary and chastening effect which defeat always brings with it. The country is to be congratulated that in delivering his valedictory to this House he has suddenly developed to an extraordinary degree the bump of economy, which did not characterize him when he asked this Congress to appropriate a hundred thousand dollars for a post-office in some little place in Pennsylvania, which led to his downfall.

Mr. SOWDEN. That is an old chestnut.

Mr. CRAIN. The gentleman is as ignorant of the *modus operandi* of the distribution of the appropriations by the engineers in charge of these improvements as he is of the geography of the great State of Texas, which I in part represent here. He actually, Mr. Chairman, does not know the difference between an ocean and a gulf, between a bayou and a bay. He says that he opposes an appropriation for Buffalo Bay and also for Buffalo Bayou. I trust that this House will not be influenced in its action on this amendment by the views of a gentleman who displays such gross ignorance of the very question that he discusses here.

There is no such place in Texas, my friend, as "Buffalo Bay," and if I had the time, and you had the money to pay me, I would take you out and show you on the map the difference between a bayou and a bay, and I would show you also that there is no such place in our State as "Buffalo Bay," against the alleged appropriation for which you have declaimed so eloquently.

Mr. SOWDEN. I beg the gentleman's pardon. I never mentioned such a place as "Buffalo Bay." The gentleman seems to be a little mixed himself.

Mr. CRAIN. But, Mr. Chairman, since the first session of this Congress the gentleman from Pennsylvania has become a rampant reformer, and he has now become a staunch Democrat of the Holman-Randall type.

Mr. SOWDEN. That is a good type to belong to.

Mr. CRAIN. Now, Mr. Chairman, so far as Buffalo Bayou is concerned, it is a stream of considerable magnitude and importance. It is the connecting link between Galveston Bay and Harbor and the city of Houston, which is represented upon this floor by my colleague [Mr. STEWART], who will doubtless address the House upon the subject of this appropriation. The city of Houston, as is well known, is one of the largest cities in the State of Texas. It is a very important railroad center; at least ten railroads run into it. Its population is between thirty and forty thousand, and it is also surrounded by a magnificent

country. Ocean steamers are able to run up this bayou to within a few miles of the city of Houston, to a point where their cargoes are then transferred to the railroad, which carries them to the city. Now, the object of this appropriation is to improve this bayou over which this large commerce destined for the city of Houston passes after it crosses the bar at Galveston.

More than that, my friend, when you attack the appropriation for Aransas Pass and for Galveston and for Buffalo Bayou, when you assail all the appropriations proposed by this committee for those places and say that they ought not to be made because the appropriations of last year are still available, you state that which is inaccurate and is not borne out in the report of the engineer. It is not my fault when a gentleman hastily investigates a question for the purpose perhaps of making capital of some kind—cheap notoriety, perhaps, or for some other reason that I do not care to discuss, because I do not charge the gentleman with that; if I thought that was his object I would say so; but I do not say so; I will not say so. I have too much respect for him to make such a charge. I know that his motives are pure. I know that his desire is to save the surplus in the Treasury. I know this from the vote which he gave on the Mills bill, which was a proposition to reduce the surplus.

Certainly I will not impugn or assail the gentleman's motives. But I do say to him that when he states there will be unexpended, when this appropriation becomes available, over $30,000 for Aransas Pass or one dollar for Galveston, he states that which is incorrect and not borne out by the report of the engineers. On the contrary, if he had given this subject patient investigation and thorough examination he would have discovered from the letter of the Chief of Engineers published in the RECORD of December 22 that on the 1st of July next, when these appropriations become available, there will not be one dollar of the previous appropriations available for the improvement of Galveston bar. He would have discovered, moreover, that not more than $30,000 of last year's appropriations would remain expended at Aransas Pass on the 1st day of July, 1889. Does not the gentleman know that these appropriations do not become available until the beginning of the next fiscal year? If he does not know this, it is about time he should be learning the fact. It will not do for him to go home after delivering his economical valedictory and tell his people that he does not know these facts, because they will not send him back; and there is nothing in the world that I would appreciate more, next to a liberal appropriation for the ports on the Texas coast, than to shake the hand of my friend as a Representative in the Fifty-second Congress from the district which he now represents so well—except when he attacks Galveston and Aransas Pass.

[Here the hammer fell.]

Mr. GROSVENOR. Mr. Chairman, I understand the gentleman from Pennsylvania [Mr. SOWDEN] to have selected the particular point in this bill that he has attacked for the purpose rather of making a speech in the line of his former action against the river and harbor bill in general and as a whole than for the purpose of making any specific or effective attack upon the particular paragraph under consideration. I do not enter into the exchange of compliments between the gentleman from Texas [Mr. CRAIN] and the gentleman from Pennsylvania. I do not care anything about the question of what sort of a Democrat the one or the other is. It is enough for me to know that they are both Democrats, and that is bad for both of them. [Laughter.] It is only a question of degree and not of quality.

But I want to bring back the attention of the committee to the fact that these appropriations for the harbors of Texas have been made after as much care as it was possible for the Committee on Rivers and Harbors to bestow upon them; and I want to call the attention of the gentleman from Pennsylvania to the fact that while this bill was perhaps prepared rapidly, and presented here at an earlier day than seems to be in accord with his notion of what ought to have been done, yet in point of fact the study, the observation, and the experience of the committee in framing the river and harbor bill in the first session of this Congress were just as applicable to the wants and necessities of the country as sought to be provided for in this second bill. So that it was not necessary to spend so much time in the preparation of this bill as it was in the preparation of the former bill.

The gentleman has fallen into the same mistake so many have made looking at the balance of appropriation in the Treasury on the 15th of November, and overlooking the fact that contracts are existing for the expenditure long before the expiration of the current fiscal year. So that the appropriations carried by this bill will be the only appropriations available for the improvement of all public works at the time specified in the appropriations themselves.

Now a single other word, Mr. Chairman. These appropriations for the Texas coast have nothing of sectionalism, nothing of favoritism, nothing which can not be justified here and everywhere else by the commerce, present and prospective, and by the character of the works themselves to which these appropriations apply.

Everybody knows that the improvement of the harbor at Galveston has been a puzzle to the engineers of the country, and also of the necessity for that improvement. The great public demand, if it can be accomplished, has never been doubted by any fair-minded man, and because large appropriations have been made that is no indispensable criterion by which the fairness and justness of the projects themselves can be ascertained. The growing importance of Texas, lying in the position she does, and bearing the relation she does to the Republic of Mexico, the enormous growth of her agricultural products, the necessity there is to escape the transportation rates of the railroads from that far distant garden of the United States, compels the Congress of the United States, in the exercise of judicious discretion, to see to it that the natural disadvantage shall be overcome and the magnificent inlets to the commerce of Texas shall be provided for.

The committee has not made this bill, as far as these appropriations are concerned, by accident, and they will have to be assailed in a manner much more intelligent than they have been by the gentleman from Pennsylvania before they can be successfully defeated.

[Here the hammer fell.]

Mr. STEWART, of Texas. The gentleman from Pennsylvania, in the remarks which he has submitted this morning on this river and harbor appropriation bill, avails himself of the opportunity to attack especially the appropriations made for the State of Texas. Now, I wish to say in reply to the gentleman from Pennsylvania [Mr. SOWDEN], in the first place, that in making these appropriations we never consider them in regard to States. We regard each place appropriated for because of its commerce and the advantages which would necessarily result to the trade of the country from the proposed improvements. If we were to regard these matters in view of the States where they are located, let me say to the gentleman that Texas is six times larger than the State he has in part the honor to represent on this floor. It has a coast, line taking in the meanders, of more than 800 miles in length. In reference to this particular appropriation which the gentleman objects to, let me state that it is an outlet for a larger scope of country than the entire State the gentleman has the honor in part to represent. It is a region that is growing in commerce, in all its resources, as well as in population, so that the necessity for the opening of Aransas Pass is as great as that which exists in reference to any other place in the country.

The gentleman says we got $1,200,000 at the last session of Congress.

Mr. SOWDEN. Nine hundred and eighty-seven thousand five hundred dollars.

Mr. STEWART, of Texas. Nearly every dollar of it is now under contract. If we were to stop appropriating now, the result would be these works would deteriorate and the Government would lose largely by the lapse of time and the want of work being done on these various places along that coast. I hope the gentleman's amendment will not be adopted.

[Here the hammer fell.]

Mr. WHEELER withholds his remarks for revision. [See Appendix.]

Mr. SOWDEN. Mr. Chairman, I exceedingly regret the coarse and unkind remarks that fell from the lips of the gentleman from Texas on my right. Especially do I regret the unkind cut which he administered in his thoughtless and inconsiderate remarks to my distinguished friend from Indiana [Mr. HOLMAN], and my equally distinguished colleague from Pennsylvania [Mr. RANDALL], and he can only be excused for his unwarranted and indecent assault upon them and me on the ground that he is yet laboring under the serious effects which his New Year's calls had upon him. [Laughter.]

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from Pennsylvania.

The amendment of Mr. SOWDEN was rejected.

Mr. CRAIN. I offer the amendment which I send to the desk.

The Clerk read as follows:

Strike out lines 7, 8, and 9, on page 10, and insert the following:

"For the completion of the improvement of Aransas Pass and Bay up to Rockport and Corpus Christi, Tex., $1,471,000, or so much thereof as may be necessary."

Mr. CRAIN. That amount is the amount of the estimate of the Chief of Engineers for the purpose of completing the work at Aransas Pass and Bay, as described in the bill. I ask the House to appropriate the entire amount, or so much thereof as may be necessary to complete this work.

Mr. KERR. I would like to know something of the importance of this matter, whether this is a work of national importance, and whether the amount asked here to be expended is warranted by the bulk of the business transacted there.

Mr. BLANCHARD. Mr. Chairman, I have not risen to oppose this amendment or occupy the time of the committee in discussing it simply because I expect the House to vote it down. I ask a vote.

The amendment was rejected.

Mr. CRAIN. I offer the further amendment I send to the desk.

The Clerk read as follows:

Strike out lines 7, 8, and 9, on page 10 of the bill, and insert: "Improving Aransas Pass and Bay up to Rockport and Corpus Christi, Tex.: Continuing improvement, $500,000."

Mr. CRAIN. Mr. Chairman, in support of that amendment, I will call the attention of the committee to a paragraph contained in a letter received by me from the Chief of Engineers, in response to a communication addressed to him inquiring what amount, in his opinion, could

be profitably expended during the ensuing fiscal year for improving Aransas Pass. He says:

The least amount that can be profitably expended at Aransas Pass during the same period—

That is during the next year—

is $200,000; but it would be far more beneficial to the work, both as regards ultimate cost and early completion, if this amount was increased to $500,000.

Mr. STEWART, of Texas. Mr. Chairman, as a Representative of the State of Texas, and a member of the Committee on Rivers and Harbors, I desire to say in regard to the pending amendment that Aransas Pass has fared as well in the preparation of this bill as any other place which is a subject of appropriation in the river and harbor bill. I do not know of any reason why Aransas Pass should obtain the full amount recommended by the engineer more than any of the other places embodied in the bill; and if we gave all that the estimates of the engineers called for, this bill, in place of carrying the moderate amount that it does carry, would reach a sum of—I do not remember the precise amount——

Mr. BLANCHARD. Thirty-six millions of dollars.

Mr. STEWART, of Texas. Of $36,000,000, and for that reason I could not give my support to an amendment which gives largely more to this place than it gives to others which are equally important and meritorious.

Mr. SOWDEN. As I stated before, there is an unexpended balance for this work on hand now of $102,182.20. I understand full well that this bill goes into effect after the end of the present fiscal year. Upon this subject I need no instructions from the learned gentleman from Texas [Mr. CRAIN]. While I do not underrate the importance of this improvement, I exceedingly regret that the gentleman from Texas [Mr. CRAIN] should display such an insatiable desire to absorb the surplus in the Treasury.

It seems to me that his position is not supported by the necessities of the case. Why, in the language of his colleague [Mr. STEWART], appropriate for this project more than its just share in the distribution made by the Committee on Rivers and Harbors in its preparation of this bill? Is the $65,000 appropriation contained in this provision, in addition to the $102,182.20 balance on hand, not sufficient to keep up and maintain these works during the next fiscal year? Inside of another twelve months will convene the Fifty-first Congress, and if any appropriations are necessary for the furtherance of this improvement, that Congress, I take it, will be perfectly competent to take care of these public internal improvements. The great importance of some of these improvements is admitted.

I know territorially the extent and the vastness of the State of Texas and the great influence which her seaboard coast exercises upon the commerce of the country, and I particularly disclaimed all intention, in the few remarks already submitted, to underestimate her great importance as a seaboard State. I am sorry that the gentleman from Texas on my left [Mr. CRAIN] should manifest such frivolity and attempt to hold me up to public ridicule because I did not display the same anxiety that he did to be returned to the next Congress, and because of my opposition to this bill. He adds no strength to his position by pursuing such a course.

I want him to understand that I was not a candidate for renomination. I was not voted for by my constituents, and I leave this Congress because I voluntarily chose to do so, in order to resume my private business, not because I was left at the polls, as some of my unfortunate colleagues were. [Laughter on the Republican side.]

Mr. CRAIN. I am sorry, indeed, Mr. Chairman, that I made it necessary for the gentleman from Pennsylvania [Mr. SOWDEN] to make two speeches in response to the pleasant remarks I made in reference to him. It was with no feeling on my part and no desire to hurt his feelings that I spoke of his being left. I am sorry he was left, sorry for the House and sorry for the country that he was left.

Now, Mr. Chairman, in response to his statement, I have to say it is erroneous; and I give the gentleman the credit of believing that he does not intend to mislead the committee in reference to his statement that there are $102,000 on hand for the improvement of Aransas Pass. I would refer this committee to the letter from the Chief of Engineers, in which he states that at the beginning of the next fiscal year there will be only $30,000 of the annual appropriation unexpended.

The question was taken, and the amendment was rejected.

Mr. CRAIN. Mr. Chairman, I have another amendment which I desire to offer.

The Clerk read as follows:

Strike out lines 7, 8, and 9, and insert: "For the improvement of Aransas Pas and Bay up to Rockport and Corpus Christi, Tex.: Continuing the improvement, $200,000."

Mr. CRAIN. It was said by my colleague [Mr. STEWART], in discussing the other amendment which I offered and which has been voted down, that Aransas Pass got more than its share—or about its share, I believe, was his language.

Mr. STEWART, of Texas. You referred to the estimate that was made by the engineer in charge of the work.

Mr. CRAIN. No, I did not. I referred to the estimate of the Chief of Engineers—$200,000.

Mr. STEWART, of Texas. I understood you to say $500,000.

Mr. CRAIN. I referred to the estimate of the Chief of Engineers for $200,000. In your discussion of the other amendment offered by me you said Aransas Pass got its full share.

Mr. STEWART, of Texas. Based upon the estimate of the Secretary of War.

Mr. CRAIN. I thought, Mr. Chairman, in making these appropriations for internal improvements, the Congress of the United States was governed by the question of the national importance and commercial necessity for the improvements. I did not know that the question was dealt and shuffled. I did not know that it was a question of distributing upon a certain basis money to various ports, harbors, and rivers of the United States; and, Mr. Chairman, in answer to that proposition, I will ask my colleague to state the reason why the district represented by Mr. FITCH, of New York, gets for the improvement of the Harlem River $150,000 in this bill as against $70,000 in the last bill? I would like to ask my colleague why Black Warrior River, in Alabama, gets the same appropriation under this bill as it did under the last bill? Why did the committee make these discriminations?

So far as the remarks of the gentleman from Pennsylvania [Mr. SOWDEN] are concerned, I will say to him that it is not only the State of Texas which is seeking an outlet by Aransas Pass and Galveston, but it is twenty States and Territories west of the Mississippi River, aggregating in their territorial limits two-thirds of the United States with the District of Columbia and all the Territories included, Alaska alone being excluded from the computation. I will state further to the gentleman from Pennsylvania that there is not more than one Western State west of the Mississippi River that is not nearer the Gulf of Mexico than to the city of New York. It is not Texas alone that will be benefited if this improvement be carried out, but it affects the whole Western country, occupying an area greater than the thirteen original States. Therefore I ask from this committee and from the Congress simply what the Government engineer estimates ought to be expended during the next fiscal year for this improvement.

Mr. SOWDEN. Mr. Chairman, the whole system of these public internal improvements is radically wrong, and should be thoroughly reformed, if not entirely abolished. Vast sums of the public moneys have been expended upon some of these improvements to no purpose. In many instances the engineer's preliminary examinations of the contemplated subjects for improvement have turned out to be wholly unreliable. A large number of these expensive schemes never should have been undertaken nor their improvement recommended. These undertakings should be most carefully and scientifically examined, and their feasibility ascertained and determined before the expenditure of any of the people's money for their improvement. Hundreds of thousands of dollars have already been squandered upon some of these projects, when it might have been saved to the Government had the preliminary examinations been reliable and absolutely certain.

In support of what I have said, I shall call the attention of the committee to but three projects, upon which $622,738.88 have been wasted and uselessly expended:

First. Take the harbor at Brazos Santiago, Tex. The Chief of Engineers, in his report upon this subject, says that—

The present project for the improvement of this locality was adopted in 1881, the object being to fix the position of the channel over the bar at the entrance and to deepen it. In its natural state the channel was shifting, and its depth varied from 6 feet to 8 feet. The amount expended during the year was $3,386.06. It was applied to a survey, recording commercial statistics, and reports. The total amount expended to June 30, 1888, is $188,590.23 (besides an appropriation of $6,000 in 1878, applied to removing a wreck). It has resulted in no useful effect upon the bar, and the works heretofore constructed have practically disappeared. It is proposed during the coming year to limit operations to merely keeping a record of commercial statistics.—*Report of Secretary of War*, second session Fiftieth Congress, volume 2, part 1, page 176.

It is certain, therefore, that $188,590.23 have been completely lost upon this harbor. "The works heretofore constructed have practically disappeared," and with them this large sum of money.

Let us look a little further into this matter. On July 1, 1887, the amount available for the continuation of this improvement was $37,295.83, and of which $3,386.06 was expended during the last fiscal year, leaving an unexpended balance of $33,909.77 on hand July 1, 1888; and notwithstanding this fact, and the non-feasibility of the project, this Congress by act of August 11, 1888, appropriated the additional sum of $25,000, thus increasing the available balance to $58,909.77 for the prosecution of an improvement that has practically disappeared and proved a perfect failure.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. CUMMINGS was recognized, and yielded his time to Mr. SOWDEN.

Mr. SOWDEN. I thank the gentleman for his courtesy.

Mr. Chairman, what is to become of the $58,909.77? Is it to be wasted in keeping a record of commercial statistics at this point?

Second. Take the mouth of Brazos River, Texas.

The Chief Engineer, in his report upon this subject, says that—

The advisability of a further prosecution of this improvement under the project adopted in 1880 being questionable, the subject was submitted to Congress in a special report printed in House Executive Document No. 109, Fiftieth Congress, first session. The total amount expended to June 30, 1888, is $142,098.43.

It has not resulted in any useful effect upon the bar.—*Report of Secretary of War*, second session Fiftieth Congress, volume 2, part 1, page 175.

Think of the immense sum of money absolutely squandered upon this improvement, all of which might have been saved had the proper preliminary examination been made before this work was begun.

There is an unexpended balance of $16,651.57 remaining on hand and available for the continuation of this improvement. What is to be done with it? Can no scheme be devised by which it may also be made to disappear?

Third. Take Pass Cavallo Inlet to Matagorda Bay, Texas.

The Chief Engineer, in his report upon this work, says that—

The works heretofore constructed for the improvement of this locality have practically disappeared, and if resumed, must begin anew upon a new site at a largely increased estimate of cost. The total amount expended to June 30, 1888, is $292,050.22. It has not resulted in any useful effect upon the bar.—*Report of Secretary of War*, second session Fiftieth Congress, volume 2, part 1, page 175.

On July 1, 1888, there was an unexpended balance of $35,449.78 on hand and available for the continuation of this improvement. What is to be done with it? Is it to follow in the wake of the $292,050.22?

The unprecedentedly large sum of $622,738.88 absolutely squandered upon these three projects! How many more hundreds of thousands of dollars have been similarly thrown away upon the smaller rivers, harbors, and creeks of this country? How much money is appropriated continuously in these measures for purely local improvements in which the public have very little concern and no benefit? Will there ever be an end to this recklessly extravagant and injudicious legislation?

Mr. STEWART, of Texas. Mr. Chairman, there has certainly been time enough expended in the discussion of this section, but I desire before we take a vote to say a few words in reply to what has fallen from my colleague [Mr. CRAIN]. My colleague certainly understands that I am not opposed to getting as large appropriations for any port in our State as can be obtained, because I am a believer in river and harbor improvements. He asks me why it is that $100,000 was appropriated for the Black Warrior River. I will tell him that the estimate for the Black Warrior River was $300,000, and we have recommended only about one-third of the amount asked for by the Secretary of War. As to the Harlem River, I have not looked at that, but, as I stated the other day, although the committee attempted, as a general rule, to give about 33⅓ per cent. of the estimates, the rule was not inflexible. We adhered to it, however, as nearly as we could, and in doing so the ports of Texas got as large appropriations, relatively, as the other ports throughout the country, and in some cases larger.

Mr. CRAIN. Will my colleague be kind enough to tell me what port on the coast of Texas got more than 33⅓ per cent.?

Mr. STEWART, of Texas. None; and on the Atlantic coast, in other States, there are a great many ports that did not get it, either.

Mr. CRAIN. Aransas Pass does not even get one-third of the estimates.

Mr. STEWART, of Texas. Not quite; but the same is true of Charleston and of other places on the Atlantic coast. There was no injustice attempted to be done to Texas. We tried to give her a fair proportion of the money, and I asked for all that I felt that I could ask for under the rule which governed the action of the committee in making these appropriations.

Mr. CRAIN. I wish it to be understood that I was not reflecting on my colleague at all.

Mr. STEWART, of Texas. Oh, I understand that, but your colleague feels it necessary to say something in behalf of his course when you attack the appropriations that are recommended for the ports in our State.

Mr. CRAIN. Well, if the shoe pinches I can not help that, but I do not intend to make it pinch.

Mr. STEWART, of Texas. Now, Mr. Chairman, in reply to my friend from Pennsylvania [Mr. SOWDEN] I will say it is quite evident that of all his father's children he loves himself the best [laughter], and I should have enjoyed his argument much more if he had found it convenient to attack this bill when the appropriations for Pennsylvania were under consideration.

Mr. SOWDEN. He did.

Mr. STEWART, of Texas. Not to-day.

Mr. SOWDEN. I said what I had to say on that subject the other day.

Mr. STEWART, of Texas. But to-day you have devoted your remarks to Texas, and you have attacked every appropriation that is made for any place in our State, and, I repeat, I would have enjoyed your argument much better if you had made it when the appropriations for your own State of Pennsylvania were under consideration.

Mr. SOWDEN. I attacked them, too.

The question was taken on the amendment of Mr. CRAIN; and there were—ayes 6, noes 33.

Mr. CHEADLE. No quorum.

Tellers were ordered; and Mr. CHEADLE and Mr. BLANCHARD were appointed.

Mr. BROWNE, of Indiana (during the count by tellers). I ask that the tellers report. It is clear that there is no quorum in the House. Would it not be in order to move that the committee rise?

The CHAIRMAN. It will be after the tellers have made their report. If there be no objection, the Chair will announce the result of the count so far as it has proceeded. On this question the ayes are 6, the noes 74.

Mr. CHEADLE. No quorum.

The tellers continued the count, and reported—ayes 8, noes 90.

Mr. BLANCHARD. Mr. Chairman, the point of no quorum is withdrawn.

The CHAIRMAN. The noes have it; and the amendment is not agreed to.

The Clerk read as follows:

Improvement of entrance to Galveston Harbor, Texas: Continuing improvement, $300,000.

Mr. CRAIN obtained the floor.

Mr. KERR. I move to strike out this appropriation. I want to know the reasons for including it in the bill. There is no light thrown on this subject in the report of the committee.

Mr. CRAIN. I did not understand the gentleman's remark.

Mr. KERR. I say the report of the committee states nothing in regard to this appropriation; and I would like to know why it is asked for.

Mr. CRAIN. I offer the amendment which I ask the Clerk to read.

The Clerk read as follows:

Strike out the lines just read, and insert:

"For the completion of the improvement of entrance to Galveston Harbor, Texas, $6,200,000, or so much thereof as may be necessary."

Mr. CRAIN. Mr. Chairman, the amount named in this amendment is that which has been suggested by the Chief of Engineers in the Book of Estimates for the completion of the project for the improvement of the bar and harbor at Galveston. I was asked, I believe, by the gentleman from Iowa [Mr. KERR], what is the necessity for this improvement? I do not think it necessary to answer that question for the benefit of the House, and the gentleman from Iowa will have abundant opportunity to ascertain the value of this work by reading something about the history and geography of the country.

Mr. KERR. Mr. Chairman, the gentleman from Texas proposes that this appropriation be enlarged to the sum of $6,200,000. If these appropriations were enlarged in that ratio it would exhaust the entire surplus and we would not have enough money in the Treasury to carry on the improvements of our rivers and harbors, saying nothing about other expenses. While the report of the committee throws no light on this subject, the report of the engineer in relation to the item last under consideration goes to show how extravagant are the demands made upon the Treasury of the United States by these little towns all over the country. I understand that the appropriation for Aransas Pass was mainly in the interest of Corpus Christi. Now when you come to look at the freights from that port, you will find that they average only about 8 or 10 tons a day the year round; and the Government of the United States had better employ teams to haul the freight from that port than incur the expense of that improvement. The commerce there amounts to about 6,000 tons a year.

Mr. CRAIN. Is the gentleman referring to Galveston?

Mr. KERR. No; I am referring to the previous item.

Mr. CRAIN. That is passed.

Mr. KERR. I know it is; but I am calling attention to it to illustrate the extravagance of these appropriations. On the particular improvement now under consideration the report of the committee throws no light whatever.

Mr. CRAIN. The gentleman is mistaken. I will state, if he will permit me——

Mr. KERR. I will.

Mr. CRAIN. The local engineer in charge of the improvements at Galveston states that the commerce of that port last year amounted to $73,000,000.

Mr. KERR. The gentleman states that; and of course I am very glad he has had the opportunity to get the statement before the House, because it gives some reason why the appropriation should be made. But so far as the report of the committee is concerned it does not say a word about it.

Mr. CRAIN. The committee could not enlarge upon the work at every place.

Mr. KERR. The gentleman says the committee could not go into the reasons for the improvements at every place. Why, sir, if a town in our Western country asks an appropriation for a court-house we have to show all the facts and figures; we have to present the whole merits of the case in a separate report before the House will consent to act upon it.

But on these three hundred and sixty-one items in this bill there is not one particle of light given us unless in general recommendations made by the committee.

I hold that kind of legislation is not wise—is not just. It is unfair to the representatives of the American people and to the people themselves to have large appropriations involving millions and millions of dollars without having the special reasons for them presented in a report. In this single item of rivers and harbors we are asked to appropriate sums of money equal to what was sufficient to carry on the Government

forty years ago in all its departments, and we are asked to do this without a single particle of light in regard to the appropriations which we are asked to make. It is not sufficient to say that these same improvements have been voted for in former bills. This Congress has no right to assume without investigation and without proof that all former improvements have been wisely made, and that if an improvement has been once put in the bill it must remain in it forever. Neither is it safe or wise to assume that the engineers' report is a sufficient warrant for an appropriation, for they are generally interested in the improvement on which they report, and their business and living depend on it.

[Here the hammer fell.]

Mr. HENDERSON, of Illinois. I desire to say to the gentleman from Iowa [Mr. KERR], Mr. Chairman, almost every single item in this river and harbor bill has been appropriated for by Congress after Congress for a number of years. There is not a single item in the bill, I believe, which has not been appropriated for heretofore. Now, it would be utterly impossible for the Committee on Rivers and Harbors in any report made to the House to give all the information in regard to these various improvements. If my friend would only examine the reports of the engineers he would find there are four volumes, and with many thousands of pages, giving the neccessary information as to the improvements for which appropriations are made in this bill.

Mr. KERR. I have had the reports of the engineers, but not for this session.

Mr. HENDERSON, of Illinois. It is not the fault of the Committee on Rivers and Harbors that the gentleman has not had the report of the Chief of Engineers for this session.

Mr. KERR. Whose fault is it, then?

Mr. HENDERSON, of Illinois. It is the fault of the Public Printer, if anybody's; but the Committee on Rivers and Harbors have had these reports of the engineers and they have examined them, as they have examined former reports heretofore relating to the same improvements. We must rely on the information given to us by the engineers who have charge of these public works.

It is the misfortune of some gentlemen who have not been here a great while that they are finding fault with these appropriations for improvements like the Galveston Harbor, which have been discussed here nearly every year since I have been a member of the House. For years we have been discussing the improvement of the harbor of Galveston. Everybody knows and everybody concedes the importance of the improvement not only to the city of Galveston and the State of Texas, but to the country. It is certainly of interest to the State of Kansas, it is of interest to the State of Colorado, and it certainly is of interest to a great many portions of the United States, outside of Texas, that Galveston Harbor should, if possible, be improved.

Mr. BROWNE, of Indiana. How much has been appropriated heretofore for the improvement of Galveston Harbor?

Mr. HENDERSON, of Illinois. Some two or three millions of dollars perhaps have been appropriated for that purpose. If the gentleman had waited only a moment I would have said the only doubt has been as to the probability of making a deep harbor at the city of Galveston.

Mr. BROWNE, of Indiana. That brings up the question I desire to suggest. After $3,000,000 have been expended for Galveston Harbor I wish to know——

Mr. HENDERSON, of Illinois. I do not propose to give exact figures, but about $2,000,000.

Mr. BROWNE, of Indiana. I think it is more than that. But after that large appropriation of two or three millions of dollars has there been improvement in any perceptible degree of that harbor of Galveston?

Mr. HENDERSON, of Illinois. They think so. So the engineers report. It is the opinion of the Engineer Corps that it is practicable to improve the harbor at Galveston.

Mr. BROWNE, of Indiana. I am putting these questions in the best faith. I have understood, whether correctly or not, that Galveston Harbor is merely quicksand, and that every effort heretofore made in this improvement is, on the system adopted by the Engineer Corps, abortive.

Mr. HENDERSON, of Illinois. That is not in accordance with the opinion of the engineers who have had charge of this work, and we must rely on the information of the engineers as to the practicability of making some of these improvements. But Galveston is an important harbor.

Mr. BROWNE, of Indiana. There is no question about that.

Mr. HENDERSON, of Illinois. Every one concedes that.

Mr. BROWNE, of Indiana. There is no question about that.

Mr. HENDERSON, of Illinois. It is worth the experiment to improve it, and it was for a long time, I believe, regarded merely as an experiment. But we must rely on the engineers having the work in charge.

We are constantly met by objections on the part of the members to works which have been considered by the House of Representatives from time to time for years. This is an appropriation the gentleman from Iowa should know something about, and the report of the engineers would give him all the information he desires. It would be utterly impossible for the Committee on Rivers and Harbors or for the Committee of the Whole to examine all these reports during the discussion of the river and harbor bill unless we are to occupy the whole session in doing so.

So, Mr. Chairman, members ought to inform themselves as to these improvements by reading the reports, and then oppose measures which they know or believe have no merit after making an examination of such reports.

[Here the hammer fell.]

Mr. CRAIN. Mr. Chairman, I will state for the benefit of the gentleman from Iowa that the engineers' reports upon these various works of internal improvement are a part of the committee's report, and are referred to in the report, and, as has been suggested by the gentleman from Illinois who has just taken his seat, it would be a physical impossibility, it would be useless as well as absolutely impracticable, for the Committee on Rivers and Harbors to enter in their report into a detailed statement in reference to each work of improvement it considers when it formulates the river and harbor bill.

In reference to the question addressed to the gentleman from Illinois by the gentleman from Indiana [Mr. BROWNE], I will state that the Chief of Engineers has reported that the effect of the work done at Galveston up to the present time has been to increase the depth of water on the inner bar about 7 or 8 feet; in other words, from 12 or 13 feet to about 20 or 21. But there has been no beneficial result, it is claimed, so far as the outer bar is concerned, because the work done up to the last two or three years has been purely tentative or experimental in its character. Several experiments have been tried. First the gabionade system was tried, but the first storm that occurred swept the gabions away and destroyed the work. Then the combined scheme of mattresses and rock was tried, but it was soon found that because of the ravages of the marine insect known as the teredo the mattresses were soon destroyed and the rock gradually disappeared.

A board of survey was then appointed by General Newton to examine into the question of the best and most practicable scheme for the improvement of the harbor. That board convened in the city of New York, and General Duane was the presiding officer. I think the present Chief of Engineers was a member of the board. They started out upon the work intrusted to them, and, after an examination, submitted a plan whereby, instead of having sunken jetties—that is, jetties beneath the surface of the water—they have recommended jetties that rise several feet above high-water mark, and instead of being constructed of mattresses and stone this new scheme or plan recommends the use of stone alone, so that they are impervious to the ravages of the teredo; and this is evidently the project which the Chief of Engineers in his report of last year, and his successor in the report of this year, had in mind when they stated that the effect of the improvement would be to give from 20 to 30 feet of water, according to the length of the jetties.

Mr. BROWNE, of Indiana. Do I understand that the scheme or system mentioned has been tested at all, or have any expenditures in that direction been made?

Mr. CRAIN. Yes, sir. There have been expended about $300,000, and now under contract about $500,000, every dollar of which will be expended by the time this appropriation becomes effective.

Mr. BROWNE, of Indiana. Under the new system?

Mr. CRAIN. Yes, sir.

The question being taken on the amendment of Mr. CRAIN, it was rejected.

Mr. CRAIN. I have another amendment to this paragraph which I desire to offer.

The Clerk read as follows:

Strike out lines 10 and 11, on page 10, and insert: "Improving the entrance to Galveston Harbor, Texas: Continuing improvement, $1,000,000."

Mr. CRAIN. Mr. Chairman, the local engineer in charge of the work of improvement at Galveston Harbor has asked for an appropriation of two and a half millions of dollars for the ensuing fiscal year. He stated that this amount could be profitably expended and that it would finish the jetties out to the crest of the bar. The Chief of Engineers, however, asks Congress to appropriate $1,000,000, and says that this last amount can be profitably expended.

It has been conceded in this House on both sides, by the friends of the river and harbor bill and by its enemies, that the work of improving the bar and harbor of Galveston is one of national importance and necessity. If this be so—and, as I have already said, it is a conceded fact, conceded by the gentleman from Indiana [Mr. BROWNE], who questioned me as to the work now going on, conceded even by the distinguished gentleman from Pennsylvania, upon whose headstone will be written the epitaph "Modesty killed him;" conceded by everybody—why is it that the Congress of the United States does not appropriate a sufficient amount to enable the engineers in charge of the work to carry out to a successful and rapid completion the project now on foot?

There are two essential factors in the improvement of such a harbor; one, the scientific knowledge and skill necessary, in the first place, to fabricate a scheme; and, in the second place, to carry it to completion; and the second factor is the money essential to enable science and

skill combined to do its work. We hold the engineers of the Army responsible for the success or failure of the respective works committed to their charge, while at the same time we dole out the money necessary for the work with a niggardly hand.

Why, Mr. Chairman, improving the harbor of Cherbourg, or rather the building of the harbor of Cherbourg, in France, cost more money than the entire appropriation asked for by the River and Harbor Committee for the improvement of all the rivers and harbors in the United States. We can not accomplish the work, we can not have these improvements, unless the money necessary to enable the engineers to carry them out is appropriated. As I said before, and I appeal to the committee to be logical, everybody concedes the importance of the improvement, and that being a conceded fact, why, then, I repeat, does not the committee, acting as the representative of the House, give to the engineers in charge of the works enough money to enable them to give to this Congress some tangible evidence in response to the questions asked by the gentleman from Indiana [Mr. BROWNE], as to the effect or practical results of the expenditures on the schemes which havs been adopted for the improvement of the harbor and bar of Galveston?

Mr. BLANCHARD. At the first session of this Congress Galveston Harbor was given an appropriation of half a million dollars. Very little of that money has been expended. The bill under consideration provides a further appropriation of $300,000 to continue the work at that point during the coming fiscal year. Notwithstanding what the Chief of Engineers says in reference to the amount that can be profitably expended there, the committee believes that the $300,000 provided for in this bill and the half million of the bill of the first session is about all the money that can be profitably expended there during the present fiscal year and next fiscal year. Galveston has fared in this bill just about as the other three hundred and fifty projects throughout the United States have fared, and I do not see any good reason why an exception should be made in favor of that harbor over other projected improvements going on of equal importance which only get one-third of the engineer's estimate. The amount estimated for Galveston is $1,000,000, and we have given $300,000, which approximates 33⅓ per cent. of that amount. I believe in the small bill of this session that amount is sufficient. With these remarks I ask for a vote.

Mr. CRAIN. I will take but a moment to respond to the statement of the chairman of the Committee on Rivers and Harbors. It is true that there is a large amount of the last appropriation unexpended; but the chairman of the committee well knows that every dollar of that amount is subject to contract, and that every dollar of it will have been expended at the time this appropriation becomes available. The Chief of Engineers, in a letter which I read to the committee when we were discussing this bill during the general debate, states that on the first day of July—the beginning of the next fiscal year—there will not be one dollar of the last appropriation for the improvement of Galveston Harbor remaining unexpended; and if half a million, Mr. Chairman, were necessary for that work during the last year, why is it the same amount should not be necessary the next year? Why is it that the committee cut the appropriation down to $300,000?

Mr. HERMANN. Would the gentleman give the amount recommended by the Chief of Engineers in his estimates?

Mr. CRAIN. I certainly would give to every place the amount asked by the Chief of Engineers in his estimates for two good reasons: First, I am opposed to this driblet system of appropriations, which really involves a waste of money in a great many instances; and, as another reason, I have great confidence in the skill and honesty of the gentleman who is at the head of the engineer department of the Army. It is his business, and the duty of the local engineers under his supervision, to consider these questions, to examine into them, investigate them, and give to their consideration all their skill and scientific knowledge upon the questions propounded and submitted. We are in a state of comparative ignorance on the matters. I presume there are very few gentlemen on this floor who are engineers; and, even admitting that there are some, they would be incompetent to grapple with these problems, because they would not have had the opportunity to examine the various places, plans for the improvement of which were submitted to them for consideration.

We are compelled in the nature of events to be governed and guided by the reports of the local engineers and by the analysis of those reports submitted to us annually by the Chief of Engineers. Having, therefore, confidence in his honesty and ability, and governed by those considerations as well as the national and commercial importance of Galveston, I ask at the hands of this committee a vote in favor of this amendment.

The question was taken, and the amendment was rejected.

Mr. CRAIN. Mr. Chairman, I have another amendment.

The Clerk read as follows:

It is proposed to strike out lines 10 and 11, on page 10, and insert: "For the completion of the improvement of the entrance to Galveston Harbor, Texas, $333,333."

Mr. CRAIN. I desire to correct that amendment. It should be "continue the improvement" instead of "completion of the improvement."

The CHAIRMAN. The Clerk will make the correction.

Mr. CRAIN. I call the attention of this committee to this fact which has been stated by the chairman, and also by my colleague on the Committee on Rivers and Harbors [Mr. STEWART], that every place, or nearly all of those at least, embraced within the river and harbor bill now under consideration have received about one-third of the estimates submitted by the Chief of Engineers.

Now, the Chief of Engineers in his estimate tells Congress that he can profitably expend $1,000,000 at Galveston. Thirty-three and one-third per cent. of that would be $333,333.33. Why is it that you do not give to Galveston one-third? Why cut her down to $300,000? I am seriously in earnest about this amendment, because it is a line suggested by my colleague.

Mr. BLANCHARD. The committee laid down no absolute rule by which these appropriations were formulated. There are other points of equal importance with Galveston which received less than 33⅓ per cent.

Mr. CRAIN. Will you please name one?

Mr. BLANCHARD. Yes, the improvement of the mouth of Columbia River, Oregon. That is an improvement the importance of which compares favorably with Galveston, a statement which I think the gentleman who sits behind you [Mr. HERMANN] will confirm.

Mr. HERMANN. I think the gentleman from Texas will concede that.

Mr. CRAIN. That is always the way. They appeal to gentlemen in whose cases they have acted favorably.

Mr. BLANCHARD. I did not yield to the gentleman from Texas. The committee have allowed Galveston nearly one-third of the estimate. The amendment of the gentleman from Texas asks for $333,000.

Mr. CRAIN. That is about one-third.

Mr. BLANCHARD. The bill proposes to give $300,000. The difference is not great, and against the proposition of the gentleman I invoke the rule "*de minimis non curat lex.*"

Mr. CRAIN. I do not think that is one of the rules of the House. As it is a little amendment I hope the committee will give it to me.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. CRAIN. Division.

The committee divided; and there were—ayes 8, noes 30.

Mr. CRAIN. No quorum.

Mr. BLANCHARD. I ask my friend from Texas if he will not waive the question of no quorum, provided he shall have a separate vote in the House?

Mr. CRAIN. *Vox populi, vox Dei;* I will do that.

The Clerk read as follows:

For ice-harbor at the mouth of Muskingum River, Ohio: For repairs, $10,000.

Mr. GROSVENOR. I move to amend that paragraph by striking out, in line 21, the words "For repairs" and inserting in lieu thereof the words "To complete."

Mr. BLANCHARD. There is no objection to that.

The amendment was agreed to.

The Clerk read as follows:

Improving harbor of refuge at Portage Lake, Michigan: Continuing improvement, $10,000.

Mr. CUTCHEON. I move to amend that paragraph by striking out "ten" and inserting in lieu thereof "thirty;" so as to make the appropriation $30,000. I will explain briefly the reason for offering this amendment. This bill generally is constructed upon the plan of appropriating about 33 per cent. of the estimates of the Secretary of War, based upon the report of the Chief of Engineers. The harbor of refuge at Portage Lake is made an exception to that rule. In the Book of Estimates, page 182, it will be seen that the Secretary of War recommends an appropriation for this harbor of $60,000, but the committee recommend an appropriation of only $10,000, about 16 per cent. The same discrimination was made against this harbor in the river and harbor bill passed at the first session of this Congress. Last year also the estimate was $60,000 for this harbor, but the committee reported an appropriation of only $10,000, while in the same district (which I have the honor to represent) an appropriation of $50,000 was recommended by the Secretary of War and the committee reported an appropriation of forty-five thousand.

Of course I know that circumstances may vary the proprieties in different cases, but in this instance I must insist that the Portage Lake harbor of refuge is justly entitled to a fair pro rata of the entire amount recommended by the Secretary of War. Upon the basis of 33 per cent., the general rule, this harbor would of course receive but $20,000. I have, however, made my amendment thirty thousand, because this harbor was discriminated against in the same manner and to the same extent last session, and I now propose that we shall appropriate a sum sufficient to improve the harbor so as to make it of use. It is not as yet a very important harbor commercially. The entrances and clearances during the past year have not perhaps been more than five hundred vessels; but during the last few months the town at Portage Lake has become a railroad terminus, its commerce has largely increased, and it is certain to increase much more rapidly in the future. The harbor is one that is very easy to improve, and it is a point at which a harbor of

refuge is greatly needed. There is no harbor of refuge into which vessels can run in distress or in storm anywhere between Grand Haven and the Straits of Mackinaw. In stress of weather all vessels are compelled to make for lee behind the Manitou Islands, about 60 miles from the harbor in question.

It is true that the Government is about to construct, and has already made a liberal appropriation for, a harbor of refuge at Ludington, about 40 miles south of Portage Lake, but nothing has yet been done toward constructing that work or expending the appropriation, and meanwhile many wrecks occur upon that part of the lake coast. It is exceedingly desirable, therefore, that this work at Portage Lake shall progress as rapidly as possible so as to make the port of refuge available, and I believe that the amount named in my amendment will be required for that purpose. Even as a commercial harbor the importance of Portage Lake is rapidly increasing from year to year, and, as I have said, it is certain to increase much more rapidly in the future, and I trust that the chairman of the Committee on Rivers and Harbors will not oppose this amendment, which is simply designed to put this harbor upon the same basis as the other harbors upon Lake Michigan by giving it 33⅓ per cent. of the amount recommended by the Secretary of War.

Mr. BLANCHARD. It is true that the estimates of the engineer for the fiscal year 1890 of the amount that can be profitably expended upon this harbor of refuge at Portage Lake, Michigan, is $60,000. It is also true that the Committee on Rivers and Harbors have embodied in this bill but $10,000 for the continuation of the work at that point. The amount we have recommended in this bill, therefore, is not one-third of the amount which the Chief of Engineers says can be profitably expended there, but my friend from Michigan [Mr. CUTCHEON], who is eminently a fair man, will recollect that the present bill is but a little over half as large as the river and harbor bill of the first session of this Congress.

Now, in the first session of this Congress, the river and harbor bill, notwithstanding the fact that it carried $22,000,000, or nearly double the aggregate of the present bill, appropriated only $10,000 for this harbor. In a bill of half that size we have now given it an equal amount. When we have done as well as this, I think my friend from Michigan is not in a position to complain. The last bill passed the House without any objection as to the amount of this appropriation; it also passed the Senate and the committee of conference without any objection as to the amount. If $10,000 was sufficient to continue that work in the present fiscal year, I submit that $10,000, as reported in this bill, is sufficient to continue the work in the next fiscal. I am fortified in this statement by what the engineer says with reference to the amount heretofore expended yearly for Portage Lake Harbor. On page 253 of part 1 of the Engineer's Report we find that the amount expended during the fiscal year ending June 30, 1888—the last fiscal year—was $11,479. If more than this sum could not be profitably expended during that fiscal year, and if $10,000 was sufficient to be expended during the present fiscal year, we of the committee took it for granted that $10,000 would be sufficient for this work during the coming fiscal year. This is why we have given Portage Lake Harbor only $10,000 instead of $20,000, which would have been its pro rata if it had received one-third the amount asked for by the Chief of Engineers.

We were not guided altogether by what the Chief of Engineers said with reference to the amount which could be profitably expended. We had in mind also what was appropriated in the last bill, which, as I have said, was only $10,000. We concluded that if we now gave $10,000 in a bill one-half the size of the last bill it would be satisfactory to all parties.

Mr. CUTCHEON. Mr. Chairman, I do not desire to criticise the action of the Committee on Rivers and Harbors, because I believe the committee is made up of fair gentlemen who have sought to frame such a bill as could pass the House and would benefit the country. But this harbor is one as to which genuine economy would require that the entire amount requisite for its completion should be appropriated at once. I realize, however, that this can not be asked for one harbor more than for another. Therefore I have only proposed that this improvement shall receive its pro rata of appropriation according to the amount given to other harbors.

This harbor of refuge when completed will be the most commodious and accessible upon Lake Michigan. It is a straight sand cut from Lake Michigan to Portage Lake, a distance of about 2,200 feet; and the principal work to be done is simply dredging. More or less can be done in any one year. At present, with about 8½ feet of water, the harbor is of course absolutely worthless as a harbor of refuge. The sooner the project is carried out the sooner this improvement will be available for the purpose for which it is intended, that is, as a place of refuge for vessels in distress. Meanwhile the harbor is being used, and is valuable as a commercial harbor.

I will not occupy further time in advocating this amendment. I believe it is meritorious and ought to be adopted. I propose simply to place this harbor upon the same basis as all the adjacent harbors on the lake.

The question being taken on agreeing to the amendment of Mr. CUTCHEON, there were—ayes 15, noes 36.

Mr. CHEADLE. No quorum.

Mr. CUTCHEON. I was about to say that I would not make the point of no quorum, because I desire to see this bill expedited; but, of course, it is beyond my power to say whether any other gentleman shall make the point.

Mr. BLANCHARD. Under the circumstances, I trust the gentleman from Michigan [Mr. CUTCHEON] will withdraw his amendment.

The CHAIRMAN. The Chair appoints as tellers the gentlemen from Indiana [Mr. CHEADLE] and the gentleman from Louisiana [Mr. BLANCHARD]. The tellers will take their places.

Mr. CUTCHEON. Mr. Chairman, I do not desire to see this bill delayed——

[Cries of "Regular order!"]

Mr. CUTCHEON. I think my amendment a fair and proper one; but if justice can be done all round by allowing for this work $20,000 instead of $30,000, which would give us for this session 33 per cent. of the estimate, I should be content.

Mr. BLANCHARD. If the gentleman will accept $15,000, I will agree to that.

Mr. CUTCHEON. Very well. I accept the gentleman's proposition to make the appropriation $15,000.

Mr. CHEADLE. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CHEADLE. Tellers having been ordered, and the regular order being demanded, is it not the duty of the tellers to take their places?

The CHAIRMAN. The gentleman from Indiana and the gentleman from Louisiana were appointed as tellers, but the reason the Chair hesitated in directing the tellers to proceed with the count was that the parties seemed to be trying to come to an agreement about the figure in the amendment——

Mr. BLANCHARD. And we have done so.

The CHAIRMAN. And it would be competent for the gentleman offering the amendment to alter its terms before the taking of the vote upon it.

Mr. CUTCHEON. I understand the chairman of the committee [Mr. BLANCHARD] accepts my proposition to make the appropriation $15,000.

Mr. BLANCHARD. I accept it.

Mr. CHEADLE. I move to strike out the item.

The CHAIRMAN. The Clerk will report the amendment as now offered by the gentleman from Michigan.

The Clerk read as follows:

In line 6 strike out "ten" and insert "fifteen."

Mr. BLANCHARD. I accept that.

Mr. STEELE. Let us have a vote.

The CHAIRMAN. Of course the committee must act upon the amendment.

Mr. ADAMS. Is this question debatable?

The CHAIRMAN. It is.

Mr. ADAMS. I desire to be heard briefly.

I am aware of the fact that it is not fashionable for a member to speak for any public improvement outside of his own district, but I wish to say in regard to this particular harbor that it is interesting not only to the representative of that harbor but to every representative of every harbor on the northern lakes. It is a harbor of refuge for the northern part of Lake Michigan, and, as I understand, it is the only one there existing. It is incomplete because of insufficiency of depth, and if I am wrong in my statement I desire to be corrected.

Mr. CUTCHEON. The gentleman is correct. It has but 8 feet and it is desired to have 18.

Mr. ADAMS. Exactly; and the size of vessels there is increasing year by year. We have but 15 feet at Chicago, where we ought to have 18, and every harbor of refuge on Lake Michigan, or on every one of the northern lakes, ought to have at least 15 feet if not 18. As this is only for dredging and continuing the existing improvement, I regret that the gentleman from Michigan did not put his amendment at $20,000; but as he has seen proper to place it at $15,000, it seems to me that every one interested in the navigation of the northwestern lakes ought to support that amendment.

Mr. CHEADLE. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CHEADLE. A vote was taken upon a pending amendment, which vote developed the fact that a quorum was not present. As soon as the vote was announced I rose in my place and made the point that no quorum had voted. Having raised the point of no quorum, can any other business be transacted unless the point of no quorum is withdrawn or further count has developed the presence of a quorum?

The CHAIRMAN. The Chair will state, in response to the parliamentary inquiry of the gentleman from Indiana, that after the point of no quorum was made the gentleman from Michigan moved, as he had a right to do, his new amendment, which was in substance the withdrawal of the first amendment and offering another, and the vote is now

being taken upon the latter amendment. Pending that the gentleman from Indiana has moved to strike out the section, which is in order after the committee has had the opportunity of perfecting the text of the section.

Mr. CHEADLE. But my inquiry is, can any business be transacted at all, or can the gentleman withdraw his amendment, until the question of a quorum has been decided?

The CHAIRMAN. The Chair will state that the gentleman from Michigan had the right to withdraw his amendment or substitute other amendments in different amounts until the House had finally acted upon the amendment. The Chair will cause the rule to be read.

The Clerk read as follows:

RULE XIX. When a motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it shall also be in order to offer a further amendment by way of substitute, to which one amendment may be offered, but which shall not be voted upon until the original matter is perfected, but either may be withdrawn before amendment or decision is had thereon.

The CHAIRMAN. The Chair will state that there was no final decision in this case, and the gentleman sought to withdraw the amendment and substitute a different one, which the Chair thinks he had a right to do.

Mr. CHEADLE. I admit that, as a general rule, the proposition suggested by the Chair would be correct; but the question of a quorum having been raised, my understanding is, and of course I only submit it for the decision of the Chair, that no further business can be transacted until that point is settled.

The CHAIRMAN. The withdrawal of the one proposition and the substitution of a new one deprived the House of the necessity of enforcing the presence of a quorum. The gentleman, of course, had a perfect right to make the point of no quorum, but the amendment having been withdrawn, no vote can be taken upon it. The motion of the gentleman from Indiana will be in order after the pending amendment shall have been acted upon.

The question was taken on the amendment of Mr. CUTCHEON.

The committee divided, and there were—ayes 45, noes 2.

Mr. CHEADLE. No quorum.

The CHAIRMAN. The point of order being made that no quorum has voted, the Chair will order tellers.

Mr. CHEADLE and Mr. CUTCHEON were appointed tellers.

Pending the division,

Mr. WHITE, of New York, said: I ask that the tellers report, preparatory to a motion that the committee rise.

The CHAIRMAN. The Chair will state that the tellers not having completed their count, a motion to rise would not be in order.

Mr. WHITE, of New York. I ask that the count by tellers be announced, with a view to making that motion.

The tellers reported—ayes 62, noes 3.

Mr. CHEADLE. No quorum.

Mr. WHITE, of New York. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. CRISP having taken the chair as Speaker *pro tempore*, Mr. MCMILLIN reported that the Committee of the Whole House on the state of the Union had, according to order, had under consideration the bill (H. R. 11765) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced disagreement to the amendments of the House to the bill (S. 858) to forfeit lands granted to the State of Michigan to aid in the construction of a railroad from Marquette and Ontonagon in said State, asked a conference with the House on the disagreeing votes of the two Houses, and had appointed as conferees on the part of the Senate Mr. PLUMB, Mr. BLAIR, and Mr. WALTHALL.

It also announced that the Senate had passed bills of the following titles; in which concurrence was requested:

A bill (S. 1278) for the relief of James A. Terrell;

A bill (S. 2511) to provide for the disposal of certain public lands of the United States under the provisions of the homestead laws only.

It also announced the Senate had passed without amendment House bills of the following titles:

A bill (H. R. 5009) to provide certain arms, ammunition, and equipage to the State of Oregon for the militia thereof;

A bill (H. R. 7261) granting the right of way through certain lands in the State of Minnesota to the Moorhead, Leech Lake and Northern Railway Company;

A bill (H. R. 8469) for the relief of Michael Pigott; and

A bill (H. R. 10869) to construct a road from Florence, S. C., to the national cemetery adjacent thereto.

It also announced the Senate had passed with amendment in which concurrence was requested the bill (H. R. 1959) authorizing the Secretary of War to issue to the governor of the Territory of Montana military stores for the use of the regularly enlisted, organized, and uniformed active militia.

It also announced the Senate had passed with amendments the bill (H. R. 1860) to amend section 683 of the Revised Statutes, and requested a conference with the House on said bill and amendments, and had appointed as conferees on its part, Mr. HAWLEY, Mr. HOAR, and Mr. GORMAN.

ENROLLED BILL SIGNED.

Mr. KILGORE, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled the bill (H. R. 7935) for the relief and civilization of the Chippewa Indians, in the State of Minnesota; when the Speaker signed the same.

SENATE BILL REFERRED.

The SPEAKER laid before the House the bill (S. 2511) to provide for the disposal of certain public lands of the United States under the provisions of the homestead laws only; which was read a first and second time, and referred to the Committee on the Public Lands.

ENROLLED BILL SIGNED.

Mr. KILGORE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill (S. 1786) to regulate appointments in the Marine-Hospital Service of the United States; when the Speaker signed the same.

ORDER OF BUSINESS.

Mr. BLANCHARD. I move that the House do now adjourn.

Mr. HOLMAN. I ask the gentleman from Louisiana to withdraw that for a moment in order that I may obtain an order to have a bill printed. It is the bill (S. 3511) in regard to public lands. It is important that it should be printed and referred to the Committee on Public Lands, and I ask unanimous consent that that be done.

The SPEAKER *pro tempore*. The Chair is informed that that order has been made.

Then, on motion of Mr. BLANCHARD (at 4 o'clock and 18 minutes p. m.), the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. VOORHEES: A bill (H. R. 11918) to authorize the board of county commissioners of the county of Whitman, Washington Territory, to issue bonds and to build a court-house and jail and to sell and acquire real estate for such purposes—to the Committee on the Territories.

By Mr. W. C. P. BRECKINRIDGE: A bill (H. R. 11919) for the relief of John Curron—to the Committee on Pensions.

Also, a bill (H. R. 11920) for the relief of John Glore—to the Committee on Claims.

By Mr. COGSWELL: A bill (H. R. 11921) granting a pension to Sally W. Hubbard—to the Committee on Invalid Pensions.

By Mr. GEST: A bill (H. R. 11922) granting a pension to Silas W. Shutts—to the Committee on Invalid Pensions.

By Mr. MACDONALD: A bill (H. R. 11923) granting a pension to Charles Schuler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11924) granting a pension to Annie Balser—to the Committee on Invalid Pensions.

By Mr. MATSON: A bill (H. R. 11925) for the relief of Thomas H. B. Phillips—to the Committee on Military Affairs.

Also, a bill (H. R. 11926) for the relief of Eli Butler—to the Committee on Invalid Pensions.

By Mr. STONE, of Kentucky: A bill (H. R. 11927) for the relief of William A. Kinsolving—to the Committee on War Claims.

Also, a bill (H. R. 11928) for the relief of John B. Freer—to the Committee on War Claims.

By Mr. T. L. THOMPSON: A bill (H. R. 11929) for the relief of Amelia A. McAllister—to the Committee on Pensions.

By Mr. RICHARDSON: A bill (H. R. 11930) for the relief of William H. Gannon—to the Committee on War Claims.

By Mr. WALKER: A bill (H. R. 11931) for the relief of Col. James Lindsay—to the Committee on War Claims.

By Mr. THOMAS WILSON: A bill (H. R. 11932) for the relief of Dr. F. W. Thornhill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11933) granting a pension to Charles Ellsbury—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11934) for the relief of A. B. Davis—to the Committee on Claims.

Also, a bill (H. R. 11935) granting a pension to George W. Johnson—to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BAYNE: Resolutions of the Pittsburgh Grain and Flour Exchange, in favor of the cental system—to the Committee on Coinage, Weights, and Measures.

By Mr. COWLES: Petition of the estate of Stephen Johnson, for reference of claim to the Court of Claims—to the Committee on War Claims.

By Mr. ENLOE: Petition of administrator of J. C. Smith, of Jefferson County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. FUNSTON: Petition of citizens of Richmond, Kans., for the discontinuance of labor in the United States Postal Department on Sunday—to the Committee on Labor.

By Mr. GIFFORD: Memorial of the board of county commissioners of Steele County, Dakota, for an amendment to the act of July 30, 1886, restricting special legislation in the Territories—to the Committee on the Territories.

By Mr. HARE: Petition of sundry citizens of Jack County, Texas, for the establishment of a Federal court, etc.—to the Committee on the Judiciary.

Also, petition of sundry citizens of Clay County, Texas, for the establishment of a Federal court at Henrietta, Tex.—to the Committee on the Judiciary.

By Mr. HOUK: Petition of Maney Morris, of Tennessee, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. MORROW: Memorial of the Chamber of Commerce of San Francisco, Cal., concerning the beet-sugar, wine, and fruit industries of California, and the necessity of protecting the same by tariff duties—to the Committee on Ways and Means.

By Mr. NORWOOD: Papers in the claim of Ann Clifton, widow of James G. Clifton; of Ezra H. Kent, Alfred Kent, and Julia L. Bennett; of Ann Ellen Morrell, of Philip Geibelhouse, of Caroline E. Long, of Terence Nugent, and of Nicholas Gril, of Georgia—to the Committee on War Claims.

By Mr. PETERS: Resolutions of the Board of Trade of Lawrence, Kans., favoring the passage of the funding bill—to the Committee on the Pacific Railroads.

Also the petition of 20 citizens of Barber County, Kansas, asking that a copy of the CONGRESSIONAL RECORD be sent to each school district—to the Committee on Printing.

By Mr. RICHARDSON: Petition of William H. Gannon, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. SPRINGER: Memorial of Democratic citizens of South Dakota, adopted at Mitchell, Dak., December 20, 1888, in favor of the division of Dakota—to the Committee on the Territories.

By Mr. CHARLES STEWART: Petition of sundry citizens of Madison County and of Walker County, Texas, in behalf of pure food—to the Committee on Agriculture.

By Mr. STONE, of Kentucky: Petition of John C. Taylor, and James Crouch, of Gallatin County, Kentucky, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WALKER: Papers in the claim of James Lindsay—to the Committee on War Claims.

By Mr. WHEELER: Petition of Calvin Pomeroy, trustee, and of Henry Clay Sherrod, of Lauderdale County, and of Mary A. De Graffenried, of Lawrence County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

The following petitions against the passage of the international copyright bill were received and severally referred to the Committee on Patents:

By Mr. ADAMS: Of Robert Fergus and others of Chicago, Ill.

By Mr. C. S. BAKER: Of C. E. Backus and others, of Rochester, N. Y.

By Mr. BAYNE: Of C. T. Russell and others, of Allegheny, Pa.

By Mr. BLISS: Of printers and others of New York.

By Mr. BREWER: Of Fred Slocum, of Caro, and of D. Marvin and 29 others, citizens of Webberville, Mich.

By Mr. T. J. CAMPBELL: Of citizens of New York and Boston.

By Mr. CUMMINGS: Of printers and others, of New York and Brooklyn.

By Mr. FRENCH: Of the Middletown (Conn.) Publishing Company.

By Mr. GIFFORD: Of E. M. Morrell, of Wahpeton; of Carter Bros., of Canton: of N. T. Smith and others, of Huron; of V. C. Wass, of Centerville; of R. H. McKee, of Dunseith; of George Nugent, of Salem; of G. A. Nichols, of Capp; and of J. E. Patten, of Salem, Dak.

By Mr. HAYDEN: Of E. W. Wheeler and others, of Cambridge, Mass.

By Mr. LANHAM: Of John Hoeny and others, of Texas.

By Mr. MAHONEY: Of printers and others, of New York.

By Mr. OUTHWAITE: Of W. G. Hubbard, of Columbus, Ohio.

By Mr. PIDCOCK: Of John Carpenter and others, of New Jersey.

By Mr. RICE: Of S. L. Crockard, of Claremont, Dak.

By Mr. SEYMOUR: Of W. F. Montgomery, of Michigan.

By Mr. S. V. WHITE: Of printers and others, of Brooklyn and New York.

SENATE.

THURSDAY, *January* 3, 1889.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

CHINESE IMMIGRATION CORRESPONDENCE.

The PRESIDENT *pro tempore*. The Chair has examined the message of the President of the United States sent in yesterday, together with the record of the transaction to which it refers. It relates and is supplemental to matters that have already been made public. It will therefore, if there be no objection, be read, laid upon the table, and printed.

The message was read, and ordered to lie on the table and be printed, as follows:

To the Senate.

On or about the 25th day of September, 1888, I received a copy of a resolution adopted on that day by the Senate in executive session, requesting the transmission to that body by the President of all communications and correspondence (not heretofore sent to the Senate) under his control on the subject of the proposed convention with China transmitted by him to the Senate by message dated 16th March, 1888, and on the subject of the reported failure of the Government of China to finally agree to the same.

A few days after the copy of said resolution was received by me, and on the 1st day of October, 1888, I sent a communication to the Congress accompanying my approval of a bill prohibiting the return of Chinese laborers to the United States, in which I supposed all the information sought under the terms of the Senate resolution above recited was fully supplied.

I beg to refer in this connection to Senate Executive Document No. 273, first session of the Fiftieth Congress, and especially to page 3 thereof.

Believing the information contained in said document answered the purposes of said Senate resolution, no separate and explicit answer was made thereto.

But in my message of October 1, 1888, the tenor and purport of a cipher dispatch from our minister in China to the Secretary of State, dated September 21, 1888, was given instead of attempting to transmit a copy of the same.

For greater precision, however, and with the object of answering in more exact terms the resolution of the Senate, I transmit with this, in paraphrase of the cipher, a copy of the said dispatch. I also transmit copies of two notes which accompanied my message of October 1, 1888, one from Mr. Shu Cheon Pon, chargé d'affaires of the Chinese legation in this city, dated September 25, 1888, to the Secretary of State, and the other being the reply thereto by the Secretary of State, dated September 26, 1888, both of which will be found in Senate Executive Document No. 273.

The dispatch and notes above referred to comprise, in the language of the Senate resolution, "all communications and correspondence" the transmission of which is therein requested.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 2, 1889.

CERTIFICATES OF ELECTORAL VOTES.

The PRESIDENT *pro tempore* laid before the Senate communications from the Secretary of State, transmitting, in pursuance of the provisions of the act of Congress of February 3, 1887, certified copies of the final ascertainment of the electors for President and Vice-President appointed by the States of Maine and California; which were ordered to be printed, and, with the accompanying certificates, to lie on the table.

GEORGE F. ROBERTS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of December 20, 1888, a statement of the sum of money required to pay George F. Roberts, administrator, and others, alleged excess of money erroneously collected as set forth in Senate bill No. 2001; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

COMMITTEE ON ENROLLED BILLS.

Mr. HOAR. I am informed that all the members of the Committee on Enrolled Bills are unable just now to attend to the duties of that committee and that the clerk of the committee has sustained a severe accident. I ask unanimous consent that the Chair be authorized to appoint two additional members of the Committee on Enrolled Bills to have the authority of the full committee until otherwise ordered.

The PRESIDENT *pro tempore*. The Senator from Massachusetts asks unanimous consent that the Chair be authorized to appoint two additional members of the Committee on Enrolled Bills with authority to act with the powers of the full committee until otherwise ordered. If there be no objection, it is so ordered. The Chair appoints the Senator from Nebraska [Mr. PADDOCK] and the Senator from Arkansas [Mr. JONES] as additional members of the committee.

PETITIONS AND MEMORIALS.

Mr. MITCHELL. I present a petition numerously signed by citizens of Washington Territory, praying that an appropriation be made by Congress for the improvement of Cabinet, Rock Island, and Methow Rapids, and other important points where float bowlders obstruct the channel of the Columbia River. I move that the petition be referred to the Committee on Commerce.

The motion was agreed to.

Mr. STANFORD presented a memorial of the Chamber of Commerce of San Francisco, Cal., remonstrating against the passage of the Senate tariff bill unless such modifications are made as will protect the beet-sugar, wine, and fruit industries; which was referred to the Committee on Finance.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that American interests in the Samoan Islands be protected; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the establishment of a relief station in the Arctic Ocean; which was referred to the Committee on Appropriations.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that appropriations be made for the hydrographic office at San Francisco; which was referred to the Committee on Appropriations.

Mr. HALE presented the petition of the Maine Woolen Manufacturers, by Lewis Anderson, president, and A. F. Bradbury, secretary, urging legislation upon the subject of undervaluation of foreign merchandise when passed through the custom-houses of the United States, and also upon the classification of worsted and woolen cloths and yarns; which was referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 1140) authorizing the Secretary of War to procure and present suitable medals to the survivors of the "Forlorn-hope storming party" of Port Hudson, reported it with an amendment, and submitted a report thereon.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the enrolled bill (S. 1786) to regulate the appointments in the Marine-Hospital Service of the United States; and it was thereupon signed by the President *pro tempore*.

BILLS INTRODUCED.

Mr. STEWART introduced a bill (S. 3766) to refund certain income taxes illegally collected; which was read twice by its title, and referred to the Committee on Claims.

Mr. CULLOM introduced a joint resolution (S. R. 124) relating to the salary of the Supervising Surgeon-General of the Marine-Hospital Service; which was read twice by its title, and referred to the Committee on Commerce.

INDIAN WAR VOLUNTEERS.

Mr. MITCHELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War be, and he is hereby, directed to transmit to the Senate copies of all records and papers on file in his Department relative to the service of volunteers from Washington and Idaho Territories in the Indian war of 1877, commonly known as the Nez Percé war, together with information as to the number and names of such volunteers, officers and privates, respectively, the period or periods of service, and whether any payments, and if so, what amount, and when, have been made for such service.

Mr. MITCHELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior be, and he is hereby, directed to transmit to the Senate copies of all records and papers on file in his Department relative to service of volunteers from Washington and Idaho Territories in the Indian war of 1877, commonly known as the Nez Percé war.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 1959) authorizing the Secretary of War to issue to the governor of the Territory of Montana military stores for the use of the regularly enlisted, organized, and uniformed active militia.

The message also announced that the House had passed the bill (S. 3646) for the relief of William R. Wheaton and Charles H. Chamberlain, of California.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore:*

A bill (H. R. 7) granting a pension to Thomas B. Walsh;
A bill (H. R. 206) granting a pension to William H. Starr;
A bill (H. R. 210) granting a pension to Ephraim Nye;
A bill (H. R. 308) granting a pension to John Lynn;
A bill (H. R. 724) for the relief of Louisa McLain;
A bill (H. R. 2061) granting an increase of pension to Francis De Freitas;
A bill (H. R. 2236) granting a pension to Eli J. Yamgheim;
A bill (H. R. 2499) increasing the pension of Miss Sarah Mary Carroll;
A bill (H. R. 2667) for the relief of Ida M. Howell;
A bill (H. R. 2702) granting a pension to Mary Ann Shook;
A bill (H. R. 2707) granting a pension to Baker Saine;
A bill (H. R. 2839) granting a pension to Henry Sommers;
A bill (H. R. 3512) granting a pension to Anthony Shafer;
A bill (H. R. 3608) granting an increase of pension to William E. Prince;
A bill (H. R. 3681) granting a pension to Carter W. Tiller;
A bill (H. R. 4101) granting a pension to Martha Giddings, formerly Martha Priest;
A bill (H. R. 4648) granting a pension to Jemima Sterling;
A bill (H. R. 4649) granting a pension to Daniel Tanner;
A bill (H. R. 4737) granting a pension to Micah French;
A bill (H. R. 4887) granting a pension to Charles E. Scott;
A bill (H. R. 5408) granting a pension to Emma F. Read;
A bill (H. R. 5593) granting an increase of pension to Laura L. Wallen;
A bill (H. R. 8469) for the relief of Michael Pigott;
A bill (H. R. 9654) granting an increase of pension to Jesse J. Clark;
A bill (H. R. 10869) to construct a road from Florence, S. C., to the national cemetery adjacent thereto;
A bill (H. R. 10947) for the relief of John Sweeney;
A bill (H. R. 11042) for the relief of Motier Howe;
A bill (H. R. 11317) granting a pension to Fredericka Liesegang;
A bill (H. R. 11333) granting a pension to Mrs. Louise M. Humphrey; and
A bill (H. R. 11362) for the relief of William R. Rodgers.

CANCELED LAND CLAIMS.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a resolution offered by the Senator from Indiana [Mr. VOORHEES], coming over from a former day, which will be read:

The Chief Clerk read the resolution offered by Mr. VOORHEES December 21, 1888, as follows:

Resolved, That the Secretary of the Interior be, and he is hereby, requested to furnish to the Senate, prior to the expiration of the present session of Congress, a list of all homestead, timber-culture, and pre-emption entries to public lands which have been canceled after issuance of final receipt and certificate therefor, during the present administration, for any cause other than voluntary relinquishment. Such list shall be similar in the data supplied to the list of canceled desert-land entries furnished in response to a prior resolution of this body.

Mr. VOORHEES. I simply want the adoption of the resolution. It is an inquiry for facts and information of great consequence to the people. I do not suppose it is necessary to discuss it; I presume there will be no objection to it.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

The resolution was agreed to.

RETIREMENT OF NAVAL OFFICERS.

Mr. HALE. I ask leave to call up for passage Order of Business 601. It will take no time.

The PRESIDENT *pro tempore*. Is there further morning business? If there be none, that order is closed, and the Calendar under Rule VIII being in order, the Senator from Maine moves to proceed to the consideration of a bill the title of which will be stated.

The CHIEF CLERK. Order of Business 601, a bill (S. 870) to provide for the retirement of a certain class of officers in the United States Navy.

Mr. ALLISON. I will yield for that bill provided it takes no time, but if it does I shall object to it.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that any officer who, after twenty years or more of service, has been or shall hereafter be placed on the retired-list of the Navy by reason of physical defect, which defect was not a disqualification for service under the regulations at the time of such officer's original entry into the service, but has subsequently been made so, shall, upon the certificate of the retiring board to such state of facts, be held to be retired for disability incident to the service, and shall receive the rate of pay established by law for officers of his grade retired under such disability.

Mr. COCKRELL. I ask the Senator from Maine to make a short statement, as there is no printed report, as to the object of the bill.

Mr. HALE. I explained the provisions of the bill to the Senator from Missouri, who had it arrested heretofore, to his satisfaction. It only applies, so far as is known, to a single officer, whose defect, a lack of vision, was created after he entered the service. So he has no benefit from the order of the Department unless this bill is passed. It simply makes the difference between the furlough pay and three-quarters pay, and only applies in one case.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ROYAL COMMISSION ON PRECIOUS METALS.

Mr. SHERMAN. I ask consent to submit at this time the following concurrent resolution:

Resolved by the Senate (the House of Representatives concurring), That there be printed 3,000 additional copies of the final report of the royal commission appointed to inquire into the recent changes in the relative values of the precious metals, with minutes of evidence and appendices, presented to both houses of Parliament by command of Her Majesty, in octavo form, in long primer type, and bound in cloth, of which 1,000 copies shall be for the use of the Senate and 2,000 copies for the use of the House of Representatives.

Mr. TELLER. I ask the Senator if that includes the full report.

Mr. SHERMAN. It does, and the testimony.

The PRESIDENT *pro tempore*. The resolution will be referred to the Committee on Printing under the rule.

THE REVENUE LAWS.

Mr. ALLISON. I move that the Senate proceed to the consideration of the tariff bill.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue, the pending question being on the amendment proposed by Mr. VEST, in Schedule I, cotton manufactures, line 1211, to strike out "10 cents per pound" and insert "35 per cent. ad valorem;" so as to make the paragraph read:

313. Cotton thread, yarn, warps, or warp-yarn (not wound upon spools), whether single or advanced beyond the condition of single by twisting two or more single yarns together, whether on beams, or in bundles, skeins, or cops, or in any other form, valued at not exceeding 25 cents per pound, 35 per cent. ad valorem.

Mr. VANCE. Mr. President, if there is any one branch of human industry in which America ought not only to be able to compete with the world but to take the lead of the world, it would seem to me to be this of cotton. It is the most important of all the industries that pertain to this country, unless it be iron and its manufactures. It is growing in importance and the consumption of the manufactures of cotton is increasing in quantity every day.

I have collated a few statistics with reference to the production and the growth of cotton, which I wish to impart to the Senate. For the last fiscal year the consumption of the entire world was 10,911,000 bales of cotton, a bale being estimated at 450 pounds. Of this sum the Southern States of the United States of America furnished 7,017,707 bales. Very nearly seven-tenths of all the cotton that is produced or consumed in the world were produced in the Southern States. There were spun and woven into fabrics in the United States in the same year 2,230,494 bales. The remainder was exported and sold to foreign countries.

To show the importance and the rapid growth of the cotton production in this country, I find by examination that there were produced in the year 1837–'38, fifty years ago, 1,804,797 bales, against 7,017,707 bales, as I have stated, produced the last year. So the production of cotton itself in fifty years has increased 350 per cent. in the United States, and rapid as our population has grown the increase in production has more than kept pace with it; it has in fact largely exceeded it.

In all the civilized world the consumption of cotton has increased in the same proportion. In Great Britain in 1866–'67 there were consumed 2,560,000 bales, whereas in 1887 there were consumed in Great Britain 3,861,000 bales, an increase of over 50 per cent. in the consumption of that one country alone in twenty years.

On the continent of Europe the increase was still greater. In 1866–'67 on the Continent the consumption was 1,703,000 bales, when in 1887–'88 it was 3,770,000 bales, an increase largely over 100 per cent. In 1866–'67 the mills of the Southern States of this Union consumed only 76,000 bales of cotton. In 1887 they consumed 500,000 bales of cotton, whereas the mills of the Northern portion of the Union consumed, in 1866–'67, 746,000 bales, and last year they consumed 2,030,000 bales, showing an increase in the consumption of the Northern mills of nearly 300 per cent. and an increase in the consumption of the Southern mills of over 600 per cent.

The latter result, the extraordinaay ratio of increase in the consumption of the Southern mills, is not only astonishing, but to me it is particularly gratifying, for it may be truthfully said that every particle of progress that has been made in the cotton manufacture in the Southern mills has been done without the benefit of a single dollar of protection, not only in opposition and in competition with the mills of Old England, but with the mills of New England, which were established with an amount of capital and skill that made them quite as formidable as the mills of the old country. A statement I have here of the extent and distribution of the cotton mills of the Southern States will be found very interesting, and I ask the Secretary to read it for the information of the Senate.

The PRESIDENT *pro tempore*. The document forwarded by the Senator from North Carolina will be read.

The Chief Clerk read as follows:

States.	Number of mills.	Number of—		Average No. yarn.	Consumption.		
		Spindles.	Looms.		Bales.	Average weight.	Total weight.
						Pounds.	*Pounds.*
Virginia	11	60,549	1,779	15¾	19,731	449½	8,886,839
North Carolina	81	240,081	5,856	15	80,485	443	35,668,479
South Carolina	32	240,149	5,332	12½	106,080	453	48,087,169
Georgia	52	361,684	8,847	13	140,481	452	63,500,440
Florida							
Alabama	16	79,004	1,413	14	25,055	464½	11,635,947
Mississippi	8	41,956	986	14	14,705	452½	6,657,612
Louisiana	2	26,500	778	9	9,517	474	4,511,241
Texas	1	2,108			300	470	141,000
Arkansas	1	2,080		7½	1,199	470	563,709
Tennessee	27	88,490	1,852	13	34,724	454½	15,780,397
Missouri	1	6,500	150	16	2,100	451	947,100
Kentucky	3	28,800	573	8	8,996	456½	4,106,430
Totals 1887–'88	235	1,177,901	27,566	13½	443,373	452½	200,466,363
Totals 1886–'87	219	1,096,662	24,605	13½	393,466	450.88	177,403,674

Mr. VANCE. Almost all, you may say 95 per cent., of the goods manufactured in the Southern mills are of a quality less than 100 threads to the square inch, and therefore can not be affected beneficially or otherwise by protection. Those goods not only supply the local demand of all the South and Southwest, but to a very great extent are usurping the markets of the Northwest, so much so that but a few years since I saw the statement in the financial and commercial papers of the country that the spinners of similar coarse goods in the Northern mills had applied to the great trunk lines leading to the Northwestern country for special rates, putting it upon the ground that unless they could get some advantage of the Southern mills by special freight rates they would be driven out of the market.

Not only have the Southern mills pretty well taken the market of this country for that grade of goods, but large numbers and values of them are exported to foreign countries, as I shall show in a moment. I ask permission to read here a letter from one of the most intelligent gentlemen in my State, who is well acquainted with the condition of the mills in that State, and whose exposition of their condition will answer very well for that of mills in the South at large:

I proceed to answer your queries.

First. The mills of North Carolina are relatively numerous, but they are small, and they do not make a fine grade of yarn. ("The number of a yarn" is the number of hanks of that yarn it takes to make a pound.) Our mills mostly make from 14's to 20's; the great bulk is 14's and average is 15's. The numbers, however, run from 8's to 22's. A few mills make even finer numbers. At Wilmington they make 36's.

Second. The cloth made in this State is almost entirely either "brown sheetings" (unbleached plain white goods) or "plaids."

Brown sheetings is mostly 4 yards wide and 3 yards to the pound. Plaids are mostly 25 to 27 inches wide, 4, 4½, and 5 yards to the pound. The yarn almost exclusively used in both these goods is No. 14. No. 14 yarn makes 44 threads to the inch, or, counting both ways, 88.

No. 14 yarn, running 44 threads to the inch, 25 inches wide, makes a cloth weighing about 5 yards to the pound. But it can be "beat" thicker so that the cloth will be heavier, and will take only 4 yards to make a pound; the width also varies to 27 inches.

I inclose samples of cloth made from No. 14 yarn, weighing 4, 4½, and 5 yards to the pound, sent by Mr. Willard. I also inclose a sample of a finer yarn, possibly No. 22, running over 6 yards to the pound. You will perceive the difference in texture between that and the others, and can feel the difference in thickness from beating between the others, all made from No. 14 yarn.

Goods weighing 5 yards to the pound sell wholesale at 5 cents a yard; 4½ yards to the pound, at 5½ cents, and 4 yards to the pound, at 6½ cents.

In spinning there is a waste of one-fifth, so that spinners say 100 pounds of cotton will make 83 pounds of yarn. Say 1⅛ pounds of cotton make a pound of yarn. With cotton at 10 cents, 12 cents of cotton is 1 pound of yarn. Cotton is now about 9 cents, and No. 8 (2-ply) yarn is quoted at about 12½ cents. The cost of spinning is seen to be almost nothing, relatively.

But in some cases finer numbers are used, say, then, from 14's to 20's. The great bulk, however, is as above. (At Wilmington the mill makes Nos. 32 to 36 yarns, which it makes into "print cloth." The square inch contains 64 by 64 threads. This is the standard "print cloth," on which calico is "printed.")

The products of our North Carolina mills, as far as I have information, are not exported.

The brown sheetings are sold here at home chiefly. The plaids were formerly for local consumption, but the business proving profitable the mills increased and the supply was more than Southern demand. The surplus has found a market at the Northwest, and in a less degree at the North.

Before the war our mills made the yarns which were shipped to Philadelphia, where there were a large number of looms employed merely in making "plaids," which were sold at the South. The Southern mills have largely broken up those looms, although some are yet run in Philadelphia. At the North our Southern plaids are not used much. They have other "colored" goods, but the women do not wear this class of goods there for dresses, as at the South.

Print cloth is made into calico only at the large printing mills at the Northeast.

The number of mills in North Carolina is stated, as follows:

Eighty-one mills, 240,081 spindles, 5,856 looms, consuming 80,485 bales of cotton, weighing 35,668,479 pounds, the average yarn being No. 15.

Although no foreign shipments are made of North Carolina products (as far as I know), yet shipments are made from other Southern points. One mill in South Carolina I have heard (perhaps at Greenville) has sold all of its products for some years in China.

The foreign trade in cotton goods has not varied largely for some years, excepting in 1886 and 1887, when our shipments to China were unusually heavy. This increased shipment to China has not in 1888 been maintained.

As far as the tariff is concerned, it is inoperative as protection to our Southern makes of yarn or goods—the cost of labor in the goods not being considerable. The tariff is protective as to the finer grade of goods, where the cost of labor is a larger item. The tariff on goods like Southern goods does not permit an increased price, because prices are determined as to them by adequate competition here locally. But the cost of production (which regulates the limit which competition can legitimately reach) is increased by the tariff on machinery, and articles entering into the product. If the cost of the plant were reduced, the price of our cotton goods would rule much lower here, and we could export successfully and largely increase our milling interests.

Since that letter was received, I have received others giving more information in regard to the exportation of these Southern-made goods. I have a letter from the same gentleman in which he states that on subsequent inquiry he has found that the Piedmont Manufacturing Company of Greenville, S. C., and another mill under the same management, export their goods abroad, and the Clifton Mills, at Clifton, S. C., the Graniteville Mills, at Graniteville, S. C., the Pacolet, and the Langley, and the King Mills, and the Sibley Mills, at Augusta, Ga., and many others. They are passed through the custom-house for export under the name of "domestics," and by observing the reports of the exportations you will see that very large quantities of domestics go to China, to India, to South America, to Mexico, and all parts of the world, the bulk of which are no doubt from the Southern mills.

The activity of British manufacturers of cotton goods, maintained under very adverse circumstances, should be a sufficient example to

the manufacturers of the United States of what can be done without a protective tariff. They have not only maintained their trade in the face of the increased production by the mills of the United States and the continent of Europe and all the rest of the world, but they have at the same time maintained their rate of wages.

For the past year ending October 1 their trade in cotton goods, cloth, and yarn, reduced to pounds for convenience' sake, was 1,200,000,000 pounds, as against 1,145,456,000 pounds in 1886–'87, and 1,116,840,000 pounds in 1885–'86, showing a constant and steady increase; and the consumption of the goods of the British mills is not due to their increased sales, particularly upon the continent of Europe, but chiefly their sales have been increased and their business has been advanced in India and in China, in the face of the cheapest labor in the world, by mills paying the dearest labor in the world, except the United States, showing conclusively that England has not acquired and maintained her supremacy in the manufacture of these cotton goods by the cheapness of her labor, for she pays more than anybody else in the world except the manufacturers of the United States, nor by the cheapness of the raw material, for we get the raw material as cheap as she gets it herself or cheaper by freights, insurance, commissions, etc., incident to transportation; but she has acquired it by the cheapness of the material of which her plant is composed, by the cheapness of the interest on the capital which she employs, by the cheapness of her fuel and all that runs her operations, and, I might add, by the wisdom and the enlightenment of her commercial policy.

The Senator from Arkansas [Mr. JONES] gave us yesterday some interesting comparisons of the cost of spinning cotton in this country and Europe, taken from Mr. Schoenhof's investigations and inquiries while he was consul at Tunstall. I beg also to refer to the same statement. I have a personal acquaintance with that gentleman. I know him to be a man of high character and very considerable ability in the investigation of financial and commercial questions, and I have every reason to believe that what he has stated in his official report can not be successfully contradicted, and that if it could be successfully contradicted it would have been done long ago.

In his statement he says that in England the waste by the spinner of cotton is much smaller than it is in the United States; that in England 125 yards of cloth requires 14 pounds of cotton, whilst in America 125 yards of the same kind of cloth requires 18 pounds of cotton. The profit to the English manufacturer consists principally in sizing and the starch and other materials to give it sufficient weight. The cost of spinning in England per pound he puts at 3.506 cents, or, as we would say in round numbers, 3½ cents per pound. The cost of spinning in America is 3.21 cents, showing that it is positively costlier to spin a pound of cotton in England than it is to spin a pound of cotton in the United States, whilst in North Carolina, according to the testimony of the most intelligent and reliable manufacturers to whom I have applied, the cost of spinning a pound of cotton for the making of such cloth as I have described is 1½ cents—from 1½ to 3½ cents, according to the quality of the cloth. The very highest quality of yarn spun in North Carolina costs the same or little less than the same quality of cloth costs to spin in England, whilst the cheapest quality of cloth costs 50 per cent. less to spin in North Carolina than it does in England, and a little over 50 per cent. less to spin in North Carolina than it does in Massachusetts.

The net waste of cotton resulting from spinning in Lowell is stated by Mr. Schoenhof, by the authority of the manufacturers whom he consulted, to be 14 per cent., whilst the highest average net waste in spinning the same yarn in Lancashire is 8.1 per cent. The cost of weaving per pound in Lowell is stated at 3.736 cents; the cost of weaving in England is 4.802 cents; whilst the cost of weaving, by the same authority, of the coarse goods which I have described as made in the Southern mills in North Carolina is 1½ cents per pound, or one-half cent per yard where the goods run 3 yards to the pound. The cost of weaving per "cut" of 50 yards in Lancashire is 25½ cents, whilst the cost of weaving a "cut" of 50 yards in Lowell is 20 cents. In England one spinner attends 576 spindles, whilst in America a spinner attends 960 spindles. In America one weaver attends 6¾ looms, whilst in England the same weaver would attend 4 looms. In America the average earning per loom per week of the operative is $5.08; in England the average earning per loom per week of the operative is $5; showing a difference of only 8 cents in the aggregate earnings of the two. The output of the American weaver per week is 1,270 yards, whilst the output of the English weaver is 908 yards.

Mr. President, if these figures are true, I should like to ask what this protection is for. It can not be for the benefit of the operative, because, although his earnings are somewhat larger in this country than they are in England, they are not due to the tariff. He only earns more money by reason of his longer hours of labor, his superior skill, and his more indefatigable industry, and the greater results which he gives to his employer.

Now, sir, why should we, with this great continent so admirably fitted to the production of cotton, occupied by a people whose genius is directed to its production, where all the elements of manufacturing successfully are to be found in a superior degree to those of any other country upon the face of the earth, and having, as you may say, a monopoly of the raw material, for the rest of the world is dependent upon us—why should we hamper our statute-books with these restrictive laws, which can only have the effect of hampering and crippling trade, and can not put any money into the pockets of the beloved workingmen?

Mr. President, the best evidence that we can compete without protection is that we do compete under all the disadvantages of protection. If a man could travel 20 miles a day and carry a heavy load, is it not reasonable to argue that he could travel much further in the day if he carried no load? If with all this enormous protective-tariff taxation upon the plant, upon everything with which we operate except alone the raw material, handicapped by higher wages in this country than they pay in Europe—if we can successfully compete in one item of cotton manufacture, why can not we successfully compete in them all if the restrictions upon our progress were removed?

To show the injustice and uselessness of this duty, especially on the cheap grades of cotton cloth, I cite the fact which is disclosed by the returns of the Treasury Department of the enormous exportations of these cheap cloths.

The total imports of cotton cloth, both colored and uncolored, which we receive from foreign countries are 27,950,100 square yards. The total exports of cotton cloth to all the world from these United States are 204,602,087 square yards, being seven times as much of the same kind of cloths as we import. Our total export of all cotton manufactures, exclusive of raw cotton, is $14,928,342. It is only in the matter of laces, edgings, embroideries, trimmings, and fancy grades of cotton manufacture that the balance of trade is against the United States; in all the ordinary manufactures of cotton we are to-day heavy exporters. The country to which we export the largest amount of cotton cloth is China, which takes 78,360,170 square yards under the competition not only with Great Britain but with her next-door neighbor, India, where the cotton is manufactured by the cheapest labor in the world.

The next largest customer of our cotton cloths is the Republic of Mexico, which takes over 12,000,000 square yards. Then comes Venezuela, which takes 10,000,000 square yards. Next comes the colored Republic of Hayti, which takes over 7,000,000 square yards. The United States of Colombia take 5,500,000 square yards, and the Island of San Domingo takes 4,250,000 square yards, whilst Great Britain herself takes twenty-odd million square yards in her own territory proper, besides the amount that I have given as being sent to her possessions, when we receive from her only 17,000,000 square yards all told.

If we could do that, why can we need still to cover our statute-books with these protective laws—restrictive laws, as they should be called? It seems to me that the spirit of protection is very hard to satisfy, very hard indeed. Now that it is shown by the amount of our exportations that we are able to send cotton cloths and yarns to the kingdom of Great Britain and into all of her possessions and to meet her upon all the neutral markets of the world and actually and successfully compete with her, what is to hinder us from doing it? Having become accustomed to leaning upon the Government and to depending upon taxation, we have got to believe that there is no human endeavor that can be successful unless it is supported by public taxation; and consequently we hear every session as we have heard this session and as we shall hear again that there must be subsidized lines of steam-ships to bear our products to market. We have become so accustomed to ask governmental aid in everything we do to supplement our own incompetency or our own greed, whichever it may be, and I believe it is generally both, that although we make the cheapest goods in the world, although we have the raw material cheaper than any other people have in the world for the manufacture of these cotton goods, and the labor cost in the manufacture of them is less than that which enters into the composition of any other piece goods of a similar character in the world, yet the Government must be once more called upon to bear the expense of taking these goods to market. That is what a subsidized line means. Not only must the American people pay taxes for the purpose of securing a profit in the manufacture of these goods, but they must actually contribute out of the public Treasury to the carrying of those goods to market.

The illustration given the other day by the Senator from New York, whom I do not see in his seat, of the wisdom of Germany in producing cheap sugar, simply meant that the German people were taxed to give cheap sugar to foreigners outside of the German Empire; that is all it meant, and that proposition is to be made here. There is a great desire on the part of the protectionists to have a market for the surplus, and that surplus must be sold at whatever reduction of cost. It is more profitable for the producer to sell it at half price than to let it lie upon his hands, and if the surplus were once a year thrown on the American market it would disturb the values in the home market, and that must be avoided. Therefore it has to be sent abroad to be sold cheaply, at half price or anything it will bring, to these miserable foreigners whom we profess to dislike so much.

That may be one of the exigencies of trade. A man must get rid of his surplus in some way, but in Heaven's name let him get rid of it at his own expense. In the name of common sense and common honesty if he wants to furnish foreign paupers with cheap goods for which the

Americans have already been taxed, let him bear the expense of taking them to market and selling them at the best he can, and not call upon an already overtaxed people for further contribution.

The total increase of this cotton schedule, as they make it, over the existing law would amount to $233,000, which sum would have to be increased by the very large amount on which the duty is raised, on cotton velvets, plushes, fine goods, etc., amounting to the sum of $16,000,000; and the amount of the increase of duties upon those can not be computed for want of data, and therefore it can only be estimated.

I should say, judging by the increases on those goods the data for which have been furnished to the Treasury Department and where the calculations have been made—I should say that the increase in the balance of the schedule would amount to fully as much more, or, say, $500,000 increase in the duty on cotton, and that under the circumstances which I have explained. Upon an article where the raw material is free, where machinery is most perfect and the labor is most skillful, and where all the conditions of manufacture are the most favorable here of any country upon the face of the earth, instead of going back in the direction of freer trade, in the direction of a liberal policy for the purpose of pushing our point of advantage until we wrest from Great Britain and all the continent of Europe the control and domination of this great trade, we are going backward in the direction of the dark ages and increasing the duties on the cotton schedule to the extent of at least half a million dollars.

There are a number of inconsistencies and improper things in this bill, which I shall endeavor to point out in the best way I can as we progress with the bill item by item.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Missouri [Mr. VEST].

Mr. VANCE. I ask that the amendment be again read.

The PRESIDENT *pro tempore*. It will be stated.

The SECRETARY. In "Schedule I, cotton manufactures," line 1211, after the word "pound," it is proposed to strike out "10 cents per pound" and insert "35 per cent. ad valorem;" so as to make the paragraph read:

313. Cotton thread, yarn, warps, or warp-yarn (not wound upon spools), whether single or advanced beyond the condition of single by twisting two or more single yarns together, whether on beams or in bundles, skeins, or cops, or in any other form, valued at not exceeding 25 cents per pound, 35 per cent. ad valorem.

Mr. VANCE. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON]. If he were present, I should vote "yea," and he would vote "nay."

Mr. GEORGE (when his name was called). I have a general pair with the Senator from New Hampshire [Mr. BLAIR]. The Senator from Maine [Mr. HALE] has a general pair with the Senator from Kentucky [Mr. BECK]. The Senator from Kentucky and the Senator from New Hampshire both being absent, we have arranged that we will exchange the pair so that it will be between the Senator from Kentucky and the Senator from New Hampshire, and the Senator from Maine and myself can vote. I therefore vote "yea."

Mr. HAMPTON (when his name was called). My pair with the Senator from Colorado [Mr. BOWEN] was transferred yesterday, but I do not know what arrangement there is for to-day. So I withhold my vote for the present.

Mr. BATE (when the name of Mr. HARRIS was called). My colleague [Mr. HARRIS] is absent. He is paired generally with the Senator from Vermont [Mr. MORRILL]. I do not see the Senator from Vermont in his seat.

Mr. HOAR (when his name was called). I am paired with the Senator from Arkansas [Mr. BERRY].

Mr. JONES, of Arkansas (when his name was called). I am paired with the junior Senator from New York [Mr. HISCOCK]. If he were present, I should vote "yea."

Mr. MITCHELL (when his name was called). I am paired with the senior Senator from Delaware [Mr. SAULSBURY]. If he were here, I should vote "nay."

Mr. MORGAN (when his name was called). I am paired with the Senator from New York [Mr. EVARTS]. If he were present, I should vote "yea."

Mr. MORRILL (when his name was called). I am paired with the Senator from Tennessee [Mr. HARRIS], but I transfer that pair to the Senator from Colorado [Mr. BOWEN] and vote "nay."

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL]. If he were present, I should vote "yea."

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB]. If he were present, I should vote "yea."

The roll-call was concluded.

Mr. HAMPTON. My pair with the Senator from Colorado [Mr. BOWEN] having been transferred to the Senator from Tennessee [Mr. HARRIS], I will vote. I vote "yea."

Mr. HAMPTON. I have been requested to announce that the junior Senator from Georgia [Mr. COLQUITT] is paired with the Senator from Rhode Island [Mr. CHACE].

The result was announced—yeas 17, nays 18; as follows:

YEAS—17.

Bate,	Gibson,	Pugh,	Walthall,
Call,	Gray,	Ransom,	Wilson of Md.
Cockrell,	Hampton,	Reagan,	
Coke,	McPherson,	Vance,	
George,	Payne,	Voorhees,	

NAYS—18.

Aldrich,	Edmunds,	Palmer,	Stockbridge,
Allison,	Hale,	Platt,	Teller,
Chandler,	Hawley,	Sherman,	Wilson of Iowa.
Cullom,	Ingalls,	Spooner,	
Dolph,	Morrill,	Stewart,	

ABSENT—41.

Beck,	Daniel,	Hiscock,	Quay,
Berry,	Davis,	Hoar,	Riddleberger,
Blackburn,	Dawes,	Jones of Arkansas,	Sabin,
Blair,	Eustis,	Jones of Nevada,	Saulsbury,
Blodgett,	Evarts,	Kenna,	Sawyer,
Bowen,	Farwell,	Manderson,	Stanford,
Brown,	Faulkner,	Mitchell,	Turpie,
Butler,	Frye,	Morgan,	Vest.
Cameron,	Gorman,	Paddock,	
Chace,	Harris,	Pasco,	
Colquitt,	Hearst,	Plumb,	

The PRESIDENT *pro tempore*. The absence of a quorum being disclosed by the vote, the Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Evarts,	Mitchell,	Stewart,
Allison,	George,	Morgan,	Stockbridge,
Bate,	Gibson,	Palmer,	Teller,
Berry,	Gray,	Pasco,	Vance,
Call,	Hale,	Payne,	Vest,
Chandler,	Hampton,	Platt,	Voorhees,
Cockrell,	Hawley,	Pugh,	Walthall,
Coke,	Ingalls,	Ransom,	Wilson of Md.
Cullom,	Jones of Arkansas,	Reagan,	
Dolph,	Kenna,	Sherman,	
Edmunds,	McPherson,	Spooner,	

The PRESIDENT *pro tempore*. Forty-one Senators have answered to their names. A quorum being present, the roll will be again called on the amendment proposed by the Senator from Missouri [Mr. VEST].

The Secretary proceeded to call the roll.

Mr. BERRY (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR]. If he were present, I should vote "yea."

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE].

Mr. HALE (when the name of Mr. FRYE was called). My colleague [Mr. FRYE] is paired with the Senator from Maryland [Mr. GORMAN].

Mr. JONES, of Arkansas (when his name was called). I am paired generally with the junior Senator from New York [Mr. HISCOCK]. The Senator from California [Mr. STANFORD] is paired with the other Senator from California [Mr. HEARST]. By an agreement between the Senator from California who is present and myself, the pairs are transferred so that the Senator from California [Mr. HEARST] is paired with the Senator from New York [Mr. HISCOCK], and I am at liberty to vote. I vote "yea."

Mr. MANDERSON (when his name was called). I have a general pair with the Senator from Kentucky [Mr. BLACKBURN]. I transfer that pair to the Senator from Nevada [Mr. JONES], and vote "nay."

Mr. MITCHELL (when his name was called). I am paired with the senior Senator from Delaware [Mr. SAULSBURY]. I transfer the pair to the junior Senator from Kansas [Mr. PLUMB], and I vote "nay."

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL]. The Senator from Nebraska [Mr. PADDOCK] is paired with the Senator from Louisiana [Mr. EUSTIS]. We have arranged a transfer of these pairs so that both the Senator from Nebraska and myself can vote. I vote "yea."

Mr. DAVIS (when Mr. SABIN'S name was called). I desire to announce that my colleague [Mr. SABIN] is paired with the Senator from West Virginia [Mr. KENNA].

Mr. STANFORD (when his name was called). I have been paired with my colleague [Mr. HEARST], but that pair has been transferred to the Senator from New York [Mr. HISCOCK]. I vote "nay."

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB], but that pair is transferred to the Senator from Delaware [Mr. SAULSBURY], and I will vote. I vote "yea."

The roll-call was concluded.

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. BERRY. I announced a pair with the Senator from Massachusetts [Mr. HOAR], but understanding that he has voted, I vote "yea."

Mr. MORRILL. I am paired with the Senator from Tennessee [Mr. HARRIS], but transfer that pair to the Senator from Colorado [Mr. BOWEN], and vote "nay."

Mr. CULLOM. The Senator from Rhode Island [Mr. CHACE] is paired with the Senator from Georgia [Mr. COLQUITT].

The result was announced—yeas 20, nays 23; as follows:

YEAS—20.

Bate,	Gibson,	Pasco,	Vance,
Berry,	Gray,	Payne,	Vest,
Call,	Hampton,	Pugh,	Voorhees,
Cockrell,	Jones of Arkansas,	Ransom,	Walthall,
Coke,	Morgan,	Reagan,	Wilson of Md.

NAYS—23.

Aldrich,	Evarts,	Mitchell,	Stanford,
Allison,	Hale,	Morrill,	Stewart,
Chandler,	Hawley,	Palmer,	Stockbridge,
Cullom,	Hoar,	Platt,	Teller,
Dolph,	Ingalls,	Sherman,	Wilson of Iowa.
Edmunds,	Manderson,	Spooner,	

ABSENT—33.

Beck,	Colquitt,	Gorman,	Quay,
Blackburn,	Daniel,	Harris,	Riddleberger,
Blair,	Davis,	Hearst,	Sabin,
Blodgett,	Dawes,	Hiscock,	Saulsbury,
Bowen,	Eustis,	Jones of Nevada,	Sawyer,
Brown,	Farwell,	Kenna,	Turpie.
Butler,	Faulkner,	McPherson,	
Cameron,	Frye,	Paddock,	
Chace,	George,	Plumb,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will be resumed at paragraph 314.

Mr. ALDRICH. Before paragraph 313 is passed over I desire, for the committee, to offer a formal amendment to the phraseology by striking out in lines 1206 and 1207 the words in parenthesis, "(not wound upon spools)," and to insert after the word "form," in line 1210, "except spool thread or cotton hereinafter provided for." It is simply a change of phraseology to make the law effectual.

The PRESIDING OFFICER (Mr. CULLOM in the chair). The amendments will be agreed to unless objection be made.

Mr. VEST. I do not wish to consume the time of the Senate in calling the yeas and nays unnecessarily, and I only want to say in regard to this paragraph providing for tariff duties on cotton threads, yarns, etc., that it seems the object of the committee has simply been to exclude foreign importations by the increase of duty on certain items. No reasons have been given for the increase of the duties on these specific items. I see from the reports for 1887 in regard to imports that of cotton threads and yarns valued at 18 cents per pound there were imported in value for 1887, $221,477.

Mr. ALLISON. How many pounds?

Mr. VEST. That is dollars. The pounds are 624,537. The value $221,477.

In the next item, which is where the valuation is 23 cents per pound, there were imported $210,422.60 worth, and in the next item, 28 cents per pound, there was imported $178,405 worth. So upon these three items, which show the largest importations, there has been an increase in the Senate substitute, and I take it for granted, as I have a right to do, that that increase was put upon these items on account of the importations from abroad, the object of the committee being to exclude as far as possible all foreign competition, thereby enabling the manufacturers in the United States to hold the market here at whatever price they see proper to put upon the article.

I will not call for the yeas and nays, or make any motion upon the other items, because of course the result in the Senate would be the same as in the vote just taken.

The PRESIDING OFFICER. There being no amendment before the Senate, the reading will proceed.

The Secretary read paragraph 314, as follows:

314. Spool-thread of cotton, containing on each spool not exceeding 100 yards of thread, 7 cents per dozen. Exceeding 100 yards on each spool, for every additional 100 yards of thread or fractional part thereof in excess of 100 yards, 7 cents per dozen spools.

Mr. VEST. I move to strike out, in lines 1226, 1229, and 1230, the words "7 cents per dozen" and insert in lieu thereof "40 per cent. ad valorem."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 1226, after the word "thread," it is proposed to strike out "7 cents per dozen" and insert "40 per cent. ad valorem;" and in line 1229, after the word "yards," to strike out "7 cents per dozen spools" and insert "40 per cent. ad valorem."

Mr. VEST. Mr. President, there is not an item in this bill which illustrates more forcibly and distinctly the object of the majority of the Finance Committee than this one upon spool-thread. That object unquestionably is to meet, as I have said before, the demands of the manufacturers. There is no item in this bill—and I want to emphasize the statement—which shows more distinctly that the manufacturers of this country propose to get every cent they can in the way of profits and to increase them as far as they are able, without regard to the details of manufacturing or the cost to themselves.

Now, sir, I will undertake to prove that beyond any sort of question in regard to this item of spool-thread, an article that goes into the consumption of every family in the whole land. To say nothing about the large factories and manufacturing establishments in the cities, there is not a family in the United States, speaking entirely within the limits of truth and accuracy, that is not affected by this tax upon spool-thread. I know we shall be met by the invariable argument, "It is a trifle; it is only a few cents," as we shall be told when the question of salt taxation comes before the Senate, "It is only 3 cents per head for every man, woman, and child in the United States, and let the tax go on." It is the principle which we attack; it is the outrage of putting unjustly into any man's pocket 3 cents of my money, which constitutes as villainous a robbery as if it was $300. If this thing can be established upon principle, there is no limit to the tax that can be put upon the people of the United States, and if this tax upon spool-thread comes out of the hard earnings of the sewing-girl, that is the best reason in the world to me why I should resist it without regard to the value involved.

I say distinctly that these spool-thread manufacturers want all they can get, and that they are actuated simply and solely by a desire to make money, and I will prove it by their own statement. I will not bring in any floor-walker, I will not bring any Democratic politician here to testify, but I will bring these gentlemen themselves. I thank God that my training as a lawyer has taught me to analyze testimony given as they have given it in regard to this item.

In 1882 these gentlemen—these spool-thread manufacturers, and there are only a few of them in the United States—went before the Tariff Commission and made a statement of their case, and what was it?

The undersigned, representing mills—

This is October 14, 1882—

The undersigned, representing mills manufacturing fine cotton yarns and spool-cotton in this country, respectfully recommend that the following be substituted for paragraphs 927 and 928, section 2504, Schedule A, of the revised tariff, approved June 22, 1874:

"Par. 927. Cotton thread, yarn, warps, or warp-yarn, whether single or advanced beyond the condition of single by twisting two or more single yarns together, whether on beams or in bundles, skeins, or cops, or in any other form, except as hereafter provided for, valued at not exceeding 40 cents per pound, 10 cents per pound; valued at over 40 cents per pound, and not exceeding 60 cents per pound, 20 cents per pound; valued at over 60 cents per pound and not exceeding 80 cents per pound, 30 cents per pound; valued at over 80 cents per pound, 40 cents per pound; and in addition to such rates of duty, 20 per cent. ad valorem.

"Par. 928. Spool-thread of cotton, 6 cents per dozen spools, containing on each spool not exceeding 100 yards of thread, and in addition thereto 10 per cent. ad valorem; exceeding 100 yards, for every additional hundred yards of thread on each spool, or fractional part thereof, in excess of 100 yards, 6 cents per dozen, and 15 per cent. ad valorem."

The same making a reduction of 20 per cent. in the duty upon spool-thread of cotton, with no material reduction in the revenue derived therefrom.

AUCHINCLOSS BROTHERS,
For J. & P. COATES.
THOMAS RUSSELL & CO.,
For JOHN CLARK, JR., & CO.
CLARK THREAD COMPANY,
WILLIAM CLARK, *Treasurer.*
WILLIMANTIC LINEN COMPANY,
W. E. BARROWS, *President.*
HADLEY COMPANY,
By ARTHUR T. LYMAN, *Treasurer.*
ARLINGTON MILLS,
By WM. WHITMAN, *Treasurer.*
MERRICK THREAD COMPANY,
TIMOTHY MERRICK, *Treasurer.*
GARDINER HALL JR., & CO.
GREENE & DANIELS MANUFACTURING COMPANY,
E. A. GREENE, *Treasurer.*
STANFORD MANUFACTURING COMPANY,
J. A. ADAMS, *Treasurer.*

Mr. President, that made a duty of 15¾ cents per dozen spools of 200 yards each. In 1882, on October 14, they declared that they could not live without it, and that was a reduction of 20 per cent. upon the previously existing law. After taking off 20 per cent. on this tax they then said they could not live without 15¾ cents a dozen. What do these gentlemen say now? They have not closed a single mill. They have not ceased to make enormous profits. There is not a more wealthy establishment in the United States than J. & P. Coates. They have carried on their business ever since, and now what do they come before Congress and demand?

The next step in this proceeding is before the Morrison committee in 1884, two years afterwards. Then what did they say? They had demanded 15¾ cents in 1882. Now, they appear in 1884 and say:

WASHINGTON, D. C., *February* 18, 1884.

SIR: The undersigned, representing establishments producing nine-tenths of all the spool cotton thread used in the United States, all of which is finished in the United States, respectfully state that they earnestly appealed to the Forty-seventh Congress for an equitable tariff upon spool-thread and cotton yarn, showing that half the cost of a dozen of thread is made up of wages. Worth 30.6 cents per dozen of 200 yards six-cord in England, the labor part of one dozen spools of thread is 15 cents, and that labor can not be obtained in America for less than 15 cents more, the exact difference or sum which they asked as the proper duty on spool-thread. The tariff act of 3d March, 1883, imposes 14 cents per dozen of 200 yards.

One cent and three-fourths less than they demanded in the petition or statement or memorial which I have just read to the Senate. They asked in 1882 for 15¾ cents, and in 1884 they are willing and anxious to accept a duty of 14 cents on the same article.

Prior to that act the combined specific and ad valorem duties amounted to 21.94 cents per dozen of 200 yards. The reduction to 14 cents threw off 7.94 cents, or 36 per cent. of the former rates.

We respectfully represent that it is impossible to go below this without destruction of capital or reduction of wages, and having been the first to urge upon Congress the late settlement on the basis of the difference between the wages of labor in England and America, we ask that it should not be disturbed by further reductions.

We can not state too strongly the vital importance to an industry employing American labor at double the wages of English labor, of permanence in tariff rates. No rate can be permanent which is not just. On this ground we favored a reduction a year ago.

That is a reduction of 20 per cent., which left still a tax of 15¾ cents a dozen.

The recent action of the Forty-seventh Congress in the matter of cotton yarns and spool-thread was a just settlement; and we pray your honorable committee that it may be permitted to stand until it has at least been tried.

J. & P. COATES.
CLARK THREAD COMPANY,
WILLIAM CLARK, *Treasurer.*
WILLIMANTIC LINEN COMPANY,
By LUCIAN A. BARBOUR, *President and Treasurer.*
THE CLARK MILE-END SPOOL COTTON COMPANY,
By R. W. FERGUSON, *Vice-President.*
MESSRICK THREAD COMPANY,
TIMOTHY MESSRICK, *Treasurer.*

Hon. WILLIAM R. MORRISON,
Chairman of Committee on Ways and Means,
House of Representatives.

Mr. HAWLEY. I rise for information. I do not understand what the Senator says or reads about 15 per cent. duty. When thread costs 30 cents a dozen the duty at 14 cents very closely approximates 50 per cent.

Mr. VEST. It is a very simple proposition. I will state to the Senator that they asked in 1882 for this duty:

Spool-thread of cotton, 6 cents per dozen spools, containing on each spool not exceeding 100 yards of thread, and in addition thereto 10 per cent. ad valorem; exceeding 100 yards, for every additional hundred yards of thread on each spool, or fractional part thereof in excess of 100 yards, 6 cents per dozen and 15 per cent. ad valorem.

That would be 6 cents and 10 per cent. ad valorem on the first hundred, and 6 cents and 15 per cent. on the next, and on a valuation of 30 cents for a dozen spools of 200 yards that would be 15¾ cents per dozen.

Mr. ALDRICH. The present duty amounts to 14 cents per dozen.

Mr. VEST. The Tariff Commission recommended, I think, about the rates that were asked by the manufacturers; but the bill which we passed in 1883 put it at 7 cents per dozen, and the substitute of the Senate now proposes to put it at the same rate, instead of adopting the ad valorem duty which is named in the Mills bill.

Mr. ALDRICH. We propose to leave the duty exactly as it is.

Mr. VEST. Exactly. I have stated that, 7 cents. Now I want to know whether we are to believe these manufacturers in 1882 or 1884. The point I am making in this whole controversy is that these gentlemen are not influenced by what is just and right. If they would deal fairly with the consumers of this country, and say, "We can not live and compete with these foreign manufacturers except at a certain rate of duty," and stick to it, then we could go into this controversy with some reliance upon their testimony. But in 1882 they say 15¾ cents a dozen, and in 1884 they say 14 cents per dozen, and I am warranted in believing, and I do believe, as much as I believe in my own existence, that they are actuated only by a desire to make as much money as possible for themselves.

Mr. ALDRICH. Can not the Senator from Missouri conceive a change of conditions by which 15¾ cents might be sufficient in 1882, and 14 or 12 or 10 cents might be sufficient in 1884?

Mr. VEST. What is that change of condition? I want to know it. When they are taxing every sewing-woman in this country 2 cents or 2½ cents, as I believe, profit on every spool of thread that is sold to her, I want to know the change in those conditions. I want to know why it is that 15¾ cents per dozen was necessary in 1882, and in 1884 they are willing to take 14 cents per dozen and say that is right.

Mr. ALDRICH. The Senator from Missouri stated that the manufacturers in this country are exacting from the persons who use spool-cotton 2½ cents a spool, and now he says the foreign cost is 30 cents per dozen.

Mr. VEST. I do not say so.

Mr. ALDRICH. It is. I will say it.

Mr. VEST. The manufacturers say so.

Mr. ALDRICH. I will say it is 30 cents per dozen spools on the other side. The selling price here is 42 cents per dozen. If 30 cents of this is exacted from the consumers, the cost to the domestic manufacturer can be only 12 cents per dozen, or less than half the foreign cost. This statement exposes the absurdity of the story of exaction.

Mr. MCPHERSON. Will the Senator from Rhode Island permit me to ask him a question?

Mr. ALDRICH. Certainly.

Mr. MCPHERSON. The Senator makes a statement that the Senator from Missouri charges that this tax is paid by the consumers in the United States. If it is not paid by the consumers, by whom is it paid?

Mr. ALDRICH. Does the Senator from Missouri say it is not paid by the consumers?

Mr. MCPHERSON. I say it is paid by the consumer, but I understood the Senator from Rhode Island to say it was not paid by the consumer.

Mr. ALDRICH. I was not discussing that question. I was merely calling attention to the fact that if it costs the sewing-woman an extra sum of 2½ cents a spool, the cost of making spool-cotton here could not be over 12 cents a dozen according to the Senator's own statement. I am only taking the naked statement of the Senator from Missouri, without any regard to whether it was true or whether it was not.

Mr. VEST. I did not make any statement. I am arguing this whole case on the statements of the manufacturers. I know nothing about it. I am analyzing their testimony. I say that the Senator from Rhode Island can not explain, nor any living man, how in 1882 they demanded 15¾ cents tax in order to protect them, and in 1884, two years afterwards, they were willing to take 14 cents on identically the same article, with two years' more experience, and, I have every reason to think, with improved machinery, certainly with more skillful labor.

Now the Senator suggests there were changes in conditions, and when they come here to the representatives of the people of the United States, of the consumers, and say, "Take our word for it," I have a right to cross-examine them; I have a right to criticise their testimony in the name of the people who pay this money; and the fact that it is a small tax does not alter the principle involved or our duty.

Now, here is their statement. I propose to argue this question on the statement of the other parties, of our adversaries, for they are our adversaries in more than one sense of the word.

Mr. HAWLEY. I am sure I do not understand the Senator. I understand him to be criticising these manufacturers for reducing the tax from 15 cents and over to 14 cents.

Mr. VEST. I beg the Senator's pardon. I give them credit for no such thing. Here is what I say, and my friend or myself must be very unfortunate if he does not understand me. These gentlemen came to Congress as all these manufacturers do. It is an *ex parte* proceeding. You do not hear from the consumers, but you hear from the men interested in making money. They come before committees and before Congress and say, "Now give us such a duty and we can live and compete with the foreign manufacturers." "Very good," we say; "what tax, what duty will protect you and enable you to get a fair profit?"

In 1882 they said that a duty of 15¾ cents a dozen on 200-yard spools of cotton was required, and two years after, these same men, without any explanation, after Congress had refused to give them the 15¾ cents and gave them 14 cents on the same article, come here and say, "That is right; we can live under that; we can make money under it." Now, I want to know how it happened——

Mr. HAWLEY. Two years had elapsed.

Mr. VEST. What happened in those two years? Did they not have more money; did they not have more skilled labor?

Mr. ALDRICH. If the Senator from Missouri will allow me, I will tell him what happened.

Mr. VEST. Very well.

Mr. ALDRICH. Two different bills were introduced in the House of Representatives by his political friends proposing to reduce the duty on these goods far below where they could live, and these gentlemen were willing to accept a duty of 7 cents a dozen rather than to have a duty of 40 per cent. ad valorem, as the Senator now proposes.

Mr. VEST. I thank the Senator from Rhode Island. The Morrison bill, the horizontal-reduction bill, proposed a reduction of 20 per cent. ad valorem. They accepted a reduction of 20 per cent. in 1882. They say so emphatically. Here is their own language, and I will convict them out of their own mouths. They put down what they say they can live under:

Spool-thread of cotton, 6 cents per dozen spools, containing on each spool not exceeding 100 yards of thread, and in addition thereto 10 per cent. ad valorem; exceeding 100 yards, for every additional 100 yards of thread on each spool, or fractional part thereof, in excess of 100 yards, 6 cents per dozen and 15 per cent. ad valorem.

The same making a reduction of 20 per cent. in the duty upon spool-thread of cotton, with no material reduction in the revenue derived therefrom.

Mr. ALDRICH. That 20 per cent. reduction was a reduction from the law in existence prior to 1883, when the duty upon cotton thread was 6 cents per dozen and an addition of 30 per cent. ad valorem.

Mr. VEST. I know it.

Mr. ALDRICH. And upon each additional hundred threads 6 cents per dozen and 35 per cent. ad valorem.

Mr. VEST. Yet, Mr. President——

Mr. ALDRICH. They had already submitted to one reduction of 20 per cent. and they were protesting against another reduction, which the Morrison bill proposed.

Mr. VEST. And now the Senator from Rhode Island shifts his base again. The words are not cool out of his mouth in which he said that my political friends had brought in two bills that proposed to reduce this taxation.

Mr. ALDRICH. Below the act of 1883.

Mr. VEST. Not below the act of 1883. The first evidence they gave was in 1882, before the act of 1883 was passed. Then they accepted cheerfully a reduction of 20 per cent. and still demanded 6 cents a dozen and 10 per cent. ad valorem on the first hundred and 6 cents and 15 per cent. ad valorem on the second. That was before the act of 1883.

Mr. HAWLEY. I do not understand that they are asking for anything now.

Mr. VEST. The Senator does not?

Mr. HAWLEY. No; they are asking for no change in the law.

Mr. VEST. I do not know whether they are asking for anything or not; but it is asking for a good deal of money.

Mr. HAWLEY. The last time the Senator heard from them they

consented to a 20 per cent. reduction, and they are saying nothing now.

Mr. VEST. After saying they could not live without 15¾ cents a dozen they now say, "Give us 14," and if you do not do that liberty lies bleeding in the streets. Here is their own estimate:

In connection with this paper Mr. Auchincloss presented the following exhibit:

Article, six-cord spool-cotton, 200 yards: Where is the competing article made? Great Britain.

Price per unit of quantity product:

	Cents.
17*d.* per gross, less 10 per cent	30.6
Cost of transportation, one-half cent to 1 cent per dozen, say	.7
	31.3

Price of domestic article:

55 cents, less 15 per cent	46.75
Insurance and transportation	1.75
	45.00

Cost of production varies with the price of cotton. Cost of manufacture may be set down as 15 cents in Great Britain and 30 cents in United States.

Wages paid per capita: Average pay-rolls, November and December, 1883—Great Britain, 12*s.* 4*d.* = $3; United States, $7.57.

That is their own exhibit. In one case it will be seen that they put down the cost of transportation, but no insurance upon English goods, and when it comes to increasing the cost to themselves they put down insurance and transportation. Does not the English merchant or manufacturer insure his goods? Why did they shut out that item? The whole thing is a cooked exhibit. The deliberate intent, manifest upon the face of it, is to affect the committee by increasing the price of the production of spool-thread in the United States. But they overreach themselves and show that they do not put in their estimate the cost of insurance as to imported goods that are brought across the ocean subject to the perils of navigation.

We hear a great deal about competition in the United States inside of this protective system.

Mr. ALDRICH. If the Senator will look at that statement he will find that insurance and transportation are deducted instead of added.

Mr. VEST. Why is it not deducted in both cases?

Mr. ALDRICH. It is deducted from the American price, so as to be put upon equal terms with the other side.

Mr. VEST. They make it 31.3 cents on English goods and 45 cents on American goods. That would make a difference of 14 cents.

Mr. ALDRICH. But they take the American price and deduct insurance and transportation, so as to equalize the conditions.

Mr. VEST. I see that they do, but they put no insurance at all upon the English goods.

Mr. ALDRICH. They deduct it on this side, which amounts to the same thing.

Mr. VEST. There has been a great deal said here about diminishing the cost of the article on account of domestic competition. I wish to bring another one of these manufacturers on the stand. My friend from Rhode Island yesterday objected to every witness as a "floor-walker" and a "Democratic agitator."

Mr. ALDRICH. If the Senator from Missouri will allow me, I will state that I did not at all object to Mr. Howard as a witness here. He is a very creditable man, so far as I know, and he is entitled to have me say that he is a man of respectability, a man of standing in his community. The Senator from Missouri was trying to make it appear that he was taking the statement of a workingman who was in no way connected with the agitation of this question or with politics; that he was entirely outside of the arena which the Senator from Missouri and myself are in; and that he was therefore a witness entitled to special care and consideration. What I said was that he was like the rest of us, a politician; that he was simply that and nothing more; that so far from being a workingman, he represents a workingman's organization; that he is secretary of a workingman's organization, and his work consists in doing the work of that secretaryship and drawing a salary therefor; and his testimony is entitled to the same consideration and the same weight that the testimony of any other man similarly situated would be.

Mr. VEST. I shall not take up time in going back and reading Mr. Howard's testimony, but here is what he stated, and unless he is a perjured scoundrel he is a workingman. He said he worked seventeen years as a mule-spinner in Great Britain and eleven years in the United States.

Mr. ALDRICH. Years ago.

Mr. VEST. Years ago! He said he commenced when he was a boy; that he was raised in a factory and knew nothing else. Yet he is a politician because his fellow-workmen have elected him president of a mule-spinners' association, and he was elected to the Legislature and declined a re-election. Does that make him a "professional agitator" and "floor-walker?" That was the statement of the Senator.

Mr. ALDRICH. "Walking delegate" was the term I used.

Mr. VEST. A "floor-walker," I think. We will not quarrel about words. I will say "walking delegate;" I accept the amendment. The Senator says that no doubt he is a very worthy man. Well, if he is a worthy man he told the truth.

Mr. PUGH. Will the Senator from Missouri allow me to make a statement?

Mr. VEST. Certainly.

Mr. PUGH. I assisted in the examination of Mr. Howard in Boston and in New York, and I learned about him from all sources that he is a man of the highest respectability and the highest credibility. He is a trusted man by the operatives and the manufacturers. I heard nothing to the contrary in reference to the man's character and standing. What he stated to the committee were matters of fact known to him personally by personal experience, personal association, and personal observation, in Oldham, England, and at Fall River, Mass. There is not a man in Massachusetts whose testimony is more reliable, and he would not undertake to make a statement unless he knew it to be perfectly true. I feel it to be my duty to make that statement in reference to Mr. Howard.

Mr. VEST. I do not know this gentleman. I treat him like I would any other witness, and his testimony as I would any other evidence. I do not propose to make any comments upon him. His testimony is here and it speaks for itself. If he is not a perjured man he is a workman of experience, and he is not the political agitator who has been described upon this floor.

Mr. HAWLEY. That makes me a little curious to know exactly what Mr. Howard proved. I heard something——

Mr. VEST. My strength will not permit me to read all his testimony. I read from it yesterday.

Mr. HAWLEY. But I want the conclusions, in three lines or four lines.

Mr. VEST. The Senator will find it in the RECORD of this morning.

Mr. HAWLEY. I understood the Senator, in quoting Mr. Howard, who knows something about Fall River, and Oldham, England, to assert in general that the operatives in New England saved no money and the same classes were better off in England than they are here. I say I do not care if all the apostles put together say it, he does not know what he is talking about.

Mr. VEST. That is a question which can be settled between the Senator from Connecticut and Mr. Howard.

Mr. HAWLEY. It is settled already so far as I am concerned.

Mr. VEST. Of course it is settled to the Senator. I suppose testimony dies with the Senator, and that conclusions will perish when he goes from the face of the earth.

Mr. HAWLEY. On that subject.

Mr. VEST. I do not accept that conclusion. I shall exercise my judgment. I will take this testimony here and analyze it, and no man's personal assertion here shall influence me in coming to my conclusion in regard to it.

We have heard here again and again that the competition inside of the magic limits of a protective tariff diminishes prices. These cotton-spool-thread manufacturers have had their own duty. They have had 14 cents since 1884 and they were satisfied with it, and they say now they want it to remain. What has been the effect on prices in the United States? Here is the testimony of Mr. Ferguson. I do not know him either, but he is a spool-thread gentleman. Said Mr. HERBERT, of Alabama:

And on the gold basis the fall in price has not been very great during this period?

That is, on spool thread.

Mr. FERGUSON. No. I did not intend to occupy so much of your time, gentlemen. I simply desired, as I have said, to put before you our own case as to this matter.

Mr. HERBERT. But I am asking you now with reference to thread, which is your own case. Has there been really any considerable fall in the price of thread during the last twenty years?

Mr. FERGUSON. Not much. There is not very much to come and go upon in a 5-cent article.

There is no fall by reason of competition in these prices; they are sustained from year to year at the expense of the poorest, hardest-worked of all the operatives in the United States, the sewing women and girls in the large cities, and the women throughout the country, the mothers and daughters who make the clothing for their husbands and brothers under their own roof-trees.

Mr. Ferguson further testified, and if it were not pathetic it would be ludicrous. If we did not know the class of people that this enormous tax—for it is nothing else in proportion to the value of the article—if we did not know the people upon whom this tax was levied this sort of testimony would be ridiculous. This same gentleman, Mr. Ferguson, appeared before the Ways and Means Committee of the House, and here is his testimony. He said:

But there is another fallacy and a very important error that exists in the minds of a good many people in reference to this matter of thread. During the war thread sold for 10 cents a spool; it is now selling for 5 cents.

Yet he had just said that there was no fall for the last twenty years.

As I say, we made a reduction in the price of goods on the return to specie payment. Again, on the 1st of January, 1883, we made another reduction of 5 per cent. That was two reductions. In the mean time the home competition here had pressed prices down to just what a manufacturer would consider a fair profit. Now the spool of cotton for which the sewing-woman in this country pays 5 cents will enable her to do 10 per cent. more work than she would do if she were provided with cotton manufactured in Scotland. This is a statement

which I can prove to you by people who employ sewing-women. I have talked with a manufacturer, and supplied him with thread, which his people are quite willing to pay a cent a spool more for, because they can make more money by it.

Mr. BRECKINRIDGE, of Kentucky. A cent more per spool would be an addition of 25 per cent.?

Mr. FERGUSON. Yes, sir.

Mr. BRECKINRIDGE, of Kentucky. And you say that the saving to the sewing-woman would be 10 per cent.?

Mr. FERGUSON. But see the comfort which the sewing-woman gets. She saves her physical powers. She has more capability of doing her work, and that is a great thing for a woman who has to sew for a living.

Sweet, charitable, philanthropic soul! He puts the money into his pocket and does it for the poor sewing-women whose physical comfort he is entirely consulting!

The great majority of the thread used in Great Britain and all over the world is, to a great extent, glossy thread. The people of the United States use the best thread. They are not satisfied with anything but the best thread. They will pay more for our thread than they would pay for the thread made on the other side. Now, if the same quality of thread which we sell here was produced on the other side, the manufacturer would require to pay at least 2 pence a pound more for the cotton out of which to make it; and the result would be that a good deal of the cotton which they use for that purpose would be left on this side, and they would take Egyptian cotton for the purpose.

Mark the argument to the cotton producer. If you do not give us this duty your cotton will not be consumed; they will use Egyptian cotton abroad.

The price is at present 5 cents a spool. That is what the sewing-woman in California pays for her cotton. It is first manufactured in New Jersey, Rhode Island, Massachusetts, or Connecticut, and is sent to New York for sale. From the agent's hands it passes into the hands of the wholesale dealer, who has to have some profit. So that wages do not end at the mill. The merchant will not buy my stuff and keep it in his house and sell it unless he has interest for his money, and he wants 5 per cent. profit. Then the freight to the Missouri River must be paid, and that adds to the cost. The merchant on the Missouri River sells it to the merchant in California at a small profit—

That is new information—

and when it reaches the sewing-woman there it costs her 5 cents a spool. It is better in value than what can be obtained on the other side for about the same price. But a majority of people who deal in six-cord thread in Great Britain make no profit at all on it.

That is the manufacturers' side of the question as to the sewing-women. I happened to have sent to me this morning a book describing the condition of the sewing-women in the great city of New York. It is entitled "Prisoners of Poverty," and is written by Helen Campbell. Without detaining the Senate I wish to turn from that picture by the manufacturer with the sewing-women benefited by this superior article of thread made in the United States under this tax of 7 cents on the single spool of 100 yards and 14 cents on the 200 yards to this picture drawn by a lady who has devoted her life to the sewing-women of the United States, and who personally went among them in the tenement houses, in the factories, in the large establishments that are reaping enormous fortunes by grinding the very lives out of these poor women. Here is what she said:

"Do you see those goods?" another asked, pointing to a counter filled with piles of chemises. "How do you suppose we make a cent when you can buy a chemise like that for 50 cents? We don't. The competition is ruining us, and we're talking of giving up the business."

"That's so. It's really more in charity to the women than anything else that we go on," his partner remarked, with a look toward him which seemed to hold a million condensed winks. "That price is just ruin; that's what it is."

Undoubtedly, but not for the firm, as the following figures will show, figures given by a competent forewoman in a large establishment where she had had eleven years' experience: Twenty-seven yards and three-quarters are required for one dozen chemises, the price paid for such cotton as is used in one selling at 50 cents, being 5 cents per yard, or $1.40 for the whole amount; 30 yards of edging, at 4½ cents a yard, furnishes trimming for the dozen, at $1.35; and four 200-yard spools of cotton are required, at 25 cents per dozen, or 8 cents per dozen garments. The seamer who sews up and hems the bodies of the garments receives 30 cents a dozen, and the "maker," this being the technical term for the more experienced worker who puts on band and sleeves, receives from 90 cents to $1 a dozen, though at present the rates run from 75 to 90 cents.

Our table then stands as follows:

Cloth for 1 dozen chemises	$1.40
Edging for 1 dozen chemises	1.35
Thread for 1 dozen chemises	.08
Seamer for 1 dozen chemises	.30
Maker for 1 dozen chemises	.90
Total cost of dozen	4.03
Wholesale price per dozen	5.25
Profit per dozen	1.22

The chemise which sells at $7 per dozen has the additional value in quality of cloth and edging, the same price being paid the work-women, this price varying only in very slight degree till the excessively elaborate work demanded by special orders. One class of women in New York, whose trade has been a prosperous one since ever time began, pay often $100 a dozen for the garments, which are simply a mass of lace and cobweb cambric, tucked and puffed, and demanding the highest skill of the machine operator, who even in such case counts herself happy if she can make eight or nine dollars a week. And if any youth and comeliness remain to her, why need there be wonder if the question frame itself, "Why am I, the maker of this thing, earning barest living, when, if I choose, I, too, can be buyer and wearer, and live at ease?"

Wonder rather that one remains honest when the only thing that pays is vice.

For the garments of lowest grade to be found in the cheapest quarters of the city the price ranges from 25 to 30 cents, the maker receiving only 30 cents a dozen, and cloth, trimming, and thread being of the lowest quality. The profit in such case is well-nigh imperceptible; but for the class of employer who secures it, content to grovel in foul streets and know no joy of living save the one delight of seeing the sordid gains roll up into hundreds of thousands, it is still profit and he is content. As I write an evening paper containing the advertisement of a leading dry-goods firm is placed before me and I read: "Chemises, from 12½ cents up." Here imagination stops. No list of cost prices within my reach tells me how this is practicable. But one thing is certain. Even here it is not the employer who loses; and if it is a question of but a third of a cent profit, be sure that that profit is on his side, never on the side of the worker.

So it goes, Mr. President, from the manufacturer down through all the range of prices to the poor sewing-women and to the consumer. Not one cent is lost to any one except the one who needs it most.

Mr. ALDRICH. Mr. President, the question of the duty upon spool-cotton has been so often discussed in this Chamber and the other, in its sentimental as well as its practical aspects, that I do not care to continue the discussion at any length. But there are some statements made by the Senator from Missouri that demand attention, I think.

Prior to 1867, when the first adequate duty upon spool-cotton was placed, spool-cotton sold in this country at wholesale, three-cord cotton, at 70 cents a dozen. It sold at retail at from 8 to 10 cents a spool. It now sells in this country at 45 cents a dozen at wholesale, or 5 cents a spool at retail.

Prior to 1867 all the spool-cotton consumed in the United States was made abroad, largely in Scotland and England. Now ninety-nine one-hundredths, I imagine, of the spool-cotton that is consumed in the United States is made by our domestic manufacturers. The quality of cotton which was used prior to 1867 was, as I have said, three-cord cotton. Now all the thread that is sold in the United States, or a very large proportion of it, is six-cord cotton. So for 5 cents the working-woman buys a very much better article than she did for 10 cents prior to the time when the protective tariff was levied upon spool-cotton.

Let us see what the effect of the amendment suggested by the Senator from Missouri would be upon the poor working-women for whom he has so much sympathy at this moment. The duty proposed in our bill is 14 cents per dozen spools. He proposes 40 per cent. ad valorem, which, if it was honestly collected, would amount to 12 cents a dozen spools. The difference between the rate which he suggests and the rate suggested by the committee is 2 cents a dozen spools, or one-sixth of a cent per spool. It is not going to change the retail price to the poor sewing-women by taking off one-sixth of a cent on a spool of cotton. Who will get the benefit of it? It will be the importer in New York, and nobody else. That is the practical side of the question.

Mr. MCPHERSON. Mr. President, a single word with respect to this question. As I understand it, every particle of tax that is placed upon this thread industry, certainly every part in excess of that which is absolutely needed for the sake of paying the excess in the cost of labor employed here in the industry, is a tax upon the poorest-paid labor in this country.

Now, I want the Senator from Rhode Island to understand me. I say it is a tax upon labor. Who purchases this thread? Who uses it? It is the sewing-women all over the country. Here is a true illustration of it. I hold in my hand an affidavit that was handed me during the last campaign by a sewing-woman engaged in making shirts in the county of Atlantic, in the State of New Jersey. For fear I might interfere, perhaps very seriously, with the formation of the new Cabinet I will not state the name of the employer, and therefore I will not send the affidavit to the Secretary's desk to have it read, but will read such portions of it myself as apply to the case. It applies to two particular schedules in this bill, the one under consideration and one that we are to reach in a few moments, providing for a duty to be levied upon manufactures of cotton goods—if I remember correctly, upon all manufactures of cotton goods a duty of some 40 per cent. is imposed. The affidavit reads as follows:

STATE OF NEW JERSEY, *Atlantic County, ss:*

Mrs. Ella Strickland, of full age, being duly sworn according to law, upon her oath says:

That she is the wife of Isaac H. Strickland, and that she lives in the township of Galloway, in the county of Atlantic, and that her post-office address is Oceanville, in said county; that she has made cotton-wool shirts for Philadelphia firms for 35 cents per dozen, and that to her certain knowledge women in this township have made these shirts for 25 cents per dozen; and that a good, quick needle-woman, working from 7 o'clock in the morning until 10 o'clock at night, might be able to make one dozen of these shirts, but not over that quantity, to the best of this deponent's belief.

And deponent further says that she is now engaged in making fine white men's dress shirts for a Philadelphia firm, and that all the remuneration she receives is $1 per dozen shirts; and that the greatest number of these shirts that she can make, working from 7 o'clock in the morning until 10 o'clock at night, is six shirts; and that she is compelled to furnish the cotton thread used in making the shirts, and that this cotton thread costs about 10 cents per dozen shirts, leaving 90 cents as the pay, out of which the freight has to be paid one way by her.

ELLA STRICKLAND.

Sworn and subscribed to before me, this 21st day of October, 1888.

JAMES S. BECKWITH, *Notary Public.*

There is a context in which it is stated that the freight one way is about 15 cents, so it leaves 75 cents to this poor woman as the entire cost of making one dozen men's shirts, upon which the duty levied is 40 per cent. As this tariff bill is professedly in behalf of American labor and to protect the wages of American labor, by what process of reasoning does the Senator from Rhode Island propose to impose a heavier duty or a duty in excess of the absolute need upon the thread which the poor woman is forced to buy as a part of the contract, and then compel her to make a dozen shirts for 75 cents, when the manufacturer of the shirt, the proprietor of the establishment, receives 40 per cent. protection?

I have many other statements of like character from the same locality. I can name you a single city in the State of New Jersey where there are more than five thousand of these women making men's garments and women's garments, and I want to say that while in some cases the pay is slightly higher, it is altogether out of proportion to the duty and protection accorded to the factory.

Mr. ALDRICH. Will the Senator kindly give the Senate the benefit of his judgment as to what this duty should be?

Mr. MCPHERSON. I wish to say to the Senator from Rhode Island that I am voting with the Senator from Missouri to reduce it from the high plane upon which it is placed by the Senator from Rhode Island and his associates. In other words, if a dozen men's shirts of the best quality are worth say $24 a dozen in England and a duty of 40 per cent. is levied upon them, it gives as a matter of course $9.60 of protection. Nobody disputes the fact that the cotton cloth can be made as cheaply in this country as it can there; that cotton is as cheap here as it is there; and I want to know what becomes of the $9.60 the manufacturer gets by way of tax upon consumers and only pays the poor needle-woman 75 cents net for making a dozen shirts. We hear the boast made that this is to be hereafter a farmer republic; that the farmer vote turned the tide of battle in the last election to the protection tide. Can it be possible the farming country understand the true character and scope of this proposed legislation? And when they do understand and comprehend it I predict that this so-called farmer republic will not last long. They will think even four years too long.

I listened yesterday to a very long debate in this Chamber respecting the prosperity, the happiness, the contentment of the New England operatives in New England mills. In addition to that the vast amount of money which they had in savings-banks was used as an argument. I want to know what that has to do with the measure of duty that ought to be imposed upon industries in this country. Certainly no class of people, certainly no locality in this country has ever received the benefit that the New England people have received through Government bounties. They have done the major part of the manufacturing for the whole country in years past under high protective tariffs. They are a class of people who are different from almost any other people upon the face of the earth. They have habits of industry, they are educated, they are quick-witted, and in fact there are no operatives to be found anywhere upon the face of this earth who will produce more goods in a given length of time and with a like amount of manual labor than the operatives in New England factories. They have been brought up differently from other people.

The Senator from Colorado asked the Senator from Missouri why it was that they could not manufacture goods in the State of Missouri. A man born in the West and reared upon those boundless prairies has a different idea of life and its expenditures and its requirements than has the operative in a New England factory. They are reared there to habits of industry and of economy, and it is no argument to say that because they are able to save a part of their earnings and put it in a savings-bank, another class of people having been brought up differently, with different ideas of life, also can save money. Transplant a New Englander anywhere and he will succeed, because he is born and bred in habits of industry and economy; and he will also save part of his wages, be the same more or less. The Western man has bigger and broader ideas of life and greater expenditure. This is as true of the Old World as of the New.

A few years ago I visited a jute factory in Forfar, Scotland, in which the pay to the operatives was very much less than it was in England for the same class of work. I was informed by the proprietor of the works that his operatives in his mill had saved a large amount of money; that almost all of them had deposits in the savings-banks, while the English operative, upon the other hand, had spent his money just as fast as he earned it.

What argument is it to say that because New England is prosperous under high protection, in which they have had a monopoly of the markets for years and years, the tariff should be continued and even increased to a point heretofore unknown to any civilized government on the face of the earth under the plea of continuing that prosperity? Does it continue the prosperity? Not by any means.

I have made the statement upon this floor and I again repeat it, and I shall undertake to prove it, that the wages paid to labor in this country in comparison with the results of that labor are no greater than the wages paid in other countries; that labor in this country is as much better than foreign labor as the pay is better. Let me illustrate it. Let me prove it. I have before me here a statement made by a gentleman, the representative of the Government of the United States in a foreign country. I speak of our consul at Tunstall, Mr. Schoenhof. He was delegated by the State Department to visit the different countries and to ascertain the difference in wages paid to labor in this country and other countries on certain industries. I will take the shoe industry of the State of Massachusetts. This gentleman visited a shoe factory in Lynn, Mass. He asked for the privilege, as I understand, of examining their books in order that he might determine exactly what the labor cost was in the manufacture of a case of shoes. I will read what he says about it. Mr. Schoenhof said:

Whoever has gone through a Massachusetts shoe factory with open eyes to observe its workings surely leaves it with a useful lesson learnt. Especially so when in his younger days he made good use of the easy opportunity and watched the shoemaker at his daily work. He will remember how the latter beat out his sole leather, cut his soles, the heels, and, from a well-selected side, the uppers, etc. After all the preliminary work had been done, how the twine was doubled till it reached the proper thickness, then how he twisted it and, suspending it on a hook on the door-post, waxed it, the fastening at the ends of the bristles, then the laborious way of stitching with his awls in hands, the finishing, smoothing of the soles with the sharp edge of a piece of broken glass, the burnishing, the polishing, etc., and all the different operations necessary in the making of a pair of boots out of a few pieces of leather, how all this was performed by one and the same master hand. What a skillful man the shoemaker was in his eyes. But now, if he compares this with the American factory method, this mode of working, handed down by the craft for thousands of years perhaps, what an object lesson of development, evolution, and revolution in the industries and arts, taken place within one short generation, presents itself to him by comparison in this single industry.

To examine an American shoe factory is, indeed, the examination of the complete emancipation of labor from any exercise of muscular power directly upon the work. The hand is only used, except in the cutting and hand-lasting, to direct a mechanism which does all the work which used to be done in former times in the manner stated above. The mechanism itself is set and kept in motion by steam power. To the operative nothing is left but to direct the work. Great is the attention required, swift are the motions to complete a vast amount of work in a very short time with correctness and neatness. No time is left for repairs of bad work. If so, it goes out of the time, the earnings of the work people. Nor is time left to think out poetry of the Hans Sachs nor mystic transcendentalism of the Jacob Boehm style. Dreamland has no corner left in a Massachusetts shoe factory. If it had, the operative retiring to it while working would soon wake up with a finger caught in a machine.

Now he goes on to say:

So that there is practically nothing left but very close attention and exercise of nerve power, for hours and hours follow the same rapid monotony, but monotony which leaves no chance to [illegible] to sleep over. Such, it may safely be said, is the system of work, minutest subdivision of labor, and application of machinery to every branch of work which characterizes the manufacture of boots and shoes in the United States. Work done on any other principle, except for custom trade, could not maintain itself for an hour under the fierce competition in the trade in America.

If we then go away from America to Europe and examine the working methods there, we take with us another very instructive lesson. It is, that if two do the same thing it is not the same thing, and if two nations make boots and shoes by machinery it is not the same thing either. Here, more than in anything else, we see all the differences in the manners, customs, and habits of the working people manifest themselves. We see how different, indeed, are the ways in which even the same machinery is set to work by different nations and how different the results from its employment. How all the phlegm and want of energy, perhaps due to want of encouragement of the European working classes, is manifested there and the results when compared with the work and the prodigious output of their American brothers and sisters. Of this phase I shall speak with greater detail when I come to deal with the different countries where boots and shoes are made by the aid of machinery, and where I have been able to collect data on the subject.

Before setting out on the inquiry I provided myself from an American factory with samples of ladies' button boots of two qualities, one made in Lynn, Mass., and the other representing a slightly inferior quality, corresponding to boots made in country shops, and ranging at somewhat lower prices. I will call the higher grade No. 1, and the cheaper one No. 2. The first sells at the factory at $1.70, and the other grade at $1.35 per pair. The first quality is more stylishly made and has more fancy work, but as to quality and wearing character the difference is not very pronounced. In every instance where I showed my samples to manufacturers in foreign countries they were subjects of praise so far as workmanship or general appearance is concerned if put side by side with their own makes. As to price of goods and labor cost, further on.

He goes on to show that the price paid for uppers per dozen pairs for labor in Lynn, Mass., was $1.33 per dozen pairs, or per pair 11¼ cents; the price paid for bottoming per case of sixty pairs (there being both the cutting out and the fitting of the uppers and the bottoming of the shoes) was 18¼ cents per pair. The whole labor cost in that pair of shoes in the State of Massachusetts was about 35 cents per pair.

After examining the shoe manufactories in the State of Massachusetts, after examining their books and having been given every facility in the world to ascertain correctly what was the labor cost, he then proceeded to Germany, and visited not only Germany but other parts of Europe. He visited Frankfort-on-the-Main, Berlin, Vienna, Austria, and Erfurt, in Thuringia; and he also went to England. He visited the shoe industry at Stafford, in England. He visited the great shoe shops of Leicester, in England, and he gives statements from all the factories, made from their books, obtained from the operatives and from the manufacturers themselves. Upon this question there can be no mistake, because this work is done largely by the piece under contract. What is the result? I will read it:

Labor cost of manufacturing ladies' button boots in Lynn, Mass.; Frankfort, Offenbach, and Berlin, Germany; Vienna, Austria; Stafford and Leicester, England; and weekly earnings of operatives in the respective places, of quality—sample No. 1.

Place.	Cost of labor.			
	In uppers.	In bottoming.	In finishing.	Total labor cost.
	Cents.	*Cents.*	*Cents.*	*Cents.*
Lynn, Mass	13⅞	21⅛	.....	35
Offenbach, Germany	23¾	.....	.....	.....
Frankfort, Germany	30	31	.....	61
Berlin, Germany	32⅝	24⅜	.....	57
Vienna, Austria	40	31	.....	71
Stafford, England	22½	24	17	63½
Leicester, England	29½	18½	16½	64

Labor cost of manufacturing ladies' button boots, etc.—Continued.

Place.	Weekly earnings.		
	Men.	Women.	Average.
Lynn, Mass	$12.00	$7.00	$10.00
Offenbach, Germany	5.87	2.88	3.39
Frankfort, Germany	$4.32 to 7.20	$2.16 to 3.60	3.80
Berlin, Germany	4.80 to 7.20	.....	*5.01
Vienna, Austria	4.30 to 9.60	4.40 to 4.80	.....
Stafford, England	5.76 to 6.24	2.88	.....
Leicester, England	6.72 to 8.40	3.60 to 4.32	.....

*Men's wages only.

In this bill a duty is imposed upon all manufactures of leather. I think 40 per cent. is the amount named in the bill—40 per cent. duty where the entire labor cost is half the labor cost in any competing country upon the earth, and it is urged that this duty is to protect American labor, when in fact it is the foreign labor that needs the protection against American shoes.

Mr. ALDRICH. Will the Senator enlarge the scope of his inquiry a little and tell us something about the difference in the cost of making pearl buttons in New Jersey and in Austria, if it will not interrupt him too much?

Mr. McPHERSON. If the Senator from Rhode Island needs any information upon the pearl-button industry, when we reach that schedule of the bill I shall be very glad to give him all the information he wants. I do not care to discuss the pearl-button industry when I am talking about shoes.

Mr. ALDRICH. The Senator from New Jersey had been animadverting upon the great evils which the women who make shirts were suffering under, and as he was familiar with the pearl-button industry, having been before the committee this morning urging an advance upon that particular article, I thought perhaps he might further illustrate his subject by stating the difference in the cost of pearl buttons between Austria and New Jersey.

Mr. McPHERSON. If the Senator wants the information now, he can have it, but I prefer to wait until I get through with this boot question, which troubles the Senator seemingly very much. I am loaded for bear, let the rabbit run awhile longer.

The same authority takes up the question of ladies' dress goods and gives very valuable information. We find that there are two classes of factories, at least factories located in two different parts of our own country, in which in one case the price paid to labor, or the labor cost of the same class of goods, is considerably more than in the other. For the information of the Senator from Rhode Island I will say that the least labor cost found in this report is paid by the manufacturers in Rhode Island. Mr. Schoenhof gives the cost in every stage of the manufacture. The scouring of the wool, the weaving of the goods, the manufacturing, the finishing, and everything is put down, and, moreover, it is copied from the books of the manufacturers themselves. We find that the entire labor cost in the manufacture of ladies' dress goods is very little between this country and Europe. In some woolen products, particularly in the manufacture of carpets, and the carpet industry has become a very important one in this country. I will simply give his recapitulation with respect to labor cost in carpets. Speaking of the ingrain carpet industry he gives the cost. The labor cost in the United States is 7.92 cents, while for like labor in England it is 8.263 cents. What is the duty upon the carpet? Forty per cent. All this is claimed to be in the interest of American labor and for the protection of American labor, and still we show less labor cost, as we have shown in the shoe industry, that the entire labor cost in a case of shoes in Lynn, Mass., was about half the labor cost in a case of shoes of like quality in any country in Europe.

Now, what is the reason of that? The reason is simply because the labor here is better labor. It is better fed labor; it is better paid labor; it is more intelligent labor. This whole question is answered by a foreign boot-maker, speaking to Mr. Schoenhof. Let me read what he says. A manufacturer at Vienna, Austria, said to Mr. Schoenhof:

> You need not tell me; I know all about it. We can no more compete with you in the manufacture of boots and shoes, or in anything which depends on the highest utilization of machinery, than we can fly. Our people have neither the strength, nerve, nor endurance of yours, nor have they the ambition. They don't eat and don't work. They are underfed, and it would be ridiculous to expect that they can cope with your operatives.

In the cotton schedule, I think in the very paragraph we have just voted upon, a duty of 43 or 44 per cent. is demanded, when, in short, it has been proven by the best of evidence that the labor cost is not one-quarter of the duty proposed, because if this report is not evidence there can be no evidence. More than that, when we come to compare the statement made by Mr. Schoenhof with the statement made in the census report of 1880, there can be no avoiding the fact that the difference in labor cost here and abroad in all our major industries in no case is one-quarter of the amount of duty you propose here. This whole bill, cotton schedule and all, is based upon the idea that whenever you find a single article of goods which they were able to import under the existing tariff in 1887, you have raised the duty to a point that will prohibit the importations. The meaning of it is the absolute prohibition of all foreign trade, and in my opinion it is absolutely destructive of all local enterprise.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Missouri [Mr. VEST].

Mr. VEST. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. JONES, of Arkansas. Mr. President, the compilation which we have on our desks shows that there were imported in 1887 of spool-thread, 731,744½ dozen, and that the cost thereof was $95,167. That would seem to indicate that the value of a dozen spool-thread of a hundred yards is 13 cents. The proposed tax of 7 cents a dozen would therefore be a tax of more than 50 per cent.

We begin this bill by an assertion in the title that we intend to reduce taxation and simplify the laws. For twenty years both political parties have been making a pretense of an intention to reduce tariff taxation. In 1872 there was a reduction of 10 per cent. Subsequent to that time the protectionists and the Republican party organized a commission which was directed to investigate the interest of manufacturers in the country, and they recommended a reduction of about 20 per cent. As the Senator from Missouri a few minutes ago read to the Senate, the manufacturers of this article of spool-thread recommended a tariff which they said at the time was a reduction of 20 per cent. from the then existing rates.

I wish to call the attention of the Senate, without any argument, to the taxes that have been levied and collected upon this article. The first tax imposed was in 1861, and was a tax of 30 per cent. The same tax was continued until 1863, when it was raised to 40 per cent. After that the tax was changed to take the form of 6 cents a dozen, and a different ad valorem per cent. was added up to the time of the reduction in 1872. Subsequent to that time the old tax remained until 1883, when 7 cents a dozen was adopted as the tax.

There ought always to be some sort of relation between a tax and the value of the property taxed. Instead of reducing this tariff we are absolutely increasing it by reason of the decrease in the cost of the article. While we are making a pretense to the country of reducing the tax upon those articles which enter into the home consumption of every family in this land we are positively and in fact raising the tax with each step we take. The tax of 7 cents a dozen which was provided for in 1883 is a higher tax now than the same rate of 7 cents a dozen was in 1883; and the pretense that we are keeping up the same tax is not true, because the ad valorem tax is higher at 7 cents a dozen now than it was in 1883. On spool-thread worth 13 cents a dozen a tax of 7 cents a dozen, as I said in the beginning, is more than 50 per cent.; and while we have been making a pretense of reducing the tax which was begun at 30 per cent. and increased to 40 per cent. during the war, we have gone on steadily, until now, a quarter of a century after the war has closed, and after both political parties have pledged themselves to reduce taxation, we are proposing to impose a tax higher than has been levied heretofore upon this article of necessity.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Missouri [Mr. VEST], on which the yeas and nays have been ordered. The amendment will be stated.

The SECRETARY. In line 1226, after the word "thread," it is proposed to strike out the words "7 cents" and insert "40 per cent. ad valorem;" and in line 1229, after the word "yards," to strike out "7 cents," and insert "forty per cent. ad valorem."

The PRESIDING OFFICER. The roll will be called on the question of agreeing to the amendment of the Senator from Missouri.

The Secretary proceeded to call the roll.

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE].

Mr. GEORGE (when his name was called). I am paired with the Senator from New Hampshire [Mr. BLAIR]. If he were present, I should vote "yea."

Mr. JONES, of Arkansas (when his name was called). Having transferred my pair with the Senator from New York [Mr. HISCOCK] so as to make a pair between the Senator from California [Mr. HEARST] and the Senator from New York [Mr. HISCOCK], I vote "yea."

The roll-call was concluded.

Mr. MITCHELL. I am paired with the Senator from Delaware [Mr. SAULSBURY]. I transfer the pair to the junior Senator from Kansas [Mr. PLUMB], and I vote "nay."

Mr. MANDERSON. I transfer my general pair with the Senator from Kentucky [Mr. BLACKBURN] to the Senator from Nevada [Mr. JONES], and vote "nay."

Mr. MORRILL. I am paired with the Senator from Tennessee [Mr. HARRIS], and therefore can not vote.

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER], and the Senator from Rhode Island [Mr. CHACE] with the Senator from Georgia [Mr. COLQUITT].

Mr. JONES, of Arkansas. Since announcing a pair between the Senator from California [Mr. HEARST] and the Senator from New York

[Mr. HISCOCK], I am informed that some other arrangement has been made. I therefore withdraw my vote and announce my pair with the Senator from New York [Mr. HISCOCK].

Mr. PADDOCK. The Senator from Louisiana [Mr. EUSTIS] is paired to-day with the Senator from Illinois [Mr. FARWELL].

Mr. SPOONER. I should like to inquire whether my colleague [Mr. SAWYER] is paired?

The PRESIDING OFFICER. The Chair is not informed of any pair.

Mr. SPOONER. I have asked the Senator from Missouri [Mr. COCKRELL] to pair with my colleague, and he has agreed to do so.

Mr. COCKRELL. The Senator from Minnesota [Mr. DAVIS] is paired with the Senator from Indiana [Mr. TURPIE] who is absent. I agreed to pair with the Senator from Wisconsin [Mr. SAWYER] who is absent. We can exchange the pairs, and I announce a pair between the junior Senator from Indiana [Mr. TURPIE] and the Senator from Wisconsin [Mr. SAWYER]. I vote "yea."

Mr. DAVIS. I vote "nay."

The result was announced—yeas 18, nays 21; as follows:

YEAS—18.

Bate,	Gibson,	Pugh,	Voorhees,
Berry,	Gray,	Ransom,	Walthall.
Call,	McPherson,	Reagan,	Wilson of Md.
Cockrell,	Pasco,	Vance,	
Coke,	Payne,	Vest,	

NAYS—21.

Aldrich,	Edmunds,	Palmer,	Stockbridge,
Allison,	Hawley,	Platt,	Teller,
Chandler,	Hoar,	Sherman,	Wilson of Iowa.
Cullom,	Manderson,	Spooner,	
Davis,	Mitchell,	Stanford,	
Dolph,	Paddock,	Stewart,	

ABSENT—37.

Beck,	Daniel,	Hampton,	Plumb,
Blackburn,	Dawes,	Harris,	Quay,
Blair,	Eustis,	Hearst,	Riddleberger,
Blodgett,	Evarts,	Hiscock,	Sabin,
Bowen,	Farwell,	Ingalls,	Saulsbury,
Brown,	Faulkner,	Jones of Arkansas,	Sawyer,
Butler,	Frye,	Jones of Nevada,	Turpie.
Cameron,	George,	Kenna,	
Chace,	Gorman,	Morgan,	
Colquitt,	Hale,	Morrill,	

So the amendment was rejected.

The PRESIDING OFFICER. The reading will proceed.

The Secretary read as follows:

315. Cotton cloth, not bleached, dyed, colored, stained, painted, or printed, and not exceeding fifty threads to the square inch, counting the warp and filling, 2 cents per square yard; if bleached, 2½ cents per square yard; if dyed, colored, stained, painted, or printed, 4 cents per square yard.

316. Cotton cloth, not bleached, dyed, colored, stained, painted, or printed, exceeding fifty and not exceeding one hundred threads to the square inch, counting the warp and filling, 2½ cents per square yard; if bleached, 3 cents per square yard; if dyed, colored, stained, painted, or printed, 4 cents per square yard: *Provided*, That on all cotton cloth not exceeding one hundred threads to the square inch, counting the warp and filling, not bleached, dyed, colored, stained, painted, or printed, valued at over 6½ cents per yard; bleached, valued at over 9 cents per square yard; and dyed, colored, stained, painted, or printed, valued at over 12 cents per square yard, there shall be levied, collected, and paid a duty of 35 per cent. ad valorem.

317. Cotton cloth, not bleached, dyed, colored, stained, painted, or printed, exceeding one hundred and not exceeding one hundred and fifty threads to the square inch, counting the warp and filling, 3 cents per square yard; if bleached, 4 cents per square yard; if dyed, colored, stained, painted, or printed, 5 cents per square yard: *Provided*, That on all cotton cloth exceeding one hundred and not exceeding one hundred and fifty threads to the square inch, counting the warp and filling, not bleached, dyed, colored, stained, painted, or printed, valued at over 7½ cents per square yard; bleached, valued at over 10 cents per square yard; dyed, colored, stained, painted, or printed, valued at over 12½ cents per square yard, there shall be levied, collected, and paid a duty of 40 per cent. ad valorem.

318. Cotton cloth, not bleached, dyed, colored, stained, painted, or printed, exceeding one hundred and fifty and not exceeding two hundred threads to the square inch, counting the warp and filling, 3½ cents per square yard; if bleached, 4½ cents per square yard; if dyed, colored, stained, painted, or printed, 5½ cents per square yard: *Provided*, That on all cotton cloth exceeding one hundred and fifty and not exceeding two hundred threads to the square inch, counting the warp and filling, not bleached, dyed, colored, stained, painted, or printed, valued at over 8 cents per square yard; bleached, valued at over 10 cents per square yard; dyed, colored, stained, painted, or printed, valued at over 12 cents per square yard, there shall be levied, collected, and paid a duty of 45 per cent. ad valorem.

Mr. VANCE. I move to strike out, in paragraph 318, line 1270, the words "3½ cents per square yard" and in lieu thereof to insert "40 per cent. ad valorem;" and also, in line 1271, to strike out "4½ cents per square yard" and insert in lieu thereof "40 per cent. ad valorem."

I ask a vote on these two amendments, and I trust, if I shall be successful in them, to make the remainder of the paragraph conform thereto.

The PRESIDING OFFICER. Does the Senator desire the words "per square yard" stricken out?

Mr. VANCE. Yes, sir.

Mr. VEST. I do not wish to repeat what I have had occasion to say in regard to these increases. It will be noticed, speaking in general terms, that upon the lower-priced cotton cloths, the coarser cloths, manufactured in the South, which are embraced in paragraphs 315 and 316, there is a decrease of duties, and on the finer cloths, manufactured in New England, and embraced in paragraphs 317, 318, and 319, there is an increase of duty, and a large increase.

I shall not detain the Senate by any argument, but I want to put in evidence the testimony of some gentlemen engaged in the business of manufacturing this cloth. I shall first read from the testimony taken before the House committee in 1884:

COATES & POTTS, MANUFACTURERS OF COTTONS AND WOOLENS,
FORTY-SIXTH AND MARKET STREETS,
Philadelphia, February 27, 1884.

DEAR SIR: The managers of the Philadelphia Textile Association, in their recent protest, do not offer any argument which should lead you or the Committee on Ways and Means to any conclusion aside from the object of your tariff bill. Indeed, if a full canvass of manufacturers here could be had apart from political influences, very many instances would appear of a conservative sentiment which the Textile Association and Mr. KELLEY and Mr. RANDALL seem in ignorance of. A spinner of hosiery yarns told me not long ago that "what we want now is more market and less protection." I am assured in my own mind that we can only expect to keep our home market by furnishing goods at prices which will not attract competitive importations, and by diversifying our productions we may avoid a ruinous competition among ourselves. I am persuaded that all our interests would be better served if your bill could be passed at once by both Houses, and receive the approval of the President.

The statistics of importations, 1883, exhibited by the Textile Association, are of little value in the discussion. Worsted yarns were "boomed" beyond the importation price by the "boom" in Jersey cloths. The same cause probably operated to stimulate the increased importation of ready-made clothing—"Jerseys." They—Jersey cloths—were also knitted goods, making these items of the protest due not so much to the reduction of tariff as to an unhealthy stimulus to prices.

I take the liberty of expressing my mere personal opinion as above for whatever it may be worth to you, not forgetting that you are probably fully posted as to the public sentiment already.

Very respectfully,

BENJ. C. POTTS.

Hon. W. R. MORRISON.

It is refreshing amidst this Sahara of protection to find one oasis like that, a manufacturer who will state frankly and without regard to the consequences to himself or his business what he believes to be the truth.

Now, without further comment, I want to read from a firm, who I do not think have any sympathies with the Democratic party, and that is the firm of Arnold, Constable & Co., of the city of New York, the largest dry-goods merchants now in the business in this country.

Mr. EDMUNDS. And importers.

Mr. VEST. And importers also; and if that disqualifies them as witnesses, as a matter of course the challenge is a good one, but I submit that it does not.

Mr. EDMUNDS. It is only to add grace to the performance.

Mr. VEST. I shall just proceed to read, without argument, what they say in regard to these finer grades of cotton cloths:

[Arnold, Constable & Co., New York. Paris, 21 rue d'Hauteville. Lyon, 8 Quai St. Clair. Manchester, 41 Lower Mosley street.]

NEW YORK, *February 20, 1884.*

DEAR SIR: Mr. Dalton stated before your committee that a change in cottons would prevent the manufacturers in this country from making the finer kinds of cottons, such as sateens.

They come under this last section.

I send you some samples to controvert what Mr. Dalton says:

Sample A is American, 36 inches wide; cost by the case 11½ cents per yard; the pattern is French.

Sample B is French, 32 inches wide, 4 inches narrower than the American; cost to land 18½ cents. You will see we can no longer import the plain French cloth.

Sateens were gotten up by one of the best French manufacturers, especially for us, in the spring of 1882, when we had the market almost entirely to ourselves. In the spring of 1883 the Americans copied the cloth and printed them very extensively, and are going on with them again this season.

In the spring of 1883 the Americans greatly undersold the French article, and our importation was sold without any profit, and in some instances at a considerable loss. We have been driven from the market; therefore the Americans need not fear the reduction which the committee propose.

For the spring of 1884 we have imported sateens in very small quantity, but have produced some cottons of an entirely different weave, which we suppose will be copied next spring.

C sample, American sateen, 32 inches wide, the case price of which is 27 cents, at which price it is supposed to pay the manufacturer a profit, as he would not sell so early in the season without.

D sample, French sateen, 32 inches wide, cost to land 31½ cents.

Sincerely yours,

ARNOLD, CONSTABLE & CO.

Hon. A. S. HEWITT.

P. S.—The American has more weight than the French, but the finish is not quite as good.

It may be that the fact that these people are importers disqualifies them from being credible witnesses, but I submit that if they have not deliberately—and that is a firm of as high character as there is in the country—if they have not deliberately put themselves on record as false witnesses the duty existing to-day in the present law is too high; and yet our friends on the other side of the Chamber insist upon increasing that duty, I submit, for no other purpose, and the conclusion is irresistible, than to give opportunity to American manufacturers to increase their profits.

Mr. VANCE. Mr. President, it seems by looking at these schedules that there have been two or three additional classifications made. The present law classifies all goods of this character, in the first place, such as are below 100 threads to the square inch, and, second, those which exceed 100 threads to the square inch and do not exceed 200; thirdly, those that exceed 200. That is the present law. This makes a classification of all goods of this character below 50 threads to the square inch, and then another classification between 50 and 100 threads, and another between 100 and 150, and another between 150 and 200, and

then all over 200, making five classifications instead of three. That, I suppose, is for the purpose of showing their generosity by giving away things that do not belong to them, and their liberality by grabbing a little more of other people's things!

They reduce the duties on goods of the first classification so coarse as under 50 threads to the square inch, of which there were only a little over 2,000,000 square yards imported, but those come in conflict with the poor Southern mills, and they care nothing about them. They reduce those below what the Mills bill did in the other House. They have out-free-traded the free-trade Democrats; in fact, they trade as freely in other people's property as anybody I know of. But when it comes to the next classification, exceeding 100 and not exceeding 150, they maintain the present law; they do not increase it; but when it strikes from 150 to 200, where there were over 20,000,000 yards imported in the last fiscal year and where the competition comes pretty near home, then they increase on every grade from 3 to 3½ and from 4 to 4½ cents, and from 40 to 50 per cent. ad valorem. In other words, they claim that they are reducing duties on those things which yield no revenue. That is very true. They increase duties on those things which do yield revenue.

It seems to me, for the reasons which I gave this morning and which have been given a hundred times, and which I hope will continue to be given until the final cataclysm comes of this iniquitous protective tariff system—for those reasons, I say, this increase ought not to be made and the duty ought to be made 40 per cent. ad valorem.

I ask for the yeas and nays on the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GEORGE (when his name was called). At the request of the Senator from North Carolina [Mr. VANCE], who is charged with getting a pair for the Senator from Virginia [Mr. DANIEL], I will transfer my pair with the Senator from New Hampshire [Mr. BLAIR] to the Senator from Virginia [Mr. DANIEL], so that they will be paired, and therefore I vote "yea."

Mr. MITCHELL (when his name was called). I am paired with the senior Senator from Delaware [Mr. SAULSBURY]. I transfer the pair to the Senator from Kansas [Mr. PLUMB], and I vote "nay."

Mr. REAGAN (when Mr. MORGAN'S name was called). The Senator from Alabama [Mr. MORGAN] requested me to announce his pair with the senior Senator from New York [Mr. EVARTS], and to state that he would vote "yea" if present.

Mr. MORRILL (when his name was called). I am paired with the Senator from Tennessee [Mr. HARRIS], and therefore withhold my vote.

The roll-call was concluded.

Mr. MANDERSON. I announce a pair between the Senator from Nevada [Mr. JONES] and the Senator from Kentucky [Mr. BLACKBURN].

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. SPOONER. My colleague [Mr. SAWYER], who is absent, is paired with the Senator from Indiana [Mr. TURPIE]. If present, my colleague would vote "nay," and I suppose the Senator from Indiana would vote "yea."

Mr. ALDRICH. My colleague [Mr. CHACE] is paired with the Senator from Georgia [Mr. COLQUITT].

The result was announced—yeas 18, nays 22; as follows:

YEAS—18.

Bate,	George,	Payne,	Vest,
Berry,	Gray,	Pugh,	Walthall,
Call,	Jones of Arkansas,	Ransom,	Wilson of Md.
Cockrell,	McPherson,	Reagan,	
Coke,	Pasco,	Vance,	

NAYS—22.

Aldrich,	Edmunds,	Paddock,	Stewart,
Allison,	Hawley,	Palmer,	Stockbridge,
Chandler,	Hoar,	Platt,	Teller,
Cullom,	Ingalls,	Sherman,	Wilson of Iowa.
Davis,	Manderson,	Spooner,	
Dolph,	Mitchell,	Stanford,	

ABSENT—36.

Beck,	Colquitt,	Gorman,	Morrill,
Blackburn,	Daniel,	Hale,	Plumb,
Blair,	Dawes,	Hampton,	Quay,
Blodgett,	Eustis,	Harris,	Riddleberger,
Bowen,	Evarts,	Hearst,	Sabin,
Brown,	Farwell,	Hiscock,	Saulsbury,
Butler,	Faulkner,	Jones of Nevada,	Sawyer,
Cameron,	Frye,	Kenna,	Turpie,
Chace,	Gibson,	Morgan,	Voorhees.

So the amendment was rejected.

Mr. VANCE. In line 1281, of paragraph 318, I move to strike out the word "five;" so that it will read: "A duty of 40 per cent. ad valorem."

The PRESIDENT *pro tempore*. The amendment will be stated.

The SECRETARY. In line 1281 it is proposed to strike out "forty-five" and insert "forty;" so as to read:

Provided, That on all cotton cloth exceeding one hundred and fifty and not exceeding two hundred threads to the square inch, counting the warping and filling, not bleached, dyed, colored, stained, painted, or printed, valued at over 8 cents per square yard; bleached, valued at over 10 cents per square yard; dyed, colored, stained, painted, or printed, valued at over 12 cents per square yard, there shall be levied, collected, and paid a duty of 40 per cent. ad valorem.

Mr. VANCE. On that I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. GEORGE (when his name was called). By the transfer which I have just announced the Senator from New Hampshire [Mr. BLAIR] and the Senator from Virginia [Mr. DANIEL] are paired, and I therefore vote. I vote "yea."

Mr. MITCHELL (when his name was called). I transfer my pair with the Senator from Delaware [Mr. SAULSBURY] to the Senator from Kansas [Mr. PLUMB], and I vote "nay."

Mr. MORRILL (when his name was called). I am paired with the Senator from Tennessee [Mr. HARRIS], and therefore do not vote.

The roll-call was concluded.

Mr. CULLOM. The Senator from Rhode Island [Mr. CHACE] is paired with the Senator from Georgia [Mr. COLQUITT]. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. JONES, of Arkansas. I announce for the last time to-day that I am paired with the Senator from New York [Mr. HISCOCK].

The result was announced—yeas 17, nays 22; as follows:

YEAS—17.

Bate,	George,	Pugh,	Walthall,
Berry,	Gray,	Ransom,	Wilson of Md.
Call,	McPherson,	Reagan,	
Cockrell,	Pasco,	Vance,	
Coke,	Payne,	Vest,	

NAYS—22.

Aldrich,	Edmunds,	Paddock,	Stewart,
Allison,	Hawley,	Palmer,	Stockbridge,
Chandler,	Hoar,	Platt,	Teller,
Cullom,	Ingalls,	Sherman,	Wilson of Iowa.
Davis,	Manderson,	Spooner,	
Dolph,	Mitchell,	Stanford,	

ABSENT—37.

Beck,	Daniel,	Hampton,	Quay,
Blackburn,	Dawes,	Harris,	Riddleberger,
Blair,	Eustis,	Hearst,	Sabin,
Blodgett,	Evarts,	Hiscock,	Saulsbury,
Bowen,	Farwell,	Jones of Arkansas,	Sawyer,
Brown,	Faulkner,	Jones of Nevada,	Turpie,
Butler,	Frye,	Kenna,	Voorhees.
Cameron,	Gibson,	Morgan,	
Chace,	Gorman,	Morrill,	
Colquitt,	Hale,	Plumb,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

319. Cotton cloth not bleached, dyed, colored, stained, painted, or printed, exceeding two hundred threads to the square inch, counting the warp and filling, 4½ cents per square yerd; if bleached, 5½ cents per square yard; if dyed, colored, stained, painted, or printed, 6¾ cents per square yard: *Provided*, That on all such cotton cloths not bleached, dyed, colored, stained, painted, or printed, valued at over 10 cents per square yard; bleached, valued at over 12 cents per square yard, and dyed, colored, stained, painted, or printed, valued at over 15 cents per yard, there shall be levied, collected, and paid a duty of 45 per cent. ad valorem.

Mr. VANCE. In paragraph 319, I move to strike out from the word "filling," in line 1284, all that follows to the word "yard," at the end of line 1287, and insert in lieu thereof "40 per cent. ad valorem."

The PRESIDENT *pro tempore*. The amendment will be reported.

The CHIEF CLERK. Beginning in line 1284, after the word "filling," it is proposed to strike out all down to and including the word "yard," in line 1287, as follows: "4½ cents per square yard; if bleached, 5½ cents per square yard; if dyed, colored, stained, painted, or printed, 6¾ cents per square yard;" and insert "40 per cent. ad valorem;" so as to read:

319. Cotton cloth not bleached, dyed, colored, stained, painted, or printed, exceeding two hundred threads to the square inch, counting the warp and filling, 40 per cent. ad valorem.

Mr. VANCE. Upon that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GRAY (when Mr. KENNA'S name was called). The Senator from West Virginia [Mr. KENNA] asked me to announce that on all questions arising on this bill he is paired with the Senator from Minnesota [Mr. SABIN]. I make that announcement once for all.

Mr. MANDERSON (when his name was called). I announce the pair for to-day between the Senator from Nevada [Mr. JONES] and the Senator from Kentucky [Mr. BLACKBURN].

Mr. REAGAN (when Mr. MORGAN'S name was called). I announce the pair of the Senator from Alabama [Mr. MORGAN] with the senior Senator from New York [Mr. EVARTS].

Mr. MORRILL (when his name was called). I announce my pair with the Senator from Tennessee [Mr. HARRIS], and will not announce it again to-day.

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. GEORGE. I announce the pair of the Senator from New Hampshire [Mr. BLAIR] with the Senator from Virginia [Mr. DANIEL].

The result was announced—yeas 16, nays 21; as follows:

YEAS—16.

Bate,	Coke,	Pasco,	Reagan,
Berry,	George,	Payne,	Vance,
Call,	Gray,	Pugh,	Vest,
Cockrell,	McPherson,	Ransom,	Wilson of Md.

NAYS—21.

Aldrich,	Edmunds,	Paddock,	Stockbridge.
Allison,	Hawley,	Palmer,	Teller,
Chandler,	Hoar,	Platt,	Wilson of Iowa.
Cullom,	Ingalls,	Sherman,	
Davis,	Manderson,	Stanford,	
Dolph,	Mitchell,	Stewart,	

ABSENT—39.

Beck,	Daniel,	Hampton,	Quay,
Blackburn,	Dawes,	Harris,	Riddleberger,
Blair,	Eustis,	Hearst,	Sabin,
Blodgett,	Evarts,	Hiscock,	Saulsbury,
Bowen,	Farwell,	Jones of Arkansas,	Sawyer,
Brown,	Faulkner,	Jones of Nevada,	Spooner,
Butler,	Frye,	Kenna,	Turpie,
Cameron,	Gibson,	Morgan,	Voorhees,
Chace,	Gorman,	Morrill,	Walthall.
Colquitt,	Hale,	Plumb,	

The PRESIDENT *pro tempore*. It being ascertained by the roll-call that a quorum is not present, the Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Evarts,	Morrill,	Stewart,
Allison,	George,	Paddock,	Stockbridge,
Bate,	Gorman,	Palmer,	Teller,
Berry,	Gray,	Payne,	Vance,
Call,	Hampton,	Platt,	Vest,
Cockrell,	Hawley,	Pugh,	Walthall,
Coke,	Hoar,	Ransom,	Wilson of Iowa,
Cullom,	Ingalls,	Reagan,	Wilson of Md.
Davis,	McPherson,	Sherman,	
Dolph,	Manderson,	Spooner,	
Edmunds,	Mitchell,	Stanford,	

The PRESIDENT *pro tempore*. Forty-one Senators have answered to their names. A quorum being present, the roll-call will proceed upon the amendment proposed by the Senator from North Carolina.

The Secretary proceeded to call the roll.

Mr. VANCE. May I be permitted to withdraw the call for the yeas and nays?

The PRESIDENT *pro tempore*. By unanimous consent. The Senator from North Carolina asks unanimous consent to withdraw the call for the yeas and nays, the roll-call having been partly proceeded with. Is there objection? The Chair hears none. The question recurs upon agreeing to the amendment.

The amendment was rejected.

Mr. PUGH. Mr. President, the present system of Federal taxation, composed of excise and import duties, or what are better known as internal-revenue taxes and tariff duties, had its beginning and derived its present character from the necessities for revenue in our late civil war. It must be admitted that the unavoidable necessity for the enactment of these laws was to raise revenue for the public object of suppressing the rebellion. The question of protection to manufacturing industries in the United States was not then raised or considered in fixing the rate of duty on any import or in the application of any such duty.

The paramount if not the sole consideration was, how much revenue can be raised from importations? The high rate of duties for war purposes became the nursery and hot-bed in which manufacturing in the loyal States sprung into vigorous and prosperous growth, yielding most abundant harvests. The harvest was so rich that it directed the attention of Congress to the propriety of imposing upon the manufacturers themselves some of the burdens of direct taxation.

The fact which I desire to emphasize is that in framing tariff laws during the war there was no necessity, intention, or desire, in fixing the rate of duty, or in the application of the duty to any article of import, to prohibit or to diminish importations for the protection of any American manufacturer against foreign competition. On the contrary, the more importations the more revenue, and revenue was the paramount object of Federal taxation during the war. Had there been no war there never would have been any suggestion from any quarter that as much as 40 per cent. duty on any imports was necessary to protect American manufacturers against foreign competition. Suppose the Government of the United States now had no bonded debt and no pension obligations to meet, and no other use for revenue except to defray the necessary current expenses of legitimate government, would we have ever heard of the claim that at least 40 and on many articles 200 per cent. upon imports was necessary to protect American manufacturers against foreign pauper labor or any other disadvantage? Any claim like that we have heard in thrilling appeals all over the land for such protection would be heeded no more in the condition I have supposed than if it emanated from the inmates of an insane asylum.

I challenge a denial of the fact I now state, that it was the necessity for revenue and not the necessity for protection that required the levying and the collection of the present rate of tariff duties on imports. Then, the question arises, what shall be done with present tariff rates when it is admitted that they produce more revenue by $100,000,000 per annum than is needed by the Government? The ruinous condition in full view of all men is the present surplus revenue income into the Treasury of $100,000,000 and its continued increase every month of about $10,000,000 beyond any use that can now be made of the money by the Government; and it is admitted by the Republican Senators who framed the Senate bill that it will amount to $221,000,000 surplus before any new tariff bill can be passed and put in operation. What, then, shall be done with this surplus, and how shall we stop the drain of millions of money not needed by the Government, and admitted to be necessary to carry on the business and industries of the country? Two remedies are now before the Senate—one embodied in the House bill, and another embodied in the bill of the Senate Committee on Finance.

The House bill originated where the Constitution required it to be originated. After full discussion the House bill passed by 13 majority. The House bill has been before the Senate committee long enough to receive the most mature consideration, and that committee has reported their amendment as a substitute for the House bill after exhausting their skill and ability in its preparation, and the two measures confront each other in the Senate. The House bill has received the votes of 162 representatives of the people, and of the Democratic delegates of thirty-eight States in State conventions, and the unanimous vote of the delegates in the last national convention of the Democratic party. It is reasonably certain that the votes of only two Senators prevent the passage this day of the House bill by the Senate. Two votes in the Senate from the Republicans would insure the passage of the House bill any hour the roll was called. When and how will the fate of the two measures be decided?

Will the Democrats in the Senate and House give up the Mills bill after the sanctions it has received? The question will soon be answered, and when answered my prediction is that neither the House nor the Senate bill will or can become a law of the present Congress. It is idle to tell me that any provision of either of these bills was passed upon or decided favorably or unfavorably by a majority of the electoral votes in the last election. How stands the House of Representatives in the Fifty-first Congress as between the House and the Senate bill? How many voters in the three hundred and twenty-five Congressional districts in the thirty-eight States ever heard of, or, if they heard of, had a correct understanding of the main provisions of the House or the Senate bill? Politicians and newspapers may declare that so and so has been decided by the election, but no human being capable of self-government has or will change his convictions or action on either of these bills on account of the late election.

The matter of immediate interest to the people is whether any revenue bill will be passed by the present Congress. All admit that remedial legislation is demanded. Both Houses of this Congress while acting separately and independently of each other to carry out their respective views without going into conference will never agree on the provisions and details of any revenue bill. The only hope for the passage of any bill this session must be founded on the action of a conference committee of the two Houses. It is manifest that it is the organized purpose of the Republicans of the Senate to pass the substitute now before the Senate. They have shown their ability and intention to pass their substitute substantially as reported. When the substitute goes to the House, the House will not concur in the Senate amendment, and the two bills will then go before a conference committee of the two Houses. Will that conference committee agree on any bill? Let us speculate a little on what is likely to be the action of the conference committee. The two bills will be compared with each other and found to agree in many particulars. Then come the items upon which the two Houses disagree. Many of the disagreements will be on non-essential and comparatively immaterial matters. Both Houses have and will adhere to provisions that will be given up in conference. Then come the hard points, the fundamental differences. Will these be surrendered, or waived for future disposition? What are some of the confessed and undisputed aims of the two bills? Both claim that the revenue from existing laws will be reduced in round numbers $70,000,000 if either bill passes. Then what divides the two Houses and the two political parties? The division is first, on what articles shall go on the free-list, and second, what shall be the rate of duty on the articles imported that are like those manufactured in this country; and all the trouble in coming to an agreement grows out of one single inquiry, and that is the kind and degree of protection that is required to shelter American manufacturers in the competition between them and foreign manufacturers to supply the American markets.

It would be an easy matter for the two Houses to agree on the rate of duty necessary for revenue to support the Government and meet all its obligations. The whole contention resolves itself into the single question of the kind and degree of protection Congress should afford

American manufacturers by the exercise of the tax power. This thing of giving aid and encouragement to mining and manufacturing industries in the United States, called protection, is expressly recognized and authorized in the Constitution in the grant of power to Congress to levy duties on imports, a power known and intended to be a power capable of being properly exercised so as to afford such protection. Did not the framers of the Constitution understand the ordinary principles and axioms of political economy? If so, then they knew that when Congress levied the duty on any import brought here for sale the duty would certainly become a part of the original cost of the article to the importer, and that he was certain to collect the duty out of the purchaser of that article in the American market, and that the duty would follow and always become a part of the price of the article down to the consumer.

The authors of the Constitution knew also that the price of the imported article would regulate the price of any article like it that might be manufactured in this country, and that if the duty was added to the price of the imported article in whole or in part it would certainly be so added to the price of the like article manufactured in this country if it took both the home and foreign supply to satisfy the American demand. If the duty was paid by the importer on the article imported, and by him collected out of the consumer in whole or in part, it was perfectly plain that it made no difference to the importer how high the duty was so long as he could collect it out of the American consumer, and at the same time make such profits as he demanded and as he was certain to do if he had no American competition. Here lies the foundation of the economic principle, and policy, and necessity, and benefit of protection and encouragement of American manufacturing to the American consumer. It aids and assists in building up home competition that meets the foreign manufacturer in the American market and prevents him from enjoying a monopoly in supplying, at his own prices, the wants of the American consumer. These things were perfectly well understood by the framers of the Constitution when they granted the power to levy duties on imports for the public objects specified in the Constitution.

The First Congress, having many members who had just aided in framing the Constitution, undertook to exercise the tax power of the Government, and as a matter of preference they framed a tariff law instead of resorting, as they had a right to do, to direct taxation, and in so doing they stated that one of the reasons for their preference was to afford protection. In framing a tariff law in the First Congress many members declared (Madison among the number) that in framing the bill the objects in levying the duties on imports were to raise revenue "and encourage American manufacturing," and that was stated to be one of the reasons for adopting that mode of raising revenue. If they did not intend and desire that protection, help, encouragement, should follow the duty and be the result and effect of the duty on imports, why did they say so? Ah! but it has been claimed that such would have been the necessary effect of the duty without saying so. But still, it is certain they said so, and if they knew it was unnecessary to say so, it only makes the proof stronger that they desired such protection as one of the objects and effects to be accomplished by levying the duties on articles that were or could be manufactured in this country, and their desire was emphasized in the debate. These are my reasons for declaring myself a protectionist (as I have done before in several tariff speeches in this Senate) in the sense of affording aid, help, and encouragement to American industries engaged in mining and manufacturing by the imposition of duties on articles in the manufacture of which there is competition in Europe and America. In what I have stated to be my position I affirm that I am in a straight line and in perfect harmony with the position of the organized national Democratic party.

Then where and how do the two parties differ? The difference is perfectly plain, fundamental, and irreconcilable. The Democratic system of protection to home industries of all descriptions is the true American system, founded on and inseparable from tariff duties levied not for revenue only, but for revenue, as the basis of the tax power, and protection, as an effect intended and desired to be produced in the exercise of the power by discrimination between imports and by the adjustment and application of the duty.

In making out the dutiable-list in the different schedules I would determine the rate of duty on each article by the amount of revenue that article ought to produce in making up the aggregate sum necessary to support and meet the obligations of the Government.

If the article is necessary in general use I would charge it with the least amount of revenue, and if a luxury I would charge it with the most revenue it was necessary for it to produce, and if the article was manufactured in this country I would ascertain to what extent, and if in sufficient quantity to supply the American demand without looking to foreign markets I would consider these facts in fixing the rate of duty. One of the most difficult problems to deal with in framing tariff schedules and determining the proper amount of duty is to decide correctly, or even proximately, what effect the rate of duty will have on the amount of importations.

There is one controlling fact in this calculation, and that is, what may be the extent and source of the supply of the import to be taxed to meet the American demand or consumption? If the American manufacture is sufficient in quantity and quality to supply the home demand without resorting to importations, then the duty on such articles ought not to exceed an amount that will cover the difference in the labor cost of the article here and in Europe, as it is very certain that such a rate of duty would place the manufacturers at home and abroad on terms of perfect equality in their competition to supply the American market and prevent the foreigner from dumping any of his surplus upon our home markets to cripple our industries. But if the American manufacturers are not able to supply the home market and fully meet the American demand and consumption of the article or articles selected for taxation, then the American consumer must look partly to importations of such articles to supply his wants. In such a condition of the supply and demand in the American market, if the article is a necessary of life the rate of duty should be no more than sufficient to make up the difference in the labor cost of the article in the home and foreign markets, so as to deprive the manufacturers at home and abroad of the power of dictating prices to the American consumer, and keeping them in competition with each other on terms of equality in furnishing the American market.

It is certain that if the foreign manufacturer had to supply the American market with any article without any American competition the consumer here would suffer in the price as much as if the home manufacturers monopolized the market and had no regulator of prices except home competition.

It is certainly of the highest importance to American consumers that there should be the largest amount of production of what they consume, and that there should be the greatest competition among those who supply the American market with what it is able to purchase and consume.

There are two factors necessary to produce what the American consumers require, and they are capital and labor. Capital is more independent than labor. Capital is scarcer than labor and much more difficult to obtain. It can exist without clothing, food, and shelter. Labor must have employment to live. It is nearly always the sufferer in any contest with capital.

In mining and manufacturing the first indispensable factor is capital. Money is never ready for investment in anything until the owner is reasonably assured that there is safety and profit. These assurances being afforded and capital obtained, the next factor is labor. The labor supply is sufficient to meet any demand capital is likely to make for mining and manufacturing. When capital is invested and labor employed in these industries, both the laborer and the capitalist are mutually interested in success. The joint product of this capital and labor must have a market. Markets must have supply and demand, and supply and demand make prices. If there is but little of anything that is in demand the price is higher. If too much is in the market the price is lower. The most important question in the whole business of protection of labor and capital is the price that can be realized for the joint product. Not that labor ever gets its just share of the price received by the capitalist for the joint product, but the price in the market is the one essential element in the whole contention about protection.

Now, the everlasting question is, what does a tariff duty on an article manufactured abroad and imported into the American market for sale and consumption have to do with the price of that article to the American consumer? Why can not the truth be ascertained and admitted in answer to this question? If any fact in human transactions can be found out in a thousand years' experience it does seem this is one. But we are just where we were before the solar system was discovered. The manufacturer to whom the price is paid is contending to-day that while it is impossible for him to live without the duty, he swears that he gets no part of it or a very inconsiderable part of it, and the consumer who pays the price swears that the duty or a part of it was in the price he paid.

The manufacturer swears he must have the duty put on the article made abroad like that he makes here, or he can not manufacture that article, and he will be compelled to close up, and leave the foreign manufacturer without competition in supplying the wants of the American consumer, and then the foreign manufacturer will demand his own price. The consumer inquires how the duty is to protect the American manufacturer if it does not increase the price of such articles in the American market. Why is it that the American manufacturer has to close up and give way to the foreigner, if it is not because the foreigner undersells him with the like article manufactured abroad with cheaper labor? The American manufacturer answers the consumer that if the duty is put on the article high enough to cover the difference in the cost of his labor, then the foreigner can not get in here with his cheaper goods without first paying the duty, and when he does that, then the cost of the article he brings here will be the same as the article made here and they will meet each other here in the home market on terms of equality, and the consumer can buy on reasonable terms.

It is absolutely certain that before the foreign article can be offered for sale in the American market the duty on it must be paid into the Treasury of the United States. In the debate in the First Congress

(May, 1789), Roger Sherman stated, as reported in Annals of Congress, volume 1, page 304, that—

The merchant considers that part of his capital applied to the payment of the duties the same as if employed in trade, and gets the same profit upon it as on the original cost of the commodity.

That statement of a plain truth was made nearly a century since, and no one has had temerity enough to question it until it became customary to assert that high duties made cheaper goods. But is it really believed that when an importer brings foreign-made goods into the American market and pays the duty on them he does not ask and always receive back the duty in the price paid him for the goods by the American consumer?

If that be true as to the importer and as to the price of the foreign article he sells here, then how is it as to goods manufactured here and like those imported and on which no duty has been paid? These American goods, free of duty, are here for sale in the same market, and the American manufacturer and the importer meet the consumer, and the American manufacturer and the importer each offer their goods to the consumer, and the consumer inquires of each what price he asks. Is any one simple enough to believe that if the importer treats the duty he paid on his goods as part of their cost, and adds it in the price he asks the consumer, the American manufacturer will not ask the same price for his goods made here and on which no duty has been paid?

But then, says the American manufacturer, admit that I ask the same price, does that prove that the duty had anything to do with the price I asked? Certainly not, as I never paid any duty on my goods and therefore could add none in my price. The original cost of my goods on account of the higher price I paid for my labor was as great as the cost of the imported goods including the duty. The duty was added to the cost of the imported goods and the higher-priced labor was added to the cost of the home-made goods and made the cost of each the same in the American market.

This is a perfectly truthful, fair, and logical analysis of the Democratic doctrine of protection secured to the home manufacturer by making up to him in the rate of duty on the imported article like that he makes here the full amount of the difference in the cost of labor employed here and abroad in mining and manufacturing the articles imported and those made in the United States. The broad, high, patriotic, national, and just ground occupied by the Democratic party, and from which the party as a national organization can never be driven, is that American manufacturers have no right to ask and Congress has no authority to grant any more encouragement and protection than will be secured in an amount of duty that will make up the difference in the cost of mining and manufacturing labor in Europe and America. When this is done home and foreign manufacturers stand in the American market on terms of perfect equality in the original cost of their productions.

If the rate of duty on the imported article makes the cost to the importer the same as the cost of the home-made article to the American manufacturer, then is it not absolutely certain that both the foreign and home manufacturer meet the American consumer in the American market on terms of perfect equality? The duty has made the imported article cost the importer so much, and the higher-priced labor has made the home-made article cost the American manufacturer as much as the duty made the imported article cost the foreign manufacturer, so that it is manifest that in the original cost of the foreign and the domestic article the duty has placed both the home and foreign manufacturer in the American market on terms of perfect equality.

This is the impregnable ground occupied by the organized national Democratic party. Individual Democrats may go as far as the Republicans, but I propose to allow them to do so as long as they support Democratic organization on questions involving governmental power and white supremacy. Economic questions, like revenue, protection, and currency, are regulated by statute laws and are the subjects of change by amending or repealing laws found on trial to operate injuriously. As to such matters white people may differ as individuals and still retain membership of their political party and support its organization.

But when it comes to questions of local self-government and usurpation of governmental power, and especially life and death questions involving the peace and good order and safety of society and property and the supremacy of intelligence and morality found to exist in the greatest degree in the white race in all civil government in this country, there can be no concessions, no compromises among white people. Whoever is the friend of the white race in such essentials is my friend, irrespective of party, and whoever is the enemy of the white race on questions involving race supremacy is my enemy.

This fidelity of white men to each other on race questions and conflicts must be unfaltering under all trials and must prove itself in action on the side of maintaining the absolute supremacy of the white race in the possession and exercise of all governmental power in this country. Not that any inferior race shall suffer any deprivation or detriment in the possession and enjoyment of all personal and property rights belonging alike to them and to the white race, but that in matters of civil government in this country the white men alone in all parties must rule in order that the blessings of republican and democratic government by white men may be secured to all races and conditions. Such fidelity of white men to each other in the Southern States for such purposes has been established under the dire necessities of self-preservation, and white men of all parties everywhere else who are free from such troubles and necessities may rest assured that no allurements of office, or differences of tariff laws, or degrees of protection to American industries can ever degrade them to the level of negro equality.

Where, then, is the line of separation between the two parties on proposed tariff legislation? Where is the ground of contention? It is found on the question of the labor cost of protected articles, and whether protection shall stop at the line of difference in such cost here and abroad. The first difficulty is in agreeing upon the amount of labor that enters into the production of protected articles at the mine and at the factory; and, second, what wages are paid such laborers in America and in Europe? What is the per cent. of labor cost expended in the production of protected articles? The per cent. of labor is not the same in the production of each article. And then the cost of such labor differs in every foreign country and in many of the United States.

The quantity and quality and cost of labor employed in different countries in mining and manufacturing industries are most difficult questions to determine with any reasonable or satisfactory certainty. There are so few reliable data, and it is so easy to make facts and figures out of whole cloth, and there are so many motives to misrepresent, that it is hopeless to expect that these sources of contention will ever be removed or that labor cost can ever be established as the basis of protection to American manufacturers. We must deal the best we can with these questions, as they come to us with all their difficulties and complications. Then take the metal schedule for illustration.

The first form of iron is in the pig. It is made of ore, and the iron in the ore is melted out in a furnace heated with coke and the iron separated from the dirt by the use of limestone in the smelting. To make a ton of pig-iron it takes about 2½ tons of ore, according to the per cent. of ore, and 1½ tons of coke or anthracite coal and one-third of a ton of limestone. The cost of the labor employed to handle and utilize this raw material in making a ton of pig-iron in the Sloss furnaces in Birmingham, Ala., the largest in the State, is as follows: Sworn statement of Colonel Sloss, founded on his pay-rolls, puts the labor cost of the ore at $2.25, of the coke at $2.13, and of the limestone at 17 cents. He includes also in the cost of a ton of pig-iron water and fuel for the boiler and repairs of furnace and labor, and salaries of officers, superintendents, and labor in railroad transportation of the ore, coke, and limestone, amounting to $4.16, and making in the aggregate $8.71. Colonel Sloss concludes his statement as follows:

This table shows that the actual labor that goes to the making of a ton of pig-iron costs $8.71.

I will now give the sworn statement of H. S. Chamberlain, of Chattanooga, Tenn., a large miner of coal and manufacturer of iron for twenty-five years. I asked Mr. Chamberlain the following question:

In counting the items of cost that enter into the production of pig-iron from the crude ore to the finished pig, what proportion or percentage of the cost do you pay for labor?

Answer. Well, everything in it is labor, excepting the royalties, unless you would say that if I buy a ton of iron to make horseshoes or any other work about the place you would not count that in what might be called supplies. Other than that of course it is all labor. For instance, at our blast-furnace or at the coal-mines it is so. The mining of coal is all labor, except the royalty, which would be a separate item, from 12½ to 25 cents. I would answer, in a rough way that is very near accurate, that the fuel costs us $5. Take ore. The cost of transportation being excluded as not a part of the labor cost, I should say that the ore, the labor part of it, for a ton of pig-iron would be in cost not a great way from $4. The ore and the coal together, not including transportation, for a ton of pig-iron is $9. I put the whole cost for a ton of pig-iron when it is ready for shipment at $14. Besides what I have stated as to the labor cost of the coal and ore, we may say that about $1.50 or $2 might come in for labor about the furnace, making the cost of all the labor $11.

Mr. President, I have examined many witnesses under oath in New York, Pennsylvania, Tennessee, and Alabama, and very few of them agree as to the labor cost of pig-iron. They differ from $2 to $8, and upon examination it will be found, as Colonel Sloss stated in his testimony, that—

The cost of making pig-iron is one of the troublesome questions, and ignorance or carelessness on that point has brought us into a good deal of difficulty. You ask a man what it costs to make iron and you will find that he has got one formula; and when you go to another you will find that he has got a different one, and so on. Now, I have here a statement of the cost of making iron for twelve months at our works.

Colonel Sloss makes the whole cost of the manufacture of a ton of pig-iron, including raw material, labor, repairs, taxes, and interest, $11.90.

I have no doubt that pig-iron can be made, and is now being made at Birmingham, Anniston, Gadsden, and other places in Alabama, at a cost of $9 per ton, and certainly at $10, and that the whole labor cost of a ton of pig-iron does not exceed $6; and the proof is conclusive to show that the iron and coal workers in Alabama get about as much and save more than such workers in Pennsylvania.

When you estimate the labor cost of a ton of pig-iron you have the first item of labor cost in all the forms of iron and steel and of all structural iron and steel. As you ascend in the scale of iron and steel manufacture you encounter the same difficulties in ascertaining the cost of labor that was had in determining the labor cost of a ton of pig.

Take next the cotton schedule. Edward Atkinson, with an experi-

ence of thirty years in manufacturing cotton goods in Massachusetts, states under oath that—

Nine-tenths of the cotton goods manufactured in this country consist of staple articles for the use of the million, such as shirting, sheeting, and drilling, and the common wear, and one-tenth consists of a nicer article, depending upon its style, its weave, its color, or how it is woven, like fine laces and organdie, and fine lawns and extremely fine threads. The former we manufacture for and supply entirely the home market, and the latter we mostly import from England, France, and Switzerland. The cost of the manufacture of cotton goods in mill labor does not exceed 1 cent per yard. The necessary expense attending the importation alone of the cotton fabric is at least 5 per cent.

The American cotton spinner has an advantage over the English cotton manufacturer of at least half a cent a pound in the cost of raw cotton. In a cotton mill constructed to-day for making a coarse fabric of cotton in this country a cent a pound would allow the payment of 6 per cent. on the capital invested. But for revenue the kind of cotton goods imported are a perfectly fit subject for a revenue tariff. In other words, if we did not need the revenue we would not need a revenue tariff; but needing the revenue and considering the revenue standard point of view in imposing the duty, we compass the other object at the same time. If there had never been a duty exceeding 10 per cent. in the United States from the beginning upon any article we would have had a more stable and larger development of cotton, wool, iron, and steel factories than we have to-day.

We all admit that, whether beneficially or otherwise, we have changed the direction of our industries through the policy of protection that has obtained, and no man of common sense proposes to sweep away the existing tariff at one sweep. I would cease the discussion between the two opposite theories, and I would have the two sides come together, and from their respective standpoints agree upon a practical measure which both sides could sustain. The difficulty is the difference of opinion between the manufacturer and consumer as to the rate of duty. The rate necessary for revenue is easily ascertained; the trouble is all found in the rate claimed for protection—it is denied that the rate that will bring revenue enough will bring protection enough.

The question of the price of cotton does not arise between the American producer of cotton and the manufacturer of cotton goods, for the reason that the American producer enjoys almost a monopoly in the production; and of fine cotton, the foreign purchaser regulates the price, because the foreign manufacturer of cotton goods takes two-thirds of the American cotton crop. This is not the fact as between the American producer of raw wool and the American manufacturer of woolen goods, for the reason that raw wool is raised in many foreign countries.

The next witness I will introduce is Mr. Gilbert B. Whitman, of Manchester, N. H., agent of the Amory Manufacturing Company, which employs eight hundred operatives in manufacturing cotton cloth, and engaged thirty-one years in manufacturing. I asked him the following question:

Mr. PUGH. The average rate or average cost of labor per yard of the kind of goods you have described—drillings, sheetings, and jeans—Mr. Atkinson said was about 1 cent per yard.

The WITNESS. Yes.

Mr. PUGH. Have the American manufacturers any ground for fear of English manufacturers, except on the cost of labor?

Answer. Not the least.

Mr. PUGH. They are able to compete except on account of the difference in the cost of labor?

Answer. That is all.

Mr. PUGH. All the advantage they have over you is in the cost of labor, and you offset that by a half cent difference in the cost of the raw material and a half cent in the cost of transportation.

The next witness is Thomas L. Livermore, of Manchester, N. H., agent of the Amoskeag Manufacturing Company, which has on its payrolls six thousand operatives and manufactures 50,000 bales of cotton per annum. I asked him the following question, which he answered under oath:

Mr. PUGH. What per cent. of the cost enters into the fabric as cost of labor?

Answer. As I said, it is about 30 per cent. That includes the labor expended in the repairs of machinery and in handling the cloth after it is woven to get it ready for the market, and in trucking about—freighting—all of which is an essential part of getting the goods ready for the market, and we charge it in as labor. That includes the cost of transportation up to the time we put the goods onto the cars.

Mr. PUGH. How much benefit do you get from the protective tariff in the prices? What per cent. is added to the price of your fabrics in the American market on account of the tariff?

Answer. I suppose that all our profit is due to the tariff on that class of goods. As far as I have been able to judge, there are some few kinds of goods in which the great proportion of value consists in the material and a small portion of the value consists in the labor that we could compete with foreign manufacturers. These denims are perhaps an illustration. They are very coarse goods, into which little labor, comparatively, enters; but when it comes to finer goods, such as our ginghams, which constitute one-half our product, I do not think we could run our mills upon them without a protective tariff.

Mr. PUGH. Would not a duty of 30 per cent. afford you the same protection that you get now?

A. I think it would.

Mr. BLAIR. You mean a reduction of 10 per cent. of the duty on such articles would not result in their larger importations.

A. I do not think it would. I think the moment you get it below a prohibitory point that moment it would hurt us. In order to have it prohibitory you must have it high enough that it will not be infringed by fluctuations from one year to another. I do not think it is worth while for us to make any "bones" about it. What we want is a prohibitory tariff.

Mr. President, I desire to call special attention to recent declarations of Republican Senators reported in the CONGRESSIONAL RECORD of the 22d of December last, page 455:

Mr. VEST. We come back to the fundamental difference between the two parties in all these arguments, and it is going in a circle. We say that no duty should be put upon anything for the sake of protection alone. We say you have no right and it is unjust to tax the consumers in the United States for the purpose of building up any special industry, without regard to the necessities of the Government.

Mr. ALLISON. I understand the Senator to be in favor of that method of taxation which will raise the necessary money to support the Government from duties upon imports. If it be true that the consumer pays these duties, and that the price of the domestic article is enhanced to a sum equivalent to the duties, is not that the most expensive method of taxation that can possibly be devised, because for every dollar that goes to the Government $10 go into the pockets of the men who make the same article in this country, no matter what the rate is?

Mr. VEST. We are not discussing the expense, but the justice of the tax.

Mr. ALLISON. I wish to say that if I understand the Senator he is willing to levy duties upon cotton goods, for example, to maintain the Government. Suppose a duty of 1 cent is levied upon cotton yarns instead of 10 cents, and then nine-tenths of the cotton yarns consumed in this country are manufactured here. According to the theory of the Senator that 1 cent is added to the entire consumption of yarns and only one-tenth goes into the Treasury, and the other nine-tenths are paid by consumers of the yarn.

Mr. VEST. It is no theory; it is a question of actual fact.

Mr. ALLISON. Very well. Now, that being a fact, I submit to the Senator that his method of taxation is the most unjust and oppressive that could be possibly devised. * * * I do not believe in the theory of the Senator.

Mr. VEST. What other theory can obtain, unless the Senator holds the manifest absurdity, to my mind, that the manufacturer pays the duty and that is the end of it?

The statement in the remarks of the Senator from Iowa [Mr. ALLISON], to which I invite special attention as being most important and as being the crucial test of the Republican system of protection, is in the following words:

If it be true that the consumer pays these duties and that the price of the domestic article is enhanced to a sum equivalent to the duties, is not that the most expensive method of taxation that can possibly be devised, because for every dollar that goes to the Government $10 go into the pockets of the men who make the same article in this country, no matter what the rate is?

And this theory the Senator from Iowa emphatically denies. He is compelled to deny it or he must condemn the system the Republicans practice in enforcing the pledges of protection to American manufacturers. How can it be denied that the duty on an article imported is paid at the custom-house by the person who brings it into the American market for sale? How can it be denied that when the duty is paid by the importer it becomes a part of the original cost of the imported article and that when offered for sale in the American market, if the importer gets any profit his selling price must include the duty? Then how is it with the price of the domestic article manufactured in this country? Will the domestic article be offered for sale in the American market at a price that is made no higher on account of the price of the imported article that is increased by the duty? Admit that the price of the domestic article is regulated by its original cost, and that its original cost is the same as the imported article with the duty added, on account of the higher cost of the labor employed in the manufacture of the domestic article, can it be denied that the price of the domestic article includes the difference in the cost of labor here and abroad, and puts the home and foreign manufacturer upon terms of equality?

But the Senator from Iowa [Mr. ALLISON] says that if the duty enables the American manufacturer to get the same price for the domestic article that is paid for the imported article with the duty added, it is the most expensive, unjust, and oppressive system of taxation that could possibly be devised. As urged by the Senator from Missouri [Mr. VEST] it is not a theory, but an actual fact. It is a fact established by the levying a duty on imports high enough to cover the difference in the cost of the labor employed here and abroad to manufacture imported and protected articles.

Just at this corner in the debate between the Senator from Missouri and the Senator from Iowa the stalwart protectionist from New Hampshire [Mr. BLAIR] takes the floor and boldly announces the truth, the whole truth, and nothing but the truth in these words of unmistakable meaning:

Mr. BLAIR. It is not then the theory that the duty is not paid at all, because the foreign article is not sold here. * * *

I submit to the Senator from Missouri that the Republican position is that the foreign article is not consumed here, it is not paid for, it is not traded for, it does not come to America at all, and our theory keeps it away, and then nobody pays it, because the foreign article is not sold.

Mr. VEST. From our imports we see how much is brought into this country.

Mr. BLAIR. That is because our theory is not carried out. * * *

Those foreign goods have no business here. The Republican theory is debauched by Democratic free-trade doctrines, and the foreign goods find their market here in the United States and are consumed in the United States, when, if our theory was carried out, they would remain at home, our own people would manufacture those goods, and they would sell to their own people, and we should consume what was created here. It is altogether in carrying out the theory.

Here we have it from one Republican Senator that the duties on imports do not enhance the price of the articles imported, or the price of the articles like them manufactured in this country, to the extent of the duty, because if such be true then the method of tariff taxation is the most expensive, unjust, and oppressive of any system that could be devised. And from another Republican Senator, who knows that the duty does increase the price if the article is imported at all, we have the frank and honest confession that the true theory of the Republican party is not to allow any competition for the American market between foreign and home manufacturers, but the duty should be high enough to keep the article taxed in the foreign country where it was made and where it belongs, and not allow it to come here for sale or barter, and let the American manufacturers supply the whole American demand at prices regulated alone by competition among themselves; and that if this Republican theory of prohibiting imports for the sake of protection stops the collection of any revenue, then the theory is to resort to direct taxation for the support of the Government.

Mr. President, the Republican doctrine refuses to make the boundary line of protection a rate of duty high enough to cover the difference in the cost of labor here and abroad employed in the manufacture of protected articles, and thereby make the original cost of the goods the

same in the American market to home and foreign manufacturers, and insists that the duty shall have no relation whatever to revenue, but shall be made high enough to exclude importations and thereby prostitute the tax power into a power to make trade regulations between the United States and foreign countries. Who denies that this is the Republican theory and system of protection proposed to be organized and executed by the passage of the Senate substitute for the Mills bill?

Hear what the great junior Senator from Vermont [Mr. EDMUNDS] said in favor of a prohibitory tariff in same debate (RECORD, page 291):

Mr. EDMUNDS. * * * If you put your tariff down to the point of 25 per cent. because that is what the laborer gets, it enables the foreign manufacturer and the foreign starved and reduced and slave labor, as it really is, to send to this market just so much more of their productions; and I have not lived long enough yet to believe that, if I am to have two pairs of boots, and that if I get one of them in London that pair of boots is not going to be made here. Every pair of boots that I wear that is made in London is not made by somebody in the United States, and by just that much the labor of the United States is deprived of the opportunity to make boots for me. Now multiply that on the subject of boots and shoes by 60,000,000 and you will understand what I mean; and when you apply it to every one of the things in this whole list, the observation is of course true in exactly the same way.

This is the whole argument in favor of a prohibitory tariff on every article that can be made in the United States.

Mr. President, I ask the Senate and the country to remember that but a short time since the most that the American manufacturer claimed to protect him against injurious competition with the European manufacturer was to make the duty for revenue high enough to cover the difference between the higher-priced labor paid by him and the lower-priced labor paid abroad by his competitor, so as to make the original cost of the domestic and imported article the same in the American market, thereby putting the two manufacturers upon terms of equality in their competition with each other to supply the American consumer. When the Democratic party came fully up to that standard of protection in their platform and practically in the House bill, here comes an advance movement of the Republican forces to plant their flag upon the outer wall of protection, overreaching the boundary of the tax power of the Government to raise revenue for its support, and prostituting this revenue power into a power to prohibit trade with foreign countries by raising the duties high enough to destroy it for revenue and potential for protection by prohibition of importations.

Are American consumers of protected articles ready to surrender to the new exactions of tribute to those who claim a monopoly of the American market, with no protection to the consumer except what may come from the unavoidable and uncontrollable pressure of competition among themselves? Mr. President, I am a friend of American manufacturers and I will favor no law or system of laws that will interfere with their sure and steady and healthful growth and prosperity. But some protection is due to American consumers. They want their necessities and indulgences satisfied in the American market. They prefer that their wants shall be supplied by home manufacturers in the home market, but they want some chance of having their wants satisfied at prices that are reasonable.

Consumers claim that there shall be some mutuality in the American market between buyers and sellers. When the manufacturer meets the farmer with his cotton, his wool, his wheat, his corn, and his meat, what passes between them? The manufacturer says to the farmer, "I will pay you such a price." Well, who has fixed the price of the cotton, wool, wheat, corn, and meat the manufacturer must have? The price is fixed by the manufacturer, and the farmer is never consulted and has no voice or hearing. When the manufacturer gets the produce of the farmer at his own prices, it then comes to the farmer's turn to buy from the manufacturer what he wants.

The farmer says to the manufacturer, "I want you to sell me a suit of clothes, some calico, some gingham, dress goods for my wife and daughters, boots, shoes, hats, blankets, some trace-chains, axes, chisels, drawing-knives, pocket-knives, and many other articles you have to sell and I must buy;" and does the farmer say, "I will pay you so much for what I want," as the manufacturer said about what he wanted that the farmer had to sell? No, sir. The manufacturer has the price-making all his own way. He makes the price of everything he buys from the farmer and then makes the price of everything he has to sell and does sell the farmer.

The identical money the manufacturer pays the farmer for his cotton, wool, wheat, corn, and meat at prices made by the manufacturer, that identical money the manufacturer gets back from the farmer in the sale of protected articles at prices made also by the manufacturer. Is not such an American market a charming one for the manufacturer? Is there any wonder that he gets rich and the farmer is always poor? Is there any surprise that the manufacturer piles up any amount of money to put a party in power that will insure him such an American market? The wonder is that farmers and consumers submit to such injustice and outrage.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

320. On stockings, hose, half-hose, gloves, shirts, drawers, and other goods made on knitting machines or frames, composed of cotton or other vegetable fiber, and not otherwise specially enumerated and provided for in this act, 35 per cent. ad valorem.

Mr. VANCE. In line 1299, I move to strike out "35" and insert "30;" so as to read "30 per cent. ad valorem."

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. On line 1299, it is proposed to strike out "35" and insert "30;" so as to read:

320. On stockings, hose, half-hose, gloves, shirts, drawers, and other goods made on knitting machines or frames, composed of cotton or other vegetable fiber, and not otherwise specially enumerated or provided for in this act, 30 per cent. ad valorem.

Mr. VANCE. I ask for the yeas and nays.

Mr. ALDRICH. I appeal to the Senator from North Carolina to withdraw the call for the yeas and nays.

Mr. VANCE. Why so?

Mr. ALDRICH. It will delay the business of the Senate, and I wish that we may complete this schedule to-night.

Mr. VANCE. Finish the schedule to-night?

Mr. ALDRICH. Yes, sir.

Mr. VANCE. I can not withdraw the call for the yeas and nays for such a purpose as that. I do not desire to finish the schedule to-night.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House insisted upon its amendments to the bill (S. 858) to forfeit lands granted to the State of Michigan to aid in the construction of a railroad from Marquette to Ontonagon, in said State; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HOLMAN, Mr. STOCKDALE, and Mr. PAYSON managers at the conference on the part of the House.

REPORT OF NATIONAL ACADEMY OF SCIENCE.

The PRESIDENT *pro tempore* laid before the Senate the annual report of the operations of the National Academy of Science; which was referred to the Committee on Printing.

INDEMNITY TO JAPANESE.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read:

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a report of the Secretary of State, with accompanying papers, recommending an appropriation for the relief of Japanese subjects injured, and of the families of Japanese subjects killed on the Island of Ikisima in consequence of target practice directed against the shore by the United States man-of-war Omaha in March, 1887.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 3, 1889.

The PRESIDENT *pro tempore*. The message will be referred to the Committee on Appropriations if there be no objection, and printed.

Mr. EDMUNDS. I think it ought to go to the Committee on Foreign Relations, as it involves a question of foreign affairs.

The PRESIDENT *pro tempore*. It will be so ordered if there be no objection.

Mr. EDMUNDS. I move that the Senate do now adjourn.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate adjourned until to-morrow, Friday, January 4, 1889, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January* 3, 1889.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

STATISTICAL ABSTRACT.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, submitting a draught and recommending the passage of a bill to authorize the printing of a statistical abstract; which was referred to the Committee on Appropriations, and ordered to be printed.

INSTITUTION FOR THE DEAF AND DUMB.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an increased estimate from the Secretary of the Interior of an appropriation for the support of the Columbia Institution for the Deaf and Dumb; which was referred to the Committee on Appropriations, and ordered to be printed.

ST. MARY'S FALLS CANAL.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a report from the Chief of Engineers relative to the commerce of the St. Mary's Falls Canal, Michigan; which was referred to the Committee on Commerce, and ordered to be printed.

COAST AND GEODETIC SURVEY.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a statement of the expenditures for the Coast and Geodetic Survey for the fiscal year 1888; which was re-

ferred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

ST. LOUIS AND IRON MOUNTAIN RAILWAY VS. W. H. CAYCE.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting, in response to a resolution of the House, papers in the case of the St. Louis and Iron Mountain Railway vs. William H. Cayce; which was referred to the Committee on the Public Lands, and ordered to be printed.

SURVEY OF ARID LANDS FOR PURPOSES OF IRRIGATION.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting a report by the Director of the Geological Survey upon the survey of arid lands for the purpose of irrigation; also, submitting an estimate of an appropriation for the work; which was referred to the Committee on Appropriations, and ordered to be printed.

HOUSE BILLS WITH SENATE AMENDMENTS REFERRED.

The SPEAKER also laid before the House the following House bills with Senate amendments; which were severally referred as indicated below:

The bill (H. R. 7776) to authorize the construction of a bridge across the Missouri River in the county of Monona, in the State of Iowa, and in the county of Burt, State of Nebraska, and to make the same a post-route—to the Committee on Commerce.

The bill (H. R. 10621) for the removal of the political disabilities of John H. Parker, of Virginia—to the Committee on the Judiciary.

The bill (H. R. 5349) for the relief of James Trabue, Thornton Thatcher, Michael Callahan, and the widow of John Waters—to the Committee on Claims.

The bill (H. R. 9385) for the relief of Christian Kunzie—to the Committee on Invalid Pensions.

The bill (H. R. 5985) to increase the pensions of Mrs. Mary Ann Cross, Mrs. Minnie L. Gardner, and Mrs. Lillie May Pavy to $30 per month—to the Committee on Invalid Pensions.

SUPREME COURT DECISIONS FOR DISTRICT AND CIRCUIT COURTS.

The SPEAKER also laid before the House the bill (H. R. 1860) to amend section 683 of the Revised Statutes, with amendment of the Senate.

Mr. LANHAM. I ask unanimous consent that the House concur in the Senate amendment, both as to the text and title of the bill. I will state in explanation that this bill passed the House of Representatives the 31st of last January. It proposes to authorize the Secretary of the Interior to distribute one set of the Supreme Court reports at each place where the district and circuit courts are held in the United States. The bill passed the House, went to the Senate, and was referred to the Committee on Printing. That committee referred the bill to the Attorney-General and a draught as a substitute was prepared by the Attorney-General, which met the approval not only of the Attorney-General but also of the Secretary of the Interior. I ask unanimous consent to concur in the Senate amendment.

Mr. BLOUNT. I would like to ask the gentleman from Texas what amount is involved in this bill.

Mr. LANHAM. The bill as it originally passed provided that $20,000 should be appropriated. Upon investigation by the Attorney-General, it is estimated that it may require $28,000 in order to supply all the courts.

Mr. BLOUNT. I wish to say, when this matter was up years ago, and it was endeavored to put it on the sundry civil bill, there was an estimate made by the Department of Justice that it would involve the expenditure of over $1,000,000.

Mr. LANHAM. Oh, no. Here is the report or a letter from the Attorney-General. It is simply to give one set of the Supreme Court decisions to each place where these courts are held.

Mr. BLOUNT. It was endeavored to put that on the sundry civil bill several years ago.

Mr. LANHAM. Will my friend allow me to read from this letter of the Attorney-General?

Mr. BLOUNT. If my friend will allow me, I will state that, as I remember, the distinguished gentleman from Kentucky [Mr. BECK], in the conference committee, when this measure was up before, made a statement of an estimate made by the Department of Justice that it would involve over $1,000,000, and therefore I think it is of sufficient importance to go over.

Mr. LANHAM. Will the gentleman allow me for a moment——

Mr. BLOUNT. If I should do so other gentlemen would insist upon being heard. The gentleman will see that there is a difference of opinion.

Mr. LANHAM. If you will listen to what the Attorney-General said——

Mr. BLOUNT. I decline at this time. I might do so and still not be convinced.

Mr. LANHAM. Then I ask consent that the bill remain on the Speaker's table, that I may have an opportunity of explaining to the gentleman from Georgia hereafter.

The SPEAKER. If there be no objection, that will be done.

There was no objection, and it was so ordered.

ARMS FOR MONTANA MILITIA.

The SPEAKER also laid before the House the bill (H. R. 1969) authorizing the Secretary of War to issue to the governor of the Territory of Montana military stores for the use of the regularly enlisted, organized, and uniformed active militia, with an amendment of the Senate thereto.

Mr. TOOLE. Mr. Speaker, I ask unanimous consent that the House concur in that amendment.

The SPEAKER. The Clerk will report the amendment, after which the Chair will ask for objection.

The Clerk proceeded to read the Senate amendment.

Mr. HOLMAN. Mr. Speaker, I think the bill had better be read, unless the gentleman from Montona prefers to state the substance of it.

Mr. TOOLE. I will make a brief statement which I hope will answer the same purpose. The report made by the Senate committee shows the facts to be as follows:

In August, 1867, there was issued to the Territory of Montana, for the purpose of repelling Indian hostilities, field artillery, small-arms, etc., amounting to $69,296.77, which was charged against the annual quota allowed said Territory under the law for arming and equipping the militia. By the act of February 17, 1870, the Secretary of War was authorized to balance the account between the Territory of Montana and the United States by crediting said Territory with the balance of the amount then standing charged against it on account of the issuance of arms in August, 1867, amounting to $69,296.77, as above mentioned. In the mean time, and before such credit was authorized, there had been deducted from the annual quota of the Territory the sum of $33,860.76.

The United States has frequently on occasions of emergency issued extra arms to the States, and deducted the same from their annual quotas, but has afterwards credited the States with the amounts so deducted. This was done in the case of an extra allowance made to the State of South Carolina on the requisition of the governor of that State in 1869, which was for a time charged to its annual quota and afterwards made good by the issuance of additional arms.

The bill under consideration provides for the arming of the militia of the Territory of Montana, and the Secretary of War estimates that it would require about $46,500 to comply with its provisions. This would be in excess of the amount which should be issued to the Territory to make up what has been deducted from its annual quota and credited on the special issuance of arms, etc., in August, 1867.

Your committee have therefore amended the bill limiting the amount appropriated thereby to the amount which had been taken from the annual quota of the Territory and credited on the special issuance of arms in 1867, which amounted to $33,860.76. This will relieve Montana from the charge of the extra allowance made in August, 1867, on account of an emergency growing out of Indian hostilities.

Mr. HOLMAN. This $33,000, as I understand it, is a demand on the Treasury.

Mr. TOOLE. Yes, for the purchase of these arms; but when purchased they become the property of the United States, and the Territory is required by this bill to enter into bonds for the safe-keeping and return of the same.

Mr. HOLMAN. Is this necessary?

Mr. TOOLE. Yes, sir. That was necessary, as there was no estimate for these arms in the estimates submitted by the War Department.

Mr. HOLMAN. I thought we had been providing for enough arms.

Mr. TOOLE. Well, that is the statement of the Acting Secretary of War.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. TOOLE] that the amendment of the Senate be concurred in?

There was no objection, and it was so ordered.

Mr. STONE, of Kentucky, moved to reconsider the vote by which the amendment of the Senate was concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

WILLIAM R. WHEATON AND CHARLES H. CHAMBERLAIN.

The SPEAKER also laid before the House a bill (S. 3646) for the relief of William R. Wheaton and Charles H. Chamberlain, of California.

Mr. MCKENNA. I ask unanimous consent for the present consideration of that bill. A like bill passed the House a few days before the adjournment of the last session but failed to reach the President in time for either disapproval or approval.

The SPEAKER. The bill will be read, after which the Chair will ask for objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to William R. Wheaton, ex-register, and to Charles H. Chamberlain, ex-receiver of the land office at San Francisco, Cal., jointly, out of any money in the Treasury not otherwise appropriated, the sum of $3,800, being a portion of the amount deposited in the Treasury of the United States by them as fees for testimony which was taken by clerks whose compensation was paid from the private funds of said ex-register and said ex-receiver.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. MCKENNA] that this bill be now considered?

Mr. BRECKINRIDGE, of Kentucky. I will ask the gentleman whether there is any report in this case?

Mr. MCKENNA. Yes; but the report is very long, and I can make a statement of the facts in a few minutes.

Mr. BRECKINRIDGE, of Kentucky. I have no objection to the

gentleman making a statement, but I reserve the right to object after the statement is made.

Mr. MCKENNA. Under the law as it was practiced in the land office in San Francisco the register and receiver were allowed the fees in certain cases coming before them; and out of those fees they paid their official expenses. The Secretary of the Interior subsequently decided that those fees did not belong to the officer, but should be paid over to the United States Government; and they were thus paid by the register and receiver into the United States Treasury.

The object of this bill is to reimburse to these officers the amount of money actually paid out by them for clerk-hire, being the sum of $3,800. Five thousand dollars was the amount collected, of which $3,800 was expended for clerk-hire. Subsequently an act was passed allowing to these officers $100 a month, I believe, for clerk-hire.

Those are the facts connected with this case. A bill similar to this was passed by both Houses a few days before the recess, but failed to receive the approval of the President—as I suppose on account of want of time.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. MCMILLIN. Reserving the right to object——

Mr. MCKENNA. The gentleman from Tennessee [Mr. MCMILLIN] will remember the bill to which I refer, as it was one immediately preceding a measure called up by himself on one of the Fridays before the recess.

Mr. MCMILLIN. I wish to ask the gentleman from California under what circumstances these clerks were employed? How is it that they were employed without any authority for their payment out of existing appropriations?

Mr. MCKENNA. These land officers had authority to employ the clerks, and their employment was necessary. The clerks were paid at one time out of the fees collected by the register and receiver. The Secretary of the Interior, however, decided that those fees were public money. Hence the payment of those clerks had to come out of the private funds of the register and receiver. Subsequently, by law or by a construction of the Department, these officers were allowed clerk-hire. The object of this bill is to reimburse them for the money which they paid out of their private funds for this service.

There being no objection, the House proceeded to the consideration of the bill; which was read a first and second time, ordered to a third reading, read the third time, and passed.

Mr. MCKENNA moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ABANDONED MILITARY RESERVATIONS IN NEVADA.

The SPEAKER also laid before the House the bill (S. 3677) to open abandoned military reservations in the State of Nevada to homestead entry; which was read a first and second time.

Mr. PAYSON. The reference of that bill should be, I think, to the Committee on Public Lands.

Mr. TOWNSHEND. I submit to the Chair that the bill properly belongs to the Committee on Military Affairs, which has charge of all matters relating to military reservations.

The SPEAKER. The bill might go, the Chair thinks, to either committee, because it provides for the opening of abandoned military reservations to homestead entry.

Mr. HOLMAN. When military reservations are abandoned they become of course a part of our public lands.

Mr. PAYSON. And these reservations are already abandoned by existing law.

The SPEAKER. The Chair, on further examination, thinks the bill more properly should go to the Committee on Public Lands——

Mr. PAYSON. Of course.

The SPEAKER. It relates to the settlement of these abandoned military reservations as public lands under the homestead law.

Mr. HOLMAN. Those abandoned reservations become public lands by operation of law.

Mr. PAYSON. Of course.

Mr. TOWNSHEND. I have no desire to insist on the reference of the bill to the Committee on Military Affairs, if it relates alone to abandoned military reservations.

The SPEAKER. It does.

The bill was referred to the Committee on the Public Lands.

EMMA BIDDLE.

The SPEAKER also laid before the House the bill (S. 3628) granting an increase of pension to Emma Biddle.

Mr. O'NEILL, of Pennsylvania. I ask unanimous consent that this bill remain upon the Speaker's table.

The SPEAKER. If there be no objection, that disposition will be made of the bill.

There was no objection.

SENATE BILLS REFERRED.

The SPEAKER also laid before the House Senate bills of the following titles; which were severally read a first and second time, and referred as indicated:

The bill (S. 1455) for the relief of Mark Tomlinson—to the Committee on Invalid Pensions.

The bill (S. 1311) granting an increase of pension to Samuel J. Murphy, of Marengo, Iowa—to the Committee on Invalid Pensions.

The bill (S. 2530) granting a pension to Robert Kelly—to the Committee on Invalid Pensions.

The bill (S. 3042) granting a pension to Mrs. Philena T. Carpenter—to the Committee on Invalid Pensions.

The bill (S. 3072) granting a pension to John J. Gorham—to the Committee on Invalid Pensions.

The bill (S. 3374) granting an increase of pension to Newton J. Shrake—to the Committee on Invalid Pensions.

The bill (S. 3451) granting a pension to Frank D. Worcester—to the Committee on Invalid Pensions.

The bill (S. 3529) granting a pension to Miss Elizabeth A. Tuttle—to the Committee on Invalid Pensions.

The bill (S. 3538) granting a pension to Mary Saeger—to the Committee on Invalid Pensions.

The bill (S. 3556) granting a pension to William H. Mays—to the Committee on Invalid Pensions.

The bill (S. 3561) granting a pension to Edwin W. Warner—to the Committee on Invalid Pensions.

The bill (S. 1278) for the relief of James A. Terrell—to the Committee on War Claims.

FORFEITURE MARQUETTE AND ONTONAGON RAILROAD LAND GRANT.

The SPEAKER laid before the House the message of the Senate announcing its disagreement to the amendments of the House to the bill (S. 858) to forfeit lands granted to the State of Michigan to aid in the construction of a railroad from Marquette to Ontonagon in said State, and asking for a conference on the disagreeing votes of the two Houses.

The request for a conference was agreed to; and the Speaker appointed as conferees on the part of the House Mr. HOLMAN, Mr. MCRAE, and Mr. PAYSON.

Mr. MCRAE, at his own request, was excused from serving as such conferee, and Mr. STOCKDALE was appointed in his place.

LEAVE OF ABSENCE.

Mr. BRECKINRIDGE, of Arkansas, by unanimous consent, was granted leave of absence for two weeks on account of important business.

Mr. DOUGHERTY was granted leave of absence, by unanimous consent, until the 10th instant.

ENROLLED BILLS SIGNED.

Mr. KILGORE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 7) granting a pension to Thomas B. Walsh;

A bill (H. R. 206) granting a pension to William H. Starr;

A bill (H. R. 210) granting a pension to Ephraim Nye;

A bill (H. R. 308) granting a pension to John Lynn;

A bill (H. R. 724) for the relief of Louisa McLain;

A bill (H. R. 2061) granting an increase of pension to Francis De Freitas;

A bill (H. R. 2236) granting a pension to Eli J. Yamgheim;

A bill (H. R. 2499) increasing the pension of Miss Sarah Mary Carroll;

A bill (H. R. 2667) for the relief of Ida M. Howell;

A bill (H. R. 2702) granting a pension to Mary Ann Shook;

A bill (H. R. 2707) granting a pension to Baker Saine;

A bill (H. R. 2839) granting a pension to Henry Sommers;

A bill (H. R. 3512) granting a pension to Anthony Shafer;

A bill (H. R. 3608) granting an increase of pension to William E. Prince;

A bill (H. R. 3681) granting a pension to Carter W. Tiller;

A bill (H. R. 4101) granting a pension to Martha Giddings, formerly Martha Priest;

A bill (H. R. 4648) granting a pension to Jemima Sterling;

A bill (H. R. 4649) granting a pension to Daniel Tanner;

A bill (H. R. 4737) granting a pension to Micah French;

A bill (H. R. 4887) granting a pension to Charles E. Scott;

A bill (H. R. 5408) granting a pension to Emma F. Read;

A bill (H. R. 5593) granting an increase of pension to Laura L. Wallen;

A bill (H. R. 8469) for the relief of Michael Pigott;

A bill (H. R. 9654) granting an increase of pension to Jesse J. Clark;

A bill (H. R. 10869) to construct a road from Florence, S. C., to the national cemetery adjacent thereto;

A bill (H. R. 10947) for the relief of John Sweeney;

A bill (H. R. 11042) for the relief of Motier Howe;

A bill (H. R. 11317) granting a pension to Fredericka Liesegang;

A bill (H. R. 11333) granting a pension to Mrs. Louise M. Humphrey; and

A bill (H. R. 11362) for the relief of William R. Rodgers.

EXPLANATION.

Mr. CRAIN. Mr. Speaker, during the debate yesterday in the Committee of the Whole House on the state of the Union on the river and harbor appropriation bill, while the gentleman from Pennsylvania [Mr. SOWDEN] was engaged in making some remarks criticising the action of the committee in reference to certain ports along the coast of Texas, I asked him through the chairman whether he had reference to Buffalo Bay or Buffalo Bayou, and his reply was that he had reference to both Buffalo Bay and Buffalo Bayou. That fact does not appear in the RECORD, and I ask the correction be made.

The SPEAKER. The correction will be made.

CALL OF THE STATES AND TERRITORIES.

Mr. REED. I am directed by the Committee on Rules to make the following report, and to present a resolution upon which I ask the previous question.

Mr. ANDERSON, of Kansas. Before the gentleman has that read I ask whether he will not grant more time for debate than merely thirty minutes.

Mr. REED. I have asked for the previous question, having been instructed so to do by the Committee on Rules, so I am not at liberty to accede to the present request. After the resolution is read it will be apparent to the House, I think, the matter does not require more debate than the rules of the House permit.

Mr. ANDERSON, of Kansas. I would like to suggest to the gentleman after the resolution has been read to the House he will see it affects great measures.

Mr. TAULBEE. I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. TAULBEE. I do not think we can determine whether to limit debate or not until the subject to be debated has been brought to the attention of the House.

The SPEAKER. The report of the Committee on Rules will be read.

The Clerk read as follows:

The Committee on Rules, having had under consideration a resolution proposing to so amend the rules of the House as to limit the call of States and Territories on each Monday morning to one hour, begs leave to report in lieu thereof the following, and recommends its passage:

Resolved, That during the remainder of the present session of Congress there shall be no call of the States and Territories on the first and third Mondays of each month.

Mr. ANDERSON, of Kansas. Now I ask unanimous consent that one hour be allowed to each side in debating this resolution.

Mr. BLANCHARD. I object.

Mr. REED. I ask the previous question.

Mr. RANDALL. It is proper to say that there was a division, however, in the Committee on Rules on this subject.

The question being taken on ordering the previous question, the House divided, and there were—ayes 73, noes 22.

Mr. ANDERSON, of Kansas. No quorum.

Mr. SPRINGER. I ask the yeas and nays on this question.

The yeas and nays were ordered, there being 36 in favor of the call and 6 opposed to it.

Mr. ANDERSON, of Kansas. Is that a quorum?

The SPEAKER. A quorum is not required. One-fifth of those present may order the yeas and nays.

Mr. ANDERSON, of Kansas. I do not want this thing railroaded through in this manner.

The SPEAKER. The Clerk will call the roll.

The question was taken; and there were—yeas 115, nays 28, not voting 180; as follows:

YEAS—115.

Adams,	French,	Macdonald,	Sawyer,
Allen, Mich.	Gear,	Maish,	Scull,
Anderson, Miss.	Gest,	Mansur,	Seymour,
Anderson, Ill.	Glass,	Martin,	Smith,
Atkinson,	Grosvenor,	Mason,	Sowden,
Bayne,	Harmer,	McCreary,	Spooner,
Blanchard,	Haugen,	McKenna,	Springer,
Bound,	Hayden,	McKinley,	Stahlnecker,
Breckinridge, Ky.	Henderson, Iowa	McRae,	Stockdale,
Brewer,	Henderson, Ill.	Mills,	Stone, Ky.
Brower,	Herbert,	Moore,	Struble,
Browne, Ind.	Hermann,	Morrow,	Taulbee,
Burnes,	Hiestand,	Nutting,	Taylor, E. B., Ohio
Burrows,	Hires,	Oates,	Taylor, J. D., Ohio
Butterworth,	Hitt,	O'Ferrall,	Thomas, Ill.
Campbell, T. J., N. Y.	Holmes,	O'Neall, Ind.	Thompson, Ohio
Cannon,	Hopkins, N. Y.	O'Neill, Pa.	Thompson, Cal.
Catchings,	Houk,	Osborne,	Tracey,
Cogswell,	Hudd,	Outhwaite,	Townsbend,
Compton,	Hutton,	Peel,	Vance,
Conger,	Johnston, Ind.	Perkins,	Vandever,
Cox,	Kean,	Peters,	Walker,
Crouse,	Kerr,	Plumb,	Weaver,
Cummings,	Laffoon,	Post,	West,
Cutcheon,	Laidlaw,	Reed,	Wheeler,
Darlington,	Landes,	Rice,	White, N. Y.
Dockery,	Lane,	Rowell,	Woodburn,
Farquhar,	Lehlbach,	Russell, Mass.	Yoder.
Finley,	Lodge,	Ryan,	

NAYS—28.

Abbott,	Cowles,	Hall,	Randall,
Baker, Ill.	Crain,	Hare,	Robertson,
Bankhead,	Crisp,	Henderson, N. C.	Rogers,
Biggs,	Davidson, Fla.	Jackson,	Sayers,
Bland,	Dunn,	Lanham,	Stewart, Tex.
Chipman,	Elliott,	Lind,	Turner, Ga.
Cobb,	Fuller,	Penington,	Wilson, Minn.

NOT VOTING—180.

Allen, Mass.	Dargan,	Kelley,	Pidcock,
Allen, Miss.	Davenport,	Kennedy,	Pugsley,
Anderson, Iowa	Davidson, Ala.	Ketcham,	Rayner,
Anderson, Kans.	Davis,	Kilgore,	Richardson,
Arnold,	De Lano,	La Follette,	Rockwell,
Bacon,	Dibble,	Lagan,	Romeis,
Baker, N. Y.	Dingley,	Laird,	Rowland,
Barnes,	Dorsey,	Latham,	Russell, Conn.
Barry,	Dougherty,	Lawler,	Rusk,
Belden,	Dunham,	Lee,	Scott,
Bingham,	Enloe,	Long,	Seney,
Bliss,	Ermentrout,	Lyman,	Shaw,
Blount,	Felton,	Lynch,	Sherman,
Boothman,	Fisher,	Maffett,	Shively,
Boutelle,	Fitch,	Mahoney,	Simmons,
Bowden,	Flood,	Matson,	Snyder,
Bowen,	Foran,	McAdoo,	Spinola,
Breckinridge, Ark.	Ford,	McClammy,	Steele,
Browne, T. H. B., Va.	Forney,	McComas,	Stephenson,
Brown, Ohio	Funston,	McCormick,	Stewart, Ga.
Brown, J. R., Va.	Gaines,	McCullogh,	Stewart, Vt.
Brumm,	Gallinger,	McKinney,	Stone, Mo.
Bryce,	Gay,	McMillin,	Symes,
Buchanan,	Gibson,	McShane,	Tarsney,
Buckalew,	Glover,	Merriman,	Thomas, Ky.
Bunnell,	Goff,	Milliken,	Thomas, Wis.
Burnett,	Granger,	Moffitt,	Tillman,
Butler,	Greenman,	Montgomery,	Turner, Kans.
Bynum,	Grimes,	Morgan,	Wade,
Campbell, F., N. Y.	Grout,	Morrill,	Warner,
Campbell, Ohio	Guenther,	Morse,	Washington,
Candler,	Hatch,	Neal,	Weber,
Carlton,	Hayes,	Nelson,	White, Ind.
Caruth,	Heard,	Newton,	Whiting, Mich.
Caswell,	Hemphill,	Nichols,	Whiting, Mass.
Cheadle,	Hogg,	Norwood,	Whitthorne,
Clardy,	Holman,	O'Donnell,	Wickham,
Clark,	Hooker,	O'Neill, Mo.	Wilber,
Clements,	Hopkins, Ill.	Owen,	Wilkins,
Cockran,	Hopkins, Va.	Parker,	Wilkinson,
Collins,	Hovey,	Patton,	Williams,
Cooper,	Howard,	Payson,	Wilson, W. Va.
Cothran,	Hunter,	Perry,	Wise,
Culberson,	Johnston, N. C.	Phelan,	Yardley,
Dalzell,	Jones,	Phelps.	Yost.

No quorum voted.

Mr. ANDERSON, of Kansas. I ask unanimous consent to dispense with the reading of the names.

Mr. SPRINGER. I object.

The Clerk then recapitulated the names of those voting.

The following pairs were announced on all political questions until further notice:

Mr. NORWOOD with Mr. YARDLEY.

Mr. BACON with Mr. WILLIAMS.

Mr. SNYDER with Mr. DALZELL.

Mr. CLARDY with Mr. DINGLEY.

Mr. WISE with Mr. KELLEY.

Mr. GIBSON with Mr. GOFF.

Mr. LAWLER with Mr. MCCORMICK.

Mr. O'NEILL, of Missouri, with Mr. T. H. B. BROWNE, of Virginia.

Mr. CARUTH with Mr. HOLMES.

Mr. COTHRAN with Mr. BOOTHMAN.

Mr. DIBBLE with Mr. PUGSLEY.

Mr. FELIX CAMPBELL with Mr. O'DONNELL.

Mr. FORNEY with Mr. WICKHAM.

Mr. NEAL with Mr. BELDEN.

Mr. BRECKINRIDGE, of Arkansas, with Mr. LONG.

Mr. HOOKER with Mr. COOPER.

Mr. BLOUNT with Mr. BINGHAM.

Mr. RUSK with Mr. HARMER.

Mr. TARSNEY with Mr. BREWER.

Mr. HEMPHILL with Mr. GROUT.

Mr. HERBERT with Mr. BOUTELLE.

Mr. JONES with Mr. PATTON.

Mr. ERMENTROUT with Mr. MORRILL.

Mr. MCSHANE with Mr. LAIRD.

Mr. GREENMAN with Mr. SHERMAN.

Mr. BURNETT with Mr. WHITING, of Massachusetts.

Mr. MORGAN with Mr. PARKER.

Mr. WHITTHORNE with Mr. WHITE, of Indiana.

Mr. LAGAN with Mr. CLARK.

Mr. DOUGHERTY with Mr. HUNTER.

Mr. STONE, of Missouri, with Mr. THOMAS, of Kentucky.

Mr. GRANGER with Mr. ROCKWELL.

Mr. HAYES with Mr. DORSEY.

Mr. MONTGOMERY with Mr. HOPKINS, of Illinois.

Mr. MCCLAMMY with Mr. NICHOLS.

Mr. MCKINNEY with Mr. MCCOMAS.
Mr. SENEY with Mr. STEWART, of Vermont, for ten days.
Mr. ENLOE with Mr. BUTLER, on this vote.
Mr. WILKINS with Mr. WILBER, on this vote.
Mr. CAMPBELL, of Ohio, with Mr. KENNEDY, on this vote.
Mr. MCMILLIN with Mr. DE LANO, on this vote.
The result of the vote was then announced as above recorded.
The SPEAKER. No quorum has voted.
Mr. REED. I move a call of the House.
The question was taken; and on a division there were—ayes 64, noes 21.
So the motion was agreed to.
Mr. BARNES. I move that the House do now adjourn.
The question was taken, and the House refused to adjourn.
The roll was then called, and the following members failed to answer to their names:

Arnold,	De Lano,	Laird,	Rockwell,
Belden,	Dibble,	Latham,	Romeis,
Bingham,	Dingley,	Lawler,	Russell, Conn.
Boothman,	Dorsey,	Lee,	Rusk,
Boutelle,	Dougherty,	Long,	Scott,
Bowden,	Dunham,	Lyman,	Seney,
Bowen,	Ermentrout,	Lynch,	Shaw,
Breckinridge, Ark.	Felton,	Maffett,	Sherman,
Browne, T. H. B., Va.	Fisher,	Mahoney,	Shively,
Brown, J. R., Va.	Flood,	McClammy,	Snyder,
Brumm,	Foran,	McComas,	Spinola,
Bryce,	Forney,	McCormick,	Stephenson,
Buckalew,	Gaines,	McCullogh,	Stewart, Ga.
Bunnell,	Gallinger,	McKinney,	Stewart, Vt.
Burnett,	Gay,	McShane,	Stone, Mo.
Butler,	Gibson,	Merriman,	Symes,
Bynum,	Glover,	Milliken,	Tarsney,
Campbell, F., N. Y.	Goff,	Moffitt,	Thomas, Ky.
Campbell, Ohio.	Granger,	Montgomery,	Tillman,
Candler,	Greenman,	Morgan,	Warner,
Carlton,	Grout,	Morrill,	Weber,
Caruth,	Guenther,	Morse,	White, Ind.
Caswell,	Hatch,	Neal,	Whiting, Mich.
Clardy,	Hayes,	Nichols,	Whiting, Mass.
Clark,	Hemphill,	Norwood,	Whitthorne,
Cockran,	Hogg,	O'Donnell,	Wickham,
Collins,	Hooker,	O'Neill, Mo.	Wilber,
Cooper,	Hopkins, Ill.	Parker,	Wilkinson,
Cothran,	Hopkins, Va.	Patton,	Williams,
Cutcheon,	Hunter,	Perry,	Wilson, W. Va.
Dalzell,	Jones,	Phelan,	Wise,
Dargan,	Kelley,	Phelps,	Yardley,
Davenport,	Laffoon,	Pugsley,	Yost.
Davidson, Ala.	Lagan,	Richardson,	

During the roll-call,
Mr. GLASS said: I ask that my colleague, Mr. NEAL, be excused on account of sickness.
There was no objection, and it was so ordered.
After the doors were closed,
Mr. COMPTON said: I ask that my colleague, Mr. GIBSON, be excused on account of sickness.
There was no objection, and it was so ordered.
Mr. BLANCHARD. I ask that my colleague, Mr. GAY, be excused on account of ill health.
There was no objection, and it was so ordered.
Mr. ROGERS. I desire to call attention to the fact that my colleague, Mr. BRECKINRIDGE, of Arkansas, is away on leave.
The SPEAKER. If the House should order the absentees to be brought in that would include no gentleman who is absent by leave of the House. The Chair will cause a list to be prepared showing those who have leave.
Mr. GEAR. I ask that Mr. WARNER be excused. He is absent upon important business.
There was no objection, and it was so ordered.
Mr. GRIMES. I ask unanimous consent for leave of absence for my colleague, Mr. CARLTON.
The SPEAKER. While a call of the House is pending gentlemen can only be excused for that day.
Mr. GRIMES. Then I ask that he be excused for this day.
There was no objection, and it was so ordered.
Mr. MCKENNA. I make a similar request for Mr. FELTON, who is absent on account of sickness.
There was no objection, and it was so ordered.
Mr. FINLEY. I desire to make a similar request respecting Mr. THOMAS, of Kentucky, who is absent on account of sickness.
There was no objection, and it was so ordered.
Mr. ANDERSON, of Kansas. I ask that my colleague, Mr. MORRILL, be excused. He has been called away from the city on account of important business.
There was no objection, and it was so ordered.
Mr. KEAN. I ask that my colleague, Mr. PHELPS, be excused.
Mr. EZRA B. TAYLOR. I object.
Mr. ANDERSON, of Kansas. Then I move that he be excused for to-day.
Mr. EZRA B. TAYLOR. For what reason?
Mr. KEAN. He is out of the city and on his way here.
The question was taken, and the motion to excuse Mr. PHELPS was agreed to.

Mr. DOCKERY. I ask that my colleague, Mr. HATCH, be excused. He was called away from the city on important business and has not yet returned.
Mr. EZRA B. TAYLOR. I object.
Mr. DOCKERY. Then I move that my colleague be excused.
The motion was agreed to
Mr. WILKINS. I desire to make a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. WILKINS. Have a quorum answered to their names?
The SPEAKER. The Chair is not at present advised.
Mr. WILKINS. If so, I move that all further proceedings under the call be dispensed with.
Mr. WHEELER. I ask that my colleague, Mr. FORNEY, be excused on account of sickness.
There was no objection, and it was so ordered.
The question was taken on the motion to dispense with further proceedings under the call, and the motion was disagreed to.
Mr. REED. I move that the absentees be summoned in the usual form.
The SPEAKER. The gentleman from Maine asks the adoption of the resolution which the Clerk will read.
The Clerk read as follows:

Resolved, That the Sergeant-at-Arms take into custody and bring to the bar of the House all such of its members as are now absent without leave of the House.

Mr. ALLEN, of Michigan. If I may be permitted, I desire to ask that my colleague, Mr. CUTCHEON, be excused. He is not well, as all members know. He was here this morning, but is absent.
There was no objection, and it was so ordered.
Mr. FARQUHAR. I ask that my colleague, Mr. WEBER, be excused. His intention was to arrive here to-day and be present at this session, but on account of some delay in railroad trains he has not come.
Mr. EZRA B. TAYLOR. I object.
Mr. FARQUHAR. Then I move that he be excused.
The motion was agreed to.
Mr. BURROWS. I ask that my colleague, Mr. O'DONNELL, be excused.
The SPEAKER. He has leave of absence.
Mr. BOUND. I ask that my colleague, Mr. PATTON, be excused.
There was no objection, and it was so ordered.
Mr. SPRINGER. I desire to make a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. SPRINGER. For how long a time are these gentlemen excused who are not here to-day?
The SPEAKER. Only to-day. The House under call can not grant a leave of absence further than to excuse present attendance of members.
Mr. SPRINGER. I hope they will all be here to-morrow, for we will need them.
The question was then taken on the adoption of the resolution of Mr. REED, and it was agreed to.
The following members are absent by leave of the House:

Breckinridge, Ark.	Dougherty,	Hooker,	O'Donnell,
Caruth,	Felton,	Kelley,	Parker,
Clardy,	Forney,	Lagan,	Patton,
Clark,	Gay,	Laird,	Phelps,
Carlton,	Gibson,	Lyman,	Thomas, Ky.
Cutcheon,	Granger,	Maffett,	Warner,
Dingley,	Grout,	Moffitt,	Weber,
Dalzell,	Hatch,	Morrill,	Whitthorne.
Dibble,	Hunter,	Neal,	

Mr. ANDERSON, of Iowa. I move that the House do now adjourn.
The question was taken; and there were—ayes 67, noes 43.
Mr. SPRINGER. I call for the yeas and nays.
The yeas and nays were ordered.
The question was taken; and there were—yeas 59, nays 109, not voting 155; as follows:

YEAS—59.

Adams,	Clements,	Hiestand,	Osborne,
Allen, Miss.	Cowles,	Hovey,	Penington,
Anderson, Miss.	Cox,	Howard,	Pidcock,
Anderson, Ill.	Crain,	Hudd,	Rayner,
Anderson, Kans.	Crisp,	Hutton,	Rogers,
Arnold,	Culberson,	Kilgore,	Sayers,
Atkinson,	Davidson, Fla.	La Follette,	Simmons,
Bankhead,	Elliott,	Lanham,	Stewart, Tex.
Barry,	Ford,	Lind,	Thomas, Wis.
Biggs,	Fuller,	Maish,	Thompson, Cal.
Bland,	Glass,	Martin,	Turner, Ga.
Bound,	Grimes,	Matson,	Vandever,
Breckinridge, Ky.	Hare,	McKenna,	Wilkins,
Burnes,	Haugen,	Moore,	Woodburn.
Cheadle,	Henderson, N. C.	O'Neall, Ind.	

NAYS—109.

Allen, Mass.	Browne, Ind.	Cobb,	Dockery,
Allen, Mich.	Brown, Ohio	Cogswell,	Enloe,
Baker, N. Y.	Buchanan,	Compton,	Farquhar,
Baker, Ill.	Bunnell,	Conger,	Finley,
Bayne,	Burrows,	Crouse,	Fitch,
Blanchard,	Campbell, T. J., N. Y.	Cummings,	Funston,
Brewer,	Cannon,	Darlington,	Gear,
Brower,	Chipman,	Davis,	Gest,

Hall,	Laidlaw,	Peel,	Stone, Ky.
Harmer,	Landes,	Perkins,	Struble,
Hayden,	Lane,	Peters,	Taulbee,
Heard,	Lehlbach,	Plumb,	Taylor, E. B., Ohio
Henderson, Ill.	Lodge,	Post,	Taylor, J. D., Ohio
Herbert,	Macdonald,	Reed,	Thomas, Ill.
Hermann,	Mansur,	Rice,	Tracey,
Hires,	Mason,	Robertson,	Townshend,
Hitt,	McAdoo,	Rowell,	Wade,
Holman,	McCreary,	Rowland,	Walker,
Holmes,	McRae,	Ryan,	Washington,
Hopkins, N. Y.	Mills,	Sawyer,	Weaver,
Houk,	Morrow,	Scull,	West,
Jackson,	Nelson,	Seymour,	Wheeler,
Johnston, Ind.	Nutting,	Shively,	White, N. Y.
Johnston, N. C.	Oates,	Smith,	Wilson, Minn.
Kean,	O'Ferrall,	Spooner,	Yoder.
Kennedy,	O'Neill, Pa.	Springer,	
Kerr,	Outhwaite,	Steele,	
Ketcham,	Payson,	Stockdale,	

NOT VOTING—155.

Abbott,	Davidson, Ala.	Laird,	Rockwell,
Anderson, Iowa	De Lano,	Latham,	Romeis,
Bacon,	Dibble,	Lawler,	Russell, Conn.
Barnes,	Dingley,	Lee,	Russell, Mass.
Belden,	Dorsey,	Long,	Rusk,
Bingham,	Dougherty,	Lyman,	Scott,
Bliss,	Dunham,	Lynch,	Seney,
Blount,	Dunn,	Maffett,	Shaw,
Boothman,	Ermentrout,	Mahoney,	Sherman,
Boutelle,	Felton,	McClammy,	Snyder,
Bowden,	Fisher,	McComas,	Sowden,
Bowen,	Flood,	McCormick,	Spinola,
Breckinridge, Ark.	Foran,	McCullogh,	Stahlnecker,
Browne, T. H. B., Va.	Forney,	McKinley,	Stephenson,
Brown, J. R., Va.	French,	McKinney,	Stewart, Ga.
Brumm,	Gaines,	McMillin,	Stewart, Vt.
Bryce,	Gallinger,	McShane,	Stone, Mo.
Buckalew,	Gay,	Merriman,	Symes,
Burnett,	Gibson,	Milliken,	Tarsney,
Butler,	Glover,	Mofflit,	Thomas, Ky.
Butterworth,	Goff,	Montgomery,	Thompson, Ohio
Bynum,	Granger,	Morgan,	Tillman,
Campbell, F., N. Y.	Greenman,	Morrill,	Turner, Kans.
Campbell, Ohio	Grosvenor,	Morse,	Vance,
Candler,	Grout,	Neal,	Warner,
Carlton,	Guenther,	Newton,	Weber,
Caruth,	Hatch,	Nichols,	White, Ind.
Caswell,	Hayes,	Norwood,	Whiting, Mich.
Catchings,	Hemphill,	O'Donnell,	Whiting, Mass.
Clardy,	Henderson, Iowa	O'Neill, Mo.	Whitthorne,
Clark,	Hogg,	Owen,	Wickham,
Cockran,	Hooker,	Parker,	Wilber,
Collins,	Hopkins, Ill.	Patton,	Wilkinson,
Cooper,	Hopkins, Va.	Perry,	Williams,
Cothran,	Hunter,	Phelan,	Wilson, W. Va.
Cutcheon,	Jones,	Phelps,	Wise,
Dalzell,	Kelley,	Pugsley,	Yardley,
Dargan,	Laffoon,	Randall,	Yost.
Davenport,	Lagan,	Richardson,	

So the House refused to adjourn.

Mr. NELSON. I ask unanimous consent that the reading of the names of members voting be dispensed with.

Mr. ANDERSON, of Iowa. I object.

The names were read; and the result was then announced as above recorded.

Mr. RANDALL. I move to dispense with all further proceedings under the call of the House.

The motion was rejected—ayes 53, noes 57.

Mr. RANDALL. I suggest to the gentleman from Maine [Mr. REED], who has charge of this report, that he allow it to go over for the present, and let us proceed with other business. The report will not lose its privileged character.

Mr. REED. If it can be understood that it will pass to-morrow—if there can be unanimous consent with regard to it.

Mr. RANDALL. I can answer only for myself. I merely suggest to the gentleman from Maine that he will lose no right which he now possesses by allowing this to go over, so that we may proceed with the river and harbor bill.

Mr. WEAVER. If we postpone it we shall certainly get a quorum just so much later. If we can not get a quorum in any other way the sooner we get it the better for our business.

Mr. BRECKINRIDGE, of Kentucky. Mr. Speaker, is it in order now to move to adjourn?

The SPEAKER. It is.

Mr. BRECKINRIDGE, of Kentucky. Then I make that motion, as I do not believe we can do any business by continuing in session.

The motion was agreed to; and accordingly the House (at 3 o'clock and 4 minutes p. m.) adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. BACON: A bill (H. R. 11936) granting a pension to Charles J. Dolson—to the Committee on Invalid Pensions.

By Mr. BLOUNT: A bill (H. R. 11937) for the relief of Patrick Griswold—to the Committee on Pensions.

By Mr. C. R. BRECKINRIDGE: A bill (H. R. 11938) for the relief of Sterling H. Tucker and others—to the Committee on the Judiciary.

By Mr. BUTTERWORTH: A bill (H. R. 11939) granting an honorable discharge to Capt. Cyrenus P. Bratt—to the Committee on Military Affairs.

By Mr. FINLEY: A bill (H. R. 11940) removing the charge of desertion against Alexander C. Arnold—to the Committee on Military Affairs.

Also, a bill (H. R. 11941) for the relief of the heirs of David Waddle—to the Committee on War Claims.

Also, a bill (H. R. 11942) for the relief of Jackson Hamblin—to the Committee on Invalid Pensions.

By Mr. FORD: A bill (H. R. 11943) granting a pension to Eliza Bartella Dorrance—to the Committee on Invalid Pensions.

By Mr. GEST: A bill (H. R. 11944) granting a pension to E. S. Wisdom—to the Committee on Invalid Pensions.

By Mr. HEARD: A bill (H. R. 11945) granting a pension to David Moulder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11946) granting a pension to William Parker—to the Committee on Invalid Pensions.

By Mr. McADOO: A bill (H. R. 11947) granting a pension to Elizabeth Burke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11948) removing the charge of desertion against John W. Stuart—to the Committee on Military Affairs.

By Mr. McKINLEY: A bill (H. R. 11949) granting a pension to Mrs. Ellen Purcell—to the Committee on Invalid Pensions.

By Mr. PETERS: A bill (H. R. 11950) granting a pension to John R. Lee—to the Committee on Invalid Pensions.

By Mr. ROBERTSON: A bill (H. R. 11951) for the relief of Susan W. Pannell—to the Committee on War Claims.

Also, a bill (H. R. 11952) for the relief of Thompson J. Bird—to the Committee on War Claims.

By Mr. SAWYER: A bill (H. R. 11953) granting a pension to Aaron S. Lanckton—to the Committee on Invalid Pensions.

By Mr. STONE, of Kentucky: A bill (H. R. 11954) granting pensions to widows of all soldiers who served in the war of 1812—to the Committee on Pensions.

Also, a bill (H. R. 11955) for the relief of L. C. Faxon—to the Committee on Claims.

By Mr. WHEELER: A bill (H. R. 11956) for the relief of James N Maples—to the Committee on War Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BACON: Petition of Charles J. Dolson, Company G, Nineteenth Regiment New York Volunteers, for a pension—to the Committee on Invalid Pensions.

By Mr. BLOUNT: Petition of Sarah Andonin, administratrix of Alphonse Andonin, of Bibb County, Georgia, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. T. M. BROWNE: Petition of Joseph L. Baker and others, citizens of Warsaw, Ind., in favor of pure food and pure lard—to the Committee on Agriculture.

By Mr. BUCHANAN: Petition of the National Board of Trade, to amend the law as to the bringing of suits by non-residents—to the Committee on the Judiciary.

Also, resolutions of the National Grange, in favor of pure-food bills—to the Committee on Agriculture.

Also, petition of Hiram Newell, of New Jersey, for the passage of the per diem rated pension bill—to the Committee on Invalid Pensions.

By Mr. HARE (by request): Petition of sundry citizens of Montague County, Texas, for a pension to A. G. Crowell—to the Committee on Invalid Pensions.

By Mr. HOLMAN: Petition of J. J. Fitzgerald and other citizens of New Mexico, for a land office at Las Vegas, in that Territory—to the Committee on the Public Lands.

By Mr. MACDONALD: Petition of William H. Standish and others, citizens of North Dakota, for the immediate admission of North and South Dakota, Washington, Montana, and New Mexico into the Union—to the Committee on the Territories.

By Mr. REED: Petition of the Woman's Relief Corps, Grand Army of the Republic, James B. McKean Post, No. 1, of Salt Lake City, against the admission of Utah as a State—to the Committee on the Territories.

By Mr. ROGERS: Petition of heirs of Lazarus Wilson, late of Pulaski County, Arkansas, for reference of his war claim to the Court of Claims—to the Committee on War Claims.

The following petitions against the passage of the international copyright bill were received, and severally referred to the Committee on Patents:

By Mr. BLISS: Of printers and others, of Brooklyn.

By Mr. C. R. BRECKINRIDGE: Of W. W. Folsom, of Arkansas.

By Mr. BUCHANAN: Of J. F. Hall, of Atlantic City, N. J.

By Mr. COX: Of printers, electrotypers, and others, of New York City.

By Mr. FULLER: Of Hobson Brothers, of West Union, Iowa.

By Mr. T. J. HENDERSON: Of William M. Repine, of Tiskilwa, Ill.

By Mr. HOLMAN: Of E. R. Quick and Wylie Case, of Brookville, Ind.

By Mr. LA FOLLETTE: Of Edward J. Pollock, of Lancaster, Wis.

By Mr. MACDONALD: Of A. P. Ingalls, of Pine Island; of J. W. Reynolds and others, of Herman; of C. H. Slocum, of Glencoe; of F. E. Dutoit and L. Strenkens, of Chaska; and of C. P. Carpenter, of Farmington, Minn.

By Mr. MAHONEY: Of printers and others, of New York.

SENATE.

FRIDAY, *January* 4, 1889.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

CHINESE IMMIGRATION CORRESPONDENCE.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read:

To the Senate:

I desire to supplement the message yesterday sent to your honorable body in response to a Senate executive resolution, dated September 25, 1888, asking the transmission of certain communications and correspondence on the subject of the recent proposed convention with China and the reported failure of the Government of China to finally agree to the same, by adding to said response two telegrams I omitted therefrom, which were sent in cipher by the Secretary of State to our minister at Peking, and which may be considered by the Senate relevant to the subject of its inquiry.

One of said dispatches is as follows:

"WASHINGTON, *September* 4, 1888.

"DENBY, *Minister, Peking:*

"Rejection of treaty is reported here. What information have you?

"BAYARD."

Two replies to this dispatch were made by our minister to China, dated, respectively, September 5 and September 6, 1888. They were heretofore and on September 7, 1888, sent to the Senate, and are printed in Senate Executive Document No. 271.

The other of said dispatches is as follows:

"WASHINGTON, *September* 18, 1888.

"DENBY, *Minister, Peking:*

"The bill has passed both Houses of Congress for total exclusion of Chinese and awaits President's approval. Public feeling on the Pacific coast excited in favor of it, and situation is critical. Impress upon Government of China necessity for instant decision in the interest of treaty relations and amity.

"BAYARD."

The answer of our minister at Peking to this dispatch, dated September 21, 1888, was yesterday sent to the Senate with the message to which this is a supplement.

The matters herein contained are now transmitted to the end that they may, if deemed pertinent, be added to the response already made to the Senate resolution of inquiry, and with the intent that in any view of the subject the answer to said resolution may be full and complete.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 3, 1889.

The PRESIDENT *pro tempore*. If there be no objection, the message will be ordered to lie on the table and be printed.

Mr. HOAR. Would it not be well that the first message of the President and the succeeding messages which have come in on the subject should be referred to the Committee on Foreign Relations?

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

Mr. SHERMAN. Let them be printed together.

The PRESIDENT *pro tempore*. They will be printed as one document, or in connection with each other.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Supervising Architect of that Department, submitting an estimate of $2,000 required for placing clock dials and apparatus in the towers of the custom-house and subtreasury building at Chicago, Ill.; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. SHERMAN. I present a petition very numerously signed by members of the World's Woman's Christian Temperance Union, praying for such legislation as will prevent the sale of liquor in the Congo Free State. I move the reference of the petition to the Committee on Foreign Relations.

The motion was agreed to.

Mr. ALLISON presented resolutions adopted by the Board of Trade of Council Bluffs, Iowa, favoring the holding of a world's exposition in 1892, and a permanent exposition of the three Americas at the national capital; which were referred to the Select Committee on the Centennial of the Constitution and the Discovery of America.

Mr. REAGAN presented the petition of Pomona Grange, of Navarro County, Texas, praying for the passage of a law to relieve the country from the effect of trusts; which was referred to the Committee on the Judiciary.

Mr. TURPIE presented a petition of the United States Eyeless Pensioners' Association, praying for the passage of certain legislation in behalf of pensioners suffering under the disability of blindness or having lost one or both eyes; which was referred to the Committee on Pensions.

REPORTS OF COMMITTEES.

Mr. PADDOCK, from the Committee on Pensions, to whom was referred the bill (S. 3762) granting a pension to Nancy Polock, reported it without amendment.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (S. 3724) granting a pension to the widow of the late Commander Samuel H. Baker, United States Navy, reported it with an amendment, and submitted a report thereon.

Mr. CALL, from the Committee on Education and Labor, to whom was referred the bill (S. 3027) to provide for the making, publication, and distribution of the "Register of Labor" therein named, reported it without amendment.

HAYTIAN AFFAIRS.

Mr. SHERMAN. I am directed by the Committee on Foreign Relations to report a resolution, for which I ask present consideration.

The resolution was considered by unanimous consent, and agreed to, as follows:

Resolved, That the President be, and he is hereby, requested, if in his opinion it is not incompatible with the public interest, to communicate to the Senate all correspondence and information in possession of the executive department touching recent occurrences in the Island of Hayti, both as relates to the state of the government there and to the seizure and delivery up of the American vessel Haytien Republic.

INTEROCEANIC CANALS.

Mr. SHERMAN. I am directed by the Committee on Foreign Relations to report back without amendment the joint resolution (S. R. 122) declaring the sense of Congress in respect of the connection of European governments with interoceanic canals at the Isthmus of Darien and in Central America. I give notice that to-morrow after the usual morning business I shall ask for the consideration of the joint resolution, and I hope that it will receive the unanimous approval of the Senate. Let the joint resolution be read.

The PRESIDENT *pro tempore*. The joint resolution will be read at length, if there be no objection.

The Chief Clerk read the joint resolution, as follows:

Resolved, etc., That the Government of the United States will look with serious concern and disapproval upon any connection of any European government with the construction or control of any ship-canal across the Isthmus of Darien or across Central America, and must regard any such connection or control as injurious to the just rights and interests of the United States and as a menace to their welfare.

SEC. 2. That the President be, and he is hereby, requested to communicate this expression of the views of Congress to the governments of the countries of Europe.

The PRESIDENT *pro tempore*. The joint resolution will be placed on the Calendar with the favorable report of the committee.

OFFICE OF SUPERVISING ARCHITECT.

Mr. MORRILL, from the Committee on Public Buildings and Grounds, reported the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Public Buildings and Grounds be, and are hereby, authorized to employ a stenographer under the resolution of the Senate of December 20, 1888, the expenses for the same to be paid out of the contingent fund of the Senate.

ROYAL COMMISSION ON PRECIOUS METALS.

Mr. MANDERSON. I am directed by the Committee on Printing, to whom was referred the concurrent resolution submitted by the Senator from Ohio [Mr. SHERMAN] on the 3d instant, to report it favorably with amendments. I ask for its present consideration.

The PRESIDENT *pro tempore*. The concurrent resolution will be read.

The Chief Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 3,000 additional copies of the final report of the royal commission appointed to inquire into the recent changes in the relative values of the precious metals, with minutes of evidence and appendices, presented to both houses of Parliament by command of Her Majesty, in octavo form, in long primer type, and bound in cloth, of which 1,000 copies shall be for the use of the Senate and 2,000 copies for the use of the House of Representatives.

The Senate, by unanimous consent, proceeded to consider the resolution.

The PRESIDENT *pro tempore*. The amendments reported by the Committee on Printing will be stated.

The CHIEF CLERK. After the word "printed" the committee report to insert the words "the usual number and;" and after the words "octavo form," to strike out "in long primer type;" so as to make the resolution read:

Resolved by the Senate (the House of Representatives concurring), That there be printed the usual number and 3,000 additional copies of the final report of the royal commission appointed to inquire into the recent changes in the relative values of the precious metals, with minutes of evidence and appendices, presented to both houses of Parliament by command of Her Majesty, in octavo form, and bound in cloth, of which 1,000 copies shall be for the use of the Senate and 2,000 copies for the use of the House of Representatives.

The amendments were agreed to.

The resolution as amended was agreed to.

BILLS INTRODUCED.

Mr. BUTLER introduced a bill (S. 3767) to authorize the board of county commissioners of the county of Whitman, Washington Territory, to issue bonds and to build a court-house and jail and to sell and acquire real estate for such purposes; which was read twice by its title, and referred to the Committee on Territories.

Mr. HALE (by request) introduced a bill (S. 3768) to reorganize and equalize the rank and pay of the *personnel* of the United States Navy, and for other purposes; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. ALLISON introduced a bill (S. 3769) granting a pension to Andrew J. Elliott; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CHANDLER introduced a joint resolution (S. R. 125) authorizing the heirs of Rear-Admiral Charles H. Baldwin, United States Navy, to receive a snuff-box set in diamonds from the Czar of Russia; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. COKE introduced a joint resolution (S. R. 126) providing for the selection of a point for a deep-water harbor on the northwest coast of the Gulf of Mexico; which was read twice by its title, and referred to the Committee on Commerce.

AMENDMENT TO A BILL.

Mr. TELLER submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

MEXICAN LAND GRANTS IN CALIFORNIA.

Mr. STEWART submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Private Land Claims be instructed to ascertain what prosecutions or suits have been instituted or authorized to be instituted to set aside patents to Mexican private land grants in California, at whose instance, and for whose benefit such suits have been instituted or authorized to be instituted; what private counsel have been employed to assist in the prosecutions, the terms and conditions of their employment, and by whom the costs of such suits are paid; when the patents sought to be vacated were issued, and the number of people interested therein, and what interest the United States has in such suits. And for that purpose said committee shall have power to send for persons and papers, administer oaths, and report by bill or otherwise.

STATEMENTS ON CUTLERY AND GUNS.

Mr. VANCE. During the holidays a delegation of hardware manufacturers and importers came to this city and made an unofficial statement before the Senator from Missouri [Mr. VEST] and myself, which we thought of sufficient importance to have printed for the use of the Senate. I ask the adoption of the following resolution for that purpose:

Resolved, That there be printed for the use of the Senate the testimony given by the hardware importers and manufacturers taken before Senators VANCE and VEST on the 27th of December last.

The resolution was considered by unanimous consent, and agreed to.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore:*

A bill (S. 3732) granting the right of way to the Pensacola and Memphis Railroad Company over and through the public lands of the United States in the States of Florida, Alabama, Mississippi, and Tennessee, and granting the right of way to said railroad company over and through the United States naval and military reservations near Pensacola, in the State of Florida;

A bill (H. R. 5751) for the relief of Margaret M. Hatch;

A bill (H. R. 5919) to restore to the pension-roll the name of James Monohan, minor child of Richard Monohan, deceased;

A bill (H. R. 6012) for the relief of A. P. Swineford;

A bill (H. R. 6334) for the relief of Isaac Roshon;

A bill (H. R. 7261) granting the right of way through certain lands in the State of Minnesota to the Moorhead, Leech Lake and Northern Railway Company;

A bill (H. R. 7305) granting a pension to Aaron R. Gilkison;

A bill (H. R. 7344) granting a pension to Henrietta Waldron;

A bill (H. R. 7877) to place Mary Karstetter on the pension-roll;

A bill (H. R. 7887) granting increase of pension to Jonathan C. Harrison;

A bill (H. R. 7928) granting a pension to Samuel M. Reese;

A bill (H. R. 8521) for the relief of William A. Mathes;

A bill (H. R. 8613) granting a pension to Ann Bryan;

A bill (H. R. 8735) granting a pension to Mary A. McCool;

A bill (H. R. 9173) granting a pension to Mary J. Drake;

A bill (H. R. 9175) granting a pension to George Wallen;

A bill (H. R. 9176) granting a pension to Charlotte Taylor;

A bill (H. R. 9178) granting a pension to Jane Jackson;

A bill (H. R. 9252) granting a pension to Mrs. Catherine Barberick, of Watertown;

A bill (H. R. 9296) granting a pension to Bridget Carroll;

A bill (H. R. 9310) granting a pension to Capt. William J. Duley;

A bill (H. R. 9388) to increase the pension of Joseph Holmes;

A bill (H. R. 9663) granting a pension to Jesse Spencer;

A bill (H. R. 9668) granting a pension to Joseph Rosier;

A bill (H. R. 9759) granting a pension to John Wallace;

A bill (H. R. 9776) for the relief of Nancy E. Sawyer;

A bill (H. R. 9784) granting a pension to Anna Boppell;

A bill (H. R. 9791) granting a pension to Charles W. Geddes;

A bill (H. R. 10032) granting a pension to Milton Wallen;

A bill (H. R. 10073) granting a pension to P. F. Jonte;

A bill (H. R. 10109) granting a pension to Mrs. Anna Leach;

A bill (H. R. 10199) for the relief of William E. Springstein;

A bill (H. R. 10253) granting a pension to Emanuel P. Steed;

A bill (H. R. 10433) for the relief of Leaman L. Bowers;

A bill (H. R. 10488) granting a pension to Myra Sinclair;

A bill (H. R. 10494) granting a pension to Emelia Mumm;

A bill (H. R. 10515) to increase the pension of William Gallagher;

A bill (H. R. 10647) granting a pension to Samuel J. Wright;

A bill (H. R. 10659) for the relief of Elizabeth C. Cole;

A bill (H. R. 10694) granting a pension to John W. Ellis;

A bill (H. R. 10769) granting a pension to John M. Krunk;

A bill (H. R. 10825) granting a pension to Mary Jane Jelly;

A bill (H. R. 10908) granting a pension to Mrs. Almira J. Towner; and

A bill (H. R. 10911) granting a pension to Ira E. Baldwin.

THE REVENUE LAWS.

The PRESIDENT *pro tempore*. If there be no further morning business, the Calendar under Rule VIII is in order.

Mr. ALLISON. I move that the Senate proceed to the consideration of House bill 9051.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue, the pending question being on the amendment proposed by Mr. VANCE in Schedule I, cotton manufactures, paragraph 320, line 1299, before the words "per cent.," to strike out "thirty-five" and insert "thirty;" so as to read:

320. On stockings, hose, half-hose, gloves, shirts, drawers, and other goods made on knitting machines or frames, composed of cotton or other vegetable fiber, and not otherwise specially enumerated or provided for in this act, 30 per cent. ad valorem.

Mr. ALLISON. The pending amendment was offered yesterday by the Senator from North Carolina [Mr. VANCE]. If he will withdraw that amendment this morning I will say to him that as to paragraphs 320 and 321 the committee are considering the propriety of offering some amendments as from the committee. I meant to have stated that last night when the matter was under consideration, but failed to do so. However, if the Senator prefers a vote on his amendment I shall not object.

Mr. VANCE. I will comply with the request of the Senator from Iowa by withdrawing the amendment for the present.

Mr. McPHERSON. Do I understand the Senator from Iowa to state that the committee will propose some amendments to paragraph 321 as well?

Mr. ALLISON. Yes; to paragraphs 320 and 321.

Mr. McPHERSON. I think that paragraph 321 sadly needs amendment, and therefore I was led to make the inquiry.

Mr. VANCE. Do I understand that paragraphs 320 and 321 are to be passed over informally?

Mr. ALLISON. I ask that those two paragraphs may be passed over for the present.

The PRESIDENT *pro tempore*. The amendment being withdrawn, paragraphs 320 and 321 will be informally passed over, and the reading of the substitute will proceed at paragraph 322.

The Chief Clerk read as follows:

322. On cotton damask and on clothing ready made, and articles of wearing apparel of every description, composed of cotton or other vegetable fiber, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, including hemmed handkerchiefs, and not specially enumerated or provided for in this act, 40 per cent. ad valorem.

Mr. McPHERSON. This is the particular paragraph of the bill that I called attention to yesterday in stating that the makers of gentlemen's fine shirts are receiving 75 cents for the making of a dozen shirts. Here is 40 per cent. ad valorem in the form of duty to the manufacturer himself. I should think, unless it is going to interfere very seriously with the general structure of the bill as to the duties herein proposed upon the manufactured goods before they are made into clothing, the rate of duty here proposed might suffer a slight reduction. I do not want, however, to make the duty on the manufactured clothing less than it is proposed to make it upon the goods from which the clothing is made.

Will the Senator from Iowa please inform me what the average rate of duty is upon cotton damask and all the material that enters into the construction of goods described in paragraph 323?

Mr. ALLISON. The Senator inquires as to the duty levied on cotton damask?

Mr. McPHERSON. I inquire as to the duties levied in this bill upon the goods referred to in paragraph 323 before they are manufact-

ured into clothing, in order that I may reach some kind of an idea or knowledge as to how much advance is given upon the manufactured goods over the material of which they are made.

Mr. ALLISON. Cotton damask now pays 40 per cent., handkerchiefs, I believe, 40 per cent., and the goods specified in the remainder of the paragraph 35 per cent. by the existing law.

Mr. McPHERSON. If that be true, there is no additional duty imposed upon the ready-made clothing. The manufacturer of the cotton receives all the benefit, and the poor needle-women who make the clothing get nothing in the way of protection.

Mr. ALLISON. Five per cent. ad valorem is added to all ready-made clothing.

Mr. McPHERSON. Then I am quite correct. The cotton mills manufacturing the goods from which the clothing is made by machinery receive 35 per cent. protection, and the needle-woman, compelled as she is to pay the duty upon the thread, that being a part of her contract in the making of clothing, receives in the bill a protection of 5 per cent., providing the needle-woman gets it.

I want to ask the Senator from Iowa why it is in a bill framed professedly for the protection of American labor, as the labor in the manufacture of the clothing is greater in amount than the real manual labor necessary to manufacture the goods, that the bill is constructed upon such an idea? I read yesterday an affidavit, and I am ready to present others of like character, in which it was shown that a needle-woman manufacturing gentlemen's dress shirts of the first quality receives 75 cents per dozen net for making them, and that she was compelled to furnish the thread with which she made the garments, and that was subject to a high rate of duty also.

Now, here is a duty of 5 per cent. imposed between the material and the clothing when manufactured. I wished only to call attention to the fact. I also want the country to understand as well that it is the manufacturer and nobody but the manufacturer who receives any considerable part of benefit in any single schedule in this bill from one end to the other.

Mr. ALLISON. I will simply say in response to the Senator from New Jersey that we have reduced the duty on the raw material included in this paragraph and have increased the duty to the manufacturer of clothing 5 per cent.

Mr. McPHERSON. We have passed over paragraphs 320 and 321, but right in this connection, that I may be able to make more plain the theory on which I think this bill is constructed, we will take paragraph 321, in which, on stockings, hose, and half-hose valued at not exceeding $3 per dozen pairs, the duty is made 60 cents per dozen pairs and 20 per cent. ad valorem. I suppose the duty on an article costing $3 per dozen pairs would be about equal to the ad valorem duty under the existing law; but we find that a large quantity of these goods are imported from Germany at a cost of only 57 cents per dozen. The duty, I think, is 22.8 cents.

Mr. ALLISON. If I do not interrupt the Senator, I will state to him that in his absence the committee asked that paragraph 321 be passed over.

Mr. McPHERSON. I understand that. I am simply calling attention to it.

Mr. ALLISON. It is the intention of the committee to modify that clause.

Mr. McPHERSON. I am calling attention to paragraph 322 by stating what appears in the paragraph which precedes it.

Mr. ALLISON. I will say to the Senator that it is the intention of the committee to modify that paragraph.

Mr. McPHERSON. Is it the intention also to modify paragraph 320?

Mr. ALLISON. Not that I know of.

Mr. McPHERSON. Then I will go on with what I was saying.

At $3 per dozen pairs the duty is $1.20, but your bill imposes a specific tax of 60 cents per dozen regardless of cost and an additional duty of 20 per cent. ad valorem. Under this duty hose at 57 cents per dozen pairs would have to pay 71.4 cents duty, or over 125 per cent.

Mr. ALLISON. I will repeat to the Senator from New Jersey that it is the intention of the committee to modify that paragraph.

Mr. McPHERSON. Very well; as the Senator seems to be ashamed of the work, I will proceed further. Hose at $1.03 per dozen pairs will pay 80.6 cents duty, or 78 per cent., while the three-dollar hose will pay but $1.20, or 40 per cent. In other words, the employer, the manufacturer, the wealthy man who can afford to buy hose at $3 or $6 a dozen pairs is forced to pay a duty of only 40 per cent., while his employé in his factory who must buy the cheaper goods is forced to pay 125 per cent.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read paragraph 323, as follows:

323. On goods heretofore known commercially as Hamburg edgings, embroideries, or insertings, and as Egyptian and Oriental laces, composed of cotton, and stitched or otherwise wrought by machines worked by hand or other power, 45 cents per pound and 15 per cent. ad valorem.

Mr. VEST. I move to insert, after the words "Oriental laces," in line 1318 of paragraph 323, the words "neck-ruffling and ruchings."

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In paragraph 323, line 1318, after the word "laces," it is proposed to insert "neck-ruffling and ruchings;" so as to read:

323. On goods heretofore known commercially as Hamburg edgings, embroideries, or insertings, and as Egyptian and Oriental laces, neck-ruffling and ruchings, composed of cotton, and stitched or otherwise wrought by machines worked by hand or other power, 45 cents per pound and 15 per cent. ad valorem.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Missouri [Mr. VEST].

Mr. VEST. I notice that in paragraph 336, which is under the flax, hemp, and jute schedule, by some sort of arrangement, neck-ruffling and ruchings are included. That paragraph reads:

On laces, embroideries, insertings, neck-ruffling and ruchings, trimmings, lace window-curtains, and other completed articles of lace, and tamboured window-curtains, and other similar tamboured articles, composed of flax, jute, cotton, or other vegetable fiber, not specially enumerated or provided for in this act, 50 per cent. ad valorem.

How it happens that under the flax schedule these cotton fabrics are inserted I do not understand. The articles which I propose to insert, ruffling and ruchings, are made out of cotton, and they ought to be under the cotton schedule. The effect of this classification is that there is a 50 per cent. duty imposed on these cotton fabrics under paragragh 336 of the flax schedule instead of 40 per cent., which is imposed upon the same class of cotton goods under paragraph 323, which we are now considering.

Mr. ALDRICH. If the Senator from Missouri desires an explanation I will say that the present rate upon linen laces is 30 per cent. ad valorem, and upon cotton laces it is 40 per cent. ad valorem. The committee desired to place a uniform rate upon all laces and embroideries. The larger portion of the importations are laces and embroideries made from linen. Therefore, it was thought better, as the paragraphs were to be consolidated, that they should be put under the linen schedule rather than under the cotton schedule. Of course it makes no difference in the rate. It is simply a question of construction of the proposed act.

I should like to ask the Senator from Missouri whether, according to his understanding, placing neck-ruffling and ruchings in paragraph 323 would decrease or increase the rate?

Mr. VEST. I think it would decrease the rate from where it is now.

Mr. ALDRICH. It would decrease it?

Mr. VEST. I think so.

Mr. ALDRICH. I will state that the manufacturers of neck-ruffling and ruchings asked us to put them under paragraph 323 for the purpose of largely increasing the rate. I have no doubt myself that 50 per cent. ad valorem is a lower rate upon neck-ruffling and ruchings of cotton than 45 cents a pound and 15 per cent. ad valorem. The effect of the amendment now offered by the Senator from Missouri would be to largely increase the rate upon neck-ruffling and ruchings of cotton.

Mr. VEST. Of course that is what I do not intend to do. I will state very frankly that under my calculation 45 cents per pound and 15 per cent. ad valorem would be about equivalent to 40 per cent. ad valorem. I think that is certainly so. Unless my arithmetic is more at fault than I have ever known it to be, it would be about 40 per cent. or within a fraction of it. I do not see any escape from that conclusion. It is now 50 per cent., if it is classified under the flax schedule, and my idea was to reduce the duty 10 per cent., for I do not see why there should be this increase of 10 per cent. on these specific articles of cotton manufacture of ruchings and ruffling.

Mr. ALDRICH. I will state that these articles of neck-ruffling and ruchings of cotton are not a specially fine manufacture. They are manufactured from cotton cops which are not less than 100 threads to the square inch, and they are not specially fine manufactures.

I will repeat what I have already said, that the manufacturers of neck-ruffling and ruchings appeared before the Committee on Finance and asked to have these articles included in paragraph 323 for the purpose of increasing largely the duty upon them. The committee, after consideration, did not think that that was necessary, and they decided to retain them in paragraph 336. I am greatly surprised that the Senator from Missouri should appear here as the advocate of a large increase of duty on these articles manufactured of cotton.

Mr. VEST. The Senator may be surprised as to my arithmetic, but that is all that ought to excite astonishment, because I think I am now moving for a decrease of duty. If my arithmetic is wrong, then I am wrong all the way through. Does the Senator from Rhode Island say that the amendment I propose is not a decrease of 10 per cent.?

Mr. ALDRICH. I say it is a large increase. I say that 45 cents per pound and 15 per cent. ad valorem is a large increase over the present law and over the rate fixed by the committee.

Mr. VEST. That is not my calculation.

Mr. ALDRICH. I should like to have the Senator state the figures upon which he bases his calculation.

Mr. VEST. I submitted this matter to an expert, and he informed me it was about 40 per cent. ad valorem.

Mr. ALDRICH. Will the Senator kindly give me the cost per pound of neck-ruffling and ruchings?

Mr. VEST. I can turn to it in a minute.

I intended to make another observation when we reached paragraph 336, but since the subject is up I will make it now. The effect of the classification made by paragraph 336 under the flax schedule is to put all these cotton laces, embroideries, insertings, neck-ruffling, and ruchings, trimmings, lace window-curtains, and other completed articles of lace, and tamboured window-curtains and other similar tamboured articles, composed of flax, jute, cotton, or other vegetable fiber, not specially enumerated at 50 per cent. ad valorem. It seems to me that that ought to have been done frankly and openly under the cotton schedule. When we are considering cotton goods we ought to provide for cotton goods, for laces, curtains, etc., made out of cotton, instead of putting them under the flax schedule and mixing cotton goods with those.

I will withdraw the amendment until I can examine the statement of the Senator from Rhode Island as to the increase suggested. I do not want to increase the duty.

Mr. VANCE. In line 1320 I move to strike out the words "45 cents per pound and 15 per cent. ad valorem" and to insert in lieu thereof "40 per cent. ad valorem."

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In paragraph 323, line 1320, after the word "power," it is proposed to strike out the words "45 cents per pound and 15 per cent. ad valorem" and to insert "40 per cent. ad valorem;" so as to read:

323. On goods heretofore known commercially as Hamburg edgings, embroideries, or insertings, and as Egyptian and Oriental laces, composed of cotton, and stitched or otherwise wrought by machines worked by hand or other power, 40 per cent. ad valorem.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from North Carolina [Mr. VANCE].

Mr. VANCE. I find in the testimony which was taken before the subcommittee of the Committee on Finance a statement made by the firm of A. G. Jennings & Sons, Brooklyn, who seem to be manufacturers of these cotton laces. I desire to call attention to two or three statements made by them. They say:

Laces made of cotton or linen thread can be cleaned or washed many times without perceptible injury, while laces made from silk yarns would be ruined. This is a great advantage in favor of cotton and linen thread lace, and the principal reason why it is preferred before silk.

The quantity of cotton laces used in the United States, it is estimated, is more than twenty times that of silk. There are tens of millions of yards of cotton lace imported every season, and hundreds of thousands of lace curtains.

Of the large quantity used in this country little or none is produced here.

Why are they not, and why have they not been made here? Simply because manufacturers who have given this industry a thorough trial have not been able to realize cost for their products. They have not been able to compete in style and assortment with the endless variety and in price with the extensive stocks offered at low prices in this market by agents of the large producers in Europe, who, by a system of undervaluation without penalties, do not pay the full duty of the present low ad valorem rate.

The great cost of producing a new pattern of lace by machine is in the making of the first piece. After that the more pieces made the cheaper it can be sold.

In England and on the Continent those engaged in making cotton laces have large plants and great facilities for producing many new patterns, also a large market and assured demand for many pieces of every new pattern produced. Their machinery is made on the spot. They do not pay 45 per cent. duty on that besides heavy freight charges, and for wooden packing-cases, which for some lace machines often cost over $75.

It is a principle of law that no man can take advantage of his own wrong. Therefore I protest against allowing a manufacturer to complain of the heavy duties imposed on those things with which he has to furnish his plant. They proceed to say:

The labor of making and finishing the lace is 33 to 50 per cent. cheaper there—

That is, in Europe.

The labor of making and finishing the lace is 33 to 50 per cent. cheaper there than in this country.

The cotton yarn used in making lace is especially made for that purpose. It is harder twisted than that which is used for common loom work, and often part is reverse twist or twisted to the left, as well as to the right, and as it is required to be even and smooth, it is generally gassed. In England, there being a steady demand for these yarns, they are supplied to the lace-makers at low rates and in large quantities. This class of yarns—

Of which the laces are made—

is not made in this country at all, but would be if there was a demand for it. On these yarns we pay 50 per cent. duty, besides the charge or expense of importing them, which on a bale of 200 pounds from Nottingham equals 11 cents per pound in addition.

* * * * * * *

If a higher rate of duty is placed on all cotton laces and a lower one on the cotton yarns (adapted to make them) the industry can be started and continued.

It seems to me that with this statement made by the manufacturers themselves it is a violation of every principle of political economy or common sense to impose an extraordinarily high duty upon these articles which are not made in this country, and which only can be made in this country at the expense of the taxation of the people.

I have been told (I do not know whether it be true or not) that owing to some peculiarity of climate the finest qualities of cotton yarns can not be spun in America successfully. I had the pleasure of showing to the Senate yesterday the vast difference in the wastage of spinning cotton in this country and in England. I was unable to account for it, except upon the general statement which I have made, that for some climatic reason, the greater moisture of the climate of England perhaps, the fine yarns can not be spun with the same facility and success in this country with which they are spun in England. If that be so, I submit that it is not good political economy to tax people to overcome a condition that nature itself imposes. It may be an accepted policy of the Republican party, it may be a principle of their political economy to impose taxes upon the consumer, to supplement their want of thrift or want of skill or want of energy in order to make them successful in their business. But I contend that when we undertake to levy a tax upon the American people for a necessary article to overcome a condition which God himself has imposed upon the climate of the country, we might as well undertake to carry the doctrine to its legitimate extent and tax the people for the purpose of raising oranges and bananas in Vermont or anywhere else.

Here it is seen that we can avail ourselves of the established plants of England and of Europe, of their great capital, their great machinery, their great skill, and the cheapness of labor, and the advantage in this kind of manufacture which their climate gives them, and for the cheap labor which is thus used for our benefit we could furnish them articles of which they stand in need that would make that cheap labor subservient to our higher-priced labor and contributory to its comfort.

I think that the present law contains a duty sufficiently high for the protection of an industry that is not yet in existence; that is not yet born; and surely, when we have so large a family of offspring to be supported by a hardly and heavily taxed people, I can not hail the birth of any more such younglings with anything like joy, and I shall not do anything to contribute toward increasing this numerous brood of beggar-brats.

I feel thankful that we have been able, by fostering those things where high-priced labor is remunerative, to purchase five times the quantity of those things which are the product of the cheap labor of Europe. I rejoice that there is one article of human need in this country which a man in common circumstances in this country may supply himself with by his own labor without taxation, and avail himself of the differences which the wise Disposer of human affairs has made in countries and in people.

Mr. ALDRICH. I assume that it makes but little difference to the Senator from North Carolina upon which of these paragraphs he repeats his stump-speeches, but it happens that the paragraph now under consideration was recommended to Congress and to the committee by the present Secretary of the Treasury in identical language and rate with that inserted in the bill. The Secretary's recommendation was accompanied by a statement, which I will ask the Secretary to read, stating that it is impossible to administer the law on an ad valorem rate of 40 per cent. He suggested to Congress and to the committee a compound rate of 45 cents a pound and 15 per cent. ad valorem simply for honest administration, making the statement that the rate was believed to be approximately equivalent to 40 per cent. ad valorem, which is the present duty on all cotton laces and embroideries. If the Senator has any dispute with anybody in regard to this question, it should be with Mr. Fairchild and not with the subcommittee of the Committee on Finance.

I wish to say further that the statement which the Senator made in connection with this paragraph, that fine yarns can not be made successfully in this country on account of the climate, is as untrue as anything can be. It is as wide of the mark as any of the theories and statements the Senator from North Carolina has made in connection with the cotton schedule.

I ask the Secretary to read the portion of the letter of the Secretary of the Treasury whice I have marked.

The PRESIDENT *pro tempore*. It will be read.

The Secretary read as follows:

COTTON EMBROIDERIES AND LACES.

The appraisement of machine-made cotton embroideries and laces, known commercially as "Hamburg edgings or embroideries" and as "Oriental and Egyptian laces," has been a subject of much controversy, and, of late years, has been second only to silks as a source of annoyance and trouble to all parties concerned, including importers, appraisers, and the Department. Serious contention in regard to the market value of this class of merchandise began about 1877, when a large proportion of the importations took the form of consignments on foreign account with resulting undervaluations. Owing to this fact, and the peculiar character of the goods, the appraising officers adopted a method of determining the dutiable value of the consigned goods by ascertaining the cost of stitching and finishing and adding a fixed percentage for manufacturer's profit. This resulted in the admission of such consigned goods at lower values than were actually paid for like goods by importers purchasing regularly in the foreign market, who, under the law, were obliged to pay duty upon the purchase price. The goods thus actually bought, when tested by the rule by which consigned goods were invoiced and appraised, were generally found to be invoiced higher than those consigned, the difference in some instances being as much as 100 per cent. The practical result was that a different rate or amount of duty was levied upon the same article from the same foreign market, imported at the same port at the same time, and appraised by the same officers, the discrimination being against the regular purchaser and in favor of the shipper on foreign account.

About a year ago efforts were made by the appraiser at New York, at the instance of the Department, to correct this inequality, but without substantial success. These efforts provoked much dissatisfaction and contention on the part of those interested in consigned goods, who claimed, with some reason, that the system which had prevailed for about eight years with the knowledge of the Department, and to which they had adjusted their business, had thus, by long usage, acquired the force of law. In this they were sustained by the active sympathy of the subordinate officers charged with the appraisement of these goods, who contended that such was the only practicable method of determining the dutiable value of the goods, and was a "reasonable ways and means" of appraisement; so that after a time recourse was had to the same system which, with some slight modifications, prevails at the present time.

As a result of these controversies quite a general movement was made by those most largely engaged in the importation of these goods at New York, as well as by those interested in their production abroad, looking to the adoption of specific duties.

In October, 1885, the importers of embroideries and laces at New York held a meeting and adopted a proposition for specific rates, as set forth in the accompanying correspondence, their scheme being based upon the cost of material, stitching, etc., a pound duty being imposed upon the cloth and a rate per 1,000 stitches upon the embroidery.

As shown by the appended correspondence, the Commercial Corporation of St. Gall, Switzerland, upon the invitation of this Department, submitted a proposition for a specific duty by weight on the merchandise in question, presenting, at the same time, cogent arguments against the so-called "stitch-count" plan of the New York importers.

These propositions were referred by the Department to the appraisers at New York, Boston, Philadelphia, and Chicago, and their reports thereon are herewith submitted.

The weight of expert opinion is against both propositions in the form submitted. As to the so-called "stitch-count" plan, it is objected that it is difficult of uniform and satisfactory administration, and affords opportunity for evasions by understating the number of stitches, it being practically impossible to correctly verify the same, as a rule, by actual count.

The chief and a valid objection to a simple and uniform weight rate is that it would operate to exclude the coarser and cheaper qualities of goods, and thus discriminate against the masses and in favor of those whose means enable them to buy the finer qualities.

The suggestion of the appraiser at Chicago, of a duty by weight coupled with a low ad valorem rate, appears to be the best solution of the question. It is now approved by Assistant Appraiser Kent, at New York, as shown by his letters herewith, dated the 19th ultimo, although he had originally favored the "stitch-count" plan. It also meets the approval of leading importing houses of the country, and it is thought its adoption, while working fairly toward all, will end the controversies and difficulties heretofore attending the importation of this merchandise.

I therefore recommend the following substitute for the provisions in Schedules I and J of the present tariff, relating to laces, embroideries, etc. (tariff paragraphs 325 and 337):

"On goods heretofore known commercially as Hamburg edgings, embroideries, or insertings, and goods known as Egyptian and Oriental laces, composed of cotton and stitched or otherwise wrought by machines, worked by hand or other power, 45 cents per pound and 15 per cent. ad valorem.

"On laces, embroideries, insertings, trimmings, lace window curtains, and tamboured articles, composed of cotton or other vegetable fiber, not herein otherwise enumerated or provided for, and on cotton damask, hemmed handkerchiefs, and cotton velvet, 40 per cent. ad valorem."

The rates suggested on "Hamburgs, embroideries," etc., are believed to be approximately equivalent to 40 per cent. ad valorem, which is the present rate of duty on all cotton laces and embroideries.

Mr. VANCE. I should like to ask the Senator from Rhode Island why the committee felt itself bound to adopt the suggestion of the Secretary of the Treasury?

Mr. ALDRICH. I will say that upon a matter of fact of this kind after the Secretary of the Treasury through the experts of the Department has made an exhaustive examination of the subject, I feel bound, in the absence of contradictory testimony, to accept his conclusions.

Mr. VANCE. During the course of this debate I have heard on more than one occasion the Senator from Rhode Island cite the opinion of the Secretary of the Treasury in support of his action. The Secretary made numerous recommendations for a reduction of duty, but I believe I have not heard the Senator from Rhode Island intimate an intention of following that advice on any occasion. It is only when the Secretary's advice looks in the direction of robbery by the increase of duties that the Senator from Rhode Island objects to my stump-speeches and cites the Secretary of the Treasury in his support.

Now, I am not bound by any recommendation made by the Secretary of the Treasury except in so far as it commends itself to me, and I expect to continue the utterance of these stump-speeches with renewed energy just so long as the scheme of robbing the American people by this system of taxation is kept up and advocated; and I shall, year after year, so long as life lasts, be found doing business at the old stand on the same terms. [Laughter.]

This is an increase of duty. If it be true that the Secretary of the Treasury recommends that the duty be changed for the purpose of avoiding undervaluations and frauds upon the Treasury by reason of ad valorem duties, I should like for the Senator from Rhode Island or anybody else to answer me how fraud is prevented if it is perpetrated under a simple ad valorem duty by the substitution of a specific duty and an ad valorem also. The door is open for fraud both front and rear, and every window in the house. Here is a specific duty of 45 cents a pound coupled with an ad valorem duty of 15 per cent.

I commend the zeal of the Senator, which occasionally bursts forth, to protect the Treasury of the United States whenever by so doing he can protect his own people in their enormous profits. I desire to protect the Treasury of the United States also, and there is only one way to do it. There is only one fair and honest method of levying taxation upon imports, and that is to exact a duty in proportion to their value. I do not care who recommends the contrary. Surely, as I have already said, the very object that they aim at is defeated by the substitution of double duties and by the imposition of so much more labor and computation upon the appraisers.

Mr. HAWLEY. Mr. President, the Senator from North Carolina is probably aware that but one Secretary of the Treasury in the history of the Government has recommended ad valorem rates of taxation. Every man familiar with the question is aware that that method opens the door wide to fraud; that articles sold in America for 20 cents are imported at 10, and there is no possibility in many cases of manufacture of making an accurate examination.

As I say, every Secretary of the Treasury but one, in the interest of good government and honest administration, has recommended specific duties, and the Senator from Ohio [Mr. SHERMAN], who is excellent authority on these matters, suggests to me that every free-trade country follows that rule also. The English duties, as we all know, are specific. That is the rule in general with people who desire honest administration.

But we know perfectly well that a specific duty, we will say, of 45 cents a pound on articles sometimes worth 20 and sometimes 60 cents per pound works unequally. So in order to partially remedy that injustice it is often recommended that there be also an ad valorem duty, which does make a partial remedy for the unjust working of the specific duty. The specific, however, is left if you are to have but one rate of duty.

The Secretary of the Treasury does not discuss the question of protection in this matter. Neither does the committee, as I understand it. The Secretary of the Treasury, in the interest of an honest levying of the tax, recommends it, and the committee has adopted his recommendation. But I need not have said anything about that, because the Committee on Finance has explained those matters sufficiently.

I wish to add a word more, however, to complete the morning lesson to the Senator on these little matters of information. He was never more mistaken in his life than in the remarks he made concerning the impossibility of making certain goods here by reason of difference in climate. The moister climate of Great Britain is certainly valuable to certain kinds of manufacture, but I wish to inform him that in this very Chamber the precise degree of moisture is arithmetically regulated, and the hot air passing over dry, hot steam-pipes is ready to take up more moisture and bring in a condition that would not be very favorable to health and comfort. The indicator to the right of the Presiding Officer will show the Senator by study just what the degree of moisture in the Chamber is. I know the manner in which it is regulated in some large manufacturing establishments, and precisely within a fraction the manufacturer can make the climate of any moist island or any dry island in any room you please.

Mr. VANCE. I stated that I had heard the assertion made; I did not know whether it was true or not. I did not assert it as being positively true, but I am very glad that the Senator from Connecticut has partially corroborated my information.

The Senator says also that this kind of a compound duty partially removes the evil of undervaluation. Why not remove it altogether if specific duties will do it? When you have the implement in your hand to strike the blow that will prostrate an abuse, why knock it half-way down and leave it with life in it to do more damage?

The fact and the truth is that many of the cheapest kinds of laces used by the poor in their first attempts at ornamentation, used by the young girl or the young housewife, would be taxed by this specific duty three or four times as much as the highest-priced articles used by the rich, and that is the reason why these specific duties are adhered to.

The whole of this tariff system is a raid upon the poor man in the name of the poor. Of all the infamous exhibitions of this hostility to the poor that have ever been made in the history of protective legislation in the United States I consider this bill the crowning infamy in that respect, as I hope to be able to show between this time and the 21st day of the month.

Mr. HAWLEY. I wish to make just one additional inquiry. We have heard this denunciation for at least twenty-seven years, and it is much older than that, of everything that had in it any grain of protection. I will ask the Senator a question. I have asked it of several upon that side and have never got an answer to it. Is there any nation that has an approximately just system of levying customs duties, and if not which is the nearest right?

Mr. VANCE. The nearest right that I am acquainted with is the English system.

Mr. HAWLEY. I have received the answer that I expected to get, and that applies specifically, entirely, and absolutely to its defects. This feature is a merit. As to its defects those can be discussed hereafter. I wished to know where the gentleman tied himself; that was all.

Mr. VANCE. I see the drift; I see what is called the "true inwardness" of that question. The idea is to charge, as always is done, that we are in the English interest, that we follow the English system, that we prefer foreigners to our own people.

Mr. President, there never was a greater piece of hypocrisy exhibited by mankind in its most debased attitude than this pretense of dislike to foreigners. You only dislike the foreigner when he brings something to sell. When he brings a blanket or a pair of shoes or anything else to sell cheaper than you are willing to make it and sell it at, you despise the foreigner and you appeal to all kinds of prejudices against him; but when the foreigner comes himself to underbid and underwork the American laborer and take the bread from his mouth and the mouths of his children, you welcome him with open and with hypocritical embrace. That is what is universally done.

One-half of the factories of New England now are filled with men who are not even naturalized citizens of the United States, but who come across the border from Canada and elsewhere to labor here and re-

turn with the proceeds of their labor. You welcome that foreigner when he comes in the midst of your strikes, whom you can use for the purpose of putting down and suppressing the efforts of labor to secure its share in this taxation that is imposed in its name; but when he comes with anything to sell he is anathema maranatha, and all men are social traitors who desire to purchase his products at a reasonable price. That is the history of this labor question.

Mr. HAWLEY. Mr. President, a word more. I gave the Senator no excuse for saying that I dislike the foreigner or was acting under any prejudice. I have no personal reason whatever to dislike Englishmen or England, I am sure. I disbelieve in England's policy of taxation.

What I wanted was to get one Democrat, if I could not get more, to frankly avow that it is the honest purpose of that party to adopt free trade as the policy of this Government. Not one time in fifty, on the stump or in newspapers, were we able during the last campaign to compel Democratic editors or orators to tell the truth in regard to the position of their party. An avowed free-trade meeting was held in Boston the other day, glorifying the campaign, glorifying the President of the United States, glorifying every effort made in the direction of free trade, prophesying a golden future, and declaring that great progress had been made. All we ask of them is that they shall tell the truth about the inevitable drift of their party, about that which the whole world knows, including themselves, to be the truth, that they mean to bring this country to a doctrine of customs duties which denies the moral and political rightfulness of protection and demands that taxes be laid upon a few articles of universal consumption; that is to say, practically a poll-tax.

That is what the party means. That is the reason why I asked the Senator that question. I did not care whether it was Great Britain, Belgium, or any other country, I wanted to know what tariff he believed in or what was nearest to his idea. He said the English one. That has no protective duties whatever. It is a tariff which is adapted to an island, to a compact little empire whose economic circumstances differ from ours as widely as may be imaginable. I shall dwell upon this more at another time, and give the Senator some statistics and figures.

Great Britain is included within a few degrees of high latitude. There is a great variety of vegetable productions that she can not do anything with whatever. There are many things for the table that she can not produce. There are many things necessary for her manufactures that she can not produce. There are many woods that she can not raise. She can do nothing with cotton. I shall not go through the list of these things; but she is utterly unable to adopt our protective doctrine if she wished to do so.

Here we are with a range almost from the Arctic to the tropics, covering a wide range east and west also, with a possibility of producing everything in the world almost. We can live without what we can not produce. I said in the campaign that we might have the famous Chinese wall of the free-traders, a hundred miles high, around this country and keep it fifty years, and when the doors were broken down you would not find us either naked or starving: that we would not have had much coffee and much tea, but we might be a rich, and a happy, and an intelligent people.

We have every possibility here. We have a nation that is in its infancy, that is but the cock crowing at the morning dawn of civilization to what some of these boys are to see upon this continent. Senators attempt to ridicule us for talking of our infant industries. As a nation we are practically an infant yet. We have a nation to build. What have we done in this decade as compared with Spain! Spain in sixty years has not grown as much as we grow in a decade.

But I am going on to make a speech that I shall reserve for some other time. I want to have the Democratic party take honest, frank, open ground for free trade. That is all I want.

Mr. VANCE. We had in this country once a very practical philosopher, who had a great deal of hard sense couched in very bad English, by the name of Josh. Billings. One of Josh's apothegms was that in order to bring up a child in the way it should go it was necessary to go that way yourself once in a while. [Laughter.] Now, in order to compel your political adversaries to tell the truth I should commend to the Senator from Connecticut that he should do so himself once in a while. He says that I am a free-trader, and that the policy of my party is absolute free trade, and he bases that upon my acknowledgment in answer to his question as to what foreign system of government I most admired.

Mr. HAWLEY. In taxation.

Mr. VANCE. In taxation. I told him I thought the English system was nearest right, meaning of any other than our own. [Laughter.] If Senators will content themselves in peace a moment, perhaps the laugh will be on the other side of the face. I did not mean by that any approval of the system under which we live. God forbid; as God did forbid it thousands of years ago from the top of Mount Sinai, when He said "Thou shalt not steal." [Laughter.] I am glad to see that the Senators are amused. I am not authorized to say what the sentiments of the Democratic party are in relation to taxation.

Mr. DAWES. Will the Senator answer me a question?

The PRESIDENT *pro tempore*. Does the Senator from North Carolina yield?

Mr. VANCE. I prefer not to do so.

The PRESIDENT *pro tempore*. The Senator from North Carolina declines to yield.

Mr. VANCE. I know the Senator from Massachusetts of old. [Laughter.] We had some exhibitions of that when we were discussing the long and the short haul a few years ago.

I am not an authorized exponent of the Democratic party. I look for the exposition of Democratic principles in the same direction that religious people look for the exposition of their faith, to the utterances of their councils and those who have authority to pronounce in matters of faith. I am simply one man, a very considerable one, it is true [laughter], but still I am only one man. The Democratic party of the United States again and again has pronounced itself in favor of a system of taxation of foreign imports that will yield sufficient revenue to the Government of the country, and it has never advocated any other. That is the system that I prefer, if I could see it carried out, to the English or any other system. But I prefer the English system out and out to the system which will be propagated should God Almighty for wise and inscrutable purposes afflict the American people with this Senate Finance Committee bill. I prefer anything else to it.

I might go back and charge that those gentlemen are in favor of a Chinese system. I have quite as much authority for making that averment as they have for saying that the Democratic party is in favor of free trade. Again and again they have avowed upon this floor that the effect of such and such an increase in duties would be to reduce the revenue by forbidding importation. Again and again this crowd of hungry witnesses that swarmed before the Finance Committee called the attention of the subcommittee to the fact that importations were the proper guide for the imposition of tariff duties: wherever you see a thing coming in, clap a duty upon it!

What would that result in if carried to its legitimate results? There are many ways of killing a dog besides choking him to death on butter. There are many ways of reducing revenue. You can reduce it by putting the duties to a prohibitory point as well and as effectually as you can reduce duties by lowering the charges upon imports, but it all comes to the same thing so far as the amount of money that goes into the Treasury is concerned. The reduction is made. But it lacks a great deal of coming to the same thing so far as the pockets of the people are concerned. The prices to them are raised, the cost of living to them is raised, and the taxes, instead of going into the Treasury of the country for the common benefit, go into the left-hand pantaloons pockets of the manufacturers for individual benefit, furnishing "fat" to be "fried" on all exigencies of politics.

If we put the duties to a prohibitory point, how could we raise the revenues necessary to support the Government? Should we not have to come to excise duties and to direct taxes, which is the British system, you know? It tends most directly there, much more directly there than does the Democratic doctrine.

The Mills bill is what we stood upon in the last campaign. Is there any free trade in that? There is a little freer trade in that; the impositions upon trade and traffic are not quite so great in that; but the man who could make free trade out of that and still lecture other people about telling the truth, would be certainly entitled to a patent on his invention.

All this discussion has grown out of some statements that I read in this testimony from the manufacturers themselves, to the effect that this yarn was not spun in this country, that these laces were not made in this country, and that the present duty was inadequate to force or stimulate their production in this country, and calling for an increase in duties that would enable men to start up and begin to manufacture in this country, adding another orphan to be supported at the public crib. In obedience to this mandate of the manufacturers the subcommittee have increased this duty. They have performed their duty to the manufacturers, but I claim that they have not performed it to the people.

Mr. REAGAN. Mr. President, in our voyage through this sea of protection it may be well enough occasionally to take our latitude of departure on questions of principle.

The object has been, ever since this question was taken up for discussion during the last session, to try to put the Democrats in the position of free-traders, and the only justification for this is that they deny the doctrine of protection for protection's sake, and insist upon a tariff for revenue to support the Government.

One of the arguments that Republican politicians make to follow this charge of our being free-traders is that we seek to carry on the Government by a direct tax upon the people. That is the scare-crow that is brought up in the rear of the allegation that the Democrats are free-traders.

We may collect by direct taxation and in various ways duties for the support of the Government. Suppose we resort to direct taxation. Is there any Senator here, is there any intelligent citizen in this country prepared to advocate a tax upon land, or a capitation tax to be apportioned among the several States according to their population? To ad-

vocate such a doctrine would be to assume that a thousand citizens of Idaho or Montana should pay as much tax as a thousand citizens on Broadway in New York. I presume gentlemen are not prepared to suppose that Democrats are entirely ignorant, and that they would resort to such a policy to avoid the collection of revenue by a tax upon imports.

The Senator from Connecticut [Mr. HAWLEY] refers to the idea of Democrats being free-traders and refers to his declaration during the campaign that if a Chinese wall a hundred miles high were built around this country until after a considerable length of time, still nobody would starve and we should get along very well. Suppose we adopt this policy of high protection and a prohibitory tariff, where does that take us to? That inevitably takes us to a direct tax upon the people. Does the Senator from Connecticut advocate a tariff for prohibition for the purpose of imposing a direct tax upon the people? Does any Senator on that side of the Chamber advocate such a doctrine? Yet all of them vote persistently and advocate everything that leads toward prohibition, and argue for high tariffs because they will exclude imports and reduce revenues by the exclusion of imports.

If the logic of their position is to be carried out it means a tariff that will exclude imports for the protection of domestic manufactures, for the promotion of the interests of domestic manufactures. Let them exclude the imports, and then they come exactly, by the logic of their position, to where it seems they seek to put Democratic politicians today, where Democratic politicians have never consented to go, but where Republican logic carries them inevitably. It is to this point that I desired to call attention—to the arguments so constantly used by them to show that the high duties levied are meant to prohibit importations. The logic of that doctrine carried out must prohibit imports, and when we have prohibited imports then we come to the place where they think it brings odium on Democrats to place them; that is, that they shall support the Government by direct taxation. When they get there a million citizens in an old and wealthy State or city would pay the same tax that a million citizens on the frontier would pay not worth the hundredth or the thousandth part of the property of the million in the city or densely populated State. Such is their policy.

There is no proposition to change the Constitution so as to levy a tax according to property, but if the logic of their position is carried out there is the place to which they must drift.

The only object I had in view was to call attention to the logic of the position of the Republican party and to show that it leads them to the exclusion of imports, to the exclusion of the collection of revenue upon imports, and to a direct tax upon the people.

Mr. DAWES. If protection is robbery, as I understand from our friends on the other side, is it not just as much robbery when you take the plunder to support the Government with as it is before? If protection is robbery, it is robbery whatever you do with the plunder. There is a way to impose for the support of the Government duties that have no protection in them, and why do not our friends adopt that method? If a duty that has protection in it is to that extent robbery, when there is another way to impose duties that have no protection in them, is there any sincerity in the claim that they are opposed to protection for protection's sake? Are they opposed to robbery for robbery's sake only for the purpose of getting the plunder? Is that the purpose for which they tolerate robbery, so that they can utilize the plunder? Is there any great virtue in saying that they are not for robbery merely for the fun of it, for protection's sake?

Mr. REAGAN. Will the Senator allow me to answer that question at this point?

Mr. DAWES. Yes, sir.

Mr. REAGAN. A tax to raise revenue for the support of the Government is that sort of tax that must be levied under all systems of government if government is to be preserved, but a tax for protection and for protection's sake—to transfer the property from one person to another without price and without consideration, by whatever name you may call it—is robbery.

Mr. GRAY. Will the Senator from Massachusetts yield to me for a moment?

The PRESIDING OFFICER (Mr. BERRY in the chair). Does the Senator from Massachusetts yield to the Senator from Delaware?

Mr. DAWES. I want to get along with my friends one at a time. The Senator from Delaware shall have his opportunity after I have answered the Senator from Texas.

Mr. GRAY. I merely wanted to ask a question right in the line of what the Senator from Texas has just stated.

Mr. DAWES. Very well.

Mr. GRAY. I wanted to ask the Senator from Massachusetts whether he is aware that the Supreme Court of the United States has by a decision sanctioned a very common rule of morality that inheres in all free governments, to take private property for public use, but held that there is no power in an American government, whether Federal or State, to take private property for private use.

Mr. DAWES. I ask the Senator to keep that question until I get through with my friend from Texas and my friend from North Carolina. I hope my friend from North Carolina will not run out just now.

Mr VANCE. I shall be back in a few moments.

Mr. DAWES. The Senator from Texas says it is necessary to impose duties for the purpose of carrying on the Government. So it is; but you can so impose them that there will not be any of this element of protection in them. You can impose duties on tea and coffee and such like, that must be consumed, and will be consumed whatever the duty on them. The money thus received would go directly into the Treasury, and there is not any element of this robbery in that, because there is none of the element of protection to anything that is produced in this country. There is none of this wicked element of protecting the right arm of the laborer in his effort to support himself in this country in that kind of a duty, and that will support the Government. We had $18,000,000 a year on coffee, and nearly twice that on tea. That would have supported the Government before the war without anything else. There was not, as I have said, one particle of element of protection in it. We took that duty off, and the Senator from Texas voted to take it off or keep it off.

Mr. REAGAN. Not I. On the contrary, I gave notice when the tariff bill was pending in the other House that if we ever reached that point I intended to move to restore the duty on coffee.

Mr. DAWES. I beg the Senator's pardon; he was not where he could vote for it when it was taken off. I had forgotten that. But all his party in the House of Representatives voted for it. I voted against it.

I have no disposition to put the duties on manufactured articles one penny higher than is necessary to equalize the conditions of production in this country and the countries abroad. That is protection enough for me. I have no desire to go one particle further than to just put the laborer, the producer, the capital, all the conditions of production in this country upon an equality with the producer and the conditions in other countries, and I am willing then to let there be a "survival of the fittest" in the struggle.

The Senator from North Carolina a moment ago said that the only honest way to impose duties was an ad valorem way, and that every other way was a fraud and a cheat. When he was asked what system of imposition of duties he liked best, he said it was the English system. Now, the English system has two elements in it that do not exist in ours. One is that it is specific entirely; it does not in any respect conform to the statement of the Senator from North Carolina a moment before, that the only honest way was an ad valorem way. The other is that they impose taxation on articles of general and necessary consumption. Which of these is it that attracted the admiration of the Senator from North Carolina? Does he desire to have the duties imposed on articles of general consumption, that must be consumed here, whatever the duty, and can not be produced here? Is that the element of the English system which has so attracted his admiration? What is it in the English system, I ask the Senator from North Carolina (and I will yield to him that he may answer), that he does admire, if it is not these two elements?

Mr. VANCE. The principal thing in the English system of taxation which I admire is that all of the duties paid by the English people go into the treasury of the British Government. It is all honest taxation, so called, and there is no room for stealing.

Mr. DAWES. Is it because there is no element of protection in it that the Senator admires it? The Senator says that a duty for protection increases the cost to the consumer in this country of the foreign article, and enables the domestic producer to increase the price of his nearly if not equal to the amount of the duty. I have heard the Senator say that a great many times. That he does not like. That is protection. Is it because there is no such element as that in the English tariff that the Senator says he admires the English tariff? I repeat the question, what is it in the English tariff that he so greatly admires which is not in ours? What is it?

Mr. VANCE. If the Senator did not understand me before, I will repeat my answer, that the principal element in the British system of taxation which I admire is that all of the money paid by the British people upon foreign imports goes into the treasury of their country, and there is no room left for stealing.

Mr. DAWES. The Senator says that protection compels the American people to pay a good deal besides what goes into the Treasury, and he says the English system does not require anything to be paid except what is the duty imposed. According to his own definition the difference between the English system and ours is that there is no protection in theirs and there is in ours. In other words, that is a free-trade tariff and ours is not. Now, the Senator shrinks and flees from the term "free trade," but it is utterly impossible for him to define himself without defining free trade.

The Senator from Delaware wants to know if I have not heard that the Supreme Court has decided that you can not take private property for private uses without compensation, and that you can not take it by taxation except for the support of the Government. I have heard some such thing. I am inclined to think——

Mr. GRAY. That is not what I said.

Mr. DAWES. Will the Senator state it again, then?

Mr. GRAY. I asked the Senator if he had not heard that the Supreme Court of the United States had decided that while a government such as ours can take private property for public use, paying just com-

pensation therefor, there is no power inherent in any government, State or national, to take private property for private use.

Mr. DAWES. I have no doubt that the Supreme Court have said it. If they have not, they ought to have said so. Until my friend from Delaware can have his eyes so opened as to see that a proper protective tariff is not a tax upon the consumer, it will be utterly hopeless to try to make him see the difference between that plain and simple statement of law by the Supreme Court and the plainest and simplest statement of a financial system of imposition of duties.

There is no tax upon the consumer in a properly laid protective tariff. It can not be found in the price-current of what the domestic consumer pays for his article, and it has not been in the whole history of the Government. Although my friend from North Carolina repeats it day in and day out, and the price of the article under the influence of the protective system contradicts every word he says, he pays no more attention to figures than if figures were utterly unintelligible to him. I have been told that they will not lie; that whether Democrats in discussing tariff theories or Republicans in discussing tariff theories depart from the truth, the figures do not lie; and the figures show that under the influence of a protective tariff from the time it is imposed and has opportunity to work out its legitimate effect, it has had the effect to reduce prices on every article upon which it is proper to impose a protective-tariff duty.

Mr. McPHERSON. Mr. President, I have listened with a great deal of pleasure to the observations of the Senator from Massachusetts [Mr. DAWES]. They have been very edifying and very entertaining as well. But I want to call his attention to one thing that I think he has forgotten. As he will remember, this discussion commenced with a criticism made by the Senator from North Carolina [Mr. VANCE]. He inveighed against specific duties, and gave as a reason for it that the tendency of specific duties as compared with ad valorem duties was to raise the amount of protection. Has not the tendency in this country and in other countries for the past ten or fifteen years been to a lessening in the cost of production of everything? If the ad valorem rate of duty to-day is sufficient protection and the ad valorem's equivalent should be made specific, will not the tendency be, as you lessen the cost of production, to increase the amount of protection? Therefore, is it not more just to establish a uniform ad valorem rate, because the meaning of specific duties is an increase in the tax? That is a question I should like to get an answer to.

Mr. DAWES. An ad valorem rate is a premium upon fraud. It is advertising that the more you will cheat the less duty you will have to pay.

Mr. MORGAN. I should like to ask the Senator a question.

Mr. DAWES. In one moment. Let me state——

Mr. MORGAN. I just wanted to ask the Senator if he knew how many premiums there were in this bill on that kind of fraud? I do not suppose that there are less than two hundred and fifty premiums on fraud in this bill.

Mr. DAWES. Then there are two hundred and fifty premiums that ought not to be there.

Mr. MORGAN. I shall point them out after awhile.

Mr. DAWES. I have no doubt that there are propositions for ad valorem duties in the bill against the advice of your own Secretary of the Treasury, and against the advice of every Secretary of the Treasury, except the one in 1846, and against the advice of every experienced and intelligent collector at any of the considerable ports in the United States. The system of turning over, dumping into the markets of the United States the surplus of foreign production under an ad valorem system, will be increased and enhanced just to the extent that human ingenuity can devise methods to undervalue. A man with a surplus production can turn it into the markets of the United States under an ad valorem for half price, and thereby reduce the amount he is obliged to pay in the shape of duties one-half and recoup all the sacrifices in prices in what he saves in duty.

Mr. MORRILL. Will the Senator from Massachusetts permit me to read what Secretary Manning said upon this same subject?

Mr. DAWES. Why, every Democratic Secretary but Secretary Walker—every Secretary from Hamilton down, with the exception of Secretary Walker, so far as my memory serves me, who has discussed the question of specific or ad valorem duties has taken the ground that the only way to prevent fraud is to impose specific duties whenever it can possibly be done.

Mr. McPHERSON. Mr. President——

Mr. DAWES. I should like to have the Senator from Vermont read in this connection what I know he has in his hand.

Mr. MORRILL. I desire merely to read what Secretary Manning said. I think the Senator from New Jersey will concede that he was as able a Secretary of the Treasury as he himself would have made, provided he had come in, as everybody supposed he would, if there was a Democratic administration in 1889. I read from his report of February 16, 1886:

A plan for the prudent enlargement of specific rates which will greatly promote the welfare of the Government and of the country, and as a matter of administration not work injustice to any class in the community.

The advantage is that under it duties are levied by a positive test—

That is, specific duties—

and according to a standard which is altogether national and domestic.

Then he adds:

Whatever successful contrivances are in operation to-day to evade the revenue by false invoices or by undervaluations, or by any other means, under an ad valorem system, will not cease even if the ad valorem rates shall have been largely reduced. They are incontestably, they are even notoriously inherent in that system.

Mr. McPHERSON. The Senator from Massachusetts still avoids my question. I should like to hear, I repeat, the Senator from Massachusetts upon that point. He answers, or attempts to answer, however, by saying that under ad valorem rates of duty great frauds may be perpetrated upon the Treasury. If goods upon which a duty was fixed by law of 40 per cent. ad valorem came in by undervaluation so that the duty did not yield more than 25 per cent. protection, the equivalent in specific of 40 per cent. ad valorem duty would be the entire amount, would it not? Then it is an increase of duty.

I want to call the Senator's attention and the attention of the Senate once more to a fact. Appended to this bill is a provision for the better valuation of merchandise and the protection of the Treasury. In that part of the bill we propose a new order of things, a new system, new machinery, under which, as I think, it will be almost impossible to undervalue goods at all. I suppose the committee will ask that that be appended as a part of the tariff bill, and I shall take great pleasure in voting for it, because in my opinion it does prevent undervaluation. It does another thing. It does away with the damage allowance on some particular kinds of goods. In that way it is a great increase of duty. It has that effect. It is an increase of protection at least.

What more does it do? It imposes a duty upon the packages and the crates in which the goods are packed, and it imposes a duty upon the cost of transportation and packing from the place where the goods are made to the port of shipment. In my opinion, to sum it all up, with the undervaluation bill which we propose to append to this bill, with the increased duties which it provides by reason of abolishing the damage allowance, and by imposing duty upon the packages and crates and the expense of transportation to the port of shipment, with the change from ad valorem to specific rates of duty, with the natural tendency of the lessening of the cost of production in this country, within two years from this date the average increase of duty under this bill for the purposes of protection to our manufacturers will be more than 20 per cent.

I know of no way of judging of the future but by the past. I read yesterday for the benefit of the Senator from Massachusetts a statement as to the cost of manufacturing a pair of ladies' shoes in the city of Lynn, in the State of Massachusetts, in which the entire labor cost was about 35 cents per pair. Five years ago I suppose the labor cost of that pair of shoes was more than double 35 cents, but by reason of a more intelligent application of labor, by reason of improved machinery and more intelligent workmen, the cost has been reduced. That is true as to nearly every article of merchandise that comes into this country. It is here proposed in the first place to so provide that there shall be no undervaluation. It is then proposed that we shall change from an ad valorem to a specific rate of duty because in that way the manufacturer gets the benefit of all the lessening of cost and cheapening of products abroad. Therefore I say, while I would be willing to have specific rates of duty where they can be employed, certainly upon all this class of goods which experience has shown have lessened in cost from year to year, when you fix an absolute rate of duty in that way you increase the rate of protection to a point which, confessedly in the Senator's own language, is ample, because he is ready to admit that by the duties proposed in this bill the protection is ample.

Mr. DAWES. Even if the very valuable amendments in administration embraced in this bill should become a law, and if they should work all that the committee believe they will toward checking frauds, there would be in my mind still an insuperable objection to the substitution of ad valorem duties for specific duties, and that would be this: I am opposed to the foisting upon this country of that system which exists in England, which in fact compels the producer to produce his article at the least possible price by grinding down the laborer to the lowest possible wages.

What is the course of England to-day in her manufacturing industries? She long since supplied her home market; she long since was compelled to seek foreign markets and to carry her goods into foreign markets and successfully compete with everybody else there. She must produce them at home cheaper than any other country can produce them; and the only way for her to produce them cheaper at home than other countries can was to put down the price she pays her laborers, because the raw material——

Mr. COKE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Texas?

Mr. DAWES. Not now. I will pretty soon. The Senator will remind me if I forget it.

The raw material is substantially the same in all these manufacturing countries. The only great element of cost that can be changed is

the cost of the labor employed in producing the article. When England undertook to compete with all the rest of the world in their markets she set about reducing the wages of her laborers. She is bringing them down to the lowest possible point. The lower she brought them the feebler was her home market, the less able were her people to consume at home, the less of her products could she find markets for at home, and the more of her products was she obliged to send abroad. It was suicide in the vain search of foreign markets, when if she had nursed her home market, if she had studied out to increase consumption at home, she would have so increased her home market as to have enabled her to have kept pace with her production at home and still keep up what she paid her laborer.

Now, if we have ad valorem duties here, the lower the cost of production abroad the lower the duty and the more the foreign producer can dump into our own markets, and the more he dumps into our own markets the less there will be for our own laborers to perform, and the less our own laborers can work the less they can consume, and so we shall hasten on to the deplorable condition the English producer is in to-day.

Mr. MCPHERSON. May I ask the Senator a question, because I do want an answer?

Mr. DAWES. I beg pardon. The Senator from Texas [Mr. COKE] is entitled to ask a question. I promised to yield to him for that purpose.

Mr. COKE. I desire to suggest to the Senator from Massachusetts that England is paying the best wages to her laboring people of any country in the world except the United States. This is conclusively established by the consular reports and by all other evidence that we have on the subject; and especially is it true that England pays to her laboring people in the cotton-manufacturing industry wages which, when considered with reference to the value of the product, are better wages than are paid in the United States in the same industry.

Mr. DAWES. It is true that the wages of the operatives in England have been increasing for a few years past, because England could not keep her operatives in any other way. The operatives of England have come, by the steam-ship and the telegraph, to be next-door neighbors to the operatives in this country, and they know the difference and they can not keep them. Thirty thousand skilled laborers in a single year left England to find employment in this country; and the producers in England met to devise some method by which they could keep the skilled laborers at home, and the only method was to improve their condition. It is true that they are obliged to pay them more and more. They are obliged to give them better homes, they are obliged to protect them in the mills by employers' liability acts. They are obliged to take care of the children, following our example, so that they are not permitted to work so many hours every day. The reflex influence of our own system and our own policy upon England is elevating all the laboring classes there.

But while England pays more for her labor than other countries except the United States, the wages of the German operatives from the hour that they abandoned free trade and adopted the protective-tariff policy have been continually rising; so they have in Belgium; so they have in every country in Europe where they have abandoned the free-trade policy, which requires of them to produce as cheaply as possible, and therefore cut down the laborer to the lowest point possible. Wherever that is abandoned the opposite has been the effect. It is as plain as that two and two make four that if one man has two things to do he is better off than two men who have but one thing to do. It is employment that helps the laborer. It is not systems of enactment, of wages, or of hours of labor. Nothing in the world can lift him up for any given time but that system which shall secure to him the highest degree of employment and the most remunerative wages for it.

Mr. COKE. I will ask the Senator if English wages have not been going up all the time under free trade?

Mr. DAWES. I do not so read, Mr. President. English wages until within the last ten or fifteen years were going down and down until every seventh person in all England was so straitened and so short in the pay he received for the labor he performed that he had to be supported to some extent by charity—one man in seven of all the English people, all the operatives in England—until the condition of the English operative became so alarming that it arrested the attention of not only all those who were opposed to their policy, but of the English people themselves, until they are now retreating as fast as they can from the free-trade policy.

Let me ask the Senator from Texas to tell us why it is that they are flying from England and coming to this country in greater numbers every month? Does anybody go back?

Mr. COKE. I will ask the Senator if free-trade England is not paying higher wages than any of the tariff-protected countries of Europe?

Mr. DAWES. That is so. Now I want to have the Senator answer me this question: Is there a protective-tariff country in Europe which has not, from the time its protective policy was adopted, witnessed the increase of the wages of labor to its operatives? It is not comparing the English operative with other operatives; it is comparing the German operative under this system with the German operative under the free-trade system. The German operative and the operative in Belgium and the operative in France under the protective system have been finding greater employment and better pay. Why is that?

Mr. COKE. Suppose the Senator compares the wages in England under a protective tariff and in England under free trade.

Mr. DAWES. There is no question about it that England under a free-trade policy ran the wages of its operatives down to the starvation point.

Mr. COKE. That is not the history of the times.

Mr. MORGAN. Mr. President, we are representing here in the different States a practical people who are very much interested in this subject of taxation because it comes home personally to every man; it concerns all of their interests and all of their industries. I think the Senate would be very much better employed in discussing the practical features of this tariff measure than the theories that may possibly arise out of it, and certainly better employed than in bandying epithets against either of the political parties in this country or in attempting to assign to them positions that they have oftentimes and very emphatically denied that they occupy or intend to occupy.

The statement has been made here this morning by the Senator from Connecticut [Mr. HAWLEY] that he was very glad indeed to hear one Senator on this floor avow that he preferred the British system of taxation to the present bill, that he preferred what is called the free-trade system of taxation to a very high discriminative and offensive protective measure, and thereupon it was immediately imputed to us, the Democrats in the Senate——

Mr. ALLISON. I do not, of course, wish to interfere with the Senator, but permit me to say that I understood the Senator from North Carolina [Mr. VANCE], when asked the question which system of taxation he most preferred of all, to state that he preferred that of England.

Mr. MORGAN. He qualified that by stating that he preferred that to any of the foreign systems of taxation, and not to the American system.

Mr. GRAY. Allow me a word. I was sitting quite near the Senator from North Carolina, and in reply to the question of the Senator from Connecticut as to which system of taxation he preferred, as to the taxation system of which country he preferred, he replied that of all foreign countries he preferred that of England.

Mr. MORGAN. I am not here for the purpose of settling any controversy between the Senator from North Carolina and the Senator from Connecticut. They can settle that themselves, and the RECORD will show precisely what was said. Neither am I here for the purpose of supporting or making any vindication of any statement the Senator from North Carolina has made, because he is perfectly able to vindicate himself and sustain his own opinion. But I am alluding to this subject for the purpose of getting to this proposition, that I think it extremely unfortunate that Senators of great reputation should undertake to state that the Democratic party in the United States are a free-trade party according to the British system of free trade because in certain cases we have opposed the raising of the taxes upon the imports of foreign goods so high as to make them prohibitory; and in other cases we are opposed to that system of discriminations contained in this bill by which the real substantial domestic industries of this country are broken down and the capitalized adventures of men who are engaged in amateur manufacture for the sake of making money are all the time being encouraged and propped up.

That is what I understand to be the situation, and that draws perhaps as nicely as it ought to be drawn the real line of demarkation between the views and opinions and tendencies of the views and opinions of the two political parties on this floor.

The Senator from Connecticut went on to assert in a very broad way that if we were honest enough to admit it we were all free-traders; that the purpose and object of our opposition to this bill, the purpose and object of every Democratic movement with respect of the tariff, was to bring about in this country the establishment of the British system of free trade, as it is termed, which, by the way, is not a system of free trade. That imputation, if I may call it such, has been resented and denied in every possible form and by everybody. So we are left under the denials we are constantly making to this proposition that we are either free-traders or we are fools; that we do not know what system of taxation we really advocate. We believe we are not fools, but according to the proposition of the Senator from Connecticut we are obliged to be fools, or worse, if we are not free-traders.

Now, Mr. President, a little honest dealing with the facts of history in respect of the free-list contained in this present bill and the free-list contained in the act of 1883, and the free-list compiled in various acts antecedent in date to the compilation of the Revised Statutes, will show us that there are just as many free-traders on the Republican side in the United States as there are Democratic free-traders. There seem to be, according to the views of gentlemen who make disquisitions upon this subject, two classes of free-traders in this country—one who are theoretical free-traders and who have a doctrine that they intend to pursue to its ultimate result of bringing about this British system of taxation which is called free trade, and the other, who are continually striving to put certain articles of common and prime necessity upon the free-list.

As I remarked in the outset, as we represent practical people, let us deal with this subject in a practical way, and let us measure our views and define them to the country by what we do in practice in voting on a tariff bill rather than by what we trip off from our tongues in declarations of what are our theories or our principles in respect of the general subject of tariff legislation.

When you begin with the earliest tariff law in the United States, you find that there were certain articles that it was declared by the positive provisions of the law should come in free of duty. There we find that free trade as to those articles was incorporated in the earliest tax bill in this country. More than that, going back to the Constitution of the United States, we find that in respect of all exports of products from this country absolute free trade is enjoined in the Constitution by a prohibition that is put upon the Congress of the United States against the exercise of any power by it to tax the exports from any State.

So we began by exempting exports entirely from taxation in the Constitution, and when we commenced to tax imports we at once created a free-list and declared by positive enactment of law that certain articles should come into this country free of all duties. Now, the man who put a provision of that kind in the first tariff act of Congress was a free-trader as to the articles which so came in. Who is a free-trader? One who proposes and votes that an article or articles, or all articles, shall come in duty free. That man who proposes that any article of importation shall come into this country without the payment of any duty is a free-trader.

Mr. VOORHEES. *Pro tanto.*

Mr. MORGAN. *Pro tanto*, of course. He may be a little one, but he still is as much a free-trader in principle as if he had gone over the whole schedule and put every article of American production on the free-list. The principle is precisely the same. Nobody can deny it except as to the extent or degree that it is made to apply.

We come on down to the compilation of the acts compiled in the Revised Statutes and we find, as I counted, three hundred and fifty-one classifications of articles put upon the free-list. When you enumerate the individual articles that are admitted under these three hundred and fifty-one classifications, they will run up to over two thousand. Here we had Democratic legislation and Republican legislation down to the date of the adoption of the Revised Statutes, and it swelled the free-list in this country until there was this vast mass of goods that came in free of duty by the express command of Congress.

I do not know how a man is to excuse or exonerate himself from being called a free-trader who assisted in building up that system of broad exemption from taxation of articles that came in. How very uncandid and insincere, how unjust, how unscrupulous it is to denounce another man as a free-trader for his votes upon this bill or any other bill when the accuser brings in a measure himself in which he proposes that a large number of articles shall come in free of duty? Is he not a free-trader as to those articles? And the broader and the larger he makes the compass of the admission of the articles needed in this country, only the larger, the broader free-trader he becomes.

If it is the motive of the legislation that is to decide who is the free-trader and who is not, it will be found on examination of this bill that it is a free-trade measure in many particulars for the manufacturers and a high-tax measure for the consumer, and its authors are in that sense free-traders.

Here are Democrats, here are Republicans, who have voted from time to time to increase the free-list until it has reached these enormous proportions, and until very largely more than half in value of the imports that are brought into the United States to-day come in free of all duty.

Mr. ALLISON. A little more than one-third.

Mr. MORGAN. I have not the figures before me. The Senator says a little more than one-third, which is just as good for my argument as if it was two-thirds. I am very much obliged to the Senator, for I had not the figures, but my impression was that it was more than half. I still have a lingering belief that I am correct about it, but take it at one-third. One-third in value of all the articles imported into the United States come in free of duty, and the aspect of the question is the same.

Now, whose law was it that admitted this one-third of the articles imported here free of duty? It was not a Republican law; it was not a Democratic law; it was a law in which both parties participated. All this series of enactments of which I have spoken have been sustained from time to time by the votes of both the great political parties in this country as occasion demanded.

I think if the Senator from Connecticut, instead of denouncing me and my confrères on this floor as being theoretical free-traders, or actual free-traders, had looked at the act of March 3, 1883, and had observed what was in that act, he certainly would not have felt very comfortable in making that assertion against his colleagues on this floor. It is a very unjust accusation. It is one that is denied by the facts as they appear historically in our statute-books. The act of 1883, as I count it, contains one hundred and eighty-eight different classifications of articles admitted free of duty.

The honorable Senators who have presented this bill have included in their free-list a number of articles that are now under taxation. Why have they done that unless they are free-traders? As to those articles are they not free-traders? If they are not free-traders as to those articles, why do they not impose some duty upon them? Senators, of course, are able to answer that they are not theoretical free-traders; that they do not propose to have goods come in generally and universally under a free-trade system, and that would be a theory which they do not advocate. It is directly in the teeth of their theory of protection; but when you come down to the facts, when you take articles from under taxation and put them on the free-list, I think that the common mind of this country will understandingly grasp the proposition that, as to those articles, they become free-traders. They are willing that they shall be admitted free of duty whether they are produced in the United States or not. They wish them to come in free of duty for the benefit of a certain class. If they are not to be benefited they want these articles taxed.

There are a number of articles in the bill now before the Senate that are produced in the United States in kind and yet there is a still larger number where we have articles that substitute them in the markets and in consumption, substitute them completely, and these articles, notwithstanding they are produced in the United States, many of them agricultural articles, are put upon the free-list in the bill now before the Senate. Why have the Senators gone to the pains to take articles that are now under taxation from the tax-list and put them on the free-list unless, as to such articles, they are free-traders?

Mr. ALLISON. Mr. President——

The PRESIDENT *pro tempore*. Does the Senator from Alabama yield to the Senator from Iowa?

Mr. MORGAN. Yes, sir.

Mr. ALLISON. Mr. President, as an illustration of the question, the present law taxes jute-butts and raw jute. I will illustrate with those two articles. The present Senate substitute puts jute-butts and raw jute upon the free-list, as does the House bill. Now, neither of these articles is produced in this country, but we manufacture a vast number of articles from these two raw materials. So, then, so far from this being in the interest of free trade or a free-trade suggestion, it is an absolute provision in favor of protection to American manufacturers, and that is true of a large number of articles that have been added to the free-list by this bill. Therefore the fact that we have a free-list is not an indication that we are free-traders. On the contrary, if the Senator will examine the free-list in this substitute and the free-list under existing law, he will see, certainly, that in nine cases out of ten, if not in ninety-nine cases out of a hundred, the articles that are now entered as free are articles which are used by our manufacturers in producing manufactured articles in this country.

Mr. MORGAN. That is all very true, but that does not excuse the honorable Senator from being a free-trader, as I think I shall proceed to convince him.

Mr. ALLISON. I am not on that question, because I am not particular whether the Senator proves that I am a free-trader or a protectionist. I am not particular as to that.

Mr. MORGAN. I want to put the Senator on trial as a free-trader.

Mr. ALLISON. That is good.

Mr. MORGAN. I want to do that. Here is the free-list reported by the honorable Senator from Iowa:

441. Acids used for medicinal, chemical, or manufacturing purposes, not specially enumerated or provided for in this act.

There are many of those acids made in the United States just as conveniently and just as cheaply as they are made anywhere in the world; but because it is convenient for the manufacturers to have them free of duty the honorable Senator turns free-trader and puts them on the free-list for the accommodation of the manufacturer.

Mr. DAWES. Has the Senator the list of these acids?

Mr. MORGAN. I have not.

Mr. DAWES. I will help you put them on the free-list.

Mr. MORGAN. I am obliged to the Senator from Massachusetts. The Senator from Massachusetts is being converted very rapidly in respect of the tariff upon all articles that are not made in Massachusetts. On the classifications of the finer goods that are made there he wants a high tariff, but when we come to the coarser grades the Senator does not want that. His theory does not accord with his practice in voting upon tariffs. I have noticed that. I am sorry it is so, for a life that has been so beautifully consistent as his heretofore ought to be preserved to the latter end of it by keeping up the movement.

I will take next "aniline salts." Can not we manufacture aniline salts in the United States?

Mr. ALLISON. Do we?

Mr. MORGAN. I have not any doubt that we do. The skill of the American chemist is quite equal to the skill of any chemist in the world, and there can be no difficulty in his manufacturing aniline salts.

Mr. ALLISON. They are not produced in this country.

Mr. MORGAN. Here is another:

451. Animals brought into the United States temporarily for a period not ex-

ceeding six months, for the purpose of exhibition or competition for prizes offered by any agricultural or racing association; but a bond shall be given in accordance with regulations prescribed by the Secretary of the Treasury; also, teams of animals, including their harness and tackle and the wagons or other vehicles actually owned by persons emigrating from foreign countries to the United States with their families, and in actual use for the purpose of such emigration, under such regulations as the Secretary of the Treasury may prescribe.

We can certainly raise here all the animals we want for any purpose, but because a man emigrates from Canada to the United States to compete with our coal miners and operatives in the factories or to compete with our agriculturists we let him in free with his—

Teams of animals, including their harness and tackle and the wagons or other vehicles actually owned by persons emigrating from foreign countries to the United States with their families, and in actual use for the purpose of such emigration, under such regulations as the Secretary of the Treasury may prescribe.

Mr. ALLISON. And his clothing also.

Mr. MORGAN. And his clothing also. Being the friends of the American laborer, and there being no such friends in the world of the American laborer as this committee, the honorable Senator from Iowa leading this committee first takes the clothes that the immigrant may choose to bring, it makes no difference how costly, how much of them, or where he got them, or at what price, and lets him in free with all his clothing. He comes here as an immigrant not pledged to stay. He does like the Canadians do; he expects to go back in a month or a year, or perhaps he expects, like the Chinaman, to go back or, after he is dead, to have his bones carried back to the old country. You let him in free with the clothing he chooses to bring; it makes no difference what its cost. You let him in free to labor for a year with clothing enough bought in cheap foreign markets to last him the whole time, so that he will not buy a dollar's worth in the United States. You let him in free, because he is an immigrant, and yet you pretend to be the friend of the American laborer as against the foreign laborer!

Not only so, but if he comes and brings his family, or comes by himself in the character of an immigrant, you let him in with all the "teams of animals" he wants to bring here, including their harness and tackle "and the wagons or other vehicles actually owned by persons emigrating from foreign countries" to this. A man could bring a thousand horses if he chose to do it as an immigrant. He certainly may bring a large number, and any number of vehicles he chooses to bring at any cost or expense. He can bring all he owns free of duty in the shape of animals, harness, tackle, carriages, and the like, and your bill admits him, and nobody can exclude him but the Secretary of the Treasury, who has discretionary power to make rules and regulations for the government in this country of immigration. Here is an exclusive privilege given to the immigrant from a foreign country and denied to our own citizens who need these articles to enable them to earn a living.

Now, I will take "albumen." I suppose there is enough of that produced in the United States, or else the hens have quit laying eggs. You let that in free. Why? Because certain manufacturers of india rubber, and other manufacturers, use albumen in their art. They are situated in a little nook of country up here, and they are represented by the honorable Senator from Rhode Island [Mr. ALDRICH] more than by anybody else on this floor.

Albumen comes in free of duty. What for? Why is not the honorable Senator from Rhode Island a free-trader in albumen, the product of the eggs of the country? Next:

Articles in a crude state used in dyeing or tanning not specially enumerated or provided for in this act.

What are they? The tannin you extract from the hemlock bark, and from the oak bark, and from the various vegetable plants in the country that produce tannin. Why do you let that in free? Why are you a free-trader in articles to be used in tanning "not specially enumerated or provided for in this act?"

Mr. ALLISON. "Crude."

Mr. MORGAN. Yes, "crude." Why do you want them to come in if you are not a free-trader in tannin and all that? That is for the benefit of the leather-makers in the Northeastern part of the United States; and there is not a poor fellow who wants to cut bark in the mountains of Pennsylvania or North Carolina or anywhere else where these trees are found, there is not a Virginia negro who wants to collect sumac for the purpose of extracting the tannin from it, there is not a man in all this range of mountains up here that produces hemlock bark from which to extract tannin, whose trade is not directly put in competition with all the outside world by this free trade in tannin. No duty upon that. Why? Because our tanners want it in their trade.

Mr. ALDRICH. I suppose the Senator from Alabama wants to be reasonably correct in his statements.

Mr. MORGAN. Certainly I do, and I shall be very much obliged to the Senator to be corrected.

Mr. ALDRICH. Hemlock bark and sumac and the others the Senator speaks of are now specified on the dutiable list.

Mr. MORGAN. Then the articles not specified are free. Where do you expect to get the balance of the tannin from? Why did you put that in? "Articles in a crude state used in dyeing or tanning." What articles come in free?

Mr. ALDRICH. The Senator is making his statement and I will let him say.

Mr. McPHERSON. If the Senator from Alabama will permit me a moment——

The PRESIDENT *pro tempore*. Does the Senator from Alabama yield?

Mr. MORGAN. Yes, sir.

Mr. McPHERSON. He will find dandelion roots come in free. That is the compensation they give.

Mr. MORGAN. The Senator from Rhode Island was speaking about the articles that are taxed. I am speaking of those that are not taxed.

Now, Mr. President, we have not any asphaltum; I do not know that we have, but we have substitutes for it. Our coal-fields and petroleum-wells furnish good substitutes for asphaltum.

Asphaltum and bitumen, crude,

are admitted free under this free-trade bill.

Asbetos, unmanufactured,

is admitted free, and yet I can show these Senators mountains of it in Alabama, where it appears cropping out of the surface for 4 or 5 miles in a stretch—crude asbestos just as good as there is in the world.

Mr. TELLER. I should like to inquire of the Senator if he is in favor of putting it on the dutiable-list?

Mr. MORGAN. I am not discussing what I am in favor of, but what you are in favor of. I am discussing this proposition, that you charge me with being a free-trader, and yet your committee offers a bill here that brings in articles free of duty which are in competition with articles of the exact sort that are produced in the United States in vast abundance. That is what I am doing. I am testing the sincerity of this bill. I will state my own position when I find an occasion to do so, and I think I will state it pretty carefully, but I shall take my own time and occasion for it.

I want to know now whether we are amenable to that cruel charge made by the Senator from Connecticut this morning that we were insincere, or in other words a set of men who would falsify our words when we professed that we were not free-traders in the British sense of the word at all, and that our doctrine instead of tending to free trade tended in the other direction, the maintenance of a tariff for revenue as the constitutional way of collecting money for the support of this Government.

Now, I will go a little further.

Ashes, wood, and lye of, and beet-root ashes.

Is that wood and lye of ashes? Is that what it means?

Mr. ALLISON. "Lye."

Mr. ALDRICH. Not "lie."

Mr. MORGAN. Wood of ashes and lye of ashes. Well, Mr. President, one of my very first recollections is seeing the old ash-hopper stand up in the corner of the chimney or the corner of the fence in the South where the women could extract the lye and make their soap and where they could extract a great deal that was valuable to commerce and make a better article of soap a great deal than you can find now in one of these factories, and were able to sell it at a cheaper rate than they can sell it. But this free-trade bill and the free-traders on this committee desire to bring in all of this stuff free and put themselves thereby in competition with this domestic industry all over the United States, and after doing that they get up here and rebuke me for being a free-trader.

These people have not much money, they have not much influence, they live far apart, they are not collected in corporations, they have no great capitalist industries under their control, they do not live in whited palaces upon the hill-tops, while those who work beneath them live in the valleys and scrub through their lives as best they may; they are not that class of people at all, and hence they have no friends in this part of the United States where capitalist industries have absorbed all the power that is in the land, physical, mental, moral, and monetary.

The agricultural and strictly domestic industries are in the hands of the class of people who can not, if they would, enter into combines and unify their power, but they must submit continually to such combinations against them.

Beeswax.

I suppose there is scarcely a household in the South and West where a farmer lives where more or less of this commodity is not produced. It is one of the best distributed productions that can be found in the whole list, and none of it is thrown away. There is not a hive of honey that is taken on a little farm in the whole country where the industrious housewife does not melt the beeswax down, and the first time she goes to town trade it off for a little cotton cloth, or piece of check goods, or something of that kind. But these princely manufacturers who are represented by the honorable Senator from Iowa, who comes from a beeswax country as well as the rest of us, but who belongs to a party that owes so much to the manufacturing industries of this land, a party that has so many obligations of a political character, so many papers to lift, the result of this last campaign, propose to put beeswax on the free-list instead of on the dutiable-list in

order to facilitate manufactures and encourage their efforts. They know that there is no chance to form a beeswax trust amongst the producers, no chance to combine influence and power in favor of the production of this little domestic industry which in the aggregate amounts to a great deal more than your maple sugar, more than your sorghum sugar, more than the maple sugar, the sorghum sugar, and the Louisiana cane sugar combined in value in the United States. But that is the spirit of this bill. It is free trade whenever the manufacturer can make something by it, and when he can not it is protection. They use enormous quantities of beeswax in the Northern manufactories, and they want it to come in free, and the reason they do it is because they do not believe that there is any chance to organize an opposition to a taxation of that sort amongst the people who produce beeswax in small quantities in one homestead and farmstead and another.

Bones, crude or not burned, calcined, ground, steamed, or otherwise manufactured, and bone-dust or animal carbon, and bone-ash, fit only for fertilizing purposes.

I will not stop to remark upon that except to cite one fact. Two years ago it was my duty to go to the far West on the Indian Committee, and as we were passing through the Milk River region of Montana, where the buffalo were in the habit of spending their winters in order to get the benefit of the soft climate—for it was soft in comparison with the balance of the country—to get the hay; they having disappeared, we could see little mounds of bones, perhaps two or three tons in every mound, at distances perhaps of not more than a quarter of a mile from each other, strung along the railway for many miles, yes hundreds of miles, through that former habitation of the buffaloes, where they had perished. On inquiry I learned that the Indians had collected those bones and piled them up there waiting for the railroad to come and haul them off; and a large amount of bones, raw material for the manufacture of buttons and we know not what, a great many different manufactures, have been thus collected by the half-starved Indians.

These eager gentlemen, who are so decidedly against free trade, thought they would like to have these buffalo bones and others as cheap as they could get them, and they put them on the free-list; but when we come to buttons and the like, it is worth while to listen to their eloquence in preaching up the necessity for having men protected in making buttons out of these very bones that they admit free under their own bill, then have the audacity—for that is all I can call it—to rise here and charge me with being a free-trader if I want to reduce the tariff on buttons, as has been moved in the Senate. I suppose now they will think I am committing an unpardonable sin for calling them free-traders in bones. Here it is in this bill.

Free bones, to make into taxed buttons, for the interest of the manufacturer, is the free-trade theory of the majority of the Finance Committee.

"Charcoal" comes in free under this bill. Mr. President, I suppose it will be admitted that in every heavily-wooded country in the United States charcoal is a standard, staple production. Why are we asked to admit charcoal free under this bill? It is because New England has lost its timber. The manufacturing regions of New England have lost their timber. They want to get charcoal from Canada, where there is a vast amount of timber, uncut forests. They want to bring it down the coast in their ships, they want to haul it on their railways. They are obliged to have it in their factories. The sugar-refiners must have a very large amount of it also in addition to the bone-black; and even iron works in New England, in that older part of the United States, need charcoal to come in as cheap as possible, and it is a good thing to have it come in; but charcoal would never have been put on this free-list if New England had been heavily timbered. You can not afford to burn wood into charcoal in New England. You must go somewhere else to get it, and for the use and benefit of your manufacturers you put that upon the free-list and then turn around and call me a free-trader because I do not want to tax iron unnecessarily or unfairly, to the injury of the consumer.

Mr. HOAR. I should like to ask the Senator a question in regard to that matter of being a free-trader.

Mr. MORGAN. All right; I yield.

Mr. HOAR. I should like to preface my question by a single quotation from Professor Sumner, the great high-priest of free trade.

Professor Sumner, during the recent campaign, or shortly before, said that there was no person, as far as he knew, in this country who was a free-trader in the sense of proposing to have all imports from foreign countries admitted without any duty. That was not what anybody meant by a free-trader, but a free-trader was a person who did not mean to have the duties so arranged as to attract capital into any business where it would not otherwise go, or to keep capital in any business where it would not otherwise stay. Now, when we charge our opponents in this tariff matter with being free-traders, that is what we mean. In that sense of the term, is the Senator from Alabama a free-trader or not?

Mr. MORGAN. Well, Mr. President, when the President-elect of the United States puts in a letter the statement made by the Senator from Massachusetts, or when the Republican convention puts it in a platform in the way he puts the question at me, I shall be prepared to answer on that proposition, and so will the Democratic party.

Mr. HOAR. Is the Senator prepared to answer that now? It is a very simple question.

Mr. MORGAN. I have plenty of other things to attend to just now, and I do not propose to follow the Senator from Massachusetts off in his learned quotations from Professor Sumner or anybody else.

Mr. HOAR. I thought I was putting a pertinent question which addressed itself to exactly the point which the Senator was upon. I endeavored to make it so. I understood that the Senator from Alabama complained with a great deal of indignation that he and his political associates were called free-traders. I stated to him that as I understood it the persons who charged them with being free-traders used the term "free-traders" in a certain sense, which I endeavored to explain, and in the sense in which the term was used by the great high-priest of free trade in this country, Professor Sumner, of Yale College, and it seemed to me therefore, if the Senator complained of our calling him a free-trader, that he ought to be willing to tell us whether we do him injustice if we call him a free-trader under our definition of that term.

Mr. MORGAN. I should like to know first from the Senator from Massachusetts whether he adopts Professor Sumner's definition.

Mr. HOAR. I do.

Mr. MORGAN. You adopt it?

Mr. HOAR. I think it is a good definition.

Mr. MORGAN. The one you stand by?

Mr. HOAR. That I stand on.

Mr. MORGAN. Now I will hear the Senator from Missouri, who has been asking me to yield to him.

Mr. VEST. If my friend from Alabama will permit me, I would like to give a definition of a free-trader from a pretty high authority. On April 1, 1870, Hon. James A. Garfield said in the House of Representatives:

I hold that a properly adjusted competition between home and foreign products is the best gauge by which to regulate international trade. Duties should be so high that our manufacturers can fairly compete with the foreign products, but not so high as to enable them to drive out the foreign article, enjoy a monopoly of the trade, and regulate the prices as they please. This is my doctrine of protection. If Congress pursues this line of policy steadily, we shall year by year approach more nearly to the basis of free trade, because we shall be more nearly able to compete with other nations on equal terms. I am for a protection which leads to ultimate free trade.

And the Republican party in 1880 elected that gentleman President of the United States.

Mr. HOAR. It does not seem to me, if the Senator from Alabama will pardon me, that it helps us in the least to get an answer to this question whether the Senator from Alabama conceives himself and his associates to be free-traders in the sense of the definition which I have quoted by undertaking to prove that some eminent Republican is or is not inconsistent with himself or inconsistent with the present attitude of the Republican party. That fact we might be willing to admit. I think there is a great deal of truth in it if I understand it in listening to it. I should like to know, if anybody will tell me—the Senator from Alabama can tell me as well as any man in the world, because he is a wise man, he is a profound student, and he is a thoroughly honest man, who never flinches from what he believes to be a conviction on a public question, and therefore it is a very great pleasure to put such a question to him, and it would be a great pleasure to have it answered—I should like to know, without a gibe or a jeer instead of an answer to my question, whether the Democratic party or the Senator from Alabama, a valued and honored leader on this floor, conceived themselves to be for free trade in the sense that they do not mean so to use our tariff as to attract American capital to a place where it would not otherwise go or keep it in a place where it would not otherwise stay.

If the Senator says he is a free-trader in that sense, then we are here to differ with him and to contend with him. If he says he is not a free-trader, but agrees with us that the tariff should be so used as to keep American capital in industries where it would not otherwise be kept, and to attract it to industries where it would not otherwise go, then the only question between us is a question not of principle but of detail. It is important to know that.

Mr. MORGAN. Mr. President, in exercising the power of taxing the American people, so far as my personal vote is concerned, I vote entirely with reference to the good of the Government of the United States, and by "the good of the Government" I mean its necessities, proper and appropriate necessities. I do not vote in levying any tax with a view by that vote and the exercise of that great power to advance any private man's interest, whether he is a capitalist or whether he is a laborer. In the casting of that vote, if a choice is presented between the encouragement of American industry and the encouragement of foreign industry, I shall always encourage the American in preference to the foreign industry.

The Senator from Massachusetts in stating his question unfortunately made it a little too narrow in regard to capital. He spoke of American capital, whether I would vote to levy taxes so as to induce American capital to go into new enterprises and to develop, as we say, the

manufacturing or other power of this country. If I could confine the provisions of a tax law in such a way as that it would induce American capital to diversify itself, I should certainly make use of that power for that purpose; but when an invitation comes to capital at large, as it does under our tax laws, foreign capital as well as American capital, I am not in favor of taxing the American people for the purpose of inducing British, German, French, Spanish, or any other foreign capitalists to come here to engage in our manufacturing industries at their expense.

Mr. HOAR. Although we get back in prosperity more than we pay?

Mr. MORGAN. I have not stated that. That is an impossibility, and I do not put that in my proposition because it is impossible. But under the present law the invitation is given to capital to become invested under this high protective system of duties in a variety of manufactures, encouraged by this bill and by the law as it now exists, and foreign capital comes into this country more freely than home capital comes out of the pockets of our people to go into manufactures. I know it is impossible to trace it; statistics can not be accurately produced to prove the proposition I am now insisting upon; but I think it will scarcely be denied by any frank man that very vast sums of foreign capital come in under the invitation of the present protective system and find employment in our manufactures. We can not shut it out if we would, but our laws invite it to come here, and it does come and enjoys the benefit of the bounty that we tax our own people to raise for foreign capitalists.

It would be scarcely an overstatement to say that at least one-half of the manufacturing capital in the United States to-day is supplied from foreign countries. I know that in the town of Talladega, a town that I had the pleasure of living in from early boyhood to a later period in life, an iron foundry is now being established, with a capital of a million dollars, which is to produce one hundred tons of pig-metal per day, and there is not one dollar of American money in it. The organization is entirely foreign, the stock is owned abroad and there is not a dollar of American money in it.

The Senator from Texas [Mr. REAGAN] calls my attention to the great establishments near Chattanooga, of which he says the ownership is almost exclusively foreign.

Look at your railroad system, if you please. Who own the railroads of this country? Who own the bonds that control the railroads, the preferred stock and other forms of security that lie nearest to the control of the railroads in this land? Confessedly, undeniably, they are owned by the British people largely, and by German people, by foreigners. I think it will be a safe calculation to say that there is not a single existing American railway of any considerable length in the United States that has not been built by the use of foreign capital and which is not now owned in a very large part, if not the majority of the controlling power, by foreign people.

Mr. ALDRICH. Will the Senator from Alabama allow me to ask him a question?

Mr. MORGAN. Certainly.

Mr. ALDRICH. I ask him if he does not think that the large investment of English capital in this country is a pretty sure indication that it finds more profitable employment here than it could in Great Britain?

Mr. MORGAN. There is no doubt about that. It would not come here if it did not find more profitable employment than in a foreign country.

Now, let me go one step further. How does it find this profit? It finds it under our tax law, which taxes the agricultural, the fishing, the lumber, and the mining interests of the people of the United States, in order to pay a bonus to these men and to invite them to come here. That is what brings them here. They come for the profits. They would not come if there were no profits. It is the profit that invites them, and nothing else. They do not come from patriotism, nor is the invitation extended in this bill to them from patriotism.

The invitation is extended to them in this bill because capital needs support from foreign capital; the monopolistic power of the manufacturing corporations of the United States needs support and money from these foreign corporations; and hence it is that prices are kept up by protective tariffs, although the result is to hand over our industries, with all their earnings and profits, very largely, into the hands of foreign people. That is the effect of it. We are realizing precisely the same condition in respect to our manufacturers in the United States to-day that we are realizing in regard to the railroad systems of this country that were built with foreign capital under the protection of local corporations.

Now, when the Senator from Massachusetts [Mr. HOAR] puts to me the question whether I am in favor of a system of laws which will create an invitation to capital to leave its accustomed channels and to embark in manufactures for the development of our resources of whatever kind they may be, I say to him that I put this limitation upon it: If foreign capitalists come in here and enjoy the benefits of a protected home market, as we call it, I say never will I consent to tax the American people in order to furnish an invitation of that kind for those men to cross the waters with their capital and come here and assume the control of our great industries.

I started out, Mr. President, to speak upon practical questions, and I have been drifted off into these theoretical questions, which, however, have a practical side to them, by the interrogatories which Senators have seen proper to direct to me. I return to the free-list in this bill. Here are—

538. Eggs of birds and fowls, and of fish and insects, and egg-yelks, unmanufactured.

They produce the albumen. The yelks of the eggs, also, are very useful in industry in different manufactures. They are found in large numbers. They are collected on the islands of the North Pacific Ocean, and they are collected also in the interior of Canada and brought into the United States in very large numbers for the benefit of the manufacturers; and yet there is not a farm in the United States, perhaps, where this is not a common product. That looks like a small matter, does it not? And yet your egg crop is worth more to-day than almost any crop that can be named. When you come to count its effect upon the sustentation of human life and the comfort that it brings to people, and the uses that can be made of this necessary commodity, you find that the egg crop of the United States is one of the most important that we have. All of that vast industry is neglected entirely by this protectionist bill, and eggs are brought in free because a few manufacturers in the North and East desire to have eggs free that they may increase the profits upon their industry.

Mr. ALDRICH. I should like to have the Senator state more specifically what manufacturers they are, and in what State they are located.

Mr. MORGAN. Unfortunately, I was raised in the South, and rather in a backwoods country, and the honorable Senator from Rhode Island, who knows so much about the tariff that he would be excused if he knew nothing else except tariff [laughter], who has been raised, I think, in manufactures, who has been accustomed all his life to manufacturing, who understands the speed of every spindle that runs in Rhode Island, who can make a nice calculation upon the weight and value of every thread of a yard long that has been spun by a machine—that honorable Senator must not find fault with me if I am not a great adept in manufactures. I have not been engaged in manufactures, as I suppose the Senator has all his life.

Mr. ALDRICH. The Senator made an explicit statement, and I supposed he had some sort of idea upon which he based it.

Mr. MORGAN. I know this, and the Senator knows it perfectly well, that the yelks of eggs and the whites of eggs are used in manufactures of various kinds. I know that they are largely used in india-rubber manufactures, and is largely used in photography, and a great many other uses, and in confectionery, and I supposed the eggs that are imported from Canada are not used as edible substances at all. But why was it necessary to put them on the free-list if they are not used in this country? Was that done out of a spirit of romance, merely because the Senator could write "eggs" in the bill? No, sir; it was put there for a purpose, and a very important one, but utterly to the neglect of every person who was not engaged in some manufacture where the power of the institution could be concentrated in elections.

Then we come to—

Feathers and downs of all kinds, crude and unmanufactured.

Mr. President, if we want to encourage the people of the United States in their industries, one of the very best lessons that we could give to them would be the lessons of economy that are practiced in France and in Germany, where nothing is thrown away, where when a fowl is killed the feathers are saved for the market. If we would try to overcome that thriftless extravagance and waste that occurs in our country continually, where everything is thrown away and nothing saved, unless it happens to be some staple commodity like cotton or wool, our laws would be of some advantage to our own people.

"Feathers and downs of all kinds, crude and unmanufactured," are let in free under this bill. Why is that done when there is not a farm in the United States that does not raise more or less of feathers? This is an industry which, if it could be aggregated, would be one of the most important industries that a person could think of as well as one of the most comfortable. They are let in free for the purpose of accommodating the upholsterers, the makers of soft pillows and soft beds for people of luxurious habits; but when you come to tax the article after it is curled, or after it is washed, or after it is combed, or after it is cleaned, then you find that the tax runs up enormously upon these same feathers. It runs up so high that an ordinary laboring man can not get a pillow to put under his head. He must take some shavings or straw, or a block of wood, because he can not pay the taxes put upon feathers for the benefit of the manufacturer, he having paid no duties on the feathers he imports.

But these gentlemen go on and make their discriminations in favor of the manufacturers without the slightest attention to the wants of any of the poor people of the United States. They disdain them, and yet they speak about their affection for labor! They are willing for feathers to come free into the United States: but if you will curl them

or wash them or cleanse them for the purpose of being put into a pillow or a bed it must undergo very heavy taxation, because their friends are engaged in curling, washing, cleansing, and preparing feathers for mattresses and beds, and the people of the United States at large are not.

So it is in regard to every one of these fibers and grasses here.

China-grass, istle or Tampico fiber, jute, jute-butts, manila, ramie, sisal-grass, sunn.

All of these if they are not produced in the United States—and several of them are produced with success—find their substitutes here. The cotton plant, the hemp plant, the flax plant, besides very many other textile plants that may be utilized for purposes of this kind are brought in direct competition with this free stuff that is brought in from abroad. Why is it brought in free? Because the manufacturers in the Northern and Eastern States want to have it as cheap as they can get it in order that when they go to sell the manufactured article they may make more money out of it. It is a bonus to them; it is an invitation to them to import it rather than buy the American production.

Then the committee include in their free-list:

556. And all other textile grasses or fibrous vegetable substances, unmanufactured or undressed, not specially enumerated or provided for in this act.

That covers the whole subject as with a blanket, so that nothing shall come in competition with them in their desire to bring in these articles free. Now we come to the next commodity put on the free-list:

527. Fish, fresh, except when frozen or packed in ice, or otherwise prepared by any process, for preservation.

I do not wish to say any hard things about this bill, but that is the most unnecessary, the most unconscionable and unrighteous of all the discriminations that have been made in this bill. There is more in those two lines to show the animus and purpose of this bill and the alleged principle upon which it is founded than can be found, I think, in any of the schedules besides. As matters stand to-day, fish that are brought in frozen or on ice, if brought by Canadians or by Europeans or by anybody, can be sent free as far west as St. Louis or Chicago or any of the great cities and sold free of duty. That led to the complaint that the Canadians could come in here and, as they say, take our market away from us with their fresh fish. Here is the next provision, and why was it put in?

Except when frozen or packed in ice.

If a foreign fisherman catches fish on the banks of Newfoundland or anywhere out in the high seas and brings it on ice or frozen into Boston he must pay a duty upon it under this bill. If he can bring it in, however, to the port of Boston without putting it on ice or freezing it he can bring it in free. What is the effect? The people living along the New England coast depend very largely for their food upon fresh fish. That is known to everybody, and this bill gives to that little fringe of people along that coast the right to have fresh fish free of duty and brought in by Canadian fishermen, because they can be brought in and delivered to them without being spoiled, whereas if you get as far back into the country as Pittsburgh or Buffalo or Chicago your fish will be spoiled before you can get them there, and so you are obliged to put them on ice or freeze them to get them into the back country, and you are not permitted to do it under this bill without the payment of duty. The man in Pittsburgh must pay a duty on his fresh fish in order to have them on his table, whereas the man in Boston can get them free, whether they are caught by Canadians or by our fishermen.

I say that is the most unjust, narrow, and unsatisfactory discrimination that I ever saw in a tariff bill. It is something that this committee ought to take out of the bill for the sake of its respectability, for if we do discriminate in favor of American markets, let us at least abstain from discriminating as between Americans; let us not give to the man who lives upon the coast of New England the right to have his fish come in free, if they can be got there without being frozen or being put on ice, while you charge the man who lives in Pittsburgh a duty upon the very same fish because he can not get them to his table without putting them on the ice or freezing them.

Fish for bait.

Why should fish for bait come in free? That is not asked by the fishermen down on the southern coast of the Atlantic Ocean, on the Gulf of Mexico, or on the coast of the Pacific. It is asked only by a few men on a little bit of line of coast reaching from Cape Cod up to the Canadian line. They must have their bait free. Why? Why should they not pay a duty upon it as well as I pay a duty upon the fish that comes upon my table? It is because that is a peculiar industry located in a section of country that thinks the home market belongs to it, a set of people who believe that the United States belong to them just as a cow belongs to the man who expects the milk and cream that come from her udder for his breakfast-table or his dinner-table. They must have everything they need free, and these free-traders, under the guise and pretense and hypocrisy of being protectionists, whenever they can find a chance to benefit their own people, their own section, their own manufacturers, or even a few of them, do not hesitate to put discriminations of that kind in this bill, clearly for the purpose of showing to those people that they intend to protect them and give them benefits under the tariff laws that nobody else in the United States shall enjoy.

Floor-matting manufactured from round or split straw, including what is commercially known as Chinese matting.

That is admitted free.

Hair of horses, cattle, and other animals, cleaned or uncleaned, drawn or undrawn, but unmanufactured, not specially enumerated or provided for in this act; and human hair, raw, uncleaned, and not drawn.

Now, Mr. President, what is the reason for bringing human hair in here free? Have you never heard of a widow woman in this country who would go to a wig-maker with the tresses cut from her head, beautiful and rich, and sell them for the purpose of buying bread for her children? Have you never heard of that? Have you never known instances in this country where the tastes and the affections of humanity were taxed to the last degree for the purpose of getting bread for the houseless and homeless orphan children of a poor woman? Sir, this country is full of instances of that kind; and if a woman has tresses of beautiful locks of her own hair, and should go to a wig-maker and sell them for bread, she finds that the manufacturer of wigs and scratches and frizzes and curls and bangs in the Northern country is allowed to have all the human hair that can be imported free of duty, and when she comes to consider the tax upon the manufactured article that they make from it, it is 38 per cent. ad valorem.

Then horse hair, cattle hair, and the hair of other animals is free, which is used largely in plastering and the building of houses, in the making of beds, and sometimes of clothing and carpets, interwoven with other textile fabrics, and made a commodity of great convenience and value. This is all admitted free.

I should say that the people of the United States had a pretty good opportunity to raise hair on the backs of the various animals that this country affords, but it might cost a little to have it collected in the back country of the United States, and there are poor people in the different parts of the world who devote their lives to the business of collecting hair together to put in bales and send to market. Their poverty and penury have reduced them to a condition where they are obliged to resort to these little industries in order to earn bread. Those people are convenient to the manufacturers. They collect the hair cheaper than our people are in the habit of doing such things, or perhaps could be induced to do it. The result is that hair comes in free. But when you put it into these different fabrics into which it is manufactured, and the different articles of dress, it never comes under a duty of less than 35 per cent. ad valorem in the manufactured condition.

Further:

578. Hide-cuttings, raw, with or without hair, and all other glue stock.
579. Hide rope.
580. Hides, raw or uncured, whether dry, salted, or pickled, and skins of all kinds, raw or dried, salted or pickled, but unmanufactured, except sheep-skins with dutiable wool on.

These all come in free. There is not a farm, perhaps, in the United States, at least not one in the South or West, which does not during the course of a year produce more or less of hides of different kinds, and they are a merchantable commodity in any community that you go to. I suppose there is not a backwoods store or a village store in the United States that would not buy hides in exchange for goods, or even for money. Hides are admitted free. Why so? It is because the large manufacturers of leather can go to the pampas of South America, or to the steppes of Russia, or to the elevated plains of Mexico, and there they can find large numbers of hides of horses, of sheep, and of cattle that are oftentimes slaughtered merely to get the hide. They can get them of good quality and in great quantity. It is to their interest to have them come in free, and every hide that is brought into the United States is brought in competition with every farmer in the United States who has any stock. Scarcely an animal dies or is killed in this country whose hide is not saved for market. That is a valuable product, a valuable commodity. They admit them free, and the evident and only purpose is, as they say, to encourage the manufacturer. But all leather is taxed at high rates.

"Hones and whetstones" come in free, and yet the whole southern country, the mountains of the Appalachian range, abound in them.

So I might pass on through the whole of this list, and on every page of it I find article after article that is produced in the United States of just as good quality and in as large quantity as can be produced anywhere in the world, and they put them on the free-list, and every time it is done, without any sort of doubt, for the use of the manufacturer. None of these articles are consumable in their original character or quality. They are only valuable after they are manufactured, and they are put upon the free-list here by gentlemen who profess to be protectionists, and who charge me with being a free-trader.

I have gone as far into that matter as I choose to go, although I could bring forward a number of other articles that are put upon the free-list of this committee in this bill, but what I have done and said about this matter has been done with a view to illustrate the insincerity of the accusation against me and those with whom I am associated politi-

cally that we are free-traders. These very gentlemen, whenever they find it to their convenience or to the profit of the people they choose to represent, peculiarly, to put an article on the free-list, never hesitate to do it, and to that extent certainly they are free-traders.

Now, I turn to the other view taken here to-day by the Senator from Massachusetts [Mr. DAWES], who had a great outcry to make against ad valorem duties. I asked a friend to collect for me a list of the items in this bill in which pure ad valorem duties are charged, not specific added to ad valorem or ad valorem added to specific, but pure ad valorem duties, and the list is here:

AD VALOREM ITEMS.

Nos. 13, 14, 16, 19 (part), 20 (part), 25, 28 (many), 29, 30, 35 (part), 39, 65, 73 (many), 81 (many), 82 (many), 83 (many), 85 (part), 91, 99, 100 (many), 101 (many), 102 (many), 103 (part), 105 (many), 106, 109, 116, 118 (many), 131 (part), 135, 154 (many), 155 (part), 161, 163, 164 (many), 165, 171, 172, 179, 180, 182, 183, 188, 189 (many), 194, 198, 199, 202, 203, 204, 209, 210, 211, 212, 213, 214, 215, 216, 236, 251, 259, 268, 269, 291 (many seeds), 295, 296, 300, 316 (part), 317, 318, 319, 320, 322, 325, 326, 335, 336, 337, 373, 376, 377, 378, 379 (books, etc.), 381, 382, 383, 384, 385, 386, 388, 389, 390, 392, 394, 395 (many), 396, 398, 400, 401, 402, 404, 405, 406, 408, 409, 410, 411, 415, 416, 417, 418, 419, 421, 425, 427, 428, 430, 431, 433, 434, 436, 438, 439, 440.

All these items are ad valorem, and beside these many others are specific and ad valorem.

I should like to know how this committee can discard as a doctrine unworthy of being put into a tariff bill the ad valorem principle when they find it necessary to resort to it in this long list that I have here before me of ad valorem rates that they have put upon the importation of commodities. Whenever it is necessary to give advantage to the manufacturers the ad valorem rate is put on; whenever it is found necessary on the other hand to give the advantage to the manufacturers a double rate, ad valorem and specific, is oftentimes put on.

This is a bill which receives the denunciations of the Senator from Massachusetts because it contains a large number of ad valorem duties pure and simple, and yet he votes for it and supports it through and through. I am not complaining that ad valorem duties and specific duties are both resorted to. I do not care to demand, as far as my vote may assist in demanding it, that ad valorem rates shall be the only rates to which we resort, and yet I am thoroughly convinced that no more fraud is practiced under the ad valorem system than is practiced under specific duties.

You take a square yard of cloth that is taxed at a certain rate because it contains a certain number of threads, and you submit that cloth to the inspection of a custom-house officer of the United States, sworn or unsworn, it makes no difference, and if he is a man who can be diverted from his duty by a little reward or a little fee, he will count the threads short, and your specific duties will lead to just as much fraud and just as much perjury as your ad valorem duties. You can not cure the disposition of men to make money by fraud and perjury by the shape in which you put your laws. It can only be done by the vigilance of their execution. I do not believe that the great merchants who import goods from foreign countries and fill up our Treasury with revenue until it overflows to the extent of one hundred and thirty or one hundred and forty or one hundred and fifty millions a year are engaged in swearing lies, or would lend themselves to schemes of that kind, or would tolerate them in any of their employés. I believe the ad valorem system of taxation is just as free from fraud as the specific system, and that it would be a valuable, useful, just, and equitable thing to resort to it in very many cases where we resort to specific duties. The duty would then be adjusted according to the value of the article, and not according to the whim and caprice of the legislator who may be influenced by a desire to advance the interests of his own peculiar constituency in the votes which he gives. I would remove temptation from the law-maker as the first and wisest step in this reform.

Now, it may be asked if I object to these articles going on the free-list. No, I do not object to it. What I object to is being called a free-trader by the men who put them there. When they are continually arguing in the interest of the manufacturer every time they have a chance by putting articles on the free-list, I think for decency's sake they ought to stop charging me with being a free-trader. That is my view of the subject.

When I come to define my own views about this matter, they will sum up about this way; they are not very mature as yet, but they are the result of a good deal of reflection. I am not in favor of a very large free-list; I am in favor of a free-list that will include the elementary necessaries of life; but I am in favor of low taxation upon everything that we tax at all. With a small free-list and low taxation we should accomplish for the Treasury of the United States all the purposes of good government and get all the money that the Government has any use for; we should fill up the Treasury sufficiently with revenues from year to year, and our people would not feel those unjust and discriminating burdens that carry many of them into poverty, putting them in the power of the capitalists and preventing the possibility of their ever escaping from their clutches.

When I cast my eyes over the Southern States, and the Western States also, and find that the homes throughout this land are mortgaged to the money-holders for the purpose of conducting the enterprises, the very business on which the country feeds, and with which we are clothed, I think that it is time we had changed our policy and that we had lower taxation, so that these industries could be sustained without borrowing money from protected capitalists.

I can not excuse or apologize for high taxation upon the ground that it is necessary to tax one man to make another man rich. I can see no justice in it. I am not able to appreciate that curious philosophy or political economy which these gentlemen would believe and would argue and try to prove, that it is their duty as legislators, in taxing the people, to tax one man for the purpose of increasing the profits of another, and, as is said, of bringing to the man taxed a recurring opportunity of an increase of his own wealth—a doctrine I do not adhere to, and I think it is an abuse of the taxing power and also of the legislative power.

The right thing to do is to enact a proper system of tax laws bearing upon the people of the United States with just as little burden as possible, and let every man in the United States, according to his ability, contribute his just and proper quota to taxation.

Mr. CALL. I ask leave to submit an amendment to the pending bill, to be printed.

The PRESIDENT *pro tempore*. The proposed amendment will be received, lie on the table, and be printed.

Mr. WILSON, of Maryland. Mr. President, in the examination of the Senate substitute for the House tariff bill it would be difficult to go amiss in looking for instances in which that substitute aims to increase duties not only far beyond former experiences of our people but beyond what high protectionists have heretofore claimed to be necessary for industrial prosperity, and beyond what our economic history has shown to be entirely adequate to secure reasonable and just returns both to capital and labor. Such increments to taxes which high protectionists have heretofore and in our recent history considered to be extreme, which they have again and again promised to modify, and which they have once reduced, and then upon a pretext of insufficient revenue, which even if then valid has long since been continuously transformed into the opposite extreme, can only signify that our manufacturing industries, with their many allies, who, like them, have been created and supported by Federal legislation, no longer think it worth while to dally with the people, but feel themselves strong enough, though a small fraction of their countrymen, to rule by the might of concentrated and organized capital, and by their dictation to tax 60,000,000 of people just so far as they think their subjects, deluded on the one hand by misleading party battle-cries, and inflamed on the other by old war passions sedulously aroused, and by sectional and race prejudices skillfully and industriously invoked, can be made to bear without rebellion against their task-masters.

Sir, I am one of those Democrats who are willing to grant all reasonable protection to those industries which the policy of our Government, even when dictated by the stern necessities of war, has in the past established in our midst. I am willing to give such protection to these industries as will make good all inequalities in the cost of labor here and in other countries, all differences in the cost of raw materials, and all real and substantial differences of condition and circumstances which place American labor and capital at a disadvantage in their rivalry with foreign workmen. But I am not willing to erect a high breastwork of prohibitory duties behind which American manufacturers are to be freed from all international competition and all incentives thence inducing to a wise economy and to an ever-active inventiveness, and behind which they can deliberately plan the extent of their output, and at their pleasure combine to raise their prices, in utter disregard of the ability of their workmen to live and of their customers to pay. Although some of our prominent Republican statesmen have attempted to vindicate the harmlessness of trusts as merely "private affairs," and learned professors in universities have been impressed into service to vindicate both the legalty and healthiness of these economic monstrosities, yet I am one of those old-fashioned people who believe that it would be an insufferable outrage to allow a small band of capitalists in any line of trade, not only permissively under or against the law, but directly under the protection and by the aid of the law, at their sovereign pleasure, to put up their prices to extortionate rates to the actual discomfort of millions of their fellow-countrymen and to the absolute suffering of many millions more.

It seems to me, Mr. President, that this cotton schedule now under consideration furnishes many illustrations of the truth that this Senate bill is seeking to establish rates which, in the light of our industrial history, are needlessly high for the protection of either capital or labor. Certainly some of them are higher than they were in the midst of the throes of our great civil war, when the greed of the protectionist, taking advantage of the most intense feeling of patriotism, and availing himself of a multitude of propitious circumstances, labored to place them as high as he thought the patience of the people would bear. Certainly now, after one hundred years of protection, many of these rates in our cotton schedule are higher than they ever were, unless pos-

sibly (though of that I am not sure) it was for a few years through that cunning and deceptive device of the minimum system under the tariffs of 1824 and 1828, when the agricultural population of our country, aroused by England's aggressions upon their interests through the hostile corn laws, sought by retaliatory laws to get even with that power.

But, Mr. President, in 1832, during the reaction against the tariff of "abominations" passed in 1828—a tariff which Henry Clay himself condemned, and the like of which with respect to its extreme rates he said in 1843, not foreseeing the favorable conditions of a gigantic civil war, we would never see again—this subtle and deceptive system of minima was measurably abandoned. Although this tariff of 1832 was intended as a rational system of liberal protection which its framers could abide by as a permanent adjustment of the tariff controversy, the rate of duties on cotton goods was fixed at 25 per cent. ad valorem, and the partial retention of the minimum system never carried any article in it over 42½ per cent., and thence down to 25 per cent. This is shown by the reduction of the specific to ad valorem rates, caused to be made by the Secretary of the Treasury after the passage of the compromise act, in order to the application of the biennial reductions to be made under the last-mentioned act. That was all the friends of high protection claimed in 1832, when the cotton industries might have justly made the claim of being "infant" industries, as being necessary for their permanent establishment and confirmed prosperity. As we all know, this duty of 25 per cent. under the act of 1832 was by successive diminutions reduced by the compromise act till in 1842 it was brought down to the low degree of 20 per cent. ad valorem.

Now, sir, it becomes interesting and instructive to inquire how cotton manufactures prospered under these rates of duty, which are indeed moderate as compared with those now existing under the act of 1883, and sought by this Senate substitute to be still further enlarged. Notwithstanding the comparatively moderate rates of duty under the act of 1832 and the reductions actually made or constantly impending under the act of 1833, the business of manufacturing cotton goods made reasonable progress during this period. Potter tells us in his "History of Massachusetts," that the Amoskeag Company began its operations on a large scale at Manchester, N. H., in 1835–'36, and that other mills were erected in 1838 and 1839. Earl, in his "History of Fall River," tells us that—

> From the panic of 1837, which affected every business center in the country, Fall River seems to have speedily recovered, since within a few years from that date nearly every mill in the place was enlarged, though no new one was built.

And at as early a date of the history of our cotton industry as 1833 Nathan Appleton, who was a large cotton manufacturer and a noted protectionist in his day, said on the floor of Congress with reference to that industry that at that early period coarse cottons could not have been imported from England if there had been no duty at all, and what is still more important to the present argument, that even on many grades of fine goods competition was little to be feared; and in regard to prints, the American goods were, quality for quality, as cheap as the English.

A general view of the progress of the cotton manufactures during this period of moderate and gradually decreasing duties from 1832 to 1842 may be had from Samuel Batchelder's "Report to the Boston Board of Trade," made in 1860, which, though it may not be perfectly accurate, still, having been made by a practical manufacturer and a protectionist, is sufficiently so to be very instructive. This report tells us that the spindles in Massachusetts increased from 340,000 in 1831 to 624,500 in 1840, being at the rate of 83 per cent. in nine years. It also appears that at this early date, and under these low rates of duties, we annually exported from 1838 to 1842 some $3,000,000 worth of cotton goods.

Then, sir, came the tariff of 1842, again intended by the full-fledged protectionists who framed it as a distinctively protective measure. Under this law, of course, the duties were considerably advanced beyond the low rates to which they had sunk under the act of 1833. If the cotton manufacturers could keep their heads above water under the compromise act from 1838 to 1842, as they evidently did, of course they could and did make large profits under the act of 1842. Let us now see what these duties were under this last-named law and how they compare with those now existing and the new ones now proposed. The general duty on cotton manufactures was fixed at 30 per cent. ad valorem, with an application of the minimum system to cotton cloths and cotton twist, yarn, and thread. But upon such twist, yarn, and thread a duty of 25 per cent. only was to be applied. I have not been able anywhere to see the duties then collected on cotton cloth, twist, and yarns reduced to a plain ad valorem rate, but I feel sure they fell far short of the 45, 49, 56, and 57 per cent. rates of the act of 1883 and the still higher rates sought to be imposed by this Senate substitute.

Notwithstanding the claims of high protectionists that the tariff of 1842 was the source of great prosperity to the country, yet the common sense of every man must tell him that a tariff which lasted only four years could not do much towards promoting the permanent prosperity of the country nor towards giving a vigorous and lasting impulse to our cotton manufactures. Especially could not this have been the case when we remember that the opposition to high protective duties was then growing and was sure to enter, as it did enter, into the Presidential contest of 1844, which was soon about to open, and which closed to the discomfiture of this doctrine; and in fact the statistics which Batchelder gives us show that the cotton spindles only increased at the rate of 31 per cent. in the half decade from 1840 to 1845, embracing three out of the four years during which the tariff of 1842 was in force, whilst in the half decade from 1845 to 1850, embracing some four years of the low tariff of 1846, when the duty on cotton goods was only 25 per cent., the number of these spindles increased at the rate of 58 per cent., showing that the natural rebound from the depression growing out of the prolonged and destructive panic of 1837 had more to do with the revival of business after 1842 than did the tariff act of that year, at any rate, so far as the cotton industry is concerned; for after the repeal of the high duties of the act of 1842 and the substitution of the low duties of 1846, the impulse the cotton manufactures had received in the previous four years was not only maintained but went forward at a largely accelerated pace.

But not only did this marked progress take place during the first years of the operation of the tariff of 1846 up to 1850, but it continued during the whole period of the existence of that tariff, and even after the duties were lowered under the tariff of 1857 and the low duty of 25 per cent. on cotton goods was brought down still further to 24 per cent.

It might as well be denied that George Washington lived and commanded our armies in the Revolution, as controverted that great prosperity prevailed and that labor received remunerative rewards in this country from 1847 to 1861, during the continuance of duties which were far lower than the most ardent tariff reformer would dream of now establishing. These facts Mr. Garfield expressly asserted in the year 1878 during a debate in the House of Representatives, and they are fully demonstrated by our census reports. With respect to the cotton trade during this period we have abundant evidence that it was exceptionally prosperous. All facts and testimony combine to prove that such was the case. Batchelder, in his report before alluded to, says that from 1845 to 1860 the cotton spindles in Massachusetts increased from 817,500 to 1,688,500, being an increase of 106 per cent. during the period of low duties. From 1840 to 1860, during which time very low duties on cotton prevailed for sixteen years out of the twenty, De Bow states that the cotton spindles in the whole United States increased from 2,112,000 to 5,236,000, being at the rate of 148 per cent.

The consumption of raw cotton in the United States during this period leads directly to the same general conclusions. From about 1845 to 1855 the consumption of raw cotton in this country about doubled. In the early years of the decade of 1840–'50, 300,000 bales were sufficient for the supply of our cotton mills. The annual demand in the years from 1850 to 1854 was for about 600,000 bales, and this increased in the five years immediately preceding the war to an annual consumption of about 800,000 bales. And one of the most significant facts, showing the great prosperity of our cotton manufacturers at this time, and the effects of low rates of duties in increasing exports, is this, that whilst the value of cotton goods exported under the high tariff of 1842 rarely exceeded $4,000,000, under the low tariff of 1846 and 1857 it reached in 1860 the very large sum of $11,000,000. The advocates of the high protective tariffs since 1862 have no reason to congratulate themselves that after twenty-five years of very high protection our exports of cotton goods in 1887 amounted to not quite $15,000,000.

Sir, it is useless to revive the old controversy as to how much of the great prosperity of our country from 1850 to 1860 resulted from the low duties then prevailing. That prosperity pervaded all branches of business and enterprise. It was evidenced by our largely increased imports and exports. After making every allowance for assumed but unproved errors in the various census reports, it can not be denied that our agricultural population then prospered as they never prospered before or since; that our manufactures increased in at least as large a ratio as they have ever done in the same length of time; that our shipping was never more numerous and never more profitably employed, and that our trade and commerce never increased in a larger ratio. In the midst of the many streams ever tributary to the mighty tide of a nation's greatness, it would be simply folly for any advocate of low-tariff duties to contend that an approximation to free trade was the magic wand that of itself conjured up all this mighty flow of national prosperity. It did no such thing. But the fact that all this wondrous growth was concurrent with the lowest tariffs we have had since 1816, shows with absolute conclusiveness that high duties are not necessary to, and that low duties are perfectly consistent with, the most solid and the most rapid national progress. And nothing can more thoroughly demonstrate the absolute unfairness, unreasonableness, and effrontery of the claim we so often hear set up, both here and elsewhere, that our high tariffs have been the prolific parent of all our progress and prosperity since the war.

Never before have so many mighty causes combined to produce mighty results; never before has human invention done more to aid in the accumulation of wealth. It has been the great era of the most transforming, vitalizing, energizing agencies ever introduced into human

affairs. It has been especially the era of railroad building. Since the war immigration has brought to this country enough strong arms and busy brains to people and redeem from the wilderness eight great States, each equal almost to Wisconsin. Many, many have been the agencies contributing to our greatness during the last twenty-five years. To ascribe it all to high protective duties, as some of the especial recipients of their choicest blessings are apt to do, is just about as reasonable as it would be for one of those orators to claim that all of his strength, like Samson's, lies in his hair. If any generalization can be drawn from our industrial history beyond the one just noted, to wit, that great national prosperity is consistent with low tariffs as well as high, it is this, that comparatively low tariffs cause these great accumulations of wealth to be distributed uniformly among all classes of men and all branches of industry, whilst the high prohibitory tariffs tax the great masses of the people mainly for the benefit of the capitalists, and drain the country of its wealth to aggregate it into a few States and into a few hands in those States.

In 1860 a movement was made towards a higher rate of duties. The professed object of that bill, as avowed by its author, the Senator from Vermont [Mr. MORRILL], was simply to restore the rates of the tariff of 1846. But it went much further and became more distinctly protective. It is a most significant circumstance that after a trial of low rates of duty, especially on cotton goods, for fifteen years, most of the manufacturing States took little or no interest in this movement towards higher rates. They had accommodated themselves to this low rate of duties, and preferred them with stability "to excessive protection, which stimulates alike ruinous and irresponsible competition at home." Such was the language of Mr. Rice, then a member of Congress from Massachusetts, who distinctly added that "the manufacturer asks no additional protection." And Mr. SHERMAN said, in 1860, on the floor of the House, that—

> When Mr. Stanton says the manufacturers are urging this bill he says what he must certainly know is not correct. The manufacturers have asked over and over again to be let alone.

This bill was passed in the House in 1860, but did not pass the Senate and become a law till 1861. At a subsequent date Mr. MORRILL, who has given his name to this bill, stated that "it was not asked for and but coldly welcomed by manufacturers, who always and justly fear instability." The war had not then come, and by offering an opportunity to attain to excessive rates, and what is more, to give them permanency, had not excited the cupidity of the manufacturers. But as soon as they learned that these things were possible under the cover of patriotism and devotion to the Union they began to clamor for higher duties, and their cry has ever been since, and is now, for higher and still higher rates, and it now seems that they will never have any stopping-place short of the exhaustion of human patience and ability to bear their burdens.

As we have seen, sir, in 1861 they only asked to be let alone, and only submissively accepted the increased duties then imposed in their behalf. But when their superserviceable friends were bestowing upon the cotton manufacturers favors for which they did not ask, the question is, to what extent did these leaders and masters in the art of taxing their fellow-countrymen for their own benefit, called high protection, think it necessary to add to the 24 per cent. yielded by the act of 1857 to the cotton industry? They only imposed upon cotton goods generally duties ranging from 25 to 30 per cent., whilst they fixed the rates upon cotton cloths at from 1 cent up to 4 cents per yard if unbleached, and if bleached an additional sum of one-half of 1 cent per yard, and if printed, painted, colored, or stained, an addition of 10 per cent. I can not with accuracy state, but I do not believe, that the highest duty on cotton goods under this act could have reached 40 per cent., and then only upon a few articles. After an experience of seventy years in laying duties upon cotton goods it was the deliberate judgment of adepts in the mysteries of protection that about 30 per cent. ad valorem was all the protection the great bulk of the cotton industry of this country required to secure fair wages to workmen and fair returns to capital.

And now, sir, I ask, if from 25 to 40 per cent. protection was enough, in the opinion of ardent protectionists, to sustain our cotton industries in 1832, when they could with some reason claim to be infants, what is the necessity for 40, 50, 60, and 65 per cent. now in 1889, when they have advanced to the hoary age of one hundred years? If greatly less rates were deemed in 1842, by able and experienced statesmen and practical business men aiming at full protection, to be sufficient aid to cotton manufacturers to insure the successful prosecution of their business, what can be the necessity forty-six years later to grant them a larger amount of aid? And when so late as 1861 even less was asked for than in 1832 and in 1842, the tax-payers and consumers of this country have a right to demand a full and satisfactory explanation why it is that our manufacturers are constantly clamoring for more and more help. Can it be, sir, in direct opposition to the doctrine upon which aid was so long sought and granted, that the older these industries become the weaker they grow? Can it be that this boasted high protection has reared up a monster the like of which has never been before seen on land or in the sea, whose appetite increases with its indulgence, and whose capacity increases the more it consumes?

We now come, sir, to the tariff acts of 1862 and 1864. The duties upon imports were largely increased by these acts, but it was clearly stated by leading men in Congress that this increase was made in order to offset the internal taxes imposed upon manufactured goods either just before or concurrently with these acts. Mr. MORRILL said, when introducing the act of 1862:

> It will be necessary for us to revise the tariff on foreign imports, so far as it may be seriously disturbed by any internal duties, and to make proper reparation. If we bleed the manufacturers we must see to it that the proper tonic is administered at the same time.

Mr. Thaddeus Stevens also said, about the same time:

> We intended to impose an additional duty on imports equal to the tax which had been put on domestic articles. It was done by way of reparation.

Mr. MORRILL again stated, in introducing the tariff bill of 1864, as he had done in 1862, that—

> The passage of this tariff act was rendered necessary in order to put domestic producers in the same situation, so far as foreign competition was concerned, as if the internal taxes had not been raised.

This was the purpose of increasing these duties, commonly understood and declared in Congress at the time, and commonly understood and declared since by leading men of the Republican party. Time would fail me to quote the many declarations of like tenor. Notably, the senior Senators from Vermont, Ohio, and Iowa, among many other actors in those memorable scenes, have plainly declared that with the removal of the internal taxes imposed upon manufactures in 1862 and 1864 good faith required that the corresponding compensatory duties imposed by the tariff acts of those years should also be taken off.

Mr. MORRILL said, in 1870, that—

> Whatever percentage of duties was imposed on foreign goods to cover internal taxation on home manufactures should not now be claimed as the lawful prize of protection when such taxes have been repealed. There is no longer an equivalent.

Mr. SHERMAN said, in 1872, that—

> If the present high rate of duties, unexampled in our country and higher by nearly 50 per cent. than they were in 1861, are maintained on metallic and textile fabrics, after we have repealed the very internal taxes which gave rise to them, we shall have a feeling of dissatisfaction in the country that will overthrow the whole system.

Mr. ALLISON said that—

> If no gentleman does so before me, I shall move that the pending bill be recommitted to the committee, with instructions to report a reduction upon existing rates of duty of 20 per cent., and even this—

He said—

> will not be a full equivalent for the removal of all internal taxes upon manufactures.

Well, these internal taxes were all removed in the years from 1866 to 1872. But in few instances indeed have these temporary duties, levied for a temporary purpose, with no pretense that they were necessary for permanent protection, been removed or in any appreciable extent modified in obedience to pledges in the beginning made and by the prime leaders of the Republican party over and over again since reiterated and publicly proclaimed. It is not mainly my purpose now to show that in honor, sound morals, and good faith the leaders of the Republican party are bound to see that these excrescences upon our protective system should, in obedience to solemn pledges, be removed; doubtless they would have done so if the powerful influence of the various combined interests feeding upon governmental favor had not dominated their minds and made them chary of provoking dangerous antagonisms. But my chief purpose in referring to the history of the raising of tariff duties in 1862 and 1864 is to show that no one then either conceived or expressed the idea that an increase of duties beyond the tariff of 1861 would have been necessary for the protection of our cotton or other industries under the normal conditions of peaceful trade, or was for any other cause demanded than by the extremely abnormal conditions of large internal taxes imposed as a war necessity upon all manufactured goods.

It was a practical concession by the party then overwhelmingly in power, more forcible than any words, that the 30 per cent. ad valorem imposed by the tariff of 1861 was a reasonable and just measure of protection to cotton goods in the years 1862 and 1864. And the burden is now upon our Republican friends to show what wonderful changes of circumstances have occurred during the last quarter of a century to reverse their old party shibboleth, that higher duties are required to foster infant industries, and the older they grow the better able they are to sustain themselves. That was the doctrine of Henry Clay, and it is the doctrine of common sense. But common sense seems to be a discarded quantity in this tariff debate, when we hear it contended that the foreign manufacturer pays the duties collected at the custom-houses in this country, and when we also hear it constantly said that our high war duties make goods lower in price, and when under that illusory cry our manufacturers have for twenty-five years been seeking, and often successfully, to have them made still higher, in order, I suppose, that goods may be made still lower; the plain logic of which position is, that the higher you can raise duties the lower the prices will be. This is an exceedingly safe proposition for the manufacturer, but surely any consumer who accepts it has bidden adieu to the last remnant of common sense.

Again, Mr. President, in 1872, in a lame and halting fashion, our

Republican friends undertook to redeem their pledges of 1862 and 1864, to make a compensatory reduction of war duties, as an equivalent for the internal taxes already removed from manufactures. This was done as an act of justice to the tax-payer, with no counter-claim, so far as I know, that such a lessening of the rate of duties would injure the manufacturer. Here we have a full concession in 1872 that a 10 per cent. reduction of the duties upon cotton, as well as upon many other goods, would leave such duties high enough for abundant protection. And when, in 1875, these duties were put back to their old war level, it was not claimed to have been done from any necessity of increased protection to our industries, but simply because the business crisis in the country had lessened the Treasury receipts, and it was necessary, they said, to increase the duties in order to increase the revenue. The good faith of this claim is very much shaken by the fact that when in after years, in one of the Morrison tariff bills, it was proposed to make a similar reduction of duties, a great outcry was raised that such a reduction would flood the Treasury with a still more redundant revenue. A singular institution, indeed, is a high protective tariff, which brings about precisely opposite results, according as it is worked by Republican or Democratic hands. We are much inclined to the belief, when the manufacturers saw in 1874 the House of Representatives with a large Democratic majority, they demanded of the outgoing Congress, and obtained just before its dissolution, a repeal of the act of 1872, hoping thus, as they have ever since done, to keep up all their duties to the old war rates by keeping their hold on one or more of the other branches of the Government, and thus indefinitely retaining the power to enrich themselves.

We now come, sir, to the last revision of the tariff, in 1883. If other tariffs were indirectly constructed through the influence of the manufacturers' lobby, this was the work of the lobby itself, so far as it conformed, as it largely did, to the recommendation of the Tariff Commission, which was composed almost entirely of manufacturers themselves. And so far as it was not the handiwork of that commission, it seems to have resulted from the labors of a secret conclave of high protectionists, called a conference committee, whose office for once seemed not to be to reconcile differences between the two Houses, but to adopt rates higher than either House had shown a willingness to accept, and which were in direct antagonism to that public demand for tariff reform out of which that commission sprung. They lowered the duties on coarse cottons, it is true, which, as we have seen, had required no protection since 1833, still taking care to leave a duty high enough, if occasion should serve, behind it to raise up a richly paying trust.

But on many other cotton goods, such as hosiery, embroideries, laces, trimmings, etc., they had the hardihood to raise the duties from 35 to 40 per cent. ad valorem, being higher duties than the protectionist statesmen and hungry manufacturers in 1832 and 1842 dared to ask for such interests when they could without shame claim to be infants, and higher than the manufacturers or their most zealous friends demanded in 1862 or 1864, when raw cotton and its manufactured products were both subject to Federal taxation which had been before 1883 removed. It is simply incredible that such an increase in the rates on cotton goods in 1883 could have been honestly asked for and granted. It was but another turn in the protection screw to enable its workers to press still larger profits out of the people.

But it is now, sir, in this the hundredth year of the existence of this so-called protective system, that the acme of the cotton-manufacturing rapacity and of a great party's subservience to class greed has been reached. It has taken the cotton manufacturers and their wise statesmen one hundred years to find out that certain classes of cotton goods can not be manufactured in this country without according them protection to the extent of 5, 10, 15, and 20 per cent. higher than manufacturers, tariff commissions composed of manufacturers, high-tariff statesmen of great ability and the fullest means of knowledge, in 1862, in 1864, and in 1883 ever dreamed of demanding or even of suggesting under all the combined adverse circumstances of our great civil war, or under all the false light which a tariff commission, composed of their especial friends, with endless pages of *ex parte* testimony, taken to make out the best case possible, could throw upon their needs.

It is needless to repeat that the disparity is vastly greater between the cotton rates sought to be imposed by this bill and those deemed by wise statesmen and ardent friends of protection to be ample encouragement to our cotton industries under the distinctively protective tariff bills of 1832, 1842, and 1861. And this is sought to be done, too, in the face of the fact that as far back as 1833, fifty-five years ago, distinguished manufacturers and protectionist statesmen informed us that plain cotton goods then needed no protection whatever, and that even then our manufacturers could successively compete with foreigners in the production of the finer grades of such goods.

To my mind, sir, this proposed cotton schedule is a remarkable legislative curiosity. General Harrison, in his letter of acceptance, striving to be sententious and epigrammatic, stated that the Democrats, in their effort to construct a bill to reform the tariff and reduce taxation, were more concerned about maxims than markets, and that the Republicans were looking more to principles than schedules. I concede that our Republican friends are diligent to a degree in studying to secure to the controlling spirits of their party a monopoly of the American market, at whatever cost to the masses of the American people. But it is equally true that, above all men who have ever studied the profound mystery of contriving and perfecting monopolies, far beyond all old English Tories, and all modern French or German tariff schemers, our Republican statesmen, under the lead of the manufacturing generals, can beat the world in the art of constructing schedules. If any proof of this assertion were needed this cotton schedule would suffice.

It is a legislative labyrinth, in the construction of which the genius of monopoly has run riot. New classifications—the favorite scheme whereby the manufacturer is ever seeking to steal the march on the people—are freely introduced. And more and more is the skill of the microscopist required to decipher the number of threads in a square inch of a piece of cotton cloth. Not only has the minimum system been embalmed in this work of art, but the minimum system drawn out fine to the highest degree. Thus, cotton yarns valued at 25 cents per pound are to be considered worth 40 cents for the purpose of taxation, and are each taxed 18 cents, which would be on the higher price of 40 cents at the rate of 45 per cent., and at the lower price of 25 cents at the rate of 72 per cent. And this kind of classification is further made to work this harsh and unjust result, that a pound of cotton yarn worth 24½ cents would only pay 10 cents per pound duty, whilst a pound worth 25½ cents would be made to pay 18 cents, 1 cent difference in the price calling for 8 cents more in the duty. Plainly here lies hid a scheme whereby some people's purses will be richly filled.

Still further, sir, what is the need of the change in the method of laying duties on Hamburg edgings, embroideries, etc., from 40 per cent. ad valorem to 45 cents per pound and 15 per cent. ad valorem, and on plushes, velvets, etc., from 40 per cent. ad valorem to 10 cents per square yard and 20 per cent. ad valorem? I would be willing to lay a wager that either a fall in the general prices of one or both of those kinds of goods has occurred or is surely looked for. Thus a substitution of specific in part for ad valorem duties would enable our manufacturers to turn what they no doubt think is an honest penny, but what others might think is playing with loaded dice.

Mr. President, if the cotton manufacturers of the country were to come here and all make solemn oath that it was necessary, in order to make their business pay a reasonable profit, to increase the duties on cotton goods, as is done in this schedule, I might, after a searching cross-examination, if their testimony were not shaken, be induced to quit the fight with the single remark that the cotton manufacture of this country was a mystery I could never hope to solve. But I am not prepared, as the Senator from Rhode Island the other day said the Finance Committee did in the case of steel beams, to receive the one-sided, interested statement of a maker of steel beams or of any other kind of goods and make that the basis of taxing the people of this country, or rather of granting to that steel-beam maker or other manufacturer and his confederates the power of imposing heavy burdens upon the people almost *ad libitum*.

Mr. President, as the matter now stands I can never be made to believe, in the light of the industrial history of this country, that it is in any sense requisite, in order to secure reasonable profits to the cotton manufacturers, again to raise the duties beyond war rates; on cotton yarns to the extent of 8, 7, and 5 per cent.; on cotton cloths, including from one hundred and fifty to two hundred threads to the square inch, to the extent of 9, 7, and 5 per cent.; on other cloths over two hundred threads to the square inch to the extent of 7, 6, and 5 per cent.; on other cloths 5 per cent.; and to make other changes, the plain object of which is to increase the burdens of the people and the profits of the manufacturers. In the light of the fact that as far back as 1833 we could and did make as cheap cotton goods of the plainer kinds in this country as they did in England, and had succeeded in making cotton prints and many of the finer classes of cotton goods as cheaply and as good as could be made abroad, I must hold it to be demonstrated that now, fifty-six years later, with all our justly boasted inventiveness and superb mechanical skill, we should rather reduce than increase the duties on all cotton goods.

And now, Mr. President, we are told that this Senate tariff bill, which had not even been read in the Senate before our adjournment, which had only been discussed in a very general way without any attempt at an analysis of its provisions, which doubtless were not understood by fifty members of both Houses of Congress at the time of that adjournment, and which not one in five hundred of American voters knew anything about on election day, and which the chairman of the Finance Committee gave notice before such adjournment would be amended in many unspecified particulars, was pronounced upon by the people at the late election, and that we Democrats are kicking against the pricks in daring to discuss the details of the measure. The mere statement of such a proposition carries with it its own refutation. But it is only the beginning of the objections to this extraordinary position.

Such an argument, sir, comes with a bad grace from those who exhausted the resources of able minds through almost the whole of one of our longest sessions of Congress in devising side issues by which the minds of the people could be diverted from this main question of excessive tariff rates, and could be driven to vote under the impulse of

sectional or race or war passions and prejudices. Never before in any political contest in this land were more bitter, constant, and unfair efforts made to substitute a reign of passion in the place of that calm discussion due to a great economic issue. The presentation by the President of a treaty with Great Britain, looking to a settlement of our fishery troubles with Canada, was made the occasion for brushing aside in a summary fashion, under caucus dictation and against the counsels of some of their oldest and most accomplished statesmen, the ancient and uniform practice of the Senate to consider treaties in secret sessions; and our doors were thrown open for the making of fiery *ad captandum* speeches to stir the New England heart and to lure to their standard Irish-Americans whose minds could be deluded by their sophistries, and whose bitterness could be stirred up afresh against England by their appeals. Much was heard of this outcry during the late canvass; and from their clamors one would have supposed they were hungering and thirsting for retaliation. The election is over and our friends are as quiet on these exciting topics as cooing doves.

And oh, how much was then heard of the Jackson outbreak and the Washington County riots! And how grave Senators, striving to act the part of Marc Antony holding up the gory mantle of Cæsar to arouse the fury of a Roman populace, bore aloft in this Chamber and elsewhere the bloody shirts of the negroes then and there killed, to induce the Northern people to believe that the Southern people are lawless cut-throats, and must be suppressed by voting against a Democratic President! How little note was then given to these facts, that during the last four years, in that whole vast Southern country, among many millions of people, where the whites and blacks are living together under conditions of race antagonism which Northern policy has created and is constantly intensifying, and which render it marvelous that such conflicts do not more frequently occur, partisan ingenuity and industry could only rake up two collisions between the races out of which party rancor could make capital; and that each of them began by the killing of a white man, and in one instance at least by his brutal murder.

And how unfairly and unkindly was this waving of the bloody shirt supplemented by the unreasoning and unmanly attacks upon as honorable men, as wise statesmen, and as patriotic citizens as breathe our American air, because having been Confederate soldiers and living south of Mason and Dixon's line, they dared to cross that line to discuss before Northern audiences the great economic question of the day. You who made this outcry knew full well that it had no bearing on the merits of the great question at issue. You knew then and you know now that these men are your equals before God and before the world, in all that goes to constitute true manhood. But you knew you could thus safely appeal to sectional and war passions and prejudices, and thereby win a multitude of votes. You played your card and you won your trick. But pray do not now insult the intelligence of the country by claiming that such a result thus obtained is the settlement of a momentous question like that involved in higher than war taxes in times of peace, which will aid, and, we have just reason to believe, are intended to aid trusts and combines to plunder the people. No, sir, the Democratic party will again and again appeal from such transparent deceptions to the reason and enlightened self-interest of the masses of the people.

It is true, sir, that the contest lately ended has taught us that we have no slight task before us. We are not in the least appalled by the mere result of the voting at that election. Democrats, whose party has so often arisen stronger than ever from defeat, can not be made despondent from this cause, when the change of a little over 7,000 votes in New York would have made Grover Cleveland President the second time. But our opponents have shown themselves powerful in an element of strength which they can always command far beyond our ability. They have shown how fertile they are in money resources, and that they have the men who know how and will not hesitate to use them. I must confess, Mr. President, that this is a subject which must be inexpressibly painful to every right-minded American citizen, and one which I should have hesitated to introduce before the world in this high forum. But the evil is such a notorious one that the public press teems with it, and this debate has abounded in allusions to it. I will therefore say a word upon the subject, in so far as it may be considered as one of the many side influences which controlled the late election.

The Democratic party, sir, has no political nurslings which it has built up and into whose coffers it has by its legislation thrown vast wealth, and from whom it can recoup large sums of money in the hour of its political need to aid in turning the tide of political battles. But you can not cast your eye over our land but it will fall upon vast and powerful corporations whose life was drawn from the Republican party, and which are continually looking to that party for protection and sustentation. That party, too, by granting unstinted support, which now, as ever, it is ready to increase, to our great manufacturing enterprises have built up mighty interests with vast aggregations of wealth, many of them making millions in the way of profit per annum, and ever looking to that party for further aid in their efforts to increase their gains. And as Front de Bœuf was prepared to roast old Isaac of York over a slow fire to make him disgorge a portion of his wealth, so our manufacturers, if need be, are threatened with having the fat fried out of them if they do not provide for the Republican party the sinews of war.

But in the nature of things, whenever any party, in the interest of the masses of the people, threatens to dry up any sources of the gains of these people which are deemed to be too great, it is not likely that much threatening is needed from their political allies, and they stand ready to liberally pour out their money as a simple business investment to help to sustain the party which sustains them. Thus corruption becomes organized, and in fact a part of the business scheme of very many of the business men of the country. And thus the Republican party will ever be ready, so long as the present condition of things lasts, to raise every dollar they want, not only for legitimate but for other kinds of expense. No party which relies simply upon the voluntary subscriptions of its members, unprompted by controlling business interests, can compete with the Republican party in raising corruption funds. And although I am ashamed to say that I doubt not the Democrats raised and spent all they could in November last, it does not stand to reason that in any State, more especially in a close manufacturing State like Connecticut, could they have met their opponents upon anything like equal terms in this respect.

The Republican party had the men from whom the money could be raised; these men not only had an unstinted ability to raise it, but every incentive to pour it out, and upon every principle of human nature we may rest assured that the resources of the Republican party were unbounded. And the arguments thus used, I shrewdly suspect, gained more recruits to ultra protection than the ponderous logic of their campaign orators, though not so many as their fiery appeals, the country over, to sectional and race prejudices.

But, sir, in spite of every obstacle of sectional, race, and war passions, in spite of the money wrung from the people by oppressive taxation to be used in riveting their burdens upon them, the battle will go on, and sooner or later tariff reform will commend itself to the good sense, the common fairness, the sense of justice, and the enlightened self-interest of the masses of the American people.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from North Carolina [Mr. VANCE], which will be again read.

The SECRETARY. In line 1320, paragraph 323, it is proposed to strike out, after the word "forty," the words "five cents per pound and fifteen;" so as to read:

323. On goods heretofore known commercially as Hamburg edgings, embroideries, or insertings, and as Egyptian and Oriental laces, composed of cotton, and stitched or otherwise wrought by machines worked by hand or other power, 40 per cent. ad valorem.

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary called the roll, but before the result was announced,

Mr. ALLISON said: The Senator from North Carolina having thoroughly tested the sense of the Senate on this amendment, perhaps he would consent to withdraw the call for the yeas and nays.

Mr. VANCE. Mr. President, I am the best-natured man in the body. I set up for that, anyhow. I withdraw the call for the yeas and nays.

The PRESIDENT *pro tempore*. The Senator from North Carolina asks unanimous consent, the roll-call having been concluded, to withdraw the call for the yeas and nays. Is there objection? The Chair hears none.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. The question recurs upon the amendment proposed by the Senator from North Carolina, pending which the Senator from Iowa moves that the Senate do now proceed to the consideration of executive business.

Mr. ALLISON. I will wait until after the vote is taken on the amendment.

The PRESIDENT *pro tempore*. The question is on the amendment.

The amendment was rejected.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore:*

A bill (S. 3646) for the relief of William R. Wheaton and Charles H. Chamberlain, of California;

A bill (H. R. 1959) authorizing the Secretary of War to issue to the governor of the Territory of Montana military stores for the use of the regularly enlisted, organized, and uniformed active militia; and

A bill (H. R. 5009) to provide certain arms, ammunition, and equipage to the State of Oregon, for the militia thereof.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a letter from the Secretary of the Interior, transmitting the report of the surveyor-general of New Mexico on the private land claim in that Territory known as Polvaredo grant, No. 131; and a letter from the Secretary of the Interior,

transmitting a supplemental report of the surveyor-general of New Mexico on the foregoing private land claim; which were referred to the Committee on Private Land Claims, and ordered to be printed.

ADMISSIONS TO THE FLOOR.

Mr. ALDRICH. From the Committeee on Rules I ask that the thirty-third rule of the Senate, providing who shall be admitted to the privileges of the floor, may be amended, by unanimous consent, by inserting, after the words "the President of the United States, and his private secretary," the words "the President-elect and the Vice-President-elect of the United States."

The PRESIDENT *pro tempore*. The Senator from Rhode Island asks unanimous consent that the thirty-third rule of the Senate may be amended by the insertion of the words which he has recited, and which will be stated from the desk.

The SECRETARY. "The President-elect and the Vice-President-elect of the United States."

Mr. VANCE. Let us have the whole rule read, so that we may see the context.

The PRESIDENT *pro tempore*. The rule will be read.

The SECRETARY. The rule, if amended as proposed, will read:

RULE XXXIII.

PRIVILEGE OF THE FLOOR.

1. No person shall be admitted to the floor of the Senate while in session, except as follows:
The officers of the Senate.
Members of the House of Representatives. The Sergeant-at-Arms, and the Clerk of the House.
The President of the United States, and his private secretary.
The President-elect and the Vice-President-elect of the United States.
The heads of Departments.
The Commissioner of Agriculture.
Ministers of the United States.
Foreign ministers.
Ex-Presidents and ex-Vice-Presidents of the United States.
Ex-Senators and Senators-elect.
Judges of the Supreme Court.
Governors of States and Territories.
General of the Army.
Admiral of the Navy.
The commissioners of the District of Columbia.
Members of national legislatures of foreign countries.
Private secretaries of Senators, duly appointed in writing; and the Librarian of Congress, and the assistant librarian in charge of the law library.
Hon. George Bancroft.
Judges of the Court of Claims.
The Architect of the Capitol.
The Secretary of the Smithsonian Institution.
2. No person shall be admitted to the floor——

Mr. VANCE. I do not ask for the reading of any more.

The PRESIDENT *pro tempore*. If there be no objection, the proposed amendment to the rule will be regarded as agreed to by unanimous consent.

EXECUTIVE SESSION.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 5 o'clock p. m.) the Senate adjourned until to-morrow, Saturday, January 5, 1889, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate the 4th day of January, 1889.

COLLECTOR OF CUSTOMS.

Leslie Cullom, of Tennessee, to be collector of customs for the district of Puget Sound, in the State of Oregon and Territory of Washington, to succeed Quincy A. Brooks, removed.

NOMINATION WITHDRAWN.

To the Senate of the United States:

I withdraw the nomination, which was sent to the Senate on December 17, 1888, of Leon O. Bailey, to be attorney of the United States for the district of Indiana.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 3, 1889.

DISTRICT ATTORNEY.

Solomon Claypool, of Indiana, to be attorney of the United States for the district of Indiana, *vice* Emory B. Sellers, resigned.

UNITED STATES COMMISSIONER.

T. Carlos Jewett, of Litchfield, Minn., to be a commissioner in and for the district of Alaska, to reside at Sitka, *vice* John G. Brady, whose term expired December 19, 1888.

POSTMASTERS.

Robert S. Adkins, to be postmaster at Kansas City, in the county of Jackson and State of Missouri, in the place of George M. Shelley, removed.

Francis A. Dowden, to be postmaster at Babylon, in the county of Suffolk and State of New York, in the place of A. Ellis Hopkins, whose commission expired December 19, 1888.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January* 4, 1889.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

ASSESSMENT OF DISTRICT REAL ESTATE FOR TAXATION.

Mr. HEARD, by unanimous consent, introduced a bill (H. R. 11957) to amend an act entitled "An act to levy an assessment on real estate in the District of Columbia for the purpose of taxation;" which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

PRINTING OF BARVI'S REPORT ON IRRIGATION IN EGYPT.

Mr. GEAR, by unanimous consent, submitted the following resolution; which was referred to the Committee on Printing:

Resolved, That there be printed for the use of the House and Senate 3,000 copies of Maj. A. M. Miller's translation of Barvi's report on irrigation in Egypt.

CHICAGO CUSTOM-HOUSE.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting an estimate by the Supervising Architect of an appropriation for clock dial and apparatus in the towers of the custom-house and subtreasury at Chicago, Ill.; which was referred to the Committee on Appropriations, and ordered to be printed.

RELIEF OF FISHING VESSELS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, with an inclosure, in response to a resolution of the House, calling for information relative to the relief, by the Revenue-Cutter and Life-Saving Services, of American whaling and fishing vessels in Behring's Sea and the Arctic Ocean.

Mr. DUNN. Mr. Speaker, the resolution on that subject was referred originally to the Committee on Merchant Marine and Fisheries, but it relates to the Life-Saving Service, and I ask that the resolution be referred to the Committee on Commerce.

The SPEAKER. It will be so referred.

EMMA BIDDLE.

The SPEAKER also laid before the House the bill (S. 3628) granting an increase of pension to Emma Biddle; which was referred to the Committee on Pensions.

REPORT ON TRUSTS.

The SPEAKER also laid before the House the House concurrent resolution of September 21, 1888, providing for printing 5,000 copies of the report of the House Committee on Manufactures in relation to the sugar trust and the Standard Oil trust, with the amendments of the Senate thereto; which was referred to the Committee on Printing.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. PHELAN, for three days, on account of sickness.

To Mr. NEAL, indefinitely, on account of sickness.

To Mr. THOMAS H. B. BROWNE, for the remainder of this week, on account of important business.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced the passage of a resolution ordering the printing of the usual number and 3,000 additional copies of the final report of the royal commission appointed to inquire into the recent changes in the relative values of precious metals, and the minutes of evidence and appendices presented to both houses of Parliament by command of Her Majesty; in which the concurrence of the House was requested.

It also announced the passage of a bill (S. 870) to provide for the retirement of a certain class of officers in the United States Navy; in which concurrence was requested.

MESSAGE FROM THE PRESIDENT.

A message, in writing, from the President of the United States was received, by Mr. PRUDEN, one of his secretaries.

It was also announced that the President had approved and signed bills of the following titles on the dates indicated:

On December 22, 1888:

An act (H. R. 11878) making appropriations to supply a deficiency in the appropriation for public printing and binding for the fiscal year ending June 30, 1889, and for other purposes.

On December 24, 1888:

An act (H. R. 2579) authorizing the President to appoint and retire Andrew J. Smith, late colonel of the Seventh United States Cavalry and a major-general of volunteers.

An act (H. R. 6922) for the relief of George W. Graham.

On January 1, 1889:

An act (H. R. 7843) granting to Citrous Water Company right of way across Papago Indian reservation, in Maricopa County, Arizona.

CHANGE OF REFERENCE.

On motion of Mr. ROGERS, by unanimous consent, the Committee on Claims was discharged from the further consideration of the bill

(H. R. 5349) for the relief of James Trabue, Thornton Thatcher, Michael Callahan, and the widow of John Waters; and it was laid on the Speaker's table.

ENROLLED BILLS SIGNED.

Mr. KILGORE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 5751) for the relief of Margaret M. Hatch;

A bill (H. R. 5919) to restore to the pension-roll the name of James Monohan, minor child of Richard Monohan, deceased;

A bill (H. R. 6334) for the relief of Isaac Roshon;

A bill (H. R. 7305) granting a pension to Aaron R. Gilkison;

A bill (H. R. 7344) granting a pension to Henrietta Waldron;

A bill (H. R. 7877) to place Mary Karstetter on the pension-roll;

A bill (H. R. 7887) granting increase of pension to Jonathan C. Harrison;

A bill (H. R. 7928) granting a pension to Samuel M. Reese;

A bill (H. R. 8521) for the relief of William A. Mathes;

A bill (H. R. 8613) granting a pension to Ann Bryan;

A bill (H. R. 8735) granting a pension to Mary A. McCool;

A bill (H. R. 9173) granting a pension to Mary J. Drake;

A bill (H. R. 9175) granting a pension to George Wallen;

A bill (H. R. 9176) granting a pension to Charlotte Taylor;

A bill (H. R. 9178) granting a pension to Jane Jackson;

A bill (H. R. 9252) granting a pension to Mrs. Catherine Barberick, of Watertown;

A bill (H. R. 9296) granting a pension to Bridget Carroll;

A bill (H. R. 9310) granting a pension to Capt. William J. Duley;

A bill (H. R. 9388) to increase the pension of Joseph Holmes;

A bill (H. R. 9663) granting a pension to Jesse Spencer; and

A bill (H. R. 9668) granting a pension to Joseph Rosier.

Mr. ENLOE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 7261) granting the right of way through certain lands in the State of Minnesota to the Moorhead, Leech Lake and Northern Railway Company;

A bill (H. R. 10694) granting a pension to John W. Ellis;

A bill (H. R. 9759) granting a pension to John Wallace;

A bill (S. 3732) granting the right of way to the Pensacola and Memphis Railroad Company over and through the public lands of the United States in the States of Florida, Alabama, Mississippi, and Tennessee, and granting the right of way to said railroad company over and through the United States naval and military reservations near Pensacola, in the State of Florida;

A bill (H. R. 9776) for the relief of Nancy E. Sawyer;

A bill (H. R. 9784) granting a pension to Anna Boppell;

A bill (H. R. 9791) granting a pension to Charles W. Geddes;

A bill (H. R. 10032) granting a pension to Milton Wallen;

A bill (H. R. 10199) for the relief of William E. Springstein;

A bill (H. R. 10253) granting a pension to Emanuel P. Steed;

A bill (H. R. 10433) for the relief of Leaman L. Bowers;

A bill (H. R. 10488) granting a pension to Myra Sinclair;

A bill (H. R. 6012) for the relief of A. P. Swineford;

A bill (H. R. 10494) granting a pension to Emelia Mumm;

A bill (H. R. 10515) to increase the pension of William Gallagher;

A bill (H. R. 10647) granting a pension to Samuel J. Wright;

A bill (H. R. 10659) for the relief of Elizabeth C. Cole;

A bill (H. R. 10911) granting a pension to Ira E. Baldwin;

A bill (H. R. 10908) granting a pension to Mrs. Almira J. Towner;

A bill (H. R. 10825) granting a pension to Mary Jane Jelly;

A bill (H. R. 10109) granting a pension to Mrs. Anna Leach;

A bill (H. R. 10073) granting a pension to P. F. Jonte; and

A bill (H. R. 10769) granting a pension to John M. Krunk.

NICARAGUA CANAL.

Mr. DUNN. Mr. Speaker, I desire to call up the bill (S. 1305) to incorporate the Maritime Ship Canal Company of Nicaragua; and in order to expedite business and avoid conflict, I ask unanimous consent that the amendments reported from the Committee of the Whole be agreed to in gross, and that the amendments as to which an agreement was had to take a yea-and-nay vote be also agreed to in gross, and that the bill so amended be passed.

The SPEAKER. The gentleman asks unanimous consent that all amendments agreed to in Committee of the Whole be voted upon in gross, and that all amendments upon which there is controversy be also agreed to in gross.

Mr. DUNN. Yes, sir.

The SPEAKER. Is there objection to that request?

Mr. WILSON, of Minnesota. I object. The amendment ought to be voted on separately.

Mr. DUNN. In order to avoid a conflict to-day about the order of business I have asked unanimous consent to agree to each one of the amendments.

Mr. WILSON, of Minnesota. If they be voted on separately I have no objection.

Mr. DUNN. Then I ask unanimous consent to agree to them one at a time.

Mr. WILSON, of Minnesota. That is right. I have no objection to that.

The SPEAKER. The Clerk will read the first amendment reported from the Committee of the Whole House. The Chair understands the request of the gentleman from Arkansas now to be that the amendments be voted on separately.

Mr. BLAND. I think we had better have a yea-and-nay vote on the amendments. This bill will go to the Senate, where, I apprehend, all these amendments will be stricken off; and this House will be asked to pass the bill in that shape. It is therefore well that members of the House should now go upon record on these amendments.

Mr. DUNN. The amendments never can be stricken off without the consent of this House.

Mr. BLAND. Let us have a yea-and-nay vote on the amendments.

Mr. McCREARY. I ask that all the amendments be read.

The SPEAKER. The Chair has directed the reading of the amendments, and the Clerk is getting them arranged.

Mr. DUNN. I understood unanimous consent was given to my first proposition.

The SPEAKER. The Chair first understood the gentleman's request to be that the amendments be voted upon in gross; but upon learning the mistake, the Chair corrected it. The gentleman from Missouri [Mr. BLAND] now insists upon having a separate vote. The Clerk will read the amendments.

Mr. BAYNE. The gentleman from Missouri [Mr. BLAND] can have a yea-and-nay vote, provided he can get a sufficient number of members of the House to order the yeas and nays.

Mr. BLAND. There were certain amendments upon which it was agreed there should be a yea-and-nay vote in the House, and as to those amendments I shall insist on the agreement.

The SPEAKER. The agreement made in Committee of the Whole does not bind the House. The yeas and nays are never taken except by unanimous consent given in the House, or upon being ordered in the manner prescribed by the Constitution. The Clerk will read the first amendment.

The Clerk read as follows:

Amendment offered by Mr. BAYNE:

In line 42, section 1, insert, just before the word "value," the words "fair and reasonable."

The amendment was agreed to.

Mr. DUNN. In order to facilitate business, I ask that as each amendment be read it be agreed to, unless there be objection.

The SPEAKER. The gentleman from Arkansas requests that as each amendment be read it be considered as agreed to unless a vote be demanded.

Mr. BLAND. I shall demand a yea-and-nay vote in accordance with the agreement.

The SPEAKER. The Clerk will read the next amendment.

The next amendment, proposed by Mr. HOLMAN, was read, as follows:

Add at the end of the first section:

"*Provided, however*, That nothing in this act contained shall be so construed as to commit the United States to any liability whatever for or on account of said company, nor shall the United States be held in any wise liable or responsible in any form or by any implication for any debt or liability in any form which said company may incur, nor be held as guarantying any engagement or contract of said company, or as having assumed by virtue of this act, or otherwise, any responsibility for the acts or proceedings of said company in any foreign country, or contracts or engagements entered into in the United States. And this proviso shall be printed on every bond, contract, certificate of stock, or other obligation issued by said company."

Mr. HOLMAN. It was agreed in Committee of the Whole that on this amendment the yeas and nays should be taken. I call for the yeas and nays.

The question was taken on ordering the yeas and nays.

Mr. OATES. Was not that one of the amendments upon which, by agreement in the Committee of the Whole House on the state of the Union, a vote by the yeas and nays in the House was to be had?

The SPEAKER. The Chair knows nothing about the agreement in the Committee of the Whole House on the state of the Union. The House knows nothing at all about that. Twenty-six have voted in the affirmative on ordering the yeas and nays.

Several MEMBERS. Count the other side.

The other side was counted; and there were 58 in the negative.

So (more than one-fifth having voted in the affirmative) the yeas and nays were ordered.

Mr. BREWER. Let the amendment be again read.

Mr. HOLMAN'S amendment was again read.

The question was taken; and it was decided in the affirmative—yeas 135, nays 36, not voting 152; as follows:

YEAS—135.

Abbott,	Biggs,	Campbell, T. J., N. Y.	Crain,
Allen, Mich.	Blanchard,	Cannon,	Crisp,
Anderson, Iowa	Bland,	Catchings,	Culberson,
Anderson, Miss.	Blount,	Cheadle,	Cummings,
Anderson, Ill.	Boothman,	Chipman,	Cutcheon,
Anderson, Kans.	Bound,	Cobb,	Darlington,
Atkinson,	Bower,	Conger,	Davenport,
Baker, Ill.	Brown, Ohio	Cowles,	Davidson, Fla.
Barnes,	Buchanan,	Cox,	Dockery.

Dunn,	Jackson,	Morrow,	Scull,
Enloe,	Johnston, Ind.	Nelson,	Seymour,
Finley,	Johnston, N. C.	Newton,	Shaw,
Fitch,	Kilgore,	Oates,	Sowden,
Ford,	La Follette,	O'Donnell,	Spinola,
Forney,	Lane,	O'Ferrall,	Springer,
Fuller,	Lanham,	O'Neall, Ind.	Steele,
Gear,	Latham,	O'Neill, Pa.	Stewart, Tex.
Gibson,	Lee,	Osborne,	Stewart, Ga.
Glass,	Lehlbach,	Outhwaite,	Stone, Ky.
Grimes,	Long,	Patton,	Struble,
Grout,	Macdonald,	Payson,	Thompson, Cal.
Hall,	Maish,	Peel,	Tillman,
Hare,	Mansur,	Penington,	Tracey,
Harmer,	Martin,	Peters,	Townshend,
Haugen,	Mason,	Pidcock,	Turner, Kans.
Heard,	Matson,	Post,	Turner, Ga.
Henderson, Ill.	McAdoo,	Rayner,	Wade,
Hermann,	McComas,	Rice,	Walker,
Holman,	McCreary,	Robertson,	Weaver,
Holmes,	McKenna,	Rogers,	Wheeler,
Hopkins, Va.	McKinley,	Rowell,	Wilkins,
Houk,	McMillin,	Rowland,	Woodburn,
Howard,	McRae,	Ryan,	Yoder.
Hutton,	Moore,	Sayers,	

NAYS—36.

Adams,	Crouse,	Kerr,	Stockdale,
Allen, Mass.	Davis,	Landes,	Taylor, E. B., Ohio
Baker, N. Y.	Farquhar,	McCullogh,	Taylor, J. D., Ohio
Bankhead,	Grosvenor,	Nutting,	Thomas, Wis.
Bayne,	Hayden,	Plumb,	Thompson, Ohio
Bliss,	Hiestand,	Reed,	Vandever,
Browne, Ind.	Hires,	Russell, Mass.	West,
Burrows,	Hopkins, N. Y.	Sawyer,	White, N. Y.
Cogswell,	Kean,	Smith,	Wilson, Minn.

NOT VOTING—152.

Allen, Miss.	Dargan,	Jones,	Randall,
Arnold,	Davidson, Ala.	Kelley,	Richardson,
Bacon,	De Lano,	Kennedy,	Rockwell,
Barry,	Dibble,	Ketcham,	Romeis,
Belden,	Dingley,	Lafloon,	Russell, Conn.
Bingham,	Dorsey,	Lagan,	Rusk,
Boutelle,	Dougherty,	Laidlaw,	Scott,
Bowden,	Dunham,	Laird,	Seney,
Bowen,	Elliott,	Lawler,	Sherman,
Breckinridge, Ark.	Ermentrout,	Lind,	Shively,
Breckinridge, Ky.	Felton,	Lodge,	Simmons,
Brewer,	Fisher,	Lyman,	Snyder,
Browne, T. H. B., Va.	Flood,	Lynch,	Spooner,
Brown, J. R., Va.	Foran,	Maffett,	Stahlnecker,
Brumm,	French,	Mahoney,	Stephenson,
Bryce,	Funston,	McClammy,	Stewart, Vt.
Buckalew,	Gaines,	McCormick,	Stone, Mo.
Bunnell,	Gallinger,	McKinney,	Symes,
Burnes,	Gay,	McShane,	Tarsney,
Burnett,	Gest,	Merriman,	Taulbee,
Butler,	Glover,	Milliken,	Thomas, Ky.
Butterworth,	Goff,	Mills,	Thomas, Ill.
Bynum,	Granger,	Moffitt,	Vance,
Campbell, F., N. Y.	Greenman,	Montgomery,	Warner,
Campbell, Ohio	Guenther,	Morgan,	Washington,
Candler,	Hatch,	Morrill,	Weber,
Carlton,	Hayes,	Morse,	White, Ind.
Caruth,	Hemphill,	Neal,	Whiting, Mich.
Caswell,	Henderson, Iowa	Nichols,	Whiting, Mass.
Clardy,	Henderson, N. C.	Norwood,	Whitthorne,
Clark,	Herbert,	O'Neill, Mo.	Wickham,
Clements,	Hitt,	Ower,	Wilber,
Cockran,	Hogg,	Parker,	Wilkinson,
Collins,	Hooker,	Perkins,	William,
Compton,	Hopkins, Ill.	Perry,	Wilson, W. Va.
Cooper,	Hovey,	Phelan,	Wise.
Cothran,	Hudd,	Phelps,	Yardley,
Dalzell,	Hunter,	Pugsley,	Yost.

So Mr. HOLMAN's amendment was agreed to.

During the roll-call,

On motion of Mr. McCREARY, by unanimous consent, the reading of the names was dispensed with.

The following pairs on all political questions until further notice were announced:

Mr. FELIX CAMPBELL with Mr. RUSSELL, of Connecticut.
Mr. TARSNEY with Mr. BREWER.
Mr. RUSK with Mr. HENDERSON, of Iowa.
Mr. COMPTON with Mr. DORSEY.
Mr. CANDLER with Mr. WILBER.
Mr. CARLTON with Mr. DE LANO.
Mr. BRECKINRIDGE, of Arkansas, with Mr. PHELPS.
Mr. CARUTH with Mr. WICKHAM.
Mr. WISE with Mr. BUNNELL.
Mr. HATCH with Mr. BINGHAM.
Mr. MILLS with Mr. KELLEY.
Mr. CAMPBELL, of Ohio, with Mr. GOFF.
Mr. NORWOOD with Mr. YARDLEY.
Mr. BACON with Mr. WILLIAMS.
Mr. SNYDER with Mr. DALZELL.
Mr. CLARDY with Mr. DINGLEY.
Mr. LAWLER with Mr. McCORMICK.
Mr. O'NEILL, of Missouri, with Mr. T. H. B. BROWNE.
Mr. DIBBLE with Mr. PUGSLEY.
Mr. NEAL with Mr. BELDEN.
Mr. HOOKER with Mr. COOPER.
Mr. HEMPHILL with Mr. GROUT.
Mr. HERBERT with Mr. BOUTELLE.
Mr. ERMENTROUT with Mr. MORRILL.
Mr. McSHANE with Mr. LAIRD.
Mr. GREENMAN with Mr. SHERMAN.
Mr. BURNES with Mr. WHITING, of Massachusetts.
Mr. MORGAN with Mr. PARKER.
Mr. WHITTHORNE with Mr. WHITE, of Indiana.
Mr. LAGAN with Mr. CLARK.
Mr. DOUGHERTY with Mr. HUNTER.
Mr. STONE, of Missouri, with Mr. THOMAS, of Kentucky.
Mr. GRANGER with Mr. ROCKWELL.
Mr. HAYES with Mr. DORSEY.
Mr. MONTGOMERY with Mr. HOPKINS, of Illinois.
Mr. McCLAMMY with Mr. NICHOLS.
Mr. McKINNEY with Mr. McCOMAS.
Mr. WILKINSON with Mr. FELTON.
Mr. SENEY with Mr. STEWART, of Vermont, for ten days from to-day.

Mr. BREWER. I notice I am paired with my colleague [Mr. TARSNEY], and therefore will withdraw my vote.

Mr. BAYNE. The pair announced of my colleague [Mr. DALZELL] did not state which way he would vote. If present, he would vote for the bill and vote to free it from all unnecessary incumbrances.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted in the following cases:

To Mr. MAISH, for the day, to attend the funeral of a friend.
To Mr. DARGAN, until Tuesday, January 8.

NICARAGUA CANAL.

The vote was then announced as above recorded.

Mr. HOLMAN moved to reconsider the vote by which the amendment was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The question next recurred on the following amendment, submitted by Mr. PAYSON:

Add to section 2: "All bonds, stocks, and certificates issued for or as part of the capital of the company shall be issued at the principal office in the city of New York."

And add to the above amendment the following:

"All shares, stocks, bonds, certificates, or other securities of this company shall be disposed of only for cash, to be paid into the company treasury and used for corporate purposes: *Provided*, That this shall not apply to bonds or securities issued under article 50 of the concession of Nicaragua to the canal association."

The SPEAKER. The question is on agreeing to the amendment.

Mr. DUNN. There is no objection.

The amendment was agreed to.

The question next recurred on the following amendment, moved by Mr. WILSON, of Minnesota:

After section 2 add the following words:

"SEC. 3. That no certificate for stock shall be issued till at least 10 per cent. of the same shall be fully paid for in money at the par value of said stock, and the money deposited in the treasury of said company, and said stock so subscribed shall not be assignable until the whole of the same shall be so paid in, and no payment on account of the capital of said company shall be made except in money, and said company is hereby prohibited from returning or repaying any part of the money so paid. No bonds in excess of the amount of capital paid and received shall be authorized or issued until such paid capital shall amount to the sum of $5,000,000. No part of the capital stock paid in shall be at any time withdrawn or returned to the stockholders, or in any manner diverted from the proper uses of the corporation. Every person violating or aiding in the violation of the foregoing provisions shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding $10,000, or by imprisonment not exceeding five years, or by both said punishments, in the discretion of the court."

Mr. WILSON, of Minnesota, demanded the yeas and nays.

The House divided; and there were—ayes 26, noes 73.

So (more than one-fifth voting in the affirmative) the yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 102, nays 75, not voting 146; as follows:

YEAS—102.

Abbott,	Forney,	Lehlbach,	Rowland,
Allen, Mich.	Fuller,	Lind,	Ryan,
Allen, Miss.	Gibson,	Macdonald,	Sayers,
Anderson, Iowa	Glass,	Maish,	Seymour,
Anderson, Ill.	Grimes,	Mansur,	Shaw,
Anderson, Kans.	Grout,	Martin,	Shively,
Baker, Ill.	Hare,	Mason,	Sowden,
Barnes,	Harmer,	McKenna,	Spinola,
Biggs,	Henderson, Ill.	McMillin,	Springer,
Blanchard,	Holman,	McRae,	Stewart, Tex.
Bland,	Holmes,	Moore,	Stewart, Ga.
Bliss,	Hopkins, Va.	Morrow,	Stockdale,
Blount,	Houk,	Nelson,	Stone, Ky.
Catchings,	Howard,	Newton.	Struble,
Cheadle,	Hutton,	O'Donnell,	Taylor, J. D., Ohio
Cobb,	Johnston, Ind.	O'Ferrall,	Thompson, Cal.
Conger,	Johnston, N. C.	Osborne,	Townshend,
Cowles,	Kerr,	Outhwaite,	Turner, Ga.
Culberson,	Kilgore,	Payson,	Washington,
Cummings,	Lafloon,	Peel,	Wheeler,
Cutcheon,	La Follette,	Penington,	White, N. Y.
Davidson, Fla.	Laidlaw,	Perkins,	Wilkinson,
Dockery,	Lane,	Pidcock,	Wilson, Minn.
Elliott,	Lanham,	Rice,	Wilson, W. Va.
Enloe,	Latham,	Robertson,	
Finley,	Lee,	Rogers,	

NAYS—75.

Adams,	Crisp,	Landes,	Scull,
Allen, Mass.	Crouse,	Lodge,	Smith,
Atkinson,	Darlington,	Long,	Spooner,
Bacon,	Davenport,	Matson,	Stahlnecker,
Baker, N. Y.	Davis,	McAdoo,	Steele,
Bankhead,	Dunn,	McCreary,	Taylor, E. B., Ohio
Bayne,	Fitch,	McCullogh,	Thomas, Wis.
Boothman,	Gear,	McKinley,	Thompson, Ohio
Bound,	Grosvenor,	Nutting,	Tillman,
Breckinridge, Ky.	Hall,	Oates,	Tracey,
Browne, Ind.	Hayden,	O'Neall, Ind.	Turner, Kans.
Brown, Ohio	Henderson, N. C.	O'Neill, Pa.	Vandever,
Burrows,	Hermann,	Owen,	Wade,
Campbell, T. J., N. Y.	Hiestand,	Patton,	Walker,
Cannon,	Hires,	Peters,	Weaver,
Chipman,	Hopkins, N. Y.	Post,	West,
Cogswell,	Hovey,	Reed,	Wilkins,
Cox,	Kean,	Rowell,	Woodburn.
Crain,	Ketcham,	Russell, Mass.	

NOT VOTING—146.

Anderson, Miss.	Dalzell,	Hopkins, Ill.	Randall,
Arnold,	Dargan,	Hudd,	Rayner,
Barry,	Davidson, Ala.	Hunter,	Richardson,
Belden,	De Lano,	Jackson,	Rockwell,
Bingham,	Dibble,	Jones,	Romeis,
Boutelle,	Dingley,	Kelley,	Russell, Conn.
Bowden,	Dorsey,	Kennedy,	Rusk,
Bowen,	Dougherty,	Lagan,	Sawyer,
Breckinridge, Ark.	Dunham,	Laird,	Scott,
Brewer,	Ermentrout,	Lawler,	Seney,
Brower,	Farquhar,	Lyman,	Sherman,
Browne, T. H. B., Va.	Felton,	Lynch,	Simmons,
Brown, J. R., Va.	Fisher,	Maffett,	Snyder,
Brumm,	Flood,	Mahoney,	Stephenson,
Bryce,	Foran,	McClammy,	Stewart, Vt.
Buchanan,	Ford,	McComas,	Stone, Mo.
Buckalew,	French,	McCormick,	Symes,
Bunnell,	Funston,	McKinney,	Tarsney,
Burnes,	Gaines,	McShane,	Taulbee,
Burnett,	Gallinger,	Merriman,	Thomas, Ky.
Butler,	Gay,	Milliken,	Thomas, Ill.
Butterworth,	Gest,	Mills,	Vance,
Bynum,	Glover,	Moffitt,	Warner,
Campbell, F., N. Y.	Goff,	Montgomery,	Weber,
Campbell, Ohio	Granger,	Morgan,	White, Ind.
Candler,	Greenman,	Morrill,	Whiting, Mich.
Carlton,	Guenther,	Morse,	Whiting, Mass.
Caruth,	Hatch,	Neal,	Whitthorne,
Caswell,	Haugen,	Nichols,	Wickham,
Clardy,	Hayes,	Norwood,	Wilber,
Clark,	Heard,	O'Neill, Mo.	Williams,
Clements,	Hemphill,	Parker,	Wise,
Cockran,	Henderson, Iowa	Perry,	Yardley,
Collins,	Herbert,	Phelan,	Yoder,
Compton,	Hitt,	Phelps,	Yost.
Cooper,	Hogg,	Plumb,	
Cothran,	Hooker,	Pugsley,	

So the amendment was adopted.

Mr. PAYSON. I ask unanimous consent to dispense with the reading of the names.

There was no objection.

The following additional pair was announced:

Mr. JONES with Mr. HENDERSON, of Iowa, on all political questions until further notice.

The result of the vote was then announced as above recorded.

Mr. WILSON, of Minnesota, moved to reconsider the vote by which the amendment was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The next amendment, offered by Mr. LANHAM, was read, as follows:

In line 11, section 3, after the word "company," insert "who shall also be citizens and residents of the United States."

Mr. HOLMAN. Before the vote is taken on that amendment I desire to ask that it be again reported.

The amendment was again read.

Mr. HOLMAN. A substitute was adopted for that amendment by striking out "a majority of whom shall be citizens and residents of the United States," and inserting "the directors shall be citizens of the United States or of Nicaragua."

The SPEAKER. There is such an amendment as the gentleman from Indiana suggests.

Mr. LANHAM. The amendment which has just been read, offered by myself, has reference to the vice-president and other officers.

Mr. HOLMAN. Ah! that is different from what I supposed.

The amendment of Mr. LANHAM was adopted.

The next amendment, offered by Mr. HOLMAN, was read, as follows:

Strike out in lines 4 and 5, section 3, "and a majority of whom shall be citizens and residents of the United States," and insert "the directors shall be citizens of the United States or of Nicaragua, and a majority of such directors shall be citizens and residents of the United States."

The amendment was adopted.

Mr. HOLMAN moved to reconsider the vote by which the amendment was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The next amendment, offered by Mr. MACDONALD, was read, as follows:

Add to section 4 the following:

"*Provided*, That no change of concessions heretofore or hereafter granted by the Nicaraguan and Costa Rica Governments for or in behalf of the construction of said canal which in any manner affects the rights of American citizens to the use of said canal, or which affects the right of the Government of the United States to have a voice in the governmental control of the use of same, shall be made until the consent of the Government of the United States to such change shall have been first given thereto."

The amendment was adopted.

Mr. MACDONALD moved to reconsider the vote by which the amendment was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The next amendment, offered by Mr. BLAND, was read, as follows:

Add to section 5:

"And nothing herein shall be construed to estop this Government from asserting at any time any rights or powers that may now exist by virtue of the laws of nations or that may be acquired through treaty stipulations with respect to the right of transportation of the citizens of the United States or their property over this canal or the country through which the same may be constructed, or to transport troops or munitions of war in time of peace or war."

The amendment was adopted.

Mr. BLAND moved to reconsider the vote by which the amendment was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The next amendment, offered by Mr. CULBERSON, was read, as follows:

Add at the end of section 5 the following:

"And nothing in this act shall be held or construed to in any manner involve the United States in any pecuniary obligations whatever, other than in respect of the payment of tolls as provided for in this act."

The amendment was adopted.

The next amendment, offered by Mr. BAKER, of New York, was read as follows:

Add as new section:

"Said company shall make a report on the first Monday of December in each year to the Secretary of the Interior, which shall be duly verified by the president and secretary thereof, giving such detailed statement of its affairs and of its assets and liabilities as may be required by the Secretary of the Interior, and any false statement so made shall be deemed perjury and punishable as such. And it shall be the duty of the Secretary of the Interior to require such annual statement and to prescribe the form thereof and the particulars to be given thereby."

The question was taken; and on a division there were—ayes 51, noes 16.

So the amendment was adopted.

The next amendment, offered by Mr. MAISH, was read, as follows:

Add to section 6:

"*Provided*, That the construction of said ship-canal shall be commenced in good faith within three years."

The amendment was adopted.

The next amendment, offered by Mr. BLAND, was read, as follows:

Add to section 6:

"Congress hereby reserves the right to alter, amend, or repeal this act, and to regulate the toll or tariff rates for the transportation of persons or property by this company or its assigns."

Mr. BLAND. That is one of the amendments upon which by agreement in committee a yea-and-nay vote was to be had in the House. According to that understanding I ask for the yeas and nays on the adoption of the amendment.

The question was taken on ordering the yeas and nays; and 31 members rose in favor thereof—not one-fifth of the last vote.

Mr. BLAND. Count the other side. No time will be saved by refusing this demand.

Those opposed to ordering the yeas and nays were 62.

So (the affirmative being more than one-fifth of the total vote) the yeas and nays were ordered.

The question was taken; and there were—yeas 82, nays 81, not voting 161; as follows:

YEAS—82.

Abbott,	Enloe,	Lee,	Robertson,
Allen, Mich.	Finley,	Lehlbach,	Rowland,
Allen, Miss.	Fuller,	Lind,	Scull,
Anderson, Iowa	Glass,	Lodge,	Seymour,
Anderson, Miss.	Harc,	Mansur,	Shaw,
Anderson, Ill.	Harmer,	Martin,	Shively,
Anderson, Kans.	Haugen,	McKenna,	Simmons,
Atkinson,	Henderson, Ill.	McMillin,	Springer,
Baker, N. Y.	Holmes,	McRae,	Steele,
Baker, Ill.	Hopkins, Va.	Moore,	Stewart, Tex.
Barry,	Houk,	Morrow,	Stewart, Ga.
Biggs,	Howard,	Nelson,	Struble,
Blanchard,	Hutton,	O'Donnell,	Thomas, Wis.
Bland,	Johnston, Ind.	O'Ferrall,	Thompson, Cal.
Boothman,	Johnston, N. C.	Osborne,	Townshend,
Cheadle,	Kerr,	Peel,	Turner, Ga.
Conger,	Kilgore,	Penington,	Walker,
Cowles,	La Follette,	Perkins,	Washington,
Culberson,	Lane,	Peters,	Weaver.
Dockery,	Lanham,	Pidcock,	
Dunn,	Latham,	Rayner,	

NAYS—81.

Adams,	Breckinridge, Ky.	Cox,	Elliott,
Allen, Mass.	Browne, Ind.	Crain,	Farquhar,
Bankhead,	Brown, Ohio	Crouse,	Funston,
Barnes,	Burrows,	Cummings,	Gear,
Bayne,	Campbell, T. J., N. Y.	Darlington,	Grimes,
Bliss,	Chipman,	Davenport,	Grosvenor,
Blount,	Cobb,	Davidson, Fla.	Grout,
Bound,	Cogswell,	Davis,	Hall,

Hayden,	McAdoo,	Rogers,	Vandever,
Hiestand,	McCreary,	Russell, Mass.	West,
Hires,	Oates,	Smith,	Wheeler,
Hitt,	O'Neall, Ind.	Sowden,	White, N. Y.
Holman,	O'Neill, Pa.	Spinola,	Wilkins,
Hopkins, N. Y.	Outhwaite,	Spooner,	Wilkinson,
Hovey,	Owen,	Stahlnecker,	Wilson, Minn.
Kean,	Patton,	Stockdale,	Wilson, W. Va.
Kennedy,	Phelps,	Stone, Ky.	Woodburn,
Ketcham,	Plumb,	Taylor, E. B., Ohio	Carlisle, Speaker.
Landes,	Post,	Taylor, J. D., Ohio	
Mason,	Reed,	Thompson, Ohio	
Matson,	Richardson,	Tillman,	

NOT VOTING—161.

Arnold,	Dargan,	Jones,	Rice,
Bacon,	Davidson, Ala.	Kelley,	Rockwell,
Belden,	De Lano,	Laffoon,	Romeis,
Bingham,	Dibble,	Lagan,	Rowell,
Boutelle,	Dingley,	Laidlaw,	Russell, Conn.
Bowden,	Dorsey,	Laird,	Rusk,
Bowen,	Dougherty,	Lawler,	Ryan,
Breckinridge, Ark.	Dunham,	Long,	Sawyer,
Brewer,	Ermentrout,	Lynch,	Sayers,
Brower,	Felton,	Lyman,	Scott,
Browne, T. H. B., Va.	Fisher,	Macdonald,	Seney,
Brown, J. R., Va.	Fitch,	Maffett,	Sherman,
Brumm,	Flood,	Mahoney,	Snyder,
Bryce,	Foran,	Maish,	Stephenson,
Buchanan,	Ford,	McClammy,	Stewart, Vt.
Buckalew,	Forney,	McComas,	Stone, Mo.
Bunnell,	French,	McCormick,	Symes,
Burnes,	Gaines,	McCullogh,	Tarsney,
Burnett,	Gallinger,	McKinley,	Taulbee,
Butler,	Gay,	McKinney,	Thomas, Ky.
Butterworth,	Gest,	McShane,	Thomas, Ill.
Bynum,	Gibson,	Merriman,	Tracey,
Campbell, F., N. Y.	Glover,	Milliken,	Turner, Kans.
Campbell, Ohio	Goff,	Mills,	Vance,
Candler,	Granger,	Moffitt,	Wade,
Cannon,	Greenman,	Montgomery,	Warner,
Carlton,	Guenther,	Morgan,	Weber,
Caruth,	Hatch,	Morrill,	White, Ind.
Caswell,	Hayes,	Morse,	Whiting, Mich.
Catchings,	Heard,	Neal,	Whiting, Mass.
Clardy,	Hemphill,	Newton,	Whitthorne,
Clark,	Henderson, Iowa	Nichols,	Wickham,
Clements,	Henderson, N. C.	Norwood,	Wilber,
Cockran,	Herbert,	Nutting,	Williams,
Collins,	Hermann,	O'Neill, Mo.	Wise,
Compton,	Hogg,	Parker,	Yardley,
Cooper,	Hooker,	Payson,	Yoder,
Cothran,	Hopkins, Ill.	Perry,	Yost.
Crisp,	Hudd,	Phelan,	
Cutcheon,	Hunter,	Pugsley,	
Dalzell,	Jackson,	Randall,	

So the amendment was adopted.

On motion of Mr. NELSON, the reading of the names was dispensed with.

The following additional pair was announced:

Mr. DARGAN with Mr. SYMES, on all political questions, until further notice.

The result of the vote was then announced as above recorded.

The SPEAKER. The Clerk will now report the amendment offered by the gentleman from Illinois [Mr. PAYSON], which was rejected in the Committee of the Whole, but on which it was agreed a vote should be taken in the House.

The Clerk read as follows:

Strike out all after the word "act," line 41, page 3, to the word "may," in line 44, and insert:

"All shares, stocks, bonds, certificates, or other securities which the company may issue to raise the corporate capital shall be executed and issued at the principal office in the city of New York; and all such shares, stocks, bonds, certificates, or other securities shall be disposed of only for cash, to be paid into the company treasury and used for corporate purposes: *Provided*, That this shall not apply to bonds or securities issued under Article L (50) of the concession of Nicaragua to the canal association."

Mr. HOLMAN. It was understood that this should be voted upon as a separate amendment in the House.

The SPEAKER. And when the previous question was ordered in the House it was understood that this and another amendment offered by the gentleman from Illinois [Mr. BAKER] were to be included and voted upon.

Mr. HOLMAN. That is correct.

Mr. REED. But that is superseded by the agreement made this morning. If this does not involve any time, however, I shall not interpose any objection. If it does, I shall.

Mr. HOLMAN. I think it will take but very little time.

Mr. REED. I do not think that any amendment which can now be adopted would injure the bill, anyhow. [Laughter.]

The amendment was adopted.

The SPEAKER. The Clerk will now report the amendment proposed by the gentleman from Illinois [Mr. BAKER], and on which a vote was also to be taken in the House.

The Clerk read as follows:

SEC. 6. That at any time hereafter the Government of the United States shall have the right, at its own option, to acquire by purchase the entire property of said company in said canal and its appurtenances at a price equal to the actual cost thereof, with interest on such cost at the rate of 5 per cent. per annum.

Mr. BAKER, of Illinois. I ask unanimous consent to modify the amendment by inserting, after the word "option" where it occurs in the amendment, the words "and with the consent of the Republic of Nicaragua."

Mr. DUNN. I hope that permission will be given to modify the amendment to that extent.

The SPEAKER. Is there objection to the modification of the amendment suggested by the gentleman from Illinois before the vote is taken upon it?

There was no objection.

The question being taken on the adoption of the amendment, the House proceeded to divide.

Mr. COX. I think there is a misapprehension in the minds of members as to the amendment. We are voting now upon the amendment as modified.

The SPEAKER. The amendment as modified by the gentleman from Illinois is now being voted upon.

The House divided; and there were—ayes 40, noes 72.

Mr. BAKER, of Illinois. I ask the yeas and nays on the adoption of the amendment.

The yeas and nays were refused, there being 17 members only voting in favor thereof—not one-fifth of the last vote.

So the amendment was rejected.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

The question recurred upon the passage of the bill.

Mr. HOLMAN. On that I ask the yeas and nays.

The yeas and nays were ordered.

The question was taken, and decided in the affirmative—yeas 160, nays 33, not voting 130; as follows:

YEAS—160.

Abbott,	Davidson, Fla.	Lane,	Robertson,
Adams,	Davis,	Lanham,	Rowell,
Allen, Mass.	Dockery,	Latham,	Rowland.
Allen, Mich.	Dunn,	Lee,	Russell, Mass.
Allen, Miss.	Elliott,	Long,	Sawyer,
Anderson, Miss.	Farquhar,	Macdonald,	Scull.
Anderson, Ill.	Felton,	Mansur,	Seymour,
Atkinson,	Fitch,	Mason,	Smith,
Bacon,	Ford,	Matson,	Spinola,
Baker, N. Y.	Fuller,	McAdoo,	Spooner,
Bankhead,	Funston,	McComas,	Springer,
Barnes,	Gear,	McCreary,	Stahlnecker,
Barry,	Gibson,	McKenna,	Steele,
Bayne,	Grosvenor,	McKinley,	Stewart, Tex.
Biggs.	Grout,	McMillin,	Stewart, Ga.
Bliss,	Guenther,	Moore,	Stockdale,
Boothman,	Hall,	Morrow,	Struble,
Bound,	Haugen,	Nelson,	Taylor, E. B., Ohio
Breckinridge, Ky.	Hayden,	Newton,	Taylor, J. D., Ohio
Browne, T. H. B., Va.	Heard,	Nutting,	Thomas, Wis.
Browne, Ind.	Henderson, N. C.	Oates,	Thompson, Ohio
Brown, Ohio	Hermann,	O'Donnell,	Thompson, Cal.
Buchanan,	Hiestand,	O'Neall, Ind.	Tillman,
Burrows,	Hires,	O'Neill, Pa.	Tracey,
Campbell, Ohio	Hitt,	Osborne,	Townshend,
Campbell, T. J., N. Y.	Holmes,	Outhwaite,	Turner, Kans.
Cannon,	Hopkins, Va.	Patton,	Vandever,
Catchings,	Hopkins, N. Y.	Payson,	Wade,
Cheadle,	Hovey,	Peel,	Walker,
Chipman,	Howard,	Perkins,	Washington,
Cogswell,	Hudd,	Peters,	Weaver,
Conger,	Hutton,	Phelps,	West,
Cowles,	Johnston, Ind.	Pidcock,	Wheeler,
Cox,	Kennedy,	Plumb,	White, N. Y.
Crain,	Kerr,	Post,	Wilkins,
Crisp,	Ketcham,	Pugsley,	Wilkinson,
Crouse,	Laffoon,	Rayner,	Wilson, Minn.
Cutcheon,	La Follette,	Reed,	Wilson, W. Va.
Darlington,	Laidlaw,	Rice,	Woodburn,
Davenport,	Landes,	Richardson,	Yoder.

NAYS—33.

Anderson, Iowa	Enloe,	Jackson,	Rogers,
Anderson, Kans.	Finley,	Johnston, N. C.	Sayers,
Baker, Ill.	Forney,	Kilgore,	Shively,
Bland,	Gest,	Lehlbach,	Sowden,
Blount.	Glass,	Lind,	Stone, Ky.
Clements,	Grimes,	Martin,	Turner, Ga.
Cobb,	Hare,	McRae,	
Culberson,	Holman,	O'Ferrall,	
Cummings,	Houk,	Penington,	

NOT VOTING—130.

Arnold,	Carlton,	Foran,	Kelley,
Belden,	Caruth,	French,	Lagan,
Bingham,	Caswell,	Gaines,	Laird,
Blanchard,	Clardy,	Gallinger,	Lawler,
Boutelle,	Clark,	Gay,	Lodge,
Bowden,	Cockran,	Glover,	Lyman,
Bowen,	Collins,	Goff,	Lynch,
Breckinridge, Ark.	Compton,	Granger,	Maffett,
Brewer,	Cooper,	Greenman,	Mahoney,
Brower,	Cothran,	Harmer,	Maish,
Brown, J. R., Va.	Dalzell,	Hatch,	McClammy,
Brumm,	Dargan,	Hayes,	McCormick,
Bryce,	Davidson, Ala.	Hemphill,	McCullogh,
Buckalew,	De Lano,	Henderson, Iowa	McKinney,
Bunnell,	Dibble,	Henderson, Ill.	McShane,
Burnes,	Dingley,	Herbert,	Merriman,
Burnett,	Dorsey,	Hogg,	Milliken,
Butler,	Dougherty,	Hooker,	Mills,
Butterworth,	Dunham,	Hopkins, Ill.	Moffitt,
Bynum,	Ermentrout,	Hunter,	Montgomery,
Campbell, F., N. Y.	Fisher,	Jones,	Morgan,
Candler,	Flood,	Kean,	Morrill,

Morse,	Romeis,	Stewart, Vt.	Whiting, Mich.
Neal,	Russell, Conn.	Stone, Mo.	Whiting, Mass.
Nichols,	Rusk,	Symes,	Whitthorne,
Norwood,	Ryan.	Tarsney,	Wickham,
O'Neill, Mo.	Scott.	Taulbee,	Wilber,
Owen,	Seney,	Thomas, Ky.	Williams,
Parker,	Shaw,	Thomas, Ill.	Wise.
Perry,	Sherman.	Vance,	Yardley,
Phelan,	Simmons,	Warner,	Yost.
Randall,	Snyder,	Weber,	
Rockwell,	Stephenson,	White, Ind.	

So the bill was passed.

On motion of Mr. PAYSON, the recapitulation of the vote was dispensed with.

The following additional pairs were announced:

Mr. O'NEILL, of Missouri, with Mr. WILLIAMS, until further notice.

Mr. MCRAE with Mr. RYAN, for the rest of the day.

Mr. RANDALL with Mr. BUTTERWORTH, on the pending bill.

The vote was then announced as above recorded.

Mr. DUNN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ENROLLED BILLS SIGNED.

Mr. ENLOE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 5009) to provide certain arms, ammunition, and equipage to the State of Oregon for the militia thereof;

A bill (S. 3646) for the relief of William R. Wheaton and Charles H. Chamberlain, of California; and

A bill (H. R. 1959) authorizing the Secretary of War to issue to the governor of the Territory of Montana military stores for the use of the regularly enlisted, organized, and uniformed active militia.

CHANGE OF RULES.

Mr. REED. I desire to call up the proposition changing the rules.

Mr. ANDERSON, of Kansas. On that I raise a point of order and also the question of consideration.

The SPEAKER. The gentleman from Kansas will state his point of order.

Mr. ANDERSON, of Kansas. It is, that under our rules this day is dedicated exclusively to the consideration of private business.

Friday in every week shall be set apart for the consideration of private business, unless otherwise determined by the House.

It is also provided by the rules in what manner the House may set aside this order; but until the House has set it aside—namely, by dispensing with the consideration of private business—then no other business than private business is in order. I submit that this rule even goes to the extent of excluding the reception of all reports from committees on this day, unless the bills are private bills. The Chair, of course, is far more familiar than I with the scope and intensity of this rule.

The proposition submitted by the gentleman from Maine is a proposition to amend a certain rule. While it may be in order to consider a proposition for a change of those rules that could affect the procedure of the House under this order for private business to-day, still my point is that the change proposed by the gentleman is of rules exclusively relating to business that may be considered on the first and third Mondays; in other words, public business. There is no proposition to change any rules that could affect the action of the House for the purpose of considering private business. That being the case, I submit to the Chair that while the gentleman may call up his amendment to the rules on any day except Friday, and while he may call it up after the House has dispensed with private business to-day, yet until the House does so dispense with that private business he can not call up a resolution to amend a rule that only applies to the first and third Mondays of the month. That is the point: First, that the rule dedicates to-day to private business; second, that the rule provides how the House may dispense with this order for private business to-day, and that during this day it is not in order to consider an amendment of those rules which only relates to public business and not to the procedure of the House as to private business. If the House dispenses with private business to-day, then the gentleman can call up his amendment.

Mr. LANHAM. If the gentleman will permit me I will state that it was my purpose to raise the question of consideration upon the resolution offered by the gentleman from Maine.

Mr. ANDERSON, of Kansas. I had already given notice that I would do so.

The SPEAKER. While there is nothing in the rules themselves giving to the Committee on Rules the privilege of reporting at any time either for consideration or otherwise, the uniform practice of the House has been to receive reports of that committee for immediate consideration if they related to changes of the rules. And in accordance with that practice the House received yesterday morning from the Committee on Rules this report to which the gentleman from Kansas refers. It was under consideration during the whole day and at the time of the adjournment; and although this day is set apart by the rules for the consideration of bills on the Private Calender, yet, in accordance with the universal practice, questions of privilege may be made on that day as well as on other days, and the gentleman from Maine now calls up this matter as a matter of privilege. The Chair thinks that the——

Mr. REED. That it presents a matter of privilege, and the House was in the act of taking a vote upon it.

The SPEAKER. The Chair was about to state that, inasmuch as the House had ordered the yeas and nays on the motion for demanding the previous question, and a vote was being taken at the time the House adjourned, that is an additional reason why it could be called up to-day.

Mr. REED. Can the question of consideration be raised at this juncture?

The SPEAKER. The gentleman raises the question of consideration, the Chair supposes, upon the demand for the previous question. That is a new question, whether the question of consideration can be raised upon a mere motion which is incidental to the motion now pending before the House.

Mr. REED. The question now pending before the House is the yeas and nays.

The SPEAKER. The yeas and nays have been ordered, and the question now pending before the House is upon the demand made by the gentleman from Maine for the previous question upon the adoption of the resolution.

Mr. REED. Precisely; and the yeas and nays were ordered.

Mr. ANDERSON, of Kansas. I would like to suggest to the Chair that the question before the House now is, whether it will consider at all to-day the proposition of the gentleman from Maine to call up this resolution. If it does consider that, then, of course, it must go on with the order for the previous question and the call of the yeas and nays. But to say that the House can be deprived of its right after an adjournment, or after a cessation has intervened, or rather after an adjournment has been taken to another legislative day, is a distinct thing; and to say that the House may not determine whether or not it will act upon the question is the point that I suggest to the Chair. I make the point of order that it is now in order to raise the question of consideration as against the first words which the gentleman from Maine utters when he takes the floor to call up this proposition.

The SPEAKER. If the question shall be raised at all, it must be raised upon the proposition pending before the House and not merely on an attempt by a member to call it up. The Chair is in some doubt as to whether or not the question of consideration can be raised at all after the House has ordered the yeas and nays upon the pending proposition.

Mr. ANDERSON, of Kansas. But there was no quorum. The call for the previous question was not sustained. Thereupon the House adjourned, and now we begin a new legislative day. Say that there was an emergency appropriation bill to pass; say that the electoral vote was to be counted; say that some important matter which, in the judgment of the House, overrode anything it might have pending before it should come up to-day; my point is that the House has the constitutional right at the beginning of a new day to say whether or not it will or will not consider the question which the gentleman from Maine calls up.

Mr. REED. The argument of the gentleman as to the inconvenience will melt away at once when I make the suggestion that if appropriation bills or any great public exigency were presented the gentlemen who are now making this trouble by filibustering would at once yield, so that the argument made as to inconvenience absolutely has nothing in it, for I am sure the gentleman from Kansas would be one of the first to retrace the wrong steps which he has already taken. But I suppose he feels that there is no great public exigency, and therefore he adds to the steps already taken, others.

Mr. ANDERSON, of Kansas. I would like to ask the gentleman whether these gentlemen from the Committee on Rules can come in with a proposition which suspends the action of the House and say to us, "You must take this or filibuster?" Now, looking to the effects of this proposed amendment, I want to say to the gentleman from Maine that I have no steps to retrace; not one. I say that you have no right to block the business of this House; you have no right to deprive this House of the ability to say whether or not it will take up this business or go on with the river and harbor bill or anything else.

Mr. REED. I little expected to play the part of lamb to the wolf from Kansas. I confess some surprise to find myself in the position of an obstructor of the rules.

I thought I was proceeding under the rules of the House. The rules of the House provide a certain method of making changes, and that method of making changes applies whenever, in the opinion of the House, the rules of the House are failing to carry out the great purpose of all rules, which is to facilitate the action of the House itself. Now, the House desires, by a very large majority, to get at the public business. The gentleman from Kansas [Mr. ANDERSON], by a very small minority, desires not to. Yet the gentleman from Kansas comes forward here and really seems to believe that somebody else is obstructing business and not he! The rules, I repeat, are for a simple purpose. They are to facilitate the action of the House. It is always understood,

and every rule is based on that idea, that gentlemen will act here from a sense of their responsibility as members of the House, but it is impossible to question any man's action, and therefore if the House finds that its rules are so employed as to be made means of obstruction to prevent the majority from controlling, then the House has the right to take into its own hands the change of its rules.

This proposition is so plain that nothing but a very debased condition of public sentiment would render it possible for any member of the House to make the observations which have been made by the gentleman from Kansas. I think this House has got into a condition which will astonish itself if the members will take time to consider. The very fundamental principle of our Government is control by a majority; and, however wise any individual man may be, the principle of our Government is that when one hundred and one men are on one side and one hundred men are on the other side the one hundred go to the wall, even if they are as wise as the gentlemen who are making this opposition. That is the principle upon which we go. Yet we see here day after day men taking advantage of the rules of the House to stop public business, even that business which requires a vote of two to one, so that the people of this country, as represented in the House of Representatives, have ceased to rule the country, and it is governed and controlled and its business is stopped by a very few men. Now, this concerns me no more than it does any other member of the House.

I am here in pursuance of a duty which was not sought for by me, which was not suggested by me, and in which I act only as the organ of the Committee on Rules, by direction of the chairman of that committee; and, standing here as I do as the organ of that committee, and to the extent which that committee has rights in this House as the organ of this House, I feel that the House owes it to itself, as well as to the country, to treat this question in manful fashion. [Applause.] If there is a majority against this rule let them declare themselves, and nobody will acquiesce in their decision more gladly than I will. If there is a majority in favor of it, then, under the laws of this land, that majority ought to control, and if it can not control, it ought to do what it will do, publicly abdicate its functions. Now, if any gentleman wants to help to do that, let him do it.

Mr. SPRINGER. Mr. Speaker, on yesterday this measure was reported from the Committee on Rules by the gentleman from Maine [Mr. REED]. At that time the gentleman from Maine made a statement in regard to the action of the committee, the gentleman from Pennsylvania [Mr. RANDALL] stated his position in regard to it, and the gentleman from Kentucky [Mr. TAULBEE] demanded the reading of the proposition. The proposition was read and several statements were made in regard to its purport, all of which were in the nature of debate and consideration.

This proposition was stated yesterday, and the House proceeded to consider it. Thereupon the gentleman from Maine [Mr. REED] moved the previous question, the yeas and nays were ordered upon that motion, and the yeas and nays were actually taken, and it appeared that a quorum had not voted; whereupon a call of the House was ordered, and there the proceedings of that day, so far as this proposition was concerned, stopped. If the Chair will refer to page 330 of the Manual he will find that it is there provided that after a question has been stated and its discussion commenced, it is too late to raise the question of consideration.

Now this question, as I have already said, has been stated, its discussion has been commenced, it was discussed for a brief time yesterday, and its consideration was entered upon, and the question now is upon ordering the yeas and nays upon an incomplete vote, which was begun on yesterday but not ended, by reason of the failure of a quorum to appear. Therefore it is too late to raise the question of consideration against this privileged report. Its consideration having been begun yesterday, it is now the regular business before the House, under the rules of the House, and it is that kind of business which grows out of the very existence of this body. It is the exercise of a constitutional right. The Constitution of the United States gives to this House the right to make its own rules, and the right to make means the right to change, alter, and amend. Therefore we are now engaged in the exercise of a great constitutional right and in the performance of a great constitutionel duty imposed upon us as the representatives of the people.

What, then, is the condition which confronts us? It is that the rules of the House have been misapplied and abused. We have a rule which provides that on certain days of each month—the first Monday and the third Monday—the House may by a two-thirds vote suspend the rules and pass any proposition. Yet it is contended to-day by the opponents of this proposed change that this notion can not be made and submitted to the House for its consideration except by unanimous consent; and on four or five occasions since this session began, when we have reached the period of our business to which this rule refers—the first and third Mondays of the month—gentlemen in this House, in the exercise of what they claim to be their constitutional right under the rules of this House, have when their States were caled sent to the Clerk's desk old bills, as stale as last year's almanac, and have insisted that we should sit here for five hours as the representatives of this great people and listen to that nonsense being read, while the time of the House was consumed at their instance, and nothing else could be done. Now, I hold that it is not the constitutional right of any member of this House to say that this House shall do nothing without his consent.

We are, under our present rules, or by reason of the abuse of those rules, in this condition: that one member claims the right to say that no business shall be done on the first and third Mondays of each month unless he agrees to it. This, instead of being a claim for the rights of minorities, is a claim for the dictation and despotism of one-man power; and if Representatives here whose constituents demand of them that they shall execute their will and enact laws in their interest allow a Representative from a single district to dictate the whole policy of this House, the people of the country will hold us responsible for a failure to make the rules so clear that this abuse of power can not be exercised.

I hope, therefore, the Chair will hold that it is too late to raise the question of consideration upon this resolution; that it is now before the House; and I trust that the resolution will be supported by those Representatives in this body who believe that the American people are entitled to be represented here by three hundred and twenty-five members, and that the voice of the majority when spoken here, and when agreed to by the other legislative departments of the Government, should be the law of the land. We can not be justified by our constituents if we allow our hands to be tied and concede that one man may dictate the whole legislative policy of this Government. I believe that the proposition now presented is right in itself, being calculated to protect minorities as well as majorities, and to enable the people's Representatives to execute the popular will.

Mr. BLOUNT. Mr. Speaker, what I shall have to say will be responsive to what has been already said on the part of other gentlemen, although it may not be strictly pertinent to the parliamentary question raised.

Gentlemen present this matter as though one man were obstructing the will of the majority of the House, and as if that were all there is in this question. Now, sir, since I have had the honor of serving in this House the present rule has obtained, and the obstructive methods referred to have frequently been resorted to on suspension days when measures are brought before the House with a limited period for consideration, preventing often the reaching of anything like a healthy conclusion. Since I have been here the House has time and again kept back from the Senate a resolution for final adjournment, with the view of escaping from the operation of that rule which allows suspensions of the rules during the last six days of a session. This suspension day has been dubbed in times past, in the House and by the press of the country, as "devil's day."

It is only in regard to this objectionable class of legislation that these obstructive proceedings have been resorted to. Certain gentlemen, on the assumption that the measures on which they seek the action of the House are overwhelmingly important, have suddenly discovered that what has existed here for a decade or perhaps for three decades is a great monstrosity. I trust, sir, that we shall not yield one single right that the minority now have in this House. The majority has the power to adopt appropriate methods for the consideration of any measure they may desire to pass. The present question relates simply to the matter of the suspension of the rules; and when the Committee on Rules comes here divided, when the gentleman from Pennsylvania [Mr. RANDALL], with a quarter of a century of service, and the distinguished gentleman from Texas [Mr. MILLS], chairman of the Committee on Ways and Means, feel that this measure is improper, I do not think I am in bad company or liable to be arraigned and convicted before the bar of public opinion because I am sustaining what is called this "one-man power" of obstructing legislation in this House.

There are many things which a minority may do here. The rights of the minority have been carefully preserved by those who have preceded us and by the wisest men of the land. There has never been a House, Democratic or Republican, that has not felt the wholesome influences of the minority, and which has not felt the influences of obstructive tactics.

We have legislation enough. What we need is correct legislation. Wherever a measure assumes great consequence, wherever it assumes a dangerous character, it is well somebody should obstruct it by preventing it being disposed of under a suspension of the rules. I am not to be restrained and members of the House are not to be restrained by suggestion of outrage in this connection from doing what becomes really a duty as well as a right.

Dispose of it for the balance of the session; temporary; whenever an emergency arises remove any rule in the way of the wish of the majority! Sir, I am opposed to any such expedient as that. Rules have been honored with a long life of approval by wise men. I do not want to, and will not under any suggestion as to the consideration of this or that measure, become excited and alarmed about the power exercised by a few gentlemen in this House under rules we have honored for a quarter of a century.

Mr. CRISP. Mr. Speaker, I desire to say a word on the question of consideration. I am prompted to this, not so much because I object to the resolution reported from the Committee on Rules as because I desire to enter my protest, feeble as it may be, against any temporary

change of the rules of the House for the accomplishment of a specific purpose, for the passage of any particular bill. My idea, sir, is that the rules of this House are made not only, as suggested by the gentleman from Maine [Mr. REED], for the orderly conduct of the public business, but there is a greater and higher object, and that is to protect the rights of the minority, to restrain, in the language of the old law-writers, the unbridled license of the majority, to give them time for reflection, so that when passion is allayed they may return to a sense of justice if they find they have departed from it.

You will find that every writer on parliamentary law lays down as the great object in the establishment of rules the protection of the rights of the minority. As my colleague has well said, a majority can always protect itself. We live in a government, sir, where, while it is a government, as the gentleman from Maine says, of a majority, yet there are limitations on the power of the majority. Neither in the Constitution of the United States nor in the constitution of any State has the majority the right to do what it pleases.

This is a proposition to change the rules. It is not so important in its effect upon the general business of the House whether this resolution be adopted or not. I object to it because it is designed to further the passage of some particular bill which some gentleman or number of gentlemen fancy the public demand.

I should like to have the attention of the Chair. As to the right to raise the question of consideration——

Mr. SPRINGER. If the gentleman will permit me, I would like to say a word before he goes to the question of consideration.

Mr. CRISP. I will yield to the gentleman in a moment.

Now, Mr. Speaker, under the rules of the House it is always in the power of a majority of the House to determine whether or not they will enter on the consideration of a question. The fact that it may be a question of privilege does not change the general rule that the majority can always determine whether or not they will consider a case or temporarily lay it aside. The only trouble I apprehend in the mind of the Speaker in this case is that, the House having already entered upon the consideration of the question, whether or not it is not now too late to raise the question of consideration.

The SPEAKER. The Chair will state to the gentleman from Georgia that that is not the principal difficulty in the mind of the Chair. The House had not only entered upon the consideration of the matter, but the previous question was demanded, and the yeas and nays were ordered by the House on that demand. The vote was actually being taken. Now the question in the mind of the Chair is whether when the vote is actually being taken it is not then too late to raise the question of consideration.

Mr. CRISP. Unquestionably, Mr. Speaker, during the same legislative day it would be too late. But it may be well enough in deciding this question to look a little to the matter of convenience, because the effect of a ruling must necessarily enter into the mind of the Speaker in deciding questions of parliamentary law which have not heretofore been decided. If it is too late at this stage of the case to raise the question of consideration, then the House finds itself in this position: That the gentleman from Maine alone, against the wishes of every other member of the House, may hold this resolution before the House to the exclusion of all other business.

Mr. SPRINGER. The House can dispose of it in a few minutes.

Mr. CRISP. But a majority may determine that they do not want to dispose of it. The same majority of which my friend speaks may decide that there are other matters to which they desire to address their attention. The fact that the gentleman from Maine stated that if there was an appropriation bill or any other matter of public importance pending in the House that he would withdraw this resolution shows——

Mr. REED. But I did not say that.

Mr. CRISP. I so understood you.

Mr. REED. Oh, no; I was providing, like my friend from Georgia, for my neighbors. I said the gentleman from Kansas could get out of the way in such event.

Mr. ANDERSON, of Kansas. "The gentleman from Kansas" is not obstructing the public business in any way.

Mr. CRISP. The effect of the rule invoked by the gentleman from Maine is just this: That if the House had entered upon the consideration of the question, the previous question having been demanded and the yeas and nays ordered, that the House must proceed to transact that business before any other business can be transacted. If then the House must vote upon this question before any other business can be taken up then, as I submit, one gentleman can absolutely obstruct from day to day the business of the House for an indefinite time by calling up that resolution. The response of the gentleman from Maine to this argument is that the House can easily get out of that dilemma by passing upon the question. But that is begging the question, because the House must always have the right to determine whether it wants to pass upon it or not.

I am aware of the fact that there have been decisions to the effect that when you have entered upon the consideration of a question it is too late to raise the question of consideration; but a new legislative day has intervened, and it seems to be only right and proper when the gentleman from Maine calls up a matter coming over from a previous day that any gentleman can raise the question of consideration, that is, will the House now proceed with the consideration of the question? and it should be and must be within the power of the majority of the House to determine whether they will then consider it or not.

I now yield to the gentleman from Illinois for his question.

Mr. SPRINGER. I desire to ask my friend from Georgia this question, whether he regards it one of the sacred rights of the minority to concede to any member of the House the privilege on the first and third Mondays of the month, when bills are introduced on the call of States, to introduce bills, not for the purpose of having them considered, because they can not be considered on that call, but merely for the purpose of having them read, to consume the whole time of the House up to the hour of adjournment, and thus prevent the House from reaching the consideration of any other order of business that is prescribed by the rules for that day? Does the gentleman think that is the right of the minority which ought to be preserved?

Mr. CRISP. The gentleman from Illinois asks me a question, and I can only answer for myself. I have never resorted to the practice to which the gentleman refers, and those gentlemen who have done so are responsible alone to their constituents and their own sense of right and wrong. They are in no sense responsible to the gentleman from Illinois or to his constituents.

Mr. SPRINGER. But I am responsible to my constituents.

Mr. CRISP. And if gentlemen here exercise the right given them by the rules or the practice of the House, they are responsible alone to their own people.

Mr. SPRINGER. But does the gentleman think that is a legislative right that every member of the House ought to have?

Mr. CRISP. That depends altogether upon the rules of the House. Under the rules of the House, existing as they do to-day, and, as I am informed, since the very first Congress met, it is the right of any member upon the introduction of a bill to have it read. It is the right of all members of the House to present bills which may be of vital importance to their constituents. You must not forget that the introduction of a bill is the exercise of a very important right of the people of this country.

Mr. SPRINGER. The gentleman from Georgia knows that the introduction of bills on Monday can not be for the purpose of consideration, but for reference only.

Mr. REED. Oh, I do not think the gentleman from Georgia is serious.

Mr. SPRINGER. And there would seem no necessity for occupying the time of the House in reading these bills.

Mr. CRISP. The gentleman is begging the question. This is a proposition to reduce the opportunities afforded to members to introduce bills. The gentleman from Illinois may say that they are not introduced for consideration, or he may say that you can introduce them by unanimous consent. That is true, but in such case the introducer of the bill is dependent upon the consent of all the members of the House, and must get it before he can exercise a right which is of importance to himself and to his constituents.

Mr. HEARD. Will the gentleman allow a question?

Mr. CRISP. Certainly.

Mr. HEARD. Will not your construction of the law permit one man, on the first call from the first State reached on the list, to consume all of the time of the session in the introduction of matters which he may require to have read?

Mr. SPRINGER. He may take up the time of the whole Congress.

Mr. HEARD. Yes, I will say consume the whole Congress in the introduction of such matters by requiring them to be read.

Mr. CRISP. But, Mr. Speaker, that is not the question.

Mr. HEARD. It is it exactly.

Mr. CRISP. It is not the question before the House. The gentleman assumes that members will do certain things because they may do so.

Mr. HEARD. They are doing it.

Mr. CRISP. The gentleman says they are doing it. I do not know about that. I am not aware that that has been done to any extent.

Mr. REED. Well, rather.

Mr. CRISP. I am aware of this fact, Mr. Speaker, that certain gentlemen on both sides of this House have certain measures which they wish to pass. I am aware of the fact that there is quite a number of gentlemen on both sides of this House who are opposed to these measures.

Mr. REED. And that some other members have pet measures which they want to call.

Mr. CRISP. Not at all.

Mr. REED. It is the same thing——

Mr. CRISP. This is the difference, Mr. Speaker, between doing something——

Mr. REED. To not permit a majority to pass a measure.

Mr. CRISP. The gentleman from Maine says that he believes that if there are 101 men on the floor of this House who favor a measure and 100 against it, that the 101 ought to have the right to do anything they please towards the passage of such bill.

Mr. EZRA B. TAYLOR. Why not?

Mr. CRISP. The objection to that is this: That the minority have certain rights which they can exercise under the Constitution of the United States. If in the exercise of these rights they obstruct the passage of a bill, who can complain?

Mr. REED. I suppose we can change the rules.

Mr. EZRA B. TAYLOR. Let me inquire of the gentleman from Georgia, what right have the minority but to discuss and submit?

Mr. CRISP. That kind of argument will not hold in a country where the written constitution is the supreme law. Under the Constitution of the United States one-fifth of those present have got the right to put on the Journals of the House the vote upon every question.

Mr. EZRA B. TAYLOR. Then what right has the majority if it can pass this measure?

Mr. CRISP. The majority has the right in the House, and under the rules of the House as they have existed from time immemorial——

Mr. REED. But the rules of the House have not existed from time immemorial.

Mr. CRISP. But the rule that allows a member frequent opportunities to introduce a bill, every week, perhaps, has existed for many years.

Mr. REED. But not from time immemorial.

Mr. CRISP. If the gentleman is frank he will state, or at least he will not deny, that the object of a change in the rules at this time is to permit the passage of certain bills under suspension of the rules.

Now, just a word or two more, for I have already said more than I had intended. The gentleman from Ohio [Mr. EZRA B. TAYLOR] and the gentleman from Maine [Mr. REED] will find we live in this country under written constitutions. These constitutions are made, not to protect the rights of majorities, but to protect the rights of minorities. They are to protect the life, liberty, and the property of the citizen—against what? Amongst other things, against the unbridled acts of majorities. The gentlemen will find on reading the Constitution of their country that a minority of only one-fifth of this body can cause to be put upon the record the vote of every member who votes on any question. They will find that it requires a majority of the whole House to pass any bill. If demanding the yeas and nays on any bill defeats its passage, who can complain? If refusal to vote by a minority defeats the passage of a bill, who can complain?

Mr. EZRA B. TAYLOR. Does the gentleman from Georgia think that in this House or any legislative body under the Constitution of the United States the minority should dictate to the majority?

Mr. CRISP. Oh, I submit to my friend that that is begging the question. I am replying to the proposition of the gentleman from Maine [Mr. REED], that a majority may do what it pleases and that a minority must gracefully submit. I submit, sir, that constitutions are made to protect minorities, that rules are made to protect minorities, and I say to the gentleman that in this country, country of majorities though it may be, we find this anomalous state of affairs, that the incoming President of the United States is elected by a minority of the people of the United States. [Applause on the Democratic side, and cries of "Oh, no!" on the Republican side.]

Mr. REED. And I suppose the State of the gentleman from Georgia and several other States at the South might have made the minority much more striking if they had seen fit. It is to their forbearance that the country is indebted for the minority being so small.

Mr. LANHAM. Mr. Speaker, I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. LANHAM. I desire to know whether this discussion as to the rights and powers of majorities and minorities is germane to the question now under consideration.

The SPEAKER. The gentleman from Georgia [Mr. CRISP] is replying to an argument made on the other side.

Mr. LANHAM. Extending even to the question of Presidential majorities and minorities.

The SPEAKER. The gentleman from Georgia seems to have referred to that merely as an illustration.

Mr. CRISP. Mr. Speaker, I have only a word or two more to say. I shall not undertake to follow the gentleman from Maine now, but I hope on an early occasion to have something to say upon the question which he has just raised here. The gentleman from Maine need not be disturbed about Georgia. I can assure him, and the other members of this House, and the people of this country, in the utmost sincerity, that in no State in the Union is the right accorded by the laws and by the people to all classes of voters to go to the ballot-box and deposit their ballots for the candidates of their choice more freely and fully than it is in Georgia.

Mr. EZRA B. TAYLOR. And for the minority to rule.

Mr. REED (to Mr. CRISP). You distinguish Georgia from the rest of the Southern States, then?

Mr. CRISP. I do not, sir.

Mr. REED. *Credat Judæus.*

Mr. CRISP. I do not distinguish Georgia from the other States, but I am one of those who try to talk of matters that I know something about. I know something about Georgia, and therefore I speak for Georgia. I am not one of those, who being two or three thousand miles away, presume to criticise a community in relation to matters of which they know nothing except what they read in a partisan press. [Applause on the Democratic side.] I do know Georgia, and therefore I undertake to speak for Georgia here.

Mr. SPRINGER. Mr. Speaker, I think there is some confusion here as to the rights of minorities and majorities. I think it ought to be understood what constitutes a minority. I hold that one man is not the minority which the Constitution contemplates.

Mr. EZRA B. TAYLOR. What is?

Mr. SPRINGER. The rule contended for here is that one man has the right to dictate all the legislation of this body, and this House has no right which one man is bound to respect.

Mr. RANDALL. Mr. Speaker, I do not feel it incumbent upon me to detain the House with a recital of the reasons which induced me to differ on this question from a majority of the Committee on Rules—a bare majority; but I rise to combat a thought which seems to have taken possession of some gentlemen here, that with the responsibility of the majority should be given the power to ride over the minority rough-shod. I assert that any one who will take the trouble to read the history of the enactment of the rules of this House from the First Congress down, will find that the governing principle in their formation has been that they should be made to protect the minority from any despotic power claimed for a majority. The majority can on all occasions take care of itself; and the theory of our form of government in its legislative relations provides for rules to prevent injustice to a minority.

Mr. SPRINGER. What constitutes a minority, in the gentleman's judgment?

Mr. RANDALL. The rules say what shall be the respective rights of a majority and what shall not.

I say here that I can well remember much wrong, in my judgment, which would have been done but for the obstruction allowed by the rules of the House, while on the other hand I do not recall ever having known any serious harm to come from the exercise of those rights which the rules have given to the minority. I state distinctly that upon this occasion and upon all occasions which may arise hereafter, I shall adhere, so far as I may be able, to that principle which guided our forefathers in the formation of the rules which have been handed down to us—the principle of protecting a minority in this House against the undue acts of an arbitrary and despotic majority. [Applause.]

Mr. SPRINGER. I desire to ask the gentleman from Pennsylvania [Mr. RANDALL] whether he thinks it is the right of a minority consisting of one man to say that no business shall by done in this House unless he agrees to it? Is that "the right of the minority?"

Mr. RANDALL. I answer the gentleman that I can imagine great hardships to come from the vicious or unwise purpose of a minority in that connection; but I say that I would not change the rules to meet any particular case of that kind, because I believe that such a change might do still greater harm by giving the majority the right to override the minority.

Mr. SPRINGER. Did not the gentleman himself favor in a former Congress a change of the rule which then made every Monday suspension day? The gentleman himself succeeded by the aid of the majority he represented in this House in limiting that right.

Mr. RANDALL. I did everything I could to make the rules so that the minority would have the power to prevent wrongful or unconstitutional legislation.

Mr. SPRINGER. If the gentleman has succeeded in making the rules so that one man can prevent anything being done here unless he wants it to be done—if that be the "right of a minority"—then I have but little respect for such a right.

Mr. RANDALL. What any individual member does under the rules he does on his own responsibility.

Mr. SPRINGER. But one member has no right to take the responsibility of dictating all the legislation of this great body.

Mr. REED. Mr. Speaker, I very much regret the course which this discussion has taken. There is an evident effort on the part of gentlemen opposed to certain measures to give a partisan aspect to this debate. I trust that anything which may be said may not influence in that view the minds of members, because the question now before us is in no sense a partisan question. It is a question of the orderly conduct of the business of the House.

Neither is there involved here any question of what may properly be called the rights of the minority. Minority rights in this country are guarded by a written Constitution. The rules of this House are not for the purpose of protecting the rights of the minority, but to promote the orderly conduct of the business of the House. They can have no other object. It is because in their application they have been perverted from the purpose for which such rules are intended that we have this great trouble to-day. The gentleman from Pennsylvania [Mr. RANDALL] undoubtedly thinks that the obstruction which the rules at present allow to be exercised operates only for the prevention of unwise or unconstitutional measures. But, sir, I have been here for twelve years, and during that time I have seen more honest measures killed by the operation of these rules than dishonest measures defeated.

A declaration that in order to prevent the passage of bills which are unconstitutional it is necessary to stop the whole business of the House of Representatives and deliver its work over to the hands of any noisy minority is a reflection upon the integrity of the members of this body. Representatives here, if they were allowed to act upon their responsibility, would give to the country better work than they do to-day. The present system consists in skillful maneuver by the assistance of a minority to kill bills which the wisdom of the majority of the House regards as suitable and proper. They are made for that purpose and they are used for that purpose, and it is the stronghold of the older members. They know what the rules are; they know how they can be used to murder bills the majority believe in, and they use that power mercilessly. It has been the history of the legislation of this country from the very inception until now that we have changed rules constantly if the old rules were found to impair the will of a deliberate and determined majority.

The sole object of making rules at all, I repeat, is to facilitate the orderly management of business, and if a rule is put in solely for the purpose of enabling one man or twenty men to obstruct the action of the majority, I say that is a violation not only of the Constitution of the United States, but of the principles of human liberty as expounded by our forefathers. No such doctrine as that stated by the gentleman from Pennsylvania [Mr. RANDALL] can be found in the pages of the Federalist. No such doctrine as that can be found in the writings of Thomas Jefferson. No such doctrine can be found in the writings of any believer in human liberty in this land. [Applause.]

Who are we? We are the representatives the people have chosen, because we are supposed at least to be honest, to be manly, to be straightforward, and here we are put under rules where a few can govern us, and we get into the habit of trying to dodge every question by the assistance of the rules of the House. [Laughter and applause.] If this is the courage-center of the United States—and I have not looked at it with much closeness—we know what we have. To-day there is not a man who listens to me who does not know the effect of the rules of the House on the members is to make them less manly and less courageous. [Applause.] Who does not know that a few men who understand the rules can block almost anything which the majority wants? Why, take the case in point. The great majority of this House, to the extent of two to one, desire to go on with the public business on suspension day. Under color and by the aid of a rule of this House certain members propose—for it would be unparliamentary to refer to what they have done after I have characterized it—certain members propose, by the introduction of bills in which they have no interest, simply to prolong the time and wipe out that day, and thereby stop two-thirds of this House from doing business. This is evidently so, because their very action in opposing the new rule shows they know the House is two to one in favor of the bills they oppose.

And yet the gentleman from Georgia [Mr. CRISP] and the gentleman from Pennsylvania [Mr. RANDALL] with this plain example in front of them, get up and talk about the rights of the minority. Why, right here is the tyranny of the minority. They have no rights in such a case as that. What right have they to stop the business of the people? Was there any tyranny ever greater than that, that one man should be allowed to do this? [Applause.]

And what is the remedy we propose? Simply for the rest of the session no bills shall be introduced on two Mondays in a month. All the other Mondays are open for the introduction of a thousand bills, not one of which can ever be reached for action. And the gentleman from Georgia [Mr. CRISP] seriously, and soberly, and without a smile, or a ghost of a smile on either corner of his mouth, talks about the deprivation of the right to present a bill which might deeply affect his constituents. If he has not got them all in, he never will. [Laughter and applause.]

Mr. SPRINGER. We have nearly twelve thousand bills in now.

Mr. REED. I should like to address myself now for a moment to the question before the House. [Great laughter.] The gentleman from Kansas [Mr. ANDERSON] has already stated what is the real point. He says he raises the question of consideration. It was not I who called this matter up. It came up automatically [laughter], and it would have come up before had it not been for the unanimous consent given to the transaction of the Nicaraguan business.

That unanimous consent having exhausted itself, this question comes up, and it comes up because we are executing the order of the House, which was to proceed with the yeas and nays. We had partly executed that order of the House and found there was no quorum, whereupon we adjourned; and the question comes now just where we left it on yesterday, and there can by no possibility be a question of consideration. The whole argument of the gentleman from Georgia upon that point is just as good an argument in favor of raising the question of consideration in the midst of debate upon a proposition as it is now. It is an argument of the same character. It is an argument from the inconvenience of the thing. But there is no real inconvenience. We can dispose of this question at once, as we can of any other question when it is before us, and then, after passing upon the question and disposing of it, we can go on with the business of the country.

Mr. CRISP. Will the gentleman yield to me for a question?

Mr. REED. Certainly.

Mr. CRISP. Suppose you enter upon the consideration, say of the river and harbor bill. The House resolves itself into Committee of the Whole, proceeds with the consideration for a time, the committee rises, the House adjourns, and another legislative day comes. I suppose the gentleman from Maine will admit that the question of consideration of that measure can be raised?

Mr. REED. Beyond all peradventure.

Mr. CRISP. If in that case, why not now?

Mr. REED. Because this presents a very different question. We are now executing an order of the House. In the case the gentleman cites no order had been made, and the House in his supposed case was not in the midst of yeas and nays. You can not raise a question of consideration in the middle of yeas and nays. You are trying to interpose your question of consideration after the order for the yeas and nays on the part of the House; and the gentleman must remember that it is a well-known parliamentary rule when the call of the roll has been commenced nothing can interrupt it. It can not even be interrupted by the arrival of the hour of 5 o'clock. The hour of adjournment does not stop it.

Mr. CRISP. But that is not the question. The gentleman is aware of the fact that under our rules the intervention of another legislative day interferes with many propositions that can not be interfered with except by such intervention.

Mr. REED. And this is one that can not be so interfered with.

Mr. CRISP. I think it can, and therefore I invoke the same rule in this case that applies to so many other similar cases.

Mr. REED. That is you undertake to invoke a rule and apply it to this case that is applicable solely to a different case.

Mr. CRISP. Not at all, but I do invoke that rule which on the arrival of another legislative day gives the House the right to say whether it will proceed with the consideration of a measure or whether it will not proceed with it. That is the sole question presented here.

Mr. REED. This is very different from the order of business to which the gentleman refers.

Mr. SPRINGER. And the limitation which the gentleman from Georgia makes in regard to the river and harbor bill is not applicable, because the river and harbor bill is in the Committee of the Whole, and can not be reached in the House at all, except by an order to go into Committee of the Whole.

Mr. COX. Mr. Speaker, I do not intend to discuss at length the question which has been raised on the part of the gentleman from Texas as to the consideration of these bills on the Private Calendar, but wish to refer briefly to the pending question. The resolution presented by the gentleman from Maine comes over as a matter of privilege from yesterday. It is before the House regularly, and what remains of the unfinished business of yesterday comes up and attaches to that proposition. The Speaker has rightly stated that the yeas and nays having been ordered on the demand for the previous question, that was the unfinished business; and the House was about to go on with that call when the gentleman from Texas intervened with the question of consideration as to business upon the Private Calendar. I presume that the Speaker will decide that question properly in the interest of the orderly transaction of the business of the House, which is, of course, the business of the country.

We have debated, somewhat irrelevantly perhaps, and with some little apprehension of the future, what is to be the result of the change in the rules proposed by this resolution, and as to how minorities, not simply now, but possibly in the next Congress, may fare under action similar to that of to-day. I will not go into that question now. All I propose to discuss is the question with reference to that condition of our rules. As they now exist and as proposed to be amended by this resolution, they permit one member, and that is one of the special grievances complained of here, to interpose an obstacle to the transaction of the public business on certain days in the month, by having bills read until the hour for adjournment shall come, and thus prevent the transaction of the other business prescribed by the rules for those days. The question here presented involves the rights of majorities and minorities somewhat, as we have been told in this debate, although I must confess I can not see the relevancy of the question as thus far presented; for, according to my idea of our system of public policy here with regard to legislative enactments, a system adopted at the very formation of the Government, the minority and the majority are one. By our theory if not our practice, and, thank God, it is the most shining of all the jewels in our crown of sovereignty, we have the acquiescence of the minority in the will of the majority on all occasions; so that even if the minority be an imposing factor, yet when the vote is taken here under the rules of the House, there is no majority or minority as distinctive elements of the legislative will, but there is unanimity in the political order, the minority bowing to the will of the majority, and the vote becomes unanimous.

Mr. EZRA B. TAYLOR. Will the gentleman permit me to ask, when the minority prevent a vote from being taken, what then is the condition?

Mr. COX. If it does prevent it, it is, I suppose, a privilege accorded under the Constitution. Oh, yes! It is one of the limitations——

Mr. EZRA B. TAYLOR. Pardon me a moment just there. Is the gentleman quite sure that is in the Constitution or in the rules?

Mr. COX. Well, if it is not it ought to be. I will take occasion to read it up again some time. [Laughter.]

Now, we have a great deal of talk here in relation to the rights of the minority. I never saw, and I have been here some time, any special advantage, except on three or four great occasions, where public or personal liberty was at stake, when this obstructive filibustering policy brought any good.

But we have generally seen that the men who have inaugurated these filibusters are the first men to retreat and retrace their steps. I believe in facilitating business, the business that we come here for; and although I do not know as I am now instructed whether I will vote for the Oklahoma bill and the bill of the gentleman from Ohio, and I may not vote for these bills, there are other bills pending, matters involving other interests besides these, which demand that we get rid of the bill or bills or the rule which prevents the proper consideration of measures which we must consider. Now, the minority come up and say, "We must be protected against the majority riding rough-shod over us," to use the language of my friend from Pennsylvania. Gentlemen behind me say, "We must protect the minority from undue embarrassment on the part of the majority." Now, who is to decide what is undue legislation?

Mr. REED. These three or four gentlemen who are interposing.

Mr. COX. I do not know how many there are; but when the minority have once spoken under the rules their duty is only to secure a proper record of their vote. Now, as it is laid down here in the history of our rules and the rules drawn from English parliamentary practice, I never saw it held that a minority were to be protected from a majority except in pursuance of the rules of the House. There is such a limitation. Whenever, by the caprice of a bad Speaker, or by the capriciousness of members, our rules are broken, then, and then only, can this power be invoked; but not in pursuance of the rules. When the rules are pursued the minority are supposed to be safe.

Now, what is the proposition here? Why, to change the rules; not to break them. To make them conform to an orderly expedition of business, and to do that we have to break up one of the worst abuses which I have ever seen in connection with parliamentary life; and that is this puerile, small, little, uneducated idea of trundling up to the Clerk's desk a great big bill or bills to be read on Monday. This calls for no intellectual force [laughter and applause]; not as much intellect as it would require for a prize fighter. [Renewed laughter.] They send the largest bills up here to be read, and call that statesmanship [laughter], and deliberation, and carrying on the business of the country. [Renewed laughter.]

I am glad that the Speaker and gentlemen here, irrespective of party, come here and say we will break down that abuse and make the rule conform with what is good order and a business proceeding; and then there is no minority which will not be protected. The majority will be held responsible to the people. By our theory of representative government the minority and the majority become one, even as the thought of God is one. [Applause.]

Mr. ANDERSON, of Kansas. I would like to call the attention of the Chair to what I think is a precedent for this case——

Mr. CRISP. Will the gentleman from Kansas permit me to call the attention of the Chair to a matter on which I think there has been a decision of the Chair? On page 95 of the Calendar I find this statement:

A bill to provide for the issue of circulating notes to national-banking associations. January 12, considered. Yeas and nays ordered on previous question on the engrossment and third reading. January 31, continued to February 14.

I am informed that the gentleman in charge of the measure has repeatedly attempted to call it up. The question of consideration was raised, and the Chair held that it might be, notwithstanding the previous question had been ordered.

The SPEAKER. That bill came up in the hour for the consideration of bills, and the hour being consumed it became unfinished business.

Mr. CRISP. There has been a ruling——

Mr. REED. The gentleman from Georgia seems to transgress his rules.

Mr. CRISP. It has been frequently held that the question of consideration might be raised against a privileged motion. That being so, the fact that the pending resolution is privileged cuts no figure, and the question before the House seems to be on all fours with that heretofore decided by the Speaker.

Mr. ANDERSON, of Kansas. Mr. Speaker, that is the case to which I was about to refer as one which has been ruled upon. The facts in it were the same as in the one pending. The demand for the previous question had been made, the yeas and nays were called, a quorum was not developed, and the House adjourned. On subsequent days the question of consideration was repeatedly raised, and held to be competent, by the Chair, as I remember. If so, it seems to me that ruling would be an exact precedent for this case; because it does not matter whether that bill came up on a motion to suspend the rules or whether it came over from the morning hour as unfinished business. The question is not how it got before the House, but what was its attitude when before the House, the yeas and nays having been called upon the demand for the previous question.

Now, Mr. Speaker, I would like to say a word or two in regard to this general question. This is a government by the majority, but it is not a government by majorities exclusively. It is a government of majorities and minorities; of a majority under check of a minority; not of a majority unchecked, but of a majority as checked by the minority under constitutional or parliamentary provisions.

The amendment to the rules proposed by the gentleman from Maine [Mr. REED] is this, that on a given day, namely, suspension day, a day which is an anomaly in all parliamentary proceedings, a day which performs the capital operation upon all rules, suspends them all——

Mr. HEARD. Will the gentleman yield for a question?

Mr. ANDERSON, of Kansas. Not now, please. I say, Mr. Speaker, that on the Mondays to which this resolution applies the House acts under anomalous and extraordinary rules, namely, that the previous question at once be ordered on the measure proposed by a member; in other words, the motion to suspend the rules is an ordering of the previous question. The right is given to the minority to make simply one motion, a motion to adjourn; but they have no right to move an amendment to the measure, and they are limited to fifteen minutes' discussion. On that day you lay aside common procedure and privileges and suspend all the rules; you do not allow a bill to go into the Committee of the Whole under five minute debate and amendment, or to be carefully discussed and perfected; not at all. You suspend all that, and you at once bring the minority to vote upon a measure involving, as in the Pacific railroad bill, $60,000,000, with only fifteen minutes' discussion, or at the rate of $4,000,000 to the minute, and without the power to amend. That is what suspension day means.

Now it is proposed that on this day, when the ordinary rights of the minority have been thus obliterated, when a minority is so restricted that it can not discuss a question fairly and fully, and can not even move to amend, it shall be still further deprived of what small ability remains to it under the call of States to impose some check upon the majority. My observation has been that when the minority are permitted discussion, when gentlemen are permitted to offer amendments and to support them, then in due time there is but little disposition to filibuster. If the pending proposition applied to all the proceedings of the House on all days I should not object, but it applies to suspension day. I regard the whole system of suspending the rules on that day as an infamous parliamentary outrage, and the proposed destruction of the rights of a minority on that day as inexcusable and dangerous. Therefore, under these circumstances, I shall certainly claim the right as one man to do just what any other man can do here, namely, make a motion or demand the enforcement of any rule.

Gentlemen talk about a "majority," and about the power of "one man" to stand in the way of a majority. Can more than one man make a motion at the same time? The majority does not submit it; only one individual. Not till action is taken can the matter of majority or minority be developed. When the gentleman from Pennsylvania [Mr. BAYNE] or any other one member makes a motion to pass an appropriation bill he is only exercising a right which I equally possess and claim for myself as one man, namely, the right to make a motion. I have that right under the rules. It is inherent in the office I hold, and in no wise dependent upon the will of other gentlemen; and to say that I am to be deprived of that right because numbers of other gentlemen may feel that I am unwise in exercising it is upon the part of those gentlemen not only to arrogate to themselves all the wisdom they have but to attempt also to take against my will the small part that I have. Now, while my wisdom does not amount to much, I want it understood that it is mine; it is for me, and not for them, to determine when and how I shall avail myself of the rules, and I want it distinctly understood that I will exercise that right precisely as I please, more especially when you attempt to gag a minority on suspension day.

Look for a moment at another anomaly and hardship of that day. The measures then considered do not come up on the Calendar or by the direction of the House. The very function of the Speaker enables him by a choice in recognizing members to say what bills shall be considered and what shall not be considered. And all that I have to say on this subject applies simply to the office and not to the present occupant of the office, because I have the highest regard for the gentleman in the chair [Mr. CARLISLE].

But here you have, on suspension day, this function exercised by the Speaker, a right given to one man—a "one-man" power—to call up any measure he designates; it may involve a hundred million dollars, it may involve seats in the House, it may involve the gravest and most important legislation. Now, to say that you will wipe out the limitations which at present characterize suspension day, and will further destroy the few rights which the minority still have under our rules is, it seems to me, going too far. If one man in the chair can exercise that power under the rules, then one man on the floor may equally exercise such power as the rules grant him. And while it requires no great statesmanship to introduce a bill or to call for the reading of it, nor to vote ay or no, yet it does sometimes require some statesmanship and some

courage to fight bad measures, even in this way, and when we are confronted with picked measures, which are, in my judgment, detrimental to the interest of the people, I propose to fight them, even though I have to resort to the reading of a bill or to the simplest parliamentary methods.

We are not mere babes here. We all look a little bit ahead. And all of us very well know what lies beyond this proposed amendment. This resolution carries much more than appears on its face. It means the passage of at least one enormous bill and its passage, how? After discussion? No. Under the right to amend? No. But simply under fifteen minutes' debate, and then a compulsory vote of yea or nay. It is easy to swim with the current, to go with the majority and talk loftily about the wisdom of the majority, but that clothes no man with the right to criticise a minority or take away its parliamentary power. I have the same right to be in a minority that another gentleman has to be with the majority. And I protest vigorously against any increase of the present autocratic power of the majority on suspension day, or any further destruction of the ability of a minority to apply checks and brakes on that day.

Mr. BARNES. Mr. Speaker, I do not propose to indulge in debate on the parliamentary features of the question now under consideration, but I feel it due to myself to make one or two remarks in reply to observations which have fallen from gentlemen criticising the conduct of those members who have sought to avail themselves of their rights under the rules of the House. The rules of this House, Mr. Speaker, adopted for the orderly conduct of business, are weapons of offense as well as defense, and for one I do not intend to be driven from a proper resort to them—and by "proper resort" I mean resort which commends itself to my judgment, not to the judgment of others, as proper—whether I use them on the offensive or on the defensive side of any question.

I am responsible to my constituents alone for my conduct, and however puerile it may be in the estimation of some gentlemen who appear to set themselves up as special critics of the conduct of others, I do not intend to surrender this right. I shall bow to the rules of this House with all due respect so long as they subsist in their present form; when they are changed I shall bow respectfully to the change. But while the rules now existing continue in force I shall avail myself of my right as a member of this House, whether these gentleman regard the method exercised under the rules as an intellectual performance or not, to make use of such method whenever I see fit. I shall exercise this right regardless of criticism, manfully and openly, either for the purpose of opposing or promoting any measure I may deem it right either to oppose or promote, and more especially whenever I see fit to do so in the defeat of legislation which I believe to be unjust, iniquitous, and unholy.

Mr. EZRA B. TAYLOR. For what I shall say, Mr. Speaker, I alone am responsible. I have been informed that what I am about to say will not meet with the approbation of some of my particular friends. But I wish to call to mind this fact, that we have been in session now some weeks and nothing has been accomplished. Why? Because some few men have taken advantage of the rules (I make no objection to that) and have prevented any legislative action.

Now, regardless of the question immediately before us, and hardly knowing how far it may go, I have a word or two to say in the expression of convictions in which I have been very earnest in years past and shall be in the years to come.

I should like to know—I should like to have somebody tell me—what it is in this body but our representation of the people at home that gives us any power at all; and if this representation of the people at home is to be defeated by one man or two, then what is there in legislation that is worth contending about? Any man who has looked at the history of this country, or dreams of knowing anything about what a representative government is, must understand that a minority has no rights at all except the right to discuss, the right to protest, and the right to vote, while the majority has the right to decide. If anybody can tell me any other rule than this, I shall be glad to know what it is. I have stood here day by day anxious to learn what our laws were to be; and I have found out, Mr. Speaker, that we have no laws unless four or five men who do not know any more than I—four or five men of similar capacities to my own—say that it shall be so. I protest against this; and from this time on I have no mercy for it and no mercy for them.

Mr. Speaker, will some of these gentlemen—the gentleman from Georgia, or the gentleman from Pennsylvania, tell me what, in a representative body, a minority right is? I do not mean that anybody will turn his ears away from any suggestion or argument which may be submitted by a minority; but can any one tell me what a minority right is as defined by law—as a lawyer or a student of the Constitution would learn it?

Now, Mr. Speaker, in contending for the rights of a majority, I do not mean to speak of a party majority; I am very far from suggesting that; I mean the majority in favor of any bill—not a party majority. Why should not such a majority pass the bill and be responsible for it?

Mr. GROSVENOR. The question here is for the decision of the Speaker of the House. With the fact of the passage of bills you, sir, have nothing whatever to do. It is a singular argument to my mind in discussing a naked question of law, a question as abstract in its consequences as any other question of law, gentlemen should undertake to point out its effect on the legislation of the country.

There were two questions presented here in the beginning of this debate. The first was, does the character of a privileged question adhere to this resolution to-day? and if it does, the next question is, what is the present status of the matter? I do not wish to discuss the first subdivision of the question. The Chair has already decided it. I say in deciding the first question the Chair has virtually decided both questions. In other words, having arrived at the conclusion the Chair has already announced, that its character of privilege adheres to this resolution and is projected over into the next day or any other day whenever the manager of it sees fit to call it up, he has, in my judgment, decided against this point of order.

This resolution comes here, therefore, in what condition? What is its status after it is called up? I say it is here exactly in the condition in which it was when the hammer fell on the adjournment of the House yesterday. What can you take away from it? What element of its status can be stripped away by the adjournment of the House? If you take away from it the fact the previous question had been demanded and the yeas and nays had been demanded and called and the House was simply engaged in procuring a quorum, you may as well take away the fact that a bill was ordered to a third reading, and read the third time, and go along its pathway and undo the legislative steps which have already been taken.

Now, my point is that the Chair having decided, and having decided properly, this resolution is here as a privileged question, called up as a matter of privilege, it comes up in exactly the same condition in which it was laid down; and if that is true, then the question of consideration can not be raised against it.

The SPEAKER. So far as the Chair is advised this is entirely a new question. The general rule of the House is that the question of consideration can be raised against any proposition when reached on the Calendar or called up, even though a privileged measure.

In the present instance the question is this: This resolution was reported from the Committee on Rules yesterday as a matter of privilege and its consideration entered upon. The previous question was demanded by a member and the yeas and nays ordered by the House, and the vote was actually being taken; in fact, according to the recollection of the Chair, two or three efforts were made to take a vote and secure a quorum, but they failed. Now, when the matter is called up again to-day, still being a matter of privilege under the rules of the House, the gentleman from Kansas [Mr. ANDERSON] raises the question of consideration against it; and the Chair rules, though he announces this decision with some hesitation and some doubt, that under the circumstances the question of consideration can not be made against it.

Mr. REED. Let us have the regular order.

The SPEAKER. The question is on seconding the demand for the previous question.

The question was taken; and there were—yeas 106, nays 21, not voting 196; as follows:

YEAS—106.

Allen, Mass.	Farquhar,	Lodge,	Rowell,
Allen, Mich.	Felton,	Long,	Russell, Mass.
Atkinson,	Ford,	Macdonald,	Scull,
Baker, N. Y.	French,	Maish,	Smith,
Bayne,	Funston,	Mansur,	Sowden,
Blanchard,	Gear,	Mason,	Spooner,
Boothman,	Grosvenor,	McCreary,	Springer,
Breckinridge, Ky.	Grout,	McCullogh,	Stahlnecker,
Brewer,	Hayden,	McKenna,	Steele,
Brower,	Heard,	McKinley,	Stockdale,
Browne, T. H. B., Va.	Hermann,	Merriman,	Stone, Ky.
Browne, Ind.	Hiestand,	Morrow,	Struble,
Brown, Ohio	Hires,	Oates,	Taylor, E. B., Ohio
Buchanan,	Hitt,	O'Donnell,	Taylor, J. D., Ohio
Burrows,	Holmes,	O'Neill, Pa.	Townshend,
Butterworth,	Hopkins, Va.	Osborne,	Vance,
Campbell, T. J., N. Y.	Hopkins, N. Y.	Outhwaite,	Vandever,
Cannon,	Houk,	Patton,	Wade,
Cogswell,	Howard,	Payson,	Walker,
Conger,	Jackson,	Peel,	Weaver,
Cox,	Johnston, Ind.	Perkins,	West,
Crouse,	Kean,	Peters,	Wheeler,
Cutcheon,	Kennedy,	Phelps,	White, N. Y.
Darlington,	Kerr,	Plumb,	Woodburn,
Davenport,	La Follette,	Post,	Yoder.
Davis,	Laidlaw,	Reed,	
Dockery,	Landes,	Rice,	

NAYS—21.

Abbott,	Davidson, Fla.	Lehlbach,	Sayers,
Adams,	Glass,	Lind,	Shively,
Anderson, Ill.	Hare,	McComas,	Turner, Ga.
Baker, Ill.	Haugen,	Newton,	
Chipman,	Lanham,	Penington,	
Cobb,	Latham,	Rayner,	

NOT VOTING—196.

Allen, Miss.	Arnold,	Barry,	Bland,
Anderson, Iowa	Bacon,	Belden,	Bliss,
Anderson, Miss.	Bankhead,	Biggs,	Blount,
Anderson, Kans.	Barnes,	Bingham,	Bound,

Boutelle,	Enloe,	Lane,	Russell, Conn.
Bowden,	Ermentrout,	Lawler,	Rusk,
Bowen,	Finley,	Lee,	Ryan,
Breckinridge, Ark.	Fisher,	Lyman,	Sawyer,
Brown, J. R., Va.	Fitch,	Lynch,	Scott,
Brumm,	Flood,	Maffett,	Seney,
Bryce,	Foran,	Mahoney,	Seymour,
Buckalew,	Forney,	Martin,	Shaw,
Bunnell,	Fuller,	Matson,	Sherman,
Burnes,	Gaines,	McAdoo,	Simmons,
Burnett,	Gallinger,	McClammy,	Snyder,
Butler,	Gay,	McCormick,	Spinola,
Bynum,	Gest,	McKinney,	Stephenson,
Campbell, F., N. Y.	Gibson,	McMillin,	Stewart, Tex.
Campbell, Ohio	Glover,	McRae,	Stewart, Ga.
Candler,	Goff,	McShane,	Stewart, Vt.
Carlton,	Granger,	Milliken,	Stone, Mo.
Caruth,	Greenman,	Mills,	Symes,
Caswell,	Grimes,	Moffitt,	Tarsney,
Catchings,	Guenther,	Montgomery,	Taulbee,
Cheadle,	Hall,	Moore,	Thomas, Ky.
Clardy,	Harmer,	Morgan,	Thomas, Ill.
Clark,	Hatch,	Morrill,	Thomas, Wis.
Clements,	Hayes,	Morse,	Thompson, Ohio
Cockran,	Hemphill,	Neal,	Thompson, Cal.
Collins,	Henderson, Iowa	Nelson,	Tillman,
Compton,	Henderson, N. C.	Nichols,	Tracey,
Cooper,	Henderson, Ill.	Norwood,	Turner, Kans.
Cothran,	Herbert,	Nutting,	Warner,
Cowles,	Hogg,	O'Ferrall,	Washington,
Crain,	Holman,	O'Neall, Ind.	Weber,
Crisp,	Hooker,	O'Neill, Mo.	White, Ind.
Culberson,	Hopkins, Ill.	Owen,	Whiting, Mich.
Cummings,	Hovey,	Parker,	Whiting, Mass.
Dalzell,	Hudd,	Perry,	Whitthorne,
Dargan,	Hunter,	Phelan,	Wickham,
Davidson, Ala.	Hutton,	Pidcock,	Wilber,
De Lano,	Johnston, N. C.	Pugsley,	Wilkins,
Dibble,	Jones,	Randall,	Wilkinson,
Dingley,	Kelley,	Richardson,	Williams,
Dorsey,	Ketcham,	Robertson,	Wilson, Minn.
Dougherty,	Kilgore,	Rockwell,	Wilson, W. Va.
Dunham,	Laffoon,	Rogers,	Wise,
Dunn,	Lagan,	Romeis,	Yardley,
Elliott,	Laird,	Rowland,	Yost.

No quorum voted.

During the roll-call, on motion of Mr. WHEELER, by unanimous consent, the reading of the names was dispensed with.

The following additional pairs were announced:

Mr. WILKINS with Mr. HARMER, for the rest of the day.

Mr. PIDCOCK with Mr. KETCHAM, for the rest of the day.

Mr. DOCKERY. Pending the announcement of the vote, I desire to ask that my colleague, Mr. O'NEILL, be granted indefinite leave of absence on account of sickness.

There was no objection.

The result of the vote was then announced as above recorded.

The SPEAKER *pro tempore* (Mr. CRISP in the chair). No quorum has voted.

Mr. REED. I move a call of the House.

Mr. WILKINS. Pending that, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 7 minutes p. m.) the House adjourned.

PRIVATE BILLS AND JOINT RESOLUTION INTRODUCED AND REFERRED.

Under the rule private bills and a joint resolution of the following titles were introduced and referred as indicated below:

By Mr. CRAIN: A joint resolution (H. Res. 245) directing the Secretary of War to appoint a board of engineers to select the most eligible point on the coast of Texas where a safe deep-water harbor can be secured and maintained in the shortest time and at the least cost—to the Committee on Rivers and Harbors.

By Mr. BLANCHARD: A bill (H. R. 11958) for the relief of Mary E. Jones and Fanny Burgess—to the Committee on War Claims.

By Mr. BLISS: A bill (H. R. 11959) granting an increase of pension to Abraham Dally—to the Committee on Pensions.

By Mr. C. R. BRECKINRIDGE: A bill (H. R. 11960) to authorize the construction of a bridge across the White River at or near Aberdeen, Prairie County, Arkansas—to the Committee on Commerce.

By Mr. J. E. CAMPBELL: A bill (H. R. 11961) for the relief of William B. Burnet—to the Committee on the Judiciary.

By Mr. COX: A bill (H. R. 11962) for the relief of William Karger—to the Committee on Invalid Pensions.

By Mr. DAVENPORT: A bill (H. R. 11963) for the relief of Sarah A. Walker—to the Committee on Invalid Pensions.

By Mr. ENLOE: A bill (H. R. 11964) for the relief of L. T. Williamson—to the Committee on War Claims.

By Mr. JOSEPH: A bill (H. R. 11966) for the relief of Edward D. Loshley—to the Committee on Invalid Pensions.

By Mr. LANE: A bill (H. R. 11967) granting a pension to William V. Cronk—to the Committee on Invalid Pensions.

By Mr. OWEN: A bill (H. R. 11968) to increase the pension of James Chambers—to the Committee on Invalid Pensions.

By Mr. STONE, of Kentucky: A bill (H. R. 11969) for the relief of the heirs of A. G. and B. P. Lee—to the Committee on War Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. CROUSE: Petition of Michael Marchelroad, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. FORNEY: Petition of Elisha P. Minshaw and of Daniel H. Wilson, of Cherokee County, and of Thomas Caldwell, of De Kalb County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. GIFFORD: Memorial of the board of county commissioners of Grand Forks County, Dakota, for amendment of the act of July 30, 1886, restricting special legislation in the Territories—to the Committee on the Territories.

By Mr. HOLMAN: Petition of Robert P. Porter, late first lieutenant Company A, Third Regiment Indiana Volunteer Cavalry, for correction of record of service—to the Committee on Military Affairs.

By Mr. NEWTON: Petition of P. C. Berry, heir of J. M. Berry, of Richland Parish, Louisiana, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. O'FERRALL: Papers in the case of Joseph Grantham, of Clark County, Virginia—to the Committee on War Claims.

By Mr. CHARLES O'NEILL: Memorial of the Philadelphia Board of Trade, for an appropriation for the construction of houses at Point Barrow, Alaska, and East Cape, Siberia, for the protection of those engaged in the whale fisheries, and for repairs to the steamers Bear and Thetis—to the Committee on Commerce.

By Mr. O'FERRALL: Petition of Joseph Grantham, of Clarke County, Virginia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. ROBERTSON: Petition of Palina Vignes, of St. Landry Parish, Louisiana, for reference of her claim to the Court of Claims—to the Committee on War Claims.

The following petitions against the passage of the international copyright bill were received, and severally referred to the Committee on Patents:

By Mr. ABBOTT: Of William A. Fields, of Hillsborough, and of W. A. Garner and Philip H. Hale, of Fort Worth, Tex.

By Mr. BURROWS: Of J. J. Goodenow, of White Pigeon, Mich.

By Mr. DAVENPORT: Of Brussey Biven, of Phelps, N. Y.

By Mr. R. H. M. DAVIDSON: Of C. B. Pendleton and of Frank H. Stout, of Florida.

By Mr. ERMENTROUT: Of Charles F. Heller and others, of Reading, Pa.

By Mr. FITCH: Of printers and others, of New York and Brooklyn.

By Mr. FULLER: Of E. M. Ricker, of Riceville, Iowa.

By Mr. GROUT: Of Brush & Brown, of Cambridge, Vt.

By Mr. MERRIMAN: Of printers and others, of New York and Brooklyn.

By Mr. SPINOLA: Of printers and others, of New York and Brooklyn.

By Mr. STRUBLE: Of W. H. Wonder, of Whiting; and of A. C. Satterlee, of Hall, Iowa.

SENATE.

SATURDAY, *January* 5, 1889.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

JOSEPH E. BROWN, a Senator from the State of Georgia, appeared in his seat to-day.

The Journal of yesterday's proceedings was read and approved.

ANDREW M'DONOUGH.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of December 19, 1888, a report of the Adjutant-General of the Army in regard to the date of enlistment and discharge of Andrew McDonough, late a soldier in a New York regiment in the Mexican war; which, with the accompanying report, was referred to the Committee on Military Affairs, and ordered to be printed.

REPORT OF JOSEPH NEUMANN.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Commissioner of Agriculture, transmitting, in pursuance of the act of Congress of July 18, 1888, making appropriations for the Agricultural Department, and for other purposes, a report by Professor Joseph Neumann, of San Francisco, Cal., upon the results of his study of and experiments with the wild native silk-worm of California; which, with the accompanying report, was referred to the Committee on Appropriations, and ordered to be printed.

DETROIT RIVER AND ST. CLAIR FLATS.

Mr. CULLOM. A communication was sent to the Senate in answer to a resolution of the body some time ago from the Secretary of War,

which was referred to the Committee on Commerce, without printing. It is a pretty important document, and I ask leave to have it printed.

The PRESIDENT *pro tempore*. If the Senator will indicate the document, the order to print will be made.

Mr. CULLOM. It is a communication from the Secretary of War in relation to the St. Clair Flats, in answer to a resolution which I myself introduced.

The PRESIDENT *pro tempore*. The communication will be printed, if there be no objection. The Chair hears none.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of the common council of Seattle, Wash., praying for the admission of Washington Territory as a State; which was referred to the Committee on Territories.

OFFICE OF SUPERVISING ARCHITECT.

Mr. PADDOCK. From the Committee to Audit and Control the Contingent Expenses of the Senate I report favorably the resolution offered by the Senator from Vermont [Mr. MORRILL], from the Committee on Public Buildings and Grounds, in regard to the employment of a stenographer, and I ask for its present consideration.

The resolution was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Public Buildings and Grounds be, and are hereby, authorized to employ a stenographer under the resolution of the Senate of December 20, 1888, the expenses of the same to be paid out of the contingent fund of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the bill (S. 1305) to incorporate the Maritime Ship-Canal Company of Nicaragua with amendments, in which it requested the concurrence of the Senate.

BILLS INTRODUCED.

Mr. PLUMB introduced a bill (S. 3770) for the relief of Daniel W. Boutwell; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 3771) for the relief of John Wagner; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 3772) granting a pension to William Watkins; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. STEWART introduced a bill (S. 3773) to reconvey certain lands to the county of Ormsby, State of Nevada; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

VENEZUELAN AWARDS.

Mr. EDMUNDS. I offer two resolutions, parts of one series, really one resolution, and I ask for their present consideration.

The resolutions were considered by unanimous consent, and agreed to, as follows:

Resolved, That the President of the United States be, and he is hereby, requested to communicate to the Senate, if not in his judgment incompatible with the public interest, any correspondence between the Government of the United States and the Government of Venezuela, or between the Secretary of State and owners of Venezuelan certificates of award or their attorneys in regard to the exchange of ratifications of the claims convention of December 3, 1885, between the United States and Venezuela, since the message of the President of the United States to the Senate of April 25, 1888.

Resolved, That the President be, and he is hereby, requested, if in his opinion not incompatible with the public interest, to inform the Senate what steps, if any, have been taken by the Government of the United States to collect the monthly quotas of the customs receipts due to the United States under Venezuelan law on account of the Caracas awards, or to ascertain what disposition of the said monthly quotas has been made by the Venezuelan Government since the passage of the joint resolution of March 3, 1883, requesting the President of the United States to open negotiations with Venezuela for a review of the said awards.

MINING OPERATIONS IN NEVADA.

Mr. STEWART. I offer the following resolution and ask for its present consideration:

Resolved, That the Committee on Mines and Mining be instructed to inquire if any interruptions in mining or obstruction of mining operations have occurred in the State of Nevada on account of prosecutions recommended by the Commissioner of the General Land Office and instituted in the name of the United States; and if so, to ascertain all the facts and circumstances connected with such prosecutions; and for that purpose said committee shall have power to send for persons and papers and administer oaths, and report by bill or otherwise.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. PLUMB. I think the resolution had better lie over until to-morrow.

Mr. EDMUNDS. Let it be printed.

The PRESIDENT *pro tempore*. The resolution will lie over under the rules, and be printed.

INTEROCEANIC CANALS.

The PRESIDENT *pro tempore*. Is there further morning business? If there be none, the Calendar under Rule VIII is in order.

Mr. SHERMAN. In pursuance of the notice I gave yesterday, I move that the Senate proceed to the consideration of the joint resolution (S. R. 122) declaring the sense of Congress in respect of the connection of European governments with interoceanic canals at the Isthmus of Darien and in Central America.

The PRESIDENT *pro tempore*. The question is on the motion to proceed to the consideration of the joint resolution.

Mr. SAULSBURY. Let it be read at length.

The PRESIDENT *pro tempore*. The joint resolution will be read at length for information.

The Chief Clerk read the joint resolution.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Ohio to proceed to the consideration of the joint resolution.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. SHERMAN. I do not desire, unless some Senator wishes me to do so, to say anything in regard to this matter.

This joint resolution is a statement of a line of public policy adopted by the United States nearly seventy years ago. It has been announced in a more or less formal manner by almost every President of the United States since that time in the annual messages to Congress. It has always been sanctioned in various ways by Congress. It is the simplest declaration of public policy, that the Government will not view with satisfaction the establishment by any foreign government of the control over the construction of any canal across the Isthmus of Panama or in Central America.

The declaration is in a very moderate and simple form. I think the joint resolution ought to be agreed to unanimously by every member of both Houses of Congress, and I have no doubt it will receive the approbation of the President of the United States.

To discuss the subject at length would be very interesting, but we should have to go into a long and elaborate history, and I have not deemed it necessary to do so on this occasion.

Mr. VOORHEES. I wish to ask the Senator from Ohio as chairman of the Committee on Foreign Relations whether there are any special reasons at this time for the reassertion of this principle? I shall vote for the resolution; I think it is right; but I do not know of any special call in the conduct of foreign governments for it. If the Senator does I should be glad to know it.

Mr. SHERMAN. I will state the occasion that gave rise to the introduction of the joint resolution.

Undoubtedly the Panama Canal scheme is laboring under very great embarrassments. It has recently, in a measure, failed or suspended, and the authorities of France have provided for its suspension. A great many French people as well as Americans and Englishmen and people of other countries are interested in the building of the Panama Canal under a local charter. The Government of France has hitherto always disclaimed any connection with the enterprise as a government, but it has been conducted by the private management of De Lesseps and others under a Central American company. However, recently, on account of the failure of De Lesseps and the necessity of large sums of money being raised, it has been proposed by a friendly power, the Government of France, that it should itself assume the construction of this canal or undertake some control or ownership or jurisdiction over it, or exercise some power which is inconsistent with the established doctrine of the American Government.

We thought that under those circumstances it was but an act of friendly caution to express the opinion so often expressed in this country that the Government of the United States would not look with satisfaction upon the exercise of any such power. To use the language of the resolution, for it is very simple—

That the Government of the United States will look with serious concern and disapproval upon any connection of any European government with the construction or control of any ship-canal across the Isthmus of Darien or across Central America, and must regard any such connection or control as injurious to the just rights and interests of the United States and as a menace to their welfare.

It was thought by the Committee on Foreign Relations, this public fact being known as a matter of history, that we should at least say that we can not allow the French Government to proceed to assume an act of authority or power over this canal as a government; and we announce our well-known decision upon the subject. That was the occasion. If there ever was an occasion demanding the exercise of the announcement of this doctrine it is now.

Mr. TELLER. I should like to ask the Senator if the French Government did not disclaim some years ago any intention to participate in the work against the protest of our Government?

Mr. SHERMAN. I believe in the administration of Mr. Hayes, by Mr. Evarts the attention of the French Government was called to the position of the United States in regard to this subject-matter, and the French Government then did disclaim any purpose at all as a government to control or deal with this question; that French citizens, like the citizens of America and all other countries, contributed means and money, but that they had no governmental jurisdiction or power over it.

Mr. VOORHEES. I thought I observed some ten days ago, perhaps two weeks ago, that the French Chamber of Deputies had expressly refused to lend the assistance of the government to this canal company,

and I was impressed with the fact that the French Government was really declining to assert its authority, if it had any, or to extend authority over it. Still, that does not affect the propriety of passing the resolution.

Mr. SHERMAN. It is the subject of party contest and party demand in France. There are certain interests in France that would undoubtedly favor the project of the government assuming the construction of the work; at least, we have every reason to believe so. But at all events it is well enough for us to announce our opinion about it.

Mr. CHANDLER. I should like to ask the Senator from Ohio, the chairman of the committee, whether there was any minority report or any dissent in committee from this resolution or concerning the necessity of its immediate passage.

Mr. SHERMAN. There was no minority report. There was some conversation, but it was hardly in the nature of dissent.

Mr. EDMUNDS. All the members present concurred.

Mr. SHERMAN. All present concurred in the report.

Mr. TELLER. I should like to say, in response to what the Senator from Indiana has said about the probability of the French Government refusing to take charge of this canal, that there is a very strong party in France which insists that the government shall take charge of it. I do not think there can be any question that when the people of France realize that unless their government does take charge of it the entire money put into it will be lost, they will compel the government to take charge of it unless we interfere. That has been apparent, to people who have studied this question, for the last three years. I had the honor nearly three years ago to assert on the floor of the Senate that we should be compelled to meet the question whether we are willing that the French Government should take charge of the canal and complete it or not. I think the resolution is perhaps not timely, because I think it ought to have been passed long ago.

Mr. VEST. I am compelled to state with entire frankness that I do not see why this resolution has not come here before this time, based, as it is, upon the reasons given by the Senator from Ohio. As the Senator from Colorado has just remarked, it has been very well known that for more than two years past great exertion has been made in France to secure the assistance of the government towards the Panama Canal enterprise.

As is known, the Nicaragua bill has just come to us this morning from the House of Representatives with most important amendments upon it, put there by the House, and whilst that debate was pending in the House of Representatives this resolution was introduced in the Senate.

Whilst I indorse the general principle of the Monroe doctrine as enunciated in the pending resolution, I think with the Senator from Colorado that it is untimely, and I must be permitted to say that it seems to me very much as though the resolution is an adjunct to the Nicaragua Canal scheme, to which bill as it passed the Senate I have very grave and insurmountable objections, and for which I shall never vote unless amended as it has been in the House of Representatives.

Mr. SHERMAN. I think I can dissipate the Senator's alarm about that by looking at the date. As far as I know this is the first time the subject of Nicaragua has been mentioned in connection with the pending resolution. The failure of the Panama Canal scheme occurred, I think, in the first week or two of December. It was looked upon as a doubtful enterprise for some time, but the failure occurred about the first week or two of December. On the 19th of December the Senator from Vermont [Mr. EDMUNDS] introduced this joint resolution. The Committee on Foreign Relations thought best not to act upon it until after the holidays, so that public attention being called to the importance of the resolution, if there was any objection to it we would probably hear from it. Therefore, after the holidays were passed, the Committee on Foreign Relations took up the question and found that they agreed that the time was opportune, that the occasion was important, and that it ought to be promptly reported; and I hope it will be promptly passed by both Houses, without respect to the Nicaragua Canal bill, which, I imagine, in the course of things, will go into a committee of conference, and the differences, whatever they are, will be either adjusted or the bill will fail.

Mr. EDMUNDS. Mr. President, I wish to say with absolute candor to my friend from Missouri, as I was the author and introducer of this resolution, that the subject of the Nicaragua Canal bill to which he alludes was not in my mind at all when I offered the resolution. I prepared it and it was presented to the committee, and we considered it, having no other relation to it than it has to the Panama Canal or any other intervention of a foreign power in that passage way, if it be one, between the two oceans. So I beg him to dismiss from his mind the suspicion or any apprehension he may have that this is intended to have or that it can have any bearing upon the question of the passage or non-passage of the Nicaragua bill.

The joint resolution was induced in its introduction by the circumstance that I thought the honor and candor of the United States required us in a formal and friendly way to restate the American doctrine upon this subject before our friends and neighbors, the Republic of France, had been drawn into an official support of the De Lesseps scheme at Panama, so that they could not say to us afterwards, "You sat silent and acquiesced in our engaging in this enterprise, and you ought not now to complain;" and that the honorable thing to do as between friendly nations was for us to say now in a friendly and temperate way how we should regard the intervention, not only of France, but of any European power in the matters to which the resolution alludes.

I ask on the passage of the joint resolution, when we reach that stage, the yeas and nays.

Mr. TELLER. When I said this was not a timely resolution, I did not desire that anybody should think I thought it should not have come here now. The fault I have to find, if any, with the committee is that it did not come here long ago. It ought to have come here and there ought to have been a declaration from this body or from the Government somewhere to the French Government (as I understand there was from the executive department of the Government, but it should have come from the legislative department of the Government long ago) that we would not permit this canal to be constructed by a foreign government.

If we had done that we should have saved the French people a vast sum of money. I doubt very much whether there was a man in the United States who had carefully examined this matter who did not know when the canal was begun that if it were ever completed it must be completed by governmental aid. I think we have waited a good while to do this, and it ought to be done now, because it is better to do it now than not to do it at all.

Mr. CALL. Mr. President, I hope the joint resolution will not be adopted. If there is any reason which can be vindicated upon argument and proper consideration for prohibiting any great work of beneficence to mankind I can not see how it can be brought to bear upon this question.

The construction of a canal across the Isthmus of Panama is a work that will promote the welfare of every human being in the world. That this Government should interpose obstacles upon the plea that it may promote the extension of monarchical institutions or the systems of government that prevail in Europe does not address itself to my mind with any kind of reasonableness.

The Monroe doctrine was predicated entirely upon the assumption that the system of European governments might be promoted by their colonization upon this hemisphere. This country is now strong enough to defy without fear of results any efforts of that kind; and it can control the matter in its diplomatic relations without preventing or obstructing the construction of this great work necessary to the commerce of the world, necessary to the cheapening of the articles of necessity, of human consumption, to every human being in this country and in every other country.

Why should not the Panama Canal be built? Does it interfere with the power of this country? Does it in any way interfere with any of its public policies? Does it increase the power of the French or any other government to restrict the extension of republican institutions or the colonization of this country by people of republican sympathy and friendly to our form of government? Its influence in that respect amounts to nothing.

In my judgment, for us to interpose any obstacle, to say that any European nation shall not contribute as a government to the construction of a great public work, is going back to the barbarous ages.

Sir, for one I am free to say that I shall regard with pleasure any effort on the part of the French Government or any other associated power to build this great work, which can only promote the welfare of every family and every human being, and increase the number of their comforts, and cheapen the productions which are necessary for them.

Mr. President, I hope that we shall not be bound by the prejudices and fears which originated years ago when this country was weak now when we can defy the world, that we should be restricted within narrow limits by European colonization upon the western hemisphere. Sir, if France should establish a monarchical government in Panama or Central America, and this country should see fit to declare that it should not be done, it would disappear in a moment. But what connection has the construction of this great work with the establishment of monarchical systems or institutions on this hemisphere?

It is not difficult to see that it has none whatever. The question of the construction of a water way over the Isthmus of Panama for the commerce of the world, and the question of monarchy or republic, of aristocratic or democratic institutions, have no connection with each other. It is even difficult to see how any one can even make a pretense to that effect.

The PRESIDENT *pro tempore*. The joint resolution is open to amendment as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment.

Mr. BROWN. Let the joint resolution be read.

The PRESIDENT *pro tempore*. It will be again read at length.

The Chief Clerk read the joint resolution.

Mr. GEORGE. Mr. President, I shall vote for the joint resolution with a great deal of pleasure. I regard it as a very important and a very necessary step for us to take. We have very grave and very momentous domestic problems, the solution of which requires that no power, certainly no European power, shall have any influence or control on any part of the North American continent; I do not care whether it be a monarchical government or a republican government.

I think our position and our interest require that we should so act that American influence and American power shall predominate in all parts of the North American continent, not only south of us but north of us. For that reason I shall vote with great pleasure for the joint resolution.

Mr. REAGAN. I should be glad, if agreeable, that the joint resolution may lie over a little while so as to let us have time to look at it. It bears upon a very interesting and important subject.

The governments of Europe as well as of America for the last two or three hundred years have been trying to find a passage way through the Isthmus. The project under the control of Mr. De Lesseps has gone on until many millions of dollars have been spent in trying to force a passage way through the Isthmus of Darien.

It seems to me that it is deserving of great consideration, after having permitted that work to go on until such a large amount of money has been expended, whether we should now declare it against the policy of this country to permit it to go on. What would we mean by such a declaration? Is it simply to interrupt the financial operation of carrying on that work, or if we make such declaration, is it that we mean to carry out the logic of the declaration and prevent the execution of the work?

The joint resolution presents such grave questions that it seems to me there ought to be a little time to look at it, and I trust it will be permitted to go over until the next meeting of the Senate.

Mr. CALL. I appeal to the Senator from Ohio to allow the joint resolution to stand over for a week.

Mr. SHERMAN. The joint resolution has been pending here two or three weeks already. If it is to be acted upon, it ought to be acted upon promptly. I supposed that it would receive a unanimous vote without any further delay. If it is put off, it will interfere with the tariff bill. I got the consent of the Senator from Iowa to call it up this morning, and to put it over now would interrupt business and delay it. I trust, therefore, the Senate will not postpone it. Is there any doubt about it? The General Government of this country has passed time and time again upon the question.

Mr. CALL. I wish to say to the Senator from Ohio that there are some of us upon this side of the Chamber who have very decided opinions in regard to this matter, and we should be glad to have an opportunity to mature them and express them in a more full form than we have been able to do to-day with the joint resolution suddenly called up in this way.

Mr. REAGAN. If the Senator from Ohio does not see proper to let the resolution go over, and demands a vote now, I will state that I just came into the Senate and did not know of the intention to move such a resolution, but I shall feel compelled, unless time is given to consider the resolution, to vote against it, because it seems to me it is too great a problem to be precipitated upon the Senate and passed without due consideration.

Mr. GRAY. Mr. President, I agree with what the Senator from Texas has just said, that this is too important a matter to be considered here in the few moments that are allowed by the intermission of the consideration of the tariff bill.

The policy of the United States in regard to the interference of foreign governments on the North American continent is one that has been pretty well established, and I do not know whether this joint resolution is in exact line with that policy. Viewing this subject in its economic aspects it seems a very monstrous thing that after many millions of dollars, nearly $100,000,000, I believe, have been expended in the prosecution of this great work of uniting the Pacific and Atlantic Oceans, making a great highway for the commerce of the world in which all the civilized peoples of the earth are interested, in regard to one of those great schemes that are the advancers of the civilization of the world, we should seek to interpose by our protest without great consideration any obstacle to the consummation of so great a work.

This work at the Isthmus of Darien has so far been prosecuted, I believe, by the private enterprise and wealth of citizens of Europe and of the United States. Whether we should take any steps to oppose the control by the governments of Europe or the interference or co-operation of the governments of Europe in this great work is a matter to be very gravely considered.

I should like time to consider it in all its bearings, and would feel compelled, if the vote is forced now, to vote against the joint resolution, not knowing how I should feel called upon to vote if we had time for mature consideration. Certainly it seems to me that we should not press the resolution at this time unless some very important exigency is made apparent to the Senate for a declaration of the policy of the United States in regard to the interference of foreign governments on the territory of the North American continent.

Mr. MORGAN. Mr. President, I was detained from the Senate by illness for more than two weeks, and the same cause prevented me from attendance on the Committee on Foreign Relations, of which I am a member. So I do not know the situation in this case. I do not know whether the resolution has been to that committee or not.

The PRESIDENT *pro tempore*. The resolution was reported yesterday from the Committee on Foreign Relations.

Mr. MORGAN. I was not aware of the fact. I have not had any opportunity to examine it except as I saw it in print in a newspaper.

My impression was that the last clause was inopportune and premature. I refer to that part which instructs the President of the United States to communicate the declaration of Congress to foreign countries. I think that the diplomatic functions of the United States are intrusted by the Constitution to the President of the United States, and that it is his privilege (it would be the privilege of the outgoing administration and also of the incoming administration) to shape for itself and without any distinct reference to the opinions of Congress what would be the policy of that administration upon a great subject of diplomatic intercourse between other countries and the United States. What we do here, whether we do it in the form of a joint or concurrent resolution—I suppose this is a concurrent resolution——

The PRESIDENT *pro tempore*. It is a joint resolution.

Mr. MORGAN. What we do in the form of a joint resolution here is to endeavor to embody as a part of the law of the land our opinion upon a question of policy in respect of the application of the Monroe doctrine to some part of the American hemisphere. It would be very much better, if the Senate and House are determined that they will express an opinion to a foreign government, that they should do it in the form of a concurrent resolution rather than a joint resolution, which under our Constitution has the force and effect of a law. It would be an unfortunate category that we would find ourselves involved in if a law should be put upon the statute-book at this time which was declarative of the policy of the United States in regard to the particular enterprise which we are considering, the construction of a canal by the authority and through the intervention of a foreign government, and after we had come to that resolution and put it in the form of a law the incoming administration would not see proper to execute it, but would fall back upon the constitutional powers, which unquestionably will belong to the incoming President, to shape that policy so far as his administration is concerned for himself.

I think that we ought not to go further in any declaration that we make than to adopt a concurrent resolution, because, after all, any declaration that we may make upon this subject is only a matter of opinion, not binding upon any subsequent Congress, not binding upon the outgoing or the incoming President, unless the outgoing President should see proper to put his signature to the joint resolution and thereby become compromitted in respect of its terms and his duty of acting upon it.

It seems to me that this is wrong; that we are going too far; that the Senate of the United States is usurping to itself, in the form and shape that the resolution now is, a part of the diplomatic function of this Government intrusted by the Constitution to the President of the United States.

The declarations of the Senate upon subjects of this kind, whenever they become in the least degree practical and obligatory, are declarations that must command the support of two-thirds of this body; otherwise they are of no validity. I think it is decidedly premature that we should undertake now, in the form of a law, to forestall whatever action the Senate might see proper to exercise hereafter, after the 4th of March, for instance, when quite a considerable body of new Senators are to be here. The furthest we ought to go in this direction would be to declare what our opinions are upon this subject and let them go for what they are worth. I think those opinions would be worth a good deal in the impression that they would make upon foreign countries. They would be somewhat in the nature of a restatement of the Monroe doctrine, to which I am a firm adherent.

But I object to putting these opinions in such form as would trammel any part of the Government of the United States in the legitimate exercise of its constitutional powers hereafter. I do not think that it is a proper thing to be done. The Senate of the United States is too much given to attempting the control of the diplomatic enterprises of this country. When this resolution goes, as it is required to go by the last clause in it, if I remember it correctly, to the foreign countries as a declaration of Congress, approved by the President of the United States, it goes as a measure originating in the Senate of the United States and expressing the opinions of the Senate and of the Congress of the United States if it shall become a law.

The requirement that this shall be sent to foreign countries is equivalent to a demand on the part of Congress that the President of the United States shall not only conform his diplomatic action to the expressions that are contained in this resolution as to matters of principle, but that he shall go further than that and commit himself to it absolutely and commit the Government to it absolutely. It is a forestalling of diplomatic action on the part of the President of the United States in his future intercourse with foreign countries.

Now, it seems to me, Mr. President, that while we are entirely free to express our opinions, and will be entirely free always to express our opinions, we should abstain from putting them in this mandatory form. It is not a part of our province to command the President of the United States to make any special communication to foreign countries in respect of a matter which is the proper subject of diplomatic conference and discussion, and when we assume to ourselves the function of this

instructing and commanding the President of the United States to observe a certain line of diplomacy, and communicate it as an authentic matter established by the votes of the two Houses, it occurs to me that we may very well question whether we are occupying that precise attitude under the Constitution which is assigned to us in respect of our diplomatic functions and diplomatic power in this Government. I do not believe in the policy or the propriety of our taking in hand the diplomatic action of the Government of the United States, and thus, through legislative action on our part, requiring it to be communicated by the President of the United States in solemn authentic form to foreign governments. I think there is danger in such a movement as that, and that we had better not make it.

Now, sir, I am heartily in accord with the first part of the resolution, and have no hesitancy in expressing the opinion, as it is expressed here, that it is the duty of the United States to intervene to prevent any foreign government from getting any such hold upon this western hemisphere as will give it, in consequence of its committal to a certain line of enterprise, governmental authority that it does not now possess. I very well understand, I think, that if the Government of France should, for the purpose of relieving the necessities and distress of Mr. De Lesseps and of his coadjutors in this work, come in as a government to aid them by any assumption it may make of the responsibilities he has already incurred and under which he has failed so far—I can very well understand that the Government of France in such a proceeding would necessarily exercise its governmental functions in Panama. You would have to make room for the authoritative action of two governments there before France could carry this enterprise into execution.

The Government of Colombia, with its present power and authority, its sovereignty over that country, would be forced to yield, either by treaty engagements, concession, or in some other way, to the governmental authority that France might choose to exercise in promoting this enterprise in Panama which the French Chamber would decree that government should engage in. That would necessarily, it seems to me, sooner or later bring about a conflict of authority between the governments; and I can not fail to understand that the weak power of Colombia would succumb to the greater military power of France in such an event as I have stated, and that the ultimate result would be French domination in Panama, and perhaps an extension of that domination to other States in what is now the Republic of Colombia.

So I would resist in the beginning, I would resist always, the intrusion of a trans-Atlantic government into Panama for any purpose of a governmental character connected with the construction or, if you please, the operation of a canal. But that is not the question that is presented upon the face of this resolution to my mind, or at least it is not the only one. That question, which is a very clear one to my comprehension, is embarrassed by the form in which this resolution is presented and reported from the Committee on Foreign Relations. It is embarrassed by the fact that it is a joint resolution when it should be no more, at least, than a concurrent resoluion. It is further embarrassed by the fact that it is a dictation to the executive branch of this Government that it shall observe in respect to this matter a certain line of policy which cuts off all negotiation or explanation, which cuts off in fact all diplomatic intercourse between two governments on this point. It is a dictation, a direct and mandatory dictation to the President of the United States, not only that he shall conform his policy to what is here prescribed, but that he shall make a communication of that policy in solemn form to a foreign government; and that is an attitude which I think the Congress of the United States has no right to occupy at this particular moment upon this particular question. I think the circumstances would have to be very extreme to justify such action in any case whatever.

So, Mr. President, if the resolution is pressed in its present form I shall vote against it.

Mr. REAGAN. If I may be indulged one moment, I wish to say that the resolution, it seems to me, needs something to explain the meaning of the particular words in it before we commit the Senate and the Government of the United States to its adoption. It is:

That the Government of the United States will look with serious concern and disapproval upon any connection of any European government with the construction or control of any ship-canal across the Isthmus of Darien.

Now, sir, what is meant by "connection?" If Senators mean that we shall look with disapproval on any attempt at political control on this continent, then I am ready to agree with them fully; but it seems to me that if we had time to consider this question it would be worth while to reflect on the distinction between aid given an enterprise presented by a corporation made up of citizens of France, the United States, and perhaps other countries, where no political control is intended. I understand there has been some proposition for action by the French Republic; I do not know how that is; I am ignorant of it; but if this language means that the French Republic should in no way guaranty bonds to aid this company in carrying out the great work in which it has spent so many millions of dollars, and in which the world at large and the United States have such a large interest, I must dissent from it.

It seems to me that the language is too broad, too unrestricted, to be justified at all; that it does not discriminate between pecuniary aid to a commercial enterprise like that and the assumption of political control over the enterprise or the territory through which it passes. And, Mr. President, the memories of a hundred years ago ought to inspire us with some respect for the French people. The knowledge that it is the only prominent Republic in Europe ought to give us some sympathy with that Republic. We ought not to be willing to offer an unnecessary offense to a government which has under the greatest trials proven itself the greatest friend of this Republic.

It seems to me, sir, that the very broad general language used here would be calculated to offend the sense of right not only of France but of any other government or people, unless it is restricted so as to simply limit the declaration to political control.

I do not know how many millions have been spent in the construction of the Panama Canal, but its completion will work a larger revolution upon the commerce of the world than the completion of the Suez Canal did. I do not know to what extent there has been diplomatic correspondence with reference to the action of this company on that canal, or whether there has been any; but whether there has been or not is not material to the view I take now, that it would be going too far for us to make a *pronunciamiento* against any connection of that or any other government with the construction of a ship-canal—I will omit the word "control"—with the construction of a ship-canal across the Isthmus. No country is so much interested in the success of that work as the United States. Here we stand on the half-way ground between Western Europe with all her vast wealth and commerce and the teeming millions of Asia. It places our country in the gateway of that great commerce; and shall we uselessly, shall we unnecessarily, shall we officiously attempt to interfere with and arrest the progress of that work?

I feel very sure that the introducer of this resolution and the committee who reported it would not lend themselves to a mere stock-jobbing proposition to discredit that work in order to increase the value of the stock of an enterprise engaged in by another concern. I can not conceive that they would be influenced by such a consideration as that. I am disposed to guard the rights of this Government upon the continent of North America as declared in what we call the Monroe doctrine, but the Monroe doctrine never went to the extent that this resolution goes. It looked to the exertion of political control on the American hemisphere, not to any mere effort to aid in an enterprise to develop the commerce of the world and promote the welfare of mankind.

I regret that we are to be called upon to act and vote upon a question like this without at all having had time to consider it.

Mr. CALL. Mr. President, in whatever view this resolution is considered, it ought not to be passed by this body without careful consideration. If there be anything in the resolution of sincerity, if it is intended to declare a public policy on the part of this Government, we should be careful to see whether it does not enunciate a ground for war on the part of other people, and of unjust war, a war in which we could not be sustained by the moral sentiment of the age and the world. What is it that this resolution declares?

That the Government of the United States will look with serious concern and disapproval upon any connection of any European government with the construction or control of any ship-canal across the Isthmus of Darien or across Central America.

What harm will the construction of a ship-canal across the Isthmus of Darien or Central America do to the people of the Isthmus of Darine or of Central America that we shall say to them, "You shall not if you desire it have the aid of any foreign government to construct this canal?" What harm to the people of Europe will a ship-canal across the Isthmus of Darien or Central America do that we shall say to them at the point of the cannon's mouth, "We forbid the construction of a ship-canal or the connection of any European government with the construction of that canal?" How can we in the face of the world sustain ourselves in defying every foreign government upon a proposition of this character, and saying to them, "You shall not do that which the people of Central America or the Isthmus of Darien require, and which their welfare and happiness require shall be done?"

These people have a sovereign government of their own, in all respects resting on the basis of their own sovereign will, as our Government does on the sovereign will of our own people, and on the ground of rightful authority of their own people, which we have declared in the face of all the world that we will respect and honor.

And we say further by the passage of this resolution not only that we will deny to them the right to do that which the interests of all Europe and of every man in America require to be done, namely, the construction of that canal, but also that we will make war upon them and on all Europe, and thereby prevent the construction of a canal required by the commercial interests of every people in the world and of every man, woman, and child in the United States. In whose interest is it that commerce shall be obstructed by preventing a canal or water way across the Isthmus of Darien, or that the transit across the Isthmus shall be in the hands of a private corporation either here or abroad? Is it in the interests of the people who consume the articles which will be the subject of that commerce, or is it in the interests of monopoly, of oppression, of privileged classes, of private individuals? Why, Mr. President, there can be no question or doubt upon that subject. The oppo-

sition to the construction of a ship-canal, whether by one form of associated effort or another, is a movement in the interest of the few against the many, against the progress of civilization, and against all the best interests of mankind.

Why talk about the Monroe doctrine to preserve this continent for popular government, and under cover of it propose the most gigantic monopoly in the interests of aristocracy the world has ever seen?

It is attempted to be justified here by alluding to the Monroe doctrine, by saying that we are opposed to any European people in any form of government exercising or acquiring any influence upon this hemisphere. Mr. President, is there anything in that proposition? What do you mean by influence? Who now control the social, commercial, the industrial interests everywhere in this hemisphere outside of the United States of America? Foreign nations and European nations, European money, European commerce, European social influence. We have none whatever over them. If it is to be asserted that no European people shall do it, it is a mere idle declaration, because to-day the commerce, the financial interests of every people upon this hemisphere, except the people of the United States, are within the control of European governments.

Why, then, issue a *brutum fulmen?* Do you propose to make war to annex forcibly those people? I have no opposition to the project of annexation, but whatever we do let it be done sincerely, and not as mere vain braggadocio and an untruthful assertion. You do not control it, you do not propose to assume military or political control of it. What is it that you propose in this resolution? Why, only to say that no European government shall contribute anything to a work of great international necessity. It is to have no "connection" with such a work. Why should not a European government have connection with it? If you wish to prevent any injurious effects from French influence, or English influence, or German influence, or European influence—and I can see no injury whatever to come from it—why not say that the great canal across the Isthmus of Darien or Central America shall be controlled by the nations of the earth, under some form of international commission, so that neither separate and selfish national policies nor private interests or monopolies may advantage one people over another in the use of that great artery of commerce?

Mr. President, the people in all the Gulf States are greatly interested in the construction of this canal. They are interested to prevent its arbitrary use to their exclusion and to their injury; but this resolution does not look in that direction. It does not affirm anything as to the proper use of the canal. Its only effect and apparent purpose is to prevent the construction of any canal across the Isthmus of Darien or Central America, except a canal in the interest of some particular corporation designated and created in our own country. What man is there, what Senator here, that can give a reason why the construction of a canal across the Isthmus of Panama or Central America, properly used, would not be a benefit to every citizen of the United States? There can be none given. The assumption is that a foreign government might make an improper use of it.

What is the answer to that proposition? The sensible answer is to introduce a resolution here that the canal shall be under the control of some international regulation in which this Government shall have a voice, with power to prevent it from being so used. That is the reply to that which is the only possible reason for the adoption of any resolution on this subject. So far from doing that which the Senate resolution proposes, as a civilized people, instead of saying that these people of Central and South America shall have none of the advantages of industrial development, of civilization, of railroad interests, or of the great combinations which produce these public works, instead of saying that they shall not have them unless they can get them without a "connection" with European governments, we should be willing to come forward and contribute our part as a government if we wish their friendship. This resolution asserts a right to deny to the people of Central and South America and all over America any assistance from any European government in any of their public enterprises. It is entirely indefensible, having no foundation unless it be the idea that these people are not strong enough to resist any demand, however capricious and unreasonable, that we may make of them. When the day comes to require it, whatever is necessary will be done to prevent any foreign government that may have acquired influence or connection of any kind with the people of this hemisphere from the use of that influence unfriendly to our people. We may then assert our right to a voice in securing whatever the interests and the welfare of this people may rightfully demand to be done. But to say now, after nearly a hundred years of vain and false assertion, that no European government shall have any connection with or any influence upon this hemisphere, industrial, commercial, or political, is to repeat a false assertion in the face of the fact that every day the influence of European governments upon this continent has been increasing over the governments and the people of this continent and the hemisphere. It is not only vain but it is ridiculous. In Mexico, in all Central and South America our commercial reports, the reports of commissioners which we have sent there state the fact that to-day the governments upon this continent and their people outside of the United States are dependent upon the influence of European governments and their connections with their affairs. They largely shape even their political relations and their policy as states. It is to our shame that it should be said, but it does not need to strengthen us in those directions that we shall declare that no great industrial improvement such as a canal across the Isthmus of Panama shall be constructed.

Why, Mr. President, if there be one work in all the world which the civilization of this age demands, which the future welfare of the population that is now inhabiting our country and is soon to increase to such vast numbers requires, it is this canal. If there is one thing in the world that is absolutely necessary to the population that shall soon cover the whole of Mexico and Central America, largely derived from Europe, if there is one thing in the world that is necessary to the comfort of all of Europe and all of Asia, it is the construction of a canal across the Isthmus of Panama, no matter by whom it is done, whether it is by governments or private associations; and the only important thing is how shall that canal be managed so that it shall be used fairly and justly and equally in the interests of all nations and upon terms easy for the commerce of the world that is to bear the cost of the construction and maintenance of it, and that means easy to the consumers of the products of that commerce, wheresoever they may be.

It is the one great work of the age, and De Lesseps has immortalized himself as a man who stands high on the list of human benefactors. What has the Suez Canal done! What a contribution has that great work made to the welfare of mankind! How it has altered commercial relations, how it has disturbed some of the great connections of commerce and of transportation and business, has been pointed out by Mr. David A. Wells in his able review of this question. While the disturbance from this cause has been a present loss, it is a future gain the proportions of which can hardly be estimated to every man, woman, and child in the world. This other great work of his should be encouraged instead of being discouraged by the idle assertions of this resolution, which are utterly untrue, for no Senator now dares to assert that he would pledge this Government to an offensive war for the purpose of preventing the construction of a canal across the Isthmus of Panama; but if that resolution is sincere that is what it says if it says anything and if it means anything. If you wish to deter a foreign government from any connection and control over the canal why not say "any improper control," any "arbitrary control," or "political control?"

The construction of the canal and the improper or unfair use and control of it, either for commercial or political purposes, are very distinct and different things, but this resolution assumes that they are the same.

It is easy to adjust these relations. The old idea was to assert that no forcible control or domination by European governments should be had on this continent; and certainly it was very wise policy to declare that no hostile action of any European government should establish its monarchical and aristocratic system upon this continent against the wishes of the people. In view of the historical relations of the races in Panama and Central America, of the conquest of Spain, and the forcible occupation of the different portions of this hemisphere by European nations, it was proper that this Government, a republic based upon another and different system, and recognizing the right of the people alone to rule, should interpose to prevent the forcible exercise of sovereignty over them by a European power; but how can we, maintaining the doctrine of free speech, of free institutions, and the right of every people to their own government, say to these people, "You shall not have any connection with European governments if you desire it?" What wisdom or what policy is there in that?

The Monroe doctrine never went to that extent. It would have been absurd. It is a violation of the very principles upon which this Government is based, the principle that a people have a right to choose their own form of government, and the right of a people as an independent people to establish their own connections with foreign people. It was never asserted, and you can not put that as a predicate for this resolution asserting our right to say that the people of Panama and of Central America shall not accept the aid of a foreign government for the construction of a canal across the Isthmus of Panama, and that we, the people of the United States, will make war upon them to prevent them from doing it. Our own Declaration of Independence asserts the right of every people to establish their own form of government and manage their own affairs; and to say that it threatens, menaces our existence and our welfare for a people to exercise the right of self-government and of managing their own affairs, with this declaration of our own right of sovereignty and independence, is to stultify ourselves. The Monroe doctrine made no such statement as this. The wise men who directed our public affairs were too near the war of the Revolution, in which they had risked their own lives to maintain a contrary doctrine, to have made such a declaration.

Mr. President, there is no reason from any point of view, either of the future growth and prosperity of this country or the friendly relations with other countries, with South America or Central America, the friendly relations of this country with the people of Europe, why this resolution should be passed. It defies equally the beneficence of this work itself, the welfare of the people of this country or of the world, and the right of all the nations and governments of the two Americas. There is no point of view in which this resolution is not utterly indefensible and without a solitary reason to support it.

Mr. SHERMAN. Mr. President, the objections made by the Sena-

tor from Alabama [Mr. MORGAN] to this resolution are rather technical in their character, and it seems to me are not very important. The form of the resolution is a matter, to me at least, of indifference, although I think the proper way is to put it in the strongest form, to give it the highest sanction possible. A joint resolution is the act of the President, the House of Representatives, and the Senate; and as this is a declaration of public policy, it ought to emanate from all the branches and departments of the Government that participate in making laws from the President down. If a concurrent resolution only was adopted, it would be simply the expression of the opinion of the two Houses of Congress, to which the President would not have to assent. His assent would not be called for, nor would it be proper for him to assent. I do not see any difference whether it shall take the form of a Senate resolution and only be the expression of the opinion of one body, a very important body, though, in making treaties, or a resolution of the two Houses, or of the two Houses conjoined with the President. The Senator from Vermont [Mr. EDMUNDS] draughted this resolution, put it in the form of a joint resolution, and so it stands.

I think there is nothing in that point, but I am rather surprised that the Senator from Alabama should take the ground that we can not dictate the policy of the President so as to restrain him to some extent in the direction of his negotiations. We can not take from him the treaty-making power; no one proposes to do that; but Congress can define the policy of this Government upon any question within its power, clearly so; and it is rather surprising to me that the Senator from Alabama should seem to care so much for the power of the President, which is purely an executive power, sharing with us, it is true, the legislative power only to a certain extent. When Congress (which includes the President) declares a public policy, the President is bound to conform in his negotiations to that policy; otherwise he would violate the will of the people as expressed in Congress. There is not anything, therefore, in the point made by the Senator from Alabama as to the form of the resolution.

I am absolutely indifferent about it as a member of the committee, but as the committee reported it as a joint resolution I hope it will so stand, because it combines the strongest form of expression in which we can declare this public policy, that is, by a joint resolution of Congress instead of a mere concurrent resolution or a resolution of the Senate alone.

As to the matter to be declared, I am happy to say that the Senator from Alabama agrees with me entirely. I find that he introduced a resolution in 1881 which was finally reported unanimously from the Committee on Foreign Relations, of which he was then a member. I will read the first part of the report embodying the resolution:

That the subject embraced in the resolution is one of great national importance, and worthy of the most careful consideration.

This report was made by Mr. Burnside from the Committee on Foreign Relations May 16, 1881. I will say that was the time when De Lesseps was beginning his work on the Panama Canal. It was the subject of discussion, and a correspondence had occurred between the then Secretary of State, now present, a member of the Senate [Mr. EVARTS], and the Government of France, in which France disclaimed any purpose to exercise any power or control over the canal, and the matter proceeded upon that disclaimer. Then this resolution was introduced by the Senator from Alabama:

Resolved, That the interests of the people of the United States of America and the welfare and security of their Government are so involved in the subject of the construction of ship-canals and other ways for the transportation of sea-going vessels across the isthmus connecting North and South America that the Government of the United States, with the frankness which is due to all other peoples and governments, hereby asserts that it will insist that its consent is a necessary condition-precedent to the execution of any such project; and also as to the rules and regulations under which other nations shall participate in the use of such canals or other ways, either in peace or in war.

This resolution in some of its provisions goes further than the proposition now made to the Senate. The present resolution simply declares, in language which I think can not be made plainer—I will read in connection with the resolution just read:

That the Government of the United States will look with serious concern and disapproval upon any connection of any European government with the construction or control of any ship-canal across the Isthmus of Darien or across Central America, and must regard any such connection or control as injurious to the just rights and interests of the United States and as a menace to their welfare.

It must be perceived that the resolution of the Senator from Alabama was much stronger, much more comprehensive than the language of the resolution now before us.

Mr. GRAY. Will the Senator from Ohio permit me to ask a question? I want to ask him about the resolution he has been reading, whether it was a concurrent or a joint resolution.

Mr. SHERMAN. A resolution of the Senate, as I understand.

Mr. GRAY. Did it pass the Senate?

Mr. SHERMAN. That I am not prepared to say. I am reading from the report. I do not know. The Senator from Alabama can say. It was reported from the Committee on Foreign Relations.

Mr. GRAY. I do not understand the Senator from Ohio to say that is a resolution that has passed the Senate.

Mr. SHERMAN. The Senator from Delaware must understand that I am now replying to the Senator from Alabama as to the form of the resolution, not whether another resolution was formerly passed or not.

Mr. GRAY. The Senator will pardon me for interrupting him. The resolution he has just read is a matter of interest, and I asked for information whether the resolution he has read, offered in 1881, passed the Senate.

Mr. SHERMAN. I am not able to inform the Senator, because, as I said before, the correspondence which had gone on between the two governments made the question a comparatively unimportant one, as the French Government announced in the most decisive manner its purpose not to interfere with the construction or control of the canal, and as a matter of course that ended the matter. I do not believe that the resolution passed the Senate, but it is in the form of a Senate resolution. I quote from the report:

This resolution was unanimously reported from the Committee on Foreign Relations by Hon. William W. Eaton, its chairman, at the last session of the Senate, but was not acted upon for want of time, and was again brought before the Senate at this session by the Senator from Alabama [Mr. MORGAN].

Whether it was passed or not I do not know. I merely show that the form of the pending resolution is less objectionable than any other proposition which has ever been made on this subject.

I am surprised at the Senator from Florida [Mr. CALL]. He says that this resolution simply declares that nobody shall aid; that the Government of France shall not aid the construction of this canal; that nobody shall aid; that, like the dog in the manger, we are standing here and will not build this canal ourselves and will not let anybody else build it. That is not the position I wish to occupy. I should like to see all the peoples of the world contribute by voluntary means, by private corporations, by any agency whatever that does not involve governmental control, in the construction of the Panama and Nicaragua Canals. I believe the construction of both of these canals is a necessity of the progress of our country and of the continent of America, and that in time, however far distant, it will be accomplished.

Mr. JONES, of Arkansas. Mr. President——

The PRESIDING OFFICER (Mr. DOLPH in the chair). Does the Senator from Ohio yield?

Mr. SHERMAN. I would rather not in the midst of a sentence.

Mr. JONES, of Arkansas. Just in that connection I wish to ask the Senator a question. According to my understanding of the statement of what he would like, he would be perfectly willing to have all the nations connected with the construction of this canal, but no foreign governments to have any control of it, as I understand. If this resolution should be amended by striking out the words "construction or," where they appear in the fifth and seventh lines, it would seem to me to make it much less objectionable, and I suggest that change to the Senator.

Mr. SHERMAN. Whenever a government like that of France, or the United States, or Great Britain, steps in and is allowed to assert its power to do a thing as a nation, to assist in the construction of a public improvement in another country, the assertion of that power by the government can be followed by the exercise of the power of defending that improvement. Therefore, as a matter of course, if you once yield the ground you occupy and say that the Government of France may step in and guaranty the loan of the De Lesseps company and furnish the money, then by all the laws of war and of peace the Government of France may follow that money and protect it and defend it against all the powers of the world. If you allow it to be done, if you allow this rule which you were so anxous to observe for seventy years to be once broken down, you depart from the old idea that no longer shall foreign governments exercise a domination or power in this hemisphere except so far as they then exercised it; when you abandon that doctrine you abandon all the safeguards of the future.

So far as private contributions to these enterprises go, I make no objection. I think that Mr. De Lesseps is entitled to the greatest sympathy. Indeed, I am very sorry he can not go on and finish this work, if it is possible to be finished, though I have some doubts whether, without the expenditure of a fabulous sum, a canal can be made from sea to sea across the Isthmus of Panama. If he can do it, everybody will be glad.

What I object to, and what this resolution objects to and expresses the opinion of the people of the United States upon, the general opinion of this country, is that any European government, whether republican or monarchical, shall step in there and have control and power over this canal. That is all there is of it.

I do not think that the passage of this resolution would have a bad influence. I think it would have a friendly influence. The Government of France evidently hesitates about action, and if we only open the door a little wider they will step in, in sympathy with their citizens who have invested their money here, and then you will have one of the great European powers planting its flag and its money and its commerce on that narrow isthmus between the Pacific and the Atlantic Oceans. That is against the policy declared by Mr. Monroe, reaffirmed by General Jackson, and in more or less distinct form by every President of the United States from that time to this, especially by Mr. Buchanan, who maintained it, and also by the administration of President Hayes and by the declaration of General Garfield in his inaugural address. But the Senator from Florida [Mr. CALL] proposes to aban-

don that policy. It seems to me that it is not wise to do so. For one I am ready, in any form in which it may be presented, whether in the form of a resolution of the Senate or of a concurrent resolution or a joint resolution, to declare that the public policy of our fathers shall be the policy of the future.

I have so much respect for the Senator from Alabama that when he asserted that he would like to relieve the President of the United States from joining in this declaration, I should be very glad to say, "Very well. If that is all the difficulty in the way, and that will let the President out and relieve him from that responsibility, make it a concurrent resolution." It will be just as strong in effect, but I do not think it is the best, nor do I doubt but what the President of the United States will upon an examination of the question be very willing to underscore his name to the action of the two Houses of Congress.

Mr. MORGAN. Mr. President, as I remarked awhile ago, I have not had an opportunity to look over the history of this transaction and recall all the facts connected with it that I should like to be possessed of in this debate.

Mr. SHERMAN. If I do not interrupt the Senator, I should like to make one remark further, which I intended to make before I sat down, and that is that so far as I am concerned—I am but one member of that committee who reported this resolution—I shall be willing to let this go over until Monday and let the Senator, who is not at present prepared to consider it, examine it, but I do not think we ought on a question of this kind to procrastinate.

Mr. MORGAN. I shall be glad to let it go over until Monday, but before I take my seat I wish to make an observation.

As I remember the history of this matter, in 1881, when the Senator from New York [Mr. EVARTS] was Secretary of State, the President sent in a very urgent and decisive declaration of policy on the subject of this Panama Canal and the general question of transit across the Isthmus by a ship-canal, which seemed to require some response on the part of Congress. As I remember, Mr. Eaton, then a Senator from Connecticut, was chairman of the Committee on Foreign Relations, and he brought in a resolution at one session of Congress, which went before the committee and was reported back favorably without any further action, I believe, on the part of the Senate, and at the next session the same resolution, or one perhaps a little modified and in the form just read by the Senator from Ohio—a resolution of the Senate, not even a concurrent resolution, as I recall the fact—was presented, and that resolution was reported back unanimously by the Committee on Foreign Relations at that stage of the proceeding and was not acted upon, as it should have been. The Senate ought then to have made its declaration, which is in terms, I think, equivalent to the declaration found in the first of these resolutions. I do not see the difference. There is no marked difference certainly, but we did not respond as a Senate to that resolution or to the suggestions made by the then Executive, Mr. Hayes. It would have been very fortunate, I expect, if we had then taken that ground, for perhaps it would have checked at that time the expenditure of large masses of money. Of course we do not care so much about that as far as the United States or the people of the United States are concerned, but it would have avoided the committal of the people of a foreign country to an enterprise that was always impracticable and in such a way that it was very apt to draw the Government of France at a later day into the support of that measure.

Now, we find that that canal has been constructed in part after an expenditure of largely over one hundred millions in money—I do not know how much, but it must be considerably over one hundred millions of money—and we encounter the question——

Mr. EDMUNDS. It was not all spent on the canal, my friend will allow me to state, for a very enormous sum, as the statistics show, was spent in the United States for some purpose or another.

Mr. MORGAN. I know. I understand there was a syndicate in the United States for such purposes as we know not of, to operate in conjunction with Mr. De Lesseps in the promotion of this canal project. I understand that.

When that money had been expended the people of France were very much concerned in it, and to them it is a very serious and practical matter, and we interpose a resolution here—to which I do not object; I do not object to an expression in it—which is to the effect that notwithstanding the people of France have got into this embarrassing attitude about this canal and the expenditure of money upon it, the Government of France must not assume to control and construct it, as a government; otherwise we will hold that that is a violation of the Monroe doctrine, or whatever doctrine you may please to call it, the essential doctrine of the people of the United States in respect of the intervention of foreign governments upon this hemisphere. We look upon it as a step which once taken can not be recalled, but will be advanced upon and will result in the political domination of the Central American isthmus.

Now, however, the Senator from Ohio will allow me to suggest that there is a very serious difficulty in the way of passing a joint resolution——

Mr. EDMUNDS. The Senator from Alabama will pardon me for suggesting as this matter is to go over until Monday—and I consent to that with the hope and understanding on my part that it will be finished then—that this is business which if done at all ought to be done promptly and finished, as the other ought to have been. I think if my friend will withhold his opposition to the second section of the joint resolution, I can convince him from reason and from historic precedents that it is not only important in point of dignity and the impression of the whole body of the Government of the United States, but that it is entirely consistent with the constitutional attitude of the President of the United States as regards his relations with the two Houses of Congress. I think I can convince my friend that that second section is important as a matter of substance and is correct in respect to the relations that exist between the two Houses and the President.

Mr. MORGAN. Does the Senator from Vermont, then, adhere to his determination to press this as a joint resolution?

Mr. EDMUNDS. I think it is my present duty to do that, and I think I can convince my friend between now and Monday, and that he will be satisfied that it shall go in that way, and that it is right to do it in that way.

Mr. MORGAN. I intended to offer some amendments to the resolution, but at the suggestion of the Senator from Vermont, as the matter is to go over, I will not offer the amendments until later.

Mr. CALL. I ask the Senator from Ohio to allow the resolution to stand over until Monday week. I shall be compelled to be absent next week, and I feel some interest in the matter.

Mr. EDMUNDS. That is impossible.

Mr. SHERMAN. This declaration ought to be made promptly or not at all. I have no objection to a postponement to Monday next, but can not let it go beyond that.

Mr. CALL. I do not know that it will make any difference, but as I can not be here on Monday, I will now add a few words to what I have already said on the subject.

The Senator from Ohio in the discussion of this joint resolution and the reasons why it should be passed has not, in my opinion, given a single one which touches the merits of the question. He says that this resolution does not object to any connection whatever on the part of a foreign government, but only to the improper control or use of this canal when built, that he would be in favor of a control by the nations of the earth, the commercial peoples, fixing the terms upon which this canal should be used, and that this resolution does not mean to say that we will not do it ourselves as a government and that no other people shall, although the people of Panama and Central America may, in their sovereign right and capacity, demand it, but that it means something else. Then this body owes it to its own dignity, to its own intelligence, the Senator from Ohio owes it to his own great reputation that he should express the resolution in that way. It says clearly—

That the Government of the United States will look with serious concern and disapproval upon any connection of any European Government with the construction or control of any ship-canal across the Isthmus of Darien or across Central America, etc.

Mr. President, is it dignified for those who represent and control the sovereign powers of legislation, of peace and war, of a great nation in this age, to put forth a declaration of this kind, that this Government looks with serious disapproval upon any connection of a European government, at the solicitation and request of a sovereign people independent themselves in all the powers that we possess, with the people of Central America and of the Isthmus of Darien, and that we deny to them and disapprove of their acceptance of any connection with any foreign government in this great work of constructing a highway for all the world? We are supposed to use language for intelligible purposes. Who can justify such a declaration? What portion of the argument of the Senator from Ohio upon this resolution pretends to justify or defend that proposition? But it is plainly asserted in the resolution.

Have not the people of Central America the right to accept aid from a foreign government in the construction of this canal? Have they not the right to negotiate for a connection with France, as they have done, by the exercise of their sovereign power as a people? Who denies it? But this resolution says that it is a menace to the people of the United States that the people of Central America should in their sovereign legislative national capacity accept any connection of a foreign government in the construction of a canal across the Isthmus of Darien. That is the unquestionable language of the declaration, and what does that mean but a sovereign declaration of this people by the two Houses of Congress, unless it is a false declaration, that we will make war upon the people of any portion of this hemisphere, upon the people of Central America especially, who shall exercise their powers in such a way as to bring about a connection of that kind with a European government? And that is the declaration that we are told is the Monroe doctrine. I deny it.

The doctrine of our fathers never asserted a proposition of this kind. They never asserted our absolute right of domination over the people of this hemisphere, over the people of Central America, and we know that this is a false declaration and is not intended, and ought not to be intended, to be observed. We know that a European government has forcibly established its domination, since the Monroe doctrine was proclaimed, over a part of Central America, and maintains it in full and absolute and undisturbed sovereign power to-day without war on the

people of the United States, without our support of that declaration, if it was intended so to apply, and it has existed for years and years in British Honduras.

Mr. President, after submitting to that, when a great work of beneficence, which can only be opposed in the interest of private corporations and private monopoly, in the interest of the oppression of the people, we can not now assert this doctrine. You can not make this comport with the dignity of the Government of the United States. Shall we, having submitted to this violation of the Monroe doctrine, as declared by this resolution, when a great work for the benefit of the civilization of the world, for the better comfort of every human being, is commenced and partially built, intervene and say we will thrust the Monroe doctrine in your face, and we deny the right of the people of any of these governments to accept of any connection with or aid from any European government in the construction of this great work?

That is the question. It is not a question about the doctrine of our forefathers. That we have not maintained that as the doctrine of our fathers the history of the country establishes. It is not true; it is a mere assertion. The Monroe doctrine in its terms declares that the Government of the United States is opposed to the domination—that is the word—the domination, not the connection, not the contribution of any foreign government, not the expenditure of its money, but to the domination upon any portion of this continent where it had not previous to that time obtained power and control.

But, Mr. President, it is said if the Government of France expends its money in the construction of this canal it will have a right to defend the rights which it has so acquired. Well, that may lead to war. Has not the Government of France or the Government of England the right to defend the rights of their citizens in all these countries of Central and South America when they have invested their money there, as they have done under the treaty regulations with those countries, and would not that lead to war? There is nothing in it; whether it is the money of the people or the money of the government is the same thing, and South America and Central America and Mexico are full of the money of British subjects and French citizens and German subjects today, and there is none of the money of the people of the United States there. They are doing the work of civilization under treaty regulations and under the exercise of the sovereign power of the people of those several governments to-day; and the assertion that we propose forcibly and by war to forbid it is equally unwise, equally untrue, and unjustifiable in every view of public policy.

The Monroe doctrine has nothing to do with the question of the construction of a ship-canal across the Isthmus of Darien or Central America. The interest and dignity of the Government of the United States have nothing to do with it except that they should promote it, should expend their money for it, should encourage it. There may be some question of wise public policy in saying that it shall be controlled by an international commission, by regulations established by the nations of the world, and the resolution of the Senator from Alabama wisely so declared.

But that is a different thing from this resolution and this enunciation. I should be willing to support such a proposition as that. The interest of mankind may require it. The progress of this country may require it. Our States on the Gulf of Mexico, and all the other States of the United States, especially California and the Pacific coast, are vitally interested in the great fact of the construction of a canal across the Isthmus of Panama. When the comfort of every citizen and of the family of every producer upon the Pacific coast of the United States demands this interoceanic connection, when all the interests of our people favor it, and nothing opposes it except the interest of a few private corporations engaged in transportation by rail and rival canal enterprises, when nothing else opposes it, for us to say that we object to the construction of it, or of any foreign, European government being connected with it or aiding it in any shape or form is suicidal. For myself I wish to say that while I know nothing about the syndicates said to have existed in this country, and never heard of them before, connected with the De Lesseps enterprise, I consider that the great work of the age. I regard the construction of this canal across the Isthmus of Panama, if it be practicable—and upon that we have no right to express a prejudiced judgment; it has been pronounced practicable by the most distinguished engineering ability of the world; it has been undertaken, like the canal at Suez, in the face of opposition and criticism, and it has had the support of the best intelligence and the highest ability—as highly desirable and of the first importance to the people of the United States and of all the world. So far from obstacles being interposed, we should invite and encourage European governments to do the work, and should join them and assist in the work.

It may have been improperly and uneconomically managed, but it is the great work of the age. If it be possible to accomplish it, no amount of human labor, no amount of human effort or of financial ability should fail to be expended upon it.

Mr. President, I shall welcome for one the aid of any European government or the aid of any private corporation or of any individual citizen in any great public work which will benefit the great masses of mankind. I wish these old fictions that related to the barbarous ages had disappeared. This is the age of industrial triumph. This is the age of intellectual success. It is the age of benevolence and beneficence. For this country to undertake to say that we will deny the right of the people of Central America to accept of any aid, of any connection with any European government in the construction of the great works necessary for their industrial development and for the industrial development of all the peoples of the world, is, I think, going back to the dark ages, and unworthy of that Government and that people which should be foremost in all that advances civilization, the arts of peace, the triumphs of mind over matter, and the subjugation of the earth and the seas and all the elements to the use and comfort and happiness of all nations and peoples of the earth.

Mr. REAGAN. Mr. President, I desire for a moment to call attention to the broad distinction between the resolution before the Senate and the Monroe doctrine as expressed in the note of Mr. Frelinghuysen, Secretary of State, to Mr. Lowell, May 8, 1882, and I quote from Mr. Frelinghuysen an extract from Mr. Monroe's message of 1823. Mr. Frelinghuysen said:

In 1823 Mr. Canning, with the concurrence of the cabinet of London, informed Mr. Rush that Great Britain could not see with indifference the intervention of foreign power in Spanish America, or the transfer to those powers of any of the colonies, and suggested a joint declaration to that effect by the United States and Great Britain. This suggestion grew out of the relations then existing between France and Spain, their attitude towards the South American republics then struggling for independence, and the injuries to the colonies and commerce of Great Britain which would result from a successful prosecution of the policy of those two governments. President Monroe did not adopt the proposal for a joint declaration; but in his message of December 2, 1823, after stating that it was our policy not to interfere with the internal concerns of European powers, speaking of the war which the revolted colonies were carrying on against Spain, and of contemplated interference by the "Holy Alliance" in behalf of the latter, said, in language which has gone into history under his name, thus.

Now comes the language of President Monroe:

"But in regard to these continents circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness, nor can any one believe that our southern brethren, if left to themselves—

That is, the South American republics—

would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition in any form with indifference."

So we see that the Monroe doctrine had reference exclusively to the political control of the Spanish colonies of South America, to the political influence and interference of the governments of Europe, and of the Holy Alliance, which was composed of several of the powers of Europe. If we have a precedent on which to predicate such a resolution as that before the Senate, it is probably based upon the idea of enforcing the Monroe doctrine. It will be seen that it goes far beyond the Monroe doctrine and excludes any connection with a commercial enterprise which may not involve the exertion of political influence or the control of American governments. I thought it right in the brief consideration of this subject to call attention to the distinction between the Monroe doctrine, which relates to political influence and control, and the mere aiding in a commercial enterprise of this kind.

The PRESIDING OFFICER (Mr. DOLPH in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, being House bill 9051.

Mr. GRAY. I ask unanimous consent to offer at this time, for the purpose of having it printed, an amendment intended to be proposed to the joint resolution (S. R. 122) declaring the sense of Congress in respect of the connection of European governments with interoceanic canals at the Isthmus of Darien and in Central America.

The PRESIDING OFFICER. If there be no objection, the amendment will be received and printed.

Mr. MORRILL. Let the amendment be read for information.

The PRESIDENT *pro tempore*. The amendment will be read for information.

The CHIEF CLERK. It is proposed to amend the joint resolution by striking out the first section and inserting in lieu thereof:

That any connection of any European government with the construction or control of any ship-canal across the Isthmus of Darien or across Central America which involves any political control whatever of the territory through which such canal passes, or interference with the government or system of government of any portion of this continent, will be viewed by the Government of the United States with serious concern and disapproval, and will be considered as dangerous to our peace and safety.

The PRESIDENT *pro tempore*. The amendment will lie on the table and be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed a joint resolution (H. Res. 246) authorizing the Secretary of War to loan to the committee on inaugural ceremonies flags, etc.; in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. VEST presented two petitions of citizens of Boonville, Mo., praying that an appropriation be made for the improvement of the Missouri River at that place; which were referred to the Committee on Commerce.

Mr. CALL. I present the petition of A. Berger, M. D., of Tampa,

Fla., in relation to the introduction of epidemic disease in the State of Florida, and I ask that it be inserted in the RECORD, as it is very short.

The PRESIDENT *pro tempore*. The Senator from Florida asks unanimous consent that the petition which he presents may be printed in the RECORD.

Mr. ALLISON. What is it about?

Mr. CALL. It relates to the introduction of epidemic disease into this country, and is a matter of general public interest.

Mr. MORRILL. It had better be printed in pamphlet form.

The PRESIDENT *pro tempore*. It will be printed as a document, if there be no objection. Shall the petition be referred to a committee?

Mr. CALL. I move that the petition be referred to the Committee on Epidemic Diseases.

The motion was agreed to.

BILLS INTRODUCED.

Mr. BATE (by request) introduced a bill (S. 3774) for the relief of Maggie B. Chapman; which was read twice by its title, and referred to the Committee on Claims.

Mr. HISCOCK introduced a bill (S. 3775) for the establishment of a light-ship with a steam fog-signal at Sandy Hook, New York Harbor; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PLUMB introduced a bill (S. 3776) for a customs commission; which was read twice by its title, and referred to the Committee on Finance.

Mr. DOLPH introduced a bill (S. 3777) to authorize the board of county commissioners of the county of Whitman, Washington Territory, to issue bonds and to build a court-house and jail, and to sell and acquire real estate for such purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Territories.

CLASSIFICATION OF GILL-NETS.

Mr. MITCHELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to transmit to the Senate copies of all rulings of his Department made within the year last past relative to the proper classification in existing revenue laws of gill-nets made by machine in Scotland and imported into this country, and especially used in the salmon fisheries on the Pacific coast.

MARITIME CANAL COMPANY OF NICARAGUA.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the amendments of the House of Representatives to the bill (S. 1305) to incorporate the Maritime Canal Company of Nicaragua.

Mr. SHERMAN. I think the bill had better be printed with the amendments and referred to the Committee on Foreign Relations.

The PRESIDENT *pro tempore*. That order will be made, if there be no objection.

THE REVENUE LAWS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

Mr. TURPIE. I offer the following amendment to paragraph 322.

The PRESIDING OFFICER (Mr. DOLPH in the chair). The amendment will be reported.

The CHIEF CLERK. It is proposed to add to section 322 the following:

Provided, That from and after the passage of this act all persons or corporations engaged in the manufacture or making of the articles mentioned in this section shall pay to the persons employed by them an increase of 10 per cent. upon wages they are receiving at the time of the passage of this bill.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Indiana.

Mr. TURPIE. Mr. President, I look upon paragraph 322 as one of the most sweeping in the bill. It reads as follows:

322. On cotton damask and on clothing ready made, and articles of wearing apparel of every description, composed of cotton or other vegetable fiber, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, including hemmed handkerchiefs, and not specially enumerated or provided for in this act, 40 per cent. ad valorem.

After the very able and instructive speech of the Senator from Maryland [Mr. WILSON] yesterday evening I may be safe in assuming that this manufacture is one of the largest and oldest in our country. It originated during the colonial period, and has continued to increase to this day.

I presume that the object of increasing the rates upon this class of goods in paragraph 322, which is now under consideration, is to enhance the price of the articles at first hand. It may probably be, if it has not been already asserted, that this is for the exclusive benefit of those engaged in the manufacture of these articles—the persons or corporations so engaged. I am willing for the present to take that presumption as unfounded, and to say that in good faith the paragraph was offered for the purpose of benefiting labor, for the purpose of adding to the wages of the men and women employed in manufacturing the articles therein named. I wish, therefore, that this purpose be "nominated in the bond," or, in other words, named in the bill.

I am aware that very much can be said upon the subject and against the policy of legislating on the question of wages, but just as much can be said against legislating upon the price of commodities. This being an old-established industry, further legislation therein is not sought for the purpose of collecting revenue; neither is it sought for the purpose of protecting the hands engaged in the manufacture of the article. All these things have been settled long since. It must be legislation *per se* upon the subject of the price of commodities, and if this legislation upon the price of commodities can be right and justifiable, legislation upon the price of wages ought to be equally so.

It is assumed that this measure is for the benefit of labor. I think it may be taken for granted that we can make this section at least conform to that assumption by enacting expressly that the increase in the price of the commodities shall not be exclusively for the benefit of those engaged in the manufacture, but shall also inure to the benefit of their employés, though I await the defeat of this amendment with great composure since all amendments seem to be doomed to the same fate.

We have heard a great deal said lately here about home things and about the necessity and propriety of encouraging the use and manufacture of home things. Who has uttered a word against home industry? What is home industry? Our home in that sense is nothing less than the portion of this continent lying within the jurisdiction of the United States. It embraces every foot of territory covered by the law and flag of the Republic, and it includes all the industrial enterprises and affairs of that wide domain. They are all inmates of this home, and equally entitled to our favor and regard.

Who upon our side, here or elsewhere, has attempted to disparage any of these home industries? What American has not taken a just pride and felt his blood quicken and his heart glow in reading of the splendid achievements of the genius, ingenuity, and skill of our countrymen in arts as in arms?

What, then, is the use of all this homing psalmody, and what is its true intent and meaning? Is it that while we are invited to join in the anthem of "Home, Sweet Home" in this Chamber, the beneficiaries of this bill are to be at liberty to absorb the substance of our people for the benefit of the exclusive aristocracy created by the policy of this bill, an aristocracy of machinery, with perpetual pensions chargeable upon the customs-list, with their stars and garters provided for in the Statutes at Large?

Then we are entertained with a very fanciful picture of the present condition of the American laborer, artisan, and mechanic, represented to be so fine that if we give it entire credence it is impossible to conceive how his condition could be improved even by imposing upon him the enormously additional taxes herein provided for. It is said that the rate of wages here is greatly higher than it is in any part of Asia, Africa, or Europe. It always has been so, under all kinds of tariffs and under every kind of administration. I trust it will always remain so. We think that the whole legislation of the country ought to be directed to maintain and secure that superiority. But supposing wages here were three times higher than they are in any part of Europe, is that any reason why a portion of such wages should be taken from the man who earns them and merely tossed into the dividends of an incorporated trust without return and without consideration?

The central idea of a prohibitory tariff is not the exclusion of foreign merchandise. That is simply a pretense. And it is not the protection to home labor. That is another pretense as groundless and as inexcusable as the one first mentioned.

Those monopolists propose to charge a tax of 40 per cent. ad valorem upon the cheapest kind of cotton fabrics. They will send to Ireland for the finest linen, and to France for the finest silk, and to Belgium for the most delicate hose and trimmings for their own use. They care nothing about the protection of home labor or home products. They care no more for these than for the procurement of governmental revenue. They simply use these two things as pretexts to increase their own privileges and chartered rights under this bill and similar measures.

Of course the monopolist says, "I am an American and consequently entitled to the home market; I have my establishment and employ my men here, and ought, therefore, to have the option, the use, and the advantage of the American market." But the moment he gets possession of that field he turns his attention to stripping the inhabitants. What he desires is not the use of the American market, but to revel and riot in the abuse of it, such as 100 per cent. upon hoop-iron and 250 per cent. upon table and pocket cutlery. What he really desires is not protection for the sake of others, but prohibition for his own. He would protect protection. He would paint the very lily. What he wishes is the uncontrolled and unlimited opportunity; the unfair, the unjust advantage of this market, so that the tariff trust and its allied syndicates may have absolute command of both the price of wages and the price of commodities.

This is his demand. He moans and mourns about the pauper labor of Europe, but what he means is, "Let us charge our own prices for our own goods and compel the people by law to buy and to pay accordingly." Now, sir, it is as to this demand that we of the Democratic party say, if anything be wrong in the world, it is wrong; if anything be dishonest and dishonorable, full of self-seeking, low design, unworthy of this

home, unworthy of humanity, if there be anything indescribably mean and mercenary, sordidly corrupt and corrupting, it is this demand of the monopolist that he shall be by law authorized to tax without limit the wages of our people and to fill with unearned shekels the treasury of his corporation.

I am admonished, however, to be brief by two considerations. In the first place, the honorable Senator from the State of Ohio [Mr. SHERMAN], in the beginning of this discussion, informed the Senate that, as to the general principles of the bill, they had been decided by the vote of the Senate upon the motion of the Senator from Tennessee [Mr. HARRIS] to lay the substitute upon the table, and at the same time the honorable Senator informed the Senate that, as to the details of the bill, he and his colleagues felt themselves bound to follow the recommendations of the committee, and thus far this has come to pass. But this was an instance in which the seer had the power to fulfill very largely his own prediction, and it does not argue a very marvelous endowment of prophetic vision. It rather intimates that all discussion is futile if not presumptuous.

But there is a second consideration. I am not very certain but that myself and others upon both sides of the Chamber who have engaged in the debate have done so in violation of a very old and well-established rule of this body. It is very true that the Senate has occasionally in public legislative session considered the stipulations of a treaty, but never without having resolved to do so in advance. It might be well enough for us before we proceed further to determine whether or not there was a treaty concluded last summer upon this subject between high contracting parties or their duly accredited plenipotentiaries, in which it was agreed upon the one side that the choice of the electoral colleges for President should be controlled in a certain interest, and on the other it was bargained that in exchange the entire taxing power of the Government should be bodily transferred to the party of the first part. I confess, sir, that some of the provisions of this bill have a very close resemblance to what I should deem to be stipulations in such a treaty. I am not as yet myself prepared to say that I shall advise or consent to any of the provisions in this instrument.

As to the whole measure in its totality, using words already used in this presence, I regard it as a cowardly surrender of one of the great constitutional prerogatives of the Government to the dictation of an unprincipled cabal, who seek in it only their own aggrandizement and a forthcoming dynasty of unrestricted pelf and pillage.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Indiana [Mr. TURPIE].

Mr. SAULSBURY. Mr. President, I shall be compelled to vote against the amendment of the Senator from Indiana. I do not believe that it is a proper thing to do, or that it is in the power of this Government to undertake to regulate the compensation between employers and employés. I think it would be a great misfortune for us to undertake to distribute the benefit of these duties to the employés in the factories of this country. I am opposed to these high duties being paid to the manufacturing interests of the country. I think they are wrong; and I am opposed to any attempt on the part of Congress to interfere with the contracts between labor and capital. That is a private matter which the parties themselves should settle.

For this reason I am compelled to differ with an amendment offered on this side of the Chamber, and I shall cast my vote against it.

Mr. COCKRELL. Let the amendment be read.

The PRESIDING OFFICER. It will be again read.

The CHIEF CLERK. It is proposed to add to paragraph 322:

Provided, That from and after the passage of this act all persons or corporations engaged in the manufacture or making up of the articles mentioned in this section shall pay to the persons employed by them an increase of 10 per cent. upon wages they are receiving at the time of the passage of this bill.

The amendment was rejected.

The PRESIDING OFFICER. The reading of the substitute will be resumed.

The Chief Clerk read paragraph 324, as follows:

324. Plushes, velvets, velveteens, and all pile fabrics composed of cotton or other vegetable fiber, 10 cents per square yard and 20 per cent. ad valorem.

Mr. VANCE. In lines 1323 and 1324 I move to strike out the words "ten cents per square yard and twenty" and insert "forty" in lieu thereof.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. In lines 1323 and 1324 it is proposed to strike out "ten cents per square yard and twenty" and insert "forty;" so as to read:

324. Plushes, velvets, velveteens, and all pile fabrics composed of cotton or other vegetable fiber, 40 per cent. ad valorem.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Carolina, which has just been read.

Mr. VANCE. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. HAMPTON (when Mr. BUTLER's name was called). My colleague [Mr. BUTLER] is paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. MORRILL (when his name was called). I am paired with the Senator from Tennessee [Mr. HARRIS], and therefore withhold my vote.

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB]. Otherwise I should vote "yea."

The roll-call was concluded.

Mr. PADDOCK. I am paired with the Senator from Louisiana [Mr. EUSTIS].

Mr. TELLER. I am paired with the Senator from Louisiana [Mr. GIBSON], but that pair has been transferred to the Senator from Nevada [Mr. JONES]. Therefore I vote "nay."

Mr. GEORGE. I have a general pair with the Senator from New Hampshire [Mr. BLAIR], but it has been arranged so that he and the Senator from Virginia [Mr. DANIEL] are paired together, and therefore I vote.

Mr. EDMUNDS. I am paired with the Senator from Alabama [Mr. PUGH], but with the liberty to vote to make a quorum. Understanding that it is necessary that I vote to make a quorum, I vote "nay."

Mr. DAVIS. My colleague [Mr. SABIN] is paired with the Senator from West Virginia [Mr. KENNA].

Mr. HALE. I have a pair with the Senator from Kentucky [Mr. BECK]. If he were here, I should vote "nay."

Mr. CULLOM. The Senator from Rhode Island [Mr. CHACE] is paired with the Senator from Georgia [Mr. COLQUITT].

Mr. EDMUNDS (after having voted in the negative). If I correctly understand it now, my vote is not necessary to make a quorum.

The PRESIDING OFFICER. It is not.

Mr. EDMUNDS. If it be not, I beg leave to withdraw my vote.

The PRESIDING OFFICER. The Senator from Vermont withdraws his vote.

The result was announced—yeas 19, nays 22; as follows:

YEAS—19.

Bate,	Coke,	Jones of Arkansas,	Turpie,
Berry,	George,	Morgan,	Vance,
Blackburn,	Gibson,	Payne,	Walthall,
Call,	Gray,	Reagan,	Wilson of Md.
Cockrell,	Hampton,	Saulsbury,	

NAYS—22.

Aldrich,	Dolph,	Mitchell,	Stewart,
Allison,	Evarts,	Palmer,	Stockbridge,
Chandler,	Hawley,	Platt,	Teller,
Cullom,	Hiscock,	Sawyer,	Wilson of Iowa.
Davis,	Hoar,	Sherman,	
Dawes,	Manderson,	Spooner,	

ABSENT—35.

Beck,	Daniel,	Hearst,	Pugh,
Blair,	Edmunds,	Ingalls,	Quay,
Blodgett,	Eustis,	Jones of Nevada,	Ransom,
Bowen,	Farwell,	Kenna,	Riddleberger,
Brown,	Faulkner,	McPherson,	Sabin,
Butler,	Frye,	Morrill,	Stanford,
Cameron,	Gorman,	Paddock,	Vest,
Chace,	Hale,	Pasco,	Voorhees.
Colquitt,	Harris,	Plumb,	

So the amendment was rejected.

The PRESIDING OFFICER. The reading will proceed.

The Chief Clerk read as follows:

325. Cotton cords, braids, gimps, galloons, webbing, goring, suspenders, and braces, any of the foregoing which are elastic or non-elastic, 35 per cent. ad valorem.

326. All manufactures of cotton not specially enumerated or provided for in this act, 35 per cent. ad valorem.

Mr. VEST. I offer a proviso to come in at that point.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. At the end of paragraph 326 it is proposed to add:

Provided, That upon no article in this schedule shall there be collected a higher duty than 50 per cent. ad valorem.

Mr. VEST. I ask for the yeas and nays on that amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. GEORGE (when his name was called). I announce for the day the pair between the Senator from New Hampshire [Mr. BLAIR] and the Senator from Virginia [Mr. DANIEL]. I vote "yea."

Mr. HALE (when his name was called). I am paired with the Senator from Kentucky [Mr. BECK].

Mr. MORRILL (when his name was called). I am paired with the Senator from Tennessee [Mr. HARRIS].

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB], or I should vote "yea."

The roll-call was concluded.

Mr. HAMPTON. My colleague [Mr. BUTLER] is paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. ALDRICH. My colleague [Mr. CHACE] is paired with the Senator from Georgia [Mr. COLQUITT].

Mr. EDMUNDS. I repeat what I said a moment ago, that I am paired with the Senator from Alabama [Mr. PUGH]. I very much fear that there is not a quorum yet voting, and therefore I vote "nay."

Mr. CULLOM. My colleague [Mr. FARWELL] is paired with the Senator from Florida [Mr. PASCO]. If my colleague were here, he would vote "nay."

Mr. EVARTS (after having voted in the negative). I voted "nay," but I do not see the Senator from Alabama [Mr. MORGAN] in the Chamber, and as I am paired with him I withdraw my vote.

Mr. TELLER. The Senator from Louisiana [Mr. GIBSON] is paired with the Senator from Nevada [Mr. JONES].

Mr. CALL. I wish to ask the Senator from Colorado [Mr. TELLER] if his colleague [Mr. BOWEN] is now paired with any one? I had a pair with the Senator from Colorado [Mr. BOWEN], but in the last few days it has been transferred to another Senator, and I desire to know how the pair stands now.

Mr. TELLER. I do not know. My colleague [Mr. BOWEN] has been paired part of the time with the Senator from South Carolina [Mr. HAMPTON]. Whether he is now or not I do not know.

Mr. HAMPTON. I was paired with the Senator from Colorado [Mr. BOWEN], but the pair was transferred to the Senator from Tennessee [Mr. HARRIS], as arranged between the Senator from Vermont [Mr. MORRILL] and myself, allowing us to vote.

Mr. PADDOCK. I am paired with the Senator from Louisiana [Mr. EUSTIS]. If he were here, I should vote "nay."

Mr. MORRILL. Under the statement of the Senator from South Carolina [Mr. HAMPTON] that the pair has been changed so that the Senator from Colorado [Mr. BOWEN] is paired with the Senator from Tennessee [Mr. HARRIS], I now cast my vote. I vote "nay."

The result was announced—yeas 19, nays 22; as follows:

YEAS—19.

Bate,	Coke,	Jones of Arkansas,	Turpie,
Berry,	George,	Payne,	Vance,
Blackburn,	Gibson,	Ransom,	Voorhees,
Call,	Gray,	Reagan,	Walthall.
Cockrell,	Hampton,	Saulsbury,	

NAYS—22.

Aldrich,	Dolph,	Mitchell,	Stewart,
Allison,	Edmunds,	Morrill,	Stockbridge,
Chandler,	Hawley,	Platt,	Teller,
Cullom,	Hiscock,	Sawyer,	Wilson of Iowa.
Davis,	Hoar,	Sherman,	
Dawes,	Manderson,	Spooner,	

ABSENT—35.

Beck,	Daniel,	Hearst,	Plumb,
Blair,	Eustis,	Ingalls,	Pugh,
Blodgett,	Evarts,	Jones of Nevada,	Quay,
Bowen,	Farwell,	Kenna,	Riddleberger,
Brown,	Faulkner,	McPherson,	Sabin,
Butler,	Frye,	Morgan,	Stanford,
Cameron,	Gorman,	Paddock,	Vest,
Chace,	Hale,	Palmer,	Wilson of Md.
Colquitt,	Harris,	Pasco,	

So the amendment was rejected.

The PRESIDING OFFICER. The reading will proceed.

The Chief Clerk read as follows:

SCHEDULE J.—FLAX, HEMP, AND JUTE.

327. Flax straw, $5 per ton.

Mr. VEST. I move to strike out "$5 per ton" and insert the word "free," so as to put flax straw on the free-list. I have not been able to find that there is any importation of this article or that there is any necessity for putting a duty on it, except as a matter of form. It does not affect any particular interest, and, unless this is a sort of show business, to put on a duty just because it is a duty, I can not imagine any reason for it. If there is any reason for it I should like to know it. None of this flax straw is brought into this country, and the manufacturers testify, and I have examined the evidence, that it does not affect them at all.

The PRESIDING OFFICER. The amendment of the Senator from Missouri [Mr. VEST] will be stated from the desk.

The CHIEF CLERK. In paragraph 327, line 1332, it is proposed to strike out "$5 per ton" and insert "free;" so as to read:

Flax straw, free.

Mr. VANCE. By the testimony of a number of witnesses who appeared before the subcommittee of the Committee on Finance, I find that the flax straw in the Western States, after the seed is obtained for the making of oil, is burned up or spread out upon the ground for manure, thrown away. One witness, Mr. Edwin A. Hartshorn, of Troy, N. Y., says:

> The flax fiber now wasted in the Western States and Territories is of great value. It is far superior to jute in strength and durability, and can be made a source of large profit. The native word for jute in India, where it is grown, is equivalent to our "sham" or "humbug," and its cheapness is its principal merit. It can be sold cheap, because it is grown and cleaned by cheap labor.
>
> The farmer in India is quite content with 6 or 8 cents a day for labor, and can live on rice at a daily cost of less than 2 cents. Hence it is possible to purchase good clean jute at 2½ to 3½ cents a pound, delivered in New York, freight, duty, insurance, and all charges paid.
>
> At these prices it is not strange that the Western farmer makes the most money out of his flax crop by burning the fiber up. It is, however, only a question of labor-cost, as this wasted fiber is excellent material for carpet yarns, twines, cordage, canvas, burlap, toweling, crash, and many other goods.
>
> The flax fiber now wasted in Minnesota and other Western States and Territories is of great value.

Mr. President, there has been a duty standing all the time upon the statute-books of $5 a ton on flax straw, and the farmer saw fit to burn it up rather than take the $5 duty and the price of the foreign article added, which would enable him to compete. If he would not prepare any flax straw for market at the old duty of $5 a ton (but we got all of our supplies, or most of them, from abroad), why keep the duty on unless we need the revenue?

It seems to me that there is no earthly use, as was said by the Senator from Missouri [Mr. VEST], in this duty, for, in the face of the duty, we have the testimony of these witnesses that they continually burn up the flax straw after they have extracted the seed. There can be no use for this duty except it be because we have got into such a habit of taxing ourselves that we should not feel good unless we had a tax on everything that we use.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Missouri [Mr. VEST].

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. MITCHELL (when his name was called). I am paired with the senior Senator from Indiana [Mr. VOORHEES]. If he were here, I should vote "nay."

Mr. MORRILL (when his name was called). My pair with the Senator from Tennessee [Mr. HARRIS] having been transferred to the Senator from Colorado [Mr. BOWEN], I vote "nay."

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB], or I should vote "yea."

The roll-call was concluded.

Mr. EDMUNDS. Repeating the statement of my pair with the Senator from Alabama [Mr. PUGH], but being at liberty to vote when it is evident that my vote is required to keep the business going on, I vote "nay."

Mr. HAMPTON. My colleague [Mr. BUTLER] is paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. BATE. I announce that my colleague [Mr. HARRIS] is paired with the Senator from Colorado [Mr. BOWEN].

Mr. PADDOCK. I am paired with the Senator from Louisiana [Mr. EUSTIS]. If he were here, I should vote "nay."

Mr. ALDRICH. My colleague [Mr. CHACE] is paired with the Senator from Georgia [Mr. COLQUITT].

Mr. HALE. My colleague [Mr. FRYE] is absent and paired with the Senator from Maryland [Mr. GORMAN].

Mr. MITCHELL. As I announced, I am paired with the Senator from Indiana [Mr. VOORHEES], but the pair was with the understanding that I could vote to make a quorum. I vote "nay."

The result was announced—yeas 15, nays 24; as follows:

YEAS—15.

Bate,	Cockrell,	Hampton,	Reagan,
Berry,	Coke,	Jones of Arkansas,	Vance,
Blackburn,	George,	Payne,	Walthall.
Call,	Gray,	Ransom,	

NAYS—24.

Aldrich,	Dawes,	Manderson,	Sherman,
Allison,	Dolph,	Mitchell,	Spooner,
Brown,	Edmunds,	Morrill,	Stewart,
Chandler,	Hawley,	Palmer,	Stockbridge,
Cullom,	Hiscock,	Platt,	Teller,
Davis,	Hoar,	Sawyer,	Wilson of Iowa.

ABSENT—37.

Beck,	Evarts,	Jones of Nevada,	Sabin,
Blair,	Farwell,	Kenna,	Saulsbury,
Blodgett,	Faulkner,	McPherson,	Stanford,
Bowen,	Frye,	Morgan,	Turpie,
Butler,	Gibson,	Paddock,	Vest,
Cameron,	Gorman,	Pasco,	Voorhees,
Chace,	Hale,	Plumb,	Wilson of Md.
Colquitt,	Harris,	Pugh,	
Daniel,	Hearst,	Quay,	
Eustis,	Ingalls,	Riddleberger,	

So the amendment was rejected.

The PRESIDING OFFICER. The reading will proceed.

The Chief Clerk read paragraph 328, as follows:

328. Flax, not hackled or dressed, $20 per ton.

Mr. VEST. I move to strike out "$20 per ton" and insert the word "free."

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. In paragraph 328 it is proposed to strike out the words "twenty dollars per ton" and insert the word "free;" so as to read:

Flax, not hackled or dressed, free.

Mr. VEST. Mr. President, the overwhelming weight of testimony on this subject from the manufacturers themselves is that flax not hackled or dressed should be upon the free-list, that there should be no duty upon it at all. I know there has been a great deal of assertion, particularly in the Northwest, that the imported flax from abroad comes in competition with the flax raised in the United States, especially in the Northwestern States, but that is not true. The flax that is brought from Scotland and the Netherlands principally into this country for manufacturing purposes, and which is used in the New England manufactories for linen and flax thread and other manufact-

ures of flax, is a very different article from that produced in the United States. Not one pound of flax that is raised in the Northwest is consumed by the New England manufactories. It is used for some very coarse carpet and for the covering of furniture, but even that is a limited manufacture. The imposition of this duty benefits neither the flax-raiser nor the manufacturer. Some flax is raised in the State of Missouri, and a very inconsiderable portion now compared with what was raised there twenty-odd years ago.

There have been two factors which have almost eliminated the culture of flax in the Western States, and particularly in the State of Missouri, which was one of the largest flax-growing States prior to 1861. In the first place, I think the overwhelming reason which has done away with the culture of flax and hemp in my section of the country has been the introduction of jute and jute-butts, which have taken the place of manufactures of flax and hemp for the covering of cotton-bales and for other textiles in which flax and hemp were used. Another reason which has operated with us in my State, rather local in its character, is that we can not induce free labor to go into the culture of hemp and flax. When there was slave labor in Missouri and in Kentucky the hemp and flax culture was much larger than it is now. There is no culture in the world as hard upon physical life as that of hemp and flax. When we had slave labor in Missouri the slaves would be hired upon a hemp farm on the Missouri River for $75 more annually than upon a grain farm, because it was the most wearing and exhaustive labor, and there never was a machine made on the face of the earth that entailed as much physical exhaustion as the old-fashioned hemp-rake that was used in the hemp and flax fields.

I speak after deliberate examination of this question, and I do not think that a majority of the Finance Committee will controvert the position. I reassert the proposition that putting this duty of $20 a ton upon flax benefits neither the flax-raiser in the United States nor the American manufacturer, and if it does not there can be no conceivable reason for putting this duty upon it. Instead of being a benefit to the American manufacturer, it is an absolute detriment. It handicaps him to that extent in his competition with the foreign manufacturers, and at the same time there is no compensation in the duty to the raiser of flax in the Northwestern States.

I quote now from page 821 of the testimony of the subcommittee of the Committee on Finance. Here is the testimony of a committee of flax manufacturers from Paterson, N. J., signed by a number of them, John Stephen, James W. McVeigh, and others, a committee representing that flax interest. Here is what they say:

> Now, what we would suggest in the way of assisting us would be to increase the duty on dressed line, threads, twines, and yarns, or failing that, take the duty off the raw material. The flax grown in this country not being suitable for the making of threads and fine yarns, it can not compete with Irish, French, Dutch, and Belgian flax, all of which are required in the making of those fine goods. The large importation of manufactured goods (especially the finer grades) proves that we have not protection enough, for although we sometimes have depressions because of accumulated stocks, still there is never any decrease of the foreign importation.

But the point which I propose to emphasize is that the American flax does not at all come in competition with the foreign flax, and the foreign flax is absolutely necessary for the manufacturers of the United States.

In the debate had in the House of Representatives upon the Mills bill, a member from Massachusetts living in Worcester, representing a district more interested in flax manufacture than any other in the United States, made the following statement:

> I will again remind the gentleman that this is a question of flax and flax fiber, and I do not propose that he shall leave that question and take up any side issue. I stated in the interest of the largest consumers of flax and flax fiber in this country that there was no flax or flax fiber raised by our farmers that was a raw material for that manufacturing interest. They do not raise fiber that is fit to use, because their primary object is the ripening of the seed; and, second, if they do undertake to raise it for fiber, there are climatic conditions in our flax-growing States unfavorable to the business, and they do not succeed in producing a fiber fit for the manufacturers of New England in the linen industry.
>
> The gentleman has gone away from the matter before the House to the duty on manufactured goods, taking up that question before its time. When we come to that part of the bill I am willing to discuss it with him.
>
> But now the question is upon a raw material with which the farmers of this country have no possible competition and which should be made free. The farmers of the West will not lose a penny if flax straw and fiber are put upon the free-list. It is not a question of sugar; it is not rice; it has nothing to do with the side issues the gentleman raises. It is the question solely of the free raw material for a heavily-taxed industry. It is a useless tax, because we do not want the money and the tax does not benefit any grower of flax in this country.

That assertion was uncontradicted in the whole of that acrimonious debate, and I undertake to say that the testimony is absolutely conclusive in regard to the truth of the statement. Yet right in the face of these statements and of petitions from manufacturers asking that this foreign flax come into the country free to assist them to make cheaper goods for the American consumer, $20 a ton is put back upon it.

What has been the experience of the people of the United States in regard to the removal of duty from the raw material? Some years ago the duty was taken off of hides and they were put on the free-list, and what was the result? I have the statistics here before me. The leather industry was languishing in this country prior to the taking off of that duty. Hides were put on the free-list. What has been the result? A steady increase in the amount of manufactured goods and of exports of leather manufactures, until in 1887 we exported from this country over $10,000,000 worth, and last year, in 1888, within a fraction of $10,000,000 worth.

We had the same sort of experience in regard to cotton. Cotton was put upon the free-list, and the cotton manufacturers of the United States to-day are in a flourishing condition. The only losses in the factories that amount to anything, except in sporadic instances, have been in the woolen factories. Not longer ago than two days a manufacturer said to me, "I am interested in a woolen factory and in a cotton factory in the same town, and if it were not for what I make in the cotton factory I would be a bankrupt by reason of my losses in the woolen factory."

What sort of reason can be given that would stand an analysis for a single instant for putting the duty on flax at $20 a ton, when manufacturers come here and almost unanimously ask that the duty be taken off, and when it is beyond any sort of successful contradiction that no farmer in the United States is benefited to the extent of a dollar by keeping it on? Here is the testimony of Messrs. Murphy and Anderson, of Paterson, N. J., who are flax-dressers, in regard to this matter:

> Mr. Felix Murphy, of Paterson, N. J., flax-dresser, said:
>
> "Mr. Chairman and gentlemen, the importation of dressed flax now leaves 900 men around Paterson idle. Barbour Bros., of Paterson, N. J., one of the leading firms in the flax business in this country, import 45,000 pounds of dressed flax weekly, and 10,000 pounds of rough flax. The duty on dressed flax is $40 a ton, and the duty on rough flax $20 a ton. We are desirous that the duty shall come off the rough flax, so as to induce the manufacturers in this country to import all rough flax and get it dressed in this country. The next leading firm in the flax business is Finlenson & Co., of Grafton, Mass. That firm imports all its dressed flax, and does not import any rough flax at all. It imports 18,000 pounds of dressed flax weekly. That would give employment to about 500 men—I mean the converting of rough flax into dressed flax."

And so it runs through the whole testimony, the point of their testimony being that they want the duty taken off of rough flax in order that it may be dressed and hackled in the United States and thereby give employment to American workmen, which I understand to be the great cry of our friends upon the opposite side of this Chamber. They say that they want more opportunity for American labor, more chances for the development of American industry and American enterprise. Yet from the very same persons who invoked this principle and used it in the canvass we find the extraordinary proposition that this raw material shall be taxed, which does not assist by the duty upon it a single farmer to the extent of a dollar, but does handicap the manufacturer.

Mr. President, look at what we are able to do even with the duty upon the rough flax. I see from the export tables of 1887 and 1888 that upon flax, hemp, and jute manufactures of bag twine and all other of these manufactures we exported in 1887 $1,402,118 worth, and in 1888 $1,391,216 worth. The imports show these facts: In 1888 we imported $1,802,084 worth of flax. From Scotland we brought in $404,584 worth. From Ireland we brought in $573,220 worth. That was imported as rough flax for the purposes of the manufacturers, showing beyond any sort of question that the American-raised flax does not suit the purposes of the manufacturing interests in New England. About that there is no sort of question.

So upon every phase of the question the argument is overwhelming in favor of putting this raw material, rough flax, upon the free-list.

The PRESIDENT *pro tempore*. The pending amendment proposed by the Senator from Missouri [Mr. VEST] will be stated.

The CHIEF CLERK. In paragraph 328 it is proposed to strike out "$20 per ton" and insert "free;" so as to read:

328. Flax, not hackled or dressed, free.

Mr. VEST. I ask for the yeas and nays on this amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. MITCHELL (when his name was called). I am paired with the senior Senator from Indiana [Mr. VOORHEES]. If he were here I should vote "nay."

Mr. MORRILL (when his name was called). I am paired with the Senator from Tennessee [Mr. HARRIS], but I transfer that pair to the Senator from Colorado [Mr. BOWEN] and vote "nay."

Mr. PADDOCK (when his name was called). I am paired with the Senator from Louisiana [Mr. EUSTIS].

Mr. WILSON, of Iowa (when his name was called). I am paired with the Senator from Maryland [Mr. WILSON]. I do not see him in the Chamber, and therefore withhold my vote.

The roll-call was concluded.

Mr. HAMPTON. My colleague [Mr. BUTLER] is paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. MANDERSON. I am paired with the Senator from Kentucky [Mr. BLACKBURN]. I should vote "nay" if he were present.

Mr. BATE. I wish to announce that my colleague [Mr. HARRIS] is paired with the Senator from Colorado [Mr. BOWEN].

Mr. CULLOM. The Senator from Rhode Island [Mr. CHACE] is paired with the Senator from Georgia [Mr. COLQUITT].

Mr. EDMUNDS. I am paired with the Senator from Alabama [Mr. PUGH]. I should vote "nay" if he were present.

The result was announced—yeas 16, nays 23; as follows:

YEAS—16.

Bate,	Coke,	Jones of Arkansas,	Turpie,
Berry,	George,	Morgan,	Vance,
Call,	Gray,	Payne,	Vest,
Cockrell,	Hampton,	Reagan,	Walthall.

NAYS—23.

Aldrich,	Dawes,	Ingalls,	Sherman,
Allison,	Dolph,	Morrill,	Spooner,
Brown,	Evarts,	Palmer,	Stewart,
Chandler,	Hawley,	Platt,	Stockbridge,
Cullom,	Hiscock,	Plumb,	Teller.
Davis,	Hoar,	Sawyer,	

ABSENT—37.

Beck,	Edmunds,	Jones of Nevada,	Riddleberger,
Blackburn,	Eustis,	Kenna,	Sabin,
Blair,	Farwell,	McPherson,	Saulsbury,
Blodgett,	Faulkner,	Manderson,	Stanford,
Bowen,	Frye,	Mitchell,	Voorhees,
Butler,	Gibson,	Paddock,	Wilson of Iowa.
Cameron,	Gorman,	Pasco,	Wilson of Md.
Chace,	Hale,	Pugh,	
Colquitt,	Harris,	Quay,	
Daniel,	Hearst,	Ransom,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

329. Flax, hackled, known as "dressed line," $40 per ton.
330. Tow, of flax or hemp, $10 per ton.
331. Hemp, $20 per ton.
332. Cables or cordage, and twine, including binding twine, composed wholly of manilla, or sisal-grass, 1½ cents per pound.

Mr. MITCHELL. I desire to inquire of the Senator in charge of the bill whether the qualifying clause in line 1340, in paragraph 332, refers to the words "cables or cordage, and twine," as well as to the words "including binding twine."

Mr. ALDRICH. They were intended to do so.

Mr. MITCHELL. It is rather a faulty construction.

Mr. ALLISON. To make it certain, say "all of the above" or "all the foregoing."

Mr. MITCHELL. Say "all the above."

Mr. ALLISON. I move to insert the words "all of the above," in line 1340, before "composed."

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. It is proposed to insert in line 1340, before the word "composed," the words "all of the above;" so as to read:

332. Cables or cordage, and twine, including binding twine, all of the above, composed wholly of manilla, or sisal-grass, 1½ cents per pound.

The PRESIDENT *pro tempore*. With a comma after "above?"

Mr. ALLISON. Yes, sir.

The PRESIDENT *pro tempore*. The amendment will be agreed to, if there be no objection.

Mr. VEST. In lines 1340 and 1341, I move to strike out "1½ cents per pound" and insert "25 per cent. ad valorem."

The PRESIDENT *pro tempore*. The proposed amendment will be stated.

The CHIEF CLERK. It is proposed, in lines 1340 and 1341, to strike out "1½ cents per pound" and to insert "25 per cent. ad valorem;" so as to read:

332. Cables or cordage, and twine, including binding twine, all of the above, composed wholly of manilla, or sisal-grass, 25 per cent. ad valorem.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Missouri [Mr. VEST].

Mr. VEST. I wish to call attention to the fact without argument, for I know what has been the result heretofore. In 1888 we exported of this article of flax bags $235,351 worth, of cordage $733,050 worth, and of twine $270,478 worth. We imported of the two articles of bags and cordage for the same year $6,531 worth as against an export of nearly $1,200,000 worth. Besides this we exported of all other articles of flax $152,337 worth.

It seems to me that under that state of case there is no necessity for this increase of 1½ cents per pound. I take it for granted that it is an increase from what I see here.

Mr. ALLISON. I was about to say to the Senator that the only objection I have to his amendment is that it will increase the duty, particularly on binding twine, which is an article of universal consumption in the West and ought to come in at a very low rate. The rate fixed in the bill on binding twine is from 12 to 15 per cent. I think that it would be an increase also on cordage and on cables.

Mr. ALDRICH. Most certainly it would. The present valuation of the importations of cables and cordage varies from 7.7 to 11.6 cents. It would be an increase of at least a cent a pound on all cables and cordage.

Mr. ALLISON. I hope the Senator from Missouri will withdraw the amendment.

Mr. VEST. I will withdraw the amendment until I examine it further. I am very certain that one part of the statement of the Senator from Rhode Island is not correct, although it is possible the Senator from Iowa may be correct.

Mr. ALLISON. I know I am correct on the question of binding twine, because I made a special examination of the matter.

Mr. ALDRICH. If the Senator from Missouri will examine the table before him he will find that the unit of value on importations of cordage last year varied from 7.7 cents to 11.6 cents a pound. Twenty-five per cent. would therefore be from 2 cents to nearly 3 cents a pound duty.

Mr. VEST. That would not apply, however, exclusively to the article of cordage.

Mr. ALDRICH. It would apply to cables and cordage. Binding-twine costs quite as much as either of those.

The PRESIDENT *pro tempore*. The Chair understands the Senator from Missouri to withdraw the amendment.

Mr. VEST. Yes, sir; I withdraw the amendment. Let the paragraph be passed over, and I will ask the liberty of recurring to it.

The PRESIDENT *pro tempore*. The amendment is withdrawn and the paragraph will be passed over. The reading will proceed.

The Chief Clerk read as follows:

333. All manufactures of flax, hemp, jute, or other vegetable fiber, except cotton, or of which flax, hemp, jute, or other vegetable fiber, except cotton, is the component material of chief value, not specially enumerated or provided for in this act, valued at 5 cents per pound or less, 2 cents per pound; valued above 5 cents per pound, 40 per cent. ad valorem.

Mr. JONES, of Arkansas. In line 1346 I move to strike out all after the word "act," and to insert "25 per cent. ad valorem."

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Arkansas will be stated.

The CHIEF CLERK. It is proposed, in line 1346, after the word "act," to strike out the words—

Valued at 5 cents per pound or less, 2 cents per pound; valued above 5 cents per pound, 40 per cent. ad valorem.

And to insert "25 per cent. ad valorem;" so as to read:

333. All manufactures of flax, hemp, jute, or other vegetable fiber, except cotton, or of which flax, hemp, jute, or other vegetable fiber, except cotton, is the component material of chief value, not specially enumerated or provided for in this act, 25 per cent. ad valorem.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Arkansas [Mr. JONES].

Mr. JONES, of Arkansas. Mr. President, I have not the slightest idea that the amendment which I propose will be adopted. The announcement made by the Senator from Ohio [Mr. SHERMAN] in the beginning of the discussion of this bill, which was referred to by the Senator from Indiana [Mr. TURPIE] a few minutes ago, that the intention of the majority was to follow the committee on all these questions, of course settles this; and it makes no difference how palpably wrong we may show a provision in the bill to be, I am satisfied there will be no change upon any motion of ours. Senators in this body, representatives of sovereign States, representing millions of the consumers of this country, have offered amendment after amendment, and each one has been steadily, persistently, and consistently voted down. It matters not what the reasons given for any change may be, it matters not how plainly it may be shown that there is no necessity for any particular provision to remain in the bill or how clearly it may be shown that there is no necessity for raising any item of revenue, still, as the Senator from Missouri has just shown in the flax schedule, the majority go persistently forward and adopt the recommendations of the committee without regard to right or merit. There seem to be some people in this country more fortunate than the members of the Senate.

In an article published in the Manufacturer, a periodical published, I believe, by the Manufacturers' Club, bearing date the 1st day of this month, I find the following:

AMENDMENTS TO THE SENATE TARIFF BILL.

The committee appointed by the textile section of this club at a special meeting some days since, after a conference with manufacturers from New York and New England, agreed upon the following amendments to the Senate bill, and laid them before the Finance Committee of the Senate on the 19th ultimo. The committee have reason to believe that these amendments will receive favorable consideration.

Then come paragraphs 320 and 321 of the tariff bill as the Manufacturers' Club intend to have them amended. Yesterday the Senate in considering the bill reached those paragraphs, and the Senator from Iowa stated that they would pass over them, as the committee would perhaps have some changes to make in connection with those paragraphs. It seems that the committee appointed by this club when preparing an amendment to the bill can have it considered. The inflexible rule suggested by the Senator from Ohio does not count when the proposition to amend the bill comes from the manufacturers, but when the representatives of the States and the people stand here and offer amendments there is no attention whatever paid to them, and they are voted down steadily.

I notice in that same paper some admonitions given to the majority as to what was expected of them in another paragraph, which I shall now read:

It is well for the iron manufacturers of this country to keep an eye on the Senate tariff bill as it moves along towards its passage.

Says this paper:

Mr. PLUMB, of Kansas, wants reduction of the duties on structural iron, and as he is threatening to make trouble unless his wishes are heeded, there is some talk of appeasing him by arranging a compromise over the metal schedule. It may be important to satisfy Mr. PLUMB, but it seems to us even more important to satisfy American manufacturers of iron and the American people who voted in the late election for maintenance of the protective system. The Senate can not make any serious cut in the iron duties without betraying the trust of the

people in the party controlling the Senate. There is no necessity of any kind for compromising with Mr. PLUMB, because there is no necessity that the Senate shall pass a tariff bill at all. No objection could be made if it should adopt a good measure; but if it can pass a bill only by making sacrifices of American interests to gratify the whims of such persons as Mr. PLUMB it had much better drop the whole business at once and permit the work of tariff revision to go over to the next Congress, where indeed it properly belongs.

This comes from the same high authority which first agreed on amendments to paragraphs 320 and 321 of the bill, and which, it would seem from circumstances that occurred in the Senate on yesterday, are likely to be adopted. The same paper has, among other interesting things, the following. In speaking of the great services of Mr. James M. Swank, the secretary, I believe, of the Iron and Steel Association, it says:

During the past year, in connection with the Industrial League, which is also managed by Mr. Swank, it has sent out—

Speaking of the organization of which he is secretary—

to all parts of the country 1,387,864 tracts or pamphlets, many of which were written by the general manager.

Yet the distinguished Senator from Vermont stands in his place in the Senate and tells us that tariffs imposed upon goods do not increase the cost to the consumer, and the Senator from Massachusetts tells us that the only object in levying a tariff is to make the price of articles consumed by American consumers cheaper. Yet here is the secretary of the Iron and Steel Association sending out 1,300,000 pamphlets in a year for the purpose of securing cheap goods to the American consumers. The association of which he is secretary of course has no interest in circulating these pamphlets, but they are all unselfishly sent out for the public good.

I happen to be one of the fortunate recipients of one of these million three hundred thousand pamphlets distributed by Mr. Swank, and I think a good deal of what might be vulgarly called the "true inwardness" of this bill can be found in a half page of that tract. I propose to call the attention of the Senate to it. I read from page 23 of the pamphlet. It is stamped on the outside in red ink "Please read this." It is styled "Our Bessemer Steel Industry," and seems to have been sent from the American Iron and Steel Association.

Mr. VANCE. How is the word "steel" spelled?

Mr. JONES, of Arkansas. He spells it s-t-e-e-l.

Mr. VANCE. That is wrong. Why did he not spell it right?

Mr. JONES, of Arkansas. It is like a good many other false pretenses.

"The tariff revision which is needed" is the heading of the particular article which I now propose to read, and it proceeds as follows:

Let those who have in their hands the welfare of American industries beware that they do not imperil their very existence. Let them beware that they do not recklessly fan that spirit of discontent among the workingmen of this country, the consequences of which, were it fully aroused, no patriotic citizen would willingly behold. Duties on many manufactured products, instead of being too high, are now too low to be protective. The industries of this country are to-day far from being in a highly prosperous condition. Some of them are in a state of depression, and a leading cause of such depression as now exists and of such apprehension as prevails is found in the increased importations which the present tariff makes possible. Another cause of depression and apprehension is found in the late message of the President and his threat of tariff reduction. If our legislators would invite prosperity for our country for many years to come, and at the same time would reduce the surplus in the Treasury, let them increase duties and not reduce them.

This is precisely what is done through this bill. I simply read these things to show the animus running through this entire attempt at tariff revision, so far as the other side are concerned. But while we are on the subject, as the Senator from Connecticut [Mr. HAWLEY] a day or two ago was stating that it was a difficult matter to find where political parties stood, and that he had been unable to find out what the Democratic party wanted on this question of tariff reform, it may not be out of place for me to call attention to the official declarations of the Republican party upon the question of tariff taxation from 1872 down to their last official declaration. In 1872 the seventh section of their platform was as follows:

7. The annual revenue, after paying current expenditures, pensions, and the interest on the public debt, should furnish a moderate balance for the reduction of the principal, and that revenue, except so much as may be derived from a tax upon tobacco and liquors, should be raised by duties upon importations, the details of which should be so adjusted as to aid in securing remunerative wages to labor, and to promote the industries, prosperity, and growth of the whole country.

From that it would seem that they recognized the fact then that the purpose of levying tariff taxes was to raise revenue and not for private tribute. At that time I take it a Republican convention could not have been induced to have openly declared that it was in favor of any such purpose as the latter. In 1876 section 8 of their platform, reported by Mr. HAWLEY, said:

8. The revenue necessary for the current expenditures and the obligations of the public debt must be largely derived from duties upon importations, which as far as possible should be adjusted to promote the interest of American labor and advance the prosperity of the whole country.

In 1880 they said in section 5 of their platform:

5. We affirm the belief avowed in 1876 that the duties levied for the purpose of revenue shall so discriminate as to favor American labor.

And "Applause" was put in parenthesis after that declaration.

Mark you, Mr. President, here was a declaration by this national convention of the Republican party in 1880 that taxes levied for revenue should be so adjusted as to give labor some protection. The leading purpose was public revenue to the Government. But in 1884 a new light seems to have dawned. They had begun to change materially their position and to tend towards the declaration that the prime purpose of levying national taxes was for private tribute instead of public revenue. Hear it. Section 4 of the platform adopted in 1884 was as follows:

4. It is the first duty of a good Government to protect the rights and promote the interests of its own people. The largest diversity of industry is the most productive of general prosperity and of the comfort and independence of the people. We therefore demand that the imposition of duties on foreign imports shall be made not for revenue only, but that in raising the revenues for the Government such duty shall be so levied as to afford security to our diversified industries and protection to the rights and wages of the laborer to the end that active and intelligent labor, as well as capital, may have its just reward and the laboring man his full share of the national prosperity.

In 1888, as we all remember, came the broad, unqualified declaration that—

We favor the entire repeal of the internal taxes rather than the surrender of any part of our protective system.

Here, Mr. President, there is written in the official declaration of their party the fact that in 1872 they began with a declaration that whatever taxes were necessary for public purposes which were not raised from tobacco and liquors ought to be raised by a tariff tax. They affirmed again and again that the purpose of levying a tariff was public revenue, and that it should be so adjusted as to favor their industries. But now for the first time comes the declaration made by the Republican party, and sanctioned by its Committee on Finance in the Senate, that the purpose of a national system of taxation was to increase the gains of the manufacturers, and they propose to increase taxes when they propose to reduce revenues.

Mr. PLATT. Mr. President——

The PRESIDENT *pro tempore*. Does the Senator from Arkansas yield?

Mr. JONES, of Arkansas. Certainly.

Mr. PLATT. Will the Senator state in what resolution or in what language he finds his authority for the statement which has just fallen from his lips, that the convention held in 1888 declared for protection in order to increase the profits of manufacturers?

Mr. JONES, of Arkansas. I think that the Senator from Connecticut did not do me the honor to listen carefully to what I said. I said, or intended to say, that the declaration of the convention of 1888 was that they favored the entire repeal of the internal taxes rather than surrender any part of the protective system, and that the conduct of the Finance Committee here and the action of the majority in the Senate says "as plain as a whisper in the ear" that the purpose of this system is to increase private fortunes, to levy these taxes for private tribute and not for public revenue. I have just read from the words of Mr. Swank that the way to make this country prosperous is to decrease revenue by increasing taxation, and your tariff is carrying it out in every provision of the bill that we have under consideration.

Mr. PLATT. I do not want to interrupt the Senator, but I should like to have him——

The PRESIDENT *pro tempore*. Does the Senator from Arkansas yield?

Mr. JONES, of Arkansas. It is no interruption.

Mr. PLATT. I should like to have the Senator give me this opportunity to say that as I understand this question, the whole talk to which we have listened for the last week or fortnight, to the effect that the purpose of protection and the purpose of this bill is to increase the profits of the manufacturers, which are already excessive, has no foundation in fact, not the slightest.

Mr. JONES, of Arkansas. I have no objection to my friend, the Senator from Connecticut, making a declaration of that sort, but there is high authority for saying, "By their fruits ye shall know them," and I propose now for a moment to weigh his declaration by the action of the Finance Committee.

In the paragraph under consideration the proposition is that—

All manufactures of flax, hemp, jute, or other vegetable fiber, except cotton, or of which flax, hemp, jute, or other vegetable fiber, except cotton, is the component material of chief value, not specially enumerated or provided for in this act, valued at 5 cents per pound or less, 2 cents per pound; valued above 5 cents per pound, 40 per cent. ad valorem.

According to the analysis submitted to this body, and which I presume is in the main correct, the divisions under this paragraph are analyzed as follows: We have "bags and bagging except bagging for cotton" at 2 cents a pound. In paragraph 334, which we have not yet reached, the provision is that burlaps not exceeding 60 inches in width shall be taxed 30 per cent. ad valorem.

In the report made by the Committee on Finance they stated that no friend of the Mills bill was heard by that committee. They heard manufacturers and their friends, and among them they heard a manufacturer of jute bags. He stated on the last page of his testimony, and he was cross-examined by the chairman of the committee, the Senator from Iowa, that if you put a tax of three-quarters of a cent on burlaps, then he wanted a tax of 1 cent a pound on bags; that this difference was necessary to his protection. Then the Senator from Iowa said, "If we make a tax of 1½ cents on burlaps then you want 2 cents on bags?" He answered, "Or 1⅞ cents." He was hardly willing to go to the extent the Senator from Iowa proposed.

This witness testified that he was a large manufacturer of bags, the very article that is included under this paragraph of the bill, and upon which you propose to levy a tax of 2 cents a pound. He stated that burlaps was his raw material, and that an ad valorem tax of 15 per cent. was the equivalent of three-eighths of a cent a pound. Therefore a tax of 30 per cent. ad valorem is equivalent to a tax of three-fourths of a cent a pound. Now I will read from his testimony:

The CHAIRMAN. If we put a duty of three-fourths of a cent a pound on burlaps, then you want a duty of 1 cent a pound on bags?
Mr. BEMIS. I have said 1 cent.
The CHAIRMAN. One cent?
Mr. BEMIS. Yes.
The CHAIRMAN. And if we put a duty of 1½ cents on burlaps, then you want a duty of 2 cents on bags?
Mr. BEMIS. Yes, or 1¼. Three-eighths of a cent on the pound will protect us, I claim. Other manufacturers do not agree with me. One cent a pound is all any reasonable man ought to ask.

Now, Mr. President, what is the result? The committee comes in with this bill providing for a tax of three-quarters of a cent, the lowest tax suggested between the chairman of the subcommittee and the witness here, and when the witness testified that a tax of 1 cent a pound is enough, if three-quarters of a cent is levied then you give him not the one-quarter of 1 cent protection that he asks, not the quarter of a cent between his raw material and his manufactured product that he himself said was enough, but you give him five times as much, and give him 2 cents a pound protection upon his bags, making 1¼ cents difference, when the manufacturer himself only asked for one-quarter of 1 cent difference.

It occurs to me that I have seen just such an instance in a book that may possibly have escaped the attention of members of the Finance Committee. It is pretty high authority in the Democratic party and is a law book. I shall read just a paragraph or two, showing the spirit that it seems to me enters into this thing of giving these people more than they ask.

Mr. ALDRICH. Before the Senator commences the reading, let me ask whether I understand him to state that we have placed a duty of three-quarters of a cent a pound upon the raw material for bags?

Mr. JONES, of Arkansas. I say that you have placed a tax of 30 per cent. ad valorem upon burlaps, and that this witness stated that a tax of 15 per cent. ad valorem was equivalent to a specific tax of three-eighths of a cent, and therefore 30 per cent. ad valorem is equivalent to a tax of three-quarters of a cent, and you have, in effect, levied a tax of three-quarters of a cent.

Mr. ALDRICH. Does the Senator from Arkansas think that the witness made a correct statement?

Mr. JONES, of Arkansas. I can not say whether the statement is correct or not.

Mr. ALDRICH. Does the Senator from Arkansas believe everything that he sees in the testimony taken by the subcommittee without any confirmatory evidence?

Mr. JONES, of Arkansas. I am very sorry to say that I believe very little of it. What part of it I have taken the trouble to investigate I have found to be in the main a tissue of falsehoods from beginning to end. It is the testimony of a lot of men who came here for the purpose of presenting special pleas, to invent excuses for taxes to be levied upon people to enrich themselves.

Mr. ALDRICH. I had received that impression from some remarks I heard the Senator make before. I was a little surprised at his blind faith in this statement, and I wanted to see whether he confirmed it by other collateral evidence.

Mr. JONES, of Arkansas. I have not blind faith in the statement; but will the Senator tell me what specific rate a tax of 30 per cent. ad valorem is equivalent to?

Mr. ALDRICH. That would depend altogether upon the price abroad.

Mr. JONES, of Arkansas. At the present price?

Mr. ALDRICH. It would be a cent and a half a pound, I imagine, or somewhere in that neighborhood.

Mr. JONES, of Arkansas. The Senator imagines. If the Senator will investigate it he will find the figures in this paper. Of course I understand that when any particular figures are found in any of these documents that are against the Finance Committee they are immediately determined to be wrong; but he will find that these figures from the Treasury Department do not sustain his statement.

Mr. ALDRICH. I will say that the present price of burlaps is in the neighborhood of 5 cents a pound abroad, in Dundee. The Senator can figure it out. That would make the duty amount to 1½ cents a pound.

Mr. JONES, of Arkansas. Of what quality?

Mr. ALDRICH. Of the quality used in making bags.

Mr. JONES, of Arkansas. I shall call the attention of the Senate in a few minutes to a statement made by this witness on that question. Possibly I had best do so at once. I do not know whether one of the witnesses who comes before this committee to give them information will ever tell the truth at all under any circumstances, but I presume that when they speak of specific facts they would hardly make untrue statements of prices, etc., especially against their own interest. I should like to ask the Senator from Rhode Island who has just interrupted me if these people were sworn when they were examined?

Mr. ALLISON. They were not.

Mr. JONES, of Arkansas. They were not?

Mr. ALLISON. Nobody was sworn.

Mr. JONES, of Arkansas. The practice has been on the committees that I have noticed in these examinations, in order to make them as nearly reliable as possible, to put the witnesses on oath, so as to come as near to getting the truth out of them as possible. I do not suppose an obligation of that sort would be very binding on some of these people, however, and upon the whole I commend the wisdom of the committee in not making them perjure themselves.

You asked this man the price of these burlaps. I do not know whether you knew more about it than he did or not. If you did, you did not contradict him when he made the statement, and you printed it and brought it into the Senate for its information, and you certainly will not propose to impeach your own witnesses.

I quote:

The CHAIRMAN. You think that these goods should come in by weight and not ad valorem?
Mr. BEMIS. Yes.
The CHAIRMAN. I mean a specific duty, which would have to be by weight, of course.
Mr. BEMIS. That is it exactly; that is just the point I would like to make.
The CHAIRMAN. Tell me what any one of these specimens would be worth per pound abroad.
Mr. BEMIS. Very well; I will tell you exactly. The 8½, which is the one-notch piece, would be worth to-day 1$\frac{3}{8}$ pence.
The CHAIRMAN. Sample No. 2 is what?
Mr. BEMIS. Eight and one-half.
The CHAIRMAN. What do you mean by 8½?
Mr. BEMIS. Eight and one-half ounces to the yard of 40 inches. I suppose you only want the comparative market. I will give it at 1½ pence for 8 ounces.
The CHAIRMAN. Give me the value per pound, on the other side, for each of these three specimens which you have shown me.
Mr. BEMIS. The value of the 8½ is about 1$\frac{3}{8}$ pence.
The CHAIRMAN. What would that be in cents?
Mr. BEMIS. It would be about 2.66 cents. The next quality is worth three forty-eighths more, which would be 1$\frac{5}{8}$ pence. The grades go by three forty-eighths of a penny every half ounce. The 7½ would be 1$\frac{1}{8}$. I simply say that these prices are lower than the present market; they have advanced.
The CHAIRMAN. The highest of these, 1$\frac{5}{8}$ pence, is only about 3 cents a pound.

It would be equal to 3 cents a pound, and a pound has 2 yards of the stuff in it. Here is a witness, a manufacturer, consuming large quantities of this article, in the presence of the Senator from Rhode Island stating to the committee that the foreign cost of this stuff is 3 cents a pound, while the Senator now says that the cost of the material abroad now is 5 cents a yard. Yet the witness was neither contradicted nor corrected.

Mr. ALDRICH. Five cents a pound, I said.

Mr. JONES, of Arkansas. I beg the Senator's pardon. I thought he said 5 cents a yard. However, as the Senator was present and heard this witness testify, and as he allowed the testimony to go uncontradicted into the records, and gives it the high sanction of the Finance Committee in bringing it into the Senate, I respectfully submit that he ought to stand by it now.

Now, I want to go back to this piece of law that I had just begun to read to my distinguished and very highly-honored friend, the chairman of the subcommittee. The Senate will remember that when I was diverted by the Senator from Rhode Island I was calling attention to the fact that the Senator from Iowa and the committee had in this case given the man five times as much as he had asked. He asked you for the difference between three-quarters of a cent and a cent, and instead of one-quarter of 1 cent, you gave him five times what he asked. I said there was a parallel to it that I had read in a book which I feared had escaped the attention of the Committee on Finance, but which was recognized as high authority by the Democratic party, and one I now quote from to a limited extent. I read from the sixteenth chapter of Luke, as follows:

1. And he said also unto his disciples, There was a certain rich man, which had a steward; and the same was accused unto him that he had wasted his goods.
2. And he called him, and said unto him, How is it that I hear this of thee? give an account of thy stewardship; for thou mayest be no longer steward.
3. Then the steward said within himself, What shall I do? for my lord taketh away from me the stewardship: I can not dig; to beg I am ashamed.

Mr. EDMUNDS. I must interrupt the Senator on a point of order. I do not think he ought to allude to the President of the United States in that way.

Mr. JONES, of Arkansas. I did not understand the observation of the Senator from Vermont.

Mr. EDMUNDS. I said that I questioned whether it was in parliamentary order to allude to the President of the United States in that way, that he had just been dismissed. [Laughter.]

Mr. JONES, of Arkansas. If the Senator from Vermont will possess his soul in patience, before I get through I think I shall explain to him that this is applicable to him and the committee that he blindly follows in all circumstances and everywhere.

But I do hope the Senator will not undertake to break the force of this passage, for I tell him it is very fine, and this book, too, I should like to commend to his careful consideration. He would learn a great deal of wisdom from it. It is true it might not have anything of protection in it; in fact, he will find it condemned by it. But while he will not find anything in it that will justify the greed that has characterized his party in their political management of this country, yet he perhaps would find something that would be of comfort and consolation to him hereafter. I hope no Senator on the other side will inter-

rupt me again until I can finish the quotation, there being only a line or two more of it. I am sorry that quoting a few lines from the Bible should so disturb and stir up the gentlemen on the other side.

3. Then the steward said within himself, What shall I do? for my lord taketh away from me the stewardship: I can not dig; to beg I am ashamed.
4. I am resolved what to do, that, when I am put out of the stewardship, they may receive me into their houses.
5. So he called every one of his lord's debtors unto him, and said unto the first, How much owest thou unto my lord?
6. And he said, An hundred measures of oil. And he said unto him, Take thy bill, and sit down quickly, and write fifty.

When the Senator from Iowa called this man up, if he had been a debtor of the United States, he would not have said, "Sit down, take thy bill and write quickly one-half of what you owe, but one-fifth only," but when he undertakes to agree with him how much he is to be allowed to tax other people—what the Finance Committee is to agree that the people of the United States shall contribute to his fortune, the committee says, "Take thy bill and sit down quickly and write down, not twice as much as what you want, but five times what you ask, because you belong to the sacred few whose fortunes are to be made great at the expense of the many all over this broad land and upon whom we are to rely in every emergency."

When you have been doing just such things was it any wonder that the Senator from Indiana the other day should exclaim that "the ox knoweth his owner and the ass his master's crib?" When we understand that the purpose of building up these interests, when we know the result to which they all lead, there can be no mistake in the purpose for which these things are done.

Mr. EDMUNDS. Now that my friend from Arkansas has finished reading from his newly-discovered——

Mr. JONES, of Arkansas. It is very old to us, Mr. President. It may be new to the Senator.

Mr. EDMUNDS. Yes, it is old, so far as obeying it is concerned. But I wish to ask the Senator a practical question for my own information, because I have great respect for his knowledge of this subject. I wish to ask him simply and plainly whether he thinks that putting burlaps on the free-list entirely, so that there is no customs duty at all, would reduce the price in the United States to the people who use burlaps and have them to buy?

Mr. JONES, of Arkansas. As my mind would lead me to walk right out of the door if I wanted to get out of the room, I do. But I have not proposed in my amendment that burlaps should be put on the free-list.

There is another fact connected with this business that I propose right now to bring out, and the inquiry of the Senator from Vermont is pertinent and makes it fit exactly. It is shown by the evidence submitted by the committee that a manufacturer engaged in the manufacture of these burlaps said if he could have 15 per cent. protection on his burlaps over the duty he had to pay for jute he could manufacture burlaps in this country. Now you have jute-butts free. You propose to give them that material at least free. If that can be used in the manufacture of this class of burlaps he then not only has his 15 per cent., his 20 per cent., but he has 30 per cent. of protection. In other words, you do for him like the unjust steward did in the other case. When he asks you for one you give him two. When he asks for 15 per cent. to enable him to make these burlaps, you give him 30 per cent. and give him his raw material free at the same time.

Mr. EDMUNDS. Will my friend yield to me for a moment?

Mr. JONES, of Arkansas. Certainly.

Mr. EDMUNDS. If we have given the burlap manufacturer a greater benefit than he thought he would need in order to compete with foreign manufacturers, then on the principle that my friend has stated, that putting burlaps on the free-list would reduce the price, it would enable him by so much more to make them still cheaper and sell them still cheaper. If in one case it would reduce the price, why would it not in this case reduce it by so much more?

Mr. JONES, of Arkansas. There is no answering a theory so effectually as to present a fact in reply. There are burlap manufacturers in this country who manufacture cotton-bagging. They have had high protection, an absolute monopoly of this market, and yet the Senator has seen this last summer that a very wicked and outrageous combination has been made by the manufacturers of that article by which the farmers of this country have been absolutely robbed of millions of dollars. That is a sufficient answer to the Senator's question.

Mr. EDMUNDS. May I ask another, then?

Mr. JONES, of Arkansas. Certainly.

Mr. EDMUNDS. Does the Senator think that the customs duties have any effect upon combinations, such as my friend refers to in regard to keeping up the price of the commodities? Are not these combinations just as complete, indeed more complete, in what are called free-trade countries, although there is not really any thoroughly free-trade country, and never ought to be any? Are not those combinations just as complete, just as commanding, just as monopolistic as they are in this country, and a good deal more?

Mr. JONES, of Arkansas. I think not. I will say frankly, however, that the combination of cotton-bagging manufacturers last summer was possibly not affected at all by the fact of the tariff, because the mills abroad were not being run in the manufacture of that article at the time, and the conspirators by shrewdness and cunning kept their combination hid until it was so late that bagging could not be imported from abroad. What I submit is that it is an outrage that people who have had their industries built up by an absolutely prohibitory tariff in this country, who have the absolute control of all the markets in this country in any given article, shall have the power to make this sort of combination by the protection of the United States, and the Government becomes a party to that robbery whenever it helps to build it up. The Government having been put upon notice and having seen the effect of such a combination in this instance, ought to make haste to wash its hands of any connection with it in the future, and the tariff ought to be so reduced as at least to give the cotton producers of this country the opportunity to go abroad and buy cotton-bagging if they choose. There certainly is no reason why a member of this Chamber should hereafter say that there ought to be a prohibitory tariff or any tariff at all upon cotton-bagging. It seems to me the infamy of the record these people have made is of itself sufficient to deprive them of every particle of respect they ever had, and they ought to be rebuked and punished.

But I do not propose to be drawn into a discussion of that question. When paragraph 339 is reached I intend to move that that article be put upon the free-list, and then we can discuss the right and the wrong of it.

Mr. VANCE. Will the Senator from Arkansas allow me to make an inquiry of him for information?

Mr. JONES, of Arkansas. Certainly.

Mr. VANCE. In paragraph 339, which he says he expects to make a motion concerning, I see the duty on cotton-bagging is put at three-fourths of a cent a pound, provided that it shall not exceed in value 3 cents a pound. I should like to ask him as a Senator well acquainted with the value of that article if for twelve months past the price has not been more than 3 cents per pound in this country?

Mr. JONES, of Arkansas. Yes, sir; it has been so for twelve months past and at all other times; and what is more——

Mr. VANCE. One more question. Would not that refer jute bags back to paragraph 333, and make them subject to a duty of 2 cents a pound instead of three-fourths of a cent?

Mr. JONES, of Arkansas. Jute bags or bagging?

Mr. VANCE. Bagging.

Mr. JONES, of Arkansas. Certainly. There is no question of that.

Mr. VANCE. So——

Mr. ALLISON. Perhaps there is some question about that.

Mr. JONES, of Arkansas. I should like to hear what the Senator from North Carolina has to say.

Mr. VANCE. I think it is hard to see any person in such a fix that something can not be said on his side of the question.

Mr. ALLISON. If I may interrupt the colloquy between the Senator from Arkansas and the Senator from North Carolina——

Mr. JONES, of Arkansas. Certainly.

Mr. ALLISON. I should like to say that bagging for cotton, which I understand is the article the Senator from Arkansas names, has not been higher than 3 cents a pound in the last year.

Mr. VEST. I should like to ask the Senator from Iowa a question.

Mr. JONES, of Arkansas. What was the statement?

Mr. VEST. If the Senator from Arkansas will permit me——

Mr. JONES, of Arkansas. Will the Senator from Missouri allow me to ask the Senator from Iowa to repeat what he said? I can hardly believe my ears.

Mr. ALLISON. I say the price of jute bagging for cotton during the last year, the foreign valuation, which is the basis of this rate, has not been to exceed 3 cents a pound.

Mr. COCKRELL. "Foreign valuation." That is a very different matter.

Mr. ALLISON. That is what this tariff is based on, and what the question of the Senator from North Carolina was based upon.

Mr. VEST. I wish to ask the Senator from Iowa a question, because this is a very important part of this schedule, the most important point in it. I see upon the opposite page, in Schedule J, flax, hemp, etc., which is the estimate by the committee, that the unit of value on this article is 2.8 cents.

Mr. ALLISON. On what article?

Mr. VEST. On cotton-covering, bagging.

Mr. ALLISON. Bagging for cotton, gunny-cloth, and all similar material?

Mr. VEST. Yes, sir.

Mr. ALLISON. The unit of value is 2.8 cents now. That is the average.

Mr. VANCE. That was on the importations of a year ago, 1887. It has been much higher since.

Mr. VEST. I understand in 1887 that was the average, and it shows that there must have been a considerable portion of it valued at over 3 cents, because there is only two-tenths of a cent margin between 2.8 cents and the 3 cents fixed in paragraph 339.

Mr. ALLISON. A very large part is greatly under it.

Mr. VEST. Still there must have been a large portion above it.

Mr. ALLISON. I do not think there was a pound above it. I vent-

ure to say that that statement of valuations covers every pound of cotton-bagging made in India.

Mr. VEST. Then an advance of two-tenths of a cent would bring the whole of it under paragraph 339?

Mr. ALLISON. Yes, sir; it would.

Mr. VEST. That would be the operation.

Mr. JONES, of Arkansas. In the testimony taken by this committee they examined a Mr. Murdock, and I should like to state to the Senate that he is not a "floor-walker" either, nor, to accept the amendment of the Senator from Rhode Island, is he a "walking delegate;" but he is a manufacturer and must, of course, tell the truth. A man of that high dignity and calling of course could not be guilty of falsehood. That man, in reply to a question presented to him, stated the present cost to the manufacturers of 2-pound jute bagging delivered at Southern ports from Calcutta. He sets out each item of cost. The present cost to the manufacturer and the total cost to the Indian manufacturer at Calcutta, according to this statement, is 3.1 cents per pound; yet you come here with a proposition in this bill that bagging valued at less than 3 cents——

Mr. ALDRICH. What page is the Senator reading from?

Mr. JONES, of Arkansas. From page 103 of volume 2 of the testimony taken by your committee. I am reading from the testimony of Mr. Murdock, who said that he was a manufacturer of this article in Charleston, S. C., and connected also, I believe, with Appleton Sturgis, in New York City, a man who could not be suspected of any bad motive in connection with this business. Being a manufacturer he belongs to that higher and better class of people who always know what they talk about. That man states the cost as follows:

	Cents per yard.
Jute-butts, 2 pounds, at 1.08 cents per pound loose	2.16
Waste, 10 per cent	.22
Cost of manufacture	.72

Making 3 cents and 1 mill as the actual cost to the Calcutta manufacturer per pound.

Mr. ALDRICH. The Senator is about as near correct as he usually is. That is so much per yard, and it weighs 2 pounds per yard. The Senator wants to divide it by 2 to find out the price per pound.

Mr. JONES, of Arkansas. Mr. President, I did not intend——

Mr. ALLISON. I should like to have the Senator to say whether he insists upon his remark that this statement as read by him is correct as to the cost of this bagging in Calcutta.

Mr. JONES, of Arkansas. Yes, sir; the statement read by me is correct.

Mr. ALLISON. The statement of Mr. Murdock, which the Senator was just now quoting, is the cost per yard, and it takes 2 pounds to make a yard.

Mr. JONES, of Arkansas. "Present cost to the manufacturers of 2-pound jute bagging delivered at Southern ports from Calcutta." Two-pound jute bagging, I presume, means by the yard, but it does not say so.

Mr. ALLISON. It says at the top the cost per yard.

Mr. JONES, of Arkansas. "Present cost to the manufacturers of 2-pound jute bagging." Yes, I suppose it means by the yard.

Mr. EDMUNDS. It says so a little further up.

Mr. ALDRICH. It says so.

Mr. JONES, of Arkansas. I presume that is correct, though I do not see it. I am satisfied that it is per yard, and that I was in error in taking it to be a valuation by the pound, and that under that there would be a reduction under the bill. But I had not intended to enter into the discussion of that upon this question of bags. I propose to leave that for subsequent consideration.

No matter what the bill may propose, I do not believe that the cotton-bagging manufacturers have conducted themselves in such a way in the last twelve months in this country as to justify any levy of a tax for their protection. It may not be amiss, as I have gone as far as I have into this question, to state some of the reasons why. However, some data that I intended to use in the discussion of that question I have not with me, and I will leave that for the present.

I think I have shown sufficiently that under the present provision of the bill the committee levies a tax of three-fourths of a cent a pound upon burlaps and that that is 15 per cent. ad valorem—more than the manufacturers of that article wanted—and when that was fixed as the tax, instead of levying 1 cent a pound upon bags, as the manufacturers themselves asked, you have levied a tax of 2 cents, which is five times as much difference as was asked for by the manufacturers. This is a discrimination against the consumers of bags, against the farmers of the great Northwest, who ship nearly all their products abroad in these jute bags. It seems to me that there can be no defense for raising this duty higher than the absolute necessities for the protection of these people require.

We were told that one of the dangers to be incurred in having the duty on these articles brought down was the danger of combinations. Let me read what this same Mr. Bemis, in testifying before the committee, stated in regard to a combination in this industry:

The CHAIRMAN. Competition is sharp?
Mr. BEMIS. Yes; there is no trust.
Senator HARRIS. And never has been?
Mr. BEMIS. Never has been.
Senator HARRIS. How long have you been engaged in that business?
Mr. BEMIS. Ever since 1859. I do not wish to flatter myself before you gentlemen, but I believe to-day four parties [holding up four fingers] could make a combination in the West. Within a week I have been asked to join one, but I join no combination or trust.

When this man states frankly that he can within a week organize a combination in this great interest it certainly does seem to me that the committee ought to see to it that no such tariff is placed on these bags as to make such a trust easy of accomplishment, as this certainly does. We ought not to offer a premium for this kind of a combination. The interests of the great West demand and the interests of the farmers require that this course should not be pursued. Yet it is being done and will be done, and our protests will be unavailing.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Arkansas [Mr. JONES].

Mr. JONES, of Arkansas. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). The junior Senator from Delaware [Mr. GRAY] is absent, and I withhold my vote, as I am paired with him.

Mr. MITCHELL (when his name was called). I am paired with the senior Senator from Indiana [Mr. VOORHEES]. If he were here, I should vote "nay."

Mr. MORRILL (when his name was called). I am paired with the Senator from Tennessee [Mr. HARRIS], but have transferred that pair to the Senator from Colorado [Mr. BOWEN] and vote "nay."

Mr. PADDOCK. I am paired with the Senator from Louisiana [Mr. EUSTIS]. If he were here, I should vote "nay."

The roll-call was concluded.

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER]. The Senator from Rhode Island [Mr. CHACE] is paired with the Senator from Georgia [Mr. COLQUITT].

Mr. HALE. I am paired with the Senator from Kentucky [Mr. BECK]. I transfer the pair to the Senator from Nevada [Mr. JONES] and vote "nay."

Mr. BATE. I wish to announce that my colleague [Mr. HARRIS] is paired with the Senator from Colorado [Mr. BOWEN].

Mr. MANDERSON. I am paired with the Senator from Kentucky [Mr. BLACKBURN].

The result was announced—yeas 16, nays 23; as follows:

YEAS—16.

Bate,	George,	Morgan,	Vance,
Berry,	Gibson,	Payne,	Vest,
Call,	Hampton,	Reagan,	Walthall,
Coke,	Jones of Arkansas,	Turpie,	Wilson of Md.

NAYS—23.

Aldrich,	Evarts,	Morrill,	Spooner,
Allison,	Hale,	Palmer,	Stewart,
Chandler,	Hawley,	Platt,	Stockbridge,
Davis,	Hiscock,	Plumb,	Teller,
Dawes,	Hoar,	Sawyer,	Wilson of Iowa.
Dolph,	Ingalls,	Sherman,	

ABSENT—37.

Beck,	Colquitt,	Harris,	Quay,
Blackburn,	Cullom,	Hearst,	Ransom,
Blair,	Daniel,	Jones of Nevada,	Riddleberger,
Blodgett,	Edmunds,	Kenna,	Sabin,
Bowen,	Eustis,	McPherson,	Saulsbury,
Brown,	Farwell,	Manderson,	Stanford,
Butler,	Faulkner,	Mitchell,	Voorhees.
Cameron,	Frye,	Paddock,	
Chace,	Gorman,	Pasco,	
Cockrell,	Gray,	Pugh,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Secretary read as follows:

334. Burlaps, not exceeding 60 inches in width, of flax, jute, or hemp, or of which flax, jute, or hemp, or either of them, shall be the component material of chief value (except such as may be suitable for bagging for cotton), 30 per cent. ad valorem.

335. Brown and bleached linen cloth containing not less than 100 threads to the square inch, counting the warp and filling, 35 per cent. ad valorem.

336. On laces, embroideries, insertings, neck-ruffling and ruchings, trimmings, lace window-curtains, and other completed articles of lace, and tamboured window-curtains and other similar tamboured articles, composed of flax, jute, cotton, or other vegetable fiber, not specially enumerated or provided for in this act, 50 per cent. ad valorem.

Mr. VEST. Two days ago, I believe, when the question of neck-ruffling and ruchings came before the Senate—not in regard to this paragraph—there was some conversation between the Senator from Rhode Island [Mr. ALDRICH] and myself in reference to the effect of putting these cotton fabrics under the jute and hemp schedule. He asserted then that by putting them back under the cotton schedule, where they would seem to legitimately belong, and under paragraph 323, the effect would be to increase the duty. I asked then that that question should be passed over until I could make an examination; and I have made it.

I find now that the facts in regard to this matter are simply these: Under the existing law these articles of neck-ruffling and ruchings, which are made entirely of cotton, come in under what is known as the basket clause, or 35 per cent. ad valorem. They were not specially

mentioned in the act of 1883, as they are now in the Senate substitute, and the effect of this proposed legislation by mentioning them specially under the jute and hemp schedule is to increase the duty from 35 to 50 per cent. The Senator admits that to be true.

Now, Mr. President, some of these articles, I find upon an examination of the testimony, are very low in value. None of them is very high priced. They are common articles used by persons who are not in affluent or luxurious circumstances; and it seems to me there is no sort of justice in taking them out of the basket clause, where they could be taxed 35 per cent. ad valorem, and putting them under this clause with a 50 per cent. tax imposed upon them.

I shall move to strike out, in lines 1357 and 1358, "neck-ruffling and ruchings;" and also to strike out, in line 1361, the words "cotton, or other vegetable fiber;" and if that motion prevails, I shall then move to insert, in line 1360, after the word "flax," the words "hemp or;" so as to read:

And other similar tamboured articles composed of flax, hemp, or jute.

That would take articles made from cotton or other vegetable fiber out of this paragraph and would leave this paragraph as it ought to be, applying alone to flax, hemp, and jute.

I am not able to say now, with my limited knowledge on this subject, what would be the entire effect of keeping the word "cotton" in this section. I have not been able in the examination I have had time to make to see how many articles would be covered by this paragraph of the schedule, because it is very broad. How it was ever put in under this hemp and flax schedule I have never been able to understand. Why the committee did not dispose of all cotton articles under the cotton schedule, and leave hemp, flax, and jute and those articles in a schedule by themselves I am not able to explain, and I have heard no reason for it.

It will be seen that in lines 1360 and 1361 the broadest sort of language is used—"composed of flax, jute, cotton, or other vegetable fiber not specially enumerated." Any article that does not happen to be specially enumerated under the cotton schedule would come in under this clause and be taxed 50 per cent. ad valorem. Those specially enumerated, "neck-rufflings and ruchings," are the commonest sort of cotton fabrics, and are put in under the flax schedule and put up from 35 per cent. under the basket provision in the existing law to 50 per cent., and I should like to hear some reason for that. If these were fine laces and embroideries that were used by the rich, I could understand it: but here is an article or fabric that is only used by people in the most moderate circumstances. We do not need the revenue and it seems to me it is unjust.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. In paragraph 336, line 1357, after the word "insertings," it is proposed to strike out "neck-ruffling and ruchings," and in line 1361 to strike out the words "cotton or other vegetable fiber;" so as to make the paragraph read:

336. On laces, embroideries, insertings, trimmings, lace window-curtains and other completed articles of lace, and tamboured window-curtains and other similar tamboured articles, composed of flax, jute, not specially enumerated or provided for in this act, 50 per cent. ad valorem.

The PRESIDENT *pro tempore*. If there be no objection, the two amendments will be treated as one question.

Mr. ALDRICH. I stated the other day, in answer to a suggestion made by the Senator from Missouri, that it was true that the present duty upon cotton laces was 30 per cent. ad valorem, and upon linen laces 40 per cent. ad valorem, and it was the purpose of this paragraph to consolidate the two. It is very difficult for an expert to tell the difference between cotton lace and linen lace. It can only be told by microscopical examination of the fibers. They are identical in purpose, identical in cost, and most of those covered by this paragraph are the most elaborate articles of luxury, which certainly are entitled to pay a high rate of duty if there is anything in the whole bill that is to do it, and I am greatly surprised that the Senator from Missouri, with his economical views, should seek to reduce the rates of duty upon articles of pure luxury. There is not a single thing referred to in this paragraph that is not an article of luxury.

The Senator intimates that cotton laces are less articles of luxury than linen laces. That is not true. There are some articles of embroideries and edgings made by machinery from cotton which are of small value, and which are simply used by the common people of this country. Those are not covered by this paragraph at all, but by paragraph 323, where the rate of duty on goods of that description is fixed at 45 cents per pound and 15 per cent. ad valorem.

It was necessary, in the opinion of the Secretary of the Treasury, which was submitted to the Committee on Ways and Means at the same time, to make the duty in paragraph 323 specific. It is necessary that these two items, which are descriptions of laces, should be made at one uniform rate of duty and in the same paragraph. It makes no difference whether this paragraph is inserted under the jute schedule or under the cotton schedule. We simply put it under the jute schedule, as I explained the other day, because the importation of linen laces is more than the importation of cotton laces. It is simply a matter of convenience.

In regard to neck-ruffling and ruchings to which the Senator refers, I would state that the manufacturers of those articles who are located in the city of New York have been a number of times before the committee, urging that the rate we have fixed of 50 per cent. ad valorem is not adequate to protect that industry, which is quite a large one in this country.

The Senator is not correct in his statement that these are altogether inexpensive articles. Some of them, if he will examine the samples in the committee-room, he will find are very expensive articles of luxury. I certainly think the rate fixed in the bill is not excessive.

Mr. VEST. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary called the roll, but before the result was announced,

Mr. VEST said: I ask unanimous consent to withdraw the amendment, as I understand there is doubt as to the presence of a quorum.

The PRESIDENT *pro tempore*. The yeas and nays having been ordered and the roll-call completed, it will be necessary to ask unanimous consent to rescind the order for the calling of the yeas and nays, to which the Chair hears no objection. The question will then again be taken on the amendment (unless the Senator withdraws it) by the sound.

Mr. VEST. I withdraw the amendment.

The PRESIDENT *pro tempore*. The amendment is withdrawn.

Mr. ALLISON. I move that the Senate do now adjourn.

The motion was agreed to; and (at 4 o'clock and 34 minutes p. m.) the Senate adjourned until Monday, January 7, 1889, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January* 5, 1889.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

INDEMNITY TO CERTAIN JAPANESE.

The SPEAKER laid before the House the following communication from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Appropriations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a report of the Secretary of State, with accompanying papers, recommending an appropriation for the relief of the Japanese subjects injured and of the families of Japanese subjects killed on the Island of Ikisima, in consequence of target practice directed against the shore by the United States man-of-war Omaha, in March, 1887.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 3, 1889.

SURVEY OF ARID LANDS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Interior of an appropriation, to be immediately available, for the survey of arid lands; which was referred to the Committee on Appropriations, and ordered to be printed.

REFERENCE OF SENATE BILLS, ETC.

The SPEAKER also laid before the House the bill (S. 870) to provide for the retirement of a certain class of officers in the United States Navy; which was read a first and second time, and referred to the Committee on Naval Affairs.

Also, a Senate concurrent resolution directing the printing (in addition to the usual number) of 3,000 additional copies of the final report of the royal commission appointed to inquire into recent changes in the relative value of precious metals, etc.; which was referred to the Committee on Printing.

REPORT ON THE WILD SILK-WORM.

The SPEAKER also laid before the House the report of Professor Joseph Neumann, of San Francisco, Cal., under the act of July, 1888, upon the study of the wild silk-worm; which was referred to the Committee on Agriculture.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. PENINGTON, indefinitely, on account of sickness in his family.

CHANGE OF REFERENCE.

On motion of Mr. FORD, by unanimous consent, the Committee of the Whole House on the state of the Union was discharged from the further consideration of the bill (H. R. 10422) to provide for the purchase of the Fort Brown military reservation, Texas, and to extinguish all claims for the use and occupation of said reservation; and the same was recommitted to the Committee on Military Affairs.

PURCHASE OF SCHOOL SITES, DISTRICT OF COLUMBIA.

Mr. TOWNSHEND, by unanimous consent, introduced a resolution of inquiry calling for information relative to the purchase of school sites in the District of Columbia; which was referred to the Committee on the District of Columbia.

CORRECTION.

Mr. BLAND. Mr. Speaker, I desire to call attention to the ruling of the Speaker on yesterday on the point of order raised by the gentleman from Kansas, in order to correct the RECORD, inasmuch as I think it does not contain the exact language used by the Speaker at that time.

The SPEAKER. The gentleman will state the correction.

Mr. BLAND. The RECORD reads as follows:

The previous question was demanded by a member and ordered by the House, and a vote was actually being taken.

As I understood the Chair, and as the condition of the question exists, the previous question had been demanded, and the yeas and nays had been ordered upon that demand by the House; but the previous question had not been ordered.

The SPEAKER. That is the fact, and that is what the Chair intended to say. Of course the Chair is not prepared to say that that was the exact language used, but that was the fact. The previous question was demanded, and the yeas and nays were ordered by the House upon that demand.

Mr. BLAND. The RECORD therefore does not really state the fact, nor do I think it states correctly the language used by the Speaker.

The SPEAKER. The Chair will examine the RECORD, and cause the proper correction to be made.

SIOUX INDIAN RESERVATION, DAKOTA.

Mr. PEEL. Mr. Speaker, I ask unanimous consent to submit a report from the Committee on Indian Affairs. Next Thursday is the day set apart for the consideration of bills from that committee, and I desire to have this bill printed so that the members can examine it.

The SPEAKER. If there be no objection, the report will be submitted.

There was no objection.

Mr. PEEL, by unanimous consent, from the Committee on Indian Affairs, reported, as a substitute for the bill H. R. 11645, a bill (H. R. 11970) to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations, and secure the relinquishment of the Indian title to the remainder, and for other purposes; which was read a first and second time, referred to the House Calendar, and ordered to be printed.

The bill H. R. 11645 was ordered to be laid upon the table.

LIGHT-SHIP AND FOG-SIGNAL AT SANDY HOOK.

Mr. BRYCE, by unanimous consent, introduced a bill (H. R. 11971) for the establishment of a light-ship, with steam fog-signal, at Sandy Hook, New York Harbor; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

CHANGE OF RULES.

Mr. REED. I ask the regular order, which is a vote upon the demand for the previous question on the resolution reported from the Committee on Rules.

Mr. LEE. I ask the gentleman from Maine to yield to me for a moment.

Mr. REED. I have declined to yield to a number of gentlemen who have appealed to me, and I must insist upon the demand for the regular order.

The SPEAKER. The regular order is the question on the demand for the previous question, on which the yeas and nays have been ordered. The Clerk will call the roll.

The question was taken; and there were—yeas 98, nays 20, not voting 205; as follows:

YEAS—98.

Allen, Mass.	Ford,	Landes,	Romeis,
Allen, Mich.	French,	Lodge,	Rowell,
Atkinson,	Gear,	Long,	Russell, Mass.
Baker, N. Y.	Glover,	Maish,	Scull,
Bayne,	Grosvenor,	Mansur,	Seymour,
Belden,	Grout,	Mason,	Smith,
Blanchard,	Harmer,	McCreary,	Sowden,
Boothman,	Henderson, Ill.	McKenna,	Spooner,
Brewer,	Herbert,	McKinley,	Springer,
Browne, T. H. B., Va.	Hermann,	McKinney,	Stone, Ky.
Browne, Ind.	Hiestand,	Morrill,	Struble,
Brown, Ohio	Hires,	Morrow,	Taylor, J. D., Ohio
Bryce,	Hitt,	Nutting,	Thomas, Ill.
Buchanan,	Holmes,	Oates,	Thompson, Ohio
Burrows,	Hopkins, Va.	O'Donnell,	Townshend,
Campbell, T. J., N. Y.	Hopkins, N. Y.	O'Neill, Pa.	Vance,
Cogswell,	Houk,	Osborne,	Walker,
Conger,	Hovey,	Outhwaite,	Weaver,
Cox,	Howard,	Patton,	West,
Crouse,	Jackson,	Payson,	Wheeler,
Cutcheon,	Kean,	Peel,	White, N. Y.
Davis,	Kerr,	Peters,	Woodburn,
Dockery,	Ketcham,	Phelps,	Yoder.
Farquhar,	La Follette,	Plumb,	
Flood,	Laidlaw,	Reed,	

NAYS—20.

Abbott,	Cummings,	Johnston, N. C.	McComas,
Adams,	Enloe,	Lanham,	Nelson,
Anderson, Ill.	Glass,	Lehlbach,	Newton,
Baker, Ill.	Hall,	Lind,	Richardson,
Cothran,	Haugen,	Matson,	Wilson, Minn.

NOT VOTING—205.

Allen, Miss.	Dalzell,	Kilgore,	Rusk,
Anderson, Iowa	Dargan,	Laffoon,	Ryan,
Anderson, Miss.	Darlington,	Lagan,	Sawyer,
Anderson, Kans.	Davenport,	Laird,	Sayers,
Arnold,	Davidson, Ala.	Lane,	Scott,
Bacon,	Davidson, Fla.	Latham,	Seney,
Bankhead,	De Lano,	Lawler,	Shaw,
Barnes,	Dibble,	Lee,	Sherman,
Barry,	Dingley,	Lyman,	Shively,
Biggs,	Dorsey,	Lynch,	Simmons,
Bingham,	Dougherty,	Macdonald,	Snyder,
Bland,	Dunham,	Maffett,	Spinola,
Bliss,	Dunn,	Mahoney,	Stahlnecker,
Blount,	Elliott,	Martin,	Steele,
Bound,	Ermentrout,	McAdoo,	Stephenson,
Boutelle,	Felton,	McClammy,	Stewart, Tex.
Bowden,	Finley,	McCormick,	Stewart, Ga.
Bowen,	Fisher,	McCullogh,	Stewart, Vt.
Breckinridge, Ark.	Fitch,	McMillin,	Stockdale,
Breckinridge, Ky.	Foran,	McRae,	Stone, Mo.
Brower,	Forney,	McShane,	Symes,
Brown, J. R., Va.	Fuller,	Merriman,	Tarsney,
Brumm,	Funston,	Milliken,	Taulbee,
Buckalew,	Gaines,	Mills,	Taylor, E. B., Ohio
Bunnell,	Gallinger,	Moffitt,	Thomas, Ky.
Burnes,	Gay,	Montgomery,	Thomas, Wis.
Burnett,	Gest,	Moore,	Thompson, Cal.
Butler,	Gibson,	Morgan,	Tillman,
Butterworth,	Goff,	Morse,	Tracey,
Bynum,	Granger,	Neal,	Turner, Kans.
Campbell, F., N. Y.	Greenman,	Nichols,	Turner, Ga.
Campbell, Ohio	Grimes,	Norwood,	Vandever,
Candler,	Guenther,	O'Ferrall,	Wade,
Cannon,	Hare,	O'Neall, Ind.	Warner,
Carlton,	Hatch,	O'Neill, Mo.	Washington,
Caruth,	Hayden,	Owen,	Weber,
Caswell,	Hayes,	Parker,	White, Ind.
Catchings,	Heard,	Penington,	Whiting, Mich.
Cheadle,	Hemphill,	Perkins,	Whiting, Mass.
Chipman,	Henderson, Iowa	Perry,	Whitthorne,
Clardy,	Henderson, N. C.	Phelan,	Wickham,
Clark,	Hogg,	Pidcock,	Wilber,
Clements,	Holman,	Post,	Wilkins,
Cobb,	Hooker,	Pugsley,	Wilkinson,
Cockran,	Hopkins, Ill.	Randall,	Williams,
Collins,	Hudd,	Rayner,	Wilson, W. Va.
Compton,	Hunter,	Rice,	Wise,
Cooper,	Hutton,	Robertson,	Yardley,
Cowles,	Johnston, Ind.	Rockwell,	Yost.
Crain,	Jones,	Rogers,	
Crisp,	Kelley,	Rowland,	
Culberson,	Kennedy,	Russell, Conn.	

During the roll-call,

On motion of Mr. HOPKINS, of New York, by unanimous consent, the reading of the names was dispensed with.

The following pairs on all political questions, until further notice, were announced:

Mr. MILLS with Mr. KELLEY.
Mr. CAMPBELL, of Ohio, with Mr. GOFF.
Mr. HOOKER with Mr. COOPER.
Mr. O'NEILL, of Missouri, with Mr. WILLIAMS.
Mr. FELIX CAMPBELL with Mr. RUSSELL, of Connecticut.
Mr. BREWER with Mr. TARSNEY.
Mr. CANDLER with Mr. WILBER.
Mr. CARLETON with Mr. DE LANO.
Mr. CARUTH with Mr. WICKHAM.
Mr. WISE with Mr. BUNNELL.
Mr. HATCH with Mr. BINGHAM.
Mr. NORWOOD with Mr. YARDLEY.
Mr. SNYDER with Mr. DALZELL.
Mr. CLARDY with Mr. DINGLEY.
Mr. LAWLER with Mr. MCCORMICK.
Mr. NEAL with Mr. BELDEN.
Mr. HEMPHILL with Mr. GROUT.
Mr. MCSHANE with Mr. LAIRD.
Mr. GREENMAN with Mr. SHERMAN.
Mr. BURNES with Mr. WHITING, of Massachusetts.
Mr. MORGAN with Mr. PARKER.
Mr. WHITTHORNE with Mr. WHITE, of Indiana.
Mr. LAGAN with Mr. CLARK.
Mr. DOUGHERTY with Mr. HUNTER.
Mr. STONE, of Missouri, with Mr. THOMAS, of Kentucky.
Mr. GRANGER with Mr. ROCKWELL.
Mr. HAYES with Mr. DORSEY.
Mr. MONTGOMERY with Mr. HOPKINS, of Illinois.
Mr. MCCLAMMY with Mr. NICHOLS.
Mr. DARGAN with Mr. SYMES.

The following pairs for this day were announced:

Mr. COMPTON with Mr. WEBER.
Mr. MCMILLIN with Mr. HAYDEN.
Mr. MOORE with Mr. DARLINGTON.
Mr. WILKINS with Mr. FELTON, on this vote.
Mr. SENEY with Mr. STEWART, of Vermont, for ten days from to-day.

Mr. BREWER. It is announced by the Clerk that I am paired on all political questions. Not deeming this a political question, I have voted.

The vote was then announced as above recorded.

The SPEAKER. No quorum has voted.

Mr. REED. I ask for a call of the House.

The motion was agreed to.

The roll was called, when the following members failed to answer to their names:

Arnold,	Darlington,	Kelley,	Rusk,
Barry,	Davenport,	Lagan,	Scott,
Belden,	Davidson, Ala.	Laird,	Seney,
Bingham,	De Lano,	Lawler,	Shaw,
Bliss,	Dibble,	Lyman,	Sherman,
Bound,	Dingley,	Lynch,	Simmons,
Bowden,	Dorsey,	Macdonald,	Snyder,
Bowen,	Dougherty,	Maffett,	Stahlnecker,
Breckinridge, Ark.	Dunham,	Mahoney,	Steele,
Brown, J. R., Va.	Ermentrout,	McClammy,	Stephenson,
Brumm,	Felton,	McShane,	Stewart, Vt.
Buckalew,	Fisher,	Merriman,	Stone, Mo.
Bunnell,	Fitch,	Milliken,	Symes,
Burnett,	Foran,	Mills,	Tarsney,
Butler,	Forney,	Moffitt,	Taylor, E. B., Ohio.
Bynum,	Gaines,	Montgomery,	Thomas, Ky.
Campbell, F., N. Y.	Gallinger,	Morgan,	Warner,
Candler,	Gay,	Morse,	Weber,
Carlton,	Goff,	Neal,	White, Ind.
Caruth,	Granger,	Norwood,	Whiting, Mass.
Caswell,	Greenman,	O'Neill, Mo.	Whitthorne,
Clardy,	Guenther,	Parker,	Wickham,
Clark,	Hatch,	Penington,	Wilber,
Cockran,	Hayden,	Perry,	Wilkins,
Collins,	Hayes,	Phelan,	Williams,
Compton,	Hemphill,	Phelps,	Wise,
Cooper,	Hogg,	Pidcock,	Yardley,
Crain,	Hooker,	Rayner,	Yost.
Dalzell,	Hopkins, Ill.	Rockwell,	
Dargan,	Jones,	Russell, Conn.	

The SPEAKER *pro tempore*. The doors will be closed, and the Clerk will call the roll of absentees for excuses.

Mr. KILGORE. I ask that my colleague, Mr. CRAIN, be excused on account of sickness.

There was no objection, and it was so ordered.

Mr. BAYNE. I ask that my colleague, Mr. DALZELL, be excused. He is absent on account of important business.

There was no objection, and it was so ordered.

Mr. COBB. I ask that my colleague, Mr. FORNEY, be excused on account of sickness.

There was no objection, and it was so ordered.

Mr. BLOUNT. I ask that my colleague, Mr. CARLTON, be excused on account of sickness.

There was no objection, and it was so ordered.

Mr. MORROW. I ask that my colleague, Mr. FELTON, be excused on account of sickness.

There was no objection, and it was so ordered.

Mr. ADAMS. I ask that Mr. HAYDEN be excused on account of illness.

There was no objection, and it was so ordered.

Mr. LATHAM. I ask that my colleague, Mr. SIMMONS, be excused for the rest of the day on account of illness.

There was no objection, and it was so ordered.

Mr. SAYERS. I ask that my colleague, Mr. MILLS, be excused for the rest of the day on account of illness.

There was no objection, and it was so ordered.

Mr. REED. I ask that my colleague, Mr. MILLIKEN, be excused on account of sickness.

There was no objection, and it was so ordered.

The result of the roll-call was then announced as above recorded.

Mr. REED. Mr. Speaker, I ask the adoption of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That the Sergeant-at-Arms take into custody and bring to the bar of the House such of its members as are absent without the leave of the House.

The question was taken, and the Speaker *pro tempore* announced that the ayes seemed to have it.

Mr. BANKHEAD. Division.

The House divided; and there were—ayes 83, noes 42.

So the resolution was adopted.

The following members were absent with leave of the House:

Breckinridge, Ark.	Dalzell,	Hooker,	Penington,
Brumm,	Dibble,	Kelley,	Parker,
Caruth,	Dougherty,	Lagan,	Phelan,
Clardy,	Felton,	Laird,	Phelps,
Clark,	Forney,	Lyman,	Thomas, Ky.
Carlton,	Gay,	Maffett,	Warner,
Cutcheon,	Gibson,	Moffitt,	Weber,
Dargan,	Granger,	Morrill,	Whitthorne.
Dingley,	Hatch,	Neal,	

Mr. RICHARDSON. While we are waiting for the report of the Sergeant-at-Arms I desire to make a request. The House has assigned Tuesday next for the consideration of business reported from the Committee on Printing, and I ask unanimous consent to present a report at this time in order that it may be printed in advance.

Mr. REED. I shall have to ask for the regular order. The only way in which the House can be brought to understand the inconvenience to which it is liable to be put by such a course of action as has been adopted by the minority here is by being put to that inconvenience.

Mr. BRECKINRIDGE, of Kentucky (at 1 o'clock and 50 minutes p. m.). Mr. Speaker, I think it is quite evident that we can not do any business here to-day, and therefore I move that the House adjourn.

The question was taken; and the Speaker *pro tempore* declared that the ayes seemed to have it.

Mr. SPRINGER. I call for a division. If we can have unanimous consent for the adoption of a resolution instructing the Sergeant-at-Arms to telegraph to absent members, requesting them to be present on Monday, I shall not object to an adjournment now.

Mr. BLOUNT. I object to that.

Mr. WEAVER. Let us have the yeas and nays.

Mr. PAYSON. Regular order.

Mr. REED. I do not think it will be possible to do any business until the attention of the country is called to this procedure.

Mr. ANDERSON, of Kansas. And to the great big Pacific Railroad bill that is behind it.

Mr. WEAVER. And the cattle syndicates.

The question was taken on the motion to adjourn, and there were—ayes 83, noes 22.

Mr. SPRINGER. Let us have the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 72, nays 100, not voting 151; as follows:

YEAS—72.

Abbott,	Cothran,	Hovey,	Payson,
Anderson, Miss.	Cox,	Hudd,	Plumb,
Anderson, Ill.	Crain,	Hutton,	Randall,
Anderson, Kans.	Crisp,	Kerr,	Robertson,
Bacon,	Davidson, Fla.	Kilgore,	Rowland,
Bankhead,	Dunn,	Laffoon,	Ryan,
Barnes,	Elliott,	Lanham,	Sayers,
Biggs,	Enloe,	Latham,	Spinola,
Blanchard,	French,	Lee,	Stewart, Tex.
Bland,	Gibson,	Lind,	Stewart, Ga.
Blount,	Glass,	Long,	Stone, Ky.
Breckinridge, Ky.	Grimes,	Maish,	Thomas, Wis.
Bryce,	Hall,	Martin,	Thompson, Cal.
Burnes,	Hare,	Matson,	Tillman,
Cheadle,	Henderson, N. C.	McKinney,	Turner, Kans.
Chipman,	Henderson, Ill.	Nelson,	Turner, Ga.
Clements,	Hermann,	Oates,	Walker,
Cobb,	Hiestand,	O'Ferrall,	Washington.

NAYS—100.

Adams,	Farquhar,	Lodge,	Reed,
Allen, Mass.	Flood,	Macdonald,	Rice,
Allen, Mich.	Fuller,	Mansur,	Romeis,
Anderson, Iowa	Funston,	Mason,	Rowell,
Atkinson,	Gest,	McAdoo,	Scull,
Baker, N. Y.	Harmer,	McComas,	Seymour,
Baker, Ill.	Henderson, Iowa	McCreary,	Shively,
Bayne,	Hires,	McCullogh,	Smith,
Bliss,	Hitt,	McKenna,	Sowden,
Boothman,	Holman,	McKinley,	Spooner,
Boutelle,	Holmes,	McRae,	Springer,
Brewer,	Hopkins, Va.	Newton,	Steele,
Brower,	Hopkins, N. Y.	Nichols,	Stockdale,
Browne, T. H. B., Va.	Houk,	Nutting,	Struble,
Brown, Ohio	Howard,	O'Donnell,	Taulbee,
Buchanan,	Jackson,	O'Neill, Pa.	Taylor, J. D., Ohio
Burrows,	Johnston, Ind.	Osborne,	Tracey,
Butterworth,	Johnston, N. C.	Outhwaite,	Townshend,
Cogswell,	Kean,	Patton,	Wade,
Cowles,	Kennedy,	Peel,	Weaver,
Crouse,	Ketcham,	Perkins,	West,
Cummings,	La Follette,	Peters,	White, N. Y.
Cutcheon,	Landes,	Phelps,	Whiting, Mich.
Davis,	Lane,	Post,	Wilson, Minn.
Dockery,	Lehlbach,	Pugsley,	Woodburn.

NOT VOTING—151.

Allen, Miss.	Dalzell,	Heard,	O'Neill, Mo.
Arnold,	Dargan,	Hemphill,	Owen,
Barry,	Darlington,	Herbert,	Parker,
Belden,	Davenport,	Hogg,	Penington,
Bingham,	Davidson, Ala.	Hooker,	Perry,
Bound,	De Lano,	Hopkins, Ill.	Phelan,
Bowden,	Dibble,	Hunter,	Pidcock,
Bowen,	Dingley,	Jones,	Rayner,
Breckinridge, Ark.	Dorsey,	Kelley,	Richardson,
Browne, Ind.	Dougherty,	Lagan,	Rockwell,
Brown, J. R., Va.	Dunham,	Laidlaw,	Rogers,
Brumm,	Ermentrout,	Laird,	Russell, Conn.
Buckalew,	Felton,	Lawler,	Russell, Mass.
Bunnell,	Finley,	Lyman,	Rusk,
Burnett,	Fisher,	Lynch,	Sawyer,
Butler,	Fitch,	Maffett,	Scott,
Bynum,	Foran,	Mahoney,	Seney,
Campbell, F., N. Y.	Ford,	McClammy,	Shaw,
Campbell, Ohio	Forney,	McCormick,	Sherman,
Campbell, T. J., N. Y.	Gaines,	McMillin,	Simmons,
Candler,	Gallinger,	McShane,	Snyder,
Cannon,	Gay,	Merriman,	Stahlnecker,
Carlton,	Gear,	Milliken,	Stephenson,
Caruth,	Glover,	Mills,	Stewart, Vt.
Caswell,	Goff,	Moffitt,	Stone, Mo.
Catchings,	Granger,	Montgomery,	Symes,
Clardy,	Greenman,	Moore,	Tarsney,
Clark,	Grosvenor,	Morgan,	Taylor, E. B., Ohio
Cockran,	Grout,	Morrill,	Thomas, Ky.
Collins,	Guenther,	Morrow,	Thomas, Ill.
Compton,	Hatch,	Morse,	Thompson, Ohio
Conger,	Haugen,	Neal,	Vance,
Cooper,	Hayden,	Norwood,	Vandever,
Culberson,	Hayes,	O'Neall, Ind.	Warner.

Weber,	Whitthorne,	Wilkinson,	Yardley,
Wheeler,	Wickham,	Williams,	Yoder,
White, Ind.	Wilber,	Wilson, W. Va.	Yost.
Whiting, Mass.	Wilkins,	Wise,	

So the motion to adjourn was not agreed to.

Mr. SPRINGER offered the following:

Resolved, That the Sergeant-at-Arms be instructed to telegraph all members who are absent, stating that the House of Representatives requests their attendance on Monday next.

The resolution was adopted—ayes 60, noes 41.

Mr. SPRINGER. I stated awhile ago that if this resolution were adopted I would move that the House adjourn, and I intend to make that motion, but I will first move that all further proceedings under the call be dispensed with.

The motion was agreed to.

FLAGS FOR INAUGURAL CEREMONIES.

Mr. McKINLEY, by unanimous consent, introduced a joint resolution (H. Res. 246) authorizing the Secretary of War to loan to the inaugural committee certain flags, etc.; which was read a first and second time.

Mr. McKINLEY. I ask unanimous consent for the immediate consideration of the joint resolution.

There was no objection.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives of the United States in Congress assembled, That the Secretary of War and the Secretary of the Navy are hereby authorized and empowered to loan to the committee on inaugural ceremonies the flags and bunting in the Government depots, for use in decorating the city of Washington on the 4th of March next: *Provided*, that if any loss or damage results from the use of said flags or bunting the said committee shall pay therefor.

Mr. CUMMINGS. I move to strike out the word "loan" and insert "lend."

The joint resolution was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MARRIAGE AND DIVORCE.

Mr. SPRINGER, by unanimous consent, introduced a joint resolution (H. Res. 247) proposing an amendment to the Constitution authorizing the Congress to make a uniform law of marriage and divorce; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

And then, on motion of Mr. SPRINGER (at 2 o'clock and 18 minutes p. m.), the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. FARQUHAR: A bill (H. R. 11972) for the relief of James W. Snyder—to the Committee on Military Affairs.

By Mr. S. T. HOPKINS: A bill (H. R. 11973) granting a pension to Melissa V. Case—to the Committee on Invalid Pensions.

By Mr. TOWNSHEND: A bill (H. R. 11974) for the relief of Elizabeth Pillow—to the Committee on War Claims.

Also, a bill (H. R. 11975) for the relief of Michael A. Dace—to the Committee on War Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BROWER: Petition of Benjamin Daniel, late of Stewart County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. BUCHANAN: Petition of citizens of Ocean County, New Jersey, in favor of increased pay for Life-Saving Service—to the Committee on Commerce.

By Mr. CHEADLE: Petition of George W. Campbell and 84 others, citizens of Centre, Ind., opposing the reduction of the revenues of the Government until all pensions are provided for—to the Committee on Ways and Means.

By Mr. KENNEDY: Petition of C. E. Sears and 30 others, citizens of Circleville, Ohio, for the enactment of a law authorizing the payment of a drawback on tin-plates imported into this country—to the Committee on Ways and Means.

By Mr. McCOMAS: Petition of S. J. Zimmerman, of Frederick County, and of Aaron G. Showman, administrator of Catherine Showman, late of Washington County, Maryland, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. CHARLES O'NEILL: Resolution of the Vessel Owners and Captains' Association, of Philadelphia, favoring such an appropriation as will extend the usefulness of the Hydrographic Department—to the Committee on Appropriations.

By Mr. RANDALL: Resolutions of Vessel Owners and Captains' Association, in favor of increased appropriation to the Hydrographic Department—to the Committee on Appropriations.

The following petitions against the passage of the international copyright bill were received, and severally referred to the Committee on Patents:

By Mr. DAVIS: Of William S. Robertson, of Fall River, Mass.

By Mr. KENNEDY: Of T. M. Gannier, of Urbana, Ohio.

By Mr. POST: Of C. E. Nixon, and of J. S. Barnum and others, citizens of Peoria, Ill.

SENATE.

MONDAY, *January* 7, 1889.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of the proceedings of Saturday last was read and approved.

CERTIFICATES OF ELECTORAL VOTES.

The PRESIDENT *pro tempore* laid before the Senate communications from the Secretary of State, transmitting, in pursuance of the provisions of the act of February 3, 1887, certified copies of the final ascertainment of the electors for President and Vice-President appointed by the States of Illinois, Tennessee, Colorado, and Nebraska; which were ordered to be printed, and, with the accompanying certificates, to lie on the table.

HOUSE BILL REFERRED.

The joint resolution (H. Res. 246) authorizing the Secretary of War to loan to the committee on inaugural ceremonies flags, etc., was read twice by its title, and referred to the Committee on Military Affairs.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of citizens of New Mexico, praying that New Mexico be admitted into the Union as a State; which was referred to the Committee on Territories.

He also presented a petition of citizens of Cass County, Territory of Dakota, praying for a submission to the States of a national prohibitory constitutional amendment; which was referred to the Committee on Education and Labor.

Mr. DAVIS presented the petition of W. E. Bennett and other citizens of Clay County, Minnesota, praying for the submission to the States of a constitutional amendment prohibiting the manufacture and sale of alcoholic liquors; which was referred to the Committee on Education and Labor.

Mr. MITCHELL presented a petition of citizens of Klamath County, Oregon, praying that compensation be made to Joseph Pennig, of Linkville, Oregon, for personal injuries suffered by him at the hands of Indians in the Modoc war; which was referred to the Committee on Indian Affairs.

Mr. CAMERON presented resolutions adopted by the Vessel Owners and Captains' Association of Philadelphia, Pa., favoring an increased appropriation for a branch hydrographic office at Philadelphia; which were referred to the Committee on Appropriations.

He also presented resolutions adopted by the Manufacturers' Club of Philadelphia, Pa., favoring the abolition of the entire system of internal-revenue taxation; which were referred to the Committee on Finance.

Mr. HAWLEY presented a petition of the corset-makers of the United States, praying for a change in the phraseology of paragraph 2503 of the pending substitute for bill for the revision of the tariff; which was referred to the Committee on Finance.

TRIAL OF CAPITAL CAUSES.

Mr. HOAR. I am directed by the Committee on the Judiciary, to which was referred the bill (S. 3733) to abolish circuit-court powers of certain district courts of the United States, and to provide for writs of error in capital cases, and for other purposes, to report it favorably, with amendments.

I ask unanimous consent to make a statement about the bill, to which I desire to call the attention of the Senators from Arkansas.

A similar bill was passed at the last session of Congress. It was very carefully considered in both Houses, and very carefully considered by a conference committee. It becomes necessary to remove a difficulty which exists in the State of Arkansas and the territory lying west of Arkansas with reference to the trial of capital causes, in which, as the law now is, the exceptions in capital causes can only be argued before the district judge who sat at the trial. Everybody is agreed that there should be a remedy.

The bill failed to become a law by reason of not receiving the signature of the President before the adjournment. This bill has been compared with the bill heretofore passed, and is the same, *verbatim et literatim*, except that it substitutes the 1st of May next instead of the 1st of January last past for the time of its taking effect.

I desire that the bill shall now be put on its passage, and I ask that it be read for information.

The PRESIDENT *pro tempore*. The Senator from Massachusetts asks unanimous consent that the bill just reported from the Committee on

the Judiciary may be now considered. It will be read at length for information.

The Chief Clerk read the bill.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill? The Chair hears none, and it is before the Senate as in Committee of the Whole. The amendments proposed by the Committee on the Judiciary will be stated in their order.

The first amendment was, in section 6, line 21, after the words "at the," to strike out "time" and insert "term;" so as to read:

Any such writ of error may be filed and docketed in said Supreme Court at any time in a term held prior to the term named in the citation as well as at the term so named; and all such writs of error shall be advanced to a speedy hearing on motion of either party.

The amendment was agreed to.

The next amendment was, in section 6, line 32, after the word "same," to strike out "time" and insert "term;" so as to read:

No such writ of error shall be sued out or granted unless a petition therefor shall be filed with the clerk of the court in which the trial shall have been had during the same term or within such time, not exceeding sixty days next after the expiration of the term of the court at which the trial shall have been had, as the court may for cause allow by order entered of record.

The amendment was agreed to.

The next amendment was to strike out the word "That" in the beginning of section 7; so as to make the section read:

SEC. 7. This act shall take effect and be in force from and after the 1st day of May, A. D. 1889.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INTERNATIONAL ARBITRATION.

Mr. SHERMAN. I report from the Committee on Foreign Relations a communication from the Secretary of State, transmitting resolutions adopted October 31, 1888, at a conference of members of the British Parliament and the French Chambers in respect to international arbitration, and ask that an order to print the communication, with the accompanying papers, as a document be made, and that it be again referred to the Committee on Foreign Relations.

The PRESIDENT *pro tempore*. The order to print will be made, and the communication, with the accompanying papers, will be recommitted to the Committee on Foreign Relations.

LAKE BORGNE OUTLET.

Mr. PADDOCK, from the Committee on the Improvement of the Mississippi River and Tributaries, submitted a report to accompany the bill (S. 742) to make the Lake Borgne outlet, to improve the low-water navigation of the Mississippi River from New Orleans, La., to Cairo, Ill., and incidentally to reclaim and protect the valley lands of the Mississippi River and tributaries from overflow without levees, and the bill (S. 3324) to make the Lake Borgne outlet, to improve the low-water navigation of the Mississippi River from New Orleans, La., to Cairo, Ill., and incidentally to reclaim and protect the valley lands of the Mississippi River and tributaries from overflow, heretofore reported by that committee; which was ordered to be printed.

LINCOLN LAND DISTRICT.

Mr. COCKRELL. The Committee on Public Lands, to whom was referred the bill (S. 3676) to create the Lincoln land district in the Territory of New Mexico, have instructed me to report it back adversely, and in lieu of that bill to report another.

The PRESIDENT *pro tempore*. The bill reported adversely will be indefinitely postponed if there be no objection, and the new bill reported by the committee will be read by its title.

The bill (S. 3778) to establish the Lincoln land district in the Territory of New Mexico was read the first time by its title.

Mr. COCKRELL. That bill is just the same as one that was reported favorably by the Committee on Public Lands at the last session, which was passed by the Senate, passed by the House of Representatives, and went to the President, but did not reach him in time to be considered, and so was not acted upon.

I trust that the bill may now be taken up by unanimous consent and passed.

The PRESIDENT *pro tempore*. It will be read at length for information.

The bill was read the second time at length, and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. WILSON, of Iowa. As I understood the language of the bill as it was read, it provides that the appointment shall be made with the advice of the Senate, but the words "and consent" are omitted.

Mr. COCKRELL. The second section provides that the appointment of register and receiver shall be made by and with the advice and consent of the Senate.

The PRESIDENT *pro tempore*. The second section will be read as it appears in the bill.

The Chief Clerk read as follows:

SEC. 2. That the President of the United States shall nominate and, by and with the advice of the Senate, appoint——

Mr. COCKRELL. The words "and consent" should be inserted. Their omission is a clerical error in drawing the bill. I thought the words were in. I move to amend by inserting them.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MISSISSIPPI RIVER IMPROVEMENT.

Mr. CHANDLER, from the Committee on the Improvement of the Mississippi River and Tributaries, reported the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the Improvement of the Mississippi River and its Tributaries be, and is hereby, authorized to continue its investigation into existing and proposed methods of work, including the whole subject of the improvement of the Mississippi River and its tributaries; that it be, and is hereby, authorized to sit during any recess of the Senate until the first Monday in December next, employ a clerk, a stenographer, and a messenger, send for persons and papers, and summon and examine witnesses; and that the expenses of the inquiry shall be paid out of the contingent fund of the Senate.

BILLS INTRODUCED.

Mr. CAMERON introduced a bill (S. 3779) for the relief of Frederick N. Kress; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 3780) to perfect the sanitary service of the United States; which was read twice by its title, and referred to the Committee on Commerce.

Mr. GORMAN introduced a bill (S. 3781) for the relief of George W. Bishop; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

MINING OPERATIONS IN NEVADA.

The PRESIDENT *pro tempore*. There being no resolutions offered, the Chair lays before the Senate a resolution offered by the Senator from Nevada [Mr. STEWART] coming over from a previous day.

The resolution submitted by Mr. STEWART January 5, 1889, was read, as follows:

Resolved, That the Committee on Mines and Mining be instructed to inquire if any interruptions in mining or obstruction of mining operations have occurred in the State of Nevada on account of prosecutions recommended by the Commissioner of the General Land Office and instituted in the name of the United States; and if so, to ascertain all the facts and circumstances connected with such prosecutions; and for that purpose said committee shall have power to send for persons and papers and administer oaths, and report by bill or otherwise.

Mr. STEWART. The resolution is offered in consequence of a large number of prosecutions in Eastern Nevada of persons for cutting wood which they used for mining and domestic purposes. This action has occasioned the closing down of many mines and is creating great hardship. I desire to have the facts investigated.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

The resolution was agreed to.

INTEROCEANIC CANALS.

The PRESIDENT *pro tempore*. Is there further morning business? If there be none, that order is closed, and the Calendar under Rule VIII is in order.

Mr. SHERMAN. I move that the Senate proceed to the consideration of the joint resolution (S. R. 122) declaring the sense of Congress in respect of the connection of European governments with interoceanic canals at the Isthmus of Darien and in Central America, which was pending on Saturday at the expiration of the morning hour.

The motion was agreed to.

The PRESIDENT *pro tempore*. The joint resolution is before the Senate, as in Committee of the Whole.

Mr. GRAY. Mr. President, I offered on Saturday an amendment——

Mr. EDMUNDS. Before the Senator from Delaware proceeds, I move that on the consideration of the joint resolution the doors be closed.

The PRESIDENT *pro tempore*. Is there a second to the motion?

Mr. HOAR and Mr. MORRILL. I second the motion.

Mr. GRAY. What is the motion?

The PRESIDENT *pro tempore*. The Senator from Vermont moves that in the consideration of the joint resolution the doors of the Senate be closed. That motion is seconded by the Senator from Massachusetts [Mr. HOAR] and the Senator from Vermont [Mr. MORRILL]. It is so ordered. The Sergeant-at-Arms will clear the galleries and close the doors of the Senate.

The doors of the Senate were closed for five hours and five minutes, during which time the joint resolution was considered. It was amended and ordered to a third reading in the following form:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Government of the United States will look with serious concern and disapproval upon any connection of any European government with the construction or control of any ship-canal across the Isthmus of Darien or across Central America, and must regard any such connection or control as injurious to the just rights and interests of the United States and as a menace to their welfare.

SEC. 2. That the President be, and he is hereby, requested to communicate this expression of the views of the Government of the United States to the governments of the countries of Europe.

The joint resolution was read the third time, and passed.

The title was amended so as to read: "A joint resolution declaring the sense of the government of the United States in respect of the connection of European governments with interoceanic canals at the Isthmus of Darien and in Central America."

The vote on the passage of the joint resolution was—yeas 49, nays 3; as follows:

YEAS—49.

Aldrich,	Edmunds,	Jones of Arkansas,	Saulsbury,
Allison,	Eustis,	Manderson,	Sawyer,
Bate,	Evarts,	Mitchell,	Sherman,
Berry,	Farwell,	Morgan,	Spooner,
Brown,	Faulkner,	Morrill,	Stewart,
Chandler,	Frye,	Paddock,	Teller,
Cockrell,	George,	Palmer,	Vest,
Coke,	Gibson,	Payne,	Walthall,
Colquitt,	Gorman,	Platt,	Wilson of Iowa.
Cullom,	Hale,	Plumb,	Wilson of Md.
Davis,	Hawley,	Pugh,	
Dawes,	Hoar,	Quay,	
Dolph,	Ingalls,	Ransom,	

NAYS—3.

Blackburn,	Hampton,	Vance.

ABSENT—24.

Beck,	Cameron,	Hiscock,	Riddleberger,
Blair,	Chace,	Jones of Nevada,	Sabin,
Blodgett,	Daniel,	Kenna,	Stanford,
Bowen,	Gray,	McPherson,	Stockbridge,
Butler,	Harris,	Pasco,	Turpie,
Call,	Hearst,	Reagan,	Voorhees.

Mr. DAVIS (when his name was called) stated that he was paired generally with the junior Senator from Indiana [Mr. TURPIE], but the question not being political he would vote in the affirmative, as he was informed that the Senator from Indiana would also vote in the affirmative if he were present.

A pair was announced between the Senator from Indiana [Mr. VOORHEES] and the Senator from Texas [Mr. REAGAN], the former being in favor of the resolution.

Mr. CHACE was stated to have a general pair with Mr. COLQUITT, and Mr. CAMERON with Mr. BUTLER; but how the respective Senators would vote on this question was not understood.

PETITIONS AND MEMORIALS.

The doors having been opened,

Mr. SPOONER presented a memorial of citizens of Clear Lake and other places in Wisconsin, remonstrating against the passage of the international copyright bill; which was referred to the Committee on the Library.

He also presented the petition of W. P. Atwell, late first lieutenant Company G, Thirty-seventh Wisconsin Volunteer Infantry, praying for the passage of a special act for his muster as captain of that company from November 18, 1864, to November 22, 1864, date of his discharge, in order to correct his military record; which was referred to the Committee on Military Affairs.

BILLS INTRODUCED.

Mr. SPOONER introduced a bill (S. 3782) to amend an act entitled "An act declaring that certain water-reserve lands in the State of Wisconsin are and have been subject to the provisions of the act of Congress entitled 'An act granting to railroads the right of way through the public lands of the United States,' approved March 3, 1875," approved September 10, 1888; which was read twice by its title, and referred to the Committee on Public Lands.

MRS. CHARLOTTE CRUMBAUGH.

Mr. BLACKBURN. I ask consent to withdraw from the Committee on Pensions the papers on file in the case of Mrs. Charlotte Crumbaugh.

There has been no report made in the case.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

WITHDRAWAL OF PAPERS.

On motion of Mr. BLACKBURN, it was

Ordered, That the petition of citizens of Frankfort, Ky., for changing jurisdiction of Federal courts in certain counties, be withdrawn from the files of the Senate on leaving a copy with the Secretary.

LAKE BORGNE OUTLET.

Mr. PLUMB. On the 21st ultimo the Senator from Nebraska [Mr. PADDOCK] reported from the Committee on the Improvement of the Mississippi River the bill (S. 742) to make the Lake Borgne outlet, to improve the low-water navigation of the Mississippi River from New Orleans, La., to Cairo, Ill., and incidentally to reclaim and protect the valley lands of the Mississippi River and tributaries from overflow without levees, and the bill (S. 3324) to make the Lake Borgne outlet, to improve the low-water navigation of the Mississippi River from New Orleans, La., to Cairo, Ill., and incidentally to reclaim and protect the valley lands of the Mississippi River and tributaries from overflow, and on his report and motion the bills were indefinitely postponed. I ask unanimous consent that that vote may be reconsidered with a view of asking that the bills go upon the Calendar.

The PRESIDENT *pro tempore*. With the adverse report?

Mr. CHANDLER. I object. Would it not serve the purpose of the Senator just as well to enter a motion to reconsider?

Mr. PLUMB. The trouble is that I can not do that except by unanimous consent, the regular time for such a motion having elapsed.

The PRESIDENT *pro tempore*. The rules require that a motion to reconsider be entered within the next two legislative days.

Mr. CHANDLER. By unanimous consent, I suppose, the motion may be entered at this time.

The PRESIDENT *pro tempore*. Undoubtedly.

Mr. CHANDLER. I prefer that the Senator should take that course, if he sees fit.

Mr. PLUMB. Why not let the bills go on the Calendar?

Mr. CHANDLER. I object to their going on the Calendar for reasons which I doubt not would be satisfactory to the Senator from Kansas.

Mr. PLUMB. Very well. If unanimous consent be given, I will enter a motion to reconsider.

Mr. CHANDLER. Certainly; there is no objection to that.

The PRESIDENT *pro tempore*. The Senator from Kansas moves to reconsider the vote by which the bills S. 742 and S. 3324 were indefinitely postponed, the question of time being waived by unanimous consent.

Mr. CHANDLER. And the motion is to go over.

The PRESIDENT *pro tempore*. The Chair hears no objection, and it is so ordered. The motion is entered and lies over.

THE REVENUE LAWS.

The PRESIDENT *pro tempore*. The Senate, as in Committee of the Whole, resumes the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

Mr. ALLISON. I ask unanimous consent, in pursuance of an understanding had with Senators on the other side, that one day's time may be added for the consideration of the tariff bill in view of the time consumed to-day in another matter.

The PRESIDENT *pro tempore*. It will be so ordered if there be no objection.

Mr. HOAR. The understanding is to continue in all other respects.

Mr. ALLISON. It is understood, of course, that the order formerly made in all other respects shall continue as entered on the Journal.

Mr. CHANDLER. That makes the date the 22d instant for the final vote.

Mr. ALLISON. The 22d of January at 1 o'clock, instead of the 21st.

The PRESIDENT *pro tempore*. It will be so ordered if there be no objection. The Chair hears none, and it is so ordered.

Mr. ALLISON. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 8, 1889, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

MONDAY, *January* 7, 1889.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Saturday last was read and approved.

ORDER OF BUSINESS.

Mr. REED. Unless the Chair desires to submit some executive communication, I will call up the privileged report from the Committee on Rules.

The SPEAKER. The Chair desires to lay before the House several personal requests of members.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted, as follows:

To Mr. BOWDEN, for this week, on account of sickness in his family.

To Mr. GUENTHER, indefinitely, on account of sickness in his family.

CHANGE OF THE RULES.

The SPEAKER. The gentleman from Maine [Mr. REED] calls up the privileged report which was under consideration at the last adjournment. The question is upon ordering the previous question on the resolution reported from the Committee on Rules. On this question the yeas and nays have been ordered.

The Clerk will call the roll.

The question was taken; and there were—yeas 112, nays 22, not voting 189; as follows:

YEAS—112.

Allen, Mass.	Brewer,	Cannon,	Farquhar,
Allen, Mich.	Brower,	Cogswell,	Felton,
Baker, N. Y.	Browne, T. H. B., Va.	Conger,	Flood,
Bayne,	Brown, J. R., Va.	Cox,	French,
Bingham,	Bryce,	Crouse,	Gaines,
Blanchard,	Buchanan,	Cutcheon,	Gear,
Boothman,	Burrows,	Dalzell,	Grosvenor,
Bound,	Bynum,	Davenport,	Grout,
Breckinridge, Ky.	Campbell, T. J., N. Y.	Dockery,	Harmer,

Herbert,	Lodge,	Patton,	Taylor, E. B., Ohio
Hermann,	Long,	Payson,	Taylor, J. D., Ohio
Hiestand,	Mansur,	Peters,	Thomas, Ill.
Hires,	Mason,	Plumb,	Thompson, Ohio
Holmes,	Matson,	Post,	Tracey,
Hopkins, Va.	McCreary,	Reed,	Townshend,
Hopkins, N. Y.	McKenna,	Rice,	Vance,
Houk,	McKinley,	Romeis,	Wade,
Howard,	McRae,	Rowell,	Walker,
Hunter,	Merriman,	Russell, Conn.	Warner,
Jackson,	Morrill,	Ryan,	Weaver,
Johnston, Ind.	Morrow,	Scull,	Weber,
Kean,	Nelson,	Seymour,	West,
Kelley,	Nutting,	Sherman,	Wheeler,
Kennedy,	Oates,	Smith,	Wilber,
Kerr,	O'Donnell,	Springer,	Williams,
La Follette,	O'Neill, Pa.	Stephenson,	Woodburn,
Laidlaw,	Osborne,	Struble,	Yardley,
Landes,	Outhwaite,	Taulbee,	Yoder.

NAYS—22.

Abbott,	Cothran,	Hatch,	Richardson,
Adams,	Culberson,	Haugen,	Shively,
Anderson, Ill.	Cummings,	Johnston, N. C.	Stone, Ky.
Baker, Ill.	Enloe,	Lane,	Turner, Ga.
Campbell, F., N. Y.	Glass,	Lehlbach,	
Compton,	Hare,	Rayner.	

NOT VOTING—189.

Allen, Miss.	Davidson, Ala.	Kilgore,	Randall,
Anderson, Iowa	Davidson, Fla.	Laffoon,	Robertson,
Anderson, Miss.	Davis,	Lagan,	Rockwell,
Anderson, Kans.	De Lano,	Laird,	Rogers,
Arnold,	Dibble,	Lanham,	Rowland,
Atkinson,	Dingley,	Latham,	Russell, Mass.
Bacon,	Dorsey,	Lawler,	Rusk,
Bankhead,	Dougherty,	Lee,	Sawyer,
Barnes,	Dunham,	Lind,	Sayers,
Barry,	Dunn,	Lyman,	Scott,
Belden,	Elliott,	Lynch,	Seney,
Biggs,	Ermentrout,	Macdonald,	Shaw,
Bland,	Finley,	Maffett,	Simmons,
Bliss,	Fisher,	Mahoney,	Snyder,
Blount,	Fitch,	Maish,	Sowden,
Boutelle,	Foran,	Martin,	Spinola,
Bowden,	Ford,	McAdoo,	Spooner,
Bowen,	Forney,	McClammy,	Stahlnecker,
Breckinridge, Ark.	Fuller,	McComas,	Steele,
Browne, Ind.	Funston,	McCormick,	Stewart, Tex.
Brown, Ohio	Gallinger,	McCullogh,	Stewart, Ga.
Brumm,	Gay,	McKinney,	Stewart, Vt.
Buckalew,	Gest,	McMillin,	Stockdale,
Bunnell,	Gibson,	McShane,	Stone, Mo.
Burnes,	Glover,	Milliken,	Symes,
Burnett,	Goff,	Mills,	Tarsney,
Butler,	Granger,	Moffitt,	Thomas, Ky.
Butterworth,	Greenman,	Montgomery,	Thomas, Wis.
Campbell, Ohio	Grimes,	Moore,	Thompson, Cal.
Candler,	Guenther,	Morgan,	Tillman,
Carlton,	Hall,	Morse,	Turner, Kans.
Caruth,	Hayden,	Neal,	Vandever,
Caswell,	Hayes,	Newton,	Washington,
Catchings,	Heard,	Nichols,	White, Ind.
Cheadle,	Hemphill,	Norwood,	White, N. Y.
Chipman,	Henderson, Iowa	O'Ferrall,	Whiting, Mich.
Clardy,	Henderson, N. C.	O'Neall, Ind.	Whiting, Mass.
Clark,	Henderson, Ill.	O'Neill, Mo.	Whitthorne,
Clements,	Hitt,	Owen,	Wickham,
Cobb,	Hogg,	Parker,	Wilkins,
Cockran,	Holman,	Peel,	Wilkinson,
Collins,	Hooker,	Penington,	Wilson, Minn.
Cooper,	Hopkins, Ill.	Perkins,	Wilson, W. Va.
Cowles,	Hovey,	Perry,	Wise,
Crain,	Hudd,	Phelan,	Yost.
Crisp,	Hutton,	Phelps,	
Dargan,	Jones,	Pidcock,	
Darlington,	Ketcham,	Pugsley.	

Mr. WHEELER. I ask unanimous consent that the reading of the names be dispensed with.

Mr. WEAVER. I object.

The vote having been read,

The SPEAKER said: The Clerk will now announce the pairs.

The following members were announced as paired on all political questions until further notice:

Mr. MILLS with Mr. HAYDEN.

Mr. BRECKINRIDGE, of Arkansas, with Mr. GUENTHER.

Mr. BURNES with Mr. WHITING, of Massachusetts.

Mr. CAMPBELL, of Ohio, with Mr. GOFF.

Mr. HOOKER with Mr. COOPER.

Mr. CARLTON with Mr. DE LANO.

Mr. CARUTH with Mr. WICKHAM.

Mr. WISE with Mr. BUNNELL.

Mr. CLARDY with Mr. DINGLEY.

Mr. LAWLER with Mr. MCCORMICK.

Mr. NEAL with Mr. BELDEN.

Mr. HEMPHILL with Mr. GROUT.

Mr. MCSHANE with Mr. LAIRD.

Mr. MORGAN with Mr. PARKER.

Mr. WHITTHORNE with Mr. WHITE, of Indiana.

Mr. LAGAN with Mr. CLARK.

Mr. COTHRAN with Mr. MILLIKEN.

Mr. GRANGER with Mr. ROCKWELL.

Mr. HAYES with Mr. DORSEY.

Mr. MONTGOMERY with Mr. HOPKINS, of Illinois.

Mr. MCCLAMMY with Mr. NICHOLS.

Mr. DARGAN with Mr. SYMES.

Mr. HALL with Mr. THOMAS, of Kentucky.

Mr. PENINGTON with Mr. BOWDEN.

Mr. SENEY with Mr. STEWART, of Vermont, for ten days.

Mr. STAHLNECKER with Mr. SOWDEN, on this vote.

The SPEAKER. On this question the yeas are 112, the nays 22.

Several MEMBERS. No quorum.

Mr. REED. I move that there be a call of the House.

The motion was agreed to.

The roll was called, and the following members failed to answer to their names:

Arnold,	Dunham,	Lind,	Pidcock,
Belden,	Dunn,	Lyman,	Pugsley,
Boutelle,	Ermentrout,	Lynch,	Rockwell,
Bowden,	Felton,	Macdonald,	Russell, Mass.
Bowen,	Fisher,	Maffett,	Rusk,
Breckinridge, Ark.	Fitch,	Mahoney,	Scott,
Brumm,	Foran,	McComas,	Seney,
Buckalew,	Gallinger,	McCormick,	Snyder,
Bunnell,	Gay,	McCullogh,	Stahlnecker,
Butler,	Glover,	McKinney,	Stewart, Vt.
Butterworth.	Goff,	McShane,	Symes,
Campbell, Ohio	Granger,	Milliken,	Tarsney,
Caruth,	Greenman,	Mills,	Thomas, Ky.
Caswell,	Guenther,	Moffitt,	Thomas, Wis.
Clardy,	Hall,	Montgomery,	Washington,
Clements,	Hayden,	Morse,	White, Ind.
Cockran,	Henderson, N. C.	Neal,	White, N. Y.
Collins,	Hitt,	Norwood,	Whiting, Mass.
Crain,	Hooker,	Owen,	Whitthorne,
Dargan,	Hovey,	Parker,	Wickham,
Darlington,	Jones,	Penington,	Wise,
De Lano,	Ketcham,	Perkins,	Yost.
Dibble,	Lagan,	Perry,	
Dorsey,	Laird,	Phelan,	
Dougherty,	Lawler,	Phelps,	

During the roll-call the following occurred:

Mr. STEELE. I move that Mr. FITCH be excused on account of illness.

The motion was agreed to.

Mr. LANHAM. I move that my colleague [Mr. MILLS] be excused on account of illness.

The motion was agreed to.

Mr. ALLEN, of Massachusetts. I move that my colleague [Mr. HAYDEN] be excused on account of illness.

The motion was agreed to.

Mr. HIRES. I move that Mr. DE LANO be excused on account of illness.

The motion was agreed to.

Mr. O'FERRALL. I move that my colleague [Mr. WISE] be excused on account of important business.

The motion was agreed to.

Mr. THOMAS H. B. BROWNE. I move that my colleague [Mr. BOWDEN] be excused on account of illness in his family.

The motion was agreed to.

Mr. GAINES. I move that my colleague [Mr. BOWEN] be excused on account of important business.

The motion was agreed to.

Mr. BLANCHARD. I move that my colleague [Mr. GAY] be excused.

The SPEAKER. Mr. GAY is already excused.

Mr. PETERS. I move that my colleague [Mr. PERKINS] be excused on account of important business.

Mr. WEAVER. I object.

The motion was agreed to.

Mr. SPINOLA. I move that my colleague [Mr. COCKRAN] be excused on account of important business.

The motion was agreed to.

Mr. FELIX CAMPBELL. I move that my colleague [Mr. MAHONEY] be excused.

The SPEAKER. The gentleman from New York [Mr. MAHONEY] is already excused.

The vote was then announced, as above recorded.

Mr. REED. There seems to be a quorum present, and I move that all further proceedings under the call be dispensed with. I think we had better try another vote.

The motion was agreed to.

The question recurred on ordering the previous question, upon which the yeas and nays had been ordered.

The question was taken; and there were—yeas 136, nays 15, not voting 172; as follows:

YEAS—136.

Allen, Mass.	Browne, Ind.	Cox,	Gaines,
Allen, Mich.	Brown, Ohio	Crouse,	Gear,
Atkinson,	Brown, J. R., Va.	Cutcheon,	Grosvenor,
Baker, N. Y.	Buchanan,	Dalzell,	Grout,
Bayne,	Burnett,	Davenport,	Heard,
Bingham,	Burrows,	Davis,	Henderson, Iowa
Blanchard,	Bynum,	Dingley,	Henderson, Ill.
Boothman,	Campbell, T. J., N. Y.	Dockery,	Herbert,
Bound,	Cannon,	Ermentrout,	Hermann,
Breckinridge, Ky.	Clark,	Farquhar,	Hiestand,
Brewer,	Cogswell,	Flood,	Hires,
Brower,	Conger,	French,	Hitt,
Browne, T. H. B., Va.	Cooper,	Funston,	Holmes,

Hopkins, Ill.	McCreary,	Phelps,	Taulbee,
Hopkins, Va.	McKenna,	Plumb,	Taylor, E. B., Ohio
Hopkins, N. Y.	McKinley,	Post,	Taylor, J. D., Ohio
Houk,	McRae,	Pugsley,	Thomas, Ill.
Howard,	Merriman,	Reed,	Thompson, Ohio
Hunter,	Morgan,	Rice,	Tracey,
Jackson,	Morrill,	Romeis,	Townshend,
Johnston, Ind.	Morrow,	Rowell,	Vandever,
Kean,	Nelson,	Russell, Conn.	Wade,
Kelley,	Nichols,	Russell, Mass.	Walker,
Kennedy,	Nutting,	Ryan,	Warner,
Kerr,	Oates,	Scull,	Weaver,
La Follette,	O'Donnell,	Seymour,	Weber,
Laidlaw,	O'Neill, Pa.	Smith,	West,
Landes,	Osborne,	Sowden,	Wheeler,
Lodge,	Outhwaite,	Spooner,	Wilber,
Long,	Patton,	Springer,	Williams,
Macdonald,	Payson,	Steele,	Wilson, Minn.
Maish,	Peel,	Stephenson,	Woodburn,
Mansur,	Perkins,	Stockdale,	Yardley,
Mason,	Peters,	Struble,	Yoder.

NAYS—15.

Abbott,	Glass,	Lane,	Newton,
Adams,	Hatch,	Lanham,	Sawyer,
Baker, Ill.	Haugen,	Lehlbach,	Shively.
Culberson,	Johnston, N. C.	Lind,	

NOT VOTING—172.

Allen, Miss.	Crain,	Hovey,	Randall,
Anderson, Iowa	Crisp,	Hudd,	Rayner,
Anderson, Miss.	Cummings,	Hutton,	Richardson,
Anderson, Ill.	Dargan,	Jones,	Robertson,
Anderson, Kans.	Darlington,	Ketcham,	Rockwell,
Arnold,	Davidson, Ala.	Kilgore,	Rogers,
Bacon,	Davidson, Fla.	Laffoon,	Rowland,
Bankhead,	De Lano,	Lagan,	Rusk,
Barnes,	Dibble,	Laird,	Sayers,
Barry,	Dorsey,	Latham,	Scott,
Belden,	Dougherty,	Lawler,	Seney,
Biggs,	Dunham,	Lee,	Shaw,
Bland,	Dunn,	Lyman,	Sherman,
Bliss,	Elliott,	Lynch,	Simmons,
Blount,	Enloe,	Maffett,	Snyder,
Boutelle,	Felton,	Mahoney,	Spinola,
Bowden,	Finley,	Martin,	Stahlnecker,
Bowen,	Fisher,	Matson,	Stewart, Tex.
Breckinridge, Ark.	Fitch,	McAdoo,	Stewart, Ga.
Brumm,	Foran,	McClammy,	Stewart, Vt.
Bryce,	Ford,	McComas,	Stone, Ky.
Buckalew,	Forney,	McCormick,	Stone, Mo.
Bunnell,	Fuller,	McCullogh,	Symes,
Burnes,	Gallinger,	McKinney,	Tarsney,
Butler,	Gay,	McMillin,	Thomas, Ky.
Butterworth,	Gest,	McShane,	Thomas, Wis.
Campbell, F., N. Y.	Gibson,	Milliken,	Thompson, Cal.
Campbell, Ohio,	Glover,	Mills,	Tillman,
Candler,	Goff,	Moffitt,	Turner, Kans.
Carlton,	Granger,	Montgomery,	Turner, Ga.
Caruth,	Greenman,	Moore,	Vance,
Caswell,	Grimes,	Morse,	Washington,
Catchings,	Guenther,	Neal,	White, Ind.
Cheadle,	Hall,	Norwood,	White, N. Y.
Chipman,	Hare,	O'Ferrall,	Whiting, Mich.
Clardy,	Harmer,	O'Neall, Ind.	Whiting, Mass.
Clements,	Hayden,	O'Neill, Mo.	Whitthorne,
Cobb,	Hayes,	Owen,	Wickham,
Cockran,	Hemphill,	Parker,	Wilkins,
Collins,	Henderson, N. C.	Penington,	Wilkinson,
Compton,	Hogg,	Perry,	Wilson, W. Va.
Cothran,	Holman,	Phelan,	Wise,
Cowles,	Hooker,	Pidcock,	Yost.

No quorum voting.

Mr. DAVIS, of Massachusetts. I ask unanimous consent to dispense with the reading of the names.

Mr. REED. I object.

The Clerk recapitulated the names of those voting.

The following additional pair was announced:

Mr. MOORE with Mr. DARLINGTON, for the rest of the day.

The result of the vote was then announced as above recorded.

The SPEAKER. No quorum has voted.

Mr. REED. I move a call of the House.

Mr. COX. Pending that I move that the House do now adjourn.

The question was taken, and the House proceeded to divide.

Mr. HOLMAN. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 74, nays 138, not voting 111; as follows:

YEAS—74.

Abbott,	Clements,	Hemphill,	Richardson,
Anderson, Iowa	Cobb,	Henderson, N. C.	Rogers,
Anderson, Miss.	Compton,	Holman,	Rowland,
Anderson, Ill.	Cothran,	Johnston, N. C.	Sayers,
Anderson, Kans.	Cowles,	Kilgore,	Shaw,
Bacon,	Cox,	Latham,	Simmons,
Bankhead,	Crain,	Lee,	Spinola,
Barnes,	Crisp,	Lehlbach,	Stewart, Tex.
Barry,	Culberson,	Lind,	Stewart, Ga.
Biggs,	Davidson, Ala.	Matson,	Stone, Ky.
Bland,	Davidson, Fla.	McAdoo,	Stone, Mo.
Blount,	Elliott,	McClammy,	Thompson, Cal.
Breckinridge, Ky.	Enloe,	McCreary,	Turner, Kans.
Brown, J. R., Va.	Ermentrout,	McKinney,	Turner, Ga.
Campbell, T. J., N. Y.	Forney,	McMillin,	Washington,
Carlton,	French,	Nelson,	Wheeler,
Catchings,	Grimes,	O'Ferrall,	Wilkins.
Cheadle,	Hare,	O'Neall, Ind.	
Chipman,	Hatch,	Randall,	

NAYS—138.

Adams,	Dockery,	Lane,	Scull,
Allen, Mass.	Farquhar,	Lanham,	Seymour,
Allen, Mich.	Flood,	Lodge,	Sherman,
Atkinson,	Fuller,	Long,	Shively,
Baker, N. Y.	Funston,	Martin,	Smith,
Baker, Ill.	Gear,	Mason,	Sowden,
Bayne,	Gest,	McKinley,	Spooner,
Bingham,	Grosvenor,	McRae,	Springer,
Bliss,	Grout,	Merriman,	Steele,
Boothman,	Hall,	Milliken,	Stephenson,
Bound,	Harmer,	Morgan,	Stockdale,
Boutelle,	Haugen,	Morrill,	Struble,
Brewer,	Heard,	Morrow,	Taulbee,
Brower,	Henderson, Iowa	Nutting,	Taylor, E. B., Ohio
Browne, T. H. B., Va.	Henderson, Ill.	Oates,	Taylor, J. D., Ohio
Browne, Ind.	Hermann,	O'Donnell,	Thompson, Ohio
Brown, Ohio.	Hiestand,	O'Neill, Pa.	Tracey,
Buchanan,	Hires,	Osborne,	Townshend,
Burnett,	Hitt,	Outhwaite,	Vance,
Burrows,	Holmes,	Owen,	Vandever,
Butterworth,	Hopkins, Ill.	Patton,	Wade,
Bynum,	Hopkins, Va.	Payson,	Walker,
Campbell, F., N. Y.	Hopkins, N. Y.	Peel,	Warner,
Cannon,	Houk,	Perkins,	Weaver,
Clark,	Hunter,	Peters,	Weber,
Cogswell,	Jackson,	Post,	West,
Conger,	Johnston, Ind.	Pugsley,	White, Ind.
Cooper,	Kean,	Reed,	Wilber,
Crouse,	Kelley,	Rice,	Wilkinson,
Cummings,	Kennedy,	Romeis,	Williams,
Cutcheon,	Kerr,	Rowell,	Woodburn,
Dalzell,	Ketcham,	Russell, Conn.	Yardley,
Davenport,	La Follette,	Russell, Mass.	Yoder.
Davis,	Laidlaw,	Ryan,	
Dingley,	Landes,	Sawyer,	

NOT VOTING—111.

Allen, Miss.	Felton,	Laird,	Phelps,
Arnold,	Finley,	Lawler,	Pidcock,
Belden,	Fisher,	Lyman,	Plumb,
Blanchard,	Fitch,	Lynch,	Rayner,
Bowden,	Foran,	Macdonald,	Robertson,
Bowen,	Ford,	Maffett,	Rockwell,
Breckinridge, Ark.	Gaines,	Mahoney,	Rusk,
Brumm,	Gallinger,	Maish,	Scott,
Bryce,	Gay,	Mansur,	Seney,
Buckalew,	Gibson,	McComas,	Snyder,
Bunnell,	Glass,	McCormick,	Stahlnecker,
Burnes,	Glover,	McCullogh,	Stewart, Vt.
Butler,	Goff,	McKenna,	Symes,
Campbell, Ohio	Granger,	McShane,	Tarsney,
Candler,	Greenman,	Mills,	Thomas, Ky.
Caruth,	Guenther,	Moffitt,	Thomas, Ill.
Caswell,	Hayden,	Montgomery,	Thomas, Wis.
Clardy,	Hayes,	Moore,	Tillman,
Cockran,	Herbert,	Morse,	White, N. Y.
Collins,	Hogg,	Neal,	Whiting, Mich.
Dargan,	Hooker,	Newton,	Whiting, Mass.
Darlington,	Hovey,	Nichols,	Whitthorne,
De Lano,	Howard,	Norwood,	Wickham,
Dibble,	Hudd,	O'Neill, Mo.	Wilson, Minn.
Dorsey,	Hutton,	Parker,	Wilson, W. Va.
Dougherty,	Jones,	Penington,	Wise,
Dunham,	Laffoon,	Perry,	Yost.
Dunn,	Lagan,	Phelan,	

So the House refused to adjourn.

The following additional pairs were announced:

Mr. MONTGOMERY with Mr. DE LANO, until further notice.

Mr. FORAN with Mr. PARKER, until further notice.

Mr. HOOKER with Mr. DORSEY, until further notice.

The result of the vote was then announced as above recorded.

The SPEAKER *pro tempore* (Mr. COX in the chair). The question recurs on the motion of the gentleman from Maine for a call of the House.

The question was taken; and on a division there were—ayes 72, noes 49.

So the motion was agreed to.

The roll was called; and the following members failed to answer to their names:

Arnold,	Dorsey,	Kelley,	Perry,
Belden,	Dougherty,	Laffoon,	Pidcock,
Bowden,	Dunham,	Lagan,	Plumb,
Bowen,	Dunn,	Laird,	Rockwell,
Breckinridge, Ark.	Ermentrout,	Lawler,	Scott,
Brumm,	Felton,	Lyman,	Seney,
Bryce,	Fisher,	Lynch,	Snyder,
Buckalew,	Fitch,	Macdonald,	Stephenson,
Bunnell,	Foran,	Maffett,	Stewart, Vt.
Butler,	Gallinger,	Mahoney,	Symes,
Campbell, Ohio,	Gay,	McComas,	Tarsney,
Candler,	Gibson,	McCormick,	Thomas, Ky.
Cannon,	Glover,	McShane,	Thomas, Ill.
Caruth,	Goff,	Mills,	Thomas, Wis.
Caswell,	Granger,	Moffitt,	Wheeler,
Catchings,	Greenman,	Montgomery,	White, N. Y.
Clardy,	Guenther,	Morse,	Whiting, Mich.
Cockran,	Hall,	Neal,	Whiting, Mass.
Collins,	Hatch,	Norwood,	Whitthorne,
Compton,	Hayden,	O'Neill, Mo.	Wickham,
Dalzell,	Hooker,	Parker,	Wilber,
Dargan,	Hovey,	Payson,	Wise,
Darlington,	Jones,	Peel,	Yoder.
De Lano,	Kean,	Penington,	Yost.

The SPEAKER *pro tempore*. The doors will now be closed, and the names of the absentees called for excuses.

Mr. REED. What does the call disclose?

The SPEAKER *pro tempore*. Two hundred and twenty-six members have answered to their names.

Mr. REED. I move that further proceedings under the call be dispensed with. I think we had better have another vote.

The motion to dispense with further proceedings was agreed to.

Mr. McMILLIN. Mr. Speaker, I ask in behalf of my friend from Pennsylvania, Mr. SCOTT——

Mr. REED. Let us have the regular order.

Mr. McMILLIN. This is the regular order, and is a matter of courtesy to a fellow-member. I wish to state that I have received a telegram from Mr. SCOTT, stating that he is detained at home on account of sickness in his family, and I desire to ask an extension of his leave of absence. I ask also, on behalf of my colleague, Mr. WHITTHORNE, an extension of his leave of absence on account of sickness.

Mr. REED. But proceedings under the call have been dispensed with.

Mr. McMILLIN. I am aware of that, but I want the RECORD to show these facts; and the request has no connection with the present call.

There being no objection, the leave of absence in each case was granted.

Mr. BLOUNT. I move that the House do now adjourn.

The question was taken, and there were—ayes 74, noes 109.

Mr. HOLMAN. The yeas and nays.

The question was taken on ordering the yeas and nays.

The SPEAKER. Twenty-six gentlemen have arisen in support of the demand for the yeas and nays.

Mr. McMILLIN and others. The other side.

The other side was counted.

The SPEAKER. On this question the ayes are 26 and noes 116—not a sufficient number.

Mr. BLOUNT. Tellers.

Tellers were ordered; and Mr. BLOUNT and Mr. REED were appointed as tellers.

The tellers reported—ayes 49, noes 79; so the yeas and nays were ordered.

The question was taken; and there were—yeas 74, nays 126, not voting 123; as follows:

YEAS—74.

Abbott,	Cothran,	Holman,	Rowland,
Anderson, Iowa	Cowles,	Hutton,	Rusk,
Anderson, Ill.	Crain,	Johnston, N. C.	Sayers,
Anderson, Kans.	Culberson,	Kilgore,	Shaw,
Bacon,	Cummings,	Laffoon,	Simmons,
Bankhead,	Davidson, Ala.	Lanham,	Spinola,
Barnes,	Davidson, Fla.	Latham,	Stahlnecker,
Biggs,	Dibble,	Lind,	Stewart, Tex.
Bland,	Ermentrout,	Maish,	Stewart, Ga.
Blount,	Ford,	Martin,	Stone, Ky.
Breckinridge, Ky.	Forney,	Matson,	Thompson, Cal.
Burnett,	Glass,	McAdoo,	Tillman,
Campbell, T. J., N. Y.	Grimes,	McClammy,	Turner, Ga.
Candler,	Hare,	McMillin,	Walker,
Carlton,	Hayes,	O'Ferrall,	Whiting, Mich.
Cheadle,	Hemphill,	Rayner,	Wilkins,
Chipman,	Henderson, N. C.	Richardson,	Yoder.
Clements,	Herbert,	Robertson,	
Cobb,	Hiestand,	Rogers,	

NAYS—126.

Allen, Mass.	Farquhar,	Lane,	Russell, Conn.
Allen, Mich.	Finley,	Lodge,	Sawyer,
Atkinson,	Flood,	Long,	Scull,
Baker, N. Y.	Fuller,	Macdonald,	Seymour,
Baker, Ill.	Gaines,	Mason,	Sherman,
Bayne,	Gear,	McCreary,	Shively,
Bingham,	Gest,	McCullogh,	Smith,
Bound,	Grosvenor,	McKenna,	Sowden,
Boutelle,	Grout,	McKinley,	Spooner,
Brewer,	Harmer,	McRae,	Springer,
Brower,	Haugen,	Merriman,	Steele,
Browne, T. H. B., Va.	Heard,	Morrill,	Stephenson,
Browne, Ind.	Henderson, Iowa	Nelson,	Struble,
Brown, Ohio	Henderson, Ill.	Nichols,	Taulbee.
Brown, J. R., Va.	Hermann,	Nutting,	Taylor, E. B., Ohio
Bryce,	Hires,	Oates,	Taylor, J. D., Ohio
Buchanan,	Hitt,	O'Donnell,	Tracey,
Burrows,	Holmes,	O'Neill, Pa.	Townshend,
Bynum,	Hopkins, Ill.	Osborne,	Vance,
Campbell, F., N. Y.	Hopkins, Va.	Outhwaite,	Wade,
Cannon,	Hopkins, N. Y.	Owen,	Warner,
Clark,	Houk,	Patton,	Weaver,
Cogswell,	Hunter,	Payson,	Weber,
Conger,	Jackson,	Perkins,	West,
Cooper,	Johnston, Ind.	Peters,	Wheeler,
Crouse,	Kean,	Plumb,	Wilber,
Cutcheon,	Kelley,	Post,	Wilkinson,
Dalzell,	Kennedy,	Pugsley,	Williams,
Davenport,	Kerr,	Reed,	Woodburn,
Davis,	La Follette,	Rice,	Yardley.
Dingley,	Laidlaw,	Romeis,	
Dockery,	Landes,	Rowell,	

NOT VOTING—123.

Adams,	Brumm,	Collins,	Enloe,
Allen, Miss.	Buckalew,	Compton,	Felton,
Anderson, Miss.	Bunnell,	Cox,	Fisher,
Arnold,	Burnes,	Crisp,	Fitch,
Barry,	Butler,	Dargan,	Foran,
Belden,	Butterworth,	Darlington,	French,
Blanchard,	Campbell, Ohio	De Lano,	Funston,
Bliss,	Caruth,	Dorsey,	Gallinger,
Boothman,	Caswell,	Dougherty,	Gay,
Bowden,	Catchings,	Dunham,	Gibson,
Bowen,	Clardy,	Dunn,	Glover,
Breckinridge, Ark.	Cockran,	Elliott,	Goff,
Granger,	Lynch,	O'Neall, Ind.	Symes,
Greenman,	Maffett,	O'Neill, Mo.	Tarsney,
Guenther,	Mahoney,	Parker,	Thomas, Ky.
Hall,	Mansur,	Peel,	Thomas, Ill.
Hatch,	McComas,	Penington,	Thomas, Wis.
Hayden,	McCormick,	Perry,	Thompson, Ohio
Hogg,	McKinney,	Phelan,	Turner, Kans.
Hooker,	McShane,	Phelps,	Vandever,
Hovey,	Milliken,	Pidcock,	Washington,
Howard,	Mills,	Randall,	White, Ind.
Hudd,	Moffitt,	Rockwell,	White, N. Y.
Jones,	Montgomery,	Russell, Mass.	Whiting, Mass.
Ketcham,	Moore,	Ryan,	Whitthorne,
Lagan,	Morgan,	Scott,	Wickham.
Laird,	Morrow,	Seney,	Wilson, Minn.
Lawler,	Morse,	Snyder,	Wilson, W. Va.
Lee,	Neal,	Stewart, Vt.	Wise,
Lehlbach,	Newton,	Stockdale,	Yost.
Lyman	Norwood,	Stone, Mo.	

So the House refused to adjourn.

During the roll-call,

Mr. NELSON said: I move to dispense with the reading of the names.

Mr. ANDERSON, of Kansas. I object.

The SPEAKER. On this question the yeas are 74, the nays 126; the noes have it, and the motion is not agreed to. The question is now on the demand for the previous question, and the Clerk will call the roll.

Mr. ANDERSON, of Kansas. Pending that, I move that when the House adjourn it be to meet on Thursday next.

Mr. REED. That motion is not in order.

Mr. ANDERSON, of Kansas. And pending that, I move that when the House adjourn it be to meet on Wednesday.

Mr. REED (to Mr. ANDERSON, of Kansas). You are developing your tactics too soon.

The SPEAKER. The Chair thinks the motion that when the House adjourn it be to meet on Thursday is in order.

Mr. REED. When we had a vote pending?

Mr. ANDERSON, of Kansas. And pending that I move that when the House adjourn to-day it be to meet on Wednesday next.

The SPEAKER. The gentleman can not make the two motions at the same time.

Mr. REED. I make the point of order that we were in the midst of a roll-call, which can not be interrupted by such a motion.

The SPEAKER. A motion to fix an hour or a day to which the House shall adjourn is of higher privilege than the simple motion to adjourn, and the Chair is bound to entertain the motion of the gentleman from Kansas.

Mr. REED. In the midst of a roll-call?

The SPEAKER. Unless the call of the roll is in process.

Mr. REED. But we were in the midst of a roll-call.

The SPEAKER. One roll-call has been completed and the House would next proceed to take a vote as ordered; but if a motion to adjourn can not be made the House could be held here indefinitely. Under the rules of the House, a motion to fix a day is of higher privilege than the motion to adjourn itself.

Mr. REED. I had supposed——

The SPEAKER. The noes seem to have it.

Mr. ANDERSON, of Kansas. Division.

The House divided; and there were—ayes 12, noes 61.

Mr. ANDERSON, of Kansas. No quorum.

Mr. ANDERSON, of Kansas, and Mr. SPRINGER were appointed as tellers.

During the count,

Mr. SPRINGER said: Have we not the right to count the teller who is opposite in the affirmative?

Mr. ANDERSON, of Kansas. Certainly not. The gentleman in the affirmative will vote when he pleases, and will not vote if he chooses.

The tellers reported—ayes none, noes 67.

Mr. ANDERSON, of Kansas. No quorum.

Mr. SPRINGER. The yeas and nays, then.

Mr. ANDERSON, of Kansas. I hope the gentleman will not take up time.

The yeas and nays were ordered.

Mr. BLAND. Pending that motion I move that the House adjourn.

The SPEAKER *pro tempore* (Mr. DOCKERY). The motion to adjourn to Thursday is a question of higher privilege than the motion to adjourn.

The question was taken; and there were—yeas 5, nays 172, not voting 146; as follows:

YEAS—5.

Bliss,	Henderson, N. C.	Laffoon,	Lehlbach.
Ford,			

NAYS—172.

Adams,	Bingham,	Browne, T. H. B., Va.	Candler,
Allen, Mass.	Blanchard,	Brown, Ohio	Cheadle,
Allen, Mich.	Bland,	Bryce,	Chipman,
Anderson, Ill.	Boothman,	Buchanan,	Clark,
Baker, N. Y.	Bound,	Burrows,	Cobb,
Baker, Ill.	Boutelle,	Bynum,	Cogswell,
Bankhead,	Breckinridge, Ky.	Campbell, F., N. Y.	Conger,
Bayne,	Brewer,	Campbell, T. J., N. Y.	Cooper,

Cothran,	Hopkins, Va.	Morrow,	Smith,
Cox,	Hopkins, N. Y.	Nelson,	Sowden,
Crouse,	Houk,	Nichols,	Spooner,
Culberson,	Hudd,	Oates,	Springer,
Cummings,	Hunter,	O'Donnell,	Steele,
Cutcheon,	Jackson,	O'Ferrall,	Stephenson,
Dalzell,	Johnston, Ind.	O'Neall, Ind.	Stewart, Tex.
Davenport,	Johnston, N. C.	O'Neill, Pa.	Stewart, Ga.
Davidson, Fla.	Kean,	Osborne,	Stockdale,
Davis,	Kelley,	Outhwaite,	Stone, Ky.
Dingley,	Kennedy,	Owen,	Stone, Mo.
Dockery,	Kerr,	Patton,	Struble,
Ermentrout,	La Follette,	Payson,	Taulbee,
Farquhar,	Laidlaw,	Perkins,	Taylor, E. B., Ohio
Finley,	Landes,	Peters,	Taylor, J. D., Ohio
Flood,	Lane,	Plumb,	Thompson, Ohio
Forney,	Lanham,	Post,	Thompson, Cal.
French,	Latham,	Rayner,	Tillman,
Fuller,	Lee,	Reed,	Tracey,
Funston,	Lind,	Rice,	Townshend,
Gaines,	Lodge,	Rogers,	Turner, Ga.
Gear,	Long,	Romeis,	Wade,
Gest,	Maish,	Rowell,	Walker,
Glass,	Mansur,	Rowland,	Warner,
Grosvenor,	Martin,	Russell, Conn.	Washington,
Grout,	Mason,	Russell, Mass.	Weaver,
Harmer,	Matson,	Rusk,	Weber,
Hatch,	McAdoo,	Sawyer,	West,
Haugen,	McClammy,	Sayers,	Wheeler,
Heard,	McCreary,	Scull,	Whiting, Mich.
Henderson, Ill.	McCullogh,	Seymour,	Wilkinson,
Hitt,	McKinley,	Shaw,	Wilson, Minn.
Hogg,	McKinney,	Sherman,	Woodburn,
Holman,	McRae,	Shively,	Yardley,
Holmes,	Morrill,	Simmons,	Yoder.

NOT VOTING—146.

Abbott,	Cowles,	Hooker,	Perry,
Allen, Miss.	Crain,	Hopkins, Ill.	Phelan,
Anderson, Iowa	Crisp,	Hovey,	Phelps,
Anderson, Miss.	Dargan,	Howard,	Pidcock,
Anderson, Kans.	Darlington,	Hutton,	Pugsley,
Arnold,	Davidson, Ala.	Jones,	Randall,
Atkinson,	De Lano,	Ketcham,	Richardson,
Bacon,	Dibble,	Kilgore,	Robertson,
Barnes,	Dorsey,	Lagan,	Rockwell,
Barry,	Dougherty,	Laird,	Ryan,
Belden,	Dunham,	Lawler,	Scott,
Biggs,	Dunn,	Lyman,	Seney,
Blount,	Elliott,	Lynch,	Snyder,
Bowden,	Enloe,	Macdonald,	Spinola,
Bowen,	Felton,	Maffett,	Stahlnecker,
Breckinridge, Ark.	Fisher,	Mahoney,	Stewart, Vt.
Brower,	Fitch,	McComas,	Symes,
Browne, Ind.	Foran,	McCormick,	Tarsney,
Brown, J. R., Va.	Gallinger,	McKenna,	Thomas, Ky.
Brumm,	Gay,	McMillin,	Thomas, Ill.
Buckalew,	Gibson,	McShane,	Thomas, Wis.
Bunnell,	Glover,	Merriman,	Turner, Kans.
Burnes,	Goff,	Milliken,	Vance,
Burnett,	Granger,	Mills,	Vandever,
Butler,	Greenman,	Moffitt,	White, Ind.
Butterworth,	Grimes,	Montgomery,	White, N. Y.
Campbell, Ohio	Guenther,	Moore,	Whiting, Mass.
Cannon,	Hall,	Morgan,	Whitthorne,
Carlton,	Hare,	Morse,	Wickham,
Caruth,	Hayden,	Neal,	Wilber,
Caswell,	Hayes,	Newton,	Wilkins,
Catchings,	Hemphill,	Norwood,	Williams,
Clardy,	Henderson, Iowa	Nutting,	Wilson, W. Va.
Clements,	Herbert,	O'Neill, Mo.	Wise
Cockran,	Hermann,	Parker,	Yost.
Collins,	Hiestand,	Peel,	
Compton,	Hires,	Penington,	

So the motion was not agreed to.

During the roll-call the following additional pair was announced:

Mr. NORWOOD with Mr. KETCHAM, for the remainder of the day.

The result of the vote was then announced as above recorded.

Mr. CHEADLE. I move that the House do now adjourn.

Mr. REED. I make the point that that motion is not in order.

The SPEAKER *pro tempore*. The Speaker ruled awhile ago that it was in order. The question is on the motion of the gentleman from Indiana [Mr. CHEADLE] that the House do now adjourn.

Mr. REED. I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 72, nays 125, not voting 126; as follows:

YEAS—72.

Abbott,	Cheadle,	Hayes,	O'Ferrall,
Anderson, Iowa	Chipman,	Holman,	Richardson,
Anderson, Miss.	Clements,	Hudd,	Rogers,
Anderson, Ill.	Cobb,	Hutton,	Sayers,
Anderson, Kans.	Compton,	Johnston, N. C.	Shaw,
Bacon,	Cothran,	Kilgore,	Simmons,
Bankhead,	Cowles,	Laffoon,	Stahlnecker,
Barnes,	Cox,	Lanham,	Stewart, Tex.
Barry,	Crain,	Latham,	Stewart, Ga.
Biggs,	Culberson,	Lind,	Stone, Ky.
Blanchard,	Davidson, Ala.	Maish,	Taulbee,
Bland,	Davidson, Fla.	McAdoo,	Thompson, Cal.
Bliss,	Elliott,	McClammy,	Tillman,
Blount,	Ermentrout,	McCreary,	Turner, Ga.
Breckinridge, Ky	Ford,	McKinney,	Walker,
Burnett,	Forney,	McMillin,	Washington,
Campbell, T. J., N. Y.	Gibson,	Morgan,	Whiting, Mich.
Candler,	Grimes,	Newton,	Wilson, Minn.

NAYS—125.

Adams,	Finley,	Long,	Russell, Mass.
Allen, Mass.	Flood,	Mansur,	Sawyer,
Allen, Mich.	Fuller,	Matson,	Scull,
Atkinson,	Funston,	McCullogh,	Seymour,
Baker, N. Y.	Gaines,	McKenna,	Sherman,
Baker, Ill.	Gear,	McKinley,	Shively,
Bingham,	Gest,	McRae,	Smith,
Boothman,	Glass,	Merriman,	Sowden,
Bound,	Grosvenor,	Morrill,	Spooner,
Boutelle,	Grout,	Morrow,	Springer,
Brewer,	Haugen,	Nelson,	Steele,
Browne, T. H. B., Va.	Heard,	Nutting,	Stephenson,
Browne, Ind.	Henderson, Ill.	Oates,	Stockdale,
Brown, Ohio	Hires,	O'Donnell,	Stone, Mo.
Brown, J. R., Va.	Hitt,	O'Neill, Pa.	Struble,
Bryce,	Holmes,	Osborne,	Taylor, J. D., Ohio
Buchanan,	Hopkins, Ill.	Outhwaite,	Thompson, Ohio
Burrows,	Hopkins, Va.	Owen,	Tracey,
Bynum,	Hopkins, N. Y.	Patton,	Townshend,
Campbell, F., N. Y.	Houk,	Payson,	Vance,
Cannon,	Hunter,	Perkins,	Wade,
Clark,	Jackson,	Peters,	Warner,
Cogswell,	Johnston, Ind.	Plumb,	Weaver,
Conger,	Kean,	Post,	Weber,
Crouse,	Kelley,	Pugsley,	West,
Cutcheon,	Kennedy,	Rayner,	Wilkinson,
Dalzell,	Kerr,	Reed,	Williams,
Davenport,	La Follette,	Rice,	Woodburn,
Davis,	Laidlaw,	Romeis,	Yardley.
Dingley,	Lane,	Rowell,	
Dockery,	Lehlbach,	Rowland,	
Farquhar,	Lodge,	Russell, Conn.	

NOT VOTING—126.

Allen, Miss.	Dunn,	Laird,	Randall,
Arnold,	Enloe,	Landes,	Robertson,
Bayne,	Felton,	Lawler,	Rockwell,
Belden,	Fisher,	Lee,	Rusk,
Bowden,	Fitch,	Lyman,	Ryan,
Bowen,	Foran,	Lynch,	Scott,
Breckinridge, Ark.	French,	Macdonald,	Seney,
Brower,	Gallinger,	Maffett,	Snyder,
Brumm,	Gay,	Mahoney,	Spinola,
Buckalew,	Glover,	Martin,	Stewart, Vt.
Bunnell,	Goff,	Mason,	Symes,
Burnes,	Granger,	McComas,	Tarsney,
Butler,	Greenman,	McCormick,	Taylor, E. B., Ohio
Butterworth,	Guenther,	McShane,	Thomas, Ky.
Campbell, Ohio	Hall,	Milliken,	Thomas, Ill.
Carlton,	Hare,	Mills,	Thomas, Wis.
Caruth,	Harmer,	Moffitt,	Turner, Kans.
Caswell,	Hatch,	Montgomery,	Vandever,
Catchings,	Hayden,	Moore,	Wheeler,
Clardy,	Hemphill,	Morse,	White, Ind.
Cockran,	Henderson, Iowa	Neal,	White, N. Y.
Collins,	Henderson, N. C.	Nichols,	Whiting, Mass.
Cooper,	Herbert,	Norwood,	Whitthorne,
Crisp,	Hermann,	O'Neall, Ind.	Wickham,
Cummings,	Hiestand,	O'Neill, Mo.	Wilber,
Dargan,	Hogg,	Parker,	Wilkins,
Darlington,	Hooker,	Peel,	Wilson, W. Va.
De Lano,	Hovey,	Penington,	Wise,
Dibble,	Howard,	Perry,	Yoder,
Dorsey,	Jones,	Phelan,	Yost.
Dougherty,	Ketcham,	Phelps,	
Dunham,	Lagan,	Pidcock,	

So the motion to adjourn was not agreed to.

Mr. ANDERSON, of Iowa. I move that when the House adjourn to-day it adjourn to meet on Wednesday next.

The House divided; and there were—ayes 10, noes 75.

Mr. ANDERSON, of Iowa. No quorum.

Mr. REED. I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 12, nays 156, not voting 155; as follows:

YEAS—12.

Allen, Miss.	Crain,	Grimes,	Kilgore,
Barry,	Ford,	Hiestand,	Lehlbach,
Blanchard,	French,	Hudd,	Newton.

NAYS—156.

Abbott,	Cogswell,	Heard,	Lodge,
Allen, Mass.	Cothran,	Hermann,	Long,
Allen, Mich.	Crouse,	Hires,	Maish,
Atkinson,	Culberson,	Hitt,	Mansur,
Baker, N. Y.	Cutcheon,	Holman,	Martin,
Baker, Ill.	Dalzell,	Holmes,	Matson,
Bankhead,	Davenport,	Hopkins, Ill.	McAdoo,
Biggs,	Davidson, Ala.	Hopkins, Va.	McClammy,
Bingham,	Davidson, Fla.	Hopkins, N. Y.	McCullogh,
Bland,	Davis,	Houk,	McKenna,
Boothman,	Dingley,	Howard,	McKinley,
Bound,	Dockery,	Hunter,	McRae,
Breckinridge, Ky.	Farquhar,	Hutton,	Merriman,
Brewer,	Finley,	Jackson,	Milliken,
Browne, T. H. B., Va.	Flood,	Johnston, Ind.	Morrill,
Browne, Ind.	Forney,	Johnston, N. C.	Nelson,
Brown, Ohio	Fuller,	Kean,	Oates,
Brown, J. R., Va.	Funston,	Kelley,	O'Donnell,
Buchanan,	Gaines,	Kennedy,	O'Ferrall,
Burrows,	Gear,	Kerr,	O'Neall, Ind.
Bynum,	Gest,	La Follette,	Osborne,
Campbell, F., N. Y.	Glass,	Laidlaw,	Outhwaite,
Campbell, T. J., N. Y.	Grosvenor,	Lane,	Owen,
Chipman,	Grout,	Lanham,	Patton,
Clark,	Hatch,	Latham,	Payson,
Cobb,	Haugen,	Lee,	Peel.

Perkins,	Sawyer,	Stewart, Tex.	Walker,
Peters,	Sayers,	Stockdale,	Warner,
Plumb,	Scull,	Stone, Mo.	Washington,
Post,	Seymour,	Struble,	Weaver,
Pugsley,	Sherman,	Taulbee,	Weber,
Rayner,	Shively,	Taylor, J. D., Ohio	West,
Reed,	Simmons,	Thompson, Ohio	Whiting, Mich.
Rice,	Smith,	Thompson, Cal.	Wilber,
Romeis,	Sowden,	Tillman,	Wilkinson,
Rowell,	Spooner,	Tracey,	Williams,
Rowland,	Springer,	Townshend,	Wilson, Minn.
Russell, Conn.	Steele,	Turner, Ga.	Woodburn,
Ryan,	Stephenson,	Wade,	Yardley.

NOT VOTING—155.

Adams,	Cooper,	Hooker,	Phelps,
Anderson, Iowa	Cowles,	Hovey,	Pidcock,
Anderson, Miss.	Cox,	Jones,	Randall,
Anderson, Ill.	Crisp,	Ketcham,	Richardson,
Anderson, Kans.	Cummings,	Laffoon,	Robertson,
Arnold,	Dargan,	Lagan,	Rockwell,
Bacon,	Darlington,	Laird,	Rogers,
Barnes,	De Lano,	Landes,	Russell, Mass.
Bayne,	Dibble,	Lawler,	Rusk,
Belden,	Dorsey,	Lind,	Scott,
Bliss,	Dougherty,	Lyman,	Seney,
Blount,	Dunham,	Lynch,	Shaw,
Boutelle,	Dunn,	Macdonald,	Snyder,
Bowden,	Elliott,	Maffett,	Spinola,
Bowen,	Enloe,	Mahoney,	Stahlnecker,
Breckinridge, Ark.	Ermentrout,	Mason,	Stewart, Ga.
Brower,	Felton,	McComas,	Stewart, Vt.
Brumm,	Fisher,	McCormick,	Stone, Ky.
Bryce,	Fitch,	McCreary,	Symes,
Buckalew,	Foran,	McKinney,	Tarsney,
Bunnell,	Gallinger,	McMillin,	Taylor, E. B., Ohio
Burnes,	Gay,	McShane,	Thomas, Ky.
Burnett,	Gibson,	Mills,	Thomas, Ill.
Butler,	Glover,	Moffitt,	Thomas, Wis.
Butterworth,	Goff,	Montgomery,	Turner, Kans.
Campbell, Ohio	Granger,	Moore,	Vance,
Candler,	Greenman,	Morgan,	Vandever,
Cannon,	Guenther,	Morrow,	Wheeler,
Carlton,	Hall,	Morse,	White, Ind.
Caruth,	Hare,	Neal,	White, N. Y.
Caswell,	Harmer,	Nichols,	Whiting, Mass.
Catchings,	Hayden,	Norwood,	Whitthorne,
Cheadle,	Hayes,	Nutting,	Wickham,
Clardy,	Hemphill,	O'Neill, Pa.	Wilkins,
Clements,	Henderson, Iowa	O'Neill, Mo.	Wilson, W. Va.
Cockran,	Henderson, N. C.	Parker,	Wise,
Collins,	Henderson, Ill.	Penington,	Yoder,
Compton,	Herbert,	Perry,	Yost.
Conger,	Hogg,	Phelan,	

So the motion of Mr. ANDERSON, of Iowa, was not agreed to.

Mr. TAULBEE. I ask unaninsous consent that the reading of the names of members voting be dispensed with.

Mr. REED. I object.

The result of the vote was then announced as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 3778) to establish the Lincoln land district in the Territory of New Mexico; and

A bill (S. 3733) to abolish the circuit-court powers of certain district courts of the United States, and provide writs of error in capital cases, and for other purposes.

ORDER OF BUSINESS.

Mr. BLOUNT. I move that the House do now adjourn.

The House divided; and the Speaker *pro tempore* declared that the ayes seemed to have it.

Mr. REED. I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 70, nays 111, not voting 142; as follows:

YEAS—70.

Abbott,	Cothran,	Lanham,	Rogers,
Allen, Miss.	Cowles,	Latham,	Rowland,
Anderson, Iowa	Crain,	Lehlbach,	Russell, Mass.
Anderson, Miss.	Culberson,	Lind,	Sayers,
Anderson, Ill.	Cummings,	Mahoney,	Shaw,
Anderson, Kans.	Davidson, Ala.	Maish,	Simmons,
Barnes,	Davidson, Fla.	Martin,	Spinola,
Barry,	Ford,	Matson,	Stahlnecker,
Biggs,	Forney,	McAdoo,	Stewart, Tex.
Bliss,	Glass,	McClammy,	Stewart, Ga.
Blount,	Grimes,	McKinney,	Stone, Ky.
Breckinridge, Ky.	Hare,	McMillin,	Tillman,
Campbell, T. J., N. Y.	Hayes,	Morgan,	Turner, Kans.
Candler,	Hemphill,	Newton,	Walker,
Carlton,	Hiestand,	Nutting,	Washington,
Cheadle,	Holman,	Oates,	Wilson, Minn.
Chipman,	Johnston, N. C.	O'Ferrall,	
Cobb,	Kilgore,	O'Neall, Ind.	

NAYS—111.

Adams,	Boutelle,	Bynum,	Davenport,
Allen, Mass.	Brewer,	Campbell, F., N. Y.	Davis,
Allen, Mich.	Browne, T. H. B., Va.	Clark,	Dingley,
Atkinson,	Browne, Ind.	Cogswell,	Dockery,
Baker, N. Y.	Brown, Ohio	Conger,	Farquhar,
Baker, Ill.	Buchanan,	Crouse,	Flood,
Bingham,	Burrows,	Cutcheon,	Fuller,
Boothman,	Butterworth,	Dalzell,	Funston,
Gaines,	Kerr,	Peel,	Stephenson,
Gear,	La Follette,	Perkins,	Stockdale,
Gest,	Laidlaw,	Peters,	Struble,
Grosvenor,	Lane,	Post,	Taylor, J. D., Ohio
Grout,	Lodge,	Pugsley,	Thompson, Ohio
Haugen,	Long,	Reed,	Tracey,
Henderson, Ill.	Mansur,	Romeis,	Townshend,
Hermann,	Mason,	Rowell,	Vance,
Hires,	McCullogh,	Russell, Conn.	Vandever,
Hitt,	McKinley,	Ryan,	Wade,
Holmes,	McRae,	Sawyer,	Warner,
Hopkins, Ill.	McShane,	Scull,	Weaver,
Hopkins, Va.	Morrill,	Seymour,	Weber,
Hovey,	Morrow,	Sherman,	West,
Howard,	O'Donnell,	Shively,	Wheeler,
Hunter,	Osborne,	Smith,	Wilber,
Jackson,	Outhwaite,	Sowden,	Williams,
Johnston, Ind.	Owen,	Spooner,	Woodburn,
Kean,	Patton,	Springer,	Yardley.
Kennedy,	Payson,	Steele,	

NOT VOTING—142.

Arnold,	Dibble,	Jones,	Plumb,
Bacon,	Dorsey,	Kelley,	Randall,
Bankhead,	Dougherty,	Ketcham,	Rayner,
Bayne,	Dunham,	Laffoon,	Rice,
Belden,	Dunn,	Lagan,	Richardson,
Blanchard,	Elliott,	Laird,	Robertson,
Bland,	Enloe,	Landes,	Rockwell,
Bound,	Ermentrout,	Lawler,	Rusk,
Bowden,	Felton,	Lee,	Scott,
Bowen,	Finley,	Lyman,	Seney,
Breckinridge, Ark.	Fisher,	Lynch,	Snyder,
Brower,	Fitch,	Macdonald,	Stewart, Vt.
Brown, J. R., Va.	Foran,	Maffett,	Stone, Mo.
Brumm,	French,	McComas,	Symes,
Bryce,	Gallinger,	McCormick,	Tarsney,
Buckalew,	Gay,	McCreary,	Taulbee,
Bunnell,	Gibson,	McKenna,	Taylor, E. B., Ohio
Burnes,	Glover,	Merriman,	Thomas, Ky.
Burnett,	Goff,	Milliken,	Thomas, Ill.
Butler,	Granger,	Mills,	Thomas, Wis.
Campbell, Ohio	Greenman,	Moffitt,	Thompson, Cal.
Cannon,	Guenther,	Montgomery,	Turner, Ga.
Caruth,	Hall,	Moore,	White, Ind.
Caswell,	Harmer,	Morse,	White, N. Y.
Catchings,	Hatch,	Neal,	Whiting, Mich.
Clardy,	Hayden,	Nelson,	Whiting, Mass.
Clements,	Heard,	Nichols,	Whitthorne,
Cockran,	Henderson, Iowa	Norwood,	Wickham,
Collins,	Henderson, N. C.	O'Neill, Pa.	Wilkins,
Compton,	Herbert,	O'Neill, Mo.	Wilkinson,
Cooper,	Hogg,	Parker,	Wilson, W. Va.
Cox,	Hooker,	Penington,	Wise,
Crisp,	Hopkins, N. Y.	Perry,	Yoder,
Dargan,	Houk,	Phelan,	Yost.
Darlington,	Hudd,	Phelps,	
De Lano,	Hutton,	Pidcock,	

So the House refused to adjourn.

During the roll-call,

Mr. MCCREARY said: I ask that the reading of the names be dispensed with.

Mr. ANDERSON, of Kansas. I am sorry that I have to object.

The roll having been read, the following additional pair was announced:

Mr. HENDERSON, of North Carolina, with Mr. HOPKINS, of New York, for the rest of the day.

The result of the vote was then announced as above stated.

Mr. ANDERSON, of Kansas. I move that when the House adjourns it adjourn to meet on Thursday next.

The SPEAKER *pro tempore* (having put the question). The noes seem to have it.

Mr. ANDERSON, of Kansas. I call for a division.

Mr. REED. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 8, nays 159, not voting 156; as follows:

YEAS—8.

Anderson, Ill.	Browne, Ind.	Kilgore,	O'Neall, Ind.
Bliss,	Culberson,	Lind,	Richardson.

NAYS—159.

Abbott,	Clark,	Gear,	Kerr,
Adams,	Cobb,	Gest,	La Follette,
Allen, Mass.	Cogswell,	Glass,	Laidlaw,
Allen, Mich.	Conger,	Grosvenor,	Landes,
Atkinson,	Cooper,	Grout,	Lane,
Baker, N. Y.	Cothran,	Haugen,	Lanham,
Baker, Ill.	Cox,	Hayes,	Latham,
Bayne,	Crouse,	Henderson, Ill.	Lee,
Biggs,	Cummings,	Hermann,	Lehlbach,
Bland,	Cutcheon,	Hiestand,	Lodge,
Boothman,	Dalzell,	Hires,	Long,
Breckinridge, Ky.	Davenport,	Hitt,	Maish,
Brower,	Davidson, Ala.	Holman,	Mansur,
Browne, T. H. B., Va.	Davidson, Fla.	Holmes,	Martin,
Brown, Ohio	Davis,	Hopkins, Ill.	Mason,
Brown, J. R., Va.	Dingley,	Hopkins, Va.	McClammy,
Buchanan,	Dockery,	Houk,	McCreary,
Burrows,	Elliott,	Hovey,	McCullogh,
Butterworth,	Farquhar,	Hunter,	McKinley,
Bynum,	Flood,	Hutton,	McKinney,
Campbell, F., N. Y.	Forney,	Jackson,	McRae,
Campbell, T. J., N. Y.	French,	Johnston, Ind.	Milliken,
Cannon,	Fuller,	Johnston, N. C.	Morgan,
Cheadle,	Funston,	Kean,	Nelson,
Chipman,	Gaines,	Kennedy,	Nichols,

Oates,	Rowell,	Stahlnecker,	Wade,
O'Donnell,	Rowland,	Steele,	Walker,
O'Ferrall,	Russell, Conn.	Stephenson,	Warner,
Osborne,	Ryan,	Stewart, Ga.	Washington,
Outhwaite,	Sawyer,	Stockdale,	Weaver,
Peel,	Sayers,	Stone, Ky.	Weber,
Perkins,	Scull,	Struble,	West,
Peters,	Seymour,	Taylor, E. B., Ohio	Wheeler,
Plumb,	Shaw,	Thompson, Ohio	Whiting, Mich.
Post,	Sherman,	Thompson, Cal.	Wilber,
Pugsley,	Shively,	Tillman,	Wilkinson,
Reed,	Smith,	Tracey,	Wilson, Minn.
Rice,	Sowden,	Townshend,	Yardley,
Rogers,	Spooner,	Vance,	Yoder.
Romeis,	Springer,	Vandever,	

NOT VOTING—156.

Allen, Miss.	Crisp,	Howard,	Penington,
Anderson, Iowa	Dargan,	Hudd,	Perry,
Anderson, Miss.	Darlington,	Jones,	Phelan,
Anderson, Kans.	De Lano,	Kelley,	Phelps,
Arnold,	Dibble,	Ketcham,	Pidcock,
Bacon,	Dorsey,	Laffoon,	Randall,
Bankhead,	Dougherty,	Lagan,	Rayner,
Barnes,	Dunham,	Laird,	Robertson,
Barry,	Dunn,	Lawler,	Rockwell,
Belden,	Enloe,	Lyman,	Russell, Mass.
Bingham,	Ermentrout,	Lynch,	Rusk,
Blanchard,	Felton,	Macdonald,	Scott,
Blount,	Finley,	Maffett,	Seney,
Bound,	Fisher,	Mahoney,	Simmons,
Boutelle,	Fitch,	Matson,	Snyder,
Bowden,	Foran,	McAdoo,	Spinola,
Bowen,	Ford,	McComas,	Stewart, Tex.
Breckinridge, Ark.	Gallinger,	McCormick,	Stewart, Vt.
Brewer,	Gay,	McKenna,	Stone, Mo.
Brumm,	Gibson,	McMillin,	Symes,
Bryce,	Glover,	McShane,	Tarsney,
Buckalew,	Goff,	Merriman,	Taulbee,
Bunnell,	Granger,	Mills,	Taylor, J. D., Ohio
Burnes,	Greenman,	Moffitt,	Thomas, Ky.
Burnett,	Grimes,	Montgomery,	Thomas, Ill.
Butler,	Guenther,	Moore,	Thomas, Wis.
Campbell, Ohio	Hall,	Morrill,	Turner, Kans.
Candler,	Hare,	Morrow,	Turner, Ga.
Carlton,	Harmer,	Morse,	White, Ind.
Caruth,	Hatch,	Neal,	White, N. Y.
Caswell,	Hayden,	Newton,	Whiting, Mass.
Catchings,	Heard,	Norwood,	Whitthorne,
Clardy,	Hemphill,	Nutting,	Wickham,
Clements,	Henderson, Iowa	O'Neill, Pa.	Wilkins,
Cockran,	Henderson, N. C.	O'Neill, Mo.	Williams,
Collins,	Herbert,	Owen,	Wilson, W. Va.
Compton,	Hogg,	Parker,	Wise,
Cowles,	Hooker,	Patton,	Woodburn,
Crain,	Hopkins, N.Y.	Payson,	Yost.

So the motion of Mr. ANDERSON, of Kansas, that when the House adjourns it adjourn to meet on Thursday next, was rejected.

Mr. TIMOTHY J. CAMPBELL. I move to dispense with the reading of the names.

Mr. BUCHANAN. I object. If this farce is to go on, let us have the accompaniment.

The vote having been read, the result was announced as above stated.

Mr. MCMILLIN. I move that the House do now adjourn.

Mr. REED. What was the last vote?

The SPEAKER. The last vote was on the motion that when the House adjourns to-day it adjourn to meet on Thursday next.

Mr. MCMILLIN. We are now within ten minutes of 5 o'clock.

The House divided; and there were—ayes 58, noes 54.

Mr. REED demanded tellers.

Tellers were ordered, and Mr. REED and Mr. MCMILLIN were appointed.

The hour of 5 o'clock p. m. having arrived, in accordance with previous order the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. GIFFORD: A bill (H. R. 11965) granting the right of way to the Yankton and Missouri Valley Railway Company through the Yankton Indian reservation in Dakota—to the Committee on Indian Affairs.

By Mr. ADAMS: A bill (H. R. 11976) granting a pension to Patrick Burk—to the Committee on Invalid Pensions.

By Mr. G. A. ANDERSON: A bill (H. R. 11977) granting a pension to John G. Wilson—to the Committee on Invalid Pensions.

By Mr. BLANCHARD: A bill (H. R. 11978) for the relief of Duncan S. Cage and others—to the Committee on War Claims.

Also, a bill (H. R. 11979) for the relief of Fanny Mason L. Janney—to the Committee on War Claims.

Also, a bill (H. R. 11980) for the relief of Francis E. Feray—to the Committee on War Claims.

Also, a bill (H. R. 11981) for the relief of the heirs of Thomas H. Maddox—to the Committee on War Claims.

By Mr. CHIPMAN: A bill (H. R. 11982) granting a pension to Catherine Hoppe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11983) granting a pension to Ellen A. McInnerney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11984) granting a pension to Mrs. Helen Sutherland—to the Committee on Invalid Pensions.

By Mr. COMPTON: A bill (H. R. 11985) for the relief of John A. Camalier—to the Committee on Claims.

Also, a bill (H. R. 11986) for the relief of Harriet M. Herrick—to the Committee on the District of Columbia.

By Mr. DIBBLE: A bill (H. R. 11987) for the relief of Wiley T. Burge—to the Committee on War Claims.

Also, a bill (H. R. 11988) for the relief of George W. Williams & Co.—to the Committee on War Claims.

By Mr. FULLER: A bill (H. R. 11989) for the relief of Henry W. Edwards—to the Committee on Military Affairs.

Also, a bill (H. R. 11990) granting a pension to Martha Roe—to the Committee on Invalid Pensions.

By Mr. GEAR: A bill (H. R. 11991) granting an increase of pension to Sarah G. Stroud—to the Committee on Pensions.

By Mr. GEST (by request): A bill (H. R. 11992) granting certain rights in the waters of the Mississippi River at Des Moines Rapids to James G. Madden and William R. Johnson—to the Committee on Commerce.

By Mr. HUNTER: A bill (H. R. 11993) granting a pension to Mary A. Long—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11994) granting a pension to Peter Revellett—to the Committee on Invalid Pensions.

By Mr. KERR: A bill (H. R. 11995) for the relief of James H. Hallin, Hiram Avery, and Joseph Tesson—to the Committee on Claims.

By Mr. LAFFOON: A bill (H. R. 11996) to authorize the construction of two bridges across the Green River, at or near the cities of Delaware and Morgantown, in the State of Kentucky—to the Committee on Commerce.

By Mr. LANE: A bill (H. R. 11997) granting a pension to Caleb Crawford—to the Committee on Invalid Pensions.

By Mr. LATHAM: A bill (H. R. 11998) for the relief of Martin Golding—to the Committee on War Claims.

By Mr. MCCREARY: A bill (H. R. 11999) granting a pension to William Barnes—to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 12000) for the relief of Peter Keenan—to the Committee on Military Affairs.

By Mr. MORROW: A bill (H. R. 12001) granting a pension to Belle Ogden—to the Committee on Pensions.

By Mr. OWEN: A bill (H. R. 12002) granting increase of pension to Isaac G. Bruskit—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12003) for the relief of Hiram H. Meeker—to the Committee on Invalid Pensions.

By Mr. PHELAN: A bill (H. R. 12004) for the relief of Maggie B. Chapman—to the Committee on War Claims.

By Mr. SHIVELY: A bill (H. R. 12005) to correct the military record of Richard Murphy—to the Committee on Military Affairs.

By Mr. VANCE: A bill (H. R. 12006) granting a pension to Leonard Schaefer—to the Committee on Invalid Pensions.

By Mr. WADE: A bill (H. R. 12007) for the relief of Josiah Cunningham—to the Committee on War Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BINGHAM: Resolutions of the Vessel-Owners and Captains' Association of Philadelphia, requesting increased appropriation to the Hydrographic Bureau—to the Committee on Appropriations.

By Mr. BOUTELLE: Petition of citizens of Millbridge and Cherryfield, Me., for drawback on tin-plates used for canning purposes—to the Committee on Ways and Means.

By Mr. FELIX CAMPBELL: Petition of the Eyeless Pensioners' Association, for relief—to the Committee on Invalid Pensions.

By Mr. CHIPMAN: Petition of E. P. Everett and others, and of William Thorne and others, of Michigan; of Frederick Gale and others, and of M. D. Huntley and others, of Ohio, for refunding the license tax paid by captains, pilots, engineers, and mates of steam-vessels—to the Committee on Claims.

By Mr. FORNEY: Petition of B. F. Ashley, of St. Clair County, Alabama, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, petition of E. D. Dodson and others, and of the Woman's Christian Temperance Union, of Des Moines, Iowa, for an amendment of the Constitution—to the Committee on the Judiciary.

Also, petition of Board of Trade of Council Bluffs, Iowa, in regard to a world's exposition in 1892—to the Committee on Foreign Affairs.

By Mr. GIFFORD: Petition of the Woman's Christian Temperance Union of Dakota, for a constitutional amendment—to the Committee on the Judiciary.

By Mr. GLASS: Petition of P. B. Edmonds, of Gibson County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. HIRES: Petition of the Woman's Christian Temperance

Union of Salem, N. J., for a prohibitory constitutional amendment—to the Committee on the Judiciary.

By Mr. HUNTER: Petition of Peter Revellett, for relief—to the Committee on Invalid Pensions.

By Mr. LEE (by request): Petition of James L. Barbour and others, for the passage of House bill 11695, for the construction of a bridge across the Eastern Branch of the Potomac River from the foot of South Capitol street to Giesborough—to the Committee on Commerce.

By Mr. LONG: Petition of Mary A. Curley, for a pension—to the Committee on Invalid Pensions.

By Mr. MORGAN: Petition of Peter Keenan, for the removal of the charge of desertion—to the Committee on Military Affairs.

By Mr. MORRILL: Resolutions of Cedarvale Post, No. 99, Grand Army of the Republic, of Kansas, asking to erect monuments on battle-fields—to the Committee on Military Affairs.

By Mr. CHARLES O'NEILL: Petition of Henry Balder Wood, asking for an increase of his pension—to the Committee on Pensions.

By Mr. OSBORNE: Resolutions of the Manufacturers' Club of Philadelphia, for the abolition of the internal-revenue system—to the Committee on Ways and Means.

By Mr. RANDALL: Petition of the Manufacturers' Club of Philadelphia, requesting the repeal of the internal-revenue system—to the Committee on Ways and Means.

By Mr. ROGERS: Petition of Thomas Trotter, for a special-act pension—to the Committee on Invalid Pensions.

Also (by request), petition of Elijah Brown, for a special-act pension—to the Committee on Invalid Pensions.

Also, petition of Charles Gouzer, Company D, One hundred and thirtieth Regiment Illinois Volunteers, for a pension—to the Committee on Invalid Pensions.

By Mr. SIMMONS: Petition of the Farmers' Alliance of Whitaker's, N. C., for more general distribution of the CONGRESSIONAL RECORD—to the Committee on Printing.

By Mr. STRUBLE: Resolutions of the National Grange, Patrons of Husbandry, relative to pure food and pure lard—to the Committee on Agriculture.

By Mr. WEBER: Petition asking for a drawback on tin used for canning purposes—to the Committee on Ways and Means.

The following petitions against the passage of the international-copyright bill were received, and severally referred to the Committee on Patents:

By Mr. BOOTHMAN: Of John W. Arnold & Co., of A. Derfey, and of Sherwood & Williams, of Ohio.

By Mr. CLARK: Of H. W. Meyer, of Appleton, and of John Hicks and others, of Oshkosh, Wis.

By Mr. CHEADLE: Of R. J. and L. R. Thompson, of La Fayette, Ind.

By Mr. CUMMINGS: Of printers and others, of New York and Brooklyn.

By Mr. CUTCHEON: Of Irmonde & Son, of Aba, Mich.

By Mr. GIFFORD: Of E. G. Warden, of Eden, Dak.

By Mr. PUGSLEY: Of John A. Jones, of Waverly, Ohio.

By Mr. SOWDEN: Of D. J. Goodshalk and other citizens of the Tenth district of Pennsylvania.

SENATE.

TUESDAY, *January* 8, 1889.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

THE JOURNAL—INTEROCEANIC CANALS.

The Journal of yesterday's proceedings was read.

Mr. SHERMAN. As something in the nature of a correction in the Journal, I will move that the amendments offered to the Senate joint resolution 122, which is printed as passed on the second page of the RECORD of to-day, be also printed, together with the vote upon them.

The PRESIDENT *pro tempore*. The Senator from Ohio moves that the amendments that were proposed to the joint resolution (S. R. 122) declaring the sense of the Government of the United States in respect of the connection of European governments with interoceanic canals at the Isthmus of Darien and Central America be printed in the Journal and also in the RECORD.

Mr. SHERMAN. And the votes upon them.

The PRESIDENT *pro tempore*. And the votes thereon. It will be so ordered, if there be no objection.

Mr. SHERMAN. There were no yea-and-nay votes; it was simply a *viva voce* vote.

The PRESIDENT *pro tempore*. The action of the Senate thereon will be shown, and the Journal as thus amended will be approved.

NEW YORK CUSTOM-HOUSE SITE.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting, in accordance with a resolution of December 19, 1888, certain information in regard to advertisements inviting proposals for the sale of a public building site to the United States in the city of New York, etc.; which was read.

Mr. HOAR. I move that the communication be printed, and referred to the Committee on Public Buildings and Grounds. I think that committee was charged with the investigation of certain similar questions the other day.

The motion was agreed to.

PETITIONS AND MEMORIALS.

Mr. FAULKNER presented the petition of James L. Barbour and 1,030 other citizens and firms in the District of Columbia, praying for the passage of Senate bill 3673, for the construction of a bridge across the Eastern Branch of the Potomac River from the foot of South Capitol street to Giesborough; which was referred to the Committee on the District of Columbia.

Mr. RIDDLEBERGER presented resolutions adopted by the State Grange, Patrons of Industry, of Virginia, favoring additional protection to agricultural products and indorsing the tariff system of taxation; which were referred to the Committee on Finance.

Mr. MITCHELL presented the petition of Oren Holmes, of Clackamas County, Oregon, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. BROWN. I present the petition of Bedney F. McDonald, of Gainesville, Ga., praying for an increase of his pension, and also statements in support of his application: one signed by General Henry R. Jackson, one by Judge C. C. Hammond, one by J. E. Redwine, one by John R. Winters, and another by Dr. J. M. Austin.

I move that the petition, with the accompanying papers, be referred to the Committee on Pensions.

The motion was agreed to.

Mr. SAULSBURY. I present by request papers to be referred to the Committee on Revolutionary Claims in connection with an old claim pending before that committee. I desire to say in behalf of those who are interested in the claim that though a very old one, it has been recognized by both Houses of Congress, having passed sundry times both Houses; at one session one House and at another session the other House. It is a very interesting claim. It is a claim originating out of the service rendered by Hugh Montgomery, a native of my State, in 1775, who was part owner of a vessel which was chartered by Robert Morris, then managing the financial affairs of the colonies.

In 1775 the vessel was sent to the West Indies with a cargo of flour, and returned with gunpowder and munitions of war. The vessel was overtaken and captured with her cargo of gunpowder near the capes of Delaware. The captain succeeded in landing 240 barrels of gunpowder, when he was attacked by British vessels, and had to abandon his vessel. He, however, laid a train of powder, and after leaving his vessel it was boarded by sailors of the English men-of-war. After they got aboard the fuse that had been laid exploded and blew up the vessel and the remainder of the cargo of powder and killed a number of British sailors.

Captain Montgomery's daughters subsequently filed a petition here, which has been pending perhaps for forty years. Various reports have been made upon it, copies of which I have in my hand. One is a favorable report of the Senate committee in 1856, I believe, recommending the passage of the bill. The war came on and the matter was suspended, and it has never yet been acted upon.

I make the statement with a view of calling the attention of the Committee on Revolutionary Claims to this particular case, which, according to the judgment of the committees that have examined it heretofore, is a very worthy claim.

I move the reference of the papers to the Committee on Revolutionary Claims.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (S. 3463) granting a pension to Patrick H. McNamee, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 2462) for the relief of Charlotte Crumbaugh; and

A bill (S. 3170) granting a pension to Mrs. Charlotte Crumbaugh.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (S. 3611) granting a pension to Anna W. Smith, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3618) granting a pension to Meryah Watts, reported it without amendment, and submitted a report thereon.

SPECIAL-DELIVERY LETTERS.

Mr. SAWYER. I am directed by the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 11794) to amend the postal laws of the United States in reference to letters bearing special-

delivery stamps, to report it without amendment, and I ask unanimous consent that it may be considered now.

The PRESIDENT *pro tempore*. The bill will be read at length for information.

The Chief Clerk read the bill, as follows:

Be it enacted, etc., That section 3, chapter 342, of the act of Congress approved March 3, A. D. 1885, be, and the same is hereby, amended by adding to said section the following proviso:

"*Provided, however*, That the omission by the sender to place the lawful postage upon a letter bearing such special-delivery stamp and otherwise entitled to immediate delivery under the provisions of this section shall not hinder or delay the transmission and delivery thereof as provided herein, but such lawful postage shall be collected upon its delivery, in the manner now provided by law for the collection of deficient postage resulting from the overweight of letters."

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SUSAN P. MURDOCK.

Mr. WILSON, of Iowa. The Committee on Pensions at the last session reported adversely the bill (S. 2758) granting a pension to Susan P. Murdock, and it was indefinitely postponed. My attention was not attracted to the report until recently, when I received additional evidence in support of Mrs. Murdock's application for the passage of the bill. I ask unanimous consent that the action of the Senate in indefinitely postponing the bill be reconsidered; that the bill be recommitted to the committee; and that there be referred to the committee the additional evidence I have in support of the claim.

The PRESIDENT *pro tempore*. The bill having been indefinitely postponed and the time for reconsideration having expired, the Senator from Iowa asks unanimous consent that the vote by which it was indefinitely postponed may be reconsidered and the bill recommitted to the Committee on Pensions, with the accompanying evidence filed by him to-day. Is there objection? The Chair hears none, and it is so ordered.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 4th instant approved and signed the act (S. 1786) to regulate appointments in the Marine-Hospital Service of the United States.

BILLS INTRODUCED.

Mr. SHERMAN introduced a bill (S. 3783) to make and alter regulations as to the times, places, and manner of holding elections for Representatives in Congress; which was read twice by its title.

Mr. SHERMAN. I desire to state that the bill has been prepared by a very able gentleman, familiar with the election laws of both Northern and Southern States. It is absolutely non-partisan in its character. It contains all the provisions, so far as I know, that have ever been suggested with a view to securing an absolutely fair and just election in every part of the United States. It is confined to the election of members of Congress. It is uniform, and modifies the regulations and laws of the several States so as to embody, I think, as perfect a form of election law as can be devised or gathered from the election laws of the several States. Many of its provisions are rather novel to me because they are founded upon the laws of the Southern States, with which I am not familiar, and many of its provisions are drawn from the laws of the Northern States, where they have been proven by experience to be necessary.

I am not at liberty to give the name of the author of the proposed law, because it is not material and he does not wish to be mentioned in connection with it. He lets the measure stand upon its own merits.

I merely make this statement to show that I am not entirely responsible for the bill, although I believe its merits are very marked and deserving of the consideration of the Senate. I move that the bill be referred to the Committee on Privileges and Elections.

The motion was agreed to.

Mr. HOAR introduced a bill (S. 3784) to refer the claim of the owners of the brig Tally-Ho to the Court of Claims; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. SPOONER introduced a bill (S. 3785) to authorize the Secretary of War to cause to be mustered William P. Atwell; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. COLQUITT introduced a bill (S. 3786) to change the date for the commencement of the March terms of the district court for the northern district of Georgia; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. MITCHELL introduced a bill (S. 3787) granting a pension to Oren Holmes; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENT TO RIVER AND HARBOR BILL.

Mr. MITCHELL submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

DUTIES ON SUGAR.

Mr. HOAR submitted the following resolution; which was read:

Resolved, That the Secretary of the Treasury be directed to send forthwith to the Senate a complete copy of the manuscript report of frauds in sugar at New York and Philadelphia, dated November 1, 1887, and submitted by Special Treasury Officer T. Aubrey Byrne.

And that the Secretary of the Treasury be further directed forthwith to comply with the resolve of the Senate dated March 1, 1888, relative to the evasion of sugar duties in New York, or, if there be any reason for not complying with said resolve, to state the same.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. SAULSBURY. I should like to ask the Senator from Massachusetts whether the word "forthwith," directing the Secretary of the Treasury to forthwith send papers here, is in the usual form. It seems to me that we have no right to issue a forthwith summons here upon the Secretary of the Treasury to produce papers. He ought to have such reasonable time as is in his judgment proper and right.

Mr. HOAR. A resolution was passed by the Senate at the last session, the date of which is mentioned in the resolve, March 1, 1888, asking the Secretary of the Treasury to send in certain information. The Secretary replied to that resolve that the information called for by the resolution would require the copying of numerous documents, that it would take several weeks, and that it would be sent in when the documents were copied. The resolution has not been answered further.

This resolution directs the Secretary of the Treasury to send in at once a particular document; that is all. That is the reason for the word "forthwith." It is not for the purpose of making any unusual emphasis in the direction of the Senate, but it is to indicate the desire of the Senate that that particular document, which contains a good deal of information on the subject, may be sent at once, without delaying for the other information which was requested in the former order.

Mr. SAULSBURY. I do not think the expression is a proper one to use as a direction to one of the Cabinet officers of the Government, and I move to strike out the word "forthwith."

Mr. HOAR. Mr. President——

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. SAULSBURY. I object, unless it is modified.

Mr. HOAR. The use of the word "forthwith" is, I understand, customary in such cases, but if the Senator from Delaware makes a point on it, I will consent to striking it out. I will modify the resolution by striking out the word "forthwith." I will substitute the words "as soon as may be," which perhaps will satisfy the Senator from Delaware.

The PRESIDENT *pro tempore*. The proposed modification will be stated.

The CHIEF CLERK. In the third line of the first paragraph, strike out the word "forthwith" and insert in lieu thereof the words "as soon as may be," and in the third line of the second paragraph, strike out the word "forthwith" and insert the words "as soon as may be."

The PRESIDENT *pro tempore*. These are not amendments, but are modifications by the original mover of the resolution. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent, and agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the joint resolution (S. R. 104) to print additional copies of the United States map of the edition of 1887, prepared by the Commissioner of Public Lands.

The message also announced that the House had passed the following concurrent resolutions of the Senate:

A resolution of March 22, 1888, to print additional copies of the report of the Senate select committee appointed under resolution of March 3, 1887, to inquire into the methods of business in the several Executive Departments; and

A resolution of September 25, 1888, to print additional copies of the report of the Commissioner of Education for 1887–'88.

The message further announced that the Speaker of the House had announced the appointment of Mr. RUSSELL, of Connecticut, as one of the managers at the conference on the disagreeing votes of the two Houses on the bill (S. 858) to forfeit lands granted to the State of Michigan to aid in the construction of a railroad from Marquette to Ontonagon, in said State, in place of Mr. STOCKDALE, excused.

THE REVENUE LAWS.

The PRESIDENT *pro tempore*. Is there further morning business? If there be none, that order is closed, and the Calendar under Rule VIII is in order.

Mr. ALLISON. I move that the Senate proceed to the consideration of House bill 9051.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

The PRESIDENT *pro tempore*. The reading of the amendment reported by the Committee on Finance as a substitute will be resumed.

The Chief Clerk read as follows:

337. On collars and cuffs for men's wear, composed entirely of cotton, 15 cents per dozen pieces and 35 per cent. ad valorem; composed in whole or in part of linen, 30 cents per dozen pieces and 35 per cent. ad valorem.

Mr. VEST. I do not know how I can reach my objection to that paragraph by any vote, but I wish to call the attention of the Senate to the fact that under the latter part of this paragraph on any collar which has in it any linen at all a duty is imposed of 30 cents a dozen pieces and 35 per cent. ad valorem.

It is a notorious fact that the larger portion of the collars that are used in this country have what are called linen facings. The body of the collar is composed entirely of cotton, but there is a very small portion of linen used upon the facing of the collar, and under this paragraph these would come in as linen collars with this tax of 30 cents a dozen and 35 per cent. ad valorem. It is unjust.

This provision, or one like it, is not in the present law, and it seems to me that it ought to be changed. I call the attention of the majority of the committee to what I have stated in regard to it, which is unquestionably the fact.

Mr. VANCE. I am informed by people who know that many of the goods named by the Senator from Missouri, partly linen and partly cotton, cost 30 cents a dozen, and the duty would be about 150 per cent. That is altogether too high and can answer no purpose in the world except the interest of certain manufacturers. I hope that purpose will be avowed and that we shall proceed with the bill.

I move to strike out, in line 1366, the words "30 cents per dozen pieces and 35 per cent. ad valorem" and to insert "40 per cent. ad valorem" in lieu thereof.

The PRESIDENT *pro tempore*. The amendment will be stated.

The SECRETARY. In line 1366, it is proposed to strike out the words——

Mr. VANCE. To save the time of the Senate, if in order, I will make one motion applicable to both the matters mentioned in paragraph 337. In line 1364 I move to strike out the words "15 cents per dozen pieces and 35 per cent. ad valorem," and in line 1366 the words "30 cents per dozen and 35 per cent. ad valorem," and substitute "40 per cent. ad. valorem" as the duty for the whole paragraph.

The PRESIDENT *pro tempore*. In both cases?

Mr. VANCE. In both cases.

The PRESIDENT *pro tempore*. If there be no objection, the two amendments will be treated as one.

The amendment will be stated.

The SECRETARY. In line 1364, after the word "cotton," it is proposed to strike out the words "15 cents per dozen pieces and 35 per cent. ad valorem," and to insert "40 per cent. ad valorem;" and in line 1366, after the word "linen," to strike out the words "30 cents per dozen pieces and 35 per cent. ad valorem," and to insert "40 per cent. ad valorem;" so as to read:

337. On collars and cuffs for men's wear, composed entirely of cotton, 40 per cent. ad valorem; composed in whole or in part of linen, 40 per cent. ad valorem.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from North Carolina [Mr. VANCE].

Mr. SAULSBURY. Mr. President, I hope the amendment will prevail. Cuffs and collars are a very small item, as a matter of course, but it will be seen that the duty proposed is 15 cents per dozen pieces, not per dozen pairs, and 30 cents per dozen pieces, not per dozen pairs, making this tax a heavy one. For instance, it is about 4 cents for each cotton collar, and in the last item 30 cents per dozen pieces, which seems to me to be excessive.

I hope the amendment of the Senator from North Carolina will prevail.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from North Carolina.

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I am paired with the junior Senator from Delaware [Mr. GRAY]. Not seeing him present, I withhold my vote.

Mr. FARWELL (when his name was called). On this question I am paired with the Senator from Florida [Mr. PASCO]. If he were here, I should vote "nay."

Mr. GEORGE (when his name was called). I am paired with the Senator from New Hampshire [Mr. BLAIR]. If he were present, I should vote "yea."

Mr. HALE (when his name was called). I am paired with the Senator from Kentucky [Mr. BECK]. I transfer that pair to the Senator from Colorado [Mr. BOWEN], and vote "nay."

Mr. RIDDLEBERGER (when his name was called). During my absence my pair, I have been informed, has been changed several times. I do not know whether I am at liberty to vote. I ask those who have the management of the pairs whether I shall vote.

Mr. CULLOM. I understand that the Senator from Virginia [Mr. RIDDLEBERGER] is paired with the junior Senator from New Jersey [Mr. BLODGETT], and has been for some time. The junior Senator from New Jersey is absent.

Mr. RIDDLEBERGER. If he were present, I should vote "nay."

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB]. If he were here, I should vote "yea."

The roll-call was concluded.

Mr. ALLISON. I am paired with the senior Senator from New Jersey [Mr. MCPHERSON], but will take the liberty of transferring that pair to the Senator from Nevada [Mr. JONES], and vote "yea."

Mr. DAVIS. I desire to announce the pair of my colleague [Mr. SABIN] with the Senator from West Virginia [Mr. KENNA].

Mr. BATE. My colleague [Mr. HARRIS] is paired with the Senator from Colorado [Mr. BOWEN].

Mr. PADDOCK. I am paired with the Senator from Louisiana [Mr. EUSTIS].

Mr. BLACKBURN. I am paired generally with the Senator from Nebraska [Mr. MANDERSON]. If the Senator from Nebraska [Mr. PADDOCK] will transfer his pair with the Senator from Louisiana [Mr. EUSTIS] to the Senator from Nebraska [Mr. MANDERSON] it will enable both the Senator from Nebraska and myself to vote.

Mr. PADDOCK. I will consent to that. I vote "nay."

Mr. BLACKBURN. The pair having been transferred, I vote "yea."

Mr. MORRILL (after having voted in the negative). I wish to withdraw my vote, being paired with the Senator from Tennessee [Mr. HARRIS]. I supposed the pair had been transferred to the Senator from Colorado [Mr. BOWEN].

The PRESIDENT *pro tempore*. The junior Senator from Tennessee [Mr. BATE] announced a pair between the Senator from Tennessee [Mr. HARRIS] and the Senator from Colorado [Mr. BOWEN].

Mr. MORRILL. I understand that the Senator from Kentucky [Mr. BECK] is paired with the Senator from Colorado [Mr. BOWEN].

Mr. HALE. That pair has been already announced. If the Senator withdraws his vote, that leaves it right.

The PRESIDENT *pro tempore*. The vote of the Senator from Vermont is withdrawn.

The result was announced—yeas 19, nays 24; as follows:

YEAS—19.

Bate,	Coke,	Jones of Arkansas,	Vance,
Berry,	Colquitt,	Payne,	Voorhees,
Blackburn,	Daniel,	Reagan,	Walthall,
Butler,	Faulkner,	Saulsbury,	Wilson of Md.
Cockrell,	Gibson,	Turpie,	

NAYS—24.

Aldrich,	Dawes,	Ingalls,	Sherman,
Allison,	Dolph,	Mitchell,	Spooner,
Cameron,	Hale,	Paddock,	Stewart,
Chace,	Hawley,	Platt,	Stockbridge,
Chandler,	Hiscock,	Quay,	Teller,
Davis,	Hoar,	Sawyer,	Wilson of Iowa.

ABSENT—33.

Beck,	Evarts,	Jones of Nevada,	Pugh,
Blair,	Farwell,	Kenna,	Ransom,
Blodgett,	Frye,	McPherson,	Riddleberger,
Bowen,	George,	Manderson,	Sabin,
Brown,	Gorman,	Morgan,	Stanford,
Call,	Gray,	Morrill,	Vest.
Cullom,	Hampton,	Palmer,	
Edmunds,	Harris,	Pasco,	
Eustis,	Hearst,	Plumb,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Secretary read as follows:

338. Hemp or jute carpeting, 6 cents per square yard.

339. Bagging for cotton, gunny cloth, and all similar material suitable for covering cotton, composed in whole or in part of hemp, jute, or jute-butts, valued at not more than 3 cents per pound, three-fourths of 1 cent per pound.

Mr. JONES, of Arkansas. In line 1371, after the words "jute-butts," I move to strike out the words "valued at not more than 3 cents per pound, three-fourths of 1 cent per pound," and to insert "shall be admitted free of duty."

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. In line 1371, after the word "butts," it is proposed to strike out the remainder of the paragraph in the following words:

Valued at not more than 3 cents per pound, three-fourths of 1 cent per pound.

And to insert:

Shall be admitted free of duty.

So as to read:

339. Bagging for cotton, gunny cloth, and all similar material suitable for covering cotton, composed in whole or in part of hemp, jute, or jute-butts, shall be admitted free of duty.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Arkansas [Mr. JONES].

Mr. JONES, of Arkansas. My colleague [Mr. BERRY] desires to submit some remarks on this question, and I yield the floor to him, intending to resume it when he concludes what he has to say.

Mr. BERRY Mr. President, if I understand the amendment of-

fered by my colleague, the proposition is to place bagging used for baling cotton upon the free-list.

The testimony taken before the Committee on Finance shows that there are about 50,000,000 yards of this cotton-bagging manufactured annually in the United States. There is at present a tariff duty or a custom-house tax of 3 cents per yard. The substitute reported by the committee proposes to make that 1½ cents a yard, reducing it one-half.

The testimony shows that there is none of this bagging used for baling cotton raised in America manufactured outside of the United States, but it is wholly manufactured here, as I understand it.

The testimony also shows that there are certain mills in India used for manufacturing other kinds of bagging, which, with a very little alteration at very little expense, could be made to manufacture this character of bagging, and that they would so manufacture it if the tariff duty was not prohibitory, as it is at present.

The testimony shows in addition to that that it could be manufactured at Calcutta, the freight paid on it, all charges and expenses of manufacture and every other charge, and delivered in the city of New Orleans for 4¼ cents per yard, and that the duty of 3 cents per yard now added to it makes it cost the importer 7¼ cents.

Mr. Murdoch, who represented the combined manufacturers of this cotton-bagging, and who appeared before the committee, testified that in making up the cost of this cotton-bagging delivered in New Orleans he added the 3 cents per yard tariff, making it 7¼ cents. He seems to have differed with the Senator from Massachusetts [Mr. DAWES], who said in his remarks some days ago that the duty did not enter into the price of protected articles; but Mr. Murdoch places as part of the cost of this article the 3 cents per yard. He testifies that in effect the present duty is absolutely prohibitory, and that this cotton-bagging is manufactured now wholly in the United States.

The Senator from Massachusetts stated that if the protective system was put in force so that the market could be occupied by American manufactures it would tend to cheapen the article sold rather than to increase the price. Here is a fair illustration of his idea. Here is a tax which has been prohibitory, by which this bagging is alone manufactured in the United States. Here is a representative of these manufacturers who testified that it could be manufactured abroad and placed in New Orleans at 4¼ cents a yard, and that during the last season the planters throughout the South paid to the American manufacturers, who now occupy the market, to use the language of the Senator from Massachusetts, 13, and I believe in some cases 14 cents per yard. That is the manner in which this protective system, when carried to its legitimate results, tends to cheapen the articles of which the Senator from Massachusetts has spoken.

This same witness in testifying in regard to this matter said that cotton-bagging was a charge against the planter. It is true that he at first tried to evade it, but finally when he was forced to answer the question by the Senator from Kentucky [Mr. BECK], as I will now read from his testimony, he admitted that whatever this cost may be it comes out of the pockets of the planters and the laborers in the Southern States.

Senator BECK. Who pays for them? Somebody pays for them. There is 6 per cent. deducted for tare, who pays it?

Mr. MURDOCH. As you say, somebody pays it.

Senator BECK. Is it not deducted from the purchaser always? It must be. Everybody can tell that as well as you.

Mr. MURDOCH. It is the same way when they ship rice; they do not charge for the tierce.

Senator ALDRICH. In this country who pays the 40 cents if it is reduced?

Mr. MURDOCH. I suppose it would go to the planter.

Senator ALDRICH. How would it go to the planter? He sells his cotton for the same price.

Mr. MURDOCH. Yes; he gets the same price for his cotton. You can make a very nice argument about it, but it is so.

Senator HISCOCK. There is no doubt but it must affect the price of cotton.

Then the witness, after some other testimony, says:

When an article is sold it always carries the cost of the package. But when a planter puts 450 pounds of cotton into a bale, puts the bagging and ties on, and then has 475 pounds of stuff which he hauls 5 miles to market, and sells 475 pounds at 10 cents a pound, you can not persuade him that he is not being paid for his bagging and ties. You might argue with him for a year and it would not have the slightest effect on him.

Senator HISCOCK. He does not appreciate the fact that that is taken into consideration in establishing the price of the article?

Mr. MURDOCH. No; but of course that is so.

Or, in other words, this representative of these American manufacturers says that it is true that this tax comes out of the pockets of the cotton-planters of the South, but he says that the laborer is willing to pay it because he is ignorant of the fact and thinks he is getting 10 cents a pound, and therefore because he does not know that he is paying it they have the right to make this imposition upon him. That is the legitimate conclusion to be drawn from that testimony.

The cotton-planters in the South, the laborers of the South, are not so ignorant of their rights as Mr. Murdoch seems to think; but even if it were true, is it any excuse for him that this Government should use the law of the land to take from laborers that which belongs to them and deliver it to him because they may be ignorant of the effect of the law upon the product which they raise?

Here, as I said before, is a tax imposed upon this cotton-bagging which is levied directly upon the laborers of the South. The Senator from Massachusetts says that the protection thus extended goes throughout the entire country and benefits all parties and all sections; and yet here it is admitted that you impose by this Government, under the present law, 3 cents upon every yard of cotton-bagging manufactured in the United States, and the present bill proposes to continue it at 1½ cents, to take it directly from the laborers in the Southern States for the purpose of paying it to the cotton manufacturers.

But it is said by Senators on the other side of the Chamber that it does not go to the manufacturer; that it goes to those who are employed in laboring in these manufactories. Suppose that to be true (though it is not true), is there any reason why the laborer on the cotton plantation of the South should contribute part of his earnings to the laborer engaged in the manufacture of cotton-bagging? Is the labor performed in those manufactories any harder or more exhaustive than it is upon the farms of the South? It is known to every one that it is far less so. Do the laborers in these manufactories work more hours in the day than the laborers on the cotton plantations? Every one knows that they work far fewer hours. Are the wages paid to those engaged in the manufacture of cotton-bagging less than the amount paid to the man who works upon the cotton plantation where the cotton is raised? We all know that it now is at least double what the laborer upon the farm receives.

If that be true, by what rule of justice, even admitting that it was going to the laborers in these manufactories, can you say the laborer in the cotton-field shall pay 3 cents upon a yard or 1½ cents upon a yard for the purpose of taking that from his wages and giving it to the laborer engaged in some other pursuit?

Those who labor upon the cotton plantations labor from twelve to fourteen hours a day. They labor for the very smallest wages of any laborers throughout the United States. They have their families to protect and to provide for, and they have the same right, or at least should have under this great Government of ours, that is given to the laborers in any other pursuit of life. Why make a discrimination against these laborers and take from them that to which they are entitled for the purpose of giving it to other laborers? You can not say that this tax is for revenue purposes, because there is no revenue that comes in under the present tariff. Even if it was needed, the 3 cents a yard duty is absolutely prohibitory, and no benefit accrues to the Treasury of the United States under the present law. Then why levy this tax upon these poor laborers who labor far more than those engaged in the manufacture? Why take from them 3 cents a yard or 1½ cents?

The Senator from New York [Mr. HISCOCK] some days ago, in speaking on the question of cotton-ties, said the amount was small. Can that argument be brought to bear in this particular case? Is that any reason? Under the present law it amounts to 21 cents upon every bale of cotton baled in the United States. Under the Senate bill it will amount to 10½ cents upon every bale of cotton baled in the United States. Six millions of bales at 10½ cents, I believe, would be $650,000. Add to that the 21 cents, the cost of ties, and we have $1,250,000 more to be added—$2,000,000 levied on those two items alone on the laborers and cotton-planters of the South. In addition to that, you levy a tax upon their plows, their hoes, their scrapers, their farm implements, the clothing that they wear, and the salt that goes into their bread. Is this justice? Is this the kind of justice that you say this Government should extend alike to all the laborers throughout the United States?

It does seem to me if there is any class of laborers who have the right to have their labor untaxed it is the farm laborers of this country. Then why not give them this cotton-bagging free of duty? And if it can be laid down in New Orleans at 4¼ cents a yard, why not permit them to purchase it at 5 or 6 cents, which would be the cost otherwise?

But this Mr. Murdoch, who represents these manufacturers, says if the tax is taken off they can not continue the manufacture; that they have large capital invested in it, and that they are entitled to the sympathy and protection of the Government and ought not to be interfered with. Mr. President, if the injury should fall alone upon those engaged in the manufacture of the cotton-bagging in the United States, I do not think that they should command the sympathy of any very large portion of our people. Only last year on an article which he swears to be manufactured here by them at 7 cents per yard, they combined and confederated together, being protected by the laws of the land, there being no mills in foreign countries operating in making this particular kind of bagging—these American manufacturers who now come to Congress and seem to have obtained the ear of the committee and command their sympathy united and by a combination put up the price of cotton-bagging until the cotton-planters of the South paid 13 and 14 cents a yard for it.

Is that class of men to be entitled to the sympathies of this Congress, and are we to legislate for them at the expense of those who work from twelve to fourteen hours a day upon the farms of the South? Have we the right under the law to take money direct from the pockets of these people and hand it over to those manufacturers?

I saw the other day—it was paraded through the papers of the country—that a delegation had come from the State of Alabama calling upon the President-elect advocating a high tariff. Mr. President, I can not conceive how any man who lives in the South and has any sympathy

with the agricultural laborers and planters of the South could ask that their labor be taxed, that their life may be made more burdensome in order to take $2,000,000, or any other amount, out of the pockets of these poor laborers, both white and colored, and place it in the pockets of the men who show themselves willing by combination to force out of them during the last year at least two and one-half or three millions of dollars of their own hard-earned money.

I believe that this amendment ought to be adopted, and that these manufacturers should be taught a lesson, that when they have a tariff tax which is prohibitory in its character, and then are unwilling to take a fair and just profit, the Government should step in and say we will not continue a law that will enable you to fleece these laborers, whether they be engaged in farming or any other pursuit in which Americans engage.

Mr. JONES, of Arkansas. After what has been so well said by my colleague, it is scarcely necessary for me to say a word in explanation of the amendment, or of the reasons why I offered it.

The statement was made by members of the combination of bagging manufacturers who appeared before the Finance Committee when they were making the investigation of this trust some weeks ago that they expected to get enough during the season to pay them for their mills. I presume they have done so. I think if they had not frankly said what they expected to do that I could easily demonstrate that they have been fully paid for all their investments. When they bought these mills they shut some of them down, intending thereby to increase the price of bagging by decreasing production. Now that the cotton-growers have paid for all these bagging mills, as I presume they have, it seems to me there can be no reason why they should not be allowed in turn to shut them down if they choose. The cotton-growers should, if they desire it, have access to the markets of the world and be allowed to buy their cotton-bagging wherever they can get it cheapest, even if the result should be the closing of every cotton mill in the United States, because the property in these is certainly fairly their own. Whether the title is in them or not, having paid for them they fairly own them.

The operation of the tariff upon this article has been remarkable in some respects and plainly illustrates what we may look for in all other cases of the kind. We have had a tax of 3 cents a yard upon cotton-bagging, which the manufacturers state has given them a monopoly of the cotton-bagging production in the United States, so that the result of this tariff has been that the American manufacturers of this article produce all the bagging used in packing the cotton crop of the United States, and that there is practically no manufacture of this article anywhere else. The consequence was that the manufacturers were able to combine at the beginning of the last season and increase the price of this product to quite 14 cents a yard—twice its former price—thereby, as I believe, robbing the cotton-growers of this country of millions of dollars. The most extreme protectionists must admit that even if it should be held to be proper and right that a tax should be imposed by Government for the purpose of building up an industry, it ought never to carry that policy to the extent of allowing the wholesale robbing of one class of citizens by another.

The history of this transaction all the way through shows the most flagrant injustice. If the bagging manufacturers have been enabled by this tariff to increase the price of their product 3 cents a yard, the amount of the tariff, as it seems they have been, then the American people have been compelled to pay them annually, under the operation of this law, a million and a half of dollars over and above the amount of money which would have been necessary to buy their bagging if they had the liberty of buying it where they could buy cheapest. So about one million and a half of dollars has been given by the law to the manufacturers annually under the pretense that it was to enable them to pay high wages to their working people; yet an investigation will show, in my opinion, that the total amount of wages paid by all the manufacturers of this article in the United States in any one year will be found to be less than half a million dollars.

But assume, for the sake of argument, that the claim of the manufacturers themselves is correct and the cost of producing a yard of bagging in this country, including labor "and everything else of that sort," to use an expression of their own, is 2 cents a yard. That would make the total labor-cost of bagging a million dollars; and yet we have the fact that a million and a half dollars is paid by the farmers to the manufacturers on the pretense of increasing the wages paid to labor. If the farmers are to be compelled to pay this amount of money to the bagging manufacturers, I submit that an amendment like the one offered by the Senator from Indiana [Mr. TURPIE] the other day, requiring the manufacturers to pay increased wages to their laborers for whom it is pretended this tax is laid, ought to be adopted and enforced, and the manufacturers ought not to be allowed to collect a million and a half dollars for the increase of wages when the whole amount they pay on that account is only one million, according to their utmost claim.

The Senator from Mississippi [Mr. GEORGE] asks me how many laborers are engaged in the production of bagging. A letter was written last summer by the president of a bagging company, which I read at the time I offered a resolution here directing the Committee on Finance to inquire into this bagging trust. This letter was signed by A. Lehman, president of the Peru Bagging Company, dated March 10, 1888, and addressed "Hon. GEORGE W. STEELE, Washington, D. C.," and was read, I believe, in the House of Representatives. In this letter he states:

> Our factory employs at present over one hundred hands, and we turn out over 3,000,000 yards per annum, and we have an investment in this business of over a hundred thousand dollars.

I take it that this manufacturer has stated the case fully as much in his interest as he could. So we have one hundred hands producing 3,000,000 yards of bagging a year upon an investment of $100,000. If he is correct the 50,000,000 yards of bagging produced in this country could be produced by an investment of $1,600,000 and by the employment of sixteen hundred hands.

But Mr. Gratz, in the course of his testimony, stated that in one of the mills he was connected with they employed about two hundred hands; that they produced 4,000,000 yards of bagging a year. This would, if correct, indicate that twenty-five hundred hands are required to produce 50,000,000 yards of bagging.

Mr. Sturgis made quite a different statement, however, on this point. In answer to a question by the Senator from Tennessee [Mr. HARRIS], which I will read, he said:

> Senator HARRIS. About how many people are engaged in the production of cotton-bagging?
> Mr. STURGIS. Between five and six thousand, I should think, with eighteen or twenty thousand dependent upon them—their families, wives and children.

Mr. GEORGE. How many hands?

Mr. JONES, of Arkansas. Between five and six thousand, he stated. Mr. Gratz stated, as I have just read, that in a mill where they employed about two hundred hands the product was about 4,000,000 yards of bagging. This taken in connection with the statement of Mr. Lehman plainly shows that the claim of Mr. Sturgis that five or six thousand hands are employed is absurd, and I take the deduction that sixteen hundred hands all told are employed is correct.

Now, Mr. President, I desire to call the attention of the Senate to a few of the statements made by these people themselves. In the examination of Mr. Sturgis, who appeared in the interest of these manufacturers, the Senator from Kentucky [Mr. BECK] asked him this question, as will appear on page 7 of the testimony taken by the committee:

> Senator BECK. And still went to Congress to ask Congress to give them a monopoly in order that they might perpetuate this action; is not that so?
> Mr. STURGIS. No.
> Senator BECK. The present law would give it to you?
> Mr. STURGIS. The present law as it stands, yes. How long is that law going to stand?
> Senator BECK. As long as you can make it stand, I suppose.
> Mr. STURGIS. This movement is a temporary movement. It will be all over in a couple of months.
> Senator BECK. After you have sold the bagging for this crop?
> Mr. STURGIS. Yes; and you can not help it.

This was given in answer to a question asked these people about why it was that they had come to make this combination. They stated that they did it because of the threatened passage of the Mills bill, and that that would destroy their product, and therefore they went into the combination to raise the price, and defied the committee and Congress, admitting the conspiracy and the purpose, saying "Yes; and you can not help it."

On page 23 of the same report, Senator BECK, conducting the examination, says:

> Senator BECK. The cotton is now about to be moved, and there is no foreign bagging on hand?
> Mr. STURGIS. That is about it.
> Senator BECK. And by reason of that fact, in addition to your protection that prevents free competition, there is no bagging on hand to compete with you?
> Mr. STURGIS. That is true.
> Senator BECK. And that has grown out of the fact that you have had a monopoly in producing bagging for three-quarters of the cotton of the world, if I am correct in my figures.
> Mr. STURGIS. No; it has not grown out of that.
> Senator BECK. The foreign manufacturers could not made bagging for the cotton raised in America, could they?
> Mr. STURGIS. They could not, under the present tariff laws.
> Senator BECK. I am speaking of the laws as they exist. They could not make it under the present laws, and therefore they only make the bagging that is needed for the other one-quarter?
> Mr. STURGIS. Of course.
> Senator BECK. Therefore you caught them without any supplies?
> Mr. STURGIS. Yes.
> Senator BECK. This contract was made in April, was it not?
> Mr. STURGIS. Yes.
> Senator BECK. And you were here in July?
> Mr. STURGIS. In June.
> Senator BECK. And you kept the fact concealed from this committee, then?
> Mr. STURGIS. I did, and from everybody else I could.
> Senator BECK. And you did it on purpose to keep the people of the country from ascertaining the existence of your pool, so that no bagging could be made anywhere else?
> Mr. STURGIS. Most certainly. We were in to make money, as I have testified.
> Senator BECK. And you were in to conceal from this committee facts that they ought to know, were you not?
> Mr. STURGIS. No, sir. It was none of the committee's business.
> Senator BECK. You thought we had no business knowing it.
> Mr. STURGIS. That is so.
> Senator BECK. But now you have told us about this.
> Mr. STURGIS. You asked me to come before you on this subject, and by your invitation I have done so.
> Senator BECK. We asked you before to give us all the information you had about the business.

Mr. STURGIS. No; you asked us to come before you to give you facts in regard to the tariff.

Senator BECK. Did you come by invitation, or did you ask to be allowed to come?

Mr. STURGIS. I think we were invited to come.

Senator BECK. By whom?

Mr. STURGIS. I do not remember; perhaps Senator ALLISON can tell. I know we were invited to direct our attention to the tariff.

Senator ALDRICH. I think the hearing came about by the request of Senator BUTLER, from South Carolina, that we would hear one of his constituents.

Senator BECK. No matter how you came. Did you not understand, when you were requested or asked to come—whatever it was—that you were to tell us the whole situation, so as to enable us to legislate properly?

Mr. STURGIS. On the tariff business, yes, sir; but not on my private business.

Senator BECK. Your private business is protected by the tariff, is it not?

Mr. STURGIS. It is at the present time.

Senator BECK. That is true, is it not?

Mr. STURGIS. Yes, sir.

Senator BECK. Very well. You came here, or were invited to come, to advise us in regard to the tariff, were you not?

Mr. STURGIS. Yes, sir.

Senator BECK. And you had at that time formed a trust or combination, whatever you call it?

Mr. STURGIS. We had signed our contract.

Senator BECK. Months before; and yet you desired us, so far as you were concerned, to legislate in regard to the tariff as if no such trust existed?

Mr. GEORGE. He stated that?

Mr. JONES, of Arkansas. It was a fact. He admitted it; he never denied it.

Mr. GEORGE. Who stated it?

Mr. JONES, of Arkansas. I have the answer to that question. Let me read it.

Mr. STURGIS. We desired legislation for the future, not for the present. The Mills bill will wipe us out of existence, just as I have stated, completely. What were we going to do as a body of sensible business men? We were going to do the best possible for ourselves. If you tread on a worm he will turn. If you drive a business man into a hole he will get out of it if he can.

The insincerity of this pretension that these people feared any unfair legislation is plainly shown by the fact that this combination was made weeks before they were here urging that the Mills bill be changed. They could not say that the Mills bill would not be changed. They knew perfectly well that that bill would not become a law, because there was a majority in this House of Congress that would not pass any such law, that would not pass any law reducing the burdens of taxation imposed by our tariff laws, and they as well understood that then as they understand it now. The fact is that they had put their money into the purchase of mills and the purchase of stocks of bagging, as they testified before the committee weeks before that time. They took the chances. They were deliberately going to make this combination with the purpose of letting it be developed, when it was so late that bagging could not be manufactured abroad and brought here and sold in competition with them.

They had a monopoly by reason of the tariff. They could not raise it above 8 cents unless they kept the mills of the outside world in ignorance of the facts, because the testimony here shows that whenever the price was raised above 7 cents foreign bagging came in. Their purpose, then, in concealing the matter when they were here urging both Houses of Congress to legislate in their interest, when they were here making piteous appeals, presenting petitions of workingmen asking that they should not be sacrificed by the Mills bill, they were conspiring, every single man of them, to get control of the bagging of the country, and keeping that knowledge from the public, from Congress, until it was so late that foreign producers could not manufacture the bagging and send it here in time to be used for the crop of last year.

It seems to me when they did this they put themselves in such a position that they have no right to ask any favors at the hands of the American Congress. You placed the power in their hands of making this combination by giving them such a protective tariff as to drive out all other bagging mills and giving them the monopoly of the bagging production in this country; and after giving them that all they had to do was to make a combination quietly and secretly, to be done in so short a time before the cotton crop came that the foreign bagging-makers would have no notice and could not enter into competition with them. When they have put themselves outside of the law, when they have undertaken by this iniquitous and unjust combination to rob a large class of the people of this country, it seems to me that the Congress of the United States ought not longer to extend to them any sort of protection. But if you are to give them any protection at all, I submit that it ought not to be of the same nature and character as that which they have had for years past.

There are some other statements made by these people, however, upon this question of their combination and the purpose and intention of it, that I wish to call to the attention of the Senate. On page 27, Mr. Sturgis was questioned by Senator JONES, of Nevada:

Senator JONES. Under existing circumstances and under the existing tariff laws could this arrangement be made at all perpetual?

Mr. STURGIS. No, sir; not under any circumstances.

Senator JONES. It could not be made to last?

Mr. STURGIS. No, sir.

Senator ALDRICH. It is only intended to cover the consumption of the present year?

Mr. STURGIS. That is it. If it will last two months longer we will be satisfied.

And they state in another part of the testimony that they intended to raise the price about high enough to pay them out of last year's crop for all their mills.

On page 28, Senator BECK conducting the examination, this occurred:

Senator BECK. I want to bring out just what you are squeezing out of the American cotton-planters under the operation of a law that you say protects American labor.

Mr. STURGIS. We are going to get back a little of the money squeezed out of us during the last two years, when we were obliged to sell below cost.

Senator BECK. During all that time you had a protection that was an absolute prohibition as you say?

Mr. STURGIS. It resulted in so many American mills that they cut each others' throats, and ran the price of the cloth down until we had to sell it below cost.

Senator BECK. You ran the price down with an absolute monopoly against foreign competition?

Mr. STURGIS. For the good of the American planter, but we do not propose to do it forever.

Senator BECK. That was a sympathetic movement in favor of the cotton-planter and not the result of the law, then? Your sympathies were with the people, but did not remain there.

Mr. STURGIS. We needed the sympathies ourselves, and didn't have any to spare for anybody else. This year we shall not need so much sympathy.

Senator JONES. You sold at a loss in former years, and are getting back some of the money now?

Mr. STURGIS. That is exactly what we are doing.

Mr. President, there could not be a more complete answer to the theory presented by the Senator from Massachusetts [Mr. DAWES] the other day, that the purpose of protection was to increase production in this country and by increased production to decrease the price to the consumers of goods. Here we have an instance of a high protective tariff increasing the production of cotton-bagging to an enormous extent and that increased production resulting in a decreased price, and that reduction in price resulting in its turn in a combination of manufacturers which put the price back away beyond what it was even by a high protective tariff. In other words, you devise a system of protection under the pretense of building up industries and impose a higher cost of goods on the consumers of the country to carry out your plan, and when the mills are built and a temporary reduction in price comes about, they are permitted by your high protective tariff to organize a combination among the producers and the price is put back beyond and higher than it was before the inception of the original high tariff. That is the result of the operation, and here it is shown as plainly as can be in this case, and I respectfully submit it will always be the case in every effort of the same kind.

On page 40, the chairman of the subcommittee asked Mr. Gratz, who was a witness upon this question, a St. Louis man, this:

The CHAIRMAN. What is the price of bagging now? I believe I have not asked that.

Mr. GRATZ. Twelve and one-half cents a yard to-day; will be one-fourth of a cent higher Monday.

The CHAIRMAN. What is occurring to advance the price?

Mr. GRATZ. We thought we could get that much more.

Senator BECK. You have the market effectually cornered?

Mr. GRATZ. We have it effectually cornered, and there is no power on earth can stop us except some of us die or turn thieves on the rest.

It seems to me that that was almost a confession on the part of Mr. Gratz that so far as the rest of the country was concerned they were all occupying at least an equivocal position, and the only danger to their combination was that they should turn thieves on each other, and they stated further that they intended to continue it, for he used this language:

Mr. GRATZ. After buying enough bagging and securing control of enough mills to get two-thirds of all the bagging required for this year's crop, we waited to see whether the Mills bill would give us a rate of protection sufficient to enable us to continue in business another year. It was agreed that in case there was protection sufficient to insure us the continuance of our business the price of bagging would not be materially raised; that, however, in case no sufficient protection was left, we would advance the price of bagging from time to time as much as was deemed advisable, in order to get out of the business this year as nearly as possible enough money to pay for our machinery. This policy has been pursued to this day, and we hope and expect to continue it.

Now, Mr. President, I believe that the present tariff of three-fourths of a cent a yard is more than ought to be allowed upon this article, even if we are determined to keep it on the tariff-list. I think I have shown sufficiently why there should be no protection whatever to these people, why they have forfeited all claim to any protection from the United States Government. But if you should protect them, if you intend to protect them to the extent of the difference between the amount they pay for labor and what their competitors have to pay abroad, then the Mills bill proposes as high a tariff as there ought to be, or even higher.

I want to show in just a minute or two, if the Senate will indulge me, what the difference in this cost is. Fifty million yards of bagging are produced in this country. If that is increased in price a cent and a half a yard, as it would be under the operation of this bill, it will be an increase of $750,000 annually.

I do not believe, as I said in the beginning, that the total amount of labor in the production of 50,000,000 yards of cotton-bagging in this country costs more than half a million dollars, because if, as the letter which I have read from Mr. Lehman, the president of the Peru Cotton Mills says, 100 hands can produce in twelve months 3,000,000 yards of bagging, 1,600 hands would produce 50,000,000 yards in twelve months. If these hands were paid at the rate of a dollar a day—and a dollar a day is a fair average price for them, because the testimony of Mr. Gratz, of Mr. Sturgis, and the other witnesses who were examined was that

85 per cent. of the labor employed in the mills in the production of cotton-bagging was that of women and boys, and that they paid from 50 cents to $1.10 a day for hands; that there were a few hands who got $2 to $2.50 a day, mechanics and so on, but the testimony shows that a dollar a day would be a fair average for the number of hands they have employed in the production of this article—then $300 a year is the averate of wages of each hand, and $300 a year for 1,600 hands would amount to $480,000 a year, the total amount of wages paid for the production of 50,000,000 yards of bagging. And the testimony of Mr. Murdock, who appeared before the committee for the American manufacturers, was that the labor cost to the India manufacturer was 7.2 cents per yard, which would give as the actual labor cost of 50,000,000 yards of bagging in India $360,000, or only $120,000 less than the labor cost here, while to compensate for this we authorize the collection of $750,000, as shown above.

It will appear that $500,000 is a fair estimate of labor cost in this country by considering this matter in another aspect. Mr. Gratz's statement that two hundred hands in his mill produced 4,000,000 yards makes about 20,000 yards per hand per year; and the statement made by the Peru Mills, by Mr. Lehman, its president, that about one hundred hands produced about 3,000,000 yards would make 30,000 yards to the hand in a year. Then, if Mr. Gratz paid $200 per year for his hands, or if the Peru Mills paid $300 for a year's wages, this would amount to 1 cent per yard as the labor cost, or an aggregate of $500,000 for the entire production of 50,000,000 yards.

The cost of the material used by these people in this country and in India can not vary very much. On page 103 is a statement made by Mr. Murdoch to the committee investigating this question, in which he says:

Jute is exclusively a product of India and is marketed as long or "loose" jute in and near Calcutta.

Jute-butts are the root or "butt" end of the jute-stalk cut off because of unfitness for fine work.

American cotton-bagging is made from jute-butts.

Loose jute is marketed in the Calcutta native bazaar, and is worth 25 cents per 100 pounds, or one-quarter cent per pound less than jute baled and ready for shipment.

Loose jute is brought down the rivers by the natives in small quantities and bought by large packers.

We have the statement that loose jute is worth 25 cents a hundred pounds in India, and when packed for shipment one-fourth cent per pound more; that would be about $12 a ton for jute-butts in India. Estimate ocean freight at the same amount, and the raw material of this product costs, laid down in New York, $26 per ton. The statement was made by Mr. Gratz, I believe, that the loss in jute in the manufacture of bagging was about 10 per cent. In the manufacture, then, of 3,000,000 yards of bagging, weighing 6,000,000 pounds, if 10 per cent. was lost the weight of the jute required would be 6,600,000 pounds of jute. Divide that by 2,200, in round numbers, as the number of pounds in a ton, and you have 3,000 tons as the quantity of jute-butts necessary to produce the 3,000,000 yards of bagging made at the Peru Mills. That would cost, then, putting the prime cost at $13 a ton and adding $13 for freight, $26 a ton delivered in New York. Twenty-six dollars a ton is a fair price, as shown by the testimony here.

Mr. DURFEE. Jute is now $40 a ton, and jute-butts are now $27 a ton.

Senator BECK. Where?

Mr. DURFEE. That is the foreign price of them.

Senator BECK. Is that price made up from the price in London and Liverpool or where the stuff grows?

Mr. GRATZ. It is Calcutta jute and jute-butts.

Mr. DURFEE. It is the English markets that govern, I presume.

This statement shows that $26 a ton would be a fair price for the butts delivered in New York. Add, then, to the $78,000 which the jute-butts would be worth in New York $9,000 for domestic transportation from New York to Muncy, Ill.—and that is what Mr. Gratz stated it to be—then add 2 cents per yard for labor, etc., their own statement, and we get the total cost for the manufacture of 3,000,000 yards of bagging, $147,000, or less than 5 cents a yard cost in the United States. Mr. Gratz's statement of domestic freight and cost of manufacture is as follows:

The CHAIRMAN. Do you remember what the freight is on a ton of jute from New York to Muncie?

Mr. GRATZ. Let us call it by the hundred-weight, and I can get at it.

The CHAIRMAN. Very well.

Mr. GRATZ. It is about 15 cents per hundred pounds by way of the canal.

Senator BECK. That is a pretty high price.

The CHAIRMAN. Is not that pretty high?

Mr. GRATZ. That is the lowest transportation known in the world by rail. Fifteen cents per hundred pounds is $3 a ton.

The CHAIRMAN. Yes, I see.

Mr. GRATZ. When you figure on it it is pretty cheap.

The CHAIRMAN. Three dollars a ton is $30 a car of 10 tons?

Mr. GRATZ. Yes, sir; that is compressed to a very close capacity, and they load it on an average about 30,000 pounds on a car.

Senator BECK. That would be 15 tons at 2,000 pounds to the ton. About 15 net tons?

Mr. GRATZ. It measures 40 pounds to the cubic foot.

The CHAIRMAN. Forty pounds to the cubic foot as it is compressed?

Mr. GRATZ. As it is compressed.

The CHAIRMAN. It is compressed in Calcutta and sent in that way?

Mr. GRATZ. Yes, sir.

The CHAIRMAN. Is it also baled?

Mr. GRATZ. It is baled in Calcutta in very closely compressed bales, and measuring 10 cubic feet to each bale, and weighing 400 pounds to each bale; and so that it is an expensive and difficult process to open these bales.

The CHAIRMAN. What are they bound with; with iron?

Mr. GRATZ. With ropes, and when the ropes are taken off the bale is about as hard to split as a pine log. It has been packed so long and so hard it is matted together.

Again, on pages 34 and 35:

The CHAIRMAN. What do you say would be the cost, including pretty much everything—management at St. Louis, and cost of selling at a fair estimate?

Mr. GRATZ. We figure that if we can get over and above the cost of the raw material 1¾ to 2 cents a yard for the Muncie mill we are getting out even or a little better. But then we have to pay a little more freight than if we were located elsewhere and where first cost is higher. There are mills that make their bagging at a cost of 2½ cents nearly, and some at a cost of 2 and 2½ cents per yard. In going through and getting information on that subject this year we set the price as being 2 cents a yard, that being low enough to cover in absolute good faith a well-located, good mill, and being high enough to make a reasonable showing.

The CHAIRMAN. Two cents a yard added to the cost of your material?

Mr. GRATZ. Yes, sir.

The CHAIRMAN. That is, the 2 cents a yard would be the cost of labor?

Mr. GRATZ. Labor, supplies, and all those things that come in, and a reasonable allowance for wear and tear.

The CHAIRMAN. What is the cost of the raw material, say at Muncie?

Mr. GRATZ. The raw material varies always.

The CHAIRMAN. Two pounds to a yard; how much raw jute would that take?

Mr. GRATZ. It is estimated that jute loses 10 per cent.

The CHAIRMAN. It would take 2 pounds and two-tenths of a pound of jute, then?

Mr. GRATZ. Two and four-tenths on that basis.

The CHAIRMAN. He will lose one-tenth?

Mr. GRATZ. Yes; you are right. We drew up for you last year and submitted an estimate of the cost of making bagging and delivering it at the markets. Muncie is not a market.

The CHAIRMAN. Delivered at New Orleans?

Mr. GRATZ. Delivered at New Orleans; and that is as nearly fair and accurate as an estimate can be made.

The CHAIRMAN. That was 7.08 cents.

Mr. GRATZ. Seven and eight-hundredths cents a yard on 2-pound bagging at the markets.

The CHAIRMAN. That included, of course, transportation from Muncie to New Orleans or St. Louis?

He states 2 cents as the labor cost, and says he includes in the labor, the "labor, supplies, and all those things that enter into it, and makes a reasonable allowance for wear and tear." Then, allowing 2 cents a yard, which includes everything in addition to the actual labor costs you have the cost of this product to the manufacturers in the United States less than 5 cents a yard. All these facts show that a tariff of three-eighths of a cent a pound, as proposed in the Mills bill by the House of Representatives, is ample protection, and would give $30,000 more than the difference between the cost paid to labor in the United States and that paid in India, even when you accept as true the statement of the American manufacturers of the labor cost of their product.

There are a number of things that might be referred to in this connection, but I will content myself with a reference to one or two other points.

The spirit with which these witnesses appear before the committee, is one that, it strikes me, will not make a favorable impression upon the Senate. Mr. Gratz made this statement in reply to a question put by the chairman of the subcommittee:

The additional price now being charged amounts to about 35 cents a bale on cotton, and as the average cotton-planter raises about five bales annually, the additional tax on the average planter amounts to $1.75 a year; somewhere in the neighborhood of the same amount of money he spends per month for tobacco.

The CHAIRMAN. That is, if he uses it?

Mr. GRATZ. He mostly uses it, and mixes it with whisky.

This man testifies that he had been engaged in this trade for years. It has been, I suppose, a business in which he has made his living, and perhaps a fortune. Those to whom he has been selling his goods for all these years, and with whom he has been having these business relations, he sees fit to appear before a committee of the Senate of the United States and to slander in this infamous way. A viler slander never fell from the lips of any human being. The awful warning in the case of Ananias seems to have been lost upon him. I do not believe there is any more sober, any more industrious, or any more honest people in the United States, or on the face of the earth, than are these people; and when this man goes out of his way to attempt to traduce them, and gratuitously attacks them, as he does here, he degrades himself, if he is capable of degradation, but he does not hurt the men whom he slanders. He further says, and I ask the attention of the Senate to this expression by this same dealer who has been living off these cotton-planters all these years:

But in this country the cotton is baled and laid on the ground for perhaps a month; then it stands out in the rain until it gets sufficiently wet to market it; it is then driven to market carefully on a damp day and sold there. The buyer stands it on the sidewalk or delivers it at the railroad station, where it is exposed to the rain again on the platform.

There is an evident purpose on the part of this man to have the committee of the Senate believe that it was the deliberate practice of the cotton-planters to put their cotton out and have it rained on to make it wet for the purpose of increasing its weight and thereby robbing the purchaser. That man knew when he uttered it that he was uttering as base a slander as any human being ever originated on the face of the globe. He knew and I hope the committee knew well enough that it would be nonsense to undertake to impose on dealers wet cotton. Cotton must unavoidably become damp and wet sometimes. There is no doubt about that. But when this man intimated that these people deliberately put their cotton in this condition for the purpose of

wetting it he uttered a slander that ought to call upon his head the anathema of every intelligent man in the cotton country. I hope he will be remembered by the people he has sought an opportunity to defame.

There is one bright spot to this ugly picture. The Ludlow cotton mill, I believe, situated in Boston, Mass., refused to enter this combination and stood outside of it, as I understand. I do not know that it is true, but I understand they sold their product at about the old prices. I take very great pleasure in mentioning that mill by name, and I hope that it too will be remembered. I hope their conduct will command the respect and admiration of this whole country, as it deserves to do.

Mr. GEORGE. What is the name of that mill?

Mr. JONES, of Arkansas. The Ludlow mill, of Boston, Mass. I understand that is the name and location. I am not sure of it, but I understand they refused to raise the price of their product and sold it at the regular price. The owners and managers of that mill ought to be treated with respect and consideration as honest men, and I should sincerely regret any injury done them in legislation or otherwise; but I believe if there is any way to reach the others who entered into this combination to raise the price of cotton-bagging, if there is any way to punish them or of preventing a repetition of their rascality I am in favor of doing it.

If the committee are unwilling to place this article on the free-list, I respectfully submit that the amount of the tariff in the Mills bill is ample, and, as I have shown, more than enough to pay the labor cost between this product in India and in the United States.

Mr. GEORGE. Mr. President, I represent in part a State which produces more cotton than any similar area of land in the world, the largest cotton-producing State in the Union except Texas, which has, I believe, about five times the area of Mississippi. This imposes upon me, Mr. President, the duty of saying something on the subject of the particular question now before the Senate, and if I can have, which I am sure I shall not have, the attention of Senators upon the other side of the Chamber to a plain statement of the facts which ought to be considered by the Senate, I should have some hope at least that this great injustice done to the laborers of the South would not be perpetrated.

I have listened with pleasure to the very instructive and interesting debate upon this subject from the Senators from Arkansas, whose State is also largely interested in this question. They have given us facts and figures of a most interesting character and well calculated to stop the majority of the Senate in its purpose to pass this bill as it now stands.

I had the curiosity, Mr. President, whilst that debate was going on, to cast my eyes over the other side of the Chamber to see if there was one single Senator charged with the high duty of passing upon this question which interests so many people, as I will show before I sit down, who was paying the slightest attention to what was being said. I failed to discover any Senator upon that side who was not either reading or writing or engaged in conversation. So I take it that the very interesting and the very able presentation of the side of the question in favor of free bagging has not been heard and will therefore not be considered by the majority of the Senate.

I do not expect a better fate than was accorded to the Senators from Arkansas, yet I believe the facts are such that if all were considered calmly and fairly there would be a unanimous judgment of this Senate in favor of the relief asked by the Senators from Arkansas.

I do not intend to make a partisan speech, Mr. President, though there is great provocation for doing so. If anybody upon the other side will do me the honor of listening to what I say, I shall say nothing to offend his sensibilities, and all I can say will be to persuade him from doing this injustice.

I understand that it is the theory upon which protective duties are levied that we wish to benefit American labor. So far as benefit can come to the American laborer from an imposition of duties upon foreign products it has my sympathy. If I can be persuaded——

Mr. PLATT. Mr. President, may——

Mr. GEORGE. I do not want to be interrupted now.

Mr. PLATT. Will the Senator——

Mr. GEORGE. I do not want to be interrupted now. If I can be persuaded that it is for the benefit of the great mass of the toilers of the United States, the toilers in the factories, the toilers in the mines, the toilers in the fields, that protective duties should be levied, I for one shall cast my vote for protective duties.

Mr. PLATT. Will the Senator now allow me to interrupt him?

Mr. GEORGE. No, sir; I want to get through.

This tax of three-quarters of a cent a yard is levied in the name of American labor. It is justified, because, as I understand it, the great mass of American labor will be benefited by the levy of the tax. I am willing to try the question before the Senate upon the simple proposition, does this tax, not the general protective system, but does this particular tax benefit the American laborer? I say that so far from benefiting the American laborer, it is to the extent of the tax levied an onerous and an unjust imposition upon American labor. I asked the Senator from Arkansas who last addressed the Senate, and who had gone to the pains of gathering and presenting to the Senate a large mass of useful information upon this subject, how many laborers in the United States were engaged in manufacturing jute-bagging. He assured me 1,600. Put it at 5,000; I will take the largest number claimed by the men who in the name and under color, the dishonest color, of these laborers come before the American Congress and ask for the imposition of this tax. How many laborers are taxed? I will give you 5,000 as the number of the men interested as laborers in making this bagging, and I go further, and against the truth of the case, too, as I understand it, I will admit that these 5,000 laborers are benefited by the tax, though I believe only the manufacturers are benefited by it, but I will concede that. How many laborers on the other side contribute to this tax?

The cotton crop of the United States last year was a little over 7,000,000 bales. This year it will be in that neighborhood; I mean this fiscal year, this cotton year; I mean the year 1889. The estimates are in the neighborhood of 7,000,000 bales. I undertake to say, and I will verify it by the experience of every Senator in this Chamber who has any knowledge of cotton-planting, that three bales to the laborer, that is, to the person who works on the farm and raises cotton, though he may raise other things, is a large estimate; that is to say, for every three bales of cotton raised there is a laborer in the Southern States of this country. directly engaged in producing. Divide 7,000,000 by 3 and you have 2,333,333 laborers engaged in raising cotton, upon every one of whom is imposed this tax.

But Senators may think that it is the cotton-planter, that it is the man who owns the land, who is the person that pays it. I will state now in the hearing of the Senate and before the public of the South, who are to judge of the correctness of my statements, that more than one-half, largely more than one-half, of the 7,000,000 bales of cotton is raised by men who work with their own hands in its production and who are the owners of the cotton after it is raised; or in other words, of the 2,333,333 laborers engaged in the production, more than one million and a quarter of them plant the cotton as their own, raise it as their own, gather it as their own, and pay all the expenses of ginning it as their own, and therefore pay this tax directly. If gentlemen suppose that there exist in the South to any appreciable extent—I put it in that way—men with large plantations who employ labor for wages to raise cotton for them, the cotton being the property of the owner of the land in all its stages from the time it is planted to the time that it is sold—I say if gentlemen suppose that state of affairs to exist to any appreciable extent. they are mistaken.

I speak from personal observation, from a long familiarity with the raising of cotton in the richest cotton district in the world, where nine-tenths of the cotton raised in that district from the time the seed goes into the ground until the time the cotton is ginned and baled is the property of the man, of the child, of the woman, who raised it. I happen to have a small interest in some plantations, which produce probably 1,500 bales of cotton, and not one bale, not one pound, not one lock, of that cotton belongs to the owner of the plantation. It all belongs to the laborer.

So then I want the Senate to understand when they impose this tax upon bagging they are imposing it directly, not indirectly; immediately, not mediately, through circumventions and all that sort of thing, but directly upon the man, or the woman, or the child—I use all these terms because men, women, and children are engaged in the production of cotton—who furnishes the manual labor to make the cotton. So we come to this point: Assume that the Senator from Arkansas was mistaken in supposing that only 1,600 hands were engaged in the manufacture of jute bagging, and that the witness from whom he read was correct—that there were 5,000—and then assume, in addition to that, contrary to the facts of the case as he read (because they only got from 85 cents to $1.10 a day), that these 5,000 laborers receive the benefit of this tax in that they get from 85 cents to $1.10 a day, then you impose this burden upon more than a million and a quarter of laborers who, I am sorry to say, in many instances where the land is not productive, do not earn by their work when they are working for themselves as much as 85 cents, $1, or $1.10 per day.

I appeal to Senators, are you now going, in the false name of labor, to impose this unjust tax upon this large mass of poor men and poor women and poor children who are engaged in the raising of cotton? I think you will do it; I am afraid you will do it; but when you do it you will, in the plainest and most unequivocal manner, put your hands into the pockets of poor, struggling, laboring people to the number of more than a million and a quarter, for what? To give 5,000 men higher wages than the average of the laborers who pay the tax.

If these 5,000 men got it all I might be content; but there is not a man on this floor who does not know that the laborers, these 5,000 laborers, do not get it all. They get a small part of it. Whom, then, do you benefit? And if I can not call the attention of Senators on the other side to that interesting fact I will take the liberty of calling the attention of the country to it. If you have determined in your caucus that you will put this bill through without reference to its justice, that you will "steal the livery of heaven," the garb of the 5,000 laborers, for the purpose of serving the devil, the robbery of the million and a quarter laborers in the South, I will tell the country where it

has gone. I need not tell the South; I need not tell any of the poor laborers in the South, many of whom you upon the other side assume a special wardship and guardianship for—I need not tell them for whose benefit it is.

You have heard the story of the cotton-bagging trust as it was so fully and so truthfully expounded by the Senator from Arkansas. Why, sir, these poor laborers, a million and a quarter of them directly interested, had been in the habit of getting the cotton-bagging to clothe their cotton in at from 8 to 9 cents by retail. They paid it. Last year something happened that has been detailed by the Senator from Arkansas; a secret combination was made between the manufacturers of bagging, whose interests you are now endeavoring to advance and further at the expense of the millions of the laborers of the South, by which they shut up a large portion of the mills. Was there any benefit to the laborers in the mills that were closed up? They were discharged; they were turned out to take care of themselves in an overcrowded labor market, or possibly subsisting on the cold charities of the millionaire manufacturers of the North. They were not protected. They went out. Cotton-bagging was raised in price just about 100 per cent., and they did it, and I want the country to understand that. I would like Senators upon the other side to give it a little reflection if they would do me the honor and the poor people of the South engaged in raising cotton and for whom they are legislating the honor to consider a moment about this matter.

These men formed their trust; they shut down the mills; they raised the price of bagging 100 per cent. at a time when it was impossible for the people of the South, the laborers of the South, to take any steps to counteract the robbery. It was robbery, pure, simple, undisguised. If there is a man on the other side of the Chamber who believes that this cotton-bagging trust was not robbery, when I get through I invite him to make that declaration to the country at large. They were robbers; they were conspirators. They met together in secret; they signed a bond to rob the laborers of the South in secret. They came before the Committee on Finance of the Senate with that bond signed and sealed in their pockets, but refused to make known the conspiracy in which they were engaged, and they made their millions. They stopped part of the factories; they threw out on the cold charities of the world a large number of laborers, and then under the name, the false pretenses of benefiting the laborers who had been turned out on the streets, they came before the Finance Committee concealing their conspiracy and at the proper time proceeded to go through with the oppression of the rest of the laborers of the country. They robbed half of their own and then proceeded to the delicate and interesting, shall I say Christian-like, patriotic—because I believe, sir, everything is patriotic and everything is Christian-like that is on the side of a protective tariff and everything is devilish and mean which is on the other side—then they proceeded deliberately to rob more than a million, more than a million and a quarter of laborers, in the South; and they come here now and ask what? That is the point. They ask what? In the name of the laborers whom they have thus outraged and robbed they claim from the American Senate—mark what I say—they claim from the American Senate the means, the instrument, by which they can repeat the robbery in the future.

That is where the thing stands. Having been convicted by their own confessions as well as by the current history of the country for the last three or four months of the most infernal and most infamous conspiracy against the rights of the poor laborers of this country, North and South, they ask the American Senate to furnish them with the means, to give them the opportunity of continuing the robbery in the future.

Mr. President, is the American Senate ready for that sort of an operation? I hope not. If you are to become the aiders and abettors of these conspiracies, you are just as guilty as they of this robbery, with less excuse. They rob that they may put pelf in their pockets. If we do it we must do it because we like the principle upon which the operation is performed. That is the way that thing stands. Are you ready for it? Are you ready, because the million and a quarter of laborers whom you pillage live in the South, to rob them in order that the fortunes of a few conspirators, every one of whom ought to be in the penitentiary and would be there under any system of just and wise economic laws, may be still further built up? You rob this million and a quarter that these culprits, these conspirators may enhance their profits by the million. The 85-cents-a-day man, the dollar-a-day man, and the dollar-and-a-quarter-a-day man out of their little hard earnings must be made to contribute to the overgrown fortunes of a set of infernal conspirators against the welfare of the people of the United States. That is the attitude of this question.

So, sir, I believe that if Senators upon the other side could dismiss party feeling, dismiss party prejudice, would open their eyes, honest, good men as I believe you are, sympathetic men for the misfortunes of the unfortunate as I believe you are, there would be but one voice in the Senate and that voice would be that for the future, from this day forth, the laborers of the country should not be made the subject of piracy and robbery by the conspirators in the cotton-bagging trust.

Mr. ALLISON. Mr. President, the Senator from Mississippi [Mr. GEORGE] began his argument on this question by an unjust and gratuitous fling at this side of the Chamber by calling attention to the alleged fact that we had not listened to all the arguments made by the two Senators from Arkansas. If he considers that a proper and decorous course of debate in this Chamber, he is welcome to his opinions upon that subject. I listened with interest to the statements made by the Senators from Arkansas on this question. It is not a question without some difficulty. The Committee on Finance examined it with as much care as they could during the last session, with a view to fix a proper rate of duty upon this particular article. The present duty is 1½ cents per pound. The proposed duty in the substitute is one-half of that, or three-fourths of a cent. A part of this reduction was made because under this bill we provide that the raw material of this manufacture shall come in free of duty, that raw material being jute-butts, now paying $5 per ton.

I think, taking this testimony by and large, taking all the statements made by all the persons who appeared before the committee, it is plain that this rate of duty proposed in the committee's substitute is the lowest rate that can be fixed by the bill if cotton-bagging is to be made in the United States. I will say that every manufacturer of cotton-bagging unites in the statement that this duty is too low as placed here by the Committee on Finance, and my own judgment is that it is rather lower than it ought to be fixed at. I think another eighth of a cent per pound perhaps would be necessary in order to enable the manufacturers in this country to compete successfully with manufacturers in others. So this question is one that practically relates not to this paragraph alone but to every paragraph in the bill. If you will take the arguments of the two Senators from Arkansas, and notably the argument, or statement, rather, of the Senator from Mississippi, this bill in detail would be cut off and destroyed.

This is not a question of contest between five thousand laborers on one side, if you please, and a million of laborers on the other. It is a question whether or not under existing conditions it is wise for all these laborers to have cotton-bagging and other things manufactured in this country, or whether it is wiser for us in detail to root up every manufacturing industry in the country and have all these things manufactured elsewhere. That is all there is in this question; and when Senators argue upon cotton-bagging they are simply illustrating the case with an example which applies practically to the whole system of schedules in the bill. Therefore, I accept the gage laid down by the Senator from Mississippi; and will say to him that in the judgment of this side of the Chamber it is wise to have this article manufactured in our own country rather than have it wholly manufactured in other countries, because we believe (certainly I believe) that it is wiser and better and more profitable to the millions of people who are engaged in producing cotton that this industry should exist here rather than that it should be destroyed, as the Senators from Arkansas and the Senator from Mississippi boldly avow their intention to do.

The raw material of cotton-bagging is not produced in this country practically, although I believe it is stated that there is some jute now produced in Texas. I do not know how that fact may be. It is so claimed, I believe, by gentlemen who have been before the Committee on Finance. This is a raw material produced exclusively in India. It enters largely into the consumption of every civilized country. This manufacture on the whole amounts to many millions of dollars. This manufacture has grown up in this country, so that there is now machinery sufficient to produce twice the amount of cotton-bagging needed for the covering of all the cotton in the United States, and up to this last year competition in this product was so close that the manufacturers sold their product practically at a loss, or at least without profit.

Mr. JONES, of Arkansas. Will the Senator state at what price they sold that was without a profit?

Mr. ALLISON. The price was from 7½, I believe, to 8 cents per yard.

Mr. JONES, of Arkansas. Does the Senator state that that was without a profit?

Mr. ALLISON. I said that I believed it was without profit, upon the representations made to the committee on this subject and statements made before it. I will come to the Senator's figures later on as to the cost.

Mr. FRYE. Let me say right there that in my own city there is a cotton-bag mill which has been lying idle now for four years and can not manufacture and make a profit by any possibility.

Mr. JONES, of Arkansas. Was that cotton-bagging mill idle as a part of the agreement of this recent conspiracy, or because it would not pay to make cotton-bagging?

Mr. FRYE. It di-appeared from business four years ago, and has not started up since. It was recently offered for sale at $90,000, when its original cost was $800,000.

Mr. ALLISON. Mr. President, I repeat that prior to last year, as appeared at least to the satisfaction of Senators upon the Committee on Finance, cotton-bagging was produced at a loss in this country, owing to the sharp competition between our own manufacturers. Now, the Senators from Arkansas say that it is wise for them to utterly destroy this manufacture in our country. What will become of them when that is done? They will be relegated back to the situation before these manufacturers produced cotton-bagging, when they paid from

12 to 18 cents a yard for what they have been getting for the last five or six years at from 7 to 8.

Mr. BERRY. Will the Senator allow me——

Mr. ALLISON. In a moment. They will be relegated not to a trust in the United States that can be controlled at will if we have the resolution to do it, but they will be relegated to a trust that is now in existence 10,000 miles away, who can then impose such charges upon this cotton-bagging as they may choose to impose by combinations which now exist in Calcutta as well as in the United States. Instead of having two competitors at least, they will have turned over this great industry (for it is a great industry as applied to our people) to a foreign people 10,000 miles away, to impose upon them just such conditions as they choose. That is the alternative that the amendment of the Senator from Arkansas presents to the American Senate.

Mr. BERRY. The Senator stated that the bagging which is now used had formerly been sold at 12 or 14 cents a yard. That, I believe, was the statement.

Mr. ALLISON. I stated from 12 to 18 cents.

Mr. BERRY. I ask the Senator if that was not a wholly different character of bagging, much more expensive than the present bagging that is used; and is not the bagging used now a different bagging? At that price it was made of hemp and made a different way; not so coarse, and more expensive in the making. I ask, further, if the manufacturers who appeared before this committee did not so testify?

Mr. ALLISON. I state without fear of contradiction that bagging made of jute and hemp, whether it was a different bagging or not—they are improving these articles all the time—that the covering for cotton cost from 12 to 18 cents a yard until this industry was developed in the United States, and then it was reduced to from 7 to 8 cents per yard.

Now, we have reduced this duty one-half, and I have stated also—which is a matter perfectly well known—that there is a combination or trust in Calcutta which is the competitor of our manufacturers of this article, which combination is as close a compact as was the unjust combination made by these manufacturers in our own country last year, and which regulates the amount of output of bagging in Calcutta and fixes the price; and but for the competition in this country it would impose a much higher rate upon the cotton-planters and cotton-producers of the South.

Now, because we impose here a moderate duty of three-fourths of a cent a pound in order to enable our own manufactures to exist in this country, the Senator from Mississippi rises up in his place in absolute indignation at the idea that American labor shall be protected in this industry.

Why, Mr. President, in the making of this bill we have not marshaled men on one side or the other. We have believed and do believe that there is sufficient enterprise, and energy, and activity among sixty-five millions of people to induce proper competition in the production of these articles and make them as cheap as they naturally would be to the consumers of them. That is the difference between this side of the Chamber and that. The Senator from Mississippi would cut off this industry. The next industry that he would cut off, if possible, would be cutlery, the next another, and thus he would higgle at this tariff until every industry in this country would be destroyed in detail. That is what the Senator from Mississippi proposes in his argument. That is his meaning and purpose, because he is a free-trader. He believes in destroying our industries one by one, and begins at cotton-bagging.

Mr. President, I have just one word to say as respects the combination of last year——

Mr. GEORGE. Will the Senator allow me to interrupt him before he takes his seat, as he has made a reference to me about my opinions? And I just want to say that he has no authority for the statement he has made—none in the world.

Mr. ALLISON. I have as much authority derived from the argument of the Senator as he has to say to me that I had not listened to the argument he put on record, that I did not listen to the argument of the two Senators from Arkansas.

Mr. GEORGE. I did not observe the Senator, and I looked over there. If the Senator was listening, I omitted to see it. I am sorry for it.

Mr. PLATT. Let me say a word.

Mr. ALLISON. Just one word, and I shall yield to the Senator.

The Senator from Mississippi says he wants to put cotton-bagging on the free-list. That is free trade in cotton-bagging and the destruction of the industry in the United States. I say, taking his own illustration as an example, he is a free-trader.

Mr. PLATT. I know——

Mr. GEORGE. All the Senator wants to put——

The PRESIDING OFFICER (Mr. PALMER in the chair). The Senator from Connecticut is recognized, the Senator from Iowa yielding to him.

Mr. PLATT. If I have the floor I propose to keep it.

Mr. ALLISON. I yield to the Senator from Connecticut first.

Mr. PLATT. I avail myself of the courtesy of the Senator from Iowa to say what the Senator from Mississippi would not let me say when he was making his speech, and that is that I do not wish it to go in the RECORD that I did not listen to the statements of the Senators from Arkansas. I think I heard every word that either of them said.

Mr. GEORGE. The Senator from Iowa says I am a free-trader because I want cotton-bagging to come in free of duty. I am *pro tanto* a free-trader. By the same argument the Senator is a free-trader, because he wants jute-butts to come in free.

Mr. ALLISON. The Senator argues in a curious circle. The Senator wants cotton-bagging to come in free, the inevitable effect of which will be to destroy the cotton-bagging industry in this country; and no man knows it better than he does, if he knows anything about it, because it is as plain as a pike-staff. Now he says, by the same argument, because I am for letting jute-butts in free, I am also a free-trader. I am for letting jute-butts in free because that is a raw material necessary to this manufacture which is not produced in this country and which will not be produced in this country. I am for making that raw material free in order that the price of cotton-bagging may be reduced to the people who consume cotton-bagging, and that the cost of production may be reduced so as to compete with those who are producing this article in Calcutta, and, as the Senator from Illinois [Mr. CULLOM] very well remarks, in order to preserve our labor system.

Mr. BUTLER. May I interrupt the Senator one moment to ask him, carrying out the logic of his own position that he would impose a tax upon jute-butts, if he does not think that the American people might be stimulated to go into the cultivation of jute in this country? It can be made here.

Mr. ALLISON. If the Senator from South Carolina, who is familiar with these matters, would assure me that in his opinion jute can be produced in this country in a sufficient quantity within a reasonable time for the uses of our country, I might entertain that proposition; but for myself I do not believe jute will be or can be produced economically in this country.

Mr. BUTLER. There is no doubt about the fact that jute can be produced in this country, and if the Senator will give me reasonable time I think it very likely I can give him the assurance that quite a sufficient quantity will be produced here to make all the bagging necessary to wrap the cotton crop in this country.

Mr. ALLISON. I am very glad to hear the Senator say so. We have had a duty upon these articles for a great many years, and I have not heard of the successful production here. I paused to hear of the success of this industry in Texas. No response came from the Senators from Texas, and therefore I went on with my argument on the assumption that jute is not produced in this country.

Mr. President, I wish to say a word respecting the combination of last year. I think it was a combination that every good man ought to condemn. It was a combination of speculators in an article which they knew they could corner. That is all there was about it. They came to this city; undertook to have a hearing elsewhere as respects this subject. As they stated in the testimony, they saw a bill proposed which would absolutely destroy their industry and the money they had invested in it. They said, as an excuse (which was no excuse, I admit), that because they saw a disposition in Congress to destroy their industry, coming as they supposed from the locality where this article was most used, they did make a combination for the time being to advance the price of the article.

Mr. JONES, of Arkansas. The Senator has just stated that these speculators saw the possibility of a corner in this article. I wish to ask him if that did not result from the previous tariff that had been imposed for years on this article by the Government? Did not that possibly result from the tariff?

Mr. ALLISON. No, sir; it had no more relation to the existing tariff than the Koran had. They produced the article in this country, having a duty of 1½ cents a pound, and as fast as any appeared in the market for sale they purchased it until they had accumulated in this combination the entire stock, and then when the period for importation had passed they raised the price 5 cents a yard, or at the rate of 10 cents a pound, when the duty was only 1½ cents a pound. To make a pretense that the tariff had anything to do with that combination and corner is about as great an absurdity as I know of.

Mr. JONES, of Arkansas. The Senator knows that the witnesses who were manufacturing this article testified in the presence of his committee that it was because the present tariff had given them a monopoly of the production of the article that the combination was possible.

Mr. ALLISON. Nobody stated that, or if any one did every man who investigated the question would have known that it was an absurdity. They raised 10 cents a pound to the consumer or the purchaser of an article which was only taxed at 1½ cents a pound. To say that that combination was the result of the tariff, it seems to me, can not be sustained for a moment, because if the planters had known that this combination was to be made they could have imported the bagging at the rate of 9 cents a pound, or 8 cents a pound, and paid the duty. But the manufacturers kept concealed the fact that they had this combination until it was impossible for the planters to draw cotton-bagging from Calcutta, 10,000 or 15,000 miles away.

It was the fact that the only competitor of these manufacturers was

in Calcutta that enabled them temporarily to levy this tribute upon the cotton-producers; and now the Senators want us to destroy these manufactures and all others in our country and relegate their whole constituency to the combination in Calcutta, which is 10,000 miles away. In other words, they want to put themselves in the power of a combination 10,000 miles away, because temporarily a few men combined to raise the price of cotton-bagging here last year.

That never can occur again. That combination never can be made again. I undertake to say that the Senators from Arkansas and the Senator from Mississippi for his 1,500 bales of cotton can now buy all the cotton-bagging necessary to cover it for 8 cents a pound. That was an exceptional situation which never can occur again. Nobody, it seems to me, ought to have any doubt upon that subject.

Mr. JONES, of Arkansas. Why not, I should like to ask the Senator? Why not?

Mr. ALLISON. That situation is not likely to occur again, because the men who consume cotton-bagging will not let it occur again. Do you suppose that the Senator from Mississippi will sleep and lie by until next year and allow these men to combine? What does it cost to put up a jute-mill? Will not the cotton planters and producers put up mills of their own which will not enter into such a combination? It is perfectly absurd to suppose that an interest of this magnitude is going to lie by for any considerable number of years and allow four or five men to pocket a million dollars or two million dollars per annum. To state that is to show its absurdity.

Mr. JONES, of Arkansas. The Senator a few minutes ago stated that the combination did not result from the tariff laws. If he will permit me, I should like to read half a page of the testimony taken before the Committee on Finance on the subject.

Mr. ALLISON. I have no objection to the Senator reading it, and I will yield to him in a moment. I will not yield to him just now. I said that no matter who states that the combination resulted from the tariff, the very nature of things shows that it could not have resulted from the tariff; that a tariff duty of 1½ cents a pound certainly could not be the reason or excuse for raising the cost of an article 10 cents a pound.

The matter is perfectly clear to me. It may not be to the Senator from Mississippi. It may be that the cotton-planters will fold their arms and allow the combination of last year to get them in a corner again, as Mr. Hutchinson, of Chicago, a few weeks ago got into a corner every man who had sold wheat on 'change there. These corners at successive intervals come in, but they are never repeated except to the loss of the men who make the attempt. Therefore, I say, in the ordinary course of events the combination of which the Senator speaks is not likely to occur again.

Mr. GEORGE. Will the Senator allow me one word?

Mr. ALLISON. Certainly.

Mr. GEORGE. The Senator has alluded to me as having an interest in preventing these combinations. I thought I stated, if I did not I will state now, that the recent high price of bagging, owing to the cotton-bagging trust, never affected me. It did not affect my personal interest to the amount of one cent.

Mr. ALLISON. I made no such intimation, or it never occurred to my mind that it did. The Senator stated awhile ago that he was interested in the production of 1,500 bales of cotton. I merely alluded to that statement for the purpose of showing that a man who was interested in the production of 1,500 bales of cotton would not be likely to lie by again until October or November before he purchased his cotton-covering; that he would purchase it within a reasonable time in order that he should not be duped by a set of men who had combined on it at the last moment.

Mr. GEORGE. The Senator misunderstood me. I said I had a small interest in a plantation on which 1,500 bales of cotton were raised, and that no owner interested in the plantation had the slightest interest in one pound or even one lock of cotton raised. That was my statement. It all belonged to the laborers.

Mr. ALLISON. Very well. Whoever the cotton belonged to, here are seven or eight million bales of cotton produced annually; a few men bought up the cotton-bagging, and when it was too late to purchase it from other men, they squeezed the planters, just as people have been squeezed about wheat and about other productions. For Senators to say that that is likely to occur again is to say that the men who produce 7,000,000 bales of cotton do not know what they are about. They will buy this cotton-bagging in the market, either at home or abroad, by importing it before the time comes to put it around the cotton which they are picking. That is all I mean to say, and that is all there is in this question.

I have occupied a longer time on this subject than I intended, but I repeat that the rate of duty which we have imposed here is the lowest possible rate to allow the industry to exist in this country. I believe myself, and the majority of the Finance Committee believe, that it is wise for the producers of cotton to have home competition in the article which they must purchase, and not relegate all the consumers and purchasers to Calcutta for their product.

Mr. JONES, of Arkansas. I should like to ask the Senator before he takes his seat to state to the Senate why he believes that three-quarters of a cent a pound is as low a tariff duty as ought to be placed on this article, and is as low as is consistent with the interest of the manufacturer of cotton-bagging in view of the statement made by the Senator from Rhode Island [Mr. ALDRICH], the other day, that the witnesses examined by the committee were not entirely reliable, and that they were to be regarded with a good deal of suspicion. I should like to know how he comes to that conclusion, and why the *ipse dixit* of those witnesses should be sufficient to satisfy him after the witnesses have been discredited by a member of the committee, as they were the other day.

Mr. ALLISON. I do not know what the Senator from Rhode Island said the other day.

Mr. ALDRICH. I did not say so.

Mr. ALLISON I did not hear him say what the Senator from Arkansas refers to, but he may have said something on the subject. I simply state that in this matter of cotton-bagging, knowing the great interest that was felt in it by Senators from Southern States, knowing that it was a matter of great interest to our people, and especially in the face of the combination of last year, the committee took great pains to put the rate of duty at the lowest possible point consistent with the existence of the industry in this country. Without going into detail about this testimony (it is all here in print; Senators can read it), I am satisfied that we have placed the duty at the lowest possible rate, and I will say that it is a quarter of a cent a pound below the rate which the producers of this article say they can produce it for in competition with Calcutta. That is my statement in brief.

Mr. JONES, of Arkansas. I should like to ask the Senator if he made an investigation to satisfy his own mind as to what it cost the American manufacturers to produce this article?

Mr. ALLISON. Such an investigation was made as the committee could make. Of course I did not go to any of these manufactories, nor did the committee. I did not go to Peru, Ind., or to Charleston, S. C., or to Alabama, or to St. Louis, where these industries are located. We simply took the statements of these men, as we supposed honest and reasonably fair statements, making due allowance, of course, for their interest in the matter, and we were satisfied that the rate we have fixed here is the lowest possible rate under which they can exist.

Mr. JONES, of Arkansas. Taking the statements made by these witnesses I am satisfied that the rate is entirely too high.

Mr. ALLISON. Then the Senator will vote against the proposition of the committee, of course.

Mr. JONES, of Arkansas. Yes, sir; I shall vote against it, and I shall also give the Senate my reasons for believing that the rate fixed is too high. I shall not make the statement simply in a round way that I believe it, but I shall give my reasons for thinking so.

I stated a short time ago that the testimony of the witnesses examined by the committee was that the price of loose jute in Calcutta was 25 cents a hundred pounds, and that that was one-fourth of a cent less than the price of it after it was baled. If that is correct, the cost of jute in India is about $12 less than $12 a ton. I showed that the cost of the jute brought to this country, with the domestic transportation added from New York to the mills, together with the amount which they claim that they paid to labor for the manufacture of this article, including in the word "labor" not only what is legitimately labor, but also all those things that enter into the manufacture of it, as they say, would amount to less than 5 cents a yard.

If that is true, if it can be produced in this country at the rate of 5 cents a yard, the cost as given by the same witnesses examined by the committee as the cost in India, it is clear that three-fourths of a cent per pound is too great a difference between the foreign and domestic cost of this article, if you propose only to provide for the difference in labor entering into the domestic and foreign manufacture. I should like to ask the chairman of the subcommittee, if he can give me his attention for a sufficient time, to answer the question whether he proposes to do more by this tariff tax than to cover the difference in labor in the United States and abroad?

Mr. ALLISON. The language of the Senator is, "difference in labor." That is only one of the elements. The allowance is made by considering the cost of plant, the rate of interest, insurance, and all the incidents that are necessary to the maintenance of an industry here and elsewhere. Taking those things into account we do not propose, in this paragraph or any other, to make a higher rate of duty than will put our own people on a par or give them a slight advantage over the people who are working elsewhere, equalizing all the conditions in the situation.

Mr. JONES, of Arkansas. The statement has been recently made by protectionists and by Republicans that the purpose of a tariff was simply to equalize the labor between the United States and foreign countries. We have always believed that that was not a sincere profession on their part. We have always believed that the intention of a protective tariff was to give to the capital invested in the production of manufactured articles in this country some sort of an advantage over capital invested abroad.

Appeals have been made to the laborers of this country to the effect that the intention of this whole business was to take care of them; that the whole purpose of a protective tariff was to enable the American manufacturers to pay high wages to American workingmen, as has been

again and again stated in resolutions adopted by Republican conventions. I have never believed that to be true. I have always believed that the other purpose entered into it, and the figures in this case amply justify the declaration just made by the chairman of the subcommittee, and I am glad that at last we have the frank declaration from one in authority that the intention is to protect the capital of our manufacturers.

But I respectfully submit to the Senate that the tax levied in this case gives an unreasonable profit to these manufacturers. They stated to the subcommittee, when asked what sort of profit they thought they ought to be allowed to make, that they ought to have a cent in a pound profit, and if they could sell for 7 or 8 cents a yard they could get that profit. I have just stated to the Senate my reasons for believing that this product may be produced by American manufacturers for less than 5 cents a yard, and that a duty of 1½ cents a yard would give them an unreasonable profit. A profit of 2 cents per yard would yield to the entire manufacture in this country a profit of $1,000,000—a million dollars profit per year upon an investment of $1,600,000, if the calculation which I submitted some time ago is reasonable, and I submit that it is amply justified by the statement of the Peru Mills.

Again, allowing a liberal amount for every claim that the manufacturers make, the total amount of wages paid is less than half a million dollars, and the amount of tariff collected is somewhere in the neighborhood of a million and a half dollars a year as the tariff now stands. But if the reduction is made as proposed by the committee, and you levy a tax of 1½ cents a yard instead of 3 cents a yard, you will then collect $750,000 a year by this tariff tax out of the producers of cotton in this country, to be paid to the manufacturers of cotton-bagging, when the total amount of wages they pay their labor is less than half a million dollars. You have the very same principle involved as when you paid them a million and a half a year, and you stand in danger of a repetition of the same combination you had last summer every succeeding year as long as you keep up this system of tariff taxation, which will give a larger profit to the manufacturers than the total amount paid by them for labor.

Mr. ALDRICH. Mr. President, the Senator from Arkansas in the course of his remarks stated that I sought the other day to discredit the testimony of the gentlemen who appeared before the committee in behalf of the manufacturers of jute bagging.

I said nothing that could possibly be construed into a statement of that kind. The Senator from Arkansas, at the time to which he alludes, read from a statement made by a manufacturer of bags as to the cost of burlaps in Dundee. I stated inferentially that I did not think that statement was correct; and the man himself who made the statement has since appeared before the committee and admitted it was not and that he misapprehended the question, or else there is a misprint in the testimony of "yards" for "pounds."

The Senator must see, in the first place, that the subject then under consideration and upon which the witness was examined was entirely foreign to this. Burlaps are made from jute and not from jute-butts. They are used in making grain-bags and for other purposes and not in covering cotton, and the subject was as distinct from that now under consideration as would be the question of cotton manufacture.

Mr. JONES, of Arkansas. If the Senator will permit me I will say with a great deal of pleasure that it was altogether upon a matter that we had under discussion at the time. When I was rash enough to quote from the testimony taken by the committee, the Senator from Rhode Island asked, with the manner that is peculiar to that Senator, "Does the Senator from Arkansas believe everything that these witnesses state?" or words to that effect. By his manner and by his method of speaking of the witness at the time, he created distinctly the impression upon my mind that that witness at least was not to be believed. I asked if the witnesses were sworn, to find what degree of credibility was to be given to the testimony, and the chairman of the subcommittee stated that they were not. I certainly understood the general tenor of the Senator's criticism at that time to reflect upon the witnesses examined by the committee.

Mr. ALDRICH. The Senator misunderstood me. I do not see how he could possibly have inferred any such thing either from my manner or from what I said. The Senator from Arkansas has constantly repeated in the hearing of the Senate that the people who appeared before the Committee on Finance were manufacturers, interested parties, and that their testimony was not to be taken on this account, and it appeared strange to me that because one witness had made a statement which seemed to agree with his own peculiar views he should bring before the Senate the statements of that witness to confront the committee, and assert that the testimony of this witness was conclusive evidence upon the point.

Mr. JONES, of Arkansas. I think I have the right at any time to construe the testimony of a witness most strongly against himself. That is a principle well recognized by lawyers everywhere, and I have a right to take the testimony of a witness most strongly against his own interest. That is what I did in that case, and that I have a right to do in any case.

Mr. ALDRICH. But the witness was not testifying upon the cost of cotton-bagging or upon anything which had anything to do, directly or indirectly, with the question now before the Senate. So the Senator was entirely mistaken in saying that I undertook to discredit the witness upon this particular question.

Mr. JONES, of Arkansas. Mr. President——

Mr. ALDRICH. If the Senator will excuse me——

The PRESIDENT *pro tempore*. Does the Senator from Rhode Island yield to the Senator from Arkansas?

Mr. ALDRICH. I will yield for a question.

Mr. JONES, of Arkansas. I thought the Senator was through.

Mr. ALDRICH. There is one peculiarity in the arguments which have been made this morning by the Senators from Arkansas and Mississippi, who appear as the special representatives and advocates of the colored laborers of the South, which I think deserves the attention of the Senate. These Senators state with more or less distinctness that the duty upon cotton-bagging fixed in the bill at three-quarters of a cent a pound, increases the cost of cotton-bagging to the purchaser in this country, and that that additional cost is paid ultimately either by the cotton-planter or by the colored field laborers.

Now, let us examine this claim. I admit that the question of the incidence of tariff taxation is an intricate one, but the President of the United States has distinctly stated in his famous message a doctrine which has been followed, so far as I have observed, by Democratic speakers and by Democratic writers. That doctrine is this: That tariff taxes, as they call them, increase the cost alike of imported and domestic products, and are paid by the ultimate consumers. The Senator from North Carolina [Mr. VANCE], who is now honoring me with his attention, has made the Senate resonant with his eloquence in statements that these taxes are all paid by the people, which he assumes the right to represent, who are the consumers of these articles. Take the question of wool, for instance. He will undoubtedly tell us to-day or to-morrow, whenever the woolen schedule is reached, that the duty levied upon wool is not paid by the woolen manufacturers, that it is not paid by the operatives in the woolen mills, but that it is paid by the person who buys clothing; that the ultimate burden falls upon the consumer.

If this is a sound doctrine, how does it happen that in this case this particular tax is paid either by the cotton-planter or by the laborer? Why is not this tax paid by the consumer? How does it happen, if this particular tax is paid by the laborer in the cotton-fields of the South, that the tax upon wool is not paid by the operative in the woolen mills of the North? Have you one kind of philosophy to apply to articles that are affected by your own interest and another to apply to articles that are manufactured north of Mason and Dixon's line?

Mr. JONES, of Arkansas. If the Senator will permit me, I will state that the cotton-growers are the consumers of this article, and they pay for it, and there is the end of it.

Mr. ALDRICH. Not by any means.

Mr. BUTLER. Of course they are.

Mr. ALDRICH. Not by any means.

Mr. JONES, of Arkansas. I think there are very few people who will deny that.

Mr. ALDRICH. Here is one who denies it.

Mr. JONES, of Arkansas. I knew that the Senator had denied it for a good many years, but your own witnesses on your own side stated again and again that the planter got nothing whatever from this duty on cotton-bagging.

Mr. ALDRICH. How can the Senator say that the cotton-planter or the laborer in the cotton-field is the consumer of cotton-bagging?

Mr. JONES, of Arkansas. Because he consumes it.

Mr. ALDRICH. He consumes it in a certain sense. He purchases it and uses it for a certain purpose as the woolen manufacturer purchases and uses wool for certain purposes. The laborer in the cotton-fields does not use it or consume it. The laborer in the press-room puts it about the bales of cotton and sends it to New England and we pay 10 cents a pound for it. Whether we buy our cotton cheaper than the Englishman on this account is an intricate question, but certainly the man who labors in the field does not consume the cotton-bagging. He may never see a pound of it except he sees it through the windows of the press-room at the cotton-press.

Mr. JONES, of Arkansas. If the Senator will permit me, I will state that the difference between the cases he states is that when the woolen manufacturer consumes the wool and it enters into clothing he sells that identical thing again; but when the cotton-grower takes the cotton-bagging and puts it around his cotton bale he does not sell it, as has been plainly shown here again and again. While as a matter of fact the cotton is weighed and paid for pound by pound for the amount of bagging put on the cotton, the price of the cotton, which is fixed by the Liverpool price, as protectionists have again and again testified in your committee, makes the price that much lower by reason of the fact that 26 pounds of it have to come off as tare, and you pay that much less per pound because the tare goes on it, and because the price is fixed for less is the reason why you do not deduct it. That is very well known to everybody.

Mr. ALDRICH. It happens that jute or jute-butts are used not only for cotton-bagging but for wrapping cotton of various grades and fabrics at the cotton mills of the North. Will any Senator on the other side undertake to tell me that because jute bagging is used to wrap

print cloths, for instance, the operative in the print-cloth mill pays that tax?

Mr. JONES, of Arkansas. He does.

Mr. BUTLER. He does not sell by the pound.

Mr. ALDRICH. Certainly they sell by the pound. That is the basis of the price.

Mr. VEST. If the Senator will yield to me I will state that one man in this country ought to know who pays this duty or tax, and that man is the gentleman who constructed this cotton-bagging trust, Mr. Gratz, one of my constituents. He swore before your committee that the average production of cotton in the South was five bales to the man, and he said he made 35 cents a bale, which would be $1.75 on each one of these cotton-planters; and he said that that was no more than they would consume in a month for tobacco.

Mr. ALDRICH. The Senator from Missouri will permit me to say that I am not now discussing the question as to whether when the manufacturer buys a bale of cotton and pays for 8, 9, or 10 pounds of bagging, as the case may be, at 10 cents a pound, he has an equivalent reduction somewhere of the price which will offset that addition, but I am discussing the question as to where the incident of the tariff tax rests, whether it is, as the President says, and as you say, upon the consumer, or whether it is upon some intermediate purchaser, as the Senator from Arkansas and the Senator from Mississippi now say. I want to see whether this new doctrine, which has been promulgated here to-day, is to receive the assent of all Senators upon the other side of the Chamber.

Mr. VEST. It is not a new doctrine.

Mr. ALDRICH. It is an entirely new one.

Mr. VEST. The man who ultimately pays the cost is for the purposes of the argument the consumer.

Mr. HISCOCK. If the cost comes from the consumer, does it not come from the consumer who in the end uses the article?

Mr. VEST. In this case it does not, for the simple reason that the cotton-planter loses the price of the cotton-ties. We have proved that here beyond any question.

Mr. HISCOCK. It adds so much to the cost of cotton, and in the end, if there is anything in the Senator's theory, it comes from the man or woman who wears the goods.

Mr. VEST. But this theory does not apply to the manufacture. This is an exceptional case in the entire range of commerce, it being well established in the discussion had here before, beyond any sort of successful contradiction, that the cotton-planter loses the cost of his ties.

Mr. ALDRICH. Who pays it in the case of print cloths? Who consumes it when it is used in the production of print cloths? Does the cotton manufacturer pay it, or the operative in the mill? That is one of the cases where there is an additional cost involved on account of duty.

Mr. VEST. I know nothing about the commerce usages in regard to print cloth, but as to cotton-bagging and ties, if the same rule prevails, then the man who uses the cotton does not pay for them.

Mr. ALDRICH. There is a difference in this regard, that the man who sells print cloths does not get pay from the next purchaser for the cotton-bagging as bagging, while the man who sells the cotton does get his pay ten times over out of the next purchaser. Whether it comes back to him in any other form or not I shall not stop here to argue, but I want the Senators on the other side to say why a different rule applies and why all this sympathy breaks forth this morning for the poor colored people of the South, who, they claim, pay ultimately and finally this tax upon cotton-bagging and cotton-ties, when in every other case they say it is the poor consumer, the people, who pay it.

Mr. JONES, of Arkansas. Again and again witnesses stated to the Committee on Finance that the wrappings do not enter into the price. That has been again and again stated, and it is exactly the case with the cotton bale as it is with anything else of that character. The man who puts up the cotton bale buys the cotton-tie and the bagging, and he consumes it. It is not sold as an article of commerce afterwards; it is mere bagging, like the hogsheads that carry sugar and like the wrapping of all other baggage; it is simply rubbish or waste. It is cotton sold, and not bagging; it is cotton sold, and not ties, just as if a man buys a hogshead of sugar he may use the hogshead for kindling wood, or make any other disposition of it. The hogshead does not enter into the price of the sugar.

Mr. HISCOCK. I should like to ask the Senator who pays the freight.

Mr. JONES, of Arkansas. The consumer pays it in every instance.

Mr. HISCOCK. But ultimately, whom do you call the consumer?

Mr. JONES, of Arkansas. The man who buys the cotton bale and who buys the cotton-bagging that was put on the cotton bale puts it to its last use.

Mr. HISCOCK. Its last use is the wearing of the cotton.

Mr. JONES, of Arkansas. No; the wrapping of the cotton is its last use.

Mr. HISCOCK. The man who wears the shirt or the woman who wears the dress makes the last use of it.

Mr. JONES, of Arkansas. Shirts are not made out of bagging; shirts are made out of cotton.

Mr. ALDRICH. I will take the very illustration which the Senator from Arkansas has now alluded to. Take hogsheads which were used in packing sugar. They do not use them in these days, but they did years ago. We will suppose that you put a tariff tax upon hogsheads which doubles the price of sugar hogsheads; who pays that additional tax? Is it the sugar-planter or the men who work upon the sugar plantation? The Senators on the other side will not make such an absurd claim as that. It would be adding to the cost of sugar, and it would be paid by the consumer of sugar. There can be no sort of question about that. The man who paid in the first instance would collect it from the next purchaser, and so on.

Mr. EUSTIS. The Senator is entirely mistaken.

Mr. ALDRICH. Then you have absolutely given up the doctrine that tariff taxation ultimately rests upon the consumer. Take the article of wool. How does the Senator explain that? If the manufacturer who pays the duty upon wool in the first instance is the man who pays it ultimately, why do you say that consumers are badly treated by an increase in the duty upon wool? Where do you draw the line as between these different products? Is it a question of locality or of section?

Mr. VANCE. Mr. President, it seems to me that we are thrashing over some old straw that we sufficiently thrashed out when we were discussing the question of cotton-ties. It was certainly established to the satisfaction of everybody on that occasion that the tare was deducted from the Liverpool price of the cotton.

I am somewhat familiar with the methods by which cotton is sold in the Southern country. At the offices of the cotton dealers in any of our Southern cities every morning telegrams are received from Liverpool by way of New York, giving the quotation of the Liverpool prices the day before, and then the prices which are paid for the article at home are sufficiently far below the Liverpool price to embrace the tare, the transportation, the insurance, etc. When a bale of cotton thus sold arrives at Liverpool it is stripped stark naked, with only one tie or fastening to keep the bale in shape, and then it is weighed, after sampling to ascertain its quality, and the naked piece of cotton is paid for, and all the loss of transportation, insurance, tare, etc., is deducted before the article is paid for in Memphis, New Orleans, Mobile, or wherever it is sent from.

For that reason, the planter, beyond any question or doubt, must be supported by the old-fashioned rules of mathematics, and the planter alone pays for the wrappings of his cotton, and it is his loss.

Mr. ALDRICH. I suppose that the Senator from North Carolina will admit that cotton-bagging and cotton-ties are elements of cost in producing cotton.

Mr. VANCE. I deny that it should be.

Mr. ALDRICH. Well, it is.

Mr. VANCE. It is not sold as cotton. It is not sold at all. The ties and the wrappings are the perquisites of the man who strips the bale naked in Liverpool.

Mr. ALDRICH. They are elements of cost to the producers of cotton?

Mr. VANCE. As a matter of course it is one of the elements of cost to the producer of cotton. He has to prepare his article for market. It is one of the elements of cost, just as much as hauling it from his gin-house on the plantation into town to sell is a part of the cost of it.

Mr. ALDRICH. Then I am to infer that a duty which adds to the cost of manufacturing or producing any article must be paid by the manufacturer or the labor he employs.

Mr. VANCE. In this case I think it does.

Mr. ALDRICH. This is an exception, then.

Mr. VANCE. Here the cost is made not by the production of cotton-ties, mind you. Far from it. Not by the producer of jute bagging, mind you. Very far from it. The man who produces cotton is the consumer of cotton-ties. He buys that much to put his article in a marketable shape, and that much is deducted from the price of his article when he sells it.

Mr. ALDRICH. Do I understand that all the Senators on the other side are willing to concede that this is an exceptional case, and that it is taken out of the usual rule?

Mr. JONES, of Arkansas. It is not exceptional at all.

Mr. VANCE. It is not an exceptional case, but it is exceptional as the Senator undertakes to make it by confounding the producer of the cotton and the consumer of the article which wraps the cotton for market. That is where the Senator undertakes to confound the question.

Mr. ALDRICH. He is no more a consumer than the man who buys wool for manufacturing purposes is a consumer of wool. He is no more a consumer than the man who buys cloth and makes it into clothing is a consumer of cloth.

Mr. VANCE. Is not the man who buys wool and makes it up into cloth a consumer of the wool, and would you not call the man who wears the cloth a consumer of wool?

Mr. ALDRICH. The question at issue is whether he is the consumer who ultimately pays the tax.

Mr. VANCE. He is the consumer who pays ultimately all the taxes accumulating up to that stage of the existence of the article. Then the man to whom he sells the cloth is the consumer of the cloth, and he pays all the taxes that are imposed upon that stage of the article.

Mr. ALDRICH. Is that true as to cotton, then? Does the man who produces the cotton and sells it pass it on to the next man, or is there an exception in this case? There is the whole question at issue.

Mr. VANCE. We are talking about the tax upon the article that wraps the cotton, of which the cotton-producer is the consumer.

Mr. ALDRICH. The Senator can evade my question if he wants to do so.

Mr. VANCE. No, sir; I am not trying to evade the Senator's question. I am trying to make the Senator comprehend a very plain matter, which I declare I have not the ability to do, and so I shall quit.

Mr. ALDRICH. Now, let us follow it up and see. The Senator from North Carolina says that the man who purchases wool is a consumer of wool for the purpose of making it into cloth; and the manufacturer who buys the cloth is a consumer of cloth for the purpose of making it into clothing, and that he pays the added cost which there may be up to that time, but that he passes it on to the man who purchases from him.

Mr. JONES, of Arkansas. Mr. President——

Mr. ALDRICH. I do not care to be interrupted just now. I will ask, if that be true as to the manufacture of clothing is it or is it not true as to the production of cotton? Does the producer of cotton, who is a consumer of cotton-bagging, pass the cost on to the next man, or does it rest with him?

Mr. VANCE. If I could make the Senator understand the difference between the iron ties and the jute bagging and the cotton that is inside of the bagging, I might perhaps be able to answer his question. The man who eventually consumes the cotton that is in the first place consumed by the cotton mill of course pays all charges that have been accumulated upon that cotton in the course of its commercial history. So the man who consumes and puts out of existence as a commercial article these cotton-ties and this bagging pays all the taxes that have accumulated upon those cotton-ties and that bagging in the history of their commercial existence; and there is the end of it.

Mr. ALDRICH. Perhaps I can make myself a little plainer to the Senator from North Carolina if I illustrate it by another phase of woolen manufacture. Take olive-oil, for instance, which is largely used in the manufacture of worsted goods, and which disappears entirely in the process of manufacture. Suppose the duty upon olive-oil which the manufacturer consumes is increased, thus creating an additional cost on that article, does the woolen manufacturer or the laborer in woolen mills pay that additional cost, or does it appear afterwards in the additional cost of cloth or of clothing, to be paid by the ultimate consumers?

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Arkansas.

Mr. BUTLER. It has not been answered yet. [Laughter.]

Mr. SHERMAN. I ask that the amendment may be stated.

The PRESIDENT *pro tempore*. It will be again read.

The CHIEF CLERK. In line 1371, after the word "butts," it is proposed to strike out all down to and including the word "pound," in line 1373, as follows:

Valued at not more than 3 cents per pound, three-fourths of 1 cent per pound.

And to insert:

Shall be admitted free of duty.

So as to read:

339. Bagging for cotton, gunny cloth, and all similar material suitable for covering cotton, composed in whole or in part of hemp, jute, or jute-butts, shall be admitted free of duty.

Mr. SHERMAN. Mr. President, the manufacture of jute bagging is one of the industries of our country, and the manufacturers of that article ought to be protected precisely like any other manufacturers. I think the gentlemen representing the Southern States greatly misrepresent the interests of their section in proposing such an amendment as this. In my judgment, their remedy is not in having cotton-bagging admitted duty free and thus destroying the industry in this country, but their efforts should be directed to producing in their favored land ramie and jute, which can be produced there as cheaply as in India. I have some information upon the subject derived from friendly sources in the South, which surprised me and perhaps will be somewhat new to them, although it can not be entirely so to the Senators from Texas.

I believe if a reasonable duty were put upon ramie and jute-butts in the rudest forms and maintained, that under the present condition of things all the raw material would be produced in the South and it would be one of the most valuable industries of that country. It is certainly the interest of the Northern people and the interest of the whole country that the South be enlisted in manufacturing as well as the North. Indeed, every development of manufactures in any branch of industry in the South is just as beneficial to the whole country as if it was developed in New England or the Eastern States.

It is perfectly obvious by the facts which have been made public recently that in the South, especially in Texas, they have the means of raising jute and ramie to an extent amounting to millions of dollars a year. That industry has been started upon by enterprising men of the South, and if they will only give the same energy to the development of that industry that they do to the propagation of cotton and the increase of the cotton supply they will have a source of wealth in the South that is almost incalculable, probably almost as valuable as that which has been developed in Alabama at Birmingham.

I will read a letter from a gentleman of very high standing in St. Louis, who, I believe, is connected with the Washington University, the president of it, or a professor in it at least. This letter will give the facts much better than I can state them, and I shall fortify it also by some other references:

The fatuity of Southern statesmen is only equaled by the inertness of Southern planters.

Senators will pardon the criticism at the beginning.

Great textile wealth is the easy reward of Southern enterprise, yet a false theory of political economy and the natural sluggishness of the people regard the prize with indifference. My chief hope now lies in Northern men and European immigrants. A few days ago a wealthy young man from Milwaukee called on me. He has since gone to Texas to make the culture of fibers his life-work. He is above the need of labor, and chooses this business because he thinks it will be publicly useful. The man who is most actively promoting the success of textile industries in the South is an educated German. He was formerly the editor of a journal on fibers in Germany, and later of a similar publication in New York. He is now in Texas and doing efficient work in urging the German planters to engage in the new industries. He is connected with an organized company which only need larger capital to be sure of success. Doubtless after the cultivation of jute and ramie has become a profitable business, etc.

I shall omit parts of it.

Heretofore these efforts in raising jute and ramie have been mostly experimental. In my last letter mention was made of a crop of 400 acres of jute. The plants were as fine as ever grew in India, but the whole harvest was lost because the unthrifty planter delayed to get a defibrator till the stalks had become too woody to treat. Thus far almost every crop has been lost by the ignorance or improvidence of the cultivator. But next year the business will be differently managed. Intelligence will direct every step of the process. A company enlightened by experience and guided by skillful supervision will undertake the cultivation of jute and ramie in Texas. When one recollects the discouragements which for many years disheartened the culture of cotton in the United States he need feel no despair with regard to the success of jute and ramie. There are now better machines for the decortication of these fibers than have ever before existed, and recently improved processes of extraordinary efficiency have been invented.

He refers to an invention, but I shall not read what he says about it, as the invention has probably not yet been developed. He then proceeds as follows:

I was in India in 1872. At that date less than 1,000,000 acres were devoted to the culture of jute; but the product brought an annual revenue of many millions, and encircled the commerce of the world. What would 1,000,000 acres be in Texas alone? It would only be a small spot on the surface of that great State. The range of lands suitable to this tillage extends from the Rio Grande to North Carolina. Jute has grown to the height of 8 feet in St. Louis. It was not supposed that the seed would even germinate so far north. Still, the plant can be profitably cultivated only in a warmer climate than that of this latitude.

He writes from St. Louis.

You may place implicit confidence in my statements. If they are inexact, it is generally because an excess of caution leads me to make assertions which are weaker than the facts would warrant. In the face of this avowal, it is my firm belief, based upon personal observation in India and China, that our Gulf States can annually raise at least $100,000,000 from each of these new industries. This aggregate is not mere extravagant conjecture; it is an estimate justified by sober calculations upon known facts. But a publication of this statement might be impolitic.

That is one of the statements which I have omitted. It is in regard to the discoveries which have been made in treating jute. He proceeds:

Jute is every year growing more important and various in its range of uses. It is now one of the great elements and facilities of the world's commerce. But the value of this textile has been fully set forth in documents which have already been sent to you. Later facts only prove its increasing importance.

Here is what he says as to ramie:

But raime is one of the most beautiful and extraordinary fibers in the world. According to one scientific authority, it is nearly three times as strong as hemp, four times as strong as linen, more than six times as strong as silk, and more than eight times as strong as cotton. In almost every country on the globe where the climate permits its growth, the government has encouraged its cultivation. Prizes, in some cases as high as $25,000, have been offered to stimulate inventors and planters. Emperors, kings, prime ministers, heads of departments, and church dignitaries have promoted its culture by their powerful patronage. But the Congress of the United States, singular in its impolicy and lack of statesmanly sagacity, not only does not seek to develop so fruitful a source of national wealth by new encouragements, but is strenuously trying to abolish those which now exist.

Articles of exquisite beauty are made of ramie. Inclosed is a bit of ramie plush worth $20 a yard.

It is evidently a very fine and beautiful fabric, although I have but a small specimen of it. [Exhibiting.]

The nap does not pull out, insects do not attack it, and the cloth wears almost like fibers of steel. In many respects it is superior to seal-skin plush. There is no published statement with regard to ramie. I have recently written an article on this subject, but it has been sent away for publication. It may not be printed in season for your use. If it is, a copy will at once be forwarded to you. This letter has been too hastily written for public use, but I have no objection to your showing it, etc.

I was very deeply interested in this statement from a gentleman whom I know——

Mr. JONES, of Arkansas. I should like to ask the Senator if he knows whether the writer of that letter was ever south of St. Louis?

Mr. SHERMAN. I will now read another letter, and the question will probably be answered as I go on. Being interested in this statement, which is a very important one if true, I wrote to the gentleman not only for further information on the subject but for details as to the location and as to the persons who are raising and developing this industry, and I have this letter which goes into details. The Senator from Texas

must be familiar with some of these facts, and he can state as to the matter. This gentleman says:

I have never attempted to ascertain the exact amount of jute planted in the Southern States, but since my last letter to you several facts have been communicated to me. Had I known your desire for specific information on this point, it would have been easy for me to add a long list of similar statistics. It may be well to state that in India jute ordinarily grows to a height of 7 to 10 feet.

G. A. Doss, Rockdale, Milan County, Texas, says that in 1888 several farmers in his vicinity raised 7 or 8 acres of jute each.

The jute grown by Friedrich Natho, Yorktown, DeWitt County, Texas, was 9 or 10 feet in height. If my memory serves me, Mr. Natho planted about 20 acres. This was last year's acreage. In 1889 he will, besides cultivating jute, plant 7 acres of ramie.

In 1888, F. L. Marshall, of Weatherford, Tex., raised 20 acres of jute, the stalks of which were grown 7 to 9 feet high.

George P. Levy, president of the Jute Planting Company, Parker County, Texas, states that last year his company planted 20 acres of jute. The stems grew to a height of 7 to 9 feet. He adds the important fact that the crop was profitable.

The jute which was raised by Mr. Stuebner, of Stuebner, Tex., reached the height of 15 feet.

There are twenty-three jute factories in the United States, chiefly employed in the manufacture of the coarser grades of goods. Cotton-baling is the main product of these mills. As soon as domestic jute is produced in sufficient quantities, factories will doubtless be erected for the manufacture of finer fabrics.

France now consumes about $25,000,000 worth of ramie. One ramie factory has already been built in this country. It is situated in New York.

F. O. Matthiessen, president of the New York Ramie Spinning Company, offers to buy at $80 a ton all the ramie which the Southern States produce.

A few years ago Senator Ferry, of France—

A very eminent man, as we know, as a matter of course—

made through the agency of the American minister a formal proposition to Southern planters to purchase of them at stipulated rates 20,000,000 pounds of ramie a month. But the indifference of Southern farmers, and the inefficiency of the defibrators which then existed, prevented an acceptance of the overture.

The following facts will show how rapidly ramie grows in Texas:

"Late in the summer of 1887 several thousand ramie plants were set on the plantation of Mr. Natho. The very next year, in spite of a drought of nine weeks of great intensity, the mass of roots of a single plant were in some instances 2½ feet across and the number of shoots from a single root was frequently from 100 to 150. In one case it was by actual count 168. In France, even on the oldest plantations, the number of stems from a single root rarely exceeds 40, and the average is 25 or 30. In fourteen days after the stalks on Mr. Natho's plantation were cut the new sprouts were 30 inches high."

It seems to me to be extremely important to enlist farmers in the defense of a political policy by such Congressional legislation as will effectively promote the great agricultural interests of the nation.

If this be true, it does seem to me that the real interest not only of the South but of this whole country would be to encourage the production of these two important textile fibers in the South. The South is the great producer of cotton, the people there can compete with all the countries in the world. Protection to cotton would be nothing, but protection to these fibers would have the same influence as protection to cotton in the early growth of cotton, for it must not be forgotten that cotton was for years protected in the South like any other production of the country.

I say if the policy of this country is to be pursued on a broad and sure foundation, the course would be to encourage, to protect, to foster even by premiums and by bounties and by protective duties the growth of these important fibers.

Mr. BUTLER. Will the Senator from Ohio allow me just one moment in connection with the statement he has just read?

Mr. SHERMAN. Certainly.

Mr. BUTLER. I wish to say that I have no doubt that ramie at least can be cultivated in very many portions of the South as well perhaps as in India, and I think it very likely that jute could also be cultivated, particularly in the old rice-fields on the seacoast in my State, in North Carolina, and in Georgia, and I dare say in Texas. A good many experiments have been made in that direction. I heard of one within the last ten days in the neighborhood of Beaufort, S. C., in the direction of cultivating ramie, and those who have embarked in it are perfectly satisfied that they can grow the ramie as cheaply and as well perhaps as it can be grown anywhere else.

But the trouble is that no process has yet been discovered by which it can be what is called decorticated; that is, by which the fiber can be separated from the bark. In India, as I understand, where they make jute, it is put into vats or ponds of water, and there it goes through a partial decomposition, and the natives go into the water up to their necks almost and twist it out. That could not be done in this country. So the difficulty has been that no method has been found by which this decortication can take place within such limits as to justify its large cultivation. Possibly something will be invented, as I very much hope, which will obviate that difficulty.

I will state further to the Senate in this connection that the simple ocher stalk, which will make, I am told, as much as from two to three tons of fiber per acre, would make as fine matting, as fine bagging for cotton as jute bagging, but the same difficulty presents itself there. A friend of mine in my own county has sent me some of the fiber twisted up from the inside bark of the common ocher, which is very much like the cotton stalk, by the way, and grows wherever cotton will grow, and at a very great height where the land is rich. That may be utilized for the purpose the Senator is now referring to.

Mr. SHERMAN. Let me finish my statement, and then I will give way.

Mr. BUTLER. I beg the Senator's pardon; I thought he had finished.

Mr. COKE. Mr. President——

Mr. SHERMAN. I will go on and finish my statement before the Senator from Texas proceeds, because it will be by way of explanation. The Senator from Texas no doubt knows a great deal about this industry.

There is no difficulty about invention. Invention always follows production. This gentleman, in a part of the letter which I did not read because I did not know but that it might affect interests which are being developed, refers to several important discoveries in the process of eliminating or separating the fiber from the straw.

Mr. CHACE. Decorticating.

Mr. SHERMAN. That is too big a word for me to learn quickly. At any rate, he states that inventions have been made that would solve that problem. But whatever any nation in the world can do Americans can do. There is no task of invention, or no mystery of production, or no process of manufacture that the Americans can not improve upon. Certainly they can adopt any. There is no mystery about it at all.

As to the labor, the labor in the South is admirably adapted for this product; and I have no doubt myself that every pound of ramie and the coarser material of jute could be sold for exportation, if necessary, until processes were discovered. I assure you if you let the Yankee understand that he can go down there and by machinery and with the use of capital make money out of separating the fiber from the raw product, when your jute-butts and your ramie grow, he will be there by the hundred, with plenty of money to help you.

Mr. BUTLER. The Yankee has been notified and we would be delighted to see him, but he has not turned up yet.

Mr. SHERMAN. He will not come until he sees a chance to make money. Then he will come. There is no trouble about that.

The gentleman who writes me is evidently, as you see by his letter, a man of intelligence. Now, there is the road to prosperity. Instead of breaking down our protective system, the time will soon come, I hope, when the Southern Senators will be here not only seeking protection on sugar and rice but on a thousand other things in their country, when they may manufacture to a large extent their own cotton, when they may adapt themselves to these new discoveries and raise other fibers which their semi-tropical climate enables them to do. In that way they will advance the interests of their section far more than by an abortive effort to break down the manufacture of cotton-bagging.

Sir, if you developed these industries mills would be established in the neighborhood of these raw materials, capital would go there and invention would follow, and then you would have these things manufactured in your midst. In the mean time it may be very vital to these starting industries to be protected by a reasonable duty on cotton-bagging, and also upon the coarse fibers.

I wish only to say that now is not the proper time to do it, but if Senators from the South where these raw materials can be produced desire jute-butts or ramie to be put upon the dutiable-list I shall very cheerfully vote for it. It seems to me that is the direction in which they should move. I should rather see the Senator from Arkansas with his energy and zeal rise up here and offer a reasonable duty, I do not care what it is, on jute-butts and on ramie, and I would vote for it with great pleasure with a certainty that his section would not only in a short time produce these raw materials, but that they would have establishments among themselves at home where it could to be used for the manufacture of all the cotton-bagging that is necessary for binding 7,000,000 bales of cotton, which is an immense market in itself. In that way they can beat the Yankee, and only in that way. They can not do it by growling about protective duties, because the area of protective duties is settled upon and the policy is settled upon, and they should seek to avail themselves of the advantages of that policy.

Mr. COKE. Mr. President, there is no trouble about the growth of ramie and jute in Texas. The soil and the climate there are adapted to it, but there is no capital there employed in such factories as would be necessary to make the cultivation of these plants profitable. The capital is not there. Those who would engage in the cultivation of these plants of course are deterred from it because there is no way to realize from it. They are commencing in several places in Texas to build factories for the manufacture of bagging, and these will be followed by the planting and raising of enough of the textile products to keep them going. As factories are erected, and as capital is invested in the manufacture of these plants, agriculture will not be behind in furnishing the material to operate them.

The Senator from Ohio says that the Senators from the South are grumbling; that we had better go to work and emulate Yankee energy and enterprise and be producers ourselves. He suggests that he would be glad to vote for a protective duty on jute and ramie and plants of this sort that may be cultivated in the South. I will say to the Senator from Ohio that if he has been an observer of the recent industrial statistics of this country, he knows that the South is not lagging in industrial development, and has not been since the war. In the South all values were destroyed; all prosperity was banished. The wealth that had accumulated for generations was sunk by the result of the war.

No people were ever so prostrated as were the people of the South by the result of the great civil war. After we obtained some sort of government in which we have some voice, we went to work, and the statistics show that no other people have ever accomplished so much in so short a time as have the people of the South. Agriculture, manufacturing, mining, every branch of human industry has grown as it has never grown before in other countries since we commenced to recuperate after the war.

The Senator from Ohio ought not to make flings at us. We have had a poor chance, but we have done splendidly with it and we are doing well now. Let him travel down South, and where there was desolation fifteen years ago he will be greeted with productive, wide-spread, highly-cultivated fields. He will find mining, he will find manufactures, he will find cotton and woolen factories and iron foundries. Mr. President, this thing has just commenced to get under way in the South. We shall develop the South. We shall make it the great country that nature intended it should be. We have vast, unlimited, unrivaled resources, and we have the blood, the energy, and the brain that will develop and show to the world what can be done with them.

We have Yankees in the South, plenty of them. They are coming down there every day and becoming of us. We can not do everything in a day, or in a year, or in five years. We have done more already than any other people ever did in so short a time, commencing upon such a basis. We have plenty of energy there and plenty of live Southern and Yankee people. We have a great deal to do there, and while we have not ramie and jute factories and plantations, we are beginning to have them, and we will have them, and we shall not come to Congress for a bounty nor for a protective duty either. All we want is low taxes and honest government, and the balance we will do for ourselves. We want no tariff duty for our protection. We desire to pay our taxes for the support of the Government, and pay them through the custom-house, if you please, but we desire to pay no more than is absolutely necessary for an economical support of the Government. We do not wish to accumulate a surplus in the Treasury. We desire to have the money in circulation among the people as a help and an aid to industry and to enterprise, and as an encouragement to energy and development.

The Senator says he is willing to vote for a duty to protect us in the raising of ramie and jute. For one, representing in part one great State, I say I thank you. We shall cultivate these products in due time. We shall get to them after awhile. We are doing other things right now that are more profitable. We shall get to them in a little while, and we shall make them without a protective tariff and without the aid of the Government.

All we ask of the Government is to keep your hands off of us and let us alone, and we shall do the rest; we want no protective tariff. The tariff is no protection to us. It adds nothing to our wealth; it subtracts every time. We are taxed on everything and in every way. The taxes on the ties that go around our cotton have been increased from 35 per cent. to 108 per cent. ad valorem. We are bearing all this taxation, and yet we are doing well, and we will continue to do well.

Mr. President, the South has learned a great deal. She has been through a great period of adversity. She has seen all her idols cast down. She has seen her wealth depart. She has seen everything except the honor of her men and her women destroyed, and she has had to commence a new career on a new basis. If you will only deal justly we ask no liberality, we ask no concession, we ask no protection. If you will only take from us what is necessary for the support of the Government it is all we ask; we will be satisfied; we shall do the rest; and we will bring the Southern section of this country proudly up abreast with the East and West and North in industrial and material development, and contribute our full quota to the honor and glory and well-being of the Government and people.

Mr. SAULSBURY. Mr. President, I have often had occasion to admire the ability and the skill of the Senator from Ohio [Mr. SHERMAN] in debate. His ability and his skill in debate are fully recognized in this part of the Chamber, as I presume they are throughout this entire country. It does not need an illustration of that ability and skill in this discussion, because the country has already acknowledged it, and it will acknowledge it hereafter; but the Senator from Ohio saw that the Senator from Rhode Island [Mr. ALDRICH] was being pressed in the discussion of the question of cotton-bagging and cotton-ties, and with that ability and that skill in debate which have been observed of him heretofore he deliberately switches off this discussion upon another issue. It was able, it was skillful; but what has the question of raising jute 30 feet high to do with the question of whether a tax upon cotton-bagging is proper or not? What has all the advice which the Senator from Ohio volunteers to the people of the South in reference to their interests to do with the simple question of whether this tax upon cotton-bagging should be continued or not? It was ingenious in the Senator from Ohio to divert attention from the iniquitous proposition in this bill as to the duty upon cotton-bagging, but it adds nothing to the proper discussion of this question for the Senator to rise in his place and tell us about the ability of the South to produce jute and to manufacture jute hereafter and to become the recipient of the protective policy which he advocates.

If anything is capable of being demonstrated, or if any argument is capable of demonstrating it, it has been demonstrated clearly in this debate that the tax proposed upon cotton-bagging is a tax upon the labor of the South; that that labor never can remunerate itself in the sale of the cotton because the bagging is stripped from the cotton itself and is a complete loss to the labor that produces the cotton. That demonstration has been made to the satisfaction of every one who has listened to the arguments of my friends from North Carolina and from Arkansas. If that is true, what becomes of your argument that the protective policy is for the purpose of protecting labor?

I said in a few remarks that I made some time ago that it was impossible by legislation to protect labor, and I hold to that doctrine yet. You can increase the price of the manufactured product, but you can not increase the price of labor, for that is to be determined by the supply and demand for it in every avocation and calling of life, not only in the agricultural communities, but in the manufacturing communities. Labor will be procured at the cheapest rates that it can be by employers in every calling and avocation of life. Whilst it is true that by your protective system you give greater profits to all the manufacturing interests of the country and thus enable them, if they are so disposed, to increase the wages of their employés, yet have not human experience and the observation of everybody demonstrated that they do not do it? Why do strikes exist if your laboring interests have been properly remunerated?

You may legislate until doomsday, and unless you have the power to fix the wages and determine what should be given to the employer and the employé, respectively, all your legislation so far as labor is concerned is but trivial and vain.

Mr. President, this very item demonstrates the unsoundness of the view which has been advocated by the protectionists. Here is one interest employing two million and a quarter of laborers, according to the estimates and calculations of my friend from Mississippi [Mr. GEORGE], and yet you propose to burden that two million and a quarter of laborers with a tax under the pretense that you are legislating in the interest of labor.

I simply rose to call the attention of the Senate to the question at issue, and not have it diverted by the ingenious and able views presented by the Senator from Ohio, for he is always able and I always listen to him with a great deal of pleasure, but I could not fail to detect the ingenuity by which this debate was to be led away from the question pending in the Senate to an issue which is not before the Senate.

Mr. SHERMAN. Mr. President, I must have been very unhappy in what I said, certainly unintentionally so, that I stirred up my friend from Texas [Mr. COKE] to the defense of the South, which was a very eloquent and beautiful description of her progress, etc. I appreciate that as much as any one. I have had the pleasure since the war of traveling through every Southern State, and everywhere I noticed signs of progress and prosperity. I said nothing to the contrary.

My friend from Texas made one or two remarks which nearly led me to believe that he looked upon the South almost as a separate country from ours. The South is a part of our country, and will be forever, no doubt. Whatever else we may differ about, there is no doubt about the unity, power, and greatness of our country; and, therefore, I take as much pride in the prosperity of the South as I do in that of New England or Ohio or the Northwest, with its marvelous prosperity. What I meant, and what I intended to say, was that different ideas of political economy—a different line of public policy—would tend to promote the interest of the South more even than the North. The Senator and I differ as to that line of policy; but if ever in the world a political-economic proposition was plain, it is that the South, a section of the country that for two centuries at least was a region with a single occupation—that of agriculture—where manufactures were scarcely developed and whose commerce was not developed except by the use of great natural rivers, should change that policy. It was a country of raw resources, where cotton and wool and various articles of that kind, the rawest material and the basis of manufactures, were produced in great abundance and at great cheapness and with great ease, as is the case now; and there labor abounds to a great extent. In such a district the economic theories that I believe in would be better for that country.

It was not in the least to underrate or to lower the standard of Southern pride or Southern feeling that I made that remark, but simply to point out to you my conviction that had you not been trained in that school which taught you that you should not look to the Government of the country for protection and support to aid in your development but should look alone to yourselves, but if you had been trained to believe that you have a right to look to your country and claim the support and aid that has developed the North, your condition would be better to-day. You sometimes complain that this system of public policy is beneficial to the North only and that you do not get the benefit of it. Why? It is because you turn your backs upon it. The gentlemen of the old school down South, who still adhere to the economic ideas and traditions of their fathers, still stick to the old idea that they must go on raising cotton and sending it to Europe and buying from Europe or any other country the cheapest possible form of their supplies, may think that that is a line of public policy which will develop a country.

That is not my idea. My idea is that in a country separated from

the rest of mankind by a separate form of government, distinct in its character, it is the right and the duty of the people to so conduct their affairs as to develop the resources of their whole country. Our business here in Congress is not what may benefit England or other portions of the world, or to indulge in notions of free-trade for the good of mankind, but rather we ought to develop the resources and power and strength of the United States of America, North and South, East and West, and that by a line of public policy which will protect and foster the industries of all portions of this country, whether of agriculture, manufactures, or commerce.

If that is a wise line of public policy it should be fairly and justly applied to all sections. Any line of policy that would be beneficial only to the North would be unjust and wrong. Therefore it is that every opportunity to extend this policy in the South meets with my most hearty approval and sincere support.

Now, I do believe that the time is not far distant—this generation may pass away meanwhile—when in the South there will be men of different ideas, and perhaps the older men of the present age may catch the spirit of the future that is coming upon us; when the South will not only be rich in agriculture—it never can be excelled in agriculture in those articles which her climate enables her to produce so bountifully—but also in manufactures, when the jute-mills and the ramie-mills will be side by side in the same region where the cotton is grown, where the bountiful fruits of nature, richer by far than in almost any other portion of the world, will be produced and furnished to the markets of the world. In the mean time, until they are able to sell in competition with the production of other countries, they should be supported by a reasonable and proper duty.

Now, let me say to my friend from Texas that a duty on ramie would undoubtedly start in the South the growth of ramie. It is sometimes said that there was a duty on jute for several years, but it was at a period of time when the South was not prepared for this development, when the South was coming out of that crucible of fire which the Senator from Texas described, and it was not prepared to engage in the production of these articles; but now all that is past and gone. There is overflowing wealth there, notwithstanding the plea of poverty sometimes held up to us, because there is the wealth of nature, there are bountiful fields, productive of rich harvests and crops almost unknown before the war, where 7,000,000 bales of cotton are produced in a single year. There are the sources of wealth.

Why should we not adopt a policy which will induce your people and turn the minds of your people to the manufacture of your cotton and other raw products in the South?

Mr. President, I certainly have no desire to do anything that is unjust to the Southern people, either white or black, but I should be glad to see them all prosper. Their road to prosperity is the same road that the people of Great Britain have traveled, that the people of France have traveled, that the people of Germany are now traveling, and that the people of the North have traveled—by diversifying their industries and availing themselves of every opportunity furnished by nature or discovery to enrich and add value to the productions of their soil, to diversify their industries and mingle manufactures with agriculture, so that their commerce may bear not only to the North but to all the nations of the world the richest fruits of a bountiful progress.

Mr. VANCE. Mr. President, for one, as a Southern man, I am obliged to the Senator from Ohio for his good advice. He talks wisely and talks well, but in the language of Captain Bunsby "the point of his observations lies in the application on them;" and the whole is a soothing dose to keep the South quiet under this system of taxation by which the pockets of his constituents are filled. That is the meaning of it all. So long as we will be quiet and believe that taxation increases our wealth and that it is the only road to wealth, we shall satisfy him.

As to the sincerity of the advice which is constantly given us on that side of the Chamber, that we must emulate them by manufacturing everything that we consume and buy nothing from anybody else, I would simply ask the very pertiment question, suppose we did that, what would become of them? There was a fellow once during the war who in a burst of patriotism volunteered, and he went home and told his wife about it, and she burst into tears. "Why, John," said she, "suppose you get killed, what will become of me?" "Become of you! The devil," says John, "you had better ask what will become of me." [Laughter.]

Suppose we were to manufacture all that we use, suppose we were to boycott your patent medicines and your hair-dyes and your wooden hams and hickory nutmegs, your left-handed razors, your double-bladed gimlets, and all the contrivances of Yankee ingenuity, which you protect from home competition by patents and from all the world by protective duties; what would become of you and how long would it be before there would come a change o'er the spirit of your dreams, and the things which delighted you once would afford you no longer any pleasure? As the Englishman said about his horse, you would be off your feet, and would clamor for a change.

Mr. President, I am tired of that paternal advice; I am tired of seeing the spirit of it carried into the Government and enacted into law. When it is found necessary to teach people their own interests, when it is found necessary to tell the Southern planter, for instance, that he must abandon making cotton on which he can make a profit of $50 per acre and go to raising ramie that is worth but a quarter of a cent a hundred pounds, with competition with India labor at 8 cents a day, I am tired of being advised that instead of devoting the energy and genius of our people to the production of those things which will give labor from a dollar to two dollars per day, and make the pauper labor of the world contribute to us, we should drop that and emulate the labor which yields to the pauper 8 cents a day. There is no sincerity in that kind of advice; there is no philosophy in it; there is no wisdom in it; there is no statesmanship in it.

Mr. HOAR. May I ask the Senator a question?

Mr. VANCE. Anything you please.

Mr. HOAR. I wish the benefit of his opinion, which he seems now to have matured.

We have in Massachusetts 262,000 male persons out of 450,000 of our total males over twenty-one years old who are engaged in factories, earning wages. Now, what occupation does the Senator recommend that they shall engage in? If these industries of which he has spoken are closed and left to their competitors abroad, what is the business they had better do, according to the Senator's judgment?

Mr. VANCE. Does the Senator give way for an answer? Does he want an answer now, or is he through?

Mr. HOAR. I meant to ask the Senator a courteous question.

Mr. VANCE. I am ready to answer it courteously, of course; but I did not know whether the Senator was through with his question or not.

Mr. HOAR. Yes, sir; I am through with the question.

Mr. VANCE. The Senator asks me what those people ought to do. I say, in the first place, they ought to attend to their own business, and that business is manufacturing. But the Senator's question goes upon the supposition that they could not manufacture anything and they must all starve to death or have to leave the country and seek other employment, unless I and my constitutents are taxed to support them. That is the basis of his question. Now, my advice to the Senator and to his constitutents is never to engage in any kind of business that will not pay its own way, that will not furnish its own lubrication, and whenever he sees a business that he thinks will enable his people to make a living honestly by their own exertions, I would advise them by all means to go into it and stick to it.

Mr. HOAR. Will the Senator allow me to call his attention to the fact that he does not answer the question I put? These persons are engaged in these protected industries now. The Senator, as I understand, thinks that is a species of robbery, at any rate that it is an injustice to his constituents and the rest of the country.

Mr. VANCE. I do.

Mr. HOAR. These industries are protected. Our side of that argument, of course, has been debated over and over again. What I want to know, if I can get it from the Senator from North Carolina, is what he thinks is the business they should engage in? He says they had better mind their own business. That, I suppose, is a jocose remark. What I want to know is what they had better manufacture? What is the business which they had better mind when they give up this protected business? Suppose we all agree with the Senator now that this is robbery and that we repent, what shall we do? What has he got in his mind that these men can get their living by beneficially to themselves and this country? That is the question I should like to have an answer to.

Mr. VANCE. I thought I had at least intimated my answer to the Senator's question, if I had not given it directly. I said if they found manufacturing profitable to continue at it. If they find manufacturing cotton profitable, continue at it.

I showed the other day, as I thought, from sufficient authority that you could manufacture cotton cheaper than the English, or the Germans, or the Swiss, and therefore you did not need to tax us. I expect to be able to show when the wool schedule is reached that you could manufacture wool, but for the tax on the raw material itself, cheaper than other people, and so with many other things.

I admit the Senator's country is not an agricultural country, that it is not adapted to agriculture, and perhaps if all its population were engaged in that line they could scarcely support the people of the State, and therefore they must manufacture, they must do something else besides engaging in agriculture.

I object to being put in the position—which is constantly undertaken by that side of the Chamber—that I am an enemy to manufactures. I am only anxious that the manufacturing interests of this country shall be conducted on their own expense and not on mine, just as the agricultural interests of my country are conducted on their own expense and bearing likewise yours. That is the objection that I have.

As a matter of course, manufactures are absolutely necessary not only to the welfare but to the civilization of mankind; and every argument made on that side assumes, as a matter of course, that if any attempt is made to reduce this taxation it is an utter destruction to all these manufactures; every one of them will die, so they say, if these duties are reduced.

Well, if they can not live upon such a reduction as is proposed by

the House bill which is before us, then they ought to die, and no threat of any lingering pauper in the poor-house, if the overseers do not give him turtle-soup and venison he will die, will ever have the effect on the keepers of the poor-house to make them give him turtle-soup and venison. I shall never be diverted from my intention to support every reasonable reduction of taxes by a threat that the men who are supported by those taxes are going to die if I do so. It has no terrors for me—none in the world. I occupy in that respect somewhat the position of an absentee landlord whose agent represented to him that he could not collect the rents and said that everywhere he tried to collect them he did so at the risk of his life; that even yesterday he had a bullet shot through his hat and one through the sleeve of his coat, and "I can not collect the rents;" whereupon the landlord replied to him, "Collect those rents, I tell you, and tell those fellows who refuse to pay that no amount of shooting at you is going to scare me." [Laughter.] I want to say to the Senators on that side that no amount of threats to die is going to scare me from my duty in these matters, which is to reduce these rates as far as it is possible and safe to do so with due regard to vested rights and to the great changes which would follow any violent or considerable reduction of the taxes.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Arkansas [Mr. JONES].

Mr. BROWN. Before the vote is taken, as I have not participated in the discussion I desire to ask one question of the Senator from Iowa in charge of the bill. What is the present rate of duty on bagging for cotton?

Mr. ALLISON. The present duty is 1½ cents per pound.

Mr. BROWN. What is the proposition of this bill?

Mr. ALLISON. This bill is to reduce it to three-fourths of a cent per pound.

Mr. BROWN. Then the bill proposes to reduce the tariff just one-half of what it now is.

Mr. ALLISON. Yes; but before the vote is taken I think that I should add one other word.

I was interested in the letters which were read by the Senator from Ohio as respects these fibers, though I had the pleasure of knowing many of the details before. The committee have put jute-butts on the free-list, which accounts for a small portion of the reduction, I will say to the Senator from Georgia. Now, whilst I have no doubt that the jute itself can be produced in many of the Southern States, the real difficulty thus far is not in the production of the jute, but the jute fiber. I know of no other country now except India where the fiber can be recovered.

Mr. EDMUNDS. Here is a piece of it made in Texas that is more than 2 feet long. [Exhibiting.]

Mr. ALLISON. Very well. This fiber, or the jute, is put in water and allowed to soak there for some time, and then the persons who strip it go into the water and strip it with great care. It is all done by hand, and therefore it is done in different parts of India where their canal system has been developed and where the reservoirs are near the place of production, and where, as the Senator from Vermont [Mr. EDMUNDS] very properly says, labor is 2 cents a day, or certainly not exceeding 8 cents.

This is a very frail fiber, and therefore the stripping can only be done in water. It has been stated that machines have been or will be invented to do the stripping. Those who appeared before the Finance Committee, who were most familiar with this subject, doubted whether any machine can be produced that will strip this fiber from the bark without destroying its tenacity. Therefore the committee have put jute-butts on the free-list, believing that until some machine can be discovered to do the stripping, which is now done entirely by hand in the water, it will not be produced in this country to any great extent.

Mr. BROWN. What is the difference between jute and jute-butts?

Mr. ALLISON. The jute-butts are the stumps of the jute. The jute itself is cut off about 15 inches from the ground, the lower fiber, or that nearest the ground, being too coarse for the ordinary fabrics that are now made of jute.

Mr. EDMUNDS. Having much more wood in its composition?

Mr. ALLISON. Yes. Jute-butts are used entirely for the manufacture of the coarser bagging and for paper-making, as cotton-bags and paper stocking. This fiber is separated in the interior of India, and it is brought down loosely to the great cities like Calcutta, and there it is made, as stated by the Senator from Arkansas. So the difficulty is not in raising the jute, but the difficulty is in separating it under our system here as it is separated in India, and it comes in as a very cheap fiber for the purposes for which it is now used.

Under these conditions and with this information the committee have put raw jute or jute-butts upon the free-list in the hope of inducing the manufacture of the article here. If at any time, as this intelligent gentleman writes, it shall appear that this stripping can be done by machinery, then I see no reason why that industry can not be carried on here with great profit to our people; but until that time comes I doubt very much whether we can produce the raw jute or jute-butts here, and that is the reason why the committee have proposed in this bill the placing of jute-butts on the free-list.

Mr. TELLER. I want to ask the Senator a question before he sits down. I find in an English publication commenting upon the jute manufacture in this country, which I accidentally have on my table, this statement:

> During the American fiscal year 1884 upwards of $33,000,000 worth of flax, hemp, and jute were imported into the United States either in a raw or manufactured state. More than 120,000 tons of these materials were imported in an unmanufactured condition, and more than three-fourths of the whole supply were received from the United Kingdom.

I want to ask the Senator what he understands about the unmanufactured jute.

Mr. ALLISON. I understand the unmanufactured is the jute fiber, such as the Senator from Illinois [Mr. CULLOM] now has in his hands, which is baled in Calcutta.

Mr. TELLER. You understand that it has already gone through a process?

Mr. ALLISON. That is entirely done in India. There are large jute mills in Scotland, in Dundee, where perhaps ten or twelve or fifteen million dollars' worth of jute is manufactured each year, but they draw from India entirely the fiber from which the manufactures are made, and so it is with every other country so far as I know.

I know the writer of this letter believes that it will be practicable to invent a machine whereby this stripping can be done, and when that time arrives I think we can make a prosperous industry in this country.

Mr. VEST. Mr. President, we heard a great deal in the last canvass about the *doctrinaires* and the college professors, and we were told that the Republican party wanted markets and not maxims, and yet the Senator from Ohio [Mr. SHERMAN] brings in to-day letters from a *doctrinaire*, a gentleman who believes that this country will go to utter ruin unless the highest possible duties are placed upon all the products of the United States. He knows nothing about the South. He is a mere theorist, and he pretends or thinks—I will do him the justice to say he thinks—he has made a discovery as to the production of jute and ramie in this country when that matter was discussed fifteen years ago and experiments have been going on for the last fifteen years in different parts of the South, and it has been ascertained beyond any question that jute and ramie can be produced; but no machine has ever been discovered, after repeated attempts, that could take the place of the hand labor of India.

If that gentleman, the president of a college—I know him—had simply gone back even as far as the evidence taken by the Tariff Commission in 1882, he would have discovered that all his theory amounts to nothing. There is no trouble about the raising of jute and ramie in this country, but there has never been a machine discovered which could do the work of separating the fiber and take the place of the cheap hand labor near Calcutta.

In the first volume of the report of the Tariff Commission here is the testimony of Mr. John Sloane, who has given his immediate attention to this matter. Mr. John Sloane is of the Dolphin Manufacturing Company, of Paterson, N. J. He says:

> Q. Where is the jute culture in the United States carried on most extensively?

This is in 1882.

> A. There have thus far only been experiments made. I understand from a friend who has a plantation in Mississippi that he has this year planted some 12 or 15 acres as an experiment. Heretofore, for a year or two past, there have been only small patches of a quarter of an acre or so planted to see if it would grow. They have demonstrated the fact that the plant can grow, and grow well, and that the climate and soil of America are more favorable for its growth than the climate and soil of India. The whole question, however, arises after the plant is grown. So far, there has been no mechanical device suggested to cheapen the process of getting the fiber. Jute is a cane with wood inside, and the fiber is the inside of the bark. The whole question is a question of labor to get that fiber separated and put in merchantable condition. By hand labor they all confess in this country, wherever it has been tried, that it can not be done. The lowest-priced labor in the South will not compete with the low-priced labor of India, were from 10 to 15 cents is a fair day's wages.
>
> Q. Do you know of any one who is experimenting and devoting attention to the preparation of machinery which would hackle it or separate the fiber?
>
> A. I have heard of one or more machines that are either invented or in process of invention by which they hope to overcome that difficulty, and I sincerely hope they will be able to do it.
>
> Q. The only difficulty, then, is in preparing it for the manufacture after it is grown?
>
> A. Wholly.

And so on. And here is the evidence of another witness before the same Tariff Commission, and twenty-five or thirty gentlemen testified in regard to it that for ten years prior to 1882 they had endeavored to invent one of these machines, but on account of the peculiar nature of this fiber it could not be done and has not been done. Upon that commission was Duncan F. Kenner, one of the most advanced men in the South, and he devoted himself to this question of raising jute in Louisiana, and the result was that about 15 or 20 acres were raised there with great success, but at an absolute loss to the man who raised it, because no machine could be found to take the place of the cheap labor of India.

We have heard a great deal of this sort of sympathy for the South and its backwardness and lagging behind. I have heard a great deal of it in regard to my own State, which happens to be a Democratic State, and opposed to free trade. Why, sir, in Southeast Missouri we are to-day utilizing every particle of the timber grown there which has heretofore been considered worthless. We are taking the gums, the

sweet-gums and the red-gums, and making them into furniture which rivals the best furniture made anywhere in the world. We are even utilizing the cottonwood, which has heretofore been considered an absolute nuisance, and it is found to make the best fruit-boxes in the world. I visited not long since, just after the election, a stave factory in Southeast Missouri, employing four hundred and fifty men, and the superintendent told me he had just entered into a contract with the manufacturer of Bass's ale to supply him with all his casks for some nine months to come, that he was exporting his casks to the West Indies and sending them to California for their wines and their California brandies. I asked him then, "Do you need protection?" "Not one cent." That stave factory has been built up there without the assistance of this high protective duty, built up in poor old Missouri, and yet we are told by the Senator from Ohio that the people of the South are lagging behind and false to themselves because they do not adopt this system and rush frantically in to secure their portion of its benefits!

Mr. President, we attack the system because it is unjust to the people of this country. We attack it upon principle, because we believe that, instead of being equal in its operation upon all sections and upon all the people of this country, it is unjust and unequal, and no sort of temptation will induce us to give up that opinion.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Arkansas [Mr. JONES].

Mr. BERRY. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHACE (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. If he were present, he would vote "yea" and I should vote "nay."

Mr. CULLOM (when his name was called). I am paired with the junior Senator from Delaware [Mr. GRAY]. If he were present, I should vote "nay."

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. GEORGE (when his name was called). I am paired with the Senator from New Hampshire [Mr. BLAIR]. If he were present, I should vote "yea."

Mr. ALLISON (when the name of Mr. JONES, of Nevada, was called). The Senator from Nevada [Mr. JONES] is paired with the Senator from New Jersey [Mr. MCPHERSON].

Mr. MORRILL (when his name was called). I am paired with the Senator from Tennessee [Mr. HARRIS], and therefore can not vote.

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB], or I should vote "yea."

The roll-call was concluded.

Mr. FAULKNER. I am requested to announce that the Senator from Oregon [Mr. DOLPH] is paired with the junior Senator from Virginia [Mr. DANIEL].

Mr. COCKRELL. I was paired with the senior Senator from Virginia [Mr. RIDDLEBERGER], who is now absent from the Chamber, but I understand from the Senator from Illinois [Mr. CULLOM] that the Senator from Virginia is paired with the junior Senator from New Jersey [Mr. BLODGETT], who is absent. I will therefore vote, and announce that the Senator from Virginia [Mr. RIDDLEBERGER] is paired with the Senator from New Jersey [Mr. BLODGETT].

Mr. TELLER. My colleague [Mr. BOWEN] is paired with the Senator from Louisiana [Mr. GIBSON].

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

The result was announced—yeas 19, nays 24; as follows:

YEAS—19.

Bate,	Eustis,	Payne,	Vance,
Berry,	Gorman,	Pugh,	Voorhees,
Blackburn,	Hampton,	Reagan,	Walthall,
Cockrell,	Jones of Arkansas,	Saulsbury,	Wilson of Md.
Coke,	Morgan,	Turpie,	

NAYS—24.

Aldrich,	Evarts,	Manderson,	Sherman,
Allison,	Frye,	Mitchell,	Spooner,
Brown,	Hawley,	Paddock,	Stewart,
Davis,	Hiscock,	Palmer,	Stockbridge,
Dawes,	Hoar,	Platt,	Teller,
Edmunds,	Ingalls,	Sawyer,	Wilson of Iowa.

ABSENT—33.

Beck,	Colquitt,	Hale,	Quay,
Blair,	Cullom,	Harris,	Ransom,
Blodgett,	Daniel,	Hearst,	Riddleberger,
Bowen,	Dolph,	Jones of Nevada,	Sabin,
Butler,	Farwell,	Kenna,	Stanford,
Call,	Faulkner,	McPherson,	Vest.
Cameron,	George,	Morrill,	
Chace,	Gibson,	Pasco,	
Chandler,	Gray,	Plumb.	

So the amendment was rejected.

Mr. JONES, of Arkansas. I move, in line 1372, paragraph 339, that the words "three-fourths" be stricken out and the words "three-eighths" substituted.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In paragraph 339, line 1372, after the word "pound," it is proposed to strike out "three-fourths" and insert "three-eighths;" so as to read:

339. Bagging for cotton, gunny cloth, and all similar material suitable for covering cotton, composed in whole or in part of hemp, jute, or jute-butts, valued at not more than 3 cents per pound, three-eighths of 1 cent per pound.

Mr. JONES, of Arkansas. I call for the yeas and nays on the question.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHACE (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. If he were present, I should vote "nay."

Mr. CULLOM (when his name was called). I am paired with the junior Senator from Delaware [Mr. GRAY], and therefore am not at liberty to vote.

Mr. GEORGE (when his name was called). I am paired with the Senator from New Hampshire [Mr. BLAIR]. If he were present, I should vote "yea."

Mr. MORRILL (when his name was called). I am paired with the Senator from Tennessee [Mr. HARRIS], and therefore withhold my vote.

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB], or I should vote "yea."

The roll-call was concluded.

Mr. HALE. I am paired with the Senator from Kentucky [Mr. BECK].

Mr. SPOONER (after having voted in the negative). I am paired with the Senator from Mississippi [Mr. WALTHALL]. As I understand he has not voted, I ask leave to withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from Mississippi is not recorded.

Mr. SPOONER. Then I withdraw my vote.

Mr. GEORGE. I desire to state that my colleague [Mr. WALTHALL] is absent from the Senate attending a committee of conference.

Mr. TELLER. The senior Senator from Louisiana [Mr. GIBSON] is paired with my colleague [Mr. BOWEN].

Mr. ALLISON. I desire to say, once for all, that the Senator from Nevada [Mr. JONES] and the Senator from New Jersey [Mr. MCPHERSON] are paired.

Mr. CULLOM. I desire to state that my colleague [Mr. FARWELL] is paired with the Senator from Florida [Mr. PASCO].

The result was announced—yeas 19, nays 25; as follows:

YEAS—19.

Bate,	Eustis,	Morgan,	Turpie,
Berry,	Faulkner,	Payne,	Vance,
Blackburn,	Gorman,	Pugh,	Voorhees,
Cockrell,	Hampton,	Reagan,	Wilson of Md.
Coke,	Jones of Arkansas,	Saulsbury,	

NAYS—25.

Aldrich,	Evarts,	Mitchell,	Stewart,
Allison,	Frye,	Paddock,	Stockbridge,
Brown,	Hawley,	Palmer,	Teller,
Chandler,	Hiscock,	Platt,	Wilson of Iowa.
Davis,	Hoar,	Quay,	
Dawes,	Ingalls,	Sawyer,	
Edmunds,	Manderson,	Sherman,	

ABSENT—32.

Beck,	Colquitt,	Hale,	Plumb,
Blair,	Cullom,	Harris,	Ransom,
Blodgett,	Daniel,	Hearst,	Riddleberger,
Bowen,	Dolph,	Jones of Nevada,	Sabin,
Butler,	Farwell,	Kenna,	Spooner,
Call,	George,	McPherson,	Stanford,
Cameron,	Gibson,	Morrill,	Vest,
Chace,	Gray,	Pasco,	Walthall.

So the amendment was rejected.

Mr. VEST. Mr. President, I wish to call the attention of the Senators in charge of this bill to the words in lines 1371 and 1372 of paragraph 339, "valued at not more than 3 cents per pound."

Mr. ALLISON. If the Senator will allow me a moment, to make it perfectly certain and that there may be no mistake about that, I will suggest an amendment of 3½ cents, or I might make it 4.

Mr. VEST. I was going to ask the Senator to make it 4 cents. I would suggest that that be made 4 cents.

Mr. ALLISON. Three and a half cents, the Senator from Rhode Island [Mr. ALDRICH] reminds me, may cover another class.

Mr. ALDRICH. It may cover burlaps in some conditions.

Mr. ALLISON. Three and a-half cents will unquestionably cover every question as respects cotton-bagging.

Mr. VEST. If the Senator will make that 4 cents I shall be satisfied.

Mr. ALLISON. I will make it 3½ cents, and will move that amendment if the Senator will yield for that purpose.

Mr. VEST. Of course, for I can not help myself.

The PRESIDENT *pro tempore*. Does the Senator from Missouri yield the floor?

Mr. VEST. As a matter of course I do.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Iowa [Mr. ALLISON] will be stated.

The CHIEF CLERK. In paragraph 339, line 1372, after the word "three," it is proposed to insert "and one-half;" so as to read:

339. Bagging for cotton, gunny cloth, and all similar material suitable for covering cotton, composed in whole or in part of hemp, jute, or jute-butts, valued at not more than 3½ cents per pound, three-fourths of 1 cent per pound.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The reading will proceed.

Mr. VEST. Before we proceed, with the consent of the Senate I wish to go back to paragraph 334, relating to burlaps.

We have heard a great deal to-day about a portion of my constituents who have been engaged in the cotton-bagging trust, and who have certainly succeeded admirably in making what our friends on the other side call "a corner" upon cotton-bagging. I saw in a paper a St. Louis dispatch the day before yesterday about this combine, or, as one of the gentlemen who fabricated it said before the committee, "the sympathetic movement." He was asked whether it was a trust or a combine. "Oh, no." "Well," said the Senator who was interrogating him, "what do you call this thing, then?" "Well," he said, "I would call it a sympathetic movement." Well, the "sympathetic movement" has terminated, and a division of profits was made on the 1st day of January. The "sympathetic movement" came to an end by virtue of no defect in its construction, but by the terms of the limitation in the articles of agreement, which I have before me and can read if necessary, which put an end to this "sympathetic movement" on the 1st day of January.

The principal gentleman engaged in it said in this interview in St. Louis that they had divided the profits, that they were not as large as they had fondly anticipated, but they would do, and intimated pretty strongly that on the next cotton crop another "sympathetic movement" would be inaugurated in the same direction.

Now, from a portion of my constituency in St. Louis I have a telegram directed to my colleague, which is as follows:

ST. LOUIS, *January* 7, 1889.

HON. F. M. COCKRELL:

A material reduction in duties on burlaps is strongly advocated by all interested irrespective of party, including bag manufacturers. We look for your hearty co-operation.

E. O. STANARD,
S. W. COBB,
D. P. GRIER,
HENRY C. HAARSTICK,
J. W. KAUFMAN.

I want to commend this telegram to the kind consideration of the gentlemen in charge of this bill, who have absolutely the control of these provisions. These bagging manufacturers now ask for a reduction of the duty on burlaps; and when I propose in a spirit of fairness, and I think of equity, to the managers of this bill to put the value at 4 cents instead of 3, in paragraph 339, the Senator from Rhode Island [Mr. ALDRICH] objects, because he says it might include burlaps. If I have understood the argument here to-day in regard to cotton-bagging, it is in favor of American manufacturers, and the very men who control this movement, who manipulate it, who divided the profits on the 1st of January—some of them, at any rate—now ask their party associates here to reduce the duty on burlaps in their interest, in the interest of the American manufacturers.

When this matter was up in the House of Representatives we were told that more than one-half of the cotton-bagging manufactured in the United States was manufactured in the city of St. Louis, and that 1,500 operatives were engaged in that manufacture; and it is interesting in this connection to know the opinion of Mr. Gratz, how he was enabled to manipulate that "sympathetic movement" and divide the profits on the 1st of January. I do not propose to go over the whole testimony, but here is what he said in answer to interrogatories, and I give it for what it is worth:

Q. And I suppose you simply began an investigation of this arrangement?

A. I know I myself refused to go into any kind of an arrangement, and I would not do anything, and I stated that I would be for buying and starting for myself if they would make a combination in bagging. Further than that, a year ago I found there was a desire to make an arrangement in bagging, and I had a friend who was the editor of the Missouri Republican, and I went to him and told him that the only way to avoid trusts was to make articles that went into combinations free by the mere act of combination, and if such a law could be passed through Congress it would absolutely destroy chances for trusts, and I got him to publish an editorial at one time advocating the passage of a law by Congress making the mere proof of a combination of 75 per cent. of an article of commerce sufficient to remove the duty for twelve months after that combination was dissolved. If you will do that now you will get rid of combines.

Q. Suppose this bill should not become a law, would this association dissolve?

A. This association dissolves itself the 1st of January, whether there is a law or not.

The Senator from Iowa [Mr. ALLISON] argued this afternoon with great force that the tariff had nothing to do with this "sympathetic movement," using the language of the principal fabricator; that whether there was a high or low tariff these "corners," as he expressed it, would be made upon all articles of commerce throughout the country. We heard in the late canvass from the most distinguished authority that these trusts were not a public matter, but a matter entirely of private management and private concern, and afterwards the same distinguished leader of the Republican party declared that trusts existed in Great Britain, "in free-trade England," as he called it, and therefore the tariff had nothing to do with them, differing entirely with Mr. Gratz, who is a gentleman of the largest experimental knowledge on the subject, having just carried out the most successful "sympathetic movement" that has ever been known in this country.

Permit me to observe, without any elaboration of the argument, that the difference between trusts in "free-trade England" and in the high protected-tariff United States is simply this: That the English syndicates who attempt to make a trust or a "sympathetic movement" must corner the product of the entire world, and it takes almost a fabulous amount of capital for them to carry out their project as did Mr. Gratz. But the tariff is an adjunct to the system of trusts; it is the most valuable auxiliary they can have, for this simple reason, that when it comes to be an exclusive duty, as it is on cotton-bagging, according to the testimony of men engaged in it, it excludes foreign competition, and thereby enables a smaller amount of capital and a smaller syndicate to carry through successfully their "sympathetic movement," and under the same tariff these same gentlemen can corner the next cotton crop, and continue to do so at their own sweet will and pleasure.

Now, sir, I move to reduce the duty upon burlaps.

Mr. COCKRELL (to Mr. VEST). Why not state who Mr. Stanard is?

Mr. VEST. Governor Stanard has a national reputation. He was a Republican lieutenant-governor of my State, and afterwards a Republican member of Congress, and is one of the acknowledged leaders of the Republican party in Missouri. Governor E. O. Stanard has a national reputation in the Republican party. Mr. Grier is also a very prominent Republican, although his reputation is hardly as extensive as that of Governor Stanard.

I move to strike out "30 per cent. ad valorem" upon burlaps, and insert the word "free." It will then read:

Burlaps, not exceeding 60 inches in width, of flax, jute, or hemp, or of which flax, jute, or hemp, or either of them, shall be the component material of chief value (except such as may be suitable for bagging for cotton), free.

On that I ask for the yeas and nays.

The PRESIDENT *pro tempore*. The proposed amendment will be stated from the desk.

The CHIEF CLERK. In paragraph 334, line 1352, it is proposed to strike out "30 per cent. ad valorem" and insert in lieu thereof the word "free."

Mr. ALLISON. Under the existing tariff, which is 20 per cent. ad valorem, a very small amount of what are known as burlaps has been manufactured in this country. The entire consumption of burlaps in this country is made by those who manufacture what is called bagging. These burlaps are chiefly made now in Dundee, Scotland. Though I have not the figures before me, I think the importations are very large and increasing.

The reason they have not been made in this country is that with the existing rate of duty of 20 per cent. ad valorem on raw jute, which is the raw material, it has been impossible to manufacture these burlaps under the existing rate of duty. It was so stated by those who engaged in the business and who are familiar with the subject.

With free jute and 30 per cent. ad valorem, the committee believe that burlaps can be manufactured in this country, although the jute manufacturers say that the margin is too close. I am aware that the cotton-bagging manufacturers who have a protection under the existing law of 40 per cent. ad valorem, and who, of course, under this proposed bill, if it becomes a law, will also have 40 per cent., very much prefer to import their burlaps. It is one of those beautiful illustrations of how men of high character in the disposition of a bill look very carefully at their own interests. The men who are engaged in the manufacture of bagging being protected by existing law with a duty of 40 per cent., find a very fair protection in that, so that no bags are imported, or very few, but their raw material, burlaps, are imported very largely. The committee in making up this schedule believed that the rate proposed in this paragraph was a fair rate to encourage the manufacture of burlaps in our own country, and that is what it is designed for.

The reason that the cotton-bagging manufacturers, largely in the city of St. Louis, are in doubt about this 30 per cent. on burlaps is that they are afraid that the men who make burlaps will also make bagging, and thus the bagging industry will have an impetus that they do not care to encourage.

So I think on the whole the general interests will be better subserved by leaving the rate of duty as it now exists in the substitute, and unless some rate certainly very nearly approaching this tax shall be adopted, then I shall follow the Senator from Missouri and put burlaps on the free-list, because under existing conditions and under the existing law burlaps are now made in Dundee and not in the United States practically, and we are building up and have built up in the last ten or twelve years a great city and an enormous industry in Scotland. If it is wiser and better that we should continue to prosper Dundee rather than our own country, then burlaps ought to be put on the free-list absolutely. If we intend to make it possible to manufacture burlaps in this country and thus make our own country prosperous instead of Dundee, Scotland, then the present rate of duty, 30 per cent., on burlaps ought to be maintained in this bill. That is all I have to say.

Mr. VEST. Mr. President, I do not think in all my experience, which has been rather extensive on this tariff question, that I have ever heard a better illustration of the whole tariff business than that given by my friend from Iowa. The rule is that which seems to be derived from the ocean, that the big fish are continually eating up the little ones, and every fish is taking care of itself, feeding for itself, without regard to the remainder.

The gentlemen who sent this telegram—two of them at least—are most distinguished Republicans. No men stand higher in the Republican party, and they are both estimable gentlemen—Governor Stanard and Colonel Grier—and yet, according to my friend from Iowa, like all the balance, they are looking, not to the general interests of the country in a broad spirit of patriotism, but they are simply looking to their own pockets and to their own interests.

I do not know that we are building up any great city in Scotland. I confess very frankly that my entire interest in this matter is for the consumers of this country. I avow very frankly that I am opposed to this protective system, as our friends on the other side propose to put it upon us without limitation, and from my standpoint, without regard to the *personnel* of these manufacturers, I am for cutting down duties because they are now far beyond any legitimate limits, and if this bill passes we shall have thrown away entirely everything like restrictions, and we shall be upon the broad, open ocean of protection, without any sort of regard to the place where we shall land or what will become of the vessel.

I present here a telegram from these gentlemen of high character, manufacturers, protectionists *per se*, and I ask their friends on the other side of the Chamber either to regard their petition or to disregard it.

Mr. JONES, of Arkansas. Mr. President, the testimony taken by the Finance Committee upon this question shows that in the opinion of some, at least, of the manufacturers a difference in duty between the raw material and the manufactured burlaps of 15 per cent. is enough to promote the manufacture of that article in this country. It was so stated, and the statement has been made that they have not been manufactured heretofore because the tax on the raw material, jute, was only 10 per cent. below the tax on burlaps.

Now, you have the raw material made free absolutely, with 30 per cent. on the burlaps, which gives a difference between the raw material and the burlaps of 30 per cent.; whereas the statement made to the committee by the manufacturers was that 15 per cent. was enough.

But while this matter is under consideration, it may not be out of place to call the attention of the Senate to another fact that this particularly bears upon, and that is in the paragraph previous to the one under consideration you have provided a tax of 2 cents per pound on the bags which are made from these burlaps, and you have a protection of 30 per cent. on the burlaps, which is equivalent to three-fourths of a cent a yard.

The testimony of manufacturers of bags before the committee was that the expense of making a thousand bags from burlaps was $5. One thousand bags weigh 1,000 pounds. So we have a tariff, a protection of $20, on a thousand burlap bags. The bag manufacturer importing his burlaps pays upon them three-quarters of a cent a pound, or $7.50 for the material used in 1,000 bags. Deduct this $7.50 from the $20 on a thousand bags and you have $12.50 of net protection allowed to the manufacturer of a thousand burlap bags, who pays but $5 for the total expense of manufacture, including labor.

In other words, you give him in protection 250 per cent. on the total cost of his manufacture, and this under the pretense of enabling him to increase the wages of his operatives. On the theory that the committee proceeds upon a tariff of 15 per cent. on burlaps is ample, and it will succeed in building up that industry, and then a tax upon bags of three-eighths of a cent in excess of the tariff on burlaps the bag manufacturers say is enough for them, so a tariff three-fourths of a cent a pound would be ample on bags, with 15 per cent. on burlaps, and this reduction would give the farmers of the West grain-bags $10 to $12.50 per thousand cheaper than under the proposed rates.

I have no idea that any change will be made or that these arguments will make any difference with the committee, but it is proper that the attention of the Senate and the country should be called to these facts. The people may take notice of what the committee will not, and unjust stewards may yet be called to account.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Missouri [Mr. VEST].

Mr. VEST. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BLACKBURN (when his name was called). I am paired with the Senator from Nebraska [Mr. MANDERSON]. I do not see him present.

Mr. CHACE (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. If he were present, I should vote "nay."

Mr. CULLOM (when his name was called). I am paired with the junior Senator from Delaware [Mr. GRAY], but I have transferred that pair to the senior Senator from Wisconsin [Mr. SAWYER], and therefore vote "nay."

Mr. GEORGE (when his name was called). I am paired with the Senator from New Hampshire [Mr. BLAIR].

Mr. HOAR (when his name was called). The Senator from North Carolina [Mr. RANSOM] asked me last night, if he should be absent at any time during the next few days, if I would not pair with him, to which I assented. I have voted once or twice and I am afraid the Senator has been absent depending upon that pair. I decline to vote, therefore.

Mr. MORRILL (when his name was called). I should vote "nay" but that I am paired with the Senator from Tennessee [Mr. HARRIS].

Mr. SPOONER (when his name was called). I am paired with the Senator from Mississippi [Mr. WALTHALL] who is absent on a conference committee, but I transfer that pair to the Senator from Nevada [Mr. STEWART], and I vote "nay."

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB], or I should vote "yea."

The roll-call was concluded.

Mr. CHACE. I will transfer my pair with the Senator from Georgia [Mr. COLQUITT] to the Senator from Nebraska [Mr. MANDERSON], the Senator from Kentucky [Mr. BLACKBURN] and I having agreed to transfer our pairs, and I will vote. I vote "nay."

Mr. BLACKBURN. Under that arrangement I am at liberty to vote. I vote "yea."

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

The result was announced—yeas 16, nays 23; as follows:

YEAS—16.

Bate,	Coke,	Jones of Arkansas,	Turpie,
Berry,	Eustis,	Morgan,	Vance,
Blackburn,	Faulkner,	Pugh,	Voorhees.
Cockrell,	Hampton,	Reagan,	Wilson of Md.

NAYS—23.

Aldrich.	Davis,	Hiscock,	Quay,
Allison,	Dolph,	Ingalls,	Spooner,
Brown,	Edmunds,	Mitchell,	Stockbridge,
Chace,	Evarts,	Paddock,	Teller,
Chandler,	Frye,	Palmer,	Wilson of Iowa.
Cullom,	Hawley,	Platt,	

ABSENT—37.

Beck,	Farwell,	Kenna,	Saulsbury,
Blair,	George,	Manderson,	Sawyer,
Blodgett,	Gibson,	McPherson,	Sherman,
Bowen,	Gorman,	Morrill,	Stanford,
Butler,	Gray,	Pasco,	Stewart,
Call,	Hale,	Payne,	Vest,
Cameron,	Harris,	Plumb,	Walthall.
Colquitt,	Hearst,	Ransom,	
Daniel,	Hoar,	Riddleberger,	
Dawes,	Jones of Nevada,	Sabin,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

340. Oil-cloth for floors, stamped, painted, or printed, including linoleum, corticene, cork carpets, figured or plain, and on all other oil-cloth (except silk oil-cloth), and on water-proof cloth, not specially enumerated or provided for in this act, 10 cents per square yard and 15 per cent. ad valorem.

Mr. HAWLEY. I wish the Senator from Iowa would kindly yield to one or two matters of current business.

Mr. ALLISON. If there are no amendments to be offered to paragraph 340, so that we can understand that the flax, hemp, and jute schedule is now disposed of, I will yield. Then I will ask that Schedule K be passed over.

The PRESIDENT *pro tempore*. And that the reading be resumed where?

Mr. ALLISON. At "Schedule L, silk and silk goods;" and if the Secretary will read paragraph 372, so that Senators may know that that is the schedule to be considered to-morrow——

Mr. VANCE. Before we pass from the flax and jute and hemp schedule, I desire to offer an amendment to the last paragraph.

The PRESIDENT *pro tempore*. The Secretary will read the amendment proposed to paragraph 340 by the Senator from North Carolina.

The CHIEF CLERK. It is proposed to add to paragraph 340 the following proviso:

Provided, That the duty on no article mentioned in this schedule shall exceed the rate of 50 per cent. ad valorem.

Mr. VANCE. When the paragraph embracing embroideries, cuffs, collars, etc., was under consideration, the opinion was expressed that it would on the cheaper grades increase the duties very largely, over 100 per cent., and in confirmation of that I have received a letter from a large importing house in New York giving the rates of duty, the cost of the articles abroad, etc., which I will ask the Secretary to read in support of my motion. Fifty per cent. is the largest rate which has been ascertained, or calculated, by the Treasury officials, and I presume it is not desirable, if the higher-class goods come in at 50 per cent., that the lower class should be charged one hundred and odd per cent., and therefore this proviso will effectually cure that damage to the cheaper articles or that heavy imposition on the cheaper article.

The PRESIDENT *pro tempore*. The letter will be read.

Mr. ALLISON. Before the reading of the paper proceeds I will ask

the Senator from North Carolina if it is his purpose to insist upon a yea-and-nay vote upon this amendment he now proposes?

Mr. VANCE. I presume so. I regard it as an important proviso.

Mr. ALLISON. Then, if it will be satisfactory to the Senator from North Carolina, I suggest that that letter be printed in the RECORD, so that Senators can see it to-morrow, and then I will yield to the Senator from Connecticut [Mr. HAWLEY], who desires to take up some business.

Mr. COCKRELL. Do I understand that the silk schedule is to come up to-morrow?

Mr. ALLISON. Yes; but I find it is impossible to dispose of this schedule to-night if the Senator from North Carolina insists on his amendment.

Mr. VANCE. I am willing to adopt the suggestion of the Senator from Iowa and let the letter be printed in the RECORD without reading.

The PRESIDENT *pro tempore*. The letter will be printed in the RECORD.

The letter is as follows:

NEW YORK, *January* 4, 1889.

DEAR SIR: I beg to inclose a calculation showing how the proposed new tariff would affect this commodity. The bulk of imported hosiery ($6,000,000 annually) ranges from 2.50 to 6 marks, and under the new tariff the ad valorem duty would be as follows:

On goods costing—	Per cent.
$0.48	120
.72	103
.96	72
1.20	70
1.44	63
1.68	55
1.92	51
2.16	48
2.40	45
2.64	41
4.80	32

On the greater part of goods imported, ranging from 50 cents to $1.50 cost price, the duty would be advanced from 40 per cent. ad valorem to 80 per cent. ad valorem, and for whose benefit? The domestic manufacturer's? Hardly, since scarcely 5 per cent. of the whole output are regular-made goods. The domestic manufacturer might, under the increased prices for foreign articles, advance the prices of his goods, but would the laborer, the factory hand, benefit by it? They are paid by the piece, and demand, competition, improved machinery, and supply of labor decide his wages. The commonest kind of domestic half-hose, so-called open-tops, sold in 1865 for $1.10; in 1875 for 65 cents; to-day they are selling for 40 to 45 cents. Since thirty years no similar goods have been imported.

Respectfully, yours,

SCHNARR.

Hon. Z. B. VANCE, *Washington*.

NEW YORK, *January* 5, 1889.

Calculation showing landing cost of cotton hosiery under the present tariff of 40 per cent. ad valorem and the proposed tariff of 20 per cent. ad valorem and 60 cents per dozen.

40 PER CENT. AD VALOREM.

Marks	2	3	4	5	6	7	8	9	10	11
At 24 cents	$0.48	$0.72	$0.96	$1.20	$1.44	$1.68	$1.92	$2.16	$2.40	$2.64
40 per cent	.19	.28	.38	.48	.58	.67	.77	.86	.96	1.06
Landing cost	.67	1.00	1.34	1.68	2.02	2.35	2.69	3.02	3.36	3.70

20 PER CENT. AND 60 CENTS.

Marks	2	3	4	5	6	7	8	9	10	11
At 24 cents	$0.48	$0.72	$0.96	$1.20	$1.44	$1.68	$1.92	$2.16	$2.40	$2.64
20 per cent	.096	.14	.19	.24	.29	.34	.38	.43	.48	.53
	.58	.86	1.05	1.44	1.73	2.02	2.30	2.58	2.88	3.17
60 cents	.60	.60	.60	.60	.60	.60	.60	.60	.60	.60
Landing cost	1.18	1.46	1.65	2.04	2.33	2.62	2.90	3.18	3.48	3.77
Or per cent. ad valorem	120	103	72	70	63	55	51	48	45	41

Goods paying now 40 per cent. ad valorem—
On 2 marks ($0.48) pay under proposed tariff 120 per cent.
On 3 marks ($0.72) pay under proposed tariff 103 per cent.
On 4 marks ($0.96) pay under proposed tariff 72 per cent.
On 5 marks ($1.20) pay under proposed tariff 70 per cent.
On 6 marks ($1.44) pay under proposed tariff 63 per cent.
On 7 marks ($1.68) pay under proposed tariff 55 per cent.
On 8 marks ($1.92) pay under proposed tariff 51 per cent.
On 9 marks ($2.16) pay under proposed tariff 48 per cent.
On 10 marks ($2.40) pay under proposed tariff 45 per cent.
On 11 marks ($2.64) pay under proposed tariff 41 per cent.
On 20 marks ($4.80) pay under proposed tariff 32 per cent.

The PRESIDENT *pro tempore*. The pending question is on the amendment proposed by the Senator from North Carolina to paragraph 340.

Mr. ALLISON. I now yield to the Senator from Connecticut [Mr. HAWLEY], and when the matter he has in hand and such other little business as Senators may desire is disposed of, I shall move that the Senate adjourn.

LOAN OF FLAGS TO INAUGURAL COMMITTEE.

Mr. HAWLEY. One or two matters of current business I should be glad to have disposed of.

I report favorably from the Committee on Military Affairs the joint resolution (H. Res. 246) authorizing the Secretary of War to loan to the committee on inaugural ceremonies flags, etc., upon which I shall be glad to have immediate action.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. COCKRELL. If it is understood that this resolution only refers to depots here it would be all right, but it would hardly be right that the Government should be at the expense of transporting from depots at Chicago and at Leavenworth and other places flags simply to be used here on the occasion of the inauguration.

Mr. HAWLEY. I supposed it referred to only what we had in storage here.

Mr. COCKRELL. If that is the understanding it is all right.

Mr. HAWLEY. I will ask the question at the War Department in the morning.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REPORT OF THE NATIONAL ACADEMY OF SCIENCE.

Mr. HAWLEY. A letter transmitting the report of the National Academy of Science was referred to the Committee on Printing. I report the usual annual resolution for printing that report. It is a report made in accordance with law, and is annually printed.

The resolution was considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the report of the National Academy of Sciences for the year 1887, with its appendices, be printed in the usual octavo form, and that 1,000 copies of the report and memoirs be printed for the use of the Senate, 2,000 for the use of the House of Representatives, and 1,500 copies for the Academy of Sciences.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, one of its clerks, announced that the House had passed the bill (S. 2305) to authorize and provide for the disposition of useless papers in Executive Departments.

The message also announced that the House had agreed to the amendment of the Senate to the resolution of the House to print extra copies of the report of the House Committee on Manufacture on the sugar and Standard Oil trusts.

The message further announced that the House had passed the concurrent resolution of the Senate of October 12, 1888, to print the annual volumes of the Astronomical Observations of the Naval Observatory for 1886, 1887, and 1888.

The message also announced that the House had passed the concurrent resolution of the Senate of the 4th instant, to print additional copies of the final report of the royal commission appointed to inquire into the recent changes in the relative values of the precious metals.

The message further announced that the House had agreed to the resolution of the Senate to print additional copies of the work known as "Growth of Industrial Art," with an amendment in which it requested the concurrence of the Senate.

The message further announced that the House had passed a resolution for the printing of 10,000 additional copies of the third annual report of the Commissioner of Labor, for the use of the Department of Labor; in which it requested the concurrence of the Senate.

PETITION.

Mr. EVARTS presented a preamble and resolutions adopted by the Chamber of Commerce of the State of New York at a meeting on January 3, 1889, favoring the construction by the Government of harbors of refuge near Point Judith, Rhode Island; which were referred to the Committee on Commerce.

BILLS INTRODUCED.

Mr. GEORGE (by request) introduced a bill (S. 3788) for the relief of Martha A. Dochterman; which was read twice by its title, and referred to the Committee on Claims.

Mr. REAGAN introduced a bill (S. 3789) for the relief of R. C. Oglesby, of Uvalde, Tex.; which was read twice by its title, and referred to the Committee on Claims.

Mr. VOORHEES introduced a bill (S. 3790) authorizing the purchase of the dressing and shaving table of General Washington used by him during his life and mentioned in his will; which was read twice by its title, and referred to the Committee on the Library.

Mr. BLACKBURN introduced a bill (S. 3791) for the allowance of a claim in favor of Milton J. Durham, administrator of Leonard Taylor, deceased, of Boyle County, Kentucky, for stores and supplies taken and used by the United States Army, as reported by the Court of Claims under the provisions of the act of March 3, 1883, known as the Bowman act; which was read twice by its title, and referred to the Committee on Claims.

Mr. EVARTS introduced a bill (S. 3792) for the establishment of a

light-house with a fog-bell on Oyster-Bed Shoal, in the Hudson River, near New York; which was read twice by its title, and referred to the Committee on Commerce.

COMMITTEE ON THE CENSUS.

Mr. HALE submitted the following resolution; which was referred to the Committee on Rules:

Resolved, That two Senators be added to the standing Committee on the Census, to be appointed by the President of the Senate.

REPORT OF COMMISSIONER OF LABOR.

The PRESIDENT *pro tempore* laid before the Senate the following resolution from the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there be printed, in cloth binding, wrapped for mailing, 10,000 additional copies of the third annual report of the Commissioner of Labor, for the use of the Department of Labor.

GROWTH OF INDUSTRIAL ART.

The PRESIDENT *pro tempore* laid before the Senate the amendment of the House of Representatives to the resolution of the Senate for the printing of 10,000 additional copies of the work known as "Growth of Industrial Art;" which was referred to the Committee on Printing.

THE REVENUE LAWS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

Mr. ALLISON. Before moving an adjournment I think I ought to say that we are not making the progress with this bill which we ought to make in order to reach a vote properly on the 22d of the present month, which we of course must do. There are a number of matters passed over, and important matters, which ought to be debated more or less in the interest of reaching a proper conclusion. Unless we can make more rapid progress to-morrow, I think I shall be obliged, on the next day at least, to ask for a night session or that we begin our sessions at 11 o'clock and continue until 6 or half past 6, so as to avoid night sessions.

I now move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 9, 1889, at 12 o'clock m.

INTEROCEANIC CANALS.

The Senate having ordered the publication of its action on the various amendments proposed to the joint resolution (S. R. 122) declaring the sense of Congress in respect of the connection of European governments with interoceanic canals at the Isthmus of Darien and in Central America, considered on Monday, January 7, 1889, it is given, as follows:

The joint resolution being under consideration,

Mr. GRAY submitted the following amendment in lieu of section 1 of the joint resolution:

That any connection of any European government with the construction or control of any ship-canal across the Isthmus of Darien or across Central America which involves any political control whatever of the territory through which such canal passes, or interferes with the government or system of government of any portion of this continent, will be viewed by the Government of the United States with serious concern and disapproval, and will be considered as dangerous to our peace and safety.

Mr. FAULKNER moved an amendment, in line 4 of the amendment, to strike out the word "whatever" and to insert the words "thereof or," and in line 5, after the word "passes," to insert "without the consent of the United States."

Mr. GRAY accepted the amendment.

After discussion,

Mr. GRAY'S amendment was rejected by a *viva voce* vote.

Mr. REAGAN moved to amend section 1 of the joint resolution, in line 4, after the word "any," where it first occurs, by striking out the word "connection" and inserting "action," and in line 5, after the word "Government," by striking out the word "with," and inserting "looking to the assumption of;" so as to read:

That the Government of the United States will look with serious concern and disapproval upon any action of any European government looking to the assumption of the construction or control of any ship-canal across the Isthmus of Darien or across Central America, and must regard any such connection or control as injurious to the just rights and interests of the United States and as a menace to their welfare.

The amendment was rejected by a *viva voce* vote.

The joint resolution was, on motion of Mr. EDMUNDS, amended by striking out "Congress" and inserting "Government of the United States" in the second section; so as to read:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Government of the United States will look with serious concern and disapproval upon any connection of any European government with the construction or control of any ship-canal across the Isthmus of Darien or across Central America, and must regard any such connection or control as injurious to the just rights and interests of the United States and as a menace to their welfare.

SEC. 2. That the President be, and he is hereby, requested to communicate this expression of the views of the Government of the United States to the governments of the countries of Europe.

The joint resolution was read the third time, and passed.

The title was amended so as to read: "A joint resolution declaring the sense of the Government of the United States in respect of the connection of European governments with interoceanic canals at the Isthmus of Darien and in Central America."

The vote on the passage of the joint resolution was—yeas 49, nays 3; as follows:

YEAS—49.

Aldrich,	Edmunds,	Jones of Arkansas,	Saulsbury,
Allison,	Eustis,	Manderson,	Sawyer,
Bate,	Evarts,	Mitchell,	Sherman,
Berry,	Farwell,	Morgan,	Spooner,
Brown,	Faulkner,	Morrill,	Stewart,
Chandler,	Frye,	Paddock,	Teller,
Cockrell,	George,	Palmer,	Vest,
Coke,	Gibson,	Payne,	Walthall,
Colquitt,	Gorman,	Platt,	Wilson of Iowa,
Cullom,	Hale,	Plumb,	Wilson of Md.
Davis,	Hawley,	Pugh,	
Dawes,	Hoar,	Quay,	
Dolph,	Ingalls,	Ransom,	

NAYS—3.

Blackburn,	Hampton,	Vance.

ABSENT—24.

Beck,	Cameron,	Hiscock,	Riddleberger,
Blair,	Chace,	Jones of Nevada,	Sabin,
Blodgett,	Daniel,	Kenna,	Stanford,
Bower,	Gray,	McPherson,	Stockbridge,
Butler,	Harris,	Pasco,	Turpie,
Call,	Hearst,	Reagan,	Voorhees.

Mr. DAVIS (when his name was called) stated that he was paired generally with the junior Senator from Indiana [Mr. TURPIE], but the question not being political he would vote in the affirmative, as he was informed that the Senator from Indiana would also vote in the affirmative if he were present.

A pair was announced between the Senator from Indiana [Mr. VOORHEES] and the Senator from Texas [Mr. REAGAN], the former being in favor of the resolution.

Mr. CHACE was stated to have a general pair with Mr. COLQUITT, and Mr. CAMERON with Mr. BUTLER; but how the respective Senators would vote on this question was not understood.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January* 8, 1889.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

TESTING HEAVY ORDNANCE.

Mr. HIRES, by unanimous consent, introduced a joint resolution (H. Res. 248), authorizing the Secretary of War to purchase a suitable site for testing heavy ordnance and making experiments in gunnery; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

FOG-SIGNAL, MOUNT DESERT ROCK, MAINE.

The SPEAKER laid before the House a letter from the Acting Secretary of the Treasury, transmitting an estimate from the Light-House Board of an appropriation for establishing a fog-signal upon Mount Desert Rock, Maine, for the fiscal year 1890; which was referred to the Committee on Commerce, and ordered to be printed.

LIGHT-HOUSE TENDER.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, transmitting an estimate of an appropriation for the construction of a light-house tender for the ninth and eleventh light-house districts; which was referred to the Committee on Commerce, and ordered to be printed.

FOG-SIGNAL, DOG ISLAND, ST. CROIX RIVER, MAINE.

The SPEAKER also laid before the House a letter from the Light-House Board in reference to an estimate of appropriation for establishing a light and fog-signal on Dog Island, entrance to St. Croix River, Maine, fiscal year 1890; which was referred to the Committee on Commerce, and ordered to be printed.

SUPPORT OF SIOUX INDIANS, MINNESOTA.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, transmitting an estimate of appropriation for the support of Sioux Indians of Minnesota; which was referred to the Committee on Indian Affairs, and ordered to be printed.

CLAIMS ALLOWED.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, transmitting schedules of claims allowed by the accounting officers of the Treasury under appropriations balances of which have been expended or carried to the surplus fund; which was referred to the Committee on Appropriations, and ordered to be printed.

DEFICIENCY APPROPRIATIONS, UNITED STATES COURTS.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, transmitting estimates of deficiency appropriations for expenses of United States courts for the fiscal year 1889 or prior years; which was referred to the Committee on Appropriations, and ordered to be printed.

POLVAREDA GRANT, NEW MEXICO.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting, with a letter from the Commissioner of the General Land Office, a report of the surveyor-general of New Mexico on private land claim No. 131, the Polvareda grant; which was referred to the Committee on Private Land Claims, and ordered to be printed.

WILD NATIVE SILK-WORM OF CALIFORNIA.

The SPEAKER also laid before the House a letter from the Commissioner of Agriculture, transmitting the report of Joseph Neumann upon the study of the wild native silk-worm of California; which was referred to the Committee on Agriculture, and ordered to be printed.

EXPENDITURES, AGRICULTURAL DEPARTMENT.

The SPEAKER also laid before the House a letter from the Commissioner of Agriculture, transmitting a statement of expenditures for that Department for the fiscal year 1888; which was referred to the Committee on Agriculture.

LINCOLN LAND DISTRICT, NEW MEXICO.

The SPEAKER also laid before the House the bill (S. 3778) to establish the Lincoln land district, in the Territory of New Mexico.

The SPEAKER. If there be no objection, the bill will be read a first and second time and referred to the Committee on the Public Lands.

Mr. JOSEPH. I hope, by unanimous consent, the bill will be considered and disposed of at once.

Mr. HOLMAN. Let it go to the Committee on the Public Lands.

The SPEAKER. The Chair so ordered it to be referred, but the gentleman from New Mexico [Mr. JOSEPH] asks for its present consideration.

Mr. HOLMAN. For the present it should go to the Committee on the Public Lands.

Mr. SPRINGER. Let it remain on the Speaker's table.

The SPEAKER. The gentleman from Indiana insists it shall be referred to the Committee on the Public Lands.

Mr. HOLMAN. I do not object to its remaining on the Speaker's table.

The SPEAKER. The bill will be returned to the Speaker's table.

LEAVE OF ABSENCE.

Mr. WILSON, of West Virginia, by unanimous consent, was granted leave of absence for three days.

Mr. FITCH, by unanimous consent, was granted leave of absence for one week, on account of illness.

HARRIETT P. FARNSWORTH.

Mr. RUSSELL, of Connecticut, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies thereof, papers in the case of Harriett P. Farnsworth, no adverse report having been made thereon.

MARQUETTE AND ONTONAGON RAILROAD LAND GRANT.

Mr. STOCKDALE, at his own request, was excused from further service as one of the House conferees on the disagreeing votes of the two Houses on Senate bill 858, to forfeit lands granted to the State of Michigan to aid in the construction of a railroad from Marquette to Ontonagon, in said State; and the Speaker appointed in his place Mr. MACDONALD.

CHANGE OF THE RULES.

Mr. REED. I call up the privileged report from the Committee on Rules.

The SPEAKER. The regular order is the call of the roll on the demand for the previous question on the resolution reported from the Committee on Rules.

Mr. RICHARDSON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. A few days ago the House set apart this hour for the Committee on Printing with leave to call up such measures reported from that committee as it thought proper to bring before the House for consideration. I would like to know if that matter can be brought forward this morning as against the privileged question raised by the gentleman from Maine.

The SPEAKER. The Chair thinks not. The privileged question displaces everything else while it is pending in the House.

Mr. RICHARDSON. Then I ask, Mr. Speaker, what will be the status of the order made with regard to the Committee on Printing after the privileged matter under consideration shall have been disposed of?

The SPEAKER. The order to which the gentleman refers was not a continuing order, and will fall unless it is executed now.

Mr. RICHARDSON. Then I ask unanimous consent that it may be made a continuing order.

Mr. REED. Regular order.

The SPEAKER. The gentleman from Maine demands the regular order, which is equivalent to an objection.

The Clerk will call the roll.

The question was taken; and there were—yeas 188, nays 19, not voting 116; as follows:

YEAS—188.

Allen, Mass.	Dalzell,	Laidlaw,	Romeis,
Allen, Mich.	Davenport,	Landes,	Rowell,
Allen, Miss.	Davidson, Ala.	Lawler,	Rowland,
Anderson, Ill.	Davidson, Fla.	Lee,	Ryan,
Atkinson,	Davis,	Lodge,	Sawyer,
Baker, N. Y.	Dockery,	Long,	Sayers,
Barnes,	Elliott,	Lynch,	Scull,
Barry,	Ermentrout,	Macdonald,	Seymour,
Bayne,	Farquhar,	Maish,	Shaw,
Biggs,	Flood,	Mansur,	Sherman,
Bingham,	Forney,	Martin,	Smith,
Blanchard.	French,	Mason,	Sowden,
Bland,	Funston,	Matson,	Spinola,
Blount,	Gaines,	McAdoo,	Spooner,
Boothman,	Gallinger,	McClammy,	Springer,
Bound,	Gear,	McCormick,	Steele,
Boutelle,	Glass,	McCreary,	Stephenson,
Bowden,	Goff,	McKenna,	Stewart, Ga.
Breckinridge, Ky.	Grimes,	McKinley,	Stockdale,
Brewer,	Grosvenor,	McKinney,	Stone, Ky.
Brower,	Grout,	McRae,	Stone, Mo.
Browne, Ind.	Hatch,	McShane,	Tarsney,
Brown, Ohio	Heard,	Montgomery,	Taulbee,
Brown, J. R., Va.	Hemphill,	Moore,	Taylor, E. B., Ohio
Brumm,	Henderson, Iowa	Morgan,	Taylor, J. D., Ohio
Bryce,	Henderson, N. C.	Morrill,	Thomas, Ill.
Bunnell,	Henderson, Ill.	Nelson,	Thompson, Ohio
Burrows,	Herbert,	Nichols,	Tillman,
Butterworth,	Hiestand,	Oates,	Townshend,
Bynum,	Hires,	O'Donnell,	Turner, Ga.
Campbell, F., N. Y.	Hitt,	O'Ferrall,	Vance,
Candler,	Holman,	O'Neill, Pa.	Vandever,
Cannon,	Hopkins, Va.	Osborne,	Walker,
Catchings,	Hopkins, N. Y.	Outhwaite,	Warner,
Chipman,	Houk,	Patton,	Washington,
Clark,	Howard,	Payson,	Weaver,
Clements,	Hunter,	Peel,	Weber,
Cobb,	Hutton,	Perkins,	West,
Cogswell,	Jackson,	Peters,	Wheeler,
Conger,	Johnston, Ind.	Post,	White, N. Y.
Cooper,	Kean,	Pugsley,	Whiting, Mich.
Cothran,	Kelley,	Randall,	Williams,
Cox,	Kennedy,	Reed,	Wilson, Minn.
Crisp,	Kerr,	Rice,	Woodburn,
Crouse,	Ketcham,	Richardson,	Yardley,
Cummings,	Laffoon,	Robertson,	Yoder,
Cutcheon,	La Follette,	Rogers,	Yost.

NAYS—19.

Abbott,	Gibson,	Lanham,	Shively,
Adams,	Hare,	Lehlbach,	Stewart, Tex.
Baker, Ill.	Haugen,	Lind,	Stewart, Vt.
Bankhead,	Johnston, N. C.	McMillin,	Wise.
Culberson,	Lane,	Seney,	

NOT VOTING—116.

Anderson, Iowa	De Lano,	Hopkins, Ill.	Phelan,
Anderson, Miss.	Dibble,	Hovey,	Phelps,
Anderson, Kans.	Dingley,	Hudd,	Pidcock,
Arnold,	Dorsey,	Jones,	Plumb,
Bacon,	Dougherty,	Kilgore,	Rayner,
Belden,	Dunham,	Lagan,	Rockwell,
Bliss,	Dunn,	Laird,	Russell, Conn.
Bowen,	Enloe,	Latham,	Russell, Mass.
Breckinridge, Ark.	Felton,	Lyman,	Rusk,
Browne, T. H. B., Va.	Finley,	Maffett,	Scott,
Buchanan,	Fisher,	Mahoney,	Simmons,
Buckalew,	Fitch,	McComas,	Snyder,
Burnes,	Foran,	McCullogh,	Stahlnecker.
Burnett,	Ford,	Merriman,	Struble,
Butler,	Fuller,	Milliken,	Symes,
Campbell, Ohio	Gay,	Mills,	Thomas, Ky.
Campbell, T. J., N. Y.	Gest,	Moffitt,	Thomas, Wis.
Carlton,	Glover,	Morrow,	Thompson, Cal.
Caruth,	Granger,	Morse,	Tracey,
Caswell,	Greenman,	Neal,	Turner, Kans.
Cheadle,	Guenther,	Newton,	Wade,
Clardy,	Hall,	Norwood,	White, Ind.
Cockran,	Harmer,	Nutting,	Whiting, Mass.
Collins,	Hayden,	O'Neall, Ind.	Whitthorne,
Compton,	Hayes,	O'Neill, Mo.	Wickham,
Cowles,	Hermann,	Owen,	Wilber,
Crain,	Hogg,	Parker,	Wilkins,
Dargan,	Holmes,	Penington,	Wilkinson,
Darlington,	Hooker,	Perry,	Wilson, W. Va.

So the previous question was ordered.

On motion of Mr. BROWNE, of Indiana, by unanimous consent, the reading of the names was dispensed with.

The following pairs were announced:

Mr. MILLS with Mr. HAYDEN.

Mr. HOOKER with Mr. DORSEY.

Mr. CAMPBELL, of Ohio, with Mr. GOFF.

Mr. BURNES with Mr. WHITING, of Massachusetts.

Mr. BRECKINRIDGE, of Arkansas, with Mr. GUENTHER.

Mr. HALL with Mr. THOMAS, of Kentucky.

Mr. DARGAN with Mr. SYMES.

Mr. GRANGER with Mr. ROCKWELL.

Mr. MCSHANE with Mr. LAIRD.

Mr. NEAL with Mr. BELDEN.

Mr. CARUTH with Mr. WICKHAM.

Mr. FORAN with Mr. PARKER.

Mr. FORD with Mr. THOMAS H. B. BROWNE, of Virginia.

Mr. WILSON, of West Virginia, with Mr. ARNOLD.

Mr. PENINGTON with Mr. DE LANO.

Mr. WHITTHORNE with Mr. MOFFITT.

Mr. SNYDER with Mr. DARLINGTON.

Mr. McSHANE. I am paired with my colleague, Mr. LAIRD, but being satisfied that if present he would vote as I have voted, I shall permit my vote to stand.

The result of the vote was then announced as above recorded.

Mr. HOLMAN. I move to recommit to the Committee on Rules the pending resolution, and upon that call the previous question.

Mr. PAYSON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PAYSON. Is it in order at this time to move to recommit with instructions?

The SPEAKER. It would be in order to move to recommit with instructions if the previous question is not sustained by the House.

Mr. PAYSON. But under the rule, as it stands, does not that motion take precedence of the motion to commit?

The SPEAKER. The rules provide that one motion shall be in order to commit, with or without instructions. The gentleman from Indiana moves to recommit without instructions, upon which he demands the previous question. If that demand is sustained of course it cuts off all amendment to the motion.

The question was taken on the demand for the previous question; and on a division there were—ayes 132, noes 3.

Mr. CHEADLE. No quorum.

Mr. REED. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 218, nays 4, not voting 101; as follows:

YEAS—218.

Abbott,	Davidson, Ala.	Kilgore,	Rogers,
Allen, Mass.	Davidson, Fla.	Laffoon,	Romeis,
Allen, Mich.	Davis,	La Follette,	Rowell,
Allen, Miss.	Dibble,	Laidlaw,	Rowland,
Anderson, Iowa	Dingley,	Landes,	Ryan,
Anderson, Ill.	Dockery,	Lane,	Sawyer,
Anderson, Kans.	Dunn,	Latham,	Sayers,
Bacon,	Elliott,	Lanham,	Scull,
Baker, N. Y.	Enloe,	Lawler,	Seney,
Baker, Ill.	Ermentrout,	Lee,	Seymour,
Bankhead,	Farquhar,	Lehlbach,	Shaw,
Barnes,	Felton,	Lind,	Sherman,
Barry,	Finley,	Lodge,	Simmons,
Biggs,	Flood,	Long,	Smith,
Blanchard,	Forney,	Lynch,	Sowden,
Bland,	French,	Macdonald,	Spinola,
Blount,	Fuller,	Mansur,	Spooner,
Boothman,	Funston,	Martin,	Springer,
Bound,	Gaines,	Matson,	Steele,
Boutelle,	Gallinger,	McAdoo,	Stephenson,
Breckinridge, Ky.	Gear,	McClammy,	Stewart, Tex.
Brewer,	Gest,	McCormick,	Stewart, Ga.
Browne, Ind.	Gibson,	McCreary,	Stewart, Vt.
Brown, Ohio	Glass,	McKenna,	Stockdale,
Brown, J. R., Va.	Goff,	McKinley,	Stone, Ky.
Brumm,	Grimes,	McKinney,	Stone, Mo.
Bryce,	Grosvenor,	McRae,	Tarsney,
Bunnell,	Hare,	McShane,	Taulbee,
Burrows,	Hatch,	Montgomery,	Taylor, E. B., Ohio
Butterworth,	Haugen,	Moore,	Taylor, J. D., Ohio
Bynum,	Heard,	Morrill,	Thomas, Ill.
Campbell, F., N. Y.	Hemphill,	Morrow,	Thomas, Wis.
Campbell, T. J., N. Y.	Henderson, Iowa	Nelson,	Thompson, Ohio
Candler,	Henderson, N. C.	Newton,	Thompson, Cal.
Catchings,	Henderson, Ill.	Nichols,	Tillman,
Cheadle,	Herbert,	Nutting,	Townshend,
Chipman,	Hermann,	Oates,	Turner, Ga.
Clark,	Hiestand,	O'Donnell,	Vance,
Clements,	Hires,	O'Ferrall,	Vandever,
Cobb,	Hitt,	O'Neall, Ind.	Walker,
Cogswell,	Holman,	O'Neill, Pa.	Warner,
Compton,	Hopkins, Va.	Osborne,	Washington,
Conger,	Hopkins, N. Y.	Patton,	Weber,
Cooper,	Houk,	Payson,	Wheeler,
Cothran,	Howard,	Peel,	White, N. Y.
Cowles,	Hudd,	Perkins,	Whiting, Mich.
Cox,	Hunter,	Peters,	Williams,
Crisp,	Hutton,	Post,	Wilson, Minn.
Crouse,	Jackson,	Pugsley,	Wise,
Culberson,	Johnston, N. C.	Randall,	Woodburn,
Cummings,	Kean,	Rayner,	Yardley,
Cutcheon,	Kelley,	Reed,	Yoder,
Dalzell,	Kennedy,	Rice,	Yost.
Dargan,	Kerr,	Richardson,	
Davenport,	Ketcham,	Robertson,	

NAYS—4.

Adams,	Atkinson,	Bayne,	Shively.

NOT VOTING—101.

Anderson, Miss.	Butler,	Dunham,	Hayes,
Arnold,	Campbell, Ohio	Fisher,	Hogg,
Belden,	Cannon,	Fitch,	Holmes,
Bingham,	Carlton,	Foran,	Hooker,
Bliss,	Caruth,	Ford,	Hopkins, Ill.
Bowden,	Caswell,	Gay,	Hovey,
Bowen,	Clardy,	Glover,	Johnston, Ind.
Breckinridge, Ark.	Cockran,	Granger,	Jones,
Brower,	Collins,	Greenman,	Logan,
Browne, T. H. B., Va.	Crain,	Grout,	Laird,
Buchanan,	Darlington,	Guenther,	Lyman,
Buckalew,	De Lano,	Hall,	Maffett,
Burnes,	Dorsey,	Harmer,	Mahoney,
Burnett,	Dougherty,	Hayden,	Maish,
Mason,	O'Neill, Mo.	Russell, Mass.	West,
McComas,	Outhwaite,	Rusk,	White, Ind.
McCullogh,	Owen,	Scott,	Whiting, Mass.
McMillin,	Parker,	Snyder,	Whitthorne,
Merriman,	Penington,	Stahlnecker,	Wickham,
Milliken,	Perry,	Struble,	Wilber,
Mills,	Phelan,	Symes,	Wilkins,
Moffitt,	Phelps,	Thomas, Ky.	Wilkinson,
Morgan,	Pidcock,	Tracey,	Wilson, W. Va.
Morse,	Plumb,	Turner, Kans.	
Neal,	Rockwell,	Wade,	
Norwood,	Russell, Conn.	Weaver,	

So the previous question was ordered.

On motion of Mr. OATES, by unanimous consent, the reading of the names was dispensed with.

The following additional pairs were announced:

Mr. JONES with Mr. MCCOMAS, on all political questions, until further notice.

Mr. PERRY with Mr. SYMES, on all political questions, for the day.

The result of the vote was then announced as above recorded.

The SPEAKER. The previous question is ordered. The question now is on ordering the resolution to be recommitted.

Mr. HOLMAN. On that I ask the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 120, nays 118, not voting 85; as follows:

YEAS—120.

Abbott,	Crisp,	Laffoon,	Richardson,
Allen, Miss.	Culberson,	Landes,	Robertson,
Anderson, Iowa	Cummings,	Lane,	Rogers,
Anderson, Ill.	Dargan,	Lanham,	Rowland,
Anderson, Kans.	Davidson, Ala.	Latham,	Sayers,
Bacon,	Davidson, Fla.	Lawler,	Seney,
Baker, Ill.	Dibble,	Lee,	Shaw,
Bankhead,	Dockery,	Lehlbach,	Shively,
Barnes,	Dunn,	Lynch,	Simmons,
Barry,	Elliott,	Maish,	Sowden,
Biggs,	Enloe,	Mansur,	Spinola,
Blanchard,	Ermentrout,	Martin,	Stewart, Tex.
Bland,	Finley,	Matson,	Stewart, Ga.
Blount,	Forney,	McAdoo,	Stockdale,
Breckinridge, Ky.	Fuller,	McClammy,	Stone, Ky.
Bryce,	Gest,	McCreary,	Stone, Mo.
Burnett,	Gibson,	McKinney,	Taulbee,
Campbell, F., N. Y.	Glass,	McMillin,	Thompson, Cal.
Campbell, T. J., N. Y.	Grimes,	McRae,	Tillman,
Candler,	Hare,	Montgomery,	Tracey,
Catchings,	Hatch,	Moore,	Turner, Kans.
Cheadle,	Heard,	Morgan,	Turner, Ga.
Chipman,	Hemphill,	Newton,	Vance,
Clements,	Henderson, N. C.	Oates,	Walker,
Cobb,	Herbert,	O'Ferrall,	Washington,
Compton,	Holman,	O'Neall, Ind.	Wheeler,
Cothran,	Hudd,	Peel,	Wilkins,
Cowles,	Hutton,	Phelan,	Wilkinson,
Cox,	Johnston, N. C.	Randall,	Wilson, Minn.
Crain,	Kilgore,	Rayner,	Wise.

NAYS—118.

Adams,	Felton,	La Follette,	Ryan,
Allen, Mass.	Flood,	Laidlaw,	Sawyer,
Allen, Mich.	French,	Lind,	Scull,
Atkinson,	Funston,	Lodge,	Seymour,
Baker, N. Y.	Gaines,	Long,	Sherman,
Bayne,	Gallinger,	Macdonald,	Smith,
Boothman,	Gear,	Mason,	Spooner,
Bound,	Grosvenor,	McCormick,	Springer,
Boutelle,	Grout,	McKenna,	Steele,
Brewer,	Haugen,	McKinley,	Stewart, Vt.
Brower,	Hayes,	Morrill,	Tarsney,
Browne, Ind.	Henderson, Iowa	Morrow,	Taylor, E. B., Ohio
Brown, Ohio	Henderson, Ill.	Nelson,	Taylor, J. D., Ohio
Brown, J. R., Va.	Hermann,	Nichols,	Thomas, Ill.
Buchanan,	Hiestand,	Nutting,	Thomas, Wis.
Bunnell,	Hires,	O'Neill, Pa.	Thompson, Ohio
Burrows,	Hitt,	Osborne,	Townshend,
Butterworth,	Hopkins, Ill.	Outhwaite,	Vandever,
Cannon,	Hopkins, Va.	Owen,	Warner,
Clark,	Hopkins, N. Y.	Patton,	Weaver,
Cogswell,	Houk,	Payson,	Weber,
Conger,	Hovey,	Perkins,	White, N. Y.
Cooper,	Hunter,	Peters,	Wilber,
Crouse,	Jackson,	Post,	Williams,
Cutcheon,	Johnston, Ind.	Pugsley,	Woodburn,
Dalzell,	Kean,	Reed,	Yardley,
Davenport,	Kelley,	Rice,	Yoder,
Davis,	Kennedy,	Romeis,	Yost.
Dingley,	Kerr,	Rowell,	
Farquhar,	Ketcham,	Russell, Conn.	

NOT VOTING—85.

Anderson, Miss.	Caswell,	Greenman,	McShane,
Arnold,	Clardy,	Guenther,	Merriman,
Belden,	Cockran,	Hall,	Milliken,
Bingham,	Collins,	Harmer,	Mills,
Bliss,	Darlington,	Hayden,	Moffitt,
Bowden,	De Lano,	Hogg,	Morse,
Bowen,	Dorsey,	Holmes,	Neal,
Breckinridge, Ark.	Dougherty,	Hooker,	Norwood,
Browne, T. H. B., Va.	Dunham,	Howard,	O'Donnell,
Brumm,	Fisher,	Jones,	O'Neill, Mo.
Buckalew,	Fitch,	Logan,	Parker,
Burnes,	Foran,	Laird,	Penington,
Butler,	Ford,	Lyman,	Perry,
Bynum,	Gay,	Maffett,	Phelps,
Campbell, Ohio	Glover,	Mahoney,	Pidcock,
Carlton,	Goff,	McComas,	Plumb,
Caruth,	Granger,	McCullogh,	Rockwell,

Russell, Mass.	Stephenson,	West,	Wickham,
Rusk,	Struble,	White, Ind.	Wilson, W. Va.
Scott,	Symes,	Whiting, Mich.	
Snyder.	Thomas, Ky.	Whiting, Mass.	
Stahlnecker,	Wade,	Whitthorne,	

So the resolution was recommitted.

The following additional pairs were announced:

Mr. ANDERSON, of Mississippi, with Mr. STRUBLE, on this vote.

Mr. LAGAN with Mr. LYMAN, until further notice.

The result of the vote was then announced as above recorded.

Mr. HOLMAN moved to reconsider the vote by which the resolution was recommitted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. RANDALL, from the Committee on Appropriations, reported a bill (H. R. 12008) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1890, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER. The gentleman from Tennessee [Mr. RICHARDSON] now calls up the special order made for this morning setting apart one hour for the consideration of measures reported from the Committee on Printing.

Mr. RICHARDSON. The first measure I desire to call up is on the twentieth page of the Calendar (S. 3162) providing for the printing of Government publications upon private orders.

Mr. SPRINGER. I desire to have the special order read.

The SPEAKER. The Clerk will read it. [After a pause.] The Chair has sent for the order, and it will be brought in and read.

Mr. SPRINGER. I did not know there was such an order, and I desire to hear it read, as I wish to raise the question of consideration.

The SPEAKER. The gentleman has the right to raise the question of consideration on each bill as it comes up.

The Clerk read from the RECORD, as follows:

Mr. RICHARDSON. I ask unanimous consent that on Tuesday next, immediately after the reading of the Journal, the Committee on Printing be allowed one hour for the consideration of its business by the House.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that on Tuesday, immediately after the reading of the Journal, one hour be set apart for the consideration of measures reported from the Committee on Printing. Is there objection? The Chair hears none, and it is so ordered.

Mr. SPRINGER. I understand the order, then, is such a one as will only permit the question of consideration to be raised on each bill as it is called up.

GOVERNMENT PUBLICATIONS ON PRIVATE ORDERS.

The SPEAKER. The gentleman now calls up for consideration in the hour a bill the title of which will be read.

The Clerk read as follows:

A bill (S. 3162) providing for the printing of Government publications upon private orders.

Mr. RICHARDSON. I ask to have the report read in this case.

The SPEAKER. The bill is in Committee of the Whole House on the state of the Union.

Mr. RICHARDSON. It does not require an appropriation, and I ask that the Committee of the Whole on the state of the Union be discharged from the further consideration of the measure, and that it be considered in the House.

Mr. SPRINGER. I desire to have the bill read so that I may determine whether I shall raise the question of consideration.

The bill was read, as follows:

Be it enacted, etc., That if any person desiring extra copies of any document printed at the Government Printing Office by authority of law shall, previous to its being put to press, notify the Public Printer, in writing, of the number of copies wanted, and shall pay to him, in advance, the estimated cost thereof, and 10 per cent. thereon, the Public Printer may, under the direction of the Joint Committee on Public Printing, or, when Congress is not in session, under the direction of the Secretary of the Interior, furnish the same.

SEC. 2. That the Public Printer is hereby authorized, under the direction of the Joint Committee on Printing or Secretary of the Interior, as above provided, to print from any stereotype plates in his possession such number of books or documents as may be ordered by persons desiring the same whenever the number so ordered shall justify putting said stereotype plates to press, the same to be paid in advance, as above provided. And the Public Printer shall annually report to Congress a list of all documents and publications sold by him, the amount received therefrom, and the disposition made thereof.

SEC. 3. That section 3809 of the Revised Statutes is hereby repealed.

Mr. SPRINGER. I wanted to raise the question of consideration with a view of reaching another bill, but owing to the peculiar wording of the order, I shall not raise the question of consideration on each bill.

The question was taken on discharging the Committee of the Whole from the further consideration of the bill, and it was agreed to.

The report (by Mr. RICHARDSON) was read, as follows:

The committee have considered the bill (S. 3162) providing for printing of Government publications upon private orders, and report the same with a recommendation that it do pass.

There are two sections in the bill. The first only changes the title of the person formerly known as Congressional Printer so as to make it conform to the existing law, wherein he is called Public Printer, and providing that when Congress is not in session the books may be published under direction of the Secretary of the Interior, which is also to make the provision comply with existing law. The new legislation in the bill is in section 2, which provides that at any time after books or documents have been printed the Public Printer may have printed from the stereotype plates in the Government Printing Office said books or documents for any person desiring same whenever the number desired will justify putting the plates to press, the same to be paid for at the estimated cost thereof and 10 per cent. thereon, to be paid in advance. The section also provides for the Public Printer making proper report to Congress of all such sales.

Mr. RICHARDSON. I move the previous question on the third reading of the bill, if no one desires to speak on the question.

Mr. FARQUHAR. Mr. Speaker, I hope the gentleman from Tennessee will withdraw his motion for a few minutes.

Mr. RICHARDSON. How much time does the gentleman want?

Mr. FARQUHAR. Ten or fifteen minutes.

Mr. RICHARDSON. I suggest to my friend that we have only an hour altogether and there is quite a number of these measures, and I think if he will pay close attention to the report he will not further object.

The SPEAKER. The Chair will state that if the previous question is ordered there will be, under the rules of the House, thirty minutes for debate, fifteen minutes on each side.

Mr. RICHARDSON. I will yield the gentleman any time he desires if he wants to discuss this bill. I do not wish to cut off debate.

Mr. FARQUHAR. I thank the gentleman, but I know he can not cut off debate anyway. I want to state to this House, as I stated once before when this bill was up for consideration, that it is establishing a precedent which will do great harm. The Government Printing Office was originally established to do Government work alone, but it has gradually, by means of enlarging the number of copies of documents printed, thrown, in many instances, two-thirds of the whole of the publications into the hands of outsiders. That of course has wrought great injury to the printers of the country. The price of printing paper, the price of composition, the price of press-work, the price of clerk-hire in that Government Printing Office are not taken into account in estimating the cost——

Mr. RICHARDSON. Mr. Speaker, I forgot that the gentleman from New York [Mr. FARQUHAR] had opposed this measure when it was up before.

Mr. FARQUHAR. Oh, I always have opposed it.

Mr. RICHARDSON. I now remember that the gentleman once before made the same speech which he is now making, and, as I do not desire to waste time, I beg leave to withdraw the bill. I will not press it this morning.

Mr. FARQUHAR. I hope you will withdraw it, because I think it an abuse of the American Government to bring such a bill as this in here.

Mr. RICHARDSON. I differ very widely from the gentleman, but under the circumstances I think it better to withdraw the bill.

Mr. FARQUHAR. I am right, though.

REPORT OF COMMISSIONER OF EDUCATION.

Mr. RICHARDSON. Mr. Speaker, I now call up the Senate concurrent resolution to print the report of the Commissioner of Education for 1888, and I ask unanimous consent that the Committee of the Whole be discharged from its further consideration, and that it be put upon its passage.

The resolution was read, as follows:

IN THE SENATE OF THE UNITED STATES, *September* 25, 1888.

Resolved by the Senate (the House of Representatives concurring), That of the report of the Commissioner of Education for 1887–'88 there be printed 6,000 copies for the use of the Senate, 12,000 copies for the use of the House, and 20,000 copies for distribution by the Commissioner.

Mr. RICHARDSON. I ask unanimous consent that the Committee of the Whole House on the state of the Union be discharged from the further consideration of the concurrent resolution, and that it be put upon its passage.

There was no objection.

Mr. RICHARDSON. I ask for the reading of the report.

The report was read, as follows:

The committee have considered the Senate concurrent resolution and report the same back with the recommendation that it pass; and further, the committee recommend that the concurrent resolution of the House introduced by Mr. COBB, upon the same subject, which is herewith returned, do lie upon the table.

The estimated cost of printing said copies of this report is $18,002.50.

The Senate concurrent resolution was adopted.

Mr. RICHARDSON moved to reconsider the vote by which the concurrent resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The House concurrent resolution on the same subject (introduced by Mr. COBB) was laid on the table.

RED CROSS ASSOCIATION.

Mr. RICHARDSON. I call up the concurrent resolution to provide for printing Senate Document 231, in relation to the international conference of the Red Cross Association, and I ask unanimous consent that the Committee of the Whole be discharged from further consideration of the resolution and that it be put upon its passage.

There was no objection, and it was so ordered.

The concurrent resolution was read, as follows:

Resolved, etc., That there be printed 5,000 copies of Senate Executive Document No. 231, first session Fiftieth Congress, being a letter of the Secretary of State, transmitting a report of the fourth international conference of the Red Cross Association, and the report transmitted; said copies for the use and to be delivered to the president of the American National Association of the Red Cross.

Mr. RICHARDSON. I ask for the reading of the report.

The report was read, as follows:

The committee have considered the resolution and report the same back with the recommendation that it pass. The estimated cost of printing said copies is $42.20.

The concurrent resolution was agreed to.

Mr. RICHARDSON moved to reconsider the vote by which the concurrent resolution was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PRINTING OF ASTRONOMICAL OBSERVATIONS.

Mr. RICHARDSON. I call up the House concurrent resolution to print the annual volume of the Astronomical Observations of the Naval Observatory.

The concurrent resolution was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That the annual volumes of the Astronomical Observations of the Naval Observatory for 1886, 1887, and 1888 be printed, and that 1,800 additional copies of each report be printed; of which 300 copies shall be for the use of the Senate, 700 copies for the use of the House of Representatives, and 800 copies for the use of the Navy Department.

The committee have considered the resolution and report the same back with the recommendation that it pass. The estimated cost is $4,750.

The concurrent resolution was adopted.

Mr. RICHARDSON moved to reconsider the vote by which the concurrent resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

METHODS OF DEPARTMENTAL BUSINESS.

Mr. RICHARDSON. I call up the next resolution on the Calendar reported from the committee.

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES, *March* 22, 1888.

Resolved by the Senate of the United States (the House of Representatives concurring), That there be printed of the report of the Senate select committee appointed under resolution of March 3, 1887, to inquire into the methods of business, etc., in the Executive Departments, and accompanying documents, 6,000 copies; 2,000 copies for the use of the Senate and 4,000 copies for the use of the House of Representatives.

The resolution was agreed to.

Mr. RICHARDSON moved to reconsider the vote by which the resolution was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LAND OFFICE MAP OF UNITED STATES.

The next business on the Calendar reported by the Committee on Printing was the joint resolution (S. 104) to print additional copies of the United States map of the edition of 1887, prepared by the Commissioner of Public Lands.

The joint resolution was read, as follows:

Resolved, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to cause to be printed 7,500 copies of the United States map prepared by the General Land Office of the edition of 1887, at a rate not exceeding $1 each; 2,000 copies of which shall be for the use of the Senate, 4,000 copies for the use of the House of Representatives, and 500 copies for the use of the Commissioner of the General Land Office; and that 1,000 copies be printed and mounted, to be sold under the direction of the Secretary of the Interior, at $1.25 each; and the sum of $7,500, or so much thereof as may be necessary, is hereby appropriated for that purpose, out of any money in the Treasury not otherwise appropriated; the proceeds of all sales to be turned into the Treasury.

Mr. RICHARDSON. This resolution has been referred to the Committee of the Whole on the state of the Union. I ask that the committee be discharged from its further consideration, and that it now be considered in the House.

The SPEAKER *pro tempore* (Mr. COX). If there be no objection, that order will be made. The Chair hears none.

Mr. RICHARDSON. I wish to say in regard to this measure simply one word. During the first session of the present Congress the House passed a joint resolution for printing this map for 1886. That joint resolution was vetoed by the President on the ground that a later map had been prepared in the General Land Office—the map for 1887. This resolution, therefore, was introduced for the purpose of printing this later map.

Mr. TIMOTHY J. CAMPBELL. This is the latest edition?

Mr. RICHARDSON. The latest edition of a map which, as we all know, is very valuable. I move the previous question.

The previous question was ordered; and under the operation thereof the joint resolution was ordered to a third reading, read the third time, and passed.

Mr. RICHARDSON moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had passed without amendment the bill (H. R. 11794) to amend the postal laws of the United States in reference to letters bearing special-delivery stamps.

It further announced the passage of a joint resolution (S. R. 122) declaring the sense of the Government of the United States in respect of the connection of European governments with interoceanic canals at the Isthmus of Darien and Central America, in which concurrence was requested.

THIRD ANNUAL REPORT OF COMMISSIONER OF LABOR.

The next business on the Calendar reported from the Committee on Printing was a resolution; which was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed, in cloth binding, wrapped for mailing, 10,000 additional copies of the third annual report of the Commissioner of Labor, for the use of the Deparment of Labor.

The report (by Mr. RICHARDSON) was read, as follows:

The committee have considered House concurrent resolution to print and bind in cloth 10,000 additional copies of the third annual report of the Commissioner of Labor for the use of the Department of Labor, and report the same to the House with the recommendation that it do pass. The estimated cost of the same, including wrapping for mailing, is $5,265.50.

The necessity for this publication is shown by the following letter from the Commissioner of Labor:

"DEPARTMENT OF LABOR,
"*Washington, D. C., December* 13, 1888.

"SIR: I have the honor to hand you herewith a draught of a concurrent resolution providing for the printing and binding of 10,000 copies of the third annual report of the Commissioner of Labor. This report relates entirely to strikes and lockouts, and the demand for it by the workingmen of the country is so great that our edition is now almost exhausted, we having but a few hundred copies left. I trust the resolution can be adopted at an early day.

"I am, very respectfully, your obedient servant,
"CARROLL D. WRIGHT,
"*Commissioner.*

"Hon. J. D. RICHARDSON, M. C.,
"*Chairman of the Committee on Printing,*
"*House of Representatives.*"

Mr. BUTTERWORTH. How many copies of this work have been printed for distribution by members of Congress?

Mr. RICHARDSON. The number originally published, if I recollect correctly, was 38,000. This resolution is to provide for printing an extra number. The Commissioner of Labor, Mr. Wright, has addressed to the committee a letter, just read by the Clerk, asking that this additional number be printed, because of the value of the document to the laboring men of the country, relating as it does almost exclusively to "lockouts" and "strikes."

Mr. BUTTERWORTH. Then these additional copies are to be distributed by the Commissioner of Labor?

Mr. RICHARDSON. Yes, sir.

Mr. BUTTERWORTH. I will not object, though I very much doubt whether the distribution here proposed will be as wise and equitable as if made through members of Congress.

Mr. RICHARDSON. The usual number of copies for distribution by members of this House and the other branch of Congress have already been supplied under a resolution passed at the last session.

The SPEAKER *pro tempore*. If there be no objection, the Committee of the Whole will be discharged from the further consideration of this resolution, and the question will be taken on agreeing to the resolution.

The resolution was agreed to.

Mr. RICHARDSON moved to reconsider the vote by which the resolution was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

REPORT OF VISITORS TO MILITARY ACADEMY FOR 1887.

The next business on the Calendar, reported from the Committee on Printing, was read, as follows:

Resolved, That the Public Printer be directed to print for the use of the House of Representatives 5,000 extra copies of the report of the Board of Visitors to the Military Academy for the year 1887.

Mr. RICHARDSON. This resolution relates, as will be observed, to the report of the Board of Visitors for 1887. As I remember, we have already published the report for 1888, and I take it that the publication of this report for 1887 is unnecessary. I therefore move that this resolution be laid on the table.

The motion was agreed to.

UNIFORM OF ARMY OF THE UNITED STATES.

The next business on the Calendar, reported from the Committee on Printing, was the joint resolution (H. Res. 182) to print 3,000 sets of plates illustrating the uniform of the Army of the United States from the organization of the Government to the present time.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives, etc., That there be printed for the use of Congress 3,000 sets of plates illustrating the uniform of the Army of the United States from the organization of the Government to the present time, which plates have been prepared and copyrighted by the Quartermaster-General, United States Army, for public use, of which number 1,000 shall be for the use of the Senate of the United States, and 2,000 for the use of the House

of Representatives; the said plates to be placed in portfolio form, or other suitable covers, and to be printed under the direction of the Joint Committee on Printing; and that there be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $20,000, or so much thereof as may be necessary, to pay for same.

Mr. RICHARDSON. I ask that the joint resolution be considered in the House as in Committee of the Whole House on the state of the Union, and I hope there will be no objection, therefore, to discharging the Committee of the Whole from its further consideration.

The SPEAKER *pro tempore* (Mr. COX in the chair). The Chair hears no objection, and the Committee of the Whole House on the state of the Union is discharged from the further consideration of the joint resolution, and it is now before the House to be considered as in Committee of the Whole.

Mr. RICHARDSON. Mr. Speaker, these plates have been copyrighted by the Quartermaster-General of the Army. They illustrate the uniform of the Army of the United States and of the Continental army. There are forty-four of these plates, or there will be when they are completed. They show the uniform of the armies of the United States, beginning with the Continental army and ending soon after the late war between the States.

These plates are on the Clerk's desk, and I would be glad if gentlemen would avail themselves of the opportunity to examine them. They have been prepared under the control of the Quartermaster-General of the Army. I think they are a valuable acquisition to the Government and that the resolution be passed. The report of the Committee on Printing gives a full explanation of the measure, and I ask for its reading.

The Clerk read as follows:

The committee have considered the House joint resolution introduced by Mr. RICHARDSON, June 18, 1888, being No. 182, to print 3,000 sets of plates illustrating the uniform of the Army of the United States from the organization of the Government to the present time, and report the same, with the recommendation that it do pass.

The plates provided for in said resolution consist of illustrations of the uniform of the military forces of the United States from the time of the American Revolution to the present date.

With the view of ascertaining the propriety of this publication, the committee addressed a communication on the subject, on July 26, 1888, to the Quartermaster-General of the Army.

This officer submitted a reply, which the committee beg leave to submit herewith as a part of this report:

"WAR DEPARTMENT, QUARTERMASTER-GENERAL'S OFFICE,
"*Washington, D. C., July* 26, 1888.

"SIR: The publication to which your resolution applies consists of illustrations of the uniform of the military forces of the United States from the time of the American Revolution to the present date. They have been prepared and drawn so as to represent all arms of service, including those engaged in the Revolutionary war, the war of 1812, and the Mexican war, etc. They are founded upon such records, official and private, as are now accessible, and are believed to be as correct as circumstances permit.

"Some of the plates have been found necessary in carrying out the laws of Congress in the preparation of monuments to military men of the Revolution and of wars since that time.

"As the result of careful study they are of value historically to the country, and are of special interest to the veterans of the various past wars and to the militia and volunteers of the country, and the publication of the number of copies proposed is strongly recommended.

"It may be stated that no officer or employé of the Government has any pecuniary interest in this publication.

"Respectfully submitted.

"Very respectfully, your obedient servant,

"S. B. HOLABIRD,
"*Quartermaster-General, U. S. Army.*

"Hon. J. D. RICHARDSON,
"*Chairman Committee on Printing,*
"*House of Representatives.*"

The committee will also here insert a letter from G. H. Buek & Co., of New York, dated May 26, 1888, addressed to Colonel Ludington, Deputy Quartermaster-General, United States Army, giving the cost of the reproduction of designs of historical uniforms of United States Army:

"NEW YORK, *May* 26, 1888.

"DEAR SIR: In reply to your inquiry we would state that after having made a careful computation as to cost we will furnish you reproductions of designs of historical uniforms of the United States Army, on quality and weight of paper as approved, at the following prices:

	Per set.
2,000 sets of 44 plates each, at 15 cents per plate or	$6.60
4,000 sets of 44 plates each, at 10 cents per plate or	4.40
6,000 sets of 44 plates each, at 8 cents per plate or	3.52
8,000 sets of 44 plates each, at 7½ cents per plate or	3.19
10,000 sets of 44 plates each, at 6½ cents per plate or	2.86

"We will furnish portfolios to hold each set at 50 cents each; of which we submit samples for approval.

"Very truly, yours,

"G. H. BUEK & CO.

"Col. M. I. LUDINGTON,
"*Deputy Quartermaster-General, U. S. Army, Philadelphia, Pa.*

"True copy.

"M. I. LUDINGTON,
"*Deputy Quartermaster-General, U. S. Army.*

"True copy.

"S. B. HOLABIRD,
"*Quartermaster-General, U. S. Army.*"

Mr. RICHARDSON. I have nothing further to say.

Mr. CANNON. I wish to see if I understand this matter. As I understand it these plates have been made by private publishers. They have already been fully published and the country is in possession of them, so that any one who wants them can go to the private publishers and get them without any difficulty. They are copyrighted, as I understand the gentleman's statement, and his proposition now is nothing more nor less than to purchase 10,000 sets of these plates, if that be the number, these private publishers have for which the Government of the United States is to pay. That I believe to be the pending proposition.

Mr. RICHARDSON. Substantially that.

Mr. PAYSON. It is that identically.

Mr. RICHARDSON. Messrs. G. H. Buek & Co. are the lithographers of these plates, and of course if this resolution passes they will supply the War Department with these plates for distribution by Congress.

Mr. CANNON. Who prepared them?

Mr. RICHARDSON. They were prepared under the direction of the Quartermaster-General of the Army by the firm just mentioned by me.

Mr. CANNON. At the Government's expense?

Mr. RICHARDSON. He has paid already for 1,500 sets of these plates.

Mr. CANNON. How?

Mr. RICHARDSON. Under an appropriation for the War Department, as he had the right to do.

Mr. CANNON. Were these plates made by private individuals, or were they made by officers of the Government at the public expense?

Mr. RICHARDSON. They were prepared by a private firm in the city of New York. It was done by the authority and under the direction of the Quartermaster-General of the Army. He has already paid for a small number of them to be furnished to the War Department.

Mr. CANNON. Then there has been no expense to the War Department for preparing those plates.

Mr. RICHARDSON. No expense on the part of the Government, but, as I have said, the Quartermaster-General has paid for the copies the War Department has already received.

Mr. CANNON. I understand, then, the Quartermaster-General, from the general appropriation, has paid for 1,500 sets of these plates.

Mr. RICHARDSON. That is my understanding.

Mr. CANNON. What did he pay for them?

Mr. RICHARDSON. He paid for the 1,500 copies much more than these lithographers are now proposing to furnish the copies provided for in this resolution. The copies furnished to the War Department cost some $6 a set, and the price now asked is about $3.52 a set of 44 plates.

Mr. CANNON. What did the plates cost?

Mr. RICHARDSON. I can not answer the question, as I do not know.

Mr. CANNON. We are all familiar with the map of the United States, which is about the size of the portrait of General Washington on the wall near the Speaker's chair, and that large map which is printed for distribution by members of Congress costs 90 cents a copy. In view of the price paid for that map, does not the gentleman from Tennessee think the price of $3.52 asked for these plates is rather high?

Mr. RICHARDSON. I will state in reply to the gentleman that the proposition now by the owners of those stones upon which the plates are engraved is to furnish 2,000 sets of plates at $6.60 per set; 4,000 sets at $4.40 a set; 6,000 at $3.52 a set, and that is the number we recommend; 8,000 at $3.19 a set, and 10,000 sets at $2.86 a set, showing that the price declines very rapidly as the number is increased.

Mr. CANNON. Has the gentleman any estimate from the Public Printer or any other competent authority as to the actual cost of producing these plates?

Mr. RICHARDSON. I have no such estimate, but I imagine that they are as cheap as can possibly be furnished by any reliable or responsible firm. The Quartermaster-General says the price is reasonable.

Mr. CANNON. These plates being in existence, so that every individual in the United States can purchase a copy of the publication if he sees proper to do so, I ask my friend from Tennessee if he thinks it good legislation on the part of Congress to make an appropriation to purchase the number indicated in the report of the committee, or any other number?

Mr. RICHARDSON. In response to that question, all I can say is that I think individually it is a proper measure, and, so thinking, I reported it to the House as a member of the Committee on Printing. I have reported it to the House believing that it ought to be adopted, and I ask the House to pass the resolution.

Mr. CANNON. I am very sorry that my friend from New York from the Buffalo district [Mr. FARQUHAR], who was proceeding to address the House a few moments ago upon another bill reported from the Committee on Printing, which the honorable gentleman from Tennesee withdrew, is not present to give us his knowledge touching this matter. I dare say if he was present there is at least a suspicion that the gentleman would withdraw this also.

Mr. ENLOE. Mr. Speaker——

Mr. RICHARDSON. How much time does the gentleman want?

Mr. ENLOE. Only a very few moments, as my remarks will be very brief on this question.

Mr. RICHARDSON. I yield three minutes to the gentleman from Tennessee.

Mr. ENLOE. I want to say in regard to the proposed expenditure

that I do not think it is a good time for Congress to engage in the business of publishing Santa Claus books. We have passed that period; and if any man wants to obtain a copy of this proposed publication, let him go to the proper place and buy it for himself, and pay for it. I do not want it to be paid for out of the public Treasury, and it certainly will not be so paid by the assistance of my vote.

I reserve the unexpired time yielded to me.

Mr. ALLEN, of Michigan. I rise to a question of order.

The SPEAKER *pro tempore* (Mr. COX in the chair). The gentleman will state it.

Mr. ALLEN, of Michigan. These goods, wares, and merchandise displayed on the desk in front of the Speaker take up so much of the time of the members and lead to so much confusion that we can not hear a word that is said. I hope they will be taken out of the Hall until this matter is discussed and settled.

The SPEAKER *pro tempore*. The point of order made by the gentleman is well taken.

Mr. BOUTELLE. Mr. Speaker, I wish to ask——

Mr. RICHARDSON. How much time does the gentleman from Maine want?

Mr. BOUTELLE. I do not want any time, but rise to ask the gentleman a question.

I understand the War Department has already provided all the copies of these pictures that are required for public military purposes; is that correct?

Mr. RICHARDSON. No, sir; the War Department was limited in funds, and only purchased a small lot of these plates.

Mr. BOUTELLE. Well, how many?

Mr. RICHARDSON. Personally I do not know, but I think 1,500. The Quartermaster-General, however, calls the attention of the Committee on Printing to the measure, which he indorses and recommends, and very earnestly desires that an additional number should be purchased. We take his statement as being worthy of consideration in that connection.

I will state further that the firm which owns these stones desires, of course, to utilize the investment, and if there is no intention on the part of Congress or the Government to purchase additional numbers of the plates it will at once convert the lithographic stones to other uses; and the Quartermaster-General wishes this number purchased before that change is made.

Mr. BOUTELLE. Is the gentleman advised as to what purpose the War Department will apply the 1,500 copies?

Mr. RICHARDSON. I am not.

Mr. BOUTELLE. Then what purpose is to be subserved by the distribution of these pictures?

Mr. RICHARDSON. I can only refer the gentleman to the letter of the Quartermaster-General, in addition to what his own ideas and intelligence would suggest to him. The Quartermaster-General says:

> As the result of careful study they are of value historically to the country, and are of special interest to the veterans of the various past wars and to the militia and volunteers of the country, and the publication of the number of copies proposed is strongly recommended.

Undoubtedly they will be of historic value to the militia and veterans all over the country, and to the volunteer organizations throughout the various States. These, if ordered, will be distributed by members of Congress.

Mr. BOUTELLE. These really were military fashion-plates, were they not, for the preparation of the garments of the Army at various periods?

Mr. RICHARDSON. I do not hear what the gentleman says.

Mr. BOUTELLE. These, I say, really represent fashion-plates prepared for the purpose of regulating the cut of the clothes of the Army at different epochs in our history?

Mr. RICHARDSON. I can not say as to that. These cuts have been copyrighted by the Quartermaster-General.

Mr. BOUTELLE. And it is now proposed to print extra copies for the use of Congress, to be distributed pro rata?

Mr. BRUMM. To be distributed amongst the tailors, I suppose.

Mr. RICHARDSON. The purpose is to print additional copies for distribution by Congress, as it is believed that the work is of value to many persons.

Mr. BOUTELLE. And the gentleman has come to the conclusion that this will meet some public want?

Mr. RICHARDSON. The committee are of the opinion that General Holabird is competent to give information upon that subject, but as to what may be the public want to be supplied, that is a matter for each gentleman to decide for himself.

I ask a vote.

Mr. PAYSON. One moment; has any estimate been made covering the binding of this work?

Mr. RICHARDSON. Yes, sir; the cost of the binding, or rather mounting, these plates has been estimated, and it was found it can be done for about fifty or sixty cents a copy; and that includes, of course, the mounting of the plates.

Mr. PAYSON. Can it be bound under that legislation which authorizes each member to have one volume bound at his pleasure?

Mr. RICHARDSON. It is just the same as that of any other publication.

Mr. PAYSON. I am advised in reference to this publication that the expense of the ordinary binding of one volume would be $5.

Mr. SPRINGER. Oh, no.

Mr. PAYSON. I am told so by gentlemen connected with the Printing Office, and I assume that the Public Printer knows what it will cost to bind them.

Mr. SPRINGER. It is impossible.

Mr. RICHARDSON. The gentleman is evidently misinformed, for I have a letter here from the estimate clerk of the Government Printing Office, in which it is estimated that it will cost from fifty-five to sixty cents to pay for mounting them.

Mr. PAYSON. But I refer to binding in the ordinary form of half morocco or half calf.

Mr. RICHARDSON. They will be bound in portfolio form.

Mr. SPRINGER. What is the estimated cost of the whole thing?

Mr. RICHARDSON. Twenty thousand dollars for 6,000 sets. I call for the previous question.

Mr. ENLOE. I had not yielded my time. I had reserved the balance of my time. Now, Mr. Speaker, I want to add that it seems to me the gist of this whole report is contained in the sentence:

> As the result of careful study they are of value historically to the country, and are of special interest to the veterans of the various past wars and to the militia and volunteers of the country, and the publication of the number of copies proposed is strongly recommended.

I want to say that I think the milk of this cocoanut is simply to provide some picture-books to distribute to our constituents; and the time has passed for doing this at the expense of the public. They fill no public necessity that I can see. If any tailor desires to learn exactly how to manufacture a uniform there will be no difficulty in his obtaining a copy.

Mr. RICHARDSON. I do not care to reply to my colleague; but it may be there are some people in this country who could be taught by an object lesson and by pictures more than they can in the ordinary way. I yield for a question from the gentleman from Illinois.

Mr. SPRINGER. I understand that this publication is desired by the members of the Grand Army of the Republic.

Mr. WARNER. From whom does the gentleman understand that?

Mr. SPRINGER. I have been so informed, and that a number of requests for them have come from posts.

Mr. WARNER. I have never heard of any such requests by any post.

Mr. SPRINGER. If the commander of the Grand Army does not want them I shall oppose the adoption of the resolution.

Mr. WARNER. It is not wanted by our order. If Congress has no other way to get rid of the surplus than to provide fashion-plates, then we had better have them.

Mr. RICHARDSON. I now ask for the previous question on the adoption of the resolution.

Mr. BAKER, of New York. I hope the gentleman will yield to me. I want to submit one consideration in connection with the resolution.

Mr. RICHARDSON. How much time does the gentleman desire?

Mr. BAKER, of New York. Only a moment.

Mr. RICHARDSON. I will yield one moment to the gentleman from New York.

Mr. BAKER, of New York. There was one feature of the proposition that at first disposed me to be against it—that they are a matter of historical importance. Now, there has been an erroneous impression as to the occupation of the Army at times. I see in one of these plates an illustration showing the officers engaged in playing checkers. [Laughter.]

Mr. SPRINGER. Chess.

Mr. BAKER, of New York. That corrects a very erroneous impression. I have examined the plates and can not see cards anywhere. [Laughter.] It shows that the officers played with nothing but checkers. [Laughter.]

Mr. WARNER. Does not show that they were played on the coattails of the officers?

Mr. SOWDEN (to Mr. BAKER, of New York). Here is one with the cards. [Laughter.]

Mr. BAKER, of New York. Another is shown playing cards; and I take back all I have said, and withdraw my objection. [Laughter.]

Mr. RICHARDSON. I simply want to say in answer to the remark of the gentleman from New York [Mr. BAKER] that if he saw no cards on the plate he examined it must be that the artist failed to get his picture while in the service. [Laughter.] I now move the previous question.

The question was taken on ordering the previous question; and there were—ayes 63, noes 19.

Mr. PAYSON. I move to lay the resolution on the table.

Mr. HOLMAN. I hope my friend will let it be recommitted. [Cries of "No!" "No!"]

Mr. PAYSON. I insist upon the motion to lay it upon the table.

The motion was agreed to.

USELESS PAPERS IN EXECUTIVE DEPARTMENTS.

Mr. RICHARDSON. I now call up Senate bill 2305, to authorize and provide for the disposition of useless papers in the Executive Departments.

The bill was read, as follows:

Be it enacted, etc., That whenever there shall be in any one of the Executive Departments of the Government an accumulation of files of papers, which are not needed or useful in the transaction of the current business of such Department and have no permanent value or historical interest, it shall be the duty of the head of such Department to submit to Congress a report of that fact, accompanied by a concise statement of the condition and character of such papers. And upon the submission of such report, it shall be the duty of the Presiding Officer of the Senate to appoint two Senators, and of the Speaker of the House of Representatives to appoint two Representatives, and the Senators and Representatives so appointed shall constitute a joint committee, to which shall be referred such report, with the accompanying statement of the condition and character of such papers, and such joint committee shall meet and examine such report and statement and the papers therein described, and submit to the Senate and House, respectively, a report of such examination and their recommendation. And if they report that such files of papers, or any part thereof, are not needed or useful in the transaction of the current business of such Department, and have no permanent value or historical interest, then it shall be the duty of such head of the Department to sell as waste paper, or otherwise dispose of such files of papers upon the best obtainable terms after due publication of notice inviting proposals therefor, and receive and pay the proceeds thereof into the Treasury of the United States, and make report thereof to Congress.

Mr. RICHARDSON. I demand the previous question upon ordering the bill to be engrossed to be read a third time.

The previous question was ordered.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. RICHARDSON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. RICHARDSON. Mr. Speaker, how much of the hour is there remaining?

The SPEAKER. The gentleman has twelve minutes remaining.

GROWTH OF INDUSTRIAL ART.

Mr. RICHARDSON. I send up a resolution which I ask the immediate consideration of. I will state that it is for the reproduction of the work known as "Growth of Industrial Art," which is one of the best publications the Government has ever made. I ask the attention of the House to the resolution and the report. The committee have reported a substitute for the Senate concurrent resolution, which I ask the Clerk to read.

The Clerk read as follows:

Be it resolved by the Senate and House of Representatives of the United States in Congress assembled, That there be printed for the use of Congress 10,000 additional copies of the work known as "Growth of Industrial Art;" of which 3,000 shall be for the use of the Senate, and 6,000 for the use of the House of Representatives, and 1,000 copies shall be turned over to the Secretary of the Interior, to be sold by him under the general provisions of the resolution providing for the sale of public documents by said Secretary, approved March 3, 1887.

Be it further resolved, That the plates on which the work has already been printed shall be used to do this work, unless it be found that the work can be obtained more cheaply by using other plates; and

Be it further resolved, That there be appropriated, out of any money in the Treasury not otherwise appropriated, or so much thereof as may be necessary, the sum of $26,500.

The substitute was adopted.

Mr. RICHARDSON. Mr. Speaker, I think the value of this document is well understood, and I therefore demand the previous question.

The previous question was ordered, and under the operation thereof the resolution as amended was agreed to.

Mr. RICHARDSON moved to reconsider the vote by which the joint resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

RELATIVE VALUES OF THE PRECIOUS METALS.

Mr. RICHARDSON. I now call up the Senate concurrent resolution to provide for the reprinting the official report of the Royal British Commission appointed to inquire into recent changes in the relative values of the precious metals.

The concurrent resolution and the report of the committee were read, as follows:

Resolved, etc., That there be printed the usual number, and 3,000 additional copies, of the report of the royal commission appointed to inquire into the recent changes in the relative value of the precious metals, with minutes of evidence and appendixes presented to both houses of Parliament by Her Majesty, in octavo form and bound in cloth, of which 1,000 copies shall be for the use of the Senate and 2,000 copies for the use of the House of Representatives.

The committee recommend the adoption of the resolution. The estimated cost of the printing and the binding of the same is: For the usual number, $589; for the 3,000 extra copies, $732.60.

Mr. DINGLEY. I desire to inquire of the gentleman from Tennessee whether this is a proposition to reprint the report of the royal commission appointed by the British Parliament.

Mr. RICHARDSON. Yes, sir. It is a proposition to reprint that report. The resolution is a Senate concurrent resolution.

Mr. BLAND. Is there any provision in the report of the committee for increasing the number of copies provided for in that resolution?

Mr. DINGLEY. No, sir; the committee have recommended the printing of the same number.

Mr. BLAND. I shall not move an amendment; but I think the document is a very valuable one, and we really ought to have a greater number of copies than is authorized by the resolution.

Mr. RICHARDSON. I demand the previous question upon agreeing to the resolution.

The previous question was ordered, and the concurrent resolution was adopted.

Mr. RICHARDSON moved to reconsider the vote by which the concurrent resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

SUGAR TRUST AND STANDARD OIL TRUST.

Mr. RICHARDSON. I now call up the House concurrent resolution to print the testimony taken by the Committee on Manufactures in relation to the sugar trust and the Standard Oil trust, and I ask unanimous consent that the House concur in the Senate amendment to the resolution.

The concurrent resolution and the amendment of the Senate were read, as follows:

IN THE HOUSE OF REPRESENTATIVES, *September* 21, 1888.

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the House and Senate 5,000 copies of the report, with evidence, lately made by the Committee on Manufactures of the House, in relation to the sugar trust and the Standard Oil trust; 3,000 copies for the use of the House and 1,500 for the use of the Senate.

IN THE SENATE OF THE UNITED STATES, *December* 21, 1888.

Resolved, That the foregoing resolution of the House of Representatives do pass, with the following amendment: Line 3, strike out "five thousand," and insert "four thousand five hundred."

Mr. BUCHANAN. I see that this resolution is limited by its terms to the printing of the evidence taken in regard to two of the trusts. But there was also testimony taken in reference to the whisky trust and the cotton-bagging trust. Why is it not proposed to print the whole testimony?

Mr. RICHARDSON. I can not answer that question. This is the form in which the resolution came to our committee, and we recommended its passage.

Mr. BUCHANAN. I desire to move to insert the words "and other trusts."

Mr. RICHARDSON. I make the point of order that the amendment is not germane.

The SPEAKER. The Chair will state that this is a House resolution with a Senate amendment. The only question at present is upon agreeing to the Senate amendment, which relates alone to the number of copies to be printed. An amendment to the body of the resolution is not now in order, that having been agreed to by both Houses.

Mr. BUCHANAN. I was not aware of the status of the resolution.

Mr. RICHARDSON. I suggest to the gentleman from New Jersey that if he desires to refer to us a further resolution on this subject the committee will cheerfully consider it. I hope the House will concur in the Senate amendment.

Mr. BUCHANAN. I have no objection to the adoption of this resolution, but I see no reason of making "two bites of one cherry."

The amendment of the Senate was concurred in.

Mr. RICHARDSON moved to reconsider the vote by which the amendment of the Senate was concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ASTRONOMICAL OBSERVATIONS.

Mr. RICHARDSON. Mr. Speaker, a few moments ago a concurrent resolution of the House for printing the Astronomical Observations of the Naval Observatory for 1886, 1887, and 1888 was adopted. There is on the table a Senate concurrent resolution providing for the same matter. I ask unanimous consent that the action of the House in adopting the House concurrent resolution be reconsidered, and that the Senate concurrent resolution be substituted.

The SPEAKER. The gentleman asks unanimous consent that the vote by which the House resolution on this subject was adopted be reconsidered, and that the resolution be laid on the table, in order that the House may take up a Senate resolution on the same subject.

Mr. RICHARDSON. The two resolutions are in terms literally the same.

The SPEAKER. The Chair hears no objection; and the House resolution will be laid on the table. The Clerk will read the resolution of the Senate.

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES, *October* 12, 1888.

Resolved by the Senate (the House of Representatives concurring), That the annual volumes of the Astronomical Observations of the Naval Observatory for 1886, 1887, and 1888 be printed; and that 1,800 additional copies of each report be printed, of which 300 copies shall be for the use of the Senate, 700 copies for the use of the House of Representatives, and 800 copies for the use of the Navy Department.

The concurrent resolution was agreed to.

Mr. RICHARDSON moved to reconsider the vote by which the resolution was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER. The hour set apart for the consideration of measures reported from the Committee on Printing is exhausted.

Mr. RICHARDSON. I ask to submit a report, simply to go on the Calendar.

The SPEAKER. The Chair will proceed to call the committees for reports.

Mr. SPRINGER. I ask unanimous consent that members having reports to present may hand them to the Clerk. If this be agreed to, I propose to move to dispense with the morning hour.

The SPEAKER. The gentleman from Illinois [Mr. SPRINGER] asks unanimous consent that gentlemen having reports to make from committees be permitted to file them with the Clerk for appropriate reference. Is there objection? The Chair hears none.

FILING OF REPORTS.

The following reports were filed by being handed in at the Clerk's desk:

KEEPING OPEN THE POTOMAC RIVER.

Mr. LEE, from the Committee on Commerce, reported back the bill (H. R. 5697) to provide an ice boat or boats to facilitate the navigation of the Potomac River, with a substitute (H. R. 12009) to provide an ice boat or boats to facilitate the navigation of the Potomac River; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

MILITARY POLICY OF THE UNITED STATES.

Mr. RICHARDSON, from the Committee on Printing, reported back with amendments joint resolution (H. Res. 198) providing for the printing of The Military Policy of the United States, by the late Bvt. Maj. Gen. Emory Upton, United States Army; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

AMENDMENT OF REVISED STATUTES.

Mr. STEWART, of Georgia, from the Committee on the Judiciary, reported back favorably the bill (H. R. 5638) to amend section 5263 of the Revised Statutes; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

REBECCA H. LYON.

Mr. MATSON, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11757) granting a pension to Rebecca H. Lyon; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CHARLES A. PLATZ.

Mr. MATSON also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11414) granting a pension to Charles A. Platz; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JAMES H. TOLLY.

Mr. MATSON also, from the Committee on Invalid Pensions, reported back with an amendment the bill (H. R. 11861) to place the name of Charles H. Tolly on the pension-roll; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ADVERSE REPORT.

Mr. MATSON also, from the Committee on Invalid Pensions, reported back adversely the bill (H. R. 10516) increasing the pension of Edward Williamson; which was laid on the table, and the accompanying report ordered to be printed.

JACOB SURERUS AND WILLIAM H. BEHRENS.

Mr. VANCE, from the Committee on Patents, reported back favorably the bill (H. R. 3853) for the relief of Jacob Surerus and William H. Behrens; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

LEVI M. LINCOLN.

Mr. WALKER, from the Committee on Invalid Pensions, reported back with amendments the bill (H. R. 11899) granting a pension to Levi M. Lincoln, of Glen Allen, Mo.; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

THOMPSON D. HATFIELD.

Mr. PIDCOCK, from the Committee on Invalid Pensions, reported back favorably the bill (S. 3335) granting a pension to Thompson D. Hatfield; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CHARLES WAGEMANN.

Mr. WALKER, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1153) for the relief of Charles Wagemann; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JULIA A. NUTT.

Mr. STOCKDALE, from the Committee on War Claims, reported, as a substitute for the bill H. R. 11580, a bill (H. R. 12010) for the relief of Julia A. Nutt, widow and executrix of the estate of Haller A. Nutt deceased; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ROBERT KELLEY.

Mr. MORRILL, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2530) granting a pension to Robert Kelley; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. PHILENA T. CARPENTER.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 3042) granting a pension to Mrs. Philena T. Carpenter; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

EDWIN W. WARNER.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 3561) granting a pension to Edwin W. Warner; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARY SAEGER.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 3538) granting a pension to Mary Saeger; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

FRANK D. WORCESTER.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 3451) granting a pension to Frank D. Worcester; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MATHEW S. PRIEST.

Mr. CROUSE, from the Committee on War Claims, reported back favorably the bill (H. R. 6936) for the relief of Mathew S. Priest; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

Mr. CRISP. I rise to a question of privilege.

Mr. SPRINGER. I move to dispense with the morning hour.

The SPEAKER. The gentleman from Georgia [Mr. CRISP] states that he rises to a question of privilege. He will state it.

Mr. CRISP. I call up for present consideration the contested-election case of Smalls against Elliott, from the Seventh district of South Carolina.

Mr. BLANCHARD. Upon that I desire to raise the question of consideration.

Mr. SPRINGER. I also raise the question of consideration.

The SPEAKER. One gentleman has already raised that question.

Mr. MCCREARY. I rise to a parliamentary inquiry. What has become of the consideration hour?

The SPEAKER. The gentleman from Georgia calls up a question of privilege, which, if the House determines to proceed to its consideration, cuts off all other business. The Clerk will report the resolutions which the gentleman from Georgia desires to call up.

The Clerk read as follows:

Resolved, That Robert Smalls was not elected a Representative to the Fiftieth Congress from the Seventh district of South Carolina.

Resolved, That William Elliott was duly elected a Representative to the Fiftieth Congress from the Seventh district of South Carolina, and is entitled to his seat.

Mr. ROWELL. I desire to have considered as pending the resolutions reported on this subject by the minority of the Committee on Elections.

The SPEAKER. Nothing is pending yet. The question of consideration is raised by the gentleman from Louisiana [Mr. BLANCHARD] against the resolutions reported by the Committee on Elections. The question is, Will the House now proceed to the consideration of that report?

The question having been put,

The SPEAKER said: The noes seem to have it.

Mr. CRISP. I call for a division.

The question being again taken, there were—ayes 73, noes 41.

Mr. WEAVER. No quorum.

Tellers were ordered, and Mr. WEAVER and Mr. CRISP were appointed.

The House again divided; and the tellers reported—ayes 100, noes 63.

So the motion was agreed to.

Mr. WEAVER. I wish to enter a motion to reconsider.

The SPEAKER. If there be no objection, the substitute proposed by the minority of the Committee on Elections will be considered as pending.

There was no objection.

Mr. SPRINGER. Before proceeding to the consideration of the election case I ask unanimous consent to have an order made to which I think the gentleman will not object when he hears it read.

Mr. CRISP. I have no objection to hearing it read.

The Clerk read as follows:

Resolved, That Thursday, January 10, immediately after the reading of the Journal, be set apart for the consideration of the bill (H. R. 10614) to organize the Territory of Oklahoma, and for other purposes, now in Committee of the Whole on the state of the Union, and at 3 o'clock p. m. of said day the same shall be reported to the House with such amendments as may have been agreed upon in the committee, and the previous question shall then be considered as ordered upon all such amendments, and upon ordering the said bill to be engrossed and read a third time, and upon the passage of the same, and the votes thereon shall be taken in the House before adjournment and without intervening motions or business.

The SPEAKER. That day is already assigned to another order of business.

Mr. SPRINGER. Then I will modify the resolution and make it Wednesday, January 9.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. CRAIN and Mr. FINLEY objected.

Mr. SPRINGER. Then I give notice that I will call this up again to-morrow morning and ask its consideration under Rule XXVIII.

Mr. WEAVER. I move to reconsider the vote by which the House determined to proceed with the contested-election case of Smalls *vs.* Elliott.

Mr. CRISP. And I move to lay that motion on the table.

The question was taken; and on a division there were—ayes 101, noes 9.

Mr. WEAVER. No quorum.

The SPEAKER appointed Mr. WEAVER and Mr. CRISP as tellers.

Mr. BRUMM. I ask the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 190, nays 15, not voting 118; as follows:

YEAS—190.

Adams,	Culberson,	La Follette,	Rice,
Allen, Mass.	Cummings,	Laidlaw,	Richardson,
Allen, Mich.	Cutcheon,	Lane	Robertson,
Anderson, Iowa	Dargan,	Lanham,	Rogers,
Anderson, Miss.	Davenport,	Lee,	Romeis,
Anderson, Ill.	Davidson, Ala.	Lehlbach,	Rowell,
Anderson, Kans.	Davis,	Lind,	Rowland,
Atkinson,	Dibble,	Lodge,	Russell, Conn.
Baker, N. Y.	Dingley,	Long,	Ryan,
Baker, Ill.	Enloe,	Lynch,	Sayers,
Barry,	Ermentrout,	Macdonald,	Scull,
Bayne,	Farquhar,	Maish,	Seney,
Biggs,	Finley,	Martin,	Seymour,
Bingham,	Flood,	Mason,	Shaw,
Blanchard,	French,	Matson,	Sherman,
Blount,	Fuller,	McAdoo,	Shively,
Boothman,	Funston,	McClammy,	Sowden,
Bound,	Gallinger,	McCormick,	Spooner,
Boutelle,	Gear,	McCreary,	Steele,
Bowden,	Gest,	McKinley,	Stewart, Tex.
Brewer,	Grosvenor,	McMillin,	Stewart, Ga.
Brower,	Grout,	McRae,	Stewart, Vt.
Browne, Ind.	Harmer,	Milliken,	Stone, Ky.
Brown, Ohio	Hatch,	Montgomery,	Tarsney,
Brown, J. R., Va.	Haugen,	Moore,	Taylor, E. B., Ohio
Brumm,	Hayes,	Morgan,	Taylor, J. D., Ohio
Bryce,	Heard,	Morrill,	Thomas, Ill.
Buchanan,	Hemphill,	Morrow,	Thomas, Wis.
Bunnell,	Henderson, Iowa	Nelson,	Thompson, Ohio
Burrows,	Henderson, N. C.	Newton,	Thompson, Cal.
Butterworth,	Hermann,	Nutting,	Tillman,
Bynum,	Hitt,	Oates,	Tracey,
Campbell, F., N. Y.	Holman,	O'Donnell,	Turner, Kans.
Campbell, T. J., N. Y.	Holmes,	O'Ferrall,	Turner, Ga.
Candler,	Hopkins, Ill.	O'Neall, Ind.	Vandever,
Cannon,	Hopkins, Va.	O'Neill, Pa.	Wade,
Carlton,	Hopkins, N. Y.	Osborne,	Weber,
Catchings,	Houk,	Outhwaite,	West,
Cheadle,	Hunter,	Owen,	White, N. Y.
Chipman,	Hutton,	Patton,	Wilber,
Clark,	Jackson,	Payson,	Wilkinson,
Cogswell,	Johnston, Ind.	Peel,	Williams,
Conger,	Johnston, N. C.	Peters,	Wilson, Minn.
Cooper,	Kean,	Phelan,	Wise,
Cowles,	Kennedy,	Post,	Yardley,
Cox,	Kerr,	Pugsley,	Yost.
Crain,	Kilgore,	Randall,	
Crisp,	Laffoon,	Reed,	

NAYS—15.

Bankhead,	Forney,	Hudd,	Washington,
Bland,	Grimes,	Taulbee,	Weaver,
Cobb,	Herbert,	Townshend,	Wheeler.
Dockery,	Howard,	Walker,	

NOT VOTING—118.

Abbott,	Burnes,	Crouse,	Fitch,
Allen, Miss.	Burnett,	Dalzell,	Foran,
Arnold,	Butler,	Darlington,	Ford,
Bacon,	Campbell, Ohio	Davidson, Fla.	Gaines,
Barnes,	Caruth,	De Lano,	Gay,
Belden,	Caswell,	Dorsey,	Gibson,
Bliss,	Clardy,	Dougherty,	Glass,
Bowen,	Clements,	Dunham,	Glover,
Breckinridge, Ark.	Cockran,	Dunn,	Goff,
Breckinridge, Ky.	Collins,	Elliott,	Granger,
Browne, T. H. B., Va.	Compton,	Felton,	Greenman,
Buckalew,	Cothran,	Fisher,	Guenther,
Hall,	Maffett,	Perkins,	Stockdale,
Hare,	Mahoney,	Perry,	Stone, Mo.
Hayden,	Mansur,	Phelps,	Struble,
Henderson, Ill.	McComas,	Pidcock,	Symes,
Hiestand,	McCullogh,	Plumb,	Thomas, Ky.
Hires,	McKenna,	Rayner,	Vance,
Hogg,	McKinney,	Rockwell,	Warner,
Hooker,	McShane,	Russell, Mass.	White, Ind.
Hovey,	Merriman,	Rusk,	Whiting, Mich.
Jones,	Mills,	Sawyer,	Whiting, Mass.
Kelley,	Moffitt,	Scott,	Whitthorne,
Ketcham,	Morse,	Simmons,	Wickham,
Lagan,	Neal,	Smith,	Wilkins,
Laird,	Nichols,	Snyder,	Wilson, W. Va.
Landes,	Norwood,	Spinola,	Woodburn,
Latham,	O'Neill, Mo.	Springer.	Yoder.
Lawler,	Parker,	Stahlnecker,	
Lyman,	Penington,	Stephenson,	

So the motion to lay on the table was adopted.

Mr. COX. I ask unanimous consent to dispense with the reading of the names.

Mr. WEAVER. I object.

The Clerk then recapitulated the names of those voting.

The following additional pairs were announced:

Mr. BURNETT with Mr. KELLEY, on political questions, for the remainder of the day.

Mr. WILKINS with Mr. KETCHAM, for the day.

Mr. BACON with Mr. CROUSE, on the election case of Smalls *vs.* Elliott.

Mr. SPINOLA with Mr. WHITE, of New York, on all political questions, until Monday next, including the contested-election case of Smalls *vs.* Elliott.

The result of the vote was then announced as above recorded.

Mr. WEAVER. I move that the House do now adjourn, and pending that I move that when the House adjourns to-day it adjourn to meet on Thursday next.

The SPEAKER *pro tempore* (Mr. HATCH in the chair). The first question is on the motion of the gentleman from Iowa, that when the House adjourns to-day it adjourn to meet on Thursday next.

The question was taken; and on a division there were—ayes 2, noes 143.

Mr. WEAVER. No quorum.

Mr. BRUMM. I call for the yeas and nays.

The yeas and ayes were not ordered.

The SPEAKER *pro tempore*. The point of order is made that no quorum has voted, and the Chair will appoint tellers.

Mr. WEAVER and Mr. CRISP were appointed tellers.

The House again divided; and the tellers reported—ayes 4, noes 159.

So the motion was rejected.

Mr. WEAVER. I move that when the House adjourns to-day it adjourn to meet on Friday next.

The question was taken; and on a division there were—aye 1, noes 127.

Mr. WEAVER. No quorum.

The SPEAKER *pro tempore* appointed Mr. WEAVER and Mr. CRISP tellers.

The House again divided; and the tellers reported—ayes 5, noes 94.

Mr. WEAVER. No quorum.

The SPEAKER *pro tempore*. The tellers will resume their places and continue the count.

The tellers reported—ayes 5, noes 106.

Mr. WEAVER. There is no quorum voting, but with the understanding that the gentleman from Georgia will now make the motion to adjourn I will withdraw the point.

The SPEAKER *pro tempore*. The motion to adjourn is pending.

The tellers' final report is—ayes 6, noes 125. So the motion of the gentleman from Iowa is not agreed to.

Mr. CRISP. Mr. Speaker, it is apparent, at least by the vote just taken, that we have not a quorum present, and being late in the afternoon I will not ask a call of the House, but I give notice that I will ask the House to-morrow to consider the report of the Committee on Elections in this case.

I move that the House do now adjourn.

Mr. COX. Before that I ask unanimous consent to introduce a bill for reference to the gentleman's committee.

Mr. CRISP. I will withdraw the motion for that purpose.

ESTABLISHMENT OF REFUGE STATIONS.

Mr. COX, by unanimous consent, introduced a bill (H. R. 12011) for the establishment of refuge stations at or near Point Barrow, Alaska; at or near Point Hope, Alaska, and at or near East Cape, Siberia; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

DISTRIBUTION SUPREME COURT DECISIONS.

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to have printed in the RECORD the bill (H. R. 1860) to amend section 683 of the Revised Statutes, as amended by the Senate, with the report of the Senate committee thereon; and also certain letters bearing upon the subject, for the information of the House.

There was no objection.

The bill as amended by the Senate is as follows:

Strike out all after the enacting clause and insert:

"That section 683 of the Revised Statutes of the United States be, and the same is hereby, so amended as to provide for the distribution, by the Secretary of the Interior, of one set of the official reports of the decisions of the Supreme Court of the United States, or an exact reprint of the same, comprising volumes 1 to 122, inclusive, or so many volumes as may be needed with those already supplied to make one such set, to each of the places where the circuit and district courts of the United States are regularly held: *Provided*, That where a circuit court and district court are both holden at the same place, only one such set, or so many volumes as may be needed with those already supplied to make one such set, shall be distributed to that place: *Provided further*, That for the sets or parts of sets distributed as aforesaid not exceeding $2 per volume shall be paid; and said report shall be kept by the clerks of said courts and their successors in office for the use of said courts and the officers thereof; and the sum of $28,000, or so much thereof as may be necessary, is hereby appropriated to carry out the above provision.

"SEC. 2. That, beginning with volume 123, the reporter of the decisions of the Supreme Court of the United States shall deliver to the Secretary of the Interior, in addition to the number heretofore required by law to be so delivered by him, 26 copies of each volume of the reports of said decisions, for which additional copies he shall be allowed not exceeding $2 per volume. And hereafter all the copies of said reports furnished by said reporter shall be distributed by the Secretary of the Interior in the manner heretofore authorized by law: *Provided*, That the Secretary of the Interior shall also distribute to each of the places where the circuit and district courts of the United States are regularly holden one copy of the reports so furnished, to be kept by the clerks of said courts and their successors in office for the use of said courts and the officers thereof: *Provided further*, That where a circuit court and a district court are both holden at the same place, only one copy shall be distributed to that place, and the residue of the copies shall be deposited in the Library of Congress. And the said reports, in all cases where the same are distributed as aforesaid, shall remain the property of the United States, and be preserved as such by the above-named officers, and by them to be turned over to their successors in office; and so much of section 386 of the Revised Statutes as charges the Department of Justice with the distribution thereof is hereby repealed."

The report of the Senate committee is as follows:

The Committee on Printing, to whom was referred the bill (H. R. 1860) to amend section 683 of the Revised Statutes, respectfully report the said bill with the recommendation that all after the enacting clause be stricken out, and the bill submitted herewith be substituted therefor.

The bill (H. R. 1860) was referred to the Attorney-General for his views thereon, and that official submitted for the consideration of the committee the substitute herewith submitted, with the following letter, addressed to the Secretary of the Interior:

"The first-mentioned bill (H. R. 1860) provides for distribution of sets of the reports of the decisions of the Supreme Court of the United States to places where the circuit and district courts are held, exclusive of such places where the judges of said courts reside, and for that purpose the sum of $20,000, or so much thereof as may be necessary, is appropriated. This provision is made the second section of the draught referred to above, while the first section thereof provides for the distribution of copies of the same reports as they may be hereafter published, beginning with volume 123. You suggest the advisability of distributing the copies covered by such first section directly from your (Interior) Department to the officers, etc., designated therein, and you also inquire what number of sets will probably be needed to meet the requirements of such second section, and whether $20,000 is sufficient.

"In regard to the distribution of the reports, I concur in the view suggested by you that it would better subserve the convenience of all concerned and save much time and labor if the copies designated for the use of the judiciary and the officers of the courts were distributed directly from your Department instead of being sent therefrom to this Department and redistributed here as at present.

"To your inquiry as to the number of sets needed I submit the following statement in reply: Irrespective of the Territories there are one hundred and forty-two places at which circuit and district courts of the United States are held. Many of these places, it may be assumed, are already supplied with partial sets, consisting of volumes of reports heretofore distributed for the use of the courts. Making allowance for such partial sets (which probably reach 20 per cent. of the number of volumes that would be required to supply each of the one hundred and forty-two places mentioned with one set), I think that about one hundred and fourteen sets will be needed, each containing volumes 1 to 122, inclusive. To supply that number of sets of the official reports of the decisions of the Supreme Court, or exact reprints of the same, each set embracing 122 volumes, separately bound, in good law sheep (and I assume that none others are contemplated to be supplied), it will require, so far as I am able to judge from information received, nearly $28,000.

"I herewith submit a draught, by way of amendment to the aforesaid bill now before the Senate, which embraces the new matter prepared in your Department, and also additional provisions. The amendment presented in this draught aims to enable your Department to supply each of the places at which circuit and district courts are regularly held with one set of said reports, complete to date, for the use of such courts and the officers thereof, and at the same time to provide for the distribution by your Department of copies of each volume of the reports, as hereafter published, to these places and to the various officers, etc., designated."

The committee also recommend that the title of the bill be amended by adding the words "relating to the distribution of the reports of the Supreme Court."

The letters referred to by Mr. LANHAM are as follows:

1621 H STREET, *Washington, January* 7, 1889.

DEAR SIR: I have the honor to acknowledge the receipt of your letter of the 5th instant concerning House bill 1860 as amended by the Senate.

Having no personal interest in the subject, I have not followed all the steps in this legislation, but I think the following may be relied upon as substantially correct:

The courts of the United States have increased in number since the passage of the existing laws respecting the distribution of the reports of the Supreme Court. The House bill 1860 was introduced and passed with a view of supplying the deficiency. On reaching the Senate it was referred to the Committee on Printing, by whom it was sent to the Secretary of the Interior for information. The Secretary of the Interior being only the distributing officer under the law, and not having the necessary information as to the wants of the courts, referred it to the Attorney-General. The Department of Justice put itself in communication with the officers of the various courts on the one side, and with the publishers on the other, and ascertained that the deficiencies were larger than were supposed when the House bill was passed, and that they could be met by the immediate appropriation of $28,000, to fill all deficiencies up to and including volume 122, and a further provision for the annual payment of $2 a volume for 76 sets in the future. With the great increase in the business of the court there are now annually published from three to four volumes. At three volumes a year the annual appropriation would be $456; at four volumes a year it would be $608.

An amendment to the House bill was accordingly draughted in the Department of Justice, embodying the result of this information. This bill was returned to the Senate committee as the answer to its inquiry, and it was passed, as I am informed, substantially as it was reported from the Department.

Hoping that this may be of use to you, I am, sir, very respectfully, your obedient servant,

J. C. BANCROFT DAVIS.

Hon. S. W. T. LANHAM, M. C.

WASHINGTON, *January* 7, 1889.

DEAR SIR: We have seen by the RECORD of the 4th that Mr. BLOUNT objected to the unanimous consent of the House being given to the consideration of the bill (H. R. 1860) which provides for the distribution of United States Supreme Court Reports.

It is quite evident to us that Mr. BLOUNT has a misconception of the intent of the bill. The approximate cost of furnishing the number of sets considered by the Attorney-General to be sufficient will not exceed $28,000. Mr. BLOUNT labors under the idea that the work of furnishing these reports will be over $1,000,000. We think that Mr. BLOUNT is led to believe that so much money will be needed for this purpose by the fact that in the Forty-sixth Congress, upon recommendation of Attorney-General Brewster, in the sundry civil bill passed in the third session, a provision was made to supply district judges, district attorneys, and others with sets, and to fill uncompleted sets with Reports of the Supreme Court. This provision lapsed by reason that the Attorney-General found it impossible to collect the desired number of volumes at a reasonable price. At that time fifty-eight volumes were entirely out of print and very scarce, selling from twelve to fifteen dollars per volume in the auction-rooms.

The fact of this appropriation having been made induced us to acquire the copyrights by purchase from the various parties owning them and to begin a verbatim reprint of the volumes. We also secured as editors Hon. F. C. Brightley, of Philadelphia, and Hon. Stewart Rapalje, of New York, who were approved by the Attorney-General. On account of the labor involved in the editing of these early volumes, which took several years, it was found impossible to avail ourselves of the provision enacted by the Forty-sixth Congress.

Our net price for the reprints is $3.50 per volume. We have offered them to the Government for $2 per volume, and in our judgment the volumes needed to complete all the sets at the various courts will cost from $24,000 to $28,000.

I inclose a copy of the section of the sundry civil bill which was passed in the Forty-sixth Congress.

Yours, respectfully,

BANKS & BROTHERS.

Dictated by Joseph G. Jennings.

SUNDRY CIVIL BILL.

To supply district judges and district attorneys who have not already received the same with the Reports of the Supreme Court and Statutes at Large of the United States, and also to furnish complete sets of the same where there are none, to such points where United States courts are authorized to be held, and to supply broken sets where there are missing volumes, a sufficient sum of money is hereby appropriated. (Forty-sixth Congress, third session, chapter 133, page 454, volume 21 U. S. Stats.)

Hon. S. W. T. LANHAM,
House of Representatives.

1621 H STREET, WASHINGTON, *January* 8, 1889.

DEAR SIR: Since writing yesterday I have ascertained that Mr. BLOUNT is quite correct in his recollection that some years since it was proposed to supply the courts with complete sets of the reports, and that the project was abandoned in consequence of the great expense.

At that time there had been no reprint of Wheaton, and no late editions of Dallas or Cranch or Peters. Many of the volumes were out of print and commanded enormous prices, even if they could be got at all in the number wanted. The proposition was to reprint full sets, but it was found to be too expensive. Since then private enterprise has produced an excellent reprint, volume for volume, with the same paging, head-notes, reports of arguments, and indices, and with the addition of full notes embodying the more recent learning. It is to this edition that the estimate of the Department of Justice embodied in the Senate amendment applies.

I am, very respectfully, your obedient servant,

J. C. BANCROFT DAVIS.

Hon. S. W. T. LANHAM, *M. C.*

OFFICE OF THE CLERK SUPREME COURT OF THE UNITED STATES,
Washington, January 8, 1889.

DEAR SIR: In response to your personal inquiry relative to the matter of H. R. bill 1860, I have to say that the official edition of the reports of the Supreme Court of the United States down to and including the one hundred and twenty-fourth volume are advertised by the present publishers—Bank Bros., of New York—for the sum of $306 per set of 124 volumes.

The Attorney-General states that the circuit and district courts are held at one hundred and forty-two places. To supply each of these one hundred and forty-two places at the publishers' advertised price the cost would be $43,452. To supply each (one hundred and forty-two places) at the price and number of volumes specified in the bill ($2 per volume—122 volumes) would cost $34,648.

As partial sets have already been distributed, it is estimated that 114 sets will be sufficient, which, at $2 per volume, will cost $27,816.

Very respectfully,

JAMES H. McKENNEY, *Clerk.*

Hon. S. W. T. LANHAM,
House of Representatives.

PERSONAL EXPLANATION.

Mr. BUCHANAN. Mr. Speaker, I was unavoidably absent this morning when the vote was being taken on the motion to recommit the resolution reported from the Committee on Rules, one of the few occasions when I have been absent from the House during my service here, and I ask unanimous consent that my vote may be recorded in the negative upon that motion. I will state that it does not change the result.

Mr. CRISP. It makes no change whatever in the result of the vote.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from New Jersey?

There was no objection, and it was so ordered.

HARBOR OF REFUGE, POINT JUDITH.

Mr. COX. I ask unanimous consent to have printed in the RECORD a memorial from the Chamber of Commerce of the State of New York with reference to a harbor of refuge at or near Point Judith, Rhode Island.

There was no objection.

The memorial is as follows:

CHAMBER OF COMMERCE OF THE STATE OF NEW YORK.

At the monthly meeting of the Chamber of Commerce held January 3, 1889, the following preamble and resolutions reported by its committee on the harbor and shipping were unanimously adopted:

Whereas the section of the Atlantic seaboard at and near Point Judith, Rhode Island, is considered by mariners one of the most dangerous parts of the coast; and

Whereas there is no harbor at present for 29 miles along the shore where passengers, crews, cargo, or vessels in distress can with safety make a landing, and in consequence disaster in this locality has generally resulted in total loss of vessels and cargoes and the destruction of human life; and

Whereas by the construction of harbors of refuge at the locality lives and property will be saved and the coastwise commerce of the Atlantic seaboard be benefited: Therefore

Be it resolved, That harbors of refuge at the point designated seem to this chamber to be urgently required by the coastwise commerce of this part of the Atlantic seaboard, whereby the safety of the lives of seamen and the property of its citizens will be greatly enhanced.

Resolved, That our representatives be requested to urge upon Congress the importance of immediate construction of such harbors of refuge, and at such points as, in the judgment of the United States engineers, are required in the neighborhood of Point Judith, and that the appropriation required to carry the same into effect be made.

A true copy.

CHAS. J. SMITH, *President*.
GEO. WILSON, *Secretary*.

Mr. CRISP. I now renew the motion that the House adjourn.

The motion was agreed to; and accordingly (at 3 o'clock and 41 minutes p. m.) the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. BUTTERWORTH: A bill (H. R. 12012) for the relief of H. C. Brewster—to the Committee on Invalid Pensions.

By Mr. CHIPMAN: A bill (H. R. 12013) for the relief of Jesse N. Farwell—to the Committee on Claims.

By Mr. CONGER: A bill (H. R. 12014) granting a pension to Irving W. Combs—to the Committee on Invalid Pensions.

By Mr. GIFFORD: A bill (H. R. 12015) granting section 36, township 140, in range 49, Cass County, Dakota, to said Territory for agricultural-college purposes—to the Committee on the Public Lands.

By Mr. LANE: A bill (H. R. 12016) granting a pension to Anna Haarstick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12017) granting a pension to Malinda Shelby—to the Committee on Invalid Pensions.

By Mr. LODGE: A bill (H. R. 12018) granting a pension to David Dudley—to the Committee on Invalid Pensions.

Also a bill (H. R. 12019) granting a pension to Mrs. John W. Webster—to the Committee on Invalid Pensions.

Also a bill (H. R. 12020) granting a pension to Mary E. McKenney—to the Committee on Invalid Pensions.

By Mr. THOMAS WILSON: A bill (H. R. 12021) for the relief of De Witt Eastman—to the Committee on Military Affairs.

By Mr. TOWNSHEND: A bill (H. R. 12022) granting a pension to William H. Hendly—to the Committee on Invalid Pensions.

By Mr. YOST: A bill (H. R. 12023) for the relief of the heirs of H. C. Boyd, deceased—to the Committee on Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. JEHU BAKER: Resolutions of the National Grange, Patrons of Industry, indorsing House bills 11027 and 11266—to the Committee on Agriculture.

By Mr. BINGHAM: Resolutions of the Manufacturers' Club of Philadelphia, requesting the adoption of measures for the early abandonment of the entire internal-revenue system—to the Committee on Ways and Means.

By Mr. BUTTERWORTH: Statement of H. S. Brewster in support of bill to place his name on the pension-roll—to the Committee on Invalid Pensions.

By Mr. DAVIS: Petition of Thayer & Lincoln and 400 merchants, underwriters, shipmasters, and owners of vessels, for the establishment of a harbor of refuge at Edgartown, Mass.—to the Committee on Rivers and Harbors.

By Mr. HAYES: Petition for the admission of Dakota, but protesting against the Sioux Falls constitution—to the Committee on the Territories.

By Mr. HERBERT: Petition of the heirs of Sarah A. Price, late of Butler County, Alabama, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. PETERS: Resolutions of Cedar Vale Post, No. 90, of Kansas, favoring the erection of monuments on the battle-fields of the late war—to the Committee on Military Affairs.

By Mr. WEBER: Petition of citizens of Wilson, N. Y., for harbor improvements and light-house—to the Committee on Rivers and Harbors.

By Mr. WHITTHORNE: Petition of the heirs of C. A. Shelton, late of Maury County, Tennessee, for reference of their claim to the Court of Claims—to the Committee on War Claims.

By Mr. THOMAS WILSON: Petition in favor of the bill providing for the construction of the Nicaragua Canal—to the Committee on Commerce.

The following petition against the passage of the international copyright bill was received, and referred to the Committee on Patents:

By Mr. BRYCE (by request): Of printers and others, of New York and Brooklyn.

SENATE.

WEDNESDAY, *January* 9, 1889.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

EDMUND RANDOLPH'S ACCOUNT.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 2d instant, a statement in regard to the account of Edmund Randolph, formerly Attorney-General of the United States; which, with the accompanying papers, was ordered to lie on the table and be printed.

GEORGETOWN BARGE, DOCK, ELEVATOR, AND RAILWAY COMPANY.

The PRESIDENT *pro tempore* laid before the Senate the annual report of the Georgetown Barge, Dock, Elevator, and Railway Company, submitted in compliance with the fifth section of the act of Congress approved September 26, 1888; which was referred to the Committee on the District of Columbia, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. CAMERON presented a petition of the Philadelphia (Pa.) Board of Trade, praying for the enactment of laws providing for the constitutional celebration in 1889, the world's exposition in 1892, and for the permanent exposition of the three Americas; which was referred to the Select Committee on the Centennial of the Constitution and the Discovery of America.

Mr. HISCOCK presented a petition of farmers and grangers of Denmark, Lewis County, New York, praying for protection to agriculture; which was referred to the Committee on Finance.

C. M. STINSON.

Mr. WILSON, of Iowa. The Committee on Military Affairs considered the bill (H. R. 3595) for the relief of C. M. Stinson, and reported it to the Senate adversely, and it was indefinitely postponed. The time has now passed for a motion to be entered for a reconsideration, and I ask unanimous consent that the action of the Senate in that respect may be reconsidered and the bill be recommitted to the Committee on Military Affairs, as the claimant desires to file additional evidence.

The PRESIDENT *pro tempore*. If there be no objection, the action of the Senate indefinitely postponing the bill will be reconsidered and the bill recommitted to the Committee on Military Affairs. The Chair hears no objection, and it is so ordered.

REPORTS OF COMMITTEES.

Mr. DOLPH, from the Committee on Foreign Relations, to whom was referred the joint resolution (S. R. 48) authorizing acceptance by Dr. W. J. Hoffman of certain decorations from foreign powers, reported it without amendment.

Mr. CAMERON, from the Committee on Naval Affairs, to whom were referred the following bills, reported them severally without amendment:

A bill (H. R. 7799) for the relief of the Albemarle and Chesapeake Canal Company;

A bill (H. R. 2688) for the relief of Alfred Breuer; and

A bill (S. 3779) for the relief of Frederick N. Kress.

Mr. CHANDLER, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 7801) for the relief of William F. C. Nindemann, formerly a seaman in the Navy, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2797) in recognition of the merits and services of Chief Engineer George Wallace Melville, United States Navy, and of the other officers and men of the Jeannette Arctic expedition, reported it without amendment.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 1605) for the relief of Lieut. Col. Edward E. Eyres, asked that the committee be discharged from the further consideration of the bill and that it be referred to the Committee on Military Affairs; which was agreed to.

Mr. SAULSBURY, from the Committee on Foreign Relations, to whom was referred the joint resolution (S. R. 126) authorizing Capt.

George S. Anderson, Sixth Cavalry, to accept from the President of the French Republic a diploma conferring the decoration of Chevalier of the National Order of the Legion of Honor, reported it without amendment.

Mr. HALE, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 4351) to provide for the deposit of the savings of seamen of the United States Navy, reported it without amendment.

MARITIME CANAL COMPANY OF NICARAGUA.

Mr. SHERMAN. I am directed by the Committee on Foreign Relations, to whom was referred the bill (S. 1305) to incorporate the Maritime Canal Company of Nicaragua, with the amendments of the House of Representatives thereto, to report it back with the recommendation that the amendments of the House of Representatives be disagreed to, and that a conference be asked on the disagreeing votes of the two Houses, the conferees on the part of the Senate to be appointed by the Chair.

The PRESIDENT *pro tempore*. The Senator from Ohio, from the Committee on Foreign Relations, reports back the amendments of the House of Representatives to the bill (S. 1305) to incorporate the Maritime Canal Company of Nicaragua, with the recommendation that the Senate disagree to the amendments and ask for a conference thereon. It will be so ordered, if there be no objection.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate; and Messrs. SHERMAN, EDMUNDS, and MORGAN were appointed.

JESSE DURNELL.

Mr. CAMERON. The Committee on Naval Affairs, to whom was referred the bill (H. R. 9211) for the relief of Jesse Durnell have instructed me to report it without amendment, and I have been requested to ask for the immediate passage of the bill.

The PRESIDENT *pro tempore*. The bill will be read at length for information.

The Chief Clerk read the bill, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to pay Jesse Durnell, of Effingham, Ill., $1,237.50, being the amount due him for seventeen and one-half months' difference in pay between that of first-class and second-class pilot in the Mississippi squadron.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. COKE introduced a bill (S. 3793) to amend the "act to authorize the Denison and Washita Valley Railway Company to construct and operate a railway through the Indian Territory, and for other purposes," approved July 1, 1886; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. JONES, of Arkansas (by request) introduced a bill (S. 3794) granting to the Big Horn Southern Railroad Company a right of way through a part of the Crow Indian reservation in Montana Territory; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also (by request) introduced a bill (S. 3795) granting to the Big Horn Southern Railroad Company a right of way across the Fort Custer military reservation, Montana; which was read twice by its title.

Mr. JONES, of Arkansas. I ask that the bill be referred to the Committee on Military Affairs.

Mr. DAWES. It proposes to go across a military reservation?

Mr. JONES, of Arkansas. Yes; and I ask that it be referred to the Military Committee. The first bill I introduced proposed to grant a right of way across the Indian country, and it was referred to the Committee on Indian Affairs.

The second bill proposes to grant a right of way through the Fort Custer military reservation, and I ask that it be referred to the Committee on Military Affairs.

The PRESIDENT *pro tempore*. The bill will be so referred if there be no objection.

Mr. VOORHEES introduced a joint resolution (S. R. 127) directing the Chief of Engineers of the Army to proceed in the construction of the building for additional accommodations for the Library of Congress, in accordance with certain plans; which was read twice by its title, and referred to the Select Committee on Additional Accommodations for the Library of Congress.

AMENDMENT TO SUNDRY CIVIL BILL.

Mr. HOAR submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Patents, and ordered to be printed.

STREET IMPROVEMENTS IN WASHINGTON.

Mr. SHERMAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the commissioners of the District of Columbia be directed to furnish to the Senate an estimate of the cost of grading and regulating Boundary street from Fourth street west to North Capitol street. Also, the cost of and a plan for the opening of the extension of Eleventh street west from Boundary to Mount Pleasant avenue.

THE REVENUE LAWS.

The PRESIDENT *pro tempore*. Is there further morning business? If there be none, the Calendar under Rule VIII is in order.

Mr. ALLISON. I move that the Senate proceed to the consideration of House bill 9051.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue, the pending question being on the amendment proposed by Mr. VANCE to Schedule J, flax, hemp, and jute, paragraph 340, by adding the following proviso:

Provided, That the duty on no article mentioned in this schedule shall exceed the rate of 50 per cent. ad valorem.

The PRESIDENT *pro tempore*. Is the Senate ready for the question on agreeing to the amendment of the Senator from North Carolina?

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FARWELL (when his name was called). I am paired with the Senator from Florida [Mr. PASCO]. If he were here, I should vote "nay."

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

Mr. GEORGE (when his name was called). I am paired with the Senator from New Hampshire [Mr. BLAIR]. If he were present, I should vote "yea."

Mr. HOAR (when his name was called). I am paired with the Senator from North Carolina [Mr. RANSOM] unless some other arrangement be made.

Mr. PADDOCK (when his name was called). I am paired with the Senator from Louisiana [Mr. EUSTIS]. If he were here, I should vote "nay."

The roll-call was concluded.

Mr. BERRY (after having voted in the affirmative). I am paired with the Senator from Oregon [Mr. MITCHELL]. I therefore ask leave to withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from Arkansas withdraws his vote.

Mr. MORRILL. If I were not paired with the Senator from Tennessee [Mr. HARRIS], I should vote "nay."

Mr. TELLER. My colleague [Mr. BOWEN] is paired with the Senator from Louisiana [Mr. GIBSON].

Mr. COLQUITT (after having voted in the affirmative). I inquire if the Senator from Rhode Island [Mr. CHACE] is recorded?

The PRESIDENT *pro tempore*. He is not recorded.

Mr. COLQUITT. I then withdraw my vote, as I am paired with him.

The PRESIDENT *pro tempore*. The Senator from Georgia withdraws his vote.

Mr. HOAR. I understand there is as yet no quorum, and I am therefore at liberty to vote. I vote "nay."

Mr. HALE. I am paired with the Senator from Kentucky [Mr. BECK]. I am informed that the Senator from Nevada [Mr. JONES], who is absent, has no pair. If that be the case——

Mr. ALLISON. I did not announce it at this vote, but I paired mentally the Senator from Nevada [Mr. JONES] with the Senator from New Jersey [Mr. MCPHERSON]. Of course, if the Senator from Maine desires to transfer his pair, I shall withdraw my vote.

Mr. HALE. No; I will announce my pair with the Senator from Kentucky [Mr. BECK].

The result was announced—yeas 14, nays 23; as follows:

YEAS—14.

Bate,	Gray,	Reagan,	Walthall,
Brown,	Jones of Arkansas,	Vance,	Wilson of Md.
Butler,	Morgan,	Vest,	
Coke,	Payne,	Voorhees,	

NAYS—23.

Aldrich,	Dawes,	Ingalls,	Spooner,
Allison,	Dolph,	Palmer,	Stewart,
Cameron,	Evarts,	Platt,	Stockbridge,
Chandler,	Hawley,	Plumb,	Teller,
Cullom,	Hiscock,	Sawyer,	Wilson of Iowa.
Davis,	Hoar,	Sherman,	

ABSENT—39.

Beck,	Daniel,	Hampton,	Pasco,
Berry,	Edmunds,	Harris,	Pugh,
Blackburn,	Eustis,	Hearst,	Quay,
Blair,	Farwell,	Jones of Nevada,	Ransom,
Blodgett,	Faulkner,	Kenna,	Riddleberger,
Bowen,	Frye,	McPherson,	Sabin,
Call,	George,	Manderson,	Saulsbury,
Chace,	Gibson,	Mitchell,	Stanford,
Cockrell,	Gorman,	Morrill,	Turpie.
Colquitt,	Hale,	Paddock,	

The PRESIDENT *pro tempore*. It being ascertained by the state of the vote that a quorum is not present, the Secretary will call the roll of the Senate.

The Secretary called the roll of the Senate, and the following Senators answered to their names:

Aldrich,	Dawes,	Manderson,	Spooner,
Allison,	Evarts,	Morgan,	Stockbridge,
Bate,	Farwell,	Morrill,	Teller,
Berry,	Faulkner,	Paddock,	Turpie,
Brown,	George,	Palmer,	Vance,
Butler,	Gray,	Payne,	Vest,
Cameron,	Hale,	Platt,	Voorhees,
Chandler,	Hawley,	Plumb,	Walthall,
Coke,	Hiscock,	Reagan,	Wilson of Iowa.
Colquitt,	Hoar,	Riddleberger,	Wilson of Md.
Cullom,	Ingalls,	Sawyer,	
Davis,	Jones of Arkansas,	Sherman,	

The PRESIDENT *pro tempore*. Forty-six Senators having answered to their names and a quorum being present, further proceedings under the roll-call will be dispensed with, if there be no objection. The Secretary will again call the roll upon the question of agreeing to the amendment of the Senator from North Carolina [Mr. VANCE].

The Secretary proceeded to call the roll.

Mr. BERRY (when his name was called). I am paired with the Senator from Oregon [Mr. MITCHELL]. If he were present, I should vote "yea."

Mr. GEORGE (when his name was called). I am paired with the Senator from New Hampshire [Mr. BLAIR]. If he were present, I should vote "yea."

Mr. HOAR (when his name was called). I will withhold my vote until it is ascertained whether there is likely to be a quorum on this call.

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN], who is absent. I therefore withhold my vote. If he were present, I should vote "nay."

Mr. MORRILL (when his name was called). I should vote "nay" but for the fact that I am paired with the Senator from Tennessee [Mr. HARRIS].

Mr. PADDOCK (when his name was called). I am paired with the Senator from Louisiana [Mr. EUSTIS]. If he were here, I should vote "nay."

Mr. RIDDLEBERGER (when his name was called). I was paired yesterday, as I understood, with the junior Senator from Missouri [Mr. COCKRELL]. My pair has been changed so often that I hardly know whether I am at liberty to vote or not.

Mr. CULLOM. I think the understanding is that the Senator from Virginia [Mr. RIDDLEBERGER] is paired with the Senator from New Jersey [Mr. BLODGETT].

Mr. RIDDLEBERGER. Very well.

The roll-call was concluded.

Mr. MORRILL. I will transfer my pair with the Senator from Tennessee [Mr. HARRIS] to the Senator from Oregon [Mr. MITCHELL], and vote "nay."

Mr. BERRY. My pair with the Senator from Oregon [Mr. MITCHELL] having been transferred, I vote "yea."

Mr. HALE. I transfer my pair with the Senator from Kentucky [Mr. BECK] to the Senator from Nevada [Mr. JONES] until further notice, and vote "nay."

Mr. TELLER. My colleague [Mr. BOWEN] is paired with the Senator from Louisiana [Mr. GIBSON].

The result was announced—yeas 18, nays 25; as follows:

YEAS—18.

Bate,	Colquitt,	Reagan,	Voorhees,
Berry,	Gray,	Saulsbury,	Walthall,
Brown,	Jones of Arkansas,	Turpie,	Wilson of Md.
Cockrell,	Morgan,	Vance,	
Coke,	Payne,	Vest,	

NAYS—25.

Aldrich,	Dawes,	Morrill,	Stewart,
Allison,	Dolph,	Palmer,	Stockbridge,
Cameron,	Evarts,	Platt,	Teller,
Chace,	Hale,	Plumb,	Wilson of Iowa.
Chandler,	Hawley,	Sawyer,	
Cullom,	Hiscock,	Sherman,	
Davis,	Ingalls,	Spooner,	

ABSENT—33.

Beck,	Eustis,	Hearst,	Pugh,
Blackburn,	Farwell,	Hoar,	Quay,
Blair,	Faulkner,	Jones of Nevada,	Ransom,
Blodgett,	Frye,	Kenna,	Riddleberger,
Bowen,	George,	McPherson,	Sabin,
Butler,	Gibson,	Manderson,	Stanford.
Call,	Gorman,	Mitchell,	
Daniel,	Hampton,	Paddock,	
Edmunds,	Harris,	Pasco,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading of the amendment reported by the Committee on Finance as a substitute will be resumed.

The Chief Clerk read as follows:

SCHEDULE L.—SILK AND SILK GOODS.

372. Silk partially manufactured from cocoons or from waste-silk, and not further advanced or manufactured than carded or combed silk, 50 cents per pound.

373. Thrown silk, not more advanced than singles, tram, organzine, sewing-silk, twist, floss, spun silk, and silk threads or yarns of every description, 30 per cent. ad valorem.

374. Goods in the piece, including ribbons, not otherwise specially provided for in this act, weighing not less than 1 ounce nor more than 8 ounces per square yard, containing less than 25 per cent. and not less than 10 per cent. in weight of silk, 75 cents per pound and 15 per cent. ad valorem; the same, containing less than 50 per cent. and not less than 25 per cent. in weight of silk, $1.25 per pound and 15 per cent. ad valorem; the same, containing 50 per cent. or more in weight of silk, if black, $1.60 per pound and 15 per cent. ad valorem; if white or colored, or partly black or partly colored, $2.25 per pound and 15 per cent. ad valorem.

Mr. VEST. I am not sufficiently an expert in the tariff schedules to know whether paragraph 374 comprises the particular item about which the United States is now engaged in litigation with Mr. John Wanamaker, of Philadelphia. I see in the papers this morning that Mr. Wanamaker has gained his suit in the circuit court of the United States, and that the litigation is now taken by the Government on appeal to the Supreme Court.

Without having inspected that record, or speaking accurately as a lawyer, I take it from the newspaper accounts that the question in controversy between the Government and Mr. Wanamaker is as to the construction of this particular item in regard to ribbons, he contending, if I am correctly informed, that ribbons come under another part of the tariff act in regard to trimmings for hats and bonnets, and therefore have a less duty upon them than the ribbons which are named in the schedule now before me.

The newspapers also represent—for whose statements I am not responsible, but reputable journals state—that Mr. Wanamaker is manufacturing these goods in France, although I think he is one of the most distinguished advocates for American labor and the protection of American workingmen.

Mr. VANCE. In Berlin.

Mr. VEST. In Berlin; excuse me. It is abroad, not in this country. It is stated that he is the largest merchant in the United States. I saw a statement from him in one of the Philadelphia papers that during the Christmas holidays the sales of his establishment averaged $1,000,000 a day. One million dollars per day during the Christmas holidays! Whether that be correct or not I do not know. I quote it for what it is worth.

It seems that when he imported these ribbons a controversy arose between him and the custom-house officers as to the construction of this item, and he contended that there was a less duty upon these ribbons by reason of their being trimmings for hats and bonnets, whereas the officers of the Government contended, as I understand, that the ribbons come under this item of the tariff law. I hope that my friend from Rhode Island [Mr. ALDRICH], who understands this matter, will inform me if this is the item.

Mr. CHACE. Will it interrupt the Senator if I ask him a question?

Mr. VEST. Not at all.

Mr. CHACE. Did I understand him to say that Wanamaker's sales were $1,000,000 a day?

Mr. VEST. During the Christmas holidays I saw that statement in a paper. I was very much astonished at it and read it over again.

Mr. CHACE. The Senator believes that, does he?

Mr. VEST. I do not say whether I believe it or not, because I am so little accustomed to the business of these enormous establishments that I have no idea upon the subject.

Mr. HOAR. I think either the Senator's memory has misled him, or more probably that he was misled by a misprint in one paper, because I saw the same kind of an interview in which Wanamaker put it at $100,000 a day, and said that in the Christmas holidays altogether his sales had amounted to nearly $1,000,000.

Mr. VEST. I saw it stated at a million dollars a day.

Mr. HOAR. The Senator probably saw a misprint.

Mr. VEST. But it is not material. It is a very large establishment, and covers, I believe, an entire block in the city of Philadelphia. I have been in the house and it is by far the largest establishment that I have ever seen, even including the city of New York. But whether the sales amounted to $1,000,000 or $100,000 a day does not matter. The point I make in the matter is this: I wish to know from my friend from Rhode Island whether this is the item in litigation, and whether this bill has removed that matter out of controversy in the future.

Mr. ALDRICH. The controversy to which the Senator from Missouri refers is in regard to the construction of paragraph 448 of Schedule L of the existing law (it is not in the present bill at all), fixing a rate of duty upon hat material, and has no application whatever to the paragraph now under consideration.

Mr. VEST. Paragraph 448?

Mr. ALDRICH. Not 448 of the Senate bill, but 448 of the existing law, which is one of the paragraphs of Schedule L, which reads as follows:

448. Hats, and so forth, materials for: Braids, plaits, flats, laces, trimmings, tissues, willow sheets and squares, used for making or ornamenting hats, bonnets, and hoods, composed of straw, chip, grass, palm leaf, willow, hair, whalebone, or any other substance or material, not specially enumerated or provided for in this act, 20 per cent. ad valorem.

The Department has held and the courts have held that the proper

construction of that paragraph admits ribbons and other articles of silk and satin as materials for hats at 20 per cent. ad valorem, which is the rate fixed in this paragraph, instead of at the rate of 50 per cent. ad valorem, as now provided in the silk schedule for ribbons, or the specific rates which are fixed in the paragraph which has just been read.

Mr. GRAY. Then I understand the Senator from Rhode Island to say that as the subject-matter not of a statute, but of a suit, the importation of ribbons was charged with the duty affixed to hat materials?

Mr. ALDRICH. Certainly.

Mr. GRAY. Which was a lower duty than that attached to ribbons in this schedule.

Mr. ALDRICH. Yes, sir; 20 per cent. ad valorem, when the duty on ribbons would be 50 per cent.

Mr. GRAY. What was the result of that suit?

Mr. ALDRICH. I am not aware. The suit is still pending. I think it has been appealed to the Supreme Court of the United States.

Mr. DAWES. It was decided in the court below in favor of Wanamaker, and the Government took an appeal.

Mr. GRAY. The ribbon manufacturers were interested on the other side of that subject. They were deprived by this decision, indirectly, of the protection of that section.

Mr. ALDRICH. That defect in the existing law is entirely and radically cured by the provisions of the Senate bill.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

375. Velvets, plushes, or other pile fabrics in the piece (including ribbons), not otherwise specially provided for in this act, weighing not less than 1 ounce nor more than 8 ounces per square yard, containing less than 25 per cent. and not less than 10 per cent. in weight of silk, $1 per pound and 15 per cent. ad valorem; the same, containing less than 50 per cent. and not less than 25 per cent. in weight of silk, $1.50 per pound and 15 per cent. ad valorem; the same, containing 50 per cent. or more in weight of silk, $3.50 per pound and 15 per cent. ad valorem. In ascertaining the percentage of silk under this act the weight of silk shall be taken as found in the goods.

Mr. ALDRICH. On behalf of the committee I move, in line 1604, to strike out the words "weighing not less than 1 ounce nor more than 8 ounces per square yard."

The PRESIDENT *pro tempore*. The amendment will be read.

The CHIEF CLERK. In lines 1604 and 1605 it is proposed to strike out the words "weighing not less than 1 ounce nor more than 8 ounces per square yard;" so as to read:

375. Velvets, plushes, or other pile fabrics in the piece (including ribbons), not otherwise specially provided for in this act, containing less than 25 per cent. and not less than 10 per cent. in weight of silk, $1 per pound and 15 per cent. ad valorem.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

376. Webbings, gorings, suspenders, braces, beltings, bindings, braids, galloons, fringes, cords and tassels, any of the foregoing which are elastic or non-elastic, buttons, and ornaments, made of silk, or of which silk is the component material of chief value, 50 per cent. ad valorem.

377. Laces and embroideries, neck-ruffings and ruchings, clothing ready made, and articles of wearing apparel of every description, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, composed of silk, or of which silk is the component material of chief value, not specially enumerated or provided for in this act, 60 per cent. ad valorem.

Mr. VEST. When the Presiding Officer of the Senate has formally stated that if there be no objection then the item under consideration would be adopted, speaking for myself, I have made no objection, but I wish to say now that my non-action was not dictated by my assent to the changes that are made by this bill. I have simply not objected because the articles embraced in this schedule are not articles of necessity, but articles of luxury. I have received numbers of letters from silk dealers and importers protesting against this increase of duties; but I have not seen proper to act upon their letters for the reason that my sympathies in this entire matter are with the poorer classes of the country, and I am not speaking with the view of securing favor with anybody, but because I believe on principle that the burdens of taxation should fall as lightly as possible upon the poorer people of the country, and that the duties should be put, if duties must be imposed, upon those who are able to bear them.

Mr. ALLISON. That is exactly the framework and idea of this bill.

Mr. VEST. I do not accept the statement of my friend from Iowa at all, and the very point in issue between us on every schedule has been that which I have made. I do not admit that this bill is in the interest of the poorer classes of the country. On the contrary, I must say, and say it deliberately, that this bill is made in the interest of the manufacturers, without regard to the consumers of the country. I believe that as much as I believe that I am now speaking in the Senate of the United States.

There is one other thing, however, which should be considered in framing these schedules. We are confronted—very little has been said about it in this debate—with an enormous surplus in the Treasury constantly increasing. These increases upon this schedule will largely swell that surplus. For instance, upon the items which have just been read the increase of 10 per cent. over the existing law makes an increase of $461,792.31, and so on throughout the schedule. That, it seems to me, ought to have been taken into consideration by Senators who framed this bill. It seems to me there should be no political consideration that would interfere with our duty in reducing this surplus, if for no other reason because it is a standing temptation to the legislation of the country. It is an abnormal condition of affairs. There can come no good from the surplus in the Treasury of the United States. No private citizen would conduct his business as we are conducting the public business of our constituents now. And yet this bill in this silk schedule makes an increase in a large number of items, and conspicuously in the one just read of nearly a half million dollars.

What I rose particularly, however, to say was this: Some years ago, in the State of Missouri, I had a very pleasant acquaintance with a very enterprising young German who was then in very humble circumstances and who disappeared from the West and now renews his acquaintance with me as a large merchant in the city of New York—not an unusual thing in our country, I am glad to say. He is a very large corset-maker and belongs to the firm of Mayer, Strouse & Co. He is a manufacturer of corsets, and writes to me upon the subject of the increase of duty upon silk materials that go into his manufacture. He states substantially that if the materials are allowed to come in free or with decreased duties he can compete with the manufacturers of the finer corsets in Europe, and I ask the Secretary to read the papers which I send to him, in which Mr. Strouse makes his statement much more accurately than I can. A great many of the articles which are in this schedule—for instance, laces and embroideries—enter into the manufacture of the finer corsets.

Mr. ALDRICH. I suppose the object of the Senator from Missouri is to place this on record. I see no occasion for reading it. It might be printed in the RECORD without reading.

Mr. VEST. I would rather have it read, because it is an argument and a statement.

The Chief Clerk read as follows:

HOW THE TARIFF PINCHES—THE LARGEST CORSET-MAKERS OF THE COUNTRY DISCUSS IT—MAYER, STROUSE & CO. SAY THEY AND THEIR WORKMEN WOULD BOTH BE BENEFITED BY A REDUCTION—HOW THEY COMPETE WITH ENGLISH MANUFACTURERS NOWADAYS.

"Ours is another of the industries where protection does not protect," said one of the firm of Mayer, Strouse & Co., one of the largest corset-manufacturing concerns in the world, to a representative of the Star yesterday. "Instead of protecting us," he continued, "the tariff is a direct tax of at least 10 per cent. on the American corset manufacturer and his workmen."

Mayer, Strouse & Co. are among the pioneers in corset manufacturing in America, and their business has grown to enormous proportions. They are the largest manufacturers of corset clasps. They employ at New Haven about two thousand five hundred men, women, and girls, and they turn out daily five hundred dozens of corsets and three hundred gross of corset clasps.

Corset manufacturing is popularly supposed to be one of the protected industries—an industry in which a high tariff on the finished article is supposed to enable the manufacturer to pay high wages for his labor. Mr. A. Strouse and Mr. S. J. Mayer are the New York partners of Mayer, Strouse & Co., and Mr. Max Adler is the New Haven partner, and has entire charge of the manufacturing department. All these gentlemen say that the tariff does not protect the American manufacturer of fine goods or enable him to pay high wages.

On the contrary, they say that the tariff as at present constituted limits their market, restricts their production, and reduces their demand for labor, and, with a reduced demand for labor, there must always come lower wages. Messrs. Mayer, Strouse & Co. are not theoretical revenue reformers. They are hard-working, close-figuring, hard-headed business men, and years of experience and careful observation have convinced them that undue Government interference in business always results disastrously.

"Please explain how it is that the present tariff is a tax upon you instead of being a benefit," requested the reporter.

"We can do that very easily. We are forced to pay a tremendous duty on everything we use in the manufacture of fine or good corsets which come into competition with the imported article, except horn strips, which come in free, but which are only 8 per cent. of the cost for raw materials. On the coutil, which is used for the body of the corset, we pay 40 per cent. duty; of this material none but the coarsest qualities are made in America, though when competing with the imported goods the finer qualities of coutil must be imported. On linen bands we pay 35 per cent. duty; none are made in America. On satins we pay 50 per cent.; on laces and trimmings 40 per cent., and on the steel of which we make clasps we pay a duty of 45 per cent. ad valorem and a weight duty of a quarter of a cent a pound—this amounts to an ad valorem duty of 54 per cent. on our steel.

"We have recently made a careful calculation of all the elements of cost of our goods, and we find that the duties we are forced to pay on the materials we use amount to an average tax of 45 per cent. of the value of our finished product, while foreign corsets are taxed only 35 per cent. on the European value. So you see that this boasted protection really results in taxing us (American manufacturers and American working people) at least 10 per cent. in favor of European labor and European capital.

"Here is one of the thousand inequalities of our tariff that interfere with the legitimate development of trade and manufacture. These inequalities are a natural outcome of an excessively high tariff. The only solution is in a gradual reduction of our import duties on the materials used in the manufacture of corsets. The fundamental laws of commerce demand that there should be no artificial restrictions on trade. The needs of Government demand a revenue of which commerce pays its share, but this tax should be so adjusted as to interfere as little as possible with the international exchange of commodities. Our tariff seems constructed with a view to placing all possible obstacles in the way of commerce."

"How is it that you are enabled to compete at all with the foreign manufacturer, handicapped as you are by the tariff?"

"It is because our labor, combined with our machinery, is so much more productive. Our work-people are so skillful and intelligent and our machinery is so perfectly adjusted to our work that we produce as much with our twenty-five hundred people as the European manufacturer produces with five thousand people. Last year the largest manufacturer of corsets in England went to New Haven to visit our works. We gave him every facility and he investigated our machinery and methods thoroughly. When he got through he said, 'I am amazed at the superior effectiveness of your work-people, your machinery, and your system. Equipped as you are, you can turn out three times as many corsets as we do with the same number of hands.'

"All we ask is for Government to cease interfering with our business. Give us our materials free, and with our more productive labor we would soon not only drive foreign corsets out of our market completely, but we would become large exporters. We are already, hampered as we are, getting some export trade, but give us our materials as cheaply as the European manufacturer gets his materials, and with our more productive labor and machinery we will soon control the corset trade of Canada, Mexico, Central and South America, the West Indies, and get our share of other markets. This would mean the employment of many thousand more American workers, higher wages, and millions more of American capital.

"In our close study of our own business and of the conditions that affect it, we have had to look into the elementary principles of many other lines of business, and, to our surprise, we have found that on all, or almost all, the tariff bears heavily, because it taxes so greatly and unnecessarily the raw materials they consume.

"Americans believe and Europeans admit that Americans are the most ingenious, most intelligent, most skillful, and the hardest-working people in the world. We are never tired of boasting of our superior smartness and of our marvelous natural resources and advantages. We boast truthfully of these things. Why do we not make use of them and go forth in the path of manifest destiny and conquer the markets of the world? I will venture to prophesy that the very men who to-day would limit the American manufacturer and merchant to our own market will, in less than twenty-five years, be as lustily shouting that nothing less than the whole world shall be the theater of American energy and ambition."

Mr. VEST. I know the gentleman who made that statement, and he is one of the most successful business men in my acquaintance, and speaks from actual experience. In addition to that, he sends me the following statement, which, as a matter of course, coming from me, will receive very little attention, but coming from him, a practical manufacturer and a man who has demonstrated that he understands his business, ought to weigh something with the Senators conducting this bill.

Capital invested in the corset industry		$5,000,000.00
Number of firms engaged therein:		
Large concerns		40
Smaller concerns		100
Labor engaged, men and women		12,000
Annual production (mostly common goods)	pairs...	14,500,000
Value of same		$8,000,000.00
Importation, 1887 (mostly fine goods)		$1,063,296.00
Duty on importation, 35 per cent		$370,577.55

In order to compete with fine goods we are obliged to import the following articles, none of which are produced in this country:

1. Coutil, on which we have to pay 40 per cent. duty, or 5 per cent. more than the finished product.
2. Satin, on which we have to pay 50 or 60 per cent. duty, or 15 or 25 per cent. more than the finished product.
3. Corset steel, on which we have to pay 45 per cent. and one-fourth cent per pound, equal to 56 per cent. duty, or 21 per cent. more than the finished product.
4. Laces, or corset trimmings, on which we have to pay 40 per cent. duty, or 5 per cent. more than the finished product.
5. Edgings silk, on which we have to pay 50 per cent. duty, or 15 per cent. more than the finished product.
6. Linen bands or braids, on which we have to pay 35 per cent. duty, on par with the finished product.
7. Horn strips, free. This article constitutes 8 per cent. of the value of the finished product.
8. Labor, free, constituting about 25 per cent. of the product.

MAYER, STROUSE & CO.

Therefore 67 per cent. of the imported articles pay a higher rate of duty than the finished product, and laborers and manufacturers are taxed on fine goods instead of being protected.

Of course, personally I know nothing about the accuracy of the statements, but they come from the largest corset manufacturer in the United States, and some of these articles made of silk, satin, laces, and edgings, which are mentioned in this estimate, are included in this schedule. I have been unable to ascertain from experts what is the actual increase over the present law by the amendments put on this silk schedule by the majority of the Finance Committee of the Senate. We can easily ascertain what the increase is upon the clause under consideration for it is an increase of 10 per cent., making $461,000 on the importation of 1887, but the approximate increase of duty, as nearly as I can find out, on this whole schedule is more than $1,000,000 annually. This may be incorrect, but that is the best estimate I can obtain from experts; and now with an overflowing Treasury we deliberately propose to increase these duties over $1,000,000 in the interest of the manufacturers alone. I make that assertion deliberately, because nobody else can demand it, and whilst I have made no objection specifically, because I knew it was perfectly useless, I content myself with this general statement at the close of the schedule.

Mr. ALDRICH. This schedule was prepared at the Treasury Department by Treasury experts, and was intended, with the exception of the clause now under consideration, to be simply a translation of existing ad valorem rates into specific rates or compound rates. It was not intended either by the Department or by the committee to increase the rates upon the general line of articles that are included in this schedule, and it is my belief that it is the opinion of the experts in the Treasury Department that no such increase has been made by the provisions of this schedule with the exception, as I have already stated, of the item now under consideration. It is true that we have advanced the duties upon the articles in this particular paragraph 10 per cent., or from 50 to 60 per cent., to make it more equitable and to give the manufacturers here of articles of ready-made clothing from silk adequate protection. The committee have not lost sight, as the Senator from Missouri seems to think it has, of the question of revenue involved in this addition. We have made all through the bill very many substantial reductions, and we have made many changes of law which may result in substantial reductions of the revenue, and I am inclined to think with the Senator from Missouri that the result upon this one item will be an increase of the revenue, but it is an increase derived from articles of luxury, which, I think, the Senator from Missouri will agree with me should be taxed if anything should be.

Now, as to the particular subject to which he has referred and which is included in the paper which has been read by the Secretary, I will say that at the present time under existing law there is an inequality in regard to the rates of duty on fine corsets unquestionably. Corsets of any material or of every material now pay 35 per cent. ad valorem duty, and the silk from which some corsets are made, and very many of the other articles, as has been already stated, have a higher rate of duty than that. That inequality is remedied by the bill before us and by the very paragraph now under consideration. It has been the purpose of the committee whenever these inequalities have been brought to their attention to remedy them, and they have certainly provided a substantial remedy for the particular thing which is complained of by the gentleman whose statement has been read from the desk. The present duty on silk corsets being 35 per cent., it is here fixed at 60 per cent. by the paragraph now under consideration, and I think the gentleman referred to will have no occasion hereafter to complain of that particular kind of inequality.

Mr. DAWES. Mr. President, the discussion in reference to the silk manufacturer calls to my mind a very interesting incident in the history of this industry which I think will be useful in determining what ought to be the policy of the future.

When the tariff bill of 1872 was under consideration in the Committee of Ways and Means of the House of Representatives there were a great many hearings of parties interested in different industries, and in different theories of the application of duties to industries, just as there are now, with this difference, that those hearings were not preserved then by reporters and printed, although they were open discussions, but they were lost to everybody except the committee to whom they were addressed. Had they been preserved, the comparison between that law and this bill in its effect upon these industries would have been a very useful lesson in reference to this particular industry of silk fabrics.

I have a clear recollection of what took place in that committee, which has been watched by the members of the committee ever since with great interest. There appeared before the committee at that time a gentleman who was a philosopher, not a manufacturer, not anybody with any capital invested either on the other side or this, but a philosopher upon the subject of tariff duties, who has published a great many works since and has been a teacher, and I have seen him behind those who have endeavored to enforce what goes at the present day by the name of tariff reform, which is, as far as it does go, in the line of free trade, and is so admitted by such men as he. He is not a politician, but simply a man speculating upon this subject and laying down theories which I am sorry to see that politicians are following.

He came before the committee and urged upon the committee at that time a large reduction in the duties upon silk fabrics, on the ground that the idea of introducing that manufacture into this country was preposterous; it never could be done, and it was an idle waste of effort and of money to undertake it. It was adopted as a theory by our friends of the same political party as our friends on the other side of this Chamber, at that time; and there was a very strong effort made before that committee to reduce the duty upon silk fabrics on the ground that inasmuch as silk could not be introduced as a manufacture into this country it was a useless tax upon the consumer, which would be true if the premises were true.

The committee resisted that effort, and what has been the result? The census of 1880 disclosed first this interesting fact, that under that protective tariff, which was enacted in 1872, the cost to the consumer had then fallen 34 per cent. That was the first item. The next was that the manufacture of silk fabrics in this country had risen to a production of $41,000,000 annually.

Mr. GRAY. In 1872?

Mr. DAWES. In 1880 by the census. I am speaking of the census.

Mr. GRAY. Will the Senator from Massachusetts pardon me, for I am interested in his statement? I understand that in 1872, at the time of the general revision of the tariff, a philosopher came before the Ways and Means Committee and urged that the duty be lowered upon silk manufactures, for the reason that none existed in this country or could be prosecuted.

Mr. DAWES. I did not state it exactly that none existed, but that all efforts to introduce it as a successful manufacture in this country had failed and would fail; and therefore it was that class of manufactures we ought to abandon the effort to introduce into this country; and hence a duty upon them would necessarily be a tax upon the consumer.

Mr. GRAY. If my friend will pardon me, I understand him to say that, as a consequence of this idea originated by the philosopher in question, the tax was lowered, the tariff was lowered in 1872.

Mr. DAWES. No; it was his effort to get it lowered, and it was resisted by the committee in 1872.

Mr. GRAY. Was not the tax lowered in 1872?

Mr. DAWES. I do not think it was.

Mr. GRAY. My impression was that it was lowered, and I understood the Senator from Massachusetts to say it was lowered in consequence of this.

Mr. DAWES. I do not say so, because my impression is that it was not. The argument was that silk should be left free like those products of foreign countries that we could not profitably introduce into this country. My impression is that under the act of 1872 the same tariff that existed before on manufactures of silk was continued, but I am not entirely positive. Under the operations of the tariff as it was maintained in 1872 the cost of the fabric had in 1880 become reduced 34 per cent., the manufacture had increased to an annual product of $41,000,000, and capital to the amount of $19,000,000 had become invested, and it had given employment to thirty-four thousand one hundred and odd men, women, and children in this country, paying them an annual amount in wages of $9,000,000. Since 1880 all these things have increased in an immense ratio. The annual product has very largely increased. The capital invested has likewise very largely increased, and the number of hands employed has more than doubled, and the wages paid are very much larger than before, and the cost to the consumer is to-day less than it was in 1880.

So the argument that was presented to the committee in 1872, and which it is a great pity was not recorded, practically failed. It was the argument of a philosopher and honest man, although his dealing with statistics sometimes reminds me of those men who deal in assorting statistics so often here in this Senate Chamber. Nevertheless what he stated then he is repeating to-day in the face of these statistics right before him. If the committee in 1872 had followed his advice, which is urged this moment here on this floor, the whole attempt to manufacture silks in this country would have been necessarily abandoned, and the whole production relegated to foreign hands and foreign capital and foreign production, and the employment of these thousands of people in this country would have been at an end.

Mr. JONES, of Arkansas. Will the Senator allow me to ask him a question? I understood the Senator to say that there had been a large decrease in the price of silk in this country. I did not understand whether he said that had resulted from the tariff imposed or not.

Mr. DAWES. I thought I would abstain from drawing any inferences myself upon these statistics, and simply throw them out as a matter that anybody could draw such inferences from as he thought the statistics themselves would teach.

Mr. JONES, of Arkansas. I would like to ask the Senator if in investigating this question he has ascertained what the relative price of domestic and foreign silks was in 1872, and whether there has been as great a decrease in the price of foreign silks as there has been in domestic silks in the same time?

Mr. DAWES. I have not investigated that in reference to this particular production, but I have no doubt that to some extent the foreign product has come down in cost. They are obliged to keep it down when it is produced here in this country; but you extinguish the production in this country and they are under no obligation to keep it down. They can set their own price in the foreign market for us and we are as helpless as children in the consumption of any product that is produced solely abroad, just as we are as helpless as children on any importation of anything produced abroad that can not be produced here, like tea and coffee and anything that can not be produced here, and we are dependent upon the foreign producer, and he knows that he can set his own price here. We are as helpless as children as to them, and so we should have been as to manufactures of silk.

There is another consequence which has arisen out of this adherence to that policy in 1872. We are beginning to produce the raw silk all about this country, and in the near future the question is whether we can not supply all our manufacturers with the raw silk, whether we shall not be producing the silk-worm and the food of the silk-worm here, and thus declare our independence in this regard of all foreign interference.

Mr. ALDRICH. I move to insert, in paragraph 377, line 1623, after the word "description," the words "including knit goods."

The PRESIDENT *pro tempore*. The amendment will be stated from the desk.

The CHIEF CLERK. After the word "description," in line 1623, it is proposed to insert the words "including knit goods;" so as to make the paragraph read:

377. Laces and embroideries, neck-rufflings and ruchings, clothing ready made, and articles of wearing apparel of every description, including knit goods, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, composed of silk, or of which silk is the component material of chief value, not specially enumerated or provided for in this act, 60 per cent. ad valorem.

Mr. ALDRICH. Knit goods are undoubtedly included by the words which are used prior to the word "description," but so that there shall be no possibility of any misunderstanding about it the committee thought the insertion of the words I have offered should be made.

Mr. VEST. Would not that be included in the basket clause, 376?

Mr. ALDRICH. No; in the phrase "articles of wearing apparel of every description."

Mr. VEST. "Or manufactures composed of silk or of which silk is a component material of chief value."

Mr. ALDRICH. Yes; all these articles are articles of silk or of which silk is the chief component material.

Mr. VEST. On such articles I believe the present rate is 50 per cent. ad valorem, and this makes it 60 per cent. ad valorem.

Mr. ALDRICH. But all articles of knit goods are articles of wearing apparel of some description; and that it should be put beyond the possibility of any misapprehension of the meaning of the committee those words should be inserted.

Mr. VEST. It makes a difference of 10 per cent. in the duty; that is all. If it comes under the basket clause it will be 50 per cent., and if put in here it will be 60 per cent.

Mr. President, I listened with a great deal of interest to the reminiscences of my friend from Massachusetts [Mr. DAWES], and I always hear him with pleasure; but what he said seems to me not to throw any light on the present situation and does not touch the matter at issue now before the Senate. What should have been done with any particular manufacture in 1872 presents a very different question from what should be done in 1889. When our fathers constructed the first tariff law, in the very caption of it they said it was an act to raise revenue for the support of the Government and protect American manufactures. Mr. Clay, the father of the American system, declared first that three years would be enough to put the infant industries of this country on their feet, and afterwards he enlarged it to nine years. That declaration was made in 1824, and here we are in 1889 with an average ad valorem duty of 47 per cent. upon imports into the United States, and the cry is still, like that of the daughter of the horse-leech, give, give, give to the manufacturers.

My friend from Rhode Island [Mr. ALDRICH] says they do not think they have made an increase except in regard to this $461,000 to which I have alluded in paragraph 377—that with that exception there has been no material increase in the schedule. Now, I want to call the attention of the Senate to what appears all through this bill—that increases have been made with reference to importations, which clearly demonstrates the truth of my statement that the manufacturers have dictated their increases. Take this silk schedule, and the first large importation we strike is—

375. Velvets, plushes, or other pile fabrics in the piece (including ribbons), not otherwise specially provided for in this act.

Of this the importation is $6,343,086.33 in value. The present duty is 50 per cent. ad valorem. The Mills bill makes no change. The Senate bill puts the first item at $1 a pound and 15 per cent. ad valorem. The next is $1.50 a pound and 15 per cent. ad valorem; and the next at $3.50 per pound and 15 per cent. ad valorem. Does my friend from Rhode Island say that this is not an increase?

Mr. ALDRICH. I say it is not in the opinion of the committee.

Mr. VEST. That $3.50 a pound and 15 per cent. ad valorem is no increase over 50 per cent. ad valorem?

Mr. ALDRICH. I think not upon the higher class of goods which that would cover.

Mr. VEST. Well, Mr. President, I do not know; but the experts report to me that that is a very large increase upon any basis of importations.

Now we take paragraph 377, which is laces, embroideries, etc. The importation is $4,617,933, and the Senator admits that there is an increase of duty there of $461,000, or nearly half a million dollars.

Take the largest increase in the whole schedule, in paragraph 373:

Thrown silk, not more advanced than singles, tram, organzine, sewing-silk, twist, floss, spun silk, and silk threads or yarns of every description.

There is the largest importation in the whole list, an importation of over $15,000,000. The present duty is 50 per cent. ad valorem. There is no change in the Mills bill, and under the Senate substitute it is 75 cents a pound and 15 per cent., which, according to my calculation, is an increase on the 50 per cent. ad valorem duty.

So I think I am authorized in stating that the duties have been increased in this schedule, and all through the whole bill. In other words, the point to which my friends are steadily inclining—not inclining, but going—is to exclude foreign importations, and that is the end to which the Republican party in this country intends to go. They propose to put around this country a wall through which nothing can come that will compete with the manufacturers, and when the manufacturers are to be satisfied passes the imagination of mortal man.

We had an example of that yesterday. My conservative friend from Iowa [Mr. ALLISON] was forced to admit that this whole thing was a scramble when, as the RECORD this morning shows, he stated here that men of the highest character in this country could not resist the temptation to consult their own personal greed, and would tax other importations or other branches of industry in order to increase their own profits.

So it goes from schedule to schedule and item to item. It is a desperate contest between men who propose to build up enormous fortunes at the expense of the consumers. That is the whole of it; and to show that to the American people is my highest political ambition.

Mr. DAWES. Mr. President, I desire to answer more fully the interrogatory put to me by the Senator from Delaware [Mr. GRAY]. I was not able at the moment to speak with confidence as to whether the duty on silk fabrics was or was not reduced in 1872. My friend from Iowa [Mr. ALLISON] has the record, and he finds that there was no re-

duction in 1872 nor was there in 1870. Neither in the tariff of 1870 nor in that of 1872 was there any reduction upon silk fabrics. That was my impression when I made the statement.

Mr. GRAY. I understood the Senator from Massachusetts to say that there had been a reduction, and that was the reason I put the question.

Mr. DAWES. I did not mean to say it.

Mr. ALDRICH. I understood the Senator from Missouri [Mr. VEST] to say that the schedule now under consideration was prepared by the manufacturers for their own benefit, and that it would result in a substantial increase of the present duty.

Mr. VEST. I beg pardon. I do not think I used the words "by the manufacturers." I know who prepared the schedule, but I believe that it was made to meet the demands of the manufacturers, and I think they went before the committee and instigated these changes.

Mr. ALDRICH. Then I will say that this schedule, in almost exactly the words in which it is found in this bill, was prepared by the Treasury experts, and, so far as I know, without any connection or consultation with the manufacturers except such as were found. They probably consulted the memorial and the draught of an act which the manufacturers submitted to the Secretary of the Treasury.

Mr. VEST. Will the Senator permit me to ask him whether the Secretary of the Treasury recommended these changes, or was it the Treasury experts?

Mr. ALDRICH. The present Secretary of the Treasury, Mr. Fairchild, in a communication which I hold in my hand and which I will not stop to have read because it is quite lengthy—a communication addressed to the chairman of the Committee on Ways and Means of the House of Representatives—submitted a schedule fixing the rates of duty on manufactures of silk which is almost in identical terms with that which is incorporated in the Senate bill. That is where it came from. That was the origin of this schedule, and it was the purpose of the Treasury Department and the purpose of the Committee on Finance that there should be no substantial increase in the present rates, but that we should substitute specific and compound duties in place of the present ad valorem rates for the purpose of a more honest and efficient administration of the law.

Now, the Senator says that it is obvious upon the face of it that this is an increase, that this bill does provide an increase over the present law, and he cites as conclusive evidence of that fact that upon silk-velvet plushes containing 50 per cent. in weight of silk, we have imposed a duty of $3.50 a pound and 15 per cent. ad valorem. All these silk plushes must contain more than 50 per cent. of silk. They may contain 90 or 95 or 100 per cent. of silk, and most of them do contain a very large percentage. At a valuation of $10 a pound, I will say to the Senator from Missouri, the duty fixed by this bill would be exactly equivalent to 50 per cent. ad valorem—$3.50 a pound and 15 per cent. ad valorem. On all goods valued at more than $10 a pound—and there are many of this character—it would be less than 50 per cent.

"Raw silk not further advanced or partially manufactured from cocoons or from waste silk" is valued, according to the Treasury's statement, at $2.62 per pound in a comparatively raw state, and the Senator, if he is at all conversant with the manufacture of silk, must be aware that $10 a pound for these very fine manufactures of silk is a comparatively low price. We had a manufacturer of certain articles of silk before the committee who asked to have a specific duty of $17 a pound levied upon the article of silk which he manufactured for sale.

The PRESIDING OFFICER (Mr. PALMER in the chair). The question is on the adoption of the amendment proposed by the Senator from Rhode Island [Mr. ALDRICH].

Mr. VANCE. Let the amendment be again read.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. In line 1623, after the word "description," it is proposed to insert "including knit goods;" so that the paragraph will read:

377. Laces and embroideries, neck-rufflings and ruchings, clothing ready made, and articles of wearing apparel of every description, including knit goods, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, composed of silk, or of which silk is the component material of chief value, not specially enumerated or provided for in this act, 60 per cent. ad valorem.

The amendment was agreed to.

The PRESIDING OFFICER. The reading will proceed.

The Secretary read as follows:

378. All manufactures of silk, of which silk is the component material of chief value, not specially enumerated or provided for in this act, 50 per cent. ad valorem.

SCHEDULE M.—BOOKS, PAPERS, ETC.

379. Books, including blank-books of all kinds, pamphlets, and engravings, bound or unbound, photographs, etchings, maps, charts, and all printed matter not specially enumerated or provided for in this act, 25 per cent. ad valorem.

380. Paper envelopes, 25 cents per thousand.

381. Manufactures of paper, or of which paper is the component material of chief value, not specially enumerated or provided for in this act, 25 per cent. ad valorem.

Mr. VANCE. In line 1640 I move to strike out the words "twenty-five" and insert in lieu thereof "fifteen;" so as to restore this duty to the present law and avoid a useless increase of the revenue to the extent of some $50,000.

The SECRETARY. In line 1640, after the word "act," it is proposed to strike out "twenty-five" and insert "fifteen;" so as to read:

Manufactures of paper, or of which paper is the component material of chief value, not specially enumerated or provided for in this act, 15 per cent. ad valorem.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the Senator from North Carolina.

Mr. VANCE. I ask for the yeas and nays upon that amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BERRY (when his name was called). I am paired with the Senator from Oregon [Mr. MITCHELL], but by arrangement that pair has been transferred to the Senator from Tennessee [Mr. HARRIS], and I therefore vote "yea."

Mr. FARWELL (when his name was called). I am paired with the Senator from Florida [Mr. PASCO]. If he were here, I should vote "nay."

Mr. FAULKNER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. HALE (when his name was called). My pair with the Senator from Kentucky [Mr. BECK], who is absent, has been transferred to the Senator from Nevada [Mr. JONES], who is also absent. I vote "nay."

Mr. MORRILL (when his name was called). I am paired with the Senator from Tennessee [Mr. HARRIS], and therefore can not vote.

Mr. RIDDLEBERGER (when his name was called). I am paired with the Senator from New Jersey [Mr. BLODGETT]. If he were here, I should vote "nay." I make this announcement for the day or until that Senator returns.

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB], or I should vote "yea."

The roll-call was concluded.

Mr. FAULKNER. I will transfer the pair that I have with the junior Senator from Pennsylvania [Mr. QUAY] to the Senator from New Jersey [Mr. MCPHERSON] and vote. I vote "yea."

Mr. EVARTS. I am paired with the Senator from Alabama [Mr. MORGAN], and therefore withhold my vote.

Mr. GEORGE. I am paired with the Senator from New Hampshire [Mr. BLAIR].

Mr. MANDERSON. I am paired with the Senator from Kentucky [Mr. BLACKBURN]. If he were present, I should vote "nay."

The result was announced—yeas 18, nays 23; as follows:

YEAS—18.

Bate,	Colquitt,	Jones of Arkansas,	Voorhees,
Berry,	Eustis,	Payne,	Walthall,
Butler,	Faulkner,	Reagan,	Wilson of Md.
Cockrell,	Gray,	Turpie,	
Coke,	Hampton,	Vance,	

NAYS—23.

Aldrich,	Cullom,	Hawley,	Sawyer,
Allison,	Davis,	Hiscock,	Stewart,
Brown,	Dawes,	Mitchell,	Stockbridge,
Cameron,	Dolph,	Paddock,	Teller,
Chace	Frye,	Palmer,	Wilson of Iowa.
Chandler,	Hale,	Platt,	

ABSENT—35.

Beck,	Farwell,	Kenna,	Ransom,
Blackburn,	George,	McPherson,	Riddleberger,
Blair,	Gibson,	Manderson,	Sabin,
Blodgett,	Gorman,	Morgan,	Saulsbury,
Bowen,	Harris,	Morrill,	Sherman,
Call,	Hearst,	Pasco,	Spooner,
Daniel,	Hoar,	Plumb,	Stanford,
Edmunds,	Ingalls,	Pugh,	Vest.
Evarts,	Jones of Nevada,	Quay,	

So the amendment was rejected.

The PRESIDING OFFICER. The Secretary will proceed with the reading of the substitute.

The Secretary read as follows:

382. Papers known commercially as surface-coated papers, and manufactures thereof, card-boards, albumenized and sensitized papers, lithographic prints from either stone or zinc, bound or unbound (except illustrations in printed books), and all articles produced either in whole or in part by lithographic process, 35 per cent. ad valorem.

Mr. VANCE. In line 1646, I move to strike out "35" and insert "15;" so as to read "15 per cent." This is an increase of over 250 per cent. on the present duty, for which I see no earthly reason except to oblige the manufacturers.

Mr. ALLISON. Would the Senator make a duty lower than the duty on paper itself?

Mr. VANCE. I think I am doing my duty sufficiently to the manufacturers when I follow the existing law.

The PRESIDING OFFICER. The amendment of the Senator from North Carolina will be stated.

Mr. VANCE. I will modify it so as to say "25 per cent." instead of "15 per cent."

The SECRETARY. In line 1646, it is proposed to strike out "35" and insert "25;" so as to read: "25 per cent."

Mr. VANCE. That will obviate the objection of the Senator from Iowa, and will enable him to vote against it as usual.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Carolina.

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. ALLISON (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON], but by an arrangement with the Senator from West Virginia [Mr. FAULKNER] I have transferred the pair to the junior Senator from Pennsylvania [Mr. QUAY], and therefore I am at liberty to vote. I ask that the pair between the Senator from New Jersey [Mr. MCPHERSON] and the Senator from Pennsylvania [Mr. QUAY] may stand during the day without further announcement. I vote "nay."

Mr. MORRILL (when his name was called). I am paired with the Senator from Tennessee [Mr. HARRIS].

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB], or I should vote "yea."

The roll-call was concluded.

Mr. DAVIS. I am paired with the Senator from Indiana [Mr. TURPIE].

Mr. TELLER. My colleague [Mr. BOWEN] is paired with the Senator from Louisiana [Mr. GIBSON].

Mr. FARWELL. I am paired with the Senator from Florida [Mr. PASCO].

Mr. HISCOCK. Is the Senator from Arkansas [Mr. JONES] recorded?

The PRESIDING OFFICER. He is not recorded.

Mr. HISCOCK. I am paired with that Senator.

Mr. GEORGE. I announce now for the day that I am paired with the Senator from New Hampshire [Mr. BLAIR].

Mr. PAYNE (after having voted in the affirmative). Has my colleague [Mr. SHERMAN] voted?

The PRESIDING OFFICER. The Chair is informed that the Senator's colleague has not voted.

Mr. PAYNE. I withdraw my vote, as I am paired with him.

Mr. WILSON, of Iowa (after having voted in the negative). I desire to inquire whether the Senator from Maryland [Mr. WILSON] is recorded?

The PRESIDING OFFICER. He is not recorded.

Mr. WILSON, of Iowa. I then withdraw my vote. I am paired with the Senator from Maryland [Mr. WILSON].

The result was announced—yeas 15, nays 20; as follows:

YEAS—15.

Bate,	Cockrell,	Gray,	Saulsbury,
Berry,	Coke,	Hampton,	Vance,
Brown,	Eustis,	Morgan,	Walthall.
Butler,	Faulkner,	Reagan,	

NAYS—20.

Aldrich,	Cullom,	Hale,	Platt,
Allison,	Dawes,	Hawley,	Sawyer,
Cameron,	Dolph,	Mitchell,	Spooner,
Chace,	Evarts,	Paddock,	Stockbridge,
Chandler,	Frye,	Palmer,	Teller.

ABSENT—41.

Beck,	George,	McPherson,	Sherman,
Blackburn,	Gibson,	Manderson,	Stanford,
Blair,	Gorman,	Morrill,	Stewart,
Blodgett,	Harris,	Pasco,	Turpie,
Bowen,	Hearst,	Payne,	Vest,
Call,	Hiscock,	Plumb,	Voorhees,
Colquitt,	Hoar,	Pugh,	Wilson of Iowa,
Daniel,	Ingalls,	Quay,	Wilson of Md.
Davis,	Jones of Arkansas,	Ransom,	
Edmunds,	Jones of Nevada,	Riddleberger,	
Farwell,	Kenna,	Sabin,	

The PRESIDING OFFICER. No quorum having voted, the Secretary will call the roll of Senators.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Dawes,	Hiscock,	Saulsbury,
Allison,	Dolph,	Hoar,	Sawyer,
Bate,	Evarts,	Mitchell,	Sherman,
Berry,	Farwell,	Morgan,	Stewart,
Brown,	Faulkner,	Morrill,	Stockbridge,
Cameron,	Frye,	Paddock,	Teller,
Chace,	George,	Payne,	Vance,
Chandler,	Gorman,	Platt,	Vest,
Cockrell,	Gray,	Plumb,	Voorhees,
Coke,	Hale,	Pugh,	Walthall,
Cullom,	Hampton,	Reagan,	Wilson, of Iowa.
Davis,	Hawley,	Riddleberger,	

The PRESIDING OFFICER. Forty-seven Senators have answered to their names. A quorum is present. The Secretary will again call the roll on the question of agreeing to the amendment of the Senator from North Carolina [Mr. VANCE].

Mr. GEORGE. I should like to call the attention of Senators on the other side to the fact that I am paired with the Senator from New Hampshire [Mr. BLAIR], and if any Senator on the other side who is paired with an absent Democrat wishes to do so, the pairs can be exchanged so as to help to keep up a quorum.

The Secretary proceeded to call the roll.

Mr. HISCOCK (when his name was called). I am paired with the Senator from Arkansas [Mr. JONES].

Mr. BERRY (when the name of Mr. JONES, of Arkansas, was called). My colleague [Mr. JONES, of Arkansas] is absent on a conference committee, and is paired with the Senator from New York [Mr. HISCOCK]. My colleague would vote "yea" if he were present.

Mr. MORRILL (when his name was called). I give notice for the day that I am paired with the Senator from Tennessee [Mr. HARRIS].

Mr. PUGH (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS] with a right to vote to make a quorum. As there seems to be a lack of a quorum, I vote "yea."

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. EVARTS (after having voted in the negative). I am paired with the Senator from Alabama [Mr. MORGAN] who is absent, and I recall my vote.

The result was announced—yeas 19, nays 22; as follows:

YEAS—19.

Bate,	Coke,	Hampton,	Vance,
Berry,	Colquitt,	Payne,	Vest,
Brown,	Eustis,	Pugh,	Voorhees,
Butler,	Faulkner,	Reagan,	Wilson of Md.
Cockrell,	Gray,	Saulsbury,	

NAYS—22.

Aldrich,	Dawes,	Paddock,	Stewart,
Allison,	Dolph,	Palmer,	Stockbridge,
Cameron,	Frye,	Platt,	Teller,
Chace,	Hale,	Plumb,	Wilson of Iowa.
Chandler,	Hawley,	Sawyer,	
Cullom,	Mitchell,	Sherman,	

ABSENT—35.

Beck,	Evarts,	Ingalls,	Quay,
Blackburn,	Farwell,	Jones of Nevada,	Ransom,
Blair,	George,	Jones of Arkansas,	Riddleberger,
Blodgett,	Gibson,	Kenna,	Sabin,
Bowen,	Gorman,	Manderson,	Spooner,
Call,	Harris,	McPherson,	Stanford,
Daniel,	Hearst,	Morgan,	Turpie,
Davis,	Hiscock,	Morrill,	Walthall.
Edmunds,	Hoar,	Pasco.	

So the amendment was rejected.

The PRESIDING OFFICER. The Secretary will proceed with the reading of the substitute.

The Secretary read as follows:

383. Paper-hangings and paper for screens or fire-boards, writing-paper, drawing-paper, filtering-paper, letter-press-copying paper, and all other paper not specially enumerated or provided for in this act, 25 per cent. ad valorem.

Mr. VANCE. Before we proceed further, I desire to offer an amendment to paragraph 379. I move to insert at the end of line 1636 the following proviso:

Provided, That Bibles printed in any language shall be admitted free of duty.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from North Carolina [Mr. VANCE].

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ALLISON. I desire to ask the Senator from North Carolina to explain why it is that he wishes to make this amendment. As I understand, Bibles are printed now in this country in a number of different languages by the American Bible Society and distributed free of charge to any person who applies. I suppose there must be some object for the amendment. I have a statement, which I sent to the committee-room for, upon this subject, showing that Bibles are practically free now, not only free of duty, but free of cost in our own country.

Mr. VANCE. It is provided in the free-list of this bill that "books and pamphlets printed exclusively in languages other than English" shall be admitted free of duty. That would admit German Bibles, French Bibles, etc., for the use of our citizens who speak those tongues, but would exclude the common English Bible. The greatest Bible society in the world is the British and Foreign Bible Society, which distributes gratuitously more copies of the Scriptures than any other, I suppose, in the world, especially in the English language, and all portions of our country are always glad to receive donations of that kind. The bill as it stands would exclude that English Bible and the publications of that great society.

Mr. ALDRICH. As the American Bible Society distributes Bibles in America gratuitously, what practical result does the Senator expect by putting Bibles upon the free-list? Does he think that the English Bible Society will pay people to take Bibles on this side?

Mr. VANCE. I do not see exactly why our protectionist friends want a tax imposed even upon the Word of God to encourage American industry in this world. It might result in the encouragement of an industry in the next world that would perhaps be regretted by a great many members of the protection party when it is too late to have

a revision of the duties. It seems to me that this is carrying the doctrine of protection not only into the ground but under the ground and into the final resort of all protectionist people. [Laughter.]

I hope that the Word of God in all tongues will be admitted free. I have no doubt that a careful perusal of it would militate somewhat against the doctrines of these gentlemen, and would tend to a reduction of duties in this world, but still I hope for the sake of humanity and morality that this amendment will be passed.

The PRESIDING OFFICER. The roll will be called on agreeing to the amendment of the Senator from North Carolina [Mr. VANCE].

The Secretary proceeded to call the roll.

Mr. GEORGE (when his name was called). I am paired with the Senator from New Hampshire [Mr. BLAIR].

Mr. SPOONER (when his name was called). I am paired with the Senator from Mississippi [Mr. WALTHALL]. I do not see him in the Chamber.

Mr. GEORGE. He is absent on conference-committee work.

The roll-call was concluded.

Mr. FARWELL. I am paired with the Senator from Florida [Mr. PASCO]. If he were here, I should vote in the negative.

Mr. PAYNE. On this question I am paired with the Senator from Nevada [Mr. STEWART].

Mr. MANDERSON. I am paired with the Senator from Kentucky [Mr. BLACKBURN]. If he were present, I should vote "nay."

Mr. DAVIS. I am paired with the Senator from Indiana [Mr. TURPIE].

Mr. HOAR. I am paired with the Senator from North Carolina [Mr. RANSOM], reserving the right to vote in order to make a quorum. As there is no quorum, I will vote "nay."

The result was announced—yeas 18, nays 22; as follows:

YEAS—18.

Bate,	Colquitt,	Jones of Arkansas,	Vest,
Berry,	Eustis,	Morgan,	Voorhees,
Butler,	Faulkner,	Reagan,	Wilson of Md.
Cockrell,	Gray,	Saulsbury,	
Coke,	Hampton,	Vance,	

NAYS—22.

Aldrich,	Dawes,	Hiscock,	Plumb,
Allison,	Dolph,	Hoar,	Sawyer,
Cameron,	Evarts,	Mitchell,	Sherman,
Chace,	Frye,	Paddock,	Teller.
Chandler,	Hale,	Palmer,	
Cullom,	Hawley,	Platt,	

ABSENT—36.

Beck,	Edmunds,	Kenna,	Riddleberger,
Blackburn,	Farwell,	McPherson,	Sabin,
Blair,	George,	Manderson,	Spooner,
Blodgett,	Gibson,	Morrill,	Stanford,
Bowen,	Gorman,	Pasco,	Stewart,
Brown,	Harris,	Payne,	Stockbridge,
Call,	Hearst,	Pugh,	Turpie,
Daniel,	Ingalls,	Quay,	Walthall.
Davis,	Jones of Nevada,	Ransom,	Wilson of Iowa.

So the amendment was rejected.

The PRESIDING OFFICER. The reading of the substitute will be proceeded with.

The Chief Clerk read as follows:

384. Printing-paper, unsized, used for books and newspapers exclusively, 15 per cent. ad valorem.

Mr. VEST. In line 1653 I move to strike out "15" and insert "12;" so as to read:

Printing-paper, unsized, used for books and newspapers exclusively, 12 per cent. ad valorem.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Missouri [Mr. VEST].

Mr. VEST. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE].

Mr. MANDERSON (when his name was called). If I were not paired with the Senator from Kentucky [Mr. BLACKBURN] I should vote "nay" on this question.

Mr. SPOONER (when his name was called). I am paired with the Senator from Mississippi [Mr. WALTHALL], who is absent from the Chamber in the service of the Senate. If he were present, I should vote "nay."

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB]. I should vote "yea" if I were not paired.

The roll-call was concluded.

Mr. HISCOCK (after having voted in the negative). I desire to inquire if the Senator from Arkansas [Mr. JONES] is recorded?

The PRESIDING OFFICER. The Chair is informed that the Senator from Arkansas is not recorded.

Mr. HISCOCK. I withdraw my vote, as I am paired with him.

Mr. BATE. I wish to announce that my colleague [Mr. HARRIS] is paired with the senior Senator from Vermont [Mr. MORRILL].

The result was announced—yeas 14, nays 21; as follows:

YEAS—14.

Bate,	Colquitt,	Morgan,	Vest,
Butler,	Eustis,	Reagan,	Wilson, of Md.
Cockrell,	Faulkner,	Saulsbury,	
Coke,	Hampton,	Vance,	

NAYS—21.

Aldrich,	Dawes,	Mitchell,	Sherman,
Allison,	Dolph,	Paddock,	Teller,
Cameron,	Evarts,	Palmer,	Wilson of Iowa.
Chace,	Frye,	Platt,	
Chandler,	Hale,	Plumb,	
Cullom,	Hawley,	Sawyer,	

ABSENT—41.

Beck,	Farwell,	Jones of Nevada,	Sabin,
Berry,	George,	Kenna,	Spooner,
Blackburn,	Gibson,	McPherson,	Stanford,
Blair,	Gorman,	Manderson,	Stewart,
Blodgett,	Gray,	Morrill,	Stockbridge,
Bowen,	Harris,	Pasco,	Turpie,
Brown,	Hearst,	Payne,	Voorhees,
Call,	Hiscock,	Pugh,	Walthall.
Daniel,	Hoar,	Quay,	
Davis,	Ingalls,	Ransom,	
Edmunds,	Jones of Arkansas,	Riddleberger,	

The PRESIDING OFFICER. The vote disclosing the want of a quorum, the Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Dawes,	Manderson,	Sherman,
Allison,	Dolph,	Mitchell,	Spooner,
Bate,	Eustis,	Morgan,	Stanford,
Berry,	Evarts,	Paddock,	Stockbridge,
Brown,	Faulkner,	Palmer,	Teller,
Butler,	Frye,	Payne,	Vance,
Chandler,	George,	Platt,	Vest,
Cockrell,	Hale,	Pugh,	Walthall,
Coke,	Hampton,	Reagan,	Wilson of Iowa,
Cullom,	Hawley,	Riddleberger,	Wilson of Md.
Daniel,	Hiscock,	Saulsbury,	
Davis,	Hoar,	Sawyer,	

The PRESIDING OFFICER. Forty-six Senators have answered to their names. A quorum being present, the Secretary will again call the roll on the question of agreeing to the amendment of the Senator from Missouri [Mr. VEST].

Mr. ALDRICH. I appeal to the Senator from Missouri to withdraw the call for the yeas and nays.

Mr. VEST. I wish to put the vote on record.

Mr. ALDRICH. The Senate has voted once.

Mr. GEORGE. I desire again to call the attention of Senators on the other side to the fact that I am paired with the Senator from New Hampshire [Mr. BLAIR]. I am present here and prepared to vote, and I am very willing, in order to keep up a quorum, which seems very difficult to do, if any Senator on that side is paired with an absent Democrat, to make a transfer of pairs so as to allow us both to vote.

Mr. ALLISON. I ask the Senator from Mississippi how it would do to exchange for the day the pair of the Senator from Indiana [Mr. TURPIE] with the Senator from Minnesota [Mr. DAVIS], so that the Senator from Indiana would stand paired with the Senator from New Hampshire [Mr. BLAIR]?

Mr. GEORGE. Both the Senator from Indiana [Mr. TURPIE] and the Senator from New Hampshire [Mr. BLAIR] are absent. That exchange will do.

Mr. ALLISON. That will allow the Senator from Mississippi [Mr. GEORGE] and the Senator from Minnesota [Mr. DAVIS] to vote.

Mr. GEORGE. Very well. I have no special desire to vote; but I dislike to be here and not vote, and thus break a quorum.

Mr. VEST. I ask unanimous consent to withdraw the call for the yeas and nays, as I have no wish to delay the Senate.

Mr. CULLOM. We have had one vote on the same subject.

Mr. VEST. Yes; I withdraw the call.

The PRESIDING OFFICER. Does the Chair understand the Senator from Missouri to ask unanimous consent to withdraw the call for the yeas and nays?

Mr. VEST. Yes, sir.

The PRESIDING OFFICER. If there be no objection, the call will be considered as withdrawn. The question is on agreeing to the amendment proposed by the Senator from Missouri [Mr. VEST], which will be again read for information.

The SECRETARY. In line 1653, it is proposed to strike out "15" and insert "12;" so as to read:

Printing-paper, unsized, used for books and newspapers exclusively, 12 per cent. ad valorem.

The amendment was rejected.

The PRESIDING OFFICER. The reading of the substitute will proceed.

The Secretary read as follows:

385. Paper, sized or glued, suitable only for printing-paper, 20 per cent. ad valorem.

386. Sheathing-paper, 10 per cent. ad valorem.

387. Playing-cards, 50 cents per pack.

388. Pulp, dried, for paper-maker's use, 10 per cent. ad valorem.

SCHEDULE N.—SUNDRIES.

389. Brushes, and brooms of all kinds, including feather dusters, 30 per cent. ad valorem; broom-corn, $4 per ton.

Mr. VEST. In line 1662, in paragraph 389, before the words "per cent.," I move to strike out "30" and insert "20;" and if the Senator from Iowa is willing, I will make two motions in one, and in line 1663 move to strike out "$4 per ton" and insert the word "free."

The PRESIDING OFFICER. If there be no objection, the two amendments will be considered as one. The amendment will be stated.

The SECRETARY. In line 1662 it is proposed to strike out "30" and insert "20," and in line 1663, to strike out "$4 per ton" and insert "free;" so as to read:

389. Brushes, and brooms of all kinds, including feather dusters, 20 per cent. ad valorem; broom-corn, free.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Missouri [Mr. VEST].

Mr. VEST. Mr. President, here is an article of universal consumption. It is no luxury, but an article that goes into every home and workshop and every place of business throughout the entire country. The present rate of duty on brooms is 25 per cent. ad valorem. That rate is increased to 30 per cent. ad valorem, which is an increase of 5 per cent. upon brooms over the existing law, leaving the duty upon brushes at the same rate.

In 1880 the census report showed that of brooms and brushes there were produced in the United States $10,560,855 worth, the labor cost in the production of which was 23 per cent. The table of exports from the United States for 1887 shows that of brooms and brushes we exported in 1887 $172,883 worth and in 1888 $164,483 worth. Of broom-corn we exported in 1887 $170,534 worth and in 1888 $160,651 worth, being a decrease in the export of broom-corn from 1887 to 1888 of $9,883 and in brooms and brushes of $8,450, whilst the product in the United States even in 1880 was over $10,000,000 worth.

This increase in duty can not certainly be required. The domestic manufacturers seem to control the market almost absolutely at the present rate of duty.

But aside from that, if there is any principle in regard to this tariff tax to which I am devoted it is to give us free material. I believe that what the manufacturers need to-day is freer markets. I believe the time is rapidly coming in this country when the greatest curse that will fall upon domestic manufacturers and the whole people will be the intense competition which comes from excluding all foreign importations and shutting the products of American labor out of foreign markets.

Here is broom-corn. I come from a Western State, one of the largest agricultural States in the Union. If any people in the world are interested in the production of broom-corn it is the people of Missouri, but I stand here to-day and plead for the introduction of that raw material free. And why? Because raw material free means an increase in the manufacture, and the cheap manufacture by the American manufacturer, and that means increased cheapness to the American consumer.

Yet our friends upon the other side of the Chamber, whilst they are the especial friends *per se* of the domestic manufacturers, still handicap them at every turn with an increased cost upon the raw material, of which they are the consumers.

I move, therefore, to reduce the duty to what it is in the existing law, striking off the 5 per cent. put upon brooms, and to give the American manufacturer the free raw material, broom-corn, in order that he may successfully compete with the foreign manufacturer.

Mr. ALDRICH. The Senator from Missouri says he moves to reduce the duty to what it is in the existing law. The present duty upon brushes is 30 per cent. ad valorem, which is the same rate fixed by the Senate bill in the paragraph now under consideration.

Mr. VEST. On brooms.

Mr. ALDRICH. On brushes.

Mr. VEST. But I say on brooms you increase the duty.

Mr. ALDRICH. We increase the duty on brooms 5 per cent. ad valorem.

Mr. VEST. That is what I said.

Mr. ALDRICH. The purpose of the committee was to make a uniform rate on both brushes and brooms, because at the custom-house it is very difficult to draw the line between brushes and brooms. There are many kinds of brushes made from broom-corn which are in a certain sense brooms, and *vice versa*, and it is very difficult to distinguish between them. There should be a uniform rate upon the two articles, and as the duty upon brushes can not be reduced without injury to American manufactures, the committee have placed the duty on both brushes and brooms at the same rate.

I say the present duty on brushes is 30 per cent. ad valorem, and notwithstanding that duty, brushes to the value of $557,000, or more than half a million dollars, were imported in 1887. The total amount of brooms imported was only $4,000 in value, upon which $1,000 was collected.

Mr. VEST. I beg the Senator's pardon. What does he say about the importations of brooms and brushes?

Mr. ALDRICH. I say that in 1887 there were brushes valued at $557,347.54 imported.

Mr. VEST. I have before me the official table sent to me from the Treasury Department.

Mr. ALDRICH. I have before me the official table sent from the Treasury Department, which shows what I state.

Mr. VEST. There is a discrepancy between them.

Mr. ALDRICH. There can not be any discrepancy, if the Senator will look carefully. There were only $4,000 worth of brooms imported. We have almost the entire American market, and will continue to have it whatever rate of duty there is. We have a considerable portion of the brush trade of the country, but there is a large number of expensive brushes, toilet and other brushes, which are now imported. If the duty should be reduced to 20 per cent. ad valorem the brush industry of this country would be destroyed. The brush manufacturers are anxious to secure an advance over the present rate of 30 per cent. ad valorem. I trust the Senate will not follow the suggestion of the Senator from Missouri.

Mr. VEST. I have two tables here, one of exports and one of imports, and my argument is much stronger than I thought it was when I made it. This is an export table, which accounts for what I thought to be a discrepancy, and is not a table of imports. I find now that we not only supply the home market in brooms and brushes, but we exported, in 1887, $172,183 worth, and in 1888, $164,433 worth. Over and above the consumption here at home, we send those articles abroad, and yet there is this increased duty proposed. The argument that I wanted to make is strengthened by the fact of these exports.

Mr. ALDRICH. I suppose the Senator from Missouri must be aware, if he is familiar with the subject, that the brooms exported are the coarser kind of brooms and brushes made from broom-corn. The imports are tooth and other toilet brushes, and it is the purpose of the committee to retain the duty with the hope that the American manufacturers may supply hereafter a considerable portion of the market which is now held by foreigners. We put bristles upon the free-list and retain the present duty on brushes with the hope that that industry might be further developed in this country. There are no exportations of this class of brushes, but very large importations.

Mr. VEST. Then the Senator from Rhode Island in forming this paragraph ought to have made some sort of distinction between the two articles and between the material that is used in them. He has increased the duty upon all sorts of brooms 5 per cent.

Mr. ALDRICH. Yes, on brooms, but we left the duty on brushes where it is.

Mr. VEST. I understand that; but you have increased the duty 5 per cent. on brooms, and you put a duty of $4 a ton upon the raw material.

Mr. ALDRICH. The present duty is 10 per cent. ad valorem. So far as the information of the committee went, it was that $4 per ton is less than 10 per cent. ad valorem. We were told that broom-corn is worth about $60 a ton.

Mr. VEST. It is hardly worth that now.

Mr. ALDRICH. So instead of increasing the duty on broom-corn we have reduced it.

Mr. VEST. Unquestionably there is an increase of 5 per cent. on brooms. I understand the Senator to say that the exports of this country are made principally out of the coarser raw material or broom-corn.

Mr. ALDRICH. I say to the Senator very frankly that the increase of duty of 5 per cent. on brooms will not affect either the importations or the exportations. There are no importations at present, and there will be none on that rate.

Mr. VEST. Then why is there necessity for putting on this increased duty when there is a surplus in the Treasury?

Mr. ALDRICH. It does not affect the surplus one way or the other.

Mr. VEST. Then it ought to be left alone.

Mr. ALDRICH. I beg the Senator's pardon. It is done for the sake of uniformity of classification, because the custom-house officers tell us they can not distinguish in many cases between what are brushes and what are brooms.

Mr. VEST. Then the Senators who framed this bill ought not to have adopted what they call this vicious system of ad valorem duties. It is based on valuations, and these they denounce all the time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Missouri [Mr. VEST].

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN]. If he were present, I should vote "nay."

Mr. DAVIS (when Mr. SABIN'S name was called). My colleague [Mr. SABIN] is paired with the Senator from West Virginia [Mr. KENNA].

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. EVARTS. I am paired with the Senator from Alabama [Mr. MORGAN], and therefore I withhold my vote.

The result was announced—yeas 18, nays 22; as follows:

YEAS—18.

Bate,	Daniel,	Payne,	Vance,
Berry,	Eustis,	Pugh,	Vest,
Cockrell,	Gray,	Reagan,	Wilson of Md.
Coke,	Hampton,	Saulsbury,	
Colquitt,	Jones of Arkansas,	Turpie,	

NAYS—22.

Aldrich,	Dawes,	Mitchell,	Stewart,
Allison,	Dolph,	Palmer,	Stockbridge,
Chace,	Frye,	Platt,	Teller,
Chandler,	Hale,	Plumb,	Wilson of Iowa.
Cullom,	Hawley,	Sawyer,	
Davis,	Hiscock,	Sherman,	

ABSENT—36.

Beck,	Edmunds,	Hoar,	Pasco,
Blackburn,	Evarts,	Ingalls,	Quay,
Blair,	Farwell,	Jones of Nevada,	Ransom,
Blodgett,	Faulkner,	Kenna,	Riddleberger,
Bowen,	George,	McPherson,	Sabin,
Brown,	Gibson,	Manderson,	Spooner,
Butler,	Gorman,	Morgan,	Stanford,
Call,	Harris,	Morrill,	Voorhees,
Cameron,	Hearst,	Paddock,	Walthall.

So the amendment was rejected.

The PRESIDING OFFICER. The reading will proceed.

The Secretary read as follows:

390. Button forms: Lastings, mohair cloth, silk twist, or other manufactures of cloth, woven or made in patterns of such size, shape, or form, or cut in such manner as to be fit for buttons exclusively, 10 per cent. ad valorem.

Mr. ALLISON. I move to strike out the words "silk twist," in line 1664. It does not belong to this paragraph.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 1664 it is proposed to strike out the words "silk twist."

Mr. ALLISON. They are there by inadvertence.

The amendment was agreed to.

The PRESIDING OFFICER. The reading will proceed.

The Secretary read as follows:

391. Card-clothing.—Manufactured from tempered steel wire, 45 cents per square foot; all other, 25 cents per square foot.

Mr. VANCE. I ask that that paragraph be passed over until some time later in the day, as there are some records I wish to have here, and I have sent for them.

The PRESIDING OFFICER. If there be no objection, the paragraph will be passed over.

The Secretary read as follows:

392. Chronometers, box or ship's, and parts thereof, 10 per cent. ad valorem.

393. Coal, bituminous, and shale, 75 cents per ton of 28 bushels, 80 pounds to the bushel.

Mr. VEST. I move to strike out all of paragraph 393, after the word "shale," in line 1673, and to insert "free."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Missouri.

Mr. VEST. I wish to say a few words on this subject, which is a most important one. I make this motion upon my own responsibility and upon personal convictions as to what is right. I do not make it as a politician or with a view to any local or sectional effect. I believe that coal ought to be on the free-list, as well as lumber, and for that reason I make this motion.

Now, sir, in the testimony of Charles F. Mayer before a committee of the House of Representatives on March 5, 1886, I find the following interesting history of the coal duty:

In 1824 a duty was imposed equivalent to $1.68 per ton; the act of 1842 placed it at $1.75 per ton; this rate was continued until 1846, when it was changed to an ad valorem duty of 30 per cent., which, by a falling scale provided by law, fell, in 1862, to 24 per cent. It was then, in 1862, changed to $1 per ton; in 1865 it was raised to $1.10 per ton; in 1866 it was raised to $1.25 per ton, at which it continued until 1873, when it was fixed at the now existing duty of 75 cents per ton.

The single exception to this general policy of the Government, apart from the special exception in the act of 3d March, 1883, was made in coals from the British provinces, which were admitted duty free by the provisions of the reciprocity treaty of 1854, and so continued until the termination of that treaty in 1866.

This exception, it is claimed, was unfairly obtained by parties interested in provincial mines; but be that as it may, the owners of provincial mines, aided vigorously by New England parties who had become interested in that region, have persistently worked, ever since the termination of that treaty, to get coal placed upon the free-list.

The special (and extraordinary) exemption to which I refer was that provision in the act of 3d March, 1883, by which "a drawback of 75 cents should be allowed on all bituminous coal imported into the United States, which is afterward used for fuel on board vessels propelled by steam which are engaged in the coasting trade of the United States or in the trade with foreign countries."

So that the people of the United States who are not engaged in the coasting trade are compelled under existing law to pay this duty of 75 cents on the ton to that monopoly and also to vessels in the foreign trade, of which there are very few. There is a drawback allowed of 75 cents to these ship-owners, or in other words, as to them, coal is put on the free-list.

If that sort of privilege is given to the owners of vessels either in the foreign trade or the coasting trade, it ought to be given to all the people of the United States. No such discrimination should be made. I have heard my friend from Maine [Mr. FRYE] in the most eloquent and vehement terms eulogize the coasting trade, and I have heard him state here the marvelous increase of that trade, and that to-day we have a coasting trade furnishing the most magnificent domestic marine on the face of the earth. Is that an infant industry? Is that entitled to this drawback of 75 cents, or in other words, free coal? Why is it?

Mr. ALDRICH. There is no drawback provided for in this bill.

Mr. VEST. I know there is not in this bill, but it is in the existing law.

Mr. ALDRICH. It will not be after this bill passes.

Mr. VEST. There is no repeal of it specifically.

Mr. ALLISON. It is left out entirely.

Mr. VEST. I do not know what the effect of leaving it out will be. Does the committee understand that that is a repeal of it?

Mr. ALLISON. Certainly. This is a substitute for the provisions as to coal in the existing law.

Mr. VEST. Then I submit to the committee that the safe way would be to repeal that clause specifically, and not leave it in a nebulous and uncertain condition.

But outside of this fact, granting that the committee intend to repeal that drawback as it exists now on the statute-book, I say that we should have free coal and we should have free lumber. Coal is an article used in manufacturing; it is an article used in the warming of dwelling-houses and places of business; it is an absolute necessity; and why should there be a tax upon it, when we have throughout this country enormous deposits of bituminous coal? Are we not able to compete with foreign countries in that article? What article is there, if not this, in which the people of the United States are able to stand independent and without any artificial aid? But I suppose we shall be met with the statement that this is done in the interest of American labor, that the coal-miners of Pennsylvania should have this duty.

Mr. FAULKNER. Mr. President——

Mr. VEST. If the Senator wishes to ask me a question, I will yield, but I am not through yet with my remarks.

Mr. FAULKNER. I thought the Senator had concluded, and I wished to make some remarks on the subject.

Mr. FRYE. Not in the same line, however.

Mr. VEST. I have stated my position.

Mr. President, in regard to the condition of the labor engaged in taking out bituminous coal in the United States, I want to read from the highest protective authority, Mr. John Jarrett, the president of the Amalgamated Association, as I believe it is called, of Iron and Steel Workers, a gentleman, I believe, who went West a few years ago for the purpose of securing the defeat of Col. William R. Morrison, and about whom a great deal was said in the papers just after that election.

Mr. FRYE. And he succeeded.

Mr. VEST. Yes, I am ashamed to say, he succeeded with the money of the manufacturers in debauching that district, which this year elected a Democrat.

Mr. CULLOM. Oh, no.

Mr. VEST. Morrison's district, in Illinois, opposite to Missouri. Mr. John Jarrett, this gentleman from whom I intend to read, was the emissary, the agent, of the protected interests, and he boasted of it. He went into that district with money and used it to defeat Colonel Morrison, as brave and gallant a man as ever lived anywhere on any question at any time, and this year the people of that district reversed that verdict.

Mr. CULLOM. So far as the latter statement is concerned, I beg to say that is a question yet to be settled. It may turn out on investigation that the gentleman who was elected two years ago was elected again this fall.

Mr. VEST. I know there is a contest, and wherever there is a margin inside of 300 votes everybody is going to contest, relying on the Republican majority in the next House.

Mr. CULLOM. We are relying on the merits of the case; and the gentleman who has the certificate only has it by 16 majority on the face of the returns.

Mr. VEST. If he had been a Republican that would have been ample.

Mr. CULLOM. I may be allowed to say that so far as the conduct of Mr. Jarrett is concerned, and the statement that there was a vast amount of money spent there two years ago, it is also very greatly exaggerated.

Mr. VEST. I do not suppose my friend from Illinois—we are close neighbors, and both of us know something about that election—will deny my statement that Mr. Jarrett was there.

Mr. CULLOM. Mr. Jarrett was there, as I understand.

Mr. VEST. A citizen of Pennsylvania, the president of this association, and he admitted afterwards and boasted in the public prints that he went there to defeat Morrison, and I can produce his statement here.

Mr. ALDRICH. Will the Senator from Missouri allow me to interrupt him a moment?

Mr. HISCOCK. Allow me to say that the State of New York this fall was stumped by a great many distinguished gentlemen from other States, and it never has been supposed to be reprehensible for a gentleman to go from one State to another to make political speeches or render political service.

Mr. VEST. That is ingenious, but it is not ingenuous. When an

orator goes into a State, when a man has a talent for stump speaking, we know he does not rely on money, but when Mr. Jarrett went there he did not rely on his oratorical abilities.

Mr. HISCOCK. I desire to say that the Senator from Missouri entirely underestimates Mr. Jarrett. He is a very strong speaker.

Mr. VEST. I will end that discussion, if the Senator from New York pleases, with Mr. Jarrett's own statement.

Mr. CULLOM. I desire to say furthermore that the distinguished gentleman, the author of what is called the Mills bill, spent a good deal of his time in that district this year.

Mr. VEST. Yes; but nobody ever accused ROGER Q. MILLS of relying upon money. He has not got it, and never had it. He made his speeches everywhere boldly and frankly, and good ones, and he did not go, like Mr. Jarrett, representing an association and a lot of monopolists.

Mr. CULLOM. Mr. Jarrett went there and visited specially the class of men to which he belongs, that is, the laboring class of that district, believing that he had influence with them, being one of them, and it turned out that he seems to have had some influence.

Mr. ALDRICH. Now, the Senator from Missouri will allow me to interject one remark. The Senator from Missouri says that Colonel Morrison is a good man and a brave man, which I admit; but Colonel Morrison never had courage enough to incorporate a proposition to put coal on the free-list in any of the bills which he offered in the House of Representatives, and I congratulate the Senator from Missouri on his superior courage and bravery on this occasion.

Mr. VEST. It requires no courage on my part. My convictions are very sincere on this question. There is a great deal of coal in the State of Missouri, there is a great deal of lead, a great deal of iron; but my friends, without assuming for myself any extraordinary courage or political valor, will find me always fighting on the same line.

Mr. FRYE. The Republicans are getting thicker there.

Mr. VEST. Yes; but that makes no difference with me. That would be an argument if I were a time-server for mitigating what my friends on the other side call my free-trade tendencies, but I propose if the Republicans are increasing there to make my arguments a little stronger in the direction in which I am going now, and I intend, to use the language of a very distinguished Republican and soldier, to fight it out on this line if it takes ten summers instead of one.

But returning after this little political episode "to our mutton," I quote from Mr. Jarrett in his testimony before the Committee on Education and Labor, volume 1, page 1163, as to the condition of the coal miners in the United States. Our friends on the other side always wind up every Columbian oration with an appeal on behalf of the working people of this country, the factory operatives, the miners, and I want to give them now from Mr. Jarrett a little testimony as to the effect of this high tariff upon these people:

Q. Do you know anything about the condition of the workingmen in other trades than your own?

A. I have not given that subject one-tenth of the attention that I have given to the condition of the workers in my own trade.

Q. Do you know anything about the condition of the men who mine the iron?

A. I do, sir; did you say the coal-miners?

Q. The men who mine the iron and coal?

A. Well, coal mining in Pennsylvania, in my opinion, is a more important interest than ore mining, and the condition of the coal miners in the State of Pennsylvania is pitiable, miserable.

Q. How many of them do you think there are?

A. There must be at least 90,000 coal-miners in Pennsylvania.

Q. Do you mean heads of families or workers altogether?

A. I would assume that there would be among them about 60,000 heads of families.

Q. You say their condition is pitiable and miserable; how so, and how much so is it?

A. It is because the wages of coal-miners are too low. They are ill-paid. Then, too, they suffer from the truck system. Under that system they pay 100 per cent. more for what they buy than our people do. Then the houses they live in are extremely miserable. If I feel particularly for any branch of labor in this country it is the poor coal-miner. He risks his life day after day for a mere pittance. Every time he departs from the light of day he does not know whether he will ever see it again. And while in some branches it does not require much skill to be a miner, in others it does, and I think the coal-miner ought to be better paid, better clothed, better housed, and better fed than he is.

THE ENGLISH MINERS BETTER OFF.

Q. Have you been among those miners?

A. Yes, sir; and from my experience among the coal-miners in England I may say that they are really better cared for there than are the coal-miners in the United States. I do not say that the English miner gets as much money for his labor, but he is better cared for.

Q. Do you mean that he has more comfort during the year?

A. Yes, sir. The government there has taken care to make very stringent laws for the protection of the miners. The colliery laws control all the mines there, and I think it is the duty of our Government here to make equally strict laws to apply to that subject.

Mr. HISCOCK. Does the Senator from Missouri understand that that description applies to all the men who are engaged in the mining of coal?

Mr. VEST. Yes, sir; it does not apply to the anthracite-coal miners particularly, but to all the coal-miners.

Mr. HISCOCK. Not the anthracite-coal miners?

Mr. VEST. Not particularly, but it applies to all of them.

Mr. HISCOCK. That testimony applies exclusively to the anthracite-coal miners.

Mr. VEST. No; it applies to all of them.

Mr. HISCOCK. Will the Senator tell us how much bituminous coal is mined in Pennsylvania?

Mr. VEST. I have the statistics here in this testimony, but I have not referred to them lately, nor is it material.

Mr. HISCOCK. It is very material in describing the condition of the persons engaged in mining coal.

Mr. VEST. We know that both bituminous and anthracite coals are mined in Pennsylvania, and why does the Senator from New York seek to interject that sort of statement here now to make the impression that this applies to anthracite-coal miners alone? It applies to all, to the miners of bituminous coal and to the miners of anthracite coal; and if there is any industry in this country, I might be permitted to say if I followed him now in the line of his inquiry, that ought to have their miners in comfortable houses and in good condition, it is the anthracite-coal-mine owners. That makes the argument much worse against the protective-tariff system than if it applied to bituminous coal alone.

Mr. GRAY. The Senator from Missouri will allow me to suggest to him that the anthracite-coal miners have an absolute monopoly of that industry of anthracite coal. So far as I know it is confined to the State of Pennsylvania—there may be deposits in other parts of the country, but they have an exclusive monopoly by reason of the distribution of the bounties of nature.

Mr. VEST. That is why I stated that in the coal business, if there is any branch of it which ought to pay large wages and make their miners comfortable, it is the anthracite-coal-mine owners; and if the Senator from New York says that this testimony applies to them, so much the worse for them.

Mr. HISCOCK. What has the tariff to do with it in the case of anthracite coal? There is no tariff on anthracite coal. There is free trade in that.

Mr. VEST. I supposed, and I have heard that stated here over and over again, that the tariff system applied to all the people of this country.

Mr. HISCOCK. This illustrates your doctrine certainly. Anthracite coal is on the free-list.

Mr. VEST. I supposed from what I had learned that the blessings of the tariff descended, like the rains of heaven, upon the just and unjust alike.

Mr. HISCOCK. It does upon everything where protection is needed; and where it is needed, there we have its benefits.

Mr. VEST. I am obliged to the Senator from New York. That is the whole of this question. I have said all the time that it applies only to these protected people, to the manufacturers; but I have been told here over and over, "Oh, no; it applies to the entire population of the country; it is like the broad canopy of heaven, which covers us all and is over us all." Now, the Senator from New York says it only applies where protection is needed. Of course that is the whole truth, and I have been destroying my health here trying to make the Senator from New York believe it. [Laughter.]

We have heard a great deal about the horrible condition of the English miner and the decrease of wages in free-trade England. I have before me a statement from the Philadelphia Bulletin of December 12, 1888—that is pretty good protection authority—which gives the wages paid to the coal-miners in England, who, Mr. Jarrett says, are in a better condition than they are under the high tariff in the United States. We have heard continually that wages are going down in all the different industries in Great Britain and that free trade is murdering the industrial system of that kingdom. Here is what the Bulletin says:

WAGES OF COAL-MINERS IN ENGLAND.

The London Colliery Guardian, for November 23, 1888, publishes an elaborate tabulated statistical statement illustrative of a paper on "The Coal Trade," which was recently prepared and read by Mr. John Knowles before the Manchester Geological Survey. Among the tables is the following, which gives the average weekly wages paid to each employé in the Manchester district from 1852 to 1887:

Date.	Average weekly wages.	Persons employed.	Date.	Average weekly wages.	Persons employed.
	s. d.			s. d.	
1852	16 3	2,340	1870	20 10	3,151
1853	18 7	2,697	1871	23 2	2,808
1854	18 3	2,814	1872	28 0	3,047
1855	16 8	2,650	1873	32 0	3,106
1856	16 7	2,843	1874	29 1	3,185
1857	16 9	2,747	1875	29 2	3,400
1858	16 7	2,846	1876	25 2	3,197
1859	17 8	2,825	1877	25 1	3,143
1860	20 1	3,186	1878	23 8	3,184
1861	18 9	3,223	1879	22 9	3,553
1862	15 9	2,963	1880	22 2	3,539
1863	16 6	2,607	1881	21 11	3,680
1864	18 7	2,745	1882	23 6	3,615
1865	18 11	2,897	1883	24 4	3,442
1866	21 9	3,063	1884	23 10	3,586
1867	23 3	3,299	1885	22 4	3,385
1868	21 0	3,213	1886	21 4	3,391
1869	19 7	2,915	1887	21 9	3,067

Mr. Jarrett says their condition is a great deal better than that of

the American coal-miners. One would suppose from the excitement on the other side of the Chamber that it requires a great deal of courage to move to take the duty off coal. Why, Mr. President, I think Senators are mistaken. That proposition has been several times advanced before the people of the United States and received the support of the most eminent Republicans, many of whom are in this body now.

Mr. ALLISON. Will the Senator tell me why it is not in the House bill as it came to us?

Mr. VEST. I am taking care of the interests of the people of this country in my own way. I am not answering for the motives of other people or for what other people do. I have not consulted the committee of the other House or the members of the other House, and I do not propose to do so. The only people I am responsible to are those of Missouri and of the United States.

Mr. ALLISON. I supposed the Senator had some information on that subject.

Mr. VEST. Not the slightest. I was not in consultation with those gentlemen when they framed that bill, and I have never been influenced by its provisions. I would go below the duties in that bill to-day if I could. I can not do it, but I am doing the best I can and cutting down wherever I see a chance to do so. The Mills bill is no criterion of political excellence for me. There are provisions in it that I never indorsed, still I have to take what is in it because I can not get anything better.

This monstrous proposition to put coal on the free-list has been before the Congress of the United States before. On March 26, 1872, Mr. Trumbull, of Illinois, moved to put coal on the free-list.

That from and after the passage of this act coal shall be placed on the free-list, and no further import duty shall be collected upon the same.

Mr. TRUMBULL. Let us have the yeas and nays upon that.

Mr. DAWES. Did the Senator say that the condition of things in 1872 was no criterion of the condition of things in 1888?

Mr. VEST. Well, Mr. President, I am ready to meet the Senator from Massachusetts as to any change in conditions, if he can show me one single reason why coal to-day should have a duty upon it. If he can add one single reason to what existed in 1872 I shall very gladly hear him, but I can give him reasons why the duty should be taken off to-day that did not exist then.

Mr. DAWES. I only called to the Senator's mind the argument that was so potently made two years ago.

Mr. VEST. I should not be fit to hold a seat on this floor if I laid down a Procrustean rule on an economical question, and the Senator from Massachusetts knows it.

Mr. DAWES. I know the Senator's versatility.

Mr. VEST. We will see who has the versatility. I want to read the vote the Senator gave on coal. He will need all his versatility. I have the record, and if he has not performed some acrobatic feats that were worthy of the professors of that art on this coal question, I am mistaken. In 1872—

The yeas and nays were ordered; and being taken resulted—yeas 17, nays 25; as follows:

YEAS—Messrs. Blair, Hamilton of Texas, Hamlin, Harlan, Hill, Kellogg, Kelly, Logan, Morton, Norwood, Pratt, Schurz, Spencer, Sumner, Trumbull, Wilson, and Windom—17.

A majority of whom were Republicans and voted to put coal on the free-list. In the nays there were 25.

Mr. DAWES. Who were the nays?

Mr. VEST. The nays were:

NAYS—Messrs. Ames, Boreman, Caldwell, Cameron, Chandler, Clayton, Conkling, Cooper, Corbett, Cragin, Davis of West Virginia, Fenton, Ferry of Michigan, Frelinghuysen, Gilbert, Hamilton of Maryland, Pomeroy, Pool, Rice, Robertson, Scott, Sherman, Stewart, West, and Wright—25.

That was in the Senate. On June 6, 1870, Mr. Ward, in the House of Representatives, made a motion to put coal on the free-list.

Mr. Ward submitted the following resolution, on which he demanded the previous question:

"*Resolved*, That the Committee on Ways and Means is hereby instructed at the earliest moment practicable to report a bill to this House to abolish the tariff on coal so as to secure that important article of fuel to the people free from all taxes."

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 112, nays 78, not voting 40; as follows:—

Now here comes the roll of honor, for it is a roll of honor with me—

YEAS—Messrs. Adams, Allison——

Mr. COCKRELL. Is that W. B. ALLISON, the Senator from Iowa now?

Mr. VEST. As a matter of course it is our friend from Iowa, and he is in heart with us yet.

Ames, Atwood, Bailey, Banks, Beatty, Beck, Bennett, Biggs, Bird, Boyd, George M. Brooks, James Brooks, Buffinton, Burchard, Burr, Benjamin F. Butler, Churchill, Sidney Clarke, Coburn, Cook, Conner, Cowles, Cox, Crebs, Cullom——

Mr. COCKRELL. Is that the Senator from Illinois, S. M. CULLOM?

Mr. VEST. I think it is.

Davis, Dawes——

Mr. COCKRELL. Is that H. L. DAWES, the present Senator from Massachusetts?

Mr. VEST. Our friend from Massachusetts talks of versatility——

Mr. HISCOCK. How long ago was that?

Mr. VEST. The statute of lamentations has run, as my friend from North Carolina says. [Laughter.]

Mr. HISCOCK. How many years ago?

Mr. VEST. Eighteen hundred and seventy-two.

Mr. HISCOCK. I want to put on record here a prophecy that in an equal number of years there will be an equal change in the views of the Senator from Missouri.

Mr. VEST. Well, Mr. President, "sufficient unto the day," etc. I will take my chances on the change, and I undertake to say in an equal number of years it will not concern me much.

Mr. DAWES. Does not the Senator see the force of what I said?

Mr. VEST. It seems that my friend from Massachusetts has felt something hurt him already.

Degener, Dixon, Dox, Dyer, Ela, Eldridge, Farnsworth, Ferriss, Finkelnburg, Fisher, Fitch, Fox, Griswold, Haight, Hale——

Mr. COCKRELL. Is that the Senator from Maine?

Mr. VEST. Yes, sir; the Senator from Maine. He belonged to the body-guard of the people then.

Hamilton, Harris, Hawley, Hay, Hays, Heflin, Hoar, Holman, Hotchkiss, Ingersoll, Jenckes, Johnson, Alexander H. Jones, Judd, Kellogg, Kerr, Ketcham, Knott, Laflin, Lash, Lawrence, Logan, Loughridge, Lynch, Marshall, Mayham, McCormick, McCrary, McNeely, Jesse H. Moore, Morgan, Morrissey, Niblack, Orth, Packard, Paine, Peck, Peters, Pomeroy, Potter, Reeves, Sargent, Sherrod, Slocum, Joseph S. Smith, William J. Smith, Worthington C. Smith, William Smyth, Starkweather, Stevenson, Stoughton, Strong, Sweeney, Tanner, Twitchell, Tyner, Van Trump, Ward, William B. Washburn, Wheeler, Whitmore, Wilkinson, Williams, Eugene M. Wilson, Winans, Winchester, and Wood—112.

This resolution, Mr. President, was agreed to by the enormous vote of 112 in the affirmative to 78 in the negative, and not voting 40. One hundred and twelve to 78! So it did not require much political courage for me, with increased necessity for free coal, greater manufacturing, enormous increase of population, to move to put this article of prime necessity on the free-list. I ask for the yeas and nays on the amendment.

Mr. FAULKNER. Mr. President, I feel a deep interest in the action which the Senate may take upon the amendment of the Senator from Missouri [Mr. VEST], as my State is so largely interested in the development of the coal industry, especially of bituminous coal. If we have any we have very little anthracite coal in the State of West Virginia, but I am satisfied that there is no area of country in the United States that surpasses West Virginia in its deposits of bituminous coal, the coal area of that State covering 16,000 square miles in a total area of 24,645 square miles embraced within her limits.

I would not oppose the amendment simply because I represent a State which is so deeply interested in the development of the coal-mining interest, but I feel confident that in opposing it I am sustained by the declaration of principles of the national Democratic party and the action of its representatives in formulating the Mills bill.

Mr. President, in that platform of principles the Democratic party announced to the people of this country that the reduction of revenue, which was an imperative necessity, should be made "in a spirit of fairness to all interests." That declaration was accepted by the people of the country as a leading and cardinal principle that should govern in the framing of the details of a bill for the reduction of the revenue.

With confidence in the good faith and honest purpose of that party the people decreed the overthrow of the Republican party by the election of a Democratic President and House of Representatives.

Coal was on the dutiable-list at $1.25 a ton. Subsequently and in the process of reduction of the rates of duty upon the various protected articles the duty on coal was reduced from $1.25 to 75 cents per ton; but even then, as the Senator from Missouri has stated, drawbacks were allowed in favor of all steam-vessels in the coasting trade, and therefore protection was only afforded to coal of American production as against foreign coal that was brought to the seaboard for the purpose of being utilized in the manufacture of articles in cities on the seaboard. That was the only protection practically given to coal under the provisions of the revenue laws.

In accordance with the principles of revenue reduction announced in the platform of 1884, the Committee on Ways and Means of the House formulated a bill at the last session, which was substantially indorsed by the national Democratic convention of last year, and on which the canvass was made before the people of my State. Every representative of that party maintained that the provisions of the Mills bill fairly and honestly gave expression to the policy of the party as announced in its platform, to wit, that the reductions therein made were prompted and controlled by "a spirit of fairness to all interests."

Congress having reduced the duty on coal 50 cents a ton, the framers of the House bill, recognizing the fact that a further reduction of duty upon that article would be a violation of that declaration, that reductions would be made "in a spirit of fairness to all interests," refused to interfere with the duty then existing on coal, leaving it at 75 cents on a ton.

I therefore claim, Mr. President, that in opposing the amendment

of the Senator from Missouri I am standing on firm, solid, Democratic doctrine.

Mr. President, I would ask the Senator from Missouri whether he is not asking this side of the Senate to do that which is unjust and unfair in this respect? Who would be benefited, I will ask the Senator, by the abolition of this duty upon coal? Would any man in the interior who purchases a ton of coal be benefited one dollar by this reduction? No, sir; not one cent. The benefit, if his amendment should be adopted, would be received by whom? By the manufacturers on the seaboard, who would have the privilege of purchasing foreign coal, which could then compete with the coal from the interior, by purchasing it from vessels which brought it to the shores of this continent as ballast, or under very low freights, but the consumer of the interior would not be benefited one dollar or one cent by reduction in the price, and why? Simply because when you come to compete with American coal, and have to transport the foreign article which is landed upon our shores at the seaboard into the interior, the cost of transportation would cause the price to stand as it stands to-day; and the consumer, except upon the seaboard, would pay exactly the same price, because coal at the mine is now selling at a low price. Therefore there can be no benefit resulting to any one but the manufacturing interests on the seaboard in the amendment offered by the Senator from Missouri.

That is the way it strikes me, and I am satisfied that would be the practical effect of this amendment, and I appreciate the attitude of those Senators representing the East, the New England States, and large manufacturing interests on the seaboard who are willing to stand by a fair and reasonable duty on coal, when they alone can be benefited by placing it on the free-list.

Mr. HALE. I desire to ask the Senator from West Virginia whether he knows of any movement that has originated upon the seaboard demanding that coal be put upon the free-list? In connection with that I may say that while it would undoubtedly of itself and standing alone be a benefit to the seaboard of New England, to the people whom I represent here, still I do not know of any movement that has been made in the direction of putting this article on the free-list. We believe that this and other articles are a part of a great general system that it is necessary to protect in the interest of American labor and American industry, and, as the Senator knows, we are making no raid upon coal.

Mr. FAULKNER. In answer to the Senator from Maine, I have no hesitation in saying that I have heard of no movement or any effort, either upon the part of the people of that locality or upon the part of their representatives in the Senate, in any way to reduce the duty upon coal as fixed under the present law and as set forth in the Senate substitute, which is the same duty as provided for in the Mills bill.

I was proceeding to state that there is an additional reason why those gentlemen should not do it in all fairness and in all justice to the great coal interest of the interior of the country. They are highly protected on all articles which they are manufacturing, and if there are any persons who can fairly pay tribute, if this is to be considered a tribute, those who are receiving 42 per cent. protection on the articles which they manufacture should not complain (and I am glad to say they do not) to a reasonable duty of 24 per cent. to foster and develop so important an interest as this—an interest which employs a large number of laborers and digs from the bowels of the earth over a hundred millions of tons annually.

I am satisfied, Mr. President, from the examination I have made of Mr. Jarrett's testimony, to which the Senator from Missouri refers, as he will be if he examines it carefully, for I have had occasion to refer to that evidence. I repeat, I am satisfied Mr. Jarrett in his testimony is alluding to the miners of the anthracite region, and not to the miners of the bituminous fields. There is, relatively speaking, a small section of the coal region of Pennsylvania which is bituminous, it being that section which is known as the Connellsville region, and which extends on into West Virginia. There will be developed within the next year in the State of West Virginia a coke interest that will be equal, if not superior, in quality and output to the Connellsville coal interest, which now has a reputation for fineness and quality superior to all others.

Only a few days ago, to my personal knowledge, 60,000 acres of the most magnificent coal land that can be found in this country was arranged by the owners of it to be sold to a syndicate of gentlemen who are going to develop it. Throughout that portion of the State of West Virginia running from Fairmont, in Marion County, down towards Clarksburgh, in the interior of the State, great progress in the development of this important interest is being made.

In the southwestern part of the State, I can state to the Senate, as an evidence of the wonderful coal deposit found there and the progress of this industry in West Virginia, that since the first of last April in one district of one county the population has increased three thousand, and to-day, for 10 miles, where a year ago there were only a few habitations and a scattered population there are now 10 miles of coke ovens as close together as they can be built, and I am informed that in the excavation of a tunnel for a road to transport that product to market the cost of the excavation was paid for from the coal that was excavated.

I desire only to add a few words. I think it is a recognized fact by all those dealing with this subject that 90 per cent. of the cost of coal is in labor. I claim, therefore, that under the principles of the party to which I have the honor to belong, that in the reduction of the tariff duties in accordance with the views of that party we should treat all interests with fairness, and that as the duty on this industry has been reduced to an amount far greater than any other protected interest since the inauguration of these high tariffs, it is unfair and unjust to ask us now, when it would result in increasing the profits of a few highly protected manufacturing industries on the seaboard, that coal should be placed on the free-list. Especially is this so when those affected by it are not asking for this reduction. I hope the Senate will vote down the amendment of the Senator from Missouri and allow bituminous coal to remain at 75 cents a ton, as it is under the present law.

Mr. PLATT. Mr. President, this seems to be a very pretty quarrel as it stands on the other side of the Chamber, and I have no disposition to interfere with it. I simply desire to say, as representing a New England State, that it affords me great satisfaction to cast one vote in which it can not be accused that the selfishness of the New England people is at the bottom of the matter.

If we were to argue as our Democratic friends are in the habit of arguing, and as they seem to delight in arguing, we should say that everybody who wanted to burn bituminous coal in Connecticut was being robbed for the benefit of West Virginia and Maryland. But we do not look at it in that light, Mr. President.

Undoubtedly we could obtain our bituminous coal cheaper if it were on the free-list. We are near to Nova Scotia where labor is cheap, and from whence the transportation is exceedingly cheap; and if all we were looking at was as to how our blacksmiths and our manufacturers and all the people who desire to use bituminous coal could get it cheapest, of course we should be in favor of free coal. But we have been led to believe that it is better that the bituminous-coal industry should be prosecuted in the United States than in Nova Scotia, and we are willing to contribute (if it be a contribution) to the general welfare by paying any additional price that coal may cost us for the purpose and object of having this industry perpetuated and enlarged in the United States. As I said when I rose, it gives me great pleasure to cast a vote in one matter where we can not be accused of selfishness.

The PRESIDING OFFICER (Mr. MANDERSON in the chair). The question recurs on the amendment proposed by the Senator from Missouri [Mr. VEST].

Mr. GORMAN. Mr. President, I think my position upon this matter is perfectly well understood. I am in favor in every schedule embraced within this bill of levying such duty as to give fair protection to American interests. I have stood and I stand now precisely where my party has always stood when it has been victorious, and that is upon the declaration that in levying this tax it should be so levied as to protect the labor engaged in the various enterprises and the capital invested in them. When this very question of the duty on coal was under discussion in 1883 I made precisely that declaration upon this floor.

We went before the country in 1884 with that specific declaration embodied in our platform, at the same time drawing the line as sharply as it was possible to draw it between our position and that of the Republican party, which we held had, and which I believe it now does in many items of this bill, fixed rates beyond the revenue limits—far in excess of the amount required to protect labor and the capital invested in manufacturing and other industries, the result of which must be excessive profits, increased prices to the consumers, and then monopolies and trusts. The average duty, which we proclaimed everywhere, made by the Mills bill was about 40 per cent., and on that the Democratic party stood. The duty on coal, 75 cents per ton, is less than 25 per cent. ad valorem. Why does the Senator from Missouri strike at this industry when the rate of duty is but about one-half that levied on other articles?

Mr. President, the Senator from West Virginia [Mr. FAULKNER] says truly that 90 per cent. of the cost of coal from the mines to the furnace goes to labor. There are more than one hundred thousand men engaged in mining bituminous coal, and these hard-working men, who bring it from the bowels of the earth, get under the present tariff from 30 to 50 cents per ton, their wages not exceeding $600 per annum. The owners of the property, the men who have invested their hard earnings in this enterprise, do not realize more than 10 cents per ton. The transportation lines, the railroads and canals, carry these products from the mines east of the Alleghanies to tide-water at less than one-half cent per ton per mile, so sharp is the competition, even with the duty at 75 cents. There is no monopoly; there can be no combine or trust in the bituminous-coal trade. The deposit is too extensive and the competition too sharp to allow it. To open the door and admit foreign coals free of duty can only result in disaster to the owners of the mines and bring lower wages to the men employed in this great enterprise.

Mr. President, under the moderate duties that were levied by the first act ever passed for levying duties on foreign imports the duty on bituminous coal was placed at 84 cents. It was increased to $1.25 by a Democratic Congress, and at no time from the date of the passage of the first act until now have the representatives of the Democratic party when in power ever proposed a lower duty than the present rate of 75 cents per ton.

From 1824 to 1843 the duty was $1.68 per ton; 1843 to 1846, $1.75 per ton; 1846, 30 per cent. ad valorem; 1847 to 1861, 24 per cent. ad valorem; 1862 to 1864, $1 per ton; 1865, $1.10 per ton; 1866 to 1872, $1.25 per ton; and since 1872, 75 cents per ton.

With this moderate protection what has been the result? The number of long tons produced in the United States in 1887 was 116,049,604, about 36,000,000 less than all of Great Britain.

Mr. President, I doubt whether such a result could have been attained by any other people under like conditions.

The deposits of the soft coals on the Atlantic seaboard are on an average 220 miles from tide-water. To mine this coal and transport it by railroad or canal to the manufacturing establishments of New England in competition with English coals was no ordinary undertaking. But so rapid and great has been the development and so perfect the agencies employed that coal is now sold free on board for less than $3 per ton, which is about one-half of its cost in 1860.

Mr. President, during the period from June, 1854, to March, 1866, the reciprocity treaty was in force and the coal from the British possessions in North America was admitted into the United States free of duty, and in response to the Senator from Connecticut [Mr. PLATT] and the Senator from Massachusetts [Mr. DAWES], I think it due to say that when you gentlemen of the New England States who want cheap coal saw that even the coal from the British possessions in North America, free of duty, was jeopardizing this great interest, embarrassing and impoverishing hundreds and thousands of laboring men, you agreed to the imposition of this small duty of 24 per cent.

Now, the Senator from Missouri [Mr. VEST], who seems to have gone beyond nearly everybody on this side of the Chamber, proposes to put coal upon the free-list, to strike all this mining interest that is east of the Alleghanies, and which must continue necessarily to furnish the fuel for New England and the Atlantic coast, knowing, as he does very well, that when it comes to the interior, to his own State, and to Illinois, and to Indiana, where there are immense deposits of it, the cost of transportation by rail would prevent English coal from hurting their interests. But he must know, if he has carefully examined the question, that it would impair if not destroy the interest east of the Ohio River.

Mr. President, the people of the State whom I in part represent do not advocate excessive rates of duty, but they will not willingly submit to pay 40, 50, and 100 per cent. on articles they consume, and have the small duty of 24 per cent. on coal taken off. It is not fair nor just, and I say to my friend from Missouri that he will find the lessons of the past repeated; whenever we depart from the old declarations of the Democratic party, whenever we depart from the declarations made in the platform of 1884, to which he subscribed and upon which we went to victory, so long will we remain the party of the minority. The time will never come when the people of the States bordering upon the Potomac (and who are advancing now as no other three States of the Union are in manufacturing and mining interests), will depart from the declaration—

That reduction in taxation can and must be effected without depriving American labor of the ability to compete successfully with foreign labor and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country.

Mr. President, I am a Democrat; I can not be anything else but a Democrat; and, as I stated a few days ago in the Senate, I am in the unfortunate position here, as quite a number of us are, of being compelled by the two extremes—for I think the committee that reported this bill, reporting it in a time of excitement, have a bill that is extreme upon the other side—to vote upon these amendments practically on party lines. I hope, however, before we get through with the consideration of this matter we shall regard it as above party, for the great interests of the country are depending upon this legislation to an extent that I fear my friend from Missouri does not entirely appreciate. It ought to be settled; it ought to be considered fairly, and as a business proposition; and I hope, now that we have come to an item where the Senators from the Virginias and my own State can come out and say precisely what we mean, that it will yet be considered independent of partisan considerations.

We want a reduction in the revenue; we want a reduction upon these schedules. I know no section in voting upon them. Where an article was not and could not be manufactured here I have voted to place it upon the free-list freely on the motion of my friend from Arkansas [Mr. JONES]; but I do ask our friends on this side of the Chamber to look at the history of the past to see what it has brought us to, and I ask them to come up to this question, treating each item and every article with fair consideration, recognizing, as we must, that these great interests that have been inaugurated, manufacturing and mining, and all the various trades of the country, can not be taken and treated in the way my friend from Missouri would treat the coal interest.

I want to say that I hope the chairman of this committee, whom I know to be fair upon all questions of legislation outside of mere party considerations, before we reach the final votes in the Senate on this bill, will agree to modify his proposition, reduce these taxes, and stop this flow of money into the Treasury, and not put us in the position—I mean myself and others—of being compelled to vote against a bill because it increases in many items, as I believe, unnecessarily, the present rates of duty, which are high enough to protect all interests in the country.

Now, sir, my State has a decided interest in the soft-coal trade, but it is not so great an interest as some suppose. It would be unwise, in my judgment, to reduce the duty, but if you should repeal the tax and destroy it we would still prosper in Maryland. Our agricultural interests and great manufacturing interests in all branches are increasing and prospering. Mr. President, so diversified are the industries in my State that everything that is made, from a pin to the construction of a great war vessel, is being made in the State of Maryland. Mr. President, the only effect of the adoption of the proposition of the Senator from Missouri [Mr. VEST] would be for the time being to paralyze if not destroy one of the great industries of the State without benefiting in any way anybody in this broad land.

If the Democratic party, or any party, adopts the open and broad position of my friend from Missouri, that, while you have to raise $300,000,000 to support your Government, you will so legislate as to leave open the doors and bring in Nova Scotian coal free, where the mines happen to be immediately upon the seaboard and it can be transferred from the miners' cars to the vessel and brought in here by English tramp steamers, and thus destroy this interest—the party that advocates such a proposition can not expect to maintain supremacy in these great coal-producing States bordering on the Atlantic.

As I have before said, there never was a Democratic statesman, there never has been a President elected by the Democratic party, or a Secretary of the Treasury, or a committee of either branch of Congress that was controlled by Democrats, knowing that revenue must be raised from the tariff, who ever dreamed of putting coal upon the free-list. My friend wishes to reverse all precedents. No, Mr. President, the Democratic party is not a free-trade party.

I am aware that both Democrats and Republicans have voted to place coal on the free-list, but I again assert that the Democratic committees who have been charged with the duty of framing bills when our party has been in power at no time placed the duty lower than it is now. The bill as it came from the House leaves it at 75 cents. It was so left because it is now fixed at the revenue rate and gives the required protection to American labor and capital.

Mr. VEST. Mr. President, I choose to reply to the Senator from Maryland first as to his last assertion, reversing what would be the logical sequence of the argument. The vote in the Senate that I read was not in opposition to the motion of a Republican. At the time when Mr. Trumbull made the motion he was not in accord with the Republican party and was not acting with it. The men who voted for the proposition I think will be accepted by the Democratic party in this country as in entire unison with the party upon all great questions. First upon this list comes Blair—Frank Blair, of Missouri. I can afford to vote upon this question as he voted. Then follow Hamilton, of Texas, Hamlin, Harlan, Hill, Kelly, Logan, Morton, Norwood, Pratt, Schurz, Spencer, Sumner, Trumbull, Wilson, and Windom. In the negative I do not find any Democrat voting.

The Senator from Maryland advances the monstrous proposition here that the Democratic party in the minority must stand upon one side of a question, and then when they are in the majority take the other side.

Mr. GORMAN. I did not say that.

Mr. VEST. Then the Senator's language meant nothing, because he said that this vote was given because we were in the minority.

Mr. GORMAN. If the Senator from Missouri will permit me——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Maryland?

Mr. VEST. Certainly.

Mr. GORMAN. What I stated was that never in the history of the Government, when the Democratic party had the control of the Executive, or when they had control of the committees in either House of Congress, did they ever advance a proposition to put coal upon the free-list. Upon the contrary they maintained the duty at a higher rate than it is to-day.

Mr. VEST. The duty upon coal has been maintained at a higher rate both under Republican and Democratic administrations, and that proves nothing. As to the time at which the proposition came before Congress, that amounts to nothing. It is not necessary for me to act with a majority when I advance a proposition before this body. When I put my vote upon record in favor of it I establish my position just as definitely and distinctly and emphatically in one condition of parties as in another. When these Democrats, the leaders of their party at that time, voted for free coal, I take it they voted as honest and patriotic men and statesmen in favor of what they believed to be for the benefit and welfare of the entire country. If they did not, they were time-servers and demagogues, and I am not here to brand their memories with any such stigma, because I know it to be untrue.

Sir, take the vote of the House of Representatives, which I read, 112 to 78, without distinction as to party, the best Democrats then in the House of Representatives voting in favor of putting coal upon the free-list.

The Senator (and I shall not emulate his example) taunts me with selfishness, for it amounts to that, because he says coal in the interior

of Missouri does not come in competition with English coal, as he terms it. I voted the same way as to articles in the interior of Missouri coming directly in competition with foreign imports, upon lead, iron, and other productions of my State. I deserve no credit for it, because the Democrat who flinches now in the condition of parties from the broad principle that this system of unlimited taxation is wrong gives up his position and abandons his flag. He can not justify himself before the country. He surrenders at once every argument that we made in the last canvass, and upon which we must stand in the future whether we are willing or not. [Laughter.] It is too late, Mr. President, to change front.

Yes, let Senators laugh at that. I am glad of it. It is true. No Democrat, if he wants to, can go back upon the principle that this Government should be economically administered and no more taxes collected from the people than are necessary to pay the expenses of the Government. Inside of that limit I have objected to no member of this body attempting to secure a just and honest distribution of the burdens and benefits of the tariff, because I recognize that any duty must have some protective effect, and I would not be willing to see either the benefits or the burdens of the tariff imposed upon any section or interest alone. But that limit divides the two parties. No other limit can exist. Any Democrat who admits that we can go beyond the limit of a revenue for the Government and impose taxes for protection alone, whether it be the platform of 1884, or 1888, or 1892, gives up the platform of the Democratic party.

Mr. HAWLEY. I should like to ask a question.

The PRESIDING OFFICER. Does the Senator from Missouri yield?

Mr. VEST. Of course.

Mr. HAWLEY. It is exceedingly desirable that we should understand one another. I understand the Senator to say (it is his own limitation) that he recognizes the perfect legitimacy of the doctrine of protection.

Mr. VEST. Mr. President, I choose my own language.

Mr. HAWLEY. I understood him to say that while he was for raising only enough for the revenues of the Government (that is all I want to raise, I am sure), he would so adjust the duties as to favor American manufacturers.

Mr. VEST. I would so adjust the duties as to make the tax equal in its operation as far as possible, both as to the burden and benefit, to all sections of the country alike.

Mr. HAWLEY. The word "benefit" answers the question.

Mr. VEST. That is what I mean. I mean an honest adjustment. I do not mean to use the tariff to build up an interest in one section at the expense of the people of the country. But the burdens and the benefits under this system should be distributed, because the Democratic doctrine is that this Government belongs to the people in all its parts and as an entirety. Whenever you strike down that principle, whenever you adopt the doctrine that is advocated now in this Chamber that the tariff is an instrumentality to build up certain interests under the monstrous pretext that it is for the general welfare, you destroy the web and woof of free institutions upon this continent. I do not care whether it is an interest here or there or anywhere, if it comes in conflict with that principle, I stake my political life here to-day upon striking it down, I do not care whether it is in my State or any other State.

I believe that we are right. As to the defeat in 1888, which the Senator from Maryland says came from our abandoning the old platform of 1884, which was made like the old hunter's gun, to hit it if a deer, and miss it if a calf, he is in my judgment entirely mistaken. We were defeated—and I will dismiss the subject with that single remark, for I do not want any political discussion on an economic question—we were defeated by a sectional issue. We were defeated, because our friends (and as a politician I do not blame them) went into the Northern States and reawakened the fires of war, stirred up the embers of sectional strife.

They said to the Northern people, "Here are these Confederate brigadiers, whom we whipped face to face upon the battle-field, who now seek to strike us down by destroying our manufactures." "Look at the composition," they said, "of the Committee on Ways and Means, with Mills of Texas at its head and the Breckinridges from Kentucky and Arkansas upon it. The war is again upon us. Union soldiers, to the front, and once more into the fray!"

There is where you won your victory, and not upon this tariff question, because I say now and here that I would lose my faith in American institutions, and the hope of posterity for free and honest and just government, if I thought that the American people would deliberately accept such a monstrosity as the bill now pending.

Mr. VOORHEES. Mr. President, I think that I am a party man in good standing. I have been under the impression that I passed through the last campaign upholding the Democratic platform, Democratic principles, and the Democratic flag. I was under the impression, and still am, that the organized expression of the Democratic party is strong enough to withstand the dissent of even so distinguished and eloquent a gentleman as the Senator from Missouri.

As a member of the St. Louis convention I heard what is known as the Mills bill on this subject indorsed in special terms. That bill contained a provision levying a duty of 75 cents a ton on coal. I went into the contest. I was six weeks, day and night, before our people. There was a storm out there, such a cyclone as gentlemen less favored in their residence never witnessed. I came into the Senate a moment ago and found a proposition here to utterly overthrow what we declared at St. Louis and what we told the people of Indiana was correct, by putting coal on the free-list.

Mr. President, I look upon the bill before the Senate as a very bad one. I have said so with some care and distinctness. I look upon the woolen schedule, the cutlery schedule, and the schedule on cotton, as thoroughly vicious; and this one provision that the Senator from Missouri now seeks to strike out is the only one that I conceive to be absolutely correct. We indorsed it ourselves in national convention, in our platform, and before the country. I told the miners, the laboring people of Indiana that we were in earnest in what we were doing. I recognize that a tariff has to be laid upon some articles and some tariff on nearly all articles.

I have been classed as a conservative on the subject of the tariff, but I am less conservative than I formerly was, for I look upon the greed and encroachment of the manufacturing monopolists of this country as having passed all bounds, they having thrown off the mask and no longer pretending that a tariff is for revenue, but laying tribute and blackmail upon the people of this country, upon their necessities, for the sake of enriching themselves. But with these strong and pronounced views I yet hold to the old doctrine of the fathers, that we are to raise a revenue largely if not entirely by the system of tariff taxation, and in laying it wisdom should be exercised to do as much good and as little harm as possible.

In order to show that the people believed we were in earnest when we presented the Mills bill, I desire to say that in the mining regions of Indiana it was well accepted. I live in that part of the State of Indiana which embraces 6,500 square miles of the best coal in the world. Literally, I repeat my words, the best coal in the world is there. Long trains of cars are hauling coal from the iron mountains of Missouri this day and putting it down at Terre Haute and out at Brazil, 16 miles beyond, and making iron out of it for four or five dollars less on the ton than can be done at Pittsburgh, because of the quality of coal we have there. We have coal that needs no charcoal, no coking. It is the finest block coal there is on the globe. There are but two other places where it exists.

In that region, in the county of Clay, there were at least twenty-five hundred miners. Some of them were employed by men unscrupulous and abominable in their methods. Their employers in some instances shut down the mills in order to turn off their hands in large numbers, and then hired back only those who would vote the Republican ticket, leaving the Democratic employés to shift for themselves and do as well as they could. But, with all these discouragements, Clay County did better for the Democratic party, considering everything, than any other county in the State of Indiana, with possibly the exception of Marion, where the President-elect himself lives.

I say, therefore, that this measure, indorsed at St. Louis, brought forward by the Democratic party, canvassed for on every stump, commended itself to the laboring men themselves. For my part, I have received no instruction since from any authorized source to compel me to unsay what I said in a long and arduous canvass of my State, and to unsay what the Democratic party through its delegated wisdom at St. Louis said in the most solemn terms. Others can do as they choose. I shall stand by the authorized expressions of my party until they are rescinded. I once myself tried to be a little larger than my party, but it was in Greeley times, and I have not tried it over again. [Laughter.]

Mr. VEST. Will my friend permit me to interrupt him? He is not under the impression, I suppose, that the Mills bill made any declaration on the subject of coal.

Mr. VOORHEES. Yes, I am.

Mr. VEST. No; it says nothing about it. There is not a word in the Mills bill on the subject.

Mr. FAULKNER. I ask the Senator from Missouri whether it did not leave the duty on coal at 75 cents a ton, as it was at that time?

Mr. VOORHEES. That is the point.

Mr. FAULKNER. That was equivalent to sustaining that duty on coal.

Mr. VEST. I do not want the Senator from Indiana to say that the Mills bill made any declaration on the subject.

Mr. VOORHEES. I will not say that the Senator from Missouri pettifogged on that point. I have too high and sincere a regard for him; but certainly he well knows that when the existing law was 75 cents a ton and there was no proposition in the Mills bill, which was a reformatory measure, to change it, it was the same as asserting it in so many words.

Mr. VEST. I did not say anything about the legal effect of it. It was the expression of the Senator from Indiana which brought me to my feet. I understood him to say and emphatically declare that the Mills bill put a duty of 75 cents a ton on coal.

Mr. VOORHEES. It could not have declared so any more emphatically than by letting it stand.

Mr. VEST. There was no affirmative declaration at all.

Mr. VOORHEES. There could not have been a more affirmative

declaration than by letting it alone as it was. That is all I desire to say in explanation of my own vote.

Mr. HISCOCK. I desire to call the attention of the Senator from West Virginia and the Senator from Indiana to the fact that the Mills bill, when indorsed by the Democratic party at St. Louis, carried bituminous coal on the free-list.

Mr. VEST. No, I think the Senator is mistaken.

Mr. HISCOCK. No, I am not mistaken.

Mr. FAULKNER. I do not like to question the Senator's statement, but I had that investigated by an officer in the Treasury, and on looking at the very question he suggests his decision was that it did not put it on the free-list.

Mr. HISCOCK. I think if the Senator will examine the bill as it stood at that time he will find that he is mistaken.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Missouri [Mr. VEST].

Mr. HOAR. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. EUSTIS (when his name was called). I am paired with the Senator from Nebraska [Mr. PADDOCK].

Mr. HOAR (when his name was called). I am paired with the Senator from North Carolina [Mr. RANSOM]. It is a general pair, made two or three days ago.

The PRESIDING OFFICER (when Mr. MANDERSON'S name was called). The occupant of the chair is paired with the Senator from Kentucky [Mr. BLACKBURN]. If he were not paired, the Chair would vote "nay."

The roll-call was concluded.

Mr. FAULKNER. I desire to announce the pair between the Senator from Minnesota [Mr. SABIN] and my colleague, the Senator from West Virginia [Mr. KENNA], and to state that if my colleague were present he would vote "nay" on this amendment.

Mr. EVARTS. Has the vote of the Senator from Alabama [Mr. MORGAN] been recorded?

The PRESIDING OFFICER. The Chair is informed that the Senator from Alabama has not voted.

Mr. EVARTS. I am paired with him, and therefore withhold my vote.

The result was announced—yeas 11, nays 31; as follows:

YEAS—11.

Berry,	Colquitt,	Jones of Arkansas,	Vest,
Cockrell,	Gray,	Reagan,	Walthall.
Coke,	Hampton,	Vance,	

NAYS—31.

Aldrich,	Davis,	Hiscock,	Stewart,
Allison,	Dawes,	Mitchell,	Stockbridge,
Bate,	Dolph,	Payne,	Teller,
Brown,	Faulkner,	Platt,	Turpie,
Chace,	Frye,	Pugh,	Voorhees,
Chandler,	Gorman,	Sawyer,	Wilson of Iowa,
Cullom,	Hale,	Sherman,	Wilson of Md.
Daniel,	Hawley,	Spooner,	

ABSENT—34.

Beck,	Eustis,	Jones of Nevada,	Plumb,
Blackburn,	Evarts,	Kenna,	Quay,
Blair,	Farwell,	McPherson,	Ransom,
Blodgett,	George,	Manderson,	Riddleberger,
Bowen,	Gibson,	Morgan,	Sabin,
Butler,	Harris,	Morrill,	Saulsbury,
Call,	Hearst,	Paddock,	Stanford.
Cameron,	Hoar,	Palmer,	
Edmunds,	Ingalls,	Pasco,	

So the amendment was rejected.

Mr. ALLISON. After this decided expression in favor of the general principle of protecting coal, on behalf of the majority of the Committee on Finance I move to add at the end of paragraph 393:

Coal slack or culm, such as will pass through a half-inch screen, 30 cents per ton of 28 bushels, 80 pounds to the bushel.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Iowa [Mr. ALLISON].

Mr. DOLPH. I should like to ask the Senator from Iowa how that corresponds with the existing duty?

Mr. ALLISON. It is the existing law.

Mr. VEST. Do I understand the Senator to say that that is the existing law?

Mr. ALLISON. It is the existing law as respects culm.

Mr. VEST. In the act of 1883? Does the Senator state that?

Mr. ALLISON. I do.

Mr. VEST. I should like to ask the Senator before he passes from this paragraph whether he understands that it is beyond any sort of question that the provision in regard to the rebate of 75 cents is repealed by this proposed law.

Mr. ALLISON. I so understand it.

Mr. VEST. The Senator has already said that he so understood it, but those questions have arisen and given great trouble in the courts. Here we pass a new law and leave an affirmative proposition in the old law without any notice. That is a very serious question, and may admit of litigation.

Mr. ALLISON. It is the purpose of the bill to substitute the tariff schedules of this bill for Title XXXIII of the Revised Statutes, which covers all those points. The substitute of the committee proposes to repeal Title XXXIII of the Revised Statutes and substitute this amendment for that title. I think there can be no question, indeed it is the understanding of the committee, that those provisions respecting drawbacks are repealed.

Mr. VEST. I think the Senator is right from the language of the bill.

Mr. ALLISON. I think there can be no doubt about the question.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Iowa [Mr. ALLISON].

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the substitute will be proceeded with.

The Chief Clerk read as follows:

394. Coke, 20 per cent. ad valorem.
395. Dice, draughts, chess-men, chess-balls, and billiard, pool, and bagatelle balls, of ivory, bone, or other materials, 50 per cent. ad valorem.

Mr. VANCE. A few moments ago I asked that paragraph 391, relating to the duty on card-clothing, be passed over until later in the day. If it is convenient to the Senator from Iowa I will ask the Senate to return to it now. If not, I will wait for another occasion.

The PRESIDING OFFICER. The Senator from North Carolina asks that the Senate return to paragraph 391.

Mr. ALLISON. We may just as well do that now.

The PRESIDING OFFICER. The paragraph will be read.

The Chief Clerk read as follows:

391. Card-clothing.—Manufactured from tempered steel wire, 45 cents per square foot; all other, 25 cents per square foot.

Mr. ALLISON. Before the Senator from North Carolina proceeds, I desire to give notice to him that I shall move, in line 1669, to strike out "45 cents" and insert "50 cents;" so as to read:

Manufactured from tempered steel wire, 50 cents per square foot.

Mr. VANCE. What is the proposition? To strike out?

Mr. ALLISON. The proposition is to strike out "45 cents" and insert "50 cents."

The PRESIDING OFFICER. Does the Chair understand that the Senator from Iowa now moves that amendment?

Mr. ALLISON. I can only move it with the consent of the Senator from North Carolina, if he has the floor.

Mr. VANCE. I prefer to move my amendment first, and to state my objections to the proposition.

The PRESIDING OFFICER. The Senator from North Carolina has the floor.

Mr. VANCE. The present duty on card-clothing manufactured from tempered steel wire is 45 cents per square foot. The consideration of this question the last time that the tariff was revised upwards was February 7, 1883, and I wish to read the proceedings that took place. I read from the RECORD of February 7, 1883, page 2207, as follows:

Line 1518 was read, as follows:
"Card-clothing, 40 cents per square foot."
Mr. ALDRICH. I am satisfied that the committee placed the rate too high on this article. I move to make the rate 40 per cent. ad valorem.
Mr. BECK. It is now 35 per cent. ad valorem, I observe.
Mr. ALLISON. It is 50 cents a pound and 35 per cent. ad valorem.
Mr. BECK. It is not enumerated in the old law, and it stands at 35 per cent.
Mr. ALDRICH. I will agree to make it 35.
The PRESIDENT *pro tempore*. The Senator from Rhode Island [Mr. ALDRICH] moves to strike out "40 cents per square foot" and to insert "35 per cent. ad valorem."
The amendment was agreed to,

without a division. Then, during the same session, February 14, 1883, the following proceedings took place, which will be found in the RECORD of that session, page 2622:

Mr. HOAR. I ask my friend from Rhode Island [Mr. ALDRICH], who has charge of that part of the bill, to go back to the last amendment before this, and treat it as not having been adopted. I refer to "card-clothing," on page 61, lines 1487 and 1488. It came up in committee when I was at home sick. I desire to call the attention of the Senate to the reasons for having that a duty by the square foot as it was originally reported. I do not want to increase the duty, and have no objection to its being diminished if the Senate will give consent to go back to it. The same thing may be accomplished by a motion to reconsider, but I supposed it would be more convenient to go back in this way.
Mr. HARRIS. I suppose there is no objection to the Senator making any statement he desires to make, and the Senate will then determine whether it desires to reconsider or not.
Mr. HOAR. I desire to say that this clause was passed unexpectedly when I was sick, and I had no opportunity to be heard on it. It came up again to-day, but the Senate began immediately afterward on coal, and I thought instead of interfering with that I would wait and the Senate would of course treat it as not having been passed. It was the last amendment before that as to coal, and I did not suppose there would be any objection to so treating it. It is in line 1487. I simply desire the amendment to be treated as not adopted.
Mr. VANCE. That was read over and adopted, according to my recollection.
Mr. HOAR. I did not suppose there was a Senator in the body who would make objection to the request I have made under the circumstances I have stated.
Mr. VANCE. I am not objecting to the request the Senator makes; but I recollect distinctly that the amendment was read.

Mr. HOAR. Certainly it was read and passed upon, but my attention was called away at the moment. If I had got up and called attention to it of course the Senate would have gone back to it; but I did not wish to interrupt the discussion on coal.

Mr. VANCE and others. Go on.

Mr. HOAR. What I wish to say is that I understand there is a great deal of fraud and undervaluation by reason of the ad valorem duty on card-clothing. It is manufactured very considerably for the American market, and it is consigned to the agents of the foreign manufacturers at any price they choose to fix, so that an ad valorem is very difficult to obtain, peculiarly so in this class of manufactures, wherefore the American manufacturers prefer very much that the duty should be so much by the square foot, and they are perfectly willing to have the duty reduced to any reasonable rate.

The committee reported 40 cents per square foot, which is a very much larger duty than 35 per cent. ad valorem. Now, I propose to have, instead of 35 per cent. ad valorem, 25 cents per square foot, which would be a reduction compared with the present duty and a reduction compared with the rate proposed by the bill.

Mr. HARRIS. What is the value of card-clothing?

Mr. HOAR. I had in my possession all the details, but I gave them to the committee and they adopted originally in their report my proposition. I have not got the memorandum with me; but the Senator from Rhode Island can answer.

Mr. ALDRICH. It was stated to me by the manufacturers that 40 cents a square foot was equivalent to about 35 per cent. ad valorem, but some manufacturers who are interested upon the other side told me that the rate would be higher. I think the proposition now made by the Senator from Massachusetts will be satisfactory to both the producer and the consumer.

That is, 35 per cent. ad valorem. After some further colloquy:

Mr. HOAR. It is not an increase. I am perfectly willing to let the matter stand till morning, so that the exact facts may be obtained from the committee-room by memoranda, if the Senator prefers. I do not desire an increase, but, on the other hand, I am content with a reduction. All I want is to have it by the square foot and not by the ad valorem.

So it was left over until the next day, and on the next day the following proceedings were had finally:

The ACTING SECRETARY. On page 72, line 1665, of the last print, "40 cents per square foot" was stricken out and "35 per cent. ad valorem" was inserted; so as to read:

"Card-clothing, 35 per cent. ad valorem."

Mr. ALLISON. I do not see the Senator from Massachusetts [Mr. HOAR] in his seat. That was to be passed over until some consultation could be had.

The PRESIDENT *pro tempore*. It was to be passed over until to-day. The Senator from Massachusetts is not here.

Mr. ALDRICH. I think it was agreed and understood on both sides that that should be made 25 cents per square foot instead of 35 per cent. ad valorem.

Mr. ALLISON. Very well.

Mr. VANCE. That is satisfactory to me.

Mr. ALDRICH. I think that is satisfactory on all sides.

Whereupon the paragraph was considered as adopted, and other proceedings took place. But when the bill came back from the committee of conference the duty came back 45 cents per square foot. The duty which the Senator from Massachusetts denied that he desired, the duty which the Senator from Rhode Island said was entirely too high, the duty which the Senator from Iowa conceived to be too high, was adopted by the committee of conference, and it so stands to-day. The proposition which the Senator from Iowa gives us notice that he will make now is to still further increase the duty to 50 cents per square foot, although 40 cents a few years ago was entirely too high, and 25 cents per square foot was satisfactory to both sides of the Senate.

Mr. ALDRICH. I am not quite sure whether the Senator from North Carolina is trying to show that the rates on this article are too high, or whether he is trying to convict me, as a member of the Senate or as a member of the Finance Committee, of inconsistency in this matter. In either case I should like to refresh his memory a little.

It is true that the bill as reported from the Committee on Finance in 1883, fixed the duty on card-clothing at 40 cents a square foot; and that upon investigation the committee found that that rate was too high, and they finally decided to fix the rate as it was ultimately fixed and agreed to upon both sides, at 25 cents per square foot.

The bill passed the Senate in that form and went to the conference committee. In the conference committee it was brought to the attention of the committee that there had been taken out a patent in England for the production of tempered steel wire from which card-clothing could be made. All card-clothing up to that time had been made from iron wire. It was the claim of the inventor of this patent that card-clothing made from tempered steel wire would last indefinitely, and that it would be ultimately very much cheaper for the manufacturers who used card-clothing than the card-clothing made from iron wire, which up to that time had been the only kind used.

The persons who came before the committee said, "If you will put an adequate duty upon tempered steel wire, card-clothing, we have every reason to believe, can be made in this country; in any event we think that you ought to give us a chance to make the attempt." With that purpose the conference committee agreed to a rate upon card-clothing which reads as follows, and not as stated by the Senator from North Carolina:

Card-clothing, 25 cents per square foot; when manufactured from tempered steel wire, 45 cents per square foot.

The rate which was left by the conference committee and finally adopted by Congress was identically the same rate which was agreed to in the colloquy to which the Senator from North Carolina has called attention, and was left unchanged and is left unchanged in this bill. The Senator from Iowa in his amendment does not propose to change it.

Now, what was the result? I am very glad that the Senator from North Carolina has called attention to this one item. At that time, I say, every foot of card-clothing used in this country was made from iron wire. We placed that duty, which we then believed was adequate, upon card-clothing made from tempered steel wire, and to-day nine-tenths of the card-clothing used in the United States is manufactured from tempered steel wire, I think a very much larger proportion; and a considerable proportion of it, I am happy to say, is made by American mechanics within our own limits.

If that rate had not been made, if the conference committee had not inserted that new classification with a new rate, not one square foot of tempered steel-wire card-clothing could have been made in this country. Even at the present rate of duty, as my colleague suggests to me, there is a considerable amount of tempered steel wire imported. We have not the whole market, but we have a large portion of it.

If the Senator from Iowa will permit me to make a statement in regard to the amendment, the only reason why we seek to make an increase of duty upon card-clothing from tempered steel wire is that by the provisions of the bill we have increased the duty upon the wire, and the card-clothing manufacturers feel that they are entitled, as I think they are myself, to an equivalent addition.

I trust the Senator from North Carolina is satisfied with this explanation.

Mr. VANCE. I should like to know wherein that statement refreshes my recollection about anything. I never heard that the committee of conference had examined witnesses and heard the claims of parties for an increase of duty on account of a new invention for making steel wire. I never heard that before.

Mr. ALDRICH. It should refresh the Senator's recollection to this extent. If any Senator had heard his statement, at the conclusion of it he would have been irresistibly led to the conclusion that the conference committee increased the duty upon all kinds of card-clothing from 25 cents to 45 cents.

Mr. VANCE. So you did, according to the record.

Mr. ALDRICH. Not by any means.

Mr. VANCE. There is nothing in the record but what shows that the duty on card-clothing was increased by the conference committee from 25 cents, at which it was when we sent the bill to your committee, and when it came back it was increased to 45 cents.

Mr. ALDRICH. It was not increased one particle, and I am surprised at the statement the Senator from North Carolina now makes. He either has not read the law, or he is incapable of understanding it, one or the other. The provision went to the conference committee, came out *in hæc verba* as it went into the conference committee, in words and syllables.

Mr. VANCE. Was there nothing added to it?

Mr. ALDRICH. There was a proviso added to it which made a new classification entirely for an entirely different article.

Mr. VANCE. And fixed an entirely different and higher duty?

Mr. ALDRICH. Certainly.

Mr. VANCE. Nearly twice as much duty?

Mr. ALDRICH. Certainly, as there should have been fixed.

Mr. ALLISON. Mr. President, one word more to the Senator from North Carolina. He said in his preliminary statement that in the conference committee the duty had been increased from 25 cents per square foot to 45 cents, but omitted to state what was the important fact to be stated, that on card-clothing made from iron wire the duty was left at 25 cents a square foot. I want to ask the Senator from North Carolina why, in undertaking to instruct the Senate respecting the transaction, he did not state that card-clothing made from iron wire was in the bill and in the law at 25 cents a square foot? Why was it necessary for him to exclude that fact from his statement as respects what occurred in 1883? Why was it necessary for him to suppress a statement which was in the law, giving the exact truth as it appeared in the RECORD and in the final report of the conference committee, of 25 cents a square foot on card-clothing made from iron wire? I should like to have him explain that to the Senate.

Mr. VANCE. Mr. President, I suppress nothing.

Mr. ALLISON. Will the Senator yield to me for a moment?

Mr. VANCE. No, sir; if you will excuse me.

Mr. ALLISON. I will excuse you.

The PRESIDENT *pro tempore*. The Senator from North Carolina has the floor.

Mr. VANCE. You have called on me now to make an explanation.

Mr. ALLISON. I hope the Senator will make it.

Mr. VANCE. If you will wait a moment until I make the explanation, or do the best I can at it, I will then yield with very great pleasure to what the Senator desires.

My statement was with reference to the article of card-clothing. I was not aware of the technical distinction between card-clothing made from tempered wire and card-clothing made from common wire, and evidently the authors of the bill were not aware of any such distinction. If they were, they did not make it, because the line which I read to you from the bill simply says "card-clothing," not making any classification at all. After we fixed the duty on card-clothing at 25 cents per square foot and sent it to the committee of conference it came back card-clothing when made from tempered steel wire, 45 cents per square foot and 25 cents for the other kind per square foot. I did not know but that this was merely a classification to excuse the increase,

and so believe now. I did not know that there was a real difference in the things classified, but thought it was a trick which has been so often resorted to all through this bill, and which constitutes what I consider the dishonest element in protection politics, that is to say, the making of a new classification merely for the purpose of increasing the duty.

That is my explanation of it; and I suppressed nothing that appears here from the RECORD. I read the RECORD openly, and I respectfully submit that I am not to be held responsible for the secret things that were disclosed in that conference committee, at which I was not present, and at which the representatives of my party on this side of the Chamber were not present, because, as was stated the other day, they refused to be present, as the conference was not a free one.

The House conferees went there with Mr. KELLEY'S resolution in their pockets, determined to draw it if the conference did not suit them and excuse themselves, and not to draw it if the report of the committee should suit them. That is the explanation that I have of it.

Now, one word in reply to the Senator from Rhode Island. He says that they were informed, that is, this secret conclave was informed, not the public, not the Senate, that a new patent had been discovered in England by which the same kind of card-clothing could be made from tempered steel wire instead of iron, that would last indefinitely, whereas the card-clothing made from common iron wire had to be renewed every once in awhile after it wore out; and in order to keep the public, the people, the cotton-spinners, and the carders of America from the benefit of that, they increased the duty upon it, evidently for the purpose of compelling the American manufacturers to use the old iron wire, I suppose, because the English patent would not permit it to be made in this country. That was the object of the increase of duty. If so, it can not be justified.

What is the object of the Senator's proposed amendment now to make the duty 50 cents per square foot? When the Senator from Rhode Island tells us it is being made successfully in America, and that a large number of the factories are being supplied with this wire from the new patent, still the duty must go up to 50 cents per square foot.

Mr. ALLISON. I now move to increase the rate of duty from 45 cents per square foot to 50 cents per square foot.

The Senator from North Carolina not wishing to be interrupted in his statement, I desire now to repeat what I said before, namely, that in the first statement made by the Senator from North Carolina he gave the Senate the impression, at least by his words, that the duty on card-clothing had been increased in conference from 25 cents a square foot to 45 cents a square foot. My suggestion to him was that that was only a partial statement, and that it was misleading. I do not mean to say that the Senator intended to mislead, because I am sure he would not do that.

The law, which is the result of the conference of 1883, reads as follows:

Card-clothing, 25 cents per square foot.

The Senator omitted that entirely. Therefore we were led to believe from his statement that the duty on card-clothing was 45 cents a square foot.

Mr. VANCE. Is it not?

Mr. ALLISON. No, sir. I will read it again.

Mr. VANCE. It is not necessary to read it again.

Mr. ALLISON. "Card-clothing, 25 cents per square foot." Did the Senator say anything about that? Surely he did not.

Mr. VANCE. There is other card-clothing there at 45 cents a square foot?

Mr. ALLISON. Undoubtedly.

Mr. VANCE. And that is an increase, because it was not in the original bill.

Mr. ALLISON. That is when manufactured from tempered steel wire.

What I mean to say is that this provision, as it came from the conference committee, instead of having a uniform rate of 25 cents a foot, provided a different rate of duty for one class of card-clothing, namely, that class manufactured from tempered steel wire, when, as is suggested by the Senator from Massachusetts [Mr. DAWES], the Senator from North Carolina stated that the whole paragraph had been increased to 45 cents a square foot, or words to that effect. He may not have used that exact language.

Mr. VANCE. I do not suppose the Senator wishes to do me any injustice.

Mr. ALLISON. Certainly not.

Mr. VANCE. Let me ask the Senator one question. Did not the bill go from the Senate with card-clothing at 25 cents per square foot, and would not that have embraced all kinds of card-clothing, made from steel wire, iron wire, gold wire, or copper?

Mr. ALLISON. Undoubtedly.

Mr. VANCE. It came back with a rate of 45 cents per square foot on a certain kind, and 25 cents on another kind.

Mr. ALLISON. Certainly.

Mr. VANCE. Was not that an increase? All "card-clothing" was at 25 cents per square foot when the bill went out; when it came back a part was 45 cents per square foot.

Mr. ALLISON. That statement is a full, frank statement, but that was not the statement made originally by the Senator from North Carolina. His statement was that the bill had gone from the Senate with the duty on card-clothing at 25 cents a square foot, and that it came back at 45 cents, which of course meant the same kind that was included in the original statement.

Mr. VANCE. Mr. President——

Mr. ALLISON. It is a matter of no moment. I will accept any suggestion the Senator chooses to make.

Mr. VANCE. I simply wish to say to the Senator that he may know I would not have misrepresented the law with the law lying right before me and before every other Senator, and my statement must have been understood by everybody to have reference to the 45 cents alone and not to the whole law, which was right before every Senator.

Mr. ALLISON. Very well.

Mr. VANCE. If I had desired to deceive the Senate I certainly could not have hoped to do so without getting a little further away from the record.

Mr. ALLISON. If the Senator had read the law we should have understood it much better. The reason for this necessary increase has been partially stated by the Senator from Rhode Island, and I ask for a vote on my amendment.

The PRESIDENT *pro tempore*. Does the Chair understand the Senator from North Carolina to submit a proposition for amendment?

Mr. ALLISON. He submitted no proposition to amend.

Mr. VANCE. I intended to submit a proposition, as a matter of course. I made my statement for that purpose, as preliminary to it.

Mr. ALLISON. I have submitted an amendment which I ask may be voted on.

The PRESIDENT *pro tempore*. The amendment of the Senator from Iowa will be stated.

The SECRETARY. In line 1669, it is proposed to strike out "45" and insert "50;" so as to read:

Card-clothing.—Manufactured from tempered steel wire, 50 cents per square foot.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Iowa [Mr. ALLISON].

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB], or I should vote "nay."

The roll-call was concluded.

Mr. STEWART. I am paired with the Senator from South Carolina [Mr. HAMPTON].

The result was announced—yeas 25, nays 17; as follows:

YEAS—25.

Aldrich,	Dawes,	Ingalls,	Spooner,
Allison,	Dolph,	Mitchell,	Stockbridge,
Brown,	Edmunds,	Paddock,	Teller,
Chace,	Frye,	Palmer,	Wilson of Iowa.
Chandler,	Hale,	Platt,	
Cullom,	Hawley,	Sawyer,	
Davis,	Hiscock,	Sherman,	

NAYS—17.

Bate,	Daniel,	Reagan,	Walthall,
Berry,	Eustis,	Saulsbury,	Wilson of Md.
Cockrell,	Faulkner,	Turpie,	
Coke,	Jones of Arkansas,	Vance,	
Colquitt,	Pugh,	Voorhees,	

ABSENT—34.

Beck,	Farwell,	Jones of Nevada,	Quay,
Blackburn,	George,	Kenna,	Ransom,
Blair,	Gibson,	McPherson,	Riddleberger,
Blodgett,	Gorman,	Manderson,	Sabin,
Bowen,	Gray,	Morgan,	Stanford,
Butler,	Hampton,	Morrill,	Stewart,
Call,	Harris,	Pasco,	Vest.
Cameron,	Hearst,	Payne,	
Evarts,	Hoar,	Plumb,	

So the amendment was agreed to.

Mr. VANCE. I will merely say that after the sense of the Senate has been thus expressed on increasing the rate upon card-clothing made from steel wire, I shall not take up the time of the Senate in offering an amendment to reduce the rate of duty. So I shall forego the amendment which I had prepared to offer to this paragraph.

The PRESIDENT *pro tempore*. The reading of the substitute will proceed.

The Secretary read as follows:

396. Dolls, 35 per cent. ad valorem.

397. Emery grains, and emery manufactured, ground, pulverized, or refined, 1 cent per pound.

398. Feathers and downs of all kinds, when dressed, colored, or manufactured, including quilts of down and other manufactures of down, and also including dressed and finished birds suitable for millinery ornaments, and artificial and ornamental feathers and flowers, or parts thereof, of whatever material composed, not specially enumerated or provided for in this act, 40 per cent. ad valorem.

399. Fire-crackers of all kinds, 8 cents per pound, but no allowance shall be made for tare or damage thereon.
400. Fulminates, fulminating powders, and like articles, not specially enumerated or provided for in this act, 30 per cent. ad valorem.
401. Furs, dressed on the skin but not made up into articles, and furs not on the skin, prepared for hatters' use, 20 per cent. ad valorem.
402. Gloves, kid or leather, of all descriptions, wholly or partially manufactured, 50 per cent. ad valorem.

Mr. VEST. I should like to inquire of the Senator in charge of the bill what is the necessity for putting back this duty to what it is under the existing law? There is no industry in the United States that is in so flourishing a condition to-day as the manufacture of leather. We exported in 1887 over $10,000,000 worth, and if we want to reduce the surplus in the Treasury we ought certainly to avail ourselves of the opportunity to take off 10 per cent. as to importations that can not possibly injure the domestic manufacture.

Mr. ALLISON. It is the intention of the committee to offer later on an amendment to paragraph 402. There is great complaint of undervaluations in the importation of leather gloves and kid gloves especially. There are very large importations of them at present. The committee will at a later stage of the bill present some amendments to this paragraph.

Mr. VEST. Let it be passed over then.

Mr. ALLISON. It may be passed over.

The PRESIDENT *pro tempore*. The reading of the substitute will proceed.

The Secretary read as follows:

403. Gunpowder, and all explosive substances used for mining, blasting, artillery, or sporting purposes, when valued at 20 cents or less per pound, 5 cents per pound; valued above 20 cents per pound, 8 cents per pound.
404. Gun-wads of all descriptions, 35 per cent. ad valorem.
405. Hair, human, if clean or drawn but not manufactured, 20 per cent. ad valorem.
406. Hair-cloth, known as "crinoline-cloth," and hair pencils, 30 per cent. ad valorem.
407. Hair-cloth, known as "hair-seating," 30 cents per square yard.
408. Hair, curled, suitable for beds or mattresses, 15 per cent. ad valorem.
409. Hats, for men's, women's, and children's wear, composed of the fur of the rabbit, beaver, or other animals, or of which such fur is the component material of chief value, wholly or partially manufactured, including fur hat bodies, 50 per cent. ad valorem.
410. Jewelry: All articles, not elsewhere specially provided for in this act, composed of precious metals or imitations thereof, whether set with coral, jet, or pearls, or with diamonds, rubies, cameos, or other precious stones, or imitations thereof, or otherwise, and which shall be known commercially as "jewelry," 25 per cent. ad valorem.

Mr. BROWN. I desire to offer two amendments to the paragraph last read. In line 1722, after the word "otherwise," I move to insert "including gold watches."

The PRESIDENT *pro tempore*. The amendment will be stated from the desk.

The SECRETARY. In line 1722, after the word "otherwise," it is proposed to insert "including gold watches;" so as to read:

410. Jewelry: All articles, not elsewhere specially provided for in this act, composed of precious metals or imitations thereof, whether set with coral, jet, or pearls, or with diamonds, rubies, cameos, or other precious stones, or imitations thereof, or otherwise, including gold watches, and which shall be known commercially as "jewelry," 25 per cent. ad valorem.

Mr. BROWN. Then I move, in line 1723, after the word "jewelry," to strike out "twenty-five" and insert "forty;" so that it will read "40 per cent. ad valorem."

Mr. ALDRICH. If the Senator from Georgia will allow me to explain, I think he will see that he does not understand the exact effect of his first amendment in regard to gold watches. The effect of that would be to reduce the duty. By this bill gold watches pay 45 per cent. ad valorem if the amendment which the Senator now suggests is not adopted.

Mr. BROWN. In what part of the bill is that?

Mr. ALDRICH. It is in paragraph 198.

Mr. BROWN. My object is to increase the tariff on the whole paragraph in relation to jewelry, and to include gold watches.

Mr. ALDRICH. That is what I supposed, and with that idea I took the liberty of calling the attention of the Senator to the fact that the rate fixed in the bill is 45 per cent., under paragraph 198, which reads as follows:

198. Manufactures, articles, or wares, not specially enumerated or provided for in this act, composed wholly or in part of iron, steel, lead, copper, nickel, pewter, tin, zinc, gold, silver, platinum, or any other metal, and whether partly or wholly manufactured, 45 per cent. ad valorem.

Gold watches would be included in this provision.

Mr. BROWN. You understand that they are included in that language?

Mr. ALDRICH. Undoubtedly.

Mr. BROWN. Then I do not insist on the first amendment, but do on the second.

The PRESIDENT *pro tempore*. The amendment will be reported.

Mr. VEST. Paragraph 440 puts watches at 25 per cent. ad valorem.

Mr. BROWN. Let us have the facts right.

Mr. VEST. The paragraph is as follows:

440. Watches, watch-cases, watch-movements, parts of watches, watch-glasses, and watch-keys, whether separately packed or otherwise, 25 per cent. ad valorem.

Mr. ALLISON. That is so.

Mr. BROWN. Then I insist on both of my amendments. My object is to increase the tariff on gold watches. If I recollect correctly, the rate under the existing law is 40 per cent. on gold watches.

Mr. DAWES. Why not put the amendment in paragraph 440?

Mr. BROWN. I am not particular as to the paragraph where it comes in, so that it is not omitted. It would come in probably as well there.

The PRESIDENT *pro tempore*. The two amendments will be treated as one question, if there be no objection, and the amendments will be again stated from the desk.

The SECRETARY. In paragraph 410, line 1722, after the word "otherwise," it is proposed to insert the words "including gold watches," and in line 1723, after the word "jewelry," it is proposed to strike out "25" and insert "40."

Mr. BROWN. As I understand, both the great political parties of the country are pledged to the doctrine of a higher tariff on luxuries and a lower tariff on the necessaries of life. Jewelry and gold watches are properly classed as luxuries; in other words, they are articles used mainly by the wealthier classes of our people, who are well able to pay, and, as expressed in the Senate to-day, willing to pay a higher rate on articles used by them. I think, therefore, with a view to carrying out the pledges of both parties, we ought to put jewelry at least as high as it was under the old law.

When these political platforms were laid down the law was 40 per cent. on gold watches, and the pledge is not well met by either party when we reduce the tariff on jewelry or gold watches from 40 to 25 per cent. Therefore I insist on my amendment, and ask for the yeas and nays.

Mr. SHERMAN. The principle laid down by the Senator from Georgia is correct, and these are articles of luxury. But the principle is modified somewhat by a practical question which has been tried several times, and that is that no duty shall be laid which will encourage smuggling. Now, nothing is surer in the experience of the Government in the attempt to tax jewelry at more than a very low rate than that it has always led to evasion and smuggling. The temptation to smuggle jewelry when the duty imposed is 25 per cent., on watches especially, is very great. All the materials of which jewelry is made, that is, the precious metals and rubies and the stones of which they are composed, are free, and if you put a duty of 25 per cent., especially if you put a duty of 45 per cent., it will induce smuggling, and there is no power in the world, no custom-house protection, that can prevent smuggling. That has been the experience of the past.

I agree that a duty ought to be put on these articles just as high as they will bear without inducing smuggling, but the Government found that a duty of 10 per cent. yielded more revenue and did not really affect the business of our jewelry establishments at home at all.

But I have no care about this. If the Senate wants to put it at 40 per cent. very well; but I think the result will be that we shall get less revenue and more articles will be smuggled in. That has been the experience of the Treasury Department and the experience of the Government.

Mr. BROWN. Mr. President, this question was pretty fully discussed in 1883, when the tariff was undergoing revision in this body, and I think after the discussion it was admitted that the position now taken by the Senator from Ohio applied mainly in the case of diamonds and the more costly pearls and stones and not so much to watches and ordinary jewelry. I recollect it was on my motion that gold watches were raised from 25 to 40 per cent., seconded by my friend General Logan, who was then in the Senate and who made some remarks in favor of the motion, and it was adopted by a large majority on the concession that the position taken by the Senator from Ohio now did not apply to jewelry as it did to diamonds and the finer class of precious stones.

Mr. DAWES. The Senator will not reach what he intends if he puts it in that phraseology, because gold watches without the movements would not be embraced in the phraseology, and then the movements separately are at 25 per cent.; so the same man could import gold watch-cases and he could import the movements separately, and in both cases he would pay only 25 per cent. So the Senator should change his phraseology, and put the watches, the cases, and the movements together.

Mr. BROWN. The common understanding of a gold watch is that little machine that is carried in the pocket and has a gold case. That is known as a gold watch.

Mr. DAWES. Certainly.

Mr. BROWN. I do not think it is necessary to put in any other description.

Mr. DAWES. Certainly it is. That is the very reason why the importer will escape the payment of the higher duty. A gold watch consists of a gold case and the movements together, all in one. All that importer would have to do would be to import gold cases as they are described here.

Mr. BROWN. I have heard no complaint since 1883 of the evasion of the law on this question, and the tariff has been during that period what I now propose to make it, or rather I propose to continue the rate as it now exists in the law.

Mr. DAWES. If there has been no evasion it has been because the

law has never been in the phraseology which the Senator now proposes.

Mr. BROWN. "Gold watches," I believe, are placed at higher rates.

Mr. DAWES. Yes, they are at higher rates than watch-cases. That is the trouble. Watch-cases are at one rate and watches at another.

Mr. BROWN. I want to make the rate 40 per cent.

Mr. DAWES. But if the Senator's amendment is adopted as it now stands, gold watches will be at one rate, gold watch-cases will be at another rate, and watch movements will be at another rate. So gold watch-cases will be imported at 25 per cent. and movements will be imported at 25 per cent., and then somebody in this country will put the two together and make a gold watch, which, if it was put together before it was imported, would have to pay a duty of 40 per cent.

Mr. BROWN. Would the Senator like the phraseology better if the amendment be changed so as to read "gold watches and gold watch-cases?"

Mr. DAWES. I agree with the Senator, and I want to reach just what he does.

Mr. BROWN. I want to reach the point and cover the whole ground.

Mr. ALLISON. If the Senator from Georgia will yield to me a moment, I think what he desires as respects watches and watch-cases had better be inserted on page 160, paragraph 440, where that subject is treated, and which provides for "watches, watch-cases, watch-movements," etc.

Mr. BROWN. If the chairman of the committee suggests that he prefers that, I will withhold my amendment until we reach that paragraph.

Mr. ALLISON. I think that would be a better place to insert it rather than to put the amendment where the Senator proposes.

Mr. BROWN. Then I propose only the other amendment, as to jewelry generally, raising it to 40 per cent.; in other words, to strike out "25" and insert "40" per cent.

The PRESIDENT *pro tempore*. The Senator withdraws his first proposed amendment, as the Chair understands.

Mr. BROWN. Yes, sir.

The PRESIDENT *pro tempore*. And asks for action upon the amendment which will now be read by the Secretary.

The SECRETARY. In paragraph 410, line 1723, after the word "jewelry," it is proposed to strike out "25" and insert "40;" so as to read:

410. Jewelry: All articles, not elsewhere specially provided for in this act, composed of precious metals or imitations thereof, whether set with coral, jet, or pearls, or with diamonds, rubies, cameos, or other precious stones, or imitations thereof, or otherwise, and which shall be known commercially as "jewelry," 40 per cent. ad valorem.

Mr. VEST. It is true that these are articles of luxury, but it is also true that the American manufacturer needs no protection at all about them. If the Senator from Georgia will look at the export list for 1887 and 1888 he will find that we are exporting to foreign countries $479,000 worth of jewelry by the export list of 1888. We are not only supplying the wants of the domestic market, but we are exporting besides nearly half a million dollars' worth of this product; and with a surplus in the Treasury there can not be any necessity for increasing the duty. We do not want the money, and the only possible reason that could be urged would be to protect American labor. The American labor not only does not need the protection, but it is now competing successfully with foreign labor. We are selling bric-a-brac made out of gold and silver, and we are selling watches all over Europe. In England an American watch can be bought to-day cheaper than a Geneva watch, and a better article. My friend back of me from Louisiana [Mr. EUSTIS] says that the clock in the House of Commons is made by the Waltham Company, American manufacturers, the great watch company in New England. I have to rely upon my friends for information on these matters, because I am unfortunate in never having been abroad. But that is a very significant fact and applies to all these articles of jewelry and watches. I do not see any necessity for this increase, because we do not need the revenue and the manufacturers do not need the protection.

Mr. BROWN. Mr. President, it is not a question of protection. I have introduced the amendment with no view to protecting anybody. It is a question of raising the revenue on luxuries with a view to reducing it on other things that are the common necessaries of life.

The Senator from Missouri says we do not need the revenue. It is true we have a surplus in the Treasury, but we have to raise revenue by tariff taxation, and I would raise it as much as possible by assessing a higher rate on luxuries and making reductions on the common necessaries of life.

I insist on the amendment, and think it ought to be adopted, with a view to raising revenue on such luxuries as ought to pay revenue, with a view to releasing to that extent the revenue that would otherwise be raised on some of the necessaries of life.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Georgia [Mr. BROWN].

Mr. BROWN. I should like to have the yeas and nays on the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. COLQUITT (when his name was called). I am paired with the Senator from Rhode Island [Mr. CHACE].

Mr. STEWART (when his name was called). I am paired with the Senator from North Carolina [Mr. RANSOM], or I should vote "yea."

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB].

The roll-call was concluded.

Mr. EVARTS. Is the name of the Senator from Alabama [Mr. MORGAN] recorded?

The PRESIDENT *pro tempore*. It is not recorded.

Mr. EVARTS. I am paired with the Senator from Alabama [Mr. MORGAN] and withhold my vote.

Mr. BATE. My colleague [Mr. HARRIS] is paired with the Senator from Vermont [Mr. MORRILL].

Mr. PADDOCK. I desire to announce the pair of my colleague [Mr. MANDERSON] with the Senator from Kentucky [Mr. BLACKBURN].

Mr. EVARTS. The vote does not seem to be political, and I vote "yea."

The result was announced—yeas 37, nays 4; as follows:

YEAS—37.

Aldrich,	Davis,	Hiscock,	Stockbridge,
Allison,	Dawes,	Ingalls,	Teller,
Bate,	Dolph,	Mitchell,	Turpie,
Berry,	Edmunds,	Paddock,	Vance,
Brown,	Evarts,	Payne,	Voorhees.
Chandler,	Faulkner,	Pugh,	Walthall,
Cockrell,	Frye,	Reagan,	Wilson of Iowa.
Coke,	Gorman,	Saulsbury,	
Cullom,	Gray,	Sawyer,	
Daniel,	Hale,	Spooner,	

NAYS—4.

Eustis,	Hawley,	Platt,	Sherman.

ABSENT—35.

Beck,	Colquitt,	Jones of Nevada,	Quay,
Blackburn,	Farwell,	Kenna,	Ransom,
Blair,	George,	McPherson,	Riddleberger,
Blodgett,	Gibson,	Manderson,	Sabin,
Bowen,	Hampton,	Morgan,	Stanford,
Butler,	Harris,	Morrill,	Stewart,
Call,	Hearst,	Palmer,	Vest,
Cameron,	Hoar,	Pasco,	Wilson of Md.
Chace,	Jones of Arkansas,	Plumb,	

So the amendment was agreed to.

Mr. HAWLEY. Mr. President——

Mr. REAGAN. As we all seem to be pretty harmonious in our views just now, I move that the Senate adjourn.

The PRESIDENT *pro tempore*. The Chair has recognized the Senator from Connecticut [Mr. HAWLEY].

Mr. HAWLEY. Speaking of leather, which is the next item, I did not expect to make an explanation of a vote against raising a duty as opposed to the unanimous Democratic attempt to raise that duty. It is all very well for a joke, but I wish to point out a serious side to the vote just taken.

This increase of the duty from 25 to 40 per cent. will lead, in my judgment if this bill becomes a law, to a very largely-increased importation of jewelry, but without paying any duty. Jewelry in general is capable of easy smuggling, and you have offered 15 per cent. additional premium to the smugglers. This increase is not needed for protection, and putting it on is the reverse of protection. It is not needed for revenue. I prophesy in case it should pass, an increase of importation and a damage to the American manufacturer.

Mr. REAGAN. I move that the Senate adjourn.

Mr. CHANDLER. I ask the Senator to yield while I get an order to print.

Mr. REAGAN. I withdraw the motion temporarily for that purpose.

REPRINTING OF A BILL.

Mr. CHANDLER. I offer the following order:

Ordered, That there be printed 2,000 additional copies of Senate bill 3783, entitled "An act to make and alter regulations as to the times, places, and manner of holding elections for Representatives in Congress."

The PRESIDENT *pro tempore*. An order to reprint the bill could be agreed to by unanimous consent. An order to print additional copies must be referred to the Committee on Printing, under the rules.

Mr. CHANDLER. The bill is now in type.

The PRESIDENT *pro tempore*. An order to reprint would secure the printing of about 800 extra copies, which would not require a reference under the rules. An order to print 2,000 would require to be referred to the Committee on Printing.

Mr. HAWLEY. Pardon a suggestion. The rule says "unless the Senate shall otherwise order" it shall be referred to the Committee on Printing, and this is a matter to which it is entirely competent to give unanimous consent, I think.

The PRESIDENT *pro tempore*. If there be no objection, the order will then be made as requested by the Senator from New Hampshire. The Chair hears no objection.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had, on the 8th instant, approved and signed the act (S. 337) granting a pension to Mary E. Johnston.

AMENDMENT TO A BILL.

Mr. PLATT submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

REPORT OF A COMMITTEE.

Mr. SPOONER (on behalf of Mr. QUAY), from the Committee on Claims, to whom was referred the bill (H. R. 4581) for the relief of Thomas Mathews and others, reported it without amendment, and submitted a report thereon.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President *pro tempore:*

A bill (H. R. 9211) for the relief of Jesse Durnell;

A bill (H. R. 11794) to amend the postal laws of the United States in reference to letters bearing special-delivery stamps; and

Joint resolution (H. Res. 246) authorizing the Secretary of War to loan to the committee on inaugural ceremonies flags, etc.

BILLS INTRODUCED.

Mr. PAYNE introduced a bill (S. 3796) to constitute Columbus, Ohio, a port of delivery, and to extend the provisions of the act of June 10, 1880, entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," to said port of Columbus; which was read twice by its title, and referred to the Committee on Commerce.

Mr. EVARTS introduced a bill (S. 3797) for the relief of Julius Witkowski, of New York; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3798) for the relief of Judah Touro Robertson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Patents.

Mr. PALMER introduced a bill (S. 3799) making an appropriation for the construction of a steam-tender for service on the Great Lakes; which was read twice by its title, and referred to the Committee on Appropriations.

Mr. RIDDLEBERGER introduced a bill (S. 3800) directing a survey of a road from the Aqueduct Bridge to Mount Vernon and making an appropriation therefor; which was read twice by its title and referred to the Committee on the District of Columbia.

ADJOURNMENT.

Mr. ALLISON. I move that the Senate do now adjourn to 11 o'clock to-morrow.

The PRESIDENT *pro tempore.* The motion of the Senator from Texas [Mr. REAGAN] takes precedence.

Mr. ALLISON. I hope the Senator from Texas will withdraw his motion. I understand he did withdraw it temporarily. He is not in his seat now.

The PRESIDENT *pro tempore.* The question is on agreeing to the motion of the Senator from Texas that the Senate do now adjourn.

The motion was not agreed to.

Mr. ALLISON. Now I move that the Senate adjourn until 11 o'clock to-morrow.

Mr. JONES, of Arkansas. Will the Senater from Iowa allow me to make a suggestion?

Mr. ALLISON. Certainly.

Mr. JONES, of Arkansas. There are but few Senators here now, and most of those who have gone have gone away with the idea that we were not to meet until 12 o'clock to-morrow.

Mr. ALLISON. They will see it in the RECORD undoubtedly. There will be no trouble about that.

Mr. JONES, of Arkansas. I think there ought to be some notice of a motion of that kind, so that Senators may be advised of it.

Mr. ALLISON. I want to say to Senators——

The PRESIDENT *pro tempore.* Debate can proceed only by unanimous consent. The Chair hears no objection.

Mr. ALLISON. Unless we meet here at 11 o'clock and go on a little later each evening it will be impossible for us to get on without night sessions, and I think it better to meet at 11 o'clock than to meet in the evening.

Mr. JONES, of Arkansas. I am perfectly willing to meet at 11 o'clock if the rest of the Senate is. I do not object, except that I do not think it fair to make a motion to change the hour of meeting at the end of the session, just as we are going to adjourn, and in the absence of so many Senators.

Mr. ALLISON. That is the only time I could make the motion.

The PRESIDENT *pro tempore.* The Senator from Texas [Mr. REAGAN] is present.

Mr. ALLISON. I ask the Senator from Texas to withdraw his motion.

The PRESIDENT *pro tempore.* The motion of the Senator from Texas has been disposed of.

Mr. ALLISON. Very well; then I submit my motion.

The PRESIDENT *pro tempore.* The Senator from Iowa moves that the Senate do now adjourn until 11 o'clock to-morrow morning. [Putting the question.] By the sound the "ayes" have it.

Mr. VANCE. Let us have the yeas and nays on that motion.

The yeas and nays were ordered and taken.

Mr. SPOONER (after having voted in the affirmative). Did the Senator from Mississippi [Mr. WALTHALL] vote on this question?

The PRESIDENT *pro tempore.* He is not recorded.

Mr. SPOONER. Then I withhold my vote, as I am paired with him.

Mr. HISCOCK (after having voted in the affirmative). Did the Senator from Arkansas [Mr. JONES] vote?

The PRESIDENT *pro tempore.* He is not recorded.

Mr. HISCOCK. Then I withdraw my vote.

The PRESIDENT *pro tempore.* The Senator from New York withdraws his vote.

The result was announced—yeas 10, nays 7; as follows:

YEAS—10.

Allison,	Frye,	Ingalls,	Teller.
Cullom,	Hale,	Platt,	
Edmunds,	Hawley,	Sawyer,	

NAYS—7.

Bate,	Cockrell,	Gray,	Vance.
Brown,	Gorman,	Reagan,	

ABSENT—59.

Aldrich,	Davis,	Jones of Nevada,	Riddleberger,
Beck,	Dawes,	Kenna,	Sabin,
Berry,	Dolph,	McPherson,	Saulsbury,
Blackburn,	Eustis,	Manderson,	Sherman,
Blair,	Evarts,	Mitchell,	Spooner,
Blodgett,	Farwell,	Morgan,	Stanford,
Bowen,	Faulkner,	Morrill,	Stewart,
Butler,	George,	Paddock,	Stockbridge,
Call,	Gibson,	Palmer,	Turpie,
Cameron,	Hampton,	Pasco,	Vest,
Chace,	Harris,	Payne,	Voorhees,
Chandler,	Hearst,	Plumb,	Walthall,
Coke,	Hiscock,	Pugh,	Wilson of Iowa.
Colquitt,	Hoar,	Quay,	Wilson of Md.
Daniel,	Jones of Arkansas,	Ransom,	

The PRESIDENT *pro tempore.* No quorum has voted. The Chair holds that less than a quorum can not change the order of the Senate requiring the daily hour of meeting to be 12 o'clock. A quorum not being present, the Secretary will call the roll of the Senate.

Mr. ALLISON. Under the circumstances, Mr. President, I move that the Senate do now adjourn.

The PRESIDENT *pro tempore.* The Senator from Iowa moves that the Senate do now adjourn.

The motion was agreed to; and (at 5 o'clock and 22 minutes p. m.) the Senate adjourned until to-morrow, Thursday, January 10, 1889, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January* 9, 1889.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W H. MILBURN, D. D.

ORDER OF BUSINESS.

The SPEAKER. The Clerk will read the Journal.

Mr. WEAVER. I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. WEAVER. Clause 1 of Rule I provides that—

The Speaker shall take the chair on every legislative day precisely at the hour to which the House shall have adjourned at the last sitting, immediately call the members to order, and on the appearance of a quorum cause the Journal of the proceedings of the last day's sitting to be read, having previously examined and approved the same.

I make the point of order that the Journal can not be read until it is ascertained that a quorum is present.

The SPEAKER. That point of order was made during the last session of Congress, and the Chair sustained it. It is not only a rule of the House, but the Constitution itself provides that it shall require a majority of the members elect to transact business; and the reading and approval of the Journal is the transaction of business, because the Journal is nothing more than memoranda made by an officer of the House, until it is approved by the House.

The Clerk will call the roll.

The roll was called, and the following members answered to their names:

Abbott,	Baker, N. Y.	Blanchard,	Brower,
Allen, Mass.	Baker, Ill.	Bland,	Brown, Ohio
Anderson, Iowa	Bankhead,	Blount,	Brown, J. R., Va.
Anderson, Miss.	Barnes,	Bound,	Brumm,
Anderson, Ill.	Biggs,	Bowden,	Bryce,
Atkinson,	Bingham,	Brewer,	Bunnell,

Burnes,	Gest,	Lodge,	Rowland,
Burnett,	Gibson,	Long,	Sawyer,
Burrows,	Glass,	Lynch,	Sayers,
Campbell, F., N. Y.	Goff,	Macdonald,	Scull,
Campbell, T. J., N. Y.	Granger,	Maish,	Seymour,
Candler,	Grimes,	Mansur,	Shaw,
Cannon,	Grosvenor,	Martin,	Shively,
Catchings,	Grout,	Mason,	Smith,
Cheadle,	Hall,	Matson,	Sowden,
Chipman,	Hare,	McClammy,	Spooner,
Clardy,	Harmer,	McCreary,	Springer,
Clark,	Hatch,	McKenna,	Stewart, Tex.
Conger,	Haugen,	McKinley,	Stewart, Ga.
Cothran,	Hemphill,	McKinney,	Stockdale,
Cox,	Henderson, Iowa	McMillin,	Stone, Ky.
Crain,	Henderson, N. C.	McRae,	Stone, Mo.
Crisp,	Hiestand,	McShane,	Struble,
Crouse,	Hires,	Mills,	Symes,
Culberson,	Hitt,	Moffitt,	Taulbee,
Cummings,	Holmes,	Moore,	Taylor, E. B., Ohio
Cutcheon,	Hooker,	Morgan,	Thomas, Wis.
Dalzell,	Hopkins, Ill.	Morrill,	Thompson, Cal.
Davenport,	Hopkins, Va.	Morrow,	Tracey,
Davidson, Ala.	Hopkins, N. Y.	Newton,	Townshend,
Davidson, Fla.	Houk,	Nichols,	Turner, Kans.
Davis,	Hovey,	Oates,	Turner, Ga.
Dibble,	Howard,	O'Donnell,	Vandever,
Dingley,	Hudd,	O'Ferrall,	Walker,
Dockery,	Hunter,	O'Neill, Pa.	Warner,
Dunn,	Hutton,	Osborne,	Washington,
Elliott,	Jackson,	Outhwaite,	Weaver,
Enloe,	Johnston, Ind.	Patton,	Weber,
Ermentrout,	Johnston, N. C.	Payson,	Wheeler,
Farquhar,	Kean,	Peel,	White, Ind.
Felton,	Kelley,	Perry,	Whiting, Mich.
Finley,	Kerr,	Peters,	Wilkinson,
Fisher,	Ketcham,	Pugsley,	Williams,
Flood,	Kilgore,	Randall,	Wilson, Minn.
Foran,	Laffoon,	Reed,	Wilson, W. Va.
Forney,	Laidlaw,	Rice,	Wise,
French,	Lane,	Richardson,	Woodburn,
Fuller,	Lanham,	Rockwell,	Yardley,
Funston,	Latham,	Rogers,	Yoder,
Gaines,	Lawler,	Romeis,	Yost.
Gallinger,	Lind,	Rowell,	

The SPEAKER. Two hundred and three gentlemen are present, and there is a quorum.

Mr. WEAVER. I move the House adjourn; and pending that motion, I move that when the House adjourn to-day it be until Friday next.

Mr. RANDALL. I suggest that the roll-call, as directed by the Speaker, was for the purpose of knowing whether there was a quorum present, and when the Speaker found a quorum present the next requirement is that the Journal be read.

The SPEAKER. The requirement is, the Speaker shall direct that the Journal be read. The Chair thinks the House may adjourn to prevent the reading of the Journal at any time it thinks proper. Such motions have been made before, and the House has adjourned without the reading of the Journal.

The question was taken on adjournment until Friday; and the Speaker announced that the noes seemed to have it.

Mr. WEAVER. Division.

The House divided; and there were—ayes 3, noes 139.

Mr. WEAVER. No quorum.

The Chair appointed Mr. WEAVER and Mr. CRISP as tellers.

Mr. JACKSON. I demand the yeas and nays.

Mr. CRISP (to Mr. JACKSON). Do not do that; we will get a quorum presently.

Mr. JACKSON. I will withdraw the demand for the yeas and nays.

After some time spent in counting, the tellers reported—ayes none, noes 139.

The SPEAKER. No quorum has yet voted.

The tellers continued the count, and finally reported—ayes none, noes 163.

So the motion that when the House adjourn to-day it adjourn to meet on Friday next was disagreed to.

Mr. WEAVER. I move that when the House adjourn to-day it be to meet on Saturday next.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. WEAVER. Division.

The House divided; and there were—ayes none, noes 115.

Mr. WEAVER. No quorum.

Mr. WEAVER and Mr. CRISP were appointed tellers.

The House again divided; and the tellers reported—ayes none, noes 106.

The SPEAKER. No quorum has yet voted.

Mr. GROSVENOR. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSVENOR. I want to know whether during the attempt to obtain a quorum it would be in order for Mr. CRISP to address the House on the rights of a minority being protected under our form of Government. [Laughter.]

The SPEAKER. It would not.

The tellers again reported—aye 1, noes 163; so the motion to adjourn till Saturday was not agreed to.

Mr. WEAVER. I move that when the House adjourn to-day it be to meet on Monday next.

Mr. CRISP. I make the point of order that that is more than three days.

The SPEAKER. It is four days.

Mr. WEAVER. Then I move that the House take a recess until half past 2 o'clock.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. WEAVER. Division.

The House divided; and there were—ayes 3, noes 153.

Mr. WEAVER. No quorum?

Mr. WEAVER and Mr. CRISP were appointed tellers.

The House divided; and the tellers reported—ayes none, noes 90.

The SPEAKER. No quorum has yet voted.

Mr. REED. Mr. Speaker, I would like to inquire of the gentleman from Georgia [Mr. CRISP] whether there is anything else that can be done to protect the rights of the minority. [Laughter.]

Mr. CRISP. Mr. Speaker, the gentleman from Georgia has said nothing to indicate that he was at all objecting to this.

Mr. PAYSON. How does the minority feel about it?

Mr. ROGERS. There is no minority.

Mr. WEAVER. This is a fight for the rights of the majority.

Mr. PAYSON. I think we ought to be advised as to how "the minority" himself [Mr. WEAVER] feels as to his own situation. [Laughter.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced the passage of a bill and joint resolution of the following titles:

A bill (H. R. 9211) for the relief of Jesse Durnell; and

Joint resolution (H. Res. 246) authorizing the Secretary of War to loan to the committee on inaugural ceremonies flags, etc.

It also announced disagreement to the amendment of the House to the bill (S. 1305) to incorporate the Maritime Canal Company of Nicaragua, asked a conference on the disagreeing votes of the two Houses, and had appointed as managers of said conference on its part Mr. SHERMAN, Mr. EDMUNDS, and Mr. MORGAN.

It further announced the adoption of a resolution, in which the concurrence of the House was requested, for printing the report of the National Academy of Sciences for 1887.

ORDER OF BUSINESS.

The SPEAKER. Upon the pending question the tellers report—ayes 2, noes 161. The noes have it and the motion is not agreed to.

Mr. WEAVER. I move that the House take a recess until half past 1 o'clock.

The question was taken; and the Speaker declared that the noes seemed to have it.

Mr. WEAVER. I ask for a division.

The House divided; and there were—ayes none, noes 81.

Mr. WEAVER. No quorum.

The SPEAKER. The point being made that no quorum has voted, the Chair will appoint to act as tellers the gentleman from Georgia [Mr. CRISP] and the gentleman from Iowa [Mr. WEAVER].

The House divided; and the tellers reported—ayes none, noes 117.

The SPEAKER *pro tempore* (Mr. HATCH). No quorum has voted. There is evidently a quorum present in the House, and the Chair hopes members will come forward and vote.

Mr. STEELE (at half past 1 o'clock p. m.). Mr. Speaker, I make the point of order that the time named in the pending motion to take a recess has arrived, and that the motion therefore falls, and I now call up the bill (S. 944) to increase the pension of Mrs. Elizabeth Scott.

Mr. WEAVER. Regular order.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Indiana [Mr. STEELE] that the House is dividing, and no quorum has voted.

Mr. STEELE. But the time during which it was proposed that the House should take a recess has expired.

The SPEAKER *pro tempore*. The question is under consideration, and it is for the House to determine. The Chair will again remind members that no quorum has voted. There is obviously a quorum present, and the Chair hopes that gentlemen will come forward and vote and make a quorum.

Mr. STEELE. But the hour to which the gentleman from Iowa [Mr. WEAVER] moved to take a recess having expired, is it not in order to make that point?

The SPEAKER *pro tempore*. That is a matter for the House to determine. The Chair will state to the gentleman [Mr. STEELE] further that even if that question were determined his motion would not be in order, because the Journal of yesterday's proceedings has not yet been read. No motion is in order until after the Journal has been read.

Mr. STEELE. I wish to discuss the point of order, but I yield now to my friend from Michigan [Mr. BREWER].

The SPEAKER *pro tempore*. The gentleman is not in order.

Mr. WHITE, of New York. Mr. Speaker, would it be in order to

inquire if protection to the rights of the minority is the palladium of our liberties to-day? [Laughter.]

The SPEAKER *pro tempore*. The Chair does not think that is a parliamentary inquiry. If members who are present desire that the business of the House shall proceed they will come forward and vote and make a quorum. It is for them to determine whether the business of the House shall be blocked in this way or not.

The tellers reported—ayes none, noes 152.

Mr. WEAVER. No quorum.

Mr. McCREARY. I move a call of the House.

Mr. McCULLOGH. I rise to a point of order.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. McCULLOGH. When a motion is made and, upon a vote, the ayes are none, does not the motion fail?

The SPEAKER *pro tempore*. Not unless there is a quorum. The gentleman from Iowa [Mr. WEAVER] insists upon the point that no quorum has voted. The question is on the motion of the gentleman from Kentucky [Mr. McCREARY] that a call of the House be ordered.

A call of the House was ordered—ayes 73, noes 5.

The roll was called when the following members failed to answer to their names.

Anderson, Kans.	De Lano,	Laird,	Rayner,
Arnold,	Dorsey,	Lind,	Russell, Mass.
Bacon,	Dougherty,	Lyman,	Rusk,
Barry,	Dunham,	Lynch,	Ryan,
Belden,	Dunn,	Macdonald,	Scott,
Bingham,	Ermentrout,	Maffett,	Snyder,
Blount,	Felton,	Mahoney,	Spinola,
Bowen,	Fisher,	Maish,	Stahlnecker,
Breckinridge, Ark.	Fitch,	Mansur,	Stewart, Vt.
Breckinridge, Ky.	Ford,	Mason,	Stockdale,
Brown, J. R., Va.	Gay,	McKinney,	Tarsney,
Buckalew,	Glover,	Merriman,	Taulbee,
Butler,	Granger,	Milliken,	Thomas, Ky.
Campbell, Ohio	Greenman,	Mills,	Thomas, Ill.
Caruth,	Guenther,	Moffitt,	Thompson, Ohio
Caswell,	Hayden,	Morse,	Thompson, Cal.
Clardy,	Hemphill,	Neal,	Whiting, Mass.
Cockran,	Hogg,	Nelson,	Whitthorne,
Collins,	Holmes,	Norwood,	Wickham,
Compton,	Hooker,	Nutting,	Wilkins,
Conger,	Hovey,	O'Neill, Mo.	Wilson, W. Va.
Cothran,	Jones,	Parker,	
Cowles,	Kelley,	Perry,	
Crouse,	Lagan,	Pidcock,	

The following members were absent on leave:

Breckinridge, Ark.,	Fitch,	Maffett,	Thomas, Ky.,
Carlton,	Gay,	Mahoney,	Whitthorne.
Caruth,	Guenther,	Neal,	
Caswell,	Laird,	Parker,	
Dougherty,	Lyman,	Penington,	

The SPEAKER *pro tempore* (Mr. HATCH). The roll-call discloses the presence of 232 members, being more than a quorum.

Mr. McCREARY. As a quorum is present, I move to dispense with further proceedings under the call.

The motion of Mr. McCREARY was agreed to.

Mr. WEAVER. I move that the House take a recess until forty minutes past 2 o'clock.

The SPEAKER *pro tempore*. There is already a motion pending, which must be determined. The tellers will resume their places. The question is on the motion submitted by the gentleman from Iowa [Mr. WEAVER], that the House take a recess until half past 1 o'clock to-day.

Mr. WASHINGTON. I make a point of order——

The SPEAKER *pro tempore*. The point of order which the Chair understands the gentleman desires to make has already been overruled. This is a question which must be determined by the House.

Mr. WASHINGTON. I call the attention of the Chair to the fact that it is now 2 o'clock.

The SPEAKER *pro tempore*. That is a matter for the House. The motion having been made must be voted on. The House is dividing on the question.

Mr. WEAVER. I make the point that the vote must now be taken *de novo*.

The SPEAKER *pro tempore*. The Chair so holds.

Mr. BUCHANAN. I rise to a parliamentary inquiry. I understand the pending motion is that the House take a recess until half past 1 o'clock.

The SPEAKER *pro tempore*. It is.

Mr. BUCHANAN. It now being half an hour past that time, what would be the effect of this motion if adopted?

The SPEAKER *pro tempore*. The Chair will determine that when the House votes upon the proposition.

Mr. BUCHANAN. But my point is this: If the motion were adopted, would it not throw us over until half past 1 o'clock to-morrow? I ask the question in good faith.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from New Jersey that such would not be the effect.

The House again divided; and after some time the tellers reported—aye 1, noes 162.

So the motion of Mr. WEAVER was not agreed to.

Mr. WEAVER. I move that the House take a recess until fifteen minutes past 3 o'clock.

The SPEAKER (having put the question). The noes seem to have it.

Mr. WEAVER. I call for a division.

The question being again taken, there were—ayes 3, noes 34.

Mr. WEAVER. No quorum.

Mr. CRISP. I call for the yeas and nays.

The yeas and nays were ordered, 48 voting therefor.

So the question was taken; and it was decided in the negative—yeas 3, nays 184, not voting 136; as follows:

YEAS—3.

Browne, Ind.	Felton,	Kilgore.

NAYS—184.

Abbott,	Davis,	Laffoon,	Randall,
Adams,	Dibble,	La Follette,	Rice,
Allen, Mich.	Dingley,	Laidlaw,	Richardson,
Allen, Miss.	Dockery,	Landes,	Robertson,
Anderson, Iowa	Elliott,	Lane,	Rogers,
Anderson, Miss.	Enloe,	Lanham,	Romeis,
Anderson, Ill.	Farquhar,	Latham,	Rowell,
Baker, Ill.	Fisher,	Lee,	Rowland,
Bankhead,	Flood,	Lehlbach,	Sawyer,
Barnes,	Foran,	Lind,	Sayers,
Biggs,	Forney,	Long,	Scott,
Bingham,	French,	Lynch,	Scull,
Bland,	Fuller,	Mansur,	Seney,
Blount,	Funston,	Martin,	Seymour,
Bound,	Gaines,	Matson,	Shively,
Bowden,	Gear,	McAdoo,	Simmons,
Brewer,	Gest,	McClammy,	Smith,
Brower,	Gibson,	McComas,	Sowden,
Brown, Ohio	Glass,	McCormick,	Spooner,
Brown, J. R., Va.	Grimes,	McCreary,	Springer,
Brumm,	Hall,	McCullogh,	Steele,
Buchanan,	Hare,	McMillin,	Stephenson,
Burrows,	Haugen,	McRae,	Stewart, Tex.
Butterworth,	Heard,	Mills,	Stone, Ky.
Bynum,	Henderson, Ill.	Moffitt,	Stone, Mo.
Campbell, F., N. Y.	Herbert,	Montgomery,	Struble,
Campbell, T. J., N. Y.	Hermann,	Moore,	Taulbee,
Candler,	Hires,	Morgan,	Taylor, J. D., Ohio
Catchings,	Hitt,	Morrow,	Thomas, Wis.
Cheadle,	Holman,	Nelson,	Tillman,
Chipman,	Holmes,	Newton,	Tracey,
Clements,	Hooker,	Nichols,	Townshend,
Cobb,	Hopkins, Ill.	Oates,	Turner, Kans.
Cogswell,	Hopkins, Va.	O'Donnell,	Turner, Ga.
Conger,	Hopkins, N. Y.	O'Ferrall,	Vance,
Cothran,	Houk,	O'Neill, Pa.	Walker,
Cox,	Hovey,	Outhwaite,	Washington,
Crain,	Howard,	Owen,	Weber,
Crisp,	Hunter,	Patton,	Wheeler,
Culberson,	Hutton,	Penington,	Whiting, Mich.
Cummings,	Jackson,	Perkins,	Wilber,
Cutcheon,	Johnston, Ind.	Perry,	Wilkinson,
Dalzell,	Johnston, N. C.	Peters,	Williams,
Dargan,	Kennedy,	Phelan,	Woodburn,
Darlington,	Kerr,	Post,	Yardley,
Davidson, Ala.	Ketcham,	Pugsley,	Yost.

NOT VOTING—136.

Allen, Mass.	Cowles,	Kelley,	Russell, Conn.
Anderson, Kans.	Crouse,	Lagan,	Russell, Mass.
Arnold,	Davenport,	Laird,	Rusk,
Atkinson,	Davidson, Fla.	Lawler,	Ryan,
Bacon,	De Lano,	Lodge,	Shaw,
Baker, N. Y.	Dorsey,	Lynan,	Sherman,
Barry,	Dougherty,	Macdonald,	Snyder,
Bayne,	Dunham,	Maffett,	Spinola,
Belden,	Dunn,	Mahoney,	Stahlnecker,
Blanchard,	Ermentrout,	Maish,	Stewart, Ga.
Bliss,	Finley,	Mason,	Stewart, Vt.
Boothman,	Fitch,	McKenna,	Stockdale,
Boutelle,	Ford,	McKinley,	Symes,
Bowen,	Gallinger,	McKinney,	Tarsney,
Breckinridge, Ark.	Gay,	McShane,	Taylor, E. B., Ohio
Breckinridge, Ky.	Glover,	Merriman,	Thomas, Ky.
Browne, T. H. B., Va.	Goff,	Milliken,	Thomas, Ill.
Bryce,	Granger,	Morrill,	Thompson, Ohio
Buckalew,	Greenman,	Morse,	Thompson, Cal.
Bunnell,	Grosvenor,	Neal,	Vandever,
Burnes,	Grout,	Norwood,	Wade,
Burnett,	Guenther,	Nutting,	Warner,
Butler,	Harmer,	O'Neall, Ind.	Weaver,
Campbell, Ohio	Hatch,	O'Neill, Mo.	West,
Cannon,	Hayden,	Osborne,	White, Ind.
Carlton,	Hayes,	Parker,	White, N. Y.
Caruth,	Hemphill,	Payson,	Whiting, Mass.
Caswell,	Henderson, Iowa	Peel,	Whitthorne,
Clardy,	Henderson, N. C.	Phelps,	Wickham,
Clark,	Hiestand,	Pidcock,	Wilkins,
Cockran,	Hogg,	Plumb,	Wilson, Minn.
Collins,	Hudd,	Rayner,	Wilson, W. Va.
Compton,	Jones,	Reed,	Wise,
Cooper,	Kean,	Rockwell,	Yoder.

So the House refused to take a recess.

During the roll-call,

Mr. CRISP moved that the reading of the names be dispensed with.

Mr. WEAVER objected.

The following pairs were announced:

Until further notice on all political questions:

Mr. CAMPBELL, of Ohio, with Mr. GOFF.

Mr. WILSON, of West Virginia, with Mr. ARNOLD.

Mr. JONES with Mr. McCOMAS.

Mr. BRECKINRIDGE, of Arkansas, with Mr. GUENTHER.

Mr. BURNES with Mr. WHITING, of Massachusetts.

Mr. LAGAN with Mr. LYMAN.
Mr. GRANGER with Mr. ROCKWELL.
Mr. MCSHANE with Mr. LAIRD.
Mr. NEAL with Mr. BELDEN.
Mr. CARUTH with Mr. WICKHAM.
Mr. FORD with Mr. T. H. B. BROWNE.
Mr. COCKRAN with Mr. HITT.
For this day:
Mr. ERMENTROUT with Mr. DE LANO.
Mr. THOMPSON, of California, with Mr. THOMAS, of Kentucky.
Mr. BRYCE with Mr. PARKER.
Mr. DAVIDSON, of Florida, with Mr. DORSEY.
Mr. HENDERSON, of North Carolina, with Mr. WADE.
Mr. CLARDY with Mr. ANDERSON, of Kansas.
Mr. COWLES with Mr. BOOTHMAN.
Mr. STOCKDALE with Mr. WHITE, of Indiana.
Mr. MCKINNEY with Mr. HAYDEN.
Mr. BACON with Mr. CROUSE on election contest of Smalls *vs.* Elliott.
Mr. GREENMAN with Mr. SHERMAN on election contest of Smalls *vs.* Elliott.
Mr. SPINOLA with Mr. WHITE, of New York, on all political questions until Monday, including the election contest of Smalls *vs.* Elliott.

The vote was then announced as above recorded.

Mr. WEAVER. I have no objection to the Journal being read.

The SPEAKER. The Clerk will read the Journal.

The Journal of yesterday's proceedings was read and approved.

PURCHASE OF SEED FOR TURTLE MOUNTAIN CHIPPEWA INDIANS.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Interior of an appropriation for the purchase of seed for the Turtle Mountain band of Chippewa Indians; which was referred to the Committee on Indian Affairs, and ordered to be printed.

PURCHASE OF STALLIONS FOR NORTHERN CHEYENNE INDIANS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Interior of appropriations for the purchase of stallions for the Northern Cheyenne Indians, Tongue River agency, Montana; which was referred to the Committee on Indian Affairs, and ordered to be printed.

INDIAN INDUSTRIAL SCHOOL.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an additional estimate from the Secretary of the Interior of an appropriation for the Indian industrial school at Genoa; which was referred to the Committee on Indian Affairs, and ordered to be printed.

SUPPLEMENTAL REPORT OF MISSISSIPPI RIVER COMMISSION.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting a supplemental report of the Mississippi River Commission; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

REPORT OF BUREAU OF ANIMAL INDUSTRY.

The SPEAKER also laid before the House a communication from the Commissioner of Agriculture, transmitting the report of the operations of the Bureau of Animal Industry for the year 1888; which was referred to the Committee on Agriculture.

ENROLLED BILLS.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles; when the Speaker signed the same:

A bill (H. R. 9211) for the relief of Jesse Durnell;

A bill (H. R. 11794) to amend the postal laws of the United States in reference to letters bearing special-delivery stamps; and

Joint resolution (H. Res. 246) authorizing the Secretary of War to loan to the committee on inauguration ceremonies flags, etc.

LEAVE OF ABSENCE.

Mr. ANDERSON, of Kansas, by unanimous consent, was granted leave of absence for one week, on account of committee work.

OFFICIAL WAR RECORDS.

Mr. GROSVENOR, by unanimous consent, presented the following from the Military Historical Society of Massachusetts, accompanied by a resolution of the Military Order of the Loyal Legion of the United States, Commandery of the State of Massachusetts, appealing to Congress to make such ample appropriation for the printing of the official war records as will secure their speedy publication and distribution; which was ordered to be printed in the RECORD:

THE MILITARY HISTORICAL SOCIETY OF MASSACHUSETTS,
Boston, December 13, 1888.

At a regularly called and duly organized meeting of the Military Historical Society of Massachusetts, held December 10, 1888, the following vote was unanimously passed;

"*Voted*, That the Military Historical Society of Massachusetts, composed chiefly of officers who were engaged in the war of the rebellion, urgently appeals to Congress to make such necessary appropriation as shall secure the speedy publication and distribution of the officia lwar records."

CHAS. DEVENS, *President.*

A true copy.
Attest:

ALPHEUS H. HARDY,
Secretary Military Historical Society of Massachusetts.

MILITARY ORDER OF THE LOYAL LEGION OF THE UNITED STATES,
COMMANDERY OF THE STATE OF MASSACHUSETTS,
Boston, December —, 1888.

At a stated meeting of this commandery, held December 5, 1888, it was—

"*Voted*, That this commandery, representing nearly seven hundred officers who were in the United States Army during the war of the rebellion, earnestly appeals to Congress to make such ample appropriation for the printing of the official war records as will secure their speedy publication and distribution."

A true copy from the records.
Attest:

ARNOLD A. RAND, *Recorder.*

SITE FOR TESTING HEAVY ORDNANCE, ETC.

Mr. HIRES, by unanimous consent, introduced a joint resolution (H. Res. 248) authorizing the Secretary of War to purchase a suitable site for testing heavy ordnance and making experiments in gunnery; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

ORDER OF BUSINESS.

Mr. SPRINGER. Mr. Speaker, I ask by unanimous consent the adoption of the following resolution.

Mr. OUTHWAITE. And I ask consent at the same time that this order be considered.

Mr. SPRINGER. Let this be adopted first.

The SPEAKER. After the resolution of the gentleman from Illinois has been read the gentleman from Ohio can then ask consent to modify it.

The resolution of Mr. SPRINGER was read, as follows:

Resolved, That Thursday, January 17, immediately after the reading of the Journal, be set apart for the consideration of the bill (H. R. 10614) to organize the Territory of Oklahoma, and for other purposes, now in Committee of the Whole on the state of the Union, and at 4 o'clock p. m. of said day the same shall be reported to the House with such amendments as may have been agreed upon in the committee, and the previous question shall then be considered as ordered upon all such amendments, and upon ordering the said bill to be engrossed and read a third time, and upon the passage of the same, and the votes thereon shall be taken in the House before adjournment and without intervening motions or business.

Mr. OUTHWAITE. Now I ask unanimous consent that this order be considered at the same time.

Mr. BRUMM. I object to the consideration of that.

Mr. SPRINGER. The consideration of the resolution is not asked. I simply ask unanimous consent to adopt the resolution.

Mr. OUTHWAITE. Let this come in as an amendment.

The SPEAKER. The gentleman from Ohio can ask the gentleman from Illinois to so modify his own request as to include that of the gentleman; but the consideration is not asked for, and therefore it is not amendable.

Mr. SPRINGER. I have no objection to an order being made in that case after the House shall have adopted the order I have submitted.

The SPEAKER. Is there objection?

Mr. BRUMM and others objected.

Mr. WEAVER. I move that the House now take a recess until thirty minutes past 4 o'clock.

Mr. SPRINGER. I ask unanimous consent to refer the resolution to the Committee on Rules.

Mr. STEELE, Mr. BUCHANAN, and others. Regular order.

Mr. BRUMM. We do not need any more special orders.

Mr. BUCHANAN. We have not had much luck lately with these special orders.

Mr. SPRINGER. Let it go to the Committee on Rules.

Mr. REED. I do not think it is worth while; perhaps you had better refer it to a Democratic caucus. [Laughter.]

Mr. STEELE. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 3 o'clock and 23 minutes p. m.) the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. CHIPMAN: A bill (H. R. 12024) for the relief of Stephen Martin—to the Committee on Military Affairs.

Also, a bill (H. R. 12025) granting a pension to Mary Myers—to the Committee on Invalid Pensions.

By Mr. FUNSTON: A bill (H. R. 12026) granting a pension to Robert Ewing—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 12027) granting a pension to Henry Bahl—to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 12028) granting a pension to Sarah C. Jones—to the Committee on Invalid Pensions.

By Mr. MACDONALD: A bill (H. R. 12029) for the relief of Christopher C. Andrews—to the Committee on the Public Lands.

By Mr. MATSON: A bill (H. R. 12030) granting a pension to William J. Davis—to the Committee on Invalid Pensions.

By Mr. MERRIMAN: A bill (H. R. 12031) for the relief of Judah Touro Robertson—to the Committee on Patents.

By Mr. WHEELER: A bill (H. R. 12032) directing that $1,075 be paid out of the appropriations of October, 1888, for the relief of yellow-fever sufferers, to the Relief Association of New Decatur, Ala., the widow of Dr. R. V. Williams and the widow of Dr. William Black—to the Committee on Claims.

Also, a bill (H. R. 12033) to refer the claim against the United States of Mrs. Harriet C. Hunter to the Court of Claims—to the Committee on War Claims.

Change in the reference of a bill, improperly referred, was made in the following case, namely:

A bill (H. R. 8586) for the relief of J. A. Crawford & Sons—from the Committee on War Claims to the Committee on Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BREWER: Petition of Newton L. Webb and other citizens of Clinton County, and of A. A. Newman and other citizens of Livingston County, Michigan, in favor of pure food and lard—to the Committee on Agriculture.

By Mr. CHIPMAN: Petition of William Below, late Company A, Fourth Regiment Michigan Cavalry, for a special-act pension—to the Committee on Invalid Pensions.

Also, petition of Thomas B. W. Stockton, late colonel Sixteenth Regiment Michigan Infantry, for relief—to the Committee on Military Affairs.

Also, petition of John T. Mott, jr., late Company C, Twenty-seventh Regiment, and of Stephen Martin, late captain Sixteenth Regiment Michigan, for back pay—to the Committee on War Claims.

Also, petition of Jedidiah Yeager, late Battery D, First Regiment Michigan Light Artillery, for a pension—to the Committee on Invalid Pensions.

Also, petition of James D. Elderkin, for increase of pension—to the Committee on Pensions.

Also, petition of Elizabeth Peters, widow of Charles Peters, for a pension—to the Committee on Invalid Pensions.

Also, petition of T. F. Tolsma, in regard to interference by Canadian officials with fishing in the waters of the United States—to the Committee on Foreign Affairs.

Also, petition asking that a pension be granted Mary Myers, widow of Edward Myers, Company M, First Regiment Michigan Light Artillery—to the Committee on Invalid Pensions.

By Mr. COX: Memorial of the New York Chamber of Commerce, for the establishment of a harbor of refuge near Point Judith—to the Committee on Rivers and Harbors.

By Mr. CRAIN: Proposal of W. M. Douglas, of Galveston, Tex., to secure and maintain deep water on the bar at Galveston, with plans and specifications—to the Committee on Rivers and Harbors.

By Mr. CUTCHEON: Petition of Robert Morrison and 18 citizens of Kalkaska County, Michigan, in favor of pure food—to the Committee on Agriculture.

By Mr. FUNSTON: Petition of the Board of Trade of Kansas City, in favor of House bill No. 3359, in favor of the right of way through Indian Territory for the Kansas City and Pacific Railroad—to the Committee on the Territories.

Also, petition of Cedar Vale Post, No. 99, of Kansas, in favor of the erection of monuments on battle-fields—to the Committee on Military Affairs.

By Mr. GIFFORD: Petition of the board of county commissioners of Walsh County, Dakota, for an amendment to the act of July 30, 1886, restricting special legislation in the Territories—to the Committee on the Territories.

By Mr. HAYES: Petition of citizens of Dakota for admission, but protesting against the Sioux Falls constitution—to the Committee on the Territories.

By Mr. LATHAM: Petition of C. P. Smith and others, of Beaufort County, and of Grange No. 584, of Pitt County, North Carolina, in favor of pure food and lard—to the Committee on Agriculture.

By Mr. MORGAN: Petition of William Gammel, son of John Gammel, of Mississippi, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. O'DONNELL: Petition of 252 citizens of Vermontville, Mich., for the passage of a law forbidding Sunday work in the mail and military service of the Government and in the interstate commerce—to the Committee on the Judiciary.

By Mr. OUTHWAITE: Petition of many citizens of Hocking County, Ohio, for a pension for Sarah R. Poling—to the Committee on Invalid Pensions.

By Mr. PERKINS: Resolutions of Cedarvale Post, No. 99, Grand Army of the Republic, of Kansas, asking that monuments be erected on the battle-fields—to the Committee on Military Affairs.

By Mr. PETERS: Petition of citizens of Finney County, of Pratt County, of Kearney County, and of Morton County, Kansas, against the passage of the Oklahoma bill—to the Committee on the Territories.

By Mr. SAYERS: Petition of the National Grange, Patrons of Husbandry, relative to the adulteration of food—to the Committee on Agriculture.

By Mr. SHERMAN: Petition for protection to agriculture, from farmers and grangers of Denmark, N. Y.—to the Committee on Ways and Means.

By Mr. STEELE: Petition and papers relating to Judge W. H. Barnes—to the Committee on the Judiciary.

Also, petition of R. F. Barbour and 62 citizens of Howard County, Indiana, in favor of pure lard and food—to the Committee on Agriculture.

By Mr. VANDEVER: Memorial of the Board of Trade of Riverside, Cal., asking an appropriation of $100,000 for the destruction of insect pests that threaten the fruit interests of the State—to the Committee on Agriculture.

By Mr. WARNER: Petition of E. S. Crysler, administrator of Hiram Young, of Jackson County, Missouri, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. WILLIAMS: Petition of Samuel T. Hames, for a pension—to the Committee on Invalid Pensions.

By Mr. YOST: Petition of A. T. Moseley, for increased compensation to fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

The following petitions against the passage of the international copyright bill were received, and severally referred to the Committee on Patents:

By Mr. BYNUM: Of L. W. McDaniel and others, of Indianapolis, Ind.

By Mr. FUNSTON: Of W. O. Champe, of Greeley, Kans.

By Mr. SAYERS: Of J. R. Goff, of Austin; of P. O. Wilson and H. E. Wilson, of Taylor, and of V. M. Loring; of Mason, Tex.

By Mr. S. V. WHITE: Of printers and others, of New York and Brooklyn.

SENATE.

THURSDAY, *January* 10, 1889.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

CLASSIFICATION OF GILL-NETS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 5th instant, a decision of the Department concerning the classification, under the existing statutes, of netting imported in webs or pieces in bales as it comes from the machine, intended for use in the manufacture of gill-nets or seines; which, with the accompanying paper, was referred to the Committee on Finance, and ordered to be printed.

REPORT OF INTERSTATE COMMERCE COMMISSION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting, in compliance with section 1 of an act to regulate commerce, approved February 4, 1887, the second annual report made by the Interstate Commerce Commission to that Department under date of December 1, 1888; which was read.

The PRESIDENT *pro tempore*. The communication, with the accompanying report, will lie on the table and be printed, if there be no objection.

Mr. CULLOM. I think, in view of the fact that that is a very important document and the subject of it is engaging the attention of the country very largely just now, there ought to be an increased number of copies printed. I move that the document be referred to the Committee on Interstate Commerce, and that 5,000 additional copies be printed, 2,000 of which shall be for the use of the Senate and 3,000 for the use of the House of Representatives.

Mr. REAGAN. Including the appendix?

Mr. CULLOM. Including the appendix.

The PRESIDENT *pro tempore*. The communication, with the accompanying report, will be referred to the Committee on Interstate Commerce. The motion to print, under the rules, will be referred to the Committee on Printing.

Mr. CULLOM. I will put it in writing.

The PRESIDENT *pro tempore*. The order can be made without the resolution being put in writing. It will be so ordered, if there be no objection. The motion is referred to the Committee on Printing.

Mr. CULLOM. I hope the appendix will be included in the report.

The motion was subsequently reduced to writing in the form of a concurrent resolution, and referred to the Committee on Printing, as follows:

Resolved by the Senate (the House of Representatives concurring herein), That there be printed 5,000 additional copies of the second annual report of the In-

terstate Commerce Commission, with the appendices thereto; 2,000 of said copies to be for the use of the Senate and 3,000 for the use of the House of Representatives.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented the petition of Mrs. C. C. Williams, of Indianapolis, Las Animas County, Colorado, praying for woman suffrage; which was referred to the Select Committee on Woman Suffrage.

He also presented resolutions adopted by the National Farmers' Congress, favoring certain legislation with reference to agriculture, trusts, cattle disease, national banks, free coinage of silver, interstate commerce, and other subjects; which were referred to the Committee on Agriculture and Forestry.

Mr. EDMUNDS presented the petition of John Simon, late a private in the Second Battery of Light Artillery, Vermont Volunteers, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. WILSON, of Iowa, presented the petition of Mrs. F. K. Cottrell and 98 other citizens of Guthrie County, Iowa, praying for the enactment of a law securing Sunday to the people as a day of rest; which was referred to the Committee on Education and Labor.

He also presented the petition of D. Collins and 82 other citizens of Guthrie County, Iowa, praying for the enactment of a law forbidding Sunday work in the mail and military service of the United States, etc.; which was referred to the Committee on Education and Labor.

Mr. FAULKNER. I present a petition from the State Grange of West Virginia, signed by its president and secretary, under the seal of the grange, praying for the passage of Senate bill 3729, to prevent the manufacture and sale of adulterated articles and the use of misleading brands of food, medicines, liquors, etc. I move the reference of the petition to the Committee on Agriculture and Forestry.

The motion was agreed to.

Mr. FAULKNER. I also present a petition from the State Grange of West Virginia, authenticated in the same form, praying for the passage of House bill 11027, for the prevention of the manufacture and sale of adulterated and misbranded lard. I move the reference of the petition to the Committee on Agriculture and Forestry.

The motion was agreed to.

Mr. MANDERSON. I present a petition quite numerously signed by members of the Grand Army of the Republic, of Nebraska, and ex-Union soldiers belonging to Frank P. Blair Post, praying for the passage of the per diem rated service-pension bill. I move that the petition be referred to the Committee on Pensions.

The motion was agreed to.

Mr. MORRILL presented the petition of Mrs. Lucinda Gould, of Montpelier, Vt., praying to be allowed a pension; which was referred to the Committee on Pensions.

REPORTS OF COMMITTEES.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 3663) to authorize the construction of a bridge across the Missouri River between the city of Leavenworth, in the State of Kansas, and Platte County, in the State of Missouri, reported it without amendment.

Mr. CULLOM, from the Committee on Commerce, to whom was referred the joint resolution (S. R. 124) relating to the salary of the Supervising Surgeon-General of the Marine-Hospital Service, reported it without amendment.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (S. 3713) granting an increase of pension to Maria A. Rousseau, reported it without amendment, and submitted a report thereon.

Mr. HAMPTON, from the Committee on Military Affairs, to whom was referred the bill (H. R. 3721) authorizing the President to appoint William English an officer in the Regular Army of the United States, reported it without amendment.

BILLS INTRODUCED.

Mr. PALMER (for Mr. INGALLS) introduced a bill (S. 3801) granting an increase of pension to Addison M. Copen; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FARWELL introduced a bill (S. 3802) granting a pension to Mary Hayne; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. MANDERSON introduced a bill (S. 3803) for the relief of Miss Anna Ella Carroll; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. TELLER introduced a bill (S. 3804) for the relief of the inhabitants of the town of Flagstaff, county of Yavapai, Territory of Arizona; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. PLATT introduced a bill (S. 3805) granting a pension to Betsey Johnson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

PENNSYLVANIA STATE CLAIM.

Mr. CAMERON submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be, and is hereby, directed to re-examine and audit the claim of the State of Pennsylvania for money expended in 1864, for which reimbursement was provided by act of April 12, 1864 (14 Statutes, page 32), and to report the balance found due thereon for the consideration of Congress, provided the appropriation made by said act is not available for the payment thereof.

RIVER AND HARBOR BILL.

Mr. HOAR submitted the following resolutions; which were referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Commerce be directed, when the river and harbor appropriation bill shall be reported, to report as to each public work for which an appropriation is made in said bill the facts which render such appropriation advisable and of national importance, and the condition of the work if begun.

Resolved, That there be an assistant clerk of the Committee on Commerce, to be paid a yearly salary of ——, to be appointed by the said committee.

H. V. POOR.

Mr. HOAR. I submit a resolution for reference to the Committee on Foreign Relations.

The Chief Clerk read the resolution, as follows:

Resolved, That there be paid to H. V. Poor, from the contingent fund of the Senate, the sum of $1,500 for his services under the direction of the Committee on Foreign Relations in obtaining and digesting information with regard to the relations of this country with Canada.

The PRESIDING OFFICER (Mr. CHACE in the chair). The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. HOAR. I suppose it must be referred finally to the Committee on Contingent Expenses, but I desire to have the opinion of the Committee on Foreign Relations in the first place.

The PRESIDING OFFICER. If there be no objection, the resolution will be referred to the Committee on Foreign Relations.

WITHDRAWAL OF PAPERS.

On motion of Mr. CAMERON, it was

Ordered, That the papers in the case of Jacob Cramer be taken from the files and referred to the Committee on Military Affairs.

HOUR OF MEETING.

Mr. ALLISON. I move that when the Senate adjourns to-day it be to meet at 11 o'clock to-morrow.

The PRESIDENT *pro tempore*. The Senator from Iowa moves that when the Senate adjourns to-day it be to meet to-morrow at 11 o'clock.

Mr. VEST. I hope the motion will not prevail. We are getting along now very satisfactorily with the tariff bill.

The PRESIDENT *pro tempore*. The motion is not debatable except by unanimous consent. The question is on agreeing to the motion of the Senator from Iowa. [Putting the question.] The ayes appear to have it.

Mr. TURPIE. I ask for a division.

There were on a division—ayes 25, noes 11; not a quorum voting.

Mr. ALLISON. The yeas and nays will disclose the presence of a quorum. I ask for them.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FAULKNER (when his name was called). I have transferred my pair with the junior Senator from Pennsylvania [Mr. QUAY] to the senior Senator from New Jersey [Mr. MCPHERSON], so as to enable the senior Senator from Iowa [Mr. ALLISON] and myself to vote. I vote "nay."

Mr. MORRILL (when his name was called). I am paired with the Senator from Tennessee [Mr. HARRIS], but I transfer that pair to the Senator from Colorado [Mr. BOWEN], and vote "yea."

The roll-call was concluded.

Mr. FARWELL. I am paired with the Senator from Florida [Mr. PASCO]. If he were here, I should vote "yea."

Mr. JONES, of Arkansas. The Senator from Massachusetts [Mr. DAWES] is detained in his committee-room, and asked me to pair with him on this question. I announce the pair.

Mr. MORGAN. I inquire if the Senator from New York [Mr. EVARTS] has voted?

The PRESIDENT *pro tempore*. He is not recorded.

Mr. MORGAN. Then I withhold my vote.

The result was announced—yeas 31, nays 17; as follows:

YEAS—31.

Allison,	Dolph,	Manderson,	Sawyer,
Berry,	Frye,	Mitchell,	Sherman,
Blair,	George,	Morrill,	Spooner,
Cameron,	Gorman,	Palmer,	Stewart,
Chace,	Hale,	Payne,	Stockbridge,
Chandler,	Hawley,	Platt,	Teller,
Cullom,	Hiscock,	Plumb,	Wilson of Iowa.
Davis,	Ingalls,	Pugh,	

NAYS—17.

Blackburn,	Colquitt,	Reagan,	Walthall,
Brown,	Faulkner,	Saulsbury,	Wilson of Md.
Butler,	Gibson,	Turpie.	
Cockrell,	Gray,	Vance,	
Coke,	Hampton,	Vest,	

ABSENT—28.

Aldrich,	Bowen,	Edmunds	Harris,
Bate,	Call,	Eustis,	Hearst,
Beck,	Daniel,	Evarts,	Hoar,
Blodgett,	Dawes,	Farwell,	Jones of Arkansas,

Jones of Nevada,	Morgan,	Quay,	Sabin,
Kenna,	Paddock,	Ransom,	Stanford,
McPherson,	Pasco,	Riddleberger,	Voorhees.

So the motion was agreed to.

THE REVENUE LAWS.

Mr. ALLISON. I move that the Senate proceed to the consideration of House bill 9051.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

The PRESIDENT *pro tempore*. The reading of the substitute reported from the Committee on Finance will be resumed at paragraph 411.

The Chief Clerk read as follows:

411. Leather.—Bend or belting leather and sole-leather and leather not specially enumerated or provided for in this act, 15 per cent. ad valorem.

412. Calf-skins, tanned, or tanned and dressed, dressed upper-leather, including patent enameled and japanned leather, and skins of all kinds not specially enumerated or provided for in this act, and chamois-skins, dressed or undressed and finished, 25 cents per pound; sheep and goat skins, including lamb and kid skins, dressed and finished, 20 per cent. ad valorem; skins for morocco, tanned but unfinished, 10 per cent. ad valorem.

413. But leather cut into shoe uppers or vamps, or other forms, suitable for conversion into manufactured articles, shall be classified as manufactures of leather, and pay duty accordingly.

Mr. VANCE. In paragraph 412, line 1732, I move to strike out "25 cents per pound" and insert "20 per cent. ad valorem."

The PRESIDENT *pro tempore*. The proposed amendment will be stated.

The CHIEF CLERK. In line 1732, after the word "finished," it is proposed to strike out "25 cents per pound" and insert "20 per cent. ad valorem;" so as to read:

Calf-skins, tanned, or tanned and dressed, dressed upper-leather, including patent enameled and japanned leather, and skins of all kinds not specially enumerated or provided for in this act, and chamois-skins, dressed or undressed and finished, 20 per cent. ad valorem.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from North Carolina.

Mr. VANCE. I believe I have heard no complaint anywhere about the duties upon leather. I believe there has been no application, at least I have known of none, to increase the duty on this kind of leather. Leather is the most profitable perhaps of all our trades, for various reasons, the principal one of which is that the raw material of leather, hides, is permitted to come into the country duty free.

This is a change from 20 per cent. ad valorem, which is the existing law, to 25 cents per pound. The expert in the Treasury Department in making the calculation stated that he was unable, for want of data, to show what this increase would be, but it is evidently a very considerable increase; and as we do not need the revenue, and as there seems to be little or no complaint in relation to the inadequacy of the protection afforded by the present law, I hope that the present law will be maintained at the rate of 20 per cent. ad valorem upon these leather goods.

Mr. ALLISON. The Senator is mistaken in stating that there is no complaint as respects the existing rate of duty on leather. Those who have had special examination of this part of the bill have had many requests to increase the duty on leather. But the objection made by the leather manufacturers as to this particular item is that we have on a large amount of leather reduced the duty; that is to say, 25 cents a pound is a less rate of duty than 20 per cent. ad valorem; and those of us who have this matter under special consideration are now examining the question as to whether this particular provision should not be changed to an ad valorem rate on the ground that it is a large reduction of the duty, which perhaps would be unjust to many manufacturers of leather in this country.

I hope the Senator will allow his amendment to lie over for the time being and call it up again.

Mr. VANCE. Very well.

The PRESIDENT *pro tempore*. Paragraph 412 will be passed over informally, and the reading of the substitute will be resumed at paragraph 414.

The Chief Clerk read as follows:

414. Lime, 5 cents per hundred pounds.

Mr. VANCE. I should like to inquire of the Senator from Iowa if this change from ad valorem to specific upon lime is not a large increase. It would appear from the computation of the Treasury Department to be an increase of nearly 400 per cent., from 10 per cent. ad valorem to 5 cents per hundred pounds.

Mr. ALLISON. I think that it is an increase.

Mr. VANCE. Is there any particular reason for it?

Mr. ALLISON. Just the percentage of increase I would not like to state. At present lime really pays no duty, because under existing law packages are not included, and the duty is assessed upon the lime in packages without valuing the packages at all. It was deemed by those who are most familiar with the lime question necessary to have a specific duty in order to correct a general disposition to undervalue this particular article. I think this paragraph is an increase of duty, I will say frankly to the Senator.

Mr. VANCE. I move to make the duty 10 per cent. ad valorem, instead of 5 cents per hundred pounds. I can not see any necessity for this increase to so great an amount on a small importation.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from North Carolina will be stated.

The CHIEF CLERK. In paragraph 414 it is proposed to strike out "5 cents per hundred pounds" and insert "10 per cent. ad valorem;" so as to read:

Lime, 10 per cent. ad valorem.

Mr. VEST. I simply want to call attention to the fact that the export lists show that in 1887 we exported $107,770 worth of lime and cement, and in 1888 $122,421 worth. So it seems that we supply the domestic demand and then have a quantity of it for export.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from North Carolina [Mr. VANCE].

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FARWELL (when his name was called). I am paired with the Senator from Florida [Mr. PASCO]. If he were here, I should vote "nay."

Mr. HOAR (when his name was called). I am paired with the senior Senator from North Carolina [Mr. RANSOM].

Mr. MORGAN (when his name was called). I am paired with the Senator from New York [Mr. EVARTS].

Mr. MORRILL (when his name was called). I transfer my pair with the Senator from Tennessee [Mr. HARRIS] to the Senator from Colorado [Mr. BOWEN], and vote "nay."

The roll-call was concluded.

Mr. HAMPTON (after having voted in the affirmative). I am paired with the Senator from Nevada [Mr. STEWART]. I see he is not in his seat, and I withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from South Carolina withdraws his vote.

Mr. JONES, of Arkansas (after having voted in the affirmative). I wish to inquire if the Senator from Massachusetts [Mr. DAWES] responded to his name?

The PRESIDENT *pro tempore*. He is not recorded.

Mr. JONES, of Arkansas. Then I withdraw my vote. I agreed to pair with him. He is detained from the Senate.

The result was announced—yeas 22, nays 27; as follows:

YEAS—22.

Bate,	Coke,	Gorman,	Vest,
Berry,	Colquitt,	Gray,	Voorhees,
Blackburn,	Eustis,	Payne,	Walthall,
Brown,	Faulkner,	Reagan,	Wilson of Md.
Butler,	George,	Turpie,	
Cockrell,	Gibson,	Vance,	

NAYS—27.

Aldrich,	Davis,	Manderson,	Sawyer,
Allison,	Dolph,	Mitchell,	Sherman,
Blair,	Frye,	Morrill,	Spooner,
Cameron,	Hale,	Paddock,	Stockbridge.
Chace,	Hawley,	Palmer,	Teller,
Chandler,	Hiscock,	Platt,	Wilson of Iowa.
Cullom,	Ingalls,	Plumb,	

ABSENT—27.

Beck,	Evarts,	Jones of Nevada,	Ransom,
Blodgett,	Farwell,	Kenna,	Riddleberger,
Bowen,	Hampton,	McPherson,	Sabin,
Call,	Harris,	Morgan,	Saulsbury,
Daniel,	Hearst,	Pasco,	Stanford,
Dawes,	Hoar,	Pugh,	Stewart.
Edmunds,	Jones of Arkansas,	Quay,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading of the substitute will proceed.

The Chief Clerk read as follows:

415. Manufactures of alabaster, amber, asbestos, bladders, coral, cork or cork bark, catgut or whip-gut or worm-gut, jet, paste, spar, or wax, or of which these substances or either of them is the component material of chief value, not specially enumerated or provided for in this act, 25 per cent. ad valorem.

Mr. ALLISON. In line 1743, I move to strike out "cork or cork bark." I do so with a view of inserting the words after the word "chip," in line 1748, when that paragraph shall have been reached.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In line 1743 it is proposed to strike out the words "cork or cork bark."

Mr. VANCE. What is the object of the Senator in having those words stricken out?

Mr. ALLISON. In order to insert them later on, in the next paragraph.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Iowa.

The amendment was agreed to.

Mr. ALLISON. After the word "act," in line 1746, I move to insert the words "and osier or willow prepared for basket-makers' use."

The amendment was agreed to.

Mr. VANCE. I desire to offer an amendment to paragraph 415.

The present law is 10 per cent. ad valorem. The increase proposed by the Committee on Finance is to 25 per cent. ad valorem, being an increase of the present duty of just 160 per cent. I move to strike out the words "25 per cent." and insert "10 per cent."

This is another large increase upon a small article, and as we do not need the duty I can see no object upon earth for increasing it, except to embarrass the Treasury and to oblige the manufacturers of these small articles of ornament.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from North Carolina will be stated.

The CHIEF CLERK. In lines 1346 and 1347 it is proposed to strike out the word "twenty-five" and insert "ten;" so as to read "10 per cent. ad valorem."

The PRESIDENT *pro tempore*. The question is upon agreeing to the amendment of the Senator from North Carolina.

Mr. VANCE. Upon that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ALLISON. I will say that some of the articles included in this paragraph are now at 10 per cent., some at 20, some at 25, and some at 30 per cent. We gathered them into a single paragraph and put them at 25 per cent.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from North Carolina [Mr. VANCE], on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. JONES, of Arkansas (when his name was called). I am paired with the Senator from Massachusetts [Mr. DAWES].

Mr. MORGAN (when his name was called). I am paired with the Senator from New York [Mr. EVARTS].

Mr. MORRILL (when his name was called). I transfer my pair with the Senator from Tennessee [Mr. HARRIS] to the Senator from Colorado [Mr. BOWEN], and vote "nay."

The roll-call was concluded.

Mr. FARWELL. On this question I am paired with the Senator from Florida [Mr. PASCO].

The result was announced—yeas 20, nays 25; as follows:

YEAS—20.

Bate,	Coke,	Gorman,	Vance,
Berry,	Colquitt,	Gray,	Vest,
Blackburn,	Eustis,	Reagan,	Voorhees,
Butler,	George,	Saulsbury,	Walthall,
Cockrell,	Gibson,	Turpie,	Wilson of Md.

NAYS—25.

Aldrich,	Cullom,	Manderson,	Spooner,
Allison,	Dolph,	Morrill,	Stockbridge.
Blair,	Frye,	Paddock,	Teller,
Brown,	Hale,	Palmer,	Wilson of Iowa,
Cameron,	Hawley,	Platt,	
Chace,	Hiscock,	Plumb,	
Chandler,	Ingalls,	Sherman,	

ABSENT—31.

Beck,	Evarts,	Jones of Nevada,	Quay,
Blodgett,	Farwell,	Kenna,	Ransom,
Bowen,	Faulkner,	McPherson,	Riddleberger,
Call,	Hampton,	Mitchell,	Sabin,
Daniel,	Harris,	Morgan,	Sawyer,
Davis,	Hearst,	Pasco,	Stanford,
Dawes,	Hoar,	Payne,	Stewart.
Edmunds,	Jones of Arkansas,	Pugh,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

416. Manufactures of bone, chip, fur, grass, horn, india rubber, palm-leaf, straw, weeds, or whalebone, or of which these substances or either of them is the component material of chief value, not specially enumerated or provided for in this act, 30 per cent. ad valorem.

Mr. ALLISON. I move to insert, after the word "chip," the words "cork or cork bark."

The PRESIDENT *pro tempore*. The amendment will be stated from the desk.

The CHIEF CLERK. In line 1748, after the word "chip," it is proposed to insert "cork or cork bark."

The amendment was agreed to.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

417. Manufactures of leather, gutta-percha, human hair, and papier-maché, or of which these substances or either of them is the component material of chief value, not specially enumerated or provided for in this act, 35 per cent. ad valorem.

418. Manufactures of ivory, vegetable ivory, mother-of-pearl, and shell, or of which these substances or either of them is the component material of chief value, not specially enumerated or provided for in this act, 40 per cent. ad valorem.

Mr. VEST. I move, in line 1761, to strike out "40" and insert "34.31," which is the present law. The existing law establishes a duty of 34.31 per cent. The House made no change in that duty, but the Senate bill increases it to 40 per cent. ad valorem.

Mr. ALDRICH. The Senator from Missouri will notice that 34.31 per cent. is the average. The rate on a large part is now at 35; it varies from 25 to 40. It would hardly be proper to insert a rate of 34.31, a complicated rate like that.

Mr. VEST. Why should there be an increase? I do not care anything about the fraction. Make it 35 per cent., if you will. I make the motion to strike out "40" and insert "35" per cent.

Mr. ALDRICH. The reason is that those who are engaged in the manufacture of ivory in this country can not compete with those who are engaged in the manufacture of ivory in Europe. These are all articles of luxury, and I am surprised at the Senator trying to reduce the duty.

Mr. VEST. We have heard that so long that it has become nauseous. Whenever there is an increase of duty, whether it is an article of necessity or of luxury, our friends on the other side are as compact as the Old Guard at Waterloo; but if there is an increase on an article of necessity, then we hear something about American labor. That will not do. The whole object on the other side of the Chamber seems to be to increase the duty without regard to the nature of the article at all. I can not find any data to ascertain what are the exports of these articles, though I find the imports laid down here upon the calculation of the committee. But I will modify my motion and say 35 per cent.

The PRESIDENT *pro tempore*. The proposed amendment will be read.

The CHIEF CLERK. In line 1761 it is proposed to strike out "40" and insert "35;" so as to read:

418. Manufactures of ivory, vegetable ivory, mother-of-pearl, and shell, or of which these substances or either of them is the component material of chief value, not specially enumerated or provided for in this act, 35 per cent. ad valorem.

Mr. VEST. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. FARWELL (when his name was called). I am paired with the Senator from Florida [Mr. PASCO]. But for that I should vote "nay."

Mr. MORRILL (when his name was called). I transferred my pair with the Senator from Tennessee [Mr. HARRIS] to the Senator from Colorado [Mr. BOWEN] and will vote "nay."

The roll-call was concluded.

Mr. BROWN (after having voted in the affirmative). I desire to change my vote to "nay;" and in this connection I will say that I think these pearls and ivory are articles of luxury, and I prefer that the duty should stand as it is. I vote "nay."

Mr. ALLISON (after having voted in the negative). I promised the Senator from New Jersey [Mr. MCPHERSON] to see that he was paired and I have heard no pair announced with him, and therefore I withdraw my vote and allow my pair to stand with the Senator from New Jersey.

The PRESIDENT *pro tempore*. The Senator from Iowa withdraws his vote.

Mr. EDMUNDS. I am paired with the Senator from Alabama [Mr. PUGH]. I should vote "nay," but as it does not appear to be necessary that I should vote to make a quorum, I withhold my vote.

The result was announced—yeas 22, nays 25; as follows:

YEAS—22.

Bate,	Colquitt,	Jones of Arkansas,	Vest,
Berry,	Eustis,	Payne,	Voorhees,
Blackburn,	Faulkner,	Reagan,	Walthall,
Butler,	George,	Saulsbury,	Wilson of Md.
Cockrell,	Gibson,	Turpie,	
Coke,	Gray,	Vance,	

NAYS—25.

Aldrich,	Dolph,	Mitchell,	Spooner,
Blair,	Frye,	Morrill,	Stockbridge,
Brown,	Hale,	Paddock,	Teller,
Cameron,	Hawley,	Palmer,	Wilson of Iowa.
Chace,	Hiscock,	Platt,	
Chandler,	Ingalls,	Sawyer,	
Cullom,	Manderson,	Sherman,	

ABSENT—29.

Allison,	Edmunds,	Jones of Nevada,	Ransom,
Beck,	Evarts,	Kenna,	Riddleberger,
Blodgett,	Farwell,	McPherson,	Sabin,
Bowen,	Gorman,	Morgan,	Stanford,
Call,	Hampton,	Pasco,	Stewart.
Daniel,	Harris,	Plumb,	
Davis,	Hearst,	Pugh,	
Dawes,	Hoar,	Quay,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will be resumed at paragraph 419.

The Chief Clerk read as follows:

419. Marble of all kinds.—In block, rough or squared, 65 cents per cubic foot.

Mr. VEST. I move to strike out "sixty-five" and insert "forty."

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In line 764 it is proposed to strike out the words "sixty-five" and insert "forty;" so as to read:

419. Marble of all kinds.—In block, rough or squared, 40 cents per cubic foot.

Mr. VEST. I see by the report from the Treasury Department of 1880 that the cost of the labor of marble and stone work is 32.6 per cent. of the product. Here is a duty of 53.8 per cent. ad valorem to compensate, I suppose, or make up the difference between the price of labor in this country and abroad, and I see no necessity for increasing this duty over the House bill from 40 to 53.8 per cent. I move, there-

fore, to reduce the duty, and ask for the yeas and nays on that amendment.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. ALLISON (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON].

Mr. EDMUNDS (when his name was called). I am paired with the Senator from Alabama [Mr. PUGH], and would vote "nay" if he were here; but I withhold my vote for the present.

Mr. FARWELL (when his name was called). I am paired with the Senator from Florida [Mr. PASCO].

Mr. MORRILL (when his name was called). I transfer my pair with the Senator from Tennessee [Mr. HARRIS] to the Senator from Colorado [Mr. BOWEN], and vote "nay."

Mr. VANCE (when Mr. RANSOM'S name was called). I desire to announce that my colleague [Mr. RANSOM] is paired with the Senator from Massachusetts [Mr. HOAR].

The roll-call was concluded.

Mr. HAMPTON. I will announce once for all that I am paired with the Senator from Nevada [Mr. STEWART].

Mr. MANDERSON (after having voted in the negative). I notice that the Senator from Kentucky [Mr. BLACKBURN] has not voted. I therefore withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from Nebraska withdraws his vote.

The result was announced—yeas 20, nays 23; as follows:

YEAS—20.

Bate,	Eustis,	Jones of Arkansas,	Vance,
Butler,	Faulkner,	Payne,	Vest,
Cockrell,	George,	Reagan,	Voorhees,
Coke,	Gibson,	Saulsbury,	Walthall,
Colquitt,	Gray,	Turpie,	Wilson of Md.

NAYS—23.

Aldrich,	Cullom,	Hiscock,	Sherman,
Blair,	Dawes,	Ingalls,	Spooner,
Brown,	Dolph,	Morrill,	Stockbridge,
Cameron,	Frye,	Paddock,	Teller,
Chace,	Hale,	Palmer,	Wilson of Iowa.
Chandler,	Hawley,	Platt,	

ABSENT—33.

Allison,	Edmunds,	Kenna,	Ransom,
Beck,	Evarts,	McPherson,	Riddleberger,
Berry,	Farwell,	Manderson,	Sabin,
Blackburn,	Gorman,	Mitchell,	Sawyer,
Blodgett,	Hampton,	Morgan,	Stanford,
Bowen,	Harris,	Pasco,	Stewart.
Call,	Hearst,	Plumb,	
Daniel,	Hoar,	Pugh,	
Davis,	Jones of Nevada,	Quay,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

420. Veined marble, sawed, dressed, or otherwise, including marble slabs and marble paving-tiles, $1.10 per cubic foot (but in measurement no slab shall be computed at less than 1 inch in thickness).

421. Manufactures of marble not specially enumerated or provided for in this act, 50 per cent. ad valorem.

422. Matches, friction or lucifer, of all descriptions, per gross of 144 boxes, containing not more than 100 matches per box, 10 cents per gross; when imported otherwise than in boxes containing not more than 100 matches each, 1 cent per 1,000 matches.

Mr. VANCE. I rise to make an inquiry of the Senators having charge of the bill whether or not this is an increase in the duty on matches. We are without information from the Treasury Department as to whether it is an increase or not. If it is not an increase, the Senators on that side having the bill in charge ought to know.

Mr. ALLISON. I am quite sure it is no increase.

Mr. VANCE. Then what is the object of changing it from an ad valorem to a specific duty?

Mr. ALLISON. To make a specific duty instead of an ad valorem.

Mr. VANCE. To prevent undervaluation, I suppose?

Mr. ALLISON. The old story; yes.

Mr. VANCE. Yes, "the old, old story." If the Senator can not give me any assurance that it is not an increase, I think I may take it for granted that it is "the old, old story" and contains two versions generally, one to prevent undervaluation and the other to increase the duties upon these articles of common necessity. With that impression of the story, I move to strike out the words "10 cents per gross," in lines 1774 and 1775, and insert the words of the present law, "35 per cent. ad valorem."

The PRESIDENT *pro tempore*. The amendment will be reported from the desk.

The CHIEF CLERK. In lines 1774 and 1775 it is proposed to strike out the words "10 cents per gross" and insert "35 per cent. ad valorem;" so as to read:

422. Matches, friction or lucifer, of all descriptions, per gross of 144 boxes, containing not more than 100 matches per box, 35 per cent. ad valorem; when imported otherwise than in boxes containing not more than 100 matches each, 1 cent per 1,000 matches.

Mr. ALLISON. The experts of the Treasury Department say that the specific rates proposed are equivalent to the present ad valorem rates as ascertained by actual test at the custom-house, and that both these articles have been troublesome on account of undervaluation.

Mr. VEST. Equivalent, but not more?

Mr. ALLISON. Are equivalent to the present ad valorem rates as ascertained by actual test at the custom-house.

Mr. VEST. The reports of the Treasury Department as to the cost of labor in the production of this very necessary article, used everywhere and for all purposes throughout the United States, is that the labor cost is 11.5 per cent. The duty is 35 per cent. in the existing law, made the same in the Senate bill, and I should like very much to reduce the duties myself in the existing law. So much was said yesterday about going outside of the Mills bill that I think I shall not persist to-day.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from North Carolina [Mr. VANCE].

Mr. VEST. I ask for the yeas and nays.

Mr. COCKRELL. Let the amendment be again reported.

The PRESIDENT *pro tempore*. It will be again reported.

The CHIEF CLERK. In lines 1774 and 1775 it is proposed to strike out "10 cents per gross" and insert "35 per cent. ad valorem."

The Secretary proceeded to call the roll.

Mr. ALLISON (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON].

Mr. FARWELL (when his name was called). I am paired with the Senator from Florida [Mr. PASCO].

Mr. MORRILL (when his name was called). I have transferred my pair with the Senator from Tennessee [Mr. HARRIS] to the Senator from Colorado [Mr. BOWEN], and vote "nay."

The roll-call was concluded.

Mr. WILSON, of Iowa (after voting in the negative). I have voted, but I notice now that the Senator from Maryland [Mr. WILSON] is not present, with whom I am paired, and I therefore withdraw my vote.

The result was announced—yeas 20, nays 24; as follows:

YEAS—20.

Bate,	Coke,	Gray,	Saulsbury,
Berry,	Colquitt,	Jones of Arkansas,	Vance,
Blackburn,	Eustis,	Morgan,	Vest,
Butler,	Faulkner,	Payne,	Voorhees,
Cockrell,	George,	Reagan,	Walthall.

NAYS—24.

Aldrich,	Cullom,	Hiscock,	Platt,
Blair,	Dawes,	Ingalls,	Plumb,
Brown,	Dolph,	Manderson,	Sherman,
Cameron,	Evarts,	Morrill,	Spooner,
Chace,	Hale,	Paddock,	Stockbridge,
Chandler,	Hawley,	Palmer,	Teller.

ABSENT—32.

Allison,	Farwell,	Jones of Nevada,	Riddleberger,
Beck,	Frye,	Kenna,	Sabin,
Blodgett,	Gibson,	McPherson,	Sawyer,
Bowen,	Gorman,	Mitchell,	Stanford,
Call,	Hampton,	Pasco,	Stewart,
Daniel,	Harris,	Pugh,	Turpie,
Davis,	Hearst,	Quay,	Wilson of Iowa,
Edmunds,	Hoar,	Ransom,	Wilson of Md.

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

423. Cocoa matting and mats.—Matting, 10 cents per square yard; mats, 5 cents per square foot.

424. Paintings, in oil or water colors, and statuary, not otherwise provided for in this act, 30 per cent. ad valorem; but the term "statuary" as herein used shall be understood to include only such statuary as is cut, carved, or otherwise wrought by hand from a solid block or mass of marble, stone, or alabaster, or from metal, and as is the professional production of a statuary or sculptor only.

Mr. VEST. I do not know that I exactly understand the effect of this provision, but it seems to me that it is not right. By the provisions of this paragraph 424, "such statuary as is cut, carved, or otherwise wrought by hand from a solid block or mass of marble, stone, or alabaster, or from metal, and as is the professional production of a statuary or sculptor only," is put under a duty of 30 per cent. I will not stop to enter into a criticism upon the language in lines 1785 and 1786, "the professional production of a statuary or sculptor only."

I do not know how a "statuary" or a "sculptor" if he is engaged in his profession could make any other production except a professional one. He might turn himself into an amateur and go back to his profession, but it would be right hard for the excise officers to find that out. But what I want to call attention to particularly is this: That where there is any statue made out of marble, stone, alabaster, or metal, by machinery and not by hand, it is not included within this clause, as I supposed. If made of alabaster, for instance, it would come in under section 415, which says that—

Manufactures of alabaster, amber, asbestos, bladders, coral, cork or cork bark, cat-gut or whip-gut or worm-gut, jet, paste, spar, or wax, or of which these substances or either of them is the component material of chief value, not specially enumerated or provided for in this act, 25 per cent. ad valorem.

Then if a statue should be made out of alabaster by machinery it would bear only 25 per cent. duty, whereas if it was made by hand it would bear 30 per cent. duty. Is that the meaning of the committee? It seems to me if any discrimination is made it ought to be made in favor of the statue which is made by hand. A higher duty is put upon that—30 per cent.

Mr. ALLISON. In that particular case it is 30 per cent. and in the other 25.

Mr. VEST. Exactly; the higher duty is put upon the hand work and not upon the machine work.

Mr. ALLISON. Yes, sir.

Mr. VEST. It seems to me that ought not to be done.

I saw not long since in the Scientific American a very interesting account of the manufacture of all sorts of statuary out of stone and marble and even of metal by a turning lathe, invented by a New England mechanic. I recollect some years ago in the Statuary Room of the Capitol I saw statuettes of Webster, Clay, and Calhoun, all made by the turning-lathe, a very extraordinary thing to me; but that is the statement of the Scientific American, and those samples were put here. I recollect that the gentleman who invented that lathe was applying for an extension of his patent and he brought this product of his work here for an exhibition to Congress.

It seems to me that this distinction ought not to be made as between the hand work and the work that is made by machinery, the increase of burden being put upon the artist who exercises his genius and his proficiency; and because he does that the preference is given to the machine work and the smaller duty is put upon that.

Mr. ALDRICH. That only applies to alabaster.

Mr. VEST. It seems to me we ought to encourage the artists of this country abroad who make these works and bring them back for the American people.

Mr. ALDRICH. The article of alabaster work to which the Senator alludes is a very insignificant and unimportant one.

Mr. VEST. I know that.

Mr. ALDRICH. So far as the section applies to manufactures of marble it would increase the duty from 30 to 50 per cent., and that, I understand, being the purpose of the Senator from Missouri, his wish will be gratified except as to alabaster, which is a very insignificant and unimportant matter.

Mr. VEST. The only point I make is that I do not think we ought to increase the duty or impose additional burdens upon the works of an American artist abroad because he does it with his hand, because it is the production of his genius, his original invention, if I may use the expression, in his profession.

Mr. ALDRICH. We do exactly what the Senator from Missouri wants, with the exception of alabaster, for the purpose of making a uniformity in regard to these articles.

Mr. VEST. But I state that it applies also to marble, stone, and metal.

Mr. ALDRICH. I beg the Senator's pardon; so far as marble is concerned the rate on professional productions is retained exactly as at present. If they are mechanical reproductions they pay 50 per cent. ad valorem, and pay the same rate under existing law.

Mr. HOAR. Mr. President, I hope that before this bill has passed from the final consideration of the committee the committee will conclude to put all works of art, both painting and sculpture, upon the free-list. I do not believe there is any American artist who desires to have his work protected as against the free competition of all mankind. It does not come at all, it seems to me, within any argument which is advanced in favor of a protective tariff. The genius of an artist is neither developed nor encouraged nor in any way helped by a policy which gives him any advantage which does not belong to him as a matter of pure superiority and merit.

I do not propose to make any motion. I desire to defer to the committee in regard to the bill; but I trust the committee will come to that conclusion, which I believe is the desire of every American who is engaged in the production of works of art, either of painting or of sculpture, without any considerable exception.

Mr. VEST. If the Senator from Massachusetts will refer to some subsequent paragraphs he will see some rather similar provisions in this bill about which he has spoken, paragraphs 791, 792, 793, upon the subject of works of art, paintings, sculpture, etc.; but those can be discussed when we reach them.

I go back now in regard to the point I made with reference to this paragraph, about which I do not think I can be mistaken. Let me say to the Senator from Rhode Island by way of an object lesson, suppose an American artist abroad makes a statuette out of alabaster with his own hands as an original work of art; he brings it into the United States, and unless it comes under paragraphs 791, 792, and 793, hereafter he must pay 30 per cent. duty.

Mr. ALDRICH. If an American artist living abroad produced it, it would come in free.

Mr. VEST. Say it is not an American artist, because that is not the point I am making; suppose it is some other artist. He then pays 30 per cent. ad valorem. Now, suppose it is made by machinery; he pays 25 per cent. ad valorem. Very good. Now, I say there is no reason for the distinction.

Mr. ALDRICH. If the Senator will follow up the inquiry he will find that if made of marble and an original production the artist will pay 30 per cent., and if it is a mechanical reproduction he will pay 50 per cent. If of metal the original would be 30 per cent. and the duplication 45 per cent. So what the Senator says with regard to alabaster does not apply to anything but alabaster.

Mr. VEST. If machinery has been applied—and I think that can be used by way of this turning-lathe to the creation of statuary—then what I say would apply just as well to stone and metal as to alabaster. The argument is just the same. If the artist is a foreign artist and uses a turning-lathe to produce statuary, then he pays only 25 per cent. when he brings it to this country; but if he does it by hand he pays 30 per cent.

Mr. ALDRICH. That difficulty can be obviated by the Senator from Missouri moving to increase the rate on the manufactures of alabaster.

Mr. VEST. I am not for increasing just now.

The PRESIDING OFFICER (Mr. CHACE in the chair). There being no amendment proposed, the Secretary will proceed with the reading.

The Secretary read as follows:

425. Pearls, 25 per cent. ad valorem.

Mr. ALLISON. I move to strike out "25" and insert "10."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 1787 it is proposed to strike out "25" and insert "10;" so as to read:

Pearls, 10 per cent. ad valorem.

Mr. VEST. I hope that matter will not be taken up until the Senator from Georgia [Mr. BROWN] returns to the Chamber. This is an article of luxury, and he, I believe, has a very settled conviction that no duty ought to be decreased on an article of luxury, without regard to the surplus in the Treasury.

The PRESIDING OFFICER. If there be no objection——

Mr. VEST. For myself I do not object to any decrease on anything in this bill, but I know the Senator from Georgia would feel aggrieved if the duty were decreased on an article of luxury while he was absent.

Mr. VANCE. I ask, in order that there may be no mistake, whether the Senator from Iowa is aware that this is a decrease.

Mr. VEST. A decrease of 15 per cent.

Mr. VANCE. I suppose there is no mistake about that. From 25 per cent. to 10 per cent. is a decrease.

Mr. ALDRICH. It is the same rate as provided for in the existing law.

Mr. VEST. But it is an article of luxury.

The PRESIDING OFFICER. Does the Senator from Missouri make any motion?

Mr. VEST. No, sir.

Mr. VANCE. We have an increase on matches and a decrease on pearls!

Mr. SHERMAN. Well, Mr. President, though jewelry is put up to a rate of 40 or 45 per cent., I think that pearls had better be kept at 25, and I believe the good sense of every Senator is already convinced that there is no object in putting on a duty that can not be collected, for all experience shows that smuggling occurs in every case where jewelry, gold watches, pearls, or things of that kind which can be carried in the pocket are put at a high rate. I shall vote as I did yesterday for a practical rule rather than what might sometimes be called a demagogical rule. It is very popular to say that these things ought to pay the highest duties. That is true, but we ought not to levy a duty so high that it can not be collected.

Mr. VANCE. It seems to me that general articles of jewelry are things which it is very easy to get in by smuggling, and pearls and jewelry are taxed at 25 per cent., and yesterday jewelry was increased to 40. A man can smuggle other species of jewelry quite as easily as pearls, and pearls are in general use in connection with jewelry, generally set in it.

The PRESIDING OFFICER. The question is on the adoption of the amendment proposed by the Senator from Iowa [Mr. ALLISON].

Mr. VANCE. I ask for the yeas and nays. I should like to see a record made on this question.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MORRILL (when his name was called). I transfer my pair with the Senator from Tennessee [Mr. HARRIS] to the Senator from Colorado [Mr. BOWEN], and vote "yea."

The roll-call having been concluded, the result was announced—yeas 25, nays 20; as follows:

YEAS—25.

Aldrich,	Dolph,	Manderson,	Sawyer,
Allison,	Edmunds,	Mitchell,	Sherman,
Blair,	Eustis,	Morrill,	Stockbridge,
Chace,	Evarts,	Paddock,	Wilson of Iowa.
Chandler,	Frye,	Palmer,	
Cullom,	Hawley,	Payne,	
Dawes,	Hiscock,	Platt,	

NAYS—20.

Bate,	Colquitt,	Pugh,	Vance,
Berry,	George,	Saulsbury,	Vest,
Blackburn,	Gibson,	Spooner,	Voorhees,
Brown,	Jones of Arkansas,	Teller,	Walthall.
Coke,	Plumb,	Turpie,	Wilson of Md.

ABSENT—31.

Beck,	Call,	Davis,	Gray,
Blodgett,	Cameron,	Farwell,	Hale,
Bowen,	Cockrell,	Faulkner,	Hampton,
Butler,	Daniel,	Gorman,	Harris,

Hearst,	Kenna,	Quay,	Sabin,
Hoar,	McPherson,	Ransom,	Stanford,
Ingalls,	Morgan,	Reagan,	Stewart.
Jones of Nevada,	Pasco,	Riddleberger,	

So the amendment was agreed to.

The PRESIDING OFFICER. The reading will be resumed.

The Secretary read as follows:

426. Pencils of wood filled with lead or other material, and pencils of lead, 50 cents per gross and 30 per cent. ad valorem.
427. Pencil-leads not in wood, 10 per cent. ad valorem.
428. Percussion-caps, 40 per cent. ad valorem.
429. Pipes, pipe-bowls, and cigar-holders of wood, one-half of 1 cent each and 70 per cent. ad valorem.

Mr. VANCE. The present law imposes a duty upon these articles of pipes, pipe-bowls, and cigar-holders, made of wood, of 70 per cent. This addition for a half a cent each, 6 cents a dozen, would amount in many cases on many qualities of these goods to 200 or 300 per cent. I move to strike out the words "one-half of 1 cent each and," in line 1795, so that the rate will remain as in the present law, which is certainly high enough.

The PRESIDING OFFICER. The Secretary will report the amendment of the Senator from North Carolina [Mr. VANCE].

The SECRETARY. In paragraph 429, line 1795, it is proposed to strike out "one-half of 1 cent each and;" so as to read:

429. Pipes, pipe-bowls, and cigar-holders of wood, 70 per cent. ad valorem.

Mr. VANCE. On that I call for the yeas and nays.

The yeas and nays were ordered and taken.

Mr. MORRILL. I transfer my pair with the Senator from Tennessee [Mr. HARRIS] to the Senator from Colorado [Mr. BOWEN], and I vote "nay."

Mr. FARWELL. I am paired with the Senator from Florida [Mr. PASCO]. If he were here, I should vote "nay."

Mr. ALLISON. The Senator from New Jersey [Mr. MCPHERSON] is paired with the junior Senator from Oregon [Mr. MITCHELL]. Is my vote recorded?

The PRESIDING OFFICER. The votes of both the Senator from Iowa [Mr. ALLISON] and the Senator from Oregon [Mr. MITCHELL] are recorded.

Mr. ALLISON. Both recorded?

The PRESIDING OFFICER. They are.

Mr. ALLISON. Then I withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from Iowa withdraws his vote.

Mr. CULLOM. I am reminded that I am paired with the junior Senator from Delaware [Mr. GRAY], and therefore I withdraw my vote.

The PRESIDING OFFICER. The vote of the Senator from Illinois will be withdrawn.

Mr. STEWART. I am paired with the Senator from South Carolina [Mr. HAMPTON], and withhold my vote.

The result was announced—yeas 20, nays 23; as follows:

YEAS—20.

Bate,	Eustis,	Morgan,	Vance,
Berry,	George,	Payne,	Vest,
Cockrell,	Gibson,	Pugh,	Voorhees,
Coke,	Gorman,	Reagan,	Walthall,
Colquitt,	Jones of Arkansas,	Turpie,	Wilson of Md.

NAYS—23.

Aldrich,	Dolph,	Hiscock,	Plumb,
Blair,	Edmunds,	Mitchell,	Sawyer,
Brown,	Evarts,	Morrill,	Spooner,
Chace,	Frye,	Paddock,	Stockbridge,
Chandler,	Hale,	Palmer,	Teller.
Dawes,	Hawley,	Platt,	

ABSENT—33.

Allison,	Daniel,	Ingalls,	Sabin,
Beck,	Davis,	Jones of Nevada,	Saulsbury,
Blackburn,	Farwell,	Kenna,	Sherman,
Blodgett,	Faulkner,	McPherson,	Stanford,
Bowen,	Gray,	Manderson,	Stewart,
Butler,	Hampton,	Pasco,	Wilson of Iowa.
Call,	Harris,	Quay,	
Cameron,	Hearst,	Ransom,	
Cullom,	Hoar,	Riddleberger,	

So the amendment was rejected.

The PRESIDING OFFICER. The reading will proceed.

The Secretary read as follows:

430. All smokers' articles whatsoever, not specially enumerated or provided for in this act, including cigarette-books, cigarette-book covers, and cigarette-paper in all forms, 70 per cent. ad valorem.
431. All common tobacco-pipes of clay, 35 per cent. ad valorem.
432. Pearl and shell buttons, 2 cents per line button measure of one-fortieth of 1 inch per gross, and in addition thereto 25 per cent. ad valorem.

Mr. VEST. What necessity is there for the increase of duty on pearl and shell buttons, except the fact of the large importation?

Mr. ALLISON. It is impossible for our manufacturers of pearl buttons to compete at the present rate of duty.

Mr. HISCOCK. I suppose I might add to that that the importations to this country are largely foreign prison-labor buttons that are brought here at an undervaluation with practically no price upon them.

Mr. VEST. That would apply particularly to these?

Mr. HISCOCK. That applies particularly to this clause. I might add in this connection that in some countries in which these buttons are made the manufacturers are prohibited from selling them in those countries.

The PRESIDING OFFICER. The reading will proceed.

The Secretary read as follows:

433. Plush, black, known commercially as hatters' plush, composed of silk, or of silk and cotton, and used exclusively for making men's hats, 10 per cent. ad valorem.
434. Precious stones of all kinds, cut but not set, 10 per cent. ad valorem; if set, and not specially enumerated or provided for in this act, 25 per cent. ad valorem.

Mr. VANCE. In line 1810, after the word "set," I move to strike out the word "ten" and insert "twenty-five."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In paragraph 434, line 1810, after the word "set," it is proposed to strike out "10" and insert "25;" so as to read:

434. Precious stones of all kinds, cut but not set, 25 per cent. ad valorem; if set, and not specially enumerated or provided for in this act, 25 per cent. ad valorem.

Mr. VANCE. I am aware of the plea given why this duty is kept so low, that it is on account of the facility of smuggling the article; but I can not reconcile piling duties mountain high upon the common necessaries of life which are used by the poor, and this article being upon our statute-book permitted to come in at only 10 per cent., therefore I make the motion.

Mr. ALDRICH. The rate fixed upon diamonds cut, but not set, is the same as in the existing law. At various times in the history of American legislation the rates have been fixed very much higher than the rate here proposed, and the experience of the Treasury Department has been that more revenue was collected at the lower rate, and I understand that to collect revenue is, according to the theory of the Senator from North Carolina, the purpose of tariff legislation. More revenue has been collected at 10 per cent. ad valorem than at 30 per cent. ad valorem.

The Senator from North Carolina understands, as well as any Senator on this side, that diamonds are very easily smuggled, and if a high rate is imposed the duty will not be paid at all. The danger of the detection of smuggling does not deter people who desire to avoid the payment of a large duty from bringing in an article like that; and if revenue is the purpose of the tariff, then this duty will yield a better revenue than the one proposed by the Senator from North Carolina.

There is certainly no American industry to be protected in this case, and I am surprised that the Senator from North Carolina should move to increase the duty, apparently, judging from the experience of this country, solely in the interest of smugglers.

Mr. VANCE. It is not in the interest of smugglers, though there might be a worse reason found than that. The Senator knows very well that it is a principle of human nature that if the duties are high there will be smuggling. He knows that a tyrannical government will breed rebellion. He knows that if you do not feed the dog at the kitchen-door, he will scratch at the smoke-house. [Laughter.] That is human nature. For that reason I have objected to these enormous duties. But, sir, a man who would swear to a lie at the custom-house for a diamond worth $100 to save $10 on the hundred, would swear to it under any other circumstances. It is one of those things that the Government has to meet in the best way it can; and it does not satisfy me, as I said in my other remarks, to put upon our statute-book that we only tax this article of luxury used by the rich 10 per cent. whilst we pile mountain high the duties on the articles of common necessity.

I want to increase the duty to 25 per cent. at least and make the trial and see if the law can not be enforced against smuggling diamonds as well as against smuggling in any other form. They can be just as easily smuggled in sets as when unset, and a difference is made in this paragraph between those which are set and those which are unset. I want to try it, anyhow. The amount of duty that will be evaded by smuggling will not be greater than the amount of duty that will be saved, which we can collect at 25 per cent., in my opinion.

Mr. ALDRICH. The Senator from North Carolina confounds undervaluation with smuggling. He speaks of affidavits of the party, and says that if a man is making a false affidavit it will not make any difference whether the rate is 10 per cent. or 25 per cent. The trouble is that his affidavit is not taken at all. These articles are brought in without any appraisal or examination. They are smuggled.

I do not quite understand the object of the Senator from North Carolina in making this motion. Does he think the country needs greater revenue, or is he willing to accept the experience of the Treasury Department that 10 per cent. produces more revenue than 25 per cent.? I do not quite understand what the Senator wishes to accomplish unless it is to put upon the statute-book a rate which he knows can not be collected, and which the experience of this country for more than half a century shows can not possibly be collected.

Mr. VANCE. I do not know that. That is something that I do not know.

Mr. BROWN. Will the Senator from Rhode Island allow me? Has he the report of the Treasury Department where the fact is stated that we lose more by smuggling than we make by a higher rate?

Mr. ALDRICH. I can not point at this moment to any particular report of the Secretary of the Treasury to that effect, but I can bring

to the Senator from Georgia, if he desires, the experts of the Treasury Department here, and the experts from the Treasury Department in New York, who will tell him that fact, and if he prefers to have it in writing I will see that he has it. It is the universal experience and opinion of the officers of the customs not only here but in New York and all the ports of entry in the United States that 10 per cent. produces more revenue than 25 per cent., and that the only effect of a high duty on diamonds has been to increase smuggling.

Mr. BROWN. When did you try it at 25 per cent.?

Mr. ALDRICH. I will inform the Senator. By the act of July 30, 1846, the rate upon diamonds was 30 per cent. By the act of March 3, 1857, it was 24 per cent. By the act of March 2, 1861, it was 25 per cent. This was continued until 1874.

Mr. JONES, of Arkansas. The Senator from Rhode Island will allow me to call his attention to the fact that that was the duty on set diamonds.

Mr. ALDRICH. I am answering a question of the Senator from Georgia.

Mr. JONES, of Arkansas. I only call the attention of the Senator to the fact that that duty was on set diamonds, and not on unset diamonds.

Mr. ALDRICH. All diamonds under some of these acts were dutiable at 25 per cent. Under some of the others cut diamonds were at one rate and uncut diamonds at another rate. There have been various rates at different times upon various kinds of diamonds.

Mr. JONES, of Arkansas. But on unset diamonds in the years that the Senator states the tax was 30 per cent., while the tax upon unset diamonds was 10 per cent. and in the next tariff it was 4.

Mr. ALDRICH. Which year?

Mr. JONES, of Arkansas. In 1846.

Mr. ALDRICH. Fifteen per cent.

Mr. JONES, of Arkansas. Ten per cent.; and in 1857 it was 4 per cent.; and in 1861 it was 5 per cent., and 5 per cent. again in 1862 and 1863.

Mr. ALDRICH. I see that the Senator is right as to diamonds which were not set.

Mr. JONES, of Arkansas. That is what we were discussing.

Mr. ALDRICH. In some of the years as to which I have read the duty upon all diamonds was 25 per cent., and in some of the other acts it has varied from 10 per cent. to 30 per cent. in various years, and the experience of the Department has been that we collect more revenue at 10 per cent. that at any other rate.

Mr. BROWN. Ought not the Treasury reports to show it if that is so?

Mr. JONES, of Arkansas. I am curious to know when a tax of 25 per cent. upon diamonds existed. As I have just read, the tax upon unset diamonds in 1846 was 10 per cent.; in 1857 it was 4 per cent.; in 1861 it was 5 per cent.; in 1862 and 1863 it was 5 per cent.; in 1866 it was 10 per cent., and it has been 10 per cent. in each succeeding tariff on unset diamonds.

Mr. ALDRICH. They were free part of the time, according to the table I have before me.

Mr. JONES, of Arkansas. The statement from which I read is the official statement from the Treasury Department, and I presume is correct. I do not know under what authority the Senator has found that diamonds were ever assessed at more than 10 per cent.

Mr. ALDRICH. I will look it up in the statutes, and will refer to it hereafter. I do not care to detain the Senate now.

Mr. VANCE. Has the Senator any authority to show the importations under the high rate and the importations under the low rate?

Mr. ALDRICH. I have not the statistics before me, but I know that is the fact. The Senate will remember how the Senator from Ohio [Mr. SHERMAN] made a statement day before yesterday from his own experience as Secretary of the Treasury. I know that the experts in the Treasury Department who were before the committee made that statement, and I know that the appraiser's office in New York, when the committee visited that city, made the same statement. It has been the universal judgment of all the officers connected with the Treasury Department that the duty upon diamonds ought not to be more than 10 per cent.

Mr. VANCE. The Senator knows the object of my asking for the amount of importations under the different rates. The Senator will know, of course, that as the country has increased in wealth, naturally the use of those things has increased, and therefore, with regard to the question of how many were smuggled, many more would be shown in the importations. I wanted the amounts, if the Senator could give them.

Mr. ALDRICH. I have not the statistics before me, but I shall take pains to get them from the officers of the Treasury Department, and submit them to the Senate at some subsequent date.

Mr. JONES, of Arkansas. I will contribute this additional suggestion to the debate, that diamonds, under the tariffs of 1816, 1825, 1830, 1832, and 1836, were not taxed. They were first put upon the dutiable-list in 1842, with a tax of 7½ per cent., and unset diamonds never have been above 10 per cent. At the same time that a tax of 7½ per cent. was fixed in 1842 on unset diamonds, 25 per cent. was the tax upon set diamonds, and that difference has run through all the time.

Mr. HISCOCK. There is no doubt but that the ancient policy should be returned to now, and that uncut and unset diamonds should be put upon the free-list and the duty of 25 per cent. retained upon those set and manufactured as articles of luxury.

Mr. JONES, of Arkansas. Will the Senator allow me to suggest that the ancient policy which put unset diamonds on the free-list also put set diamonds on the free-list, and that set diamonds were put in the tariff at almost the same time that unset diamonds were?

Mr. HISCOCK. They were then only half right. Perhaps they were entirely so, for the reason that very likely at that time we did not have the labor in this country to cut and set the diamonds. That whole industry now should be transferred to this country. If they were put upon the free-list, doubtless that would be the effect and the result.

I see no difficulty, so far as I am concerned, with reference to this revenue question, for I say very frankly that I do not vote here for a duty upon any article where it is purely a revenue article. I am not in favor of that policy, and I am entirely willing to join an issue of that character with the Senator from North Carolina with reference to this bill.

The bill is not constructed, the country does not understand it to be constructed, upon the line of raising revenue from purely revenue articles. It is constructed on the line of protection, and the Senator has been battling the bill day after day on that ground. I do not propose at this time on this item to abandon the spirit of the bill, the policy of the bill, and the policy of those who favor it; but in the interest of protection, in the interest of American labor that they as well as we seem to be in favor of, I say as to uncut diamonds and precious stones of all kinds, cut but not set, 10 per cent. ad valorem, all of that might better go upon the free-list and the industry be transferred to this country.

Mr. MORRILL. In my experience of over thirty years we have never had a Secretary of the Treasury who has recommended a rate of duty upon diamonds higher than 10 per cent. I wish to say also that we have had the importers of these articles before us, respectable and upright men, who brought their samples of the article here to exhibit to us, and it was shown how easily they might be concealed in the hands of those who wanted to evade the duties, or in the hem of their garments, and so escape any duty at all.

The regular importers have informed the Committee on Ways and Means of the House and the Committee on Finance of the Senate that they could make contracts with foreigners abroad to bring diamonds here at 7 per cent. when the duty was 10, but they preferred to do an honest business and pay 10 per cent. rather than to engage in smuggling. There is no doubt upon the subject. Anybody who is familiar with it would not raise the question at all.

Mr. VEST. I must be permitted to say that I do not exactly understand how the Senator from Rhode Island [Mr. ALDRICH] yesterday voted for the amendment of the Senator from Georgia [Mr. BROWN] to increase the rate of duty on jewelry from 25 to 40 per cent., and now takes the position he does in regard to what is substantially the same article.

Mr. ALDRICH. The manufacture of jewelry in this country is a very large industry, and I am sure that 40 per cent. ad valorem is too great a rate for the protection of American jewelers. There is no industry in this country engaged in the production of diamonds—I do not know of any at any rate—and therefore the duty upon diamonds is simply a revenue duty and nothing more. The jewelry of this country comes in competition with the cheap jewelry made in Birmingham, England, and in various parts of France and Germany, and the duty upon jewelry is a protective duty as well as being a duty upon an article of luxury.

Mr. HISCOCK. I think it might well be added that so far as the higher grades of jewelry are concerned, the more expensive kinds of jewelry, the effect of an increase of duty would be to transfer it to this side. So far as the cheap grades of jewelry are concerned the present duty is prohibitory; it is all made here. The amendment was moved and voted for by gentlemen upon the other side, I grant, in the direction of protection, for it will doubtless have the effect to transfer to this country the manufacture of many higher grades of jewelry which now our people are unable to manufacture. Therefore, I was in favor of it and voted for it.

Mr. VEST. I voted against it because the reports which I read yesterday show that we export a large amount of jewelry, besides supplying the domestic market.

Mr. HISCOCK. We do export large amounts, and there are large importations, as I said, of the most valuable and the most highly finished kinds, upon which large amounts of labor are expended; and the effect of the amendment of the Senator from Georgia will be to transfer that industry bodily to this country.

Mr. ALDRICH. At the rate of 25 per cent. the importations in 1887 were $427,873 in value. If the amendment of the Senator from Georgia becomes a law I believe that those importations will be very largely reduced.

Mr. VEST. Our friends upon the other side of the Chamber are under a debt of gratitude to a Democratic Senator at any rate.

Mr. ALDRICH. We acknowledge the debt of gratitude.

Mr. VEST. They made the discovery since the bill was reported and made it suddenly after a motion to amend was made yesterday from this side of the Chamber.

But, returning to what was stated by the Senator from Rhode Island, he says no diamonds are produced or manufactured in this country. That is true, but I call his attention to the fact that the setting and cutting of diamonds is as much a part of the mechanical pursuit of a jeweler as is the manufacture of bric-a-brac or anything else; and they have recognized that in this identical provision, because precious stones of all kinds, cut but not set, bear only 10 per cent. ad valorem. It is the setting of the stone that gives the profit to the jeweler. There is very little margin upon the stone itself. The stones bear the same value nearly all over the world, according to the water of the diamond; but it is in the setting, after they are cut, that the American jeweler, and every other jeweler, makes his money.

The committee recognized that, for they put upon stones cut but not set only 10 per cent., while upon those set and not specially enumerated or provided for in this act they put 25 per cent. ad valorem. As a matter of course, that was in order to protect the labor of the American workman. If the stones come in set, then the duty is 25 per cent.; if they come in not set it is only 10 per cent.

Mr. ALDRICH. I will admit that the rate in the last clause of the paragraph should be increased (to conform to the action of the Senate yesterday on the amendment of the Senator from Georgia) from 25 per cent. to 40 per cent.

Mr. VEST. From my standpoint I made a very unfortunate argument, for I am against all increases. It seems that I am assisting the other side of the Chamber without intending to do it.

Mr. HISCOCK. If I may call the attention of the Senator from Missouri to it, under the rates proposed by this bill as reported jewelry and set diamonds bore the same rate of duty, and they were classified together. There was great difficulty and confusion in the Treasury Department in the classification of these goods. Jewelry and diamonds formerly belonged to one class, and the Senator from Missouri will see that having supported that provision yesterday he should also support an amendment to this paragraph increasing the duty.

Mr. VEST. But I did not support it. I voted against the amendment of the Senator from Georgia; I did not support it. What the Senator from New York says as to the classification is true, because on page 159 of the table prepared by the committee I find that set diamonds are included as to quantity with jewelry. But the felicities, if I may use the expression, of this tariff legislation are eminently illustrated by comparing paragraphs 434 and 435, which seem providentially to be in juxtaposition in this bill.

434. Precious stones of all kinds, cut but not set, 10 per cent. ad valorem; if set, and not specially enumerated or provided for in this act, 25 per cent. ad valorem.

Those are articles of pure luxury, of the highest sort of luxury, of the deepest sort of luxury, using the superlative, but eminently luxuries.

435. Stone.—Freestone, granite, sandstone, and all building or monumental stone except marble, unmanufactured or undressed—

Just as the diamond is not set—

not specially enumerated or provided for in this act, 14 cents per cubic foot.

The one luxury, pure and simple, comes in at 10 per cent. ad valorem. The other, an absolute necessity for building purposes, comes in at 14 cents per cubic foot.

Mr. ALDRICH. Do I understand the Senator from Missouri to say that foreign building-stone is a necessity in this country?

Mr. VEST. I say that any sort of stone is a necessity when it gets here.

Mr. HISCOCK. Does the Senator take the position that all foreign stone that is imported here is not really brought here as a luxury and simply for the purpose of embellishment?

Mr. VEST. That is going into the individual motives of the importers, which I am certainly not expected to do.

Mr. HISCOCK. Is not that true in reference to jewelry? I imagine it is true in the much-abused Northern States, where these industries are thriving, that the same class of people use rich articles of jewelry who use imported stone. They are used by the same class of people.

Mr. VEST. I am speaking simply of the nature of the material, freestone, sandstone, and building-stone.

Mr. REAGAN. It comes in as ballast.

Mr. VEST. As my friend from Texas says, it comes in as ballast. It is not considered as a luxury. In my State stone is exceedingly abundant. Freestone and sandstone can be found anywhere in the State of Missouri and through almost the entire West.

Mr. ALDRICH. That is what I supposed. That is the reason why I suggested that foreign stone was not a necessity.

Mr. VEST. But I speak of the nature of the material. As to whether it is a necessity depends upon the individual who brings it in. Of course, if he has plenty of stone, it is no necessity, it is a luxury; but nobody before has ever claimed within my knowledge that freestone or sandstone for building purposes could be considered a luxury. We classify these things according to the uses to which they are put.

Mr. HISCOCK. What we claim, if the Senator will pardon me, is that this class of stone upon which this duty is imposed, foreign stone, is brought here as a luxury.

Mr. VEST. I can not see how such stones are brought here as luxuries, unless they are used for luxurious purposes.

Mr. HISCOCK. Certainly they are.

Mr. VEST. They are not used for luxurious purposes.

Mr. HISCOCK. They are used for ornamentation, for ornamental buildings.

Mr. VEST. I have never heard before that freestone and sandstone were used for ornamental purposes. They may be in certain cases.

Mr. ALDRICH. If the Senator will visit the city of New York he will find sandstone and brownstone used for ornamental purposes.

Mr. VEST. Of course, and so you will find limestone occasionally used for ornamentation, and yet you may find it in the large majority of cases used simply for building purposes without regard to ornament. So in the West we use a stone called cotton-rock, which is a plastic limestone, for fencing and for building purposes, and yet at the same time it can be used for ornamentation very successfully, but we never consider it a luxury. It is a building rock, out of which you can make a house to protect you from the weather, and that is the whole of it.

The PRESIDENT *pro tempore*. The pending amendment proposed by the Senator from North Carolina [Mr. VANCE] will be stated.

The SECRETARY. In paragraph 434, line 1810, it is proposed to strike out "10" and insert "25;" so as to read:

Precious stones of all kinds, cut but not set, 25 per cent. ad valorem.

Mr. EUSTIS. Mr. President, I simply desire to explain my vote. I shall vote against this amendment because I believe the statement made by the Senator from Ohio as to his experience when Secretary of the Treasury is borne out by the facts. Any one who has crossed over to Europe knows perfectly well that such legislation as is proposed by my friend from North Carolina would be imposing a premium on smuggling, while honest people would pay the duty. I simply rose to explain my vote. On some other occasion I hope to express my views upon the bill, which will leave no doubt as to my position on the general question of taxation.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from North Carolina [Mr. VANCE].

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CAMERON (when his name was called). I am paired with the Senator from South Carolina [Mr. BUTLER].

Mr. CULLOM (when his name was called). I am paired with the junior Senator from Delaware [Mr. GRAY].

Mr. MORRILL (when his name was called). I transfer my pair with the Senator from Tennessee [Mr. HARRIS] to the Senator from Colorado [Mr. BOWEN], and vote "nay."

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB].

Mr. WILSON, of Iowa (when his name was called). I am paired with the Senator from Maryland [Mr. WILSON]. He is not present, and I withhold my vote. I should vote "nay" if he were present.

The roll-call was concluded.

Mr. COLQUITT (after having voted in the affirmative). I am paired with the Senator from Rhode Island [Mr. CHACE]. I see he did not vote, and I withdraw my vote.

Mr. MANDERSON. I am paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. JONES, of Arkansas (after having voted in the affirmative). I have been requested to announce a pair between myself and the Senator from New Hampshire [Mr. CHANDLER]. I withdraw my vote.

The result was announced—yeas 17, nays 18; as follows:

YEAS—17.

Bate,	George,	Reagan,	Voorhees,
Berry,	Gibson,	Spooner,	Walthall.
Brown,	Mitchell,	Teller,	
Cockrell,	Paddock,	Turpie,	
Coke,	Palmer,	Vance,	

NAYS—18.

Aldrich,	Dolph,	Hiscock,	Sawyer,
Allison,	Edmunds,	Ingalls,	Sherman,
Blair,	Eustis,	Morrill,	Stockbridge.
Davis,	Frye,	Payne,	
Dawes,	Hawley,	Platt,	

ABSENT—41.

Beck,	Daniel,	Jones of Arkansas,	Riddleberger,
Blackburn,	Evarts,	Jones of Nevada,	Sabin,
Blodgett,	Farwell,	Kenna,	Saulsbury,
Bowen,	Faulkner,	McPherson,	Stanford,
Butler,	Gorman,	Manderson,	Stewart,
Call,	Gray,	Morgan,	Vest,
Cameron,	Hale,	Pasco,	Wilson of Iowa.
Chace,	Hampton,	Plumb,	Wilson of Md.
Chandler,	Harris,	Pugh,	
Colquitt,	Hearst,	Quay,	
Cullom,	Hoar,	Ransom,	

The PRESIDENT *pro tempore*. The roll-call having shown that a quorum is not present, the Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Dolph,	Mitchell,	Spooner,
Bate,	Edmunds,	Morgan,	Stewart,
Berry,	Evarts,	Morrill,	Stockbridge,
Brown,	Fry,	Paddock,	Teller,
Cameron,	George,	Palmer,	Turpie,
Chace,	Gibson,	Payne,	Vance,
Chandler,	Hampton,	Platt,	Vest,
Cockrell,	Hawley,	Pugh,	Voorhees,
Coke,	Hiscock,	Reagan,	Walthall,
Colquitt,	Ingalls,	Saulsbury,	Wilson of Iowa.
Cullom,	Jones of Arkansas,	Sawyer,	
Davis,	Manderson,	Sherman,	

The PRESIDENT *pro tempore*. Forty-six Senators have answered to their names. A quorum is present. Shall further proceedings under the roll-call be dispensed with? It is so ordered if there be no objection. The roll will again be called upon agreeing to the amendment of the Senator from North Carolina [Mr. VANCE].

The Secretary proceeded to call the roll.

Mr. CAMERON (when his name was called). I am paired with the Senator from South Carolina [Mr. BUTLER].

Mr. MORRILL (when his name was called). I transfer my pair with the Senator from Tennessee [Mr. HARRIS] to the Senator from Colorado [Mr. BOWEN], and vote "nay."

Mr. RIDDLEBERGER (when his name was called). I announce again my pair with the Senator from New Jersey [Mr. BLODGETT]. I presume that one announcement will answer until his return. If he were present, I should vote for the entire report of the Committee on Finance.

Mr. VEST (when his name was called). I am paired generally with the junior Senator from Kansas [Mr. PLUMB].

The roll-call was concluded.

Mr. ALLISON. I am paired with the Senator from New Jersey [Mr. MCPHERSON]. I transfer my pair to the Senator from Nevada [Mr. STEWART], and vote "nay."

Mr. HAMPTON. As I am relieved from my pair with the Senator from Nevada [Mr. STEWART], I vote "yea."

The result was announced—yeas 22, nays 22; as follows:

YEAS—22.

Bate,	Gibson,	Pugh,	Vance,
Berry,	Hampton,	Reagan,	Voorhees,
Brown,	Jones of Arkansas,	Saulsbury,	Walthall,
Cockrell,	Mitchell,	Spooner,	Wilson of Md.
Coke,	Morgan,	Teller,	
George,	Palmer,	Turpie,	

NAYS—22.

Aldrich,	Davis,	Hawley,	Sawyer,
Allison,	Dolph,	Hiscock,	Sherman,
Blair,	Edmunds,	Ingalls,	Stockbridge,
Chace,	Eustis,	Morrill,	Wilson of Iowa.
Chandler,	Evarts,	Paddock,	
Cullom,	Frye,	Platt,	

ABSENT—32.

Beck,	Daniel,	Hearst,	Plumb,
Blackburn,	Dawes,	Hoar,	Quay,
Blodgett,	Farwell,	Jones of Nevada,	Ransom,
Bowen,	Faulkner,	Kenna,	Riddleberger,
Butler,	Gorman,	McPherson,	Sabin,
Call,	Gray,	Manderson,	Stanford,
Cameron,	Hale,	Pasco,	Stewart,
Colquitt,	Harris,	Payne,	Vest.

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

Mr. BROWN. Before passing from this paragraph I desire to offer another amendment to it. I understand that when diamonds are cut and set they belong to the class of articles known as jewelry, and with a view to conforming to my amendment yesterday, which prevailed, putting the duty on jewelry at 40 per cent. ad valorem, I move, in line 1812, to strike out "25" and insert "40;" so as to read:

If set, and not specially enumerated or provided for in this act, 40 per cent. ad valorem.

I do this both with a view of conformity to our action in the other case and with a view to the encouragement and protection of American labor.

The PRESIDENT *pro tempore*. The proposed amendment will be stated.

The SECRETARY. In paragraph 434, line 1812, before the words "per cent.," it is proposed to strike out "25" and insert "40;" so as to read:

If set, and not specially enumerated or provided for in this act, 40 per cent. ad valorem.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Georgia [Mr. BROWN].

The amendment was agreed to.

The PRESIDENT *pro tempore*. The reading of the substitute will proceed.

The Secretary read as follows:

435. Stone.—Freestone, granite, sandstone, and all building or monumental stone except marble, manufactured or undressed, not specially enumerated or provided for in this act, 14 cents per cubic foot.

Mr. VANCE. In this paragraph all stone undressed, in the rough, is taxed 14 cents per cubic foot. It is not for the benefit of the laborer engaged in dressing stone that this duty is imposed. It can only be for the man who owns the quarry in this country. For that reason I am not willing to impose upon the building-stone that people use in this country so heavy a duty for the mere profit of the man who happens to own the stone which is found in the soil. Such stone ought to be upon the free-list. The stone that comes into this country by cheap water transportation in an undressed condition, upon which the labor of our stone-masons is exerted, and which gives them profitable employment, constitutes the raw material of their trade, and for their sake it ought to be admitted free.

In line 1817, I move to strike out the words "14 cents per cubic foot" and to insert "shall be admitted free of duty."

Mr. HISCOCK. I desire to correct the statement of the Senator from North Carolina in reference to whether labor is involved in the item that has been read and which he seeks to amend. I think if he investigates the question he will find that the quarries of stone are about as valueless as the adjacent land in which there is no stone, and it is to protect the labor which is employed in quarrying the stone and taking it out of the earth that this rate has been fixed.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from North Carolina [Mr. VANCE].

The amendment was rejected.

The PRESIDENT *pro tempore*. The reading will be proceeded with.

The Secretary read as follows:

436. Freestone, granite, sandstone, and other building and monumental stone, except marble, not specially enumerated or provided for in this act, hewn, dressed, or polished, and burr-stones manufactured or bound up into millstones, 25 per cent. ad valorem.

437. Grindstones, finished or unfinished, $1.75 per ton.

Mr. VEST. In paragraph 437, lines 1823 and 1824, I move to strike out "$1.75 per ton," and to insert the word "free;" and I call for the yeas and nays on agreeing to the amendment.

The PRESIDENT *pro tempore*. The amendment will be stated.

The SECRETARY. In line 1823, after the word "unfinished," it is proposed to strike out "$1.75 per ton" and to insert "free;" so as to read:

Grindstones, finished or unfinished, free.

The PRESIDENT *pro tempore*. The Senator from Missouri asks that upon this question the yeas and nays may be entered upon the Journal.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CAMERON (when his name was called). I wish to announce that I am paired with the Senator from South Carolina [Mr. BUTLER]. I am paired for the day.

Mr. MORRILL (when his name was called). I transfer my pair with the Senator from Tennessee [Mr. HARRIS] to the Senator from Colorado [Mr. BOWEN], and vote "nay."

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB] or I should vote "yea."

Mr. WILSON, of Iowa (when his name was called). I am paired with the Senator from Maryland [Mr. WILSON]. I do not see him in the Chamber, and I withhold my vote. Otherwise I should vote "nay."

The roll-call was concluded.

Mr. MANDERSON. I should vote "nay" upon this question if I were not paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. ALLISON (after having voted in the negative). Is the Senator from Ohio [Mr. SHERMAN] recorded?

The PRESIDENT *pro tempore*. He is recorded.

Mr. ALLISON. Then I withdraw my vote, being paired with the Senator from New Jersey [Mr. MCPHERSON].

The PRESIDENT *pro tempore*. The Senator from Iowa withdraws his vote.

Mr. CULLOM. I am paired with the junior Senator from Delaware [Mr. GRAY].

The result was announced—yeas 15, nays 22; as follows:

YEAS—15.

Bate,	Colquitt,	Jones of Arkansas,	Vance,
Berry,	George,	Morgan,	Voorhees,
Cockrell,	Gibson,	Payne,	Walthall.
Coke,	Hampton,	Reagan,	

NAYS—22.

Aldrich,	Frye,	Morrill,	Spooner,
Blair,	Hale,	Paddock,	Stewart,
Brown,	Hawley,	Palmer,	Stockbridge,
Chace,	Hiscock,	Platt,	Teller.
Chandler,	Ingalls,	Sawyer,	
Evarts,	Mitchell,	Sherman,	

ABSENT—39.

Allison,	Davis,	Hearst,	Ransom,
Beck,	Dawes,	Hoar,	Riddleberger,
Blackburn,	Dolph,	Jones of Nevada,	Sabin,
Blodgett,	Edmunds,	Kenna,	Saulsbury,
Bowen,	Eustis,	McPherson,	Stanford,
Butler,	Farwell,	Manderson,	Turpie,
Call,	Faulkner,	Pasco,	Vest,
Cameron,	Gorman,	Plumb,	Wilson of Iowa.
Cullom,	Gray,	Pugh,	Wilson of Md.
Daniel,	Harris,	Quay,	

The PRESIDENT *pro tempore*. It being ascertained by the vote that a quorum is not present, the Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Coke,	Ingalls,	Sawyer,
Allison,	Cullom,	Jones of Arkansas,	Sherman,
Bate,	Colquitt,	Manderson,	Spooner,
Berry,	Edmunds,	Mitchell,	Stanford,
Blair,	Evarts,	Morgan,	Stewart,
Bowen,	Frye,	Morrill,	Stockbridge,
Brown,	Gibson,	Paddock,	Teller,
Cameron,	Hale,	Palmer,	Turpie,
Chace,	Hampton,	Payne,	Vance,
Chandler,	Hawley,	Platt,	Vest,
Cockrell,	Hiscock,	Reagan,	Walthall.

The PRESIDENT *pro tempore*. Forty-four Senators having answered to their names, if there be no objection, further proceedings under the call will be dispensed with. The Secretary will again call the roll upon the question of agreeing to the amendment.

The Secretary proceeded to call the roll.

Mr. HAWLEY (when his name was called). I am paired with the Senator from Missouri [Mr. COCKRELL].

Mr. MORRILL (when his name was called). I transfer my pair with the Senator from Tennessee [Mr. HARRIS] to the Senator from Colorado [Mr. BOWEN], and vote "nay."

The roll-call was concluded.

Mr. BOWEN. I am paired with the Senator from Tennessee [Mr. HARRIS].

Mr. ALLISON. May I ask the Chair if a quorum has voted?

The PRESIDENT *pro tempore*. A quorum has voted.

Mr. ALLISON. Then I am paired with the Senator from New Jersey [Mr. MCPHERSON], and refrain from voting.

The result was announced—yeas 15, nays 24; as follows:

YEAS—15.

Bate,	George,	Jones of Arkansas,	Vest,
Berry,	Gibson,	Morgan,	Walthall,
Coke,	Gray,	Reagan,	Wilson of Md.
Colquitt,	Hampton,	Vance,	

NAYS—24.

Aldrich,	Edmunds,	Morrill,	Sawyer,
Blair,	Evarts,	Paddock,	Sherman,
Brown,	Frye,	Palmer,	Spooner,
Chace,	Hiscock,	Payne,	Stockbridge,
Chandler,	Ingalls,	Platt,	Teller,
Cullom,	Mitchell,	Plumb,	Wilson of Iowa.

ABSENT—37.

Allison,	Davis,	Hearst,	Riddleberger,
Beck,	Dawes,	Hoar,	Sabin,
Blackburn,	Dolph,	Jones of Nevada,	Saulsbury,
Blodgett,	Eustis,	Kenna,	Stanford,
Bowen,	Farwell,	McPherson,	Stewart,
Butler,	Faulkner,	Manderson,	Turpie,
Call,	Gorman,	Pasco,	Voorhees.
Cameron,	Hale,	Pugh,	
Cockrell,	Harris,	Quay,	
Daniel,	Hawley,	Ransom,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Secretary read as follows:

438. Umbrellas, parasols, and sunshades: Covered with silk, alpaca, or similar material, 50 per cent. ad valorem; if covered with other material, 40 per cent. ad valorem.

439. Waste, not specially enumerated or provided for in this act, 10 per cent. ad valorem.

440. Watches, watch-cases, watch movements, parts of watches, watch-glasses, and watch-keys, whether separately packed or otherwise, 25 per cent. ad valorem.

Mr. BROWN. I move to amend the paragraph just read by inserting at the end of the paragraph the words "and gold watches and all parts of gold watches, 40 per cent. ad valorem."

The PRESIDENT *pro tempore*. The amendment will be reported from the desk.

Mr. ALLISON. May I suggest to the Senator from Georgia that that may create confusion where parts of watches are imported. They might be inserted in silver cases. I think the Senator ought to confine his amendment to gold watches and gold watch-cases.

Mr. BROWN. I will accept that modification.

Mr. ALLISON. That will cover what the Senator has in view. There are a good many watch-movements imported and a great many exported.

Mr. BROWN. Then I accept the amendment of the Senator from Iowa.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Georgia will be read from the desk.

Mr. ALLISON. It should read:

Gold watches and gold watch-cases.

Mr. BROWN. Yes, that will do: "Gold watches and gold watch-cases."

The SECRETARY. After the words "ad valorem," in line 1834, it is proposed to add the words:

And gold watches and gold watch-cases, 40 per cent. ad valorem.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Georgia. [Putting the question.] By the sound the noes appear to have it.

Mr. BROWN. I call for the yeas and nays.

Mr. VEST. Let me inquire of the Senator from Iowa what he proposes to do with silver watches? What section do they come under?

Mr. ALLISON. They will come under the general term "watches."

Mr. VEST. I understand this is to be amended so as to include gold watches.

Mr. ALLISON. No; the Senator from Georgia proposes to add his provision at the end of the paragraph providing that silver watches shall come in as now, at 25 per cent.

Mr. VEST. The section now reads:

440. Watches, watch-cases, watch-movements, parts of watches, watch-glasses, and watch-keys, whether separately packed or otherwise, 25 per cent. ad valorem.

Then it is proposed to add:

And gold watches, 40 per cent. ad valorem.

If so, I think the phraseology is very unfortunate, because it would include gold watches, and then gold watches are provided for afterwards in an additional provision. I suggest that there had better be a change.

Mr. BROWN. I do not think there is any trouble in the way.

Mr. ALLISON. There may be something in the criticism suggested by the Senator from Missouri.

Mr. VEST. Both clauses would include gold watches if you make the amendment as proposed, because as a matter of course "watches" include gold watches, and then you provide for gold watches afterwards.

Mr. BROWN. We provide a different tariff for gold watches.

Mr. VEST. That is true; but the present item in the bill includes gold watches in the first clause, and then there would be 40 per cent. provided on gold watches in the second clause.

Mr. ALLISON. I do not really think that much will be accomplished by the amendment of the Senator from Georgia. We make gold watch-cases now as cheaply as they are made anywhere. They are made by machinery and made by our own people. As to watch-movements, we export very large quantities of watch-movements from this country, as we have the machinery here to manufacture them very successfully.

I hope the Senator from Georgia will not insist upon the amendment, as I think there will not be much accomplished by it except the still further protection of our gold-watch-case manufacturers.

Mr. BROWN. I do insist on the amendment. The Senate yesterday increased the duty on jewelry to 40 per cent. ad valorem instead of 25. The present rate on jewelry is 35 per cent., and the present rate on gold watches is 40. I simply propose to put gold watches here as they are under the present tariff.

Mr. ALLISON. I do not think gold watches are at 40 per cent. now.

Mr. VEST. They are at 25 per cent.

Mr. BROWN. My recollection is 40 per cent.

Mr. ALLISON. Watches are already 25 per cent. ad valorem. I will say to the Senator from Georgia that there is no complaint made by our manufacturers as to this rate of duty.

Mr. BROWN. The record seems to be against me, but my impression is that gold watches are now at 40 per cent. duty.

Mr. ALLISON. Twenty-five per cent. by the law. I have before me a copy of the existing law—"watches, watch-cases, parts of watches, etc., 25 per cent. ad valorem."

Mr. VEST. It is the same in all three cases in the Mills bill and the Senate bill at 25 per cent. ad valorem.

Mr. BROWN. Why should they not be put at the same rate as other jewelry?

Mr. ALLISON. Jewelry may be made of gold or silver or precious stones, and so on, and silver jewelry is now being made in large quantities. It does not seem to me to be necessary to raise the duty on gold watches, unless it is intended to keep them out altogether, for the benefit of our own manufacturers.

Mr. BROWN. When we put 40 per cent. on jewelry and 40 per cent. on diamonds, it hardly seems to me proper to leave gold watches at 25 per cent.

Mr. VEST. It ought to be said for what it is worth, that gold watches, whilst in one sense they may be called articles of luxury, yet to some extent are articles of necessity. They are different from bric-a-brac, which can not be used at all. We know a watch is extremely useful as a time-keeper.

However, I said all I desired to say on this subject yesterday, and I voted against the increase yesterday upon jewelry to 40 per cent. because there is a large exportation of it from this country, and we do not need the revenue; and the evidence is overwhelming—if the Senator from Georgia has not examined it, I have—that we are to-day excelling the whole world in the manufacture of watches. The Waltham Company, in New England, can make a better watch than is made in Europe, and the old-time Geneva watch is being forced out of the market. It is true they do send some watches to this country, but they are very cheap and very inferior watches, compared with the American manufacture.

There can be nothing in the shape of giving any additional advantage

to the manufacturer in this increase of duty, and we certainly do not need the revenue.

Mr. BROWN. In reply to the Senator from Missouri, I will say that it is not a question of protection at all. It is a question whether we shall raise more revenue on luxuries and less on the necessaries of life. I desire to raise a larger revenue on gold watches and take something off other things that are common necessaries of life; and for that reason and not with a view to the protection of anybody, I favor the amendment.

Mr. VEST. The Senator will permit me a single word in reply to him. If I saw the slightest chance of taking the duty off anything, I would recognize the force of his argument; but here we are confronted with an absolute certainty in this Senate that there will be no decrease of duty upon necessities, and then it comes to a question whether we shall add to the surplus in the Treasury by putting an additional duty upon the articles mentioned in this paragraph. If I saw any chance for doing the other thing I might assent to his proposition, but I do not see any.

Mr. BROWN. The Senator is fighting very faithfully on the line of other things, and I prefer to fight on the line of raising the revenue on articles of luxury and especially on gold watches.

The PRESIDENT *pro tempore*. The Senator from Georgia asks for the yeas and yeas on the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MANDERSON (when his name was called). I transfer my pair with the Senator from Kentucky [Mr. BLACKBURN] to the Senator from Connecticut [Mr. PLATT], and vote "nay."

Mr. MORRILL (when his name was called). I transfer my pair with the Senator from Tennessee [Mr. HARRIS] to the Senator from Colorado [Mr. BOWEN], and vote "nay."

Mr. TURPIE (when his name was called). I am paired generally with the Senator from Minnesota [Mr. DAVIS]. If he were present, I should vote "yea."

The roll-call was concluded.

Mr. HISCOCK (after having voted in the affirmative). I desire to change my vote, and I ask if it would be in order for me to give a reason for changing it?

The PRESIDENT *pro tempore*. It would not.

Mr. HISCOCK. Then I vote "nay."

Mr. BLAIR. On this question I am paired with the senior Senator from Indiana [Mr. VOORHEES].

The result was announced—yeas 22, nays 20; as follows:

YEAS—22.

Bate,	Frye,	Mitchell,	Stewart,
Berry,	George,	Morgan,	Teller,
Brown,	Hale,	Paddock,	Walthall,
Chandler,	Hampton,	Payne,	Wilson of Md.
Coke,	Jones of Arkansas,	Plumb,	
Colquitt,	Manderson,	Reagan,	

NAYS—20.

Aldrich,	Evarts,	Morrill,	Spooner,
Allison,	Gibson,	Palmer,	Stockbridge,
Chace,	Gray,	Saulsbury,	Vance,
Cullom,	Hiscock,	Sawyer,	Vest,
Dolph,	Ingalls,	Sherman,	Wilson of Iowa.

ABSENT—34.

Beck,	Daniel,	Hawley,	Quay,
Blackburn,	Davis,	Hearst,	Ransom,
Blair,	Dawes,	Hoar,	Riddleberger,
Blodgett,	Edmunds,	Jones of Nevada,	Sabin,
Bowen,	Eustis,	Kenna,	Stanford,
Butler,	Farwell,	McPherson,	Turpie,
Call,	Faulkner,	Pasco,	Voorhees.
Cameron,	Gorman,	Platt,	
Cockrell,	Harris,	Pugh,	

So the amendment was agreed to.

Mr. TELLER. I would like to have the last paragraph that was acted on read as amended.

The PRESIDENT *pro tempore*. The amendment to paragraph 440?

Mr. TELLER. Paragraph 440.

The PRESIDENT *pro tempore*. It will be read as amended.

The Chief Clerk read as follows:

440. Watches, watch-cases, watch-movements, parts of watches, watch-glasses, and watch-keys, whether separately packed or otherwise, 25 per cent. ad valorem; and gold watches and gold watch-cases, 40 per cent. ad valorem.

Mr. TELLER. If it be in order, I would like to go back to that, or I will wait until the bill gets into the Senate. I supposed when I voted for that amendment I voted to include watch-movements as well as watches. I wanted to include all in the duty at 40 per cent. I will take occasion some time when we get into the Senate to move that.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

FREE-LIST.

SEC. 2503. The following articles when imported shall be exempt from duty:

441. Acids used for medicinal, chemical, or manufacturing purposes, not specially enumerated or provided for in this act.
442. Aconite.
443. Acorns, raw, dried or undried, but unground.
444. Agates, unmanufactured.
445. Albumen.
446. Alizarine, natural.
447. Alizarine, artificial.
448. Amber, unmanufactured, or crude gum.
449. Ambergris.
450. Aniline salts.
451. Animals brought into the United States temporarily for a period not exceeding six months, for the purpose of exhibition or competition for prizes offered by any agricultural or racing association; but a bond shall be given in accordance with regulations prescribed by the Secretary of the Treasury; also, teams of animals, including their harness and tackle and the wagons or other vehicles actually owned by persons emigrating from foreign countries to the United States with their families, and in actual use for the purpose of such emigration, under such regulations as the Secretary of the Treasury may prescribe.

Mr. VEST. Mr. President, I understand from paragraph 451 that animals brought into the United State for breeding purposes would not come in upon the free-list, but if brought for racing purposes that they do come upon the free-list.

Mr. ALDRICH. For a period not exceeding six months.

Mr. VEST. Exactly; it does not make any difference about the time. If they are brought here for racing purposes, for six months and not longer, they come in on the free-list and for no other purpose. If they are brought in for breeding purposes then they are not upon the free-list under this paragraph.

Mr. ALDRICH. Does the Senator object to this provision?

Mr. VEST. I object to it, but of course it is no use for me to make any motion about it; I only want to point out the objection.

Mr. ALDRICH. Judging from our previous experience I think it might be the subject of a motion. We have heard such exalted professions on the subject of protection in that part of the Chamber that possibly if the Senator will make a motion it may be adopted.

Mr. VEST. I think if the Senator will look at my record he will find that I have not been in the majority since the bill was taken up.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

452. Annatto, roucou, rocoa, or orleans, and all extract of.
453. Antimony ore, crude sulphide of.
454. Apatite.
455. Argal, or argol, or crude tartar.
456. Arrow-root, raw or unmanufactured.
457. Arsenic and sulphide of, or orpiment.
458. Arseniate of aniline.
459. Articles in a crude state used in dyeing or tanning not specially enumerated or provided for in this act.
460. Articles specially imported for the use of the United States, provided that the price of the same did not include the duty.
461. Articles, the growth, produce, and manufacture of the United States, when returned after having been exported, without having been advanced in value or improved in condition by any process of manufacture or other means; casks, barrels, carboys, bags, and other vessels of American manufacture exported filled with American products, or exported empty and returned filled with foreign products, including shooks when returned as barrels or boxes; but proof of the identity of such articles shall be made, under general regulations to be prescribed by the Secretary of the Treasury; and if any such articles are subject to internal tax at the time of exportation, such tax shall be proved to have been paid before exportation and not refunded: *Provided*, That this paragraph shall not apply to any article upon which an allowance of drawback has been made, the reimportation of which is hereby prohibited except upon payment of duties equal to the drawbacks allowed.
462. Asbestos, unmanufactured.
463. Ashes, wood and lye of, and beet-root ashes.
464. Asphaltum and bitumen, crude.
465. Asafetida.
466. Balm of Gilead.
467. Barks, cinchona or other.
468. Baryta, carbonite or witherite.
469. Baryta, sulphate of, or barytes, unmanufactured.
470. Bauxite, or beauxite.
471. Beeswax.
472. Bells, broken, and bell-metal broken and fit only to be remanufactured.
473. Birds, stuffed, not suitable for millinery ornaments.
474. Birds and land and water fowls.
475. Bismuth.
476. Bladders, including fish-bladders or fish-sounds, crude, and all integuments of animals not specially enumerated or provided for in this act.
477. Blood, dried.
478. Bologna sausages.
479. Bolting-cloths.
480. Bones, crude, or not burned, calcined, ground, steamed, or otherwise manufactured, and bone-dust or animal carbon, and bone-ash, fit only for fertilizing purposes.
481. Books, engravings, photographs, bound or unbound etchings, maps, and charts which shall have been printed and bound or manufactured more than twenty years at the date of importation.
482. Books and pamphlets printed exclusively in languages other than English.
483. Books, engravings, photographs, etchings, bound or unbound, maps and charts imported by authority or for the use of the United States, or for the use of the Library of Congress; but the duty shall not have been included in the contract or price paid.
484. Books, maps, and charts specially imported, not more than two copies in any one invoice, in good faith, for the use of any society incorporated or established for philosophical, literary, or religious purposes, or for the encouragement of the fine arts, or for the use or by order of any college, academy, school, or seminary of learning in the United States.
485. Books, or libraries, or parts of libraries, and other household effects of persons or families from foreign countries, if used abroad by them not less than one year, and not intended for any other person or persons, nor for sale.
486. Brazil paste.
487. Braids, plaits, flats, laces, and similar manufactures suitable for making or ornamenting hats, bonnets, and hoods, composed of straw, chip, grass, palmleaf, willow, osier, or rattan.

Mr. VANCE. Mr. President, this paragraph ought not to be here. It is intended simply for the benefit of the manufacturers of this country, and if the commonest necessaries of life in use by the great majority of the people can have no favors extended to them, I am opposed in this manner to extending favors to the manufacturers, whose productions are already heavily protected.

The amount of duty collected on these articles in 1887 was $822,704.33. That was the amount of duties collected under the paragraph, whereas the duty upon cotton-ties used in the great industry of the production of 7,000,000 bales of cotton was only $346,000, and that is retained, whilst the duty upon the cotton-bagging with which the cotton is prepared for market amounts to $900,000. In the one case it is more than twice as great, and in the other it is almost as great. These duties are retained upon the cotton industry, and $822,000 is to be given to this little industry of the people who manufacture what are called notions, bonnets, head-gear, etc., for the ornamentation of the women of our country.

Now, sir, if we undertake to treat people fairly we must put these articles upon the dutiable-list. It is true we do not need the duty, but to take it off accommodates nobody except the manufacturers of these articles, as I have stated, whose productions are already heavily protected, and I therefore move to add at the close of line 1943:

Shall pay a duty of 25 per cent. ad valorem.

The PRESIDENT *pro tempore*. The amendment will be reported from the desk.

The CHIEF CLERK. In paragraph 487, at the end of line 1943, it is proposed to add:

Shall pay a duty of 25 per cent. ad valorem.

So as to read:

Braids, plaits, flats, laces, and similar manufactures suitable for making or ornamenting hats, bonnets, and hoods, composed of straw, chip, grass, palm-leaf, willow, osier, or rattan, shall pay a duty of 25 per cent. ad valorem.

Mr. ALLISON. Why does the Senator from North Carolina propose to increase the present rate of duty on these articles? The present rate of duty is 20 per cent. ad valorem. Is there any reason why that should be increased?

Mr. VANCE. I will make it 20 per cent. if that will give the Senator any aid in voting against it.

Mr. ALLISON. The Senator's motion was to make these braids pay 25 per cent. ad valorem.

Mr. VANCE. I will say 20.

Mr. ALLISON. The present rate being 20, I desired to know why he wanted to increase it.

Mr. VANCE. That was an oversight. I thought 25 per cent. was the present duty and I wanted to retain the duty. I will conform my motion to the suggestion of the Senator and make it 20 per cent. ad valorem.

The PRESIDENT *pro tempore*. The amendment as modified will be stated.

The CHIEF CLERK. In paragraph 487, at the end of line 1943, it is proposed to add:

Shall pay a duty of 20 per cent. ad valorem.

Mr. ALLISON. The only reason of the committee in putting these articles upon the free-list was that they are not made in this country at all, and can not be, and of course will not be.

The Senator from North Carolina [Mr. VANCE], however, is in exact accord with all the manufacturers that I know of in this country who use this raw material. I think without exception they have insisted that this duty shall remain, because the business of manufacturing straw hats, bonnets, etc., is a business confined to a very few persons, and they have a very good arrangement respecting their method of manufacture, the mode of selling the goods, etc. They want this duty retained. They are in thorough accord with the Senator from North Carolina. The committee believe that if this raw material is brought in free, the result will be to diffuse and disseminate this manufacture far beyond what it now is.

Mr. ALDRICH. The consistency of some of the Senators upon the other side is well illustrated by the amendment now offered by the Senator from North Carolina. There is not a man, woman, or child in the United States who does not use at some season of the year the articles which are made from the braids and plaits which are covered by the paragraph now under consideration. These braids and plaits can not be made in the United States, have never been made here, and never will be made here. The duty is simply a revenue duty which adds to the cost of every straw hat or bonnet worn by every woman and child in the United States 20 per cent. ad valorem, and the Senator from North Carolina, agreeing with the manufacturers in this case who desire to confine the business to their own limits, as the Senator from Iowa [Mr. ALLISON] has very well said, seeks to impose upon the people of the United States a useless and unnecessary tax, and therefore I believe an unjust tax, according to Democratic authority, upon this article of common consumption.

Mr. VANCE. I do not know that we have hit upon any article that better illustrates the difference between Senators on the other side and myself. This is a useless and unnecessary tax, the Senator says. Why? Because the tax when collected is not divided with some manufacturer in this country, but every dollar of it goes into the Treasury. Therefore it is useless and unnecessary and unjust. I have no doubt but that the Senator is perfectly sincere in that declaration. That the Congress of the United States should undertake in the exercise of its constitutional powers to levy money upon the people that all goes into the Treasury is something outrageous, I admit, in their estimation.

Mr. ALDRICH. The memory of the Senator from North Carolina must be exceedingly short. In the first statement he made upon this question he stated that he proposed to put this duty on because it was only the manufacturers who wanted the article free, that it was for their benefit to have it free.

Mr. VANCE. I did not say that.

Mr. ALDRICH. Now he says it all goes into the Treasury and is no benefit to the manufacturers at all.

Mr. VANCE. The Senator should quote me correctly. The Senator could hardly have understood me that way.

Mr. ALDRICH. The RECORD will show.

Mr. VANCE. Yes, sir; the RECORD will show. I said it was for nothing but to accommodate the manufacturers. I did not know whether they had entered into that private arrangement that has been going on all the time before the subcommittee of the Committee on Finance and made their wishes known. They did not do me the honor to consult me about it. I presume, of course, if they came here they went to the subcommittee and made their wants known there. I know that this clause will help them, there being no reduction in the duty on the articles which they manufacture, and I know that the furnishing to them of the raw material free will increase their profits. That is as plain as any proposition in arithmetic could be made.

The whole theory of this free-list, I admit, is contrary to my ideas of what a free-list ought to be. The putting of spices and pepper and all these things that can not be produced in our country on the free-list I think was a departure from the true principles of taxation. I think those things the duty upon which was all revenue should be the things which should be made to assist in bearing the taxation in this country, and I am opposed, and have so announced again and again, to increasing the free-list with those things which can not be produced in this country, for the reason that the revenue all goes into the Treasury.

I am not sufficiently acquainted with the process of manufacturing these articles to know whether the manufacturers really desire the duty retained or not. I have never heard them say so, and there is nothing that I have seen in the testimony taken before the subcommittee which indicates their desire in this regard, though it may have been taken and may be there and I may not have seen it, and I do not assert that it is not there; but I do know very well, to repeat myself, that the furnishing free of this raw material to these manufacturers without any reduction in the duties upon their goods must inure to their benefit, and in all probability will not inure to the benefit of anybody else.

Mr. VEST. When paragraph 336, under the flax, hemp, and jute schedule, which embraces neck-rufflings and ruchings made of cotton, was under consideration, I moved to put it back under the basket clause instead of having it at 50 per cent. ad valorem, as it is now in this bill, and the Senator from Rhode Island [Mr. ALDRICH] reminded me that I was very inconsistent in that I proposed to decrease the duty upon an article of luxury; and when reminded of the fact, which he admitted, that those articles of cheap cotton manufacture were used by people in moderate circumstances and the poorer classes in the United States, he said still they were articles of luxury and he was surprised that I wanted to decrease the duty upon them. Now, here is an article of pure luxury, "braids, plaits, flats, laces, and similar manufactures suitable for making or ornamenting hats, bonnets, etc.," put upon the free-list.

Mr. JONES, of Arkansas. I simply rise for the purpose of suggesting to my friend from Missouri that there is a marked difference between these two items. The article of ruchings when it comes in, comes in, I presume, for consumption by the people. There is no reason from the standpoint of this committee why on anything intended for the consumers in this country the tariff should be reduced, or that goods should be allowed to come in cheap; but when a similar article intended to be consumed by the manufacturer comes in the duty should be reduced, by their theory. What is intended to be consumed by the people or intended to go simply into the hands of the people all over the country instead of the manufacturers is to be taxed higher, while the articles to be consumed by the manufacturers must come in free.

Mr. HISCOCK. I should like to learn both from the Senator from Missouri and the Senator from Arkansas what they understand "braids, plaits, flats, and laces" to be made from?

Mr. VEST. There is no doubt in the world that the laces that are spoken of here are what are called the straw laces, laces made out of articles of that sort; but that does not prevent their being articles of luxury.

Mr. HISCOCK. Certainly the Senator from Arkansas does not understand it in that way.

Mr. JONES, of Arkansas. I made the point that the difference in the action of the committee depended upon who was to be the consumer of any given article; that on those things which are introduced for the purpose of being consumed by the manufacturers the tax is reduced, but when any article similar in character, which is a luxury in

itself, is introduced for the purpose of being consumed directly by the people they want to increase the tax instead of decreasing it.

Mr. HISCOCK. In answer to that statement, if the Senator from Missouri will pardon me, I will say as to these articles "braids, plaits, flats, laces, and similar manufactures suitable for making or ornamenting hats, bonnets, etc.," if the duty is taken off the raw material out of which they are made, as has been suggested by the Senator from Iowa, it is supposed that the result will be to diversify the manufacture and create a wider competition in reference to it, and take it out of the control of the few manufacturers who are engaged in it now.

Mr. VEST. The very same argument would be equally as forcible in regard to any other raw material; and yet when we come to flax we are met with opposition to putting it on the free-list, and we have been voted down in this Chamber when we attempted to do it; and yet flax is used for articles of absolute necessity. Here are articles of simple and pure luxury for ornaments——

Mr. ALLISON. Do you call straw-braid a luxury?

Mr. VEST. The Senator hardly expects me to answer a question of that sort when the clause is right before him. What is in this clause?

Braids, plaits, flats, laces, and similar manufactures suitable for making—

Now, if it stopped there my friend from Iowa would have a right to interject his statement; but it proceeds—

or ornamenting hats, bonnets, and hoods, composed of straw, chip, grass, palm-leaf, willow, osier, or rattan.

Mr. ALLISON. The Senator said these articles were articles of pure luxury. The great majority of them are articles of necessity.

Mr. VEST. In commencing my few remarks I alluded particularly to laces for ornamentation, and I say they are purely articles of luxury. Is there any limitation in this paragraph upon articles of luxury or ornamentation? What is the operation of this? Take a gentleman like Mr. Wanamaker, who has the largest establishment in the United States, and has a department of it which is devoted to this particular manufacture of hats, ornamented hats, hoods, etc.; what is the result of this? Mr. Wanamaker gets these articles to be used in ornamentation free. It assists him in his business; it is directly in his interest. But when I propose to reduce the duty on neck-ruffling and ruchings, which I confess are not articles of necessity, but which the servant-girls and the poorer classes—for they are generally very cheap—use for ornamenting their persons (which they have a perfect right to do), I am met by the statement on the other side, "Oh, that is an article of luxury and you must not decrease the duties upon it!" It shows with what sort of facility our friends can twist and change their speeches and votes when different interests are involved.

Mr. ALDRICH. The purpose of the committee in fixing the duty upon neck-rufflings and ruchings composed of cotton, silk, and other materials was that those articles should be made in this country by American labor and by American manufacturers. The paragraph now under consideration does not contain the description of one single article which can be made in the United States, which has ever been made in the United States, or which ever will be made in the United States.

Mr. VANCE. I should like to ask the Senator why they can not be made here?

Mr. ALDRICH. For the reason that the straw which grows in the United States, owing to our climate, is not fitted to the manufacture of these various articles.

Mr. MORGAN. Can not the straw be imported?

Mr. ALDRICH. The straw can not be imported, I will say in answer to the Senator from Alabama, and can not be preserved and brought here owing to the frail nature of the straw itself. The straw is grown in China and Japan and Italy. We have never been able to grow a single one of these peculiar kinds of straw, owing to dampness or other climatic causes in the United States—not one single one of the varieties of straw which are required to make the articles described in this paragraph.

That being true, the only purpose of keeping a duty upon them must be for revenue. The object of taking off the duty is to reduce the cost of straw hats and straw bonnets to the people of the United States. If Senators upon the other side say that straw hats or straw bonnets are a luxury, when they are used, as I said before, by every person in the United States, then the state of the argument would be changed somewhat. But straw hats are not luxuries; they are articles of necessity; and the question involved is simply one whether you are willing, as you claim to be, as you are pretending to be every day, to reduce the cost of an article of universal consumption when the revenue is not needed.

Mr. VANCE. Then I understand that the Senator takes the position that it is his duty to reduce as much as possible the cost of manufactured goods made in this country to the people?

Mr. ALDRICH. Wherever it can be done without injury to American industry.

Mr. VANCE. Yes, just so; but whenever it can be done without any injury to the pockets of the people who have it to pay, then just bring your machine out. That is the position of the Senator.

I should like to ask the Senator if the laces mentioned here could not be made in this country, and the flats, whatever they are?

Mr. HISCOCK. No, they can not be made in this country.

Mr. VANCE. What are they composed of?

Mr. HISCOCK. They are composed of the materials described in the after part of the paragraph—composed of straw, chip, grass, palm-leaf, willow, osier, or rattan.

Mr. VANCE. Willow grows in this country.

Mr. HISCOCK. "Willow or osier or rattan." We know what that is.

Mr. VANCE. Willow and osier both grow in this country.

Mr. HISCOCK. "Or."

Mr. VANCE. "Willow or osier;" they both grow in this country.

Mr. HISCOCK. That is a peculiar foreign product which is cut fine, and which is braided and does not grow in this country. It is something that can be stripped fine and braided up.

Mr. VANCE. Where does it grow?

Mr. HISCOCK. It comes from China, it comes from Japan, and comes from a great many points; but it is not grown here.

Mr. VANCE. Does not the Senator admit that enough protection would overcome the edicts of nature, and that we could grow it all in this country if we made the duty high enough? [Laughter.] If it grows in Japan, that is pretty much on the latitude of the State in which I live.

Mr. HISCOCK. We are not in favor of protecting oranges so that they can be raised in New York.

Mr. VANCE. Unless they can be raised in New York. It comes simply down to this, that this will inure to the benefit of the manufacturers, as I have said before. It cheapens their raw material, and every dollar of money that has heretofore been paid, or that will continue to be paid if the law is not to be changed, as a duty upon these articles will go into the Treasury for the common benefit and none of it will go into the pockets of the Senator's constituents. Therefore I think it ought to be restored to the dutiable-list and we ought to reduce the revenue by bringing down the duty upon objects of prime necessity which are now so heavily taxed.

The PRESIDENT *pro tempore*. The amendment will be again reported.

The SECRETARY. At the end of line 1943 it is proposed to add:

Shall pay a duty of 20 per cent. ad valorem.

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. COLQUITT (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. FARWELL (when his name was called). I am paired with the Senator from Florida [Mr. PASCO].

Mr. GRAY (when his name was called). I am paired with the senior Senator from Illinois [Mr. CULLOM].

Mr. HOAR (when his name was called). I am paired with the Senator from North Carolina [Mr. RANSOM].

Mr. JONES, of Arkansas (when his name was called). I am paired with the Senator from Massachusetts [Mr. DAWES].

Mr. MORGAN (when his name was called). I am paired with the Senator from New York [Mr. EVARTS].

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB].

Mr. WILSON, of Iowa (when his name was called). I am paired with the Senator from Maryland [Mr. WILSON]. If he were present, I should vote "nay."

The roll-call was concluded.

Mr. MORRILL. I transfer my pair with the Senator from Tennessee [Mr. HARRIS] to the Senator from Colorado, [Mr. BOWEN,] and vote "nay."

Mr. MANDERSON. I am paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. COCKRELL. I am paired with the Senator from Connecticut [Mr. HAWLEY], who is compelled to be absent this evening.

Mr. CULLOM (after having voted in the negative). I inquire if the junior member from Delaware [Mr. GRAY] has voted?

The PRESIDENT *pro tempore*. He is not recorded.

Mr. CULLOM. I shall withdraw my vote, then.

The PRESIDENT *pro tempore*. The Senator from Illinois withdraws his vote.

Mr. ALLISON (after having voted in the negative). If a quorum has voted I will withdraw my vote.

The PRESIDENT *pro tempore*. Does the Senator from Iowa wish to have his vote recorded?

Mr. ALLISON. I am at liberty to vote in order to make a quorum.

The PRESIDENT *pro tempore*. No quorum is yet recorded.

Mr. ALLISON. Very well. Then I will allow my vote to stand.

Mr. HOAR. I vote "nay."

The result was announced—yeas 13, nays 20; as follows:

YEAS—13.

Bate,	Eustis,	Reagan,	Walthall.
Berry,	George,	Saulsbury,	
Brown,	Gibson,	Turpie.	
Coke,	Hampton,	Vance,	

NAYS—20.

Aldrich,	Gorman,	Morrill,	Sherman,
Allison,	Hiscock,	Paddock,	Spooner,
Chace,	Hoar,	Palmer,	Stewart,
Chandler,	Ingalls,	Platt,	Stockbridge,
Frye,	Mitchell,	Sawyer,	Teller.

ABSENT—43.

Beck,	Daniel,	Hawley,	Pugh,
Blackburn,	Davis,	Hearst,	Quay,
Blair,	Dawes,	Jones of Arkansas,	Ransom,
Blodgett,	Dolph,	Jones of Nevada,	Riddleberger,
Bowen,	Edmunds,	Kenna,	Sabin,
Butler,	Evarts,	McPherson,	Stanford,
Call,	Farwell,	Manderson,	Vest,
Cameron,	Faulkner,	Morgan,	Voorhees,
Cockrell,	Gray,	Pasco,	Wilson of Iowa,
Colquitt,	Hale,	Payne,	Wilson of Md.
Cullom,	Harris,	Plumb,	

The PRESIDENT *pro tempore*. It being ascertained by the state of the vote that a quorum is not present, the Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Allison,	Eustis,	Manderson,	Spooner,
Bate,	Farwell,	Mitchell,	Stewart,
Berry,	Faulkner,	Morgan,	Stockbridge,
Blair,	Frye,	Morrill,	Teller,
Brown,	George,	Paddock,	Turpie,
Chace,	Gibson,	Palmer,	Vance,
Chandler,	Gray,	Payne,	Vest,
Cockrell,	Hampton,	Platt,	Walthall,
Coke,	Hiscock,	Reagan,	Wilson of Iowa.
Colquitt,	Hoar,	Saulsbury,	
Cullom,	Ingalls,	Sawyer,	
Edmunds,	Jones of Arkansas,	Sherman,	

The PRESIDENT *pro tempore*. Forty-five Senators have answered to their names. Is there objection to dispensing with further proceedings under the call? The Chair hears none. The roll will be called upon agreeing to the amendment of the Senator from North Carolina [Mr. VANCE].

Mr. ALDRICH. I appeal to the Senator from North Carolina, the state of the vote having been disclosed, to withdraw the call for the yeas and nays.

Mr. VANCE. The roll-call, so far as it has proceeded, I suppose will stand upon the record?

The PRESIDENT *pro tempore*. All the proceedings that have been taken are journalized and recorded.

Mr. VANCE. I withdraw the call for the yeas and nays.

The PRESIDENT *pro tempore*. The Senator from North Carolina asks unanimous consent to withdraw the call for the yeas and nays. The Chair hears no objection. The question recurs upon agreeing to the amendment of the Senator from North Carolina.

The amendment was rejected.

Mr. VEST. It is very true, as has been stated by the Senator from New York and the Senator from Rhode Island, that the raw material in the shape of straw may not be produced in this country, but it is also very true that the use of this material when brought in for the making or ornamenting of hats, bonnets, etc., constitutes the point in this item. That is the American labor that is in the product. The part of this paragraph that I object to is that part which puts upon the free-list these articles used for ornamentation. I therefore move, in line 1941, to strike out the words "or ornamenting." The paragraph would then read:

Braids, plaits, flats, laces, and similar manufactures suitable for making hats, bonnets, and hoods, etc.

That answers the arguments of Senators upon the other side who ask us if straw hats and straw bonnets are not necessaries. Admitting that they are, I propose to change this paragraph so that the material for making these hats and bonnets may come in free, but not the material for ornamenting them.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. In paragraph 487, line 1941, after the word "making," it is proposed to strike out the words "or ornamenting;" so as to read:

Braids, plaits, flats, laces, and similar manufactures suitable for making hats, bonnets, and hoods, composed of straw, chip, grass, palm-leaf, willow, osier, or rattan.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Missouri [Mr. VEST].

Mr. VEST. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ALDRICH. I do not think the amendment offered by the Senator from Missouri is material.

The PRESIDENT *pro tempore*. The roll will be called on agreeing to the amendment.

The Secretary proceeded to call the roll.

Mr. COLQUITT (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. FARWELL (when his name was called). I am paired with the Senator from Florida [Mr. PASCO].

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. MORRILL (when his name was called). I transfer the pair I have with the Senator from Tennessee [Mr. HARRIS] to the Senator from Colorado [Mr. BOWEN], and vote "nay."

The roll-call was concluded.

Mr. DAVIS. My colleague [Mr. SABIN] is paired with the Senator from West Virginia [Mr. KENNA].

Mr. ALLISON. I am paired with the Senator from New Jersey [Mr. MCPHERSON], but will transfer that pair to the Senator from Maine [Mr. HALE], and vote "nay."

Mr. VEST. I announce my pair with the junior Senator from Kansas [Mr. PLUMB].

The result was announced—yeas 18, nays 19; as follows:

YEAS—18.

Bate,	Frye,	Morgan,	Vance,
Berry,	George,	Payne,	Walthall,
Brown,	Gorman,	Reagan,	Wilson of Md.
Coke,	Gray,	Saulsbury,	
Eustis,	Hampton,	Turpie,	

NAYS—19.

Aldrich,	Davis,	Paddock,	Stewart,
Allison,	Edmunds,	Palmer,	Stockbridge,
Chace,	Evarts,	Platt,	Teller,
Chandler,	Hiscock,	Sawyer,	Wilson of Iowa.
Cullom,	Morrill,	Spooner,	

ABSENT—39.

Beck,	Daniel,	Hoar,	Pugh,
Blackburn,	Dawes,	Ingalls,	Quay,
Blair,	Dolph,	Jones of Arkansas,	Ransom,
Blodgett,	Farwell,	Jones of Nevada,	Riddleberger,
Bowen,	Faulkner,	Kenna,	Sabin,
Butler,	Gibson,	McPherson,	Sherman,
Call,	Hale,	Manderson,	Stanford,
Cameron,	Harris,	Mitchell,	Vest,
Cockrell,	Hawley,	Pasco,	Voorhees.
Colquitt,	Hearst,	Plumb,	

The PRESIDENT *pro tempore*. The roll-call disclosing the absence of a quorum, the Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Evarts,	Jones of Arkansas,	Saulsbury,
Allison,	Farwell,	Manderson,	Spooner,
Bate,	Faulkner,	Mitchell,	Stockbridge,
Berry,	Frye,	Morgan,	Teller,
Brown,	George,	Morrill,	Turpie,
Chace,	Gibson,	Paddock,	Vance,
Cockrell,	Gorman,	Palmer,	Vest,
Coke,	Gray,	Payne,	Walthall,
Colquit,	Hampton,	Platt,	Wilson of Iowa,
Cullom,	Hiscock,	Plumb,	Wilson of Md.
Davis,	Hoar,	Pugh,	
Edmunds,	Ingalls,	Reagan,	

The PRESIDENT *pro tempore*. Forty-six Senators have answered to their names. A quorum being present, the Secretary will call the roll on the question of agreeing to the amendment of the Senator from Missouri [Mr. VEST].

Mr. ALDRICH. Will the Senator from Missouri consent to withdraw his call for the yeas and nays?

Mr. VEST. The Senator had better consent to the amendment.

The PRESIDENT *pro tempore*. The roll-call will proceed on agreeing to the amendment of the Senator from Missouri.

The Secretary proceeded to call the roll.

Mr. COLQUITT (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. FARWELL (when his name was called). I am paired with the Senator from Florida [Mr. PASCO].

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. MORRILL (when his name was called). I transfer the pair I have with the Senator from Tennessee [Mr. HARRIS] to the Senator from Colorado [Mr. BOWEN], and vote "nay."

The roll-call having been concluded, the result was announced—yeas 20, nays 21; as follows:

YEAS—20.

Bate,	Frye,	Jones of Arkansas,	Turpie,
Berry,	George,	Morgan,	Vance,
Brown,	Gibson,	Payne,	Vest,
Coke,	Gorman,	Reagan,	Walthall,
Eustis,	Hampton,	Saulsbury,	Wilson of Md.

NAYS—21.

Aldrich,	Edmunds,	Palmer,	Stockbridge,
Allison,	Evarts,	Platt,	Teller,
Chace,	Hiscock,	Plumb,	Wilson of Iowa.
Chandler,	Mitchell,	Sawyer,	
Cullom,	Morrill,	Spooner,	
Davis,	Paddock,	Stewart,	

ABSENT—35.

Beck,	Bowen,	Cockrell,	Dolph,
Blackburn,	Butler,	Colquitt,	Farwell,
Blair,	Call,	Daniel,	Faulkner,
Blodgett,	Cameron,	Dawes,	Gray,

Hale,	Ingalls,	Pasco,	Sabin,
Harris,	Jones of Nevada,	Pugh,	Sherman,
Hawley,	Kenna,	Quay,	Standford,
Hearst,	McPherson,	Ransom,	Voorhees.
Hoar,	Manderson,	Riddleberger,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will proceed.

The Secretary read as follows:

488. Brazilian pebbles, rough or unmanufactured.
489. Breccia, in blocks or slabs.
490. Bristles, raw or unmanufactured.
491. Bromine.
492. Bullion, gold or silver.
493. Bulbs and bulbous roots, not edible.
494. Burgundy pitch.
495. Cabinets of old coins and medals, and other collections of antiquities; but the term "antiquities" as used in this act shall include only such articles as are suitable for souvenirs or cabinet collections, and which shall have been produced at any period prior to the seventeenth century.
496. Cadmium.
497. Calamine.
498. Camphor, crude.
499. Castor or castoreum.
500. Cassia, cassia vera, and cassia-buds, unground.
501. Catgut, whip-gut, or worm-gut, unmanufactured, or not further manufactured than in strings or cord.
502. Cerium.
503. Chalk, unmanufactured.
504. Charcoal.
505. Chicory-root, raw, dried, or undried, but unground.
506. Cinnamon, and chips of, unground.
507. Civet, crude.
508. Cloves and clove stems, unground.
509. Coal, anthracite.
510. Coal slack or culm, such as will pass through a half-inch screen.

Mr. ALLISON. I move to strike out paragraph 510.

The PRESIDENT *pro tempore*. The amendment will be stated.

The SECRETARY. It is proposed to strike out paragraph 510, in the following words:

510. Coal slack or culm, such as will pass through a half-inch screen.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The Secretary will proceed with the reading.

The Chief Clerk read as follows:

511. Coal stores of American vessels; but none shall be unloaded.
512. Coal-tar, crude.
513. Cobalt and cobalt ore.
514. Cocculus indicus.
515. Cochineal.
516. Cocoa, or cacao, crude, and fiber, leaves, and shells of.
517. Coffee.
518. Coins, gold, silver, and copper.
519. Coir, and coir yarn.
520. Copper, old, taken from the bottom of American vessels compelled by marine disaster to repair in foreign ports.
521. Copper, when imported for the United States Mint.
522. Coral, marine, uncut, and unmanufactured.
523. Cork-wood, or cork-bark, unmanufactured.
524. Cotton, and cotton-waste or flocks.
525. Cryolite, or kryolith.
526. Cudbear.
527. Curling-stones, or quoits, and curling-stone handles.
528. Currants, Zante, or other dried.
529. Curry, and curry-powder.
530. Cutch.
531. Cuttle-fish bone.
532. Dandelion roots, raw, dried, or undried, but unground.
533. Diamonds and other precious stones, rough or uncut (not including pearls), and diamond dust or bort.

Mr. VANCE. In paragraph 533, I move to add, at the close of line 2003, the words "shall pay a duty of 25 per cent.," so that all diamonds uncut will be in the same position in which I attempted to put diamonds cut and unset. As to the question of revenue and the danger of smuggling, I can only say that if people succeed in smuggling every unset diamond that is brought to this country from any portion of the world, we shall not lose any more revenue than we do now when they come in free, and I see no reason why they should be on the free-list.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. It is proposed to add to paragraph 533:

Shall pay a duty of 25 per cent. ad valorem.

So as to read:

Diamonds and other precious stones, rough or uncut (not including pearls), and diamond dust or bort, shall pay a duty of 25 per cent. ad valorem.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from North Carolina [Mr. VANCE].

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BLAIR (when his name was called). I am paired with the senior Senator from Indiana [Mr. VOORHEES]. I make the announcement for the day.

Mr. COCKRELL (when his name was called). I am paired with the Senator from Connecticut [Mr. HAWLEY], who is to be absent during the evening.

Mr. COLQUITT (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH]. I make this announcement for the rest of the afternoon.

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. MORRILL (when his name was called). I transfer the pair I have with the Senator from Tennessee [Mr. HARRIS] to the Senator from Colorado [Mr. BOWEN], and vote "nay."

Mr. VEST (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB].

The roll-call having been concluded, the result was announced—yeas 16, nays 20; as follows:

YEAS—16.

Bate,	Gibson,	Morgan,	Turpie,
Berry,	Gray,	Pugh,	Vance,
Coke,	Hampton,	Reagan,	Walthall,
George,	Jones of Arkansas,	Saulsbury,	Wilson of Md.

NAYS—20.

Aldrich,	Dawes,	Hiscock,	Platt,
Allison,	Edmunds,	Morrill,	Sawyer,
Chace,	Eustis,	Paddock,	Stewart,
Cullom,	Evarts,	Palmer,	Teller,
Davis,	Frye,	Payne,	Wilson of Iowa.

ABSENT—40.

Beck,	Cockrell,	Hearst,	Quay,
Blackburn,	Colquitt,	Hoar,	Ransom,
Blair,	Daniel,	Ingalls,	Riddleberger,
Blodgett,	Dolph,	Jones of Nevada,	Sabin,
Bowen,	Farwell,	Kenna,	Sherman,
Brown,	Faulkner,	McPherson,	Spooner,
Butler,	Gorman,	Manderson,	Stanford,
Call,	Hale,	Mitchell,	Stockbridge,
Cameron,	Harris,	Pasco,	Vest,
Chandler,	Hawley,	Plumb,	Voorhees.

The PRESIDENT *pro tempore*. It appears by the roll-call that a quorum is not present. The Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Edmunds,	Hoar,	Riddleberger,
Allison,	Eustis,	Ingalls,	Sawyer,
Bate,	Evarts,	Jones of Arkansas,	Stewart,
Berry,	Farwell,	Manderson,	Teller,
Chace,	Faulkner,	Morgan,	Turpie,
Chandler,	Frye,	Morrill,	Vance,
Cockrell,	George,	Paddock,	Vest,
Coke,	Gibson,	Payne,	Walthall,
Colquitt,	Gorman,	Platt,	Wilson of Iowa,
Cullom,	Gray,	Plumb,	Wilson of Md.
Davis,	Hampton,	Pugh,	
Dawes,	Hiscock,	Reagan,	

The PRESIDENT *pro tempore*. Forty-six Senators have answered to their names. A quorum is present. The Secretary will again call the roll upon the question of agreeing to the amendment of the Senator from North Carolina [Mr. VANCE].

The Secretary proceeded to call the roll.

Mr. COCKRELL (when his name was called). I am paired with the Senator from Connecticut [Mr. HAWLEY].

Mr. FARWELL (when his name was called). I am paired with the Senator from Florida [Mr. PASCO].

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. MORRILL (when his name was called). I transfer my pair with the Senator from Tennessee [Mr. HARRIS] to the Senator from Colorado [Mr. BOWEN], and vote "nay."

The roll-call having been concluded, the result was announced—yeas 14, nays 25; as follows:

YEAS—14.

Bate,	Gray,	Reagan,	Walthall,
Berry,	Hampton,	Turpie,	Wilson of Md.
Coke,	Jones of Arkansas,	Vance,	
George,	Morgan,	Vest,	

NAYS—25.

Aldrich,	Edmunds,	Ingalls,	Spooner,
Allison,	Eustis,	Morrill,	Stewart,
Chace,	Evarts,	Paddock,	Teller,
Chandler,	Frye,	Payne,	Wilson of Iowa.
Cullom,	Gorman,	Platt,	
Davis,	Hale,	Plumb,	
Dawes,	Hiscock,	Sawyer,	

ABSENT—37.

Beck.	Colquitt,	Jones of Nevada,	Riddleberger,
Blackburn,	Daniel,	Kenna,	Sabin,
Blair,	Dolph,	McPherson,	Saulsbury,
Blodgett,	Farwell,	Manderson,	Sherman,
Bowen,	Faulkner,	Mitchell,	Stanford,
Brown,	Gibson,	Palmer,	Stockbridge,
Butler,	Harris,	Pasco,	Voorhees.
Call,	Hawley,	Pugh,	
Cameron,	Hearst,	Quay,	
Cockrell,	Hoar,	Ransom,	

So the amendment was rejected.

Mr. ALLISON. I move to amend paragraph 533 in line 2003 by striking out the words in parentheses, "not including pearls," and inserting "including glaziers' and engravers' diamonds not set."

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Iowa.

The amendment was agreed to.

Mr. ALLISON. I now move to strike out paragraph 534.

Mr. VANCE. I did not hear the amendment just adopted. What was it? I should like to have it read.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In line 2003 strike out the words "not including pearls" and insert "including glaziers' and engravers' diamonds not set;" so as to read:

Diamonds and other precious stones, rough or uncut (including glaziers' and engravers' diamonds not set), and diamond dust or bort.

Mr. ALLISON. I will say to the Senator from North Carolina that pearls are not regarded as precious stones, and that glaziers' diamonds and engravers' diamonds unset should be on the free-list too.

Mr. VANCE. What will the Senator do with the next paragraph, paragraph 534?

Mr. ALLISON. The next paragraph I move to strike out.

The PRESIDENT *pro tempore*. The part proposed to be stricken out will be stated.

The CHIEF CLERK. It is proposed to strike out paragraph 534 in the following words:

534. Diamonds set for glaziers' use, and diamonds set as pencils or drills for engravers' use.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Iowa [Mr. ALLISON].

Mr. VEST. The effect of that would be to let in under paragraph 533 diamonds and other precious stones, rough or uncut, and diamond dust or bort, which might be brought in simply as articles of luxury, while paragraph 534 includes diamonds set for glaziers' use and diamonds used in pencils or drills for engravers' use, which is about the only useful thing connected with diamonds, and that the Senator from Iowa proposes to strike out.

Mr. FRYE. He inserts that in the preceding paragraph.

Mr. VEST. If I understood the Senator from Iowa in his amendment to paragraph 533 he simply put in diamonds for glaziers' use unset.

Mr. ALLISON. Yes, sir.

Mr. VEST. In paragraph 534 they are set as an implement of trade, as an industry, and he takes that out of the free-list, but leaves precious stones, which may be diamonds not used for any mechanical purpose, to come in free.

Mr. ALLISON. Precious stones rough or uncut.

Mr. VEST. They may be used by glaziers or even for ornament if they are uncut. Under paragraph 533 they would come in free.

Mr. ALLISON. They can not be used for ornaments until they are wrought or cut.

Mr. VEST. I understand, but still the uncut diamond to be used as an ornament comes in free under paragraph 533, and when you strike out paragraph 534 you strike out the implements in an industry used by jewelers in their business.

Mr. ALLISON. We admit diamonds, unset, for glaziers and for engravers, free of duty. The work of setting diamonds for glaziers is an industry as much as any other industry. There is no reason why they should come in free.

Mr. VEST. I understand that very well, but why should we discriminate against an implement of industry and still let in the uncut diamond for ornament? That is the point I make.

Mr. ALLISON. We do not discriminate in either case.

Mr. VEST. You take that off the free-list, but you leave uncut diamonds, which may be used for jewelry, on the free-list.

Mr. ALLISON. We manufacture these diamonds; we set them for engravers and for glaziers. It is as much a business in this country as making nails, and there is no reason why these articles should be on the free-list.

The PRESIDENT *pro tempore*. The question is on agreeing to the motion of the Senator from Iowa [Mr. ALLISON] to strike out paragraph 534.

Mr. TELLER. Let it be read.

The PRESIDENT *pro tempore*. The paragraph will be again read.

The CHIEF CLERK. It is proposed to strike out paragraph 534 in the following words:

534. Diamonds set for glaziers' use, and diamonds set as pencils or drills for engravers' use.

The PRESIDENT *pro tempore*. The Senator from Iowa moves to strike out this paragraph. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. TELLER. I wish to know what becomes of paragraph 533.

The PRESIDENT *pro tempore*. It will be read as it has been amended.

The CHIEF CLERK. Paragraph 533 has been amended so as to read:

Diamonds and other precious stones, rough or uncut (including glaziers' and engravers' diamonds not set), and diamond dust or bort.

Mr. VEST. That is used for jewelry, and it is free.

Mr. TELLER. I thought we had put the duty on those diamonds at 10 per cent.

Mr. ALLISON. That was on cut diamonds. These are uncut diamonds.

Mr. TELLER. I thought we put the duty on cut diamonds at 25 per cent. We tried to do that at least.

Mr. HISCOCK. We have not touched the article of uncut diamonds at all.

The PRESIDENT *pro tempore*. The reading of the substitute will be resumed at paragraph 535.

The Chief Clerk read as follows:

535. Divi-divi.
536. Dragon's blood.
537. Drugs, such as barks, beans, berries, balsams, buds, bulbs, and bulbous roots, excrescences such as nut-galls, fruits, flowers, dried fibers, and dried insects, grains, gums, and gum-resin, herbs, leaves, lichens, mosses, nuts, roots, and stems, spices, vegetables, seeds aromatic, and seeds of morbid growth, weeds, and woods used expressly for dyeing—any of the foregoing which are not edible and are in a crude state, and not advanced in value or condition by refining or grinding, or by other process of manufacture, and not specially enumerated or provided for in this act.
538. Eggs of birds and fowls, and of fish and insects, and egg-yelks, unmanufactured.
539. Emery ore.
540. Ergot.
541. Fans, common palm-leaf, and palm-leaf, unmanufactured.
542. Farina.
543. Fashion-plates, engraved on steel or copper or on wood, colored or plain.
544. Feathers and downs of all kinds, crude and unmanufactured.
545. Feldspar.
546. Felt, adhesive, for sheathing vessels.
547. Fibrin, in all forms.
548. Fibers and grasses.—China-grass.
549. Istle or Tampico fiber.
550. Jute.
551. Jute-butts.
552. Manilla.
553. Ramie.
554. Sisal-grass.
555. Sunn.
556. And all other textile grasses or fibrous vegetable substances, unmanufactured or undressed, not specially enumerated or provided for in this act.
557. Fish, fresh, except when frozen or packed in ice, or otherwise prepared by any process, for preservation.

Mr. PLUMB. I should like to have some explanation of paragraph 557. It seems to me, if I read it aright, that it is a sort of a false pretense. Certainly under that provision no fish could be imported into this country practically, certainly not except in very cold weather, unless a man might land fish in one day from Canada to Maine or New Hampshire. But generally speaking, fish could not be transported in the fresh state except when frozen or packed in ice to any distance, which would make their importation a matter of importance.

I should think it would be better to strike out the words "except when frozen or packed in ice," and let the paragraph apply, if at all, to those fish which might be prepared by some process distinctively for protracted preservation. I move to strike out the paragraph.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. It is proposed to strike out paragraph 557 in the following words:

557. Fish, fresh, except when frozen or packed in ice, or otherwise prepared by any process, for preservation.

Mr. JONES, of Arkansas. Does the Senator from Kansas move to strike out the entire paragraph?

Mr. PLUMB. Yes; I move to strike it out.

Mr. JONES, of Arkansas. I suggest to the Senator to strike out all after the word "fresh" in the paragraph, so as to leave fresh fish on the free-list.

Mr. PUGH. Strike out the exception.

Mr. PLUMB. I have no objection to that. That will accomplish my purpose. I only wanted to have the paragraph free from the reproach that I think attaches to it in its present condition.

Mr. JONES, of Arkansas. Strike out the words "except when."

Mr. PLUMB. I accept the suggestion.

The PRESIDENT *pro tempore*. The amendment will be stated as modified.

The CHIEF CLERK. In the first line of paragraph 557 it is proposed to strike out the words "except when;" so as to read:

Fish, fresh, frozen, or packed in ice, or otherwise prepared by any process for preservation.

Mr. PLUMB. No; strike out all after the word "fresh."

Mr. JONES, of Arkansas. No; I suggest to strike out the words "except when."

Mr. GRAY. The Senator from Arkansas might have suggested to strike out the words "or otherwise prepared by any process for preservation."

Mr. VANCE. That would include salt fish?

Mr. GRAY. That would include salt fish.

Mr. PLUMB. I move to strike out all after the word "fresh."

Mr. VANCE and Mr. VEST. That is right.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Kansas will be stated as modified.

The CHIEF CLERK. In the first line of paragraph 557, after the word "fresh," it is proposed to strike out the words:

Except when frozen or packed in ice, or otherwise prepared by any process, for preservation.

So as to read:

557. Fish, fresh.

Mr. PLUMB. I will move to transpose the rest of the clause if the amendment should be carried.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Kansas [Mr. PLUMB]. [Putting the question.] By the sound the ayes appear to have it.

Mr. VEST. I ask for the yeas and nays.

The PRESIDENT *pro tempore*. The Senator from Missouri asks that on this question the yeas and nays may be entered upon the Journal.

Mr. VEST. I withdraw the call.

Mr. COCKRELL. The call is withdrawn.

The PRESIDENT *pro tempore*. The call for the yeas and nays is withdrawn.

Mr. HALE. What was the announcement?

The PRESIDENT *pro tempore*. The Senator from Missouri called for the yeas and nays; but subsequently withdrew the call.

Mr. HALE. What was the announcement by the Chair?

The PRESIDENT *pro tempore*. That the amendment by the sound appeared to be agreed to.

Mr. HALE. Let us have the yeas and nays upon it.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. COCKRELL (when his name was called). I am paired with the Senator from Connecticut [Mr. HAWLEY]. I should vote "yea" if he were present.

Mr. DOLPH (when his name was called). I am paired for the rest of the day with the junior Senator from Georgia [Mr. COLQUITT].

Mr. FARWELL (when his name was called). I am paired with the Senator from Florida [Mr. PASCO].

Mr. GORMAN (when his name was called). I am paired for the day with the Senator from Michigan [Mr. STOCKBRIDGE].

Mr. GRAY (when his name was called). I am paired with the Senator from Illinois [Mr. CULLOM]. I will transfer that pair to the Senator from Mississippi [Mr. GEORGE], at his request, and vote "yea."

Mr. MORRILL (when his name was called). I transfer my pair with the Senator from Tennessee [Mr. HARRIS] to the Senator from Colorado [Mr. BOWEN], and vote "nay."

Mr. PADDOCK (when his name was called). I am paired with the Senator from Louisiana [Mr. EUSTIS].

The roll-call was concluded.

Mr. PAYNE. My colleague [Mr. SHERMAN], with whom I am paired, does not appear to be present, and not knowing how he would vote, I refrain from voting.

Mr. COCKRELL. I am paired with the Senator from Connecticut [Mr. HAWLEY], and the Senator from Iowa [Mr. ALLISON], I believe, is paired with the Senator from New Jersey [Mr. MCPHERSON].

Mr. ALLISON. I am paired with the Senator from New Jersey [Mr. MCPHERSON].

Mr. COCKRELL. I will transfer my pair with the Senator from Connecticut [Mr. HAWLEY] to the Senator from New Jersey [Mr. MCPHERSON], so that both the Senator from Iowa and myself may vote.

Mr. ALLISON. I have already voted, inadvertently; so that the Senator can vote.

Mr. COCKRELL. Then the Senator's vote may stand. I vote "yea."

Mr. MANDERSON. I am paired with the Senator from Kentucky [Mr. BLACKBURN].

The result was announced—yeas 18, nays 18; as follows:

YEAS—18.

Bate,	Gibson,	Plumb,	Vest,
Berry,	Gray,	Pugh,	Walthall,
Brown,	Hampton,	Reagan,	Wilson of Md.
Cockrell,	Jones of Arkansas,	Turpie,	
Coke,	Morgan,	Vance,	

NAYS—18.

Aldrich,	Evarts,	Morrill,	Stewart,
Allison,	Frye,	Palmer,	Teller,
Chace,	Hale,	Platt,	Wilson of Iowa.
Chandler,	Hiscock,	Sawyer,	
Dawes,	Mitchell,	Spooner,	

ABSENT—40.

Beck,	Daniel,	Hawley,	Payne,
Blackburn,	Davis,	Hearst,	Quay,
Blair,	Dolph,	Hoar,	Ransom,
Blodgett,	Edmunds,	Ingalls,	Riddleberger,
Bowen,	Eustis,	Jones of Nevada,	Sabin,
Butler,	Farwell,	Kenna,	Saulsbury,
Call,	Faulkner,	McPherson,	Sherman,
Cameron,	George,	Manderson,	Stanford,
Colquitt,	Gorman,	Paddock,	Stockbridge,
Cullom,	Harris,	Pasco,	Voorhees.

The PRESIDENT *pro tempore*. It appears by the roll-call that a quorum is not present. The Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Dolph,	Hiscock,	Pugh,
Allison,	Edmunds,	Ingalls,	Sawyer,
Bate,	Evarts,	Mitchell,	Spooner,
Berry,	Farwell,	Morgan,	Teller,
Brown,	Faulkner,	Morrill,	Turpie,
Chace,	Frye,	Paddock,	Vance,
Chandler,	Gibson,	Palmer,	Vest,
Cockrell,	Gorman,	Payne,	Wilson of Iowa.
Coke,	Gray,	Platt,	Wilson of Md.
Dawes,	Hampton,	Plumb,	

The PRESIDENT *pro tempore*. Thirty-nine Senators have answered to their names. A quorum is present.

Mr. EVARTS. I move that we do now adjourn.

The PRESIDENT *pro tempore*. If there be no objection, further proceedings under the call will be dispensed with. The Senator from New York [Mr. EVARTS] moves that the Senate do now adjourn.

Mr. DAWES. Will the Senator from New York allow me to offer a resolution?

The PRESIDENT *pro tempore*. Does the Senator from New York yield?

Mr. EVARTS. Certainly.

SOMERVILLE, MASS., POST-OFFICE.

Mr. DAWES. I offer a resolution for present consideration.

The resolution was considered by unanimous consent, and agreed to; as follows:

Resolved, That the Postmaster-General be directed to communicate to the Senate copies of all leases of buildings or parts of buildings for the use of the post-office in Somerville, Mass., executed since the 1st day of December, 1887, and of all correspondence with the Department or any officer thereof since said date concerning the same.

LOAN OF FLAGS TO INAUGURAL COMMITTEE.

Mr. COCKRELL. I enter a motion to reconsider the vote by which the Senate passed the joint resolution (H. Res. 246) authorizing the Secretary of War to loan to the committee on inaugural ceremonies flags, etc. It was passed the other morning, and at the time I called the attention of the Senator from Connecticut [Mr. HAWLEY] to the language of it; that it was too wide. He has ascertained by sending to the Department that certain amendments are necessary. I enter a motion to reconsider, and ask that an order be made for the House of Representatives to return the joint resolution to the Senate.

The PRESIDENT *pro tempore*. Has the time elapsed within which a reconsideration can be moved?

Mr. COCKRELL. It has not.

The PRESIDENT *pro tempore*. The motion will be entered, accompanied with a request to the House of Representatives to return the joint resolution, if there be no objection. The Chair hears none.

ADJOURNMENT.

Mr. EVARTS. I renew the motion to adjourn.

Mr. FAULKNER. I will ask the Senator from New York to withdraw his motion for a moment so as to allow me to make a motion to go into executive session.

Mr. EVARTS. I prefer to insist on the motion to adjourn.

The PRESIDENT *pro tempore*. The Senator from New York moves that the Senate do now adjourn.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate adjourned until to-morrow, Friday, January 11, 1889, at 11 o'clock a.m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January* 10, 1889.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

ORDER OF BUSINESS.

Mr. WEAVER. Mr. Speaker, I move that the House do now adjourn; and pending that, I move that when the House adjourns to-day it be to meet on Saturday next.

The question was taken; and on a division there were—ayes 3, noes 28.

Mr. WEAVER. No quorum.

Mr. WEAVER and Mr. CRISP were appointed tellers.

The House again divided; and the tellers reported—ayes none, noes 62.

Mr. WEAVER (one of the tellers). No quorum.

Mr. CRISP. I move a call of the House.

The SPEAKER. No quorum has voted, and the gentleman from Georgia moves a call of the House.

A call of the House was ordered.

The roll was called, when the following members failed to answer to their names:

Allen, Miss.	Cooper,	Ketcham,	Plumb,
Anderson, Kans.	Crain,	Laird,	Rayner,
Bacon,	Dargan,	Lyman,	Robertson,
Barry,	De Lano,	Maffett,	Rockwell,
Belden,	Dorsey,	Mahoney,	Rusk,
Bingham,	Dougherty,	Maish,	Seney,
Boutelle,	Felton,	McCullogh,	Shaw,
Bowen,	Fitch,	Merriman,	Shively,
Breckinridge, Ark.	Ford,	Milliken,	Snyder,
Browne, T. H. B., Va.	Gay,	Mills,	Spinola,
Brumm,	Glover,	Morse,	Stahlnecker,
Bryce,	Goff,	Neal,	Thomas, Ky.
Buckalew,	Greenman,	Norwood,	Thompson, Ohio
Burnett,	Guenther,	Nutting,	Whiting, Mass.
Butler,	Hayden,	O'Neall, Ind.	Whitthorne,
Campbell, Ohio	Henderson, N. C.	O'Neill, Mo.	Wickham,
Cannon,	Hermann,	Owen,	Wilber,
Clardy,	Hitt,	Parker,	Wilkins,
Cockran,	Hogg,	Payson,	Wilkinson,
Collins,	Hovey,	Phelan,	Woodburn.
Compton,	Jones,	Phelps,	

The following members were absent on leave:

Bowden,	Fitch,	Lyman,	Parker,
Breckinridge, Ark.	Guenther,	Maffett,	Perry,
Carlton,	Gay,	Mahoney,	Thomas, Ky.
Caruth,	Granger,	Moffitt,	Whitthorne,
Caswell,	Hooker,	Neal,	
Dougherty,	Laird,	Penington,	

After the second call,

Mr. EZRA B. TAYLOR said: I ask that my colleague, Mr. WICKHAM, who is absent sick, be excused.

The SPEAKER. The Chair will cause the names of the absentees to be called, and as they are called excuses can then be made.

The Clerk proceeded to call the roll.

Mr. TAULBEE. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TAULBEE. I wish to know whether this is the first or the second call.

The SPEAKER. This is the second call.

Mr. TAULBEE. How many calls do we have on a call of the House?

The SPEAKER. The Chair will state that the second call of the roll is now progressing, the names of the absentees being called for excuses. The Clerk will proceed with the call.

Mr. TAULBEE. Mr. Speaker, the question I put to the Chair was whether this was the first or the second time the Clerk has called the roll? I understood the Chair to announce that this is the second call.

The SPEAKER. The Chair has so stated.

Mr. TAULBEE. And I wish to know whether this is a call for the offering of excuses or not?

The SPEAKER. It is for the offering of excuses.

Mr. TAULBEE. Because, if I am right in my recollection, I entered the Hall just as my name was passed, and on a subsequent call I answered to my name.

The SPEAKER. The gentleman is recorded.

Mr. TAULBEE. But that is not the point.

The SPEAKER. The Clerk will proceed with the call.

The Clerk proceeded to call the roll of absentees.

The SPEAKER (interrupting the call). The Chair finds that the gentleman from Kentucky is correct. The attention of the Chair was occupied at the time; but the Chair has now ascertained that the Clerk had already called the roll twice.

Mr. TAULBEE. Then if a third call of the roll is not in order, I object.

The SPEAKER. The call will be suspended.

Mr. LANHAM. I ask that my colleague, Mr. MILLS, be excused on account of sickness in his family.

There was no objection.

Mr. ALLEN, of Massachusetts. I ask unanimous consent that my colleague, Mr. HAYDEN, be excused on account of illness.

There was no objection.

Mr. McSHANE. My colleague, Mr. LAIRD, is absent, at his home, sick.

The SPEAKER. The gentleman from Nebraska has leave of absence.

Mr. HOPKINS, of Illinois. I ask that my colleague, Mr. HITT, be excused for the day, as he was called from the city last night.

There was no objection.

Mr. EZRA B. TAYLOR. I ask that my colleague, Mr. WICKHAM, be excused, on account of sickness; and also that he be granted leave of absence.

The SPEAKER. The House on this call can not grant leave of absence but for the day. If there be no objection, the gentleman from Ohio will be excused for the day.

There was no objection, and it was so ordered.

Mr. SPRINGER. I desire to inquire whether a quorum has appeared.

The SPEAKER. Two hundred and forty members have answered to their names.

Mr. SPRINGER. I move that all further proceedings under the call be dispensed with.

The question was taken; and on a division there were—ayes 58, no 1.

So the motion was agreed to.

Mr. SPRINGER. I ask unanimous consent that the following order be agreed to by the House.

Mr. ROGERS. Regular order.

The SPEAKER. Let it be read.

Mr. KEAN and others. Regular order.

Mr. SPRINGER. I hope gentlemen will hear this read before they object.

Mr. BUCHANAN. Let us have the regular order. No one man shall control this House.

Mr. SPRINGER. I was in hopes that the House was ready to transact business.

The SPEAKER. The regular order is the further count by tellers, and the tellers will resume their places.

After some time spent in the count,

Mr. EZRA B. TAYLOR said: I have a resolution which I offer as a matter of the highest privilege.

The SPEAKER. But the House is now voting.

Mr. EZRA B. TAYLOR. I understand it is in order to offer it any time.

The SPEAKER. Not while the House is voting.

Mr. EZRA B. TAYLOR. I understand it is.

The SPEAKER. If the gentleman will send up the resolution, it will be read, and the Chair will decide whether it can be taken up.

The Clerk read the paper sent up.

During the reading,

Mr. TAULBEE said: Mr. Speaker, is that the regular order?

The SPEAKER. The gentleman has offered it as a matter of the highest privilege, and the Chair will have to hear it read to determine whether it shall be entertained.

The reading of the resolution was completed amid much laughter.

The SPEAKER. The Chair does not think it can be entertained at this time.

Mr. WEAVER. I ask unanimous consent that it be adopted.

Mr. REED. I suggest that the committee proposed by the gentleman from Ohio ought to be made permanent, so as to treat with each member as he makes his appearance, because the gentleman is only exercising a right which belongs to me and every other member of this body.

The SPEAKER. The Chair does not entertain the resolution. [Cries of "Regular order!"]

Mr. TAULBEE. I think that this resolution—— [Cries of "Regular order!"]

The SPEAKER. The regular order is demanded.

Mr. TAULBEE. I rise to a question of privilege.

The SPEAKER. The gentleman will state the question of privilege.

Mr. TAULBEE. My question of privilege is, the resolution just read is offensive to the House and ought to be taken down by the Clerk. [Cries of "Regular order!"] That its purpose is to reflect upon some member of the House who is not named.

The SPEAKER. The Chair is not aware of any rule or practice of the House that requires the Clerk to take down a resolution, except in the Journal in the usual way.

Mr. TAULBEE. Then I ask unanimous consent that the resolution be adopted. [Cries of "Regular order!"]

The SPEAKER. The regular order is the vote by tellers.

Mr. TAULBEE. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TAULBEE. I wish to ask whether the resolution just read at the Clerk's desk [cries of "Regular order!"] goes into the RECORD.

The SPEAKER. It does not.

Mr. TAULBEE. Then I ask to withhold my remarks for revision. [Laughter.]

The SPEAKER. The voting will proceed.

Mr. SOWDEN (at 1 o'clock and 36 minutes p. m.). I move that the House do now adjourn. It is quite evident that there is no disposition to proceed with business, and we may just as well adjourn.

The SPEAKER. The tellers have not reported.

The tellers reported—ayes none, noes 110.

Mr. WEAVER. No quorum.

The motion of Mr. SOWDEN was agreed to; and accordingly (at 1 o'clock and 37 minutes p. m.) the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. HATCH: A bill (H. R. 12034) granting a pension to Robert Phillips—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 12035) granting an increase of pension to Maria L. Hammer—to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 12036) granting a pension to Peter Rowe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12037) granting a pension to Mary D. Craig—to the Committee on Pensions.

By Mr. NEAL: A bill (H. R. 12038) for the relief of Sarah A. Willhite, widow of William H. Willhite, deceased—to the Committee on War Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. C. L. ANDERSON: Petition of Daniel K. Patterson, for relief—to the Committee on War Claims.

By Mr. BUCHANAN: Petition of the New York Typographical Unions No. 6 and No. 98, in favor of the copyright bill—to the Committee on Patents.

By Mr. CANDLER: Petition of heirs of James Ball, late of Milton County, Georgia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. DUNHAM: Resolutions of the Columbia Turnverein, of Lake County, Illinois, against the Blair bill—to the Committee on Education.

By Mr. FUNSTON: Petition of citizens of Lawrence, Kans., for rebate on tin-plate—to the Committee on Ways and Means.

By Mr. GIFFORD: Memorial of citizens of Fall River and Custer Counties, Dakota, praying that the White River be made the boundary line of a portion of the Great Sioux reservation—to the Committee on the Public Lands.

By Mr. D. B. HENDERSON: Petition of J. H. Brown and 23 others, citizens of Tripoli, Iowa, for a constitutional amendment to prohibit the manufacture, etc., of alcoholic liquors—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. McCREARY: Petition of James M. Crawford, of Rockcastle County, Kentucky, for payment of his war claim—to the Committee on War Claims.

By Mr. NEAL: Petition of Sarah Willhite, widow of W. H. Willhite, for reference of her claim to the Court of Claims—to the Committee on War Claims.

Also, petition of Mary Haney, of Calhoun, Tenn., to be placed on the pension-rolls—to the Committee on Pensions.

By Mr. SENEY: Memorial of the Manufacturers' Club of Philadelphia, favoring the abolition of the internal-revenue system—to the Committee on Ways and Means.

By Mr. SHERMAN: Petition of citizens of Oneida County, New York, praying that the shipment of alcoholic liquors from the United States to heathen countries be stopped—to the Select Committee on the Alcoholic Liquor Traffic.

The following petitions against the passage of the international copyright bill were received, and severally referred to the Committee on Patents:

By Mr. BUTTERWORTH: Of printers and others, of Cincinnati, Ohio.

By Mr. COX: Of printers and others, of New Orleans, La.

By Mr. JACKSON: Of Smith Curtis and others, citizens of Beaver County, Pennsylvania.

By Mr. McCORMICK: Of George N. Rianhard, of George S. Rehart, of A. J. Quinby, and of F. J. Cutter, of Pennsylvania.

By Mr. J. W. STEWART: Of J. H. Livingston, of Bennington, Vt.

SENATE.

FRIDAY, *January* 11, 1889.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The PRESIDENT *pro tempore*. "A quorum being present"——

Mr. EDMUNDS. I doubt that, Mr. President. I call for a count.

Mr. BUTLER. I move a call of the Senate. I believe I have a right to make that motion.

The PRESIDENT *pro tempore*. The third rule provides that—

> The Presiding Officer having taken the chair, and a quorum being present, the Journal of the preceding day shall be read, and any mistake made in the entries corrected.

Mr. BUTLER. There is evidently not a quorum present. The only way to secure a quorum is to call the roll of the Senate.

The PRESIDENT *pro tempore*. The roll of the Senate will be called.

The Secretary called the roll, and the following Senators answered to their names:

Allison,	Colquitt,	George,	Wilson of Md.
Butler,	Edmunds,	Ingalls,	
Chace,	Farwell,	Paddock,	

The PRESIDENT *pro tempore*. Ten Senators have answered to their names.

Mr. GEORGE. I suppose a quorum will be present by the time the Journal is read. I move that further proceedings under the call be dispensed with.

Mr. EDMUNDS. But a quorum is not present.

The PRESIDENT *pro tempore*. The Chair can not entertain any motion for the transaction of business until it appears by the record that a quorum is present.

Mr. SAWYER entered the Chamber and responded to his name.

After a little delay the following Senators entered the Chamber and responded to their names:

Messrs. VANCE, VEST, SPOONER, PAYNE, MORRILL, DAWES, WILSON, of Iowa, PLATT, HISCOCK, REAGAN, CULLOM, SHERMAN, ALDRICH, BLAIR, STOCKBRIDGE, STANFORD, DAVIS, RIDDLEBERGER, BERRY, BLACKBURN, EUSTIS, HALE, TURPIE, FRYE, DOLPH, HAWLEY, HOAR, EVARTS, and MANDERSON.

The PRESIDENT *pro tempore*. Thirty-nine Senators have answered to their names. A quorum being present, if there be no objection further proceedings under the call will be dispensed with. The Secretary will read the Journal of the proceedings of yesterday.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. CAMERON presented resolutions of the Chamber of Commerce of Pittsburgh, Pa., favoring the passage of a bill fixing a tariff duty of at least 2½ cents per pound on tin-plate; which was referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. FAULKNER, from the Committee on the District of Columbia, to whom was referred the bill (S. 3672) to amend the act giving the approval and sanction of Congress to the route and termini of the Anacostia and Potomac River Railroad in the District of Columbia, reported it without amendment.

Mr. HALE, from the Committee on Naval Affairs, to whom were referred the following bills, reported them severally without amendment:

A bill (H. R. 4353) to provide a temporary home for certain persons discharged from the United States Navy; and

A bill (H. R. 10652) to encourage the enlistment of boys as apprentices in the United States Navy.

Mr. CAMERON, from the Committee on Military Affairs, to whom was referred the bill (S. 3046) to place James T. Peale on the retired-list of the United States Army, reported it without amendment, and submitted a report thereon.

Mr. CHANDLER, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 9674) to regulate the course at the Naval Academy, reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. STANFORD introduced a joint resolution (S. R. 128) appointing James A. Waymire, of California, a manager for the national homes for disabled soldiers, to fill the vacancy caused by the death of William Blanding; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CULLOM introduced a bill (S. 3806) to provide for the purchase and preservation of the historic site of Fort Gage, in Randolph County, Illinois; which was read twice by its title, and referred to the Committee on the Library.

THE REVENUE LAWS.

The PRESIDENT *pro tempore*. If there be no further morning business that order is closed, and the Calendar under Rule VIII is in order.

Mr. ALLISON. I move that the Senate proceed to the consideration of House bill 9051.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue, the pending question being on the amendment proposed by Mr. PLUMB, in the first line of paragraph 557, under the heading "free-list," after the word "fresh," to strike out:

> Except when frozen or packed in ice, or otherwise prepared by any process, for preservation.

So as to make the paragraph read:

> 557. Fish, fresh.

Mr. PLUMB. Mr. President, the objection I have to the paragraph as it stands is just this: Under it people in Maine and at all other points along the water line between the United States and Canada can avail themselves of the privilege of purchasing fresh fish from the Canadians free of duty, while the moment they are required to be transported 50 miles into the interior they are compelled to pay a duty. That, it seems to me, is giving to the people who live on the border and who may be supposed to have a sufficient advantage already, the opportunity of having that free which the people of the interior are denied.

Now, let it be one way or the other. Either let all fish pay a duty, or give to the people of the interior, remote from the points where the catch is made, the same opportunity to buy them free of duty that the people of Maine, and of Ohio, and of Michigan, and of Illinois, and so on, have. The rule ought to be applicable alike to all the people of the United States so far as it can be. Here is a manifest discrimination.

I want to say one thing further about the fishing business. For some reason or other, in some way, the fish in this country seem to be entitled to a greater amount of consideration than the beef or the pork. I am aware that our New England friends, by reason of a very conspicuous ability, the power of concentrating their interests, etc., have had very considerable control of legislation. I do not object to their having everything they are entitled to, but while we have always been compelled in the interior to pay duty upon the salt which we buy for the purpose of packing our beef, pork, and so on, and preserving our butter, the New England people have had the privilege of curing their fish by salt imported duty free. In other words, they are free-traders when that is to their interest, and for protection when it is to their interest. That is of course a very proper position to take, because we are all here contending for the interests of our respective constituencies.

Now, we are asked to say that they may buy Canadian fish if they please free of duty. The Senators from Maine and Massachusetts and the residents of all the border line between Canada and the United States have the privilege, under this paragraph, of buying fresh fish free of duty from their Canadian brethren, but, as I said, the moment we come to transport the fish into the interior, and require for such purpose of transportation to pack them in ice, they are to pay a duty, and thereby all the great body of the people of the United States remote from the outer periphery of this country, are compelled to pay for that particular article of food, which is as necessary to them as it is to any-

body else, a duty which is, if not greatly burdensome, at all events a discrimination.

I say let us all be put as nearly as possible on the same footing, and then I am willing to take it whether it be a benefit or a burden, but I object to the discrimination which is provided for in this paragraph as it stands.

The PRESIDENT *pro tempore*. The yeas and nays having been ordered on agreeing to the amendment of the Senator from Kansas, is the Senate ready for the question?

Mr. HOAR. Mr. President, I do not think the policy which has been adopted by the committee in proposing the present clause in the bill, or the policy which has prevailed in this country in one form of statutory provision or another from the foundation of the Government, rests at all upon the principle to which it is attributed by the Senator from Kansas. I do not think that the bounties or the protection or the exemption which have been granted from time to time to the fishermen of the northeastern coast have been the result of greed or rapacity or a desire on their part to get an advantage of their country or any of their countrymen.

The present proposition, as I understand, grows out of the fact that the Canadian authorities refuse to American fishermen the opportunity to send to the American market through Canada or to put up in ice and preserve for the market fresh fish upon their soil. Therefore, Canada, unless there be some provision of this sort, must have the monopoly and control of the American market for fresh fish. She pays her fishermen a smaller compensation in wages, she gives them a bounty, her territory is close to the fishing-grounds, and she is enabled, therefore, to control the American market of fish by prohibiting our fishermen from making use of her territory either for transportation or for the preparation of fish and the protection of fish against decay.

I do not understand that the policy which makes it desirable to prohibit that involves at all the general question of protection to the American industry. If it did I suppose the argument would be sufficient, certainly for myself and for the persons on this side of the Chamber who agree to that principle. But this rests on an altogether different theory, and that is that it is necessary for this country, if it is to be a commercial power among the nations of the earth, to be able to furnish in time of war a navy capable of contending upon equal terms with the navy of any other nation on the face of the earth.

Mr. Webster said long ago what I suppose nobody denies, that the rank of any country among commercial powers must depend on the amount of military or fighting strength which it can at any particular time cause to be water-borne.

We have conceived that instead of establishing costly schools for the training of seamen, for the training of officers competent to command ships, for the training of men accustomed to exposure and to danger and to the prompt use of all resources of mind and body in the hour of trial, it is better to cultivate a peaceful occupation under the fostering care of the Government which would accomplish that result. Instead of paying ten, twenty, or fifty millions of dollars for as many naval schools like Annapolis or schools corresponding in the Navy to West Point, we have supposed that it would be for the interest and would be the pleasure of the entire American people to submit to the slight increase of cost of this article of food to accomplish this result.

The result has been to vindicate the wisdom of the policy of our fathers in this matter. We have had from this source, from this peaceful occupation, a ready supply of seamen in all our naval wars. We had it in the Revolution. It has been shown by an accomplished historical scholar very recently that the number of sailors in the Revolutionary war was larger than the number of soldiers.

Mr. PLUMB. Will the Senator allow me to ask him a question on that point?

Mr. HOAR. Certainly.

Mr. PLUMB. To what extent are the sailors of whom he speaks Americans?

Mr. HOAR. That is a point I will deal with presently. I suppose more than 75 per cent., from the best information that can be got by comparing the different census reports.

Mr. TELLER. The Department report gives it at 75 per cent.

Mr. FRYE. Over 85 per cent. of the Maine sailors are Americans.

Mr. PLUMB. I should suppose that all Maine sailors are Americans.

Mr. FRYE. Of the Maine fishermen, I mean.

Mr. HOAR. They are native Americans and men who become Americans. A very prominent and skillful public speaker went down to Provincetown, in Massachusetts, to make a political speech a little while ago, and thought he could get great favor by denouncing the Bluenoses. It turned out that among the substantial citizens of that town who were voters, of the audience which he was addressing, a very large number of the men who had engaged in the fishery business were natives of the British provinces who had come to this country and become domesticated, Americanized, and naturalized.

But what I was saying when the Senator interrupted me was that this policy has been signally vindicated by its success in all our wars. In the Revolutionary war it has been lately shown by an eminent historical investigator that there was a larger number of seamen than there were of soldiers engaged in the battles; and it was not the tax, it was not the capture of Cornwallis, it was not the discomfiture of the British arms in our land battles, glorious and brilliant as they were, which led England to make peace. Her people would have stood increased tax, they would have stood increased debt, they would have stood military reverses, but it was the destruction of the West and the East India trade, and of the trade with the Mediterranean itself, by the American Navy and privateersmen, of whom Paul Jones, and Abram Whipple, and Tucker, and others were the conspicuous examples, which compelled the mercantile class of England to clamor for peace. Marine insurance, even in the Mediterranean, went up to a range of from 40 to 60 per cent.

The history of the war of 1812, which still in some parts of the country passes by the name of "the late war," has been rehearsed in this Chamber too recently to make it worth while for me to allude to it again. But I desire to call the attention of the Senate to the testimony on this subject of the service of these fishermen in our war of 1812, the sailors of the Navy who were obtained from among these fishermen, which came to my knowledge only last evening.

I bought two or three weeks ago a book just published in England, entitled "Some Correspondence of George Canning," being the correspondence of Canning which it was not thought discreet to publish immediately after his death, when his life was written, and which is now in a much larger part given to the world. Here is a letter near the end of the second volume which I think will be interesting to every Senator to listen to. It is written by Mr. W. James, the distinguished author of the Naval History of Great Britain, and one of the great historical authorities of that country, to George Canning, then prime minister. It is dated January 9, 1827, twelve years after the close of the war of 1812, twelve years and one day after the battle of New Orleans. He writes to Mr. Canning. I will read a few sentences from this letter, and I think it is one which is calculated to make the heart of every American swell and glow in his bosom:

PERRY VALE, KENT, *January* 9, 1827.

SIR: Allow me to present you with a copy of the new edition of my "Naval History of Great Britain." * * * The menacing tone of the American President's message—

Which was the message of John Quincy Adams of December, 1826—

The menacing tone of the American President's message is now the prevailing topic of conversation, more especially among the mercantile men in whose company I daily travel to and from town. One says, "We had better cede a point or two than go to war with the United States." "Yes," says another, "for we shall get nothing but hard knocks there." "True," adds a third; "and what is worse than all, our seamen are more than half afraid to meet the Americans at sea."

This is from the author of the Naval History of Great Britain, addressed to the prime minister:

Unfortunately this depression of feeling, this cowed spirit, prevails very generally over the community, even among persons well informed on other subjects, and who, were a British seaman to be named with a Frenchman or a Spaniard, would scoff at the comparison. Whence has this arisen?

Then Mr. James goes on to say that this has arisen in part from the fact that the American accounts of the battles have remained uncontradicted. He goes on to say that he in his naval history has corrected them and has shown that the British seamen did better than was supposed. Now, he says:

Pray, sir, read over my accounts of American warfare. As I know how fully occupied your time is, and how valuable every portion of it, I would not presume to ask this, did I not believe that a case will soon occur when as a statesman you will feel it necessary to touch upon American affairs, were I not convinced that a sentence falling from your lips in Parliament, expressive of a conviction that in the late war between this country and the United States, so far from British seamen having evinced any want of spirit, they had afforded indubitable proofs of bravery and devotedness, would tend very much to dissipate those ill-founded alarms spread over the country.

Then he goes on to say how the British showed their spirit in the war of 1812:

It is defeat oftener than victory that tries the stamina of a seaman or soldier.

Then he goes on:

Surely, sir, there never was a war so badly conducted at its commencement and so unseasonably brought to a termination.

Then he goes on to say:

One reason that the Americans are so angry with you for shutting out their vessels from the British West Indies is that it deprives them of a nursery for their seamen. * * * Keep the Americans from the fisheries and from trading with the British possessions in the provinces and the West Indies and you will clip their means of becoming formidable at sea.

Then the editor goes on to explain this letter, and he says that undoubtedly the Americans felt kindly towards Mr. Canning.

It was difficult to persuade them—

That they had much to fear from the warm-hearted and brilliant statesman, about whom they probably felt, in the curious, jealous way that citizens of the United States do feel in regard to illustrious Englishmen, a sincere and sympathetic admiration.

No doubt our cousins will think none the worse of our spirited naval historian for his anxious wish to inspire Canning with a sense of the permanence of British pluck and energy if wanted for a war with their most formidable rivals.

Mr. President, the letter of Admiral Porter in which he expresses his strong sense that the support and fostering of these fishermen was never so important to our naval strength as it is now, and that the change from sailing vessels to vessels propelled by steam has made the necessity for this training much greater instead of much less than it was before, and the testimony of Admiral Luce to the same effect is,

I have no doubt, fresh in the recollection of all Senators; and it seems to me that if it were true that the fostering of this industry would not in the end bring down the price of fresh fish to all Americans, which I firmly believe, still that we ought to adopt this policy, that it is the cheapest and wisest, the most economical and the most patriotic. The governor-general of Canada, in a recent utterance, indorsed and published, cited by the clerk of the Canadian council, is most emphatic to the same effect, while he points out that the great fortifications of England on the two seas, at Halifax and at Esquimalt, on the Atlantic and the Pacific, will enable Great Britain to command both the Atlantic and Pacific seas if she can have in addition to that a hundred thousand Canadian fishermen on whom to call in case of the breaking out of war.

While this attempt to menace us on both seas is not only going on but is avowed, it seems to me that the same policy which dictated the rejection of the fisheries treaty and this proposition for free trade in fish ought to induce the Senate and both Houses of Congress and the country to support heartily and generously the policy which has been announced by the committee.

Mr. PLUMB. I wish to ask the Senator a question before he gets through. I would have been glad to have had him keep up these historical reminiscences during the remainder of the session, so far as the mere pleasure of listening to him is concerned, but it is entirely apart from what I had to say on this question.

Mr. HOAR. The Senator does not suppose that I meant to attribute to him any want of patriotism. He is the last man in the country to whom I would attribute a deficiency of patriotic spirit.

Mr. PLUMB. But I want the Senator to meet the point. I want him to tell the Senate and the country why the people living along the border adjacent to Canada should have free fish if it is so necessary to keep up the American marine, and yet the privilege of free fish is denied to people who live away from the coast, which is the effect of this provision as it now stands in the bill.

Mr. HOAR. I do not think there is the least possibility of that. I do not see that there is any distinction. We do not propose to buy Canadian fish cheap.

Mr. PLUMB. It is proposed to buy them free, whether cheap or dear.

Mr. HOAR. Not at all.

Mr. PLUMB. Certainly; every man who lives along the line between Canada and the Unitad States can buy his fresh fish free of duty, and every one who lives away from that line, far enough to require his fish to be packed in ice in order that he may have them, has to pay a duty on them. Let the rule apply to all, if it is so important to keep up the New England sailors or the American marine. Let it be done by imposing a tax upon all the people who buy fish, the Yankees along with the rest.

Mr. HOAR. It does not strike me that the Senator's point is well taken. As I understand the bill, all fish preserved in ice, which may be preserved six or even twelve months, is made subject to a duty, and that the fish just caught and which will perish in a day or two are allowed to be sold when brought in, no matter who brings them in. I wish to say one word, which I may properly say at this time. The letter of Admiral Porter, which I quoted in full in the debate during the last session on the fisheries treaty, contained a sentence or two which was thought to be and I think in part was disrespectful to a portion of our foreign seamen who man our naval vessels, of the Scandinavian race, from Sweden and Norway, and I shall ask the opportunity to say here what I have said emphatically elsewhere, that my observation and my knowledge of the people of that race lead me utterly to disclaim any concurrence with any such idea or opinion.

The city where I live has a very large number of Swedish immigrants. They are filling up the cities, especially where any manufactures of iron go on; and as we all know they are coming in very large numbers to the States in the Northwest, and without disparagement to any other class of immigrants, I desire to say that they are inferior to no emigration which ever came to this country, including in that remark the original Puritan emigration which took place to New England and the original Cavalier emigration which went to Virginia and Carolina. They take kindly instantly to our institutions. They are industrious, thrifty, wise, temperate, lovers of home, lovers of Sunday, lovers of order, lovers of education. They are found on the honest side of every public question. They have a large public spirit, and it is one of the most hopeful things in the future of this country that these people are coming over to us in such large numbers.

Mr. DAWES. Mr. President, I do not desire to detain the Senate more than a single moment. I wish to call the attention of the Senator from Kansas and the Senate to the operative words in this provision. They are "for preservation." The settled policy of the Government, from which no one suggests any departure at this time, is that fish preserved in salt shall not be admitted free; and it seems to me very strange that any one should, while adhering to that proposition, agree to a proposition which allows fish preserved by any other process to come in free. It is strange to me that any one desires that fish preserved by any other process should come in free while he holds that fish preserved in salt should pay a duty. Those are the operative words here.

Now it has come to pass that there are other processes besides the use of salt by which fish can be preserved indefinitely and come out in the end just as they were put in. That subverts the idea which governed the putting of fresh fish upon the free-list. Originally it had attached to it this phrase, "fish, fresh, for immediate consumption." Now fish are frozen by a new application of an old process of using ice. They are so frozen when taken as to become like a solid rock, and they are kept six months or a year or longer in precisely that state, and are then brought out as fresh fish for immediate consumption. That is an entire subversion of the original idea. The original idea of allowing fish for immediate consumption to come in free nobody objected to when it was put in the bill, and if honestly administered as then understood nobody would object to it now. It was not put in for the benefit or at the suggestion of anybody on the coast. It is of no sort of advantage to any city or town or inhabitant of Massachusetts or Maine. They do not get their fresh fish for their tables from Canada. The fishermen living on their coast go out and catch fish for immediate consumption and supply them; but the Canadian fishermen close by there, beyond Eastport and in that neighborhood, sought the opportunity to bring their fresh fish for immediate consumption into our ports, and it affected nobody's interest substantially. It was conceded; and thereupon and thereafter this new process of applying ice to them turned them into fish preserved precisely and essentially as fish are preserved in salt; and it is to meet that view that this phraseology is put into the bill, if I understood the committee aright.

That is the complaint which has been made, and the Treasury Department for a long time were of the opinion that fish so prepared were not fresh fish for immediate consumption. Now, if fish could be packed in ice in the ordinary way sufficiently to enable them to be carried into the interior for the table, nobody would object to the immediate consumption in that way; but they are so frozen by this process as to become blocks of stone, and are then carried and kept for six months or a year, so that the market which is usually stocked with salt fish that everybody claims should pay a duty is supplied in that way by frozen fish.

Mr. STOCKBRIDGE. I should like to ask the Senator from Massachusetts in this connection upon what theory, or what the reason is, that salt used in packing fish should be entitled to a rebate? I should like to understand that.

Mr. DAWES. There are two reasons. The original reason has been elaborated very ably by my colleague [Mr. HOAR]. Another reason is that while American salt has come to be shown to be better for all the uses of salting meat and butter and the products of the farm, American salt has not been demonstrated as yet to be of such quality as to preserve fish as well as the foreign salt; but the principal reason, I have no doubt, is the reason alluded to by my colleague. Upon that question I have no argument to make myself, for I have no knowledge of the different qualities of the salt. But I have understood that that enters into the consideration.

Mr. HISCOCK. I do not desire to let the Senator's statement in reference to the character of American salt being inferior to foreign salt pass unchallenged.

The PRESIDENT *pro tempore*. Does the Senator from Massachusetts yield to the Senator from New York?

Mr. DAWES. Certainly.

Mr. HISCOCK. It is well settled that the American salt is superior, and if the Senator from Massachussetts will take occasion to investigate that question and take the testimony of the men who use salt on the coast, he will learn that they regard American salt as the more valuable and the purer of the two. On that question there is no sort of doubt.

Mr. DAWES. I am very glad to know it.

Mr. HISCOCK. I am willing to leave that question to the fishermen on the coast of New England and take their testimony upon that subject. I confess for myself I have never been able in any of the arguments made by the Senator from Massachusetts or by anybody else to see a good reason why protection should be sought for fish and at the same time free salt demanded by the fishermen.

Mr. DAWES. Mr. President, I am very glad to know that the superior qualities of American salt are being so demonstrated that they can not be brought in question. I have stood by the Senator from New York and those who have preceded him in Congress here for thirty years answering the reasons given for free salt in this country, the great body of which was the inferior quality of American salt. I have battled for and contended that American salt was just as good as any salt that could be imported, and have stood by the tariff upon salt until I have seen it brought down from $3 a barrel to 65 cents a barrel under the operation of the protective duties.

I have understood, however, that in the matter of curing fish the fishermen have not been brought up to acknowledge what the Senator now says; if they have, that element is eliminated from this question; and having confidence in the statement of the Senator from New York, I shall not use it any more. But the argument that it is necessary to protect the calling of the fishermen and the seamen in our marine, to encourage them, the argument that is brought to the support of giving them this encouragement, being all that can be given them, is quite as potent as it is to encourage those engaged in bringing the American

salt to the surface in day labor by putting a duty on foreign salt generally. I will not quarrel with the Senator on this point. I rose merely to try to make the Senate see clearly and the Senator from Kansas in particular that it was not fresh fish for American consumption that anybody stood on this floor objecting to. If anybody wants fresh fish taken right out of the water for immediate consumption or carried in ice to any table where it is to be immediately consumed, it will not hurt or help the tables of the consumers on the coast. They get their fresh fish just as easy and just as cheap when they buy them from the American as from the Canadian; but when people undertake to put these new processes in the place of salt for the preservation of fish, consistency requires either that we make salt fish free, or that fish preserved by any other process to the end that salt fish is preserved should pay the same duty.

Mr. PLUMB. Let me ask the Senator a question. I want now to ask the Senator from Massachusetts who has just taken his seat the same question I asked his colleague: Why the people who live along the Canadian coast and the line between this country and Canada—and especially why the people on our northeastern coast, who are so much interested in building up the fishing industry—should insist upon the privilege of getting fresh fish free from the Canada side and deny that privilege to the other people of this country?

Mr. DAWES. They do not do it. My answer to the Senator from Kansas is that, so far as this side of the American line is concerned, our people do not object; and if the Senator will devise a phraseology and an administration of the law that will bring it back to the original idea of fresh fish for immediate consumption, those on the border, so far as I understand, do not object to that. The men on the other side who want it are the few fishermen on the immediate border who want to come in alongside of the fishermen this side of the border who do supply the morning table with fresh fish. That is my answer. The Senator does not seem to see any force in the statement that fish preserved by any other process ought to be put in the same condition with salt fish.

Mr. REAGAN. Mr. President, let us see precisely what the meaning of the proposed amendment is—the amendment to strike out the words proposed by the Senator from Kansas, which would leave fresh fish free of duty to all the people everywhere. By paragraph 267, a paragraph which we have already passed upon, it is provided:

> Foreign-caught fish (imported otherwise than in barrels or half-barrels), smoked, dried, salted, pickled, frozen, packed in ice, or otherwise prepared for preservation, not specially enumerated or provided for in this act, one-half of 1 cent per pound.

The effect of the two provisions together, as they stand and as they would be without the amendment, would be that only those on the immediate border could be entitled to receive free of duty fresh fish. The Senator from Massachusetts who has just taken his seat [Mr. DAWES] says that the people on the border do not want that. If they do not, why is it here and in whose interest is it put here? He suggests, as I understood him, in the interest of Canadian fishermen or fishermen whom he described as "on the other side." Now this protection tariff bill, I had understood all the time, went upon the idea that it would protect America labor, not Canadian labor.

So I take it for granted it is meant that those who live upon the immediate border shall receive their fresh fish free from duty, and that all other people shall receive their fresh fish if they are "frozen, packed in ice, or otherwise prepared for preservation, not specially enumerated or provided for in this act," burdened with a duty of one-half a cent per pound.

Mr. DAWES. If the Senator will allow me, I will relieve him from that argument. There is not a man, there is not an interest, there is not a representative, so far as I know, of the border that wants fresh fish for immediate consumption introduced free. They do not ask it. It is conceded, not asked.

Mr. REAGAN. If they do not want it and if it is manifestly unjust, then we ought to agree to the amendment proposed by the Senator from Kansas [Mr. PLUMB]. If nobody wants this privilege, as it is called, if we can all see the manifest injustice of making some people pay duty on fresh fish while exempting others, if the injustice of it is so manifest that, as the Senator says, nobody wants it, it seems to me the amendment ought to be adopted without division.

Mr. DAWES. Did the Senator hear me state that if anybody could devise a phraseology to insure an honest administration so that it should be confined to the original design of the law, we would not object?

Mr. REAGAN. Then I think I can suggest to the Senator what would meet his view in that respect. It is to take paragraph 267 down to the word "pickled" and strike out the other portion of it and just say "fresh fish" in the other clause. Let paragraph 267 stand in this way: Foreign-caught fish (imported otherwise than in barrels or half-barrels), smoked, dried, salted, or pickled, shall pay a duty of a half cent per pound. Then leave out the rest of that clause. It will be seen that paragraphs 262, 263, 264, 265, and 266 relate to other portions of this question; and then if paragraph 267 is amended so as to strike out all after the word "pickled," and paragraph 557 is amended as suggested by the Senator from Kansas, we shall have the formulation of the idea, it seems to me, suggested by the Senator from Massachusetts who has just taken his seat [Mr. DAWES]. That, it seems to me, would be just and fair; nobody would be wronged; fresh fish would come in free, but all salted fish would go taxed to all consumers.

But the Senator from Massachusetts suggests that since the process of freezing fish, packing them in ice, etc., has been discovered, they are placed upon the same basis as fish preserved in salt. But the salt does not go in, that element does not go into the preservation of the fish; they are fresh fish, and as fresh fish they ought to go on the same terms with regard to duty to everybody. But the provisions of law ought not to be made manifestly in the interest of a particular class of people of a portion of the country while other portions of the country and other people are excluded from its provisions.

The other Senator from Massachusetts [Mr. HOAR] suggests a policy in relation to this question that we should cultivate the fisheries as a means of increasing and improving our seamen, so as to be better prepared for the defense of the country. So far as it will have that effect, that, of course, is a good argument; but so far as the strengthening of the naval power of this country is concerned, I believe every vote, every action of mine has shown that I am disposed to do whatever can be done to give us an efficient Navy and to give us useful, and active, and experienced, and trained seamen; and to that end during the last session of Congress, on account of representations made from the fishing interest of our northeastern coast, which the Senate will doubtless remember, I proposed the following in a bill which was referred to the Committee on Commerce:

> That from and after three months from the passage of this act the officers and at least three-fourths of the crews of any merchant vessel belonging to citizens of the United States, engaged in the transportation of merchandise or passengers, or both, to or from any foreign country, or between the States, and all fishing vessels owned by citizens of the United States and engaged in fishing in waters outside of the territorial jurisdiction of the United States, and all whaling vessels belonging to citizens of the United States and pursuing their vocation in waters outside of the territorial jurisdiction of the United States, shall be either native-born or naturalized citizens of the United States: *Provided*, That this act shall only apply to whaling vessels which leave the ports of the United States after its passage.

I introduced that bill for the purpose of training American seamen and to stop the process of American capital training Canadian seamen, and I did it because of representations coming from those interested in American seamen. If we really desire to train American seamen in the business of fishing, let us adopt provisions that require the owners of these vessels to put at least three-fourths of Americans, either naturalized or native, on board. That would go far to meet the case, and would be of infinitely more advantage in improving the naval school and giving sea-faring employment to our people than anything contained in the provisions of this bill will do.

So it seems to me that on fair consideration the amendment offered by the Senator from Kansas ought to be adopted, and when adopted that we ought also to go back to paragraph 267 and strike out all after the word "pickled." That will make the bill in this respect fair and just. That will make preserved and salted fish come in subject to duty and allow fresh fish to come in free of duty, and there will be no discrimination. I do not see that the amendment can in any way affect to any conceivable extent the question of the training of seamen.

Mr. GEORGE. I should like to ask the Senator from Texas a question.

Mr. REAGAN. Certainly; I yield.

Mr. GEORGE. What is the law at present with reference to foreigners engaging as seamen on American vessels?

Mr. REAGAN. I am not able to answer the Senator from Mississippi as to what the law is, but this bill of mine was drawn with reference to the practice, and I regret to say has never been reported by the Committee on Commerce. The practice, as was fully demonstrated here by information sent to us and discussed upon this floor pending the Canadian treaty, is largely to man American fishing vessels by Canadian fishermen and Canadian sailors, and it was to meet the practice that the bill was introduced. I did not go into the law. The Senator from Vermont will no doubt be able to tell us what the law is.

Mr. GEORGE. I would like to ask that question of the Senator from Maine [Mr. FRYE], what the law now is with reference to foreigners serving on fishing vessels; are they allowed, and to what extent?

Mr. FRYE. There is no law preventing foreigners serving as seamen on American vessels. There is a law which prevents them attaining the position of first or second officers, and that has this effect upon Nova Scotia and Prince Edward Island men, who, by the way, are just as good men as can be found anywhere in the world, and who make as good citizens as we have in the United States after they become naturalized. That law has induced these active seamen coming on our vessels to become naturalized, because each one of them is ambitious to become first or second officer of a fishing schooner.

Mr. GEORGE. I understand that the law, then, is at present that any foreigner can serve on a fishing vessel except as captain or mate.

Mr. FRYE. Except as first or second officer.

Mr. GEORGE. I should like to ask the Senator from Maine another question on that subject. What was the law originally on that subject, and when was the law modified so as to allow foreigners to serve on vessels? Originally, was not the law different from what it is now?

Mr. FRYE. The law, I think, touching fishing vessels and coasting vessels has not been changed for a large number of years, but the law concerning vessels engaged in the foreign trade has been changed within the last ten years. As to coasters and fishermen, I do not think there has been any change in a great many years.

Mr. GEORGE. In the early administration of the Government, when fishing bounties were first granted, what was the law then?

Mr. FRYE. My understanding is that it was the same as it is to-day.

Mr. GEORGE. The same as to-day?

Mr. FRYE. Yes.

Mr. GEORGE. That all foreigners might serve?

Mr. FRYE. Yes.

Mr. EDMUNDS. Mr. President, the people among whom I immediately live in the State of Vermont are not engaged in the fishing industry at all, and we therefore have, and I therefore have, no more interest in it than my friend from Texas or my friend from Kansas. We want to get all kinds of food as cheap as we can, and we wish to sell everything that we can make as high as we can; and I take it that is the rule all over the United States and everywhere else. But we have had the opportunity by absolute experience on two long occasions with Canada and the British provinces and the Government of Great Britain of knowing precisely what has happened when the duties upon fish have been entirely removed and they have been admitted into the United States, brought by Canadian fishermen and imported in British vessels, absolutely free of duty. If that resulted in an increase of the American fishing industry, the number of its ships, its officers, its sailors, and the people engaged in it, and consequently in advantage to the United States in the respects that Senators who believe in having a navy at all and sailors of experience on the high seas, then it ought to be followed; but if on the other hand, on the two occasions when for ten years at a time we have tried it, the reverse has been proved to be true, and the American consumer of fish paid what he did before for the fish on his table, and the Canadian dealer, or the American importer, or the Canadian fisherman, or whoever he was, made the profit that otherwise would have gone into the Treasury, and the consumer got no benefit from it, and the American industry was broken down or decreased and the British fishing fleet enormously increased, and the British provinces enormously increased, then it would be a pretty good time now not to repeat the experiment.

Mr. President, in the year 1886 a committee of the Senate was directed to investigate the fishery question, not particularly as it regarded the tariff but as it regarded the situation of American and Canadian fisheries as a matter affecting our foreign relations. That committee proceeded to Boston, to Provincetown, to Gloucester, to Portland, and so on, and took the sworn testimony of ship-owners, ship-captains, fish importers, fish-dealers of every kind, without regard to political selection; and they were carefully examined, and cross-examined, and sifted. The concurrence of their testimony was all one way with the exception of one or two gentlemen, the principal of whom, as I now remember (for I have not time to run through the whole of this extensive testimony), stated that he thought the consumer bore the duty on fish, and that we ought for the benefit of the consumer to have free fish again; but it turned out that he was the agent of the British shippers in the British provinces and that the business that he carried on was their business. That of course would diminish the weight of the testimony if it was exactly opposite to and not in accordance with the testimony of all the other people who were engaged on their own account, and who were citizens of the United States and doing a United States business.

Now, I wish to call the attention of the Senators—my friend from Texas in particular, who is interested, as every patriot ought to be, in keeping up the material for a navy—to the testimony of the deputy collector at Provincetown, Mass., which the Senator knows, of course, is a great fishing port, as to fleets going along the coast and to Canada and on the high seas to operate in fish.

Mr. REAGAN. The last report?

Mr. EDMUNDS. The print which I have before me embraces the very last report on the treaty (which does not touch this question), but it also embraces the former report and all the testimony, and for convenience, to have it all in one book; on page 646 the gentleman to whose testimony I now call attention states that he has been in that office for eighteen years; and I repeat that Provincetown has its affairs and its collections and its ships and everything engaged almost exclusively in this business. This gentleman, being asked to state what had followed the reciprocity of 1854, and more particularly the reciprocity of 1871, as it was as to fish, you understand, although it was not a universal reciprocity in 1871, gave these statistics:

I will first give you the products of the British fisheries to show the effect of the treaty from 1872 to 1884—

A period of twelve years. I said ten before, but I forgot that there was a one year's notice, and it was a little *lapsus*—

and the amount of importation into this country.
In 1872 the value of British products—

Meaning Canadian fish, as he afterwards explained—

the value of British products—

That is to say, fish in the provinces—

was $7,532,200. We imported that year into the United States $1,020,081 worth.
Q. That is fish products?
A. Yes, sir. The intervening years I will not give, but give them for 1884.

Then he is asked if he has the figures for the intervening years and he says he has, and then we asked him, in order to save our time, to make a table of those years and attach it to his testimony, which you will find later on.

The WITNESS. In 1884 the value of British products was $17,852,521; we imported that year $5,633,566; the gain being in products of Great Britain—

Meaning all the time, you understand, the Canadian fisheries—

the gain being in products of Great Britain $10,320,521, and the gain in importations, from 1872 to 1884, inclusive, into this country was $4,613,455.
The increase of Canadian fishing vessels and boats during the same time was as follows:
In 1873 the fishing vessels numbered 402, and fishing boats 9,009.

I may remark that we all understand, I suppose, that the Canadian people keep their government statistics in a much more exact way, and I must say also in a much better arranged way, and put them together better than we do. So this gentleman having them was able to bring it down even to the precise amount of 9,009 of fishing boats.

In 1884 they had 902 fishing vessels and 12,772 boats, a gain of 500 sail of fishing vessels and 3,763 boats.
In 1882 the Province of Nova Scotia alone added 143 fishing schooners, chiefly bankers, and 1,526 men, to her already large fleet.
And in this connection I refer the committee to Report on the Canadian Fisheries for the year 1883, page 21. I have that report with me.

That is one of these Canadian reports to which I made allusion.

I will now state the decrease in American tonnage during the same period.
In 1873 the fishing tonnage of the United States was 109,519 tons.
In 1884 it was 82,565 tons, the loss amounting to 26,954 tons.
I will now state the decrease in the number of fishing vessels in the six ports of Cape Cod, that is, in this county—

The district of Barnstable.

In 1873 the number of vessels belonging to Provincetown was 190 sail. (I would say that this is taken from the official records at Barnstable, from the latest authority.) In 1885 there were 118 sail.
In Wellfleet, in 1873, there were 71 sail; in 1885 there were 47 sail.
Dennis had in 1875 46 sail, and 19 sail in 1885.
Chatham had 18 sail in 1873, and 20 sail in 1885, being a gain of 2, and the only one that has gained.
Plymouth had one in each of those years.
Hyannis had one each year.
The total for the six ports in this district was 266 sail in 1873, and 206 sail in 1885, a loss of 60 sail and 2,000 tons during that time.

So much, Mr. President, for what followed in a time of peace and of general prosperity under the reciprocity treaty as it regards fish with Great Britain, affecting the Canadian provinces and the United States from the treaty of 1871 until we abrogated it in 1885.

The substantial destruction certainly, not to state it too strongly, the crippling of American interests and American business, and the corresponding increase and advantage of foreign interests and foreign business, was what followed.

If we received a compensation for that, if the people of the United States who live in Kansas and Texas and Vermont and wish to eat fish received a compensation by the price of fish falling, so that the injury to this business interest and to the naval interests of the United States was countervailed and balanced and an advantage secured to the people of the United States in cheap fish on their breakfast tables, then we should be bound, perhaps, to say "amen."

Mr. PLUMB. Has the Senator any other statistics in regard to these subjects since the date he has mentioned, to show whether there has been any increase of our fishing tonnage since the changed condition arose?

Mr. EDMUNDS. I have not, because since 1886, when this testimony was taken, I have had no occasion or opportunity to ascertain what it is.

Mr. PLUMB. I wanted to know whether the change of conditions has resulted in any increase of tonnage on the American side of the line.

Mr. EDMUNDS. That would be a desirable thing, but as the treaty was extended by the President and Secretary of State for six months after it was abolished by Congress, and as the fact was that the fishing business had been crippled and tremendously depressed, so that its recovery everywhere is always slow, it might not appear that yet even, if it would in the end, any considerable increase has happened; but I do not know how that is.

Mr. PLUMB. For fear the Senator will forget the point I have made and the only one, will he please tell the Senate in the line of his argument how it will help to reconstruct the New England fishing marine to give to the New England people free fresh fish brought from the Canadian side, which this paragraph proposes to do?

Mr. EDMUNDS. I say that I can not do it, and I do not believe it. I hope that answer is fair.

Mr. PLUMB. Certainly it is if the Senator believes that this proposition is vicious. Then I am happy to agree with him to that extent. That is, the proposition to admit fresh fish free under conditions which will enable the people who live on the immediate line of border between Canada and the United States to purchase them free of duty.

Mr. EDMUNDS. I am not on that proposition at all.

Mr. PLUMB. That is the only proposition which is pending.

Mr. EDMUNDS. I understand that perfectly, but the debate is

upon the question of the duties on fish, because in one way or another they are all correlated.

Mr. HALE. I hope the Senator from Vermont will allow me to state to the Senator from Kansas that I do not believe the people of New England desire any discrimination, and if I can obtain the floor at the end of the remarks of the Senator from Vermont, I will make a motion which will dispose of that point which has been so vehemently urged by the Senator from Kansas in setting up a difficulty which does not exist and which is easily removed and which the Senate can remove.

Mr. PLUMB. How will he remove it if it does not exist?

Mr. HALE. Strike it out.

Mr. PLUMB. There must be something to remove, or else it can not be done.

Mr. EDMUNDS. Now, Mr. President, I come to the question of the effect of duties. We have seen that the effect of putting Canadian interests on an absolute equality with those of the United States in regard to the fishing business on the Atlantic coast has been disastrous to the American fishing interest and extremely advantageous to the British fishing interest; and the same may be affirmed to be true as it regards the Pacific coast and as it regards the Great Lakes. There is no difference in longitude that affects this question at all.

Now I come to what the effect of duties or no duties is upon the cost of this kind of food to the people who have to eat it. I have lived long enough in the neighborhood of free fresh fish under the law to know that the price that the consumers of the State of Vermont have paid under these long periods of free fish and under the intervening and comparative periods of dutiable fish has not been changed on account of the fact that the fish were admitted free and that the man who eats a fresh codfish for breakfast has during any one of these years had to pay his grocer or retail fish dealer in the market or at the corner store just as much as or more than he did before, according to the quantity of fish that were caught in the sea and got to the market, and that the difference in profit that was made by taking the duty off fresh fish went into the pockets of those who originally caught the fish or were engaged in the business of employing men to catch them or of the men who imported them or of the wholesale dealer who is always at a few great places in the coast markets, and when you have left the wholesale dealer and have got to the place where the individual citizen buys for his table, whether fresh or salt, the odor of saving has lost itself and he stands exactly where he did before.

This testimony, which is open to all Senators and to the public, is full and complete upon this subject. If you may believe the concurrent testimony (with the modification or exception that I have stated) of a large number of gentlemen, some of them Republicans, some of them Democrats, some of them wholesale dealers, some of them persons engaged in the ownership and fitting out of ships to bring the fish in, salting them, repacking them, shipping them abroad (and they all swore that when they shipped them to Hayti, Portugal, or France, or wherever, they had to pay the duty, and not the Portuguese, the Haytians, or the Frenchmen), their statement as to the business they knew about and the statistics of which were daily reported in the newspapers just as much as the Journal of the Senate shows what we did last year, shows that the price of fish to the consumers of fish, either fresh or salt, was not affected by ten years of free trade under the reciprocity of 1854 or by twelve years of free trade under the reciprocity of 1871.

If, therefore, the point is to relieve the consumer of fish by diminution of duty or putting it on the free-list—I do not care whether fresh or salt, for I see no distinction—you have failed in that particular; but you have accomplished what the British and Canadians have so much desired, the breaking down of the American fishing industry and the American people who are to be officers and seamen in our Navy, and the legitimate and entire business of the men who are engaged in these perilous employments, and have gained no benefit to the people of the United States as consumers, but have put into the pockets of the foreigner enormous advantages in the transaction.

I do not wish to take the time of the Senate by reading these long statements going into details and showing exactly how the fact is, but I will state the result.

I ought to say as to the one gentleman, Mr. Wrightington, who said that the consumer bore the duty, that when he was pressed he stated that he was a dealer, and the agent, I believe, of a Canadian shipper, but in regard to the fact as to the price of fish before and after the treaty of 1871, he finally was obliged to say that on looking it up he did not see that the price was changed, but sometimes the fish would be plenty on account of the variations in their habits and then the price of fish would fall in the wholesale market; but as to the codfish, he and all of them said that the price of fresh codfish remained the same all the year round.

I do not wish to take up the time of the Senate in going through these marked passages; but here is the evidence. It is accessible to all.

Mr. HALE. Mr. President——

Mr. REAGAN. Will the Senator from Maine allow me a moment?

Mr. HALE. I will yield for a moment to the Senator from Texas.

Mr. REAGAN. I want to make some responses to the remarks of the Senator from Vermont.

Mr. HALE. I am willing to yield for a few moments.

Mr. REAGAN. Mr. President, the question before the Senate is rather a compound question of whether we shall have free fresh fish for a part of the country and fresh taxed fish for another part of the country, and I wish in the interesting observations of the Senator from Vermont [Mr. EDMUNDS] that he had stated his views upon that question.

Mr. HALE. It may be well, if the Senator proposes to discuss that proposition, to state to him what was my object in claiming the floor, and that is to move to strike from the bill the provision which is numbered 557, so that this apparent discrimination which has been referred to and discussed by the Senator from Kansas shall be removed.

I propose to submit some remarks in support of that, but if the Senator desires to go on first I will not take him from the floor.

Mr. REAGAN. I do not wish to interfere with the object of the Senator from Maine, but I have a few remarks to make, and would be glad to make them at this point.

Mr. HALE. I will yield to the Senator for that purpose.

Mr. REAGAN. The Senator from Vermont has presented us some very interesting statements going to show that under the reciprocity treaty in relation to fish the fishery interests of Canada have greatly increased, both the shipping and the business aspects of the fisheries, and that the like interests of the United States had decreased. I think his statistics fully sustain the view which he presented on that subject. The only feature about that which causes any regret with me is that we should ever have to think of that reciprocity treaty in which we paid $5,500,000 in the end for the privilege of being cheated, monstrously cheated, by the treaty-making power of Great Britain. I never think of that treaty and the Clayton-Bulwer treaty but that I feel a disposition to shrink from them, because it seems to me that our interests in both cases were deliberately sacrificed, perhaps not intentionally, but they were sacrificed. That is the only observation I desire to make about that.

What the statistics presented have to do with the question before the Senate I hardly understand, unless it is to be assumed that the admission of free fresh fish on the eastern coast will increase the fishing force of Canada and reduce the fishing force of the United States.

Mr. EDMUNDS. I have not made any argument or suggestion (but have stated exactly the reverse) in support of admitting fresh fish free of duty, because this very same testimony and on that very point on the page I have opened states in the clearest and most positive terms that as to fresh fish right along the coast it does not benefit the consumer a hair, but it benefits the Canadian and the wholesale dealer and the importer, and nobody else.

Mr. REAGAN. If it does not benefit the consumer to make the fish free there I do not see how it could affect the consumer to make them free elsewhere. The difficulty is the discrimination between making free fresh fish for a few people and taxing other people for them.

Mr. EDMUNDS. I do not defend any such discrimination. I condemn it.

Mr. REAGAN. I am glad to hear the Senator say he does not approve it. Now, then, so far as the general subject of taxing fish is concerned, if we turn back to paragraphs 262 to 265 we find—

262. Fish.—Mackerel, pickled or salted, 1 cent per pound.
263. Herrings, pickled or salted, one-half of 1 cent per pound.
264. Salmon, pickled, 1 cent per pound.
265. Other fish, pickled, in barrels, 1 cent per pound.

Then, passing over paragraph 266, which relates to sardines, we come to paragraph 267, which reads:

267. Foreign-caught fish (imported otherwise than in barrels or half-barrels), smoked, dried, salted, pickled, frozen, packed in ice, or otherwise prepared for preservation, not specially enumerated or provided for in this act, one-half of 1 cent per pound.

So all such losses as those caused by the reciprocity treaty by having free fish admitted into this country and all such gains as Canada made by it are obviated by the provisions of the bill as reported by the committee, and meets the argument suggested by the Senator from Vermont. That is all I understood that was in his argument, and that argument is met by the provisions of the bill as they stand, and turns us back to the question before the Senate as to whether there shall be fresh fish for a small part of the American people and taxed fish for all the other American people.

Mr. HALE. Mr. President, I move to strike out clause numbered 557, which reads:

557. Fish, fresh, except when frozen or packed in ice, or otherwise prepared by any process, for preservation.

Mr. PLUMB. Is that in order, Mr. President?

The PRESIDENT *pro tempore*. The Senator from Maine moves to amend the amendment of the Senator from Kansas by striking out all of the paragraph.

Mr. PLUMB. Is that in order?

The PRESIDENT *pro tempore*. The Chair holds that it is in order.

Mr. PLUMB. Is not that in the third degree? This substitute is itself an amendment.

The PRESIDENT *pro tempore*. The Chair understands that when a motion is pending to strike out and insert, the part proposed to be

stricken out and the part proposed to be inserted are both regarded as original questions; so that for purposes of amendment, the amendment of the Committee on Finance is treated as an original question.

Mr. HALE. I am sorry that the Senator from Kansas [Mr. PLUMB] seeks to interpose any technical objection to my motion, because the root and purpose of my motion is to remove the difficulty that he has so earnestly suggested, that retaining the provision makes a discrimination in favor of the market upon New England and the eastern coast, and the Senator has said, with iteration and reiteration, and the Senator from Texas [Mr. REAGAN] has repeated the argument, that this is an unjust discrimination; that no reason exists why New England and the Atlantic coast should have fresh fish free when other parts of the country pay duty upon them. I recognize the force of that, although practically, as applied to the New England and the Eastern market, the question would never arise.

The real operation of the law as applied under this paragraph, if it remains in the bill, would only operate along the little line of the St. Croix River in favor of small provincial fishermen who catch a boatload or a string or a hundred or fifty pounds and bring them into the market there. It was not intended, not framed, with any idea of discriminating in favor of the New England or Eastern market. But as the Senator from Kansas has raised the point and has earnestly urged it, to meet his objection, to meet that suggestion of discrimination in favor of the New England and Eastern market, I move to strike out the whole clause. That leaves all fresh fish under the duty fixed in another portion of the bill, at one-half cent per pound. Then New England and the Eastern market get no benefit over and above the other markets in other parts of the country, and I am willing to stand there.

Now, in addition, Mr. President, I wish to say that this opens what was at the bottom underlying a large part of the purpose and discussion around the negotiation of what is known as the fisheries treaty. All the fear that was raised in that negotiation came from the desire of the Canadians to secure the markets of the United States for their fish. I had occasion to say in the course of the debate which arose upon that treaty that if Canada could obtain the markets of the United States for her fish she would yield everything else. That was the purpose underlying the negotiations set on foot and the determined stand taken by the Canadian and the British negotiators backing up the Canadian negotiators, and that whole subject is raised here. If the Canadians can get possession of the markets of the United States they will be content, and if they can get possession of a portion of the markets of the United States for a portion of their fish they will to that extent be content. If they can bring in their fish preserved not by salt but by freezing processes, as has been described by the Senator from Massachusetts [Mr. DAWES], then to that extent they are content, and win the victory over our industries, because, Mr. President, the fact is that lying at home, as the fisheries do, at their door, or near by, with the difference in the cost of their outfit and in the wages that they pay, you give them the benefit of the markets of the United States for their product, for their catch—which is the technical word rather than "product"—they will drive from the sea the New England fishermen. That is as inevitable as tide and sunrise. That will come just as surely as the precession of the equinoxes. Every New England fisherman knows that. He knows that he can not stand that competition; and it is because of this, and because of the interest felt in this hardy class that have been the nursery of the American Navy for years, that from the beginning the forefathers took this interest in hand as a nursery for the Navy, and have protected it and favored and subsidized it from the earliest day.

So much so was this done that a bounty direct was paid in the olden time to the American fisherman, so much per ton for every fishing smack that he sailed out in and caught and brought his fish in. Money from the Treasury was directly paid out for years and years, until at last, because of the objections to this bounty and because under it excesses and abuses had grown up, it was repealed; and all that is left to the American fisherman to-day is the protection that is afforded him by the duty and the salvation of the American market for his enterprise, and the little benefit that he gets in being allowed free salt in bond to cure his fish. That is all that is left to the American fisherman, who was foremost with the fathers, with the early legislators, in his claim and in being recognized as an interest and an industry that should be protected by the Government. Pretty much everything has been stripped from him. He stands to-day with nothing else than this protection afforded by the duty laid on his rival, who can drive him out of market with free fish, and the little boon that is afforded him by free salt to cure his fish; and it is proposed now to take away both the duties, open the market to his rival, and take away what little help he has in the nature of the drawback upon salt.

Mr. President, if the American Senate to-day is prepared to take that unpatriotic stand with reference to the American fishermen, then it will do different from what I believe it will.

Mr. BUTLER. I wish to make an inquiry of the Senator from Maine, for I did not quite catch the drift of his remarks in that respect. I understand him to say that if the tax is taken off fish the American fisherman will be driven out of his business. I should be very glad to be informed why it is that the American fisherman can not proceed with his business as safety and as economically as the Canadian fisherman? Are not the same conditions surrounding both of them?

Mr. HALE. The same conditions do not surround them by any means.

Mr. BUTLER. Will the Senator be kind enough to state what the difference is?

Mr. HALE. The Senator could not have heard me. I did not go into that.

Mr. BUTLER. I was trying to get the drift of what the Senator said, but I did not do so.

Mr. HALE. I alluded first to the fact that the Canadian fisherman is at home close by the fisheries, and he can build his vessel, he can man and sail it and supply it, and particularly in the item of labor, at 50 per cent. of what ours can.

Mr. BUTLER. Is not in a large measure the American fisherman at home also? Can not he build his own ships, can not he build his own schooners or fishing vessels, and is it not a fact that a very large number of those engaged in American fisheries are Canadians, brought here by Americans?

Mr. HALE. No; the extent of that is very much exaggerated. The proportion is small, and of the foreigners who are employed in American fishing vessels a large proportion come here and settle and become naturalized.

In addition to the advantages that the Canadian fisherman has which I have referred to, the Senator from Massachusetts [Mr. HOAR] suggests that he can take his fish into port and send them overland, getting the benefit of the competition of the two kinds of transportation. He stands head and shoulders in advantage above the American fisherman to-day.

Mr. BUTLER. I confess I can not understand it.

Mr. HALE. I wish to say here that during the long-protracted and interesting discussion that took place upon the fisheries treaty, other Senators will remember with me that Senators upon the other side of the Chamber in alluding to this condition of the American fishermen expressed themselves as ready to keep for his benefit all the duty that is laid and all the protection that is afforded him by the statutes as they exist now. The burden of the discussion was that nobody proposed to take that off, and yet when we approach this subject I admit there is this other assault on the fisheries.

Mr. BUTLER. Is it a fact that the Canadian Government pays a bounty to its fishermen now?

Mr. HALE. The Senator from Rhode Island [Mr. ALDRICH] has the figures.

Mr. ALDRICH. If the Senator from Maine will allow me——

Mr. HALE. Certainly.

Mr. ALDRICH. I will say that there is one controlling reason why the American fisherman can not compete with the Canadian fisherman. The Dominion of Canada has voted $4,000,000 of the $5,500,000 paid to them by the United States Government under the arbitration award, and devoted that as a fund for the protection and encouragement of their fishermen, and they pay the income of that sum of $4,000,000 in the way of direct bounties to Canadian fishermen to the extent of $3 for each person engaged in the fisheries, $2 on each ton of tonnage of all the fishing vessels engaged, and $1.50 for each boat. These direct bounties to the Canadian fishermen amounted in 1885 to over $100,000, and for three successive years prior to that time the average was in the neighborhood of $100,000 per annum.

Mr. BUTLER. Practically, then, if the Senator will allow me to interrupt him for a moment, the money from which those bounties are paid came out of the Treasury of the United States.

Mr. ALDRICH. Precisely. We are furnishing the money which the Canadians are now using, and the Senate of the United States is asked to assist in the work of destroying the American fisheries with the money which we paid them.

Mr. BUTLER. I have no desire whatever to destroy the American fisheries. I should like to do justice to all industries.

Mr. HALE. I think from the Senator's question the Senator from South Carolina is with us.

Mr. BUTLER. No, I do not know that I am with you to the extent that you desire to go; but I should like very much, as I always like, to do justice, and I simply want to understand the situation. If it be true that these bounties that are paid now to the Canadian fishermen came out of the Treasury of the United States and the Canadian people outwitted us in getting that money, I do not think we ought to complain about that. We made a bad bargain according to all accounts, and we ought to stand up to it like men, and I do not think that ought to be suggested now as an argument.

Mr. ALDRICH. I only suggested it as a fact, not as an argument.

Mr. BUTLER. To sustain an argument, then.

Mr. HALE. It shows the advanced position of the Canadian fisherman, and it shows how impossible it is without some protection from us for the American fisherman to maintain his avocation.

Mr. ALDRICH. The Senator from South Carolina asked what advantages the Canadian fisherman had. I did not mean to intimate that there was any additional advantage, but that the money was paid to Canada by the United States.

Mr. BUTLER. I rather thought that was the purpose.

Mr. ALDRICH. No, I was only stating a historical fact; and Canada levies a duty of half a cent a pound on all fresh fish imported there.

Mr. GRAY. Mr. President, I thought if one thing was accomplished by the debate we had last spring and summer upon the fisheries treaty, so called, it was that the idea that the New England fisheries were the nursery for the American Navy had been exploded. It seems to have been abandoned towards the last of that debate by Senators on the other side who were opposing that treaty, and it was stated in the course of that debate from statistics——

Mr. TELLER. I should like to hear what the Senator says was abandoned. I did not catch what he said.

Mr. GRAY. I said it seemed to me that if one thing was accomplished by that debate it was the explosion of the idea that the New England fisheries were a nursery for the American Navy, and that it seemed to me that Senators on that side towards the close of that debate rather abandoned the extreme claims they had made in its beginning that the fisheries were so important to the United States in that point of view. That is what I said, or intended to say.

But, Mr. President, from the statistics which were produced in that debate on this side, and from our sources of information, such as they were, it was distinctly shown that a very large per cent., more than one-half, of the fishermen who manned American fishing vessels owned by these great New England fishing syndicates were Nova Scotians or from the provinces, not citizens of the United States nor intending to be, but men who shipped for the season, returned to their homes after the fishing season was over, and were in no sense, as far as they were concerned, material from which the American Navy could be recruited. On the contrary, they were the material from which a British navy would naturally be recruited. But one thing which was very apparent to those who were examining that question, on this side at least, was the extreme difficulty with which any exact information could be obtained from the owners of the vessels.

The fishing industry of the United States or of New England has changed since those halcyon days when it was in fact a nursery of American seamen and manned the ships that in the war of 1812 humiliated British pride upon the sea, and it has followed, as other American industries have followed, the direction of concentration in the hands of a few capitalists who own the ships, owning from a dozen to twenty, and manning them where they can obtain fishermen and sailors the cheapest, and resorting to that great source of fishermen and sailors, the Britsh provinces, recruiting their men and fitting out their crews from that great hive of sailors and fishermen, pursuing—as they had a right to pursue—their calling in a way that would be most for their benefit, and getting sailors and fishermen where they could get them cheapest.

But what I was going to say is that since that debate closed it has come about that a committee appointed by the House of Representatives, the committee called the Ford committee, that has been investigating the matter of contract labor, has disclosed the fact that we underrate the percentage on this side of Canadian fishermen who are employed in American fishing vessels, and that committee asserts, and I believe it has been so published, certainly I have been so told by a member of that committee who has been actively conducting the investigation, that 75 per cent. was an estimate quite within bounds of the number of Canadian fishermen, not men who came down from the provinces and expected to be naturalized, but of men who shipped for the season and went back to their homes in those provinces after the fishing season was over. So I believe the argument, such as it is, drawn for the purpose of maintaining a nursery for American seamen, has been by this time thoroughly exploded.

I admitted the force of that argument when the facts supported it. I should be the last one to deny the necessity of encouragement to that hardy class of our fellow-citizens who in time of war and upon the seas would man our vessels; but the facts do not exist from which that argument can be drawn. Conditions have been modified and changed since that was an argument which properly appealed to American pride and to the intelligence of the American people.

Now, about this fresh-fish clause; the argument of the Senator from Maine [Mr. HALE] is pretty much the argument we have heard so often here that somebody or other in this country owns the American market and that a few people can stand up in the face of the great body of American citizens all over this continent and say, "You are our market; we have a proprietary right in your earnings; we have branded you the home market, and you belong to us;" as if down here in the Washington market some thrifty housewife should go with her basket and be told when she went to the stalls, "You and those like you in this city are our market, those of us who live on the north side of the Potomac, and nobody from the south side shall sell a bunch of vegetables or a wild turkey or a bit of game, and you must buy from us." That is the one-sided transaction which is involved in this argument of "our market" and "the home market."

We are only considering one side of the bargain. A great mass of consumers all have a right to a market, they have a right to say that some market is their market where they want to buy, and their right to buy as cheaply as possible under the circumstances of the case deserves some consideration if not protection. If the poor people of this country, people of moderate means, can have upon their breakfast-table fresh fish for breakfast, not only along the Atlantic seaboard but away inland and across the Mississippi, from this new process of packing in ice and freezing, then, sir, it ill becomes the American Senate to say them "nay." And when the Lenten season arrives, that is now fast approaching, when millions upon millions of our fellow-citizens are required by their faith to confine themselves to a diet of which fish is a very large and important component, they are to be told that the cost of living is to be increased to them because, forsooth, the fish market belongs to a few capitalists in New England who will insist on the fact that the buyers of this article are their legitimate prey under the phrase of being their market!

Mr. President, so one-sided, so selfish a consideration as this can never obtain, it seems to me, the approbation of the American people, but will some day come back to plague those who are now supporting that view. I believe that this great food product, which is to become yearly of more and more importance, should be conserved, should be protected, in the interest of the great mass of the consumers of this country. I united some three sessions ago on a bill that was introduced here and came from the Committee on Fisheries proposing to enact a law which we hoped at that time would tend to preserve the fish supply of those waters near the Atlantic coast, and tend to retard or interfere with the wholesale and reckless destruction of the mackerel fisheries, because I believe more and more as population becomes dense on this continent that source of food supply will be of importance to the people of this country. But it is not to be preserved for the benefit of fish syndicates of New England. They have their rights, and the people who buy from them have their rights also.

Mr. BLAIR. I should like to ask the Senator a question before he sits down. All the way along the Canada line and everywhere that our occupations come in the vicinity of occupations in any foreign country, I find the laboring people flocking to America and working in and producing in American industries and receiving American compensation. Now, the argument which the Senator makes seems to be to this effect, that because laboring people who come from Canada are engaged in the fisheries of New England, therefore the fishing interests of New England are not entitled to that same protection which is extended to all other occupations under the theory of this bill. That being the case, reminding him, as I might, of the great number of Canadians who work in the lumbering interests all along the Canadian frontier, I ask why it is that he selects this particular New England interest for his objection and does not assail the entire system of occupations as well?

Mr. GRAY. Mr. President, it is not my purpose, if I can help, to assail any occupation. I want even-handed justice, if I can get it, or approximately at least, in the laws of our common country.

I did not use the argument that merely because Canadian fishermen were engaged in manning American fishing boats, therefore and for that reason alone fresh fish should be allowed to come into this country free of duty; but I instanced that fact, which seems to have been sufficiently ascertained, that a very large proportion, to wit, so large as 75 per cent. in my belief, of the men employed in American fisheries were Canadian fishermen, and that fact destroyed the argument of these fisheries being a nursery for the American Navy; and it is upon that ground, and that ground principally, if not alone, that the American fisheries have been held up for these many years, for at least three generations, as an object of peculiar regard and a subject for the especial protection of the Congress of the United States. That was the connection in which I alluded to the fact.

Mr. ALLISON. The Senator from Delaware will allow me a word. The Senator makes a very important statement, which I should be glad to have verified further or corrected, because it is in direct contradiction of the statement made by the Senator from Maine. The Senator from Delaware now says that 75 per cent. of these fishermen are Canadians. The Senator from Maine [Mr. FRYE] only a few moments ago stated that 85 per cent. of the fishermen that went out from Maine, were engaged in the fishing industry, were Americans. So it seems now we have a great disparity, one insisting that nearly all our fishermen are foreigners and the other insisting that they are practically all our own people.

Mr. HALE. Right there let me say that I have seen myself hundreds of these fishing craft fitted out and sent to the banks to catch fish from the different fishing ports of the State of Maine, and I have never known in all twenty foreigners out of the hundreds and thousands that manned those vessels. So far as the State of Maine is concerned, the Senator's figures are all wrong, utterly disproportioned, and fail to give what is the true condition. I do not know where he has got his figures, but they are not in accordance with the facts.

Mr. GRAY. It is of course somewhat embarrassing for me when the Senator from Maine, whose accuracy and intelligence and honesty I so entirely respect, throws into this debate his own personal testimony and I have no experience of the kind with which to meet him. I was relying upon such investigation as I had been able to make last summer into this matter as one gentleman engaging in the fishery de-

bate, and upon the information that I received from a member of the committee known as the Ford committee of the House of Representatives that had been investigating under the order of the other House.

Mr. HALE. What committee?

Mr. GRAY. It is known, I believe, as the Ford committee.

Mr. HALE. The Committee on Immigration?

Mr. GRAY. A committee investigating the matter of contract labor. Whatever the committee may have been called, it has been investigating this and kindred subjects, and I was told by a member of that committee—giving the source of my information—who knew that I had been interested in the debate on the fisheries treaty, so called, and that this matter had been incidentally brought into it, that we very much underrated the percentage of Canadians engaged on American fishing vessels, and that that percentage was 75 per cent., speaking within bounds, of Canadians.

Mr. BLAIR. Will the Senator just at that point please explain to me why it is any objection to protection to these American fishermen that they employ some foreign labor, when all other occupations, all other plants, and the capital invested in other business, use foreign labor also? Why should there be a discrimination? Why not protect this as well as any other labor?

Mr. GRAY. Of course the phases in which any matter of protection or of tariff comes before this body are very multiform, and it would take a great while to discuss it in all its aspects. It is not because alone in this particular industry foreign labor is employed to so great an extent, but as I said awhile ago, I allude to this fact in answer to an argument that was principally, if not solely, relied upon as the reason why this industry should be singled out for the peculiar protection and the peculiar favor of the Government of the United States, to wit, that it was furnishing a nursery for American seamen. If the facts I have stated be true, or approximately true, it is a complete answer to that suggestion.

Mr. HOAR. Will the Senator allow me one suggestion?

Mr. GRAY. Certainly.

Mr. HOAR. The Senator from Delaware stated just now that the Senators on this side of the Chamber at the close of the debate on the fisheries question last year abandoned or yielded their claim in regard to the matter of this being a nursery for American seamen. I wish to put on record——

Mr. GRAY. Let me state what I intended to say. I said that it seemed to me that before the close of that debate that argument had been abandoned by them.

Mr. HOAR. I wish to put on record my understanding——

Mr. GRAY. I did not say that the Senator from Massachusetts had abandoned it.

Mr. HOAR. I wish to put on record my understanding. I think my ears were as open to what took place in that debate as those of anybody, and I did not hear anything which indicated the least expression of a belief of any Senator on this side of the Chamber that that claim was not true, that it was not true of the present as it had been of the past. On the contrary, I myself cited the earnest, emphatic statement of Admiral Porter, the head of the Navy, giving his reasons for its greater importance now than ever before, and the statement of Admiral Luce.

The Senator from Delaware made certain statements in that debate about the nationality of the fishermen employed in Massachusetts. They were based, so far as I recollect them, chiefly on one or two newspaper statements in one of the Boston papers, a free-trade paper and an administration paper, and on the fact that in some disaster it had turned out that the men who died or were lost had a certain large proportion of foreign nationality. That was encountered by putting into the debate the statistics of the United States census of 1880, the last statistics of the United States Fishery Commission, the statistics of the Massachusetts census of population of 1885, and the statistics of the Massachusetts census of occupations, taken by different persons and in a different way when being taken by going around to different employers in Massachusetts also in 1885, which I will put into this debate before we get through. I have them all here now.

Mr. SPOONER. Mr. President——

Mr. GRAY. One moment, and I will yield to my friend from Wisconsin.

The Senator from Massachusetts [Mr. HOAR] made a statement about which I wish to make a remark. I recollect very well the statements which were made by myself—I can not answer so well for those made by others; there were a number of statements made—in regard to the nationality of the fishermen employed on American fishing vessels. I stated then, as I state now, that it was exceedingly difficult to get definite and accurate returns from the owners of fishing vessels themselves on this point. I do not mean to intimate that they would desire to conceal that fact. I do not know it to be so, and therefore I make no averment in regard to that. But there was testimony I thought of a perfectly competent kind that came to the Senate commended as indirect and circumstantial evidence as it sometimes comes commended to a court of justice as being more reliable and more trustworthy than the direct testimony of persons having an interest in the subject in controversy, and that was that the official returns made by the agent of the syndicate of fishing concerns in New England of the losses for two successive years showed that a very large percentage, much more than 75 per cent., of those lost were men who were not citizens of the United States. That being the case, not for one year but for two years, it seemed to me not only very strong testimony, but almost conclusive testimony that the proportion of American seamen to foreigners was about the proportion stated in that account of the lost. It would be a very singular thing if two years hand running the waves and storms and lightnings on that bleak and stormy coast should direct themselves especially against the foreigners and exempt those of American birth; and, therefore, that was put in not merely as newspaper testimony, but as testimony of a very sufficient and very competent kind.

All I have to say about that is that the United States census and the statistics of the labor commission of the State of Massachusetts differ quite widely as to their estimates, and the present Labor Commissioner, Carroll D. Wright, in answer to a note written to me asking for further information on that subject, said there was a discrepancy, and that there had been great difficulty in getting the exact returns of the nativity of the fishermen who manned American fishing vessels.

But, sir, to recur to the question of the Senator from New Hampshire, it was not because there were men of Canadian birth, nativity, and citizenship engaged in this industry that it should affect our votes, but it was adduced to meet an argument on the other side, to wit, an argument that this was a nursery of American seamen that should be protected by the American Government. I do not know that the fact that numbers of Canadians come across the border every year to engage in the lumbering industry is a fact to control our votes in regard to free lumber; but, as I am in favor of free lumber, I should not let that fact interfere with my vote upon the question.

Mr. BLAIR. I simply ask leave to remind the Senator that it makes very little difference to us, so far as the maintenance of the American Navy is concerned, whether those who are to man it happen to live on this side of the line or the other. We look to the happy period, not far remote I trust, when we shall be one country, and we had better pursue, I think, a policy, as long as it has been the policy of the country and is the permeating policy of this bill, which looks to the prompt and immediate reconstruction, if I may so speak, of the entire continent, with a view to the amalgamation and the increase of all the physical forces to be found upon the entire area between the Gulf and the Pole, to say the least. The Senator from Delaware hardly makes his point against the argument on our side of the Chamber, at all events, when he says that in cultivating the interests of the Canadian fishermen we are not doing something for the American Navy.

Mr. SPOONER. Mr. President——

Mr. GRAY. If my friend from Wisconsin will bear with me for a moment——

Mr. SPOONER. I should like to take the floor, and I will then yield to my friend from Delaware to discuss the question of Canadian annexation.

Mr. BLAIR. I hope the Senator will never use the expression "Canadian annexation" again. To speak of it as "political union" seems to be the appropriate term. As the Senator is not a member of the Committee on Foreign Relations any more than myself, I hope he will pardon me for the suggestion.

Mr. SPOONER. The Senator may prefer "political union" to "Canadian annexation."

Mr. BLAIR. I did not understand the Senator.

The PRESIDING OFFICER (Mr. PLATT in the chair). The Chair understands the Senator from Wisconsin to yield to the Senator from Delaware.

Mr. SPOONER. I do.

Mr. GRAY. I quite agree with my friend from New Hampshire that if that is the position taken by the Senators on the other side we shall have to reform our own lines in order to meet them. Like a skillful general and strategist, as I have no doubt he is, when he finds himself routed in one position he very quickly takes another. Whereas the argument was that this should be a nursery for American seamen with which and upon which to man American battle-ships, it now is that it is to be a nursery of Canadian seamen from which hereafter, in some remote future, we shall be able to draw our supplies, and that we are bringing up and nursing Canadian fishermen and Canadian sailors with which to man American men-of-war.

Mr. SPOONER. Mr. President, I have not had the pleasure of listening to any of the debate upon this item except to the portion contributed by the Senator from Delaware. The argument which he makes in favor of a free fish market is not particularly addressed to this item, but is the argument which I understand to be the Democratic position at present in favor of the proposition to buy where you can buy the cheapest and sell where you can sell the dearest; in other words, what we on this side regard as the enunciation distinctly of a free-trade proposition.

I am very glad to believe that it is not popular with the American people, but that that broader proposition that we will preserve the American market, not for a few men or a few syndicates, as the Senator says, but primarily for the American people, is the one which to-day is, and I hope for the future will be, the governing one in this country.

My friend ignores one element in his proposition, that statistics heretofore taken show that the protection of the fishing marine has no relation substantially to the upbuilding of the American Navy. His assumption is that the American fishing vessels, deep-sea fishing vessels, are the vessels which alone are factors in maintaining a nursery of American seamen. He forgets that upon the Northern lakes, Lake Michigan, Lake Superior, and other lakes, thousands upon thousands of men, as hardy and adventurous seamen as can be found upon earth, are constantly engaged in fishing operations, and I think it will not be found that many of them are Canadians. Hundreds and thousands of them are our own citizens, many of them men who took part in defense of the Union in the late war.

In considering the question of the protection of American fishermen from the standpoint of national interest in a future navy, if the exigency should ever call for a great navy, that element furnished by the Northern lakes ought not to be omitted. I think Senators will agree that it is sometimes as difficult and as dangerous to navigate those lakes as it is to navigate the ocean, and men who grow to be skillful and brave seamen on those waters are capable of skilled seamanship in any part of the world.

I am a little surprised that the committee should have reported this paragraph 557 as they have. "Fish, fresh, except when frozen or packed in ice, or otherwise prepared by any process for preservation," is put by the committee on the free-list. If there was any one thing announced distinctly over and over again in the debate upon the fisheries treaty, it was that America ought not to grant to Canada facilities or favors in relation to our commerce or any part of our commerce that were not reciprocal. I am not quite able to understand why when Canada puts a duty of one-half a cent per pound upon all fresh fish caught by American citizens the Committee on Finance should put Canadian fresh fish, even for immediate consumption, upon the free-list. But it is a mistake to assume, as has been assumed in the debate thus far, that the only section of this country interested in this industry is New England. The fresh-fish industry in the West, on the Great Lakes, is enormous, and it is entitled to consideration. It is as much entitled to protection as any other covered by this bill.

I hold in my hand a letter from a gentleman whom I know very well, an able man and a man in every way entitled to credit, Hon. E. S. Minor, of Sturgeon Bay, Wis., which, with the permission of the Senate, I will read. It is addressed to my colleague and dated Milwaukee, January 7, 1889. It refers to this subject, and is as follows:

On the 4th of this month the Fishermen's Association met in convention at Green Bay for the purpose of recommending to our Legislature such changes as seemed necessary in our State laws regulating the fishing industry of our State.

Similar laws are enacted, I think, in Michigan and other States bounded by the Great Lakes.

Among other things, they recommend a memorial to Congress from our Legislature, asking Congress to levy a duty on all Canadian fish, fresh as well as cured.

So long as Canada levies a duty upon American fish, I can conceive of no possible reason why Senators, consistently with the position of the Senate upon the subject, should be willing to make Canadian fish, fresh, free.

I attended the convention as one of the fish commissioners of the State, and I was delegated to draught the memorial and such other changes as the State Fishermen's Association suggested. I know you have a tariff bill before your honorable body now, and possibly this duty may be provided for in that bill. Hence I write to ask if it has been provided for. I know Senators HOAR, FRYE, and others have had much to do with this question of protection to our fishermen, and they may have considered this question already. I wish to call your attention—

I ask the Senate to give attention to this, for it is statistical information from the West, not from New England:

I wish to call your attention to the importance of this industry in our own State. I have the figures before me as returned according to our present State law by the wardens of the three districts into which our Great Lakes are divided. The most of these fish are lake-trout, herrings, and whitefish. The law has been in force three seasons. There were caught and sold fresh in 1886 4,924,149 pounds; in 1887, 5,541,744 pounds, and in 1888, 8,568,532 pounds.

Similar statistics from Ohio, I take it, and from Michigan and other States bordering upon the lakes would show that in each the industry is rapidly increasing in importance.

He continues:

In addition to the fresh fish sold in 1888, there were 4,000 half-barrels sold of salted fish. To this may safely be added 300,000 pounds consumed and sold in a small way and not included in the above. The value of these fish taken from the waters of Lakes Superior and Michigan, and Green Bay—

Lying within the borders of Wisconsin, saying nothing of the other States—

would amount to $400,000. The value of lake fish caught in the State of Michigan is nearly $2,000,000. At the rate our fish are increasing our waters in a very few years will produce a million dollars' worth of excellent food-fish. There is really no limit to what may be produced. We buy all our linen thread for fish nets in Scotland, and pay a duty of 40 cents per pound on it. We pay more for our labor. It costs more in every way to carry on our fishing business in America than in the Dominion of Canada, and yet they have always been allowed to use our markets free for their fresh fish. The Senators from Michigan ought to be interested in this matter.

The proposition of the Senator from Kansas seems to me to be nothing more nor less than a discrimination pure and simple, arbitrary and without foundation, in favor of Canadian fishermen and against American fishermen. Under the law as it stands to-day, and as it would stand if the committee's proposition is adopted as amended by the Senator from Kansas, Canadian fish can come into the United States without limit, to be transported anywhere within the United States for sale if they be salted or preserved on ice, but the American fishermen can not send a pound of fish into Canada for immediate consumption or preserved for transportation and future use without paying a duty of one-half cent per pound. That is to my mind a very singular protection to be proposed to be proffered to our fishermen by protectionists, by men who believe in the principle of protecting American industries, including American fishing interests.

The pending amendment, as I understand it, although I was not in the Senate when it was offered by the Senator from Maine, will impose the same duty upon Canadian fish coming into this country that Canada imposes at the same time upon American fish imported into Canada.

The PRESIDING OFFICER. The present occupant of the chair understands that the question now is on striking out the whole paragraph, as moved by the Senator from Maine.

Mr. HALE. Which, as the Senator says, in connection with the other portion of the bill, leaves Canadian fish subject to a duty of half a cent per pound, all parts of the country paying alike.

Mr. BUTLER. Fresh fish?

Mr. HALE. Fresh fish.

Mr. SPOONER. I have no doubt the people of Kansas are fond of fish, and I am anxious that they should obtain fresh fish in great quantities and at low prices. Fishermen from my part of the country send them vast quantities of lake-trout and whitefish, as do the fishermen from Michigan. But I am prepared to believe that the people of Kansas would prefer, if necessary, to pay a little more for fresh fish caught by American fishermen than to turn over the American fishermen and all their interests to Canada in the way proposed by the amendment offered by the Senator from Kansas.

Mr. BUTLER. May I ask the Senator from Wisconsin, before he takes his seat, one question?

Mr. SPOONER. Certainly.

Mr. BUTLER. I ask the Senator if he thinks the fresh fish from Canada would come in serious competition with the fresh fish of Wisconsin, or Michigan, or South Carolina, or Georgia, or any other State?

Mr. SPOONER. Why not?

Mr. BUTLER. I say "serious competition." Does the Senator think that the introduction of frozen fish coming into our ports, transported by rail, paying the railroad transportation, would come in serious competition with any such fish as he adverts to?

Mr. SPOONER. Undoubtedly, all along the Canadian border. The Canadian Government gives a bounty. The fish are caught in the same waters. They are transported over the same lines of railroad. They meet us every day, and it would certainly not seem to need argument to show that that would be a competition which would be serious and which we are not called upon to bear.

Mr. BUTLER. Would it be such a competition as would really and seriously impair the value of the fisheries in the United States?

Mr. SPOONER. Undoubtedly.

Mr. BUTLER. It might come in competition like a good many other things and yet not seriously interfere.

Mr. SPOONER. The writer of the letter which I have read states one fact which must be considered in connection with this competition, and that is that our fishermen pay for the netting material a duty of 40 per cent., while the Canadian fishermen pay nothing.

But I repeat that the proposition seems to me to be a monstrous one, that Canadian fish should be permitted by the American Congress to come into this country in competition with our fishermen free, while not a pound of American fish caught by American fishermen is permitted to go into Canada free.

Mr. HOAR. Mr. President, I desire merely to put in a statistical table on the result of it. It will take but a moment. I should like the attention of the Senator from Delaware [Mr. GRAY]. The statistics of the census of 1880 and of the Massachusetts population and industry schedule for 1885 which were taken under separate direction, varied somewhat in regard to the matter of nationality. There was no result which gave less than 60 per cent. of native-born persons, if I am correct in my memory, in any of those, but they varied somewhat. Accordingly I called upon the Commissioner of Fish and Fisheries, an appointee of the present Administration, and pointed out to that bureau the discrepancy, and I got a letter from Mr. McDonald forwarding the following statement of Mr. Collins, the Assistant United States Fish Commissioner in charge of the division:

In compliance with the instructions contained in your letter of this date—

This is dated May 24, 1888—

(inclosing a letter from Hon. GEORGE F. HOAR) I have the honor to submit the inclosed table showing by customs districts and by totals the number and nationality of men on vessels employed in the cod, mackerel, halibut, herring, and other food-fish fisheries, from the State of Massachusetts, during the year 1886.

He then says—I will not read the whole letter—

I believe it safe to assume that these figures are not very much different from the actual facts at the present time.

These statistics for the vessel fisheries have been gathered with much care, as

previously stated, by experts thoroughly familiar with the fisheries, and they are, therefore, believed to be exceptionally accurate and valuable.

That is the last Government report, for 1886, and is signed J. W. Collins.

Mr. TELLER. What does he make it himself?

Mr. HOAR. That I am about to state. He gives in that not only Massachusetts by customs districts, but gives also the entire New England States, as follows:

Detail showing nativity.

States.	United States.	Ireland.	Germany.	Great Britain.	Sweden and Norway.	Canada.	Miscellaneous.
Maine	4,017	12	8	24	1	162	20
Massachusetts	3,529	492	35	129	237	1,271	410
New Hampshire	207	.....	.....	1	4	9	5
Total	7,753	504	43	154	242	1,442	435
Rhode Island	823	18	5	18	3	12	12
Connecticut	1,198	15	8	12	5	2	20
Total	9,774	537	56	184	250	1,456	467

Mr. TELLER. A part of the Germans I suppose are citizens.

Mr. HOAR. From all these nations, the Irish, the Germans, the British, the Canadians, many of them become citizens or declare their intention to become citizens when they engage in this business.

According to this report, made when the attention of the office was expressly called to some difficulties about the previous statistics, there are 79 per cent. American-born, the bureau saying that the figures are exceptionally accurate and valuable. Here are 9,774 persons in 1886 native-born as against 2,950 persons of all nativities whatever other than those born in this country.

I also submit an extract from the report of Professor Spencer F. Baird for 1884. That is only two years before the other, which is for 1886. Professor Baird states the national importance and value of these fisheries, as follows:

The general results of the investigation, from the statistician's standpoint, may be briefly summarized as follows:

In 1880 the number of persons employed in the fishery industries of the United States was 131,426, of whom 101,684 were fishermen and the remainder were shoremen. The fishing fleet consisted of 6,605 vessels (with a tonnage of 208,297.82) and 44,804 boats, and the total amount of capital invested was $37,955,349, distributed as follows: Vessels, $9,357,282; boats, $2,465,393; minor apparatus and outfits, $8,145,261; other capital, including shore property, $17,987,413.

The value of the fisheries of the sea, the great rivers, and the Great Lakes was placed at $43,046,053, and that of those in minor inland waters at $1,500,000, in all, $44,546,053. These values were estimated upon the basis of the prices of the products received by the producers, and if average wholesale prices had been considered the value would have been much greater. In 1832 the yield of the fisheries was much greater than in 1880, and prices, both at first hand and at wholesale, were higher, so that a fair estimate at wholesale market rates would place their value at the present time rather above than below $100,000,000.

The fisheries of the New England States are the most important. They engage 37,043 men, 2,066 vessels, 14,787 boats, and yield products to the value of $14,270,393. In this district the principal fishing points in order of importance are: Gloucester, New Bedford, the center of the whale fishery, Eastport, Boston, Provincetown, and Portland.

Next to New England in importance are the South Atlantic States, employing 52,418 men, 3,014 vessels (the majority of which are small, and engaged in shore and bay fisheries), 13,331 boats, and returning products to the value of $9,602,737.

Next are the Middle States, employing in the coast fisheries 14,981 men, 1,210 vessels, 8,293 boats, with products to the amount of $8,676,579.

Next are the Pacific States and Territories with 16,803 men, 56 vessels, 5,547 boats, and products to the amount of $7,484,750. The fisheries of the Great Lakes employ 5,050 men, 62 vessels, and 1,594 boats, with products to the amount of $1,784,050. The Gulf States employ 5,131 men, 197 vessels, and 1,252 boats, yielding products to the value of $545,584.

I think it is proper to observe in connection with this last statement, which relates to 1884, that it is well known that there is a great exodus of fishermen going on daily in consequence of these Canadian difficulties from New England to the North Pacific, and that whole comparatively untilled field of the sea, Behring Sea, the sea south of the Aleutian Islands, and the whole of the North Pacific is to become in a very few years the scene of a great whaling and fishing interest. Cod, halibut, and other important sea fish swarm in those seas as they did in the North Atlantic in the earliest times.

It is idle, it seems to me, to claim that this is not an American interest, or that it is an interest confined to any section of the country. We have the most important coast line of any nation on the face of the earth, a stormy and dangerous coast line, and wherever our country borders upon the sea there you find these hardy, skilled, and brave men trained in the daily exposure to danger and privation and fatigue. It seems to me that if there is anything which can appeal to the national and patriotic spirit of Americans from all sections of the country alike, it is the desire that this great interest which has contributed so much to our prosperity, to our safety and our glory during our whole history, shall be fostered against this attempt to drive it out of the sea, partly by the competition of underpaid Canadian fishermen and partly by the superiority and skill of English and Canadian diplomacy.

Mr. STOCKBRIDGE obtained the floor.

Mr. GRAY. Will the Senator from Michigan yield to me for a moment?

Mr. STOCKBRIDGE. Certainly.

Mr. GRAY. I am not going to occupy the time of the Senate. I will merely avail myself of the Senator's indulgence to ask unanimous consent that I may be permitted to print in the RECORD alongside of the statistics just read from the interesting speech of the Senator from Massachusetts last summer the statistics that I had the honor to present to the Senate on the occasion of that debate. I do not wish to thrash over again the old straw on that question. I have a very lively and quick sympathy with the men who "go down to the sea in ships," and I should be very sorry to be thought to oppose their interests, but I really think that my duty here is to advocate the interests of the American people, of which they are a part. I shall not detain the Senate if I may be allowed to have the statistics to which I refer printed.

Mr. FRYE. I ask the Senator in submitting those statistics to let the statement show the locality from which the statistics were gathered, as there is an immense difference between certain fishermen in Gloucester, Mass., and the general run of fishermen through New England.

Mr. GRAY. The statistics to which I allude, and which I ask permission to print, are those that were produced by me in the speech that I had the honor to make at the last session on the fishery question, which were replied to by the Senator from Massachusetts. I assume that the statistics which the Senator has just read were taken from his speech in the late debate.

The PRESIDING OFFICER. The Senator from Delaware asks permission to insert in the RECORD some statistics to which he refers as having been used by him in a former debate. Is there any objection? The Chair hears none.

The statement referred to is as follows:

The Cape Cod fisheries.—Official tabular statement of the fisheries in Provincetown and Wellfleet, in the district of Barnstable, for the year 1887.

[From the Barnstable County Journal, Barnstable, Mass., April 28, 1888.]

Name of vessel and port.	Americans.	Foreigners.	Total.
PROVINCETOWN.			
Carry C. Miles	7	8	15
Alice	13	2	15
Edith McIntyre	17	3	20
Leon S. Swift	15	5	20
Lawrence McKenzie	16	6	22
Lucknow	5	8	13
Maud B. Witherell	7	9	16
Tressa D. Parker	7	6	13
Jesse T. Matheson	6	14	20
Alice, 2d	3	13	16
Grace F. Littleton	17	3	20
Lizzie Colby	14	6	20
Nellie Swift	10	9	19
Louisa A. Grout	7	15	22
Lizzie W. Matheson	10	15	25
Gertrude	7	5	12
Georgie D. Paine	5	18	23
Pearl Nelson	6	11	17
Annie R. Kemp	15	7	22
G. W. Bentley	6	9	15
William Matheson	5	11	16
Willie L. Swift	8	10	18
Freddie W. Alton	4	9	13
Hattie D. Linnell	15	1	16
G. M. Hopkins	7	8	15
Joseph A. Manta	10	6	16
Philominia Manta	10	6	16
John M. Ball	4	11	15
Zephyr	8	6	14
Mary E. Whorf	11	4	15
Alice Raymond	10	4	14
Alice Norwood	2	12	14
Ethel Swift	12	10	22
Ellen A. Swift	10	9	19
Maggie Mitchell	3	9	12
WELLFLEET.			
Carry G. Crosby	8	8	16
Lizzie Smith	8	8	16
Newell B. Hawes	9	7	16
Lizzie D. Barker	1	15	16
France B. Hiller	12	4	16
Alice P. Higgins	4	11	15
H. W. Pervere	6	10	16
Benjamin Oliver	1	13	14
Lucie M. Jenkins	8	6	14
Nathan Cleaves	11	5	16
Charles F. Atwood	14	2	16
Total	394	377	771

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Mr. GRAY. I thought I had Mr. Wright's letter here, but I have not. He goes on to analyze as far as he can, admitting the fact that it was impossible to get from the fishery outfitters and owners of vessels correct returns, because they would not give them, and he shows from the imperfect returns that he can get (he admits that they are imperfect) that nearly 50 per cent. were unnaturalized foreigners, and the large part of them were from the provinces.

Very much in the line of what the Senator from Massachusetts was saying just now when I said he was making my speech, I wish to read in this connec-

Scandinavian, that if he has been here long enough he is a citizen; and he is generally a good one. They become as patriotic and as loyal to American institutions as people to the manor born, and much more so than a great many whom it has been my opportunity occasionally to meet in this country. They have more of the loyal American spirit in them than many men who find themselves occupying high public positions in this country.

The same may be said of the Irish. If they are on our vessels they are citizens and are entitled to all the rights and privileges of American citizenship. When we called upon the people of the United States for an army a few years ago none responded more gallantly than the Scandinavians and the Irishmen, both for our vessels of war and for our armies in the field. If we are training them, if we are drawing from the European forces trained sailors for fishermen, we are drawing a very valuable class of citizens and a class who will never desert us in the hour of distress.

I want to put on record the statement that I have not myself abandoned at any time, or thought of abandoning, the position I took when I was discussing the fisheries treaty, that these fisheries are the nursery of our seamen. They have been so regarded for a hundred years. The second law that was passed in the United States provided for the encouragement of these fisheries by allowing a drawback on the fish that should be caught and exported. In 1792, by a system of bounties, that was kept in force until a few years since, these fisheries were encouraged. I want to insist that not only on the northeastern coast, but up and down the Great Lakes, we are training men all the time for the duties of superior seamanship in case their services are required on the great ocean.

I can remember forty years ago and more when it was considered a very desirable thing for a young man in this country to take a whaling trip or a cod-fishing trip. The young man in a neighborhood away off from the coast who found himself able to induce his father to let him go on a cod-fishing expedition for one season thought that he had done as much as most young men who entered the doors of a college. That was the class of men who went then. It is possible they have been somewhat displaced by the fact that foreigners have come here and are, perhaps, willing to work for less wages; but yet it will be found that very many of that class of men are to-day being trained in these fisheries for the captains of our great Atlantic steamers, and for our coasting trade, of which a Senator spoke here the other day as being the most magnificent coasting trade in the world.

If I did not think I ought not to digress, I should like to tell the Senator from Missouri [Mr. VEST], who spoke of the coasting trade with so much pride, just how that coasting trade was built up. It has been built up by just the same system by which we propose to build up the fishery interest in this country—by giving special opportunities and special advantages.

I do not intend to go over the whole fishery question. I think that when we are about to negotiate with Great Britain upon the question of our relations on the Great Lakes and on the ocean and on the Northeast, it would be well for the negotiators to be unhampered and untrammeled by any provision of this kind in the statutes. I express, as has been expressed by another Senator, some surprise that the committee should have reported this provision in the tariff bill.

Mr. STEWART. Mr. President, it occurs to me that there are the very strongest possible reasons for adopting the amendment of the Senator from Maine, and placing a duty upon fish of all kinds equal to the duty that is imposed by Canada. We are already building up Canada at the expense of our own country in many respects. We are transferring to Canada our carrying trade. Their railroads are relieved from many of the burdens imposed upon ours, particularly under the interstate-commerce law, and our carrying trade is fast being transferred to Canada, the effect of which is to build up Canada. If our 50,000 fishermen, 20,000 or 30,000 perhaps, or whatever number there may be, are not given the additional advantages which have been pointed out here, if we take this duty off fresh fish, the effect must be to transfer the industry to Canada and build them up and increase their population vastly. I do not think that it is good policy for this Government to build up this rival power at the expense of our own people. We had better have the fishermen on our own side of the line and give them a chance to live.

The Senator from Delaware [Mr. GRAY] spoke of the right of American consumers to a market as well as the manufacturers or the fishermen. I concur that they have a right to a market, to not only a place to buy, but a place to sell. This provision gives them no additional place to sell. Canada has blocked us with a tariff duty, so that we can not sell there. Our fishermen have not the right to sell there, and if we did have the right to sell in Canada, wages are lower there, and we should not probably be able to do so and compete with the Canadian fishermen. Besides, they have a small population as compared with ours.

If we surrender this market to them we shall get no equivalent. I think that consideration should run through all the tariff. When we consider any proposition to levy a duty on imports we should consider whether the country from which those imports come is likely to furnish a market for our products. The Western farmer wants a market. If there is no foreign market that can be made by free trade, let us make a home industry and keep the people here, and let them labor here, so that the farmer will have a market.

The great need of this very productive country, abounding in all the products of agriculture, is a market. Where you destroy the home market by allowing competition and acquire no foreign market, it is a great damage and does harm. That is the situation we are in now, at this age of the world, in considering the tariff. All countries have denied us their markets, except for those things which they must necessarily have. We are not considering the question of trade with other countries on equal terms. Their markets are blocked against us by exorbitant tariffs. Canada pursues that course very studiously.

When we took the tariff off tea and coffee and put those articles on the free-list, and established a line of steamers to China and subsidized them, Canada immediately put a discriminating tariff of 10 per cent. on tea and coffee imported from the United States, so that we were denied their market. When we took the tariff off logs, they put on an export duty. If we take the tariff off lumber, they will put on an export duty, or raise the stumpage, as pretty much all the lumber belongs to the government.

In dealing with Canada we certainly should never grant privileges which we do not get reciprocally. Canada is hardly in a condition to give us reciprocal privileges, because her markets are so much less valuable than ours. When she shuts out our people, and our fishermen, for us to say that we will deprive them of employment and give it all to Canadians and build them up, it seems to me is an unjust discrimination against our own people.

I think these considerations should have weight. The amendment of the Senator from Maine is eminently just, and proper, and necessary, if our citizens who are engaged in the fishing business are to be fairly treated.

Mr. ALLISON. The Senator from Colorado [Mr. TELLER] in closing his statement seemed to express some surprise that the committee had introduced into the free-list of this bill a provision respecting fresh fish. The committee, as Senators know, has been rather conservative in the preparation of this bill, and did not desire to change existing law unless a strong case was made for such a change. There was no application or presentation of this fish question to the committee in the form in which it is presented now. We found that fresh fish has been practically on the free-list since 1861. During most of that time it was supposed that at least the dominant party in this country was in favor of protection. I had not observed in the debates on the successive revisions of the tariff that either New England or Colorado had pressed the question of taxing fresh fish.

Mr. TELLER. If the Senator will allow me, I will remind him right there that when the revisions of which he speaks took place we had a sort of a reciprocal relation with Canada of such a character that the question could not well have been discussed, and that probably is the reason why nothing was done in that direction.

Mr. ALLISON. In 1861 we had, of course, the then subsisting reciprocity treaty with Canada.

Mr. TELLER. And I should like to remind the Senator that we have had it practically ever since, until 1885.

Mr. ALLISON. I do not care to enter into that discussion. I have never heard of any debate indicating that this particular thing ought to be done. So I trust the committee at least will be charitably considered by Senators on this side of the Chamber when they allowed a provision for fresh fish, which had stood in our tariffs from 1861 down to the present moment, to be reported in this bill. Of course we desired to make no radical changes upon these questions unless it was necessary.

Mr. MORRILL. If the Senator from Iowa will permit me, I will state that in 1861 the item of fish that went into daily consumption was put on the free-list for the reason that Canada allowed our fishermen to bring their fish from Canada here.

Mr. HALE. Since then Canada has put on a duty of half a cent a pound.

Mr. MORRILL. Yes.

Mr. ALLISON. We have heard of that a good many times. I am merely endeavoring now, if I can, to place the committee in a position where it will not be subjected to any severer censure than is actually necessary under the circumstances. I am now responding to the statement of the Senator from Colorado, who expressed surprise that this provision had found its way into the bill.

I desire to say another thing in defense of the committee. This provision was put in the bill at the instance of people who are interested in the fisheries.

The Senator from Kansas projects an amendment here which strikes out the conditions of limitation which the committee put upon the paragraph as respects fresh fish. The language of the Morrill act of 1861 was "fish for daily consumption."

Mr. GRAY. "For immediate consumption."

Mr. ALLISON. "Daily consumption" was the language of the tariff act of 1861. For some reason, which I have never examined, that phraseology was changed in 1874 to "fresh fish for immediate consumption." Since 1861 and even since 1874 there have been many changes

tion from the debate which took place in the Canadian Parliament, and that seems to be a favorite reference with the Senator from Maine and others in this debate so far as it has gone. On the 13th of April of this year, in debating this treaty, General Laurie, who is opposed to the treaty, and almost as emphatic and violent in his opposition as the Senator from Maine on our side, said:

"I mention this because, even in the matter of duty, as a rule the crews of vessels receive one-half the outturn. Now, it is the impression that they are protecting American fishermen, that the duty is practically a bounty which goes to American fishermen as opposed to provincial fishermen; but as a matter of fact, these fishermen, not wild, harum-scarum young men, but for the most part fathers of families, who have made a practice of going away to the United States, who own they do not do any better when they go, but who go because they have been in the habit of going and do not like to change the system, obtain one-half of the present duty so long as the duty is imposed. So the duty, instead of going into American pockets, largely goes into the pockets of our own fishermen.

"An honorable MEMBER. Oh, oh!

"General LAURIE. Perhaps if the honorable gentleman will visit the maritime provinces, he will find out that what I am saying is an actual fact. I am not speaking of what I have read, but I am speaking of what I know. There are disadvantages in connection with shipping in United States vessels. They are more reckless in sailing than our vessels, and while they do make larger returns, they also make larger losses. I now refer to the book which the finance minister was told he should have referred to more frequently, and I find that the losses of Gloucester vessels during the season of 1887 amounted to twenty-two vessels and one hundred and forty-five lives, of which I am sorry to say a very large proportion, far more than the majority, were those of fishermen from the lower provinces."

Here is a bit of what lawyers call unconscious testimony, taken at random, the return of losses of the Gloucester fleet for one year:

"Twenty-two vessels and one hundred and forty-five lives, of which I am sorry to say a very largeproportion, far more than the majority, were those of fishermen from the lower provinces."

How does it happen, Mr. President, that if the proportion is as the Senator from Massachusetts says, only about 19 per cent., when you come to foot up the losses of the Gloucester fleet for one year you find that 60 or 70 per cent. of those losses are the drowning of Nova Scotia fishermen? Were they selected as the special objects of the wrath of Almighty God? Did He direct His thunderbolts and His cyclones at the heads of these poor Nova Scotia fishermen more directly and with more of intent and purpose than He did against their Yankee shipmates? Here is testimony which speaks louder than statistics, louder than tables, that when you come to foot up the losses for one year you find that a large majority of those who were lost were from the provinces.

That was for the year 1887. I have some figures here of the same kind in a publication of Proctor Brothers' list of vessels, published in 1886 in Gloucester. That publication was not made with any intention that it should have a bearing upon this question. It was a commercial publication, and it gives the losses of life between September 1, 1885, and September, 1886, of the Gloucester fishing fleet as 104, of which 52 were Canadians, 25 were of other foreign nationalities, 17 were unknown, and 10 were Americans.

Mr. STOCKBRIDGE. Mr. President, I simply desire to say that I hope the amendment of the Senator from Maine will be adopted. Representing in part the State of Michigan, bordering upon the Great Lakes, and interested in this question of the fisheries, I desire to say that the people of Michigan have no disposition to reap any advantage from free fresh fish at the expense of their own fishermen. The catch in the State of Michigan last year was something over 12,000,000 pounds of lake-trout and whitefish, caught, as the Senator from Wisconsin has said, with twine paying 40 per cent. duty, and caught by men receiving much larger compensation than that paid to Canadian fishermen.

Michigan does not ask that free Canadian fish may come into her ports. Although we are at her very doors we are willing to pay the price for fish which our fishermen are willing to sell them for. Michigan believes thoroughly, as she has given good proof, in the doctrine of protection. I believe that the adoption of the amendment proposed by the Senator from Maine is in that direction, and I hope it will be agreed to.

Mr. REAGAN. I desire to call the attention of the Senator from Maine to the fact that it seems to me his amendment does not accomplish the purpose which he has in view as expressed in his remarks. That purpose was that all fish should be subject to duty. The proposition is to strike out paragraph 557, which provides for free fish, under the idea that that would leave all fish to be taxed. Another paragraph of the bill bearing upon this question, as the Senator will see, is paragraph 267, which provides that "foreign-caught fish (imported otherwise than in barrels or half-barrels), smoked, dried, salted, pickled, frozen, packed in ice, or otherwise prepared for preservation, not specially enumerated or provided for in this act," shall pay a duty of one-half of 1 cent per pound.

Mr. HALE. I propose to put in "fresh fish" right after the words "half-barrels," so that, as stated by the Senator from Wisconsin, these fish will be subject to the same duty that the Canadians impose upon our fresh fish—one-half of 1 cent a pound—and that settles the whole question.

Mr. REAGAN. I simply desired to call attention to the fact. Without something of the kind it would leave fresh fish free.

Mr. PALMER. Mr. President, I wish merely to say a word or two. I did not propose to say anything on this subject, but I am very glad that the discussion has been opened by the amendment of the Senator from Kansas. I was astonished when I saw fresh fish put on the free-list, but I supposed it was a sop thrown to Cerberus, to the kind of demoralized public sentiment which had disseminated free-trade ideas throughout the country. I suppose the reason why I have not received protests from my State has been because our people feared that if the question was opened they would suffer more than they would under the clause as formulated by the committee.

In regard to fresh fish being put upon the free-list, I regard it as an unjust and invidious discrimination against a very large class of our people. As far as the cities along the border are concerned, Cleveland, Buffalo, Detroit, and up as far as Milwaukee, Canadian vessels can bring their catch there, and sell them in direct competition with our own people. Along the borders of Michigan, which has the largest coast line possibly of any State in the Union, some 1,500 or 1,600 miles, there are numbers of fishermen's villages. I see that the statistics quoted by the Senator from Massachusetts this morning show that there are over 5,000 men engaged in that trade.

I believe it has been the policy of the Government since its foundation to encourage the fisheries, and to strike a blow at that is to strike a blow at our naval supremacy if we should ever require a naval supremacy. The supply that should come to our Navy will be drawn very largely from the Lakes. The commerce there now is greater than all our foreign commerce. The sailors there are numbered by tens of thousands, and anything done to militate against their prosperity (and this certainly is a blow against their prosperity), must have a tendency to decrease their numbers.

I hope that the amendment of the Senator from Maine, amending the amendment of the Senator from Kansas will prevail, and that this invidious distinction will not be made against the most worthy and hardy class of our people, people who make very little noise, but do their work assiduously and earnestly, and who live poorly. I hope that the whole clause will be stricken out and that Canadian fresh fish will not be admitted into our market.

There is another point I wish to notice. The State of Michigan has three hatcheries. The hatcheries at Detroit put last year 100,000,000 hatched whitefish into the Lakes. At Cleveland, I think, and elsewhere in the State of Ohio, there are a number of others. The United States has a number of hatcheries in Michigan.

We are stocking the Lakes for the benefit of Canadian fishermen if the amendment of the Senator from Kansas should prevail. Therefore I hope that the amendment to that amendment striking fresh fish from the free-list will prevail.

Mr. TELLER. Mr. President, I do not intend to discuss the fishery question; neither will I now discuss the tariff question. If the Senator from Delaware [Mr. GRAY] had not assumed that he had by his argument convinced everybody on this side that the American fishing waters, not only on the New England coast but everywhere else, were not a nursery of seamen, I should not have said anything.

I took some part in the fisheries treaty debate. I recollect that I especially antagonized the statistics presented by the Senator from Delaware, and called his attention to the same statistics that the Senator from Massachusetts read. Every report from every Department of the Government that could be relied upon at all has been against the assertion of the Senator from Delaware, that 75 per cent. of our fishermen are foreigners. It is possible that on some fishing smack or vessel 40 per cent. or 50, or it may be all of them, possibly except the officers, who must be American, are foreigners, but it can not be asserted here, with any evidence back of it, at least, that 75 per cent. are foreigners, nor can it be done upon the report of a committee that as yet has not made its report, a committee that I think has not gone beyond the city of New York to take testimony and has confined itself principally to taking testimony as to the arrivals at Castle Garden. It is possible they may have gone further, but if so I have not noticed the fact.

Mr. GRAY. Will my friend allow me to interrupt him for one moment in that line?

Mr. TELLER. Yes, sir.

Mr. GRAY. That committee, the Ford committee, I am informed took its testimony in the city of Boston in regard to the matter about which we are talking.

Mr. TELLER. It is possible they have taken the testimony of one or two witnesses to that effect. The testimony taken some time ago before a committee contained the statements of some men who swore that a majority of the fishermen were foreigners, but the great burden of proof was the other way. It is possible that some of the Germans, it is quite possible that some of the Scandinavians, have become fishermen on our coast. There is a large number of those people, I have no doubt, who are fishermen on the Lakes and on the northeast seacoast, but in almost every instance it will be found that the Scandinavians, and Irishmen, and Germans, or whatever they may be, are citizens of the United States, and they become as much a part of our marine force as if they had been born in this country.

Mr. PALMER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Michigan?

Mr. TELLER. Yes, sir.

Mr. PALMER. I merely wish to reassure the Senator that as far as the Lakes are concerned, our fishermen there are Scandinavians and Irishmen and Frenchmen generally—there are some Americans—but they are nearly all naturalized citizens. I would venture the assertion that 90 per cent. of them are already naturalized, and that the other 10 per cent. intend to be.

Mr. TELLER. There are two classes of people who come to this country who are always naturalized. One is the Scandinavian and the other is the Irishman. You can always depend upon it, when you find a

in modes of transacting every character of industry and business in our country. It appeared to the committee from reliable statements of gentlemen who are interested in this matter of fresh fish that the Canadians, taking advantage of this clause respecting immediate consumption, were in the habit of preserving their fish by various methods, chiefly in the form of packing in ice, and thus preserving a catch for a month or two months or three months, and under the guise of "fresh fish for immediate consumption" bringing fish into our country in active competition with our own fishermen. When we reflected, as was disclosed in the discussion upon the fisheries treaty, that the Canadians could not only do that, but that they could engage in the northeastern fisheries and ship their catch of fish by railway from Halifax to Boston or New York City or elsewhere, or all along their own northern coast and project them into Chicago, we believed that that was not a fair thing to our own people who were engaged in fishing, having a register from our own Government.

Mr. SAULSBURY. Will the Senator allow me to ask him a question?

Mr. ALLISON. Yes, sir.

Mr. SAULSBURY. Is not the practice of bringing in fresh fish packed in ice practically followed by American fishermen as well as Canadians, and was not the process in 1861 unknown either to Canadian or to American fishermen? I understand that now the American and Canadian fishermen both bring in fish in that way.

Mr. ALLISON. Undoubtedly that is the habit of American fishermen, but it is not the habit of American fishermen to have an opportunity of transporting their fish by cars from points where they are likely to be caught at certain seasons of the year. In other words, when our fishermen go upon the coast of Canada or into the deep waters of the sea and undertake to fish and carry their fresh fish to Halifax for transportation to Boston or New York they are informed that they can not do it.

Mr. SAULSBURY. I should like to ask for information, for I am not advised on that point, whether fresh fish packed in ice, Canadian or American fish, are shipped by rail? My understanding is that they are packed in a vessel in ice and brought to Gloucester, Boston, and other New England ports in ice. I am not aware that they are transferred from the ship to a railroad at any place, especially when they are packed in ice.

Mr. ALLISON. I understand that they are. It was the intent and purpose of the committee not to change the general policy that had prevailed for twenty-six years, but to carry out its original spirit and purpose, namely, that fish caught in the morning might be put upon people's tables in the evening, whether they chanced to be caught by a Canadian or an American fisherman.

That was the intent and purpose of this provision. The effect of it of course we all know. It was not necessary to have a lengthy discussion to show that the effect of this provision was to exclude the fishermen who fish in large quantities and ship cargoes to this country if Canadian fishermen. We knew of course the effect of this would be to largely restrict if not absolutely cut off the business of fishing as I have described it.

Now, the Senator from Kansas puts in this amendment, because he says that the committee by this arrangement has made a provision whereby the people along the shores of New England and along the shores of the Great Lakes will have an advantage over the people who live in the interior, as he and I and as our constituents do. Therefore he says that this provision, so far as this act of limitation is concerned, ought to be stricken out, without objecting, however, to the provision that fresh fish should be placed upon an equality with salted fish or preserved fish, so far as I heard him express an opinion.

The Senator from Maine proposes to strike out this provision entirely, the effect of that being of course to relegate fresh fish to the dutiable list. After hearing this debate and discussion, I rather think I can say that our New England fishermen and our fishermen upon the Great Lakes have scored a point. They have shown, I think with reasonable clearness, that the original provision in 1861 is a provision that ought not longer to remain upon our statute-book, first, because it is a discrimination against our own fishermen, and secondly, because if our fishermen undertake to present their fish at a Canadian port they are compelled to pay half a cent a pound if they be fresh fish.

So I intend to vote for the proposition of the Senator from Maine to strike out this entire provision. Then I shall ask the Senate to go back to the provisions respecting fish and put all fresh fish in exactly the condition that Canada has put the fresh fish imported into their country from our country, and I believe that that will be the fair and just solution of this whole question as respects this particular item.

I do not believe that that will add materially, if at all, to the price of fish in our own markets. It will be an inducement to our own fishermen to engage more largely in fishing enterprises upon the Lakes and upon the shores of New England. That is all there is in this question, and the committee's effort was to confine the importation of fresh fish to the provisions of the acts of 1861 and 1874 and the intention of Congress at that time (which was, I repeat, merely to allow a fish caught in the morning to be brought on the table in the evening, whether caught by a Canadian or by an American). Since that time, however, the entire fishing business has changed, so that it has become an immense industry, amounting to many million of dollars annually to our own people and permeating our whole country. The city in which I live I have no doubt receives fresh fish to-day from New Orleans, in the State of Louisiana, and at other seasons of the year we receive there fish preserved in ice from the seacoast and from the Great Lakes.

This preservation of fish in ice has become a method whereby all the people of this country can enjoy the benefits and privileges of fresh fish. So it is an industry that our people should carefully preserve and look after, especially, as the Senator from Michigan has well said, that there is no obligation resting upon us to spend a hundred or more thousand dollars annually to stock the Great Lakes with fish merely for the benefit of Canadian fishermen.

Mr. GRAY. May I ask the Senator from Iowa before he takes his seat whether I understood him correctly to say in his remarks that it is the fishermen themselves who desire to have fresh fish brought into the country put upon the free-list?

Mr. ALLISON. I said it was the representatives of the fishermen themselves who desired that we should put into this bill a provision whereby the original purpose and intent of Congress should be carried out, namely, that only fish fresh for daily consumption or immediate consumption should be included, and that this idea of preserving fish by packing in ice and by other preservative methods still enabling the fish to be sold as fresh fish should not be inhibited in this provision.

Mr. GRAY. Then I was right in understanding the Senator to say that the fishermen to whom this market belongs and to whom we are obliged, on the theory of the Senator from Iowa and his confrères, to pay tribute, are willing of their grace that fresh fish not packed or preserved in ice shall come to those breakfast-tables which they can reach in that condition free of duty, and that they are content if no one but the people along the Atlantic seaboard and on the shores of the Great Lakes shall be allowed to eat untaxed fresh fish.

Mr. ALLISON. Well, Mr. President, the Senator from Delaware is putting in another form the argument made by the Senator from Kansas, which, I think, minimizes this condition and belittles and makes it a matter of no moment Surely it was not in the mind of those who framed this provision that a man who happened to live on the shores of the Great Lakes should have an advantage over a man who lived 10 miles away, or 20 miles away. That was not the intent or purpose of this provision, as I understand, either originally or by this committee. But the argument here discloses that a man who lives near a navigable water or a stream that has fish in it, or who lives near the Great Lakes, or who lives near the sea, would have an advantage not enjoyed by the people who live in the far interior. Therefore I say the committee had no such purpose of making any discrimination, and I know of nobody who asked to have these provisions inserted upon that ground, but simply that the original purpose of the law should be carried out. That was all.

I suppose, also, that these fishermen did not expect or anticipate that the committee would change what had appeared to be the policy of the country for a long time, and place fresh fish on the dutiable list.

Mr. DAWES. I hope the Senator from Delaware does not fear if this duty should be put upon the fresh fish which are caught by the Canadians that these processes by which they are preserved in ice and otherwise than salt would be excluded from our fishermen. Our fishermen could send the fish preserved in precisely that same way to every market in the United States, and it is only a question whether our fishermen shall do it or whether the Canadian fishermen shall do it when we can do the same thing here.

Mr. GRAY. I did not understand that, of course, but I did understand that the monopoly of preserving fresh fish in ice and transporting them to the interior of the country was to be confined to American fishermen, or, as the Senator from Massachusetts, by a misnomer, says, "our fishermen." He forgets they are not our fishermen; we are theirs.

Mr. DAWES. I do not know what the Senator means by saying the fishermen of this country are not our fishermen.

Mr. GRAY. We are theirs.

Mr. DAWES. I understand our fishermen are a part of this great nation, just as much as the honorable Senator and myself are. I do not know why the Senator says it is a misnomer to speak of that large class of industrious population in this country as "our people." I understand them to be a part and parcel of this great nation, entitled to the same protection that everybody else is in the lawful industries which are open to them; and if it be proper to secure to them employment in this country rather than to give that employment to laborers in other countries, then they are entitled to the same nomenclature, the same cognomen that the Senator's constituents are. They are our countrymen just in the same sense that the honorable laborers in Delaware are our countrymen. I do not understand what the Senator means by saying it is a misnomer to call those people "our countrymen."

Mr. GRAY. I did not say anything about calling them "our countrymen." They are our countrymen and we are their countrymen. But he spoke of them as "our fishermen." I said so far as the efforts of the Senator from Massachusetts and those who think with him are con-

cerned, he makes it so that we are theirs and that they are not ours. The Senator speaks of their being entitled to the same protection that all other American citizens are entitled to. I grant it; but all other American citizens who are interested in this universal article of food, perhaps an article than which there is not a single other article more important to human happiness and human well-being, have some rights to protection; and when the great Giver of all good gifts stocked the seas near our coasts with fish he did not intend that they should be dispensed through the monopoly of a few New England fishermen.

Mr. DAWES. What does the Senator mean by "the monopoly?" There is not a man of the sixty-five millions of people in the United States who may not resort to precisely every feature of the employment of these men that my friend is unwilling to call "our fishermen." If they are not "our fishermen," it is because they are made subject to the Canadian fishermen. That is the reason they are not ours; and this policy of the Senator from Delaware to subject our industries to foreign industries may well lead him to inquire whether any of the industries of this country are our industries, or whether the laborers of this country are in any sense "our laborers." It is quite in harmony with the whole theory that we are to be subject to foreign labor and foreign industry.

Talk about a monopoly of curing fish in ice given to New England or to anybody in New England! The Senator's constituents are as industrious and are as enterprising as any constituents of any Senator here, and if there is a dollar over 5 per cent. to be made in it the capital of Delaware will find its way into it, and so will the capital of every State in this Union. There can be no monopoly in the production. The market can be surrendered, and that is what, with all due respect to the Senator's honesty of purpose, is the result of his argument and his policy.

Mr. EVARTS. Mr. President, I have not thought it useful that I should engage in any of the discussions of the items of the tariff bill. The general topics are abundantly elucidated by debaters on both sides. But this particular subject leads into larger considerations, supported on the one side or opposed on the other upon more general grounds than what belong merely to an ordinary item as between protection and free trade.

I wish at the outset very firmly to contradict any impression that has been made by the expression of the Senator from Delaware [Mr. GRAY] that in the fishery-treaties debate any disputant upon this side ever yielded in any form of expression or concession or inference what had been a great and prominent feature from the beginning, to wit, the value of the fisheries as distinct from the value of the fishes caught. From the beginning to the end of that debate—I may speak with some confidence, for I believe I closed the debate upon our side—the cardinal proposition was maintained that it was the interest not of New England, not of the border States on the Great Lakes, not of those on the Gulf, not of the South Atlantic, not of the western coast, of the fish-catching and the fish-selling, but that it was the question of the United States of America, as important to the people of Kansas or the people of Nevada or Colorado as to those that bordered on the seacoast. It was an external possession of the United States in the fisheries, a possession just as much of the people of New Orleans or the people of Iowa as it was of the people of New England. If there was anything that belonged to the country at large and in whole in all the great features of the fisheries, it was this northeastern fishery of ours that was outside our territory but was kept within our possession and our benefit and our future and our plans, that we are not ready to part with upon any consideration whatever.

We can not part with it under any of these narrow and special considerations, for whatever we part with, we part with as a country, and everything that we lose is gained by another country that values it and will make its possession felt against us.

Now, Mr. President, in reference to domestic interests, it seems to me very hard that when we fall into these discussions we should all think that our people are living here or there, whether it is at the South in an interest local to climate and advantages which they enjoy, or to the West in their other advantages, and then again to New England and the Middle States, and in turn the Pacific coast possessions. Sixty-five millions of our people live in the United States. When we talk about them and their interests and legislation concerning them, it is the people of the United States. But the United States in its population is distributed to the men in New England, or the men in Texas, or the men in Florida, or the men in Oregon. Because they live in these, their habitations and their homes, do they live any the less in the United States of America, or are any of them any the less at home in the hearts and protection of the people of the United States?

I, therefore, have always looked with almost contemptuous disdain upon any of the efforts of defense of this or that interest as if it were not an interest of the United States, or so wrought into the fabric of the policy and legislation of the United States that this or that distributed interest was to be protected. I have never weighed and I think that no Senator should ever permit the interests to be weighed as bearing upon the suggestion that they affected the seaboard or affected the interior. No; all our plan here is, as we legislate for the whole country and enact legislation that affects our foreign relations in the introduction from abroad of such articles as may compete with or such as may aid our industries, to look at it as brought from abroad into the whole country, wherever it is landed or wherever it is consumed.

Now, to bring the matter nearer to this topic, it is of a foreign duty to be imposed upon a foreign product on its introduction into this country. We must look, then, to this fish industry and this fish product as it belongs to American industry and in competition with foreign industry in the same product. We must look at the particular circumstance of these competing interests.

In reference to the Northeastern fisheries, or the Lake fisheries, or again the Southern coast fisheries, those industries as toward foreign countries stand in different relations of competition. As I had the honor to point out in the fisheries-treaty debate, there are three heads alone that embrace the great interests of the Northeastern fisheries—the coasts, the fish and their habitat, and the market. The three make up the industry and determine the prosperity of the industry.

The Canadians have the advantage of us by their occupation of the shores where they live, and under the laws of the government over them. The fish by our treaty are accessible equally to us with them in right, and we control our market; and when we determine whether or not we will impose a burden of customs duties on the fish that are caught by the Canadians at home, we look not only at the general question of whether we will protect domestic industries, but we look squarely in the face the competing industries and determine whether affirmative protection is not necessary to put us upon an equal footing in respect to the province and the seat of these industries. We must fit out our fleets for the fisheries, we must bring them back in our own bottoms, and then offer the fish in our markets.

Why, Mr. President, this of all other industries where foreign and domestic competition comes in stands upon a peculiar ground. On the face of things, whatever is produced within a country is to be invaded in its market by what is brought from abroad, with the disadvantage of distance, the cost of transportation, freight, insurance, and all the elements of commerce that enter into the aggregations of sale. But here these Canadians are nearer to us in their production than we are to our country—they are on the shores, and their fishing industries are simpler and less expensive and more manageable in details. They are on our borders nearer, in fact, than we are in the importations which our eastern fleets bring back as their freights. We therefore have a protection of fish in competition with Canadian occupation of the Northeastern fisheries to put us in our market in as even and as profitable relation as they by their advantage of being nearer to the fisheries and nearer to importations than we are. Under our system, by which the privileges of transportation are allowed to them and we are not allowed the transportation of our fish there, because we are kept in the original circle of trade which imposes these great expenses and investments upon us, we are bound to impose a duty.

When we come to the Great Lakes there a line is drawn between the same waters, and the shores on either side are actually accessible as ports so far as convenience of access goes. The Canadians impose a duty of half a cent a pound upon every fish caught in these common waters—common in the sense of the same lake on our side of the line—as against what are caught on their side of the line; and when we are asked to put fish in those Great Lakes caught on our side of the line upon the same footing of protection for ours against those caught on their side of the line which they have laid down against us, an outcry is made of our imposing a burden on fish.

You will see then, Mr. President, that in respect of the great fisheries now developing themselves so much in the Great Lakes there is an equality of privilege of accessibility to the fishing grounds each on the side of the line that pertains to the country. But when you come to the question of a duty we are only asked now to put our markets against their fishermen on the footing on which they put our fishermen against their markets.

Well, we have a very great interest, and that is in the South Atlantic and on the Gulf. There Senators will observe that our American fisheries are entirely protected by circumstances. There are no circumstances which expose our markets at the South to any considerable invasion by fishermen of other nations. If I am wrong the Senator from Louisiana will correct me. As I understand it, we have no such fishing industry of a foreign nation to compete with us there at all. Are then the Southern industries of the same nature, that is, the fisheries, to stand against an equalization, a reasonable protection towards equalization of the Northeastern fisheries or the Northwestern fisheries, or the Lakes, because there is no rivalry and no encroachment and no impairment of the full market of fishery down there?

It seems to me, Mr. President, that this very subject of the fisheries is one that may be proposed as an instance and an example of what the whole country is to deal with against what is an industry outside of the whole country. It seems that by instinct, or habit, or the hereditary influence of our early colonial development, New England furnishes the great bulk of American fishermen to the Northeastern fisheries. Is the effect, therefore, merely an industry of fishermen and catching fish? Not by any means. It is our great industry; it is our foreign possession in the sense that it is not within our boundaries,

but is within our treaty rights, and we propose to keep it as valuable, as productive, and as a school for seamanship, and I am at a loss to understand the process of reasoning of the Senator from Delaware, by which he brings against us that, under adverse influences, if you please, undesirable influences to be deprecated, there has intruded a considerable class of employés who are foreigners not in the sense of either being native or naturalized citizens.

Is it the policy of the Senator from Delaware, is it the policy of Senators on the other side of this Chamber, that if our seamanship, our seamen, our hopes, our plans, our schemes, our pride, our glory, by circumstances that we can not and do not control, have been reduced, we should go on and squander and dissipate what there is left of them? And yet that seems to be the proposition of the Senator from Delaware; that, as the foreigners now form part of these seamen, who are being trained—he has given us statistics that we can not accept—but on what principle is it that by circumstances that we can not control, we are thus encroached upon in the development of our seamen and our seamanship, we are to be careless and indifferent and even resentful against a handful, as he terms it, that are left?

Mr. PLATT. Mr. President, I have refrained from participating in this debate which has proceeded upon the items of this bill for the reason that I desired that action might be reached upon the bill, and I had determined that nothing I might say, unnecessarily at any rate, should retard that action. I have listened during the last ten days to much of argument and assertion and accusation and denunciation from those who are opposed to the principle of this bill to which I was tempted to reply, but I have refrained, and intend to refrain.

I am very glad that the committee does, as I understand, accede to the amendment proposed by the Senator from Maine [Mr. HALE] and remove fresh fish from the free-list, as was proposed by the bill, and assent to its being placed upon the dutiable-list. It seems to me that with any proper respect for ourselves as a Government we can not do less. If there were no principle of protection involved, the principle of reciprocity in our dealings with a neighboring foreign power, as it seems to me, would demand that we should put fresh fish upon the dutiable-list and charge the same amount of duty that is placed upon fresh fish by the Dominion of Canada when imported there.

The people who are engaged in this industry in the United States catch their fish side by side with the people who are engaged in this industry from Canada. Our people engaged in this industry are subject to many disadvantages in the pursuit of their occupation owing to their distance from the fishing grounds and the unreasonable restrictions and vexations which have been placed upon them by the Canadian Government, and yet they are not permitted to introduce fish into the Canadian ports without their being subject to half a cent a pound duty, while the Canadians, who engage side by side with our fishermen in the same business, under advantages which we do not possess, are permitted to land their fish free in our own market. Now it seems to me that that of itself ought to settle the question.

It was not, however, for that purpose that I rose, but to make some reply to what seemed to me to have been a tone of disparagement of the Canadian immigrants all through this discussion. If I understood the Senator from Delaware [Mr. GRAY], he replied to the argument that we need to maintain our fisheries in order that they may be a nursery for seamen who will man our ships in time of battle, with the statement that some Canadians are employed upon our fishing vessels, and he introduced statistics and seemed to dwell with a great deal of pertinacity upon these statistics, as showing that there are more Canadians employed by those of our citizens who are engaged in fishing enterprises than the statistics which are furnished by the Senator from Massachusetts would seem to show, as if it were any argument against the duty of this Government to do everything in reason to maintain our fishing industries in order that seamen may be trained up who shall help us in our time of need, to say that some portion of those seamen or those sailors now employed in the fishing industry are Canadian citizens.

Well, I am not going to stop here to inquire what the proportion is. I presume it is true that some portion of the sailors engaged in the fishing industry are citizens of Canada. I do not think so great a number of them as the Senator from Delaware supposes are citizens of Canada. I think that a good many of them are American citizens, and that a good many more of them, who may be citizens of Canada when they are employed upon these fishing vessels, will in the end be American citizens; but whether they be American citizens or not, I think it is very clear and very certain that in case of a war with any other country, except Canada (with which we do not wish to fight and can not fight), we could draw upon all of them to swell the number of our seamen, who would man our naval vessels and take part in defending our interests upon the water.

But this argument is simply alongside of one which has been used many times in this debate, which seems to imply that a Canadian immigrant is a person whom we ought to exclude from participation in our interests and our nationality, the same as we exclude Chinamen, and vicious and assisted immigration from whatever quarter it may come.

Now, Mr. President, I think that there is a very great misapprehension as to the character of the Canadian immigrant. It may be true that at first the Canadian who came to this country came to work in the lumber woods, and, after having earned money, went back to Canada. It may be true at the present time that some who come from Canada still go back there; but I think it is true in the main that those who come from Canada to the United States settle here, become industrious citizens, become conservative citizens, and as thrifty, temperate, moral, industrious, and religious as those who emigrate from any other portion of the globe to this country.

Speaking with one of our Government officials in the district of Quebec not long since, he told me, I think, that within the last three years more than 20,000 Canadians had left the port of Quebec to come to "the States," as they term it; that a considerable portion of those—I think he said over 800—brought their household effects and their furniture with them. That of course signified 800 families who were transferring their allegiance as well as their residence to this country. He said further that a large number of other families sold out their effects before leaving and carried their money with them to this country; and, further, that so sure was it that those who emigrated from Canada to this country came here and staid, that the provincial parliament of Quebec had appointed an agent to visit those who had taken up their residence in this country and try to induce them to return by offers of gifts of land, but that the agent was meeting with no success whatever. So this idea, which has been so industriously insisted upon here, that the Canadian is an undesirable member of our population, I think arises from an entire misapprehension of his character and his object in coming here.

I wish to refer to one or two things which have been stated by Senators as showing their regard of this question. The Senator from Alabama [Mr. MORGAN] on January 4, arguing that the committee was as open to the charge of free trade as were Senators on that side of the Chamber because the committee put certain things on the free-list, used the language I shall quote. He was referring to paragraph 351, "Animals brought into the United States," etc. He said:

> We can certainly raise here all the animals we want for any purpose, but because a man emigrates from Canada to the United States to compete with our coal-miners and operatives in the factories or to compete with our agriculturists we let him in free with his—
>
> "Teams of animals, including their harness and tackle and the wagons or other vehicles actually owned by persons emigrating from foreign countries to the United States with their families, and in actual use for the purpose of such emigration, under such regulations as the Secretary of the Treasury may prescribe."
>
> Mr. ALLISON. And his clothing also.
>
> Mr. MORGAN. And his clothing also. Being the friends of the American laborer, and there being no such friends in the world of the American laborer as this committee, the honorable Senator from Iowa leading this committee first takes the clothes that the immigrant may choose to bring, it makes no difference how costly, how much of them, or where he got them, or at what price, and lets him in free with all his clothing. He comes here as an immigrant not pledged to stay. He does like the Canadians do; he expects to go back in a month or a year, or perhaps he expects, like the Chinaman, to go back or, after he is dead, to have his bones carried back to the old country. You let him in free with the clothing he chooses to bring; it makes no difference what its cost. You let him in free to labor for a year with clothing enough bought in cheap foreign markets to last him the whole time, so that he will not buy a dollar's worth in the United States. You let him in free because he is an immigrant, and yet you pretend to be the friend of the American laborer as against the foreign laborer!

The Senator from North Carolina [Mr. VANCE] speaking of Canadian immigration, used this language on the same day:

> One-half of the factories of New England now are filled with men who are not even naturalized citizens of the United States, but who come across the border from Canada and elsewhere to labor here and return with the proceeds of their labor. You welcome that foreigner when he comes in the midst of your strikes, whom you can use for the purpose of putting down and suppressing the efforts of labor to secure its share in this taxation that is imposed in its name; but when he comes with anything to sell he is anathema maranatha, and all men are social traitors who desire to purchase his products at a reasonable price. That is the history of this labor question.

Those remarks are based upon the mistaken idea which seems to prevail upon the other side as to the character of the immigrants from Canada. I speak from some knowledge on this subject. I have lived among them for the last thirty years. I have seen them in the city of my residence grow from a handful until now I suppose they are a population of perhaps 1,300. Some of them have become our best citizens. They have all conducted themselves with as much propriety, with as much regard for our institutions and customs, with as earnest a zeal to make good citizens, as have the immigrants from any other country whatever. I suppose out of this 1,300 people perhaps 100 of them own the houses in which their families reside, some of them nice houses, which they have built or purchased as the result of their daily earnings. They have one and perhaps two churches in our midst, built also with the proceeds of their daily labor, one a very fine church costing several thousands of dollars. Many of them, fifteen or twenty I suppose, are store-keepers, merchants, and engaged in other business. We find many of them as clerks in our stores and in our factories. They are in all respects a conservative, industrious, thrifty, temperate, law-abiding people, and they are subject to no prejudice in the State of Connecticut, certainly not in the city of my residence, and I think I can speak for the whole State. No man who has come to this country from any other shore has any prejudice against them.

No man born here has any prejudice against them. They have not been brought here at times of strikes to supplant the labor of people

already employed by greedy manufacturers and grinding monopolists. They have come of their own free will, and they have come because they like the United States, just as those who remain at home wish to come in a lump because they like the United States. They are the advance-guard of the Canadians who, within a few years, are going to demand of their own government and ask of our Government that the boundary line which exists between us and Canada shall be obliterated, who are going to ask of our Government that they may be accepted and given a place to dwell among us. Why should they be disparaged, and why should it be necessary to resort to arguments like this?

Mr. BLAIR. Mr. President, ever since our fortunate alliance with the French nation, which rendered American independence and American liberty possible, there has been that strong sympathy between Americans and Frenchmen everywhere which has preserved amity between the two countries so far, and I believe will in the future for many generations to come, and the sympathy between the French population upon this continent and the people of our country has been strong, manifesting itself in every emergency whenever human sympathies naturally were excited. It has become a matter of history that in our late war the French-Canadian population sympathized in almost complete unanimity with the cause of the American Union. They largely replenished our armies, they were in almost every Northern regiment, and their blood as well as our own has entered into the cement which preserved the Union.

Not alone that, but in these recent years in proportion to the entire number of the French population that has been developed in Canada they have furnished the largest proportion of immigration to our country that has come from any foreign people whatever. Why, Mr. President, there are now in these Northern States not far from 1,000,000 men, women, and children of French-Canadian extraction. There are not more than a million and one-half or two millions, I suppose, of them remaining within the territory of Canada. The enterprising, the pushing, the vigorous element in the French-Canadian population is in the United States to-day rather than in Canada. There are not less than 50,000 of them living in my own State, and in the city where I have the privilege of residing, of perhaps of a population of 40,000 in all, not less than 15,000 are these same French-Canadians.

As the Senator from Connecticut [Mr. PLATT] has well said of his own knowledge, so I state from mine, that there is no element of our foreign population which deserves more of sympathy or better treatment in the policy that shall be adopted in our legislation than the French-Canadians. They are among our most industrious people; they are among our most honest and respectable citizens. Many of them are now becoming and are really extensive owners of real estate. They carry on not alone the work of the operative in the factory, but they engage in every avocation known to our industry. They have their schools, they have their churches, they have their newspapers, and they have something of the pride of race; and so long as it does not interfere with their complete amalgamation as American citizens, who would care to see destroyed that just pride of the Irishman in Ireland, or of the German in Fatherland, or of the Englishman or the Scotchman in the great empire of which they were members and in whose renown they have still a pride, although separated from the mother country? Men who have no pride in their own origin certainly never can be desirable as an accretion to American citizenship; and if in the course of this debate there has been anything of slur or of obloquy cast upon French-Canadian citizens of the United States or the general character of this immigration, for one, from the standpoint of one who knows them, I desire to repel whatever may have been said against this population. I rather desire an increase of it. I would not return from my own State or from any portion of our country a single immigrant from Canada, French-Canadian or otherwise.

Particularly, Mr. President, I think that we ought to bear seriously in mind, or cease to talk about it, the inevitable and radical and rapidly increasing tendency toward the realization of what we call "American destiny." This is no new idea. It is not simply to be confined forever to the realms of poetry and of speculation. We have been talking of this matter of manifest destiny for a century, and it is no use for us to suppose that manifest destiny can be postponed forever, and it is not wise, I think, for us to indulge in a policy of legislation which repels the unification of this continent territorially at a time when it is desirable that it should be unified if ever.

If we are to have the American continent under one flag, under one political union, it is desirable to have it before it is filled with hostile populations, before national prejudices have originated and grown strong, and the foundation, by reason of bickerings and incipient hostilities, shall be laid for future wars, and the sooner we are united politically and those tendencies which are apparent in the great mass of the population on both sides of the line between us and Canada are yielded to the better it will be with reference to the continued peace of this great continent. When the Canadian country and our own country are filled with opposing populations and shall have developed those hostilities and rivalries which inevitably result from the adjacent existence of independent and ambitious nations, it may be impossible, or at least difficult, without bloodshed and hostility, to effect a union which would now come naturally.

I trust, sir, that in the discussion of this question or of this bill nothing may be said, especially if it be unjust and practically false in its character, to repel a tendency now so manifest in the direction of the union of our peoples while yet we are comparatively few in numbers.

Certainly, whatever may be said upon the other question of the natural sympathy and the probable union coming between the country north of us and our own—whatever may be said with reference to that question, we ought to be willing to go through this debate doing simple justice to the people who have come here from the North; and I repeat, in closing what little I have to say on this question, that the French Canadian immigration to the United States, so far as I know of it, is eminently desirable and should be encouraged.

It may be said that there are differences of religion between the French-Canadians and the great mass of Americans, but they profess, as we do, the Christian religion at least. One-half of them are here to-day, and if a Catholic population is to be objected to because it be Catholic, let us remember that it is just exactly as well that we have this entire population under one union, under one political control, as it is to have it thus divided.

Those who control the interests of the Catholic Church on the other side of the Canadian frontier, I am informed and I believe, look upon this question in the same light. The French-Canadian Catholic is escaping from the church at home, and in order to preserve that relation between the French-Canadian here and in the Canadian country, a political union is desirable. If there be those in this or in any other country who hold that the Catholic Church is an abomination, I ask them to consider the question whether, if that church or organization were to be eliminated by the effort of anybody from the mass of mankind, it would be any less difficult to do it with this organization in a foreign country and operating thus through this immigration directly upon our own institutions—if it be any less difficult to do it, I say, while we are separated than it will be after we are one people?

If there be things in the organization or in the tendency of that church that are objectionable in the mind of anybody, they can only be removed by the spirit of intelligence, by the general diffusion of knowledge, which shall relieve whatsoever may be objectionable in this or any religious or other organization. I believe that by bringing the mass of mankind together, and especially that by bringing under the direct influence of American institutions in our own country those who are in adjacent territory, if there be anything objectionable it will be the sooner eliminated from the entire mass.

The fact that the French-Canadian is a Catholic is no objection to him in my own mind, and if it were I should prefer him and his whole church under our political jurisdiction rather than partly within and partly without.

The Catholic Church must and will conform to the spirit of the age and yield to the impulses of modern liberty.

There is nothing about this French-Canadian population which, to my mind, is objectionable, and so far as the Canadian immigrant is concerned, he is not wholly of French-Canadian extraction; he is not wholly of the Catholic Church. They come to us from the provinces, but the blood of many thousands of them is of other nativity or other extraction than that of the French population of Canada. They fought for us and defended us in the recent war, and they have come in large numbers since, and as the Senator from Connecticut well stated, there is every reason to expect that in future collisions (if we should be so unfortunate as to have a collision with any foreign power whatever) the French-Canadian and the Canadian of whatever extraction is as likely to seek the flag of the United States and to defend it as is the foreign citizen of any other country whatever; and to-day, sir, I believe that we could recruit armies almost as readily from Canada as from the United States to assist us, if need be, in foreign or domestic wars.

I desired to say just these few things with reference to the French-Canadian people because they are with us, and they are coming in still larger numbers, and coming to stay. I know them personally, and I feel bound, when they are assailed, in justice and truth to defend them as I would any other portion of my fellow-citizens. I have had occasion to do it before in this place, and if need be shall do it again.

With regard to the main question which led to this debate, I understand that there is substantial agreement now on both sides of the Chamber, and I shall cheerfully vote with the committee in their suggested modification of the bill.

Mr. REAGAN. Mr. President——

Mr. PLUMB. Will the Senator yield to me to offer an amendment?

Mr. REAGAN. Yes, sir.

Mr. PLUMB. I offer an amendment to the bill, which I ask may be printed.

The PRESIDENT *pro tempore*. The amendment will lie on the table and be printed.

Mr. REAGAN. Mr. President, I fear the Senate is quite wearied with this debate, interesting as it has been, and I would not occupy a moment's time except that as I intend to vote for the amendment offered by the Senator from Maine [Mr. HALE] I desire to say a word in explanation of that vote.

If this were simply a question between protection and free trade as to food-fish, I should vote against the amendment, as fish enters so largely into consumption throughout the country. But there is an-

other question that will control my vote, and that is the international relations of this country with another on that subject. I am unwilling to give a vote that will place the fishermen and seamen and the vessel-owners of this country at a disadvantage with reference to the like class in Canada.

So far as fish caught in our own waters are concerned, so far as fish caught by the owners of American registered vessels in foreign waters are concerned, they come to us without duty at any rate. So it is only as to fish caught by foreigners and brought in on foreign vessels that this duty, as I understand, is to apply.

That being so, in order that our people may not be placed at a disadvantage with the Canadians on this subject, who, I understand, receive a bounty from their Government upon the fish they catch and bring to market, I shall vote for the amendment of the Senator from Maine.

Mr. SAULSBURY. I understand that the pending question is on the motion of the Senator from Kansas [Mr. PLUMB].

The PRESIDENT *pro tempore*. The Chair thinks the question must first be taken on the amendment proposed by the Senator from Kansas.

Mr. SAULSBURY. The whole tendency of this debate, I think, shows that it is the purpose of the friends of this bill and of these amendments to subject fresh fish when brought here from Canada to the duty that is now paid upon salt fish, and against that proposition I shall vote. I understand that is substantially the amendment suggested by the Senator from Maine.

There is a very large quantity of fresh fish brought here from Canada and comparatively little salt fish brought here from the Dominion provinces. I think in the port of Gloucester there were 1,800,000 pounds brought two years ago, and that is only a very small portion of the fresh fish brought into this country. According to the testimony taken in 1886 by a subcommittee of the Committee on Foreign Relations there were brought to Gloucester in the year before 1,800,000 pounds of fresh fish, and there were only brought, I think, according to my remembrance, about 25 barrels of salt mackerel to that port the same year.

So then a very large proportion of the fish we get from Canada is fresh fish. The proposition of the Senator from Maine now before the Senate is to subject these fresh fish to duty. That will deprive the people of one of the sources which they have for obtaining fresh fish by excluding the Canadian fish and subjecting it to a higher duty than is at present imposed upon it, thereby making it a more costly article of food. I am opposed to taxing the necessaries of life, which a great many people in indigent circumstances have to use, and to that extent adding to their burdens.

I think there is plenty of room in this country for all of our fishermen. I have nothing against the interests of our fishermen. I think they can make a fair profit from their business if they are relieved from certain burdens they are now subjected to. I believe in the State of Massachusetts vessel property is taxed nearly $2 on the hundred of value, and in the State of Maine the fishing-vessel property employed in that State is subject to a total taxation of over $2 on the hundred. If the local State authorities would remove their local taxation, and then we should, by our tariff regulations, relieve the articles that enter into the construction of vessels from the burdens which they are now subject to, under our tariff laws, I have no doubt that our fishermen could do a good and thriving business, and one that would be profitable to themselves.

I am opposed to giving a monopoly to a few fishermen engaged in this business on the New England coast, and thereby subjecting the people of this whole country to taxation upon fresh fish, which is so largely used. These fresh fish are brought now to our ports and shipped to every part of the country, and you are taxing every person in every section of the country for the benefit of a local interest, to protect the fishing interest of New England. That is the short and the long of it, and it is for no other purpose but to subject the people of this country, by your proposed legislation, to the expense of paying a duty upon the fresh fish which they use. To that proposition I am opposed, and I shall vote against every proposition that looks to putting any duty whatever upon fish, let them come from Canada or elsewhere.

Mr. ALDRICH. The Senator from Kansas [Mr. PLUMB], who was just called from the Chamber, requested me in the event that he did not return before the vote was taken, to ask unanimous consent that the amendment proposed by him might be withdrawn in order that the vote should be taken first on the amendment offered by the Senator from Maine [Mr. HALE].

The PRESIDENT *pro tempore*. Is there objection? The Chair hears none. The question then recurs upon the amendment proposed by the Senator from Maine, which will be read.

The CHIEF CLERK. It is proposed to strike out paragraph 557, as follows:

557. Fish, fresh, except when frozen or packed in ice, or otherwise prepared by any process, for preservation.

Mr. VANCE. I was going to suggest that some of us on this side of the Chamber desire to vote for the amendment which the Senator from Kansas has authorized to be withdrawn; but I suppose the sense of the Senate can be tested just as well by voting against the amendment of the Senator from Maine. Therefore I do not renew the amendment of the Senator from Kansas.

The PRESIDENT *pro tempore*. Is the Senate ready for the question on the amendment of the Senator from Maine, to strike out paragraph 557?

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON]. If he were present, I should vote "nay."

Mr. EDMUNDS (when his name was called). I am paired generally with the Senator from Alabama [Mr. PUGH], whom I do not see here; but having the right to vote to keep the business of the Senate going on, I will vote at present "yea," and if I find that there is a quorum voting I shall withdraw my vote, unless the Senator from Alabama comes in and votes.

Mr. EUSTIS (when his name was called). I am paired with the Senator from Nebraska [Mr. PADDOCK].

Mr. EVARTS (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN], and therefore withhold my vote.

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. GRAY (when his name was called). I have a general pair with the Senator from Illinois [Mr. CULLOM]. If he were present, I should vote "nay."

Mr. TELLER. I have arranged to transfer that pair to the Senator from Louisiana [Mr. GIBSON].

Mr. GRAY. I adopt the suggestion to transfer my pair with the Senator from Illinois [Mr. CULLOM] to the Senator from Louisiana [Mr. GIBSON], and doing so, I vote "nay."

Mr. HALE. My general pair with the Senator from Kentucky [Mr. BECK] is transferred to the Senator from Nevada [Mr. JONES], and I vote "yea."

Mr. HOAR (when his name was called). I am paired with the Senator from North Carolina [Mr. RANSOM], unless my vote is necessary to make a quorum.

Mr. BERRY (when the name of Mr. JONES, of Arkansas, was called). My colleague [Mr. JONES, of Arkansas] is absent to-day, and is paired with the Senator from New York [Mr. HISCOCK]. If my colleague were present, he would vote "nay."

Mr. MORRILL (when his name was called). My pair with the Senator from Tennessee [Mr. HARRIS] having been transferred to the Senator from Colorado [Mr. BOWEN], I vote "yea."

Mr. TURPIE (when his name was called). I am paired with the Senator from Minnesota [Mr. DAVIS], and therefore withhold my vote.

Mr. VEST (when his name was called). I have a general pair with the junior Senator from Kansas [Mr. PLUMB], but by consent of the parties I transfer it to my colleague [Mr. COCKRELL], and I vote "nay."

The roll-call was concluded.

Mr. CULLOM. I understand that in my absence a moment ago my pair was announced with the Senator from Louisiana [Mr. GIBSON]. I recognize the pair, but desire to say that I should vote "yea" if at liberty to vote.

Mr. ALLISON (after having voted in the affirmative). I am paired with the Senator from New Jersey [Mr. MCPHERSON], and therefore withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from Iowa withdraws his vote.

Mr. HISCOCK (after having voted in the affirmative). Has the Senator from Arkansas [Mr. JONES] voted?

The PRESIDENT *pro tempore*. He is not recorded.

Mr. HISCOCK. Then I withdraw my vote, as I am paired with him.

Mr. ALLISON. I will transfer my pair with the Senator from New Jersey [Mr. MCPHERSON] to the Senator from Rhode Island [Mr. CHACE] and allow my vote to stand.

The PRESIDENT *pro tempore*. The Senator will be recorded in the affirmative.

The result was announced—yeas 26, nays 13; as follows:

YEAS—26.

Aldrich,	Edmunds,	Morrill,	Stewart,
Allison,	Frye,	Palmer,	Stockbridge,
Blair,	Hale,	Payne,	Teller,
Chace,	Hawley,	Platt,	Wilson of Iowa,
Chandler,	Ingalls,	Reagan,	Wilson of Md.
Dawes,	Manderson,	Sawyer,	
Dolph,	Mitchell,	Spooner,	

NAYS—13.

Bate,	Colquitt,	Pugh,	Walthall.
Berry,	George,	Saulsbury,	
Blackburn,	Gray,	Vance,	
Coke,	Hampton,	Vest,	

ABSENT—37.

Beck,	Butler,	Cullom,	Evarts,
Blodgett,	Call,	Daniel,	Farwell,
Bowen,	Cameron,	Davis,	Faulkner,
Brown,	Cockrell,	Eustis,	Gibson,

Gorman,	Jones of Nevada,	Plumb,	Stanford,
Harris,	Kenna,	Quay,	Turpie,
Hearst,	McPherson,	Ransom,	Voorhees.
Hiscock,	Morgan,	Riddleberger,	
Hoar,	Paddock,	Sabin,	
Jones of Arkansas,	Pasco,	Sherman,	

So the amendment was agreed to.

Mr. ALLISON. On page 127——

Mr. REAGAN. Before the Senator proceeds I desire to offer an amendment that relates to this subject, in paragraph 267.

Mr. ALLISON. I was going to offer an amendment to that paragraph.

Mr. REAGAN. I will wait until the Senator's amendment is disposed of.

Mr. ALLISON. On page 127, after paragraph 267, in accordance with the vote just taken, I move to insert as paragraph 267½:

Fresh fish, one-half of 1 cent per pound.

Mr. HALE. That is the Canadian duty.

Mr. ALLISON. I wish that put in as a separate and independent paragraph.

The PRESIDENT *pro tempore*. The amendment will be stated from the desk.

The CHIEF CLERK. It is proposed to insert as a new paragraph the following:

267½. Fresh fish, one-half of 1 cent per pound.

The amendment was agreed to.

Mr. REAGAN. I offer the following as a proviso to come in at the end of the paragraph just acted upon.

The PRESIDENT *pro tempore*. At the end of what paragraph?

Mr. REAGAN. The paragraph just added.

The PRESIDENT *pro tempore*. To come in after paragraph 267½?

Mr. GRAY. May I call the attention of my friend from Texas to the fact that that paragraph has been stricken out?

Mr. REAGAN. No, sir; that is not the paragraph that was stricken out. I propose to offer a proviso as an amendment to the amendment just adopted.

The PRESIDENT *pro tempore*. The proposed amendment will be stated.

The CHIEF CLERK. It is proposed to add to paragraph 267½ the following:

Provided, That from and after three months from the passage of this act the officers and at least three-fourths of the crews of any and all fishing vessels owned by citizens of the United States and engaged in fishing in waters outside of the territorial jurisdiction of the United States shall be either native-born or naturalized citizens of the United States. And that the owner or owners of any such vessel, or their agent or agents, and the commanders or masters of such vessel, found guilty after indictment in any district or circuit court of the United States of a violation of this act, shall be fined in a sum not less than $1,000 nor more than $5,000, and may, at the discretion of the court, be imprisoned in the penitentiary for a term not exceeding two years.

Mr. REAGAN. Mr. President, there appears to be a general concurrence on both sides of the Senate that the American vessels engaged in the fishing business ought, in the main, to be manned by American citizens, either naturalized or native. There is a controversy as to whether they are now so manned and have been in the past. That controversy has been of a somewhat serious character, and information has come to the knowledge of the Senate—whether correct or not, I am not able from personal knowledge to say—that a very large proportion of the men employed on the fishing vessels are not citizens of the United States, but that they are employed after coming here from the borders of Canada because they can be employed by the owners of these vessels cheaper than American citizens can afford to work for.

If the purpose of this bill is to protect American labor, here is an opportunity of doing it. It simply brings up the question squarely whether we mean to give the benefits of this legislation wholly to the owners of the vessels or divide between the vessel-owners and the men who man the vessels, those men to be American citizens.

The provisions of the section I offer are that the officers and at least three-fourths of the crews of all such vessels shall be either native or naturalized citizens. It can wrong nobody; it meets the general sentiment of both sides of the Senate, and it will settle the question for the future as to how these vessels shall be manned and officered, and settle it in the interest of American citizens.

The only general observation I have to make on the subject is that it has been my purpose all along, as far as possible, to strengthen the arms of the Government and to secure the interest of the American people, and it seems to me that this is in that direction, and that it will remove from our legislation to that extent the charge that it is being made in the interest of capital and against the interest of labor.

I trust it may be the pleasure of the Senate to adopt the amendment.

Mr. HOAR. I should like to ask the Senator from Texas before he sits down, what, in his judgment, would be the effect of the provision as he has it drawn? I should myself be in favor of the substance of the provision which requires a large proportion—and I do not think 75 per cent. would be any too large, and it is not as large as it is now, as I am informed—of those seamen to be American citizens. But if we put in the middle of a tariff bill these words that the duty shall be a certain amount, provided on certain ships a certain proportion of the seamen shall be American citizens, if they do not happen to be American citizens the logical result of this would be that the duty of the tariff bill would not take effect.

It seems to me that having a criminal law in the body of a tariff bill is rather an unusual way of proceeding in legislation.

Mr. REAGAN. We have, Mr. President——

Mr. ALLISON. One moment, if the Senator from Texas will allow me.

Mr. REAGAN. I yield.

Mr. ALLISON. I desire the attention of the Senator from Texas. If this provision is to be incorporated in the bill it should be incorporated later on among the general provisions. We have a great number of them, and I want to suggest to the Senator that he have his amendment printed as an independent provision and considered later on in the bill.

Mr. REAGAN. I have no objection, if it be in order in that way, that the amendment be printed and that it be introduced as a separate proposition later. What I desire is to get the action of the Senate on it.

The PRESIDENT *pro tempore*. The proposed amendment will be printed if there be no objection.

Mr. ALLISON. It can be offered at another place.

Mr. REAGAN. I desire only to say, in answer to the suggestion of the Senator from Massachusetts [Mr. HOAR], that in the bill already it will be found that there are a number of general provisions connecting themselves with the tariff legislation. I understand, of course, the suggestion made by the Senator from Massachusetts about putting a criminal provision in this proposed statute, but to insert the provision without the penalty would leave it in a condition where it could not be enforced. It would simply be directory, and there would be no penal authority for its enforcement. So it seems to me, if we adopt the provision, it is right to incorporate with it the authority that will enable the courts to enforce it. That is all I desire to say at this time.

The PRESIDENT *pro tempore*. Is the Senate ready for the question?

Mr. ALLISON. I understand the Senator from Texas waives his amendment at this particular point, and will offer it later on.

Mr. REAGAN. Yes, sir.

The PRESIDENT *pro tempore*. The amendment is withdrawn.

Mr. REAGAN. I do not withdraw the amendment absolutely. I leave it to be taken up at a later stage, or I will withdraw it and reoffer it. Perhaps that is the better plan. I ask to have it printed and lie over.

The PRESIDENT *pro tempore*. It will be printed and lie over. The reading of the substitute will proceed.

The Secretary read as follows:

558. Fish for bait.
559. Fish-skins.
560. Flint, flints, and ground flint stones.
561. Floor-matting manufactured from round or split straw, including what is commercially known as Chinese matting.

Mr. VANCE. I move to strike out paragraph 561, which has just been read, and place that article in the dutiable-list.

The PRESIDENT *pro tempore*. The amendment will be read.

The SECRETARY. It is proposed to strike out paragraph 561, as follows:

561. Floor-matting manufactured from round or split straw, including what is commercially known as Chinese matting.

Mr. VANCE. There were $664,000 worth of matting imported in 1887, paying a duty of $132,000. I see no reason in the world why it should be made free.

Mr. ALDRICH. Do I understand the Senator from North Carolina to offer this amendment because he thinks we need additional revenue?

Mr. VANCE. No, sir.

Mr. ALDRICH. What is his purpose?

Mr. VANCE. My object is to put this article on the dutiable-list and let it bear a portion of the duty, and if possible reduce the duty upon something else that is one of the necessaries of life, and not put on the free-list articles the duties collected on which go altogether into the Treasury.

Mr. ALDRICH. We have had very strong appeals from the other side of the Chamber for an extension of the free-list in tariff legislation. It happens that every article which we have put on the free-list for the very purpose for which they contend should be put on the free-list has been objected to by Senators on the other side, and they have sought either to restore the duty or impose an increased duty.

Mr. VANCE. There is only one way to reduce duties, and that is to reduce them on those things that bear heaviest upon the people, and keep the duties upon those things which are entirely the product of foreign countries; and with that view I make this motion to strike out this paragraph and put the article on the dutiable-list.

The PRESIDENT *pro tempore*. The question is on the amendment.

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. TELLER. I want to inquire of the committee whether any floor-matting of this character is manufactured in the United States?

Mr. ALDRICH. So far as the committee is aware, none of it has heretofore been manufactured in this country; all of it is imported.

Mr. TELLER. If I believed it was possible to manufacture this article in the United States I should vote to strike it from the free-list. I am of the opinion that it can not be manufactured in the United States, for the reason given the other day, that we can not manufacture these straw articles for braids and things of that kind used in hats.

The PRESIDENT *pro tempore*. The roll-call will proceed.

The Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I am paired with the Senator from Pennsylvana [Mr. CAMERON].

Mr. COCKRELL (when his name was called). I am paired with the junior Senator from Kansas [Mr. PLUMB]. I do not see him in his seat, and I withhold my vote for the present.

Mr. CULLOM (when his name was called). I believe the pair that I announced a moment ago was only for that vote. So I shall vote "nay."

Mr. EVARTS (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN]. I should vote "nay" if I were at liberty to vote.

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. MORRILL (when his name was called). My pair with the Senator from Tennessee [Mr. HARRIS] being transferred to the Senator from Colorado [Mr. BOWEN], I vote "nay."

Mr. SPOONER (when his name was called). I am paired with the Senator from Mississippi [Mr. WALTHALL]. I do not see him in the Chamber, and therefore I withhold my vote.

Mr. TELLER (when his name was called). I am paired with the senior Senator from Louisiana [Mr. GIBSON]. If he were here I should vote "nay."

Mr. TURPIE (when his name was called). I am paired with the junior Senator from Minnesota [Mr. DAVIS]. I therefore decline to vote.

The roll-call was concluded.

Mr. HISCOCK. Is the Senator from Arkansas [Mr. JONES] recorded?

The PRESIDENT *pro tempore*. He is not.

Mr. HISCOCK. Then I will not vote.

Mr. ALLISON. I am paired with the Senator from New Jersey [Mr. MCPHERSON]. The Senator from Minnesota [Mr. DAVIS] being absent, I transfer that pair to him to enable the Senator from Indiana [Mr. TURPIE] and myself to vote. Therefore I vote "nay."

Mr. TURPIE. I vote "yea."

The result was announced—yeas 16, nays 24; as follows:

YEAS—16.

Bate,	Colquitt,	Hampton,	Turpie,
Berry,	Eustis,	Payne,	Vance,
Blackburn,	George,	Pugh,	Vest,
Coke,	Gray,	Reagan,	Wilson of Md.

NAYS—24.

Aldrich,	Cullom,	Ingalls,	Platt,
Allison,	Dawes,	Manderson,	Sawyer,
Blair,	Dolph,	Mitchell,	Sherman,
Brown,	Edmunds,	Morrill,	Stewart,
Chace,	Frye,	Paddock,	Stockbridge,
Chandler,	Hale,	Palmer,	Wilson of Iowa.

ABSENT—36.

Beck,	Evarts,	Hoar,	Ransom,
Blodgett,	Farwell,	Jones of Arkansas,	Riddleberger,
Bowen,	Faulkner,	Jones of Nevada,	Sabin,
Butler,	Gibson,	Kenna,	Saulsbury,
Call,	Gorman,	McPherson,	Spooner,
Cameron,	Harris,	Morgan,	Stanford,
Cockrell,	Hawley,	Pasco,	Teller,
Daniel,	Hearst,	Plumb,	Voorhees,
Davis,	Hiscock,	Quay,	Walthall.

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading of the substitute will be proceeded with.

The Secretary read as follows:

562. Fossils.
563. Fruit-plants, tropical and semi-tropical, for the purpose of propagation or cultivation.
564. Fruits, green, ripe, or dried, not specially enumerated or provided for in this act.
565. Furs, undressed.
566. Fur-skins of all kinds, not dressed in any manner.
567. Gambier.
568. Ginger-root, unground, and not preserved or candied.
569. Glass, broken pieces, and old glass, which can not be cut for use, and fit only to be remanufactured.
570. Glass plates or disks, rough-cut and unwrought, for use in the manufacture of optical instruments, spectacles, and eye-glasses, and suitable only for such use.
571. Gold-beaters' molds and gold-beaters' skins.
572. Grease and oils, such as are commonly used in soap-making or in wire-drawing, or for stuffing or dressing leather and as are fit only for such uses, not specially enumerated or provided for in this act.
573. Guano, manures, and all substances expressly used for manure.
574. Gunny bags and gunny cloths, old or refuse, fit only for remanufacture.
575. Guts, salted.
576. Gutta-percha, crude.
577. Hair of horse, cattle, and other animals, cleaned or uncleaned, drawn or undrawn, but unmanufactured, not specially enumerated or provided for in this act; and human hair, raw, uncleaned, and not drawn.
578. Hide-cuttings, raw, with or without hair, and all other glue stock.
579. Hide rope.
580. Hides, raw or uncured, whether dry, salted, or pickled, and skins of all kinds, raw or dried, salted, or pickled, but unmanufactured, except sheep-skins with dutiable wool on.
581. Hones and whetstones.
582. Hoofs, unmanufactured.
583. Hop roots for cultivation.
584. Horns and parts of, including horn strips and tips, unmanufactured.
585. Ice.
586. India rubber, crude, and milk of; and old scrap or refuse india rubber which has been worn out by use and is fit only for remanufacture.
587. Indigo.
588. Iodine, crude.
589. Ipecac.
590. Iridium.
591. Ivory and vegetable ivory, not sawed, cut, or otherwise manufactured.
592. Jalap.
593. Jet, unmanufactured.
594. Joss-stick, or joss-light.
595. Junk, old.
596. Kelp.
597. Kieserite.
598. Kyanite, or cyanite, and kainite.
599. Lac-dye, crude, seed, button, stick, and shell.
600. Lac spirits.
601. Lactarine.
602. Lava, unmanufactured.
603. Leather, old scraps.

Mr. ALLISON. I move to strike out paragraph 603.

The PRESIDENT *pro tempore*. The amendment will be stated.

The SECRETARY. It is proposed to strike out paragraph 603, in the following words:

603. Leather, old scraps.

The amendment was agreed to.

The Secretary read as follows:

604. Leeches.
605. Lemon-juice, lime-juice, and sour-orange juice.
606. Licorice-root, unground.
607. Life-boats and life-saving apparatus specially imported by societies incorporated or established to encourage the saving of human life.
608. Lime, citrate of.
609. Lime, chloride of, or bleaching-powder.
610. Lithographic stones not engraved.
611. Litmus, prepared or not prepared.
612. Load-stones.
613. Mace.
614. Madder and munjeet, or Indian madder, green or prepared, and all extracts of.
615. Magnesite, or native mineral carbonate of magnesia.
616. Magnesium.
617. Magnets.
618. Manganese, oxide and ore of.
619. Manna.
620. Manuscripts.
621. Marrow, crude.
622. Marsh mallows.
623. Medals of gold.
624. Medals of silver or copper.
625. Meerschaum, crude or unmanufactured.
626. Mica and mica waste.

Mr. ALDRICH. On the part of the committee I move to strike out paragraph 626, in the following words:

626. Mica and mica waste.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Rhode Island.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The reading of the substitute will be resumed.

The Chief Clerk read as follows:

627. Mineral waters, all not otherwise specially provided for in this act.

Mr. VEST. In line 2143, after the word "waters," I move to strike out the words "all not otherwise specially provided for in this act." I see upon page 134 of the bill before me, in paragraph 312, beginning at line 1192, the following provision:

Ginger-ale, ginger-beer, lemonade, soda-water, and other aerated waters in plain green or colored molded or pressed glass bottles, containing each not more than three-fourths of a pint, 25 cents per dozen.

Mr. ALLISON. If the Senator will allow me a moment I will state that the paragraph to which he refers ought to be amended so as to have the word "artificial" before "aerated waters."

Mr. VEST. I was going to move to meet that very idea by inserting the word "natural" before "mineral," in paragraph 627; so as to read:

Natural mineral waters.

I propose to strike out the words "all not otherwise specially provided for in this act," and to let in free all natural mineral waters.

Mr. ALDRICH. That would be the effect of the amendment suggested by the Senator from Iowa.

Mr. VEST. It seems to me that my amendment would be better, because then there can not be any mistake about it. Hunyadi water, Vichy water, and Apollinaris water, and all mineral waters, according to the decision of the Treasury Department, would, of course, come in free, and that is what I suppose the committee intended.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Missouri will be stated.

The CHIEF CLERK. In paragraph 627, line 2142, it is proposed to insert before the word "mineral" the word "natural," and in the

same line, after the word "waters," to strike out the words "all not otherwise specially provided for in this act;" so as to read:

627. Natural mineral waters.

Mr. ALLISON. I ask the Senator from Missouri if he has the other paragraph before him.

Mr. VEST. Yes, sir.

Mr. ALLISON. What is the number?

Mr. VEST. Three hundred and twelve.

Mr. MORRILL. On page 134?

Mr. VEST. On page 134 of the bill of the Finance Committee, beginning at line 1192.

Mr. ALLISON. In line 1193, before the word "aerated," I move to insert the word "artificial." I had a memorandum of that amendment here. That was the intent and purpose of the committee.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Iowa will be stated.

The CHIEF CLERK. In paragraph 312, line 1193, after the word "other," it is proposed to insert the word "artificial;" so as to read:

312. Ginger-ale, ginger-beer, lemonade, soda-water, and other artificial aerated waters in plain green or colored molded or pressed glass bottles, containing each not more than three-fourths of a pint, 25 cents per dozen.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Iowa [Mr. ALLISON].

The amendment was agreed to.

The PRESIDENT *pro tempore*. The Secretary will state the amendment proposed by the Senator from Missouri [Mr. VEST] to paragraph 627.

The CHIEF CLERK. In paragraph 627, line 2143, before the word "mineral," it is proposed to insert the word "natural," and to strike out all after the word "waters," as follows:

All not otherwise specially provided for in this act.

So as to read:

627. Natural mineral waters.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Missouri [Mr. VEST].

Mr. ALLISON. Before that vote is finally taken I ask the Senator from Missouri to use the exact phraseology of the existing law in this paragraph, which is:

Mineral waters, all not artificial.

Mr. VEST. That is right.

Mr. ALDRICH. The interpretation of that phraseology has been passed upon by the courts.

Mr. VEST. That is right. I did not have a copy of the law before me or I would have included that language.

The PRESIDENT *pro tempore*. The amendment of the Senator from Missouri will be stated as modified.

The CHIEF CLERK. In paragraph 627 it is proposed to strike out the words "otherwise specially provided for in this act" and to insert "artificial;" so as to read:

627. Mineral waters, all not artificial.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Missouri.

Mr. GRAY. I should like to ask the Senator from Iowa or the Senator from Missouri whether that phraseology will include mineral waters that have been re-enforced with carbonic-acid gas? There are certain natural mineral waters that for exportation and use are re-enforced with carbonic-acid gas.

Mr. SHERMAN. It would include Apollinaris water. It has been already settled by a decision of the Treasury Department that Apollinaris water only re-enforced with carbonic-acid gas is a natural mineral water.

Mr. VANCE. I understand that Apollinaris water is re-enforced, but it is re-enforced by the gas which is collected at the natural spring.

Mr. SHERMAN. The Department has always held that that is natural mineral water. It is only re-enforced with the same gas that escapes in the natural course of things.

Mr. VANCE. It is not artificially treated?

Mr. SHERMAN. It is not artificial.

Mr. VEST. I think that is right.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Missouri.

The amendment was agreed to.

Mr. TURPIE. I should like to ask the Senator from Iowa in charge of the bill what is the meaning of the expression "marsh mallows," in line 2138, paragraph 622.

Mr. ALLISON. The Senator from Rhode Island will furnish the information.

Mr. ALDRICH. It is a medicinal plant of some kind. Does the Senator want the exact definition of it?

Mr. TURPIE. No, sir. Is it a plant at all?

Mr. ALDRICH. What is it, then?

Mr. TURPIE. It is the very finest kind of confectionery.

Mr. ALDRICH. The kind of confectionery so named is flavored with marsh-mallow.

Mr. TURPIE. I did not hear the Senator.

Mr. ALDRICH. It is a flavoring.

Mr. TURPIE. Marsh-mallow is the most elegant kind of confectionery. Does that expression designate clearly that the plant is meant?

Mr. ALDRICH. All kinds of confectionery are included in the sugar schedule. This is a medicinal plant of some kind, but the flavoring is used in making the confection known as marsh-mallows, I understand.

Mr. TURPIE. I assure the Senator that the word "plant" had better be added, because marsh-mallow is a common designation of very fine confectionery.

Mr. ALDRICH. This is the definition:

A perennial plant having flowers of a pale rose color and a carrot-shaped, white, fleshy root, as thick as the thumb, often used as an emollient and demulcent.

That is what Worcester says about it.

Mr. BUTLER. It is a plant, then?

Mr. ALDRICH. Yes, I knew it was a plant.

Mr. TURPIE. I did not ask what the definition of the plant was. I asked what was meant to be designated by the term "marsh mallows" here used.

Mr. ALDRICH. We intended to use here the definition as applied to a plant.

Mr. TURPIE. Then I suggest that the word "plant" follow the words "marsh mallows," so that it may not be confused with the confection which is called "marsh-mallow," and which is a great deal better known than the plant.

Mr. ALDRICH. I do not think the amendment of the Senator from Indiana is necessary at all, but I do not know that there is any special objection to it.

Mr. TURPIE. I do not wish to put "marsh-mallows" on the free-list if it can be construed to mean the finest kind of confectionery.

Mr. ALDRICH. This item has been on the free-list for a generation, and I never have heard of any trouble which arose by confectionery being admitted under that description.

Mr. MORRILL. They could not import anything but marsh-mallows under it.

Mr. ALDRICH. They could not import anything else under it. They could not import any kind of confectionery under it. We can not undertake to define the kinds of confectionery in a tariff bill. All confectionery of every kind is made dutiable.

Mr. TURPIE. I am not asking that the term be made more definite in respect to confectionery, but I ask that it be made more definite in respect to the botanical plant meant to be designated by the term "marsh mallows."

The PRESIDENT *pro tempore*. Does the Chair understand the Senator from Indiana to offer an amendment?

Mr. TURPIE. Yes, sir; I move to add the word "plant."

Mr. ALDRICH. Does the Senator think it would be desirable in the free-list to furnish a definition of each of these articles? That is substantially what the Senator proposes.

Mr. TURPIE. Not at all; but where the same phrase refers to different articles it would be very desirable to designate which one in view is meant. I am not asking for a definition of either, and did not ask it. The labor of the Senator in reading from the vocabulary was entirely lost. I perhaps know as much about marsh-mallows since the definition was read as before. All that I asked was whether it was intended to apply to the plant or the confections so named, and all that I suggest is that if it applies to the plant let us say so.

The PRESIDENT *pro tempore*. The proposed amendment will be stated.

The CHIEF CLERK. It is proposed to add to paragraph 622 the word "plant;" so as to read:

Marsh mallows plant.

Mr. ALLISON. In the existing law there is a hyphen between "marsh" and "mallows," which I find is omitted here. I think if a hyphen is inserted it will cover the point the Senator from Indiana wishes to accomplish. Surely no confectionery comes in now under this provision.

Mr. MORRILL. We should then have to put the word "plant" after rosemary, valerian, and various other plants on the free-list.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Indiana, to add to paragraph 622 the word "plant;" so as to read:

Marsh mallows plant.

Mr. ALLISON. I hope that will not be done. If it is done it will be necessary to put the word "plant" in at every stage. Confectionery is clearly and distinctly provided for in another part of the bill.

Mr. VANCE. What would be the objection to inserting the word "crude," just as it is in the preceding paragraph, and say "marsh-mallows, crude?" That is a phraseology peculiar to tariff laws.

Mr. ALLISON. If there is any doubt about it, I prefer to make a little further inquiry and then insert later on whatever is necessary. The experts of the Treasury Department will certainly understand what this ought to be.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Indiana [Mr. TURPIE].

The amendment was rejected.

Mr. SHERMAN. I think a hyphen had better be inserted.

Mr. ALLISON. I suggest that a hyphen be inserted, so as to correspond with the existing law, though I think there will be no trouble.

The PRESIDENT *pro tempore*. The Chair announced that the amendment was not agreed to.

Mr. ALLISON. But now I propose another amendment.

The PRESIDENT *pro tempore*. To hyphenate the word?

Mr. ALLISON. Yes, sir.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

Mr. ALLISON. I ask unanimous consent to go back to paragraphs 627 and 312, being the two paragraphs relating to mineral waters. There is some misunderstanding as to what phraseology the committee will propose there, and I ask that they may be passed over by unanimous consent.

The PRESIDENT *pro tempore*. Paragraphs 312 and 367 will be passed over informally by unanimous consent.

Mr. ALLISON. I ask that the amendments already agreed to may be understood as not having been agreed to, so that the paragraphs will be open.

The PRESIDENT *pro tempore*. Is there objection to reconsidering the vote by which the amendments were agreed to, and passing over both paragraphs informally, the amendments to be considered pending? The Chair hears no objection. The reading of the substitute will be resumed.

The Chief Clerk read as follows:

628. Minerals, crude, or not advanced in value or condition by refining or grinding, or by other process of manufacture, not specially enumerated or provided for in this act.

629. Models of inventions and of other improvements in the arts, including patterns for machinery, but no article shall be deemed a model or pattern which can be fitted for use otherwise.

630. Molasses testing not above 56 degrees by the polariscope: *Provided*, That if an export duty shall hereafter be laid upon molasses by any country from whence the same may be imported it shall be subject to duty as provided by law at the date of the passage of this act.

Mr. EUSTIS. I ask unanimous consent that paragraph 630 may be passed over and that it be considered with the sugar schedule.

Mr. ALLISON. I do not object to that. I think that course is proper.

The PRESIDENT *pro tempore*. Paragraph 630 will be passed over informally, if there be no objection.

Mr. EUSTIS. Let it be considered with the sugar schedule.

The PRESIDENT *pro tempore*. The reading will be resumed.

The Chief Clerk read as follows:

631. Moss, sea-weeds, and vegetable substances, crude or unmanufactured, not otherwise specially provided for in this act.

632. Musk, crude, in natural pods.

Mr. VEST. I move to strike out paragraph 632, in the following words:

Musk, crude, in natural pods.

And to insert:

Shingles.

I ask for the yeas and nays on agreeing to the amendment.

Mr. ALDRICH. I suggest to the Senator from Missouri that he should move to insert that article in its place alphabetically.

Mr. VEST. We can arrange that afterwards. I ask for a vote on inserting "shingles." Shingles are put on the free-list in the Mills bill.

Mr. ALDRICH. We have already passed over the lumber schedule without action on it, I suggest to the Senator from Missouri.

Mr. VEST. I want to test the question right now. Here is musk, a perfume, put on the free-list, and I want to put in place of it shingles.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Missouri will be stated.

The CHIEF CLERK. It is proposed to strike out paragraph 632, in the following words:

Musk, crude, in natural pods.

And to insert in lieu thereof:

Shingles.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Missouri, on which he asks that the yeas and nays may be entered on the Journal.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. HISCOCK (when his name was called). I am paired with the Senator from Arkansas [Mr. JONES]. Otherwise I should vote "nay."

Mr. MORRILL (when his name was called). The Senator from Tennessee [Mr. HARRIS] being paired with the Senator from Colorado [Mr. BOWEN], I vote "nay."

Mr. DAVIS (when Mr. SABIN'S name was called). My colleague [Mr. SABIN] is paired with the Senator from West Virginia [Mr. KENNA].

Mr. TELLER (when his name was called). I am paired with the Senator from Louisiana [Mr. GIBSON]. If he were present, I should vote "nay."

The roll-call having been concluded, the result was announced—yeas 18, nays 28; as follows:

YEAS—18.

Bate,	Colquitt,	Pugh,	Vest,
Berry,	Eustis,	Reagan,	Walthall,
Blackburn,	George,	Saulsbury,	Wilson of Md.
Cockrell,	Gray,	Turpie,	
Coke,	Hampton,	Vance,	

NAYS—28.

Aldrich,	Davis,	Manderson,	Plumb,
Allison,	Dawes,	Mitchell,	Sawyer,
Blair,	Dolph,	Morrill,	Sherman,
Brown,	Edmunds,	Paddock,	Spooner,
Chace,	Hale,	Palmer,	Stewart,
Chandler,	Hawley,	Payne,	Stockbridge,
Cullom,	Ingalls,	Platt,	Wilson of Iowa.

ABSENT—30.

Beck,	Farwell,	Hoar,	Ransom,
Blodgett,	Faulkner,	Jones of Arkansas,	Riddleberger,
Bowen,	Frye,	Jones of Nevada,	Sabin,
Butler,	Gibson,	Kenna,	Stanford,
Call,	Gorman,	McPherson,	Teller,
Cameron,	Harris,	Morgan,	Voorhees.
Daniel,	Hearst,	Pasco,	
Evarts,	Hiscock,	Quay,	

So the amendment was rejected.

The PRESIDENT *pro tempore*. The reading will be resumed.

The Chief Clerk read as follows:

633. Myrobolan.

634. Newspapers and periodicals; but the term "periodicals" as herein used shall be understood to embrace only unbound or paper-covered publications, containing current literature of the day and issued regularly at stated periods, as weekly monthly, or quarterly.

The PRESIDENT *pro tempore*. Should there not be a comma between the words "weekly" and "monthly" in line 2167?

Mr. ALDRICH. Yes, sir.

The PRESIDENT *pro tempore*. A comma will be inserted, if there be no objection. The reading will proceed.

The Chief Clerk read as follows:

635. Nutmegs.
636. Nuts.—Cocoa.
637. Brazil.
638. Cream.
639. Palm.

Mr. ALDRICH. After the words "cocoa" in paragraph 636, "Brazil" in paragraph 637, "cream" in paragraph 638, and "palm" in paragraph 639, I move to insert the word "nuts;" so as to have no misapprehension.

The PRESIDENT *pro tempore*. The amendment will be agreed to, if there be no objection. The reading of the substitute will be resumed.

The Chief Clerk read as follows:

640. Palm-nut kernels.
641. Nux vomica.
642. Oakum.
643. Oil-cake.
644. Oils.—Almond.
645. Amber, crude and rectified.
646. Ambergris.
647. Anise, or anise-seed.
648. Aniline.
649. Aspic, or spike-lavender.
650. Bergamot.
651. Cajeput.
652. Caraway.
653. Cassia and cinnamon.
654. Cedrat.
655. Chamomile.
656. Citronella, or lemon-grass.
657. Civet.
658. Fennel.
659. Jasmine, or jasimine.
660. Juglandium.
661. Juniper.
662. Lavender.
663. Lemon.
664. Limes.
665. Mace.
666. Neroli, or orange flower.
667. Nut oil, or oil of nuts not otherwise specially provided for in this act.
668. Orange.
669. Olive oil, for manufacturing or mechanical purposes, unfit for eating, and not otherwise provided for in this act.
670. Ottar of roses.
671. Palm and cocoanut.
672. Rosemary or anthoss.
673. Sesame or sesamum-seed, or bean.
674. Thyme origanum, red or white.
675. Valerian.
676. Spermaceti, whale, and other fish oils of American fisheries, and all other articles the produce of such fisheries.

Mr. ALDRICH. I move to insert the word "oil" after the word "almond" in paragraph 644, and so on down to and including par-

agraph 676. Wherever the word "oil" has not been repeated it is the intention of the committee that it shall be repeated, so that there will be no misapprehension as to the meaning. The paragraphs will then read "almond oil" instead of "almond," "amber oil, crude and rectified," "ambergris oil," "anise oil," or "anise-seed," making a repetition of the word "oil" in each case.

Mr. SHERMAN. It strikes me that as a matter of form, not a matter of substance, it would be better to put all these oils under one paragraph, because certain of these words have a different meaning without using the word "oil," for instance "civet," and also "mace." Mace is an article of commerce, and it is not called an oil in common language. It is always better to use the ordinary language of commerce rather than to insert the word "oil." If the Senator has no objection, I will move that all these oils be inserted in one paragraph under the head of "oils."

Mr. ALDRICH. If the paragraphs down to paragraph 676 can be passed over for the purpose, the committee will put them in form and offer a new form of amendment to-morrow morning.

Mr. SHERMAN. All right.

The PRESIDENT *pro tempore*. The paragraphs from paragraph 644 to 676, inclusive, will be passed over informally, and the reading of the substitute will be resumed at paragraph 677.

The Chief Clerk read as follows:

677. Olives, green or prepared.
678. Opium, crude or unmanufactured, and not adulterated, containing 9 per cent. and over of morphia.
679. Orange and lemon peel, not preserved, candied, or otherwise prepared.
680. Orchil, or orchil liquid.
681. Ores, of gold and silver.
682. Osmium.
683. Palladium.
684. Paper stock, crude, of every description, including all grasses and pulp of grasses, fibers, rags (other than wool), waste, shavings, clippings, old paper, rope ends, waste rope, waste bagging, old or refuse gunny bags or gunny cloth, and poplar or other woods, fit only to be converted into paper.
685. Paraffine.
686. Parchment and vellum.
687. Pearl, mother of, not sawed, cut, polished, or otherwise manufactured.
688. Peltries and other proper goods and effects of Indians passing or repassing the boundary lines of the territories of the United States: *Provided*, That this exemption shall not apply to goods in bales or other large packages unusual among Indians.
689. Peppers of all kinds, unground.
690. Personal and household effects, not merchandise, of citizens of the United States dying in foreign countries.
691. Pewter and britannia metal, old, and fit only to be remanufactured.
692. Philosophical and scientific apparatus, instruments, and preparations; statuary, casts of marble, bronze, alabaster, or plaster of Paris; paintings, drawings, and etchings, specially imported in good faith for the use of any society or institution incorporated or established for religious, philosophical, educational, scientific, or literary purposes, or for encouragement of the fine arts, and not intended for sale.
693. Phosphates, crude or native.
694. Pimento, unground.
695. Plants, trees, shrubs, and vines, of all kinds, not otherwise specially provided for in this act; and plants, trees, shrubs, roots, seed-cane, and seeds, imported by the Department of Agriculture or the United States Botanic Garden.
696. Plaster of Paris and sulphate of lime, unground.
697. Platina, in ingots, bars, sheets, and wire.
698. Platinum, unmanufactured, and vases, retorts, and other apparatus, vessels, and parts thereof composed of platinum, for chemical uses.
699. Plumbago.
700. Polishing-stones.
701. Potash: Crude, carbonate of, or "black salts," or fused.
702. Caustic, or hydrate of, not including refined in sticks or rolls.

Mr. ALDRICH. In paragraph 702, after the word "Caustic," I move to insert the word "potash;" so as to read:

Caustic potash, or hydrate of, not including refined in sticks or rolls.

The PRESIDENT *pro tempore*. The amendment will be agreed to, if there be no objection. Does the Senator want a comma after the word "refined?"

Mr. ALDRICH. Yes, sir.

The PRESIDENT *pro tempore*. A comma will be inserted. The reading of the substitute will be resumed.

The Chief Clerk read as follows:

703. Nitrate of, or saltpeter, crude.

Mr. ALDRICH. I move to insert the word "potash" after the words "Nitrate of."

The amendment was agreed to.

The Chief Clerk read as follows:

704. Sulphate of, crude or unrefined.

Mr. ALDRICH. I move to insert the word "potash" after "Sulphate of."

The amendment was agreed to.

The Chief Clerk read as follows:

705. Chlorate of.

Mr. ALDRICH. I move to insert the word "potash" after the words "Chlorate of."

The amendment was agreed to.

The Chief Clerk read as follows:

706. Muriate of.

Mr. ALDRICH. I move to insert the word "potash" after the words "Muriate of."

The amendment was agreed to.

The Chief Clerk read as follows:

707. Professional books, implements, instruments, and tools of trade, occupation, or employment, of persons arriving in the United States; but this exemption shall not be construed to include machinery or other articles imported for use in any manufacturing establishment, or for any other person or persons, or for sale.
708. Pulu.
709. Pumice.
710. Quills, prepared or unprepared, but not made up into complete articles.
711. Quinia, sulphate of, and all alkaloids or salts of cinchona-bark.
712. Rags, all not otherwise specially enumerated or provided for in this act.
713. Regalia and gems, statues, statuary, and specimens of sculpture, where specially imported in good faith for the use of any society incorporated or established for philosophical, literary, or religious purposes, or for the encouragement of the fine arts, or for the use or by order of any college, academy, school, seminary of learning, or public library of the United States; but the term "regalia" as herein used shall be held to embrace only such insignia of rank or office, or emblems, as may be worn upon the person or borne in the hand during public exercises of the society or institution, and shall not include articles of furniture or fixtures, or of regular wearing-apparel, nor personal property of individuals.
714. Rennets, raw or prepared.
715. Saffron and safflower, and extract of, and saffron cake.
716. Sago, crude, and sago flower, not in condition suitable for use as starch

Mr. ALLISON. In paragraph 716, "f-l-o-w-e-r" should be "f-l-o-u-r;" so as to read "sago flour."

The PRESIDENT *pro tempore*. That amendment will be made, if there be no objection. The reading of the substitute will be resumed.

The Chief Clerk read as follows:

717. Salacine.
718. Sauer-kraut.
719. Sausage-skins.
720. Seeds.—Anise.
721. Canary.
722. Caraway.
723. Cardamom.
724. Coriander.
725. Cotton.
726. Cummin.
727. Fennel.
728. Fenugreek.

The PRESIDENT *pro tempore*. In paragraph 728, the word should be "f-e-n-u-g-r-e-e-k." That correction will be made.

Mr. HOAR. I should like to go back to line 2292. That provision was drawn by the late President Garfield when in the House of Representatives, and it was intended by the House and by him to cover the case of the introduction of books for use by instructors, but it has been construed at the Treasury Department otherwise. I should like very much to have that made clear.

Mr. ALDRICH. I think the Senator is referring to paragraph 484. Paragraph 713 relates to regalia, etc.

Mr. HOAR. Yes, I should like to have that provision in lines 1932 and 1933 made clear so as to allow what was originally intended, the importation of books for use or for instruction. It comes within the spirit and the purpose. This was designed to cover it, and it does literally cover it, but the Department has construed it otherwise. The question was sent by the Boston custom-house to the Treasury Department some time ago.

Perhaps it is not worth while to detain the Senate by undertaking to do it upon the floor, but I should like to reserve the liberty to go back to that paragraph, and I will confer with the members of the committee some time before the consideration of the bill is concluded. I thought we were at that point now.

The PRESIDENT *pro tempore*. The reading of the substitute will be resumed.

The Chief Clerk read as follows:

729. Hemp.
730. Hoarhound.
731. Mangel-wurzel.
732. Melon.
733. Mustard.
734. Poppy.
735. Pumpkin.
736. Rape.
737. St. John's bread or bean.
738. Sugar-beat.
739. Squash.
740. Turnip.

Mr. ALDRICH. I suggest that the word "seed" be added to each one of those articles, from paragraph 729 to paragraph 740, inclusive.

The PRESIDENT *pro tempore*. That amendment will be made, if there be no objection.

The Chief Clerk read as follows:

741. And all flower and grass seeds not otherwise specially provided for in this act.
742. Selep, or saloup.
743. Shells of all kinds, not cut, ground, or otherwise manufactured.
744. Shrimps and other shell-fish.
745. Silk, raw, or as reeled from the cocoon, but not doubled, twisted, or advanced in manufacture in any way.

Mr. ALLISON. The Senator from Alabama [Mr. MORGAN] desired that paragraph 745 should be passed over for the time being.

The PRESIDENT *pro tempore*. The paragraph will be passed over informally. The reading of the substitute will be resumed.

The Chief Clerk read as follows:

746. Silk cocoons and silk-waste.
747. Silk-worms' eggs.
748. Skeletons and other preparations of anatomy.

749. Snails.
750. Soda, nitrate of, or cubic nitrate, and chlorate of.
751. Sodium.
752. Sparterre, suitable for making or ornamenting hats.
753. Specimens of natural history, botany, and mineralogy, when imported for cabinets or as objects of science, and not for sale.
754. Sponges.
755. Spunk.
756. Spurs and stilts used in the manufacture of earthern, porcelain, and stone ware.

The PRESIDENT *pro tempore*. In paragraph 756, line 2352, the letter "r" in the word "earthern" should be stricken out.

Mr. COCKRELL. Let it be stricken out.

Mr. ALLISON. Yes; I move to strike it out.

The PRESIDENT *pro tempore*. The letter "r" will be stricken out, so as to read "earthen." The reading of the substitute will be resumed.

The Chief Clerk read as follows:

757. Stone and sand: Burr-stone in blocks, rough or unmanufactured, and not bound into millstones; cliff-stone, unmanufactured; pumice-stone, rotten-stone, and sand, crude or unmanufactured.
758. Storax, or styrax.
759. Straw, unmanufactured.
760. Strontia, oxide of, and protoxide of strontian, and strontianite, or mineral carbonate of strontia.
761. Sugar of milk.
762. Sulphur, lac or precipitated, and sulphur of brimstone, not specially enumerated or provided for in this act.
763. Sweepings of silver and gold.
764. Tamarinds.
765. Tapioca, cassava or cassada, provided the same is not fit for use as starch.
766. Tar and pitch of wood.
767. Tea and tea-plants.
768. Teasels.
769. Teeth, natural or unmanufactured.
770. Terra alba.
771. Terra japonica.
772. Tin ore, and tin in bars, blocks, pigs, or grain or granulated.
773. Tonquin, tonqua, or tonka beans.
774. Tripoli.
775. Turmeric.
776. Turpentine, Venice.
777. Turpentine, spirits of.
778. Turtles.
779. Types, old, and fit only to be remanufactured.
780. Uranium, oxide and salts of.
781. Vaccine virus.
782. Valonia.
783. Verdigris, or subacetate of copper.
784. Wafers, unmedicated.
785. Wax, vegetable or mineral.
786. Wearing apparel and other personal effects (not merchandise) of persons arriving in the United States; but this exemption shall not be held to include articles not actually in use and necessary and appropriate for the use of such persons for the purposes of their journey and present comfort and convenience, or which are intended for any other person or persons, or for sale: *Provided, however*, That all such wearing apparel and other effects as may have been once imported into the United States and subjected to the payment of duty, and which may have been actually used and taken or exported to foreign countries by the persons returning therewith to the United States, shall, if not advanced in value or improved in condition by any means since ther exportation from the United States, be entitled to exemption from duty, upon their identity being established, under such rules and regulations as may be prescribed by the Secretary of the Treasury.
787. Whalebone, unmanufactured.
788. Wood.—Logs,
789. Fire-wood, handle-bolts, heading-bolts, or stave-bolts, and shingle-bolts, hop-poles, railroad ties, ship-timber, and ship-planking.
790. Cedar, lignum-vitæ, lancewood, ebony, box, granadilla, mahogany, rosewood, satinwood, and all other cabinet-woods, unmanufactured, not otherwise specially provided for in this act; bamboo, rattan reeds, and osier or willow, unmanufactured; bamboo, reeds, and sticks of partridge, hairwood, pimento, orange, myrtle, and other woods, not otherwise specially provided for in this act, in the rough, or not further manufactured than cut into lengths suitable for nmbrella, parasol, sunshade, or whip sticks, or walking-canes; and Indian malacca joints, not further manufactured than cut into suitable lengths for the manufactures into which they are intended to be converted.
791. Works of art, paintings, statuary, and other works of art the production of American artists residing temporarily abroad, and paintings, statuary, fountains, and other works of art, imported expressly for presentation to national institutions, or to any State or municipal corporation, or incorporated religious society, college, or other public institution; but such exemption shall be subject to such regulations as the Secretary of the Treasury may prescribe.
792. Works of art, drawings, engravings, photographic pictures, and philosophical and scientific apparatus brought by professional artists, lecturers, or scientists arriving from abroad for use by them temporarily for exhibition and in illustration, promotion, and encouragement of art, science, or industry in the United States, and not for sale, and paintings, statuary, and photographic pictures imported for exhibition by any association duly authorized under the laws of the United States, or of any State, for the promotion and encouragement of science, art, or industry, and not intended for sale, shall be admitted free of duty, under such regulations as the Secretary of the Treasury shall prescribe; but bonds shall be given for the payment to the United States of such duties as may be imposed by law upon any and all of such articles as shall not be exported within six months after such importation: *Provided, however*, That the Secretary of the Treasury may, in his discretion, extend such period for a further term of six months in cases where applications therefor shall be made.
793. Works of art, collections in illustration of the progress of the arts, science, or manufactures, photographs, works in terra-cotta, parian, pottery, or porcelain, and artistic copies of antiquities in metal or other material, hereafter imported in good faith for permanent exhibition at a fixed place by any society or institution established for the encouragement of the arts or science, and all like articles imported in good faith by any society or association for the purpose of erecting a public monument, and not intended for sale, nor for any other purpose than herein expressed; but the parties importing such articles shall give bonds, under such rules and regulations as the Secretary of the Treasury may prescribe, for the payment of lawful duties which may accrue should any of the articles aforesaid be so sold, transferred, or used contrary to this provision; and such articles shall be subject, at any time, to examination and inspection by the proper officers of the customs.
794. Yams.
795. Zaffer.

Mr. ALDRICH. In line 2416, paragraph 790, the committee move to strike out the words "osier or willow" and transpose the word "and" before "reeds."

The PRESIDENT *pro tempore*. The amendment will be stated from the desk.

The SECRETARY. In line 2416, it is proposed to insert "and" after the word "rattan," and in the same line it is proposed to strike out the words "and osier or willow;" so as to read:

Cedar, lignum-vitæ, lancewood, ebony, box, granadilla, mahogany, rosewood, satinwood, and all other cabinet-woods, unmanufactured, not otherwise specially provided for in this act; bamboo, rattan, and reeds, unmanufactured.

Mr. VEST. There was so much confusion that I could not hear the amendment. I understand the Senator moves to strike out "osier or willow."

The PRESIDENT *pro tempore*. The proposed amendment will be again read.

The Secretary read the amendment of Mr. ALDRICH.

Mr. VEST. Will the Senator explain the reason for that motion?

Mr. ALDRICH. It is for the purpose of placing these articles on the dutiable-list at 10 per cent. ad valorem; that is, the unmanufactured osier or willow.

Mr. VEST. I am opposed to it, although there are some interests in my State in that direction. The cultivation of willows for baskets is now being gone into in Southeast Missouri.

Mr. HISCOCK. Have you any objection to a duty being placed on willow?

Mr. VEST. I think it ought to stay on the free-list.

Mr. HISCOCK. I will say to the Senator that it is not on the free-list now.

Mr. ALDRICH. It is on the free-list in this bill.

Mr. VEST. I understand that.

Mr. HISCOCK. It is not on the free-list at the present time in the existing law.

Mr. VEST. In this bill it is on the free-list.

Mr. HISCOCK. In this bill it is.

Mr. VEST. In the Mills bill osier and willow are on the free-list. I do not want to take them out of this list if I can help it. I think everything that goes into an article of necessity, such as baskets and willow ware generally, should be on the free-list.

Mr. ALDRICH. The Senators on the other side seem to object to anything being taken off the free-list and put on the dutiable-list if it is produced in this country, and to insist that everything shall be taken off the free-list and put on the dutiable-list which is not produced in this country.

Mr. VEST. I beg the Senator's pardon. I have never advanced any such doctrine here, and he can not point to a single instance where I have supported a proposition of that kind.

Mr. ALDRICH. The Senator yesterday voted with the Senators on that side to take straw braids and plaits from the free-list and put them on the dutiable-list at 20 per cent., they not being produced in this country. He now objects, as I understand, to taking osier and willow from the free-list and putting them on the dutiable-list, osier and willow being produced in this country, being an American agricultural product.

Mr. VEST. A reference to the CONGRESSIONAL RECORD will show, without putting a matter of memory at issue, that I opposed putting on the free-list braids, plaits, etc., for ornamentation, and made the motion to strike out "for ornament;" and I begged Senators on the other side to let the paragraph remain or be altered so as to leave it that "braids, plaits, etc., for making hats and bonnets" should be free, directly the line which I hold to-day. Those were articles of pure luxury; here is an article of pure necessity. If the Senator can not see the difference between them he is unfortunate, that is all.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Rhode Island [Mr. ALDRICH].

The amendment was agreed to.

Mr. ALLISON. We have now, I believe, completed the schedules of this bill and the free-list, and if no Senator wishes to go on further to-night, I will move that the Senate adjourn.

Mr. VEST. Will the Senator allow me to ask him a question? We passed over a portion of this free-list. When does he propose to resume the consideration of that portion? We passed over a large number of articles on page 175 of the bill, according to the print which I have before me.

Mr. BUTLER. While that is being inquired into, may I make an inquiry of the Senator from Iowa, and that is when this body adjourns this evening when do we meet again?

Mr. ALLISON. To-morrow at 12 o'clock, as I understand.

Mr. BUTLER. We had such a prompt attendance at 11 o'clock this morning that I thought perhaps the Senator would wish to meet again at 11 o'clock.

Mr. ALLISON. I am glad that the Senator from South Carolina was able to be here at 11 o'clock to-day.

Mr. BUTLER. I hope my friend from Iowa will be equally prompt.

Mr. ALLISON. I was also here at the same hour.

Mr. VEST. Will the Senator now answer my question, when we are to go back to the balance of the free-list?

Mr. ALLISON. My preference would be to go on and finish the reading of the bill in the morning.

Mr. VEST. Beginning at the point where we stopped?

Mr. ALLISON. Where we stop to-night, and then spend the remainder of the day in taking up the omitted portions of the free-list and other matters.

Mr. VEST. I will make a suggestion. I think it would be convenient after we finish the balance of the bill and the portion of the free-list not disposed of, to know what the Senator in charge of the bill intends to call up for consideration.

Mr. ALLISON. My own preference would be then to take up the question of guns and cutlery, and a few miscellaneous items of that character that have not been disposed of, but early next week I want to proceed with the woolen schedule, "Wool and manufacturers of wool," which schedule has not yet been touched.

Mr. VEST. It is entirely immaterial to me what course is pursued.

Mr. COCKRELL. Will the Senator from Iowa yield and withdraw his motion to adjourn for a motion to let us proceed to the consideration of executive business?

Mr. ALLISON. I will yield in a moment. I desire to say to the Senator from Missouri and other Senators that so many things have been omitted in the reading of the bill that it will be impossible to designate now what particular thing will be taken up next. Of course, after the bill is read through, the whole bill will be open to any amendment that may be suggested by any Senator, but as we have practically but one week more after this week for the consideration of this bill, I think it would be prudent for Senators interested in it to be present at all times.

Mr. EDMUNDS. I suggest to the Senator from Iowa in charge of this bill, instead at this late hour of having an executive session to-night, that we have an understanding that to-morrow afternoon, being the last day in the week, at an earlier hour somewhat than usual in order to attend to whatever executive business is necessary to be done, we have an executive session then. At this present time, if we go into executive session, in ten minutes there will be no quorum here; and therefore, with the permission of my friend from Iowa, I will move than the Senate adjourn.

Mr. ALLISON. If that is satisfactory to my friend from Missouri I have no objection.

Mr. COCKRELL. I have no objection to that.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the following bills:

A bill (S. 154) for the erection of a public building at Milwaukee, Wis.; and

A bill (S. 182) to provide for the purchase of a site and the erection of a public building thereon at Omaha, Nebr.

REPORTS OF COMMITTEES.

Mr. CHACE, from the Committee on the District of Columbia, to whom was referred the bill (S. 1714) to amend the charter of the Metropolitan Railroad Company, reported adversely thereon, and the bill was postponed indefinitely.

Mr. SPOONER, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 9418) to incorporate the Washington and Western Maryland Railroad Company, reported it with amendments.

Mr. HALE, from the Committee on Appropriations, to whom was referred the amendment submitted by Mr. BLAIR on the 9th of July last, intended to be proposed to the sundry civil appropriation bill, providing for an appropriation of $1,000 of the unexpended balance of the appropriation made by Congress to defray the expenses growing out of the illness and death of the late President James A. Garfield, to be paid to Daniel S. Lamb, M. D., of Washington, D. C., for his services in making the autopsy of the late President Garfield at Elberon, in the State of New Jersey, asked to be discharged from its further consideration, and that it be referred to the Committee on Claims; which was agreed to.

AMENDMENT TO A BILL.

Mr. WILSON, of Iowa, submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

ERROR IN ENROLLMENT.

Mr. COCKRELL submitted the following resolution; which was read:

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (S. 2305) to authorize and provide for the disposition of useless papers in the Executive Departments, the Committee on Enrolled Bills be instructed to insert in lieu of the word "Senator," where it occurs in the eighth line, the word "Senators."

Mr. COCKRELL. This was a clerical error in copying the bill named. The word "Senators" ought to have been inserted instead of "Senator," and now it is too late, the President of the Senate thinks, to make the correction, except by this kind of a resolution. I ask that it may be passed.

The resolution was considered by unanimous consent, and agreed to.

ASSIGNEES OF CHOSES IN ACTION.

Mr. WALTHALL submitted the following resolution; which was referred to the Committee on the Judiciary, and ordered to be printed:

Resolved, That the Committee on the Judiciary be instructed to inquire into the propriety of amending the existing laws regulating the jurisdiction of the circuit courts of the United States, in order to correct the practice reported to exist in some of said courts of allowing suits to be maintained therein by assignees of choses in action, not made by a corporation, which could not have been maintained therein if no assignment had been made, and that said committee report by bill or otherwise.

REPORT OF BUREAU OF ANIMAL INDUSTRY.

The PRESIDENT *pro tempore* laid before the Senate the annual report of the Bureau of Animal Industry; which was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

Mr. EDMUNDS. I move that the Senate do now adjourn.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Saturday, January 12, 1889, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January* 11, 1889.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

ORDER OF BUSINESS.

Mr. WEAVER. I move that when the House adjourns to-day it be to meet on Monday next.

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. WEAVER. Division.

The House divided; and there were—ayes 2, noes 32.

Mr. WEAVER. No quorum.

Mr. WEAVER and Mr. CRISP were appointed tellers.

Mr. REED. Is the object of this motion on the Democratic side to enable the party to have a caucus?

The SPEAKER. The Chair has no information on that subject.

Mr. CRISP. This motion is not made by the Democratic side. It is the proceeding of one gentleman.

Mr. REED. We will be willing to grant it, if there is any such object in it.

Mr. CUMMINGS. You would have to come to the caucus. [Laughter.]

Mr. REED. I ought to be invited, as I have called more Democratic caucuses than anybody else so far. [Laughter.]

Mr. RANDALL. I demand the yeas and nays.

The yeas and nays were ordered.

Mr. ADAMS. What is the motion?

The SPEAKER. The motion made by the gentleman from Iowa [Mr. WEAVER], that when the House adjourns to-day it adjourn to meet on Monday next.

The question was taken; and there were—yea 1, nays 228, not voting 94; as follows:

YEA—1.

Kerr.

NAYS—228.

Abbott,	Cannon,	Finley,	Hunter,
Adams,	Carlton,	Fisher,	Hutton,
Allen, Mass.	Caruth,	Foran,	Jackson,
Allen, Mich.	Caswell,	Forney,	Johnston, Ind.
Anderson, Iowa	Catchings,	French,	Johnston, N. C.
Anderson, Miss.	Chipman,	Fuller,	Kelley,
Anderson, Ill.	Clardy,	Funston,	Kennedy,
Arnold,	Clark,	Gallinger,	Ketcham,
Atkinson,	Clements,	Gay,	Kilgore,
Baker, N. Y.	Cobb,	Gear,	Lagan,
Baker, Ill.	Cogswell,	Gest,	Laidlaw,
Barnes,	Compton,	Gibson,	Landes,
Biggs,	Conger,	Glass,	Lane,
Blanchard,	Cooper,	Grimes,	Lanham,
Bland,	Cothran,	Grosvenor,	Lawler,
Blount,	Cowles,	Grout,	Lee,
Boothman,	Cox,	Hall,	Lehlbach,
Bound,	Crisp,	Hare,	Lind,
Boutelle,	Crouse,	Harmer,	Lodge,
Bowden,	Culberson,	Haugen,	Long,
Breckinridge, Ky.	Cummings,	Heard,	Lynch,
Brewer,	Cutcheon,	Hemphill,	Macdonald,
Brower,	Dargan,	Henderson, Iowa	Maish,
Browne, T. H. B., Va.	Davenport,	Henderson, N. C.	Martin,
Brown, Ohio	Davidson, Ala.	Herbert,	Matson,
Brown, J. R., Va.	Davidson, Fla.	Hiestand,	McAdoo,
Bryce,	Davis,	Hires,	McClammy,
Buchanan,	Dibble,	Holman,	McCreary,
Buckalew,	Dingley,	Holmes,	McKenna,
Burnes,	Dockery,	Hooker,	McKinley,
Burrows,	Dunham,	Hopkins, Ill.	McKinney,
Butterworth,	Elliott,	Hopkins, Va.	McMillin,
Bynum,	Enloe,	Hopkins, N. Y.	McRae,
Campbell, F., N. Y.	Ermentrout,	Houk,	McShane,
Candler,	Farquhar,	Howard,	Merriman,

Mills,	Phelan,	Shively,	Townshend,
Mosllit,	Pidcock,	Simmons,	Turner, Ga.
Montgomery,	Plumb,	Smith,	Vance,
Moore,	Post,	Sowden,	Vandever,
Morgan,	Pugsley,	Spooner,	Wade.
Morrill,	Randall,	Steele,	Walker,
Morrow,	Rayner,	Stephenson,	Warner,
Nelson,	Reed,	Stewart, Tex.	Washington,
Newton,	Rice,	Stewart, Ga.	Weaver,
Nichols,	Richardson,	Stewart, Vt.	Weber,
Oates,	Robertson,	Stockdale,	West,
O'Donnell,	Rogers,	Stone, Ky.	Wheeler,
O'Ferrall,	Rowell,	Stone, Mo.	White, N. Y.
O'Neill, Pa.	Russell, Mass.	Struble,	Whiting, Mich.
Osborne,	Ryan,	Symes,	Wilkins,
Outhwaite,	Sawyer,	Taulbee,	Wilkinson,
Patton,	Sayers,	Taylor, E. B., Ohio	Williams,
Payson,	Scott,	Taylor, J. D., Ohio	Wilson, W. Va.
Penington,	Scull,	Thomas, Wis.	Woodburn.
Perkins,	Seney,	Thompson, Cal.	Yardley,
Perry,	Seymour,	Tillman,	Yoder,
Peters,	Sherman,	Tracey,	Yost.

NOT VOTING—94.

Allen, Miss.	De Lano,	Kean,	Rockwell,
Anderson, Kans.	Dorsey,	Laffoon,	Romeis,
Bacon,	Dougherty,	La Follette,	Rowland,
Bankhead,	Dunn,	Laird,	Russell, Conn.
Barry,	Felton,	Latham,	Rusk,
Bayne,	Fitch,	Lyman,	Shaw,
Belden,	Flood,	Maffett,	Snyder,
Bingham,	Ford,	Mahoney,	Spinola,
Bliss,	Gaines,	Mansur,	Springer,
Bowen,	Glover,	Mason,	Stahlnecker,
Breckinridge, Ark.	Goff,	McComas,	Tarsney,
Browne, Ind.	Granger,	McCormick,	Thomas, Ky.
Brumm,	Greenman,	McCullogh,	Thomas, Ill.
Bunnell,	Guenther,	Milliken,	Thompson, Ohio
Burnett,	Hatch,	Morse,	Turner, Kans.
Butler,	Hayden,	Neal,	White, Ind.
Campbell, Ohio	Hayes,	Norwood,	Whiting, Mass.
Campbell, T. J., N. Y.	Henderson, Ill.	Nutting,	Whitthorne,
Cheadle,	Hermann,	O'Neall, Ind.	Wickham,
Cockran,	Hitt,	O'Neill, Mo.	Wilber,
Collins,	Hogg,	Owen,	Wilson, Minn.
Crain,	Hovey,	Parker,	Wise.
Dalzell,	Hudd,	Peel,	
Darlington,	Jones,	Phelps,	

So the motion was not agreed to.

During the roll-call,

Mr. WILKINS said: I ask unanimous consent that the reading of the names of members voting be dispensed with.

Mr. WEAVER. I object.

The following members were announced as paired on all political questions until further notice.

Mr. CAMPBELL of Ohio, with Mr. GOFF.

Mr. BRECKINRIDGE, of Arkansas, with Mr. GUENTHER.

Mr. BURNES with Mr. WHITING, of Massachusetts.

Mr. LAGAN with Mr. LYMAN.

Mr. GRANGER with Mr. ROCKWELL.

Mr. WHITTHORNE with Mr. BUTLER.

Mr. MCSHANE with Mr. LAIRD.

Mr. FORD with Mr. T. H. B. BROWNE.

Mr. COCKRAN with Mr. HITT.

Mr. LATHAM with Mr. HAYDEN.

Mr. SNYDER with Mr. BOWEN.

Mr. NEAL with Mr. ANDERSON, of Kansas.

Mr. SPINOLA with Mr. WHITE, of New York.

The following members were announced as paired on the election contest of Smalls *vs.* Elliott:

Mr. GREENMAN with Mr. SHERMAN.

Mr. BACON with Mr. CROUSE.

Mr. CRAIN and Mr. WICKHAM were announced as paired for this day.

The result of the vote was then announced as above recorded.

Mr. WEAVER. I move to reconsider the vote.

Mr. RANDALL. I make the point that that motion is not in order.

The SPEAKER. The motion is not in order.

Mr. WEAVER. I move that the House take a recess until half past 1 o'clock.

Mr. RANDALL. I make the point of order that that is in the nature of business, and therefore is not in order.

The SPEAKER. The point of order is well taken, as the Journal has not yet been read.

The Chair decided a few days ago that it was competent for any gentleman upon the floor, before the reading of the Journal, to make a simple motion that the House adjourn, because the House might not desire to continue in session; but the House can transact no business until the Journal has been read, and the Chair thinks the only proceedings in order are the simple motion to adjourn and then the reading of the Journal.

Mr. WEAVER. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. WEAVER. The Chair ruled on the day before yesterday that a motion to adjourn, and, pending that, a subsequent motion that when the House adjourn it adjourn to meet on a day subsequent, was in order.

Mr. RANDALL. The Chair did not make that ruling. The Chair ruled on a different point from that, and if the point of order had been made then as it has been made to-day the Chair would have had to rule then as he has ruled now.

Mr. WEAVER. The point was made, because the motion to fix the day to which the House should adjourn was made pending the motion to adjourn, and the Chair stated that the House might desire to adjourn before the reading of the Journal, and, of course, it might wish to adjourn to a day certain.

The SPEAKER. The Chair will cause to be read what occurred on the occasion referred to by the gentleman from Iowa [Mr. WEAVER].

Mr. STEELE. The point made then was "no quorum."

Mr. WEAVER. No.

The SPEAKER. Before having the proceedings read, however, the Chair will state that on the occasion referred to the gentleman from Iowa rose before the Journal was read and made the point that a quorum must appear before the Journal could be read, and that point the Chair sustained. Thereupon the gentleman from Iowa moved that the House do now adjourn, and pending that, he moved that when it adjourn it adjourn to meet on Friday next. Then the gentleman from Pennsylvania [Mr. RANDALL] made the point of order that the motion was not in order, and the mind of the Chair was directed alone to the motion to adjourn and not to the motion to fix the day to which the House should adjourn, as will appear very clearly when the proceedings are read. The language of the Chair shows exactly what was meant. As soon as that has been read the Chair will hear the gentleman.

The Clerk read as follows:

Mr. WEAVER. I move the House adjourn; and pending that motion, I move that when the House adjourn to-day it be until Friday next.

Mr. RANDALL. I suggest that the roll-call, as directed by the Speaker, was for the purpose of knowing whether there was a quorum present, and when the Speaker found a quorum present the next requirement is that the Journal be read.

The SPEAKER. The requirement is the Speaker shall direct that the Journal be read. The Chair thinks the House may adjourn to prevent the reading of the Journal at any time it thinks proper. Such motions have been made before, and the House has adjourned without the reading of the Journal.

The question was taken on adjournment until Friday, etc.

The SPEAKER. It appears very clearly that the mind of the Chair was directed alone to the motion to adjourn, and for the moment the fact was overlooked that the gentleman from Iowa, pending the motion to adjourn, had made another motion—that when the House adjourn it be to meet on a day named.

Mr. RANDALL. That is the extent to which the Chair went in that decision.

Mr. WEAVER. The Chair went further, and put the motion that when the House adjourn it adjourn to meet on a certain day.

Mr. RANDALL. Because no point of order was made.

Mr. WEAVER. It is the duty of the Chair to make a point of order if a motion is made which is out of order. When a motion is clearly out of order, it is the duty of the Chair to so hold. [Cries of "Regular order!"]

The SPEAKER. This is the regular order.

Mr. SPRINGER. I desire to call the attention of the Chair to clause 5 of Rule XVI, which I ask the Clerk to read:

The Clerk read as follows:

A motion to fix the day to which the House shall adjourn, a motion to adjourn, and to take a recess shall always be in order; and the hour at which the House adjourns shall be entered on the Journal.

The SPEAKER. The Chair is well aware of that rule.

Mr. WEAVER. "Always in order" is the language of the rule.

The SPEAKER. But the House, in the judgment of the Chair, can transact no business until its Journal has been read. It has been held again and again that an order of the House fixing the day to which the House shall adjourn or to take a recess is the transaction of business and requires the presence of a quorum. Moreover, the Chair desires to say that even if he had decided on the 9th of January that this motion was in order, he is now satisfied it is not in order, and would have no hesitation whatever in reversing his own ruling on the subject. [Applause.]

Mr. WEAVER. Let the Journal be read. [Laughter.]

The SPEAKER. The Journal will be read.

The Clerk proceeded to read the Journal.

Mr. WEAVER (interrupting the reading). I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. WEAVER. I submit that the Journal should be read *in extenso*, including the names of those voting on the call of yeas and nays. How can we know whether our names are properly recorded unless the names are read?

The SPEAKER. The gentleman is correct. The names may be improperly recorded, and the House has the right to pass upon that as well as any other part of the Journal.

The Clerk resumed the reading.

Mr. WEAVER (again interrupting the reading). Mr. Speaker, it is the Journal I want read, and not the RECORD.

The SPEAKER. The Clerk will read the Journal.

The Clerk resumed the reading.

Mr. WEAVER (again interrupting the reading). I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. WEAVER. I understand the Clerk is reading from the tally-sheet, and not from the Journal.

The SPEAKER. That is a part of the Journal, and is printed with it.

Mr. RANDALL. It is the original paper.

The SPEAKER. It is the original paper.

The Clerk resumed and concluded the reading of the Journal.

The SPEAKER. If there be no objection, the Journal will be approved as read. The Chair hears no objection.

Mr. WEAVER. I move that when the House adjourn it adjourn to meet on Monday next.

Mr. DIBBLE. I rise to present a conference report.

The SPEAKER. The Chair thinks the motion of the gentleman from Iowa is in order, but the gentleman from South Carolina rises, as the Chair understands, to a matter more highly privileged.

Mr. DIBBLE. I rise to present a conference report.

Mr. WEAVER. Regular order.

The SPEAKER. That is the regular order.

Mr. WEAVER. Can a conference report take precedence of a motion to adjourn?

The SPEAKER. Undoubtedly a conference report may be submitted at any time, even pending a motion to adjourn; it is always in order, except when the Journal is being read, or when the yeas and nays are being taken, or the House is actually dividing on some question.

PUBLIC BUILDING AT MILWAUKEE, WIS.

The Clerk proceeded to read the following conference report submitted by Mr. DIBBLE:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 154) for the erection of a public building at Milwaukee, Wis., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments to the said bill and agree to the same with the following amendments:

1. In second line, first page, before the word "purchase," insert the words "acquire by;" and after the word "purchase," in the same line, insert the words "condemnation or otherwise."

Mr. WEAVER (interrupting). I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. WEAVER. Is this in order before the approval of the Journal? The Journal has not been approved.

The SPEAKER. The Chair rose and expressly stated the Journal as read would be approved if there was no objection. There was no objection, and the Journal was approved.

Mr. WEAVER. I will state to the Chair that I did not hear that statement. [Laughter and cries of "Regular order!"]

The SPEAKER. The Clerk will proceed with the reading of the conference report.

The Clerk proceeded to read as follows:

2. In the eleventh line, first page, before the word "the," insert the words "and the cost of said site shall not exceed the sum of $400,000."

3. In the fifteenth line, second page, after the word "city," insert the words "at a cost, however, not exceeding $300,000."

And that the Senate agree to the same.

SAM'L DIBBLE,
C. NEWTON,
P. S. POST,
Managers on the part of the House.

JOHN C. SPOONER,
WM. B. ALLISON,
G. G. VEST,
Managers on the part of the Senate.

The Clerk read the following statement, required by the rules to accompany the report:

The managers on the part of the House on the disagreeing votes of the two Houses on the House amendment to the bill (S. 154) for the erection of a public building at Milwaukee, Wis., respectfully submit with the conference report the following statement:

The Senate bill provided for an expenditure of $1,200,000 for site and building complete, or $1,100,000 if the present site was enlarged by purchase of adjoining ground. The House amended by substituting simply a provision for purchasing a site at a cost not exceeding $300,000. The effect of the adoption of the conference report is to provide for site and building at a cost not exceeding $1,200,000, of which sum not more than $400,000 may be expended for the site; and in case the present site is enlarged by purchase of adjoining ground, then the entire cost shall not exceed $1,100,000, and the cost of the additional ground shall not exceed $300,000. All of which is respectfully submitted.

SAMUEL DIBBLE,
C. NEWTON,
P. S. POST,
Managers on the part of the House.

Mr. DIBBLE. I move the previous question on the adoption of the report.

Mr. WEAVER. I call for a vote on my motion to adjourn.

The SPEAKER. The Chair has decided under the rules of the House the conference report has precedence over a motion to adjourn, and it has been even held a conference report can be made when a member is occupying the floor; that he can be taken off the floor for that purpose. Of course the rule that a conference report can be presented and displace a motion to adjourn would amount to nothing practically if a vote upon the motion to adjourn can be immediately insisted upon.

Mr. DIBBLE. I demand the previous question on the adoption of the conference report.

Mr. WEAVER. I rise to a question of order.

The SPEAKER. The gentleman from Iowa——

Mr. WEAVER. It is strange indeed after a conference report has been read to the House the House must consider it and can not adjourn.

The SPEAKER. The Chair has not held the House must proceed to consider it, and can not adjourn.

Mr. WEAVER. But the Chair recognized me to make the motion to adjourn before the conference report was submitted, and that motion is still pending.

The SPEAKER. It is pending, but the conference report has to be disposed of before it can be put. The House makes its own rules, and the House has made a rule which has been in force many years, by which a conference report is in order even pending a motion to adjourn.

Now, the House always has the whole subject under its own control. In the first place, before any proceeding was taken on the report the question of consideration could have been raised against it. In the second place, if the House desires to adjourn before it proceeds further with the consideration of the report it may postpone the report to another time and adjourn. But while the report is before the House and is under consideration the Chair can not put the question on the motion that when the House adjourns it adjourn to meet on Monday next. That is the very question which was displaced. [Cries of "Regular order!"]

Mr. WEAVER. I understand the Chair to decide—— [Cries of "Regular order!"] This is the regular order. I understand the Chair to decide when we are considering a conference report—— [Cries of "Regular order!"] This is the regular order. I understand the Chair to decide when we are considering a conference report, no matter how long, you can never make a motion to adjourn, no matter whether that is a month off.

The SPEAKER. The Chair does not decide that, but decides the motion to adjourn over can not be put to a vote until the other subject which takes precedence is disposed of in some way by the House. The motion has been made and is pending. Now the gentleman asks the Chair to put first the question on his motion to adjourn, which is one inferior in privilege to that presented by the gentleman from South Carolina [Mr. DIBBLE], and which is actually under consideration.

Mr. DIBBLE. Mr. Speaker——

Mr. REED. Does the Chair hold that a motion to postpone the consideration of the report would be in order?

The SPEAKER. Of course, when the gentleman gets the floor for that purpose; but the gentleman from South Carolina has the floor and has demanded the previous question.

Mr. REED. But if a motion to adjourn after the conference report has been read is not in order, as I understand the Chair to hold, then the House can not adjourn until it has acted upon the report.

The SPEAKER. The Chair did not so decide, but held that under the rules and the uniform practice of the House, a conference report may be presented even when there is a motion to adjourn pending. Of course the question of consideration may be raised against the report; but it has not been raised in this case. Now, if the Chair should hold that the motion to adjourn must be put before action is taken upon the conference report, either to consider it or to postpone its consideration, the rule of the House, as the gentleman will see, would amount to nothing practically. There are certain motions which have priority in a certain order, and that order must be observed in submitting these motions to the House.

Mr. REED. Of course, I understand; but the Chair must practically decide that the House can not adjourn until it has acted upon the report in some way.

The SPEAKER. The Chair thinks not.

Mr. REED. At what point, will the Chair state, could a motion to adjourn be made?

The SPEAKER. The House, of course, may postpone the consideration of the conference report, or it may determine not to consider it.

Mr. REED. But there must be some point at which the motion to adjourn could be submitted I am asking, of course, for information, because this is such an important matter outside of the present condition of affairs.

The SPEAKER. The Chair so understands.

Mr. REED. Now, suppose a motion to postpone this conference report is made, and then a motion to adjourn is submitted, would it then be in order?

The SPEAKER. The Chair prefers not to decide questions of order until they are presented, especially upon so important a matter. All the Chair now decides is that the presentation of the conference report, no question of consideration having been raised against it, takes precedence over other motions, even the motion to adjourn or to fix a day to which the House shall adjourn.

Mr. WEAVER. Permit me to state, Mr. Speaker, that my motion to adjourn was made before the gentleman from South Carolina got the floor to submit his conference report.

Mr. ROGERS. Regular order.

Mr. WEAVER. And if the motion to adjourn is not now in order when will it be?

The SPEAKER. The Chair has already stated that this is the very case provided for by the rule, and the motion to adjourn is of less dignity than the consideration of a conference report.

The conference report having been presented, and, as the Chair has stated, no question of consideration having been raised, it is necessarily before the House, and must be voted upon before the Chair can take the vote on the motion to adjourn.

Mr. WEAVER. But I make the point of order that that clause of the rule has reference to the submission of the report to the House, and not to its consideration.

The SPEAKER. The question of consideration was not raised. The conference report was submitted, and the gentleman from South Carolina has demanded the previous question upon it.

The question is, Will the House now order the previous question?

The question was taken; and on a division there were—ayes 150.

Mr. WEAVER. No quorum.

The SPEAKER. The Chair has not yet put the question upon the other side.

Those voting in the negative were 4.

Mr. WEAVER. No quorum.

Mr. DIBBLE. I demand the yeas and nays.

The SPEAKER decided that a sufficient number of members had risen.

Mr. WEAVER. Mr. Speaker, I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. WEAVER. I make the point of order that it requires a quorum to order the yeas and nays, and no quorum has voted upon that demand. I ask to be heard on the point of order.

The SPEAKER. The Chair will hear the gentleman.

Mr. WEAVER. I call the attention of the Chair and of the House to the proceedings in the House of Representatives as recorded in the Journal, page 651, first session of the Thirty-second Congress, where the following appears:

The bill of the House, No. 137, for the relief of Osborn Cross, of the United States Army, was then taken up. The Speaker stated the question to be upon its engrossment. The yeas and nays having been demanded, no quorum voted; when Mr. George W. Jones made the point of order that inasmuch as one-fifth of the members voting had voted in favor of taking the vote on the engrossment of the bill by yeas and nays, it was not necessary that a quorum should have voted, the Constitution providing that the yeas and nays shall at the desire of one-fifth of those present be entered on the Journal, and that proportion of those voting having expressed such a desire in the present case, he insisted that they were entitled to have the yeas and nays taken. The Speaker overruled the point of order on the ground that it was not competent for less than a quorum to do business. Upon a question like that of adjournment or a call of the House, where less than a quorum might act, he would hold otherwise.

From this decision of the Chair Mr. George W. Jones appealed; when, on motion of Mr. Hart, it was ordered that the said appeal be laid on the table.

So the decision of the Chair was sustained.

One further point. In the second session of the same Congress——

Mr. CUMMINGS. What Congress?

Mr. WEAVER. The Thirty-second.

The question again recurred on the motion of Mr. McMullen, and being put no quorum again voted. The Speaker having announced that no quorum had voted on the said motion, Mr. Alexander H. Stephens demanded the yeas and nays. The Speaker decided in conformity with his decision at the last session, and which was sustained by the House, that less than a quorum could not act upon the demand for the yeas and nays any more than upon any other business, and consequently that the yeas and nays was not now in order. He thought that taking the clause of the Constitution authorizing one-fifth of the members present to cause the yeas and nays to be entered upon the Journal, in connection with that requiring a majority of the members to constitute a quorum to do business, it is clearly intended that the members present, one-fifth of whom may order the yeas and nays, should amount to a quorum. It would be different if the pending motion was to adjourn, or for a call of the House, as less than a quorum is competent to act upon either of these motions.

From this decision of the Chair Mr. Alexander H. Stephens appealed, pending which Mr. Clemens moved that the appeal be laid on the table, which was decided in the affirmative.

Now, Mr. Speaker, it is incompetent for this House to do business with less than a quorum, and the ordering of the yeas and nays upon a given proposition is of the most serious character of business, and can not be done either by the House or under the rules of the House without a quorum. I make that point.

Mr. DIBBLE. On a demand for the yeas and nays, under the practice of this House, several modes of procedure are well settled. In the first place, when a sufficient number, representing one-fifth of the members of this House, evidently rises, it is the custom of the Speaker to order the yeas and nays, unless the other side is demanded or tellers are demanded on the yeas and nays; and the gentleman is too late, because he took no steps at all to develop the absence of a quorum prior to the decision of the question by the Speaker of the House that a sufficient number had risen and that the yeas and nays were ordered. In advance of any such point as that which the gentleman is now making, it was necessary that the other side should be demanded by him, or that tellers should be demanded. As he neglected to take the process requisite to make the want of a quorum appear, it is too late now, after the Speaker has said that a sufficient number had risen, to raise the point of order; and it is too late now for him to make these preliminary demands. Therefore I submit that the point of order comes too late.

Mr. RANDALL. I would like to ask the Speaker as to the fact whether one-fifth of 163 arose and asked for the yeas and nays.

The SPEAKER. The Chair did not count the gentlemen rising; but so many gentlemen arose that the Chair, in the usual formula of announcement in such cases, stated that evidently a sufficient number had arisen; thereupon the gentleman from Iowa made the point that on the last vote preceding that there was no quorum.

Mr. WEAVER. And I also made the point of no quorum on the calling for the yeas and nays, and the vote is before the House.

The SPEAKER. The Chair, then, will take the vote on ordering the yeas and nays, because the Chair did not count gentlemen who arose before, but simply stated that a sufficient number had arisen, and the yeas and nays were ordered.

Mr. WEAVER. The point of no quorum had been made before.

Mr. DIBBLE. I insist upon the parliamentary point that it comes too late.

The SPEAKER. The gentleman does not make the point of order that there was no quorum at the last preceding vote, but that there was no quorum on the demand for the yeas and nays. The Chair did not count, and therefore will take the vote and see whether a quorum votes or not. [After counting.] One hundred and seventy-one gentlemen have arisen [applause], and the yeas and nays are ordered.

Mr. KELLEY. What is the question?

The SPEAKER. On the demand for the previous question on the conference report.

The question was taken; and it was decided in the affirmative—yeas 218, nays 18, not voting 87; as follows:

YEAS—218.

Abbott,	Dunham,	Lehlbach,	Russell, Conn.
Adams,	Elliott,	Lind,	Ryan,
Allen, Mass.	Ermentrout,	Lodge,	Sawyer,
Allen, Mich.	Farquhar,	Long,	Sayers,
Anderson, Iowa	Felton,	Lynch,	Scott,
Anderson, Miss.	Finley,	Macdonald,	Scull,
Anderson, Ill.	Fisher,	Martin,	Seney,
Atkinson,	Foran,	Mason,	Seymour,
Baker, N. Y.	Forney,	McAdoo,	Sherman,
Baker, Ill.	French,	McClammy,	Shively,
Barnes,	Fuller,	McCormick,	Smith,
Bayne,	Funston,	McCreary,	Sowden,
Belden,	Gaines,	McKenna,	Spinola,
Biggs,	Gay,	McKinley,	Spooner,
Bingham,	Gear,	McKinney,	Springer,
Bland,	Gest,	McMillin,	Steele,
Boothman,	Gibson,	McRae,	Stephenson,
Bound,	Grimes,	McShane,	Stewart, Tex.
Bowden,	Grosvenor,	Milliken,	Stewart, Ga.
Brower,	Grout,	Mills,	Stewart, Vt.
Browne, T. H. B., Va.	Hall,	Mofflit,	Stone, Ky.
Browne, Ind.	Harmer,	Montgomery,	Struble,
Brown, Ohio	Haugen,	Moore,	Symes,
Brown, J. R., Va.	Heard,	Morgan,	Taulbee,
Buchanan,	Hemphill,	Morrill,	Taylor, E. B., Ohio
Burrows,	Henderson, Iowa	Morrow,	Taylor, J. D., Ohio
Butterworth,	Henderson, N. C.	Nelson,	Thomas, Ill.
Bynum,	Henderson, Ill.	Newton,	Thomas, Wis.
Candler,	Herbert,	Nichols,	Thompson, Ohio
Cannon,	Hermann,	Oates,	Tillman,
Carlton,	Hiestand,	O'Donnell,	Tracey,
Caruth,	Hires,	O'Ferrall,	Townshend,
Caswell,	Holman,	O'Neall, Ind.	Turner, Kans.
Catchings,	Holmes,	Osborne,	Turner, Ga.
Clardy,	Hooker,	Outhwaite,	Vance,
Clark,	Hopkins, Ill.	Owen,	Vandever,
Cogswell,	Hopkins, Va.	Patton,	Wade,
Compton,	Hopkins, N. Y.	Payson,	Warner.
Conger,	Houk,	Peel,	Washington,
Cooper,	Howard,	Penington,	Weaver,
Cothran,	Hunter,	Perkins,	Weber.
Crain,	Hutton,	Perry,	West,
Crouse,	Jackson,	Phelan,	Wheeler,
Culberson,	Johnston, Ind.	Phelps,	White, N. Y.
Cummings,	Johnston, N. C.	Pidcock,	Whiting, Mich.
Cutcheon,	Kelley,	Plumb,	Wilber,
Dargan,	Kennedy,	Post,	Wilkinson,
Darlington,	Ketcham,	Randall,	Williams,
Davenport,	Kilgore,	Rayner,	Wilson, W. Va.
Davidson, Ala.	La Follette,	Reed,	Woodburn,
Davidson, Fla.	Lagan,	Rice,	Yardley,
Davis,	Lane,	Richardson,	Yoder,
Dibble,	Lanham,	Robertson,	Yost.
Dingley,	Lawler,	Rogers,	
Dockery,	Lee,	Rowell,	

NAYS—18.

Allen, Miss.	Clements,	Gallinger,	Stockdale,
Blount.	Cobb,	Glass,	Stone, Mo.
Buckalew,	Cowles,	Landes,	Walker.
Burnes,	Crisp,	Maish,	
Cheadle,	Enloe,	Matson,	

NOT VOTING—87.

Anderson, Kans.	Burnett,	Flood,	Jones,
Arnold,	Butler,	Ford,	Kean,
Bacon,	Campbell, F., N. Y.	Glover,	Kerr,
Bankhead,	Campbell, Ohio	Goff,	Laffoon,
Barry,	Campbell, T. J., N. Y.	Granger,	Laidlaw,
Blanchard,	Chipman,	Greenman,	Laird,
Bliss,	Cockran,	Guenther,	Latham,
Boutelle,	Collins,	Hare,	Lyman,
Bowen,	Cox,	Hatch,	Maffett,
Breckinridge, Ark.	Dalzell,	Hayden,	Mahoney,
Breckinridge, Ky.	De Lano,	Hayes,	Mansur,
Brewer,	Dorsey,	Hitt,	McComas,
Brumm,	Dougherty,	Hogg,	McCullogh,
Bryce,	Dunn,	Hovey,	Merriman,
Bunnell,	Fitch,	Hudd,	Morse,

Neal,	Pugsley,	Simmons,	Whiting, Mass.
Norwood,	Rockwell,	Snyder,	Whitthorne,
Nutting,	Romeis,	Stahlnecker,	Wickham,
O'Neill, Pa.	Rowland,	Tarsney,	Wilkins,
O'Neill, Mo.	Russell, Mass.	Thomas, Ky.	Wilson, Minn.
Parker,	Rusk,	Thompson, Cal.	Wise.
Peters,	Shaw,	White, Ind.	

So the previous question was ordered.

Mr. DIBBLE (during the roll-call). I ask unanimous consent to dispense with the reading of the names.

Mr. WEAVER. I object.

The following additional pairs were announced:

Mr. JONES with Mr. O'NEILL, of Pennsylvania, on all political questions until further notice.

Mr. WILKINS with Mr. ROMEIS, on all political questions for the remainder of the day.

The vote was then announced as above recorded.

The SPEAKER. Upon this question the yeas are 218, the nays 18. The yeas have it. Under the rules of the House thirty minutes are allowed for debate; fifteen minutes on each side.

Mr. WEAVER. I move to reconsider the vote by which the previous question was ordered.

Mr. DIBBLE. And I move to lay that motion on the table.

Mr. HOLMAN (to Mr. DIBBLE). That will not do. Withdraw it.

Mr. DIBBLE. I withdraw the motion to lay on the table.

The SPEAKER. The question is on the motion of the gentleman from Iowa to reconsider the vote by which the previous question was ordered.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. WEAVER. Division.

The House divided; and there were—ayes none, noes 139.

Mr. WEAVER. No quorum.

The SPEAKER. The Chair will appoint as tellers the gentleman from South Carolina [Mr. DIBBLE] and the gentleman from Iowa [Mr. WEAVER].

The House divided; and the tellers reported—ayes none, noes 168.

So the motion was not agreed to.

The SPEAKER. Under the rules of the House thirty minutes are allowed for debate—fifteen minutes in support and fifteen minutes in opposition to the measure.

Mr. WEAVER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WEAVER. Would a motion to adjourn to a day certain be in order at this time?

The SPEAKER. The gentleman's motion that when the House adjourns it adjourn to meet on Monday next is pending.

Mr. WEAVER. Is the other motion in order pending that?

The SPEAKER. The Chair has some doubt. The gentleman from Iowa [Mr. WEAVER] made a motion that when the House adjourns it adjourn to meet on Monday next, and pending that the gentleman from South Carolina [Mr. DIBBLE] presented a conference report. The Chair held that, under the rules and practice of the House, the conference report had precedence over a motion to adjourn, or a motion to fix the day to which the House would adjourn, but that the question of consideration might be raised against the conference report. That, however, was not done, and the House entered upon its consideration, and therefore the Chair held that, under the circumstances, the question must first be put upon the adoption of the report. Now, the Chair has some doubt as to the correctness of that ruling, and some doubt as to the effect which it may have under certain circumstances hereafter. The Chair still adheres to it, however, for the present at least, but will give the question careful examination and consideration.

Mr. WEAVER. Will the Chair allow me to make a suggestion?

The SPEAKER. Certainly; the Chair is ready to hear any suggestion.

Mr. WEAVER. I suggest to the Chair that it would be better to resolve the doubt in the interest of the rights of the minority. [Laughter.]

The SPEAKER. The Chair thinks he had better resolve the doubt in the interest of the transaction of public business in the House [applause], and has therefore done so upon this occasion.

Mr. REED. I trust that remark of the Speaker may receive the approval of the next Democratic caucus.

Mr. RANDALL. The next Democratic caucus will take care of itself.

Mr. REED. I did not hear the remarks of the gentleman from Pennsylvania.

Mr. RANDALL. I say that the next Democratic caucus will be able to take care of itself.

Mr. REED. If they did not do more than take care of themselves nobody would care. [Laughter.]

Mr. WEAVER. I wish to say to the gentleman from South Carolina [Mr. DIBBLE] that I desire some time to debate this bill.

Mr. DIBBLE. There are fifteen minutes allowed in opposition to the adoption of the report, and I suppose that that time may as well be accorded to the gentleman.

Mr. WEAVER. Very well; let that be the understanding. I would like to have the bill read first, however.

Mr. DIBBLE. I now take the floor in favor of the adoption of the report.

Mr. WEAVER. I demand the reading of the bill.

The SPEAKER. The bill will be read before the motion is put. It can not be read in the time of the gentleman from South Carolina.

Mr. DIBBLE. Mr. Speaker, the Senate passed a bill for the purchase of a site and the erection of a public building at Milwaukee, in the State of Wisconsin, and appropriated $1,200,000 for that purpose. The bill came over to the House and was referred to the Committee on Public Buildings and Grounds, who amended it by providing simply for the purchase of a site, the expense of which should not exceed $400,000, leaving the matter of the erection of the building for future legislation. To that amendment of the House the Senate refused to agree. The committee of conference have met, and the report of that committee is in substance this: That the construction of the building as well as the purchase of the site shall be provided for in the bill, at an expense not to exceed the limit named originally, $1,200,000; but that the purchase money of the site shall be limited to the amount provided for in the House bill, $400,000, leaving the balance for the erection of the building; and that if in the purchase of the site the Government shall deem it expedient to purchase a piece of ground adjoining the ground occupied by a small public building now existing at Milwaukee, then the cost of the site shall not exceed $300,000, thus making the total cost of site and building not to exceed $1,100,000. That is the report of the committee of conference. In connection with it I will state that the city of Milwaukee was a place of 175,000 inhabitants at the time of our report, and I am told that the population at this time is over 200,000. At the time of our report it was ascertained as 175,000.

Mr. LA FOLLETTE. The gentleman will permit me to say that the estimate to which he refers was based upon the figures of a former report, which accounts for the difference. One hundred and seventy-five thousand was the population in 1884.

Mr. DIBBLE. I am informed by the gentleman from Wisconsin that the figures named in the report were those of 1884, and that now the population is about 210,000.

The amount of appropriation proposed is not at all excessive when compared with the amount heretofore appropriated by Congress for buildings in cities of similar size and when the amount of public business at this place is taken into consideration. The proposed expenditure is very much below the average appropriation for cities of similar size. The difference between the Senate and the House was merely a difference as to whether we should provide for both site and building at present or for the site alone. There was very little controversy as to the amount. The House did not make any controversy as to the $400,000; in fact, fixed that amount as the limit for the site, and the Senate agreed to that in the conference report. It therefore leaves only $800,000 for the building. Every member knows that this is not an excessive amount for a building in a city of such size and with the amount of public business done at Milwaukee.

Mr. Speaker, how much time have I occupied?

The SPEAKER *pro tempore* (Mr. MCCREARY). Five minutes.

Mr. DIBBLE. I reserve the residue of my time. [Cries of "Vote!" "Vote!"]

Mr. WEAVER. Mr. Speaker, I have taken some pains to inquire into the necessity for a public building at Milwaukee, and I am satisfied that at a proper time this bill ought to be considered and an appropriation made. But, sir, this measure bears no comparison whatever in point of importance to the bill in behalf of which I have been struggling for the past two or three days. Here is a condition of affairs in the very heart of this continent which, if the public mind were properly informed, would not only arouse universal interest, but send a thrill of horror throughout the whole country. I speak without the slightest exaggeration when I say that according to authentic accounts there have been more than three hundred murders within the Indian Territory during the year 1888, and that between fifteen and twenty of the persons killed were Federal officials.

Mr. DIBBLE. Does the gentleman propose to bury them in the public building at Milwaukee? [Laughter.]

Mr. WEAVER. This statement does not take into account the multitude of other infamous crimes committed in the same Territory during the same period. If you will add the murders and other infamous crimes committed in that Territory during the life of the Fiftieth Congress they will amount to more than five hundred. Probably more than five hundred murders have been committed in that Territory during the life of the Fiftieth Congress.

A bill to organize a Territorial government for that section of the country, to suppress crime, to restore law and order, to settle the Territory with peaceful citizens, to drive out the law of the bowie-knife and the revolver, has been pending here for two Congresses. In the Forty-ninth Congress there was clearly a majority in favor of the passage of the bill; but its consideration was defeated by dilatory motions and tactics. In the present Congress it has been apparent from the very commencement that more than two-thirds of this House were in favor of the passing of the Oklahoma bill; yet by a resort to dilatory tactics

the will of this House and the wishes of the American people have again been disregarded and trampled in the dust, and the cattle barons have thus far triumphed.

More than 600,000 citizens of the United States, speaking through the Knights of Labor, the Farmers' Alliance, the Agricultural Wheels, and the Grange, have petitioned this body to pass a bill for the organization of Oklahoma Territory; but they have been met with contempt and their petitions disregarded. Sir, it has come to this, that in the transaction of the business of this House, in the opinion of many of those who control its action, this Congress assembles solely for the purpose of passing appropriation bills providing for the payment of salaries of Government officials, and not for the purpose of protecting the rights of the home-seeker and the poor.

Now, sir, look at the anomalous condition of things in that Territory. There is an area of country larger by far than many of the States of this Union——

Mr. DIBBLE. I make the point of order that the gentleman is not speaking in order.

Mr. WEAVER. I am showing, sir——

The SPEAKER *pro tempore*. The gentleman from South Carolina raises the point of order that the gentleman from Iowa is not confining himself to the question under debate.

Mr. WEAVER. I am showing that the Oklahoma bill is more important than the bill under consideration, and I am urging this as a reason for postponing the consideration of the present bill.

The SPEAKER *pro tempore*. The Chair will cause to be read clause 1 of Rule XIV.

The Clerk read as follows:

When any member desires to speak or deliver any matter to the House, he shall rise and respectfully address himself to "Mr. Speaker," and, on being recognized, may address the House from any place on the floor or from the Clerk's desk, and shall confine himself to the question under debate, avoiding personality.

The SPEAKER *pro tempore* (Mr. MCCREARY). The Chair is of the opinion that under the rules of the House the gentleman from Iowa must confine himself to the subject-matter under debate.

Mr. WEAVER. I will try to do that. [Laughter.]

Now, Mr. Speaker, I say that, however important it may be to erect a public building at the city of Milwaukee, it is not so important as to give it precedence over the Oklahoma bill. The latter relates to the whole country, while the former is simply of local consequence. It has been officially determined that this portion of the Indian Territory can not be lawfully occupied either by the red men, the black men, or the white men.

Mr. MASON. I insist, Mr. Speaker, that the gentleman from Iowa must confine his remarks to the subject before the House.

The SPEAKER *pro tempore*. The Chair sustains the point of order.

Mr. WEAVER. Is it not in order to show that this bill ought not to pass at present because of other business which is more urgent in its character?

The SPEAKER *pro tempore*. The gentleman from Iowa must confine himself to the question before the House.

Mr. WEAVER. The question pending is upon the adoption of the conference report.

The SPEAKER *pro tempore*. The question before the House is on the adoption of the conference report submitted by the gentleman from South Carolina [Mr. DIBBLE].

Mr. WEAVER. Very well; I do not think that conference report ought to be adopted until the Oklahoma bill is passed. [Laughter.] I am giving my reason, and I am doing it in good faith. I do not wish to disregard the decision of the Chair, and will not do so.

The SPEAKER *pro tempore*. The gentleman will proceed.

Mr. WEAVER. Now, sir, I say this bill is not of sufficient importance to take precedence over the Oklahoma bill. There is a condition of affairs in that Territory where one class of people——

Mr. MASON. I make the same point of order, that the gentleman must confine himself to the subject before the House.

Mr. WEAVER. I am giving a reason why, and I understood the Chair to say that could be done.

The SPEAKER *pro tempore*. The gentleman will proceed in order.

Mr. WEAVER. I will try to do so. [Laughter.] Yet, sir, notwithstanding it has been held that neither white men, black men, nor red men may occupy that Territory lawfully, nevertheless it has been and is now unlawfully occupied by powerful and wealthy cattle barons, and an army is kept there to protect those cattle-men and to eject homesteaders. And this condition of affairs has been carried on for the last four years in the Territory in defiance of the will of the American people, in defiance of law, and in cruel disregard of the cries of those who are seeking homes for their little ones. Why will you not hear them? Why do you sit here from day to day, from session to session, and from year to year, without action and in stolid disregard of duty? I put the onus on this House of refusing to hear these petitions and of refusing to pass upon this important measure. I reserve the remainder of my time. [Cries of "Vote!"]

Mr. DIBBLE. Unless some other gentleman desires to address the Chair [cries of "Vote!"], I will ask that the vote be taken on the adoption of the conference report.

The SPEAKER *pro tempore*. The question is upon the adoption of the conference report.

Mr. WEAVER. I demand a division.

Mr. WHITE, of New York. I ask for the yeas and nays.

The SPEAKER *pro tempore* reported 88 in the affirmative.

Mr. WEAVER. I raise the point that a quorum has to be present to order the yeas and nays.

The SPEAKER *pro tempore*. More than one-fifth of a quorum has voted in the affirmative.

Mr. WEAVER. And a quorum must be present.

The SPEAKER. On the last vote taken in the House there was a quorum. It is true no quorum has risen in support of the demand for the yeas and nays, but only one side has been asked for. The Constitution provides one-fifth of those present may order the yeas and nays. If the gentleman desires to know whether a quorum has voted on a demand for the yeas and nays the other side will be counted. Does the gentleman demand it?

Mr. WEAVER. I do.

The SPEAKER. Then the other side will be counted.

The other side was counted.

The SPEAKER. There are 88 in the affirmative and 57 in the negative.

Mr. WEAVER. No quorum, and I ask for the ruling of the Chair.

The SPEAKER. Does the gentleman from Iowa desire to say anything on the question?

Mr. WEAVER. No, I do not.

The SPEAKER. The Chair is somewhat familiar with the question which was raised by the gentleman from Iowa to-day, and is aware of the fact that there have been two or three decisions in the House to the effect that under the Constitution it requires the presence of a quorum to order the yeas and nays. That was upon the ground that the ordering of the yeas and nays was the transaction of business; and in one case at least the decision, as stated by the gentleman from Iowa, was appealed from and was sustained by the House. But for more than thirty-five years the decisions have been all the other way, and the uniform practice of the House has been constantly the reverse of that.

If the ordering of the yeas and nays is the transaction of business, of course the ordering of tellers is the transaction of business. In each case the proceeding relates merely to the manner of taking the vote of the House, the method by which the sense of the House shall be ascertained on a matter of business.

Mr. WEAVER. If the Chair will permit me——

The SPEAKER. Certainly.

Mr. WEAVER. I want to suggest to the Chair, apropos of what is being said, that the ordering of tellers is for the purpose of ascertaining the presence of a quorum, or for the purpose of ascertaining the sense of the House on a demand for the yeas and nays.

The SPEAKER. Tellers are appointed for the purpose of taking a vote of the House. Under the rules of the House one-fifth of a quorum may order tellers, but it is easy to be seen that one-fifth of a quorum, which is thirty-three members, may be all the members present, and much less than a quorum; and if the point of the gentleman is well taken, that the yeas and nays can not be ordered without the presence of a quorum, manifestly neither of these methods of taking a vote of the House could be resorted to, nor could any other method of taking a vote upon any question, because they are all proceedings of the same character. The Chair is unable to see how the House could even divide on a question, because it is as much the transaction of business as taking a vote by tellers or the call of the roll on the vote by yeas and nays. The Chair thinks, therefore, that the later practice is the better practice, and that the three decisions alluded to, which seem to stand alone, are not now the law of the House.

The Chair overrules the point of order.

The yeas and nays are ordered, and the Clerk will call the roll.

The question was taken; and it was decided in the affirmative—yeas 179, nays 53, not voting 91; as follows:

YEAS—179.

Abbott,	Bynum,	Farquhar,	Holmes,
Adams,	Campbell, T.J., N.Y.	Felton,	Hooker,
Allen, Mass.	Cannon,	Finley,	Hopkins, Ill.
Allen, Mich.	Caruth,	Fisher,	Hopkins, Va.
Allen, Miss.	Caswell,	Foran,	Hopkins, N. Y.
Anderson, Iowa	Catchings,	French,	Houk,
Anderson, Ill.	Clark,	Funston,	Howard,
Atkinson,	Cogswell,	Gaines,	Hudd,
Bankhead,	Conger,	Gallinger,	Hunter,
Belden,	Cooper,	Gay,	Jackson,
Biggs,	Cothran,	Gear,	Johnston, Ind.
Bingham,	Crain,	Gest,	Kennedy,
Bliss,	Crouse,	Gibson,	Kerr,
Boothman,	Cummings,	Grosvenor,	Ketcham,
Bound,	Cutcheon,	Grout,	Laffoon,
Boutelle,	Darlington,	Hall,	La Follette,
Bowden,	Davenport,	Harmer,	Lagan,
Brewer,	Davidson, Fla.	Haugen,	Laidlaw,
Browne, T. H. B., Va.	Davis,	Heard,	Lawler,
Browne, Ind.	Dibble,	Hemphill,	Lee,
Brown, Ohio	Dingley,	Henderson, Iowa	Lehlbach,
Buchanan,	Dockery,	Henderson, Ill.	Lind,
Buckalew,	Dunham,	Hermann,	Lodge,
Burrows,	Elliott,	Hiestand,	Long,
Butterworth,	Ermentrout,	Hires,	Macdonald,

Mansur,	Osborne,	Scott,	Tracey,
Mason,	Outhwaite,	Scull,	Townshend,
McClammy,	Owen,	Seymo	Turner, Kans.
McComas,	Patton,	Sherman	Vance,
McCormick,	Payson,	Shively,	Vandever,
McKenna,	Penington,	Smith,	Wade,
McKinley,	Perkins,	Sowden,	Warner,
McKinney,	Perry,	Spooner,	Weaver,
McShane,	Phelps,	Stahlnecker,	Weber,
Milliken,	Plumb,	Steele,	West,
Mills,	Post,	Stephenson,	Wheeler.
Moffitt,	Pugsley,	Stewart, Tex.	White, N. Y.
Morgan,	Rayner,	Struble,	Whiting, Mich.
Morrill,	Reed,	Symes,	Wilber,
Morrow,	Rice,	Taylor, E. B., Ohio	Wilkinson,
Nelson,	Robertson,	Taylor, J. D., Ohio	Williams,
Newton,	Rowell,	Thomas, Wis.	Woodburn,
O'Donnell,	Russell, Conn.	Thompson, Ohio	Yardley,
O'Ferrall,	Ryan,	Thompson, Cal.	Yost.
O'Neill, Pa.	Sawyer,	Tillman,	

NAYS—53.

Anderson, Miss.	Enloe,	Maish,	Sayers,
Baker, Ill.	Forney,	Martin,	Seney,
Barnes,	Glass,	Matson,	Spinola,
Bland,	Hare,	McCreary,	Stewart, Ga.
Breckinridge, Ky.	Henderson, N. C.	McMillin,	Stockdale,
Candler,	Herbert,	McRae,	Stone, Ky.
Carlton,	Holman,	Montgomery,	Stone, Mo.
Clements,	Hutton,	Moore,	Turner, Ga.
Cobb,	Johnston, N. C.	O'Neall, Ind.	Walker,
Cowles,	Kilgore,	Peel,	Washington,
Crisp,	Landes,	Pidcock,	Yoder.
Culberson,	Lane,	Randall,	
Dargan,	Lanham,	Richardson,	
Davidson, Ala.	Latham,	Rogers,	

NOT VOTING—91.

Anderson, Kans.	Cockran,	Hogg,	Rockwell,
Arnold,	Collins,	Hovey,	Romeis,
Bacon,	Compton,	Jones,	Rowland.
Baker, N. Y.	Cox,	Kean,	Russell, Mass.
Barry,	Dalzell,	Kelley,	Rusk,
Bayne,	De Lano,	Laird,	Shaw,
Blanchard,	Dorsey,	Lyman,	Simmons,
Blount,	Dougherty,	Lynch,	Snyder,
Bowen,	Dunn,	Maffett,	Springer,
Breckinridge, Ark.	Fitch,	Mahoney,	Stewart, Vt.
Brower,	Flood,	McAdoo,	Tarsney,
Brown, J. R., Va.	Ford,	McCullogh,	Taulbee,
Brumm,	Fuller,	Merriman,	Thomas, Ky.
Bryce,	Glover,	Morse,	Thomas, Ill.
Bunnell,	Goff,	Neal,	White, Ind.
Burnes,	Granger,	Nichols,	Whiting, Mass.
Burnett,	Greenman,	Norwood,	Whithorne,
Butler,	Grimes,	Nutting,	Wickham,
Campbell, F., N. Y.	Guenther,	Oates,	Wilkins,
Campbell, Ohio	Hatch,	O'Neill, Mo.	Wilson, Minn.
Cheadle,	Hayden,	Parker,	Wilson, W. Va.
Chipman,	Hayes,	Peters,	Wise.
Clardy,	Hitt,	Phelan,	

So the conference report was adopted.

During the roll-call,

Mr. DIBBLE. I ask unanimous consent to dispense with the reading of the names.

Mr. WEAVER. I object.

The following additional pairs were announced:

Mr. COX with Mr. KELLEY, for the rest of the day.

Mr. HATCH with Mr. NUTTING, for the rest of the day.

The result of the vote was then announced as above recorded.

Mr. WEAVER. I move to reconsider the vote by which the conference report was adopted.

The question was taken; and on a division there were—ayes none, noes 134.

Mr. WEAVER. No quorum.

The SPEAKER appointed Mr. DIBBLE and Mr. WEAVER as tellers.

Mr. WEAVER (one of the tellers) announced the vote in the affirmative as 1.

Mr. DIBBLE. I make the point that the teller himself should vote, and that there are two votes in the affirmative.

Mr. WEAVER. I decline to vote.

The SPEAKER *pro tempore* (Mr. CLEMENTS in the chair). The point of order of the gentleman from South Carolina is overruled. The gentleman has the right to vote or not as he sees proper.

The House divided; and the tellers reported—aye 1, noes 162.

So the motion to reconsider was rejected.

PUBLIC BUILDING—OMAHA.

Mr. DIBBLE. I desire now to present a further conference report.

Mr. WEAVER. And against that I raise the question of consideration.

The SPEAKER. The report will be read, after which the Chair will put the question.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 182) to provide for the purchase of a site and the erection of a public building at Omaha, Nebr., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments to the said bill, and agree to the same with the following amendments:

In the third line, first page, strike out the words "proceedings in accordance with the laws of Nebraska" and insert in lieu thereof the words "or otherwise."

In the tenth line, first page, after the word "dollars," insert "and the cost of said site shall not exceed the sum of $400,000."

Strike out section 3 and insert in lieu thereof the following:

"SEC. 3. That the sum of $600,000 be, and the same is hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, for the purchase of said site and the commencement of said building."

And the Senate agree to the same.

SAMUEL DIBBLE,
JOHN A. McSHANE,
ROBERT P. KENNEDY,
Managers on the part of the House.

JOHN C. SPOONER,
W. B. ALLISON,
G. G. VEST,
Managers on the part of the Senate.

The statement of the House managers was read, as follows:

STATEMENT.

The managers on the part of the House on the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 182) to provide for the purchase of a site and the erection of a public building at Omaha, Nebr., respectfully submit the following statement:

The Senate in the bill provided for $1,200,000 as the limit of cost for site and building. The House amended by substituting provisions for the purchase of a site only, not to exceed in cost $400,000.

The effect of the conference report is to provide for a limit in cost for site and building complete to $1,200,000, cost of site not to exceed $400,000, and provides for an appropriation of $600,000, four hundred thousand for the purchase of a site and two hundred thousand for the commencement of the construction of a building thereon.

SAMUEL DIBBLE,
JOHN A. McSHANE,
ROBERT P. KENNEDY,
Managers on the part of the House.

The SPEAKER. The question is, Will the House now proceed to consider the report?

Mr. WEAVER. My object in raising the question of consideration is to proceed with the Oklahoma bill.

The SPEAKER. This question is not debatable.

Mr. McSHANE. I rise to ask the gentleman from Iowa [Mr. WEAVER] to withdraw his question of consideration and to give reasons for my request.

The SPEAKER. The ayes seem to have it.

Mr. WEAVER. Division.

The House divided; and there were—ayes 93, noes 9.

Mr. WEAVER. No quorum.

Mr. DIBBLE and Mr. WEAVER were appointed tellers.

The House again divided; and there were—ayes 153, noes 10.

So the House determined to proceed with the consideration of the conference report.

Mr. DIBBLE. I move the previous question on the adoption of the report.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. WEAVER. Division.

The House proceeded to divide, when

Mr. DIBBLE said: I demand the yeas and nays.

The question was taken upon ordering the yeas and nays.

The SPEAKER (after the count). Sixty gentlemen have risen, more than one-fifth, and the yeas and nays are ordered.

The question was taken; and it was decided in the affirmative—yeas 196, nays 26, not voting 101; as follows:

YEAS—196.

Abbott,	Cothran,	Herbert,	Mills,
Adams,	Cox,	Hermann,	Moffitt,
Allen, Mass.	Crain,	Hiestand,	Montgomery,
Allen, Mich.	Crisp,	Hires,	Morgan,
Anderson, Iowa	Crouse,	Holmes,	Morrill,
Anderson, Ill.	Culberson,	Hooker,	Morrow,
Arnold,	Cummings,	Hopkins, Ill.	Nelson,
Atkinson,	Cutcheon,	Hopkins, Va.	Newton,
Baker, N. Y.	Dargan,	Hopkins, N. Y.	Oates,
Baker, Ill.	Darlington,	Houk,	O'Donnell,
Bankhead,	Davenport,	Howard,	O'Ferrall,
Barnes,	Davidson, Ala.	Hudd,	O'Neill, Pa.
Bayne,	Davidson, Fla.	Hunter,	Osborne,
Belden,	Davis,	Jackson,	Outhwaite,
Biggs,	Dibble,	Johnston, N. C.	Patton,
Bingham,	Dingley,	Kennedy,	Payson,
Bland,	Dockery,	La Follette,	Peel,
Boothman,	Elliott,	Laidlaw,	Penington,
Bound,	Farquhar,	Lane,	Perry,
Bowden,	Felton,	Lanham,	Peters,
Breckinridge, Ky.	Finley,	Lawler,	Phelan,
Brewer,	Fisher,	Lee,	Pidcock,
Browne, T. H. B., Va.	Foran,	Lehlbach,	Plumb,
Browne, Ind.	Forney,	Lind,	Post,
Brown, Ohio	French,	Long,	Pugsley,
Bryce,	Gaines,	Lynch,	Randall,
Buchanan,	Gallinger,	Macdonald,	Robertson,
Burrows,	Gay,	Maish,	Rogers,
Bynum,	Gear,	Mason,	Rowell,
Campbell, T. J., N. Y.	Gest,	Matson,	Russell, Conn.
Caruth,	Glass,	McAdoo,	Ryan,
Caswell,	Grosvenor,	McClammy,	Sawyer,
Catchings,	Grout,	McCormick,	Sayers,
Chipman,	Hall,	McCullogh,	Scott,
Clardy,	Harmer,	McKenna,	Scull,
Clark,	Haugen,	McKinney,	Seney,
Cobb,	Heard,	McMillin,	Sherman,
Cogswell,	Hemphill,	McRae,	Shively,
Conger,	Henderson, Iowa	McShane,	Smith,
Cooper,	Henderson, Ill.	Merriman,	Sowden,

Spinola,	Symes,	Turner, Kans.	White, Ind.
Spooner,	Taulbee,	Turner, Ga.	White, N. Y.
Stahlnecker,	Taylor, J. D., Ohio	Vance,	Whiting, Mich.
Steele,	Thomas, Ill.	Vandever,	Wilkinson,
Stephenson,	Thomas, Wis.	Wade,	Williams,
Stewart, Tex.	Thompson, Cal.	Warner,	Woodburn,
Stewart, Vt.	Tillman,	Washington,	Yardley,
Stone, Ky.	Tracey,	West,	Yoder,
Struble,	Townshend,	Wheeler,	Yost.

NAYS—26.

Anderson, Miss.	Fuller,	Kilgore,	Stockdale,
Blount,	Grimes,	Landes,	Stone, Mo.
Buckalew,	Hare,	Latham,	Taylor, E. B., Ohio
Cheadle,	Holman,	Martin,	Walker,
Clements,	Hutton,	Moore,	Weaver,
Cowles,	Johnston, Ind.	O'Neall, Ind.	
Enloe,	Kerr,	Richardson,	

NOT VOTING—101.

Allen, Miss.	De Lano,	Ketcham,	Rockwell,
Anderson, Kans.	Dorsey,	Laffoon,	Romeis,
Bacon,	Dougherty,	Lagan,	Rowland.
Barry,	Dunham,	Laird,	Russell, Mass.
Blanchard,	Dunn,	Lodge,	Rusk,
Bliss,	Ermentrout,	Lyman,	Seymour,
Boutelle,	Fitch,	Maffett,	Shaw,
Bowen,	Flood,	Mahoney,	Simmons,
Breckinridge, Ark.	Ford,	Mansur,	Snyder,
Brower,	Funston,	McComas,	Springer,
Brown, J. R., Va.	Gibson,	McCreary,	Stewart, Ga.
Brumm,	Glover,	McKinley,	Tarsney,
Bunnell,	Goff,	Milliken,	Thomas, Ky.
Burnes,	Granger,	Morse,	Thompson, Ohio
Burnett,	Greenman,	Neal,	Weber,
Butler,	Guenther,	Nichols,	Whiting, Mass.
Butterworth,	Hatch,	Norwood,	Whitthorne,
Campbell, F., N. Y.	Hayden,	Nutting,	Wickham,
Campbell, Ohio	Hayes,	O'Neill, Mo.	Wilber,
Candler,	Henderson, N. C.	Owen,	Wilkins,
Cannon,	Hitt,	Parker,	Wilson, Minn.
Carlton,	Hogg,	Perkins,	Wilson, W. Va.
Cockran,	Hovey,	Phelps,	Wise.
Collins,	Jones,	Rayner,	
Compton,	Kean,	Reed,	
Dalzell,	Kelley,	Rice,	

So the previous question was ordered.

During the roll-call,

Mr. DIBBLE said: I ask unanimous consent to dispense with the reading of the names.

The SPEAKER *pro tempore* (Mr. TOWNSHEND). Unless there be objection, it will be so ordered.

Mr. WEAVER. I object.

The following additional pairs were announced:

Mr. WISE with Mr. JOHN R. BROWN, on all political questions until further notice.

Mr. RUSK with Mr. MCCOMAS, for this day.

Mr. ERMENTROUT with Mr. WADE, for this day.

Mr. FELIX CAMPBELL with Mr. KELLEY for the remainder of the day.

Mr. JOHN R. BROWN. I desire to withdraw my vote, as I am paired with Mr. WISE.

The SPEAKER *pro tempore*. Upon the demand for the previous question the yeas are 196, nays 26. The yeas have it, the previous question is ordered, and there are thirty minutes for debate—fifteen minutes in the affirmative and fifteen in opposition to the conference report.

Mr. DIBBLE. Mr. Speaker this is a similar conference report to the last under consideration, except that the appropriation provided by the bill is $600,000. I do not think that it is necessary to debate the question, and will simply reserve my time. If any one desires to speak in opposition to the bill they can do so. [Cries of "Vote!"]

Mr. WEAVER. I only say that as soon as the conference report shall have been acted upon I desire to have the Oklahoma bill taken up. [Laughter.]

The report of the conference committee was agreed to.

Mr. MCSHANE moved to reconsider the vote by which the conference report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. DIBBLE and Mr. WEAVER rose at the same time.

Mr. DIBBLE. I present another conference report.

Mr. WEAVER. I move that the House adjourn, and that when the House adjourn it be to meet on Monday next.

The SPEAKER *pro tempore*. Under the ruling that has already been made, the Chair will hold the motion of the gentleman from Iowa to be out of order. [Laughter.]

Mr. WEAVER. A motion to adjourn not in order?

The SPEAKER *pro tempore*. The question is upon the motion made by the gentleman from South Carolina [Mr. DIBBLE].

Mr. REED. We seem to be struck by two necessities at once. The House can not go one way on account of the gentleman from Iowa, and it can not go the other way on account of the gentleman from South Carolina. We are illustrating the nature of our rules fully.

Mr. WEAVER. Mr. Speaker, the question is on the motion that the House now adjourn.

Mr. DIBBLE. Mr. Speaker, I desire to present another conference report.

The SPEAKER. The gentleman from Iowa had a motion pending that when the House adjourn to-day it be to meet on Monday next; and pending that the gentleman from South Carolina presented a report from a committee of conference, against which the question of consideration was raised, and the House by an almost unanimous vote determined that it would consider the conference report and not the motion to adjourn.

Mr. WEAVER. That report.

The SPEAKER. The gentlemen now moves to adjourn.

Mr. WEAVER. But I first raise the question of consideration, and pending that move to adjourn.

The SPEAKER. Then that is in order.

Mr. DIBBLE. Mr. Speaker, I present another conference report.

The SPEAKER. The Chair understands that the gentleman from Iowa raises the question of consideration upon that, and pending that, before the House has determined upon considering the conference report, moves that when the House adjourn it be to meet on Monday next. The Chair thinks that motion is in order.

Mr. DIBBLE. I desire to be heard briefly upon that question. The proposition which I wish to present to the Chair is that the motion to adjourn is not in order until the House shall have decided not to consider the conference report, because if the question of the consideration of the conference report gave the motion to adjourn a priority over a question of higher privilege, that priority would not be actual, but would be merely formal. It has been ruled by the Speaker, and it has been the uniform ruling and practice of the House, that a conference report is a proposition of such high privilege that it will even take a member off the floor during debate, or that it will intervene on a motion to adjourn, and, as the Chair has ruled, when that privilege attaches it takes precedence of a motion to adjourn until the House disposes of the question.

The House may dispose of the question of consideration in several ways. It may postpone the report until the next day, or it may decline to consider the report; but I submit that the question of consideration is merely a formal one, a question which substantially adheres to the consideration of every proposition. The rule provides that the question of consideration need not be formally acted upon unless some member raises it, but that question is in effect acted upon every time any proposition is brought before the House. Every time a proposition is presented to the House and a member does not raise the question of consideration, that question is in effect decided in favor of considering the proposition. Now, I submit that the motion to adjourn will not be in order unless the House decides not to consider, or decides to postpone the consideration of this report until some other time. One or the other of those motions must precede the motion to adjourn, for that motion can not come in and displace a proposition superior in rank.

Mr. REED. Mr. Speaker, it seems to me that the result of the argument of the gentleman from South Carolina would be that the House would have to remain in session as long as any gentleman could present a conference report.

Mr. DIBBLE. Not at all; because the House can decline to consider any one of these reports. If the House desires to adjourn it can decline to consider the conference report, and can then adjourn.

Mr. REED. Not at all; because a gentleman with a pocketful of conference reports can keep firing them off. [Laughter.]

Mr. DIBBLE. Well, conference reports are not inexhaustible, and 5 o'clock is the hour fixed for adjournment.

Mr. REED. Under these rules; but not under the rules of any other parliamentary body.

Mr. DIBBLE. Well, we are arguing upon these rules.

Mr. REED. We are not arguing on the 5 o'clock adjournment, because that is an anomaly.

The SPEAKER. The nineteenth rule of the House provides that the presentation of reports of committees of conference shall always be in order except when the Journal is being read, while the roll is being called, or while the House is dividing on any proposition. Under this rule it has been held that the presentation of such reports is in order pending a motion to adjourn (although that motion is not mentioned in the rule), and that it is in order while a member is occupying the floor; and the practice of the House is that when it is in order to present a matter at any time it is in order to consider the matter at that time, subject, of course, to the right of any member upon the floor to raise the question of consideration and to the right of the House to determine that it will or will not consider the matter. This morning, when the gentleman from Iowa [Mr. WEAVER] insisted upon his motion to adjourn, the House had not only received the report of the committee of conference, but had actually entered upon its consideration; and the Chair then held that the matter had reached such a stage in its progress as a privileged matter that the motion of the gentleman from Iowa could not be put. Now, however, the House

has not determined to consider this conference report. The literal terms of the rule have been complied with, the report has been presented to the House, and the gentleman from Iowa raises the question of consideration against it, and then moves that the House adjourn. Suppose the Chair holds that the motion of the gentleman from Iowa [Mr. WEAVER] is now out of order, or that it can not now be voted on, and the House determines that it will consider the report, when can the House adjourn?

Mr. DIBBLE. The House could adjourn on a motion to defer action on this report to a later day, or at 5 o'clock, the hour fixed by the rule, of which the Chair would of course take official cognizance.

The SPEAKER. That is a dilemma in which the House may find itself whenever it actually enters upon the consideration of a conference report before the motion to adjourn is put; and that is one of the features of the case which raised a doubt in the mind of the Chair this morning. The Chair thinks that to hold now that the gentleman's motion to adjourn should not be put before the House has entered upon the consideration of the conference report when the question of consideration has been raised would be to extend the privilege of the report beyond what was done this morning, and the Chair had doubts then whether he did not go too far. The Chair thinks the motion to adjourn can be put now, and thus the House will determine whether it will adjourn or will proceed to consider the report. The question is upon the motion to adjourn.

Mr. WEAVER. I know this motion is not debatable; but I want to say just one word—— [Cries of "Regular order!"] I move that when the House adjourns it adjourn to meet on Monday next.

Mr. DIBBLE. I rise to a parliamentary inquiry. Is the question upon the motion to adjourn or to adjourn over?

The SPEAKER. The motion to adjourn over.

Mr. DIBBLE. I make the point of order that that is not in order.

The SPEAKER. The motion is not to adjourn over, but that when the House adjourns it will adjourn to meet on the day named.

Mr. DIBBLE. Well, I make a point of order against so much of the motion as relates to adjourning over to a day certain, because it interferes with the privilege of a conference report; and the reason about the House having the privilege of adjourning does not apply in this case.

The SPEAKER. Under the rules, a motion to fix a day to which the House shall adjourn is of higher privilege than the simple motion to adjourn.

Mr. DIBBLE. But a conference report is of higher privilege than either; and if the Speaker will allow me, I now present a conference report.

The SPEAKER. The Chair understands the gentleman has presented a conference report; and the gentleman from Iowa has raised the question of consideration against it. As the Chair stated, the present situation is different from that this morning, when a conference report was not only presented but the House determined to go on with its consideration and was going on with it. While the difference is not very great, still, in the opinion of the Chair, to hold that the House can not adjourn at all after a conference committee has presented its report and before its consideration would be going very far—too far, in fact, under the rules of the House; and the motion to fix a day to which the House will adjourn is one of still higher privilege than the other.

Mr. DIBBLE. But is not a conference report of superior privilege to a motion to adjourn or a motion to adjourn over?

The SPEAKER. A motion to fix the day to which the House shall adjourn is a motion of higher privilege under the rules of the House than the motion to adjourn.

Mr. DIBBLE. But not higher than a conference report.

The SPEAKER. Not higher than the presentation of a conference report; and that has been done.

The question having been taken on the motion of Mr. WEAVER that when the House adjourn it adjourn to meet on Monday next,

The SPEAKER said: The noes seem to have it.

Mr. WEAVER. Division.

The question being again taken, there were—ayes 7, noes 97.

Mr. WEAVER. No quorum.

The SPEAKER. The point of no quorum being made, the Chair appoints as tellers the gentleman from South Carolina [Mr. DIBBLE] and the gentleman from Iowa [Mr. WEAVER].

The tellers took their places and proceeded with the count.

Mr. TAULBEE (during the count by tellers). Mr. Speaker——

The SPEAKER. The House is voting. For what purpose does the gentleman rise?

Mr. TAULBEE. I rise to a question of privilege.

The SPEAKER. The gentleman will state it.

Mr. TAULBEE. I desire to correct the record.

The SPEAKER. The tellers will suspend the count for a moment.

Mr. TAULBEE. I desire to correct the record.

The SPEAKER. The gentleman will state the correction.

Mr. DIBBLE. Is this in order? If not, I raise the point that the House is dividing.

The SPEAKER. It is not in order while the vote is being taken except by consent.

Mr. TAULBEE. I am not asking unanimous consent.

The SPEAKER. Then the Chair declines to entertain the proposition while the House is dividing.

Mr. TAULBEE. I desire to have my motion for the correction of the record regarded as pending.

The SPEAKER. The Chair can not entertain another question while the House is voting upon the question before it.

Mr. TAULBEE. Then I wish to announce that as soon as the vote is completed, I desire to take the floor for the purpose I have indicated.

The SPEAKER. The Chair will then hear the gentleman.

The tellers, having concluded their count, made their report.

The SPEAKER. On this question the ayes are none, the noes 163. The noes have it, and the motion of the gentleman from Iowa is not agreed to. The gentleman from Kentucky [Mr. TAULBEE] desires to present a question of privilege, and will state it.

Mr. DIBBLE. Pending that, I rise to a question of higher privilege—a conference report.

The SPEAKER. That is the question pending. The question is, Will the House proceed with the consideration of the report? As many as are in favor of proceeding with its consideration will say "ay."

Mr. TAULBEE. I rise to a parliamentary inquiry.

The SPEAKER. The Chair called upon the gentleman from Kentucky, but he did not rise; thereupon the gentleman from South Carolina rose and called up the matter of privilege.

Mr. TAULBEE. If the Chair please, I was on my feet at the time for this purpose. I was in front of my desk and walked back to my desk. I want to know——

The SPEAKER. If the gentleman states he was on his feet addressing the Chair the Chair will recognize him.

Mr. TAULBEE. I do not state that I was on my feet and addressing the Chair, but I state I was on my feet for that purpose.

The SPEAKER. The Chair expressly called upon the gentleman from Kentucky, but did not see him rise; thereupon the gentleman from South Carolina rose and called up a privileged report.

Mr. TAULBEE. I did not rise.

The SPEAKER. The gentleman from South Carolina then rose and called up a privileged report.

Mr. TAULBEE. I did not rise, for I was then on my feet.

The SPEAKER. The Chair will hear the gentleman from Kentucky.

Mr. TAULBEE. The House was dividing on the question of consideration.

The SPEAKER. The Chair will hear the gentleman from Kentucky.

Mr. TAULBEE. Mr. Speaker, on yesterday I submitted some remarks on the resolution offered by the gentleman from Ohio [Mr. EZRA B. TAYLOR], and on the announcement of the Chair that the resolution which was being read at the Clerk's desk did not go into the RECORD, I asked permission to withhold my remarks for revision. [Laughter.] My request went into the RECORD, but instead of my remarks being submitted to me for revision they were put into the RECORD. [Renewed laughter.] Now, I find in the rules for the publication of the RECORD adopted by the Joint Committee on Printing it is provided that corrections in speeches for bound editions of the RECORD should be sent to the Public Printer within four days after the delivery of the speech to be corrected, as it is then stereotyped. I think, sir, under the custom of the House I am entitled to revise my remarks. I do not know I could make much improvement on them, but still I think I am entitled to the same courtesy any other member of this House may claim or to which he is entitled. I now desire to correct the RECORD so as to leave out of the RECORD and to be submitted to me for revision my remarks on page 693.

The SPEAKER. The RECORD seems to be correct according to the gentleman's own statement. It shows what he said. Whether the gentleman's remarks were furnished to the gentleman or not for revision the Chair does not know. The Chair had no connection with it.

Mr. TAULBEE. I am afraid the Chair misunderstood my remark. I did not say that the RECORD did not show the remarks as I made them, but I said I did not know that I could much improve on them. [Laughter.]

The SPEAKER. The gentleman asks the remarks which he has indicated be omitted from the permanent RECORD, so that he may have leave to revise them. Is there objection to granting that request? [After a pause.] The Chair hears no objection, and it is so ordered.

Mr. WEAVER. Is not the motion to adjourn pending?

The SPEAKER. The Chair thinks it is not. The motion made by the gentleman from Iowa was, that when the House adjourns to-day it adjourn to meet on Monday next, and that motion has been voted down.

Mr. WEAVER. I made the motion that the House adjourn, and then I moved that when the House adjourns it adjourn to meet on Monday next.

Mr. TAULBEE. I rise to a point of order.

The SPEAKER. One point of order is now pending.
Mr. TAULBEE. I think my point of order has priority.
The SPEAKER. The gentleman will state it.
Mr. TAULBEE. I desire to make this point of order: That the request I submitted for the omission of my remarks from the RECORD has not been announced by the Chair.
The SPEAKER. It has been, and the request was agreed to.
Mr. TAULBEE. Is it the order of the House?
The SPEAKER. That is the order of the House.
Mr. TAULBEE. Then I will yield the floor to the gentleman from Iowa. [Laughter.]
Mr. WEAVER. I understood the Chair to decide when a motion to adjourn is made and pending that a motion to adjourn to a day certain is in order and must be first voted on.
The SPEAKER. The Chair did not understand the gentleman from Iowa to make any motion except that when the House adjourns to-day it adjourn to meet on Monday next.
Mr. WEAVER. Oh, yes; I also made the motion that the House adjourn.
The SPEAKER. Then if that be so, the motion to adjourn is the question now before the House.
Mr. DIBBLE. I call up the conference report.
The SPEAKER. That is the pending subject before the House for consideration, but the gentleman from Iowa [Mr. WEAVER] interposes the motion to adjourn.
Mr. DIBBLE. Does the gentleman now make the motion to adjourn?
The SPEAKER. The gentleman said he made it some time ago.
Mr. BUCHANAN. If I had so understood it I would have raised the point of order.
The SPEAKER. The Chair's opinion was that only one motion was made, and that was the motion that when the House adjourns to-day it adjourn to meet on Monday next. It may have been made when the chair was temporarily occupied by another gentleman.
Mr. DIBBLE. I rise to a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. DIBBLE I wish to know whether at the time the gentleman from Kentucky intervened with the question of privilege it is not true that the House was at that time voting on the question of consideration?
The SPEAKER. It was not. It was dividing on the motion that when the House adjourn it be to meet on Monday.
Mr. DIBBLE. I think a reference to the record will show that the Speaker had announced in the usual form, "Those who are in favor of considering the conference report will say ay."
The SPEAKER. The gentleman is mistaken. The question before the House was the motion that when the House adjourn it adjourn to meet on Monday.
Mr. WEAVER. Is it in order to withdraw the motion to adjourn?
The SPEAKER. It is.
Mr. WEAVER. I withdraw the motion and substitute a motion that the House now take a recess until 7.30 this evening.
Mr. DIBBLE. Pending that I press the consideration of the conference report.
The SPEAKER. The Chair thinks when the conference report is presented under the rules of the House, and the question of consideration is raised, that until the House enters upon the consideration it is like any other privileged matter and may be interrupted by a motion to adjourn, to take a recess, or to fix a time to which the House will adjourn. This morning, the Chair will repeat, the House had actually entered upon its consideration in pursuance of the rule, and had done so pending a motion to adjourn.
Mr. CUTCHEON. I rise to a parliamentary inquiry. If the motion of the gentleman from Iowa prevails, will the order in regard to Friday evening sessions for pension bills be the order of business for to-night?
The SPEAKER. The Chair supposes so. That has been the custom heretofore.
The motion of Mr. WEAVER was then agreed to; and accordingly (at 4 o'clock p. m.) the House took a recess until half past 7 o'clock this evening.

EVENING SESSION.

The recess having expired, the House (at 7 o'clock and 30 minutes p. m.) was called to order by Mr. MCMILLIN, who directed the reading of the following communication:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,
Washington, D. C., January 11, 1889.

SIR: Hon. BENTON MCMILLIN is designated to preside at the session of the House this evening.

JOHN G. CARLISLE, *Speaker.*

Hon. JOHN B. CLARK,
Clerk House of Representatives.

ORDER OF BUSINESS.

Mr. BIGGS. Mr. Speaker, I have never taken up any of the time of the House, and I ask permission to have this bill read to remove the political disabilities of General Henry B. Davidson. I refer to House bill No. 11751.
Mr. DOCKERY. I hope the request will be granted.
The SPEAKER *pro tempore.* The bill will be read subject to objection.
The bill was read at length.
Mr. KILGORE. I will have to object.
Mr. BIGGS. I hope the gentleman will withdraw that objection.
Mr. KILGORE. I demand the regular order.
Mr. CHIPMAN. I move that the House resolve into Committee of the Whole for the consideration of bills under the special order.
Mr. HOPKINS, of New York. I rise to a parliamentary inquiry.
The SPEAKER *pro tempore.* The gentleman will state it.
Mr. HOPKINS, of New York. I wish to ask if, when the Speaker adjourns the House to-night, it will stand adjourned until to-morrow at 12 o'clock, or until Monday at 12 o'clock?
The SPEAKER *pro tempore.* Until to-morrow at 12 o'clock.
The question is on agreeing to the motion of the gentleman from Michigan.
The House divided; and there were—ayes 25, noes 2.
Mr. KILGORE. No quorum.
The SPEAKER *pro tempore* appointed as tellers Mr. KILGORE and Mr. CHIPMAN.
The House again divided; and the tellers reported—ayes 25, noes none.
Mr. KILGORE. No quorum.
The SPEAKER *pro tempore.* The tellers will continue the count.
Mr. COOPER. It is manifest that there is no quorum present, and the gentleman who made the point notified the House that he was going to insist upon it; so we may as well adjourn.
Mr. GEAR. I move a call of the House.
The SPEAKER *pro tempore.* The tellers will make their final report, after which the Chair will recognize the gentleman to make his motion.
The tellers reported—ayes 29, noes none.
Mr. KILGORE. No quorum.
Mr. BIGGS. I move a call of the House.
The motion was agreed to; and the Clerk proceeded to call the roll.
Before the conclusion of the call of the House,
Mr. BIGGS. I ask unanimous consent to dispense with further proceedings under the call. It is evident that no quorum is present.
Mr. MACDONALD and Mr. HOPKINS, of New York, objected.
Mr. GALLINGER. I move that further proceedings under the call be dispensed with. I ask unanimous consent to submit the motion.
Mr. WASHINGTON and Mr. KILGORE objected.
After the roll had been called the first time,
Mr. GEAR. I move that further proceedings be dispensed with.
The question was taken; and on a division there were—ayes 29, noes 11.
So the motion was agreed to.
Mr. MATSON. Mr. Speaker, I am directed by the Committee on Invalid Pensions to ask the House to consider the bill granting a pension to Rebecca H. Lisle. The committee passed a resolution making this request because this is regarded as an unusually meritorious case.
The SPEAKER *pro tempore.* The Chair will state to the gentleman from Indiana that there is a pending motion, and the call of the House being dispensed with, that is now the pending question.
Mr. DOCKERY. There is a motion pending to go into Committee of the Whole.
The SPEAKER *pro tempore.* Yes; the call of the House was concluded, but the names of the absentees had not been called. The question recurs now upon the original motion.
Mr. MASON. The call had not been completed.
The SPEAKER *pro tempore.* The Chair is informed that the call had been completed by the Clerk.
Mr. DOCKERY. Oh, no. The second roll-call had not been taken.
The SPEAKER *pro tempore.* The Chair will state that there is no second roll-call on a call of the House. The excuses of absentees are received on the second call.
Mr. MASON rose.
The SPEAKER *pro tempore.* If the gentleman from Illinois will suspend one moment the Chair will examine the rule bearing on the question. [After a pause.] The Chair will cause to be read clause 2 of Rule XV, governing a call of the House.
The Clerk read as follows:

In the absence of a quorum, fifteen members, including the Speaker, if there is one, shall be authorized to compel the attendance of absent members, and in all calls of the House the names of the members shall be called by the Clerk and the absentees noted. The doors shall then be closed, and those for whom no sufficient excuse is made may by order of a majority of those present be sent for and arrested wherever they may be found by officers to be appointed by the Sergeant-at-Arms for that purpose, and their attendance secured; and the House shall determine upon what condition they shall be discharged.

Mr. GEAR. I move that the gentlemen who did not answer when their names were called be excused.
Mr. MASON. We were proceeding with a call of the House. The Chair had not announced the result of the call, and therefore the call

had not been completed; but pending that, and during the call of the House, further proceedings under the call were dispensed with, and the question would recur upon the pending motion, which was to go into Committee of the Whole for the consideration of bills.

The SPEAKER *pro tempore*. The Chair will state in response to the statement of the gentleman from Illinois that the call had been completed; but the further proceeding of excusing members or sending for absentees was dispensed with by the House. The question with the Chair is, whether that changes the status of the House as to the presence or absence of a quorum. The record will show who were present and who absent, and whether there was a quorum present.

Mr. KILGORE. I want to make a suggestion in the line that the Speaker had not made any announcement of the result of the call. If on a call of the roll no quorum appears to be present, then the House can have the absentees called and sent for or not, as it thinks best; but the House itself in this instance dispensed with all further proceedings under the call, and we stand without a quorum, the names having been called. Now, sir, some members have chosen to obstruct all public legislation, and one member proposes to obstruct all legislation and stop the wheels of government. Now, I propose that no private legislation shall be effected while that is being done.

Mr. MASON. I understand the gentleman wishes to imitate the gentleman from Iowa [Mr. WEAVER]. [Laughter.]

Mr. MATSON. As I understand, it is held by the Chair that the call has proceeded so far that the record shows there is no quorum present; and if so, I apprehend there is no proceeding with business until it does show the presence of a quorum.

The SPEAKER *pro tempore*. The gentleman will permit the Chair to state that that was the view the Chair took, and such a decision had been made. If the decision would bear a different construction the present occupant of the chair is anxious that business shall proceed if it can be done under the rules.

Mr. MATSON. The point is whether the record shows that a quorum is present.

Mr. MASON. The call had not been completed, but the second call of the roll was proceeding.

The SPEAKER *pro tempore*. The Chair will state that he recognized two motions to dispense with the roll-call, but objection was made both times. When the call had been completed, the gentleman from Iowa [Mr. GEAR] moved to dispense with all further proceedings under the call. The question in the mind of the Chair is whether or not the roll-call had been completed so far as to show the absence of a quorum. In the absence of a quorum no business can be transacted, except to get a quorum or to adjourn.

Mr. MASON rose.

Mr. MATSON. I move that the House do now adjourn.

Mr. MASON. Before that question is put I only desire to call the attention of the Chair respectfully to the custom of the House respecting a roll-call. It has been the rule or it has been the custom for years, but certainly it has been during the first session of this Congress, to call the roll a second time. I understand the rules do not require it, but it has been the uniform practice.

The SPEAKER *pro tempore*. The rules do not require a second call of the roll.

Mr. MASON. However, it has been the custom to call the roll a second time.

The SPEAKER *pro tempore*. The Chair does not think it has been the custom. It may have sometimes been done.

Mr. DOCKERY. I am clearly of the opinion that the Chair is correct, and that no further business can be done, the call having proceeded to the length it has, unless by unanimous consent. Of course, by unanimous consent we can dispense with all proceedings under the call; but as that seems to be refused, I hope the House will adopt the motion of the gentleman from Indiana [Mr. MATSON].

The question was taken, and the House refused to adjourn.

Mr. GEAR. I renew my motion, that all those gentlemen who did not respond on the roll-call be excused from appearance. I do that, Mr. Speaker, so that by unanimous consent we can go on and transact the business for which this session was called.

The SPEAKER *pro tempore*. The Chair will state that it is not in order to move to excuse absent members, because of the adoption of the former motion, that all further proceedings under the call be dispensed with, and the excuse of absent members is a proceeding under the call.

Mr. MACDONALD. I call the attention of the Chair to the fact that the motion of the gentleman from Iowa [Mr. GEAR] interrupted the call of the roll.

The SPEAKER *pro tempore*. The Chair is informed by the clerk who made the call that the last name on the roll had been called and responded to before the motion was made.

Mr. CHEADLE. I move that the roll be called a second time for excuses.

The SPEAKER *pro tempore*. The Chair does not think that is in order under this call, because all further proceedings under the call have been dispensed with.

Mr. CHEADLE. I move to reconsider the vote by which all further proceedings under the call were dispensed with.

The motion to reconsider was adopted.

The SPEAKER *pro tempore*. The question now recurs on the motion of the gentleman from Iowa [Mr. GEAR] that all further proceedings under the call be dispensed with.

The motion was rejected.

The SPEAKER *pro tempore*. The motion of the gentleman from Iowa is not agreed to, and the officers will close the doors.

Mr. MASON. I move that all members who have not answered to their names on the first roll-call be excused from attendance, except the gentleman from Iowa [Mr. WEAVER], and that he be sent for. [Laughter.]

Several MEMBERS. Oh, no!

Mr. WHEELER. I think we had better let him stay away. [Laughter.]

Mr. MASON. Nobody seems to want him here, and on reflection I withdraw my motion. [Renewed laughter.]

The call of the House was resumed and concluded, when the following members failed to answer to their names:

Adams,	Dargan,	Kean,	Rockwell,
Allen, Mass.	Davenport,	Kelley,	Rogers,
Allen, Mich.	Davidson, Fla.	Kerr,	Romeis,
Allen, Miss.	Davis,	Ketcham,	Rowell,
Anderson, Miss.	De Lano,	Laffoon,	Rowland,
Anderson, Kans.	Dibble,	La Follette,	Russell, Conn.
Arnold,	Dingley,	Lagan,	Russell, Mass.
Bacon,	Dorsey,	Laird,	Rusk,
Baker, Ill.	Dougherty,	Landes,	Ryan,
Bankhead,	Dunham,	Lanham,	Sayers,
Barnes,	Dunn,	Latham,	Scott,
Barry,	Elliott,	Lawler,	Scull,
Bayne,	Enloe,	Lee,	Seymour,
Belden,	Ermentrout,	Lodge,	Shaw,
Bingham,	Farquhar,	Lyman,	Simmons,
Blanchard,	Felton,	Lynch,	Smith,
Bland,	Fisher,	Maffett,	Snyder,
Bliss,	Fitch,	Mahoney,	Sowden,
Blount,	Flood,	Maish,	Spinola,
Boothman,	Foran,	Mansur,	Springer,
Bound,	Ford,	McAdoo,	Stahlnecker,
Boutelle,	Forney,	McClammy,	Steele,
Bowden,	French,	McComas,	Stephenson,
Bowen,	Gaines,	McCormick,	Stewart, Tex.
Breckinridge, Ark.	Gay,	McCreary,	Stewart, Ga.
Breckinridge, Ky.	Gest,	McCullogh,	Stewart, Vt.
Brewer,	Gibson,	McKenna,	Stockdale,
Brower,	Glass,	McKinley,	Stone, Ky.
Browne, T. H. B., Va.	Glover,	McRae,	Stone, Mo.
Browne, Ind.	Goff,	McShane,	Symes,
Brumm,	Granger,	Merriman,	Tarsney,
Bryce,	Greenman,	Milliken,	Taulbee,
Buchanan,	Grosvenor,	Mills,	Taylor, E. B., Ohio
Buckalew,	Guenther,	Morgan,	Thomas, Ky.
Bunnell,	Hall,	Morrow,	Thomas, Ill.
Burnes,	Hare,	Morse,	Thomas, Wis.
Burnett,	Harmer,	Neal,	Thompson, Cal.
Burrows,	Hatch,	Nelson,	Tillman,
Butler,	Hayden,	Norwood,	Tracey,
Butterworth,	Hayes,	Nutting,	Townshend,
Bynum,	Heard,	Oates,	Turner, Kans.
Campbell, F., N. Y.	Hemphill,	O'Ferrall,	Turner, Ga.
Campbell, Ohio	Henderson, Iowa	O'Neall, Ind.	Vandever,
Campbell, T. J., N. Y.	Henderson, N. C.	O'Neill, Pa.	Wade,
Candler,	Henderson, Ill.	O'Neill, Mo.	Warner,
Cannon,	Herbert,	Outhwaite,	Weaver,
Carlton,	Hermann,	Parker,	Weber,
Caruth,	Hiestand,	Patton,	West,
Caswell,	Hires,	Payson,	White, Ind.
Catchings,	Hitt,	Peel,	White, N. Y.
Clardy,	Hogg,	Penington,	Whiting, Mass.
Clements,	Holman,	Perkins,	Whitthorne,
Cockran,	Holmes,	Perry,	Wickham,
Collins,	Hooker,	Phelan,	Wilber,
Compton,	Hopkins, Va.	Phelps,	Wilkins,
Cothran,	Houk,	Pidcock,	Wilkinson,
Cowles,	Hovey,	Plumb,	Wilson, Minn.
Cox,	Hudd,	Post,	Wilson, W. Va.
Crain,	Hutton,	Randall,	Wise,
Culberson,	Johnston, Ind.	Rayner,	Woodburn.
Cummings,	Johnston, N. C.	Richardson,	
Dalzell,	Jones,	Robertson,	

The following-named members were absent on leave:

Bowden,	Fitch,	Lyman,	Penington,
Breckinridge, Ark.	Gay,	Maffett,	Perry,
Carlton,	Granger,	Mahoney,	Thomas, Ky.
Caruth,	Guenther,	Moffitt,	Whitthorne,
Caswell,	Hooker,	Neal,	Wilson, W. Va.
Dougherty,	Laird,	Parker,	

During the second call,

Mr. SPOONER said: Mr. Speaker, I ask that my colleague, Mr. ARNOLD, be excused on account of sickness.

There was no objection, and it was so ordered.

Mr. CUTCHEON. I ask that my colleague, Mr. ALLEN, of Michigan, be excused, as he has been compelled to go to the train to meet a friend.

There was no objection, and it was so ordered.

Mr. BIGGS. Mr. Speaker, would it be in order to move that all the absentees be excused?

The SPEAKER *pro tempore*. The Chair thinks the usual and proper course is to call the names of the absentees.

Mr. BIGGS. I ask unanimous consent that my colleague, Mr. FELTON, be excused. He is not well enough to be here to-night.

There was no objection, and it was so ordered.

Mr. WHEELER. My colleague, Mr. FORNEY, has not been well for some days, and I ask that he be excused.

There was no objection, and it was so ordered.

Mr. WHITING, of Michigan. I ask unanimous consent that my colleague, Mr. FISHER, be excused on account of indisposition.

There was no objection, and it was so ordered.

Mr. COGSWELL. I ask unanimous consent that my colleague, Mr. HAYDEN, be excused.

The SPEAKER *pro tempore*. The Chair is informed that the gentleman has been granted leave of absence.

Mr. GEAR. I ask unanimous consent that my colleague, Mr. HENDERSON, be excused.

There was no objection, and it was so ordered.

Mr. HOPKINS, of Illinois. I ask unanimous consent that my colleague, Mr. HITT, be excused on account of indisposition.

There was no objection, and it was so ordered.

Mr. ANDERSON, of Illinois. I ask unanimous consent that my colleague, Mr. LANDES, be excused.

Objection was made.

Mr. ANDERSON, of Illinois. I move that my colleague, Mr. LANDES, be excused.

The motion was agreed to.

Mr. ANDERSON, of Illinois. I move that my colleague, Mr. LAWLER, be excused.

The motion was agreed to.

Mr. BIGGS. I move that my colleague, Mr. MCKENNA, be excused.

The motion was agreed to.

Mr. BIGGS. I move that my colleague, Mr. MORROW, be excused.

The motion was agreed to.

Mr. DOCKERY. I ask unanimous consent that the gentleman from Texas, Mr. MILLS, be excused on account of the condition of his health.

There was no objection, and it was so ordered.

Mr. HOPKINS, of New York. I ask that my colleague, Mr. NUTTING, be excused on account of indisposition.

There was no objection, and it was so ordered.

Mr. MATSON. I ask unanimous consent that the gentleman from Pennsylvania, Mr. RANDALL, be excused.

There was no objection, and it was so ordered.

Mr. GROUT. I move that my colleague, Mr. STEWART, of Vermont, be excused.

The motion was agreed to.

Mr. BIGGS. I move that my colleague, Mr. THOMPSON, of California, be excused, as I know he is not very well.

The motion was agreed to.

Mr. SHERMAN. I ask unanimous consent that my colleague, Mr. TRACEY, be excused.

There was no objection, and it was so ordered.

Mr. GEAR. I ask unanimous consent that my colleague, Mr. WEAVER, be excused. [Laughter.]

Mr. HOPKINS, of New York. On what ground?

Mr. WILLIAMS. I suppose it is on account of sickness. [Renewed laughter.]

Mr. MASON. I object.

Mr. GEAR. I move that my colleague, Mr. WEAVER, be excused.

Mr. HOPKINS, of Illinois. Mr. Speaker, can that motion be amended?

The SPEAKER *pro tempore*. The Chair thinks not under the practice of the House.

The motion was rejected—ayes 6, noes 35.

Mr. BIGGS. I ask unanimous consent that my colleague, Mr. VANDEVER, be excused.

Mr. MACDONALD. I desire to ask the gentleman [Mr. BIGGS] whether there are any more members from California that want to be excused? [Laughter.]

Mr. BIGGS. No more.

There being no objection, Mr. VANDEVER was excused.

Mr. HOPKINS, of New York. Mr. Speaker, I ask unanimous consent that my colleague, Mr. WILBER, be excused on account of sickness.

There was no objection, and it was so ordered.

Mr. RICE. I ask unanimous consent that my colleague, Mr. WILSON of Minnesota, be excused on account of sickness in his family.

There was no objection, and it was so ordered.

Mr. SAWYER. I ask unanimous consent that the gentleman from Missouri, Mr. WADE, be excused on account of an important engagement.

Mr. COOPER. I object. [Laughter.]

Mr. SAWYER. I move that the gentleman from Missouri, Mr. WADE, be excused.

The motion was agreed to—ayes 25, noes 12.

Mr. MASON. I offer the customary resolution that the absentees be sent for.

Several MEMBERS. Oh, no.

Mr. MASON. Oh, yes.

Mr. REED. Has my colleague, Mr. MILLIKEN, been excused?

The SPEAKER *pro tempore*. The Chair is informed that he has not.

Mr. REED. I ask unanimous consent that he be excused on account of the condition of his health.

There being no objection, Mr. MILLIKEN was excused.

Mr. CHEADLE. I ask unanimous consent that my colleague from Indiana, Mr. BROWNE, be excused on account of ill health.

There being no objection, Mr. BROWNE, of Indiana, was excused.

Mr. FINLEY. I ask that my colleague, Mr. STONE, of Kentucky, be excused.

There being no objection, Mr. STONE, of Kentucky, was excused.

Mr. SHERMAN. I ask unanimous consent that the gentleman from Pennsylvania, Mr. MCCORMICK, be excused on account of important business.

There being no objection, Mr. MCCORMICK was excused.

The SPEAKER *pro tempore*. The Clerk will report the resolution submitted by the gentleman from Illinois [Mr. MASON].

The Clerk read as follows:

Resolved, That the Sergeant-at-Arms take into custody and bring to the bar of the House such of its members as are absent without leave of the House.

Mr. DOCKERY. It is manifest that nothing can be done here to-night, and I move that all further proceedings under the call be dispensed with.

The question being taken on the motion of Mr. DOCKERY, it was agreed to.

So all further proceedings under the call were dispensed with.

And then, on motion of Mr. DOCKERY (at 8 o'clock and 25 minutes p. m.), the House adjourned.

PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred as indicated below:

By Mr. C. S. BAKER: A bill (H. R. 12039) granting a pension to Thirza S. Jenner—to the Committee on Invalid Pensions.

By Mr. BLANCHARD: A bill (H. R. 12040) for the relief of the heirs of Mary E. Compton—to the Committee on War Claims.

By Mr. BLISS: A bill (H. R. 12041) to increase the pension of Sarah Lewis—to the Committee on Invalid Pensions.

By Mr. CARUTH: A bill (H. R. 12042) to increase the pension of Mrs. Henrietta O. Whitaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12043) for the relief of George Lewis Cousens—to the Committee on War Claims.

Also, a bill (H. R. 12044) granting an increase of pension to Margaret Jane Lovell—to the Committee on Invalid Pensions.

By Mr. CASWELL: A bill (H. R. 12045) granting a pension to Catharine Lutz—to the Committee on Invalid Pensions.

By Mr. HOLMAN: A bill (H. R. 12046) granting a pension to Lucy A. Russell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12047) granting a pension to George Colwell—to the Committee on Invalid Pensions.

By Mr. LANE: A bill (H. R. 12048) granting a pension to Mary Personeus, late widow of William B. Cresfield, deceased—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12049) for the relief of John N. Graves—to the Committee on Claims.

By Mr. RYAN: A bill (H. R. 12050) to quiet title to a certain tract of land in the State of Kansas—to the Committee on the Public Lands.

Also, a bill (H. R. 12051) granting a pension to Angeline Peters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12052) granting a pension to Sarah J. Tipton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12053) granting a pension to Henry Stein—to the Committee on Invalid Pensions.

By Mr. C. A. RUSSELL: A bill (H. R. 12054) granting a pension to Ella J. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12055) granting a pension to Mary D. Gray—to the Committee on Invalid Pensions.

By Mr. M. A. SMITH: A bill (H. R. 12056) granting a pension to John Farrell—to the Committee on Invalid Pensions.

By Mr. SENEY: A bill (H. R. 12057) granting a pension to George F. Orwick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12058) granting a pension to John E. Mock—to the Committee on Invalid Pensions.

By Mr. O. B. THOMAS: A bill (H. R. 12059) to authorize the construction of a bridge or bridges across the Mississippi River at La Crosse, Wis.—to the Committee on Commerce.

By Mr. RICHARDSON: Joint resolution (H. Res. 249) authorizing John C. Sanders administrator of B. Sillord, deceased, to present his claim to the Court of Claims—to the Committee on War Claims.

Also, joint resolution (H. Res. 250) authorizing Victoria, Ella, and Frank Wasson, of Tennessee, to present their claim to the Court of Claims—to the Committee on War Claims.

Change in the reference of bills, etc., improperly referred, were made in the following cases, namely:

A bill (H. R. 3948) for the relief of the legal representatives of Ed-

ward A. Smith—from the Committee on Claims to the Committee on War Claims.

A bill (H. R. 11850) for the relief of Edward P. Alsbury—from the Committee on Claims to the Committee on War Claims.

A bill (H. R. 11660) for the relief of Martha E. Flesschert—from the Committee on Claims to the Committee on War Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. A. R. ANDERSON: Petition of Francis J. McCloud, for a pension—to the Committee on Invalid Pensions.

By Mr. C. L. ANDERSON: Petition of B. J. Stewart and others, of Newton County, Mississippi, in favor of pure food and lard—to the Committee on Agriculture.

By Mr. CROUSE: Petition of D. Smith and others, of Wayne County, Ohio, in favor of pure food, pure lard, and pure drugs—to the Committee on Agriculture.

By Mr. HOLMAN: Petition of Lucy A. Russell, for a pension—to the Committee on Invalid Pensions.

By Mr. HUDD: Memorial of the Milwaukee Turnverein against the Senate Sunday-observance bill—to the Committee on the Judiciary.

By Mr. MILLIKEN: Petition of Mrs. E. Goodwin and others, for laws to prevent Sunday work—to the Committee on Labor.

By Mr. O'DONNELL: Petition of the Woman's Christian Temperance Union, the Sunday School Board Methodist Episcopal Church, and other citizens of Albion, Mich., against Sunday work—to the Committee on the Judiciary.

By Mr. OSBORNE: Resolution of the Chamber of Commerce of New York State, for a harbor of refuge at Point Judith, R. I.—to the Committee on Commerce.

By Mr. REED: Petition of J. M. McClain and others, of Ogden, Utah, against the admission of that Territory—to the Committee on the Territories.

By Mr. RYAN: Resolutions of Cedarvale Post, No. 99, Grand Army of the Republic, of Kansas, for monuments upon the battle-fields—to the Committee on Military Affairs.

By Mr. HENRY SMITH: Remonstrance of the Turnverein of Milwaukee, Wis., against the Blair bill—to the Committee on the Judiciary.

By Mr. VANDEVER: Memorial of the Board of Trade of San Luis Obispo, Cal., for an appropriation for harbor improvement—to the Committee on Rivers and Harbors.

The following petitions against the passage of the international copyright bill were received, and severally referred to the Committee on Patents:

By Mr. BRYCE (by request): Of printers and others, of New York.

By Mr. CASWELL: Of the Journal Printing Company and employés, of Racine, Wis.

By Mr. GIFFORD: Of O. E. Bowman, of Montrose, Dak.

By Mr. J. D. TAYLOR: Of W. B. Hearne, of Cadiz, and of C. L. Athearn and others, of Bloomingdale, Ohio.

SENATE.

SATURDAY, *January* 12, 1889.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

CERTIFICATES OF ELECTORAL VOTES.

The PRESIDENT *pro tempore* laid before the Senate communications from the Secretary of State, transmitting certified copies of the final ascertainment of electors for President and Vice-President appointed by the States of South Carolina and Tennessee; which were ordered to be printed, and, with the accompanying certificates, to lie on the table.

CONSTRUCTION AND REPAIR OF VESSELS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of December 19, 1888, a report from the Chief of the Bureau of Construction and Repair in regard to the unexpended balance of the appropriation made for the construction and repair of vessels and other purposes under the Bureau of Construction and Repair, etc.; which, on motion of Mr. CHANDLER, was, with the accompanying papers, referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. EDMUNDS. I present the petition of a large number of highly respectable citizens of Grand Isle County, in the State of Vermont, which is composed, with one small exception, entirely of islands lying near the Canadian border, praying that Congress will contribute to the maintenance of a bridge to the mainland as a proper exertion of the military power and for military purposes. I move, it being for that purpose presented, that the petition be referred to the Committee on Military Affairs.

The motion was agreed to.

Mr. EDMUNDS. I also present a petition of a considerable number of respectable farmers of the town of Williamstown, Orange County, Vermont, praying that the industries of the county be protected, both in its manufactures and in its farm products, and so on. As the matter has been already reported, I move that the petition lie on the table.

The motion was agreed to.

Mr. CULLOM. I present what I suppose is a copy of a petition that has been presented in the House of Representatives, but which has been sent to me with a request that I present it in the Senate. It is a petition of citizens of Washington Territory, praying that in the admission of Territories as States Congress will permit women to vote for delegates to the constitutional convention and on the adoption of the constitution when a Territorial Legislature shall have authorized women to vote. Accompanying this copy is a proposed amendment to the bill pending, I think, in the Senate. I move that the petition and proposed amendment be referred to the Committee on Territories.

The motion was agreed to.

Mr. WILSON, of Iowa, presented a petition of the Jobbers and Manufacturers' Association of Sioux City, Iowa, praying for the passage of the pending bill providing for the opening of the Sioux reservation in Dakota to settlement; which was referred to the Committee on Indian Affairs.

He also presented a petition of the Headquarters Commandery of the Military Order of the Loyal Legion of the United States, of Des Moines, Iowa, praying for the publication of the naval records of the war of the rebellion; which was referred to the Committee on Naval Affairs.

Mr. COLQUITT presented resolutions adopted by the Savannah (Ga.) Board of Trade, resolutions adopted by the Savannah (Ga.) Cotton Exchange, and the proceedings of a citizens' meeting held in Savannah, Ga., urging that there may be favorable consideration by Congress of measures for the improvement of the Savannah River; which were referred to the Committee on Commerce.

Mr. FAULKNER presented the petition of Mrs. Henrietta B. Lee, of Shepherdstown, W. Va., praying that she be paid for the destruction of her house and furniture in July, 1864, by order of General David Hunter; which was referred to the Committee on Claims.

Mr. QUAY presented resolutions adopted by the Grain and Flour Exchange and the Chamber of Commerce of Pittsburgh, Pa., in favor of the adoption of the decimal system as applied to weights and measures; which were referred to the Committee on Finance.

He also presented a resolution of the Chamber of Commerce of Pittsburgh, Pa., in favor of the establishment and maintenance of a national bureau of health; which was referred to the Committee on Epidemic Diseases.

He also presented resolutions adopted by the Vessel Owners and Captains' Association of Philadelphia, Pa., in favor of an increased appropriation for the maintenance of branch hydrographic offices; which were referred to the Committee on Appropriations.

He also presented resolutions adopted by the Chamber of Commerce of Pittsburgh, Pa., in favor of a tariff duty of 2½ cents per pound on tin-plate; which were ordered to lie on the table.

He also presented the petition of Elizabeth T. Pyle, widow of Joshua Pyle, late a private in Company K, One hundred and twenty-fourth Regiment Pennsylvania Volunteers, praying that she be allowed a pension; which was referred to the Committee on Pensions.

Mr. QUAY. I have here resolutions of St. Patrick's Total Abstinence Beneficial Society and other associations, remonstrating against the ratification of the extradition treaty with Great Britain, which I ask leave to present now.

The PRESIDENT *pro tempore*. The Chair thinks that the resolutions should be presented in executive session.

Mr. QUAY. I ask the unanimous consent of the Senate to treat them as though presented in executive session, and in the mean time they can lie on the table. If that proceeding is irregular I shall withdraw the memorials.

Mr. EDMUNDS. They would be entered in the public Journal all the same. So they ought to be presented in executive session.

The PRESIDENT *pro tempore*. The Chair thinks the memorials had better be withheld and presented in executive session.

Mr. QUAY. Very well.

Mr. HISCOCK presented a petition of farmers of Orleans County, New York, praying for certain legislation for the protection of agriculture; which was referred to the Committee on Finance.

Mr. BERRY. I present the petition of E. P. Watson, of Arkansas, praying for an amendment to the Constitution providing for uniform laws in regard to marriage and divorce, and also in regard to the descent of real estate.

Mr. Watson is a prominent attorney in my State, the petition is very short, less than a page, and if there be no objection, I ask that it be printed in the RECORD and referred to the Committee on the Judiciary.

The PRESIDENT *pro tempore*. The Senator from Arkansas asks unanimous consent that the petition which he has just presented may be printed in the RECORD. Is there objection to the printing of the petition in the RECORD?

Mr. EDMUNDS. It is a pity to print such things in the RECORD. I presented a petition just now that I should have been glad to have

had printed in the RECORD. If the Senator thinks it important I do not object to its being printed as a document, but it is very expensive to print such matters in the RECORD, and it should not be done unless they are of very great importance.

The PRESIDENT *pro tempore*. Shall the petition be printed as a document?

Mr. BERRY. Very well; let it be printed as a document, and referred to the Committee on the Judiciary.

The PRESIDENT *pro tempore*. The petition will be printed as a document, and referred to the Committee on the Judiciary.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had directed him to return to the Senate, in compliance with its request, the joint resolution (H. Res. 246) authorizing the Secretary of War to loan to the committee on inaugural ceremonies flags, etc.

The message also announced that the House insisted upon its amendments to the bill (S. 1305) to incorporate the Maritime Canal Company of Nicaragua, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CLARDY, Mr. RAYNER, and Mr. O'NEILL of Pennsylvania managers at the conference on the part of the House.

BILLS INTRODUCED.

Mr. PLUMB introduced a bill (S. 3807) to provide for the organization of regimental bands for the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TELLER introduced a bill (S. 3808) to amend the incorporation laws in force in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. MITCHELL submitted two amendments intended to be proposed by him to the sundry civil appropriation bill; which were referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the consular and diplomatic appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

NANCY POLOCK.

Mr. PADDOCK. If there is no further morning business, I should like to ask the unanimous consent of the Senate to proceed to the consideration of the bill (S. 3762) granting a pension to Nancy Polock.

I desire to state that this bill passed both Houses of Congress at the last session, passing the House of Representatives in the last days of the session. It went to the President with the recommendation of the Pension Office that it be approved, but it was not approved, as the report comes to me from the Pension Office, because of want of time for its consideration by the President.

Mr. ALLISON. Under the circumstances I will state to the Senator from Nebraska that I shall not object to the consideration of this bill, although I shall feel obliged to call up the tariff bill immediately after it is disposed of.

The PRESIDENT *pro tempore*. The bill will be read at length for information.

The Chief Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Nancy Polock, widow of W. A. Polock, late of Company C, First Nebraska Volunteers.

By unanimous consent, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THE REVENUE LAWS.

Mr. ALLISON. I move that the Senate proceed to the consideration of House bill 9051.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

The PRESIDENT *pro tempore*. The reading of the substitute reported from the Committee on Finance will be resumed.

The Chief Clerk read as follows:

SEC. 2491. All persons are prohibited from importing into the United States, from any foreign country, any obscene book, pamphlet, paper, writing, advertisement, circular, print, picture, drawing, or other representation, figure, or image on or of paper or other material, or any cast, instrument, or other article of an immoral nature, or any drug or medicine, or any article whatever, for the prevention of conception, or for causing unlawful abortion. No invoice or package whatever, or any part of one, in which any such articles are contained shall be admitted to entry; and all invoices and packages whereof any such articles shall compose a part are liable to be proceeded against, seized, and forfeited by due course of law. All such prohibited articles in the course of importation shall be detained by the officer of customs, and proceedings taken against the same as prescribed in the following section: *Provided*, That the drugs hereinbefore mentioned, when imported in bulk and not put up for any of the purposes hereinbefore specified, are excepted from the operation of this section.

SEC. 2492. Whoever, being an officer, agent, or employé of the Government of the United States, shall knowingly aid or abet any person engaged in any violation of any of the provisions of law prohibiting importing, advertising, dealing in, exhibiting, or sending or receiving by mail obscene or indecent publications or representations, or means for preventing conception or procuring abortion, or other articles of indecent or immoral use or tendency, shall be deemed guilty of a misdemeanor, and shall for every offense be punishable by a fine of not more than $5,000 or by imprisonment at hard labor for not more than ten years, or both.

SEC. 2493. Any judge of any district or circuit court of the United States, within the proper district, before whom complaint in writing of any violation of the preceding sections is made, to the satisfaction of such judge, and founded on knowledge or belief, and if upon belief, setting forth the grounds of such belief, and supported by oath or affirmation of the complainant, may issue, conformably to the Constitution, a warrant directed to the marshal, or any deputy marshal, in the proper district, directing him to search for, seize, and take possession of any such article or thing hereinbefore mentioned, and to make due and immediate return thereof to the end that the same may be condemned and destroyed by proceedings, which shall be conducted in the same manner as other proceedings in the case of municipal seizure, and with the same right of appeal or writ of error.

SEC. 2494. The importation of neat cattle and the hides of neat cattle from any foreign country into the United States is prohibited: *Provided*, That the operation of this section shall be suspended as to any foreign country or countries, or any parts of such country or countries, whenever the Secretary of the Treasury shall officially determine, and give public notice thereof, that such importation will not tend to the introduction or spread of contagious or infectious diseases among the cattle of the United States; and the Secretary of the Treasury is hereby authorized and empowered, and it shall be his duty, to make all necessary orders and regulations to carry this law into effect, or to suspend the same as therein provided, and to send copies thereof to the proper officers in the United States, and to such officers or agents of the United States in foreign countries as he shall judge necessary.

Mr. ALLISON. In section 2494, line 2528, I move to strike out "law" and insert "section;" so as to read:

To make all necessary orders and regulations to carry this section into effect.

This is copied from the existing statute. The word "law" is inserted there, but I think it is better to say here "this section" rather than "this law." So I move the amendment.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The reading will be resumed.

The Secretary read as follows:

SEC. 2495. Any person convicted of a willful violation of any of the provisions of the preceding section shall be fined not exceeding $500, or imprisoned not exceeding one year, or both, in the discretion of the court.

SEC. 2496. No watches, watch-cases, watch-movements, or parts of watch-movements, or any other articles of foreign manufacture, which shall copy or simulate the name or trade-mark of any domestic manufacture or manufacturer, shall be admitted to entry at the custom-house of the United States, unless such domestic manufacturer is the importer of the same. And in order to aid the officers of the customs in enforcing this prohibition any domestic manufacturer who has adopted trade-marks may require his name and residence and a description of his trade-marks to be recorded in books which shall be kept for that purpose in the Department of the Treasury, under such regulations as the Secretary of the Treasury shall prescribe, and may furnish to the Department fac similes of such trade-marks; and thereupon the Secretary of the Treasury shall cause one or more copies of the same to be transmitted to each collector or other proper officer of the customs.

Mr. ALLISON. I call the attention of the Senator from Connecticut [Mr. PLATT] to lines 2537 and 2538 in section 2496:

Or any other article of foreign manufacture which shall copy or simulate, etc.

Mr. PLATT. I think that has been changed from the present law; that it is an addition.

Mr. ALLISON. That is not in the present law. I submit to the Senator from Connecticut, with whom I have had some conversation respecting this provision, that that clause ought to be stricken out. I think it is provided for elsewhere.

Mr. PLATT. I should say also line 2541. Is that in the present law?

Mr. ALLISON. "Unless such domestic manufacturer is the importer of the same." Yes, sir; that is in the present law.

Mr. PLATT. I do not ask to make any change in the present law.

Mr. SHERMAN. It seems to me that the provision to guard our domestic manufactures as to the simulation or imitation of articles could as well be applied to all articles; it is so manifestly proper. It was originally framed to meet a specific case in regard to watches, watch-cases, and watch-movements, where foreigners undertook to simulate American manufactures, but I do not see why that same principle should not be extended to all articles.

Mr. ALLISON. I think I made a mistake. The words "or any other articles of foreign manufacture" are in the present law.

Mr. SHERMAN. I thought they ought to be in, at any rate.

Mr. ALLISON. I ask to make no change. I had the wrong section in my mind.

The PRESIDENT *pro tempore*. The Senator from Iowa does not desire to move an amendment.

Mr. ALLISON. I withdraw the amendment.

The PRESIDENT *pro tempore*. The reading of the substitute will proceed.

The Chief Clerk read as follows:

SEC. 2497. No goods, wares, or merchandise, unless in cases provided for by treaty, shall be imported into the United States from any foreign port or place, except in vessels of the United States, or in such foreign vessels as truly and wholly belong to the citizens or subjects of that country of which the goods are the growth, production, or manufacture; or from which such goods, wares, or

merchandise can only be, or most usually are, first shipped for transportation. All goods, wares, or merchandise imported contrary to this section, and the vessel wherein the same shall be imported, together with her cargo, tackle, apparel, and furniture, shall be forfeited to the United States; and such goods, wares, or merchandise, ship, or vessel, and cargo shall be liable to be seized, prosecuted, and condemned, in like manner, and under the same regulations, restrictions, and provisions as have been heretofore established for the recovery, collection, distribution, and remission of forfeitures to the United States by the several revenue laws.

SEC. 2498. The preceding section shall not apply to vessels, or goods, wares, or merchandise imported in vessels of a foreign nation which does not maintain a similar regulation against vessels of the United States.

SEC. 2499. Each and every imported article, not enumerated in this act, which is similar, either in material, quality, texture, or the use to which it may be applied, to any article enumerated in this act as chargeable with duty, shall pay the same rate of duty which is levied on the enumerated article which it most resembles in any of the particulars before mentioned; and if any non-enumerated article equally resembles two or more enumerated articles on which different rates of duty are chargeable, there shall be levied on such non-enumerated article the same rate of duty as is chargeable on the article which it resembles paying the highest rate of duty; and on articles not enumerated, manufactured of two or more materials, the duty shall be assessed at the highest rate at which the same would be chargeable if composed wholly of the component material thereof of chief value; and the words "component material of chief value," wherever used in this act, shall be held to mean that component material which shall exceed in value any other single component material of the article; and the value of each component material shall be determined by the ascertained value of such material in its condition as found in the article. If two or more rates of duty shall be applicable to any imported article, it shall pay duty at the highest of such rates.

SEC. 2500. Upon the reimportation of articles once exported, of the growth, product, or manufacture of the United States, upon which no internal tax has been assessed or paid, or upon which such tax has been paid and refunded by allowance or drawback, there shall be levied, collected, and paid a duty equal to the tax imposed by the internal-revenue laws upon such articles.

Mr. VANCE. I call the attention of the Senator from Iowa to section 2500:

The reimportation of articles once exported, of the growth, product, or manufacture of the United States, upon which no internal tax has been assessed or paid.

Would that include any article which never had been subject to an internal tax?

Mr. ALLISON. I do not think it would. This is the existing law. It is an exact copy of the law as it now stands.

Mr. VANCE. Any article manufactured in this country, or the growth of this country, upon which no internal or other tax had ever been assessed, going abroad and being reimported, shall pay a duty. Is that the effect of this section?

Mr. ALLISON. No, sir; it shall pay a duty equal to the tax imposed by the internal-revenue laws upon such article.

Mr. VANCE. Then if there had never been any tax imposed the article could be reimported without duty, according to the meaning of the section?

Mr. ALLISON. If an internal-revenue duty is imposed on a similar article——

Mr. SHERMAN. The Senator from North Carolina asks a question which is very easily answered, as to whether, when there is no internal-revenue tax on an article and it is brought back, it shall be admitted free. All articles of domestic production sent abroad and reimported are admitted free of duty under this general provision.

Mr. VANCE. Take a case of shoes, for instance.

Mr. SHERMAN. Certainly, a thousand things, carboys, bags, packages, and things of that kind.

Mr. VANCE. They are specially enumerated in another portion of the bill.

Mr. SHERMAN. This provision covers everything.

Mr. VANCE. Any manufacture here which is not subject to any duty, when it is exported can be reimported without any additional duty?

Mr. SHERMAN. Certainly, any article from a ship down to a box.

Mr. VANCE. If that is the explanation, that is sufficient.

The PRESIDENT *pro tempore*. The reading of the substitute will be resumed.

Mr. MORGAN. I desire to offer an amendment at this time to be considered hereafter. I ask leave to present it with a view of having it printed.

The PRESIDENT *pro tempore*. The proposed amendment will be received, lie on the table, and be printed.

Mr. ALLISON. Let it be read.

The PRESIDENT *pro tempore*. The proposed amendment will be read.

The CHIEF CLERK. It is proposed to add as an additional section:

SEC. —. All laws and parts of laws which exempt from the payment of duties any articles of commerce upon which duties are imposed in this act when in transit through the United States to or from the Dominion of Canada, or any province thereof, are hereby declared to be inoperative.

The PRESIDENT *pro tempore*. The reading of the substitute will proceed.

The Chief Clerk read as follows:

SEC. 2501. A discriminating duty of 10 per cent. ad valorem in addition to the duties imposed by law shall be levied, collected, and paid on all goods, wares, or merchandise which shall be imported in vessels not of the United States; but this discriminating duty shall not apply to goods, wares, and merchandise which shall be imported in vessels not of the United States, entitled, by treaty or any act of Congress, to be entered in the ports of the United States on payment of the same duties as shall then be paid on goods, wares, and merchandise imported in vessels of the United States.

SEC. 2504. Whenever any vessel laden with merchandise in whole or in part subject to duty has been sunk in any river, harbor, bay, or waters subject to the jurisdiction of the United States, and within its limits, for the period of two years, and is abandoned by the owner thereof, any person who may raise such vessel shall be permitted to bring any merchandise recovered therefrom into the port nearest to the place where such vessel was so raised free from the payment of any duty thereupon, and without being obliged to enter the same at the custom-house; but under such regulations as the Secretary of the Treasury may prescribe.

SEC. 2505. The produce of the forests of the State of Maine upon the St. John River and its tributaries, owned by American citizens, and sawed or hewed in the province of New Brunswick by American citizens, the same being unmanufactured in whole or in part, which is now admitted into the ports of the United States free of duty, shall continue to be so admitted, under such regulations as the Secretary of the Treasury shall from time to time prescribe.

Mr. VEST. The provision of section 2505 is in the existing law, I believe, but I never could see the justice of it in view of the contention made by our friends upon the other side that the duty should not be taken off lumber at all. In the report made by the majority of the Finance Committee the argument is advanced very strenuously that taking the duty off lumber would not reduce the cost to the American consumer, and it is further stated that past experience shows us that if the import duty is ever taken off here an export duty is immediately imposed by Canada, which increases the price just as much upon imported lumber into the United States as if we had not taken off the duty.

Whilst we have a general law imposing a tax upon imported lumber, if the citizens of Maine go across the line and buy timber lands in a foreign country, then a special exemption is put in this bill in their favor. Why can not Canada put an export duty on this timber cut upon these lands owned by American citizens? Why does not the argument of the majority of the Finance Committee apply? The interests of the consumer seem to be ignored entirely, and a special favor is granted to a particular locality. The law ought to be general and without exception.

The PRESIDENT *pro tempore*. The reading of the substitute will proceed.

Mr. VEST. I move to strike out section 2505.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. It is proposed to strike out section 2505, in the following words:

SEC. 2505. The produce of the forests of the State of Maine upon the St. John River and its tributaries, owned by American citizens, and sawed or hewed in the province of New Brunswick by American citizens, the same being unmanufactured in whole or in part, which is now admitted into the ports of the United States free of duty, shall continue to be so admitted under such regulations as the Secretary of the Treasury shall from time to time prescribe.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Missouri [Mr. VEST].

Mr. REAGAN. It seems to me that the section ought to be stricken out. Such legislation should not have a place in this bill, as it proposes to confer special privileges on somebody. I hope the section will be stricken out.

Mr. SHERMAN. This is the law in regard to everything as I understand it. These are logs in the State of Maine carried across the river into New Brunswick, and there sawed and brought back.

Mr. HALE. It is a necessity of nature that the logs cut upon Maine lands must be floated down the St. John River, because that is the only way they can be got out. This, as the Senator from Ohio says, has been the law of the land for years and years, and it would be manifestly unjust to repeal it now.

Mr. SHERMAN. It is the law of the land as to everything else besides. This lumber, because it is an American production, may be carried across the ocean and brought back again and readmitted without any duty. You can not levy a duty on an article which is taken from our country to foreign countries and brought back again. The section preceding has stood upon the statute-book time out of mind, and provides for that very thing. When an article of American production and growth is carried abroad and brought back, as a matter of course it is admitted free of duty. This is on the same principle.

Mr. VEST. Let me ask the Senator from Ohio, if the general provision of law, which he has stated correctly, applies to this article, why is this special provision put in here?

Mr. SHERMAN. I asked the Senator from Maine about that, and he stated the reason why. It is because they saw the lumber on the other side. They do contribute, therefore, some foreign labor to it, but that is a matter of absolute necessity. That is the only difference. Otherwise it would come under the general provision.

Mr. HALE. I do not think, if the Senator from Missouri will look a little into it, that he will insist on his amendment.

Mr. ALDRICH. I suggest to the Senator from Missouri that three things are necessary: First, that the lumber must be the produce of the forests of Maine; second, that it must be owned by American citizens; and third, that the labor upon it must have been done by American citizens. The ownership and all of the labor must have been by American citizens before this section would be operative.

Mr. VEST. I do not want to do any injustice. I want to make the law of the land equal and just in its operation as to all sections. I never understood this matter. I recollect in 1883 this question was brought up by the Senator from Kentucky [Mr. BECK] now absent.

I never understood the explanation that was given of it then. The impression has always been made on my mind that this lumber was taken over into Canada by citizens of Maine in order to avail themselves of the cheaper labor there.

Mr. HALE. Oh, no; that is not true. It goes that way by the natural course; there is no other way it could go. It is cut on the tributaries of the St. John, and, as the Senator knows, all its upper waters lie in the State of Maine.

Mr. VEST. I understand that.

Mr. HALE. If it did not go down the river it never would be got out. The only way that American citizens can get the benefit of this, which is our lumber, is by this act, that was passed a great many years ago on full examination, and I have not heard that it ever raised a question in Congress since that time.

Mr. VEST. Do I understand the Senator from Maine to say that on account of any natural obstacle this lumber can not be sawed or hewed in the State of Maine?

Mr. HALE. Yes; it is taken down the St. John. As the Senator knows, that river runs quite a long distance from the border, and the logs can not be brought over and manufactured here.

Mr. VEST. The Senator from Rhode Island says this labor must be done by American citizens.

Mr. ALDRICH. In line 2632 it is provided that it shall be "sawed or hewed in the province of New Brunswick by American citizens."

Mr. VEST. I understand. I have the section right before me. It says that the section shall apply to lumber "sawed or hewed in the province of New Brunswick by American citizens," but whether that is to be actually done by American labor or the labor paid for by American citizens may be a question of construction. I may build a house, and whilst I do not do the work upon it I pay for the labor, and I am said to be the person who builds the house. So this provision struck me, when I examined it last night, to be simply to the effect that an American citizen may cut his lumber in the State of Maine, upon the St. John River, float it down into Canada, have the work done there by the Canadians—the cheap labor that we hear so much about—and then bring it over into this country and sell it free of duty to American citizens.

Mr. HALE. They can not get the lumber in unless it is duly certified—that is a matter of administration—that the terms of the law have been complied with; that it is an American product, and that it was manufactured by American citizens. The distance is such that it can only be transported after it is sawed. Perhaps the Senator had the impression that this river is a border river, and that the lumber is manufactured on the other side when this side of the river is American. That is not the case.

Mr. VEST. No; I understand that the river runs in Canada.

Mr. HALE. The St. John River runs miles and miles inside of the boundary on the British side.

Mr. VEST. I wish to ask the Senator from Maine one question, because I have not been to the Treasury Department and I do not know the construction put upon this provision by the officials there. Does he understand when it is provided that this timber shall be sawed or hewed by American citizens that the labor is actually to be performed by Americans?

Mr. HALE. Undoubtedly.

Mr. VEST. Would not the American owning this land who went there and hired Canadian labor and had this lumber cut come under this provision?

Mr. HALE. He never could get the lumber in free under those circumstances, because he could not certify to the law having been complied with.

Mr. VEST. It is a question about which, it seems to me under the terms of the law, there would be a great deal of doubt, with a large preponderance in favor of the construction that by paying for the labor done by Canadians the American owning the land would comply with the law.

Mr. HALE. I suppose perhaps the Senator does not understand that the lumbermen there upon our side own the mills and run them on the St. John River just as if they were upon one of our own streams, because the law obliges them to do that. They do not even hire the mills, but own the mills and the whole plant.

Mr. VEST. We have heard so much about protecting American labor that when we go into a foreign country in order to have labor done I should like to ascertain what are the particulars about it.

Mr. HALE. The object of the law is precisely to maintain American labor.

Mr. ALLISON. I think the law was passed just after the termination of the reciprocity treaty in 1866.

Mr. MORGAN. It was intended to carry out Article XXXI of that treaty.

Mr. ALLISON. It is to enable people who own lumber in the upper region of Maine and have no other means of transportation except the St. John to bring it down.

Mr. MORGAN. I have the article of the treaty before me to which the Senator refers.

Mr. VEST. I wish the Senator from Alabama would read it, because I should like to understand this subject.

Mr. MORGAN. Article XXXI of the treaty of Washington provided that—

The Government of Her Britannic Majesty further engages to urge upon the Parliament of the Dominion of Canada and the Legislature of New Brunswick that no export duty, or other duty, shall be levied on lumber or timber of any kind cut on that portion of the American territory in the State of Maine watered by the river St. John and its tributaries, and floated down that river to the sea, when the same is shipped to the United States from the province of New Brunswick.

Mr. VEST. That prohibits an export duty.

Mr. MORGAN. It prohibits a duty of any kind. It was for the purpose, I understand, of carrying that provision of the treaty of Washington into effect that this statute was originally enacted.

Mr. ALDRICH. Yes.

Mr. SHERMAN. Is there any question pending?

The PRESIDENT *pro tempore*. The Chair understood the Senator from Iowa to retain the floor.

Mr. ALLISON. No, sir.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Missouri [Mr. VEST].

Mr. HALE. Does the Senator from Missouri insist upon his amendment?

Mr. VEST. I do not know whether that clause of the treaty is in force or not. We have very strong authorities on both sides as to that clause of the treaty of Washington. I confess I do not understand the question. I shall not insist on my amendment.

The PRESIDENT *pro tempore*. The amendment is withdrawn, and the reading of the substitute will be resumed.

The Chief Clerk read as follows:

SEC. 2506. The produce of the forests of the State of Maine upon the St. Croix River and its tributaries, owned by American citizens, and sawed in the province of New Brunswick by American citizens, the same being unmanufactured in whole or in part, and having paid the same taxes as other American lumber on that river, shall be admitted into ports of the United States free of duty, under such regulations as the Secretary of the Treasury shall from time to time prescribe.

SEC. 2507. Machinery for repair may be imported into the United States without payment of duty, under bond, to be given in double the appraised value thereof, to be withdrawn and exported after said machinery shall have been repaired; and the Secretary of the Treasury is authorized and directed to prescribe such rules and regulations as may be necessary to protect the revenue against fraud, and secure the identity and character of all such importations when again withdrawn and exported, restricting and limiting the export and withdrawal to the same port of entry where imported, and also limiting all bonds to a period of time of not more than six months from the date of the importation.

SEC. 2508. That the importation of all articles of foreign manufacture, or of boxes or packages containing the same, when stamped, marked, branded, or labeled to represent that such articles were manufactured in the United States, is hereby prohibited, and all such articles shall be forfeited to the United States.

Mr. ALLISON. I think the committee desire to present some modification to section 2508 later on, and I ask that it may be passed over.

The PRESIDENT *pro tempore*. It will be passed over. The reading will proceed.

The Chief Clerk read as follows:

SEC. 2509. That the importation of opium, containing less than 9 per cent. of morphia, and of opium prepared for smoking be, and the same is hereby, prohibited; and all such opium shall, upon importation, be seized and proceeded against for forfeiture and condemnation. All opium containing less than 9 per cent. of morphia, and all opium prepared for smoking, wherever found in the United States, shall be subject to seizure, and shall be condemned and destroyed unless the claimant thereto shall show to the satisfaction of the court that the same was lawfully imported or was prepared from opium lawfully imported: *Provided*, That officers of the United States, by whom opium may be seized under the provisions of this section, and persons giving information leading to such seizure, shall receive such compensation, upon the condemnation of the opium so seized, as the Secretary of the Treasury may direct, to be paid from the appropriation for the prevention and detection of frauds upon the customs revenue. The whole amount of such compensation shall not, however, exceed, in any case, one-half of the appraised value of the opium seized and condemned: *Provided further*, That the Secretary of the Treasury may prescribe suitable regulations for the enforcement of this section.

SEC. 2510. All lumber, timber, hemp, manilla, wire rope, and iron and steel rods, bars, spikes, nails, plates, angles, bars, and bolts, and copper and composition metal which may be necessary for the construction and equipment of vessels built in the United States for foreign account and ownership or for the purpose of being employed in the foreign trade, including the trade between the Atlantic and Pacific ports of the United States, after the passage of this act, may be imported in bond, under such regulations as the Secretary of the Treasury may prescribe; and upon proof that such materials have been used for such purpose, no duties shall be paid thereon. But vessels receiving the benefit of this section shall not be allowed to engage in the coastwise trade of the United States more than two months in any one year, except upon the payment to the United States of the duties on which a rebate is herein allowed: *Provided*, That vessels built in the United States for foreign account and ownership shall not be allowed to engage in the coastwise trade of the United States.

Mr. ALDRICH. The word "bars" in line 2691 should be "beams;" the word "bars" also appears in line 2690 correctly.

The PRESIDENT *pro tempore*. The amendment will be stated from the desk.

The CHIEF CLERK. In line 2691 it is proposed to strike out the word "bars" and insert "beams."

The amendment was agreed to.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read follows:

SEC. 2511. All articles of foreign production needed for the repair of American

vessels engaged exclusively in foreign trade may be withdrawn from bonded warehouses free of duty, under such regulations as the Secretary of the Treasury may prescribe.

SEC. 2512. That no duty shall be levied or collected on the importation of peltries brought into the territories of the United States by Indians, nor on the proper goods and effects, of whatever nature, of Indians passing or repassing the boundary line aforesaid, unless the same be goods in bales or other large packages unusual among Indians, which shall not be considered as goods belonging to Indians, nor be entitled to the exemption from duty aforesaid.

SEC. 2513. There shall be levied, collected, and paid on the importation of all raw or unmanufactured articles, not enumerated or provided for in this title, a duty of 10 per cent. ad valorem; and all articles manufactured, in whole or in part, not enumerated or provided for in this title, a duty of 20 per cent. ad valorem.

COLLECTION OF DUTIES ON IMPORTS.

SEC. 13. All merchandise imported into the United States shall, for the purpose of this act, be deemed and held to be the property of the person to whom the merchandise may be consigned; but the holder of any bill of lading consigned to order and properly indorsed shall be deemed the consignee thereof; and in case of the abandonment of any merchandise to the underwriters the latter may be recognized as the consignee.

SEC. 14. That all invoices of imported merchandise shall be made out in the currency of the place or country from whence the importations shall be made, or if purchased, in the currency actually paid therefor, shall contain a correct description of such merchandise, and shall be made in triplicate and signed by the person owning or shipping the same, if the merchandise has been actually purchased, or by the manufacturer or owner thereof, if the same has been procured otherwise than by purchase, or by the duly authorized agent of such purchaser, manufacturer, or owner.

SEC. 15. That all such invoices shall, at or before the shipment of the merchandise, be produced to the consul, vice-consul, or commercial agent of the United States of the consular district from which the merchandise is exported to the United States, and shall have indorsed thereon, when so produced, a declaration signed by the purchaser, manufacturer, owner, or agent, setting forth that the invoice is in all respects correct and true, and was made at the place from which the merchandise is to be exported to the United States; that it contains, if the merchandise was obtained by purchase, a true and full statement of the time when, the place where, the person from whom same was purchased, and the actual cost thereof and of all charges thereon; and that no discounts, bounties, or drawbacks are contained in the invoice but such as have been actually allowed thereon; and when obtained in any other manner than by purchase, the actual market value or wholesale price thereof at the time of exportation to the United States in the principal markets of the country from whence exported; that such actual market value is the price at which the merchandise described in the invoice is freely offered for sale to all purchasers in said markets, and that it is the price which the manufacturer or owner making the declaration would have received, and was willing to receive, for such merchandise sold in the ordinary course of trade, and if subject to specific duty the actual quantity thereof; and that no different invoice of the merchandise mentioned in the invoice so produced, has been or will be furnished to any one. If the merchandise was actually purchased, the declaration shall also contain a statement that the currency in which said invoice is made out is that which was actually paid for the merchandise by the purchaser.

SEC. 16. That, except in case of personal effects accompanying the passenger, no importation of any merchandise exceeding $100 in dutiable value shall be admitted to entry without the production of a duly-certified invoice thereof as required by law, or of an affidavit made by the owner, importer, or consignee, before the collector or his deputy, showing why it is impracticable to produce such invoice; and no entry shall be made in the absence of a certified invoice, upon affidavit as aforesaid, unless such affidavit be accompanied by a statement in the form of an invoice or otherwise, showing the actual cost of such merchandise, if purchased, or if obtained otherwise than by purchase the actual market value or wholesale price thereof at the time of exportation to the United States in the principal markets of the country from which the same has been imported; which statement shall be verified by the oath of the owner, importer, consignee, or agent desiring to make entry of the merchandise, to be administered by the collector or his deputy, and it shall be lawful for the collector or his deputy to examine the deponent under oath touching the sources of his knowledge, information, or belief in the premises, and to require him to produce any letter, paper, or statement of account in his possession or under his control, which may assist the officers of customs in ascertaining the actual value of the importation or any part thereof; and in default of such production when so requested such owner, importer, consignee, or agent shall be thereafter debarred from producing any such letter, paper, or statement for the purpose of avoiding any additional duty, penalty, or forfeiture incurred under this act, unless he shall show to the satisfaction of the court or the officers of the customs, as the case may be, that it was not in his power to produce the same when so demanded; and no merchandise shall be admitted to entry under the provisions of this section unless the collector shall be satisfied that the failure to produce a duly-certified invoice is due to causes beyond the control of the owner, consignee, or agent thereof.

SEC. 17. That whenever merchandise imported into the United States is entered by invoice, one of the following declarations, according to the nature of the case, shall be filed with the collector of the port, at the time of entry, by the owner, importer, consignee, or agent; which declaration so filed shall be duly signed by the owner, importer, consignee, or agent, before the collector, or before a notary public or other officer duly authorized by law to administer oaths and take acknowledgments, who may be designated by the Secretary of the Treasury to receive such declarations and to certify to the identity of the persons making them; and every officer so designated shall file with the collector of the port a copy of his official signature and seal: *Provided*, That if any of the invoices or bills of lading of any merchandise imported in any one vessel, which should otherwise be embraced in said entry, have not been received at the date of the entry, the declaration may state the fact, and thereupon such merchandise of which the invoices or bills of lading are not produced shall not be included in such entry, but may be entered subsequently.

DECLARATION OF CONSIGNEE, IMPORTER, OR AGENT.

I, ——————, do solemnly and truly declare that the invoice and bill of lading now presented by me to the collector of ——— are the true and only invoice and bill of lading by me received of all the goods, wares, and merchandise imported in the ———, whereof ——————— is master, from ———, for account of any person whomsoever for whom I am authorized to enter the same; that the said invoice and bill of lading are in the state in which they were actually received by me, and that I do not know or believe in the extstence of any other invoice or bill of lading of the said goods, wares, and merchandise; that the entry now delivered to the collector contains a just and true account of the said goods, wares, and merchandise, according to the said invoice and bill of lading; that nothing has been, on my part, nor to my knowledge on the part of any other person, concealed or suppressed, whereby the United States may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise; that the said invoice and the declaration therein are in all respects true, and were made by the person by whom the same purports to have been made; and that if at any time hereafter I discover any error in the said invoice, or in the account now rendered of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district. And I do further solemnly and truly declare that to the best of my knowledge and belief [insert the name and residence of the owner or owners] is [or are] the owner [or owners] of the goods, wares, and merchandise mentioned in the annexed entry; that the invoice now produced by me exhibits the actual cost [if purchased] or the actual market value or wholesale price [if otherwise obtained] at the time of exportation to the United States in the principal markets of the country from whence imported, of the said goods, wares, and merchandise, including the value of all cartons, cases, crates, boxes, sacks, and coverings of any kind, and all other costs, charges, and expenses incident to placing said goods, wares, and merchandise in condition, packed ready for shipment to the United States, and no other or different discount, bounty, or drawback but such as has been actually allowed on the same.

DECLARATION OF OWNER IN CASES WHERE MERCHANDISE HAS BEEN ACTUALLY PURCHASED.

I, ——— ———, do solemnly and truly declare that the entry now delivered by me to the collector of ——— contains a just and true account of all the goods, wares, and merchandise imported by or consigned to me in the ———, whereof ——— ——— is master, from ———; that the invoice and entry which I now produce contain a just and faithful account of the actual cost of the said goods, wares, and merchandise, including the value of all cartons, cases, crates, boxes, sacks, and coverings of any kind, and all other costs, charges, and expenses incident to placing said goods, wares, and merchandise in condition, packed ready for shipment to the United States, and no other discount, drawback, or bounty but such as has been actually allowed on the same; that I do not know nor believe in the existence of any invoice or bill of lading other than those now produced by me, and that they are in the state in which I actually received them. And I further solemnly and truly declare that I have not in the said entry or invoice concealed or suppressed anything whereby the United States may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise; that the said invoice and the declaration thereon are in all respects true, and were made by the person by whom the same purports to have been made; and that if at any time hereafter I discover any error in the said invoice or in the account now produced of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district.

DECLARATION OF MANUFACTURER OR OWNER IN CASES WHERE MERCHANDISE HAS NOT BEEN ACTUALLY PURCHASED.

I, ——— ———, do solemnly and truly declare that the entry now delivered by me to the collector of ——— contains a just and true account of all the goods, wares, and merchandise imported by or consigned to me in the ———, whereof ——— ——— is master, from ———; that the said goods, wares, and merchandise were not actually bought by me, or by my agent, in the ordinary mode of bargain and sale, but that nevertheless the invoice which I now produce contains a just and faithful valuation of the same, at their actual market value or wholesale price, at the time of exportation to the United States in the principal markets of the country from whence imported for my account [or for account of myself or partners]; that the said invoice contains also a just and faithful account of all the cost of finishing said goods, wares, and merchandise to their present condition, including the value of all cartons, cases, crates, boxes, sacks, and coverings of any kind, and all other costs and charges incident to placing said goods, wares, and merchandise in condition, packed ready for shipment to the United States, and no other discount, drawback, or bounty but such as has been actually allowed on the said goods, wares, and merchandise; that the said invoice and the declaration thereon are in all respects true, and were made by the person by whom the same purports to have been made; that I do not know nor believe in the existence of any invoice or bill of lading other than those now produced by me, and that they are in the state in which I actually received them. And I do further solemnly and truly declare that I have not in the said entry or invoice concealed or suppressed anything whereby the United States may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise; and that if at any time hereafter I discover any error in the said invoice, or in the account now produced of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district.

SEC. 18. That any person who shall knowingly make any false or untrue statement in the declarations provided for in the preceding section, or shall aid or procure the making of any such false statement as to any matter material thereto, shall on conviction thereof be punished by a fine not exceeding $5,000, or by imprisonment at hard labor not more than two years, or both, in the discretion of the court: *Provided*, That nothing in this section shall be construed to relieve imported merchandise from forfeiture for any cause elsewhere provided by law.

SEC. 19. That the owner, consignee, or agent of any imported merchandise which has been actually purchased may, at the time when he shall make and verify his written entry of such merchandise, but not afterwards, make such addition in the entry to the cost or value given in the invoice, or pro forma invoice, or statement in form of an invoice, which he shall produce with his entry, as in his opinion may raise the same to the actual market value or wholesale price of such merchandise at the time of exportation to the United States, in the principal markets of the country from which the same has been imported; but no such addition shall be made upon entry to the invoice value of any imported merchandise obtained otherwise than by actual purchase; and the collector within whose district any merchandise may be imported or entered, whether the same has been actually purchased or procured otherwise than by purchase, shall cause the actual market value or wholesale price of such merchandise to be appraised; and if the appraised value of any article of imported merchandise shall exceed by more than 5 per cent., and not more than 20 per cent., the value declared in the entry, there shall be levied, collected, and paid, in addition to the duties imposed by law on such merchandise, a further sum equal to 2 per cent. of the total appraised value for each 1 per cent. of the increased valuation as ascertained by the appraiser in excess of 5 per cent. above the entered value; and the additional duties shall only apply to the particular article or articles in each invoice which are undervalued; and if such appraised value shall exceed the value declared in the entry more than 20 per cent., such entry shall be held to be presumptively fraudulent, and the collector of customs shall seize such merchandise and proceed as in cases of forfeiture for violations of the customs laws; and in any legal proceedings which may result from such seizure the fact of such undervaluation shall be presumptive evidence of fraud, and the burden of proof shall be on the claimant to rebut the same, and forfeiture shall be adjudged unless he shall rebut said presumption of fraudulent intent by sufficient evidence: *Provided*, That the forfeitures provided for in this section shall apply to the whole of the merchandise or the value thereof in the case or package containing the particular article or articles in each invoice which are undervalued: *And provided further*, That all additional duties, penalties, or forfeitures applicable to merchandise entered by a duly certified invoice shall be alike applicable to goods entered by a pro forma invoice or statement in form of an invoice. The duty shall not, however, be assessed upon an amount less than the invoice or entered value.

Mr. VANCE. In line 20 of section 19, page 277, I move to strike out the word "five" and insert the word "ten;" so as to read:

And if the appraised value of any article of imported merchandise shall exceed by more than 10 per cent., etc.

And for this reason: The section provides for a forfeiture and a penalty in the case of an undervaluation of goods. It also provides that if the appraiser shall be of opinion that the invoice is not correct, he shall proceed to appraise the goods, and if his appraisal places a value on the goods 5 per cent. higher than the invoice or the sworn declaration of the importer, then there is to be an additional duty of 2 per cent. for every 1 per cent. of the duty imposed upon the goods, provided that the difference between the appraiser's estimate and the invoice does not reach 20 per cent. If that difference amounts to so much as 20 per cent., then there is to be a forfeiture of the goods absolutely as for a fraud upon the revenue. The margin between the importer's sworn declaration as to his importation and the opinion of the appraisers is only 5 per cent., which I think is too narrow a margin upon which to base so great a forfeiture as the doubling of the duty.

I think it is erring upon the side of the protection of fraud upon the revenue, and that when an importer of good character produces his invoice of purchase and swears to it, and risks his own reputation upon the correctness of it, the mere opinion of the appraiser that the goods are worth 5 per cent. more is too slight a pretext or excuse upon which to base the penalties that are imposed in this section upon the importer.

For that reason I move to raise that margin of difference between the importer's invoice and the appraiser's opinion to 10 per cent.

The PRESIDENT *pro tempore*. The amendment will be reported.

The CHIEF CLERK. On page 207, section 19, line 20, it is proposed to strike out "five" and insert "ten;" so as to read:

And if the appraised value of any article of imported merchandise shall exceed by more than 5 per cent., and not more than 20 per cent., the value declared in the entry, there shall be levied, collected, and paid, in addition to the duties imposed by law on such merchandise, a further sum equal to 2 per cent. of the total appraised value for each 1 per cent. of the increased valuation as ascertained by the appraiser in excess of 10 per cent. above the entered value.

Mr. ALLISON. I do not think there will be any difficulty in carrying out this provision. Honest importers will have no trouble.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from North Carolina [Mr. VANCE].

The amendment was rejected.

The PRESIDENT *pro tempore*. The reading of the substitute will proceed.

The Chief Clerk read as follows:

SEC. 20. That when merchandise entered for customs duty has been consigned for sale by or on account of the manufacturer thereof, to a person, agent, partner, or consignee in the United States, such person, agent, partner, or consignee shall, at the time of the entry of such merchandise, present to the collector of customs at the port where such entry is made, as a part of such entry, and in addition to the certified invoice or statement in the form of an invoice required by law, a statement signed by such manufacturer, declaring the cost of production of such merchandise, such cost to include all the elements of cost as stated in section 10 of this act. When merchandise entered for customs duty has been consigned for sale by or on account of a person other than the manufacturer of such merchandise, to a person, agent, partner, or consignee in the United States, such person, agent, partner, or consignee shall at the time of the entry of such merchandise present to the collector of customs at the port where such entry is made, as a part of such entry, a statement signed by the consignor thereof, declaring that the merchandise was actually purchased by him or for his account, and showing the time when, the place where, and from whom he purchased the merchandise, and in detail the price he paid for the same: *Provided*, That the statements required by this section shall be made in triplicate, and shall bear the attestation of the consular officer of the United States resident within the consular district wherein the merchandise was manufactured, if consigned by the manufacturer or for his account, or from whence it was imported when consigned by a person other than the manufacturer, one copy thereof to be delivered to the person making the statement, one copy to be transmitted with the triplicate invoice of the merchandise to the collector of the port in the United States to which the merchandise is consigned, and the remaining copy to be filed in the consulate.

SEC. 21. That if any owner, importer, consignee, agent, or other person shall make or attempt to make any entry of imported merchandise by means of any fraudulent or false invoice, affidavit, letter, paper, or by means of any false statement, written or verbal, or by means of any false or fraudulent practice or appliance whatsoever, or shall be guilty of any willful act or omission by means whereof the United States shall be deprived of the lawful duties, or any portion thereof, accruing upon the merchandise, or any portion thereof, embraced or referred to in such invoice, affidavit, letter, paper, or statement, or affected by such act or omission, such merchandise, or the value thereof, to be recovered from the person making the entry, shall be forfeited, which forfeiture shall only apply to the whole of the merchandise or the value thereof in the case or package containing the particular article or articles of merchandise to which such fraud or false paper or statement relates; and such person shall, upon conviction, be fined for each offense a sum not exceeding $5,000, or be imprisoned for a time not exceeding two years, or both, in the discretion of the court.

SEC. 22. That it shall be the duty of the appraisers of the United States, and every of them, and every person who shall act as such appraiser, or of the collector and naval officer, as the case may be, by all reasonable ways and means in his or their power, to ascertain, estimate, and appraise (any invoice or affidavit thereto or statement of cost, or of cost of production to the contrary notwithstanding) the actual market value and wholesale price of the merchandise at the time of exportation to the United States, in the principal markets of the country whence the same has been imported, and the number of yards, parcels, or quantities and actual market value or wholesale price of every of them, as the case may require.

Mr. ALLISON. On page 210, section 22, line 2, before the word "every" where it occurs the second time, I move to insert "of;" so as to read: "and of every person who shall act," etc.

The PRESIDENT *pro tempore*. The amendment will be stated from the desk.

The CHIEF CLERK. In line 2, of section 22, on page 210, before the word "every" where it occurs the second time, between the words "and" and "every," it is proposed to insert "of;" so as to read:

And of every person who shall act as such appraiser, etc.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The reading of the substitute will proceed.

The Secretary read as follows:

SEC. 23. That when the actual market value, as herein defined, of any article of imported merchandise wholly or partially manufactured and subject to ad valorem duty, or to duty based in whole or in part on value, can not be ascertained to the satisfaction of the appraising officer, and to assist in the ascertainment of such value, the appraiser or appraisers shall use all available means to ascertain the cost of production of such merchandise at the time of exportation to the United States, and at the place of manufacture; such cost of production to include cost of materials and of fabrication, all general expenses covering each and every outlay of whatsoever nature incident to such production, together with the expense of preparing and putting up such merchandise ready for shipment, and a profit of not less than 5 per cent. upon the total cost as thus ascertained; and in no such case shall the said actual market value of such merchandise be appraised upon original appraisal or reappraisement at less than the total cost of production as thus ascertained.

SEC. 24. That there shall be appointed by the President, by and with the advice and consent of the Senate, nine general appraisers of merchandise, each of whom shall receive a salary of $5,000 a year. Not more than five of such general appraisers shall be appointed from the same political party. They shall not be engaged in any other business, vocation, or employment, and may be removed from office at any time by the President for inefficiency, neglect of duty, or malfeasance in office. They shall be employed at such ports and within such territorial limits as the Secretary of the Treasury may from time to time prescribe, and are hereby authorized to exercise the powers and duties devolved upon them by this act, and to exercise, under the general direction of the Secretary of the Treasury, such other supervision over appraisements, classifications, and rates of duty of imported merchandise as may be needful to secure lawful and uniform appraisements, classifications, and rates of duty at the several ports. Three of the general appraisers shall be on duty as a board of general appraisers daily during each day of the year (except Sunday and legal holidays) at least from 10 o'clock in the morning until 4 o'clock in the afternoon, at the port of New York, at which port a place for samples shall be provided, under such rules and regulations as the Secretary of the Treasury may from time to time prescribe, which shall include rules as to the classes of articles to be deposited, the time of their retention, and as to their disposition, which place of samples shall be under the immediate control and direction of the general appraisers.

SEC. 25. That the appraiser shall revise and correct the reports of the assistant appraisers as he may judge proper, and the appraiser, or, at ports where there is no appraiser, the person acting as such, shall report to the collector his decision as to the value of the merchandise appraised. If the collector shall deem the appraisement of the merchandise by such appraiser too low he may order a reappraisement, which shall be made by one of the general appraisers, or, if the importer, owner, agent, or consignee of such merchandise shall be dissatisfied with the appraisement thereof, and shall have complied with the requirements of law with respect to the entry and appraisement of merchandise, he may forthwith give notice to the collector, in writing, of such dissatisfaction, on the receipt of which the collector shall at once direct a reappraisement of such merchandise by one of the general appraisers. The decision of the appraiser, or the person acting as such (in cases where no objection is made thereto, as above authorized, either by the collector or by the importer, owner, consignee, or agent), or of the general appraiser in cases of reappraisement, shall be final and conclusive as to the dutiable value of such merchandise against all parties interested therein, unless the importer, owner, consignee, or agent of the merchandise shall be dissatisfied with such decision, and shall forthwith give notice to the collector, in writing, of such dissatisfaction, or unless the collector shall deem the appraisement of the merchandise too low, in either case the collector shall transmit the invoice and all the papers appertaining thereto to the board of general appraisers which shall be on duty at the port of New York, or of three general appraisers who may be designated by the Secretary of the Treasury for such duty at that port or at any other port, which board shall examine and decide the case thus submitted, and their decision, or that of a majority of them, shall be final and conclusive as to the dutiable value of such merchandise against all parties interested therein, and the collector shall ascertain, fix, and liquidate the rate and amount of duties to be paid on such merchandise, and the dutiable costs and charges thereon, according to law.

SEC. 26. The decision of the collector as to the classification of imported merchandise, and as to the rate and amount of duties chargeable thereon, including all dutiable costs and charges, and as to all fees, charges, and exactions of whatever character (excepting duties on the tonnage of vessels), shall be final and conclusive against all persons interested therein, unless the owner, importer, consignee, or agent of such merchandise, or the person paying such fees, charges, and exactions other than duties, shall, not before, but within ten days after such ascertainment and liquidation of duties, as well in cases of merchandise entered in bond as for consumption, or within ten days after the payment of such fees, charges, and exactions, if dissatisfied with such decision, give notice in writing to the collector, setting forth therein distinctly and specifically, and in respect to each entry or payment, the reasons for his objections thereto, and if the merchandise is entered for consumption shall pay the full amount of the duties and charges ascertained to be due thereon. Upon such notice and payment the collector shall transmit the entry and all the papers and exhibits connected therewith to the board of general appraisers which shall be on duty at the port of New York, or of three general appraisers who may be designated by the Secretary of the Treasury for such duty at that port or at any other port, which board shall examine and decide the case submitted, and their decision, or that of a majority of them, shall be final and conclusive upon all persons interested therein (except in cases where an application shall be filed in the circuit court within the time and in the manner provided for in section 14 of this act), and the entry thereof shall be reliquidated accordingly, including all dutiable costs and charges thereon, and all fees, charges, or exactions shall be paid in accordance with their decision.

SEC. 27. If the owner, importer, consignee, or agent of any imported merchandise, or the collector, or the Secretary of the Treasury, shall be dissatisfied with the decision of the board of general appraisers, as provided for in section 13 of this act, as to the construction of the law respecting the classification of such merchandise and the rate of duty imposed thereon under such classification, they, or either of them, may, within thirty days next after such decision and not afterwards, apply to the circuit court of the United States within the district in which the matter arises for a review of the questions of law involved in such decision. Such application shall be made by filing in the office of the clerk of said circuit court a concise statement of the errors of law complained of, and a copy of such statement shall be served on the collector, or on the importer, owner, consignee, or agent, as the case may be. Thereupon the court shall order the board of appraisers to transmit to said circuit court a certified statement of their findings of the facts involved in the case and their decision thereon; and the facts so found and certified shall be final and conclusive upon the court; which statement and certificate of the board of appraisers shall constitute the record in the circuit court, and said circuit court shall proceed to hear and determine the question of law involved in such decision, and the decision of such court shall be final, unless such court shall be of opinion that the

question involved is of such importance as to require a review of such decision by the Supreme Court of the United States, in which case said circuit court, or the judge making the decision, may, within thirty days thereafter, allow an appeal to the said Supreme Court; but an appeal shall be allowed on the part of the United States whenever the Attorney-General shall apply for it within thirty days after the rendition of such decision. On such original application, and on any such appeal, security for damages and costs shall be given as in the case of other appeals in cases in which the United States is a party. Said Supreme Court shall have jurisdiction and power to review such decision, and may affirm, modify, or reverse such decision of such circuit court and remand the case with such orders as may seem to it proper in the premises, which shall be executed accordingly. For the purposes of this section the circuit courts of the United States shall be deemed always open, and said circuit courts, respectively, may establish, and from time to time alter, rules and regulations not inconsistent herewith for the procedure in such cases as they shall deem proper.

SEC. 28. The general appraisers, or any of them, are hereby authorized to administer oaths, and said general appraisers, and boards of general appraisers, and collectors, as the case may be, may call before them, and examine under oath, any owner, importer, agent, consignee, or other person, touching any matter or thing which they, or either of them, may deem material respecting any entry of imported merchandise, in ascertaining the value or classification thereof; and they, or either of them, may require the production of any letters, accounts, or invoices relating to said merchandise, and may require such testimony to be reduced to writing, and when so taken it shall be filed in the office of the collector, and preserved for use or reference until the final decision of the collector or said board of appraisers shall be made respecting the valuation or classification of said merchandise, as the case may be.

SEC. 29. That all decisions of the general appraisers and of the boards of general appraisers, respecting values and rates of duty, shall be preserved and filed, and shall be open to inspection under proper regulations to be prescribed by the Secretary of the Treasury. All decisions of the general appraisers shall be reported forthwith to the Secretary of the Treasury and to the board of general appraisers in New York, and the report to the board shall be accompanied, whenever practicable, by samples of the merchandise in question, and it shall be the duty of the said board, under the direction of the Secretary of the Treasury, to cause an abstract to be made and published of such decisions of the appraisers as they may deem important, and the decisions of each of the general appraisers and boards of general appraisers, which abstract shall contain a general description of the merchandise in question and of the value and rate of duty fixed in each case, with reference, whenever practicable, by number or other designation, to samples deposited in the place of samples at New York, and such abstract shall be issued from time to time, at least once in each week, for the information of customs officers and the public.

SEC. 30. That whenever imported merchandise is subject to an ad valorem rate of duty, or to a duty based upon or regulated in any manner by the value thereof, the duty shall be assessed upon the actual market value or wholesale price of such merchandise, at the time of exportation to the United States, in the principal markets of the country from whence imported, and in the condition in which such merchandise is there bought and sold for exportation to the United States, or consigned to the United States for sale, including the value of all cartons, cases, crates, boxes, sacks, and coverings of any kind, and of all other costs, charges, and expenses incident to placing the merchandise in condition packed ready for shipment to the United States, to which shall be added the cost of transportation, shipment, and transshipment, with all the expenses thereof from the place of manufacture or production to the vessel in which shipment is made to the United States; and if there be used for covering or holding imported merchandise, whether dutiable or free, any unusual material, article, or form, designated for use otherwise than in the bona fide transportation of such merchandise to the United States, additional duty shall be levied and collected upon such material or article at the rate to which the same would have been subject if separately imported. That the words "value" or "actual market value" whenever used in this act or in any law relating to the appraisement of imported merchandise shall be construed to mean the actual market value or wholesale price as defined in this section.

SEC. 31. That in all suits or informations brought, where any seizure has been made pursuant to any act providing for or regulating the collection of duties on imports or tonnage, if the property is claimed by any person, the burden of proof shall lie upon such claimant: *Provided*, That probable cause is shown for such prosecution, to be judged of by the court.

SEC. 32. That all fees exacted and oaths administered by officers of the customs, except as provided in this act, under or by virtue of existing laws of the United States, upon the entry of imported goods and the passing thereof through the customs, and also upon all entries of domestic goods, wares, and merchandise for exportation, be, and the same are hereby, abolished; and in case of entry of merchandise for exportation, a declaration, in lieu of an oath, shall be filed, in such form and under such regulations as may be prescribed by the Secretary of the Treasury; and the penalties provided in the fifth section of this act for false statements in such declaration shall be applicable to declarations made under this section: *Provided*, That where such fees, under existing laws, constitute, in whole or in part, the compensation of any officer, such officer shall receive, from and after the passage of this act, a fixed sum for each year equal to the amount which he would have been entitled to receive as fees for such services during said year.

SEC. 33. That no allowance for damage to goods, wares, and merchandise imported into the United States shall hereafter be made in the estimation and liquidation of duties thereon; but the importer thereof may, within ten days after entry, abandon to the Government all or any portion of goods, wares, and merchandise included in any invoice, and be relieved from the payment of the duties on the portion so abandoned: *Provided*, That the portion so abandoned shall amount to 10 per cent. or over of the total value or quantity of the invoice.

SEC. 34. That whenever it shall be shown to the satisfaction of the Secretary of the Treasury that, in any case of unascertained or estimated duties, more money has been paid to or deposited with a collector of customs than as has been ascertained by final liquidation thereof the law required to be paid or deposited, the Secretary of the Treasury shall direct the Treasurer to refund and pay the same out of any money in the Treasury not otherwise appropriated. The necessary moneys therefor are hereby appropriated, and this appropriation shall be deemed a permanent indefinite appropriation; and the Secretary of the Treasury is hereby authorized to correct manifest clerical errors in any entry or liquidation, whether for or against the Government, at any time within one year of the date of such entry, but not afterwards.

SEC. 35. That from and after the taking effect of this act, no collector or other officer of the customs shall be in any way liable to any owner, importer, consignee, or agent of any merchandise, or any other person, for or on account of any rulings or decisions as to the classification of said merchandise or the duties charged thereon, or the collection of any dues, charges, or duties on or on account of said merchandise, or any other matter or thing as to which said owner, importer, consignee, or agent of such merchandise, might under this act, be entitled to appeal from the decision of said collector or other officer, or from any board of appraisers provided for in this act.

SEC. 36. That any person who shall give, or offer to give, or promise to give any money or thing of value, directly or indirectly, to any customs officer, in consideration of or for any act or omission contrary to law in connection with or pertaining to the importation, appraisement, entry, examination, or inspection of goods, wares, or merchandise, including herein any baggage, or of the liquidation of the entry thereof, shall, on conviction thereof, be fined not exceeding $2,000, or be imprisoned at hard labor not more than one year, or both, in the discretion of the court; and evidence of such giving, or offering, or promising to give, satisfactory to the court in which such trial is had, shall be regarded as *prima facie* evidence that such giving, or offering, or promising was contrary to law, and shall put upon the accused the burden of proving that such act was innocent, and not done with an unlawful intention.

SEC. 37. That any officer or servant of the customs or of the United States who shall, excepting for lawful duties or fees, demand, exact, or receive from any person, directly or indirectly, any money or thing of value, in connection with or pertaining to the importation, appraisement, entry, examination, or inspection of goods, wares, or merchandise, including herein any baggage, or liquidation of the entry thereof, on conviction thereof, shall be fined not exceeding $5,000, or be imprisoned at hard labor not more than two years, or both, in the discretion of the court. And evidence of such demanding, exacting, or receiving, satisfactory to the court in which such trial is had, shall be regarded as *prima facie* evidence that such demanding, exacting, or receiving was contrary to law, and shall put upon the accused the burden of proving that such act was innocent and not with an unlawful intention.

SEC. 38. That any baggage or personal effects arriving in the United States in transit to any foreign country may be delivered by the parties having it in charge to the collector of the proper district, to be by him retained, without the payment or exaction of any import duty, or to be forwarded by such collector to the collector of the port of departure, and to be delivered to such parties on their departure for their foreign destination, under such rules, regulations, and fees as the Secretary of the Treasury may prescribe.

DRAWBACKS ON EXPORTED MERCHANDISE.

SEC. 39. That on all articles exported manufactured of materials upon which duty has been paid, and entitled to drawback under any provision of law, there shall be allowed a drawback equal to the duty paid on such materials without retention of any part thereof, but such drawback shall be paid only to the manufacturer or actual owner of such merchandise, and in cases only where the identity of the articles exported with the imported materials upon which drawback is claimed shall be established under regulations to be prescribed by the Secretary of the Treasury: *Provided, however*, That where the amount of drawback is less than $100, the fees of the United States consuls for certifying the foreign-landing certificate shall not exceed 50 cents: *And provided further*, That the duties refunded by way of drawback on imported sugar and molasses, or manufactures thereof, shall be ascertained by the same tests as are provided by law to be applied to sugar and molasses when imported.

SEC. 40. That all imported goods, wares, and merchandise which may be in the public stores or bonded warehouses on the day and year when this act shall go into effect, except as otherwise provided in this act, shall be subjected to no other duty upon the entry thereof for consumption than if the same were imported respectively after that day; and all goods, wares, and merchandise remaining in bonded warehouses on the day and year this act shall take effect, and upon which the duties shall have been paid, shall be entitled to a refund of the difference between the amount of duties paid and the amount of duties said goods, wares, and merchandise would be subject to if the same were imported respectively after that date.

SEC. 41. That sections 2970 and 2983 of the Revised Statutes of the United States are hereby amended so that the same shall be, respectively, as follows:

"SEC. 2970. Any merchandise deposited in bond in any public or private bonded warehouse may be withdrawn for consumption within three years from the date of original importation, on payment of the duties and charges to which it may be subject by law at the time of such withdrawal: *Provided*, That nothing herein shall affect or impair existing provisions of law in regard to the disposal of perishable or explosive articles."

"SEC. 2983. In no case shall there be any abatement of the duties or allowance made for any injury, damage, or deterioration sustained by any merchandise while deposited in any public or private bonded warehouse: *Provided*, That the duty assessed on merchandise withdrawn from any such warehouse shall be assessed on the quantity withdrawn therefrom at the time of such withdrawal; but no allowance for leakage or evaporation of wines, liquors, and distilled spirits shall be made: *And provided further*, That nothing in this section as amended shall restrict or in any way affect the liability of the proprietors of bonded warehouses on their bonds: *And provided further*, That nothing herein shall restrain or limit the exercise of the authority conferred on the Secretary of the Treasury by section 2984 of the Revised Statutes."

SEC. 42. That nothing in this act shall in any way change or impair the force or effect of any treaty between the United States and any other government, or any laws passed in pursuance of or for the execution of any such treaty, so long as such treaty shall remain in force in respect of the subjects embraced in this act; but whenever any such treaty, so far as the same respects said subjects, shall expire or be otherwise terminated, the provisions of this act shall be in force in all respects in the same manner and to the same extent as if no such treaty had existed at the time of the passage hereof.

SEC. 43. That sections 2808, 2838, 2839, 2841, 2843, 2845, 2853, 2854, 2856, 2858, 2860, 2900, 2902, 2905, 2907, 2908, 2909, 2929, 2930, 2931, 2932, 2943, 2945, 2952, 3011, 3012, 3012½, 3013, 3090 of the Revised Statutes of the United States; and sections 9, 10, 11, 12, 14, and 16 of an act entitled "An act to amend the customs-revenue laws and to repeal moieties," approved June 22, 1874, all of the act entitled "An act restricting the refunding of customs duties and prescribing certain regulations of the Treasury Department," approved March 3, 1875, and sections 7, 8 and 9 of the act entitled "An act to reduce internal-revenue taxation, and for other purposes," approved March 3, 1883, and all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed, but the repeal of existing laws or modifications thereof embraced in this act shall not affect any act done, or any right accruing or accrued, or any suit or proceeding had or commenced in any civil cause, before the said repeal or modifications; but all rights and liabilities under said laws shall continue and may be enforced in the same manner as if said repeal or modifications had not been made, nor shall said repeal or modifications in any manner affect the right to any office, or change the term or tenure thereof. Any offenses committed, and all penalties or forfeitures, or liabilities incurred under any statute embraced in or changed, modified, or repealed by this act may be prosecuted and punished in the same manner and with the same effect as if this act had not been passed. All acts of limitation, whether applicable to civil causes and proceedings or to the prosecution of offenses or for the recovery of penalties or forfeitures embraced in or modified, changed, or repealed by this act, shall not be affected thereby; and all suits, proceedings or prosecutions, whether civil or criminal, for causes arising or acts done or committed prior to the passage of this act, may be commenced and prosecuted within the same time and with the same effect as if this act had not been passed.

Mr. ALLISON. On page 78, section 9, line 8, before the words "wood naphtha," I move an amendment, which I send to the desk.

The PRESIDING OFFICER (Mr. HALE in the chair). The amendment will be stated.

The SECRETARY. On page 78, section 9, line 8, it is proposed before the words "wood naphtha" to strike out the word "or," and after "naphtha" to insert "or other substance approved by the Commis-

sioner of Internal Revenue and the Secretary of the Treasury;" so as to make the clause read:

SEC. 9. That under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe, any proprietor of a bonded alcohol warehouse who has filed with the collector a bond with at least two sureties, and in the form and sum specified in this act, may admix with the distilled spirits entered in his warehouse, in the presence of the store-keeper, methylic alcohol, wood alcohol, wood naphtha, or other substance, etc.

The amendment was agreed to.

Mr. ALLISON. After the word "methylated," in line 10 of section 9, I move to insert "or admixed;" so as to read:

Such distilled spirits, after being so methylated or admixed, etc.

The amendment was agreed to.

Mr. ALLISON. In line 26 of section 9, after the word "methylated," I move to insert the words "or admixed;" so as to read:

Methylated or admixed spirits may be used in the arts and manufactures, etc.

The amendment was agreed to.

Mr. ALLISON. After the word "methylation," in line 32 of section 9, I move to insert "or admixture;" so as to read:

And the methylation or admixture of such spirits, etc.

The amendment was agreed to.

Mr. ALLISON. In line 33 of section 9, I move to strike out the word "or," before "wood," and after "naphtha" to insert:

Or other substances approved by the Commissioner of Internal Revenue and the Secretary of the Treasury.

The amendment was agreed to.

Mr. ALLISON. After the word "methylated," in line 37 of section 9, I move to insert "or admixed;" so as to read:

And no such methylated or admixed spirits shall be permitted on any premises, etc.

The amendment was agreed to.

Mr. ALLISON. In line 42 of section 9, after the word "methylated," I move to insert "or admixed;" so as to read:

Every person intending to withdraw methylated or admixed spirits, etc.

These are all the formal amendments.

The amendment was agreed to.

Mr. ALLISON. In line 69, section 9, page 80, after the word "methylated," I move to insert "or admixed;" so as to read:

No methylated or admixed spirits shall be withdrawn, etc.

The amendment was agreed to.

Mr. ALLISON. In line 82, section 9, after the word "methylated," I move to insert "or admixed;" so as to read:

And the sale, removal, and use of such methylated or admixed spirits shall be under such regulations and restrictions, etc.

The amendment was agreed to.

Mr. ALLISON. In line 88, after the word "methylated," I move to insert "or admixed."

The amendment was agreed to.

Mr. ALLISON. In line 90, after the word "methylated," I move to insert "or admixed."

The amendment was agreed to.

Mr. ALLISON. In line 98, after the word "methylic," I move to insert "or admixed;" so as to read:

And any person who shall demethylate or separate methylic or admixed alcohol, etc.

The amendment was agreed to.

Mr. ALLISON. After the word "naphtha," in line 97, I move to insert "or other substance;" so as to read:

Any person who shall demethylate or separate methelic or admixed alcohol, wood alcohol, or wood naphtha, or other substance from any such distilled spirits, etc.

The amendment was agreed to.

Mr. ALLISON. In section 11, page 86, in lines 49 and 54, after the word "naphtha," I move to insert "or other substance" in both places, and strike out the word "or" before the word "wood."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 49 of section 11, after the word "alcohol," it is proposed to strike out the word "or," and after the word "naphtha," in the same line, to insert "or other substance," and in line 54, after the word "alcohol," it is proposed to strike out the word "or," and after "naphtha," in the same line, to insert "or other substance;" so as to read:

And the Commissioner of Internal Revenue is authorized to determine the quality and strength of the methylic alcohol, wood alcohol, wood naphtha, or other substance that may be used in methylating spirits. And the Commissioner of Internal Revenue may also, at his discretion, require the maker of methylated spirit to provide a separate store-room and vats, with suitable locks and fastenings, for keeping and storing methylic alcohol, wood alcohol, wood naphtha, or other substance used in methylating and mixing, etc.

The amendment was agreed to.

Mr. ALLISON. In line 50 of section 11, page 86, after the word "methylating," I move to insert "or admixing;" so as to read:

That may be used in methylating or admixing spirits.

The amendment was agreed to.

Mr. ALLISON. In line 51 of section 11, after the word "methylated," I move to insert "or admixed;" so as to read:

And the Commissioner of Internal Revenue may also, at his discretion, require the maker of methylated or admixed spirits to provide a separate store-room and vats, etc.

The amendment was agreed to.

Mr. ALLISON. In section 11, lines 54 and 55, on page 86, after the word "methylating," I move to strike out the words "and mixing," and to insert in lieu thereof "or admixing;" so as to read:

Used in methylating or admixing, etc.

The amendment was agreed to.

Mr. ALLISON. All the amendments I have thus far presented are mere *pro forma* amendments. Are there any amendments agreed to in paragraph 7, on page 87?

The PRESIDING OFFICER. No amendments have been made to paragraph 7, on page 87.

Mr. ALLISON. In Schedule A, chemical products, line 23, I move to strike out the words "and all" and insert "$2 per gallon and 50 per cent. ad valorem." That is to make alcoholic perfumery pay the same duty as under the existing law, $2 per gallon and 50 per cent. ad valorem.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In Schedule A, chemical products, in line 23, it is proposed to strike out the words "and all" and insert "$2 per gallon and 50 per cent. ad valorem," and insert a semicolon; so as to read:

7. Alcoholic perfumery, including cologne-water and other toilet waters, $2 per gallon and 50 per cent. ad valorem; alcoholic compounds not specially enumerated or provided for in this act, $2 per gallon and 25 per cent. ad valorem.

The amendment was agreed to.

Mr. ALLISON. In paragraph 8, page 87, line 27, after the words "Turkey-red oil," I move to insert "containing not more than 50 per cent. of castor oil."

The PRESIDING OFFICER. The amendment will be stated from the desk.

The SECRETARY. In line 27, paragraph 8, page 87, after the word "oil," it is proposed to insert the words "containing not more than 50 per cent. of castor oil;" so as to read:

8. Alizarine assistant, or soluble oil, or oleate of soda, or Turkey-red oil, containing not more than 50 per cent. of castor oil, 3 cents per pound.

Mr. PLATT. Why is that?

Mr. ALLISON. If it contains more than 50 per cent. of castor oil, it will come in as castor oil.

Mr. VANCE. I hope the Senator will give us a little information on that. What is the necessity for the amendment and what purpose does it subserve?

Mr. ALLISON. It is claimed by the manufacturers of alizarine assistant that it is possible to import this article containing from 75 to 80 per cent. of castor oil and it still comes in at 3 cents a pound, whereas the duty on castor oil is 50 cents a gallon. So the duty on alizarine assistant would be much less than the duty on its chief material, namely, castor oil. I think the amendment is all right, as the Senator will see if he looks into it.

The amendment was agreed to.

Mr. ALLISON. In paragraph 35, line 102, page 90——

Mr. VANCE. I would like to know the order of procedure on the part of the Senator from Iowa. This has all been read once and passed upon by the Senate.

The PRESIDING OFFICER. The Chair understands the Senator from Iowa in charge of the bill is proposing certain amendments as from the Committee on Finance.

Mr. ALLISON. None of these amendments, I will say to the Senator, are of any great moment.

Mr. VANCE. I just wanted to know how we were proceeding. I supposed we should finish the bill and then would go into the Senate, and it would be open to amendment there.

Mr. ALLISON. A number of paragraphs, I will say to the Senator from North Carolina, have been passed over. Of course all those paragraphs are still open to amendment.

Mr. VANCE. Of course all that were passed over are open to amendment. I understand that. If the paragraphs which the Senator is now amending were passed over informally, that is all right.

Mr. ALLISON. I will say to the Senator from North Carolina that I think the best way to dispose of this bill is to put in every suggested amendment in Committee of the Whole, and then, as early as we can afterwards, have the bill printed again with the amendments as they have been inserted in Committee of the Whole, so that when we come to vote upon them in the Senate we can see exactly what amendments have been made.

Mr. JONES, of Arkansas. There was, in addition to what the Senator from Iowa has just said, a distinct agreement, as I understood it, when we began the consideration of this bill, that any Senator should have the right to recur to any section and move an amendment at any time he pleased. That was the understanding from the beginning.

Mr. ALLISON. That is the understanding; that is right. In paragraph 35, page 90——

Mr. GRAY. If the Senator from Iowa will permit me to interrupt him a moment, I should like to ask a question. I was not here this morning when the reading of the bill was concluded, and I supposed it would not be concluded this morning; but there is a section towards the close of the bill to which I desire to offer an amendment and lay before the Senate the views I submitted to the subcommittee when it was considering the question. I wish to know if I may have the opportunity to do so after the bill comes into the Senate, without giving further notice?

Mr. ALLISON. Undoubtedly. What is the amendment the Senator refers to?

Mr. GRAY. To sections 2510 and 2511, on page 195.

Mr. ALLISON. If the Senator will wait for a few moments, as far as I am concerned I shall be glad to have him return to that to-day; but as I am on this paragraph 35 I move to insert what I send to the Secretary's desk as one amendment.

The PRESIDING OFFICER. The proposed amendment will be reported.

The CHIEF CLERK. In paragraph 35, line 102, after the word "valued," it is proposed to insert the word "at;" and after the word "pound" where it occurs the second time, it is proposed to insert "not above 30 cents per pound;" and in line 103, it is proposed to add "valued at above 30 cents per pound, 30 per cent. ad valorem."

Mr. VANCE. I should like to have the paragraph reported as it would read if amended.

The PRESIDING OFFICER. The paragraph as proposed to be amended will be read.

The Chief Clerk read the paragraph as proposed to be amended, as follows:

Gelatine, glue, and isinglass or fish-glue, valued at not above 7 cents per pound, 1½ cents per pound; valued at above 7 cents per pound and not above 30 cents per pound, 25 per cent. ad valorem; valued at above 30 cents per pound, 30 per cent. ad valorem.

Mr. ALLISON. This, I will say to the Senator, is a very high-priced fancy gelatine put up in small boxes and brought in here, and it ought to have a higher rate of duty than the articles named in the remainder of the paragraph. This is the present rate, I will say to the Senator.

The amendment was agreed to.

Mr. ALLISON. In paragraph 60, line 147, after the word "Seal," I move to insert the word "herring." I think it is included already, but the amendment is in order, there can be no doubt about it.

The PRESIDING OFFICER. The amendment will be reported.

The CHIEF CLERK. In paragraph 60, line 147, after the word "Seal," it is proposed to insert "herring;" so that the paragraph will read:

Seal, herring, whale, and other fish oil, not specially enumerated or provided for in this act, 8 cents per gallon.

The amendment was agreed to.

Mr. ALLISON. In paragraph 80, page 94, line 199, after the word "ethers," I move to strike out "solid or fluid extracts"—there is a mistake there—and insert a comma after "ethers."

The CHIEF CLERK. In line 199, paragraph 80, it is proposed to strike out the words in parenthesis, "(solid or fluid extracts)," and after the word "ethers" to insert a comma.

The amendment was agreed to.

Mr. ALLISON. In paragraph 81, line 206, page 94, after the word "essences," I move to insert the words "solid or fluid."

The CHIEF CLERK. In line 206, paragraph 81, after the word "essences," it is proposed to insert the words "solid or fluid" in parenthesis.

Mr. ALLISON. No; but so that the clause will read "solid or fluid extracts," and then strike out "(solid or fluid)" in parenthesis in line 207; so as to read "solid or fluid extracts."

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. In paragraph 81, after the word "essences," in line 206, it is proposed to insert "solid or fluid;" so as to read "solid or fluid extracts;" and after the word "extracts" to strike out in the beginning of line 207 the words "(solid or fluid)" in parenthesis.

The amendment was agreed to.

Mr. ALLISON. I wish to call attention now to paragraph 101, on page 97, line 269. Was there any amendment made there?

The PRESIDING OFFICER. No amendment has been made at that point.

Mr. ALLISON. Then I move to insert "including lava gas-burner tips."

The PRESIDING OFFICER. The amendment will be stated from the desk.

The CHIEF CLERK. In paragraph 101, line 269, after the word "substances," it is proposed to insert "including lava gas-burner tips;" so as to read:

101. All other earthen, stone, and crockery ware, white, glazed, or edged, and other manufactures composed of earthy or mineral substances, including lava gas burner tips, not specially enumerated or provided for in this act, 50 per cent. ad valorem.

The amendment was agreed to.

Mr. ALLISON. In the next paragraph, line 272, I move to insert the word "vitrified" after the word "enameled."

The PRESIDING OFFICER. The amendment will be stated from the desk.

The CHIEF CLERK. In paragraph 102, line 272, after the word "enameled," it is proposed to insert "vitrified."

Mr. ALLISON. And in the same line, after the word "twenty," to insert "five;" so as to read:

Twenty-five per cent. ad valorem.

I will say to the Senator from North Carolina that that is an increase over the original report of the committee.

The PRESIDING OFFICER. The amendments will be stated from the desk.

The CHIEF CLERK. In paragraph 102, line 272, after the word "enameled," it is proposed to insert "vitrified," and in the same line, after the word "twenty," to insert "five;" so as to read:

102. Tiles and brick, other than fire-brick, not glazed, ornamented, painted, enameled, vitrified, or decorated, 25 per cent. ad valorem.

The amendments were agreed to.

Mr. ALLISON. In the same paragraph, line 273, after the word "enameled," I move to insert "vitrified."

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. At the end of line 273, after the word "enameled," it is proposed to insert the word "vitrified;" so as to read:

Ornamented, glazed, painted, enameled, vitrified, or decorated and encaustic, 45 per cent. ad valorem.

The amendment was agreed to.

Mr. ALLISON. In paragraph 109, after the word "hand," I move to insert a comma.

The PRESIDING OFFICER. That change will be made if there be no objection.

Mr. ALLISON. And in line 315, after the word "cases," I move to insert what I send to the desk.

The CHIEF CLERK. In paragraph 109, line 315, after the word "cases," it is proposed to insert:

And lenses of glass or pebbles, wholly or partly manufactured.

So as to read:

109. Glass and glassware of all kinds (not including plate-glass, silvered or looking-glass plates, or cylinder crown or common window-glass, hereinafter specially provided for), when cut, engraved, painted, colored, printed, stained, gilded, or otherwise ornamented or decorated, and hand, pocket, or table mirrors not exceeding in size 144 square inches, with frames or cases of whatever material composed, or without frames or cases, and lenses of glass or pebbles, wholly or partly manufactured, 45 per cent. ad valorem.

The amendment was agreed to.

Mr. ALLISON. In paragraph 114, line 346, I move to strike out the words beginning "not exceeding," and ending with the word "and" in line 348.

The PRESIDING OFFICER. The amendment will be stated from the desk.

The CHIEF CLERK. In paragraph 114, line 346, after the word "unsilvered," it is proposed to strike out "not exceeding 10 by 15 inches square, 3 cents per square foot; above that, and."

Mr. VANCE. Let us know how it will then read.

The CHIEF CLERK. So as to make the clause read:

114. Cast polished plate glass, unsilvered, not exceeding 16 by 24 inches square, 5 cents per square foot.

The amendment was agreed to.

Mr. VANCE. That is an increase over the present law.

Mr. ALLISON. There is none imported. It practically amounts to nothing except that it simplifies the classification.

Mr. VANCE. Except to give a little more to the manufacturers; that is all.

Mr. ALLISON. None of these articles are imported, I will say to the Senator.

Mr. VANCE. Then why raise the duty on them?

Mr. ALLISON. In line 354, page 100, I move to strike out the word "or" and insert "and."

Mr. VANCE. What line?

Mr. ALLISON. Paragraph 115, line 354. It is part of the same thing.

The amendment was agreed to.

Mr. ALLISON. In the same paragraph, lines 355 and 356, I move to strike out "not exceeding 10 by 15 inches square, 4 cents per square foot; above that, and."

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. In paragraph 115, line 355, after the word "plates," it is proposed to strike out "not exceeding 10 by 15 inches square, 4 cents per square foot; above that, and;" so as to read:

115. Cast polished plate-glass, silvered, and looking-glass plates, not exceeding 16 by 24 inches square, 6 cents per square foot.

Mr. VANCE. I do not know why that is stricken out.

Mr. PLATT. The amendment was read as if looking-glass plates were stricken out.

Mr. ALLISON. Let it be read again

The PRESIDING OFFICER. The clause as proposed to be amended will be again read.

The Chief Clerk read as follows:

115. Cast polished plate-glass, silvered, and looking-glass plates not exceeding 16 by 24 inches square, 6 cents per square foot.

Mr. ALLISON. That is right.

The amendment was agreed to.

Mr. VANCE. What is to be substituted when that is stricken out?

Mr. ALLISON. Nothing. It merely simplifies the classification.

Mr. VANCE. The amendment striking out was reported, but the words to be inserted were not reported by the Secretary.

Mr. ALLISON. There is nothing to be inserted.

In paragraph 176, on page 116, I move to amend by what I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. In paragraph 176, line 745, after the word "that," it is proposed to strike out "lead ore containing silver or," and at the end of the paragraph to add:

On the lead contained therein according to sample and assay at the port of entry.

Mr. ALLISON. I call the attention of the Senator from Texas to this amendment.

The PRESIDING OFFICER. The paragraph will be read as proposed to be amended.

The CHIEF CLERK. As proposed to be amended it would read:

Lead ore and lead dross, 1½ cents per pound: *Provided*, That silver ore containing lead shall pay a duty of 1½ cents per pound on the lead contained therein according to sample and assay at the port of entry.

Mr. DOLPH. I ask that the amendment be reported again—the words that are proposed to be inserted.

The CHIEF CLERK. At the end of the paragraph it is proposed to add:

On the lead contained therein according to sample and assay at the port of entry.

Mr. DOLPH. Now, I should like to have the provision read as it is in the bill.

The CHIEF CLERK. So as to make the entire paragraph read:

176. Lead.—Lead ore and lead dross, 1½ cents per pound: *Provided*, That lead ore containing silver, or silver ore containing lead, shall pay a duty of 1½ cents per pound on the lead contained therein according to sample and assay at the port of entry.

Mr. DOLPH. Will the Secretary stop at the reading of the provision contained in the bill now without the proposed amendment?

The CHIEF CLERK. "*Provided*, That the silver ore containing lead shall pay a duty of 1½ cents per pound."

Mr. ALLISON. I will say to the Senator from Oregon that this amendment was submitted by me to the Senator from Nevada [Mr. STEWART] and the Senator from Colorado [Mr. TELLER] and is satisfactory to them.

Mr. DOLPH. I see no objection to it. I have sent for the Senator from Nevada. It seems to me the provision is proper.

The amendment was agreed to.

Mr. ALLISON. I send to the desk an amendment to come in at the end of paragraph 179, on the same page, and I call the attention of the Senator from North Carolina [Mr. VANCE] to this amendment.

The PRESIDING OFFICER. The amendment will be stated from the desk.

The CHIEF CLERK. At the end of paragraph 179, after line 756, on page 116, it is proposed to add:

Mica, 35 per cent. ad valorem.

The amendment was agreed to.

Mr. ALLISON. On page 112, paragraph 155, line 643, I move to strike out "six" and insert "eight;" in line 644, to strike out "eight" and insert "ten;" in line 645, to strike out "thirteen" and insert "fifteen;" so that the paragraph will read with these changes as the existing law reads.

The PRESIDING OFFICER. Will the Senator please repeat the amendment, so that the clerks can get it?

Mr. ALLISON. In line 643, I move to strike out "six" and insert "eight;" in line 644, to strike out "eight" and insert "ten;" and in line 645, to strike out "thirteen" and insert "fifteen."

The PRESIDING OFFICER. The paragraph will be read as proposed to be amended.

The CHIEF CLERK. It is proposed to amend the paragraph so as to read:

155. Saws.—Cross-cut saws, 8 cents per linear foot; mill, pit, and drag saws, not over 9 inches wide, 10 cents per linear foot; over 9 inches wide, 15 cents per linear foot; circular saws, 30 per cent. ad valorem; hand, back, and all other saws, not specially enumerated or provided for in this act, 40 per cent. ad valorem.

Mr. VANCE. Will the Senator state how much of an increase that will be over the present law?

Mr. ALLISON. It is no increase over the present law. It is the law as it now exists.

Mr. VEST. I wish to say——

Mr. ALLISON. And I will say to the Senator that this is the rate of the Mills bill. It will probably give him some aid in discussing it to know that it is according to the Mills bill.

Mr. VEST. That does not assist me in the discussion. We are not now discussing the Mills bill, but an original proposition from the Committee on Finance with which the Mills bill has nothing to do. They are separate and distinct measures of legislation.

These are the articles with regard to which I read some very interesting evidence from a manufacturer, who said that he exported these very cross-cut saws and the larger articles of saws to Canada, sold them at a decreased price from what he sold them in the American market, and made money, and paid a duty of 30 per cent. to get into that market. And yet in the face of that testimony before the committee it is now proposed to increase this duty over the report that was made of this bill. I should just like to know one single argument for that sort of thing.

Mr. ALLISON. There is only one argument I can give and that is that the manufacturers of these articles state that under the existing rate of duty they have very close and sharp competition with manufacturers in the Dominion of Canada and in Germany and elsewhere for these articles.

Mr. VEST. I read that testimony to the Senate, and ean read it again, which was given before the gentlemen themselves.

Mr. ALDRICH. I would remind the Senator from Missouri that the testimony was in relation to circular saws.

Mr. VEST. He said also the other articles of saws; not only circular saws, but cross-cut saws.

Mr. ALLISON. The duty on circular saws remains the same.

Mr. ALDRICH. We do not propose to change the rate on circular saws.

Mr. VEST. The testimony I read applied to these identical saws.

Mr. ALLISON. It applied to circular saws.

Mr. VEST. I will turn to it. It applied to all the other articles of saws, and this very same manufacturer said the small saws manufactured in Philadelphia were exported from this country to England and sold in competition with those made by English manufacturers on their own soil, at a profit. I did not suppose that question would come up this morning, and I did not bring the testimony with me, but I can turn to it whenever I have it here.

Mr. ALLISON. We do not increase the duty, I will say to the Senator.

Mr. VEST. You increase the duty over that contained in the reported bill.

Mr. ALLISON. I know; but this will simply restore the existing law.

Mr. VEST. I see by the census tables that we produced in 1880 $3,943,000 worth, and the exports have been increasing every year since.

Mr. ALLISON. No harm will be done by this provision, I will say to the Senator.

Mr. VEST. But there is no necessity for this increase.

Mr. ALLISON. Was the amendment agreed to?

The PRESIDING OFFICER. The amendment has been agreed to.

Mr. VEST. I hope that amendment will not be agreed to yet. I wish to call for the yeas and nays upon it.

The PRESIDING OFFICER. The amendment, then, will be regarded as yet before the Senate.

Mr. VEST. I hope the Senator will pass that over for awhile. I want to refer to that testimony of which I have spoken.

Mr. ALLISON. I suggest to the Senator from Missouri that he refrain from calling for the yeas and nays on this amendment, and call them later on in the Senate.

Mr. VEST. Then let the Senator pass over the item.

Mr. ALLISON. I will do that if it be necessary.

Now, Mr. President, I move, in paragraph 402—I call the attention of the Senator to this paragraph——

Mr. VANCE. What paragraph?

Mr. ALLISON. On page 154, paragraph 402, which is a paragraph that was passed over. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed to strike out paragraph 402, line 1697, page 154, and insert in lieu thereof:

Gloves of all descriptions, composed wholly or in part of kid or leather, and whether wholly or partly manufactured, valued at not more than $5 per dozen pairs, $1.50 per dozen pairs and 20 per cent. ad valorem; valued at more than $5 and not more than $8 per dozen pairs, $2 per dozen pairs and 25 per cent. ad valorem; valued at more than $8 per dozen pairs, 50 per cent. ad valorem.

Mr. VANCE. I should like to know why the tax on the highest-priced gloves should not bear some reasonable proportion to the taxation which is imposed upon the lowest class.

Mr. ALLISON. I do not think that is true as to this classification. I will say to the Senator from North Carolina that I am perfectly willing that this amendment shall be printed and passed over if he desires to examine it further, although I think this is a more equitable and just arrangement than the existing law or the paragraph as reported.

Mr. VANCE. Very well.

Mr. VEST. It is an increase of duty.

Mr. ALLISON. It will undoubtedly increase in some cases, but it will diminish in others.

Mr. VEST. Does it not increase upon the lower class?

Mr. ALLISON. It is a specific duty which all the experts of the Treasury Department say is essential, owing to the great undervaluation in kid gloves imported. I should like to have it passed upon now, unless Senators desire that it go over.

The PRESIDENT *pro tempore*. The amendment will be again stated.

The CHIEF CLERK. It is proposed to strike out all of paragraph 402, and insert in lieu thereof:

Gloves of all descriptions, composed wholly or in part of kid or leather, and whether wholly or partly manufactured, valued at not more than $3 per dozen pairs, $1.50 per dozen pairs and 20 per cent. ad valorem; valued at more than $3 and not more than $8 per dozen pairs, $2 per dozen pairs and 25 per cent. ad valorem; valued at more than $8 per dozen pairs, 50 per cent. ad valorem.

Mr. VANCE. I prefer that that should be passed over for the present, as suggested by the Senator from Iowa.

Mr. VEST. Let it be printed.

Mr. ALLISON. Let it be printed in the RECORD. It is not necessary to have it printed separately.

Mr. VEST. That will do.

The PRESIDING OFFICER. The amendment will be passed over and printed in the RECORD.

Mr. ALLISON. In paragraph 388, page 153, I move the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed to strike out paragraph 388 on page 153, as follows:

388. Pulp, dried, for paper-makers' use, 10 per cent. ad valorem.

And in lieu thereof to insert:

Mechanically ground wood-pulp, $2.50 per ton, dry weight; chemical wood-pulp, unbleached, $6 per ton, dry weight; bleached, $7 per ton, dry weight.

Mr. ALLISON. I will say that this is a slight reduction in duty, but it makes it specific.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Iowa [Mr. ALLISON].

Mr. VANCE. Let us have the yeas and nays on that.

The yeas and nays were ordered.

Mr. VEST. I just want to make one single observation, and that is that in all these changes—and I am not able to say whether they are increases or decreases—they are invariably made where there are the largest importations in each schedule. That is the case here. There seems to have been imported, in value, $497,273.45 worth of this article in 1887, which was the largest imported in Schedule M, Books, papers, etc., so far as I can see. So upon the other changes proposed by the Senator just preceding this. They are also a large importation. I am not sufficiently an expert to say what is the increase or decrease, or whether it is one or the other.

Mr. ALLISON. I will say to the Senator that from an examination made by the subcommittee, taking the foreign prices, the proposed rate of duty will be a reduction upon existing rates of 10 per cent. ad valorem; and we have the prices in the committee-room. It was thought better to put upon this article a specific duty.

Mr. VANCE. Why change to a specific duty if it is a reduction? Is there any danger of undervaluation or fraud on the Treasury in wood-pulp?

Mr. ALLISON. There are great opportunities for undervaluations especially in chemical wood-pulp.

Mr. VANCE. I suppose, of course, this is done at the request of the paper manufacturers or the wood-pulp manufacturers of the country, and whenever they ask a change, Mr. President, we may look out.

The PRESIDENT *pro tempore*. The roll-call will proceed.

The Secretary proceeded to call the roll.

Mr. MORRILL (when his name was called). My pair with the Senator from Tennessee [Mr. HARRIS] being transferred to the Senator from Colorado [Mr. BOWEN], I vote "yea."

Mr. TELLER (when his name was called). I am paired with the Senator from Louisiana [Mr. GIBSON].

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. HALE. My general pair with the Senator from Kentucky [Mr. BECK] is transferred to the Senator from Nevada [Mr. JONES]. I vote "yea."

Mr. STEWART. I am paired with the Senator from South Carolina [Mr. HAMPTON]. I do not see him in his seat and I will not vote. Otherwise I should vote "yea."

Mr. DAVIS. My colleague [Mr. SABIN] is paired with the Senator from West Virginia [Mr. KENNA].

Mr. EVARTS (after having voted in the affirmative). Has the Senator from Alabama [Mr. MORGAN] voted?

The PRESIDENT *pro tempore*. The Senator from Alabama is not recorded.

Mr. EVARTS. I withdraw my vote. I thought the Senator from Alabama was in the Chamber.

Mr. FARWELL. I am paired with the Senator from Florida [Mr. PASCO].

Mr. GEORGE (after having voted in the negative). Is the Senator from New Hampshire [Mr. BLAIR] recorded?

The PRESIDENT *pro tempore*. He is not recorded.

Mr. GEORGE. I withdraw my vote. I am paired with him.

Mr. ALLISON. With the consent of the Senator from Mississippi [Mr. GEORGE], I will transfer my pair with the Senator from New Jersey [Mr. MCPHERSON] to the Senator from New Hampshire [Mr. BLAIR]. That will enable both of us to vote, and I will vote "yea."

Mr. GEORGE. Then I vote "nay," the Senator from New Hampshire and the Senator from New Jersey being paired.

Mr. WILSON, of Iowa. I am paired with the Senator from Maryland [Mr. WILSON].

The result was announced—yeas 24, nays 18; as follows:

YEAS—24.

Aldrich,	Davis,	Hawley,	Palmer,
Allison,	Dawes,	Hiscock,	Platt,
Cameron,	Dolph,	Ingalls,	Plumb,
Chace,	Edmunds,	Manderson,	Quay,
Chandler,	Frye,	Mitchell,	Sawyer,
Cullom,	Hale,	Morrill,	Sherman.

NAYS—18.

Bate,	Coke,	Gray,	Saulsbury,
Berry,	Colquitt,	Jones of Arkansas,	Vance,
Blackburn,	Daniel,	Payne,	Vest.
Butler,	Faulkner,	Pugh,	
Cockrell,	George,	Reagan,	

ABSENT—34.

Beck,	Gibson,	Morgan,	Stockbridge,
Blair,	Gorman,	Paddock,	Teller,
Blodgett,	Hampton,	Pasco,	Turpie,
Bowen,	Harris,	Ransom,	Voorhees,
Brown,	Hearst,	Riddleberger,	Walthall,
Call,	Hoar,	Sabin,	Wilson of Iowa.
Eustis,	Jones of Nevada,	Spooner,	Wilson of Md.
Evarts,	Kenna,	Stanford,	
Farwell,	McPherson,	Stewart,	

So the amendment was agreed to.

Mr. ALLISON. All the amendments I have offered this morning I have offered by direction of the majority of the Committee on Finance; they are not mine. I will now yield to the Senator from Delaware [Mr. GRAY], who has an amendment that he desires to offer to section 2510 of the Revised Statutes as incorporated in this bill.

Mr. VEST. I wish to state to the Senator from Iowa that I have some amendments to that portion of the free-list which was passed over yesterday with the understanding, as the RECORD shows, that it was to be taken up this morning. I understood the Senator from Rhode Island [Mr. ALDRICH] to say that the committee wanted to amend a portion of the free-list upon page 174 of the bill reported by the Committee on Finance.

Mr. ALLISON. That is in reference to paragraphs——

Mr. VEST. In reference to oils.

The PRESIDENT *pro tempore*. Beginning at paragraph 644 and ending with paragraph 676.

Mr. VEST. Those were passed over. I have some amendments to offer to the free-list, but I prefer, as I stated yesterday, not to offer them until the committee have perfected their own bill.

Mr. SHERMAN. The only amendment to be made there was to put the whole in one paragraph under the head of "oils," was it not?

Mr. VEST. I think not. If the Senator from Iowa will look at the RECORD he will find that the Senator from Rhode Island asked that it might go over in order that the committee might make some changes.

Mr. ALLISON. That was only with a view of simplifying the classification and making fewer paragraphs. I think the Senator from Rhode Island has perhaps not had time to make those changes. If the Senator from Missouri has any amendments to offer to the free-list, of course I shall yield to him to move them after the Senator from Delaware shall have moved his amendment.

Mr. SHERMAN. The amendment the Senator from Rhode Island was to make was, at my suggestion, to group all the oils from paragraph 644 down to paragraph 675 in one paragraph under the head of "oils," so as to avoid the repetition of the word "oil;" and also, on the next page, to group the various forms of potash into one paragraph so as to include all those articles from paragraph 701 to paragraph 706 under the head of "potash." I suppose it can be done now without waiting.

Mr. ALLISON. The Senator from Rhode Island has charge of the amendments respecting oils and nuts. He is now here.

Mr. ALDRICH. I have them not yet prepared.

Mr. ALLISON. Then the Senator from Missouri may go on.

Mr. VEST. As soon as the Senator from Delaware concludes, I shall offer my amendments.

Mr. GRAY. Section 2510 of the Senate amendment, on page 195, reads in this way:

SEC. 2510. All lumber, timber, hemp, manilla, wire rope, and iron and steel rods, bars, spikes, nails, plates, angles, bars, and bolts, and copper and composition metal which may be necessary for the construction and equipment of vessels built in the United States for foreign account and ownership, or for the purpose of being employed in the foreign trade, including the trade between the

Atlantic and Pacific ports of the United States, after the passage of this act, may be imported in bond, under such regulations as the Secretary of the Treasury may prescribe; and upon proof that such materials have been used for such purpose, no duties shall be paid thereon. But vessels receiving the benefit of this section shall not be allowed to engage in the coastwise trade of the United States more than two months in any one year, except upon the payment to the United States of the duties on which a rebate is herein allowed: *Provided*, That vessels built in the United States for foreign account and ownership shall not be allowed to engage in the coastwise trade of the United States.

It is very well known to the Senate, at least to those members of it who are familiar with the agitation of the question of encouraging ship-building in the United States, that in 1883, in pursuance of that policy which then seemed to receive the assent of all parties, it was agreed that there should be some concession made in the tariff laws which would enable the builders of vessels for foreign trade to receive their material at a rate that would allow them to compete upon more just and equal terms with foreign builders of the same class of vessels. So the statute of 1883 became a part of the law of this country, and, I believe, found a place upon our statute-book without serious opposition from any quarter.

Section 2510, the statute of 1883, in the twenty-second volume of Statutes at Large, is, except in one or two particulars, where words have been inserted by the Senate committee, identical with section 2510 of the Senate bill. All lumber, timber, hemp, manilla, etc., used in the construction of vessels for foreign trade is to be admitted free, the Senate amendment adding plates, angles, and bars.

Mr. ALLISON. That is a mistake. The Senator will correct his copy of the bill. It is "beams" instead of "bars."

Mr. GRAY. I had not seen a corrected bill.

Mr. ALLISON. It was corrected this morning.

Mr. GRAY. Very well. What I have to say applies as well to either word. However, I thank the Senator for calling my attention to it. With that exception it is identical with the statute of 1883. The statute of 1883 has proved of no avail to the American iron-ship builders. It seems to have been framed with the idea that the wooden-ship building interests of the United States needed this provision, and that those interests were largely in the minds of those who draughted this section of the statute of 1883. The statute of 1883 is a reproduction of the statute of 1872 in the provision I have just read.

As I said, section 2510 of the existing law was drawn in the interest of the wooden-ship builders only and did not apply in any substantial way to the materials used by the builders of iron vessels. Section 2510 of the proposed substitute evidently intends to extend to the builders of any kind of vessels for foreign account the benefits that heretofore were enjoyed by the builders of wooden vessels, but it is not complete and full in its enumeration of the articles which are included in all iron and steel ships.

What I propose is to insert, after the word "plates," in line 2690, the word "sheets," and after "angles, beams, and bolts," to insert "deck and bulb beams, together with all structural shapes of iron or steel and copper and composition metal, forgings of iron or steel, castings of iron, steel, or composition, flues and tubes of iron, steel, or composition, machinery and parts of machines, and all other articles of foreign production necessary for the construction and equipment of steamers or other vessels built in the United States for foreign account and ownership, or for the purpose of being employed in the foreign trade," etc.

The PRESIDENT *pro tempore*. Will the Senator from Delaware send his amendment in writing to the desk?

Mr. GRAY. Certainly.

Mr. ALLISON. What does the Senator mean by "foreign account?"

Mr. GRAY. I am using the language of the substitute. I have overlapped. I read the amendment as it would read with the words "for the construction and equipment of vessels built in the United States for foreign account and ownership, or for the purpose of being employed in the foreign trade, including the trade between the Atlantic and Pacific ports of the United States."

To carry out in full the purpose of the proposed law in the way of putting as nearly as possible the work of building iron ships on a footing with the building of wooden ships as to the purchase of supplies, the section should include all these descriptions of materials which have been enumerated in the amendment I propose to offer.

The old law has had little effect, if any, in inducing the building of vessels in this country for foreign ownership or foreign account or to be used in foreign trade, and but few sailing vessels are built anywhere. The steam-ship builder must get the materials for his engines as well as for the other parts of his vessels as cheap as his foreign rivals if he hopes to succeed in competing with them.

That being the obvious intent of the old law, and I assume it to be the intent of the Senate substitute for the House bill, to really encourage iron-ship building in this country as well as wooden-ship building by putting the American ship-builder upon a footing where he can compete with some hopes of success with his foreign rival, I see no reason why we should not all join in carrying out what seems to be the real intent of this section by perfecting its language so that the American ship-builder may receive that benefit from the exemption that was intended to be given to him by section 2510 of the statute of 1883 as well as by section 2510 in the Senate substitute. If we are to offer him this encouragement, if we promise him that he shall be enabled to buy his materials as cheaply as his foreign rival, then we should give him the opportunity to procure all the materials that go into the construction of a modern iron ship, not only lumber, timber, manilla rope, wire, and rods, but plates, deck-beams, forgings, composition metal, and all structural shapes that modern ships require and that modern science has made necessary for the perfect vessel of to-day.

Mr. SHERMAN. The amendment of the Senator from Delaware not only includes the articles now named by him, but it includes machinery, which means engines, boilers, and so on.

Mr. GRAY. It does.

Mr. SHERMAN. That is the material part.

Mr. GRAY. That is an important part.

Mr. SHERMAN. The Senator will see at the end of this section that vessels constructed in this way can participate in the coasting trade. If raw materials are allowed, beams, bars, etc., that would be perhaps right enough; but when you extend it to machinery, the result will be that in order to get an opening into our coastwise trade, all the machinery, including the engines and all the most expensive parts, will be brought in free and not merely raw materials used in their production. I do not see any objection to naming the other materials or parts of a ship, but when you name machinery you include too much and deprive American citizens of the opportunity of manufacturing these articles, and it seems to me it is not wise.

Mr. GRAY. The position of the Senator from Ohio seems to me not quite logical. The object is to encourage American ship-builders, and we attempt to do so by making an exemption for them from the tax upon a certain enumerated list of articles necessary to the construction of a ship. When we wanted to encourage wooden-ship building, the building of sailing vessels, we exempted those things that not only went into the hull but went into the propelling power, without which a vessel would be absolutely useless. An iron steam-ship is absolutely useless without its machinery. I do not know what would be the percentage in the cost of a modern iron vessel, but machinery would constitute a very large part, I have no doubt; and it seems to me quite illogical to say "We will let you build the hull, but when you come to put the machinery in you are to be effectually stopped by the increased cost of the machinery, so that while you can make the hull you will have to sail abroad, or sail on foreign account, to receive the machinery." So important a part of the structure of a modern iron vessel as the machinery, it seems to me, should be put on the list of those things exempt from taxation if we want really to encourage iron-ship building in this country. And I should say here that neither this section nor the amendment has any relation to the coastwise trade. I will call the attention of the Senator from Ohio to the fact that in the proposed exemption of the Senate bill we are making very important exceptions to our tariff laws. We are allowing an immense amount of material that is manufactured in this country to come in free in order to encourage American ship-building, and in order to see whether there can not be established successfully upon our shores the building of vessels that shall engage in foreign trade, to the end that we may not only have ship-builders here, but that we may have vessels engaged in the foreign trade owned here, so that capital may seek an investment in that very important branch of commerce. So I submit to him that it would be quite illogical and quite inconsistent with the purpose that is manifest in this section 2510 to refuse to exempt machinery.

If the Senator will turn over to the next page, he will find that section 2511 of the Senate substitute, following section 2511 in the act of 1883, allows all articles of foreign production needed for the repair of American vessels engaged exclusively in foreign trade to be withdrawn from bonded warehouses free of duty, etc. If the enumeration in my amendment includes all the material and structural shapes necessary in ship-building, I do not see why the language of section 2511 applied to construction would not really be better than what I have proposed. I can not for the life of me see any reason for the distinction, and why we should not say that all kinds of foreign production needed for the construction as well as the repair of American vessels, to be engaged exclusively in foreign trade, shall be withdrawn from the custom-house free of duty. I have attempted to accomplish just that thing by the enumeration which I have proposed; that is, to cover all the important articles and structural shapes that go into the building of a ship intended for the foreign trade. I do not see why we may not use the same language that has been used in section 2511, where all articles necessary for the repair of American vessels engaged in foreign trade are exempted; and unless some Senator can point out wherein the difference lies, I should prefer the latter form of the amendment rather than the one that I have already proposed.

As a matter of fact, in this matter of building ships for foreign trade, we are absolutely shut off from engaging in it, and inasmuch as we are not allowed to own vessels of foreign manufacture and must depend upon our home ship-builders if we are to have American ships in foreign trade, to show how entirely we are cut off by the great expense that domestic ship-builders are put to in their construction, the disadvantage under which they labor in competing with their foreign rivals, I will state as a fact given to me by a ship-builder of my own town that

recently $1,200 was paid as duty on a propeller-wheel of a vessel of about 1,150 tons. It was not a very large vessel, but $1,200 was paid in duty for a propeller-wheel to be used in a vessel that was being constructed in an American yard.

Mr. CHACE. Will it interrupt the Senator if I ask him a question?

Mr. GRAY. In one moment. That wheel was made of a composition of manganese and brass that is unknown in this country; that is to say, no wheels of that particular composition are made here, and these ship-builders were compelled in order to procure a wheel of that description to seek it in a foreign market.

Mr. CHACE. The Senator is aware, I suppose, that that is a very expensive composition?

Mr. GRAY. Yes.

Mr. CHACE. A wheel for a vessel of eleven or twelve hundred tons is a matter of immense weight, so that $1,200 after all is not a very large sum to pay in duties on such a blade as that.

Mr. GRAY. It may not seem large to the Senator from Rhode Island, but it seems an immense thing to me that the single item of a propeller-wheel should be taxed $1,200 in addition to its cost and the cost of transportation. I can readily understand why not a blow can ever be struck by an American mechanic in an American ship-yard upon a vessel to be used in the foreign trade, and why the capital of the United States can never be turned into the ownership of vessels to be used in the foreign trade, and that our flag has disappeared from the ocean and will continue as unknown as the flag of the Republic of Hayti.

The object of this section 2510 is manifest on its face; the object of the legislation of 1883 is manifest, and it is only in the line of attaining that object that I offer this amendment. If we really want to encourage this great industry, which touches indirectly so many others, which touches American pride and patriotism at so many points, I can not see why we should not endeavor to do so effectually, and see whether there may not be a revival of American ship-building such as will gratify our national pride and bring employment and labor to many American citizens.

Mr. CHACE. Of course, in putting the question to the Senator I make not the slightest doubt that the Senator is absolutely candid in the expression of these views. I have no question of it. I know he feels that he is defending the great industry of Harlan & Hollingsworth and the Pusey and Jones Company in his own town. I have as much sympathy as he possibly can have with those industries, but I wish to put to the Senator now two or three questions, and I believe he will answer them candidly.

Mr. GRAY. Put one at a time, please.

Mr. CHACE. The Senator has alluded to the matter of duty upon wheels. The principle that he advocates, if carried out, would be applied to every single article that is used in the construction of an iron steamer, the most important being the iron or steel plates, which are now made in or near the city of Wilmington. Would the Senator take the duty off those steel plates or iron plates?

Mr. GRAY. You have taken it off in the Senate substitute. It is proposed to take it off. I am not taking it off. That is, it is not necessary for me to propose any amendment to take it off; the Senate substitute as it is does that.

Mr. CHACE. I am applying this principle to the general business of this country. Can the Senator give me any reason why the ship-building industry of this country should be selected for special benefit?

Mr. GRAY. Let me answer that one question by referring the Senator to the Finance Committee of the Senate, in the first place, as to why the ship-building industry of this country deserves any special protection or should be selected out of the great industries of this country for any special favor. In 1872, in 1883, and by the proposed Senate substitute, this policy is distinctly indorsed, and I am not here to antagonize the Finance Committee on that general policy. I am seeking to align myself now with my protectionist brethren and see if we as American citizens can not find some common ground upon which we can exempt one industry from the burden that these tariff laws have placed upon it and which crush it out of existence.

Mr. CHACE. Is the Senator willing to commit himself to saying that he would stop with that one industry?

Mr. GRAY. I do not think that I have either the influence or the power that need affright the Senator from Rhode Island in reference to his favorite protection notions. I wish I had more than I have. I do not want to stipulate with him. I have some general notions that are very different from his, but I do not see why he should differ from me in this particular matter that we are now discussing. I believe that the general policy of excepting American ship-building from the operation of the tariff law, so far as regards the building of ships to be used in foreign commerce is concerned, is one that is not antagonized on either side of this Chamber.

Mr. ALDRICH. It seems to me that the Senator from Delaware must distinguish between a proposition which allows a crank-pin, for instance, to be brought here to be used in the repair of a vessel engaged exclusively in foreign trade, and bringing completed engines and boilers in free of duty to be used in vessels which may be engaged in the domestic carrying trade of the United States. The proposition is as essentially different as that properly embodied, as I think, by the committee in this bill and a proposition for free ships. There is only a slight distinction between bringing completed engines and boilers and all the other parts of a ship over here to be assembled perhaps in the ship-yards of Wilmington, and bringing in the free ships themselves.

The purpose of the committee is, if possible, to secure the employment of American labor and American enterprise and American industry in the building of ships from the raw materials, which we propose to allow to be admitted free of duty. So far as it applies to ships built for foreign account, the same principle runs through the bill absolutely, because we allow a rebate or a drawback upon the total amount of duties paid upon all imported materials where they are afterwards exported. So far as ships built for foreign account are concerned there is no distinction in the bill between ship-building and anything else, but so far as ships built for the Atlantic and Pacific trade which may be used——

Mr. GRAY. If I may interrupt the Senator, it is not under section 2510 that that provision is made.

Mr. ALDRICH. It is under another provision in the bill.

Mr. GRAY. It is under the export provision.

Mr. ALDRICH. It accomplishes the same purpose.

Mr. GRAY. I understand that.

Mr. ALDRICH. I want to call the attention of the Senator, so far as I can, to the distinction which it seems to me must be made between bringing in free completed articles like engines and boilers, and the bars and bolts and plates which may be brought here for the purpose of encouraging American industry. One would result in the destruction of American industry, and the other, so far as it had any effect, would result in its encouragement.

Mr. GRAY. Let us see how plain a tale, with deference to the expert knowledge of the Senator from Rhode Island, would throw out these claims of his on behalf of American industries. First, let me say that while I feel myself bound where I can properly, consistent with my notions of duty, defend the ship-building interests of my own State, I am by no means speaking of an interest that is confined to my own State. Happily the iron-ship-building industry, if it can only be properly encouraged by removing the burdens, is likely to grow and increase in a great many parts of this country. The iron-ship building of the Cramps, of Philadelphia, and the Roach works at Chester, Pa, are very important works indeed, and are doing a great deal in preserving the art of ship-building in this country, which was at one time in great danger of absolute extinction. But does not the Senator from Rhode Island see the result to be accomplished? I should be very glad if he would agree with me in this matter; and even with his extreme notions about the tariff I do not for the life of me see why he should not agree in the propositions which underlie the action which I propose that the Senate shall take.

Why is it that an American ship-builder may build for foreign account an iron ship and receive a rebate of all the duty upon the materials entering into its construction, and put into the hands of an Englishman or Frenchman this product of American skill to fly the English flag or the French flag in all ports of the world, and yet that he should be forbidden by the discrimination made in this section to put that same vessel, so constructed by him, in the hands of an American owner over which the American flag is to fly, in order that an American captain and an American crew may carry that flag to all ports of the world and compete for the world's commerce?

When an American vessel engages in foreign commerce, she competes with all the ships of the world, and she can not be protected, she has no protected market for freights as our coastwise vessels have——

Mr. ALDRICH. I think the Senator from Delaware will admit that that discrimination holds all through our revenue legislation, and necessarily so as long as we have protective legislation.

Mr. GRAY. If we can we should relieve at any point an industry that suffers from this protective legislation. Here is one that manifestly does. It is conceded on all hands that your protection has so shut in and closed the avenues of profitable enterprise that this great enterprise, to wit, the iron-ship-building industry for foreign account and to engage in foreign commerce, is absolutely extinct in this country. Why should we not all join hands, whether we be high protectionists or those who do not believe in the protective theory as advocated on that side, in order that we may uplift this American enterprise and again put upon its feet American ship-building in a condition to compete with rival industries in foreign countries? It does not seem to me that it is wise statesmanship to omit an opportunity to do this. We need not antagonize each other upon the theories of protection and tariff reform in order to do this. We see that the protective tariff, which is advocated on the ground that it is useful to all the industries of this country, that it promotes the prosperity of all the people of this country, in this one instance is crowding down and pressing out of existence an industry as important as any in this country. Why should not we, if we can, lift the bars at one point without assailing the protective tariff at any other, and give a chance for this industry to get upon its feet; not only that it may encourage that much of American labor engaged in the construction of the hulls and machinery of ships, but to send our flag all over the world and encourage the ownership of Amer-

ican vessels engaged in foreign trade, and make a new avenue for American capital and American enterprise not now possessed by us?

There are no ships to be used in the foreign trade built now in American ship-yards. How then can it hurt any industry if we allow those articles to come in free of duty which would not be made here under present conditions, and which would not cause a blow to be struck by an American workman if this provision was not made, for I take it to be conceded that vessels can not now be built in American ship-yards to engage in the foreign commerce of the world?

There are no industries such as those that provide plates and angle-bars, machinery, propeller wheels, and iron or steel castings, which are now rendered possible as an adjunct to that branch of ship-building. There is no iron or steel forging now made anywhere in the United States for a vessel to be engaged in the foreign trade, because no such vessel can be built in this country. Therefore, if we allow American ship-builders by this concession in our tariff laws to build a vessel for the foreign trade we have not hurt any American industry, but we have greatly helped a most important one. That seems to me to be plain. We are making no assault upon any industry. We are seeking to take the profit from no capitalist, to diminish the labor of no workman, but only to add to the sum of American industries this industry of constructing ships to engage in foreign commerce.

Mr. CHACE. Would or would not the Senator from Delaware go a step further and admit foreign-built ships free?

Mr. GRAY. It seems that my friend from Rhode Island is somewhat embarrassed by the poor arguments that I have been attempting to make, when he seeks to lead me off by so irrelevant a question as that.

Mr. CHACE. Not at all.

Mr. GRAY. We are not debating any such matter as the admission of foreign ships. We are simply considering the construction of American ships in American ship-yards by American capital and by American workingmen, to engage in the foreign commerce of the world, as they can not be built here now, and all that labor and all that capital has absolutely no employment so far as that is concerned. So the question of admitting foreign-built ships is entirely apart from the line of my thought or the line of anything which I believe that I have said. We will not want to admit foreign-built ships if we can succeed in establishing on a profitable basis the building of American ships for foreign account or to engage in foreign commerce. Does not that seem to be plain to the Senator from Rhode Island?

Mr. CHACE. As I understand the amendment offered by the Senator from Delaware, he proposes to admit engines and boilers free.

Mr. GRAY. Why not?

Mr. CHACE. If you admit the engines and boilers free, why should you not admit the whole ship free? I should like to know why the same reason that applies to admitting the engines and boilers free does not apply to admitting the hull.

Mr. GRAY. I have great respect for the intelligence of the Senator from Rhode Island, but much protection learning hath certainly made him mad when he attempts to meet the argument such as I have been attempting to make by asking me why the whole ship could not come in free when I merely asked that the component parts of the ship shall be admitted free.

Mr. CHACE. The whole ship may just as well be admitted free as the engines and boilers.

Mr. GRAY. I ask that the component parts shall be put together by American workmen in American yards in such fashion and such guise that they may compete with English builders in the same enterprise. That is all there is about it.

Mr. FRYE. Mr. President——

Mr. GRAY. In one moment I will yield to the Senator from Maine. I want the Senator from Rhode Island to understand that I am contending for nothing that would interfere to the extent of one dime with any existing industry in this country, not even with the builder of a marine engine, because this amendment looks to the admission of machinery and parts of machinery to go into the construction of a vessel that is to be used in foreign commerce exclusively, and no such vessel is built in American ship-yards for that purpose at the present time, and therefore no builder of machinery in this country can possibly be injured by seeing this ship-building industry thus aided or encouraged.

Mr. STEWART. Will the Senator from Delaware allow me to ask him a question?

The PRESIDENT *pro tempore*. Does the Senator from Delaware yield to the Senator from Nevada?

Mr. GRAY. I have yielded to the Senator from Maine.

Mr. FRYE. All right. Let the Senator from Nevada proceed.

Mr. STEWART. I should like to inquire if, in the opinion of the Senator from Delaware, it would be possible for American-built ships under existing laws to engage in foreign commerce in competition with foreign ships, subsidized as they are, if all the material to build them were admitted free?

Mr. GRAY. That question is somewhat irrelevant, too, because if the experiment should not result in floating the flag of the United States over a single American-built ship in foreign waters, we should be none the worse off by making the attempt. But it is believed by those who are familiar with this subject that it is an experiment worth making, because there is a high probability of success in that experiment, and if it should succeed then we have helped an American industry in that most important direction, and have enabled American enterprise, American capital, and American workmen to find out for themselves new avenues of employment.

So far as the subsidy of foreign steam-ships is concerned I do not know and can not say now whether an American-built ship can compete in foreign waters with a foreign subsidized line. That is another question. But we know that this whole matter of the subsidizing of competing lines has been very much misunderstood and very much misrepresented by those who have debated that question. There is a subsidy in England, so called, not in the sense in which we use the word, by any means, but a substantial subsidy in the shape of mail contracts with the lines of English steamers, and in no other shape whatever is there any such thing, as I am informed, given to any foreign line that can possibly compete with an American-built line.

Mr. CHACE. I wish the Senator would allow me to interrupt him right there, because there is a direct issue. The Senator says there is no such thing as a subsidy by the British Government. The facts are that the ship-owners of Liverpool were asked by the British Government to establish a line to South America, and they were offered a subsidy. The company declined it as insufficient. The government then advanced that subsidy. The company again declined it, and then the government offered to guaranty them 6 per cent. on their investment over and above the expenses of running the line. If the Senator can name anything that is more absolutely a subsidy than that, I should like to know what it is.

I wish to call the attention of the Senator also to the fact that that very line was the one which ran off the line of steamers established by John Roach in this country, whose industry was destroyed by the action of the present Administration, who was running his line under a small subvention from the Brazilian Government, which was withdrawn from it and resulted in the destruction of the line.

Mr. GRAY. I very much rejoice that the Government of the United States has never imposed a burden on the toiling masses of this country in order to guaranty the bonds of any set of capitalists or insure to them 6 per cent. interest on their investment over and above their expenses. I am very happy that no such heresy has ever obtained a foothold in the economic legislation of this country. I venture to say that the statement made by the Senator from Rhode Island, if it is examined, will be found to be very much exaggerated, but whether it be or not, it is an exceptional instance. I will call his attention to the fact that the policy of subsidizing steam-ship lines, commenced in France some years ago, has been abandoned by the French people because it brought disaster and not prosperity.

Mr. FRYE. When?

Mr. CHACE. Will the Senator inform us when?

Mr. GRAY. Within the last year or two.

Mr. CHACE. It is in force to-day.

Mr. GRAY. I will undertake to establish the truth of what I say. I did not expect to come here to debate the subsidy question to-day; it is entirely irrelevant to what I have been talking about. I hoped that the gentlemen who advocate high protection would be willing in their bounty and grace to unite with one so heretical as I am, even, in trying to upbuild an industry as important as any that exists in this country.

I do not see what the question of subsidizing foreign lines has to do with this question. If we can not build lines that will compete with English or French or German lines, no harm comes to a single citizen of the United States; we should be just where we are now; but if perchance we should succeed, then great benefit, prosperity, and happiness would come to thousands of American citizens.

Mr. FRYE. Mr. President——

The PRESIDENT *pro tempore*. The Senator from Maine appeals to the Senator from Delaware. Does the Senator from Delaware yield?

Mr. GRAY. Certainly.

Mr. FRYE. I desire to ask a question of the Senator. I am not going to discuss subsidies to-day, because my judgment is that in the next Congress we shall have a very magnificent opportunity to discuss a bill which will grant subsidies to ships engaged in foreign trade.

Mr. GRAY. I have no doubt of it; the more the pity.

Mr. FRYE. I am not going to bother with that now; but I am desirous of reaching the same end the Senator from Delaware is, because my interests are precisely the same. Will the Senator kindly inform me whether his amendment came from the Wilmington ship-builders?

Mr. GRAY. It did.

Mr. FRYE. Will he be kind enough to inform me whether they understood when they gave him this amendment that there was a provision in this bill which enabled them to build ships on foreign account and recover back the whole amount of the duties paid?

Mr. GRAY. They did.

Mr. FRYE. They understood that?

Mr. GRAY. They understood that. When I say the amendment came from them I mean that I offered it after consultation with those who are familiar with the subject.

Mr. FRYE. The Bath Board of Trade (Bath being our greatest ship-building center in New England at least) sent me a resolution which they passed after a very careful consideration of this whole subject, and it named, I think, only four additions which should be made to the bill as reported from the Committee on Finance as desirable to them and their business. I gave it to the Senator from Rhode Island [Mr. ALDRICH], and have not been able to find it to-day.

Mr. GRAY. I should be glad to hear it if the Senator will read it.

Mr. FRYE. I have not been able to find it to-day.

Mr. GRAY. I thought the Senator had it in his hand.

Mr. FRYE. No; I have the Senator's own amendment in my hand. That proposition did not include machinery and parts of machines; I am certain of that. My impression is that its technical language would include everything else which the Senator has in his amendment, but not machinery and parts of machines. I shall join the Senator in asking for an amendment which in my judgment would cover everything except those two items. I should hardly join in asking that they should be included, from the fact that I think when it comes to the manufacture of machinery the interests of this country are so deeply involved in that particular industry that it would be better in every respect to have the engines and the boilers made here. I doubt if, under the Senator's amendment, they would often buy any engines and boilers from a foreign country and expose themselves to the enormous charge for freight and to the great difficulties about sending plans and specifications and having the whole thing completed at one time.

Mr. DAWES. And repairs.

Mr. FRYE. Repairs and everything. The Senator from Delaware will notice this. The question was asked whether it would be better to admit everything; whether it would not be as well to admit a ship free to American registry. I do not believe that the American ship-builders would derive so great a benefit from the admission of everything that goes into the building of an iron ship free of duty as some people imagine. Suppose the Senator was building to-day an iron ship, say, of 4,000 tons. He goes on and makes his plans and specifications for the 4,000-ton iron ship. If he were to purchase the articles to go into that ship from abroad, he would be compelled to make all the plans and all the specifications now for every part of the ship. Every plate would have to be described, every bar, every angle. Everything connected with that ship he would have to determine now for a 4,000-ton ship, and then send all those figures and plans and specifications abroad. The builder abroad would take them and send over here a ship ready to be put together. On a 4,000-ton iron or steel ship landed at Wilmington, certainly landed down in the State of Maine at one of our shipyards, the freight alone would be $25,000. The Secretary of the Navy found that there was only 10 per cent. difference, in his judgment, between the cost of building an iron naval ship in the United States and building one on the Clyde.

Again, our ship-builders have learned that the iron used for plating ships in the United States is a great deal better than the iron used for plating ships on the Clyde.

Mr. GRAY. That is true.

Mr. FRYE. I was talking with a Scotch engineer a short time ago, who has been spending some months on the Clyde. He is connected with one of the yards, I think, in Delaware. He told me that he was standing in the yard on the Clyde one day, and he saw a plate which they were hoisting to its place fall only 9 feet, and that plate broke all in pieces. It is entirely clear if they put plates of that kind into iron ships they are simply building iron coffins. It would be wrong entirely to put them in.

I do not believe, if the Senator could have a provision put into the bill that everything which enters into the building of an iron ship should be admitted free of duty to the United States, the American iron-ship builders would in any instance order a large ship or everything needed for a large ship from abroad.

Mr. GRAY. I quite agree with the Senator from Maine, that if the amendment were adopted as I have proposed it, or if the general language used in section 2511 in regard to the repairs of a ship were used, in regard to the construction of a ship, admitting everything that entered into the construction of a ship, no American ship-builder would find it to his advantage to, nor could he profitably, import all the parts of an iron ship. But in order to make any provision of this kind available you can not stop short of language as universal as this, because at one time a ship-builder may want deck-beams; another ship-builder, or the same ship-builder at another time, may want a steel forging or an iron forging, or at another time for another ship he may want only to import a propeller-wheel without paying a tax of $1,200 or $1,500 on it.

So it would be impossible to make this a useful law, unless we either enumerate almost every possible structural shape that will go into a vessel, or use some universal language, such as is used in section 2511, and say that all materials or machinery entering into the construction of a ship as well as for repairs shall come in free of duty. It is not that I suppose, any more than the Senator from Maine supposes, that it would be possible to send an order over to England, for instance, for all the plates and all the deck and bulb beams and all the stem and stern posts, forgings, and propeller-wheels, and steering apparatus, and machinery, and have them all shipped free merely to be put together in an American ship-yard. That would be utterly impossible; but at some point and at some time in the construction of a ship there is an element necessary to its successful building that should come in free if we are to put our people who may engage in this industry on an equal footing with their foreign rivals.

I can not estimate just what the effect of this law will be. It is possible, although I do not think it probable, that it may not be sufficient to raise up this fallen and extinct industry and put it upon its feet again; but I do think that the chances are very great that it may.

As to the building of ships on foreign account, to which the Senator from Maine has just alluded and asked me if these people were familiar with, I will say that I was familiar with it and they were familiar with it, but it is quite idle to suppose that an American ship-builder can successfully build ships on this side of the Atlantic to be owned by Englishmen, or Frenchmen, or Germans abroad. They will not come here to order a vessel, and they still have advantages which would make it quite impossible for us to compete with English ship-builders for the custom of the English people and English corporations and English capitalists. What we want here is to make possible the building of American ships for American owners to fly the American flag, not the British flag, and that is all that this amendment aims at.

Mr. FRYE. Has not the Senator's own State furnished a very large number of vessels for the South American and Central American trade?

Mr. GRAY. Yes, for the South American trade.

Mr. FRYE. More than England?

Mr. GRAY. We are building more than England.

Mr. FRYE. That is true. We have surpassed them in that regard.

Mr. GRAY. I was using the illustration the Senator from Maine used of building a ship for English account, on European account.

I do not wish to prolong this debate. I have said more than I expected to say. I did not get up to antagonize anybody on these protection theories. They know how I differ from them in that regard. There are, however, matters of practical legislation, in which as American Senators we might unite without antagonizing theories on either side, and I therefore offer this amendment because it seems quite consistent with the objects of the bill as they appear on its face, antagonizes no American industry, and will, in all human probability, very materially aid a great enterprise in this country.

Mr. FRYE. Is the Senator willing that this should go over for the present? I want to find the amendment which was sent to me by the Ship-builders' Association.

Mr. STEWART. Before it goes over I should like to make a few remarks.

Mr. FRYE. I should like to have the vote on the amendment postponed.

Mr. GRAY. I have no objection to its postponement. I understand the Senator from Maine is friendly to the main object I have in view.

Mr. FRYE. I have exactly the same desire the Senator has.

Mr. STEWART. Mr. President, as I intend to vote against this amendment, I wish to briefly state the reasons why.

There are but two ways to revive our foreign carrying trade—only two ways: One is the original way, adopted in 1789, to give a differential duty on imports which are brought in American bottoms, and the other is by means of subsidies.

Mr. COCKRELL. Would the Senator prefer finishing his remarks on Monday?

Mr. STEWART. No; my remarks will be very short and to the point, I hope.

In the first session of the first Congress of the United States after the adoption of the Constitution an act was passed discriminating in the imposition of duties on imports in favor of goods imported in American vessels. The duty was 10 per cent. less on goods when so imported than when imported in foreign ships. This revived and immensely increased our carrying trade. We at that time were able to construct wooden ships cheaper than they could be built in England, and consequently it was but a few years before we became a formidable rival of England in the carrying trade.

In 1815 the United States made a treaty with Great Britain whereby it was agreed that each country should have free access to the ports of the other without any discriminating charges whatever either in tonnage charges or in duties. This act of the First Congress was repealed from time to time in favor of various countries by fifty different acts, the last repeal, relating to Spain, being made in 1846. Our carrying trade increased as compared with that of England until 1840, when ocean steam-ships were brought into use. At that time we had nearly one-half of the carrying trade of the world. In fact, we divided the carrying trade with Great Britain. Immediately upon the general use of steam-ships to traverse the ocean the Cunard Line, in 1840, received a subsidy of $291,960 per year from Great Britain for a monthly line of steamers between Liverpool, Halifax, and Boston, which was increased

in 1849 to $437,940. The United States soon after subsidized the Collins line. England immediately granted a subsidy to the Cunard Line of $705,570 between Liverpool and New York. On June 14, 1858, an act was passed by Congress forbidding the Postmaster-General from making a contract for carrying ocean mails for more than two years, or to involve a higher rate of expense than the amount collected on the sea and land postage. This destroyed the Collins Line and the Havre and Bremen American lines.

Mr. Cobden, at the head of a parliamentary commission, examined this matter and took testimony, and some of the questions asked on that occasion are very significant. He asked a witness:

You are aware that it [the Collins Line] ceased because the American Government withdrew the subsidy?

Mr. Wilson, another member of the commission, asked:

Mr. Cunard's contract is £191,000, is it not?

A. Yes; £191,400.

Q. Three hundred and twenty thousand pounds is the amount which is now paid by this country and the colony for the trans-Atlantic postage, including the Galway Line?

A. Yes.

Q. And in the face of these increasing subsidies the American Government has altogether relinquished the practice of subsidizing their vessels, and their vessels, of course, have been driven off the passage?

Then about 1850 the American commerce was again embarrassed by the construction by England of iron ships. We were not prepared to compete with England in the construction of such ships. That further embarrassed us in the trade in addition to the subsidies which gave them the advantage. During the rebellion they drove our wooden ships entirely from the sea. England then reduced her subsidies somewhat, but we made an effort after that, in 1869, 1870, 1871, and along there, to subsidize several lines, and England then increased her subsidies materially.

I have a table showing that England increased her subsidies at all times when we subsidized a line and reduced them when our lines were broken down. She increased her subsidies to put on rival lines and drive our lines from the ocean. This table is an interesting one, and I will incorporate it in my remarks. Any one can see from it how Great Britain has increased and diminished her subsidies with a view of competing with and destroying our lines, and after driving off our lines the subsidies fell from over $6,000,000 down to about three and a half millions.

The Germans and French have also put on lines and are now subsidizing lines to this country, and England has again increased her subsidies until they have got up to nearly $4,000,000 per annum, and that has been her policy all along.

Mr. ALLISON. From what is the Senator reading?

Mr. STEWART. I have here a speech made heretofore by me. I am not reading the speech, but referring to statistics contained in it. These memoranda and statistics are authentic, and I will publish the table, which shows the annual subsidies paid to steam-ships by Great Britain from 1848 to 1882, both inclusive. It is as follows:

Year.	Bounty or subsidy paid British ships by British Government.	Year.	Bounty or subsidy paid British ships by British Government.
1848	$3,250,000	1866	$4,227,018
1849	3,180,000	1867	4,079,996
1850	5,313,985	1868	4,047,586
1851	5,330,000	1869	5,481,690
1852	5,510,635	1870	6,107,761
1853	5,865,400	1871	6,070,741
1854	5,950,559	1872	5,693,500
1855	5,741,633	1873	5,665,296
1856	5,713,560	1874	5,697,346
1857	5,133,485	1875	4,860,000
1858	4,679,415	1876	4,420,271
1859	4,740,190	1877	3,976,580
1860	4,349,760	1878	3,914,990
1861	4,703,285	1879	3,768,230
1862	4,105,353	1880	3,873,130
1863	4,188,275	1881	3,601,350
1864	4,503,050	1882	3,538,835
1865	3,981,995		

It will be seen, therefore, that England has watched us attentively, and every effort we have made to encourage the carrying trade she has met with a subsidy that has driven our vessels off the seas.

Mr. HOAR. I should like to ask the Senator a question, as he is familiar with the subject. What is the Senator's opinion as to the net income on the capital invested in the English carrying trade?

Mr. STEWART. I have an estimate here of that. By means of these subsidies England has increased her shipping to 5,500,000 tons, valued at one thousand millions of dollars, employing 240,000 men in the construction and repair of ships, and 220,000 more in sailing them, and added to her national earnings $350,000,000 a year, while the United States has been driven entirely out of this trade by the subsidized lines of Great Britain.

If the ships were given to us, if we could bring in free ships, we could not run them against these subsidized lines. It is impossible, and this table shows that any attempt on our part to do so will be met by an increased subsidy on the part of Great Britain that will destroy the enterprise.

As to bringing in parts of ships, engines or materials with which to build them, that is all futile. It is merely holding out a vain promise to the people. It will accomplish nothing.

My remedy for this condition of things is either to go back to the original policy of differential duties on goods imported in American bottoms or to adopt some system of subsidizing our own ships. I think that the subsidizing of ships is a violation of the original treaty of 1815 with Great Britain. The treaty did not contemplate an undue advantage to be taken in any way. We took off the 10 per cent. discrimination in favor of American bottoms for the consideration that we should have the same privileges in British ports that we granted in ours, and that we should have fair competition.

It makes very little difference, none indeed in the result, whether we collect the revenue and pay it into the Treasury and pay it out in the way of subsidies, or whether we make a discrimination as to duties on goods carried in American bottoms. It is all the same thing and produces the same result. I would either do one or the other. I would notify the world that we would discriminate in favor of our own ships, as was done by the First Congress, or I would adopt the subsidy system and meet England in that competition. If neither of these can be done, there is no use of talking about our foreign carrying trade, because it can not be maintained and it is idle and useless to attempt it.

As to the prices paid to sailors, as the Senator from Colorado [Mr. TELLER] suggests to me, they might be equalized. We can arrange so as to equalize them. That is not the real difficulty. It is not the prices paid to sailors, but it is the advantage of a subsidy that gives the English lines a profit against which private enterprise can not compete.

This table shows how accurately and how carefully England has observed the movements of other nations in increasing her subsidies and in reducing them when she has driven off competition. I suppose if a subsidy were granted to our ships she would attempt to run them off. We have got to compete with Great Britain in subsidies or we have got to legislate discriminating in favor of our own ships, and if we do that our people will build ships, our mechanics will find the materials. They will build ships if they can be profitably run, but there is no use in breaking down our tariff.

Mr. HOAR. The question I asked the Senator was, what is the profit on the capital invested?

Mr. STEWART. I have given the aggregate amount of the business. I have not the data as to the net profit of the English carrying trade. The percentage of profit is not large on the capital invested in the business, but it is large in its results to England in promoting her power.

Mr. HOAR. I have seen it stated repeatedly by persons apparently conversant with the subject—I do not know how the facts are—that the profits for the last five years upon the capital invested in England in the carrying trade would not average more than 2 per cent.; in other words, that it would not attract our capital in so perilous an investment.

Mr. STEWART. I think that may be true. Heretofore our capital has been attracted to that industry and remained in it so long as competition was possible. In the rivalry between Great Britain and the United States for the carrying trade previous to the introduction of steam-ships the competition was very severe, and at that time probably the profits were not large, but still it employed a large number of American seamen, it employed a large number of American citizens and laborers in the construction of ships, and it very much benefited American commerce, and on the whole it was a great industry. But we can not ask men to engage in this industry against four or five or six million dollars of bounties which England affords with all her advantages.

Mr. TELLER. If the Senator will yield to me a moment, I should like to put in a statement as to the value of the carrying trade of the world, which I find in an English work on "England's Supremacy," which states that the entire carrying trade of the world—this was written in 1885—was £133,000,000 sterling, of which Great Britain took £73,000,000.

Mr. HOAR. What does the Senator mean by that?

Mr. TELLER. It means the income of the whole carrying trade of the world, of which England takes £73,000,000.

I find in the same statement that every time that the English shipowner pays to the English seamen £39 the American ship-owner pays £95.

Mr. STEWART. That will not differ materially from the estimate I have, which was taken from an English report, of $350,000,000 a year as the gross earnings of their carrying trade.

Mr. TELLER. I would say that this £133,000,000 is intended to cover all the carrying trade, showing that Great Britain has more than half of it. If the Senator will allow me, I will say that since 1860, of the

increase of the carrying material, that is, the ships of the world, Great Britain has constructed and owns 60 per cent.; she has 60 per cent. of the tonnage of all of the ships that have been built in the world during the last twenty-eight years.

Mr. STEWART. All I desire to say is that I shall vote and continue to vote against any little schemes that are not going to accomplish the purpose. Whenever the American people make up their minds that they want this carrying trade, it is very easy for Congress to give it to them. It can be obtained if Congress will give American ships sufficient discrimination by differential duties. We can recover it by making differential duties on goods imported in American bottoms or by granting subsidies. Then we can engage in the foreign carrying trade, but on no other conditions. If ships are brought in free or even if they are given to us, we can not do it under existing conditions.

Mr. COCKRELL. I move that the Senate proceed to the consideration of executive business.

Mr. ALLISON. Before the Senator makes that motion, I wish to say that I promised his colleague [Mr. VEST], whom I do not see in his seat just at this moment, that he might have an opportunity to put in some amendments which he desired to offer this afternoon.

Mr. COCKRELL. He will be here in a moment.

The PRESIDENT *pro tempore*. The Senator from Missouri [Mr. COCKRELL] moves that the Senate proceed to the consideration of executive business.

Mr. ALLISON. The Senator from Missouri [Mr. VEST] is now here, and I understand he desires to offer some amendments.

Mr. VEST. At the request of some Senators who wish to leave, if it is as convenient I will not offer them until Monday.

Mr. ALLISON. Very well.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 1931) to increase the appropriation for the purchase of a site for a building for a post-office, court-house, and other offices in San Francisco, Cal.

The message also announced that the House had passed the bill (S. 944) increasing the pension of Mrs. Elizabeth G. Scott.

EXECUTIVE SESSION.

The PRESIDENT *pro tempore*. The question recurs on the motion of the Senator from Missouri [Mr. COCKRELL].

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirteen minutes spent in executive session the doors were reopened, and (at 4 o'clock and 15 minutes p. m.) the Senate adjourned until Monday, January 14, 1889, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate the 12th day of January, 1889.

COLLECTOR OF CUSTOMS.

Charles Baker, of Maine, to be collector of customs for the district of Belfast, in the State of Maine, to succeed Edward Cushing, removed.

ASSISTANT SURGEON IN THE NAVY.

George Brinton Wilson, a resident of Maine, to be an assistant surgeon in the Navy, to fill a vacancy existing in that grade.

PROMOTIONS IN THE ARMY.

Pay Department.

Lieut. Col. William A. Rucker, deputy paymaster-general, to be assistant paymaster-general with the rank of colonel, December 30, 1888, *vice* McClure, retired from active service.

Maj. Charles M. Terrell, paymaster, to be deputy paymaster-general with the rank of lieutenant-colonel, December 30, 1888, *vice* Rucker, promoted.

Second Regiment of Cavalry.

First Lieut. F. Frank U. Robinson, to be captain, December 28, 1888, *vice* O'Brien, deceased.

Second Lieut. Alvarado M. Fuller, to be first lieutenant, December 28, 1888, *vice* Robinson, promoted.

Fourth Regiment of Cavalry.

Capt. Michael Cooney, of the Ninth Cavalry, to be major, December 28, 1888, *vice* Spaulding, deceased.

Ninth Regiment of Cavalry.

First Lieut. Joseph Garrard, regimental adjutant, to be captain, December 10, 1888, *vice* Cooney, promoted to the Fourth Cavalry.

Seventh Regiment of Infantry.

Capt. Daniel W. Benham, to be major, December 16, 1888, *vice* Smith, promoted to the Eighth Infantry.

First Lieut. Daniel Robinson, to be captain, December 16, 1888, *vice* Benham, promoted.

Second Lieut. Lewis D. Greene, to be first lieutenant, December 16, 1888, *vice* Robinson, promoted.

Eighth Regiment of Infantry.

Maj. Alfred T. Smith, of the Seventh Infantry, to be lieutenant-colonel, December 16, 1888, *vice* Bryant, promoted to the Thirteenth Infantry.

Capt. Edgar R. Kellogg, of the Eighteenth Infantry, to be major, December 26, 1888, *vice* Dickey, retired from active service.

Thirteenth Regiment of Infantry.

Lieut. Col. Montgomery Bryant, of the Eighth Infantry, to be colonel, December 16, 1888, *vice* La Motte, deceased.

Eighteenth Regiment of Infantry.

First Lieut. Robert F. Bates, to be captain, December 25, 1888, *vice* Kellogg, promoted to the Eighth Infantry.

Second Lieut. Charles B. Hardin, to be first lieutenant, December 26, 1888, *vice* Bates, promoted.

In accordance with an act of Congress approved December 24, 1888, I nominate the person herein named for appointment in the Army of the United States, with a view to his name being placed on the retired-list of the Army:

Andrew J. Smith, late colonel of the Seventh Cavalry, to be colonel of cavalry in the Army, January 5, 1889.

Second Lieut. Charles G. Lyman, of the Fifth Infantry, to be second lieutenant in the Second Cavalry, January 7, 1889, with rank in the cavalry arm of the service from December 29, 1888, *vice* Fuller, nominated for promotion.

UNITED STATES MARSHAL.

George Moorman, of Louisiana, to be marshal of the United States for the eastern district of Louisiana, *vice* R. B. Pleasants, deceased.

POSTMASTERS.

Lawrence R. Davis, to be postmaster at Athens, in the county of Limestone and State of Alabama, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

John R. Jones, to be postmaster at Hope, in the county of Hempstead and State of Arkansas, in the place of Thomas H. Bayless, deceased.

Samuel W. Beardslee, to be postmaster at Stratford, in the county of Fairfield and State of Connecticut, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

George W. Smith, to be postmaster at Flora, in the county of Clay and State of Illinois, in place of Ashley T. Galbraith, whose commission expired December 20, 1888.

Rebecca Snape, to be postmaster at Petersburgh, in the county of Menard and State of Illinois, in the place of Rebecca Snape, whose commission expired January 6, 1889.

Horace C. Ashton, to be postmaster at Flemingsburgh, in the county of Fleming and State of Kentucky, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Francis M. Mumford, to be postmaster at Bayou Sara, in the parish of West Feliciana and State of Louisiana, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Thomas F. Turner, to be postmaster at Waldoborough, in the county of Lincoln and State of Maine, in the place of Samuel L. Miller, whose commission expires January 7, 1889.

George F. Kelley, to be postmaster at Ironwood, in the county of Gogebec and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 9, 1889.

Daniel E. Soper, to be postmaster at Newaygo, in the county of Newaygo and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Margaret G. Davis, to be postmaster at Biloxi, in the county of Harrison and State of Mississippi, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Francis M. Setzer, to be postmaster at Albany, in the county of Gentry and State of Missouri, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Thomas C. Baker, to be postmaster at Granite, in the county of Deer Lodge and Territory of Montana, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1888.

George W. Peltier, to be postmaster at Tuscarora, in the county of Elko and State of Nevada, the appointment of a postmaster for the said

office having, by law, become vested in the President on and after January 1, 1889.

Benjamin F. Sonnanstine, to be postmaster at Wadsworth, in the county of Medina and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

John J. Carbine, to be postmaster at Olyphant, in the county of Lackawanna and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

J. Herbert Gormley, to be postmaster at Parkesburgh, in the county of Chester and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Harry B. Hastings, to be postmaster at Punxsutawney, in the county of Jefferson and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on after October 1, 1888.

Labanah Townsen, to be postmaster at Apollo, in the county of Armstrong and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

John A. Turley, to be postmaster at Athens, in the county of McMinn and State of Tennessee, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Sylvester S. Munger, to be postmaster at Lampasas, in the county of Lampasas and State of Texas, in the place of Sylvester S. Munger, whose commission expires January 30, 1889.

Mary E. Farish, to be postmaster at Farmersville, in the county of Collin and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

James W. McCabe, to be postmaster at Chilton, in the county of Calumet and State of Wisconsin, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Dennis J. Brannen, to be postmaster at Flagstaff, in the county of Yavapai and Territory of Arizona, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Henry T. Gordon, to be postmaster at Morrillton, in the county of Conway and State of Arkansas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

William B. Lemoyne, to be postmaster at Dardanelle in the county of Yell and State of Arkansas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

William J. Reynolds, to be postmaster at Russellville, in the county of Pope and State of Arkansas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Allen W. Thompson, to be postmaster at Ukiah, in the county of Mendocino and State of California, in the place of Allen W. Thompson, whose commission expired December 22, 1888.

John B. Heilman, to be postmaster at Monte Vista, in the county of Rio Grande and State of Colorado, the appointment of a postmaster for said office having, by law, become vested in the President on and after January 1, 1889.

George L. Baker, to be postmaster at Britton, in the county of Marshall and Territory of Dakota, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Ole Shager, to be postmaster at Parker, in the county of Turner and Territory of Dakota, in the place of John J. Cutter, whose commission expires January 15, 1889.

Charles E. Allen, to be postmaster at Tampa, in the county of Hillsborough and State of Florida, in the place of William N. Conoley, resigned.

Samuel B. Thompson, to be postmaster at Lake City, in the county of Columbia and State of Florida, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Stephen C. Weaver, to be postmaster at Daytona, in the county of Volusia and State of Florida, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Herman Krause, to be postmester at Hailey, in the county of Alturas and Territory of Idaho, in the place of J. Guy Hammer, resigned.

John B. Chesebrough, to be postmaster at Kentland, in the county of Newton and State of Indiana, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Alvin J. Kitt, to be postmaster at Goodland, in the county of Newton and State of Indiana, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Lotta E. Smith, to be postmaster at Union City, in the county of Randolph and State of Indiana, in the place of Jessie F. Ruby, whose commission expired December 20, 1888.

James E. Latchem, to be postmaster at Montezuma, in the county of Powesheik and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Seth Smith, to be postmaster at Manning, in the county of Carroll and State of Iowa, in the place of Emanuel M. Funk, resigned.

Samuel W. Summers, to be postmaster at Clarion, in the county of Wright and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

James A. Totton, to be postmaster at Griswold, in the county of Cass and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Charles L. Burke, to be postmaster at Argentine, in the county of Wyandotte and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Samuel Clark, to be postmaster at Baxter Springs, in the county of Cherokee and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Mrs. Clara L. Nichols, to be postmaster of Fort Leavenworth, in the county of Leavenworth and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Mrs. Edwina Suddath, to be postmaster at Natchitoches, in the parish of Natchitoches and State of Louisiana, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Edgar N. Nash, to be pastmaster at Newton Highlands, in the county of Middlesex and State of Massachusetts, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Henry L. Patrick, to be postmaster at Hopedale, in the county of Worcester and State of Massachusetts, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Franklin H. Raymond, to be postmaster at Athol Centre, in the county of Worcester and State of Massachusetts, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

John F. Robinson, to be postmaster at Vineyard Haven, in the county of Dukes and State of Massachusetts, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Charles H. Stacy, to be postmaster at West Newton, in the county of Middlesex and State of Massachusetts, in the place of Charles H. Stacy, whose commission expires January 30, 1889.

Julia E. Seeley, to be postmaster at Great Barrington, in the county of Berkshire and State of Massachusetts, in the place of Julia E. Seeley, whose commission expires January 27, 1889.

Frank E. Wright, to be postmaster at Lynn, in the county of Essex and State of Massachusetts, in the place of William E. Parker, whose commission expires January 30, 1889.

Mrs. Theresa A. Parker, to be postmaster at Presque Isle, in the county of Aroostook and State of Maine, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Myron B. Brooks, to be postmaster at Nashville, in the county of Barry and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Eugene W. Burkhart, to be postmaster at Fowlerville, in the county of Livingston and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Jeremiah Drennan, to be postmaster at Wyandotte, in the county of Wayne and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Frank G. Rice, to be postmaster at Benton Harbor, in the county of Berrien and State of Michigan, in the place of Hattie B. Riford, whose commission expires January 30, 1889.

Henry S. Wyman, to be postmaster at Morenci, in the county of Lenawee and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Andrew J. Sturgis, to be postmaster at Crystal Springs, in the county

of Copiah and State of Mississippi, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Edward McSorley, to be postmaster at Boulder Valley, in the county of Jefferson and Territory of Montana, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Charles Tayloe, to be postmaster at Great Falls, in the county of Cascade and Territory of Montana, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

John Schreiner, to be postmaster at Wickes, in the county of Jefferson and Territory of Montana, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Patrick Burns, to be postmaster at Raritan, in the county of Somerset and State of New Jersey, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

William Carpenter, to be postmaster at Clinton, in the county of Hunterdon and State of New Jersey, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

William B. French, to be postmaster at Woodstown, in the county of Salem and State of New Jersey, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Samuel P. Harned, to be postmaster at Woodbridge, in the county of Middlesex and State of New Jersey, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Leroy L. Brinkley, to be postmaster at Edenton, in the county of Chowan and State of North Carolina, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

George Baker, to be postmaster at Philmont, in the county of Columbia and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

John J. Byrne, to be postmaster at Flatbush, in the county of Kings and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Sarah A. Granger, to be postmaster at Clifton Springs, in the county of Ontario and State of New York, in the place of Sarah A. Granger, whose commission expires February 7, 1889.

George E. Plitt, to be postmaster at College Point, in the county of Queens and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Alfred F. Wilmott, to be postmaster at Whitestone, in the county of Queens and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

John W. Davis, to be postmaster at New Richmond, in the county of Clermont and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Joseph V. Lawler, to be postmaster at Carrollton, in the county of Carrollton and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Louis L. Lotze, to be postmaster at Girard, in the county of Trumbull and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Azel Pierce, to be postmaster at Camden, in the county of Preble and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Franklin P. Smith, to be postmaster at Plymouth, in the county of Richland and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Roscoe C. North, to be postmaster at Selin's Grove, in the county of Snyder and State of Pennsylvania, in the place of George R. Hendricks, whose commission expires January 26, 1889.

Eva R. Weistling, to be postmaster at Middletown, in the county of Dauphin and State of Pennsylvania, in the place of Eva R. Weistling, whose commission expired January 11, 1888.

C. G. Goodman, to be postmaster at Orange, in the county of Orange and State of Texas, in the place of Henry T. Davis, deceased.

Ransom S. Dudley, to be postmaster at Pulaski City, in the county of Pulaski and State of Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

William H. Fary, to be postmaster at West Point, in the county of King William and State of Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Edward B. Yancey, to be postmaster at South Boston, in the county of Halifax and State of Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1889.

Frederick B. Phelps, to be postmaster at Lancaster, in the county of Grant and State of Wisconsin, in the place of Theodore A. Burr, whose commission expired December 20, 1888.

CONSUL.

Henry W. Beckwith, of Illinois, to be consul of the United States at Bermuda, *vice* Charles M. Allen, deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 4, 1889.

UNITED STATES CONSUL.

Howard Ellis, of Ridgewood, N. J., to be consul of the United States at Rotterdam.

POSTMASTER.

Mrs. M. W. Morrow, to be postmaster at Abilene, in the county of Taylor and State of Texas.

Executive nominations confirmed by the Senate January 12, 1889.

PROMOTIONS IN THE ARMY.

Inspector-General's Department.

Capt. Peter D. Vroom, of the Third Cavalry, to be inspector-general, with the rank of major.

Judge-Advocate-General's Department.

Capt. Edward Hunter, of the First Cavalry, to be judge-advocate, with the rank of major.

Capt. George B. Davis, of the Fifth Cavalry, to be judge-advocate, with the rank of major.

Quartermaster's Department.

First Lieut. Robert Craig, of the Fourth Artillery, to be assistant quartermaster, with the rank of captain.

Second Regiment of Cavalry.

Lieut. Col. David R. Clendenin, of the Third Cavalry, to be colonel.

Third Regiment of Cavalry.

Maj. John J. Upham, of the Fifth Cavalry, to be lieutenant-colonel.
First Lieut. James Allen, to be captain.
Second Lieut. Thomas B. Dugan, to be first lieutenant.

Fifth Regiment of Cavalry.

Capt. Gerald Russell, of the Third Cavalry, to be major.

INDIAN AGENT.

Samuel T. Leavy, of Kentucky, to be agent for the Indians of the Yankton agency in Dakota.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January* 12, 1889.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

STATISTICAL ABSTRACT.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting the eleventh number of the statistical abstract prepared by the Chief of the Bureau of Statistics; which was referred to the Committee on Printing.

OLEOMARGARINE.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting, with a letter from the Commissioner of Internal Revenue, a draught and recommending its passage, of a bill amendatory of the oleomargarine act; which was referred to the Committee on Agriculture, and ordered to be printed.

DEFICIENCY ESTIMATES.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting deficiency estimates of appropriations for the fiscal year 1889 and for prior years; which was referred to the Committee on Appropriations, and ordered to be printed.

SCHOONER E. C. ALLEN.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of

the Navy of an appropriation to pay the owner of the schooner E. C. Allen for injuries sustained by collision with the United States ship Constellation; which was referred to the Committee on Appropriations, and ordered to be printed.

PIERRE ZERIA.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Navy of an appropriation to pay Pierre Zeria for injuries sustained while employed on the United States steamer Quinnebaug; which was referred to the Committee on Appropriations, and ordered to be printed.

DEPOSITS, NEW YORK HARBOR.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of War of an appropriation for the prevention of injurious deposits in the waters of New York Harbor; which was referred to the Committee on Appropriations, and ordered to be printed.

INTERSTATE-COMMERCE COMMISSION.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting the second annual report of the Interstate-Commerce Commission; which was referred to the Committee on Commerce.

PALVAREDO GRANT, NEW MEXICO.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting, with a letter from the Commissioner of the General Land Office, a supplemental report of the surveyor-general for New Mexico, on private land claim No. 131, known as the Palvaredo grant; which was referred to the Committee on Private Land Claims.

DISMISSED CASES, COURT OF CLAIMS.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a list of cases dismissed by the court for want of jurisdiction, under the provisions of the Bowman act; which was referred to the Committee on War Claims.

S. SPRIGGS BELT.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact and opinion of the court in the case of S. Spriggs Belt, administrator, *vs.* The United States; which was referred to the Committee on War Claims, and ordered to be printed.

OVERTON HOTEL COMPANY.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact and opinion of the court in the case of the Overton Hotel Company *vs.* The United States; which was referred to the Committee on War Claims, and ordered to be printed.

JAMES HARVEY DENNIS.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact and opinion of the court in the case of James Harvey Dennis *vs.* The United States; which was referred to the Committee on Claims, and ordered to be printed.

MADISON FEMALE INSTITUTE.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact and opinion of the court in the case of the Madison Female Institute *vs.* The United States; which was referred to the Committee on War Claims, and ordered to be printed.

ALFRED B. CARTER.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact and opinion of the court in the case of Alfred B. Carter *vs.* The United States; which was referred to the Committee on War Claims, and ordered to be printed.

GEORGE M. BARBOUR ET AL.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact in the following cases: George M. Barbour, Cornelius Phezing, Sidney Ballard, Philip Shearer, Christian Esterday, J. J. Bailey, R. D. Frayser, administrator of Fletcher Lane; Ed. Tarry, administrator of May S. Hunt; C. C. Farrar, administrator G. W. Smith; and John D. Cunningham, administrator C. S. Cunningham, *vs.* The United States; which was referred to the Committee on War Claims, and ordered to be printed.

GEORGETOWN BARGE, DOCK, ELEVATOR, AND RAILROAD COMPANY.

The SPEAKER also laid before the House the report of the Georgetown Barge, Dock, Elevator, and Railroad Company, prepared in compliance with the act incorporating said company; which was referred to the Committee on the District of Columbia.

SUPREME COURT DECISIONS FOR UNITED STATES COURTS.

The SPEAKER also laid before the House the bill (H. R. 1860) to amend section 683 of the Revised Statutes of the United States, with Senate amendments.

Mr. LANHAM. I ask unanimous consent that the House concur in the Senate amendments. I desire to state that when I called this bill up for concurrence a few days ago the gentleman from Georgia [Mr. BLOUNT] submitted objection to its consideration. Since that time he has withdrawn that objection, and consents that the bill shall be considered. I ask to have read a letter explanatory of the objection which the gentleman from Georgia urged.

Mr. REED. The gentleman from Georgia has given his consent to the consideration of the bill, but has the gentleman from Iowa [Mr. WEAVER]? [Laughter.]

Mr. LANHAM. That is about to be ascertained.

Mr. REED. We sort of missed something this morning. [Laughter.]

The amendments of the Senate were read at length for information.

Mr. LANHAM. I ask unanimous consent that a brief letter from the Supreme Court Reporter be read.

Mr. DINGLEY. I desire to reserve the right to object until we can have this measure explained.

Mr. LANHAM. I will cheerfully make the explanation.

Mr. BURROWS. The rules, I believe, provide for the disposition which is to be made of Senate amendments, and we had better conform to the rules.

The SPEAKER. The bill, then, will be referred to the Committee on the Judiciary.

Mr. LANHAM. I hope the gentleman will not demand that. I ask unanimous consent that the bill be permitted to remain on the Speaker's table.

Mr. BURROWS. I demand the regular order.

Mr. BLOUNT. I ask the gentleman from Michigan to give me his attention for a moment.

The SPEAKER. The gentleman has objected.

Mr. BLOUNT. I understand he has, but I desire a moment if the Chair will allow me. [Cries of "Regular order!"] This bill simply relates to supplying certain courts with sets of the Supreme Court decisions——

Mr. BURROWS. I understand that perfectly, but we had better proceed under the rule.

Mr. LANHAM. I ask, then, to non-concur in the Senate amendments. Will the gentleman agree to that?

Mr. BURROWS. I demand the regular order.

The SPEAKER. The bill with the Senate amendments will be referred to the Committee on the Judiciary.

MARITIME CANAL COMPANY OF NICARAGUA.

The SPEAKER also laid before the House the bill (S. 1305) to incorporate the Maritime Canal Company of Nicaragua, returned from the Senate with disagreement to the House amendments and asking for a conference on the disagreeing votes of the two Houses.

The request for conference was agreed to.

Mr. DUNHAM. What is the regular order?

The SPEAKER. This is the regular order.

Mr. DUNHAM. Should it not go to a committee?

The SPEAKER. It does not. It is a Senate bill. The House adopted certain amendments which are disagreed to by the Senate, and it has reached that stage at which it is privileged, and a conference has been asked. The Chair will appoint as managers on the part of the House the gentleman from Missouri, Mr. CLARDY, the gentleman from Maryland, Mr. RAYNER, and the gentleman from Pennsylvania, Mr. O'NEILL.

Mr. MAISH. I object. I believe that it ought first go to a committee.

The SPEAKER. It has reached a stage where a gentleman may move to recede from the amendments on the part of the House. The bill is now open to nothing else.

Mr. MAISH. I understand that the Senate has struck out most of these amendments, and must not the bill, when it comes back here, first go to the committee?

The SPEAKER. Oh, no. The Senate has disagreed to the amendments of the House, and the bill has reached that stage where, under the rule, it is privileged. The Senate has asked for a conference.

EUROPEAN GOVERNMENTS AND INTEROCEANIC CANALS.

The SPEAKER also laid before the House joint resolution (S. R. 122) declaring the sense of the Government of the United States in respect of the connection of European governments with interoceanic canals at the Isthmus of Darien and in Central America; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

REPORT OF THE NATIONAL ACADEMY OF SCIENCES.

The SPEAKER also laid before the House Senate concurrent resolution that the report of the National Academy of Sciences for the year 1887, with its appendices, be printed in the usual octavo form, and that 1,000 copies of the report and memoirs be printed for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 1,500

for the use of the Academy of Sciences; which was referred to the Committee on Printing.

FLAGS FOR INAUGURAL CEREMONIES.

The SPEAKER also laid before the House the following Senate resolution:

IN THE SENATE OF THE UNITED STATES, *January* 10, 1889.

Ordered, That the Secretary of the Senate be directed to request the House of Representatives to return to the Senate joint resolution (H. Res. 246) authorizing the Secretary of War to loan to the committee on inaugural ceremonies flags, etc.

The SPEAKER. If there be no objection the Clerk will be directed to return the resolution to the Senate.

There was no objection, and it was so ordered.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WILBER (on request of Mr. MOFFITT), for ten days, on account of important business.

To Mr. LATHAM, for this day, on account of sickness.

To Mr. CARLETON, for this day, on account of sickness in his family.

To Mr. O'NEILL, of Pennsylvania, for three days.

To Mr. WICKHAM (on request of Mr. EZRA B. TAYLOR), on account of sickness.

HOUR OF ADJOURNMENT.

Mr. RANDALL. I submit the following, and ask for its adoption:

Resolved, That the order made on the 11th day of May, 1888, providing that the session of the House shall close each day at 5 o'clock, be, and the same is hereby, rescinded.

Mr. DINGLEY. Is that a report from the Committee on Rules?

The SPEAKER. It is not.

Mr. DUNHAM. Where does it come from?

The SPEAKER. The gentleman from Pennsylvania [Mr. RANDALL] offers it.

Mr. DINGLEY. For what purpose?

The SPEAKER. For adoption. The gentleman asks the immediate consideration of the resolution.

Mr. DUNHAM. I object.

Mr. RANDALL. The objection comes from that side of the House, I notice.

The SPEAKER. It is in order to offer the resolution for reference to the Committee on Rules.

Mr. RANDALL. Then I offer it for reference to the Committee on Rules, and demand the regular order.

Mr. SPRINGER. Will the gentleman yield to me to ask unanimous consent to have a substitute for the Territorial bill printed, in order that it may be ready for the action of the House on Tuesday next, on which day, immediately after the reading of the Journal, I shall call up the South Dakota bill?

Mr. REED. That is, you will if some gentleman does not object?

Mr. SPRINGER. Yes, if some gentleman does not object; but the bill will be the regular order.

The SPEAKER. The gentleman from Pennsylvania [Mr. RANDALL] has demanded the regular order.

Mr. STEELE. Mr. Speaker, I call up Senate bill No. 944, to increase the pension of Mrs. Scott, which is the regular order.

The SPEAKER. Is there objection to the presentation of the substitute for the Territorial bill as proposed by the gentleman from Illinois [Mr. SPRINGER], in order that it may be printed?

Mr. SAWYER. I object.

Mr. BURROWS. Mr. Speaker, how many times must the regular order be called?

The SPEAKER. Only once.

Mr. BURROWS. I demanded it some time ago.

Mr. COX. I beg my friend from Michigan [Mr. BURROWS] to allow this bill to be printed.

Mr. BURROWS. Let us proceed under the rule.

Mr. COX. I think the gentleman from Michigan will withdraw his objection.

The SPEAKER. The gentleman declines to withdraw it.

Mr. SPRINGER. I will state to the House that the bill to which I have referred—— [Cries of "Regular order!"]

The SPEAKER. The regular order is demanded. The gentleman from Indiana [Mr. STEELE] calls up, as a privileged matter, the bill the title of which will be read.

The Clerk read as follows:

A bill (S. 944) increasing the pension of Mrs. Elizabeth G. Scott.

Mr. WEAVER. Mr. Speaker——

The SPEAKER. The gentleman from Indiana [Mr. STEELE] is recognized.

Mr. WEAVER. I merely want to say that I have refrained from making parliamentary motions this morning because I have been waiting for the report from the Committee on Rules of the resolution which has just been offered by the gentleman from Pennsylvania and referred to that committee. That is why I am not making motions now. [Laughter.]

MRS. ELIZABETH G. SCOTT.

The SPEAKER. The gentleman from Indiana [Mr. STEELE] calls up the bill the title of which has just been read, and upon which the previous question has been ordered by the House.

Mr. MATSON. I desire to raise the question of consideration against that bill.

The SPEAKER. The gentleman from Indiana [Mr. MATSON] raises the question of consideration. The question is, Will the House proceed to consider the bill the title of which has just been read?

Mr. SPRINGER. Let the title be again read.

The Clerk again read the title of the bill.

Mr. HOLMAN. I hope the bill will be read.

Mr. TAULBEE. Mr. Speaker, is it in order to ask for the reading of the bill? If it is, I ask that it be read.

The SPEAKER. It is in order. The bill will be read.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the limitations and provisions of the pension laws, the name of Elizabeth Goodale Scott, widow of Robert N. Scott, deceased, late lieutenant-colonel Third United States Artillery, at the rate of $50 per month, in lieu of the amount now received by law.

The SPEAKER. The question is, Will the House now proceed to the consideration of this bill?

The question was taken; and the Speaker declared that the noes seemed to have it.

Mr. STEELE. I ask for a division.

The House divided; and there were—ayes 73, noes 63.

Mr. MATSON. I demand the yeas and nays.

The yeas and nays were ordered, 43 members voting therefor.

The question was taken; and there were—yeas 142, nays 68, not voting 113; as follows:

YEAS—142.

Adams,	Davis,	Laidlaw,	Scull,
Allen, Mass.	Dingley,	Lane,	Seymour,
Allen, Mich.	Dorsey,	Lawler,	Sherman,
Anderson, Iowa	Farquhar,	Lehlbach,	Shively,
Atkinson,	Felton,	Lodge,	Spinola,
Baker, N. Y.	Finley,	Long,	Spooner,
Baker, Ill.	Flood,	Macdonald,	Springer,
Biggs,	Foran,	Maish,	Steele,
Bingham,	Fuller,	Mason,	Stephenson,
Blanchard,	Funston,	McClammy,	Stewart, Vt.
Boothman,	Gallinger,	McComas,	Struble,
Bound,	Gear,	McCormick,	Symes,
Boutelle,	Gest,	McKenna,	Taylor, E. B., Ohio
Bowden,	Gibson,	McKinley,	Taylor, J. D., Ohio
Breckinridge, Ky.	Greenman,	McKinney,	Thomas, Ky.
Brewer,	Grosvenor,	McShane,	Thomas, Wis.
Browne, Ind.	Grout,	Milliken,	Thompson, Cal.
Brown, Ohio	Haugen,	Moffitt,	Tracey,
Bryce,	Hayden,	Morrow,	Townshend,
Buchanan,	Hayes,	Newton,	Vance,
Burrows,	Henderson, Ill.	O'Donnell,	Vandever,
Butterworth,	Hermann,	O'Ferrall,	Wade,
Caruth,	Hiestand,	Osborne,	Warner,
Caswell,	Hires,	Owen,	Weaver,
Catchings,	Holmes,	Patton,	Weber,
Clark,	Hooker,	Payson,	West,
Cogswell,	Hopkins, Ill.	Perkins,	Wheeler,
Conger,	Hopkins, Va.	Peters,	Whiting, Mich.
Cooper,	Hopkins, N. Y.	Phelps,	Wilkinson,
Cox,	Houk,	Post,	Williams,
Crouse,	Hunter,	Randall,	Woodburn,
Cummings,	Jackson,	Rice,	Yardley,
Cutcheon,	Kelley,	Rowell,	Yoder,
Dalzell,	Kennedy,	Russell, Conn.	Yost.
Darlington,	Ketcham,	Rusk,	
Davenport,	La Follette,	Scott,	

NAYS—68.

Abbott,	Dargan,	Landes,	Penington,
Anderson, Miss.	Davidson, Ala.	Lanham,	Perry,
Anderson, Ill.	Davidson, Fla.	Latham,	Richardson,
Bankhead,	Dockery,	Lynch,	Rogers,
Barnes,	Dougherty,	Mansur,	Russell, Mass.
Bland,	Elliott,	Martin,	Sayers,
Blount,	Enloe,	Matson,	Stewart, Tex.
Buckalew,	Glass,	McCreary,	Stewart, Ga.
Burnes,	Grimes,	McMillin,	Stockdale,
Bynum,	Hall,	McRae,	Stone, Ky.
Cheadle,	Hare,	Mills,	Stone, Mo.
Chipman,	Hatch,	Montgomery,	Taulbee,
Cobb,	Holman,	Moore,	Tillman,
Cothran,	Howard,	Morrill,	Turner, Ga.
Cowles,	Johnston, N. C.	Oates,	Walker,
Crain,	Kilgore,	O'Neall, Ind.	Wilson, Minn.
Culberson,	Lagan,	Peel,	Wilson, W. Va.

NOT VOTING—113.

Allen, Miss.	Brumm,	Collins,	Gaines,
Anderson, Kans.	Bunnell,	Compton,	Gay,
Arnold,	Burnett,	Crisp,	Glover,
Bacon,	Butler,	De Lano,	Goff,
Barry,	Campbell, F., N. Y.	Dibble,	Granger,
Bayne,	Campbell, Ohio	Dunham,	Guenther,
Belden,	Campbell, T. J., N. Y.	Dunn,	Harmer,
Bliss,	Candler,	Ermentrout,	Heard,
Bowen,	Cannon,	Fisher,	Hemphill,
Breckinridge, Ark.	Carlton,	Fitch,	Henderson, Iowa
Brower,	Clardy,	Ford,	Henderson, N. C.
Browne, T. H. B., Va.	Clements,	Forney,	Herbert,
Brown, J. R., Va.	Cockran,	French,	Hitt,

Hogg,	McCulloch,	Pugsley,	Tarsney,
Hovey,	Merriman,	Rayner,	Thomas, Ill.
Hudd,	Morgan,	Reed,	Thompson, Ohio
Hutton,	Morse,	Robertson,	Turner, Kans.
Johnston, Ind.	Neal,	Rockwell,	Washington,
Jones,	Nelson,	Romeis,	White, Ind.
Kean,	Nichols,	Rowland,	White, N.Y.
Kerr,	Norwood,	Ryan,	Whiting, Mass.
Laffoon,	Nutting,	Sawyer,	Whitthorne,
Laird,	O'Neill, Pa.	Seney,	Wickham,
Lee,	O'Neill, Mo.	Shaw,	Wilber,
Lind,	Outhwaite,	Simmons,	Wilkins,
Lyman,	Parker,	Smith,	Wise.
Maffett,	Phelan,	Snyder,	
Mahoney,	Pidcock,	Sowden,	
McAdoo,	Plumb,	Stahlnecker,	

So the House determined to proceed with the consideration of the bill.

Mr. RANDALL. I move to dispense with the reading of the names.

Mr. CHEADLE. I object.

The Clerk read the vote.

The SPEAKER. The pairs will now be announced.

The following members were announced as paired until further notice on all political questions:

Mr. CAMPBELL, of Ohio, with Mr. GOFF.

Mr. BRECKINRIDGE, of Arkansas, with Mr. GUENTHER.

Mr. FORD with Mr. THOMAS H. B. BROWNE.

Mr. BURNES with Mr. WHITING, of Massachusetts.

Mr. GRANGER with Mr. ROCKWELL.

Mr. WHITTHORNE with Mr. BUTLER.

Mr. JONES with Mr. O'NEILL, of Pennsylvania.

Mr. MCSHANE with Mr. LAIRD.

Mr. FORNEY with Mr. WILBER.

Mr. CARLTON with Mr. WICKHAM.

Mr. COCKRAN with Mr. HITT.

Mr. SNYDER with Mr. BOWEN.

Mr. WISE with Mr. JOHN R. BROWN.

Mr. NEAL with Mr. ANDERSON, of Kansas.

Mr. SPINOLA with Mr. WHITE, of New York.

The following members were announced as paired on this vote:

Mr. CRISP with Mr. DUNHAM.

Mr. SENEY with Mr. HENDERSON, of Iowa.

Mr. SOWDEN with Mr. DE LANO.

The following members were announced as paired for this day:

Mr. WILKINS with Mr. NUTTING.

Mr. SPINOLA. I am announced as paired with my colleague from Brooklyn [Mr. WHITE], but that pair applies to political questions only, not to a question of this character, because in such a case as this he would vote the same way I have voted.

The result of the vote was announced as above stated.

Mr. MATSON. I desire to know whether any time is fixed as the limit of debate on this bill.

Mr. STEELE. The order allows fifteen minutes on each side.

The SPEAKER. Thirty minutes are allowed for debate—fifteen minutes on each side. The gentleman from Indiana [Mr. STEELE] will be recognized to control the time in support of the bill.

Mr. STEELE. I have no desire to debate the bill if there is no such desire on the other side. I reserve my time.

Mr. MATSON. Mr. Speaker, I have opposed the consideration of this bill, not on account of any personal feeling toward this claimant, for when the bill came from the Committee on Pensions I did not know who she was; but one strong reason with me for opposing the consideration of the bill was because in this way the bill is taken out from among a number of other bills similarly situated on the Calendar, and is allowed a preference over others which I think are, to say the least, equally meritorious. This bill is certainly no more meritorious than eighteen others which are situated just as it has been for a number of months. I will go further, and say that I believe it is the least meritorious of these measures.

As I understand this report, the main reason, the reason so strongly urged by the Committee on Pensions in indorsing this lady's application for an increase of pension, is based upon the services of her husband in a civil capacity as a clerk in the War Department.

Mr. STEELE. My colleague will allow me to correct him. Colonel Scott was a regular Army officer——

Mr. MATSON. I understand that; and I see the report states the fact that he served during the war.

Mr. STEELE. He did serve through the war, and died in the service of the Government.

Mr. MATSON. But the Committee on Pensions of the Senate, and the House Committee on Pensions, indorsing the Senate report, lay great stress on the fact that he rendered distinguished services to the Government in compiling the war records.

Mr. STEELE. As an officer of the Army—lieutenant-colonel of the Third Artillery.

Mr. MATSON. Of course; but those were civil services. I say, Mr. Speaker, that among a number of bills on our Calendar in which an increase of pension is asked for widows on account of the services of their husbands this stands alone, being the only case in which stress is laid on the civil service of the husband. The passage of this measure will constitute a very dangerous precedent for this House; and for that reason, if for no other, I think the bill ought not to pass. While I have no sort of antipathy to this lady, while I know nothing about her, while I did not know until a few moments ago who she is or what have been her relations to other persons—I am quite sure that upon this principle this bill ought not to pass; and it certainly ought not to be accorded the extraordinary privilege of being taken out from among other measures providing for cases where soldiers have rendered distinguished service on the field of battle.

Mr. STEELE. Will my colleague allow me a question?

Mr. MATSON. Certainly.

Mr. STEELE. Do you understand that this widow is now drawing a pension?

Mr. MATSON. I so understand.

Mr. STEELE. How, then, does she get a pension, unless because of the service of her husband, and his death as the result of such service?

Mr. MATSON. I do not question, of course, the proposition that he was an Army officer.

Mr. STEELE. But unless his death was the result of his military service his widow could not have obtained a pension.

Mr. MATSON. I am aware that he was in the Army from 1857, that he died while an officer in the Army, and that his widow is now drawing a pension.

Mr. STEELE. Because he died as the result of his service; otherwise she could not have obtained a pension.

Mr. MATSON. Of course the pension must have been granted because of his service; but this is a proposition to give her a pension above that allowed to the widows of other officers of similar rank——

Mr. STEELE. Because he was wounded in the service—was worn out in the service, and because her father also was worn out in the service, and she is a poor widow with five daughters. That is why the House determined to give her a pension.

Mr. MATSON. The House has not yet determined to give her a pension, though I apprehend from the vote that has been taken on the consideration of the bill that it will do so. I wish, however, to warn the House, in view particularly of the manner in which this bill has been placed before it, and in view also of the report of the Senate committee, that the passage of this measure would furnish a very dangerous precedent for pensioning persons on account of civil service, not on account of military service.

Mr. Speaker, I reserve the remainder of my time.

The SPEAKER. If no other gentlemen desires to address the House, the question is on the passage of the bill.

Mr. STEELE. I will simply ask to have the report read. I want to disabuse the mind of the House of the idea that this woman is receiving a pension on account of the civil service of her husband; for such is not the fact. Her father, General Casey——

Mr. MATSON. I have not stated that this widow is now drawing a pension on account of civil service of her husband. I admit that she is drawing a pension as the widow of an Army officer; but this application to Congress for an increase of her pension is based upon the idea of civil service rendered by her husband in the War Department as compiler of the war records.

Mr. STEELE. The report will show whether that statement is correct or not. Before the report is read I wish to state—I do not know whether the report states the fact—that this lady is the daughter of General Casey who compiled the "Tactics."

Mr. MACDONALD. Was a pension allowed to her by the Pension Department?

Mr. STEELE. Yes, sir.

The report (by Mr. BLISS) was read, as follows:

The committee recommend that the bill pass, and adopt the report of the Senate Committee on Pensions as follows:

The late Robert N. Scott, lieutenant-colonel Third Artillery, entered the service as second lieutenant February 21, 1857. During the war of the rebellion he was transferred to the Adjutant-General's department, rendering service therein and in the field, which was rewarded by two brevets and honorable mention in general orders. After the war he served as aide-de-camp on the staff of General Halleck until 1872; professor of military science and tactics at Faribault, Minn., until 1873; commander of his battery until 1877; and from that date until his death, in 1887, he was engaged in the compilation and publication of the official records of the Union and Confederate armies. Added to these duties he was, during 1877 and afterwards, variously employed in the compilation of Army regulations, as secretary to a Congressional commission on the reorganization of the Army, and as a member of the Army Regulations Board.

The work of compiling and publishing the records of the Union and Confederate armies, on which Colonel Scott was engaged during the last ten years of his life, was probably the most involved and difficult ever imposed upon a military compiler. To cull and arrange out of the confused and sometimes chaotic mass of Union and Confederate reports a full, just, and intelligible history of events, and omitting therefrom the vast body of superfluous or irrelevant material, required industry, patience, and methodic intelligence of the highest order. These qualities Colonel Scott manifestly possessed, for his labors received the highest commendation of his superiors and military critics at home and abroad. He prosecuted the work with a zeal which surpassed enthusiasm, and amounted to an utter absorption of time and faculty, for during all these years it is certified that he never took a holiday, nor spared time for a mid-day lunch; and that when the office was closed he carried papers home with him, and remained engaged on them, as a habit, until after midnight. This continuous labor, without recreation, wore out his strength until, when he was attacked by

a slight cold, he had no vitality to resist it and died. Surgeon O'Reilly, of the Army, who was for years his physician, states:

"I look on his death as being as much caused by his entire devotion to the Government service as though he had been killed in battle."

Services of a quasi extra-official character like these by Colonel Scott, and of equal difficulty and importance, performed through a series of years and with so total a disregard of the limitations of prudence and duty, are not compensated for by mere pay and allowances. Nor, while the country neither exacts nor desires of its agents unreasonable service, can it afford to allow patriotic sacrifice to go unrecognized. It is plain that this officer, in his enthusiastic devotion to duty, the performance of which he felt could neither be shared nor delayed, went down to his grave before his time, depriving the country of superior talents especially trained, and prematurely removing from his family their protection and support. The committee, having just appreciation of Colonel Scott's labors, and believing that excessive devotion to duty is not likely to grow into a habit so common as to become a burdensome precedent, think it reasonable that the pension to his widow should, as asked, be increased to the moderate sum of $50 per month; and they recommend the passage of the bill to that end.

Mr. CHEADLE. I desire to call the attention of every friend of pension legislation on this floor to the fact that the bill now pending is a proposition to increase the rate of pension to the widow of a deceased soldier of the grade of lieutenant-colonel from $30 to $50 per month.

I want to say to my colleagues on this side of the Chamber, from whom much will be expected by the men who saved this Government, during the coming Congress, that there is only one bed-rock of principle upon which we can stand, and stand successfully, and that is to give equal pensions for like disabilities. This pension proposes to trample under foot every principle that is vital to our national life. It proposes to create a favored class of citizenship, and as one member upon this floor, having taken a solemn oath to support the Constitution of the United States, I will not cast my vote for a law which must, if it shall become a law and remain in force, have the effect to trample under foot the very fundamental principle upon which the whole superstructure of this Government of the people is erected, and that is, Mr. Speaker and gentlemen of the House, equality of citizenship before the law.

It is said, Mr. Speaker, that this bill ought to pass because of the faithful services the distinguished soldier rendered to the country. I ask if it is not true that when a boy is sent to the Military Academy at West Point he is sent there to be educated by the people for a special purpose, and that purpose he is required to subserve even to yielding up his life, if necessary, in defense of his country. That is the first duty of a soldier.

Now it is claimed that this man did his duty. I say, gentlemen, that he could have done no less than do his full and complete duty, because he had been educated by the Government for that special purpose, and he had taken a solemn oath that he would perform that service.

Again, gentlemen, I call your attention to one other singular fact, and that is this: That the leader on the Democratic side of the House, the chairman of the Committee on Invalid Pensions, my colleague, Colonel MATSON, of Indiana, as well as the leading member on this side of the House on that same committee, Mr. MORRILL, of Kansas, have voted against the passage of the pending bill. Colonel MATSON, chairman of the Committee on Invalid Pensions of this House, has called attention to the fact that to pass the pending bill would be to set a most dangerous precedent, and I therefore appeal to the deliberate judgment of my colleagues on this side of the House whether they can afford to vote to increase a pension when that pension has already been granted to the full extent of the law, and when there are scores of thousands of the widows of our comrades in the North living in penury and want who are not pensioned at all. I say, sir, we must be just before we attempt to be generous, and I hope this bill will not pass.

Mr. SPINOLA. Mr. Speaker, the bill under consideration proposes what my friend who has just taken his seat has indicated, and that is, to do justice to the survivors of a brave and gallant officer of the Union Army. They do not come here as mere suppliants for aid, but they come here asking that justice may be done to them, upon the same basis and upon the same principle that all others have come who have asked for and received assistance in the same direction. This officer performed all his duties as a brave and gallant Union officer, and no one will question that fact. The mere statement that two-thirds of the members of the Committee on Invalid Pensions are opposed to it is only evidence of the fact that through some prejudice those gentlemen are opposed to the principle involved in this bill and because it does not cover something which they desire to accomplish. Now, sir, I will go as far as any member upon this floor to oppose the creation of a civil pension list. No legislation of that character can ever receive my vote as a member of Congress. But in a case like this, where simple justice is asked in behalf of the survivors of a gallant and faithful officer of the Army, I as one member on this side of the House shall give it my vote.

I trust, therefore, what my friend from Indiana [Mr. CHEADLE] states will be looked at with reference to the point of view from which he speaks. It will be remembered that during this entire Congress he has been incessant in his opposition to a certain class of pension cases, wanting to bring up the private to the same plane with the officer, which the law does not permit. If the law allowed it I would go as far as the gentleman or any other member of the House, but when the law stands in the way I am going to do the best I can under the circumstances, and therefore shall give my vote in favor of those who in my belief, for their gallant and faithful services, are entitled on a fair consideration of their case to the same increase of pension which has been granted in other cases of a similar character. I hope the bill will be passed and this increase of pension will be granted to the heirs of this gallant officer.

Suppose he was educated at the expense of the Government. So were all the great captains of the war. Grant, Sherman, and Sheridan were educated at the expense of the Government, and so, too, were all the officers who now command the Army of the United States educated at the expense of the Government. They have done their duty; and so did Colonel Scott. After he retired from the Army, after he had served——

Mr. STEELE. He did not retire.

Mr. SPINOLA. No, I do not mean that; but after he had served through the entire war he was detailed to other duties. After the close of the late war I know myself of hundreds of brave and gallant officers who went out of the service and entered the ordinary pursuits of civil life. Should that fact debar them from recognition by the Government for services rendered during the war? Why, that should be to their credit, it seems to me, and because Colonel Scott was detailed to other duty that should not be urged against him as a reason why his heirs ought not to receive a common act of justice at our hands.

I hope the bill will pass.

Mr. KERR. Mr. Speaker, I agree with the gentleman from Indiana [Mr. CHEADLE] in regard to this character of legislation. I understand, although the bill now before us does not so state, that the widow of this officer already receives the same pension which the widows of other officers of like grade in the service receive. If this officer suffered any extraordinary disability while in the service there is no evidence before the committee or the House to show it. Whatever his services may have been to the Government since the war they were not different in their character from those performed by a large number of other officers now on the civil list; and, as the chairman of the Committee on Invalid Pensions says, the passage of this bill will be the recognition of a civil service as the foundation for the claim for pensions.

But there is another thing to which I wish to call the attention of the House, and it is that, while it is true this officer did perform valuable services, of a character similar to those done by the civil officers of the Government, he has during the whole of his lifetime received a large remuneration for his services from the Government, or at least he has received quite a considerable pay, and it was his duty to his family out of that pay to have saved something for them. We ought not to provide against a lack of prudence on the part of public officers who fail to make suitable provision for their families from the money received for their public services. The passage of this bill will be an inducement to every civil or military officer of the Government to make no provision out of his current wages for the care of his family after his death, and hence I do not think the bill ought to pass.

Mr. STEELE. Mr. Speaker, I hope the House will give me its attention for a few moments, so that it will understand what is a fact, that this bill sets no precedent, as has been alleged by my colleague from Indiana. There are now the wives of a great many captains and of majors and lieutenant-colonels on the roll drawing pensions at the rate of $50 a month where the services rendered were not so distinguished as in the case of the husband of this lady, nor so distinguished as were the services of her father.

A MEMBER. Who was the father of this lady?

Mr. STEELE. General Casey, who compiled our Tactics. I say that the services of her husband and father were meritorious in a marked degree; and hence, in view of the fact I have already stated as to the widows of other distinguished officers being on the pension-roll at the rate specified, there can be no question of precedent presented here. She was left with five daughters in a condition of destitution, and her husband and her father were worn out in the service.

Talk of precedents! Are we going to allow these people to go to the poor-house or to live on $25 a month because of that cry when a great Congress of the nation is appealed to in their behalf and when we have an overflowing Treasury? Talk of dangerous legislation! Why, there is no more dangerous legislation than that which permits us to come as we did last night and pass bill after bill which the Committee on Invalid Pensions saw proper to report to the House, with only a dozen or two of members.

Mr. MATSON. The gentleman has evidently not read the RECORD of last night's proceedings.

Mr. STEELE. I did not; but I supposed that the usual course was pursued, and that dozens of these bills were passed. Now, I am not opposed to any class of pension legislation. On the contrary, as is well known here, I favor pensions.

Mr. BRECKINRIDGE, of Kentucky. Was not the gentleman here last night?

Mr. STEELE. I was not, nor on the Friday before. I am only sorry

that the Committee on Pensions seem to be so much concerned about precedents, and that instead of passing bills night after night they have not brought forward and reported to this House and called up for consideration at the earliest opportunity some general pension legislation.

But, sir, I have no desire to enter upon the discussion of this bill. It is like many that have gone before it, and this is of an unusually worthy character, in my estimation.

Mr. BROWNE, of Indiana. Mr. Speaker, I think that some gentlemen are laboring under a misapprehension in supposing that in this class of legislation a distinction is often made between the private soldier and the commissioned officer, and that these increases of pensions are granted simply because of rank. As I understand it, we have allowed these extraordinary pensions because of distinguished services; and if services of equal value had been rendered the Government by a private soldier, an equal rate of pension would be granted to him or to his widow. Fifty dollars per month in this case is being awarded by this Congress to the widow of the officer, not because he was in commission, but because of the service he rendered to the Government. We give this sum in order to testify our appreciation of the character of the services that were rendered to the Government of the United States by the husband of the beneficiary. And let me say to you, and to the House, that if we expect distinguished services in the future, we must show our appreciation of them as a people. Brave men only come from the body of a generous people. When the British Government awarded a large pension to Lord Nelson it was not because he was an admiral simply. Standing upon the quarter-deck of his flagship, he was subject to no danger that was not shared in common by every sailor that stood with him.

He did not point the shotted guns against the ships of the enemy. He perhaps performed less of labor in these conflicts that rendered him and the British navy immortal than many of the gunners upon the decks. Why was he distinguished or selected from those to receive such consideration of the British people? It was because he planned the battle. It was because of the great services he rendered that made victory possible; and so it is we are coming in here day by day and giving officers or their widows pensions—and we would award them with as great or greater pleasure to the private soldier—because of the value of the services these men have rendered to the country. I do not vote for the increased pension for this widow because she is poor; I do not vote for it because she has five children dependent upon her for support—to be sure these are considerations that enter into and influence to an extent my action—but I give it to her because I desire, as one of the representatives of the people, to display my gratitude and admiration for the character of the services rendered by her husband to the people; because I want by this action to encourage those in the future who may be called upon to discharge these important and dangerous duties, and because I would encourage them to perform them fearlessly. For, let me say to you, our reputation as a nation has in some measure been made—not in a small measure either, but in a great measure—by the bravery and devotion to duty of our soldiery during or in the conflicts through which the nation has passed. I have no respect for that cold-blooded economy that stands here in the face of these things and protests against the representatives of the people putting their hands in this small measure into the Treasury of the people and paying these pensions. The people indorse our action when we do it.

[Here the hammer fell.]

The SPEAKER. The time of the gentleman has expired, excepting the moment during which the message was received from the Senate.

Mr. MATSON. I desire to ask my colleague [Mr. BROWNE] a question, if he will allow me. He says he proposes to vote for this bill on account of the services of the husband; not because the widow is poor or because she has five children. May I ask, in perfect good faith—because I am not informed by the report—what these services were on account of which the widow's pension ought to be increased?

Mr. BROWNE, of Indiana. I understand from the statement of gentlemen, as well as the report—certainly from the report—that he went early into the service of the country and served it faithfully through the war.

Mr. MATSON. I call attention to the fact that the report seems to show that he served during the greater portion of the war in the Adjutant-General's Office.

Mr. STEELE. Not in the Adjutant-General's Office, but as adjutant-general.

The SPEAKER. The Chair finds upon examination of the Journal that this bill had not been ordered to be read a third time. The previous question had been ordered, and it was made a special continuing order. The question now is upon ordering the bill read a third time.

The question was put; and the Speaker announced that the noes seemed to have it.

Mr. SPINOLA and others. Division.

The House divided; and there were—ayes 61, noes 72.

Mr. STEELE. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 110, nays 81, not voting 132; as follows:

YEAS—110.

Adams,	Darlington,	La Follette,	Sherman,
Allen, Mass.	Davenport,	Laidlaw,	Sowden,
Allen, Mich.	Dingley,	Lawler,	Spinola,
Anderson, Iowa	Dorsey,	Lehlbach,	Steele,
Baker, N. Y.	Farquhar,	Maish,	Stephenson,
Baker, Ill.	Felton,	Mason,	Stewart, Vt.
Belden,	Finley,	McCormick,	Struble,
Biggs,	Foran,	McKenna,	Symes,
Bingham,	Ford,	McKinney,	Taylor, E. B., Ohio
Blanchard,	Gallinger,	McShane,	Taylor, J. D., Ohio
Boothman,	Gear,	Milliken,	Thomas, Ky.
Boutelle,	Gest,	Moffitt,	Thomas, Wis.
Breckinridge, Ky.	Greenman,	Morrow,	Thompson, Cal.
Browne, T. H. B., Va.	Grosvenor,	Nelson,	Townshend,
Browne, Ind.	Grout,	Nutting,	Vance,
Brown, Ohio	Haugen,	O'Donnell,	Vandever,
Bryce,	Hayden,	Osborne,	Weaver,
Buchanan,	Henderson, Iowa	Patton,	Weber,
Burnett,	Henderson, Ill.	Payson,	West,
Burrows,	Hermann,	Penington,	Wheeler,
Campbell, T. J., N. Y.	Hiestand,	Post,	Whiting, Mich.
Caruth,	Hopkins, Ill.	Pugsley,	Wilkins,
Caswell,	Hopkins, N. Y.	Rice,	Wilkinson,
Clark,	Houk,	Robertson,	Williams,
Cogswell,	Hunter,	Rowell,	Woodburn,
Cooper,	Jackson,	Russell, Conn.	Yardley.
Crouse,	Kelley,	Scull,	
Cutcheon,	Kennedy,	Seney,	

NAYS—81.

Abbott,	Dougherty,	Latham,	Richardson,
Anderson, Miss.	Elliott,	Lynch,	Sayers,
Anderson, Ill.	Enloe,	Martin,	Shively,
Bankhead,	Fuller,	Matson,	Simmons,
Bland,	Glass,	McClammy,	Smith,
Blount,	Hall,	McCreary,	Stewart, Ga.
Brower,	Hare,	McMillin,	Stockdale,
Bynum,	Hatch,	McRae,	Stone, Ky.
Cheadle,	Hemphill,	Mills,	Stone, Mo.
Cobb,	Holman,	Montgomery,	Taulbee,
Conger,	Hooker,	Moore,	Tillman,
Cothran,	Howard,	Morgan,	Tracey,
Cowles,	Hudd,	Morrill,	Turner, Ga.
Crain,	Hutton,	Newton,	Wade,
Culberson,	Johnston, Ind.	Oates,	Walker,
Cummings,	Kerr,	O'Neall, Ind.	Washington,
Dargan,	Kilgore,	Outhwaite,	Wilson, Minn.
Davidson, Ala.	Laffoon,	Peel,	Wilson, W. Va.
Davidson, Fla.	Lagan,	Perry,	
Dibble,	Landes,	Peters,	
Dockery,	Lanham,	Phelan,	

NOT VOTING—132.

Allen, Miss.	Cox,	Johnston, N. C.	Randall,
Anderson, Kans.	Crisp,	Jones,	Rayner,
Arnold,	Dalzell,	Kean,	Reed,
Atkinson,	Davis,	Ketcham,	Rockwell,
Bacon,	De Lano,	Laird,	Rogers,
Barnes,	Dunham,	Lane,	Romeis,
Barry,	Dunn,	Lee,	Rowland.
Bayne,	Ermentrout,	Lind,	Russell, Mass.
Bliss,	Fisher,	Lodge,	Rusk,
Bound,	Fitch,	Long,	Ryan,
Bowden,	Flood,	Lyman,	Sawyer,
Bowen,	Forney,	Macdonald,	Scott,
Breckinridge, Ark.	French,	Maffett,	Seymour,
Brewer,	Funston,	Mahoney,	Shaw,
Brown, J. R., Va.	Gaines,	Mansur,	Snyder,
Brumm,	Gay,	McAdoo,	Spooner,
Buckalew,	Gibson,	McComas,	Springer,
Bunnell,	Glover,	McCullogh,	Stahlnecker,
Burnes,	Goff,	McKinley,	Stewart, Tex.
Butler,	Granger,	Merriman,	Tarsney,
Butterworth,	Grimes,	Morse,	Thomas, Ill.
Campbell, F., N. Y.	Guenther,	Neal,	Thompson, Ohio
Campbell, Ohio	Harmer,	Nichols,	Turner, Kans.
Candler,	Hayes,	Norwood,	Warner,
Cannon,	Heard,	O'Ferrall,	White, Ind.
Carlton,	Henderson, N. C.	O'Neill, Pa.	White, N. Y.
Catchings,	Herbert,	O'Neill, Mo.	Whiting, Mass.
Chipman,	Hires,	Owen,	Whitthorne,
Clardy,	Hitt,	Parker,	Wickham,
Clements,	Hogg,	Perkins,	Wilber,
Cockran,	Holmes,	Phelps,	Wise,
Collins,	Hopkins, Va.	Pidcock,	Yoder,
Compton,	Hovey,	Plumb,	Yost.

So the bill was ordered to a third reading.

Mr. BROWNE, of Indiana. I ask unanimous consent that the reading of the names of the members voting be dispensed with.

There was no objection, and it was so ordered.

The following additional pairs were announced for the remainder of this day:

Mr. WILKINS with Mr. HARMER.

Mr. JOHNSTON, of North Carolina, with Mr. DE LANO.

On this vote:

Mr. O'FERRALL with Mr. CANNON.

Mr. HEARD with Mr. WARNER.

Mr. CRISP with Mr. DUNHAM.

Mr. SPOONER with Mr. HIRES.

LEAVE OF ABSENCE.

Mr. COWLES. My colleague, Mr. ROWLAND, is detained from the House on account of sickness, and I ask unanimous consent that he be excused from attendance for the remainder of this day.

There was no objection, and it was so ordered.

Mr. COWLES. I make the same request for Mr. JOHNSTON, of North Carolina, who left the House a short time ago feeling quite unwell.

There was no objection, and it was so ordered.

Mr. WILSON, of Minnesota. I ask that Mr. HAYES, of Iowa, who is absent on account of ill-health, be excused for the remainder of this day.

There was no objection, and it was so ordered.

MRS. ELIZABETH G. SCOTT.

The result of the vote was then announced as above recorded.

The bill having been ordered to a third reading, it was accordingly read the third time.

The question was taken on the passage of the bill, and the Speaker declared the ayes seemed to have it.

Mr. CHEADLE and Mr. BROWNE of Indiana demanded the yeas and nays; which were ordered.

The question was taken; and it was decided in the affirmative—yeas 104, nays 85, not voting 134; as follows:

YEAS—104.

Allen, Mich.	Farquhar,	La Follette	Russell, Conn.
Anderson, Iowa	Felton,	Laidlaw,	Rusk,
Baker, Ill.	Finley,	Lehlbach,	Sawyer,
Belden,	Fisher,	Lodge,	Scott,
Biggs,	Foran,	Maish,	Scull,
Bingham,	Ford,	McAdoo,	Seney,
Bliss,	Gallinger,	McCormick,	Sherman,
Boothman,	Gear,	McKenna,	Sowden,
Boutelle,	Gest,	McKinley,	Spinola,
Browne, Ind.	Greenman,	McKinney,	Stahlnecker,
Brown, Ohio	Grosvenor,	Milliken,	Steele,
Buchanan,	Grout,	Moffitt,	Stephenson,
Burrows,	Haugen,	Morrow,	Struble,
Campbell, T. J., N. Y.	Hayden,	Nelson,	Symes,
Caruth,	Henderson, Iowa	Nutting,	Taylor, E. B., Ohio
Caswell,	Henderson, Ill.	O'Donnell,	Taylor, J. D., Ohio
Catchings,	Hermann,	Osborne,	Thomas, Ky.
Clark,	Hiestand,	Owen,	Thomas, Wis.
Cogswell,	Holmes,	Patton,	Thompson, Cal.
Cooper,	Hopkins, Ill.	Payson,	Townshend,
Crouse,	Hopkins, N. Y.	Penington,	Wheeler,
Cutcheon,	Houk,	Post,	Whiting, Mich.
Darlington,	Hunter,	Pugsley,	Wilkinson,
Davenport,	Jackson,	Reed,	Williams,
Dingley,	Kelley,	Rice,	Woodburn,
Dorsey,	Ketcham,	Robertson,	Yardley.

NAYS—85.

Adams,	Dibble,	Latham,	Rogers,
Allen, Miss.	Dockery,	Lind,	Ryan,
Anderson, Miss.	Dougherty,	Lynch,	Sayers,
Anderson, Ill.	Enloe,	Macdonald,	Shively,
Bankhead,	Fuller,	Martin,	Simmons,
Bland,	Glass,	Matson,	Smith,
Blount,	Grimes,	McClammy,	Stewart, Tex.
Brewer,	Hall,	McCreary,	Stockdale,
Brower,	Hemphill,	McMillin,	Stone, Ky.
Buckalew,	Holman,	McRae,	Stone, Mo.
Bynum,	Hooker,	Mills,	Tarsney,
Cheadle,	Hopkins, Va.	Montgomery,	Tillman,
Clements,	Howard,	Moore,	Tracey,
Cobb,	Hutton,	Morgan,	Turner, Ga.
Conger,	Johnston, Ind.	Morrill,	Wade,
Cothran,	Jones,	Newton,	Walker,
Cowles,	Kerr,	Oates,	Washington,
Culberson,	Kilgore,	Peel,	Wilson, Minn.
Cummings,	Laffoon,	Perry,	Wilson, W. Va.
Dargan,	Lagan,	Peters,	
Davidson, Ala.	Landes,	Phelan,	
Davidson, Fla.	Lanham,	Richardson,	

NOT VOTING—134.

Abbott,	Compton,	Hudd,	Rockwell,
Allen, Mass.	Cox,	Johnston, N. C.	Romeis,
Anderson, Kans.	Crain,	Kean,	Rowell,
Arnold,	Crisp,	Kennedy,	Rowland,
Atkinson,	Dalzell,	Laird,	Russell, Mass.
Bacon,	Davis,	Lane,	Seymour,
Baker, N. Y.	De Lano,	Lawler,	Shaw,
Barnes,	Dunham,	Lee,	Snyder,
Barry,	Dunn,	Long,	Spooner,
Bayne,	Elliott,	Lyman,	Springer,
Blanchard,	Ermentrout,	Maffett,	Stewart, Ga.
Bound,	Fitch,	Mahoney,	Stewart, Vt.
Bowden,	Flood,	Mansur,	Taulbee,
Bowen,	Forney,	Mason,	Thomas, Ill.
Breckinridge, Ark.	French,	McComas,	Thompson, Ohio
Breckinridge, Ky.	Funston,	McCullogh,	Turner, Kans.
Browne, T. H. B., Va.	Gaines,	McShane,	Vance,
Brown, J. R., Va.	Gay,	Merriman,	Vandever,
Brumm,	Gibson,	Morse,	Warner,
Bryce,	Glover,	Neal,	Weaver,
Bunnell,	Goff,	Nichols,	Weber,
Burnes,	Granger,	Norwood,	West,
Burnett,	Guenther,	O'Ferrall,	White, Ind.
Butler,	Hare,	O'Neall, Ind.	White, N. Y.
Butterworth,	Harmer,	O'Neill, Pa.	Whiting, Mass.
Campbell, F., N. Y.	Hatch,	O'Neill, Mo.	Whitthorne,
Campbell, Ohio	Hayes,	Outhwaite,	Wickham,
Candler,	Heard,	Parker,	Wilber,
Cannon,	Henderson, N. C.	Perkins,	Wilkins,
Carlton,	Herbert,	Phelps,	Wise,
Chipman,	Hires,	Pidcock,	Yoder,
Clardy,	Hitt,	Plumb,	Yost.
Cockran,	Hogg,	Randall,	
Collins,	Hovey,	Rayner,	

So the bill was passed.

During the roll-call,

On motion of Mr. GROSVENOR, the reading of the names of members voting was dispensed with.

The following additional pairs were announced:

Mr. LATHAM with Mr. NICHOLS, until further notice, on all political questions.

Mr. ROWLAND with Mr. ALLEN, of Massachusetts, for the rest of this day.

Mr. HENDERSON, of North Carolina, with Mr. MCCOMAS, on this vote.

Mr. O'FERRALL with Mr. CANNON, on this vote.

Mr. CRAIN with Mr. LYMAN, on this vote.

The result of the vote was then announced as above recorded.

Mr. STEELE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced the passage of the bill (S. 3762) granting a pension to Nancy Polock; in which concurrence was requested.

It also announced the Senate had adopted the following resolution; in which concurrence was requested:

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (S. 2305) to authorize and provide for the disposition of useless papers in the Executive Departments, the Committee on Enrolled Bills be instructed to insert in lieu of the word "Senator" where it occurs in the eighth line the word "Senators."

PUBLIC BUILDING, SAN FRANCISCO.

Mr. RANDALL. Mr. Speaker——

Mr. DIBBLE. Mr. Speaker, I call up the conference report which was under consideration yesterday, on Senate bill No. 1931, to increase the appropriation for the purchase of a site for a building for a post-office, court-house, and other offices in San Francisco, Cal.

The SPEAKER. The Clerk will read the conference report.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1931) to increase the appropriation for the purchase of a site for a building for a post-office, court-house, and other offices in San Francisco, Cal., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment as follows: Strike out "eight hundred and fifty thousand" and insert "$800,000;" and the House agree to the same.

SAM'L DIBBLE,
C. NEWTON,
P. S. POST,
Managers on the part of the House.

LELAND STANFORD,
JOHN C. SPOONER,
G. G. VEST,
Managers on the part of the Senate.

The statement accompanying the report was read, as follows:

STATEMENT.

The managers on the part of the House on the disagreeing votes of the two Houses on the bill (S. 1931) making appropriation to increase the appropriation for the purchase of a site for a building for a post-office, court-house, and other offices in San Francisco, Cal., respectfully submit the following statement for the information of the House:

The Senate passed the bill for San Francisco, Cal., limiting the cost of site to $850,000, which was recommended by a commission appointed by the Secretary of the Treasury. The House reduced the limit to $650,000. The conferees recommend $800,000.

SAML. DIBBLE,
C. NEWTON,
P. S. POST.

Mr. DIBBLE. I ask the previous question on the adoption of the report.

The previous question was ordered.

The SPEAKER (having put the question on agreeing to the report). The noes seem to have it.

Mr. DIBBLE. I call for a division.

The question being again taken, there were—ayes 79, noes 13.

Mr. KILGORE. No quorum.

The SPEAKER. The gentleman from Texas [Mr. KILGORE] makes the point that no quorum has voted.

Mr. DIBBLE. I demand the yeas and nays, unless the gentleman from Texas will withdraw the point.

The SPEAKER. The Chair would suggest that if the vote be first taken by tellers, and no quorum should vote, the yeas and nays can still be demanded.

Mr. DIBBLE. Then I will withdraw for the present the call for the yeas and nays.

The SPEAKER. The Chair appoints as tellers the gentleman from Texas [Mr. KILGORE] and the gentleman from South Carolina [Mr. DIBBLE].

The House again divided; and the tellers reported—ayes 142, noes 23.

So the report of the committee of conference was agreed to.

Mr. DIBBLE moved to reconsider the vote by which the report was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. RANDALL. I move to dispense with the morning hour for the presentation of reports of committees; and I will state that if this motion should prevail, I will ask unanimous consent that members having reports to present may file them with the Clerk.

The motion of Mr. RANDALL to dispense with the morning hour for reports of committees was agreed to.

The SPEAKER. The gentleman from Pennsylvania [Mr. RANDALL] asks unanimous consent that members having reports to submit may file them with the Clerk for reference to the appropriate committees. Is there objection? The Chair hears none; and it is so ordered.

FILING OF REPORTS.

The following reports were filed by being handed in at the Clerk's desk:

MRS. HELEN SUTHERLAND.

Mr. CHIPMAN, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11984) granting a pension to Mrs. Helen Sutherland; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ANTONIA WIENER.

Mr. CHIPMAN also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 8995) for the relief of Antonia Wiener; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

GEORGE H. BURGESS.

Mr. FRENCH, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11300) granting a pension to George H. Burgess; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN CORR.

Mr. FRENCH also, from the Committee on Invalid Pensions, reported back the bill (S. 3091) granting a pension to John Corr; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SIMON F. MYERS.

Mr. THOMPSON, of Ohio, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 8530) granting a pension to Simon F. Myers; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

THERESIA FICHTER.

Mr. THOMPSON, of Ohio, also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 3249) granting a pension to Theresia Fichter; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

THOMAS REDMOND.

Mr. THOMPSON, of California, from the Committee on Invalid Pensions, reported back favorably the bill (S. 704) granting a pension to Thomas Redmond, a late private Company K, Fourth United States Infantry; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

NONA J. TILLERY.

Mr. WALKER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11711) granting a pension to Nona J. Tillery, minor child of Wyatte L. Tillery; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JONATHAN Y. BRIDGES.

Mr. WALKER also, from the Committee on Invalid Pensions, reported back adversely the bill (H. R. 5074) for the relief of Jonathan Y. Bridges; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

J. A. CRAWFORD & SONS.

Mr. LANHAM, from the Committee on Claims, reported back favorably the bill (H. R. 8586) for the relief of J. A. Crawford & Son; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM S. ROSECRANS.

Mr. SPINOLA, from the Committee on Military Affairs, reported back favorably the bill (H. R. 11201) for the relief of William S. Rosecrans; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

LIEUT. COL. CHARLES G. SAWTELLE.

Mr. SPINOLA also, from the Committee on Military Affairs, reported back favorably the bill (H. R. 9307) for the relief of Lieut. Col. Charles G. Sawtelle, deputy quartermaster-general, United States Army; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

GRADE OF LIEUTENANT-GENERAL.

Mr. SPINOLA also, from the Committee on Military Affairs, reported back with amendment the bill (H. R. 11684) reviving the grade of lieutenant-general in the United States Army, and for other purposes; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

COUNTERPOISE BATTERY, POTOMAC RIVER.

Mr. SPINOLA also, from the Committee on Military Affairs, reported back favorably the bill (S. 2394) to authorize the construction of a counterpoise battery on the bank of the Potomac River below Washington; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

COLUMBUS (OHIO) PORT OF ENTRY.

Mr. CRISP, from the Committee on Commerce, reported back the bill (H. R. 11688) to constitute Columbus, Ohio, a port of delivery, and to extend the provisions of the act of June 10, 1880, entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," to said port of Columbus; which was laid on the table.

Mr. CRISP also, from the Committee on Commerce, reported a bill (H. R. 12060) to constitute Columbus, Ohio, a port of delivery, and to extend the provisions of the act of June 10, 1880, entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," to said port of Columbus; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

DESIGNS FOR UNITED STATES COINS.

Mr. TRACEY, from the Committee on Coinage, Weights, and Measures, reported back with amendment the bill (H. R. 8851) to amend section 3510 of the Revised Statutes of the United States, and to provide for the new designs of authorized devices of United States coins; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

JOHN SAYLOR.

Mr. YODER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 5433) granting a pension to John Saylor; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARY A. SELBACH.

Mr. YODER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11466) granting a pension to Mary A. Selbach; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARY THOMPSON.

Mr. YODER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11617) granting a pension to Mary Thompson; which was referred to the Committee of the Whole House on the Private Calender, and, with the accompanying report, ordered to be printed.

CONRAD STEPHAN.

Mr. YODER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 7517) granting a pension to Conrad Stephan; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

D. H. MITCHELL.

Mr. MANSUR, from the Committee on Claims, reported back with amendment the bill (H. R. 2249) for the relief of D. H. Mitchell; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CLAIMS, HOT SPRINGS RESERVATION.

Mr. MANSUR also, from the Committee on Claims, reported back with amendment the bill (H. R. 10707) authorizing and directing the Secretary of the Interior to examine certain claims of persons who owned or occupied buildings on the Hot Springs Mountain reservation, which had been condemned by the Hot Springs Commission and afterwards burned, and to fix a reasonable value for each of said buildings from the evidence now on file in the Interior Department; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

FARAN & M'LEAN.

Mr. MANSUR also, from the Committee on Claims, reported back

favorably the bill (S. 308) for the relief of Faran & McLean; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

PROTECTION OF GIRLS IN THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL, from the Committee on the District of Columbia, reported back the bill (H. R. 5870) to amend the Revised Statutes relating to the District of Columbia for the protection of girls and for the punishment of the crime of rape, with the amendments of the Senate, in which they recommended non-concurrence; which was referred to the House Calendar, and, with the accompanying report ordered to be printed.

SAMUEL J. MURPHY.

Mr. MORRILL, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1311) granting an increase of pension to Samuel J. Murphy, of Marengo, Iowa; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. ELIZABETH E. GROFF.

Mr. SPOONER, from the Committee on Invalid Pensions, reported back favorably the bill (S. 3309) for the relief of Mrs. Elizabeth E. Groff; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

LAVINIA WRIGHT.

Mr. SPOONER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 5758) granting a pension to Lavinia Wright; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

OTHO G. HENDRIX.

Mr. SPOONER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 10426) granting a pension to Otho G. Hendrix; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BENNETT J. CROWDER.

Mr. MATSON, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11725) granting a pension to Bennett J. Crowder; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ELIZABETH NEW.

Mr. MATSON also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 3694) granting a pension to Elizabeth New; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILHEMINA HOSBAND.

Mr. MATSON also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2260) restoring the name of Wilhemina Hosband to the pension-roll; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARY C. STEVENS.

Mr. GALLINGER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11727) for the relief of Mary C. Stevens; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

FANNIE PEMBERTON.

Mr. LAWLER, from the Committee on War Claims, reported back favorably the bill (H. R. 732) for the relief of Fannie Pemberton, formerly Fannie Glass; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JAMES M'CAULEY.

Mr. LAWLER also, from the Committee on War Claims, reported back favorably the bill (H. R. 5880) for the relief of James McCauley; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

Mr. RANDALL. I move that the House resolve itself into Committee of the Whole on the state of the Union for the purpose of considering general appropriation bills.

Mr. CRISP. I desire to give notice that on Wednesday next I shall ask the House to consider the contested-election case of Smalls vs. Elliott.

Mr. RANDALL. Can not the gentleman agree to withhold that until Thursday? The Committee on Appropriations expect to reach the consideration of the sundry civil bill on next Wednesday.

Mr. CRISP. I understood that the committee were going to take that up on Monday. [A pause.] Very well; then I give notice that I shall ask the House to consider the election case on Thursday next. I suppose that the delay of one day is not important. My purpose is to press this case and the California case to a conclusion at as early a day as possible.

The question being taken on the motion of Mr. RANDALL that the House resolve itself into Committee of the Whole on the state of the Union for the consideration of general appropriation bills, it was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. COX in the chair.

MILITARY ACADEMY APPROPRIATION BILL.

The CHAIRMAN. The Clerk will report the title of the first general appropriation bill on the Calendar.

The Clerk read as follows:

A bill (H. R. 11854) for the support of the Military Academy for the fiscal year ending June 30, 1890.

Mr. TILLMAN. I ask that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina, that the first reading of this bill be dispensed with? The Chair hears none, and it is so ordered.

The Clerk, proceeding to read the bill by paragraphs for amendment, read the following:

For pay of four assistant instructors of cavalry, artillery, and infantry tactics (captains), in addition to pay as second lieutenants, $2,400.

Mr. ROGERS. For the purpose of making an inquiry, I move to amend by striking out the last word. I desire to ask the gentleman in charge of this bill whether there is any new legislation in it at all?

Mr. TILLMAN rose.

Mr. TOWNSHEND. If the gentleman from South Carolina will permit me, I will answer the gentleman from Arkansas [Mr. ROGERS] by saying that there is no new legislation in the bill; there are some changes in the items.

Mr. HOLMAN. Is there not a provision for a new building?

Mr. TOWNSHEND. Yes, for a new building; but there is no new legislation.

Mr. ROGERS. Is not the provision for a new building new legislation? Is there anything beyond that?

Mr. TILLMAN. There are only some small items other than the provision for the two public buildings.

Mr. HOLMAN. What amount of money does the construction of those public buildings involve?

Mr. TILLMAN. Five hundred and ninety thousand dollars; and the appropriations for this purpose have in both cases been recommended by the General of the Army and the Secretary of War. One of the last official acts of General Sheridan was to approve the appropriation for the erection of these buildings.

Mr. ROGERS. What are the other items of new legislation?

Mr. TILLMAN. Well, there is nothing in the way of new legislation except some small increase or decrease of appropriations which the committee unanimously favored after thorough investigation.

Mr. ROGERS. To what do they relate?

Mr. TILLMAN. They are not new legislation in fact; they relate to field musicians of the regular troops stationed at the Academy, extra pay for the enlisted men, repairs of the soldiers' chapel and the cadet chapel—merely an increase in a few particulars.

I will also say to the gentleman from Arkansas this bill is a decrease of $18,000 as compared with the bill for the last fiscal year; that is outside of the two public buildings which are provided for.

Mr. ROGERS. If I understand the footing made at the end of the bill there is an increase over 1889 of something like $570,000. In other words, the appropriation for this year is $315,000, while for the year 1890 the appropriations aggregate $889,000. What I am trying to get at is, whether the increase here consists of new legislation or occurs as the result of an increase of salaries, or what.

Mr. TILLMAN. As I remarked awhile ago, the increase is principally for new public buildings which have been deemed to be necessary, unanimously, by the Military Committee, and which have been recommended both by the General of the Army and the Secretary of War.

Mr. ROGERS. These new buildings are to be at West Point.

Mr. TILLMAN. They are.

Mr. TOWNSHEND. There is no increase of salaries whatever.

The Clerk proceeded with the reading of the bill.

Mr. TILLMAN. I move in line 4, page 3, to correct a typographical error; "1889" should be "1890."

The amendment was agreed to.

Mr. BLOUNT. I desire to ask the gentleman from South Carolina [Mr. TILLMAN] a question.

Mr. TILLMAN. Certainly.

Mr. BLOUNT. I wish to know whether there has been any law authorizing the construction of the buildings to which this bill relates, or is this the inception of appropriations for these buildings?

Mr. TILLMAN. There was an appropriation of $70,000 for the

academic building and of $35,000 for the gymnasium at the last session of Congress.

Mr. BLOUNT. For what purpose?

Mr. TILLMAN. To make additions to what is known as the academic building, which is the larger building, and $35,000 for the gymnasium, or smaller building, provided for in this bill. It was deemed so inadequate and so impossible to repair those buildings to accomplish the purpose required that the academic board thought it best to allow those appropriations to be covered back into the Treasury. An academic board appointed by the Superintendent of the West Point Military Academy recommended unanimously the erection of entirely new buildings, and as I remarked awhile ago both the General of the Army and the Secretary of War agreed to it.

Mr. BLOUNT. This is the result, then, of their recommendation?

Mr. TILLMAN. Yes, sir.

Mr. BLOUNT. And this is the inception of the appropriations for this purpose?

Mr. TILLMAN. Yes, sir; except that the appropriations of $70,000 in the one case and of $35,000 I referred to was passed by both Houses of the last Congress.

Mr. HOLMAN. There are two appropriations here, one for $490,000 and one for $100,000. Will my friend from South Carolina state whether the remark he has made applies as well to the appropriation of $490,000 as to the one for $100,000?

Mr. TILLMAN. I did not catch the gentleman's remark. There is an appropriation of $490,000 for the erection of a fire-proof academic building, and also an appropriation of $100,000 for the erection of another building to be used for a gymnasium as indicated by the language of the paragraph which will be found in the bill.

Mr. HOLMAN. Does the statement the gentleman from South Carolina has made apply equally to both of these appropriations?

Mr. TILLMAN. Yes, sir; to both.

Mr. KILGORE. I rise to a point of order, that these appropriations are not authorized by law.

Mr. TOWNSHEND. That item has not yet been reached, and the point of order therefore can not be raised against it. My friend from Texas is a little too previous.

Mr. KILGORE. I thought they were under consideration.

The Clerk proceeded with the reading of the bill.

Mr. KILGORE. Is this the first reading of the bill for information, or is it the reading of the bill by clauses for amendment?

The CHAIRMAN. The first reading of the bill for information was dispensed with, and the bill is now being read by clauses for amendments.

The Clerk read as follows:

For the erection of a fire-proof building on such site of the public grounds at West Point, N. Y., as may be designated by the Secretary of War, to accommodate all the departments of instruction of the Military Academy, to be constructed according to the plans recommended by the academic board and approved by the Secretary of War, $190,000: *Provided*, That plans and specifications for said building shall be prepared under the direction of the academic board and approved by the Secretary of War, which plans and specifications shall be such that when said building shall be fully completed the cost thereof shall not exceed the sum herein appropriated.

Mr. KILGORE. I make the point of order on that clause, that it provides for the erection of a building which has not been authorized by law.

Mr. ROGERS. In order the whole question may be passed upon, because it is a matter of some importance as a precedent, I make the additional point of order that before any public building can be constructed the matter should go to the Committee on Public Buildings and Grounds under clause 21 of Rule XI, which says:

All subjects relating to public buildings and occupied or improved grounds of the United States other than appropriations therefor—to the Committee on Public Buildings and Grounds.

Whereas by the pending clause of this bill the construction of this building is provided for in the bill itself.

It not only makes the appropriation but it likewise provides the method and manner and the plans and specifications by which or through which it shall be constructed. So I hold that the point of order is not only well taken as to clause 3 of Rule XXI, which point of order has been suggested by the gentleman from Texas, but it is also good under clause 21 of Rule XI, as I have suggested, and on either ground it seems it must be sustained.

In this connection I will state to the Chair that I have sent for a ruling which was made by the gentleman from Georgia [Mr. BLOUNT] in the Forty-ninth Congress, if I am not mistaken, in relation to a point of order on an amendment offered for the purpose of constructing additional reservoirs on the Government property at Hot Springs, Ark. The point of order was made against the amendment on the same ground now stated by the gentleman from Texas, by Mr. RANDALL, and was sustained by the Chair. At the same session of Congress the same point of order was made with reference to the construction of some telegraph cables upon the Rhode Island coast. I do not remember who was Chairman at that time or who made the point of order, but I believe I made it myself. At all events that point of order was also sustained upon the same ground.

Now, personally to me it is a matter of indifference what the ruling is to be, except that I think the House should be consistent in this regard, and that these precedents heretofore established ought to be observed. Moreover, in support of the point of order I may be permitted to state that there is a question of jurisdiction involved in this proposition. If preliminary to the construction of a public building the consideration of the subject should first be had by the Committee on Public Buildings and Grounds, then that committee should consider this proposition before it is brought into the House for action. But that has not been the case here. There is no report from the Committee on Public Buildings and Grounds in support of the proposition. Here the whole construction of the building is taken out of the ordinary course adopted for the construction of such public works and placed under a board that ordinarily—or as the general practice prevails—has nothing to do with the construction of public buildings at all.

So I hold that on both grounds the point of order is well taken.

The CHAIRMAN. The Chair is ready to decide the question. The Chair has no doubt——

Mr. DINGLEY. Before the Chair proceeds with the decision of this question of order I desire to call his attention to the fact that as to the point made by the gentleman from Arkansas [Mr. ROGERS], the House may certainly take upon itself the right to pass any bill without reference to a committee, if it sees proper to do so. So that there can be nothing in that objection urged by the gentleman from Arkansas.

As to the point of order made by the gentleman from Texas, it seems to me that this may be regarded as the case of a public work or building already in progress or authorized by law; and that this appropriation is simply an enlargement of the work so authorized. Under the provision of the rule which excepts "objects already in progress" this may properly be regarded as not subject to the point of order raised by the gentleman from Texas. I think that has been so held by Chairmen of the Committee of the Whole at various times; and it seems to me that the point of order will hardly be pressed against this provision.

Mr. ROGERS. One observation by way of reply. Of course, Mr. Chairman, if a bill were introduced into the House and were referred by the House to the Committee on Military Affairs, that committee could and should dispose of that question; because the House can change its rules or refer a bill, notwithstanding its rules, wherever it pleases. But it is not pretended that any bill has been introduced relating to this subject-matter and referred to the Committee on Military Affairs.

Mr. TOWNSHEND. The gentleman is mistaken.

Mr. ROGERS. In what respect?

Mr. TOWNSHEND. There was a bill introduced at the last session and referred to the committee which has jurisdiction of the subject.

Mr. ROGERS. A bill for the construction of this building?

Mr. TOWNSHEND. Yes, sir.

Mr. CUTCHEON. The very identical building; and that bill was unanimously reported by the committee.

Mr. ROGERS. I have no information on that question; but if the bill were so referred to the Military Committee then the question would revert whether or not under the rules the inadvertent reference of a bill to a committee not having jurisdiction of the subject-matter could confer jurisdiction; and what I meant by an inadvertent reference is a reference without an examination of the bill by the Speaker. Of course if the reference is made by a vote of the House jurisdiction is conferred.

But on the point of order, especially that raised so clearly by the gentleman from Texas, this falls more strictly within the ruling made by the Chairman of the Committee of the Whole in the Forty-ninth Congress. The question there decided, as I have said, had reference to the Hot Springs property, and the whole question was discussed. There were reservoirs——

Mr. TOWNSHEND. Will the gentleman allow me a question?

Mr. ROGERS. Certainly.

Mr. TOWNSHEND. I would like to ask if the gentleman is aware of the fact that in the last Congress this subject was referred to this committee, and in the annual appropriation bill provision was made for the erection of this academic building and gymnasium?

Mr. ROGERS. I was not.

Mr. TOWNSHEND. That was the law passed in the Forty-ninth Congress.

Mr. CUTCHEON. And for remodeling this whole building.

Mr. TOWNSHEND. Yes, and rebuilding.

Mr. ROGERS. I did not know that.

Mr. TOWNSHEND. And in addition to that there was a provision for the erection of a gymnasium without reference to remodeling, but a separate provision for the erection of a gymnasium.

Mr. HOLMAN. But the gymnasium is not involved in this provision.

Mr. TOWNSHEND. I will read the language of the law of last year:

For the erection of a gymnasium for cadets.

I was simply calling the attention of the gentleman to the fact that in the Forty-ninth Congress, in this very bill making appropriations

for the support of the Military Academy, these two items occurred, and the appropriations were made. The only reason why the buildings were not constructed under that law was because the appropriations were found inadequate, and it is for that reason we have made the appropriation in this bill.

Mr. HOLMAN. The gymnasium is not involved in this discussion.

Mr. TOWNSHEND. The gentleman has raised the point of order against both.

Mr. HOLMAN. That occurs in the following paragraph.

Mr. TOWNSHEND. I will call the attention of the gentleman to the provision relative to the academic building, as well as the gymnasium. I have read the language in regard to the gymnasium. I will read now in regard to the academic building.

Mr. ROGERS. We have not come to the gymnasium.

Mr. TOWNSHEND. The gentleman from Texas raised the point of order on that portion of the bill. I will not avail myself of the technical point that the gentleman has not availed himself of the point of order in reference to the academic building.

Mr. HOLMAN. That is the paragraph that is now under consideration.

Mr. TOWNSHEND. I will not raise any trouble about that.

In the first place, for every building erected at the Military Academy since the establishment of that institution and the location of the Military Academy the appropriations have been made in the bill for the support of the Military Academy. Jurisdiction for reporting appropriations for support of the Military Academy was formerly in the Committee on Appropriations, but is now in the Military Committee, and in every bill the appropriations for buildings have been made in this appropriation bill from time immemorial. When my friend from Indiana [Mr. HOLMAN] and I were on the Committee on Appropriations, and we had charge of this very identical bill, he and I inserted in the bill appropriations for new buildings.

Mr. HOLMAN. No point of order was made.

Mr. TOWNSHEND. No one ever thought of making a point of order when jurisdiction had been immemorially conferred upon that bill to provide appropriations for the erection or repairs on any buildings for the Academy. It is the first time in the history of the American Congress that any one has ever attempted to deprive the Committee on Appropriations or the Committee on Military Affairs of the right to make appropriations for the purpose of supporting that Academy.

Mr. HOLMAN. I hope my friend will read that paragraph.

Mr. ROGERS. I will resume the floor unless we can have the language of the paragraph read.

Mr. HOLMAN. I trust the gentleman from Illinois will read that paragraph, so that we can see what it says in regard to the remodeling and rebuilding.

Mr. ROGERS. I am willing to let the gentleman read the paragraph about these new buildings.

Mr. TOWNSHEND. I will read all of that paragraph. In the first session of the Forty-ninth Congress, in a bill making appropriations for the Military Academy, occurred these two items:

For the erection of a gymnasium for cadets, and for repairs and alterations to present gymnasium building, $35,000, to be immediately available.

For remodeling and building the academic building, putting an additional story thereon, and rendering it fire-proof and suitable for section-rooms for instruction of cadets, $70,000, to be immediately available, and to be expended under the direction of the Secretary of War, upon plans and detailed specifications, to be approved by the academic board.

Mr. ROGERS. Mr. Chairman, in discussing this question I will refer to the text of the bill, and I shall be very brief.

For the erection of a fire-proof building on such site of the public grounds at West Point, N. Y., as may be designated by the Secretary of War.

It will be observed that this is a new building entirely, to be erected on a site which is to be selected by the Secretary of War.

Mr. TILLMAN. The gentleman is mistaken. It is to be erected on the site at present occupied by the academic building, and the materials in the old building are to be worked up into the new.

Mr. ROGERS. I read from the bill the gentleman prepared, and I supposed it was properly prepared. I assume the facts stated in this bill are correct. I will observe, as being appropriate to what the gentleman has just said, that when discussing a point of law raised by the record, you are not permitted to discuss matters *dehors* the record. The bill reads:

For the erection of a fire-proof building on such site of the public grounds at West Point, N. Y., as may be designated by the Secretary of War, to accommodate all the departments of instruction of the Military Academy, to be constructed according to the plans recommended by the academic board and approved by the Secretary of War, $490,000: *Provided*, That plans and specifications for said building shall be prepared under the direction of the academic board and approved by the Secretary of War, which plans and specifications shall be such that when said building shall be fully completed the cost thereof shall not exceed the sum herein appropriated.

Now, Mr. Chairman, if this is not a proper designation of what is intended to be done, then it is no fault of mine. This is a proper description. It is a new building, lock, stock, and barrel, and it is not proposed to be erected where any particular building was. It is a new site, a new building in substance, and a round sum is appropriated for the building.

Mr. LYNCH. With the ramrod thrown in.

Mr. ROGERS. With the ramrod as well, as is suggested by my friend from Pennsylvania. In a clause of the appropriation bill referred to by the gentleman from Illinois [Mr. TOWNSHEND]—

For remodeling and rebuilding the academic building—

That is a building already in existence; and for—

putting an additional story on and rendering it fire-proof and suitable for section-rooms for instruction of cadets, $70,000, to be immediately available, and to be expended under the direction of the Secretary of War, upon plans and detailed specifications to be approved by the academic board—

I should not hesitate one moment to say that that was clearly within the power of the Military Committee; but these items are totally different.

Mr. TOWNSHEND. Read the second paragraph that you have been reserving the point of order upon.

Mr. ROGERS. The gentleman from Illinois is entirely under misapprehension. He thinks that that section of the bill relating to the gymnasum has been read and the point of order made upon it. I am discussing only the first paragraph.

Mr. Chairman, it is simply a question under the rules as to whether this is in order, and permit me to say that I feel no interest in the matter beyond having the rules sustained and the jurisdiction of committees preserved.

I am willing to concede that perhaps the latter point made by me about the first rule may not be sound; I am not sure as to that; but it is important for us to know whether or not this committee have the right jurisdiction under the rules to go out and construct a public building *in toto*, starting with the very foundation of it, without any authority of law for its construction, and I make the point for the purpose of having that question determined.

Now, I want to allude for a minute to the matter at the Hot Springs reservation, as illustrating this case. In that instance there were reservoirs built; they were in operation, they were inadequate, and hundreds of thousands of gallons of water that ought to have been used were running to waste. Under those circumstances I offered an amendment to one of the appropriation bills providing for the construction of additional reservoirs, and the Chairman of the Committee of the Whole, on that state of facts, after a full discussion upon a point of order made by the gentleman from Pennsylvania [Mr. RANDALL], held that the amendment was out of order because it was violative of clause 3 of Rule XXI. If that be true, how much more is this out of order when it is proposed to construct an absolutely new building at a cost to the Government of $600,000. Now, Mr. Chairman, I am indifferent as to what the rule is, but I want the House to either overrule these precedents upon a full discussion of the question, or else let us adhere to the line of decisions heretofore made.

Mr. TILLMAN. Mr. Chairman, just a word in reply to the gentleman from Arkansas. I submit, sir, that the appropriation bill now under consideration really proposes no new legislation. Substantially, we have simply copied the appropriation bill of the last fiscal year, except that we have increased the amount deemed necessary for the repair or remodeling or rebuilding of these two structures which the academic board unanimously recommend and which the Secretary of War and the General of the Army and Military Committee approve. In addition to the fact mentioned by the honorable chairman of the Military Committee, that from time immemorial it has been understood and has been the uniform practice of the House that the Committee on Appropriations formerly had and the Committee on Military Affairs now has exclusive jurisdiction over the matter of erecting and repairing buildings at West Point, I would say that, although the language of the present bill may not be as specific as the gentleman from Arkansas [Mr. ROGERS] contends it ought to be, yet it is understood, and by all intelligent men who know anything about the topography of West Point, or who have ever been there, that the academic building can not be erected anywhere except on its present site.

Besides, sir, what is West Point but a town of many public buildings, all belonging to the Government? And if two more public buildings be added to those now in existence at the Academy the new buildings in question will be mere adjuncts to the old ones, or the total architecture of what is known as West Point.

Mr. GEAR. Mr. Chairman, I do not think the points of order made by the gentleman from Texas and the gentleman from Arkansas have any force. As to the authority for rebuilding and remodeling these structures, it is found in the last act. This bill simply provides for reconstructing the building because it has been found that it can not be repaired with economy. As for the reference of the bill, they should have made the point at the time the bill was introduced. When the Speaker referred it to the Committee on Military Affairs he doubtless did so understandingly, and if there had been anything in that point it should have been made at that time.

Mr. CUTCHEON. Mr. Chairman, the points of order attempted to be made upon this paragraph divide themselves under two heads. The first point is that the Military Committee have not the jurisdiction to make an appropriation for a public building. I think the gentleman from Arkansas himself [Mr. ROGERS] will not, upon reflection, hold that that position is tenable. The second point is that this is new leg-

islation. In regard to the first point, when we seek for the foundations of the jurisdiction of the Military Committee in dealing with this bill, we follow the bill back to the time when it was in charge of the Committee on Appropriations. That entire jurisdiction, so far as it related to the Military Academy and all its branches, all its departments and all its interests, has been transferred from the Committee on Appropriations to the Committee on Military Affairs.

Mr. ROGERS. Will the gentleman permit me to make a correction?

Mr. CUTCHEON. Not now. Let me finish my statement. Now, Mr. Chairman, whatever jurisdiction the Committee on Appropriations have had in years past in reference to the Military Academy, or with reference to its maintenance and support, that jurisdiction in all its length and breadth has been transferred to the Committee on Military Affairs.

Mr. ROGERS. Will the gentleman yield now?

Mr. CUTCHEON. I will.

Mr. ROGERS. I desire to correct the gentleman, because he totally misapprehended the point that I made. I hold that the Committee on Public Buildings and Grounds have the jurisdiction to authorize the construction of a public building, but that the Committee on Military Affairs have the right to make the appropriation.

Mr. CUTCHEON. Mr. Chairman, to finish very briefly what I desire to say, if the gentleman from Arkansas will follow the history of the Military Academy from its foundation in 1802 down to the present time, he will find that in all the years that have passed the Committee on Appropriations have had the unquestioned right, authority, and jurisdiction to decide upon the construction of such new buildings as were deemed necessary to carry out the purposes of the Academy. This is not the ordinary case of erecting a public building for a post-office in a town, or for a custom-house in a city. It is simply an appropriation to give additional facilities to a national institution which has been in existence for three-quarters of a century, and in this case what is proposed is no more than the repair of an old building.

The CHAIRMAN. Without entering upon the question of the jurisdiction of one committee as related to that of any other, the Chair holds that under clause 12 of Rule XI, "to the military establishment and public defense, including the appropriation for its support and for that of the Military Academy," the Committee on Military Affairs has jurisdiction of this matter; and therefore they have properly jurisdiction of this subject-matter as to the erection of buildings.

The Chair will cause to be read the third clause of Rule XXI.

The Clerk read as follows:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress; nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto.

The CHAIRMAN. Without regard to the precedent cited by the gentleman from Illinois, the Chair decides that, within the meaning of the provision just read, the building proposed to be erected—"fire-proof building on site of public grounds at West Point"—is within the purview of the rule. The construction of a building is an incident to the maintenance of the Academy itself, the object being already in progress—the main object contemplated not only by the bill but by the very institution of the Academy itself.

Without reference to other decisions made from the Chair either in Committee of the Whole or otherwise, the present occupant of the chair is informed that the Speaker of the House on a former appropriation bill held that an appropriation for the construction of a new vessel was in continuation of the general object of maintaining a navy; and that decision of the Speaker "runs on all fours" with the decision which the Chair now makes when he overrules the point of order.

Mr. KILGORE. Then I move to amend by striking out all of this bill from line 9 to line 20, inclusive, on page 14.

Mr. TOWNSHEND. Before the question is put on this motion I ask to say a word. During the last session I was appointed by the Speaker of the House as one of the Board of Visitors to West Point, and served in that capacity with the two gentlemen from New York [Mr. BACON and Mr. FITCH] and Senators REAGAN and CULLOM. We examined carefully into the condition of the two buildings known as the Academy building and the gymnasium. For some years I had known that the Academy board had been urging appropriations for the rebuilding of the Academy building, the gymnasium being but a part of the present Academy building, being the basement story of that building. I had read the urgent appeals made by the board on this subject, but, like my friend from Indiana [Mr. HOLMAN], my friend from Arkansas [Mr. ROGERS], and my friend from Texas [Mr. KILGORE], I had often turned a deaf ear to these appeals.

It had been asserted in emphatic language that the condition of the building was such that not only was the health of the students imperiled but there was actually danger of the building tumbling in. The building is very old; and from my investigation I am convinced that not a word or a line which has been sent to us from the Academy board or from the War Department urging the erection of these two structures has been in any degree whatever exaggerated. Not only is the present condition of the Academy building, with the gymnasium, dangerous to the health and the lives of students, but it is a disgrace to the country to provide any such building to be used in connection with the education of youth. These students come from every Congressional district in the land; and the future efficiency of the Army may depend to a very large extent upon the proper education and care of those students. Hence I feel it to be a simple duty incumbent upon this Congress to appropriate every dollar asked for this purpose.

One word further and I am done. In reference to the cost of the building, I am satisfied that careful estimates have been made by those who can have no motive whatever except to subserve the public interests, and that every dollar provided for in this item of the bill is absolutely necessary for the erection of proper buildings for this purpose.

Mr. CUTCHEON. Mr. Chairman, I presume that but a small number of the gentlemen who are called upon to vote on this appropriation have read the report on this subject made by the Military Committee—a report which can be obtained from the document-room. Hence it seems to me proper that a somewhat more explicit statement of the need for this building should be made.

The present Academy building at West Point was erected fifty years ago—in 1838. In its day it was a pretty fair building, being four stories high, I believe, with walls of stone. It was built upon a very peculiar style of architecture. In order to obtain space for the riding-hall in the basement story, the only support for the three upper stories consisted of wooden pillars. Of late years iron pillars have been added, and this basement story, the old riding-hall, is maintained as a gymnasium. In the last Congress an appropriation of $70,000 was made for remodeling and rebuilding this structure. Examinations were made by architects and experts with reference to the expenditure of this money, and bids were solicited. No bid was made within $30,000 of the amount appropriated. It was declared by the experts who made examination that the only way to remodel the building would be to go to work and take out this entire interior structure, because it is a mere fire-box inside. The partitions are all of wood, carried up on these wooden supports; and it was declared that the only possible way to remodel or rebuild it would be to go to work and raze everything except the exterior walls.

It was decided by the architects and experts that this could not be done for within tens of thousands of dollars of the amount appropriated. The authorities at West Point, as well as at the War Department, then took under consideration what next should be done to meet the urgent demand which was made for some change in this respect, and after a most careful examination and deliberation they came to Congress with a recommendation and asked us at the beginning of this Congress, and the appropriation was recommended by the War Department, that we should provide, not for remodeling or taking the inside out of the building and putting a new one in, but to leave it as it is, and to authorize the construction of a modern building, suitable to the purposes according to the plans of modern science and the experience of our day, with proper provision for lecture-halls, for light and ventilation, in fact, such a building as would meet the requirements of that institution. At the first session of this Congress the bill was introduced and referred to the Committee on Military Affairs, and was subsequently unanimously reported, carrying out precisely the same idea that is involved in this paragraph. That bill waited in its order upon the calendars of the House, like many other measures of importance, and I suppose is still there.

Now what are the facts in regard to that building? It was, as I have said, built about fifty years ago. It is entirely inadequate——

The CHAIRMAN. The time of the gentleman has expired.

Mr. CUTCHEON. I would like to have a few moments longer, with the consent of the committee.

The CHAIRMAN. Without objection the gentleman will proceed.

There was no objection.

Mr. CUTCHEON. As I was saying, Mr. Chairman, this building is entirely inadequate in capacity. The number of cadets at that institution has, of course, been largely increased, as the number of Congressional districts has been increased. It is an unventilated building, it is an unsafe building, and is actually unfitted for the occupancy of the upwards of four hundred young men whom we send there to become the leaders and instructors of our Army. If there is a public building needed in the United States to-day, and badly needed, it is a new academic building there and a gymnasium, but I will come to that part of it later on. At present I wish to confine myself to the paragraph under consideration, which refers to the Academy building alone.

In regard to this building the section-rooms and the recitation-rooms are entirely unsuited. There is no examination hall whatever. There is no place for holding annual examinations or for holding the semi-annual examinations of the graduating class. There is no place for keeping the chemical and philosophical apparatus and other apparatus employed in teaching the students, and we have no place for storing the invaluable collections which are there, embracing, among other things, models of ancient and modern fortifications, models of civil engineering structures and stone-cuttings; models of fire-arms and projectiles, showing the progress of invention and the art of war; models of drawings used for instruction in topography and reconnaissance, and

many of these are of great historic value and can not be replaced; plans of campaigns and battle-maps, extensive geological and mineralogical specimens, and so on throughout a whole list of invaluable articles.

These are all stored in this old rattle-trap, non-fire-proof building, actually ready to crumble at any time—the entire structure liable to fall down, and yet it is the only place where all of this valuable apparatus and objects of great historical value can be stored.

Now, the West Point board has examined and reported favorably on this question. In the last Congress the Board of Visitors strongly recommended this structure. The Superintendent of the Academy says it is an almost absolute and immediate essential; the Secretary of War has recommended it; the General of the Army has recommended it; the Secretary has sent in his estimates, and we have reported in favor of it. In view of these statements, it seems to me, and of the facts as they exist, as the officers of the Academy have certified, there can be no reason whatever for refusing the appropriation.

Mr. KILGORE. Will the gentleman yield for a question?

Mr. CUTCHEON. Certainly.

Mr. KILGORE. Is it not true that at the last session of Congress a bill was presented providing for the erection of a building not to cost over $490,000, which bill was vetoed?

Mr. CUTCHEON. Oh, no; the bill was presented.

Mr. KILGORE. What became of it?

Mr. CUTCHEON. It is now on the Calendar. In the preceding Congress we appropriated $70,000 to remodel the building; but, as I have said, experts testified that it could not be done for anything like that amount. At the last session of this Congress the Military Committee reported the identical bill which is now inserted here in this appropriation bill?

Mr. GEAR. I would like to have read a brief extract from the report of the committee in this case.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Upon careful inquiry the committee is advised that the academic building was erected in 1858, fifty years ago, to provide for the necessities of instruction at that time. Its basement, designed for a riding-school and used as such for many years, rests directly on the ground, has no means of ventilation, is damp, and therefore is not available for recitations, models, or apparatus. At present it is used as a gymnasium, for which purpose it is badly adapted and entirely too contracted.

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from Texas, to strike out this paragraph.

The question was taken; and the Chair decided that the noes prevailed.

Mr. KILGORE. I call for a division.

The CHAIRMAN. The gentleman from Texas demands a division.

Mr. KILGORE. I will withdraw that demand.

So (no further count being demanded) the amendment was rejected.

The Clerk read as follows:

For the erection of a fire-proof building on such site of the public grounds at West Point, N. Y., as may be designated by the Secretary of War, to be used as a gymnasium and fencing academy for the cadets of the United States Military Academy, to be constructed according to the plans recommended by the academic board and approved by the Secretary of War, $100,000: *Provided*, That plans and specifications for said building shall be prepared under the direction of the academic board and approved by the Secretary of War, which plans and specifications shall be such that when said building shall be fully completed the cost thereof shall not exceed the sum herein appropriated: *Provided further*, That the sums herein appropriated for erection of one building to be used by all departments of instruction and one gymnasium and fencing academy shall be immediately available after approval of this act.

Mr. KILGORE. Mr. Chairman, I make the same point of order upon that clause, that there is no provision of law for the erection of that building, and hence the appropriation should not be provided here.

The CHAIRMAN. The Chair overrules the point of order.

Mr. KILGORE. Now I move to strike out that clause of the bill.

The amendment was rejected.

The reading of the bill was resumed and concluded.

Mr. TILLMAN. I move that the committee rise and report the bill back to the House with the recommendation that it do pass.

Mr. McCREARY. The next bill for consideration is the bill making appropriations for the diplomatic and consular service of the United States, and I hope that my friend from South Carolina will simply ask that his bill be laid aside with a favorable recommendation; and that we go on with the diplomatic and consular bill.

Mr. TILLMAN. I withdraw the motion that the committee rise, and move that the bill be laid aside to be reported to the House with the recommendation that it do pass.

The CHAIRMAN. If there be no objection, that order will be made.

There was no objection.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. McCREARY. I call up the bill (H. R. 11879) making appropriations for the diplomatic and consular service of the United States for the fiscal year ending June 30, 1890.

The Clerk read the title of the bill.

Mr. McCREARY. I ask that the first reading of the bill be dispensed with. The bill under consideration has no changes except two. The consulate at Elberfeld, Germany, is abolished, as the town is a suburb of Barmen. The compensation of the consulate at Nuevo Laredo, Mexico, is increased from $1,000 to $2,000; and that of the consulate at Matamoros reduced from $2,000 to $1,000. The whole amount appropriated by the bill is $1,440 less than the amount appropriated last year. Therefore I ask that the first reading of the bill be dispensed with.

Mr. DINGLEY. I would like to ask the gentleman if there is any new legislation in the bill.

Mr. McCREARY. There are no changes in the bill except those to which I have referred.

Mr. DINGLEY. Are there any changes made in the law?

Mr. McCREARY. There are no changes from the bill passed last year.

There was no objection, and the first reading of the bill was dispensed with.

The bill was then read by paragraphs for amendment.

Mr. McADOO. I move to strike out the last word, Mr. Chairman. I can not permit this bill to pass without emphasizing what I consider to be the popular demand for the abolition of our present system of diplomacy. There is much comment upon the fact that one of the great countries of Europe is unrepresented at this capital, and the Government of that country is said to have refrained from sending a minister in order to resent what they consider an insult in the return of their former minister to his home. Now, I have no doubt that 99 per cent. of the American people do not know, and do not care, whether a minister has been, or will be, sent from that country to the United States or not, and I am certain that the interests of the United States would not in any degree suffer if we did not send a single minister to any court in Europe or elsewhere.

Our people are indifferent as to whether foreign ministers come or domestic ones go, because they realize that the whole system in our day, and so far as we are concerned, is a mere playing with dead forms, a meaningless mummery, which has ceased even to amuse.

I know that I am only repeating what has been often said on this floor when I say that in this age of steam and electricity, with the frequent and ready means of communication existing between this country and the other nations of the world, the present system is obsolete. Of all things in the world the most absurd to my mind is a United States minister at a great European court. He can not compete, so far as decorations and display of tinsel and ribbons and general glitter and display are concerned, which accompany the muster of the representatives of other countries at those courts; and he comes in at the tail-end of a long procession of bespangled, bedizened, and bedecked representatives of all the nations of the world, a jackdaw among the flaming feathered birds of the tropical forests.

We send at his earnest solicitation John Smith, for indiscernible reasons, as minister plenipotentiary and envoy extraordinary to the court of the High Muckamuck of Mozambique. An envoy special, magnificent, phenomenal, and extraordinary, and a minister full of power, if not omnipotent certainly plenipotent! Is it any wonder the head of the poor man is turned? That his senses reel on this dizzy height? Hitherto to him a militia general in full uniform was a spectacle to make the assembled gods stand in awe; but the spectacular grandeur and eye-tiring magnificence of the court imperial and heaven-ordained muckamuck shades the child of war as a circus band-wagon would a push-cart. When in this mad whirl of a new existence he has succeeded in kissing the queen's toe, has been offered a bad cigar by a worse duke, has orated at the annual dinner of the Ancient and Honorable Society of Royal Clam-Diggers, and has communed on literature and law with the Fellows of the Society of Revered and Honored Fossils, has lunched with an earl, dined with a duchess, supped with a baron, and exposed his legs in silk stockings in his Majesty's drawing-room, and been told that Mozambique and not the whole of Europe is his mother country, is it any wonder that the weak-headed man, dug out of obscurity, intoxicated with flattery and empty form, begins forthwith to apologize for having been born in America, and that America—that is, the substantial brain and muscle, the real men and women of America—becomes heartily ashamed of him?

Now, Mr. Chairman, if the small coterie of flunkeys and lord lovers in our country want to go abroad and apologize for our existence as a republic, let it not be done under Government patronage. It is not so much a question of men. There are, and always have been, among our representatives at foreign courts a goodly number of able, sensible, patriotic men who are proud of their country and its institutions.

Why compete in this playing with past customs? An envoy who underwent soul-stirring perils to reach and remain at his post was no ordinary man; a minister who carried war or peace in his keeping, unchecked by the speedy communication of railroads, steam-boats, or telegraphs, was to be respected and feared. These have passed away, yet we, a republic, play with the older world in aping the language, customs, and forms of the ages when these were real and had a meaning. The master of many serfs had "the honor to be and remain the most humble, obedient servant" of the king who had hosts of slaves. Equals passed meaningless compliments to befog and impress the ignorant multitude, and the language of the court became the varnish of false-

hood. The whole system in our age is a jabbering ghost that, walking by day, begets laughter and contempt instead of reverence and respect. And in this spectacular burlesque on the old heroic and chivalrous ages when form and substance kept pace, we, as a country, play such a part as to shame ourselves and make the whole performance ridiculous. Thomas Carlyle, attacking these sham observances in modern times, once said:

Is our poor English existence wholly becoming a nightmare; full of mere phantasms?

The Champion of England, cased in iron or tin, rides into Westminster Hall, "being lifted into his saddle with little assistance," and there asks if in the four quarters of the world, under the cope of heaven, is any man or demon that dare question the right of this king? Under the cope of heaven no man makes intelligible answer—as several men ought already to have done. Does not this champion, too, know the world; that it is a huge imposter, and bottomless inanity, thatched over with bright cloth and other ingenious tissues? Him let us leave there, questioning all men and demons.

I regret that the distinguished gentleman from New York [Mr. COX] now occupies the chair, because if he were on the floor he would doubtless add force to what I am saying. He has had experience as a minister abroad, and while he undoubtedly reflected credit upon American wit, humor, and statesmanship at the court of the great Sultan, I am sure he would join with me in saying that the system is an obsolete one, which is totally unfitted to this age and to the character of our institutions. Why, Mr. Chairman, for twenty-five years past it has been a common saying among the people of the United States that we have not had a thorough and genuine American representative at one of the principal courts of Europe where we have interests at stake, and taking the samples which both the great political parties have sent there I am convinced that we shall never get, for practical purposes, a really good, genuine, out and out, in and in American minister at the court of St. James until we send a lay figure there, its legs made of good Alabama pig-iron, its arms of California live-oak, its abdominal recess filled with Mississippi cotton, its head of Eastern granite, and its auricular appendages tasseled ears of Illinois corn. [Laughter.] Such a lay figure would certainly do us as much good as has been done by any minister we have sent for the past quarter of a century to that or any other court in the world.

Why should the hard-working people, the honest producing people of this country, be compelled to pay for these things? This play costs something, and is only a play. The taxes are not rained into the Treasury like the manna from heaven. The money that fills your vaults at the other end of the avenue is stained with the sweat and the blood of the honest producing people of this country, and what right have we, as their Representatives, to take that money and pay it out in large salaries and bonuses to our ministers at foreign courts, in order that they may attempt to compete in ridiculous display with the representatives of the monarchies of Europe and Asia? I believe in being as dignified and proper as other nations, but our absence would be a potential protest against the resurrection and preservation of an absurd pomp in which we can not take part without stultifying ourselves. I am not an iconoclast. The symbols of the past preach to the present, but this game of diplomacy, besides being useless to us, teaches only deceit and falsehood. The motive of the play is bad; the language belongs to another age.

The United States consular system is absolutely necessary, I will admit; and a good consular service can do all our business, help our commerce, and represent us officially in all parts of the world. If there is any portion of our public service to which the so-called civil-service reform doctrine applied it would be to our consular service, that we might have to represent this country abroad a trained and experienced body of men, who know their own country, its institutions, and its wants, and understand its commerce. I must say that it looked to me inconsistent—and I dislike to be personal in this respect—that one of the great fathers of the present civil-service system, who helped in the Congress of the United States to plant it upon the statute-book, and himself to-day a minister plenipotentiary from this country, did not extend it to the one branch of the civil service that it could benefit, above all others, if it benefit any, to wit, the consular service, where experienced and trained men would have something to say as to what is necessary, and where it might have been of value, instead of extending it to tide-waiters, charwomen, messenger boys, and the men who open packages and boxes in the custom-houses of the United States. I have no desire, however, to go into any discussion at this time of the present civil-service law. Let us reform this diplomatic and consular service. Let us kill each sham in turn. What a grand world this will be when a sham will find no resting place on the whole earth.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. MCCREARY. It is not my purpose to discuss our diplomatic service or present the merits of those who represent us abroad. Their faithful performance of their duties makes this unnecessary, and the brief time allowed for debate and my desire to conclude the consideration of the bill this evening compel me to speak briefly. Attacks have been made periodically in the House of Representatives on our foreign service, and the criticisms of the gentleman from New Jersey [Mr. MCADOO] are in many respects of the same tenor as those made by others at previous sessions of Congress, but nevertheless our diplomatic service has continued for a century, and will probably continue in some form as long as our Republic lasts.

There are doubtless defects in our foreign service, but I do not believe our diplomatic service should be abolished. Many able and accomplished gentlemen have represented us abroad as ministers, who, in my judgment, have reflected credit on the United States. The distinguished Chairman of this committte [Mr. COX] rendered conspicuous service as a foreign minister. I might name many others if my time permitted who are now in service or who served with distinction in the years that have passed. The argument presented by my friend from New Jersey [Mr. MCADOO], while it indicates that he is not pleased with what has occurred in Great Britain, does not, in my opinion, in the least degree justify the abolition of our diplomatic service.

There should probably be a revision of the laws regulating our diplomatic and consular service, and if the gentleman wishes to discuss that subject he will have an opportunity when the bill now on the Calendar for the revision of our consular system comes before the House. At present we are considering the diplomatic and consular appropriation bill, which seeks to appropriate money to pay the salaries of our ministers, consuls, commercial agents, clerks, and such other expenses as are necessary, and I hope we will proceed without delay. Nearly all the nations of the world send their diplomatic and consular officers to our country, and this, the greatest Republic in the world, should send diplomatic and consular officers wherever they can advance the dignity and the commerce of our great nation or be of benefit to American citizens.

Mr. MCADOO. I do not desire to detain the committee, but have just one word to say in reply to my honorable friend from Kentucky. I want to emphasize the absurdity of the present diplomatic service as applied to our institutions. The whole play, the very terms of it, the very ribbons and feathers and forms of it, and the mummery of it, pertain to a past age. I am told that in one of the Western newspapers during the late campaign one of the ordinary forms of diplomatic courtesy between the representatives of two countries was kept at the head of the paper with a view of presenting the present Secretary of State in a sycophantic and snobbish position towards a diplomat representing England here. Of course this was untrue and absurd, but it shows how ridiculous this game is in a country like ours. The very terms, the sign manual, of the system are as obsolete and dead as possible, and yet it is retained in our country.

If every court in Europe refrained from sending ministers here the mass of the American people would not care a handful of last year's chestnuts. It might possibly annoy a few snobs who in their opinions, if they have any, as much represent the American people as they do the natives of Zanzibar.

I am not, as my friend suggests, applying these remarks to Great Britain; I am not making any invidious distinction between Great Britain, Russia, China, or any other country; but am speaking of the principle at stake in this question broadly presented. I repeat that this so-called diplomacy is absolutely obsolete and dead among the progressive peoples of the world; and it belongs to us, an intelligent republican people, to set an example by abolishing it, showing to the world that it is a service which is useless in this day of steam and electricity, that the business of nations now, like the business of individuals, is conducted on plain common-sense methods and principles, and that our consular service could be so employed.

Mr. MCCREARY. It is now getting near 5 o'clock, and I hope we will continue the reading of the bill.

The CHAIRMAN. The gentleman from New Jersey withdraws the formal amendment.

The Clerk resumed and concluded the reading of the bill.

Mr. MCCREARY. I move that the committee rise and report to the House the two appropriation bills which have now been disposed of.

Mr. SAYERS. I ask the gentleman to permit the Committee of the Whole to remain in session in order that the fortification bill may be considered this afternoon. It is a very short bill.

Mr. TOWNSHEND. I am of opinion that we shall not have time to-day to dispose of the fortification bill. There are some points of order to be raised on that bill, which will take some time for their discussion and determination. I think it better, therefore, that the Committee of the Whole should rise now, in order that the House may dispose of the two appropriation bills already acted on. Then, if it is desirable, the House can again resolve itself into Committee of the Whole.

Mr. SAYERS. If there should be any trouble in regard to the fortification bill, I will myself move that the committee rise in time for the House to pass the two appropriation bills already acted on.

Mr. MCCREARY. I will say to the gentleman from Texas that we can pass these two bills in a few minutes.

Mr. TOWNSHEND. It is my purpose to make a point of order on some of the provisions of the fortification bill; and it will take some time to dispose of that measure. I think, therefore, we had better rise, so as to pass the two bills already acted on.

Mr. MCCREARY. I ask a vote on my motion that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. CRISP having taken the chair as Speaker *pro tempore*, Mr. COX reported that the Committee of the Whole on the state of the Union, having had under consideration the bill (H. R. 11854) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1890, and the bill (H. R. 11879) making appropriations for the diplomatic and consular service of the United States for the fiscal year ending June 30, 1890, had directed him to report the same back to the House with amendments.

MILITARY ACADEMY APPROPRIATION BILL.

The House proceeded to the consideration of the bill (H. R. 11854) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1890.

The amendment reported from the Committee of the Whole was read and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. TILLMAN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

DIPLOMATIC APPROPRIATION BILL.

The House next proceeded to the consideration of the bill (H. R. 11879) making appropriations for the diplomatic and consular service of the United States for the fiscal year ending June 30, 1890.

The amendment reported from the Committee of the Whole House on the state of the Union was read and agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. MCCREARY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

FORTIFICATION APPROPRIATION BILL.

Mr. SAYERS. I move that the House resolve itself into Committee of the Whole on the state of the Union for the purpose of considering general appropriation bills.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. BLOUNT in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of general appropriation bills. The Clerk will read the title of the first bill in order.

The Clerk read as follows:

A bill (H. R. 11917) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

Mr. SAYERS. I ask unanimous consent that the first reading of the bill be dispensed with.

There being no objection, it was ordered accordingly.

Mr. ADAMS. In proceeding to the consideration of this bill by paragraphs there is no adequate opportunity to have the House understand the policy of the committee; and I see by the report——

The CHAIRMAN. The Chair will state that dispensing with the first reading of the bill does not cut off general debate.

The Clerk, proceeding to read the bill by paragraphs for amendment, read as follows:

Be it enacted, etc., That the sums of money herein provided for be, and the same are hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, namely:

Preservation and repair of fortifications: For the protection, preservation, and repair of, and preparation of plans for fortifications, $100,000.

Mr. TOWNSHEND. Mr. Chairman, the item immediately following the first item of this bill is one on which I wish to raise a question of order; and the point which I wish to discuss is applicable to every succeeding item of the bill. I have been unable since the bill has been taken up to get a copy of it, and therefore I am compelled to follow it simply from the reading.

Mr. Chairman, the rules of the House have conferred on the Committee on Appropriations jurisdiction over appropriations for fortifications, or, to state the matter rather more broadly, have given that committee jurisdiction over all subjects relating to fortifications. The word "fortification" has a well-defined meaning in the dictionaries, and is no doubt sufficiently understood by the Chair and by the members of the House without any definition by me. The bill which we have now under consideration contains in its first item all that can be found in it relating to the question of fortifications. I refer to the item—

For the protection, preservation, and repair of, and preparation of plans for fortifications, $100,000.

Every other item of the bill relates to armament, relates to providing guns and means of defense for the seacoast. There is no other item in the bill relating directly to fortifications.

The CHAIRMAN. The subsequent paragraphs have not yet been reached, and the point of order can be made against them as they are reached.

Mr. TOWNSHEND. What is that?

A MEMBER. The Chair has decided the gentleman can not cross the bridge until he has come to it.

Mr. TOWNSHEND. Well, we have reached one bridge and I have crossed it, and it is in reference to that bridge that I have made the point of order. The first item is for the—

Preservation and repair of fortifications: For the protection, preservation, and repair of, and preparation of plans for fortifications, $100,000.

All the other paragraphs relate to something less than fortifications, and have no right under the rules to be included in this bill. I make the point of order that the paragraph "torpedoes for harbor defense" is not in order upon this bill.

The CHAIRMAN. That paragraph has not yet been read by the Clerk.

Mr. TOWNSHEND. I supposed the Clerk in reading the bill had read that paragraph. It commences on the first page of the bill and goes down and includes line 6 on the second page.

The CHAIRMAN. That has not been read at all.

Mr. TOWNSHEND. I will wait until the Clerk reads it.

The Clerk read as follows:

Torpedoes for harbor defense: For the purchase of submarine mines and necessary appliances to operate them for closing the channels leading to our principal seaports; for needful casements and cable galleries to render it possible to operate submarine mines; for continuing torpedo experiments and for practical instruction of engineer troops in the details of the service, $330,000.

For torpedo-shed at San Francisco Harbor, $22,000.

Mr. TOWNSHEND. Mr. Chairman, I make the point of order against what the Clerk has just read. Now, I have already stated that the only jurisdiction conferred by the rules of the House upon the Committee on Appropriations in relation to the military establishment of the country is to make appropriations for subjects relating to fortifications.

Clause 12 of Rule XI is as follows:

12. To the military establishment and the public defense, including the appropriation for its support, and for that of the Military Academy: to the Committee on Military Affairs.

Now, then, as I have already stated, only the first paragraph in this bill relates to fortifications. It is there provided:

Preservation and repair of fortifications: For the protection, preservation, and repair of, and preparation of plans for fortifications, $100,000.

The item which has just been read in reference to torpedoes for harbor defense has no relation to fortifications at all, but provides:

Torpedoes for harbor defense: For the purchase of submarine mines and necessary appliances to operate them for closing the channels leading to our principal seaports; for needful casements and cable galleries to render it possible to operate submarine mines; for continuing torpedo experiments and for practical instruction of engineer troops in the details of the service, $330,000.

It will be seen, therefore, it has nothing to do with fortifications. It is the planting of submarine mines. These are never planted in fortifications themselves, but they are planted away from the fortifications. They are usually planted in the harbors to prevent the entrance of the enemy's ships. They have nothing more to do with fortifications, therefore, than the gun or the uniform with which the soldier is equipped.

Mr. REED. Let me interrupt the gentleman from Illinois.

Mr. TOWNSHEND. Certainly.

Mr. REED. What is the aggregate of appropriation provided for in this bill?

Mr. TOWNSHEND. Eight hundred and ninety thousand dollars.

Mr. REED. A tremendous bill for the fortification of a country of this size! [Laughter.]

Mr. TOWNSHEND. My purpose, Mr. Chairman, is not on this occasion to discuss the merits of the bill, but merely to have the point of order which I have raised determined, not only for the present but for the future action of the House itself. So far as the Committee on Military Affairs is concerned, it has no pride of opinion in reference to the matter. It desires that the House in the transaction of its business shall be consistent in what it does. It desires to see the jurisdiction conferred by the rules of the House exercised by the committees upon which that jurisdiction has been conferred. It does not desire to see jurisdiction exercised by committees upon which the rules have not conferred it. In other words, it asks that the rules shall be executed as they are and not in any different manner than in accordance with their provisions.

Now, the only jurisdiction conferred by the rules in regard to fortifications on the Committee on Appropriations is simply for the preservation and repair of fortifications, which are provided for, as I have already stated, in the first section of the bill. There is not one word in the rules conferring upon that Committee on Appropriations any power to make appropriations, to provide armament for these fortifications, to provide for paying the expenses of maintaining them, to provide for furnishing them with guns, but simply for the preservation and repair of the fortifications themselves. Now, when you look at clause 12, Rule

XI, you will there see that the jurisdiction conferred upon the Committee on Military Affairs is in reference to the military establishment and the public defense, including the appropriations for its support, and for that of the Military Academy.

The question is a plain and simple one and no one can misunderstand it. The Committee on Military Affairs has exclusive jurisdiction over the question, and not the Committee on Appropriations. That was the decision at the last session of Congress, and it has also been the decision during the present session. I have before me a copy of the resolution reported from the Ways and Means Committee referring the President's message, and that in the most specific and pointed manner refers this question to the Committee on Military Affairs, leaving no ground for controversy. It is there declared that armaments for fortifications and seacoast defense shall be referred to the Committee on Military Affairs, and not to the Committee on Appropriations. Such was the resolution reported from the Committee on Ways and Means under the instructions of the House to provide for the distribution of the subjects discussed in the message of the President to the various committees of the House. Here is the resolution, signed by the Clerk, whereby the subject of the armament for fortifications and the public defense was referred to the Committee on Military Affairs.

On the 6th day of last December Mr. McMILLIN, from the Committee on Ways and Means, submitted the following privileged resolution; which was read, considered, and agreed to:

Resolved, That so much of the annual message of the President of the United States to Congress at the present session as relates to the Army of the United States, including appropriations therefor, and to providing an armament for defense on the seacoast, be referred to the Committee on Military Affairs.

The message of the President of the United States discussed the various means of providing a system of defense for the seacoast, and amongst them was discussed the question of providing torpedoes. Included also in the same message was a reference to submarine mines.

I insist, therefore, Mr. Chairman, that this is a clear-cut, square question upon which the point of order is raised and on which I ask a ruling of the Chair. It is a matter of but little concern to the Committee on Military Affairs or to any member of that committee as to what may be the ruling in this regard. It is simply a sense of duty that impels me as well as the Military Committee to insist that the House shall be consistent with its own rules, and with its reference of this subject to that committee by the resolution to which I have just referred, and that the question so referred shall be left to the consideration and disposition of that committee.

I do not care, sir, to occupy the attention of the committee unnecessarily, and having stated simply, plainly, and briefly the ground on which I base the point of order, I will say nothing more upon the question.

Mr. CUTCHEON. Mr. Chairman, I was not present during the last session of Congress when this question was chiefly discussed, although I was present during a portion of the discussion. It stands, it seems to me, in an altogether different attitude to-day from the position it occupied at that time, because this question now raised, of which committee shall have jurisdiction and report appropriations for the armament of our seacoast defenses, has been taken in hand by the House itself, has been definitely decided, and it has referred the entire matter, by a resolution of the House, to the Committee on Military Affairs.

But, sir, in the few moments that I will occupy the floor at this time I shall not discuss the question upon that narrow basis, but rather upon the more general ground of the principle underlying our rules and procedure here.

Formerly the entire matter of appropriations for the public defense was in the hands of the Committee on Appropriations. In the Forty-ninth Congress, by an amendment to the rules of the House, the jurisdiction of the Committee on Appropriations was segregated, and portions of that jurisdiction were distributed to various other committees of the House. Among the appropriation committees so created was the Committee on Military Affairs, and to it was assigned the duty of making appropriations for certain purposes in addition to its former jurisdiction; so that by a reference to the rules as at present existing, the jurisdiction of that committee now embraces:

All legislation relating to the military establishment and the public defense, including the appropriations for its support—

That is, the support of the military establishment and the public defense—

and for that of the Military Academy.

The words "the military establishment and the public defense" include all matters that relate to the military arm of the Government. The House has carved out of this wide and general field a narrower field, which is called the field of fortifications, and has committed that to the Committee on Appropriations. All the remainder of the military establishment and the public defense has been committed to the Committee on Military Affairs.

Now, sir, my first proposition is this: that as the broader, the general and universal field is committed to the Committee on Military Affairs, that is, the whole military establishment and the entire public defense, and then a minor and lesser field is carved out and committed to another committee, that the language by which this segregation is made must be strictly construed; and that when the House has committed to the Appropriations Committee a certain portion of the field, namely, that of fortifications, that term must be taken in its literal sense, because it is in qualification of the wider and more general jurisdiction which is conferred on the Military Committee. I think there can be no question about that as a matter of interpretation.

Then the question arises, what is meant by the language of the rule where, when it says that to the Committee on Appropriations, by subdivision 3 of Rule XI, which confers jurisdiction upon the Committee on Appropriations to provide for the legislative, executive, and judicial expenses, and for sundry civil expenses, are also included the words "for fortifications?" I say, what is meant when the rule says, in this paragraph, that the Committee on Appropriations shall have jurisdiction of matters relating to fortifications? To determine that we must turn the light on by determining what is meant by the terms "military establishment" and "the public defense." What is the military establishment? The military establishment relates to all permanent military forces of the United States. It embraces, first, the infantry arm; second, the cavalry arm; third, the artillery arm of the service, and fourth, the engineers. All matters pertaining to the military establishment of the United States, the four branches of the military establishment I have named, are committed to the Committee on Military Affairs. That carries with it all matters relating to the equipment of these four arms, to the provisioning, to the supplying, to the clothing, and the transportation, and everything of that character. Now, among the four arms of the service each one has its own appropriate armament. The infantry has its muskets or rifles; the cavalry its carbines, revolvers, and sabers; the field artillery its field-guns, and the heavy artillery the siege-guns and coast-defense armament. I maintain, sir, that the armament of the artillery, the equipment of the field artillery, and the equipment of the heavy artillery for coast defenses is just as much a matter within the jurisdiction of the Committee on Military Affairs as is the matter of supplying the Army with clothing, or with provisions, or with transportation, or as the matter of manufacturing arms for the infantry or cavalry.

The paragraph of the bill which we have now reached relates to torpedoes. Now, the torpedo system of the United States is eminently and manifestly a part of the regular military establishment. It pertains to the engineer branch of the military establishment. The torpedo is no fortification. The torpedo has nothing to do with fortifications in any proper sense of the word. A torpedo is an arm. A torpedo is just as much an arm as a musket, a rifle, a saber, a field-gun, or any other arm with which the Army is equipped. It is an arm which may be planted on shore in a water channel, and it may be operated by electricity or by steam, or in any other way; but in whatever way it is operated it is by the Engineer Corps of the United States. We have a post at Willets Point, outside of New York Harbor, where the Engineer Corps is drilled from month to month and year to year in the torpedo system of the United States.

Now, my position, Mr. Chairman, is this: that it is exclusively a matter of armament, and not of fortifications. In the second place, that it is a matter pertaining to the military establishment of the United States and the arming of the military of the United States, and for nothing else. My third position is that it has been expressly and definitively committed to the Military Committee by a solemn resolution of this House, and it belongs to them, and to nobody else.

But, Mr. Chairman, let us look a little further at this matter of fortifications. I concede that all matters of fortifications are committed by the laws of this House to the Committee on Appropriations.

Now, I hold in my hand volume 7 of the American Encyclopedia. Under the head of "Fortifications," in the special acceptation of the term, it defines fortifications into three classes: permanent fortifications, siege fortifications, and field fortifications. I have read this article from beginning to end, and I find that it does not speak at all of armaments. So that armament is not necessarily part of fortifications.

A few years ago, in the time of old General Totten, the Congress of the United States decided on the fortification of our ports. A plan of fortification was prepared, was inaugurated, and carried out at a cost of more than $50,000,000. Such fortifications as Fortress Monroe and Fort La Fayette in New York Harbor and many other forts along our coast were built.

Now, all matters as to fortifications, under the rules as they exist to-day, go to the Committee on Appropriations; but when it comes to arming these fortifications; when it comes, in other words, to arming the troops that are to occupy the fortifications—because it is the troops that are armed, and not the fortifications—then that matter of arming the troops belongs to the Committee on Military Affairs under the order of this House.

Now, Mr. Chairman, we have reached but one paragraph of the bill. In regard to the first paragraph no question can be made that relates to fortifications. We have already determined that all matters pertaining to the armament of the Army is committed to the Committee on Military Affairs. But if you will cast your eye down this bill a little further you will find here appropriations for field artillery—for 3.2-

inch guns, the lightest kind of field artillery, and you will find appropriations here for field carriages for such guns. In other words, the Committee on Appropriations assume to take into its jurisdiction this entire matter of arming the Army by providing the field artillery for the Army of the United States, and taking that right away from the Committee on Military Affairs.

Mr. Chairman, this may not be a very important question. The important question is that the work be done. But in an orderly transaction of the business of this House I insist that the Committee on Military Affairs shall be permitted to report here and have charge of the measures that this House has entrusted to it. It is not a mere matter of jealousy between committees. It is a matter for the orderly division and transaction of the business of this House. I could say a great deal more about this question, but the hour is late and I do not desire to consume the time of the House upon this point of order. But it is a point of order that will be renewed upon each point where it is pertinent. The House conferred that jurisdiction on the Committee on Military Affairs and can take it away, but I think it ought not to do so without some reason.

Mr. RANDALL. I do not think I am like the chairman of the Committee on Military Affairs in this connection. He says he has no feeling on this subject. I fear if I said so I would not do justice to my frankness. Enforced absence kept me from the House when this subject was discussed at the last session. I had supposed it was finally settled. It seems now to rest upon a resolution distributing the President's message.

The strong point at which we should look, and, it seems to me, the only one that should have weight with the Chairman of this committee in ruling upon this question, is, what authority or power or jurisdiction did the Committee on Appropriations have before the separation of the appropriation bills? It is not disputed that all the subjects of appropriation to which reference has been made in this connection then attached to the Committee on Appropriations, but the rules were changed and jurisdiction was given to the Committee on Military Affairs of a portion of the expenditures of the public money in connection with the Army. The Committee on Rules, which reported those changes, settled and fixed beyond controversy, in my judgment, what was intended by that committee in recommending the change, and the House, by following the recommendation of the committee, confirmed that interpretation. I read from a volume of committee reports belonging to the Committee on Appropriations, page 11 of the report of the Committee on Rules. This is what the committee say:

The fortification bill, being one relating jointly to Army and Navy fortifications and the general public defense, is left with the Committee on Appropriations.

Mr. TOWNSHEND. Who made that statement?

Mr. RANDALL. It is a part of the report of the Committee on Rules.

Mr. TOWNSHEND. What does the rule itself say?

Mr. RANDALL. The rule has been in operation, and, under that rule, jurisdiction has been claimed by the Committee on Appropriations, and the decision of this very House sustained that claim at the last session.

Mr. TOWNSHEND. Will my friend do the House the justice to have the rule itself read? because I believe that the individual who drew that report misconceived the nature of the rule which was being reported, and certainly the rule itself ought to have more weight with the House than the report of the committee.

Mr. RANDALL. I am only telling you what in my judgment was intended by the report of the Committee on Rules, and we have operated under that rule several sessions.

Mr. MAISH. If the report of the Committee on Rules is to determine this question, will the chairman of the Committee on Appropriations inform us what is the difference between "general public defense," the language used in the report, and "public defense," the language used in the rule which the same committee reported?

Mr. RANDALL. The action of the Committee on Appropriations in taking jurisdiction of this subject shows what was the meaning of the rule, and the House affirmed it. Never, until the last session, was any question raised against the Committee on Appropriations exercising that power, and when the question was raised it was settled by a vote of this House in favor of the Committee on Appropriations.

Mr. MAISH. The gentleman misapprehends my question. Rule 11 provides that to the Committee on Military Affairs shall be referred all matters pertaining to the military establishment and the public defense. Now the gentleman has just read an extract from the report of the Committee on Rules, which says that that matter shall belong to the Committee on Appropriations, and I want him to explain whether the matters pertaining to the "public defense"——

Mr. RANDALL (interposing). That is a very plain question, and easily answered.

Mr. MAISH. Very well, I would like to have it answered.

Mr. RANDALL. The practice of the House settles that question. The practice of the House settles it that under the rule the Committee on Appropriations have jurisdiction, and they have taken that jurisdiction by the action of the House in this and in former Congresses. So that the gentleman's opinion, or mine (which, it seems, differ), has not that force and effect which the precedents established by the House have and should have.

Mr. MAISH. But still the gentleman does not answer my question. The rule provides that the Committee on Military Affairs shall have jurisdiction in relation to the "public defense," and the report which the gentleman has quoted says not.

Mr. RANDALL. I say that this report of the Committee on Rules made plain what was the intention in making the change of rule; that it shows what was taken from the Committee on Appropriations and what was left; and I say, moreover, that the action of the House itself in construing the rules confirms the position of the Committee on Appropriations.

Mr. TOWNSHEND. I wish to ask the gentleman a question. The House took action by adopting the rule. The Committee on Rules made a report, but the House did not adopt that report; it adopted the rule. The House had nothing to say about the report. It has not affirmed or indorsed that report. The House simply takes action upon the rules reported by the committee. The observation which the gentleman quotes from the report of the committee is not an official act of the House; it is simply an opinion of the committee. Now, I want to ask him whether the voice of the House, speaking through the rule, ought not to have more force and weight than a simple recommendation of the Committee on Rules?

Mr. RANDALL. I have said so. I have said that the gentleman from Illinois and I might possibly differ in regard to the construction of the rules, but that the action of the House itself has settled the question and has settled it in favor of the Committee on Appropriations having jurisdiction in this connection.

Mr. TOWNSHEND. When did the House so determine?

Mr. RANDALL. In the last Congress, by passing bills that came from the Committee on Appropriations, and in the first session of this Congress the question was settled directly by a decision, though I, unfortunately, was not able to be with my colleagues in their gallant fight for the rights of the committee.

Mr. TOWNSHEND. I will say to my friend [Mr. RANDALL], who was not here, that the decision of the Chair on the occasion to which he refers was made upon the ground that the matter in question had been sent to the Committee on Appropriations by the reference of the estimates; but here we stand in an entirely different situation, the House having by a unanimous vote referred this question to the Committee on Military Affairs.

Mr. RANDALL. I have read what the Chair decided at that time; and I do not think he held as stated——

Mr. TOWNSHEND. My recollection is that that is the effect of the decision.

Mr. RANDALL. I was not here, but I read the decision; and I differ from the gentleman.

I do not rest at all upon what the Committee on Rules says, except as a view of the question which ought to have force in this House as interpretative evidence.

Mr. TOWNSHEND. The best evidence is the rule itself.

Mr. RANDALL. But I do rely on the action of the House; and I submit that the *pro forma* resolution coming in here from the Committee on Ways and Means, and having no relation to the rule at all, was never intended by that committee to be the subject of any such nice or ingenious construction as is now sought to be put upon its language.

Mr. McMILLIN. Mr. Chairman, I have no feeling as to the particular committee from which this subject-matter should be reported; but in view of the fact that stress has been laid upon the resolution reported from the Committee on Ways and Means in regard to the reference of this subject to the Committee on Military Affairs, I think it but just to that committee to say that the language used in that resolution providing for the reference of the President's message is not new language to this House in connection with the reference of this subject-matter. By turning to the RECORD of the Forty-ninth Congress, page 613——

Mr. TOWNSHEND. Perhaps I misapprehend the gentleman. Does he deny that the resolution which I have read is the one which he himself presented to this House?

Mr. McMILLIN. I do not deny it at all. It is the resolution we introduced; but I say it is in form the same resolution which had been introduced previously. That this is no new reference I will prove to the gentleman from Illinois by reading a clause from the resolution adopted in the Forty-ninth Congress referring to various committees the subjects embraced in the President's message.

Mr. TOWNSHEND. I am very happy to have the gentleman read that, because it strengthens my position.

Mr. McMILLIN. As I stated in the beginning, I have no anxiety in this matter except that the facts in connection with it shall be fully before the House. This is the language of the resolution adopted in the Forty-ninth Congress as given on page 613 of the RECORD:

That so much as relates to the Army of the United States and to Department

of War, including appropriations therefor, and to providing an armament for the defense of the seacoast, be referred to the Committee on Military Affairs.

Hence it appears that this committee, by reason of this reference, has no new authority, no authority which it had not in the Forty-ninth Congress; and, as stated by the gentleman from Pennsylvania, it would seem that the House at the first session of this Congress did not conceive this to be a precedent giving jurisdiction. We simply copied the resolution adopted in the Forty-ninth Congress.

Mr. SAYERS. Mr. Chairman, for more than fifty years provisions similar to those now under consideration have been a part of the fortification bill reported by the proper committee to this House. In the first session of the present Congress this point was raised upon the appropriation of money for the purchase of steel; and after deliberation, after argument pro and con by those favoring the jurisdiction of the Committee on Appropriations and those opposed to it, it was determined by the Chairman of the Committee of the Whole that this subject-matter was entirely and exclusively within the jurisdiction of the Committee on Appropriations, and was properly embraced in the fortification bill emanating from that committee.

Mr. TOWNSHEND. My friend from Texas certainly does not insist that for fifty years this subject-matter has been in the fortification bill——

The CHAIRMAN. As the hour fixed for the adjournment of the House has arrived, the Committee of the Whole must rise.

The committee accordingly rose; and Mr. CRISP having taken the chair as Speaker *pro tempore*, Mr. BLOUNT reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 11917) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, had come to no resolution thereon.

The SPEAKER *pro tempore*. The hour of 5 o'clock having arrived, the House stands adjourned until Monday next.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. CARUTH: A bill (H. R. 12061) for the relief of Susan C. Ashcroft, formerly Susan C. Jackson—to the Committee on the Judiciary.

By Mr. FINLEY: A bill (H. R. 12062) granting an increase of pension to Frank L. Wolford—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 12063) granting an increase of pension to Jacob C. Patrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12064) granting a pension to Amanda J. Delap—to the Committee on Invalid Pensions.

By Mr. McSHANE: A bill (H. R. 12065) granting a pension to William McBrien—to the Committee on Invalid Pensions.

By Mr. ROBERTSON: A bill (H. R. 12066) for the relief of Margaret D. Porter and Mary A. Porter—to the Committee on War Claims.

Also, a bill (H. R. 12067) for the relief of John H. Wilberding—to the Committee on War Claims.

Also, a bill (H. R. 12068) for the relief of James Ray, administrator of Dr. George Hill—to the Committee on War Claims.

Also, a bill (H. R. 12069) for the relief of Wesley Steen—to the Committee on War Claims.

Also, a bill (H. R. 12070) for the relief of Joseph M. Carriere—to the Committee on War Claims.

Also, a bill (H. R. 12071) for the relief of Clement Hollier, jr.—to the Committee on War Claims.

Also, a bill (H. R. 12072) for the relief of John F. Irvine—to the Committee on War Claims.

Also, a bill (H. R. 12073) for the relief of Jules A. Dejean and other heirs of Honore Dejean and wife—to the Committee on War Claims.

Also, a bill (H. R. 12074) for the relief of the widow and heirs of Francis Marks—to the Committee on War Claims.

Also, a bill (H. R. 12075) for the relief of Pierce Alexis Nezat—to the Committee on War Claims.

Also, a bill (H. R. 12076) for the relief of L. D. Prescott—to the Committee on War Claims.

Also, a bill (H. R. 12077) for the relief of William R. Barrow, deceased—to the Committee on War Claims.

Also, a bill (H. R. 12078) for the relief of James H. Gibbens—to the Committee on War Claims.

Also, a bill (H. R. 12079) for the relief of Charles C. Pickett—to the Committee on War Claims.

Also, a bill (H. R. 12080) for the relief of John Roy—to the Committee on War Claims.

Also, a bill (H. R. 12081) for the relief of John Fahey—to the Committee on War Claims.

Also, a bill (H. R. 12082) for the relief of Joseph P. Colomb—to the Committee on War Claims.

Also, a bill (H. R. 12083) for the relief of Marcellin Lafleur, jr., administrator, etc.—to the Committee on War Claims.

Also, a bill (H. R. 12084) for the relief of Abel J. Norwood and Joseph E. Norwood—to the Committee on War Claims.

Also, a bill (H. R. 12085) for the relief of Ludger Lastrapes and Lucien Lastrapes—to the Committee on War Claims.

Also, a bill (H. R. 12086) for the relief of Jean O. Trahan—to the Committee on War Claims.

Also, a bill (H. R. 12087) for the relief of William Burleigh—to the Committee on War Claims.

Also, a bill (H. R. 12088) for the relief of Notley C. Devilliers, administrator, etc.—to the Committee on War Claims.

Also, a bill (H. R. 12089) for the relief of the heirs and legal representatives of Francis Menillon and Maria F. Semelle—to the Committee on War Claims.

Also, a bill (H. R. 12090) for the relief of Francis C. Devilliers—to the Committee on War Claims.

Also, a bill (H. R. 12091) for the relief of Valmont Stelly—to the Committee on War Claims.

Also, a bill (H. R. 12092) for the relief of Onezime L. Pitre—to the Committee on War Claims.

Also, a bill (H. R. 12093) for the relief of John L. Couret—to the Committee on War Claims.

Also, a bill (H. R. 12094) for the relief of Lucille Guillory—to the Committee on War Claims.

Also, a bill (H. R. 12095) for the relief of Felix Auzieme—to the Committee on War Claims.

Also, a bill (H. R. 12096) for the relief of Jean Pierre Lafleur—to the Committee on War Claims.

By Mr. ROGERS: A bill (H. R. 12097) for the relief of the estate of F. B. Culver, deceased—to the Committee on Indian Affairs.

By Mr. RYAN: A bill (H. R. 12098) granting a pension to H. E. Patee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12099) granting a pension to Jesse Deever—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12100) granting an increase of pension to E. A. Edwards—to the Committee on Invalid Pensions.

By Mr. McSHANE: a bill (H. R. 12101) granting a pension to Martin Stroud—to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BAYNE: Resolution of the Chamber of Commerce, of Pittsburgh, Pa., for a tariff duty of 2½ cents per pound on tin-plate—to the Committee on Ways and Means.

By Mr. CARUTH: Papers to accompany House bill No. 12043, for the relief of George Lewis Cousen—to the Committee on War Claims.

Also, papers to accompany House bill No. 12042, increasing the pension of Henrietta O. Whitaker—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 12044, to grant an increase of pension to Margaret Jane Swell—to the Committee on Invalid Pensions.

By Mr. CLARK: Petition of the Milwaukee (Wis.) Turnverein, against the Blair religious amendment—to the Committee on the Judiciary.

By Mr. CONGER: Resolutions of the Iowa Commandery, Loyal Legion, urging early completion of the naval records—to the Committee on Naval Affairs.

By Mr. DUNHAM: Memorial of the National Board of Trade, favoring the cental system for transactions in grain, seeds, and other kindred subjects—to the Committee on Coinage, Weights, and Measures.

By Mr. FINLEY: Petition of Hon. W. W. Jones, of Columbia, Ky., and 190 others, asking an increase of pension to Frank L. Wolford, late colonel First Kentucky Volunteer Cavalry—to the Committee on Invalid Pensions.

By Mr. GEAR: Petition of the Loyal Legion of Iowa, asking an early completion of the records of the Navy—to the Committee on Naval Affairs.

By Mr. GROUT: Petition of farmers of Williamstown, Vt., for protection to agriculture—to the Committee on Ways and Means.

By Mr. HAYES: Petition for the admission of Dakota, but protesting against the Sioux Falls constitution—to the Committee on the Territories.

By Mr. D. B. HENDERSON: Petition of Rev. S. R. J. Hoyt and others, praying for a constitutional amendment to prohibit the manufacture of alcoholic liquors—to the Select Committee on Alcoholic Liquor Traffic.

Also, resolutions of the Loyal Legion of Iowa, in favor of perfecting the naval records of the United States—to the Committee on Appropriations.

By Mr. LIND: Petition of John B. Hoddapp and many others, for refunding duty paid on tin-plates used in canning food products—to the Committee on Ways and Means.

By Mr. MAISH: Petition of James H. Dundore, for pay, allowance, bounty, and discharge as of Company H, Nineteenth Pennsylvania Colored Volunteers—to the Committee on War Claims.

By Mr. MARTIN: Petition of J. B. Kilborn and 25 others, of Freestone County, Texas, in favor of pure food—to the Committee on Agriculture.

By Mr. MORGAN: Petition of citizens of Tippah County, Mississippi, in favor of pure lard—to the Committee on Agriculture.

By Mr. O'DONNELL: Petition of 127 citizens of Eaton Rapids, Mich., in favor of a law prohibiting Sunday work in the mail and military service of the Government and in interstate commerce—to the Committee on the Judiciary.

By Mr. SAWYER: Petition of farmers of Shelby, N. Y., for protection to agriculture—to the Committee on Ways and Means.

By Mr. STRUBLE: Memorial of the Jobbers and Manufacturers' Association of Sioux City, Iowa, favoring the opening of the Sioux reservation in Dakota—to the Committee on Indian Affairs.

The following petitions against the passage of the international copyright bill were received, and severally referred to the Committee on Patents:

By Mr. T. J. CAMPBELL: Of printers and others, of New York.

By Mr. HOLMAN: Of G. J. Wood & Co., of Madison, and of J. J. Hazelrigg & Sons, of Greensborough, Ind.

By Mr. LEHLBACH: Of William Simmonds, of Jacob Schmitt, and of N. H. Shurts, of Newark, N. J.

By Mr. McCORMICK: Of George L. Lenhart and others, citizens of Pennsylvania.

By Mr. J. E. RUSSELL: Of Lucius P. Goddard and others, of Worcester, Mass.

By Mr. RYAN: Of D. K. Swearingen, of Burlington, Kans.

SENATE.

MONDAY, *January* 14, 1889.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

JOHN P. JONES, a Senator from the State of Nevada, appeared in his seat to-day.

The Journal of the proceedings of Saturday last was read and approved.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a letter of the Secretary of War, transmitting copy of a letter from the Chief of Ordnance, showing that the sum of $2,550, in addition to the appropriation for "Rock Island bridge, 1889, $9,000," will be required during the present fiscal year for care, preservation, and operating the draw of the bridge; which was referred to the Committee on Appropriations, and ordered to be printed.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting the report of the commission authorized by law to negotiate with the band of Ute Indians of Southern Colorado for such modification of their treaty and other rights and such exchange of their reservation as may be deemed desirable by such Indians and the Secretary of the Interior, etc.; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a memorial of the Legislative Assembly of the Territory of Idaho, remonstrating against the admission of the Territory of Utah into the Union as a State; which was referred to the Committee on Territories, and ordered to be printed.

Mr. SPOONER presented a memorial of the Turnverein Milwaukee, of Milwaukee, Wis., protesting against the passage of the Senate bill to secure to the people the enjoyment of the first day of the week, commonly known as the Lord's day, as a day of rest, and to promote its observance as a day of religious worship, etc.; which was referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES.

Mr. PLUMB, from the Committee on Public Lands, reported a bill (S. 3809) extending the provisions of the Revised Statutes relating to town sites; which was read twice by its title.

Mr. PLUMB. I am also instructed by the Committee on Public Lands, to whom was referred the bill (S. 3665) to provide for the sale of certain lands, to report it adversely, the subject-matter of it being embraced in the original bill which I have just reported. I move that this bill be postponed indefinitely.

The motion was agreed to.

Mr. PADDOCK, from the Committee on Public Lands, to whom was referred the bill (S. 3706) to establish two additional land districts in the State of Nebraska, moved its indefinite postponement; which was agreed to.

He also, from the same committee, to whom the subject was referred, reported a bill (S. 3810) to establish two additional land districts in the State of Nebraska; which was read twice by its title.

Mr. STEWART, from the Committee on Claims, to whom were referred the memorial and findings of fact by the Court of Claims in the case of Flora A. Darling, asked to be discharged from their further consideration, and that they be referred to the Committee on Military Affairs; which was agreed to.

LANDS IN ARIZONA.

Mr. TELLER. I am directed by the Committee on Public Lands, to whom was referred the bill (S. 3804) for the relief of the inhabitants of the town of Flagstaff, county of Yavapai, Territory of Arizona, to report it with amendments. As it is a matter of public interest, I ask for the present consideration of the bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The first amendment reported by the Committee on Public Lands was, in section 1, line 5, after the word "occupants," to strike out the words "and inhabitants," and in line 7, after the word "twenty," to insert "one;" so as to make the section read:

That the probate judge of Yavapai County, Territory of Arizona, be, and is hereby, authorized to enter, in trust for the occupants of the town of Flagstaff, for town-site purposes, the south half of section 16, township 21 north, range 7 east, Gila and Salt River meridian in the Territory of Arizona, subject to the provisions of sections 2387, 2388, and 2389 of chapter 8 of the Revised Statutes of the United States relating to town-sites.

The amendment was agreed to.

The next amendment was, in section 2, line 6, after the word "section," to strike out "or three hundred and twenty acres;" in line 7, after the word "made," to insert the words "in a body;" and in line 8, after the word "subdivisions," to strike out "and contiguous;" so as to make the section read:

SEC. 2. That upon the passage of this act the Territory of Arizona, through its proper officer, shall be, and is hereby, authorized to select as indemnity for said land, and in full satisfaction thereof, and for the purpose stated in section 1946 of the Revised Statutes, one half-section of public lands at any office in said Territory, said selections to be made in a body according to legal subdivisions.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the occupants of the town of Flagstaff, county of Yavapai, Territory of Arizona."

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 11854) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1890; and

A bill (H. R. 11879) making appropriations for the diplomatic and consular service of the United States for the fiscal year ending June 30, 1890.

The message also announced that the House had passed a concurrent resolution for the printing of the annual volumes of the Astronomical Observations of the Naval Observatory for 1886, 1887, and 1888; in which it requested the concurrence of the Senate.

The message further announced that the House had concurred in the amendments of the Senate to the bill (H. R. 5985) to increase the pensions of Mrs. Mary Ann Cross, Mrs. Minnie L. Gardener, and Mrs. Lilla May Pavy to $30 per month.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled joint resolution (S. R. 104) to print additional copies of the United States map of the edition of 1887, prepared by the Commissioner of Public Lands; and it was thereupon signed by the President *pro tempore*.

WISCONSIN WATER-RESERVE LANDS.

Mr. PLUMB. I am instructed by the Committee on Public Lands, to whom was referred the bill (S. 3782) to amend an act entitled "An act declaring that certain water-reserve lands in the State of Wisconsin are and have been subject to the provisions of the act of Congress entitled 'An act granting to railroads the right of way through the public lands of the United States,' approved March 3, 1875," approved September 10, 1888, to report it without amendment. The effect of the bill is simply to correct a date named in an act passed during the first session of the present Congress, and as it is a somewhat important matter with reference to rights that have been initiated under the law, I ask unanimous consent that the bill be now considered.

The PRESIDING OFFICER (Mr. PALMER in the chair). Is there objection to the present consideration of the bill?

By unanimous consent, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. DAWES introduced a bill (S. 3811) to secure to the several bands of Indians of the Sioux Nation in Dakota separate reservations, and a relinquishment of the remainder of said reservation to the United States, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. QUAY introduced a bill (S. 3812) for the relief of J. F. Bailey & Co., and others; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3813) granting an increase of pension to Samuel A. Wehr; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 3814) granting an increase of pension to Thomas F. Sanford; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3815) granting a pension to Elizabeth T. Pyle; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3816) granting a pension to Thomas Miller; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CHANDLER introduced a bill (S. 3817) reviving the grade of lieutenant-general in the United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENT TO A BILL.

Mr. DOLPH submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

COUNT OF ELECTORAL VOTES.

Mr. HOAR submitted the following concurrent resolution; which was referred to the Committee on Privileges and Elections:

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall assemble in the Hall of the House of Representatives, on Wednesday, the 13th day of February, 1889, at 1 o'clock in the afternoon, pursuant to the requirement of the Constitution and laws relating to the election of President and Vice-President of the United States; and the President of the Senate shall be the presiding officer; that two persons be appointed tellers on the part of the Senate, and two on the part of the House of Representatives, to make a list of the votes as they shall be declared; that the result shall be delivered to the President of the Senate, who shall announce the state of the vote and the persons elected to the two Houses assembled, as aforesaid, which shall be deemed a declaration of the persons elected President and Vice-President of the United States; and, together with a list of the votes, be entered on the Journals of the two Houses.

HOUSE BILLS REFERRED.

The following bills, received from the House of Representatives, were severally read twice by their titles, and referred to the Committee on Appropriations:

A bill (H. R. 11854) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1890; and

A bill (H. R. 11879) making appropriations for the diplomatic and consular service of the United States for the fiscal year ending June 30, 1890.

THE REVENUE LAWS.

The PRESIDENT *pro tempore*. Is there further morning business? If there be none, that order is closed, and the Calendar under Rule VIII is in order.

Mr. ALLISON. I move to proceed to the consideration of House bill 9051.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

The PRESIDENT *pro tempore*. The pending amendment, offered by the Senator from Delaware [Mr. GRAY], will be reported.

The CHIEF CLERK. In section 2510, line 2690, after the word "plates," it is proposed to strike out:

Angles, beams, and bolts, and copper and composition metal which may be necessary for the construction and equipment of vessels built in the United States for foreign account.

And in lieu thereof to insert:

Sheets, angles, beams, and bolts, deck and bulb beams, together with all other structural shapes of iron or steel, and copper and composition metal, forgings of iron or steel, castings of iron, steel, or composition, flues and tubes of iron, steel, or composition, machinery and parts of machines, and all other articles of foreign production necessary for the construction and equipment of steamers or other vessels built in the United States for foreign account.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Delaware.

Mr. GRAY. Mr. President——

Mr. ALLISON. Before the Senator from Delaware proceeds, if he will permit me, I desire this morning to submit an amendment to the bill with a view of having it printed and allowing it to go over until to-morrow.

Mr. GRAY. Very well.

Mr. ALLISON. I ask leave to offer an amendment, which is proposed to be inserted on page 86.

The PRESIDENT *pro tempore*. The amendment will be printed and lie on the table.

Mr. SHERMAN. I think the amendment had better be read.

The PRESIDENT *pro tempore*. Does the Senator from Delaware yield for the purpose of allowing the amendment to be read?

Mr. GRAY. Certainly.

The PRESIDENT *pro tempore*. The proposed amendment will be read.

The CHIEF CLERK. In section 11, on page 86 of the Senate substitute, line 57, after the word "approval," it is proposed to insert two new sections, as follows:

SEC.—. Until April, 1900, there shall be paid to the producer of sugar, testing not less than 80 degrees by the polariscope, from beets, sorghum, or sugar-cane grown within the United States, a bounty of 1 cent per pound under such rules and regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe. The producer of said sugar, to be entitled to said bounty, shall have first filed with the Commissioner of Internal Revenue a notice of the place for production, with a general description of the machinery and methods to be employed by him, and with an estimate of the amount of sugar proposed to be produced in the next ensuing year, and an application for a license to so produce, to be accompanied by a bond in a penalty and with sureties to be approved by the Commissioner of Internal Revenue, conditioned that he will faithfully observe all rules and regulations that shall be prescribed for such manufacture and production of sugar, and shall have been duly licensed.

The Commissioner of Internal Revenue, upon receiving the application and bond hereinbefore provided for, shall issue to the applicant a license to produce sugar from sorghum, beets, or sugar-cane grown in the United States, at the place and with the machinery and by the methods described in the application; but said license shall not extend beyond one year from the date thereof.

No bounty shall be paid to any person engaged in refining sugars imported into the United States, or sugar produced in the United States upon which the bounty herein provided for has already been paid or applied for, nor to any person except upon sugar produced by such person from sorghum, beets, or sugar-cane grown in the United States. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall from time to time make all needful rules and regulations for the manufacture of sugar from sorghum, beets, or sugar-cane grown in the United States, and shall, under the direction of the Secretary of the Treasury, exercise supervision and inspection of the manufacture thereof.

The bounty herein provided for, including the expenses incident to the payment thereof, shall be paid from the duties collected and paid into the Treasury on sugars imported into the United States, and a sufficient sum for said purpose is hereby appropriated and shall be paid annually from the duties so collected, such annual appropriation and payment to continue until the 1st day of April, A. D. 1900, and no longer.

SEC. —. Any person who shall knowingly refine or aid in the refining of sugar imported into the United States or upon which the bounty herein provided for has already been paid or applied for, at the place described in the license issued by the Secretary of the Treasury, and any person not entitled to the bounty herein provided for who shall apply for or receive the same, shall be guilty of a misdemeanor, and upon conviction thereof shall pay a fine not exceeding $5,000, or be imprisoned for a period not exceeding five years, or both, in the discretion of the court.

The PRESIDENT *pro tempore*. The proposed amendment will lie on the table and be printed. The question is on agreeing to the amendment proposed by the Senator from Delaware [Mr. GRAY].

Mr. GRAY. Mr. President, I presume that this morning very little is necessary to be said about the amendment which I had the honor to offer on Saturday to section 2510 of the Senate substitute. I am disposed to believe that it is apparent to Senators that my object in offering the amendment was the same as that which is manifest on the face of the section as it now stands in the Senate bill, and that it is necessary that these additions should be made in order to make effective the encouragement that we seem disposed to give to the building of ships in American ship-yards to engage in the foreign commerce of the world.

I called the attention of the Senate on Saturday to the fact that the conditions upon which a ship, launched from an American ship-yard, engaged in the foreign commerce of the world, competed with its rivals were essentially different from those surrounding the coastwise commerce of the country and those ships that are built, as they must be built, exclusively in American yards to engage in that coastwise commerce.

The latter class of vessels are protected by the navigation laws of the United States. They are protected as other industries are protected, by keeping out all foreign competition. But when we launch on the ocean a craft that is to carry our flag into foreign ports there we come into competition with all the world. There is no protection for the freights of an American-built steamer so engaged, and the conditions are so different that it is manifest we must consider the building of such vessels from a different point of view from that from which we look at vessels intended for the coastwise commerce.

I ventured the assertion that there were many articles and structural shapes that went into the building of a ship that could not be made in this country so advantageously, and some which could not be made at all in this country; and if an American ship-builder was to be permitted to avail himself of the advance in the science of ship-building, and to be allowed to use all of these contrivances which modern genius and modern science had evolved in the science of ship-building, he must be permitted to go to a foreign market for them.

It is not necessary that this condition of things should continue indefinitely. I think we all believe that the imitative genius of American mechanics, their enterprise and their skill, will soon adapt these modern inventions and produce them in American shops, but here and there and at different points in the building of a ship there must be

the liberty to go abroad for certain parts, for certain structural shapes, certain contrivances, if we wish to build a ship which will be in all respects equal to the foreign rival of that ship when it goes upon the ocean.

I have information since Saturday from an American ship-builder of my own State as to some of these important elements in the construction of a ship. He says:

In addition to the composition castings—

Of which I spoke on Saturday, notably the case of the composition propeller wheels—

In addition to the composition castings, hollow steel shafting generally used in the larger steam-ships is not manufactured in this country, and can only be had from the Vickers or the Armstrongs of England, the Krupp works of Germany, or from the Creusot works of France. Other articles of equipment necessary to vessels whose business takes them to all parts of the world, such as the compasses of Sir William Thomson, are not made in this country.

There is no reason in the world why, if we are compelled in our coastwise commerce to put up with just such ships as an American ship-yard may turn out, that we should be compelled to forego the building of a ship that can engage in the world's commerce by being shut out from these contrivances and these aids to ship-building that are open to all the rest of the world. I believe that in all these matters in a very short time, if once they are used in American-built ships, American mechanics will soon produce the very articles themselves, or substitutes for them which will take their place, and in that way, and in ways that we can not see now and can not anticipate, American industry in all parts of the country will receive the aid and impetus that will be given to it by upbuilding this one great industry in this way.

I therefore hope, Mr. President, that it will not be thought necessary by the Senate to limit the scope of this amendment, or to strike from it, as suggested by the Senator from Ohio, as was his opinion should be done, the designation of machinery and parts of machines. This very matter of hollow steel shafting to which I have just called attention is an important part of the machinery of an iron steam-ship or of any steam-ship. It connects the propelling power directly with the wheel, and might be called a part of the engine.

I think it will be seen, as I said on Saturday, that the admission of these articles free of duty affects no American industry. It will not cause one blow less to be struck by an American workman, but will help a great enterprise and increase the capital engaged in American industries and the number of workmen who will find ready employment.

For these reasons I trust that the amendment will commend itself to both sides of the Senate, as it does not involve any consideration of the theories that underlie the advocacy of or opposition to this bill.

Mr. TELLER. The Senator from Delaware on Saturday asserted that the decay of the shipping interest in the United States was due wholly and entirely to the protective duties put upon the materials which enter into the construction of ships.

Mr. GRAY. I wish to correct the Senator from Colorado in the outset, if he makes any supposed remark of mine to that effect the text of what he is going to say. I did not intend to make so sweeping an assertion as that.

Mr. TELLER. I will read what the Senator said, so that I shall not misquote him.

Mr. GRAY. Where do you read?

Mr. TELLER. I read from the remarks of the Senator.

Mr. GRAY. I mean, on what page?

Mr. TELLER. On page 745 of the RECORD of Saturday's proceedings. The Senator from Delaware [Mr. GRAY] said:

If we can we should relieve at any point an industry that suffers from this protective legislation. Here is one that manifestly does. It is conceded on all hands that your protection has so shut in and closed the avenues of profitable enterprise that this great enterprise, to wit, the iron-ship building industry for foreign account and to engage in foreign commerce, is absolutely extinct in this country.

If the Senator did not say what I stated, then I do not understand the meaning of his language.

Mr. GRAY. Will the Senator yield to me?

Mr. TELLER. Certainly.

Mr. GRAY. I do not wish to interfere with what the Senator has to say, but that is very different, I conceive, from saying that the protective-tariff law was the only cause of the decay of American ship-building for foreign account. There are some other reasons that I recognize. The war had a great deal to do with the transfer of the ownership of American ships to foreigners. But what I meant to say, and I think what I did say, was that as we are situated now we should lift the bars at this point in the protective fence. I did not mean to cast any aspersion, in saying that, upon the protective policy. I was not arguing as to the views on that question; but I said at this time the lifting of the bars at that point would, in my opinion, enable ships to be built that could not be built now. That is what I meant to say.

Mr. TELLER. I will read further what the Senator said:

We see that the protective tariff, which is advocated on the ground that it is useful to all the industries of this country, that it promotes the prosperity of all the people of this country, in this one instance is crowding down and pressing out of existence an industry as important as any in this country. Why should not we, if we can, lift the bars at one point without assailing the protective tariff at any other, and give a chance for this industry to get upon its feet; not only that it may encourage that much of American labor engaged in the construction of the hulls and machinery of ships, but to send our flag all over the world and encourage the ownership of American vessels engaged in foreign trade, and make a new avenue for American capital and American enterprise not now possessed by us?

There are no ships to be used in the foreign trade built now in American ship-yards. How then can it hurt any industry if we allow those articles to come in free of duty which would not be made here under present conditions, and which would not cause a blow to be struck by an American workman if this provision was not made, for I take it to be conceded that vessels can not now be built in American ship-yards to engage in the foreign commerce of the world?

The assertion there very plainly is that we can not build these ships because of the import duties upon the materials of which they are constructed. Therefore the Senator makes a very ardent appeal to us to allow all the materials out of which ships are built to come into the United States free of duty.

When he was asked on Saturday whether he was willing to have ships brought in free constructed in other countries than our own, he declined to answer. The very theory upon which he has based his amendment shows that he is in favor of free ships. He is in favor, not of doing a portion of the work abroad and doing a portion of it here, and thus keeping up our ship-yards, but he belongs to the class of men who would build all our ships abroad, who would not have any ships built in this country, because they can be built a little cheaper on the Clyde than they can be built in the United States. He belongs to that class of statesmen who would close all the American ship-yards unless more money can be made by building ships in American ship-yards than can be made by building them in any other country.

In other words, the Senator has the general idea that distinguishes a free-trader from a protectionist, and that is that the great object of life is to get something cheap. The cheaper a thing is the more valuable it is in the estimation of a free-trader; and if ships could be built for $1 a ton or $10 a ton less on the Clyde or somewhere else than they could be built on the Delaware, the Senator would immediately transfer all the ship-building to that side of the water to save a dollar a ton, or $10 a ton, whatever it might be.

What kind of a spectacle would be presented by this country, a great leading nation of the world, without a shipping interest? I find in a book that I read a few words from on Saturday that eight-ninths of the shipping of the United States is engaged in the coatwise trade. I find, according to the report of 1880, that there are fifty-seven thousand persons engaged in the seacoast trade, and we have practically nobody engaged in the ocean carrying trade.

The Senator would have us to understand that if the tariff was not the entire reason why we are not engaged in the foreign carrying trade it is at least the chief reason, and from his remarks I understand him to mean that that was the sole reason. However, I accept the modification that something else may have entered into it.

We can not compete first with the cheap money of Great Britain in this country. We have had profitable enterprises presented to the American capitalists of the land. We have been building more railroads than all the rest of the world. We have been putting money in profitable investments here at home, and there has been no call for the American capitalist to put his money in the ocean transit business; and if there was, we can not compete, as can be readily seen, with the English seamen, with the Swedish seamen, with the Scandinavians who run their vessels all over the world at wages paid to their sailors so much less than are paid to ours. If the American ships cost no more than the ships built on the Clyde or in other portions of the world it would be utterly impossible for us to engage in oceanic transportation even if we had the ships.

I want to call attention to a statement made in the book to which I referred by Mr. Jeans, in an article entitled "The Supremacy of Great Britain." He says:

As with ship-building, so with ocean navigation, which is so important a part of the commercial business of this country. The only other country that has a mercantile marine approaching to our own is the United States, but while our steam fleet is almost three times the size of that of America, it is important to observe that only 154,000 tons, or about a ninth part of the whole steam tonnage of that country, is available for over-sea traffic. The remainder is enrolled for the home trade only, in which English ships are prohibited from competing. The effect of this absence of possible competition is seriously felt in the local freight paid on American waters.

Not only do American-made ships cost much more than the same vessels would cost in England, but the wages paid to American sailors are also much higher. Let us for a moment compare the wages paid in the two countries, so that the extent of this difference may be fully appreciated. In the United States, according to the census report of 1880, the average wages paid to the 57,000 sailors employed on steam-ships plying on American waters was £95 per annum. In England, on the other hand, the average wages paid to able-bodied seamen in the same year was only £39. Here, then, we have a difference of £56 a year, or 143 per cent. against the United States. Protected as American vessels are on their own waters, this enormous difference does not greatly, if at all, affect their home trade; but it renders it impossible for them to compete with English bottoms in the carrying trade of the rest of the world, and secures to us, at least so far as America is concerned, a practical monopoly of that trade.

It may now be worth while to inquire briefly what is the value to England of her carrying trade. Some very striking and valuable data on this subject are contained in a paper read by Mr. Giffen in 1880 before the Statistical Society, to which the reader is referred for further details. Briefly, however, it may be stated that while the total earnings of the shipping trade of the world have been calculated at about one hundred and thirty-three millions sterling, no less than seventy-three millions, or 52.2 per cent. of this amount has been credited to the

United Kingdom, against only 19.6 falling to the United States, 5.4 to France, and about 5.5 to Germany.

Later on he says:

The carrying power of Great Britain on the sea between 1870 and 1880 increased by more than 7,000,000 tons, being exactly 60 per cent. of the total increase of carrying power in the world during that period. The total maritime carrying power of England in 1880 was 48 per cent. of the total carrying power of the world at that date. Put in another way, the carrying power of England per 1,000 inhabitants increased from 310 tons in 1870 to 487 tons in 1880, being an increase of 177 tons; while that of France in the same interval, only increased from 44 to 53 tons per 1,000 inhabitants; that of Germany from 32 to 45 tons; that of Russia from 7 to 11½ tons; that of Austria from 12 to 14 tons; that of Italy from 37 to 46 tons; that of the United States (at sea only) from 64 to 74 tons.

The writer then goes on and declares that there are other reasons why Great Britain not only has the supremacy in the carrying trade over America, but other countries also. But the matter is too voluminous for me now to read.

Everybody knows that since 1860 there has been a great increase in the ship-building capacity of Great Britain. The Senator from Delaware said on Saturday that there were no subsidies granted in Great Britain as we understand subsidies. I do not know what the Senator means by that statement. The Senator from Nevada [Mr. STEWART] put in the RECORD what everybody understands has been the policy of Great Britain for many years, to subsidize ships to all parts of the world by immense subsidies. Whether it is in the nature of a mail contract or whether it is so much per ton per mile is quite immaterial. We know for what purpose they have subsidized their ships. They have not subsidized them in the interest of the mails, but in the interest of commerce. When the Senator says that there are no subsidies in the way we use the term, I call his attention to the statement submitted by the Senator from Nevada on Saturday, which shows that immense sums of money have been thus paid. I have not taken the pains to aggregate the amounts, but commencing in 1848 with $3,250,000 and sometimes running up to $5,000,000 and nearly $6,000,000 per annum, the amount for the last year, 1882, for which the figures are given, is $3,538,835.

The Senator can not be ignorant of the fact that France within a few years has subsidized her ships by immense bounties to the ship-owners and the persons who sail their ships. The great trouble with sailing ships and owning ships in this country is because many years ago it was asserted in regard to shipping and transportation by ships, exactly as is asserted now by the Senator from Delaware and his coadjutors, that we were able to contend with the world in shipping and in the carrying trade, and when we took away from the ship-owners that which had been theirs from the very beginning of our navigation acts, from that hour there was a decline of American shipping, and there will be a decline of American shipping until we return to the old system of encouraging shipping, or until the rest of the world shall abandon their system of encouragement by subsidies and largesses that they pay out to their ship-owners.

Mr. SAULSBURY. Mr. President, personally I know very little about the construction of iron ships; but it seems to me the effect of the amendment of my colleague, which proposes to relieve, to a certain extent, persons engaged in that business from certain duties which they are now compelled to pay, is to enable them more successfully to compete with those engaged in the same business on the other side of the water.

We have heard a great deal of complaint about our shipping interest being depressed, especially such as is engaged in the Atlantic foreign carrying trade. It has nearly disappeared from our country and is being transferred to other countries. I apprehend that one of the reasons is because the construction of our ships is more costly than in other countries.

Personally, I say again, I know but very little about it, but I have information to the effect that the duties which our builders are compelled to pay upon materials that enter into the construction of all classes of vessels are so great that they can not compete in the construction of vessels with those engaged in the same business on the Clyde and in other countries.

I had the honor, a few years ago, of being a member of the committee that went up to New England to inquire into the fishing business. While there we investigated to some extent the question of the effect of the duties imposed by our system of taxation on the materials that enter into the construction of fishing vessels. Of course they are a distinct class from the iron ships referred to in the amendment of my colleague. But perhaps it may not be amiss to call the attention of the Senate to the information we derived on that subject as applied to fishing vessels. Though they are a distinct class from the iron shipping, it may not be unimportant to know how even that class of vessels are subject to burdens imposed by our tariff system, which, I apprehend, applies in as great extent to vessels built of iron as to the fishing vessels of New England.

We had before us Mr. George Steel, a very prominent and intelligent citizen of Gloucester, Mass., and who is the president of the American Fishing Union. In the course of his testimony he was examined upon this very subject of the duty on articles entering into the construction of vessels, and, of course, he restricted himself to the fishing vessels about which he was being interrogated. He said:

I heard the Senator speak in regard to what duties we are paying. I think I can give you a little information in regard to the construction of our vessels.

Senator EDMUNDS. State it, if you wish to.

The WITNESS. The duty on cables and cordage is about 20 to 25 per cent.

Then, after being interrogated a little upon the subject of cordage and the materials made of cordage, he proceeded with the question of anchors and chains. I suppose that would apply to ships built of iron as well as to fishing vessels. He said:

The WITNESS. If we wanted chains to-day for the vessel we would have to pay duty, but if the vessel should go into Halifax and buy them it would save the duty.

Senator EDMUNDS. How much would it save?

The WITNESS. A cent or a cent and a half a pound; not over 2 cents; but a saving of 1 to 2 cents a pound on chains is quite an item. So it would be on anchors or any iron in the construction or running of a fishing vessel.

RUSSIA BOLT ROPE.

I would say now that there is a duty on Russia bolt rope of 3 cents a pound on the manufactured article, because we can't manufacture it in this country on account of not having the Russia tar, which makes it so supple and pliable; that quality is given to it by the tar that they use in Russia.

Then I interrogated him on the subject as follows:

Q. What articles are there entering into the construction and equipment of one of your fishing vessels which have to pay duty, besides cordage, iron, etc.?

A. I have spoken, of course, of the anchors and chains; then there is wire rope, on which there is a duty of something like 45 to 73 per cent.

Q. Do you use much of that?

A. We are using more and more for the standing rigging of the vessel, and we are trying it as an experiment for cables.

Q. And there is a duty on the raw material that enters into your cordage?

A. Yes, sir.

Q. Now, if those duties were taken off of the manilla and other things, ought you not to be able to buy those things cheaper in this market than now?

A. Yes; I should say of course there would be a great saving.

DUTIES ON ARTICLES OF CONSTRUCTION AND OUTFIT.

Q. Can you form an estimate of the amount of duties paid upon a vessel, say of 100 tons, upon the material entering into her construction and outfit?

A. I should say, to the best of my judgment, it would be 30 to 35 per cent.

That is the estimate, in reference to the fishing vessels, of one of the most intelligent witnesses whom we had before us, the president of the American Fishing Union, and yet he states upon being interrogated that the duty on articles entering into vessels of that description would be from 30 to 35 per cent.

Now, I apprehend that there is no less a duty upon articles entering into the construction of iron-built vessels, and the amendment of my colleague is designed to relieve the builders of our iron vessels in order that they may be able to compete with men engaged in the same business abroad.

I have no question that this burden imposed by our tariff system upon the articles entering into the construction of our vessels has a very material influence upon our commercial marine. If our builders could compete successfully and build ships as cheaply as they can upon the Clyde, I have no doubt that our people would invest more of their money in the construction of such vessels, and being interested in them would seek a portion of the carrying trade of the world. We should have greater interest manifested in that matter if we could induce our prople to put their capital into that class of vessels.

I hope that the amendment of my colleague will prevail. I believe it is just and right; and especially as we do not need as much revenue as we are deriving from our present revenue system, I think it is proper to relieve this industry as far as possible.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Delaware [Mr. GRAY].

Mr. FRYE. Mr. President, I ask the attention of the committee for a moment, as well as of the Senate, to section 2510. When this law was passed in 1872 it was intended to cover every imported article that was used in the building of wooden ships. Some use was made of it, but not near so much use was made of it as people generally supposed would be—not enough to make anybody who was a one-half tariff man complain that too much latitude was given in this matter of ship-building. Then in 1883, iron-ship building having commenced, words were added for the purpose of helping the builders of iron ships. Then this clause inserted by the Finance Committee in this bill is still further for the evident purpose of encouraging the building of iron ships for foreign trade. I have no doubt that under the language of the committee two-thirds at least of everything going into the construction of iron ships will be admitted free of duty.

But in modern ship-building many names have sprung up, new names representing new portions of the architecture of a ship, and some difficulties have been experienced as to whether certain things should be admitted.

Now, it seems to me that the committee might reasonably consent, their purpose being the purpose I have stated, to encourage iron-ship building for the foreign trade, to an amendment which I shall suggest. As I understand, in line 2691 the committee have amended the word "bars," making it "beams."

Mr. ALLISON. Yes; we have stricken out "bars" and inserted "beams."

Mr. FRYE. Now amend by striking out the next word "and" and

inserting the words "sheets, and other structural shapes." Then, after the word "metal," in the same line, amend by adding "together with castings and forgings of iron, steel, or composition." So as to exclude complete machinery or anything of that kind, I would insert after the word "construction," in line 2692, the words "of hulls and machinery;" so as to read:

Which may be necessary for the construction of hulls and machinery.

Mr. ALDRICH. I suggest to the Senator that "sheets" are not "structural forms," and I have no doubt "plates" includes sheets. I think practically the reconstruction of the section as it stands includes all the material which the Senator from Maine now proposes to include.

Mr. FRYE. But the men who are building ships think it does not.

Mr. ALDRICH. Sheets are not structural forms.

Mr. FRYE. No. I put in "sheets and other structural forms."

Mr. ALDRICH. And "other structural forms" as they read it would cover too much, but I have no doubt that "plates" includes sheets. I do not see any reason for adding a lot of words to the section which do not add to its significance.

Mr. FRYE. The men who are building the ships are very desirous that these additions shall be made; and certainly if the amendment does not extend the scope of the clause, why should the committee object to it?

Mr. ALDRICH. I think it is evident that the people who are building the ships are anxious to have everything that goes into a ship admitted free; and the Senator from Maine from observations made here and those who are supposed to represent them are anxious that everything which goes into a ship shall be admitted free, but that we shall not have free ships. It was the purpose of the committee that any material used in the construction of ships which would give employment to American mechanics should be admitted free, but the committee are not in favor of free ships and they are not in favor of anything which under another name will be equivalent to free ships.

Mr. FRYE. The Senator from Rhode Island is doing me a very great injustice. For eighteen years I have been fighting free ships, both in the House of Representatives and in the Senate, and there is not any comparison between the two propositions here and that for free ships. For instance, the proposition has come from the other side that ships should be admitted free and that they would admit all these things free to make an offset. It is no offset or it is no compensation for that at all. If you can buy a ship free of duty, who will take your angles, and your bars, and your beams, and your plates, and everything else entering into a ship, and have them put into a ship here, employing your mechanics, your carpenters, your painters? They will be employed abroad, and then the ship will be taken to the dock and loaded with freight and brought over here and get a profit on the freight and bring it into the port of New York. It will come a completed ship, without a cent being paid to us on the freight coming here, and the ship will actually have made money in coming here. Why do you admit all these things which this provides for, even if they would make an entire ship? Suppose you admit the whole. The freight upon a 4,000-ton ship would amount to $25,000 landed in Maine. In addition to that, if you admit everything that goes into a ship, one-half of the work of putting together, the work of carpenters, painters, etc., would be done here.

Mr. TELLER. Does the Senator believe that if this amendment of his was made we could import those things for the purpose of building ships?

Mr. FRYE. I do not to a very great extent, but the iron-ship builders of this country up to the present time have only built four for the foreign trade. They have built three or four or five iron ships as good as there are in the world. I think John Roach built two hundred for the coastwise trade.

Mr. TELLER. I should like to suggest to the Senator why they have to do so. Is it not because the ships built on the Clyde can not get into our coastwise trade?

Mr. FRYE. That is exactly the explanation I should have made if I thought it was required. Our iron-ship builders have built vessels for the coastwise trade. They have built no ships for the foreign trade—none at all. My recollection is that only two ships, wood or iron or steel, have been built for the foreign trade for the last few years in the United States of America. These ship-builders say that if they can have certain advantages given to them under these exceptions they can build ships for the foreign trade, and I say it is well enough to try the experiment. My judgment is that all they will use it for will be to bring in occasionally a structural form, an angle, or a bar, or something of that kind which they can not conveniently get at home. I do not believe they will ever import everything that goes into a ship.

Mr. HISCOCK. Will the Senator tell us why not?

Mr. FRYE. The reason, I say, is what I stated on Saturday.

Mr. HISCOCK. I should like to have the Senator repeat it.

Mr. FRYE. As I stated on Saturday, if the Senator from New York were to-day starting upon the project of building a 4,000-ton iron ship, that building, in order to be completed at the least possible cost, must be driven at the highest possible speed. You must get from the men who are employed for you the largest amount of work in a given amount of time; and in order to do that, if you wish to import the whole material from abroad, you will be compelled to make out your plans and specifications for that entire ship from stem to stern, all the machinery, every angle, every bar, every plate, every structural form, everything that goes into that ship, and send them to a foreign country to be responded to in that foreign country and then sent back here. That is not practicable.

Mr. HISCOCK. That is where I am afraid I differ with the Senator.

Mr. ALDRICH. As I understand the Senator from Maine, the only reason why it would not be done would be because of the cost of freight.

Mr. FRYE. Oh, no. I say you would be compelled to put in these plans and specifications in advance, and you could not wait, and from time to time you might want to change the plan of your ship.

Mr. ALDRICH. Suppose you put it in advance and send the plan over to the foreign ship-yard and all the ship is completed there in all its forms and parts, as I understand the Senator further to say, it would not then be sent here on account of the difference in cost of freight, the greater cost of freight in an incomplete form. Why would it not be done?

Mr. FRYE. I say for this reason: Suppose when your keel is ready you want to change the machinery in that ship; suppose when the machinery is in that ship you find that there is too much machinery or something more needed, and you want to change something else about your ship; suppose you want to change the form——

Mr. ALDRICH. Can not you do it in advance at Bath or Wilmington?

Mr. FRYE. Certainly; if you make your contract anew, and new plans and specifications at a cost of $100,000 or $500,000.

Mr. ALDRICH. Why will not the contractor on the Clyde make those changes as readily and for the same compensation as the contractor at Bath or Wilmington?

Mr. HISCOCK. Allow me a moment. Why will not the ship-builder on the Clyde prepare the plans and specifications for his ship and send his material over here and build his ship here, and if he wants to change it he will change it by substituting one piece for another over there?

Mr. FRYE. Well, the most that I have learned practically about ship-building I learned from John Roach, whom I regarded as about the best ship-builder in the United States. In discussing this with John Roach in connection with the free-ship bill, for the free-ship bill always provided that raw material should also come in free, Mr. Roach told me that under that clause he did not believe a ship would ever be built in the United States. It was absurd, he said, for a builder to talk about making plans and specifications, and then sending across the water 3,000 miles and importing all the materials, all the bars, and everything else for a ship. He never would do it. I remember he told me that for a 4,000-ton ship it would cost in the first place $25,000 freight to land it at his ship-yard. I remember, in the second place, he told me that when every single thing was landed there, then you had not furnished one-half the work required for a 4,000-ton ship; that then your carpenters and painters and ship mechanics and riveters, to put these forms together, would be called into play, and that at least one-half of the work of that ship remained to be done in American ship-yards, and that being so, it had to be done at twice the cost it was done on the Clyde. He said it never would work practically, and I do not believe it will work.

Under the old law of 1872 I do not believe that one-twentieth part of the material for wooden ships which could have been imported has been imported. I do not believe the law has been taken advantage of to one-tenth the extent that it might have been.

I simply say now that these men believe they can build iron ships for the foreign trade if they can have the advantage of these exceptions under this law, and I do not see why it is not perfectly safe to grant them these exceptions. If the Senator from Rhode Island in his bill has gone to the extent of two-thirds of everything that goes in, is there not the same reason for going to the extent of three-thirds? I do not agree with the Senator from Delaware that you should admit machinery free. It it just as important to this country that we should have mechanics capable of building marine engines and all such things as it is that we shall have men capable of building iron ships, and I would not permit a completed form of machinery or a boiler or anything of that kind to be brought here free of duty. I do not agree with the Senator from Delaware in that.

Mr. CHACE. I ask that the amendment may be read.

Mr. TELLER. I wish to ask the Senator from Maine if he does not think that it is just as important that our mechanics should have some practical experience in the construction of these different parts of ships as in putting them together?

Mr. FRYE. They understand all that.

Mr. TELLER. It seems to me, on the theory of the Senator, that the ship would practically be built abroad and put together here.

Mr. CHACE. I ask——

Mr. FRYE. Let me make one more suggestion right there.

Mr. CHACE. I should like to hear the two amendments read.

Mr. FRYE. Hold on a second, that I may make a suggestion while it is in my head.

We have not built, I think I am right in saying, two ships, iron, steel, or wooden, in the United States in two years for the foreign trade. Now supposing this change of the law induces the building of two next year, have we lost anything even if everything except completed machinery is made abroad? Have we not gained something in the two ships?

Mr. ALDRICH. The Senator will allow me to ask him this: Suppose we should let the completed ship come in and they should bring in twenty, have we lost or gained anything then?

Mr. FRYE. In my judgment I will say that you have broken up every ship-yard in the United States of America, and have transferred the ship-building industry from the United States to a foreign power, and your country might just exactly as well be without a Constitution as to be without ship-yards. I have no doubt about that.

Mr. ALDRICH. If the Senator from Maine will bear with me a moment, he is in favor of allowing certain articles to be used in the construction of ships to come in free of duty—all the articles, all the materials. We have gone to the extent of two-thirds. Now he wants us to go to the extent of the other third. The Senator from Delaware [Mr. GRAY] supplements that by a proposition to allow all the machinery used in the construction of vessels and boilers to come in free, so that the only thing to be done in this country by the American shipbuilders is the assembling of the parts in some ship-yard of the country and putting them together.

Now, the Senator from Maine says—and I have no doubt says truly—that if that should be done it would impose a cost of $25,000 for freight for an ordinary iron ship. Would not the ship-builder come here and appeal to Congress, and appeal with a great deal of force, and say, "Why am I burdened with this cost of $25,000 freight when that ship could be brought here for $4,000 if all the parts were sent here and were not put together on the Clyde?" Where are you going to draw the line if you allow a completed ship to be built on the other side and brought here on the deck of a vessel, instead of being brought on the waves of the ocean for the mere sake of putting it together for the painter or the carpenter? I do not see, myself, where you can stop. If you allow the completed vessel to be made upon the other side and brought here in pieces, upon what argument can you say "We will not admit the completed ship free of duty?" Why impose this $25,000 freight—freight paid to a foreign corporation probably, and not for the benefit of any American citizen? Why not have the ship come over here free entirely completed?

Mr. FRYE. Why does the Senator from Rhode Island consent to two-thirds coming in?

Mr. ALDRICH. Because it is two-thirds in the form of material, and because we found it in the present law, and I have no objection myself, when you confine it to materials, to having two-thirds come in for the benefit of American mechanics. But when you go further and say that you will admit machinery—the amendment of the Senator from Maine would admit machinery in the form of pieces instead of being put together; that is the only difference, as I understand, between his amendment and that of the Senator from Delaware.

Mr. GRAY. There is considerable difference, if the Senator from Maine will pardon me a moment.

Mr. CHACE. I should like to hear the amendments read.

Mr. GRAY. One moment. There is a considerable difference between the amendment offered by myself and that of the Senator from Maine. His amendment leaves out machinery and boilers, completed engines, which should be brought here free of duty. I think they ought to be so brought here. I think it would be directly in the line of the policy that is manifest upon the face of this section and the existing law.

The Senator from Rhode Island asked where you can draw the line. If I were a high protectionist, as he is, I should find where to draw the line, and I would try to make my theory of protection a practical one, and when I found it produced friction here and pressed hardly there I would endeavor to accommodate that protective system to the existing conditions surrounding the industries of my country. If every component part of a ship to be engaged in foreign trade could be brought here free it would still have to be put together, when assembled, by American mechanics and American workmen to the extent, as the Senator from Maine said, of more than 50 per cent. of the whole cost, and he got his information from Mr. John Roach, and that would be a distinct gain to American industry.

If you allow two-thirds to come in free, why not allow the other third? If you admit the head and body of the horse, you may as well let in the tail, too. That has nothing to do with free ships. I intended to say that if you allow free ships to come; that is, if you allow American capital to order on the Clyde a 4,000 or a 5,000 ton ship, that ship sails over here built up by English workmen, comes over with freight and is sailed under the American flag, with no blow struck upon it by American labor, and the ship-yards of this country might go out of business entirely were it not for our coastwise commerce. The ship-yards of this country are engaged entirely now in building vessels engaged in the coastwise commerce. That is all that is left of ship-building in this country, I admit.

Mr. ALDRICH. Does the Senator from Delaware agree with the Senator from Maine that if we should have free ships for foreign trade exclusively it would close the American ship-yards?

Mr. GRAY. So far as they depended on building ships for that trade.

Mr. ALDRICH. How as to the coastwise trade?

Mr. GRAY. American ship-yards always, under our present law, have work to do in supplying the coastwise marine of the country.

Mr. ALDRICH. Would it have any unfavorable effect upon the American ship-yards?

Mr. GRAY. That is another question, but I can see the distinction, and it seems strange to me that the Senator from Rhode Island, with all his experience in these matters, can not see the distinction between admitting a ship free to engage in the foreign commerce of the world and allowing all these materials, if it were possible to bring them here in that ship, to be assembled in American ship-yards and there made into American ships.

The PRESIDENT *pro tempore*. The proposed amendment will be stated.

The CHIEF CLERK. In line 2690, after the word "plates," it is proposed to strike out all down to and including the word "account," in line 2693, as follows:

Plates, angles, beams, and bolts, and copper and composition metal which may be necessary for the construction and equipment of vessels built in the United States for foreign account.

And insert in lieu thereof:

Sheets, angles, beams, and bolts, deck and bulb beams, together with all other structural shapes of iron or steel and copper and composition metal, forgings of iron or steel, castings of iron, steel, or composition, flues and tubes of iron, steel, or composition, machinery and parts of machines, and all other articles of foreign production necessary for the construction and equipment of steamers or other vessels built in the United States for foreign account.

Mr. FRYE. If that is voted down, I intend to offer the amendment which I read.

The PRESIDENT *pro tempore*. The amendment suggested by the Senator from Maine was not sent to the desk. Will he state his proposed amendment?

Mr. FRYE. In line 2091, after the word "bars," which should be "beams," I move to strike out the word "and" and insert "sheets and structural shapes," and after the word "metal," in the same line, insert "together with castings and forgings of iron, steel, or composition."

Mr. GRAY. I should like to ask if that is an amendment to the amendment offered by myself.

The PRESIDENT *pro tempore*. The Senator from Maine stated that if the amendment proposed by the Senator from Delaware should be voted down, it was his intention to suggest or offer the amendments which he has just read. As the motion of the Senator from Delaware is to strike out and insert, the Chair will state to the Senator from Maine that, under the rules, while the motion to strike out and insert is not divisible, the part proposed to be stricken out and the part proposed to be inserted are both amendable. The Senator from Maine can propose an amendment to the part to be stricken out before the vote is taken on the motion to strike out and insert.

Mr. FRYE. The language in which the amendment is drawn is such that it is less difficult to do it in this way than it would be in that motion.

Mr. STEWART. Mr. President——

Mr. CHANDLER. I should like to ask the Senator from Delaware to make a statement explanatory of the amendment which he has proposed.

Mr. STEWART. The Senator can do that after I have finished.

Mr. CHANDLER. I wish to know whether or not he understands the scope of his amendment to be such that completed marine engines come in free of duty.

Mr. GRAY. Yes.

Mr. CHANDLER. Whether a pair of completed marine engines ready to be put into the hull of a ship would come in free of duty if the amendment were adopted?

Mr. GRAY. I do.

Mr. STEWART. It was questioned on Saturday whether or not France also subsidizes her ocean steamers, and some question was also raised with regard to Germany. I have not been able to find the statistics as to Germany, but I have been informed by the publications. I have seen heretofore that Germany also grants liberal subsidies. The bounties granted by France for the promotion of ship-building and aiding ocean carrying trade are as follows:

The new shipping bounties in France (1880) are as follows: 48 shillings per ton for building iron vessels, and 16 shillings for wooden; 15 pence per ton per 100 miles run, on French-built vessels entering French ports; 7½ pence per ton for French vessels not built in France.

It will be seen that the French bounty is direct, unequivocal, not only in aid of the carrying trade but also in aid of ship-building. She makes no pretense that it is for the purpose of carrying the mail, but it is to enable her vessels to carry freight. She gives so much per ton for the freight carried in a French ship. Otherwise we should have no French line running between France and the United States. Germany has done the same. If we are to maintain our protective system let us be consistent. Let us promote our home production. Let our people

who build ships make it possible for them to do so. The only way to make it possible to do so is to give our people the same advantages that other nations who are contending for the carrying trade find it necessary to give. There is no necessity for breaking up the protective system in order to acquire the carrying trade. We can not acquire that trade by so doing.

If ships could be built in this country with the material given to us free, they could not be run against the competition with which they would have to contend in the way of the granting of subsidies by other nations, because as soon as they started on the sea the subsidies granted by other nations, and particularly England, to their vessels would be increased. England has done that in every instance whenever we have endeavored to subsidize our vessels. The only way to compete with her is to grant equally large subsidies and thus give our ships an equal chance. If we do that we will have our full share of the carrying trade; but to break down the protective system and injure our mechanics, throw them out of employment, or deny them the privilege of keeping up with the times in building ships and in the construction of all the parts to make up a ship, for the purpose of acquiring ships we can not use in the carrying trade, can not be justified. It is not proposed that they shall be used in the coastwise trade. That is the only place they can be used. They can not be used in the foreign trade, because the competition will be such if they attempt to do anything of importance; if the trade they do amounts to anything, other governments will increase their subsidies and drive our ships off the seas.

The uniform policy of Great Britain for the last thirty years in granting subsidies wherever there is competition shows us that it is entirely useless to attempt to regain our carrying trade without subsidies or differential duties in favor of American ships. I would be willing, if that is the sentiment of the Senate and of the country, to resume our share of the carrying trade, to vote for such legislation as would accomplish it.

The carrying trade of England, amounting in the aggregate to over $300,000,000 a year, although yielding a small percentage of profit on the money invested, is of immense benefit incidentally in cultivating the foreign trade and aiding the general growth of that nation. They so regard it, and they maintain it at all hazards and at any cost. It is useless to make any effort in that direction unless we give our people the same advantages both in the building and running of ships that the English Government gives to ship-builders and ship-owners.

There is no necessity of interfering with the operation of the tariff. It will do no good, and if you get ships constructed they will be used in the coastwise trade or lie at the ports rottening and useless, because if you do any considerable business the discussion in England on the granting of every subsidy takes into account what other nations are doing. "On this line," they say, "the Americans have subsidized ships. We must have an additional subsidy and run them off. We can run them off by our competition." That is what they have done and will do again. Now, to make a feeble effort to regain our carrying trade seems to me childish. If we are to meet the question let us meet it fairly and recover this carrying trade. If we will put American ship-builders and American seamen on an equal footing with those of foreign nations they will do as they did previous to 1840; they will divide the carrying trade of the world.

There is no doubt about that. But there is no use of pretending that you are doing something for them when you are doing nothing. That seems to me to be altogether out of the question. Let the question be met in its entirety; let it be met as a proposition to regain our foreign trade, and let the country understand it, and I believe that such legislation would be approved by the country as would give us that trade again. It was once our pride, and it ought to be again. If, on the contrary, it is not considered worth recovering, if it costs too much, if we are not willing to compete with France and Great Britain, that have subsidized their steam-ship lines, then we ought not to pretend to have a foreign trade, for we can not have it.

Mr. PLATT. Mr. President, I trust we shall not extend the list of articles which by the present law are permitted to be imported free of duty by ship-builders who are building vessels for foreign account and ownership or for the purpose of being employed in the foreign trade. The law as it stands seems to me to be a departure from the principle of protection. I know of no other industry in the United States which has the right to import raw material, or materials which for that industry are raw materials which can be produced in this country, free of duty. But in this ship-building industry the law as it stands permits lumber, timber, wire rope, and iron and steel rods and bars, spikes, nails, plates, angles, beams and bolts, and copper and composition metal, all of which are produced in this country and by American labor, to be imported free of duty if the vessel is for foreign account or ownership or to be employed in the foreign trade. I think if this were a new question I should not be in favor of that. I do not know that I particularly want to change the law or desire at this time to raise the question of whether the law should be changed so that none of these materials should be imported free of duty; but it seems to me that we can not stand for a moment upon the theory that the ships which are to be constructed for foreign account or ownership are to have this privilege.

There are two classes of ships for which the specified materials may be imported under this law. The one is those built for foreign account and ownership, and the other those that are to be employed in the foreign carrying trade. Now, taking first those which are to be built for foreign account and ownership, why should we allow a portion of the materials of anything that is to be built for foreign account or ownership to be imported free of duty? The law as it stands allows a rebate when an article is exported, allows the manufacturer to import all his material and get drawbacks on it, but not to import portions of his material free of duty; and in no other instance that I know of is any such law applicable. It seems to me that in the case of a ship built for foreign account and ownership there is no more reason why the builder should be permitted to import a portion of his material than there would be for allowing the manufacturer of woolen cloth who should get a foreign order to import a portion of the material which went into the cloth for that foreign order free of duty.

It seems to me that that disposes of that class of vessels which are referred to in this statute. Now, with regard to vessels which are to be engaged in the foreign carrying trade, it will be noted that in the law as it stands to-day there is nothing that requires them to be continued in the foreign carrying trade. You can build a ship to be engaged in the foreign carrying trade, import all these articles free of duty, but there is nothing which prevents that ship ever being sold to a foreigner to engage in the foreign trade. So it in no sense helps to revive our American industries; and if there were a provision here that the ship should always be run by American owners in the foreign carrying trade, it would be such a bagatelle, it would be so little of help towards reaching the end desired, that it seems to me it would not be wise to depart from the principle of protection, which, as I understand, covers all American labor engaged in the production of materials which are used in the manufacture of other products, and certainly that we ought not to extend the list.

Mr. STEWART. My attention has been called to another piece of very pertinent testimony directly on this point, which was given before the royal commission of Great Britain on the depression of trade, which sent out invitations to the boards of trade throughout the kingdom to report on the various industries. The Board of Trade of Greenock, among other things, made a report which was adopted and incorporated in the report of the commission upon the question of ship-building, and I want to read one or two extracts from that report, as follows:

> The gross value has decreased largely; contracts have been lately taken at such extreme low prices in order to keep works open as to yield practically no profit. The number of workmen at present and for the last two years employed in this trade and subsidiary trades has largely decreased.

That is, the trade of ship-building.

> It is reckoned that during the last period of depression, which culminated in 1879, the workmen then employed did not exceed 60 per cent. of the number employed in 1874. In 1882-'83 the gross number employed did not rise to the amount of 1874, but in 1885 the number is fewer than in 1879, the total being estimated at not more than 57½ per cent. of the number employed in 1874.

Then in a subsequent portion of this report they give the reason why ship-building in England is depressed. They say:

> Because since 1882 the continental orders have ceased; the ship-owners of Germany, France, Italy, and of the countries which were the principal customers of Greenock builders have now ceased to order vessels in Great Britain to the same extent as formerly, and for the following reasons:
>
> First. Because under the conditions of the subventions granted under color of mail service and under direct bounty inducements it is more profitable or obligatory to have the vessels constructed in their own countries.
>
> Second. Because under the above conditions, and in France especially, under the stimulus of direct bounties given to the ship-builders, a large number of powerful ship-building yards have sprung into existence on the Continent, capable of furnishing all the tonnage required.

Now, the proposition is, instead of treating our ship-builders and the persons engaged in the foreign carrying trade as France and the other continental powers have found it necessary to do in order to encourage home industry, that we shall import the machinery and put it together here. If we do import any of it, it will have a tendency to build up the English ship-yards and benefit English ship-builders in reviving a waning industry there, which is met with competition from the subsidies granted by other governments. We shall make no effort to build the machinery at home; we shall give over to England the building of it, increase her profits, and build up her ship-yards, and all we are to do here is to put the parts together.

It seems to me that this amendment is most vicious. Exceptions to the tariff are generally dangerous, and this appears to me entirely vicious. If it has any effect and the material is brought in, it will benefit England and not the United States. If we are to compete with England we must do just as France, Italy, Germany, and the other continental powers have done. We must grant bounties for the construction of ships or we must make it up in differential duties or subsidies under the name of paying for carrying the mail, as most of them have done. France did not disguise it under that name, but put it direct for carrying freight. But under whatever name it is done, we must pay money to enable our vessels to carry freight in competition with all the world, or we must give up the carrying trade. Legislation in that direction will revive our foreign trade, and no other legislation will be effective.

The PRESIDING OFFICER (Mr. PALMER in the chair). The question is on the adoption of the amendment of the Senator from Delaware [Mr. GRAY].

Mr. ALLISON. I desire to offer an amendment to come in on page 107 of the bill, to be substituted for paragraphs 144 and 145, and ask for an order to print them. Perhaps the amendment had better be read.

The PRESIDING OFFICER. Does the Senator wish to have it read for information at the present time?

Mr. ALLISON. I do not ask it especially.

Mr. VEST. What is it?

Mr. ALLISON. The amendment relates to tin-plates. I am directed by the Committee on Finance to offer this amendment. If Senators will turn to page 107 they will see the changes proposed.

Mr. VEST. Let it be read.

The PRESIDING OFFICER. It will be read.

The SECRETARY. It is proposed to strike out paragraphs 144 and 145 and to insert in lieu thereof:

144. Sheets, of iron or steel, common or black, including all iron or steel commercially known as common or black taggers' iron or steel, and skelp iron or steel; valued at 3 cents per pound or less: Thinner than No. 10 and not thinner than No. 20 wire gauge, 1 cent per pound; thinner than No. 20 wire gauge and not thinner than No. 25 wire gauge, 1.1 cents per pound; thinner than No. 25 wire gauge and not thinner than No. 29 wire gauge, 1.3 cents per pound; thinner than No. 29 wire gauge, 1.4 cents per pound; corrugated or crimped, 1.4 cents per pound: *Provided*, That all common or black sheet-iron or sheet-steel not thinner than No. 10 wire gauge shall pay a duty as plate-iron or plate-steel.

145. All iron or steel sheets or plates and all hoop, band, or scroll iron or steel, excepting what are known commercially as tin-plates, terne-plates, and taggers' tin, and hereafter provided for, when galvanized or coated with zinc or spelter, or other metals, or any alloy of those metals, shall pay three-fourths of 1 cent per pound more duty than the corresponding gauges of common or black sheet or taggers' iron or steel; and on and after January 1, 1890, all such iron or steel sheets, when coated with tin or lead, or with a mixture of which these metals, or either of them, is a component part, by the dipping or any other process, and commercially known as tin-plates, terne-plates, and taggers' tin, shall pay three-fourths of 1 cent per pound more duty than the corresponding gauges of black sheet or taggers' iron or steel.

Amend paragraph 147 by adding thereto "until January 1, 1890."

The PRESIDING OFFICER. The proposed amendment will be received and printed. The question is on the adoption of the amendment of the Senator from Delaware [Mr. GRAY].

Mr. GRAY. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FARWELL (when his name was called). I am paired with the Senator from Florida [Mr. PASCO].

Mr. MORRILL (when his name was called). I am paired with the Senator from Tennessee [Mr. HARRIS], but that pair has been transferred to the Senator from Colorado [Mr. BOWEN], and I vote "nay."

Mr. HOAR (when Mr. RANSOM'S name was called). I am paired with the Senator from North Carolina [Mr. RANSOM].

The roll-call was concluded.

Mr. DAVIS. My colleague [Mr. SABIN] is paired with the Senator from West Virginia [Mr. KENNA].

Mr. FRYE (after having voted in the negative). I am paired with the Senator from Maryland [Mr. GORMAN], and as I have some doubts about how he would vote on this amendment I withdraw my vote.

Mr. ALLISON (after having voted in the negative). I am paired with the Senator from New Jersey [Mr. MCPHERSON], and therefore ask leave to withdraw my vote.

The result was announced—yeas 23, nays 25; as follows:

YEAS—23.

Bate,	Colquitt,	Hampton,	Vance,
Berry,	Daniel,	Jones of Arkansas,	Vest,
Blackburn,	Eustis,	Payne,	Voorhees,
Call,	Faulkner,	Pugh,	Walthall,
Cockrell,	George,	Reagan,	Wilson of Md.
Coke,	Gray,	Turpie,	

NAYS—25.

Aldrich,	Dolph,	Morrill,	Spooner,
Blair,	Edmunds,	Paddock,	Stewart,
Chace,	Hale,	Palmer,	Teller,
Chandler,	Hawley,	Platt,	Wilson of Iowa.
Cullom,	Hiscock,	Quay,	
Davis,	Manderson,	Sawyer,	
Dawes,	Mitchell,	Sherman,	

ABSENT—28.

Allison,	Evarts,	Hoar,	Plumb,
Beck,	Farwell,	Ingalls,	Ransom,
Blodgett,	Frye,	Jones of Nevada,	Riddleberger,
Bowen,	Gibson,	Kenna,	Sabin,
Brown,	Gorman,	McPherson,	Saulsbury,
Butler,	Harris,	Morgan,	Stanford,
Cameron,	Hearst,	Pasco,	Stockbridge,

So the amendment was rejected.

Mr. FRYE. Mr. President, the disposition of the Senate is so manifest in this vote that I shall not offer the amendment which I proposed, but will offer one which is suggested to me by the Iron Ship Company of Bath, Me.; that is, to insert after the word "bolts," in line 2691, the words "forgings, rivets, and steel castings."

The CHIEF CLERK. In line 2691, after the word "bolts," it is proposed to insert "forgings, rivets, and steel castings."

Mr. FRYE. I hope the committee will consent to adopt that.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Maine [Mr. FRYE].

Mr. STEWART. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. ALLISON (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON].

Mr. BUTLER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. FARWELL (when his name was called). I am paired with the junior Senator from Florida [Mr. PASCO].

Mr. MORRILL (when his name was called). As I have already stated, my pair with the Senator from Tennessee [Mr. HARRIS] has been transferred to the Senator from Colorado [Mr. BOWEN]. I vote "nay."

Mr. PAYNE (when his name was called). I am paired with my colleague [Mr. SHERMAN], and withhold my vote.

The roll-call was concluded.

Mr. EVARTS. I am paired with the Senator from Alabama [Mr. MORGAN], and therefore withhold my vote.

Mr. FRYE (after having voted in the affirmative). I am paired with the Senator from Maryland [Mr. GORMAN], and withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from Maine withdraws his vote.

Mr. HALE (after having voted in the affirmative). I am paired with the Senator from Kentucky [Mr. BECK], and withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from Maine withdraws his vote.

Mr. HOAR. I am paired with the Senator from North Carolina [Mr. RANSOM].

The result was announced—yeas 22, nays 22; as follows:

YEAS—22.

Bate,	Coke,	Gibson,	Turpie,
Berry,	Colquitt,	Gray,	Vance,
Blackburn,	Daniel,	Hampton,	Vest,
Butler,	Eustis,	Jones of Arkansas,	Walthall.
Call,	Faulkner,	Reagan,	
Cockrell,	George,	Saulsbury,	

NAYS—22.

Aldrich,	Davis,	Manderson,	Sawyer,
Blair,	Dawes,	Mitchell,	Spooner,
Cameron,	Dolph,	Morrill,	Stewart,
Chace,	Hawley,	Palmer,	Teller.
Chandler,	Hiscock,	Platt,	
Cullom,	Ingalls,	Quay,	

ABSENT—32.

Allison,	Frye,	McPherson,	Riddleberger,
Beck,	Gorman,	Morgan,	Sabin,
Blodgett,	Hale,	Paddock,	Sherman,
Bowen,	Harris,	Pasco,	Stanford,
Brown,	Hearst,	Payne,	Stockbridge,
Edmunds,	Hoar,	Plumb,	Voorhees,
Evarts,	Jones of Nevada,	Pugh,	Wilson of Iowa,
Farwell,	Kenna,	Ransom,	Wilson of Md.

So the amendment was not agreed to.

The PRESIDENT *pro tempore*. The Secretary will report the first paragraph informally passed over.

Mr. VEST. I gave notice on Saturday that I should offer some amendments to items on the free-list which were passed over on Friday. If it is convenient to Senators in charge of the bill I shall do so now.

In line 2183, paragraph 650, I move to strike out the word "bergamot" and insert "brick."

The PRESIDENT *pro tempore*. The Secretary will report the amendment.

The CHIEF CLERK. On page 174, paragraph 650, line 2183, it is proposed to strike out "bergamot" and insert "brick."

Mr. VEST. I ask for the yeas and nays on that.

Mr. ALDRICH. That will simply make an absurdity of the bill, if the Senator will permit me to say so. This is "bergamot oil." If he strikes out that, it will be "brick oil."

Mr. VEST. I will meet the very serious objection of the Senator from Rhode Island by moving to strike out "bergamot oil," then, and insert the word "brick."

The PRESIDENT *pro tempore*. The Chair would state that paragraphs 644 to 676 were passed over informally, and the word "oil" was not added.

Mr. VEST. The committee stated that they would add it, but it has not yet been done by the action of the Senate.

The PRESIDENT *pro tempore*. It has not yet been done. The proposed amendment of the Senator from Missouri will be again stated from the desk.

The CHIEF CLERK. On page 174, paragraph 650, line 2183, it is proposed to strike out "bergamot" and insert "brick."

The PRESIDENT *pro tempore*. On this question the Senator from Missouri asks that the yeas and nays may be entered upon the Journal.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. ALLISON (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON]; otherwise I should vote "nay."

Mr. FARWELL (when his name was called). I am paired with the junior Senator from Florida [Mr. PASCO].

Mr. MORRILL (when his name was called). I will state for the last time to-day that my pair with the Senator from Tennessee [Mr. HARRIS] has been transferred to the Senator from Colorado [Mr. BOWEN]. I vote "nay."

The roll-call was concluded.

Mr. BLACKBURN. As I fail to see the Senator from Nebraska [Mr. MANDERSON] in his seat, I ask to withdraw my vote. I am paired with him generally.

The PRESIDENT *pro tempore*. The Senator from Kentucky withdraws his vote.

Mr. PAYNE. I am paired with my colleague [Mr. SHERMAN]. As he is not here, I withhold my vote.

Mr. EVARTS. I am paired with the Senator from Alabama [Mr. MORGAN], and withhold my vote.

Mr. ALLISON. Is there a quorum voting?

The PRESIDENT *pro tempore*. Not yet.

Mr. ALLISON. In order to make a quorum I vote "nay."

Mr. QUAY. I did not vote, understanding that the Senator from West Virginia [Mr. FAULKNER], with whom I am paired, had not voted. I learn that he has voted, so I vote "nay."

Mr. HOAR. I am at liberty to vote if my vote is necessary to make a quorum.

The PRESIDENT *pro tempore*. A quorum is now recorded.

The result was announced—yeas 17, nays 24; as follows:

YEAS—17.

Bate,	Colquitt,	Hampton,	Walthall,
Berry,	Eustis,	Jones of Arkansas,	Wilson of Md.
Butler,	Faulkner,	Saulsbury,	
Call,	George,	Vance,	
Coke,	Gray,	Vest,	

NAYS—24.

Aldrich,	Cullom,	Mitchell,	Sawyer,
Allison,	Dawes,	Morrill,	Spooner,
Blair,	Dolph,	Paddock,	Stewart,
Cameron,	Hawley,	Palmer,	Stockbridge,
Chace,	Hiscock,	Platt,	Teller,
Chandler,	Ingalls,	Quay,	Wilson of Iowa.

ABSENT—35.

Beck,	Evarts,	Jones of Nevada,	Ransom,
Blackburn,	Farwell,	Kenna,	Reagan,
Blodgett,	Frye,	McPherson,	Riddleberger,
Bowen,	Gibson,	Manderson,	Sabin,
Brown,	Gorman,	Morgan,	Sherman,
Cockrell,	Hale,	Pasco,	Stanford,
Daniel,	Harris,	Payne,	Turpie,
Davis,	Hearst,	Plumb,	Voorhees.
Edmunds,	Hoar,	Pugh,	

So the amendment was rejected.

Mr. VEST. In line 2190, paragraph 657, I move to strike out "Civet" and insert "Staves and woods of all kinds." I ask for the yeas and nays upon this amendment.

The PRESIDENT *pro tempore*. The amendment will be stated from the desk.

The CHIEF CLERK. On page 174, paragraph 657, line 2190, it is proposed to strike out the word "Civet" and insert the words "Staves and woods of all kinds."

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Missouri [Mr. VEST], on which he asks that the yeas and nays may be entered on the Journal.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FARWELL (when his name was called). I am paired with the junior Senator from Florida [Mr. PASCO].

The roll-call was concluded.

Mr. DAVIS. I am paired with the Senator from Indiana [Mr. TURPIE].

Mr. BLACKBURN. I am paired with the Senator from Nebraska [Mr. MANDERSON]. If he were present, I should vote "yea."

Mr. ALLISON. I am paired with the Senator from New Jersey [Mr. MCPHERSON], but I transfer that pair to the Senator from Nebraska [Mr. MANDERSON], and vote "nay."

Mr. BLACKBURN. Under that transfer of pair I vote "yea."

The result was announced—yeas 20, nays 24; as follows:

YEAS—20.

Bate,	Coke,	George,	Vance,
Berry,	Colquitt,	Hampton,	Vest,
Blackburn,	Daniel,	Jones of Arkansas,	Voorhees,
Butler,	Eustis,	Reagan,	Walthall,
Call,	Faulkner,	Saulsbury,	Wilson of Md.

NAYS—24.

Aldrich,	Chandler,	Mitchell,	Sawyer,
Allison,	Cullom,	Morrill,	Spooner,
Blair,	Hawley,	Paddock,	Stewart,
Chace,	Hiscock,	Palmer,	Stockbridge,
Dawes,	Ingalls,	Platt,	Teller,
Dolph,	Jones of Nevada,	Quay,	Wilson of Iowa.

ABSENT—32.

Beck,	Evarts,	Hearst,	Plumb,
Blodgett,	Farwell,	Hoar,	Pugh,
Bowen,	Frye,	Kenna,	Ransom,
Brown,	Gibson,	McPherson,	Riddleberger,
Cameron,	Gorman,	Manderson,	Sabin,
Cockrell,	Gray,	Morgan,	Sherman,
Davis,	Hale,	Pasco,	Stanford,
Edmunds,	Harris,	Payne,	Turpie.

So the amendment was rejected.

Mr. ALLISON. I offer an amendment on page 183, which I send to the desk.

The PRESIDENT *pro tempore*. The amendment will be read.

The CHIEF CLERK. On page 183, paragraph 788, line 2409, after the word "logs," it is proposed to add:

And round, unmanufactured timber, not specially enumerated or provided for in this act.

So as to read:

788. Wood.—Logs, and round, unmanufactured timber, not specially enumerated or provided for in this act.

Mr. ALLISON. The period should be stricken out after "logs."

The amendment was agreed to.

Mr. VEST. In line 2195, paragraph 662, I move to strike out "lavender" and insert "laths." I ask for the yeas and nays on that.

Mr. ALDRICH. I am going to call the attention of the Senator from Missouri to the technical absurdity of these various amendments he has offered. These articles are all oils, from paragraph 644 to paragraph 676, and the effect of his amendment, if agreed to, would be to substitute for oil of lavender, lath oil, which, of course, in itself is an absurdity. I suppose it makes no difference to the Senator from Missouri what the effect of it is as long as he gets the record of the Senate on the question of putting laths on the free-list.

Mr. VEST. I wish to call the attention of the Senator from Rhode Island to the absurdity of his objection in the face of the statement of the Presiding Officer of the Senate on the record of the Senate that the word "oil" is not added.

Mr. ALDRICH. These are all oils.

Mr. VEST. When "oil" is put in I shall renew the amendment, if it be necessary.

Mr. ALDRICH. They are oils whether the word "oil" is there or not. Under the provisions of paragraph 644 "oils," a general heading, a designation of oils, come the articles put upon the free-list from paragraph 644 to 676; they are all oils.

Mr. VEST. I am amending this bill as it stands before the Senate.

Mr. ALDRICH. As it stands before the Senate this is lavender oil or oil of lavender, and nothing else.

Mr. VEST. I am willing to accept the absurdity of the situation whether it is an oil or a solid substance, and insert "laths."

Mr. ALDRICH. The effect of this would be to put lath-oil on the free-list.

Mr. VEST. I do not care whether it is an oil or a solid substance; that is not the absurdity. The absurdity is in the bill *per se*.

Mr. VANCE. I rise to a parliamentary inquiry.

The PRESIDENT *pro tempore*. The Senator will state it.

Mr. VANCE. I should perhaps address my inquiry to the Senator from Rhode Island rather than to the Chair. I want to know if it is possible to increase the absurdity of a bill which taxes the laths used in building the poor man's cabin and permits to come in free the oil of lavender to sweeten a boy on Sunday when he puts on his Sunday clothes? If there is any possibility of increasing the absurdity of that, I should like to know it.

Mr. ALDRICH. Of course the amendment of the Senator from Missouri involves a double proposition. In the first place it proposes to remove the oil of lavender from the free-list, to put it upon the dutiable-list. I do not know whether the Senator from Missouri or the Senator from North Carolina thinks that a proper thing to do or not. They certainly do not make that motion as a separate, independent, substantive proposition. I do not know any interest which requires a duty to be placed on oil of lavender as a distinct and separate proposition. Of course the Senators desire to put laths on the free-list, but they incorporate with it another amendment to put the oil of lavender upon the dutiable-list. I suppose, of course, that that kind of argument and that kind of amendment are not intended to appeal to the sense of justice or judgment of this side of the Chamber, but merely to be used as an argument upon the hustings hereafter.

Mr. VANCE. Oil of lavender appeals to a sense. This appeals to the senses of the people who have a due regard to the principles of taxation.

Mr. ALLISON. I do not wish to interfere with the Senator from

Missouri, but I suggest to him that if he desires to test the sense of the Senate as respects these oils, he make a single motion to strike out all that part, and if he desires to test the sense of the Senate, I will premise by stating—not wishing to suggest to him—if he wishes to test the sense of the Senate as to these articles of wood, he can make a separate motion to put lumber, etc., on the free-list. The lumber schedule has been passed over. That is an important question which is to come up later on, and I submit to him that we are rather occupying time unnecessarily in these inconsequential motions, as I regard them, with all due deference to the Senator from Missouri. If there is any reason why these oils should be put on the dutiable-list, I should be glad to have the sense of the Senate tested upon that question, but it is certainly a manifest absurdity, if I may repeat what the Senator from Rhode Island [Mr. ALDRICH] has said, to put lath oil on the free-list, and that is what his amendment will do if adopted.

Mr. VEST. I am very much obliged to my friends on the other side of the Chamber, but I recollect an ancient Latin maxim which has peculiar application just now, commencing *Timeo Danaos*. I do not ask advice on this tariff question from gentlemen whose position I understand so well as I do theirs. I care nothing about any of these perfumes or the bric-a-brac of fashion, but I do care something about the necessaries of life, and I want to put this question in antithetic shape to the Senate and the country. What becomes of lavender oil is mere "leather and prunella," but I want to put laths on the free-list, and I want to put the two propositions not only in juxtaposition but face to face, and see how the two parties stand in this Chamber.

As to the sympathetic advice of my distinguished friend from Iowa, I will simply dismiss it by saying the motive does away with the advice.

I ask for the yeas and nays on the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

The roll-call was concluded.

Mr. BUTLER. Is the vote of the Senator from Pennsylvania [Mr. CAMERON] recorded?

The PRESIDENT *pro tempore*. It is not recorded.

Mr. BUTLER. Then I withhold my vote. I am paired with him.

Mr. VEST. I announce a pair between my colleague [Mr. COCKRELL] and the junior Senator from Kansas [Mr. PLUMB].

Mr. ALLISON. If the Senator desires to vote on this important amendment, with his consent I will transfer my pair with the Senator from New Jersey [Mr. MCPHERSON], and then he and I can both vote.

Mr. VEST. This is the pair of my colleague [Mr. COCKRELL].

Mr. ALLISON. I vote "nay," understanding that my vote is needed to make a quorum.

Mr. PAYNE. I am paired with my colleague [Mr. SHERMAN], who is detained on a committee of conference.

The result was announced—yeas 18, nays 23; as follows:

YEAS—18.

Bate,	Colquitt,	Hampton,	Vest,
Berry,	Daniel,	Jones of Arkansas,	Walthall,
Blackburn,	Eustis,	Reagan,	Wilson of Md.
Brown,	George,	Saulsbury,	
Coke,	Gibson,	Vance,	

NAYS—23.

Aldrich,	Dawes,	Mitchell,	Spooner,
Allison,	Dolph,	Morrill,	Stewart,
Blair,	Hawley,	Paddock,	Stockbridge,
Chace,	Hiscock,	Palmer,	Teller,
Chandler,	Ingalls,	Platt,	Wilson of Iowa.
Cullom,	Manderson,	Sawyer,	

ABSENT—35.

Beck,	Evarts,	Hoar,	Quay,
Blodgett,	Farwell,	Jones of Nevada,	Ransom,
Bowen,	Faulkner,	Kenna,	Riddleberger,
Butler,	Frye,	McPherson,	Sabin,
Call,	Gorman,	Morgan,	Sherman,
Cameron,	Gray,	Pasco,	Stanford,
Cockrell,	Hale,	Payne,	Turpie,
Davis,	Harris,	Plumb,	Voorhees.
Edmunds,	Hearst,	Pugh,	

So the amendment was rejected.

Mr. ALDRICH. On page 219, section 30, line 20, the word "designated" should be "designed;" so as to read, "designed for use otherwise than in the bona fide transportation of such merchandise." I move that amendment.

The amendment was agreed to.

Mr. ALDRICH. In paragraph 321, line 1301, I move to insert, after the word "narrowed," the word "selvedge." These are simply verbal amendments.

The amendment was agreed to.

Mr. ALDRICH. In paragraph 321, line 1303, after the word "fiber," I move to insert "finished or unfinished."

The PRESIDENT *pro tempore*. Retaining the comma?

Mr. ALDRICH. Yes, retaining the comma.

The PRESIDENT *pro tempore*. It is proposed to insert after the word "fiber" the words "finished or unfinished," followed by a comma.

Mr. ALDRICH. Yes, a comma should come after "unfinished."

The amendment was agreed to.

Mr. ALDRICH. In paragraph 325, after the comma following the word "braids," I move to insert "boot, shoe, and corset lacings, 35 cents per pound."

Mr. VEST. What ad valorem would that be?

Mr. ALDRICH. It is a little reduction from the 35 per cent. on the large portion of goods included within the paragraph.

The amendment was agreed to.

Mr. ALDRICH. In paragraph 325 there should be a semicolon after the amendment just agreed to, and the word "cotton" should be inserted immediately following, before the word "gimps."

The PRESIDENT *pro tempore*. The Secretary will read the paragraph as it will read when amended, punctuation and all.

The Chief Clerk read as follows:

325. Cotton cords, braids, boot shoe and corset lacings, 35 cents per pound; cotton gimps, galloons, webbing, etc.

Mr. ALDRICH. There should be no comma after "boot." It should read "boot shoe and corset lacings."

The amendment was agreed to.

Mr. ALDRICH. In line 1327, at the end of paragraph 325, I move to strike out "35" and insert "40;" so as to read, "40 per cent. ad valorem."

Mr. VANCE. That is a decrease also?

Mr. ALDRICH. It is an increase.

The amendment was agreed to.

Mr. ALDRICH. In line 1329, paragraph 326, I move to strike out "35" and insert "40;" so as to make the paragraph read:

326. All manufactures of cotton not specially enumerated or provided for in this act, 40 per cent. ad valorem.

Mr. VANCE. The old rules of pleading in the courts were, lest a man might conclude himself in some place, to plead everything he could think of, and then add "with leave to add." I think all these increases ought to be made "with leave to add." [Laughter.]

The amendment was agreed to.

Mr. ALDRICH. In paragraph 332, line 1340, the words "all of the above" have been added, I think.

The PRESIDENT *pro tempore*. The paragraph will be read as it now stands.

The Chief Clerk read as follows:

332. Cables or cordage, and twine, including binding twine, all of the above composed wholly of manilla, or sisal-grass, 1½ cents per pound.

Mr. VEST. Is my friend from Rhode Island through with the increases? Is there any other increase?

Mr. ALLISON. Yes, there is another increase. The item relating to cross-cut saws was passed over on account of the Senator from Missouri the other day.

Mr. VEST. I prefer to take that item up directly.

Mr. ALLISON. The Senator prefers to take up cross-cut saws later. He can go on with his amendments now.

Mr. VEST. In line 2199, paragraph 666, I move to strike out "Neroli, or orange flower," and to insert "Needles," and I call for the yeas and nays on the amendment.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In line 2199, paragraph 666, the Senator from Missouri moves to strike out—

Neroli, or orange flower,

And to insert

Needles.

The PRESIDENT *pro tempore*. On agreeing to this amendment the Senator from Missouri asks that the yeas and nays be entered on the Journal.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE].

Mr. STEWART (when his named was called). I am paired with the Senator from South Carolina [Mr. HAMPTON]. I do not see him in his seat. I should vote "nay" if I were not paired.

The roll-call was concluded.

Mr. BATE. I wish to announce that the Senator from West Virginia [Mr. FAULKNER] is paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. PLUMB. On this question I am paired with the Senator from Missouri [Mr. COCKRELL].

Mr. FRYE. In order to make a quorum, I vote "nay."

Mr. ALLISON. I am paired with the Senator from New Jersey [Mr. MCPHERSON]. I am authorized to vote to make a quorum. I vote "nay."

Mr. HOAR. Is there a quorum?

The PRESIDENT *pro tempore*. Not yet.

Mr. HOAR. I vote "yea."

Mr. PLUMB. In view of the absence of a quorum I transfer the pair which I have heretofore announced between the Senator from Missouri

[Mr. COCKRELL] and myself to the Senator from Vermont [Mr. EDMUNDS], and I vote "nay."

Mr. PAYNE. If there is no quorum I will vote. I vote "yea."

Mr. COLQUITT. I am paired with the Senator from Rhode Island [Mr. CHACE].

The result was announced—yeas 17, nays 24; as follows:

YEAS—17.

Bate,	Coke,	Pugh,	Walthall,
Berry,	Eustis,	Reagan,	Wilson of Md.
Blackburn,	George,	Saulsbury,	
Brown,	Jones of Arkansas,	Vance,	
Call,	Payne.	Vest.	

NAYS—24.

Aldrich,	Dolph,	Manderson,	Plumb,
Allison,	Frye,	Mitchell,	Sawyer,
Blair,	Hawley,	Morrill,	Spooner,
Chandler,	Hiscock,	Paddock,	Stockbridge,
Cullom,	Hoar,	Palmer,	Teller,
Dawes,	Ingalls,	Platt,	Wilson of Iowa.

ABSENT—35.

Beck,	Davis,	Hampton,	Ransom,
Blodgett,	Edmunds,	Harris,	Riddleberger,
Bowen,	Evarts,	Hearst,	Sabin,
Butler,	Farwell,	Jones of Nevada,	Sherman,
Cameron,	Faulkner,	Kenna,	Stanford,
Chace	Gibson,	McPherson,	Stewart,
Cockrell,	Gorman,	Morgan,	Turpie.
Colquitt,	Gray,	Pasco,	Voorhees.
Daniel,	Hale,	Quay,	

So the amendment was rejected.

Mr. VEST In line 2206, paragraph 670, I move to strike out "Ottar of roses," and to insert "Salt," and I call for the yeas and nays on agreeing to the amendment.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In line 2206, paragraph 670, it is proposed to strike out the words "Ottar of roses" and to insert the word "Salt;" so as to read:

670. Salt.

The PRESIDENT *pro tempore*. The Senator from Missouri asks that upon agreeing to this amendment the yeas and nays may be entered on the Journal.

The yeas and nays were ordered.

Mr. VANCE. Mr. President, when the item of salt was reached in the schedule where it is found I asked that it be passed over that I might make a few remarks upon it. To save the time of the Senate in recurring to it hereafter, I will say now what I desired to say then.

Salt is the preservative principle of nature, and in accordance with the necessities of mankind it is universally diffused. Two-thirds of the surface of the planet is covered with water which holds salt in solution. It is found in various places gushing from the earth in springs. In other places it is found by sinking wells, and in others it is stratified in the earth as rock, ready for the necessities of man. It is more necessary, perhaps, for the preservation of animal life than any other one thing—almost as much so, in fact, as the elements of air and water. Yet we find it loaded down with taxation whilst other things that are at the best mere luxuries or delicacies, used for the pleasure or the ornamentation of the things of life, are permitted to come in free.

Look at this free-list which we are now considering, and seven-tenths of everything upon it will be found to be an article of luxury, the production of some foreign clime. With the exception of tea and coffee, and hides, which are the raw material of our leather industry, there is scarcely an article upon the free-list that contributes necessarily to the comfort of mankind. Yet salt is taxed, and has been for years, a specific duty which ranges from 60 to 82 per cent., according to the price of the foreign article. It is taxed here 82 per cent.

Since I have been a member of this body I have used every proper occasion to secure if possible the placing of salt upon the free-list. I have desired that one of the chief ingredients of human necessity at least should be placed cheaply in the hands of the people of this country. So far I have succeeded in making no modification of the present duties on salt, except in securing in 1883 the use of free salt in the curing of fish taken upon the shores of the navigable waters of the United States. My earnest desire now is to have it made free for everybody for all purposes and for all uses.

What is the argument against free salt, Mr. President? In the language of the Senator from Iowa, it is the old, old story, that, in the first place, the duty upon salt makes it cheap, and in the next place it is said that if the duty were removed the salt industry in this country would perish, and that as soon as we removed the duty England, that has the greatest repository of salt perhaps in the world gathered in one spot the most convenient for manufacture, would immediately put up the price of salt in this country. They seem to think that the only way of keeping England from "cornering" all the salt in the world and putting up the price of this necessary article in the face of the competition of the world is to exclude her from the American markets by a duty of about 80 per cent. and allow the American salt manufacturers to corner for themselves in this country, which they have invariably done.

Will the abolition of the duty on salt destroy the salt-producing industries of this country? A tolerably fair argument in reply to that question would be the fact. I admit that fact will not go as far as theory. I admit that arithmetic does not amount to much in a tariff discussion; but nevertheless I venture to give as a reason why the abolition of the duty would not destroy the industry of making salt in this country the fact that it has been tried and that it did not. Let that go for what it is worth.

From 1846 to 1861 there was no duty upon salt imposed in this country. Did the salt-making industries die that year? Did England corner the salt trade of this country and put the prices up to an extraordinary per cent. and make salt cost us more than it would have done with the duty added if the duty had been kept on? I appeal to figures. I appeal, sir, to discarded and repudiated arithmetic. I appeal to the table of statistics which I find cited in the report of the Tariff Commission in 1882 as being authentic. From that table I take the figures which I shall now proceed to give.

The average price of salt from 1846 to 1859, inclusive, was 26.4 cents per bushel, and during that time, as I have stated, there was no duty imposed upon salt. The average price of salt from 1860 to 1873, inclusive, was 45.4 cents per bushel. There was a duty during that period of 18 cents per hundred pounds in bulk and of 24 cents per hundred pounds upon salt in sacks. The average price of salt from 1874 to 1885, inclusive, was 35.4 cents, when the duty had been reduced to 8 cents per hundred pounds on salt in bulk and 12 cents per hundred pounds on salt in sacks. During the year 1830 the production of salt in this country was 4,444,929 bushels, the average price of which per bushel was 21 cents, while the average price of the imported English salt was 12.5 cents.

In 1840 the domestic product was 6,179,174 bushels. The average price per bushel was 20 cents, and the average price of imported salt was 12.4 cents. The increase in production between 1830 and 1840 was about 50 per cent. and the decrease of price in the domestic article was 5 per cent. In 1850 the domestic production was 9,763,840 bushels. The average price per bushel was 22.7 cents. The average price of imported salt per bushel was 11 cents. The increase in the production of the domestic article was about 50 per cent.; the increased price of the domestic article was 2.7 cents, and the decreased price of the foreign article was 1.4 cents.

In 1860 the production of the domestic article was 12,717,198 bushels. The average price per bushel was 18 cents. The average price of foreign salt was 10.15 cents. The increase of the domestic production was about as much in bushels, but not quite so great in per cent., being 33¼, or about that. The decreased price of the domestic article was 4.7 cents per bushel. The decreased price of the article was 1 cent per bushel. That was the average when the salt-producing industries in this country ought to have perished, if they were bound to perish under free trade in salt.

In 1870 the domestic product was 17,606,105 bushels. The average price per bushel was 27.83 cents. This embraced the war period. The average price of foreign salt was 10.8 cents. The increase of production was about 40 per cent. of the domestic article, and the increased price of the domestic article was 9.8 cents, whilst the increased price of the foreign article was only eight-tenths of 1 cent per bushel.

The domestic production in 1880 was 29,800,298 bushels. The average price of the domestic salt was 16.5 cents, the average price of the foreign salt was 10.6 cents. The increased production was about 70 per cent. The decrease in price of the domestic salt was 11.33 cents, while the decreased price of the foreign salt was two-tenths of 1 cent per bushel. These foreign prices were those of the country whence imported, of course.

The highest price of domestic salt from 1830 to 1880, during a period of fifty years, was in 1870, when it reached 27.8 cents, and the highest price of the foreign salt, during a period of fifty years, was 12.5 cents. The lowest price of the domestic salt from 1830 to 1850 was 16½ cents, and the lowest price of the foreign salt for the same period was 10.15 cents, so that we see the fluctuations were almost entirely confined to the domestic article.

Much of this increased production between 1870 and 1880 was due to bounties offered by States for its production. Much of it was due, say the manufacturers who testified before the Senate Committee on Finance, to improved processes of manufacture, to more scientific methods, etc. None of it, as it seems to me, can be chargeable to the fact of a tariff, because we have seen from these tables that the effect of the tariff was almost precisely the reverse of what is claimed for it by its friends; that is to say, that the lowest prices at which salt ruled in this country were during free-trade periods, and the highest prices at which salt ruled were during the existence of the highest protective tariff upon salt.

It would be entertaining in connection with the old argument, that the high protective duty always brings down the price of salt, to read what took place in the case of the Michigan Salt Works, and to give a table which I had the pleasure to read in the course of the debate in 1883, and which I will read again. This table was introduced by the salt dealers who appeared before the Tariff Commission for the purpose of showing how the increased production of the American salt brought down the prices, and especially the price of foreign salt.

Per barrel prices of imported and of Michigan salt compared.

Year ending June 30—	Pounds reduced to barrels.	Invoice values.	Average per barrel.	Michigan fine salt, average per barrel.
			Cents.	*Cents.*
1868	1,101,593	$915,546.51	83.111	185.00
1869	1,062,081	895,272.13	84.294	158.00
1870	1,030,283	797,194.08	77.376	132.00
1871	1,014,264	800,454.49	78.920	146.00
1872	922,260	788,893.38	85.539	146.00
1873	1,212,479	1,254,817.67	103.492	137.00
1874	1,279,912	1,452,160.74	113.458	119.00
1875	1,138,118	1,200,541.36	105.485	110.00
1876	1,183,093	1,153,479.80	97.497	105.00
1877	1,282,163	1,059,941.12	82.668	85.00
1878	1,257,536	1,062,995.47	84.530	85.00
1879	1,340,309	1,150,018.49	85.082	103.00
1880	1,432,038	1,180,082.42	82.406	76.33
1881	1,473,008	1,242,542.55	84.354	87.80
Total	16,729,137	14,953,940.21	89.389	

NOTE.—The prices of imported salt are in fiscal years ending June 30, and of Michigan salt in inspection years ending November 30.

Mr. PLUMB. Will the Senator state whether that included the package, or was it bulk salt? Did it include the barrel which contained the salt?

Mr. VANCE. I do not know, sir. The table does not give it.

Mr. PLUMB. That is a very important item, because the barrel is worth, I think, 26 or 27 cents in Michigan.

Mr. VANCE. I will read what the witness said in presenting the table. He said:

These views are made manifest by the following exhibit, in which, for the sake of the comparison, pounds of salt imported in packages for our home consumption are reduced to equivalent barrels of 280 pounds each, the average foreign invoice value per barrel is calculated, and the annual average price of actual sales of fine salt per barrel from the Michigan works during the last fourteen years is given in contrast.

That is all the information the witness gives.

So it seems that when this exciting contest between protected salt and free salt began, free salt or foreign salt was 83 cents and a fraction per barrel, and the Michigan salt was $1.85 per barrel; and when the race was concluded in 1881 the foreign salt was 84¼ cents per barrel—it had gained a cent—and the price of Michigan salt was 87.80 cents per barrel. In other words, the foreign salt had won the race, and the only bringing down of price in the case was the bringing down of the price of home salt. Now they turn around and, in accordance with protection logic, claim that the domestic salt brought down the price of the foreign, whereas the figures show that the price of the foreign salt brought down the price of the domestic. When a bird is shot on the wing we generally say that the shot brought down the bird, but in protective parlance we would have to say that the bird brought down the shot; that is, the dead bird came down with the shot in his body. [Laughter.] That is the condition these men are reduced to by this exhibit of their own work.

If there ever was a country upon earth where nature had arranged in conjunction with art for the cheap and easy manufacture of this article of human necessity, it would seem to be the State of Michigan. In the Saginaw Valley, as I am told, there are located between eighty and one hundred large saw-mills, whose occupation is pretty nearly gone for the reason that the timber of that country has all been cut away or passed into the hands of a few very wealthy men who are holding it for big prices. Those mills are supplied by the logs which are imported from Canada across the line, which we have made free. Right under the site of those saw-mills is this geological stratum which furnishes the salt brine. So when a man establishes his plant for the manufacture of lumber he sinks his well into the ground, and the same machinery which runs his circular saw and cuts his lumber draws the brine from the well beneath the mill, and the sawdust, and the slabs, and the wastage of the saw-mill feed the furnace; and the same heat which operates the mill which cuts the lumber passes under the salt-kettles and makes the salt. Under those circumstances they say that the salt-making of this country will perish and pass from the face of the earth unless there is a duty amounting to 80 per cent. against the foreign article.

Mr. President, we understand, as a matter of course, why they are so anxious for this duty to be maintained. We understand, of course, why these salt manufacturers are continually crying in alarm against the circulars of those great English salt manufacturers, and saying that they are seeking to corner all the salt in the world and put up the price. We understand that very well. They are going themselves to do that same thing, and if they could keep up the English article they would increase the price of salt to a greater extent than we have ever had to pay in this country.

Many Senators now present will remember a speech that Mr. Bayard made in 1882 or 1883, when in the Senate, in which he told us of a visit that he made to the Kanawha Salt Works. He described how nature had located everything for the convenience and cheapness of the manufacture of salt. Right upon the banks of a navigable river the salt-wells were found. One bucket which went up filled with the brine from the dissolved salt-rock let down another bucket into the well of fresh water which was to replace the dissolving process in the rock, and within 250 or 300 yards across a little space of level soil there was an outcrop in the edge of the mountain of coal, and a tram-railway upon an inclined plane led up to that coal, and the loaded car that ran down the inclined plane full of coal and dumped it into the furnace that boiled the salt pulled up the empty car to be filled in its place. There, right upon the bank of the stream, with almost the whole operation automatic in its character and self-operating, the salt was boiled, put into barrels or packages, and rolled down an incline into a flat-boat, whence it was floated down the river to Cincinnati, at that time containing the greatest meat-packing establishment in the United States, where more of it was sold than elsewhere.

Yet that institution for the manufacture of cheap salt, and many others in the neighborhood similarly situated, were under what is called a dead rent; that is, the men from Syracuse, N. Y., had paid so much money to the proprietors of those salt works to keep them from making salt, to keep them idle, to keep them from supplying the wants of the people of this country. I am told that the same thing was done by the Canadian Salt Works across the border, and that a number of them were under a dead rent to the people of Syracuse, or perhaps of the State of Michigan—I do not remember which.

Mr. President, can we, as men of conscience, hope to maintain upon the free-list all these articles of luxury, of pure fancy, the production of foreign climes, nine-tenths of which even intelligent people never heard of and do not know what they are, for the gratification of the luxurious of our people, and keep such an article of dire and every-day necessity as salt upon the dutiable-list at the rate of about 80 per cent? Can we do it, I ask?

The juxtaposition in which the Senator from Missouri has placed these two articles will tell its own tale. "Ottar of roses," on the one side, free; salt, 82 per cent., on the other. Ginger, spice, pepper, mace, pimento, come in free. Palm-leaf fans, fiddle-strings, skeletons, and preparations of anatomy, and all kinds of sweet-scented things are permitted to come in free, but the tax collector follows up salt wherever it goes in this broad land, not only into the factory of the great pork and beef packing merchants of the Northwest, the greatest in this world, but into the cabins of the poor, into the gourds that hang in their chimney corners. I wonder if Senators on that side ever saw a salt-gourd? I reckon not; nor the poor herders of stock who climb the mountains or wander across the plains with a bag tied across their shoulders containing salt to sustain the lives of their cattle. Everywhere the agent of this protective policy with inquisitorial powers visits every use that is made of salt with a tax of 82 per cent. But you could go into a drug store, and half that you find upon the shelves, pure articles of luxury (I can not take the time of the Senate to read them over, they are before you all), are admitted free of duty.

Mr. President, what is "ottar of roses?" I suppose the definition that an old Democrat once gave of a Federalist might be applied here. He was denouncing the Federalists very much, and his friend to whom he was talking finally asked him, "Bill, what is a Federalist?" "Well," said he, "a Federalist is—a Federalist—well, a Federalist is something agin nater." [Laughter.]

What is ottar of roses? To what use is it applied? How does it benefit the poor and how does it conduce to the happiness and increase of wealth and wages of the beloved American workingman? I should like to know. It is something certainly very good, or else I know that gentlemen on that side would not put it upon the free-list. Salt is something we happen to know about. Salt is something that an Irishman said "made a 'tatur taste bad when it did not have any of it in it." [Laughter.] Salt is something that everybody uses; salt is something that everybody knows something about. Therefore, it is tangible and can be taxed and you go for it.

Mr. MITCHELL. May I ask the Senator a question?

Mr. VANCE. Certainly.

Mr. MITCHELL. The Senator from North Carolina seems to think the duty on salt is a terrible burden to the people of this country. Has he figured out just about how much this duty adds to the expense of salt to each man, woman, and child in the United States?

Mr. VANCE. I had it figured out for me the other day by a gentleman on your side. I thought he made it about 3 cents a head, and my reply to that was if it was big enough to steal it was big enough to save.

Mr. MITCHELL. The Senator will find, if he investigates it, that the whole cost of salt, including the duty, does not amount to 3 cents upon each man, woman, and child in the United States.

Mr. VANCE. Then what do you want it for, if it is so little? Why are you wasting the time of the Senate, and abusing the patience of the American people, and outraging the sense of justice of everybody by insisting on a thing that is so little in itself and so enormous in its aggregate?

Mr. MITCHELL. I am not consuming the time of the Senate. It is the Senator who is consuming the time of the Senate in talking about a matter so absolutely infinitesimal that it is not worth talking about.

Mr. VANCE. "The destruction of the poor," says the wise man, "is their poverty," If we can not take it off, if we have not the courage and the patriotism and the honesty to rescue the poor from these taxes, which in the little to each individual man seems so small and yet in the aggregate makes millions and millions for the pockets of the manufacturers—if we can not do that we had better resign our functions, abjure them, and let some one come here who can do it.

At all events, Mr. President, I think I have demonstrated that the claim for keeping salt upon the dutiable-list at these figures is untenable. I have shown that for a period of fourteen years, from 1846 to 1860, inclusive, while salt was upon the free-list, not only did the salt manufacturers of this country not perish, but they flourished, and the increase in the production during that period was as great as it was at any other. I have shown that the manufacturers of foreign salt did not come in and did not engross the market of this country and put up the prices beyond what they were under a heavy duty.

Mr. HISCOCK. When was salt put on the free-list, I ask the Senator from North Carolina?

Mr. VANCE. In 1846.

Mr. HISCOCK. And it remained on the free-list until when?

Mr. VANCE. Until 1861.

Mr. BLAIR. Does the Senator remember what it was worth during that period?

Mr. VANCE. I have read the figures to show what it was worth during that time.

Mr. HISCOCK. Was it placed on the free-list by what was known as the Walker tariff bill?

Mr. VANCE. Yes, sir, I suppose so; but the tariff acts of 1846 and 1861, as I remember them, were new acts out and out. They were not amendments of existing laws. In 1861 the duty was resumed.

I have shown, as I have said, that the argument against putting salt upon the free-list is fallacious in both instances, in regard to the prices of salt and in regard to the injury that the repeal of the duty would do the manufacturers. I hope that before this Congress expires on the 4th of March coming, or before it disposes of this bill, it will do something at least to commend it to the justice of the people of this country, and I can see nothing with regard to it that could more reasonably and properly fulfill that desire on the part of our constituents than the placing of this article of such absolute necessity upon the free-list.

I am tired, I am disheartened, I am discouraged at the peculiar way in which legislation is now conducted. It seems to me that the duty of the Congress of the United States and of all legislative authority everywhere should be to aid the weak, to help those who are struggling to help themselves, but that is not manifestly our policy. Instead of doing anything here to aid those who are fighting the battle of life unaided, the struggling many, our legislation here is directed in the interest of the few. Instead of aiding poor men throughout all the length and breadth of the land to make a living, to earn bread, the object of this legislation is simply to aid a few men to accumulate riches. The fundamental maxim of the protection policy seems to be not the greatest good for the greatest number, but the greatest possible good for the smallest possible number.

With this expression of my desire, I shall leave the Senate to vote, announcing my determination, as far as I can make it known, to declare hereon and hereby my preference for free salt over and above free ottar of roses.

Mr. ALDRICH. Before the Senator takes his seat I should like to have him state what he understands would be the effect of this provision making salt oil free? That is all the effect it would have, and any attempt on the part of Senators upon the other side to say that it would have any other effect would be delusive to the American people. This "ottar of roses" is one of the oils put upon the free-list. If the amendment of the Senator from Missouri is adopted "salt oil" would be free. I do not know what oil there is that might be called a salt oil. If this is simply a farce, it is all right, and the American people ought to understand it so; but if Senators expect any practical effect by voting for this amendment it will simply put "salt oil," whatever that may be, on the free-list.

Mr. VANCE. The attempt to give the people of this country free salt may be a farce——

Mr. ALDRICH. But you are not proposing to make salt free. It is simply salt oil.

Mr. VANCE. I can not tell who is going to be the Secretary of the Treasury. It will be some gentleman on that side. If I think he will not have sense enough to recognize salt when he finds it upon the free-list, I shall vote against his confirmation and do all I can to keep him out of that position. The technicality suggested by the Senator can be very easily disposed of. If a disposition to legislate in the interest of the masses of the people is manifested on that side I will agree to take care of the technicalities.

Mr. ALDRICH. All I meant to suggest was that if this is in earnest, if Senators upon the other side are moving this amendment with some desire of having it effectual, they should make it in an intelligent way, and in a way which would result in placing salt upon the free-list if it were carried.

Mr. VANCE. What right has the Senator to assume that those of us on this side who want the duty on salt removed are not in earnest?

Mr. ALDRICH. Because their attention has been called repeatedly, both by the Senator from Iowa and myself, to the fact that if the amendment is serious, and if the amendment which is now offered should become a law, it would simply result in making certain oils free. Notwithstanding that explanation they persist in moving these amendments in such a way that if they were adopted they would be entirely meaningless and ineffectual to accomplish what the Senators say they desire.

Mr. VANCE. Then it would not do your friends, the salt manufacturers, any harm if it was ineffectual?

Mr. VEST. I should like to ask the Senator from Rhode Island a question. We ought to deal with each other in perfect candor. He knows very well that the technical objection he is making can be very easily remedied, and that what I mean and what the Senators on this side mean is to put salt on the free-list. He has heard again and again that the word "oil" is not now in the paragraph proposed to be amended. It is true that in a preceding paragraph the word "oil" occurs.

Mr. ALDRICH. It is precisely in the terms of the present law.

Mr. VEST. Does the Senator mean that "ottar of roses" is an oil?

Mr. ALDRICH. I do, precisely.

Mr. VEST. Then I mean salt.

Mr. ALDRICH. Salt oil?

Mr. VEST. I want to ask the Senator from Rhode Island if he will vote to put salt on the free-list anywhere in this bill?

Mr. ALDRICH. I certainly will not.

Mr. VEST. Exactly. Not one Senator who is now hiding himself behind that little technicality about the word "oil" here would vote to put salt on the free-list.

Mr. ALDRICH. I am not hiding myself behind a technicality. I say I shall vote against a proposition to put salt on the free-list; but what I am calling the attention of Senators to is the fact that if the amendment prevails it will not accomplish what they say they desire to accomplish.

Mr. JONES, of Arkansas. I should like to ask the Senator from Rhode Island where is the end of the paragraphs that he says embrace oils?

Mr. ALDRICH. Paragraph 676.

Mr. JONES, of Arkansas. Where do the paragraphs stop?

Mr. ALDRICH. At paragraph 676, on page 175.

Mr. JONES, of Arkansas. There is nothing in the bill to indicate where the word "oil" would apply, and I do not know what it would apply to. It would seem to apply to everything embodied in the free-list.

Mr. ALDRICH. I had already stated to the Senate that the committee propose to make their meaning entirely plain in this free-list by putting all these oils into one paragraph, and these paragraphs have been passed over informally for that purpose.

Mr. JONES, of Arkansas. The paragraph in which the word "oils" occurs, "Oils.—Almond," which appears to be a separate paragraph, is paragraph 644. The next is a separate paragraph, "Amber, crude and rectified." I suppose, of course, that refers to the word "oils" that goes before.

Mr. ALDRICH. Certainly.

Mr. JONES, of Arkansas. In the way the bill is constructed I do not think anybody can tell what the word "oil" is applicable to in the succeeding paragraphs. The word "oil" does not any more apply to "ottar of roses," in paragraph 670, than it applies to "paper stock" in paragraph 684, in my opinion. So, as far as the grammatical construction of these paragraphs is concerned, paragraph 684, which provides that "Paper stock, crude, of every description," etc., shall be free, may as well be considered the "oil of paper stock" as to say that the "ottar of roses" is oil of ottar of roses as relating back to paragraph 644.

Mr. ALDRICH. I have already stated twice to the Senate that there might possibly be a misapprehension in the way these different oils are printed, although they are printed in the same form exactly that they are in the tariff as classified by the Treasury Department, and these paragraphs have all been passed over informally for the express purpose of allowing the preparation of an amendment which would put them all in one paragraph, to obviate the misunderstanding or misapprehension which the Senator from Arkansas seems to have as to the meaning.

Mr. JONES, of Arkansas. I do not know that I have any misapprehension about it. I do not think I have. I simply asked for information where was the end of those alleged paragraphs. Each paragraph is numbered separately. Paragraph 644 contains two words, "Oils.—Almond." Then paragraph 645, which is a different thing altogether, follows with "Amber, crude and rectified." The Senator from Rhode Island says that those two relate to each other. There is nothing in the structure of the bill to indicate it, and I was calling attention to the clumsy structure of the bill, and was not asking for information; I did not have any misapprehension about it.

I do not suppose that the Senator means to claim that every paragraph succeeding the paragraph containing the words "oils" relates back to and is connected with that paragraph. I called his attention

to the fact that nobody could tell where the end of the application of the word "oils" was to be unless he would have the kindness to state to the Senate where it should end. There is nothing to indicate where it would stop.

Mr. ALDRICH. I stated that exactly, I think, when these paragraphs were reached in the reading of the bill.

Mr. JONES, of Arkansas. I did not hear the Senator state it.

Mr. ALDRICH. I asked that the paragraphs from 644 to 676 might be passed over to enable the committee to consolidate them all in one paragraph, so that there should be no misapprehension as to the meaning. That action was taken on the suggestion of the committee, and these paragraphs are not now before the Senate, but have been passed over informally to allow that amendment to be made.

Mr. VEST. That has not been done by the Senate, and I appeal to the RECORD.

Mr. ALDRICH. It was done. These items were all passed over informally.

Mr. VEST. Yes, but the word "oils" was not attached to each one of them. The Senator made that statement here this morning, but the RECORD does not show that it was done.

Mr. ALDRICH. I beg the Senator's pardon; the paragraphs were passed over informally for the purpose of consolidating all of the oils under one paragraph. The RECORD will show that exactly. That was done.

Mr. VEST. It does not amount to much, but I recollect distinctly what occurred. On Friday the Senator from Rhode Island asked that these paragraphs from 644 down to the last number that he has named be passed over, without stating what his object was. That was done. Then just before the Senate adjourned I stated to the Senator from Iowa that I wanted to offer some amendments to that portion of the free-list which had been passed over, but on account of the absence of several Senators on this side I preferred to do so this morning. He said, "Very well," and the Senate then adjourned. There has been no action by the Senate putting the word "oil" after each one of these articles.

Mr. ALDRICH. I suppose the Senator from Missouri will agree with me that these items are all oils, and that the purpose of the present law, and the purpose of the committee, and the purpose of the bill is to put these oils upon the free-list. I suppose he will agree with me that that is the purpose of the committee.

Mr. REAGAN. In order that it may be seen——

The PRESIDING OFFICER (Mr. BERRY in the chair). The Senator from Rhode Island is entitled to the floor. Does he yield to the Senator from Texas?

Mr. ALDRICH. I yield to the Senator from Texas.

Mr. REAGAN. I was going to say, in order that it may be seen that the criticism made upon the amendment of the Senator from Missouri is merely hypercritical, look at paragraph 669, "olive oil, for manufacturing or mechanical purposes, unfit for eating, etc." That is oil. There is no change of heading until you get to paragraph 677, which reads, "olives, green or prepared." That is under the heading of "oils," according to the Senator from Rhode Island, but it does not mean oil at all; it means "olives, green or prepared." The next is "opium," still under this assumed heading of "oils," that is way back of that. Whatever the Senator's intention may be hereafter to marshal these things together, his criticism does not apply until that marshaling shall have been made.

Mr. ALDRICH. But the items have been passed over for the purpose of doing that, as was stated by the committee at the time.

Mr. PLUMB. Mr. President, of course no one can doubt the entire sincerity of the Senator from North Carolina [Mr. VANCE]. The very great solemnity with which he discusses all these questions is of itself evidence of his sincerity. The absence of humor, of jokes, and things of that kind which are supposed to accompany the flights of fancy in which men occasionally indulge, marks the utter and entire seriousness with which he discusses this question. I know he was serious, because he must have had in mind some of the things which he conveniently overlooked at the proper time, in which the people of North Carolina happen to be interested. He is here to serve them, and undoubtedly will find when he goes back to give an account of his stewardship justification for the duties he has aided to impose so far as they relate to products of North Carolina by saying that he has helped to rob the people of the United States for their benefit and therefore has helped them to get even.

The other day when the Senator from Iowa moved to take out of the free-list mica, one of the productions of North Carolina, quite a prominent one also, and put it into the dutiable-list at a duty of 35 per cent., the attention of the Senator from North Carolina was especially called to it, and he assented by a silence which is fully as convincing as any argument which I have ever heard him make. Certainly with all his yielding to the temptation to speak, if he had designed to oppose that amendment he would have been found on his feet at once. Every man in the North who uses a stove is affected by that duty. Unfortunately or fortunately, as the case may be, the people of North Carolina do not use stoves, and therefore they are entirely free from the burden of the 35 per cent. duty imposed upon mica that is used in stove doors.

So when I look further I find that sumac, or shumac, as it is called in the local vernacular, is subjected to a duty of, I think, 1 cent a pound. That is a North Carolina production, and the constituents of the Senator from North Carolina more than the people of any other portion of the United States are benefited by the imposition of that duty.

Mr. VANCE. Is not sumac on the free-list?

Mr. PLUMB. Sumac is not on the free-list; it is a dutiable article, and it is a North Carolina production. As strong as the Senator is at home, I think he would find himself a little bit worried in justifying a vote to place sumac on the free-list.

In addition to that, another staple crop of the good Old North State, peanuts, one of the articles which are especially the delight and stay of that class of people whom he so ably represents on this floor, is taxed 112 per cent. The Senator may have been absent when that duty was imposed, or he may have been asleep, or in some other way his vigilance may have been relaxed; but if he excuses himself on any of these grounds, I invite his attention to the fact that the bill is still open to amendment, and that it will be in order to move an amendment to the bill putting peanuts upon the free-list and thereby helping the great body of the people who are obliged by their state of finance and the depraved condition of their appetites to use this popular edible.

When the Senator comes to salt he waxes eloquent over that article, because he says it goes into every household; it is one of the staples of life. I do not know whether he said so or not, but I have no doubt he would put it next to or possibly even above whisky. Certainly the universality of its use can not be denied, nor perhaps the necessity of that use; but when I come to read along down this bill and come to page 129 I find that rice, a North Carolina product, is taxed by the bill 112 per cent. The Senator's concern is not about the food, it is about the dressing for the food. It is not the dress, but it is the trimming; and he has waxed eloquent here about the salt the poor men have to use, taxed, as he says, 80 per cent., but not a word has he said about the rice for the benefit of the North Carolina planter, which is taxed 112 per cent.

Mr. VANCE. Does the Senator say that we have considered and passed upon rice?

Mr. ALDRICH. We are going back to it.

Mr. PLUMB. The Senator from North Carolina must remember that he has been in this body a long time. He has lifted up his voice early and often upon the rights of the people. If this tariff of 8 cents a hundred pounds upon salt is the robbery which he characterizes it, he would have been in better trim to have made that characterization if he had, either at this session or at some former session, done what he could, by motion or otherwise, to relieve the people of the United States from the robbery of the 112 per cent. duty imposed upon rice.

Let the Senator make an open and candid confession. Let him admit, with all his assumption of candor, that he is doing what he can to get everything possible for the State of North Carolina to help his constituents, and, of course, on the other hand, in order to make perfectly sure that he does not tumble over backwards in the excess of his virtue, he is engaged in trying to cut down the duty on everything produced elsewhere. That would be the candid thing for the Senator from North Carolina to say; and in saying that I do not question his sincerity at all. He is pursuing the line of self-interest for his own people. He is endeavoring to get for them out of this bill everything that he can. He is perfectly willing that the people who buy stoves should pay 35 per cent. upon the mica that goes into the doors inevitably.

Mr. VANCE. The Senator from Kansas made a statement just now that seems to be about as accurate as any I have heard him make for some time, and that is that the people do not use any stoves in North Carolina. If the Senator made that remark seriously, I beg to correct him. If he made it jocosely, all right.

Mr. PLUMB. I will not discuss the stove question; but the fact of a duty of 35 per cent. upon mica is a cold, patent fact, and the Senator was a contributing element to the imposition of that duty. He sat in his seat. He heard the challenge on the part of the chairman of the subcommittee having charge of the bill. He assented to the report of 35 per cent. upon mica. He has been consenting to the duty of 112 per cent. upon peanuts. He has been consenting to the duty of a cent a pound, which is about 25 per cent., I think, upon sumac. He is ready to have us impose a duty of 112 per cent. upon rice. He is doing all these things in order that the people of North Carolina may have all the benefit that they can have, with the limited variety the productions of the people of that State are given to, out of this bill. If there is anything else which the people of North Carolina do which comes into competition with anything which is done elsewhere, except that which is embraced within these various items I have spoken of, I will venture to say that the Senator from North Carolina will vote for the highest duty that can be named upon those products of North Carolina skill.

There is one thing which I perhaps ought to make an exception. When we come to that provision of the bill which provides for free moonshine whisky, there the Senator is a free-trader for a North Carolina product sure enough. He will stand for that article, and he will stand for immunity to the men who make it in defiance of law, and if he can not get absolute immunity he will vote for a provision giving

to the Commissioner of Internal Revenue the right to pardon every one of them, *nem. con.*, and to impose the lightest possible fine.

I have no doubt the Senator finds himself in his own contemplation even candid in this juxtaposition. Whisky is, according to his opinion, I have no doubt, more thoroughly and essentially a necessary of life than even rice, and therefore he is for free whisky, but he is not for free rice; he is not for free mica; he is not for free peanuts; he is not for free sumac.

Mr. VANCE. Mr. President, the Senator says that he does not blame me for the course that I pursue in relation to this bill, for I am following the self-interest of my constituents. That is an accusation that I partly admit. If I did not represent the interests of my constituents and do the best that I could for them here I should not be fit to occupy a seat on this floor; and every man must judge for himself what is the interest of his constituents.

The Senator has no right to say what I am going to do on peanuts, although I have no doubt he may feel an interest very deeply in that article. It may be very necessary to the conducting of public assemblies in Kansas that an abundance of peanuts should be distributed to occupy the time of the deliberators. He has no right to say what I am going to do in relation to the duty on rice, for I have not yet been called upon to vote on it. But I have this to say to him and to all others, that there is no product of my State on the dutiable-list (and there are only two or three) that I will not go as far as he, and a great deal further than he, in reducing those of his State. It is not true, as charged, that I desire to get everything that is on the dutiable-list from my State as high as possible and to cut down everything else that is produced in every other section of the country as low as possible. That is not the truth. I have not so voted here. I have tried upon all occasions to reduce all the duties, North and South, upon the products of every section of the country to a reasonable revenue standard.

Mr. ALDRICH. Will the Senator allow me to interrupt him?

Mr. VANCE. Certainly.

Mr. ALDRICH. Will he name one article that is produced in North Carolina upon which he has voted to reduce the duty?

Mr. VANCE. There has been no proposition made yet that I know of specifically upon anything raised there to reduce the duty; but I expect to vote for the Mills bill, if you will give me a chance to do it, which reduces the duty on sugar, which reduces the duty on rice, and which reduces the duty on quite a number of other Southern products.

Mr. ALDRICH. The Senator was in his seat when we fixed a duty of 35 per cent. on mica, and when we fixed a duty of 112 per cent. on peanuts and upon these various other items.

Mr. VANCE. I am not responsible for the introduction of that duty upon mica.

Mr. ALDRICH. Neither he nor any Senator on that side has moved to reduce the duty on those articles.

Mr. VANCE. The Senator knows very well that I declined to have anything to do with the duty upon mica. The Senator knows very well that I declined to go with my own constituents before the subcommittee for the purpose of advocating that duty upon mica.

Mr. ALDRICH. If the Senator means that he refused to have anything to do with it by sitting in his seat when the motion was made to put mica upon the dutiable-list and not objecting to it——

Mr. VANCE. Certainly.

Mr. ALDRICH. Then he is correct in the statement that he had nothing to do with it.

Mr. VANCE. Certainly. Does the Senator think that when I have failed to get a reduction of duty upon anything that affects my people, and he of his own motion proposes with a semblance of fairness to put a duty upon mica, that I should have risen and objected to it? Can the sense of honor and justice on that side be satisfied only by a Southern man voting to take off, which you would gladly do, if not ashamed, every duty that pertains to my State, when you will not permit a single solitary duty upon anything that is produced in your State to be reduced? Does he think that that is my duty as a representative or even as an honest man?

Mr. ALDRICH. I think it is the Senator's duty to vote to increase the duties upon articles produced in his State if he thinks they ought to be increased, or to preserve them if he thinks they ought to be preserved. I was simply traversing the statement which he made just before I rose the first time, that he had voted to reduce the duties upon articles produced in his State, and I challenged him to name one single instance in which he had so voted.

Mr. VANCE. There are only two or three items that I remember in the pending bill that protect anything in my State, unless it would be the cheap cottons that he spoke of the other day, the duties upon which he reduces whilst he elevates and puts higher the duties on the cottons that are produced in his State. I know of nothing except the cheap cottons, rice, and ground-peas, the production of my State, that is now upon the dutiable-list. About sumac, that the Senator from Kansas spoke of, I know nothing. It is a wild plant in North Carolina and Virginia and all the Southern country. If there is any of it prepared in North Carolina for market, I do not know it.

Mr. BLAIR. Is not lumber a North Carolina production?

Mr. VANCE. I voted to reduce lumber, sir.

I thank thee, Jew, for teaching me that word.

To-morrow, or as soon as we reach that part of the bill, I expect to vote to reduce the duty on lumber.

Mr. BLAIR. How much will the Senator vote to reduce it?

Mr. VANCE. To make it free.

Mr. BLAIR. To make it free?

Mr. VANCE. Plumb free, so that there shall be no duty upon the plank which shelters a poor man from the storm.

Mr. BLAIR. But the Senator's statement was that there was nothing upon the dutiable-list raised or produced in North Carolina except the trivial things which he mentioned.

Mr. VANCE. Those are all I can remember.

Mr. BLAIR. I supposed that lumber was an important production of his State, and I really rose for information. If the Senator votes to make it free, that is another thing. But lumber, I remind the Senator, and I give him this information gratis, is a production of North Carolina.

Mr. VANCE. I have thanked the Senator already for that information in the most classical quotation that I could call to mind. [Laughter.] There is more lumber manufactured in North Carolina, there are more trees growing there fit for lumber, than in any Atlantic State—enough to cover almost the whole State of New Hampshire; yet I stand ready to put it upon the free-list, and I did in 1883 vote to put it on the free-list.

Mr. BLAIR. I would ask the Senator this question, then, because this may reach North Carolina——

Mr. VANCE. I hope it will.

Mr. BLAIR. Whether he thinks it for the interest of those who produce lumber in North Carolina to put it on the free-list, whether the producers there consider it to their interest to have it made a free article?

Mr. VANCE. I do not consider their interest in contradistinction to that of the great mass of the people. That is the difference between the Senator and me.

Mr. BLAIR. The Senator has not answered the question.

Mr. VANCE. What was the question?

Mr. BLAIR. Whether the producers of lumber in the State of North Carolina consider it for their advantage that lumber should be placed on the free-list?

Mr. VANCE. I think they do. I think they are men of sense, nearly all of them.

Mr. BLAIR. I suppose them to be.

Mr. VANCE. And if they think so I have never heard that they wanted a protection upon those things which nature furnished to their hands, but if they do I can not be with them, as a matter of course.

I am willing, to repeat what I said to the Senator from Kansas, to put everything, "beginning at Jerusalem," down to a reasonable revenue standard, and when I fail to bring down the tariff duties in this country to a reasonable standard, including everything in which my constituents are interested, I am not willing to submit to being twitted and charged with inconsistency because I do not ask that every small item that is protected in my country shall be made free, leaving everything else protected.

Mr. PLUMB. Apply that to what the Senator said a moment ago, if it is small enough to steal it is small enough to save.

Mr. VANCE. As how?

Mr. PLUMB. Mica is small, sumac is small, peanuts are small, and rice is small. They are small enough to save as well as small enough to steal, and the Senator can not excuse himself for what he calls, so glibly, robbery in other directions, because he sat mute when called upon to plead. The country, like a court in a criminal case, adjudges a certain legal consequence to a man who sits idly by when he is accused.

Mr. VANCE. Mr. President, I know the Senator from Kansas is uncomfortable in his present position. I know it very well. I know when he was commending me for working for what I thought to be in the interest of my people, that he was in hopes a similar view would be taken of his own case. We shall see, sir, when it comes to the lumber that is to shelter the people of the treeless plains of Kansas, whether he is as true in that respect as I am or not.

We have already seen on more than one occasion a very bold front made by that Senator over there in the making of motions that met with favor on this side as tending to reduce duties; and we have seen, too, those motions withdrawn and that boldness abandoned. I know just how it is; I have seen men in that fix myself; a sort of "I would if I could, but if I couldn't how could I?" condition. [Laughter.] No, sir; this is the proposition that I make, to repeat it once more: I stand here ready to reduce the revenues of this Government, which are now overflowing; and on the few articles that are on the dutiable-list in which my people are interested, I tender them for the purpose, not of bearing all the sacrifice, but of bearing their share of it. Is there any one over there who will do more, or so much?

The Senator says I am in favor of free whisky. I am opposed to the internal-revenue taxes, and I have said so here freely and openly; not that I want whisky free, but that I want to be rid of the crew of in-

quisitorial spies and oppressors of the poor people in my country who exercise their tyranny in the name and under the authority of the United States for the purpose of gathering taxes. That is what I am opposed to. I have never denied that. I have never gone half-way into that and said that I would rather repeal the tax on whisky than to repeal it upon shoes and blankets and salt and the necessaries of life. I have never done that; and yet that is the intimation that comes from the Senator's party in its highest assemblages.

My position, as explained to the Senate before, was that I wanted to remove all the taxes that are imposed by the internal-revenue laws of the United States. I do not want to stop at the removal of the duty upon the income of Jay Gould; I do not want to stop at the removal of the tax upon rich men's bank checks; I do not want to stop at the removal of stamp duties upon playing-cards and all the wealth of this country that does not pay a dollar of taxes. I want to sweep it all away, all direct taxation upon the American people, and support the Government, economically administered, by an adjustment of the customs duties upon a revenue standard, let it bear as much protection incidentally as it may.

That is my position, sir, and in due time I hope to be permitted to vote in accordance with that position.

Mr. REAGAN. Mr. President, a short time ago in this discussion something was said about the infinitely small interest which the people had in the subject of being relieved from the tax on salt. In that discussion it was stated on the other side of the Chamber, and it has been said elsewhere, that the tax could not exceed 3 cents to the person, and the Senator from Oregon [Mr. MITCHELL] said it was infinitely less than that; so as to show that there was no special reason for urging the exemption of the people from the duty on salt.

I do not know that we have any statistics which show the amount of the consumption of salt in this country, nor do I know of any reliable statistics showing the amount of salt per capita used by the people of this country; but looking to the great report of Senator Benton made upon salt a good many years ago, and to the information which he collected, I find this statement:

> The consumption of salt in this country is immense. From all that we have been able to learn on the subject, we believe that the consumption of the people of this country—

This is in reference to England—

> may be estimated at 22 pounds per head; in France it was computed by Necker that the consumption in those provinces which had purchased an exemption from the *gabelle*, at 19½ pounds per head.

This was at a time when the mode of living of the people was perhaps different from what it is now, and when much less salt was probably used than at this time, I mean in the various ways in which it is used, because now in this country we use a great deal more salt than goes into the actual domestic use of the people, in the salt provisions that are exported abroad for sale.

I am not able to state precisely what is the retail price of salt—for that is the price which our people have to pay for it—but it would not probably be less than 1 cent a pound. I mean as it goes into the hands of the last buyer, and according to this table and according to the English evidence—and that is the result of the evidence of a number of most intelligent business men before a commission appointed to ascertain the whole truth with reference to the amount of salt, the amount used for the various uses for which it was made, and the effect of the tax upon salt. This evidence was taken most carefully, and I think I shall have to revise the estimates given in the Senate as to the amount of salt per capita that the American people use, and perhaps the tax will be more than 3 cents, and probably it will be more than four times 3 cents a head, and perhaps more than six times 3 cents a head.

I do not propose to enter into the general discussion of this subject, but I will volunteer to suggest in a friendly spirit to our friends on the other side that perhaps they had better take an interest in making salt free and in securing the best quality of it, for if they are to go before the American people on such a bill as this it will take a great deal of salt of the purest kind to save them in the future. So they had better make salt free if they want to be saved from the effects of such legislation as this.

Mr. HISCOCK. Mr. President, there is nothing that more completely illustrates the capacity and intelligence of the people of the United States than the speeches which have been made by the Senator from North Carolina [Mr. VANCE] and the Senator from Texas [Mr. REAGAN]. For more than half a century these speeches have constantly been made in Congress, humorous, extremely witty, and we have heard them upon the hustings at nearly every election, telling of the oppression of the people or the robbery of the people by reason of the salt tax. Since I have been in Congress I can not recall a session in which I have not either heard or read as made in Congress the typical speech of the Senator from North Carolina; and—here comes in the intelligence of the people of the United States—during this whole period of time the doctrine of protection has steadily advanced, constantly received converts, and the conviction of the propriety of a protective duty upon salt has been growing gradually stronger and stronger in every section of the country.

When the discussion first commenced, nearly all the salt manufactured in the United States was from the saline waters near the city of Syracuse, in the State of New York; and the duty upon it was attacked all along the line from the South and from the West; and New York, and New England, and Pennsylvania, and Ohio stood for the protection of salt and defended it upon principle, weak as the interest was, and with but one single vote I think originally in either branch of Congress interested in a duty on salt, and that one from the district which I formerly had the honor to represent in the other House. So far as individual interest was concerned, it was confined to one constituency.

Year after year we have been treated to the sort of declamation which has amused the Senate to-day, and year after year the protection of the salt industry of the country has grown stronger and stronger; and I repeat it is a tribute to the intelligence, to the common sense, to the understanding, and to the learning of the people of the United States that the result has been what we have witnessed. They laugh at the witticisms of the Senator from North Carolina; and he should bear in mind that they are pleased with his wit; they grow fat upon it, and fat requires salt; but they vote for the protection of salt every time; and when this question has been tested, as it frequently has been in the House and in the Senate, I point to the RECORD as illustrating and proving that a vote for the protection of salt never cost a Representative upon the floor of the House of Representatives or a Senator here the support of his constituency.

The Senator from Texas opens up the question of its being an onerous tax. His colleague the other day described to us the flourishing condition of the great State of Texas, how it had blossomed out within the last few years, how rich its people had grown, no State having kept pace with it in the giant strides which it had made in the direction of prosperity. I have no doubt that the Senator from North Carolina could point to the same sort of picture in his own State. They have all grown rich and prosperous under the beneficent administration of a protective tariff They have had the benefit of it, as the whole country has; and we are told that the residents of these States are suffering and borne down to the earth under this onerous tax which is imposed upon them, upon the 40 pounds of salt each uses per annum, and that is the extreme quantity consumed by each individual! Those ladies of North Carolina, who I have no doubt use many of the luxuries named in this bill that are protected or upon the free-list, as you please, are oppressed by it, and the sturdy toilers upon the land and in the forests are overwhelmed by this tax upon them, amounting in no instance to more than 3 cents per capita, provided it is a tax that is imposed by this tariff upon them.

Mr. President, there is not another industry in the country that has been so constantly misrepresented as this salt industry. The amount of protection which it receives has always been overstated. I do not know why this should be so. The argument against the duty consists in witticisms and in overstatement, to say the least, of facts in regard to the industry.

Twenty-five years ago, as I have said, nearly all the salt produced in the United States was produced in one locality. Now there is a bed of rock-salt discovered underlying 2,000 square miles of territory in the western part of the State of New York. The industry is prosperous in Pennsylvania, in Ohio, in Michigan. It is now becoming extremely prosperous in Kansas. It may be made prosperous, if it is not already so, in the State of Louisiana. In many parts of Texas salt is just as cheap as dirt. The development of the industry in all these States is largely due to the protection which has promoted the development of these new salt resources.

I desire in this connection to call the attention of the Senate to the ad valorem duty which is imposed upon salt which has been mentioned here.

The largest importation of salt to this country is from England—457,701,000 pounds, and the ad valorem duty upon it is 43 per cent. I call the attention of the Senator from North Carolina to that fact. From Nova Scotia, New Brunswick, and Prince Edward Island, and some three or four other places, the importation to this country is 15,000,000 pounds, and the ad valorem duty on it is about 40 per cent. From the British West Indies the importation to this country is 66,000,000 pounds, and the ad valorem duty upon it is 83 per cent. From Mexico the importation to this country is considerable, and the duty is 34 per cent. From the Spanish possessions the importation to this country is something over a million and a half, and the ad valorem duty upon it is 83 per cent. As to all those grades of salt which enter into daily use, which come to us from England, which the people use, the common people and the rich people, which is upon the table of the rich as well as the poor, all that goes into the butter and is consumed in domestic use, the average ad valorem rate upon it will not in any case exceed 45 per cent.

There is a class of salt coming in which needs to be purified, as it is of the very coarsest quality which comes here in bulk, and upon which the ad valorem duty is 100 per cent. It is utterly impossible to frame a bill in which to draw the line between the two. It must be settled and determined by chemistry and by chemistry alone, and by an analysis of it.

There is nothing, however, in this pretense that the duty stands higher and is exceptional to the duties which are maintained by the present

law and which have been maintained in all the past upon those articles which come in competition with the industries of our country. At the present time, with the vast beds of rock-salt discovered in New York, in Michigan, in Nebraska, in Kansas, in Louisiana, and in Texas, salt in its natural state is worth no more than the adjacent rock or the adjacent earth or the adjacent sand-pits. Every single mill of its value is in the labor which is bestowed upon it to refine it and prepare it for domestic use.

But, Mr. President, I have a word to say now in reference to the prices that the Senator from North Carolina has called attention to.

In 1867, I think under the same protection which salt has now, the price of salt per barrel was $1.77; in 1887 the price of salt per barrel was 55 cents, including the barrel worth 25 cents. This "onerous tax" that the people have had imposed upon them has produced just this result in this country. Geology has pointed unerringly to where the salt lay. It has told that nothing was necessary but capital to sink a well 1,000, 1,500, 2,000, or 3,000 feet, and then rock-salt would be found; and with the guaranty of protection capital has been ready to sink these wells. Geology was right; the rock-salt lay there, and to-day it goes upon the market at a fair remuneration to the capital invested in it and the cost of labor in bringing it to the surface, cleansing it, and rendering it fit for consumption; and I undertake to say—there will be more truth in the statement, if not near so much wit as in what we have already heard—that if we had had free salt in this country capital would not have been found to develop what geology and science told us was beneath the surface of the earth in these localities. Large sums are required for it and co-operation of capital. It is a large industry, and to-day it only exists because of the economical management of these industries.

Mr. VEST. Will the Senator be kind enough to state how many laborers or operatives are engaged in this industry in the whole United States?

Mr. HISCOCK. I should say in the neighborhood of 10,000.

Mr. VEST. I think not over 3,000.

Mr. HISCOCK. There are 3,000 in my own county dependent upon this industry, and I commence there with the men who raise the brine to the surface of the earth. I also take into account the cooperage, the men who are employed in making the barrels; I take into account the men who are engaged in making the sacks; I take into account the immense factories in which it is ground and prepared for domestic use, as well as those that simply are engaged in evaporating the salt and making a marketable commodity of it, and I will not reduce my figures at all when you estimate the number of men, women, and children engaged in this and kindred industries. I say to the Senator from Missouri that this is a woman's industry; more women and children than men are engaged in the sacking, the making of the sacks, the paper, and all that contributes to it or which is involved in placing it upon the market. I do not think that I have placed the number too high when I say that there are 3,000 people in one county in the State of New York who are interested in the production and manufacture of salt or are engaged in some industry dependent upon it.

No, the Senator is entirely mistaken if he supposes the people complain of this duty under the witticisms or in the face of the witticisms that have been expended upon this industry. I say that you can scarcely make a speech, I care not how eloquent or witty it may be, it may abound in the rhetoric indulged in by the Senator from Indiana the other day, but if he will give me a little time I will dig up from where it is buried in the RECORD language so near that if read upon the floor it would sound like plagiarism.

Mr. VOORHEES. From whom?

Mr. HISCOCK. I am not charging any one with plagiarism. I remember the Senator from Indiana the other day made an argument against this industry of salt, and I was saying that the elocutionary efforts on this subject have been so abundant and have been engaged in so often that they have necessarily thrashed over the same old straw, and they sound exactly alike.

Mr. VOORHEES. Does the Senator from New York allude to me?

Mr. HISCOCK. I was at times alluding to some remarks made by the Senator in reference to salt in a speech he made the other day.

Mr. VOORHEES. Does he say that my remarks were borrowed or taken from somebody else?

Mr. HISCOCK. No, sir; nothing of the kind. I have made no insinuation, much less a charge of that kind.

Mr. VOORHEES. I certainly did not steal anything contained in my few remarks.

Mr. HISCOCK. Possibly what I said might appear to bear that construction, though I think not.

Mr. VOORHEES. It sounded like an insinuation.

Mr. HISCOCK. I have made no such insinuation; I certainly had no such intention. What I did say and what I repeat is that the arguments in reference to this industry have been so oft repeated upon the floor, these witty attacks upon the industry have been so oft repeated here, that you may dig out from where they are buried in the CONGRESSIONAL RECORD speeches which sound familiarly like them from which one might suppose those who are talking to-day on the subject talked yesterday. All there is of it, Mr. President, is that the same inspiration induced the same effort.

Mr. VANCE. I simply rise, with the Senator's permission, to ask him if anything in favor of protective tariff is repeated?

Mr. HISCOCK. Nothing that the Senator said, I suppose, was a repetition of anything that he ever heard or read in his life. I trust I am making myself clear. It is like a lawyer's arguments upon the same facts, where you will find yourself right in the footsteps of some one who has gone before you, and this again illustrates or emphasizes the intelligence of the people of the United States. This sort of thing has been pounded into them line upon line and precept upon precept for half a century without the slightest effect upon their judgment and their understanding.

Mr. VANCE. Mr. President, I was not going to ask the Senator if he was accusing me of plagiarism. I know he would not do that. I simply wanted to ask him if he supposed that anything said in favor of protection had ever been said before. [Laughter.]

Mr. HISCOCK. It has been, and we will commence back with the wonderful doctrine emanating from the brain of Alexander Hamilton, given to the American people and to Congress, and in it you find the germ of all that has been said since, and like the stone, I think, that was hewn out of the mountain, it has now nearly filled the whole earth, and it will fill it completely in the process of time, and the prediction made by the Senator from Ohio [Mr. SHERMAN] the other day, I think, will within the lives of some of us be verified.

Mr. President, the salt industry alone is not quite all there is of it. There is something else that I desire to call the attention of Senators to as connected with it. We will take the sal-soda interest in the United States. Seventy thousand tons of it are manufactured in the United States and manufactured from salt. With a development of the salt production in this country, that industry has come here, and it may be necessary for me to number with those interested or engaged in salt and dependent upon the salt industries those engaged in the production of sal-soda. Practically it is made from salt and limestone. Let us look at the price of it with the development in this country, planted, as it is, side by side with the salt industry, fed from the salt-springs. In 1875, when, I think, there was none or but little made in this country, it was 1½ cents a pound, and in 1887 it was at six-tenths of 1 cent per pound, having fallen gradually during that period.

Of soda-ash, which is another product of salt, 65,000 or 70,000 tons are manufactured in this country, and those engaged in its manufacture are engaged in the salt industry, and it is planted side by side with the salt-spring. I know of an instance in which capital—this much-abused capital that is talked about—went 20 miles and bored 3,000 feet in the bowels of the earth in order to bring up the brine and transport it in pipes to soda-ash factories established under the guaranty of the protection which the law now affords to salt. Soda-ash that was 2.1 cents a pound in 1875, in 1887 was 1.1 cents a pound. I have given the Senate the large amount of it which is produced in this country, and when you strike at the tariff upon salt, you strike equally at that industry which exists in this country, and which will be planted everywhere where it is discovered that there is rock-salt, or salt water in sufficient quantities for manufactures to be established there so as to supply the adjacent market with it.

Soda-ash is a new industry, as is suggested by the Senator from Maine [Mr. FRYE], as all these are, commencing about ten years ago.

Of sulphate of soda or salt-cake thirty to forty thousand tons are made in this country. It is principally a new industry. In 1875 the price was 3.2 cents a pound, and in the year of our Lord 1887 it was reduced three-tenths of a cent a pound.

Of bicarbonate of soda, another product of salt, from fifty-five to sixty thousand tons are made in this country, and the price has been reduced from 3½ cents a pound in 1875 to 1.8 cents in 1887.

I say there is no record in reference to any other industry in the United States that more clearly demonstrates the propriety of protection and its effect in lowering the price to the consumer than is exhibited in the case of this industry of salt, which has been developed all over the United States, and, as I have shown, side by side with it have grown up these industries in the production of which salt is the raw material. Nothing but labor and fair interest upon capital are involved to-day in the cost of any of them to the people of the United States. It is no longer a feeble industry depending upon the logic which could be presented and the vote of one man interested in it in the United States to defend it. The results which have come speak for themselves, and a great party to a man stands ready to defend and support it.

Mr. VEST. Mr. President, the unaffected modesty of the Senator from New York is absolutely charming and refreshing. If his argument this afternoon, or the half of it, is to be accepted as true, those of us who are now proposing to put salt on the free-list are almost idiotic.

Mr. HISCOCK. I think so.

Mr. VEST. And our patriotism amounts to just nothing at all.

Now, Mr. President, we have some illustrious precedents upon this question of putting salt on the free-list, notwithstanding the abso-

lutely convincing and irrefutable argument of the Senator from New York. I have heard that argument before. I have read it in the CONGRESSIONAL RECORD.

Mr. HISCOCK. I beg the Senator's pardon. He never did.

The PRESIDENT *pro tempore*. Does the Senator from Missouri yield?

Mr. VEST. Certainly.

Mr. HISCOCK. There are certain elements and certain facts stated by me to-day for which I claim the credit of entire originality. [Laughter.]

Mr. VEST. I am certain—and, speaking for myself, absolutely certain—that the right to that patent will never be disputed. [Laughter.] The Senator is welcome to that patent forever, not under the limitations of the statute, but without day.

Mr. President, the portion of the Senator's argument which I said we had heard before is that part repeated *ad nauseam* every time that a tariff bill comes before Congress for discussion, to the effect that the duty is so infinitesimal that no attention should be paid to it at all, that salt is so cheap that it has become like the dirt beneath our feet, like the rocks and cliffs around us. If that be so, why does the Republican party take off this duty on salt in behalf of the fishermen of New England? Why does it give a rebate to exporters of meats and keep the tariff duty upon those farmers in the West who prepare their meat for the domestic market?

Mr. HISCOCK. Does the Senator want me to answer that question now?

Mr. VEST. I have not the slightest objection.

Mr. HISCOCK. I say that, in my judgment, it ought to be repealed, and I say further than that, there is no logic, in my opinion, which can sustain the law referred to.

Mr. VEST. Does the Senator mean that the discrimination now in favor of the fishermen of New England and the exporters of meat ought to be repealed?

Mr. HISCOCK. So far as the exporters of meat are concerned, no; it ought not to be repealed, because it is a principle underlying this bill that upon goods which are exported from this country and go into a foreign market they should be put on an equality with what they have to compete with on the other side. That is a feature in the law and in the bill running through it. So far as the rebate on salt used in curing fish is concerned, in my opinion it ought to be repealed.

Mr. VEST. I understand, then, the Senator from New York to state that he thinks that that portion of the existing law, which discriminates in favor of the fishermen of New England, ought to be repealed.

Mr. HISCOCK. I do.

Mr. VEST. Then it is most remarkable that the Senator agreed to the report of the committee which retained it in this bill.

Mr. HISCOCK. Oh, no, it is not.

Mr. VEST. That identical clause is in this bill.

Mr. HISCOCK. I understand that identical clause is in this bill, but it is necessary in all cases in the formation of a bill to a certain extent that it should be a matter of compromise. There may be things in this bill very likely that, in my judgment, should be changed. I admit that very frankly—not many, but a few. I always yield to the judgment of those whom I am associated with in the formation of a bill, as I said, to a certain extent.

Mr. VEST. I hope that my innocence and my unsophisticated nature will be excused in this regard, because I assume that when a Senator agrees to a report as to an entire bill, and then defends it schedule by schedule and item by item, he means to take the whole bill and to indorse it before the whole country.

Mr. HISCOCK. I do. I say that I shall vote for this bill and defend this bill. I had an occasion the other day to attack that principle of the bill, but I did not do it. One is not precluded from supporting a bill, where there is no great moral question involved, simply because he does not indorse every line in it.

Mr. VEST. Then, Mr. President, I hope the Senator from New York when he strikes those sections of the bill to which he is opposed mentally will indicate it in some way to the Senate, so that we may know exactly what it is and where he stands.

Mr. ALDRICH. Will the Senator from Missouri allow me a word?

Mr. VEST. Certainly.

Mr. ALDRICH. The Senator from Missouri has on several occasions alluded to the fact that this provision discriminates in favor of the fishermen of New England. I do not understand the bill in that way. It discriminates in favor of, and is, in a certain sense, an indirect bounty to, the fishermen of the United States, and is applied alike to the fishermen of the Southern, and Middle, and Western States, and on the Great Lakes, and is used alike by the fishermen of the entire country.

Mr. VEST. I have not the bill before me with that provision in it, but it speaks of licensed vessels engaged in the fishing trade, and we all know what that means. Where are the fishing interests of this country? They are not out in the West; they are not in the trans-Mississippi department.

Mr. ALDRICH. After the speeches made the other day by the Senator from Michigan and the Senator from Wisconsin, I think it will not be safe to say hereafter that the fishing interests of this country are not in the West, in Wisconsin particularly.

Mr. PALMER. And in Michigan.

Mr. ALDRICH. And in Michigan and California.

Mr. VEST. Now, Mr. President, there is not an intelligent man in this country who does not know that when we speak of the fishing interests they are the interests upon the northeastern coast. The Senator from New York says he is opposed to that feature of the bill; that it is unjust, and yet his colleague on the committee stands here and says no such feature is in the bill, when specifically, *in totidem verbis*, it says that vessels licensed in the fishing interest of the United States, in the fishing business, are to have this rebate or have this exemption from the tariff taxation upon salt.

We have heard a great deal about the home market of the United States, and yet here is a man who prepares meat for the foreign market who has a rebate upon the salt he uses, whilst the man who prepares meat for the domestic and home market does not have that privilege at all.

Mr. ALDRICH. Will the Senator allow me to read the provision? I think he is certainly laboring under a misapprehension.

Mr. VEST. I shall be glad to hear it.

Mr. ALDRICH. It is as follows:

That imported salt in bond may be used in curing fish taken by vessels licensed to engage in the fisheries, and in curing fish on the shores of the navigable waters of the United States, under such regulations as the Secretary of the Treasury shall prescribe, and upon proof that the salt has been used for either of the purposes stated in this proviso, the duties on the same shall be remitted.

Mr. VEST. Of course.

Mr. ALDRICH. That applies to all the fisheries.

Mr. VEST. Of course, but the fishing interests upon the navigable shores of the United States outside of the Northeast amount absolutely, for all purposes of argument, to nothing. When we speak of the fishing interests, every intelligent man knows what that means. It means the interests of New England, which have almost involved us in war, and we have now the shadow of a great unsettled question hanging over us on account of our relations with Great Britain by reason of those fisheries.

Mr. ALDRICH. The Senator had better consult the Senators from Maryland and from North Carolina and from the Pacific coast and the Great Lakes, before he makes such a statement.

Mr. VEST. I do not pretend to deny that there are some fishing interests outside of the coast of New England, but I say this law was put there to protect those interests on the northeastern coast, and if other interests have sprung up and they are flourishing, for the purposes of this argument they might as well not exist, because when we speak of the fishing interests every man's mind instinctively turns to the interests upon the northeastern coast.

Now, as I said, if salt is so insignificant in value, if it to-day is as cheap as the dirt under our feet, why this discrimination at all? Why not make it like the air of heaven, free to all alike throughout this entire country? Why do Senators tell us that it is nothing, it is like the rock, it is like the dirt, and yet preserve these distinctions which must amount to something, or else we are simply making asses of ourselves in passing upon them at all? We know that there is a discrimination in this bill reported here by the majority of the Finance Committee.

But the Senator from New York ridicules any speech made for free salt and says it is simply a tissue of rhetoric and attempted wit, and it amounts to nothing; it is old, stale parliamentary talk in Congress and upon the hustings which he has heard for years—he will hear it again—and it amounts almost to absolute plagiarism. I want to read some votes on this question to show whether or not the men who voted for free salt and advocated it in this country can be charged with any mental deficiency, any want of intellect.

Let me read from the proceedings of the Senate March 28, 1872:

Mr. TRUMBULL. I move to strike out "nine" and insert "three," so as to make the duty 3 cents.

This was in relation to the duty on salt.

The yeas and nays were ordered.

The question being taken by yeas and nays, resulted—yeas 15, nays 26; as follows:

YEAS—Messrs. Alcorn, Blair, Carpenter—

Did anybody ever suppose that Matt. Carpenter was not a man of intellect?

Casserly, Cooper, Edmunds—

Now a distinguished Senator in this Chamber from Vermont; he voted in favor of reducing the duty on this worthless article—

Harlan, Hill, Howe, Logan, Norwood, Patterson, Stevenson, Trumbull, and Vickers—15.

NAYS—Messrs. Anthony, Boreman, Chandler, Cole, Conkling, Corbett, Davis of West Virginia, Fenton, Ferry of Michigan, Frelinghuysen, Gilbert, Hamilton of Maryland, Hitchcock, Kellogg, Morrill of Maine, Morrill of Vermont, Morton, Pomeroy, Robertson, Scott, Sherman, Sprague, Stewart, West, Wilson, and Wright—26.

ABSENT—Messrs. Ames, Bayard, Brownlow, Buckingham, Caldwell, Cameron, Clayton, Cragin, Davis of Kentucky, Ferry of Connecticut, Flanagan, Goldthwaite, Hamilton of Texas, Hamlin, Johnston, Kelly, Lewis, Nye, Osborn, Pool, Pratt, Ramsey, Rice, Saulsbury, Sawyer, Schurz, Spencer, Stockton, Sumner, Thurman, Tipton, and Windom—32.

So the amendment to the amendment was rejected.

Mr. TRUMBULL. I will move to amend the amendment by adding these words: "And that from and after the passage of this act salt shall be placed on the free-list, and no further import duties shall be collected upon the same."

On that I call for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 19, nays 29; as follows:

YEAS—Messrs. Blair, Cooper, Hamilton of Texas, Hamlin——

Mr. COCKRELL. Was that Hannibal Hamlin?

Mr. VEST. Yes, Hannibal Hamlin, formerly Vice-President of the United States.

Harlan, Hill, Kelly, Logan, Norwood, Pool, Pratt, Ramsey, Robertson, Sawyer, Schurz, Spencer, Sumner—

The great leader of the Republican party, Charles Sumner—

Trumbull, and Windom—19.

NAYS—Messrs. Ames, Anthony, Boreman, Caldwell, Cameron, Chandler, Clayton, Cole, Conkling, Corbett, Cragin, Fenton, Ferry of Michigan, Frelinghuysen, Gilbert, Hamilton of Maryland, Kellogg, Morrill of Vermont, Morton, Osborn, Patterson, Pomeroy, Rice, Scott, Sherman, Stewart, West, Wilson, and Wright—29.

ABSENT—Messrs. Alcorn, Bayard, Brownlow, Buckingham, Carpenter, Cassserly, Davis of Kentucky, Davis of West Virginia, Edmunds, Ferry of Connecticut, Flanagan, Goldthwaite, Hitchcock, Howe, Johnston, Lewis, Morrill of Maine, Nye, Saulsbury, Sprague, Stevenson, Stockton, Thurman, Tipton, and Vickers—25.

So the amendment to the amendment was rejected.

Mr. TELLER. What is the date of that?

Mr. VEST. March 26, 1872. The other was March 28, 1872.

Now, Mr. President, when we come to the House of Representatives we find that some gentlemen there voted in favor of putting salt on the free-list who are not amenable to the charge of mental incapacity made by the Senator from New York. I quote from the House Journal of June 27, 1870.

Mr. Reeves submitted the following preamble and resolution, namely:

"Whereas salt is an article of prime necessity and universal consumption, which, proportionally to numbers, forms a larger item in the domestic economy of families of small or moderate means than it does on those of the wealthier classes, and ought therefore at all times be as lightly taxed as is consistent with a due regard to the revenue needed for an economical administration of the Government; and

"Whereas in any genuine and well-considered scheme of revenue reform, duties which tend directly and largely to augment the cost of such a commodity as salt should be reduced in preference to others which bear less heavily upon the resources of the great body of the people: Therefore,

"*Be it resolved*, That the Committee of Ways and Means is hereby directed and instructed to report to this House forthwith a bill reducing the present duties on all classes of salt 50 per cent."

And I find voting in favor of that Messrs. DAWES and HOAR, of Massachusetts, KELLEY, of Pennsylvania, the great father of protection, now in Congress, Schenck, of Ohio, and Wheeler, of New York, afterwards Vice-President of the United States. Are these gentlemen amenable to the charge made by the Senator from New York that the American people and all intelligent men have repudiated the idea of putting this worthless article of no value upon the free-list and exempting it from duty?

But again——

Mr. HISCOCK. Allow me to inquire of the Senator, that I may not misunderstand him: Does he mean to say that the last vote he has mentioned was to put salt on the free-list?

Mr. VEST. No; but a reduction in the duty of 50 per cent., and in the line of putting it on the free-list.

Mr. HISCOCK. I think it was by that vote, if my recollection is not at fault, that it was reduced to the present rate.

Mr. VEST. It was a reduction upon salt and an indorsement of the resolution that declared the duty should be lowered in order to make it cheaper to the poorer classes of people throughout the country. That is the point in this entire argument; and if our friends on the other side undertake to say that the reduction of the duty does not reduce the cost to the consumer, I want to point them to that clause in their report upon sugar where they say that the reduction of the duty on sugar is necessary to make it cheaper to the people of the United States. If that be true as to sugar, it is equally true as to salt, and it is true as to all the articles of consumption, for the principle is not changed by changing the article.

Mr. DAWES. I have voted since I have been here for the reduction of duties to the amount of $150,000,000 just as I did then.

Mr. VEST. I am glad to hear it.

Mr. DAWES. And I am generally considered somewhat of a protectionist.

Mr. VEST. I am glad to hear that the Senator has conceded that duties ought to be reduced even $150,000,000. Judging from the argument of the Senator from New York the people of the United States have decared against any reduction, notwithstanding that in the platform of the Republican party in 1884 they proposed to reduce duties and reform the inequalities of the tariff.

Mr. DAWES. The Senator of course understands the meaning of the two words "then" and "now."

Mr. VEST. Oh, yes. Of course we always find that time makes a difference in the principle.

Mr. ALDRICH. If free salt is such a sound Democratic doctrine as I understand the Senator from Missouri to say it is, how does it happen that during the period from 1846 to 1861, when the Democratic party a large portion of the time was in control of both branches of Congress and of the Executive, no legislative attempt was ever made to put salt on the free-list?

Mr. VEST. Salt was put on the free-list in 1846.

Mr. ALDRICH. Oh, no.

Mr. VEST. Not in 1846?

Mr. ALDRICH. It never has been on the free-list since 1812, and no attempt has ever been made, so far as I know, by a Democratic Congress, when they had the control of the Government, to put salt on the free-list.

Mr. HISCOCK. The Senator from North Carolina [Mr. VANCE] has misled the Senator from Missouri [Mr. VEST] on this subject.

Mr. TELLER. Will the Senator from Missouri allow me a moment?

Mr. VEST. I do not know to whom I last yielded, so many Senators have been on the floor.

Mr. VANCE. Mr. President——

Mr. TELLER. I will withdraw my request. I see the Senator from North Carolina desires to say something on this subject.

Mr. VANCE. I wish to state that in the compilation furnished us by the Department of the Treasury there is no duty appearing from 1846 to 1861, when the tariff was reimposed upon salt according to this statement at 4 cents per bushel in bulk and 6 cents per bushel in bags.

Mr. ALDRICH. Under the act of 1842.

Mr. VANCE. The act of 1861, March 2, 1861. Up to 1842 it was 8 cents a bushel, I believe.

Mr. ALDRICH. What does the Senator understand the duty to have been under the act of 1846?

Mr. VANCE. None at all; at least this compilation gives none; and, as I stated in my remarks, the act of 1846 and the act of 1861 were both entire tariff acts and were not amendatory of existing law. So, as no duty on salt appears in the act of 1846, and as it reappears in 1861, I infer, according to the statement in this book, that there was no duty from 1846 to 1861.

Mr. ALDRICH. Does the Senator still think that is true?

Mr. VANCE. I do. I have no authority for its not being true except the Senator from Rhode Island. [Laughter.]

Mr. ALDRICH. The Senator from Colorado [Mr. TELLER] has a great deal better authority here than the Senator from North Carolina or myself, and that is the official reports of the Treasury Department. I will say that from 1846 to 1861 there was a duty collected of 20 per cent. ad valorem, imposed by the act of 1846.

Mr. VANCE. I have given my authority. It may be that this compilation has misled me.

Mr. ALDRICH. It certainly has in this case.

Mr. HISCOCK. The people are not misled. They know how it stands, and how the statutes read.

Mr. TELLER. I do not desire to interrupt the Senator from Missouri except for a word.

When the Senator from North Carolina stated that salt was on the free-list from 1846 to 1861 I thought he was mistaken, and I find that he is mistaken. I find in House of Representatives Executive Document No. 36, Thirty-third Congress, first session, a letter from the Secretary of the Treasury, transmitting statistics of salt, which, on January 30, 1854, was referred to the Committee on Ways and Means.

I will read it:

TREASURY DEPARTMENT, *January* 26, 1854.

SIR: On the 14th of December last the House adopted the following resolution:

"*Resolved*, That the Secretary of the Treasury be requested to furnish this House with a statement of the number of establishments, and where located in the United States, engaged in the manufacture of salt; of the probable amount of capital invested in the said manufacture in each State; the average quantity annually manufactured at said establishments; and a table of prices for which the said article has sold under the present rate of duties thereon; and also to inform the House of the annual amount of revenue received from the importation of foreign salt into the United States."

In reply to this resolution, I have the honor to submit the following documents:

A. A table from the Superintendent of the Census, entitled "Statistics of the salt manufactured in the United States for the year ending 1st of June, 1850," purporting to embrace all the salt manufactories in the country whose annual product is $500 or upwards in value.

B. A table from the Register of the Treasury, entitled "A statement exhibiting the quantity and value of salt imported annually from 1847 to 1853, and also the duties which accrued thereon during the same period."

C. A table showing the value per bushel, or per barrel, of the salt manufactured in different counties of different States, according to the statement received from the Superintendent of the Census.

I have the honor to be, very respectfully, your obedient servant,

JAMES GUTHRIE,
Secretary of the Treasury.

Hon. LINN BOYD,
Speaker of the House of Representatives.

Mr. President, if the Senator will allow me a little further I will call attention to the table and I will ask, if there be no objection, that I may put in the whole document, because it is an old one and it may throw some light on the subject under discussion. The statement of the Senator from North Carolina is that during that time salt was worth 26.4 cents per bushel. That would be about $1.32 a barrel.

Now, Mr. President, not wishing to detain the Senate, I should like to be allowed to put in the RECORD the rest of this executive document No. 36 of the Thirty-third Congress, first session.

The PRESIDENT *pro tempore*. It will be so ordered if there be no objection.

The remainder of the document is as follows:

A.—*Statistics of the salt manufacture in the United States for the year ending June 1, 1850.*

Names of counties.	Manufactories.	Capital invested.	Value of raw material, packing, and fuel.	Average number of hands.		Average yearly wages paid.		Product.	
				M.	F.	M.	F.	Quantity produced per annum.	Value.
MAINE.									
Cumberland	2	$2,100	$4,225	3	.....	$924	.....	.....	$5,700
Portland	1	1,000	3,000	1	.....	156	.....	.....	4,000
Total	3	3,100	7,225	4	.....	1,080	.....	.....	9,700
MASSACHUSETTS.									
Barnstable	6	16,900	.....	13	.....	3,000	.....	.....	6,600
Bristol (refining)	1	1,500	1,000	2	.....	600	.....	.....	2,250
Suffolk (refining)	2	22,000	59,000	13	7	4,488	$1,092	.....	85,000
Total	9	40,400	60,000	28	7	8,088	1,092	.....	93,850
CONNECTICUT.									
Hartford	1	4,000	4,000	1	1	360	144	40,000 bush.	5,600
NEW YORK.									
Onondaga	192	819,950	631,955	873	.....	299,376	.....	.....	998,315
PENNSYLVANIA.									
Allegheny	10	49,610	9,273	74	.....	18,144	.....	55,720 bbls.	53,269
Armstrong	12	40,000	17,976	54	.....	15,624	.....	35,050 bbls.	33,950
Clarion	1	1,000	1,280	4	.....	960	.....	1,500 bush.	3,000
Jefferson	1	2,000	150	2	.....	600	.....	1,700 bush.	1,000
Westmoreland	23	75,750	28,510	85	.....	16,692	.....	515,900 bush.	115,577
Total	47	168,360	57,189	219	.....	55,020	.....	90,770 bbls. 519,100 bush.	206,796
VIRGINIA.									
Braxton	1	10,000	1,400	9	.....	1,440	.....	10,000 bush.	6,700
Kanawha	33	889,800	194,753	1,096	57	292,104	6,912	3,024,890 bush.	604,766
Smythe	1	66,400	12,750	60	5	12,000	240	180,000 bush.	36,000
Washington	5	303,700	25,720	65	5	11,592	612	265,000 bush.	53,000
Total	40	1,269,900	234,623	1,230	67	317,136	7,764	3,479,890 bush.	700,466
FLORIDA.									
Monroe	1	19,000	.....	6	2	1,440	288	.....	6,000
TEXAS.									
Smith	1	1,000	1,000	8	.....	1,440	.....	6,000 bush.	4,500
Vanzant	1	2,475	750	7	1	840	72	2,000 bush.	1,400
Total	2	3,475	1,750	15	1	2,280	72	8,000 bush.	5,900
OHIO.									
Athens	7	88,800	12,894	67	.....	19,968	.....	206,100 bush.	52,300
Columbiana	1	3,600	1,200	5	.....	1,020	.....	15,000 bush.	2,625
Franklin	1	550	320	2	.....	480	.....	850 bbls.	900
Guernsey	2	3,500	928	7	.....	1,680	.....	10,500 bush.	2,625
Meigs	2	4,200	1,880	8	.....	1,440	.....	20,800 bush.	4,760
Morgan	13	75,100	13,961	52	.....	11,208	.....	158,100 bush.	35,318
Muskingum	6	13,000	4,450	26	.....	6,240	.....	139,000 bush.	33,745
Total	32	188,750	35,633	167	.....	42,036	.....	550,350 bush.	132,293
KENTUCKY.									
Barren	2	8,000	750	20	9	2,280	432	12,000 bush.	6,000
Clay	9	112,650	16,100	128	.....	13,896	.....	234,500 bush.	48,625
Pulaski	1	800	200	5	.....	720	.....	.....	3,200
Total	12	121,450	17,050	153	9	16,896	432	246,500 bush.	57,825
ILLINOIS.									
Gallatin	1	2,500	2,000	3	.....	720	.....	20,000	6,000

B.—*Statement exhibiting the quantity and value of salt imported annually from 1847 to 1853, and also the duties which accrued thereon during the same period.*

Years ending June 30—	Bushels.	Foreign cost.	Average per bushel.	Gross duties.
			Cents.	
1847	7,235,508	$863,502	12.35	$535,280.20
1848	8,969,604	1,042,502	11.62	208,500.40
1849	11,622,163	1,438,981	12.38	287,796.20
1850	11,224,185	1,237,186	11.02	247,437.20
1851	8,681,176	1,047,890	12.07	209,578.00
1852	10,116,080	1,112,137	10.99	222,427.40
1853	10,066,981	1,059,432	10.52	211,886.40
Total	67,915,697	7,831,630	11.53	1,922,905.80

NOTE.—Under the tariff of 1842 salt paid a duty of 20 cents per bushel. The imports during the year 1847 were as follows:

Period.	Bushels.	Value.	Duties.
From July 1 to December 1, 1846	1,903,112	$210,213	$398,622.40
From December 1, 1846, to June 30, 1847	5,242,396	683,289	136,657.80
As above	7,235,508	893,502	535,280.20

F. BIGGER, *Register.*

TREASURY DEPARTMENT,
Register's Office, December 22, 1853.

C.—*Statement of the value of the salt per bushel, or per barrel, manufactured in different counties of different States, according to the data supplied in the table received from the Superintendent of the Census.*

State.	County.	Price.
Connecticut	Hartford	$0.14 per bushel.
Pennsylvania	Clarion	2.00 per bushel.
	Jefferson	.59 per bushel.
	Westmoreland	.22 per bushel.
	Allegheny	.95 per barrel.
	Armstrong	.97 per barrel.
Virginia	Braxton	.67 per bushel.
	Kanawha	.20 per bushel.
	Smythe	.20 per bushel.
	Washington	.20 per bushel.
Ohio	Athens	.25 per bushel.
	Columbiana	.17½ per bushel.
	Guernsey	.22 per bushel.
	Meigs	.23 per bushel.
	Morgan	.22 per bushel.
	Muskingum	.24 per bushel.
	Franklin	1.06 per barrel.
Kentucky	Barren	.50 per bushel.
	Clay	.21 per bushel.
Illinois	Gallatin	.30 per bushel.
Texas	Smith	.75 per bushel.
	Van Zandt	.70 per bushel.

The table does not supply the data for ascertaining the value per bushel, or per barrel, of the salt manufactured in the States of Maine, Massachusetts, New York, and Florida.

Mr. VOORHEES. To test the sense of the Senate, if it will not be intruding upon the Senator from Iowa in charge of the bill, I will make a motion that the Senate do now adjourn.

The PRESIDENT *pro tempore*. Before submitting that motion the Chair will lay before the Senate some messages from the President of the United States.

Mr. VOORHEES. I withdraw the motion, to allow that to be done.

DIFFERENTIAL TONNAGE DUES.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and ordered to lie on the table and be printed:

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress and such legislation in respect of the matters therein presented as may seem necessary and proper, a report of the Secretary of State, with accompanying explanatory correspondence, in reference to the international questions arising from the imposition of differential rates of tonnage dues upon vessels entering ports of the United States from foreign countries under the provisions of the fourteenth section of the act of June 26, 1884, and the later amendatory provisions of the act of June 19, 1886, as set forth in said report.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, January 14, 1889.

CONSULAR COURTS OF THE UNITED STATES IN CHINA.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, ordered to lie on the table and be printed:

To the Senate and House of Representatives:

Whereas, by virtue of the provisions of the act of Congress approved June 22, 1860 (Statutes at Large, volume 12, page 73), entitled "An act to carry into effect provisions of the treaties between the United States, China, Japan, Siam, Persia, and other countries, giving certain judicial powers to ministers and consuls, or other functionaries of the United States in those countries, and for other purposes," Charles Denby, minister of the United States at Peking, has formally promulgated, under date of August 18, 1888, additional regulations governing the rendition of judgments by confession in the consular courts of the United States in China, the same having been previously assented to by all the consular officers of this Government in that Empire:

Now, therefore, in accordance with section 4119 of the Revised Statutes of the United States, being the sixth section of the act above mentioned, and which directs that all such regulations shall be transmitted to the Secretary of State "to be laid before Congress for revision," I do transmit herewith to Congress a copy of Mr. Denby's dispatch No. 754, of November 5, 1888, containing the regulations so decreed.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, January 14, 1889.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by Mr. CLARK, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 11785) to authorize the commissioners of the District of Columbia to permit the temporary occupation and crossing of certain streets in the city of Washington and District of Columbia by the tracks of the Baltimore and Ohio Railroad Company, to meet the demands of increased travel incident to the inaugural ceremonies on the 4th of March, 1889; and

A bill (H. R. 12009) to provide for the keeping open of the Potomac River.

The message also announced that the House had passed the bill (S. 1092) for the relief of certain property in the District of Columbia, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had receded from its amendment to the bill (S. 2726) granting an increase of pension to Margaret S. Heintzelman.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore:*

A bill (H. R. 5985) to increase the pension of Mrs. Mary Ann Cross, Mrs. Minnie L. Gardiner, and Mrs. Lilla May Pavy to $30 per month; and

A bill (S. 944) increasing the pension of Mrs. Elizabeth G. Scott.

ASTRONOMICAL OBSERVATIONS OF NAVAL OBSERVATORY.

The PRESIDENT *pro tempore* laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That the annual volumes of the Astronomical Observations of the Naval Observatory for 1886, 1887, and 1888, be printed, and that 1,800 additional copies of each report be printed, of which 300 copies shall be for the use of the Senate, 700 copies for the use of the House of Representatives, and 800 copies for the use of the Navy Department.

MARGARET S. HEINTZELMAN.

The PRESIDENT *pro tempore* laid before the Senate the following resolution from the House of Representatives:

Resolved, That the House recede from its amendment to the bill (S. 2726) granting an increase of pension to Margaret S. Heintzelman.

The PRESIDENT *pro tempore*. No further action is required on the part of the Senate.

DISTRICT IMPROVEMENT ASSESSMENT.

The PRESIDENT *pro tempore* laid before the Senate the amendment of the House of Representatives to the bill (S. 1092) for the relief of certain property in the District of Columbia, which was, in line 17, to strike out "1887" and to insert "1888;" which was referred to the Committee on the District of Columbia.

HOUSE BILLS REFERRED.

The bill (H. R. 11785) to authorize the commissioners of the District of Columbia to permit the temporary occupation and crossing of certain streets in the city of Washington and District of Columbia by the tracks of the Baltimore and Ohio Railroad Company, to meet the demands of increased travel incident to the inaugural ceremonies on the 4th of March, 1889, was read twice by its title, and referred to the Committee on the District of Columbia.

The bill (H. R. 12009) to provide for the keeping open the Potomac River was read twice by its title, and referred to the Committee on Commerce.

Mr. VOORHEES. I renew my motion.

The PRESIDENT *pro tempore*. The Senator from Indiana [Mr. VOORHEES] moves that the Senate do now adjourn.

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 15, 1889, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

MONDAY, *January* 14, 1889.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Saturday last was read and approved.

MRS. MARY ANN CROSS AND OTHERS.

The SPEAKER. The gentleman from Massachusetts [Mr. RUSSELL] asks unanimous consent that the Committee on Invalid Pensions be discharged from the further consideration of the Senate amendment to the bill (H. R. 5985) to increase the pensions of Mrs. Mary Ann Cross, Mrs. Minnie L. Gardiner, and Mrs. Lilla May Pavy to $30 per month, and that the Senate amendment be concurred in. It is merely the change of a single letter in the orthography of a name, an "i" being put in place of an "e." If there be no objection, that order will be made.

There was no objection, and it was ordered accordingly.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HENDERSON, of North Carolina, for one week, on account of sickness in his family.

To Mr. PENINGTON, indefinitely, on account of sickness in his family.

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (S. 104) to print additional copies of the United States map of the edition of 1887, prepared by the Commissioner of Public Lands; when the Speaker signed the same.

HOUR OF ADJOURNMENT.

Mr. RANDALL. I submit the following privileged report from the Committee on Rules, and as soon as it is read will ask the previous question on its adoption.

The Clerk read as follows:

Resolved, That the order made on the 11th day of May, 1888, providing that the sessions of the House shall close each day at 5 o'clock, be, and the same is hereby, rescinded.

Mr. PAYSON. Mr. Speaker——

Mr. RANDALL. I demand the previous question.

Mr. PAYSON. Pending that I desire to enter a motion to recommit the resolution with instructions.

The SPEAKER. The proposed instructions will be read.

The Clerk read as follows:

To recommit the pending resolution to the Committee on Rules with instruction to report the same back by to-morrow, or the next legislative day, with this amendment: "That immediately after the expiration of the hour for the consideration of bills as provided by clause 5, Rule XXIV, on Tuesday, January 15 instant, the House shall proceed, as in Committee of the Whole, to the consideration of Senate bill No. 181, entitled 'An act granting pensions to ex-soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to dependent relatives of deceased soldiers and sailors,' and shall continue its consideration in like manner from day to day until disposed of. Such consideration being subject to prior orders, election cases, general appropriation bills, and reports from conference committees. Said bill being attached hereto and made part hereof."

Mr. RANDALL. I make the point of order that that is not germane. This is a report touching an order of the House, and is not a change of its rules.

Mr. PAYSON. What is the statement of the gentleman?

The SPEAKER. The gentleman from Pennsylvania makes the point of order that the proposed instructions are not germane to the pending proposition.

Mr. PAYSON. I would be glad to know on what ground the point of order is made. This is a proposition to change a special order or rule of the House, and the instructions proposed have reference to the same.

Mr. RANDALL. The proposition of the Committee on Rules is to rescind an order fixing an hour for adjournment; and there is a clear and marked distinction between that and another proposition fixing certain bills for consideration, which would of necessity be in effect a change of other rules of the House.

I am, it seems to me, the proper one, Mr. Speaker, to make this point of order in connection with proposed pension legislation, and object to the proposition of the gentleman from Illinois coming in in this way; because it is well known to all the members of this House that I have been always and steadily in the advance in the direction of granting pensions or wherever pension legislation has been involved.

The SPEAKER. The Chair will hear the gentleman from Illinois on the point of order.

Mr. PAYSON. Mr. Speaker, as I understand the resolution submitted by the gentleman from Pennsylvania it is to abrogate so much of the special order which has become a standing order or rule of the House, adopted on the 11th of May last, as provides that the daily sessions of the House shall terminate at 5 o'clock.

To all intents and purposes that order has the force and effect of a standing rule of the House. It is a standing order under which, since the day named, the House has been operating, and it is proposed now in the resolution reported by the gentleman from Pennsylvania, as I understand his proposition, to abrogate that standing rule. The first phrase of the rule which provided for the meeting of the House at 11 o'clock every day was by unanimous consent, as I recollect, abrogated, but left the remainder of the rule in operation.

Now, if the resolution reported here has for its object a change of that standing order, which has the same force and effect as a standing rule of the House, I insist that it is in order and germane to the proposition to permit the Committee on Rules to make such additional order in connection with the proposed change as in their judgment shall be proper in regard to what character of legislation shall take its place; and the proposition which I have submitted as a substitute for the report of the Committee on Rules it seems to me is necessarily in order.

The SPEAKER. The proposition reported from the Committee on Rules is not a proposition to change any rule of the House; but even if it were the Chair does not think it would be in order to move to amend it by fixing days for the consideration of particular measures of legislation. Suppose, for instance, that the Committee on Rules had reported a proposition changing the rule in relation to the call of committees in the morning, or the call of the States and Territories for the introduction of bills on Mondays, the Chair does not think it would be in order pending such consideration to amend by fixing a day for the consideration of any special bill.

In this case the order which the committee proposes to change is no more than the other order which we have that the House shall take a recess at 5 o'clock on certain days to meet again at half past 7. Suppose the Committee on Rules should bring in now a proposition to rescind that order in regard to the recess, the Chair does not think it would be in order to move to amend it by fixing days for the consideration of special measures. The Chair thinks, in other words, that it is not in order to fix a day for the consideration of bills upon a proposition to change a permanent rule, although such a proposition would be entirely in order when there is pending a proposition to fix days for the consideration of special measures.

The Chair sustains the point of order.

Mr. PAYSON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PAYSON. Upon a motion to recommit with instructions is the motion amendable?

The SPEAKER. Unless the previous question has been ordered.

Mr. PAYSON. Under existing circumstances, I mean.

The SPEAKER. The previous question has not been ordered.

Mr. PAYSON. Then I offer the following amendment, and to that I offer a further amendment, which I also send to the desk.

The SPEAKER. But the gentleman can not amend his own motion. He can modify it in any way he chooses, and have it stated in that form, or in any form that he sees proper. But the invariable parliamentary practice is that when a gentleman undertakes to amend his own motion it is simply a modification of his original motion. In other words, that the House can not be required to vote upon a modification of his own motion until it is in possession of the original resolution.

Mr. RANDALL. Is that an amendment to the proposition?

The SPEAKER. It is an amendment of his motion, not an amendment to the proposition reported by the committee. The gentleman moved to recommit, and now proposes to modify his motion, the Chair having ruled that the motion already made is not in order.

Mr. PAYSON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PAYSON. Would it be in order for any other gentleman upon the floor to move an amendment to the motion to recommit?

The SPEAKER. The proposition to recommit is in order when the previous question is not ordered upon it. The present occupant of the chair has ruled to the contrary, but there have been one or two rulings that it was in order.

Mr. RANDALL. I ask the previous question on the motion to recommit.

Mr. PAYSON. I have not yielded the floor.

The SPEAKER. The Clerk will report the proposition of the gentleman from Illinois.

The Clerk read as follows:

It is proposed to recommit the resolution of the Committee on Rules, with instructions to report the same back with the following amendment:

That the rescission of the said order of May 11,1888, shall not apply to the sessions on the first and third Mondays of each month, so that the hour of adjournment on each of those days shall be 5 o'clock p. m. as now; and also,

That upon the rescinding of said order, as above provided, on the first legislative day that shall occur thereafter, at the hour of 5 o'clock p. m., the remainder of such legislative day, as well as each succeeding day, after the hour for the consideration of bills reported by committees, shall be set apart for the consideration of Senate bill 181, until the same shall be disposed of, subject, however, to the consideration of prior orders, election cases, general appropriation bills, and reports from conference committees.

Mr. RANDALL. I make the point of order on that part of the proposition as stated by the Chair.

The SPEAKER. The Chair thinks it is all subject to the point of order, except the first part, which provides that the order shall not take effect on certain days.

Mr. PAYSON. I move to recommit the resolution to the Committee on Rules with instructions as to the first part.

Mr. RANDALL. I make the point of order that the motion to recommit is in order, as stated by the Chair, for reasons given by the Chair, but the proposition in the other part is a very different proposition, and is out of order.

The SPEAKER. The Chair has so ruled, and thereupon the gentleman offers the first part of his proposition, which simply limits the days to which the proposition reported by the Committee on Rules shall apply. It simply provides that the rescission shall not affect the hour of adjournment on the first and third Mondays of the month. The Chair thinks that is in order; and the question is on recommitting with instructions.

Mr. RANDALL. On that I demand the previous question.

Mr. PAYSON rose.

The SPEAKER. It is not debatable, because the previous question has been demanded upon the gentleman's proposition. The ruling has been that a proposition to recommit is not debatable, and it has been ruled that it is not amendable; but the Chair thought that an improper ruling, and that an amendment is in order, but that an amendment was not debatable.

Mr. PAYSON. Upon that principle it seems to me that where a proposition is amended the previous question is not operative; and if the previous question is not operative it is debatable, unless there is some specific provision in the rules to the contrary.

The SPEAKER. There is.

Mr. PAYSON. That a proposition of that character is not debatable? I have not been able to find any rule to that effect.

The SPEAKER. There is.

Mr. SPRINGER. It is clause 3 of Rule XVII, page 250, at the top of the page.

The SPEAKER. That is not the clause. [Laughter.] It is clause 2 of Rule XIII, which the Clerk will read.

The Clerk read as follows:

The question of reference of any proposition other than that reported from a committee shall be decided without debate, in the following order, namely: a standing committee, a select committee; but the reference of a proposition reported by a committee, when demanded, shall be decided according to its character, without debate, in the following order, namely: House Calendar, Committee of the Whole House on the state of the Union, Committee of the Whole House, a standing committee, a select committee.

Mr. PAYSON. But, Mr. Speaker, I submit that this is not a question of reference, because there is no pretense but that the resolution should go to the Committee on Rules. I agree that a question of reference is not debatable, but this is not a question of reference; it is a question of recommitment, of the recommitment of a proposition which the Speaker decides, and, as I think, decides properly, is amendable, and because it is amendable it is debatable, the previous question not operating upon the proposition.

The SPEAKER. The Chair is not aware of any provision in the rules or any practice of the House which permits debate upon a proposition to refer, whether it be upon an original commitment or a recommitment. It has never been the practice of the House to debate such propositions. The Chair thinks this is not debatable.

Mr. PAYSON. I should like to submit some observations.

The SPEAKER. The Chair would be glad to hear the gentleman, but the Chair knows of no practice of the House which would make such a question as this debatable. [Cries of "Regular order!"] The regular order is demanded. The Chair has decided the question of order. The question is upon the motion to recommit with instructions.

Mr. RANDALL. Let us have the proposition read again so that we may clearly know what we are to vote upon.

The Clerk again read Mr. PAYSON'S motion to recommit with instructions.

The question was taken on the motion to recommit; and it was rejected—ayes 56, noes 75.

The SPEAKER. The question now is upon ordering the previous question upon the report of the committee.

The previous question was ordered.

The SPEAKER. The question now is upon the adoption of the report of the committee. Under the rules of the House thirty minutes are allowed for debate, if gentlemen desire to avail themselves of it.

Mr. BURROWS. I would like to inquire of the gentleman from Pennsylvania [Mr. RANDALL] whether the Committee on Rules would not think it best to modify this order so as to let the time of meeting be at 11 or half past 10 in the morning instead of extending the daily session at the other end?

Mr. RANDALL. I will say in reply to the question of the gentleman from Michigan [Mr. BURROWS] that I do not remember that the proposition which he suggests was discussed at all in the Committee on Rules. I think I may say that it was not.

The SPEAKER. There are thirty minutes for debate, fifteen minutes on each side.

Mr. CANNON was recognized.

Mr. PAYSON. Mr. Speaker, I ask to be recognized before the question is taken upon the adoption of the resolution.

Mr. CANNON. I will yield to my colleague now if he desires.

Mr. PAYSON. I will wait.

Mr. CANNON. Mr. Speaker, I want to say only a few words. I favor the adoption of this resolution. Since the 5-o'clock adjournment order has been in operation we have found in practice that about the hour of 4 many if not most of us, knowing that there must be an adjournment at 5 whatever may happen in the mean time or whatever may be before the House, take our hats and coats and courteously say good-by to those who remain, so that ordinarily an hour or more before adjournment the House is left without a quorum. Now, it occurs to me that it is in the interest of the orderly conduct of the business of the House that a majority of the House should be present, and the exigencies of legislation may sometimes, perhaps frequently, require our sitting beyond the hour of 5 o'clock, and for one I am in favor of any modification of the orders or rules of this House which will enable a majority of the House to legislate. The mere rescinding of this 5-o'clock order is not as radical action on the part of the House as I would be glad to see it take and as I believe it ought to take. I would be willing to go much further. When it is remembered that for ten days past one man in this House has seen proper and has been able, under the rules, to obstruct all business, I think it is perfectly patent—it certainly is so to every one of the minority, and I believe it is to substantially all of the majority—that there should be at least this proposed modification, and, as I said before, that there should be even more radical action in the direction of modifying our rules. So far as I am concerned I am willing to offer at the proper time and to advocate an amendment substantially as I am about to read. If gentlemen will turn to the Manual, page 248, they will find the rule which makes a motion to adjourn, a motion to adjourn to a day certain, or a motion to take a recess in order at any time. I would be very glad to see the House at the proper time, and when we can have that poor privilege under the existing rules, amend clause 5 of that rule in this way:

In line 3, after the word "order," insert "except when they are made as dilatory motions; as such they shall not be in order."

The effect of that amendment would be to cut off dilatory motions whenever it appeared to the Speaker of the House that motions were made as such. That would be granting great power to the Speaker, some may say. True; but all the while the Speaker is liable to be corrected and overruled by the majority of the House, and all the while the public sentiment of the country is liable to be directed unfavorably towards him if his action is found to be arbitrary or otherwise unjustifiable.

So that I not only vote to repeal this order (being the matter now immediately before the House) which requires us to adjourn at 5 o'clock each day, because such repeal tends to enlarge the power of the majority, but I would go still further, if I had power by my vote to do so, and would cut up absolutely by the roots these three motions when they are made as dilatory motions. If that action were had the motion to adjourn could be made; then a motion to adjourn to a day certain, with two amendments, could be made; then a motion to take a recess, with two amendments, could be made. These seven motions could be made, with seven roll-calls, if one-fifth of those present should order the yeas and nays; and upon six of these roll-calls a quorum could be demanded even under the modification of which I speak and which I stand ready to vote for when I get a chance. Then, if the motions were repeated, I would place it in the power of the Speaker to say, upon the point of order being made, that they were dilatory motions, thus allowing the majority to assume the responsibility it was sent here to assume, and to legislate.

Mr. CUTCHEON. Will the gentleman allow me a question?

Mr. CANNON. Not now.

It may be said that this measure is not pending. That is true; but I would be glad if under the rules I could offer that amendment at some proper time.

Mr. STEELE. Why did you not do so in the Committee on Rules?

Mr. CANNON. Well, if it is proper for me to say what took place in the committee——

Mr. RANDALL. Go ahead; I make no objection.

Mr. CANNON. I would say it was evident in committee that upon this proposition——

Mr. DINGLEY. Which committee—the committee which previously determined what should be done, or the whole of the committee?

Mr. RANDALL. What does the gentleman mean by that?

Mr. CANNON. Let me understand the gentleman's question.

Mr. DINGLEY. The gentleman was referring to what took place "in the committee." My question was whether he alluded to the meeting of the committee of four members with Mr. WEAVER, who determined this matter at first, or to the regular meeting of the committee.

Mr. CANNON. I know nothing of the committee of which Mr. WEAVER is a member. The proposition which is now before the House, being one step toward enlarging the power of the majority, I am for it; and I am in favor of the far more radical steps which I have indicated when I can get the opportunity to test the sense of the House upon that proposition.

Mr. CUTCHEON. Let me ask the gentleman from Illinois [Mr. CANNON] whether he has ever, as a member of Committee on Rules, made a minority report here, or made any other effort to secure this modification of the rules of this House; and if so, when?

Mr. CANNON. In reply to the gentleman, I will say that I am a member of the Committee on Rules, and in the minority, and am powerless to control the action of the committee.

Mr. CUTCHEON. There is one way of making a protest against the action of the majority of the committee, and that is by making a minority report and defending the report.

Mr. CANNON. The Committee on Rules was unanimous in this report, and I believe every other report it has made this Congress. My criticism on that committee is for its failure to report resolutions referred to it, and not for reporting improper resolutions.

Mr. RANDALL. I do not want to abridge the debate, but I would like to be recognized before the whole of the fifteen minutes are taken up.

Mr. CANNON. I will yield the floor when I have said that as one member of the minority of the Committee on Rules I had, on this proposition to do away with the 5 o'clock hour of adjournment, no minority report to make, because, I say again, it strengthens the arm of the majority——

A MEMBER. How?

Mr. CANNON. It enables the majority to proceed beyond the hour of 5 o'clock in the consideration of legislation.

Mr. PAYSON. Does it not allow the gentleman from Iowa [Mr. WEAVER] to keep us here all night, if he chooses to do so, instead of cutting him off at 5 o'clock?

Mr. CUTCHEON. And to keep us here not merely one night, but several nights in succession.

Mr. RANDALL. I now yield five minutes to the gentleman from Maine [Mr. REED].

Mr. REED. Mr. Speaker, I believe it would be wise for this House to call itself back to the real question at issue. That question is not one of temper, but one of parliamentary law. For the last ten years—that is to say, ever since I obtained an inkling of what the real rules of this House were—I have been opposed to their general scope and tendency. I have made this manifest in season and out of season through that whole period of time. In this House, in committee, and everywhere, I have striven for such a modification of the rules as would enable the majority of this House to control its business. I am acting in that spirit to-day. I proposed the other day, on behalf of the Committee on Rules, a proposition which would not permit the introduction of bills on two particular Mondays of each month. That was a small, a very small movement in the direction of my belief. Nevertheless I was ready to go for it, because it was in my direction. I believe to-day that the rule which limits the sessions of the House to 5 o'clock is an invitation to filibuster, is an invitation to put obstacles in the way of the control of the majority; and the amendment proposed by the gentleman from Illinois [Mr. PAYSON] is of precisely the same character. Believing, then, as I do, on this subject, having illustrated it as I have for my whole Congressional life, is there any choice for me what action I shall take?

Now, the gentleman from Illinois [Mr. PAYSON] undoubtedly has in his mind some sort of a traffic which has been entered into by the gentlemen recently obstructing the business of the House. With that I have nothing to do. I do not purpose to stop the business of the House simply because some trade has been made on the Democratic side, because they have taken an unrighteous method of getting out of this difficulty instead of a righteous one. Shall I refuse to do a little right because they have refused to do a great right? No. I stand here to protest against their conduct because it limits the right of the majority.

Mr. PAYSON. Will the gentleman permit me?

Mr. REED. Certainly.

Mr. PAYSON. If the gentleman is opposed to any bargain between the gentleman from Iowa [Mr. WEAVER] and the members of the committee, why does he stand here attempting to perfect the bargain that is said to have been made?

Mr. REED. Because I believe the right of the majority in this House is going to be furthered by the repeal of the 5-o'clock limitation.

Several MEMBERS. How?

Mr. REED. Because I never was in favor of it and never will be.

Mr. PAYSON. How?

Mr. REED. How? The 5-o'clock limitation is just like the limitation of the hour rule in the morning for the consideration of bills. It is an invitation to filibustering, and a man knows he has only to stand in his place from 12 o'clock to 5 o'clock—and any of us is equal to that endurance—to stop the proceedings of this entire House. Every man knows it. Hence the 5-o'clock adjournment is and always has been an invitation to filibustering. It is wrong in principle, it is contrary to sound parliamentary law, and it is one of those things which have tended to the putting of the House in its present demoralized condition. For I venture to say in the last twelve years—and I speak within the limits of my experience—the House of Representatives was never before seen in the condition it now is, and because of these unfortunate and unhappy limitations upon the right of the majority.

The SPEAKER. The gentleman's time has expired.

Mr. RANDALL. How much time is there remaining?

The SPEAKER. Four minutes.

Mr. RANDALL. I will reserve the balance of the time.

Mr. PAYSON. Mr. Speaker, on Tuesday, the 8th of this month, a resolution from the Committee on Rules, proposing a change of the rules of the House, dispensing with the order of business, the introduction of bills for reference on a call of the States on the first and third Mondays in each month during the session, was recommitted to the Committee on Rules.

The object in view in reporting that resolution for consideration and adoption, although not avowed, but perfectly well understood in the House, was to prevent certain gentlemen who were hostile to certain measures, especially the so-called Oklahoma bill and the Union Pacific Railroad funding bill, from consuming the time on those days when the order of business was the introduction of bills by having all bills read at length, so that the entire day would be thus consumed up to 5 o'clock, leaving no time to move to suspend the rules and pass these to them obnoxious measures, without opportunity to debate or offer amendments to them.

By the adoption of the proposed resolution that method of resisting such consideration would not be possible.

Under the lead of the gentleman from Kansas [Mr. ANDERSON], who, as is well known, is violently opposed to the funding bill, the adoption of the resolution was resisted by the use of the ordinary dilatory motions and votes thereon, aided by many gentlemen who based their opposition to the resolution upon the ground that it was objectionable, indeed, wholly unjustifiable, to attempt to make any temporary change in the rules of the House of Representatives for the accomplishment of a single purpose, the aiding in passing or defeating any specific bill or bills, and especially under the gag of suspension of the rules, which does not permit any amendment, and only fifteen minutes' debate on each side of an entire bill.

And it should be remembered, Mr. Speaker, that the proposed resolution did not have the approval of the gentleman from Pennsylvania [Mr. RANDALL] nor the gentleman from Texas [Mr. MILLS], two of the three Democrats on the Committee on Rules.

Day after day was wasted in the attempt to pass the resolution, and without going into details as to what is familiar to us all, the matter was made the subject of a caucus by the Democratic side of the House, and under the lead of the gentleman from Indiana [Mr. HOLMAN] on the 8th instant the resolution was recommitted to the committee and the rules stood unchanged.

On that day, after an hour spent on a special order, the gentleman from Georgia [Mr. CRISP] called up for consideration the contested-election case of Smalls *vs.* Elliott, and against that the gentleman from Illinois [Mr. SPRINGER] with others raised the question of consideration. The House voted to consider the case.

Thereupon the gentleman from Illinois [Mr. SPRINGER] asked unanimous consent to have this order made:

Resolved, That Thursday, January 10, immediately after the reading of the Journal, be set apart for the consideration of the bill (H. R. 10614) to organize the Territory of Oklahoma, and for other purposes, now in Committee of the Whole on the state of the Union, and at 3 o'clock p. m. of said day the same shall be reported to the House with such amendments as may have been agreed upon in the committee, and the previous question shall then be considered as ordered upon all such amendments, and upon ordering the said bill to be engrossed and read a third time, and upon the passage of the same, and the votes thereon shall be taken in the House before adjournment and without intervening motions or business.

The SPEAKER. That day is already assigned to another order of business.

Mr. SPRINGER. Then I will modify the resolution and make it Wednesday, January 9.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. CRAIN and Mr. FINLEY objected.

Because of this objection the gentleman from Iowa [Mr. WEAVER] began a series of dilatory motions, and requiring votes thereon, preventing thereby totally the transaction of any public business, except a few conference reports by accident, until Saturday morning.

The gentleman from Iowa made no secret of the object of his filibustering.

The RECORD shows that he asserted that his struggle was to compel consideration of the Oklahoma bill, because of his view of its importance; in other words, Mr. Speaker, he entered upon a campaign of filibustering to compel a yielding by the House to his demand to consider that bill, as against a similar campaign indulged in by some at a prior period of the session to prevent consideration, and because of the recommitment of the resolution to change the rules. I do not debate, Mr. Speaker, the correctness of either course now. I am reciting history only. That is sufficient for my present purpose.

On Saturday the word was passed around that an arrangement of some kind had been made with the gentleman from Iowa [Mr. WEAVER] by a conference, formal or otherwise, with the Democratic members of the Committee on Rules, and after filibustering nearly a week, on Saturday the gentleman from Iowa [Mr. WEAVER] ceased operating in that line, and that operation by him was only suspended because of the agreement reached on a meeting or conference between himself and the Democratic members of the Committee on Rules, as is reported, which meeting resulted, as I am advised, in the offering of the resolution proposed by the gentleman from Pennsylvania on Saturday last, and which is now reported back from the Committee on Rules, and which I am now opposing.

All over the country, Mr. Speaker, in every newspaper in this land, from the great metropolitan dailies down to the little country papers whose reading matter is known as made up principally of "patent insides," the gentleman from Iowa has a notoriety, not to say reputation, which has not been equaled by the performance of any other gentleman who has occupied a seat on this floor since my public career began. On Saturday last he suddenly ceased his operations. The newspapers, the Associated Press, and the metropolitan papers generally, published articles similar in substance to that which I now send to the desk and ask to have read.

Mr. STEELE. From what paper?

Mr. PAYSON. The first is from the New York Tribune of yesterday morning.

The Clerk read as follows:

[By telegraph to the Tribune.]

WASHINGTON, *January* 12.

At a private meeting this morning a bargain was made between Mr. WEAVER and the Democratic members of the Committee on Rules, in consequence of which Mr. WEAVER permitted the House to transact some business to-day. There were present at the meeting Speaker CARLISLE, Mr. RANDALL, Mr. MILLS, and Mr. WEAVER. The terms of the agreement were that WEAVER should cease to filibuster, and in consideration of this the Speaker agreed to recognize a motion to pass the Oklahoma bill under suspension of rules on the next "suspension day," and if the opponents of the bill filibuster to prevent a vote, the House shall be kept in continuous session from day to day until a vote is taken on the passage of the bill. A necessary prerequisite was that the rule requiring an adjournment daily at 5 o'clock should be rescinded. In compliance with the agreement Mr. RANDALL offered a resolution in the House to-day to abolish the order of adjournment at 5 o'clock, and asked immediate consideration, but objection was made, and this part of the scheme can not be carried out until the Committee on Rules reports the resolution and the House adopts it.

Mr. PAYSON. The next is from the Post of yesterday morning.

The Clerk read as follows:

THE DEADLOCK BROKEN.—AN AGREEMENT WITH MR. WEAVER REGARDING THE OKLAHOMA BILL.

The deadlock in the House was broken yesterday, Mr. WEAVER having made an arrangement entirely satisfactory to the friends of the Oklahoma bill, and which would result in the consideration of the bill. The agreement between Messrs. CARLISLE, RANDALL, MILLS, and WEAVER was that Mr. WEAVER should cease to make dilatory motions and Speaker CARLISLE would recognize a motion to pass the Oklahoma bill on suspension day, and that if dilatory tactics are resorted to by the opponents of the measure to prevent a vote by wasting the day, WEAVER shall have every proper facility allowed under the rules to prolong the legislative day from day to day, until a vote on the bill is reached. The latter part of the agreement can only be carried out by taking a recess from day to day, instead of adjourning, or by holding a continuous session night and day.

To facilitate the execution of the agreement, also to rid the House of a standing order which has given a great deal of trouble, Mr. RANDALL offered a resolution yesterday to rescind the order which requires the House to adjourn daily at 5 o'clock.

Mr. PAYSON. All over the land has been sent the same item of news. The same publicity has been given to this alleged bargain that was given to the details of the contest. I wish to be understood as saying that as to the accuracy of these allegations I have no personal knowledge, but the same publicity has been given to the agreement or understanding, or whatever it may have been, which I believe to have been made all over the country, and it has not been disputed here on the floor of the House that such an agreement was made with the gentleman from Iowa. Nobody connected with the Committee on Rules—and that is a corroborating circumstance in favor of the truth of the allegation—has denied it since this matter has been so published, and it has become so notorious that it does seem to me that it can not have escaped their attention. Moreover, Mr. Speaker, the gentleman from Iowa [Mr. WEAVER], in his place in the House, on Saturday

morning, made use of the following language, which I will read myself, as my time is rather limited:

Mr. WEAVER. I merely want to say that I have refrained from making parliamentary motions this morning because I have been waiting for the report from the Committee on Rules of the resolution which has just been offered by the gentleman from Pennsylvania and referred to that committee. That is why I am not making motions now.

[Laughter.]

The gentleman from Iowa permitted a little business to be transacted on Saturday, and to-day comes in this resolution pursuant to the alleged agreement.

It makes, sir, a most conclusive case; and the question is, shall the House ratify it? I am opposed to it. I am opposed on principle to a coercing of the House by the activity of a single member into a change of rule to aid or injure any pet measure. The House, in my judgment, can not afford to indorse such action.

The rules should be general and for all alike; if defective in general application, amend them because of that defect, but not because one individual member, or a minority, making themselves obnoxious to the body, demand concessions in favor of their favorite bill. If that shall be done for one day, it may properly be asked for another to-morrow.

I have thought the dependent-pension bill was of greater public importance than this bill, or many others which have been considered, and have made effort, persistent but ineffectual, to secure its consideration, but never attempted to coerce an agreement like this and in this manner. A large majority of the House, I am convinced, agree with me; and not only that bill, but the educational bill, and many others, are of paramount importance to this, but we can not secure consideration of them because of non-action of the Committee on Rules on this floor.

I am opposed to the principle of such concessions by change of rule. If the practice of filibustering is wrong, change the rules so as to prevent it as to all bills. It can easily be done if the Committee on Rules and the House desire it.

This resolution does not reach the evil; it simply permits an increase of the length of suspension day, which under this resolution may be extended till March 4, if so desired.

The opportunity to filibuster is as great, precisely, as it was before, and in practical operation on the case in hand simply changes the burden, that is all.

The gentleman from Iowa [Mr. WEAVER] filibustered to compel consideration of his measure; now he is to be relieved; and the opponents of the bill must filibuster to prevent consideration. His luck is their misfortune.

Nothing is to be gained in the dispatch of the public business if the other side is determined; nothing can help the situation except, as I have said, a radical change of the rules to prevent the practice.

But outside of this, it seems to me, Mr. Speaker, in the present application, the question now presented is one involving only a question of human endurance. When any gentleman undertakes to do as the gentleman from Iowa [Mr. WEAVER] has done, all he will have to do, if this rule should be adopted, is to submit this House to the inconvenience of remaining in perpetual session until he and those acting with him shall succeed in pressing to a vote a few favored measures. There is no use of undertaking to disguise two or three things. One is that the action of the gentleman from Iowa [Mr. WEAVER] is solely with reference to the consideration of the Oklahoma bill, and it is well understood the Oklahoma bill, the Pacific funding bill, and the copyright bill are the three measures which are to be pressed on the consideration of this House, in case this resolution should pass, on the next suspension day.

And whether there is an actual agreement as alleged or not, it does not matter. One who sits in this Hall and does not know that there is some understanding satisfactory to the gentleman from Iowa [Mr. WEAVER] that on the next suspension day the Oklahoma bill will be called up for passage under a suspension of the rules, is in my judgment a poor observer.

Mr. NELSON. Will the gentleman yield for a question?

Mr. PAYSON. Not now. Let the gentleman listen to me.

Mr. NELSON. Is it any misfortune to pass that bill under a suspension of the rules?

Mr. PAYSON. I was coming to that, but I will come to it now. Yes, sir, it is a misfortune. It would be such a misfortune to pass the bill in its present shape that any man who would vote for it with the understanding of what is possible under it as now offered (and I will explain this to the House in the course of the next five minutes), would do an act he will certainly regret, as I think; and if the gentleman from Minnesota will give me his attention for three minutes I will demonstrate it.

Mr. REED. The gentleman from Illinois is simply defending the position of another branch of the minority.

Mr. NELSON. I would like to know in what respect a man would injure himself.

The SPEAKER. The gentleman from Illinois will remember that the motion to suspend the rules and pass the bill has been pending for a considerable time.

Mr. PAYSON. I understand that, but under the rules as they stand, with the bitter opposition heretofore shown, the bill can never be considered on suspension day and may not be called up, though pending. That course has been followed more than once, and would be again but for the adoption of this rule, as I think, and so, notwithstanding the fact that it is pending, it requires aid to enable its friends to get it considered; and therefore if this resolution now proposed shall not pass it will be impossible to consider it if the opponents of the bill as it stands now do their duty.

Mr. SYMES. I rise to a question of order.

The SPEAKER. The House will be in order.

Mr. SYMES. My point of order is that if we are going to discuss the adoption of the amendment to the rules I do not desire to take any part in that discussion, but I insist we should confine ourselves to that question, and I make the point of order that if the Oklahoma bill is going to be denounced in such language as the gentleman has just uttered I am going to take a part in the discussion and show that his statements in that respect are not correct. [Laughter.]

Mr. PAYSON. Now, Mr. Speaker——

Mr. SYMES. I would like to have a ruling on the point of order whether the Oklahoma bill is up for consideration. The gentleman from Illinois takes advantage of a little time given him to speak to a resolution reported by the Committee on Rules to amend the rules, so that the House may be enabled to transact a little necessary business, to denounce the Oklahoma bill. He does it because he thinks there will be no opportunity to reply to his unfounded criticisms. The gentleman states he is not opposed to the consideration of the bill in a parliamentary way. If that be so he is very unfortunate in the company he has kept during the consideration of this bill in the Committee of the Whole during the several days it has been under consideration. His friends and the opponents of the bill with whom he has acted during such times have persisted in filibustering against the measure.

As amendment after amendment has been offered they have demanded tellers and made the point of no quorum for the sole purpose of killing the bill, as I understood them to admit.

The gentleman from Illinois offered amendments, and I do not remember that he ever protested against his friends filibustering to prevent those amendments being disposed of. Had it not been for the filibustering tactics resorted to by those acting with the gentleman in opposing this bill it would have been fully considered, section by section and paragraph by paragraph, long ago, and at the last session. The gentleman has had many opportunities to point out the iniquitous character of this bill when it was being considered in Committee of the Whole, but has never done so. This has suddenly dawned upon him this morning when pretending to speak to the question of amending the rules, and he thought there would be no opportunity offered those familiar with the bill to reply. The objections specified by the gentleman can all be shown to be unwarranted if he and his friends will only stop filibustering and allow fair discussion of it when it comes up. And all these alleged objections would have been explained or amended in detail to conform to the judgment of the House had it not been for the filibustering tactics resorted to by the opponents of this bill to defeat its full and fair consideration.

The Oklahoma bill is one of the most meritorious measures before Congress. Millions of the best people in the great West are demanding its passage. The gentleman from Illinois can not cover up his continued opposition to this bill, which will create a great Territory, and in due time a great State in this Union, by pretending he is for the bill if proceeded with in the regular way. It has been proceeded with in the regular way many days. But the opponents who act in concert with him have resorted to irregular filibustering to defeat not only its passage, but its full and fair consideration, and proper amendment if required.

Mr. Speaker, I will not follow the example of the gentleman and discuss in detail the merits of this important bill under the guise of pretense of speaking to the question of amending the rules. I will say to the gentleman that when the Oklahoma bill comes up in the regular way (and he says he does not object to its so coming) he will have a good opportunity to explain and defend some of his inconsistencies in matters pertinent to that bill.

The SPEAKER. The Chair thinks that the gentleman from Illinois, in discussing the propriety of agreeing to the proposed resolution, may proceed to show its effect on pending matters of legislation if agreed to.

Mr. PAYSON. Now, Mr. Speaker, let it be understood once for all, for myself, that I am not opposed to the consideration of the Oklahoma bill in the usual parliamentary way. I have never taken any part in any filibustering against it, and do not expect to. More than that, sir, I have never engaged, during the eight years I have occupied a seat here, in any filibustering operations involving a proposition of a lesser degree of magnitude than the right of a member to a seat on this floor; and I hope I may be permitted to say, therefore, that I am utterly amazed to hear the remarks just uttered by the gentleman from Colorado [Mr. SYMES].

He asserts that when the bill shall come in the regular way I will have an opportunity to explain some of my inconsistencies in regard to the bill; that others, with myself, have resorted to irregular fili-

bustering to defeat its fair consideration and proper amendment; that I have presented amendments, and this practice was indulged in to prevent my amendments being disposed of; that I have had many opportunities to point out defects in the bill, but never have done so; that it has suddenly dawned on me this morning to assert defects in the bill; and concludes by asserting in terms that I have used dilatory tactics to prevent its consideration in the regular parliamentary way.

Now, Mr Speaker, I say it respectfully, but earnestly, that there is not a shadow of foundation for a single assertion the gentleman has made.

In the proceeding contemplated by this resolution, as the gentleman well knows, under suspension of the rules only fifteen minutes are allowed to all the opponents of the bill, and so there is no intention to have me given an opportunity to show other defects in the bill.

I repeat again that I have never engaged in a filibuster to defeat consideration, and the gentleman has no warrant for the charge.

That I have presented amendments is true; that they have not been disposed of because of dilatory motions is not true, and my friend's lack of knowledge on the point is lamentable, for every amendment I have offered, except the pending one, namely—

It is expressly provided that the rights of honorably discharged Union soldiers and sailors in the late civil war to make homes on the public lands under the existing homestead laws shall not in any degree be impaired by the passage of this bill; and the right of such honorably discharged Union soldiers and sailors to make homestead entry and perfect the same by occupancy under the existing homestead law shall extend to any and all lands which shall be open to any settlement by the provisions of this bill—

and which has not yet been fully debated under the five minute rule, with one exception, has been adopted and made part of the bill; and more than that, every amendment thus adopted of mine has had the approval of my colleague [Mr. SPRINGER], he expressing the hope they would be adopted before the vote was taken. I think this is so in every instance.

He says I have had opportunity to argue all the defects of the bill. He knows we have only reached section 7 of the bill, and there are nineteen sections in the bill proposed to be passed under suspension.

The most vicious section of the bill, as I think, is section 9, to which I shall presently address myself, and it has never been discussed, nor has there been opportunity to discuss it for amendment yet, and the remark of the gentleman that it has suddenly dawned on me this morning to assert this defect is entirely gratuitous.

I have had an amendment in my desk for weeks to that section, which I shall refer to later, only waiting an opportunity to present and discuss it, and I canvassed that section with many gentlemen about me weeks ago.

The trouble is, Mr. Speaker, several of these gentlemen seem impressed with the idea that their bill as reported is absolutely perfect, and that any amendment proposed to it is an evidence of hostility to the purpose of opening this land to white settlement.

The adoption by the House, and with the full concurrence of my colleague from Illinois [Mr. SPRINGER], of many substantial amendments offered by myself and the gentleman from Indiana [Mr. HOLMAN], based on our experience in public-land matters, is conclusive proof that the bill so far as considered was far from perfect as it was reported, and that the usual method of consideration was the only proper one, and because of the necessity for the ordinary consideration and with opportunity for amendment, and because the bill which is being pressed is in many ways utterly different from the bill as reported, containing several more sections and different provisions, and more than all, that which to me is inexplicable, omits, as I read it, every amendment which has been thus far agreed to by the Committee of the Whole.

I ask gentleman to tell us why these amendments which were conceded to be proper and needful when presented and adopted—why are they omitted from the "suspension bill?" Because of my entire belief of the defects so far cured by the Committee of the Whole, but appearing again in their bill to be pressed under suspension if this resolution shall pass, I am opposed to the passage of this bill under a suspension of the rules. I am opposed to its consideration under a suspension of the rules, because of the fact that I do not believe the bill is in such shape as that it ought to pass as presented. I believe it to be an iniquitous measure, susceptible, as I shall demonstrate when the time shall come, and I can have the opportunity on full debate——

Mr. PERKINS rose.

Mr. PAYSON. If the gentleman will not interrupt me now I will agree to give to the gentleman from Kansas and to the House a demonstration of the accuracy of that statement whenever it shall be possible.

Mr. PERKINS. Have you not had several opportunities to demonstrate that?

Mr. PAYSON. No, sir. The pending question on the Oklahoma bill to-day is an amendment of mine giving Union soldiers the right to make homestead entries, and that is to section 7. The worst feature of the bill is in a later section, not yet reached or touched upon.

Mr. PERKINS. Has not the House heard you upon that?

Mr. PAYSON. No, sir; that amendment is still pending, with several gentlemen yet to speak in favor of it, and a vote to be taken. The debate on my amendment was not concluded on December 14, the last day the bill was up, and it had not been passed on by a vote. I have wondered many times since this bill has been presented what the secret of it was that incited gentlemen to come to Congress to sit in these galleries month after month and year after year, and importune members with reference to it, and to press the consideration of this bill and secure its passage in its present form. I think I know now. I believe that I know now. We have had ever since 1864 in the statutes of the United States a provision of law in reference to the location of town sites. It is section 2387 of the Revised Statutes, and it provides in substance that a town site may be located at $1.25 per acre to the Treasury and in trust for the occupants of the town, and all matters of the disposal of the lots and the proceeds of the sales shall be for the use and benefit of the occupants thereof. Another section of the statute provides for town sites the proceeds of sales, at a minimum price of $10 per lot.

The law seems to have been framed to prevent speculations in town sites, and for their location on the public lands for the benefit of the inhabitants, and under the control of the legislative authority of the State or Territory. This would, as it has, insure a good fund for public purposes, and the community which gives the added value to the land should have the benefit of it in the sales of the property above $1.25 per acre.

That the necessary profits, the increase in value of land within, arising out of the location of town sites and the sale of lots surveyed from the public lands, under the direction of the Secretary of the Interior, shall be for the use and benefit of the inhabitants of the locality.

Mr. PERKINS. In the towns?

Mr. PAYSON. In the towns. It is a statute that has worked successfully since 1864, and there has been no attempt since that has been incorporated on the public-land laws to amend it, so far as I know. Now, Mr. Speaker, what do you find in this bill? A section providing that in the location of town sites in this great area of country, an area two-thirds as large as that of the grand State in which I live, containing the only arable land that is left in this country, and which is gridironed by railroads built and authorized more than any other section of the country, and upon the whole of it there is not at this hour a valid town site anywhere—that locations of town sites shall be by any "legally organized company" on payment of $20 per acre.

This bill that comes from that committee, and which it is proposed to pass under a suspension of the rules, allows any legally organized corporation, whether organized in Maine, Illinois, or any other State of the Union, and without regard to any provisions in its charter, to locate cities and towns, to take the profits of the sale of the lots in such sites upon the payment of a pittance into the Treasury of the United States, to be held for school purposes, and that the vast profits growing out of this business shall go to men who have no connection with creating it.

The SPEAKER. The gentleman has spoken ten minutes.

Mr. PERKINS. Upon the payment of a pittance of $20!

Mr. PAYSON. Mr. Speaker, I will use the other five minutes of my time.

Now, an acre is 210 feet square, and there would be eight or ten residence lots in an acre, and more than double that of business lots of ordinary size.

Mr. BAYNE. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. BAYNE. The point of order I make is whether the time in support of the proposition under discussion shall be consumed by the gentleman from Illinois, and whether he is speaking to that proposition.

The SPEAKER. It is argued by the gentleman from Illinois that the effect of the change under this rule would be to permit a vote upon a bill which he says ought not to pass, and he is proposing to show, therefore, that the report ought not to be agreed to; and the Chair thinks it is in order.

Mr. PAYSON. This is not to come out of my time?

The SPEAKER. It is not.

Mr. PAYSON. Now, I appeal, Mr. Speaker, to the gentlemen on the other side of the House, to whom the word "monopoly" has been "a sweet morsel to roll under their tongues," how is it that they stand here asking for a suspension of the rules, without discussion, to allow a proposition to repeal the town-site act of 1864, with reference to the sale of all the town sites of this great area of country and upon all these public lands, making an industry, if you will permit it, in the location of cities and towns that will be stimulated by an immigration into this Territory that has never been equaled in the United States? Towns to the number of hundreds will be needed in that Territory when opened; its fertile soil guaranties a large population; and thriving towns are always hand in hand with such general prosperity. And I should be glad to know who originated the idea in this section, to place in the hands of "legally organized" corporations alone all the town sites to be located for the necessities of such a population as will be supported by this great Territory?

Corporate rapacity could not ask for a larger or a finer field for operation, and the gentleman from Iowa [Mr. WEAVER] and my colleague [Mr. SPRINGER] do not propose to permit an examination or amendment to the proposal.

I trust they are ignorant of the effect of the section, and I ask them for a direct answer to this question.

Why should not the proceeds of the sales of the lots composing all these sites be devoted to public and especially school purposes in the locality, and for the benefit of building up that Territory and adding to the greatness and grandeur of this country instead of their being given to favored railroad directors and those they may choose to take in with them upon payment of the comparatively small sum named in the bill, about $2 per lot? We all know that in favored localities, as soon as a town shall be laid out, business lots will be worth hundreds of dollars each, and residence lots in proportion.

Why should not the people have the benefit of this?

I appeal to any gentleman to answer me that question.

The amendment which I have prepared as a substitute for section 9 of the bill is this:

SEC. 9. Town sites upon any public lands in said Territory shall be located under the provisions of chapter 8, Title XXXII, Revised Statutes, entitled "Reservation and sale of town sites on the public lands." The money so received from the sale of lots in each town site, except such amount as may be required to be paid to the Indian tribes, as provided in sections 5 and 6 of this act, shall be held by the Secretary of the Interior as a separate school fund for the benefit of the people of such town, and shall be expended under his direction for the erection of school buildings and the support of schools therein: *Provided*, That town sites actually occupied on the Public Land Strip at the date of approval of this act by not less that one hundred bona fide inhabitants may be patented under section 2387, and with the protection of rights to parties in possession or who have made improvements, as provided in section 2381 of the Revised Statutes, said sites to embrace the amount of land provided by law: *Provided further*, That all surveys of town sites in the Territory of Oklahoma shall contain reservations for parks of substantially equal area if more than one park, and other public purposes, embracing in the aggregate not less than 10 nor more than 20 acres; but no deduction shall be allowed on this account in the amount to be paid for said town sites as provided in this section; and patents for such reservations to be maintained for such public purposes shall be issued to the towns respectively when organized as municipalities.

This substitute, I insist, is worthy of consideration. I have no time to go into details with reference to it.

Through the Territory are these numerous railroads, fourteen lines in all, without a valid town site on them, on the lands embraced in the bill, and the hundreds which will be located as soon as settlement begins, and which by the mere act of settlement of the country and their location will be worth millions of dollars. This added wealth, the result of natural processes in the growth of a country, can and should be saved to the people there rather than given to "any legally organized" corporation which shall apply for it.

Let us discuss this, debate the principle and adopt it if right, and not foreclose all discussion, useless if this resolution be adopted, because amendment to the bill will not be in order.

Recurring to what I have before alluded to, will gentlemen remember that the bill which is now pending, as offered by the gentleman from Missouri [Mr. WARNER], is not the bill containing the amendments this House has voted into the bill up to the time that that motion was made? Do gentlemen forget the argument which was made here by the gentleman from Indiana [Mr. HOLMAN], as well as myself, that this great area of public land should be preserved as lands for the landless and homes for the homeless; and upon my amendment, which was incorporated in this bill, providing that no man who was the owner of 160 acres of land in any other part of the Union should be entitled to land under the provision of this bill? That provision, almost unanimously agreed to in committee, does not appear in the bill which it is proposed to be passed under a suspension of the rules. Why is that omitted?

Another thing. An amendment was made here with reference to the extent of the Territorial government. By the last section of this bill, as offered by the gentleman from Missouri [Mr. WARNER], it is provided that the Territorial government under this bill shall operate only upon the neutral strip—the Public Land Strip—an area about as large as the State of Rhode Island or the State of Delaware, and not, till years shall intervene in all human probability, on any other part of the Territory.

Still another thing, Mr. Speaker; ought there not to be a measure of certainty as to all provisions with reference to the disposition of this vast area of land? There is a dispute now between the members of the committee as to what this bill means in that respect, as to what will be its effect upon the Public Land Strip, an area, as I have already said, larger than two of the States of this Union. The gentleman from Illinois, my colleague [Mr. SPRINGER], a member of the committee, insists that the present homestead law is applicable to settlement upon that Strip. Other gentlemen, members of the committee upon this side of the House, are equally certain that the homestead principle does not and ought not to apply to that great area of land; and that question is to be left uncertain if this bill is passed under a suspension of the rules.

Mr. Speaker, it ought not to be permitted that a bill of this character, involving an empire of area and the only arable land that is left, involving so many important provisions, to a few of which I have adverted here, should be considered with but fifteen minutes' discussion, and no opportunity to amend, and disposed of under a suspension of the rules. It is a parody upon legislation to say that that is "consideration" at all. It is worse than a parody; as is suggested by my friend from *Michigan* [Mr. CUTCHEON] *sotto voce*, it is a burlesque upon legislation; and I hope that this side of the House, and gentlemen upon the other side of the House who are in favor of doing this thing, but doing it right, will vote down this proposition from the Committee on Rules and let the Oklahoma bill be considered in the ordinary, orderly, and parliamentary way.

Mr. RANDALL rose.

The SPEAKER. The gentleman has four minutes.

Mr. RANDALL. Mr. Speaker, it may not be amiss at this time to call the attention of the House briefly to what I may term the surface facts in this connection, so that undue credence may not be given to the allegations which have been made here by the gentleman from Illinois [Mr. PAYSON] touching the introduction of this proposition. On the 11th of May, 1888, the order which it is now proposed to rescind was made. On the first Monday in August a suspension of the rules of this House was moved on the Oklahoma bill, and has remained as the unfinished business from that day to this and has been in order when that class of business has been up on the first and third Mondays of every month. Therefore the statement of the gentleman from Illinois [Mr. PAYSON] that a bargain has been made that on the next suspension Monday the Speaker of this House shall recognize some friend of the Oklahoma bill has not the semblance of truth to justify it. On the contrary, the bill stands beyond the control of the Speaker of this House, or of any member of the House, as the unfinished business on said days.

Mr. BOUTELLE. Is it not competent on any one of the suspension Mondays by the introduction of bills to prevent the House from reaching that bill?

Mr. RANDALL. I will touch that point later. This matter ran along. When the effort was first made by the friends of the Oklahoma bill—and I know that I am not unduly either its friend or its enemy, but willing to give it fair play—when the effort was made by the friends of the Oklahoma bill to have it considered they were confronted with a species of filibustering which was, as some thought, unwise, injudicious, and I might use a yet stronger term and say unjustifiable under the circumstances. Then came a proposition from the Committee on Rules to relieve the friends of the Oklahoma bill. That was introduced on the 4th day of January, and on the 8th was referred back to the committee. Then it was that obstruction commenced against all propositions and business. And here I want to say that, so far as I am concerned, I never had any interview with General WEAVER on these subjects, and, so far as I am advised, there never has been any meeting with that gentleman by the members of the Committee on Rules. There may have been honorable conference, but nothing of the character that has been attempted to be represented to this House. Nay, more. I want to say that the honorable Speaker and I, as members of the Committee on Rules, had come to the conclusion many days before this matter was thrust upon the House, in the absence of the gentleman from Texas [Mr. MILLS] (who was sick, and whose return we decided to await), that we would ask the committee to report a proposition providing for the abrogation of the 5 o'clock adjournment order, for the reasons stated by the gentleman from Maine [Mr. REED] and the gentleman from Illinois [Mr. CANNON], both of whom are members of the Committee on Rules. And I wish to say further in this connection, Mr. Speaker, that the friends of the Oklahoma bill have never asked of the Committee on Rules any favor, and, so far as my judgment goes, they have received none. They have been simply remitted to the powers which they possessed before the mode of obstruction was resorted to, which, at a subsequent period, the judgment of the Democratic side of the House has declared to be vicious.

The SPEAKER. The time of the gentleman has expired.

Mr. BAYNE. Mr. Speaker, I ask unanimous consent that fifteen minutes more be allowed upon each side for debate on this question. [Cries of "Regular order!"]

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. BAYNE]? [Renewed cries of "Regular order!"]

Mr. BAYNE. Then, Mr. Speaker, in the absence of such an opportunity for debating this question, I ask unanimous consent that such members of the House, including myself, as may desire to print remarks in the RECORD upon it may have leave to do so.

There was no objection, and it was so ordered.

Mr. SPRINGER. I give notice that I shall print a few remarks in reply to those of my colleague from Illinois [Mr. PAYSON]. [Laughter.]

The SPEAKER. The question is on agreeing to the report of the committee.

The House divided; and there were—ayes 98, noes 60.

Mr. BOUTELLE. I call for the yeas and nays.

The yeas and nays were ordered, 49 members voting in favor thereof.

The question was taken; and it was decided in the affirmative—yeas 156, nays 85, not voting 82; as follows:

YEAS—156.

Abbott,	Bingham,	Browne, T. H. B., Va.	Carlton,
Allen, Miss.	Blanchard,	Bryce,	Caruth,
Anderson, Miss.	Bland,	Burnett,	Catchings,
Anderson, Ill.	Blount,	Bynum,	Chipman,
Bankhead,	Bowden,	Campbell, T. J., N. Y.	Clardy,
Barnes,	Breckinridge, Ky.	Candler,	Clements,
Biggs,	Brewer,	Cannon,	Cobb,

Cogswell,	Hemphill,	McKinney,	Smith,
Cothran,	Herbert,	McMillin,	Sowden,
Cowles,	Hermann,	McRae,	Spinola,
Cox,	Hires,	Mills,	Spooner,
Crisp,	Holman,	Montgomery,	Springer,
Crouse,	Hooker,	Moore,	Steele,
Culberson,	Hopkins, Va.	Morgan,	Stewart, Tex.
Cummings,	Howard,	Nelson,	Stewart, Ga.
Davidson, Ala.	Hudd,	Newton,	Stewart, Vt.
Davidson, Fla.	Hutton,	Norwood,	Stockdale,
Dibble,	Johnston, N. C.	Oates,	Stone, Ky.
Dockery,	Jones,	O'Ferrall,	Stone, Mo.
Dorsey,	Ketcham,	O'Neall, Ind.	Struble,
Dougherty,	Laffoon,	O'Neill, Mo.	Symes,
Dunn,	Lagan,	Outhwaite,	Tarsney,
Enloe,	Laidlaw,	Peel,	Taulbee,
Foran,	Landes,	Perkins,	Taylor, E. B., Ohio
Ford,	Lane,	Perry,	Thompson, Ohio
Forney,	Lanham,	Peters,	Thompson, Cal.
Funston,	Lawler,	Phelan,	Tracey,
Gay,	Lee,	Randall,	Townshend,
Glass,	Lind,	Rayner,	Turner, Ga.
Greenman,	Lodge,	Reed,	Vance,
Grimes,	Long,	Rice,	Walker,
Grout,	Macdonald,	Richardson,	Warner,
Hall,	Maish,	Robertson,	Washington,
Haro,	Mansur,	Rogers,	Weaver,
Harmer,	Martin,	Rowell,	Wheeler,
Hatch,	Matson,	Russell, Mass.	Wilkinson,
Hayden,	McAdoo,	Ryan,	Williams,
Hayes,	McClammy,	Sayers,	Wilson, W. Va.
Heard,	McCreary,	Shively,	Yoder.

NAYS—85.

Adams,	Cutcheon,	Hopkins, N. Y.	Post,
Allen, Mass.	Dalzell,	Houk,	Romeis,
Allen, Mich.	Dargan,	Jackson,	Russell, Conn.
Anderson, Iowa	Darlington,	Kelley,	Sawyer,
Arnold,	Davenport,	Kennedy,	Scull,
Atkinson,	Davis,	La Follette,	Seymour,
Baker, N. Y.	Dingley,	Lehlbach,	Sherman,
Baker, Ill.	Dunham,	Lynch,	Stephenson,
Bayne,	Farquhar,	Mason,	Taylor, J. D., Ohio
Bliss,	Finley,	McComas,	Thomas, Ky.
Boothman,	Flood,	McCormick,	Thomas, W. s.
Bound,	Fuller,	McKenna,	Tillman,
Boutelle,	Gallinger,	McKinley,	Turner, Kans.
Brower,	Gear,	Milliken,	Vandever,
Browne, Ind.	Gest,	Moffitt,	Weber,
Brown, Ohio	Grosvenor,	Nutting,	West,
Buckalew,	Henderson, Iowa	O'Donnell,	Woodburn,
Burrows,	Henderson, Ill.	Osborne,	Yardley,
Butterworth,	Hiestand,	Patton,	Yost.
Caswell,	Hitt,	Payson,	
Clark,	Holmes,	Phelps,	
Conger,	Hopkins, Ill.	Plumb,	

NOT VOTING—82.

Anderson, Kans.	Elliott,	Laird,	Rusk,
Bacon,	Ermentrout,	Latham,	Scott,
Barry,	Felton,	Lyman,	Seney,
Belden,	Fisher,	Maffett,	Shaw,
Bowen,	Fitch,	Mahoney,	Simmons,
Breckinridge, Ark.	French,	McCullogh,	Snyder,
Brown, J. R., Va.	Gaines,	McShane,	Stahlnecker,
Brumm,	Gibson,	Merriman,	Thomas, Ill.
Buchanan,	Glover,	Morrill,	Wade,
Bunnell,	Goff,	Morrow,	White, Ind.
Burnes,	Granger,	Morse,	White, N. Y.
Butler,	Guenther,	Neal,	Whiting, Mich.
Campbell, F., N. Y.	Haugen,	Nichols,	Whiting, Mass.
Campbell, Ohio	Henderson, N. C.	O'Neill, Pa.	Whitthorne,
Cheadle,	Hogg,	Owen,	Wickham,
Cockran,	Hovey,	Parker,	Wilber,
Collins,	Hunter,	Penington,	Wilkins,
Compton,	Johnston, Ind.	Pidcock,	Wilson, Minn.
Cooper,	Kean,	Pugsley,	Wise.
Crain,	Kerr,	Rockwell,	
De Lano,	Kilgore,	Rowland,	

So the resolution was adopted.

On motion of Mr. BLANCHARD, by unanimous consent, the reading of the names was dispensed with.

The following pairs were announced until further notice:

Mr. BURNES with Mr. WHITING, of Massachusetts.

Mr. JONES with Mr. O'NEILL, of Pennsylvania.

Mr. CAMPBELL, of Ohio, with Mr. GOFF.

Mr. O'NEALL, of Indiana, with Mr. JOHNSTON, of Indiana.

Mr. LATHAM with Mr. NICHOLS.

Mr. BRECKINRIDGE, of Arkansas, with Mr. GUENTHER.

Mr. GRANGER with Mr. ROCKWELL.

Mr. WHITTHORNE with Mr. BUTLER.

Mr. MCSHANE with Mr. LAIRD.

Mr. FORNEY with Mr. WILBER.

Mr. SNYDER with Mr. BOWEN.

Mr. WISE with Mr. J. R. BROWN.

Mr. PIDCOCK with Mr. HOVEY.

Mr. ROLAND with Mr. LYMAN.

Mr. HENDERSON, of North Carolina, with Mr. WICKHAM.

Mr. PENINGTON with Mr. BUNNELL.

Mr. FRENCH with Mr. MORRILL.

Mr. NEAL with Mr. ANDERSON, of Kansas.

Mr. SPINOLA with Mr. WHITE, of New York.

Mr. WILKINS with Mr. DE LANO, for this day.

Mr. SENEY with Mr. PUGSLEY, for this day.

Mr. ERMENTROUT with Mr. BRUMM, on this vote.

Mr. CRAIN with Mr. BELDEN, on this vote.

The result of the vote was then announced as above recorded.

Mr. RANDALL moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MARGARET S. HEINTZELMAN.

Mr. CHIPMAN. I present the following conference report; and on its adoption ask for the previous question.

The SPEAKER. The report will be read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2726) granting an increase of pension to Margaret S. Heintzelman, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment to the Senate bill, and agree to the same.

J. LOGAN CHIPMAN,
THOMAS L. THOMPSON,
A. C. THOMPSON,
Managers on the part of the House.

C. K. DAVIS,
D. TURPIE,
H. W. BLAIR,
Managers on the part of the Senate.

The statement, under the rule, by the House managers was read, as follows:

Statement to accompany the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2726) entitled "An act granting an increase of pension to Margaret S. Heintzelman."

The original bill proposed a pension of $100 per month. It was returned to the Senate with an amendment by the House reducing the amount of the proposed pension to $75 per month, and the committee of conference now report in favor of the original proposition, granting a pension of $100 per month.

J. LOGAN CHIPMAN.
THOS. L. THOMPSON.
A. C. THOMPSON.

The report was adopted.

Mr. CHIPMAN moved to reconsider the vote by which the conference report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

RALPH T. MOSES.

Mr. SOWDEN. I desire to submit a privileged report from the Committee on Accounts.

The SPEAKER. It will be read.

The Clerk read as follows:

Resolved, That the Doorkeeper of the House be authorized to employ Ralph T. Moses as an assistant folder in the seal-room of the House at a compensation of $2 50 per day for the present session, to be paid out of the contingent fund of the House, the compensation to take effect from December 3, 1888."

The Committee on Accounts, to which was referred the foregoing resolution, authorizing the employment of Ralph T. Moses as an assistant folder in the seal-room of the House, having considered the same, and finding that there is no necessity for the employment of the said Moses, report back the resolution with the recommendation that it lie on the table.

The report was adopted.

Mr. SOWDEN moved to reconsider the vote by which the report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. HEMPHILL. Are these matters privileged for this day?

The SPEAKER. They are.

ADDITIONAL MESSENGER, BUTLER BUILDING.

Mr. SOWDEN. I am also directed by the Committee on Accounts to submit the following report.

The Clerk read as follows:

"*Resolved*, That the Doorkeeper of the House be authorized to appoint one additional messenger, who shall also act as night watchman, at a salary of $100 per month during the remainder of this session, said messenger to be assigned to duty with the committees of the House of Representatives located in the Butler Building, and who shall be paid out of the contingent fund of the House."

The Committee on Accounts, to whom was referred the foregoing resolution, authorizing the employment of an additional messenger to be assigned to the Butler Building, have considered the same, and finding no necessity for the employment of said messenger, report back the resolution with the recommendation that it lie on the table.

The report was adopted.

Mr. SOWDEN moved to reconsider the vote by which the report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. HEMPHILL. I demand the regular order.

Mr. DIBBLE. I desire to submit a privileged report.

Mr. KELLEY. I hope my friend will yield to me to have a resolution printed in the RECORD.

Mr. DIBBLE. I will yield for that purpose.

REPEAL OF INTERNAL-REVENUE TAXES.

Mr. KELLEY. I ask unanimous consent to have printed in the RECORD a brief resolution from the Manufacturers' Club of Philadelphia.

The SPEAKER. Without objection, the resolution will be printed in the RECORD.

There was no objection.

The resolution is as follows:

MANUFACTURERS' CLUB OF PHILADELPHIA,
No. 1319 *Walnut street, Philadelphia, December* 24, 1888.

To the honorable the Senate and House of Representatives in Congress assembled:

We beg leave respectfully to submit to your honorable bodies the following preamble and resolution unanimously adopted by the Manufacturers' Club of Philadelphia at its regular meeting on December 17, 1888:

Whereas the collection from the people, by the Federal Government, of taxes which are not required to enable the Government to meet its obligations is indefensible upon any grounds of justice or public interest; and

Whereas the taxes collected by the Internal Revenue Bureau are in fact the only Federal taxes certainly and wholly paid by the American people; and

Whereas such taxes have never in the history of the Government been imposed excepting to meet the emergencies of war, and have always heretofore been speedily removed upon the return of peace; and

Whereas the customs service has been in the past and may without peril to the nation's interest be in the future the dependence for the national revenues, without continued maintenance of a bureau which expends annually $4,000,000 for collecting money which the Government does not need; and

Whereas the removal of the tax upon whisky will enable American manufacturers to obtain, free of excise, alcohol, one of the most important of all the raw materials of industry, whilst it will permit the State governments to exercise full control over the liquor traffic; and

Whereas removal of the internal taxes will at once solve the problem of the reduction of the surplus revenue in a manner most conducive to the interests of the whole body of the people: Be it therefore

Resolved by the Manufacturers' Club of Philadelphia, That Congress be, and hereby is, respectfully and earnestly requested to adopt measures for the early abandonment of the entire internal-revenue system.

THOMAS DOLAN, *President.*
CHAS. HEBER CLARK, *Secretary.*

ELECTRIC LIGHTING OF THE CAPITOL.

Mr. DIBBLE, from the Committee on Public Buildings and Grounds, reported a joint resolution (H. Res. 251) to provide for electric lights and call-bells in the House wing, Rotunda, and Tholus of the Capitol at Washington; which was read a first and second time.

Mr. BLANCHARD. Mr. Speaker, is this a privileged report?

The SPEAKER. It has always been held in the House that matters relating to the comfort and convenience of members, such as lighting and heating the Hall, the arrangement of seats, etc., was privileged. The Chair thinks that this comes within the practice heretofore established.

Mr. SPINOLA. I ask that the joint resolution be read.

The SPEAKER. It will be read of course.

The Clerk read as follows:

Joint resolution to provide for electric lights and call-bells in the House wing, Rotunda, and Tholus of the Capitol at Washington.

Resolved by the Senate and House of Representatives of the United States in Congress assembled, That there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $125,000 or so much thereof as may be necessary, for the purpose of providing the power and plant, fixtures, and appurtenances necessary for the electrical lighting of the House wing, Rotunda, and Tholus of the Capitol at Washington, and of providing electrical call-bells for the said House wing, according to plans and specifications prepared by John E. Powell, electrical engineer, under direction of the Committee on Public Buildings and Grounds of the House of Representatives, by virtue of resolution of the House of Representatives adopted July 24, 1888.

That the said work shall be carried on under the supervision and control of a commission of three members of the Committee on Public Buildings and Grounds of the House of Representatives, Fiftieth Congress, who shall be also members-elect of the House of Representatives, Fifty-first Congress, and who shall be appointed by the Speaker of the House of Representatives, Fiftieth Congress; and that the said commission when appointed shall have full power and authority to accept bids, make necessary contracts, employ a superintendent or superintendents, who shall be an electrical engineer or engineers, and to fix his or their compensation, not to exceed for the whole of such service the sum of $10 for each day of actual service (and if such superintendent or superintendents happen to receive pay from the Government on same days for any other official service, the per diem for such other service to be deducted from the pay for such days), and to do and take all action in the premises by them deemed necessary for the complete and expeditious accomplishment of the purpose and object of this joint resolution. That the said commission shall also have full power and authority to audit and approve all accounts, which shall be paid out of the appropriation herein provided upon the order of the said commission or a majority of the members thereof.

That the Architect of the Capitol is hereby authorized and required to provide in the House wing of the Capitol the space necessary for the location of the power, plant, and appurtenances required by the plans and specifications aforesaid.

That the said commission shall report to the House of Representatives their acts and doings in the premises, together with a full and complete account of all moneys expended under this joint resolution.

Mr. RANDALL. I make the point of order that this resolution must receive its first consideration in Committee of the Whole on the state of the Union.

The SPEAKER. The Chair sustains the point of order. The joint resolution will be referred to the Committee of the Whole on the state of the Union.

Mr. DIBBLE. I ask unanimous consent that it be considered in the House as in Committee of the Whole.

Mr. RANDALL. I object.

Mr. DIBBLE. I ask unanimous consent that the report and accompanying documents be printed in the RECORD.

The SPEAKER. If there be no objection, that order will be made.

There being no objection, it was ordered accordingly.

The report, with accompanying documents, is as follows:

The Committee on Public Buildings and Grounds, which was authorized and directed by the resolution of the House adopted July 24, 1888, to employ an electrical engineer to make plans and specifications for the lighting the House wing of the Capitol by electricity and for a system of electric bells, and also to advertise and solicit proposals for the work, respectfully submit the following report:

They employed Mr. John E. Powell, an electrical engineer, who prepared plans and specifications embracing the House wing, Rotunda, and Tholus of the Capitol in a complete system of electric lighting, and a call-bell system for the House, all which were considered and approved by the committee; and the said plans and specifications were printed, and bids were invited in accordance therewith by advertisement in the Electrical Review and the Electrical World, published in New York, and the Western Electrician, published in Chicago. Twenty-seven sets of the plans and specifications were sent out on applications therefor, and ten bids were received in response to the advertisements, some of which were bids relating to the plant alone, or parts thereof, and others relating to the fixtures, apart from the plant and power. The bids for power and plant range from $41,400 to $94,775, and for fixtures from $9,500 to $31,000.

The committee calls attention to the specifications prepared by Mr. Powell and to the necessity of the immediate passage of the joint resolution, in order that the work be commenced and be in progress during the coming spring and summer months.

The House resolution of July 24, 1888, the report of Mr. John E. Powell, and the specifications prepared by him are appended to this report, and are reported as a part of the same, to be duly printed; and a set of the plans made by Mr. Powell, showing the location of the machinery and location and kind of fixtures, is submitted for the information of the House, to be filed with the Clerk.

The committee has incurred expenses as follows: For expert service, $575; for printing plans and specifications, $208; for advertising, money-orders, postage, etc., $33.98.

The committee recommend the passage of the joint resolution accompanying this report.

[Resolution passed by the House of Representatives July 24, 1888.]

Resolved, That the Committee on Public Buildings and Grounds are hereby authorized and directed to employ an electrical engineer to make plans and specifications for the lighting of the House and the committee-rooms with electricity, and for a system of electric bells, and also to advertise and solicit proposals for this work, and to report as soon as practicable to the House, and that a sum not exceeding $1,000 is hereby appropriated for the payment of said engineer and for the expenses of said advertisement out of the contingent fund of the House.

WASHINGTON, D. C., *December* 9, 1888.

SIR: I have the honor to transmit herewith for your approval the plans and specifications for the installation of an electric-light plant for the House wing, Rotunda, and Tholus of the Capitol, and for a system of electric call-bells for the various House committee-rooms. These plans are in accordance with the decision of your committee to have the plant located in certain rooms under the terrace, shown on accompanying plans.

The said rooms will require certain alterations in the walls thereof, removal of some, and erection of others, and the supporting of the roof of terrace by iron columns, etc., so arranged as to permit the location of the present designed steam plant. Certain other details in the furnishing and fitting of the rooms with doors, floor, and plastering of walls and ceiling are also necessary.

A flue shown on plan, intended to be used a smoke-stack, will require to be carried up above the roof of the building, an extension of about 25 or 30 feet. All details relating to these matters have not been included in the specifications, as I deem it best, and do so recommend, that all the foregoing work be done in accordance with plan and specifications prepared or approved by the Architect of the Capitol and under his direction. The number of incandescent lamps required is 810 of 32 candle-power each, and 2,500 of 16 candle-power each. This number provides for the substitution of electricity in place of gas almost absolutely.

To secure fixtures conforming in design and artistic excellence to the general character of the building, I recommend your committee invite manufacturers of the same to submit proposals for this separate branch of the work, accompanied by designs and specifications thereof, indicating upon a schedule the rooms and corridors to be supplied with fixtures of certain designs, and price thereof. The awarding of fixtures by separate contract will secure the best result, and is now the practice of the Treasury Department to furnish fixtures for the public buildings by separate contract, apart from the electrical service, and the plan is found to work well.

The acceptance of proposals for fixtures to be determined by their relative merits of design, adaptability, and price.

A work of the magnitude and character proposed should be placed under the supervision of a competent person, employed by the Government as an inspector, to see that the work is performed according to contract and decide minor issues.

Without such intelligent supervision, vexatious delays and embarrassments are likely to arise, and that exact knowledge of the manner in which the work is being performed, and which it is the duty of the Government to possess, can not be obtained.

I recommend the appointment of a properly qualified person as a supervisor of the work at a compensation of —— dollars per diem until the acceptance of the plant by the Government.

The estimated cost of the work may be generalized as follows:

Engines, boilers, shafting, heater, pumps, and settings	$30,000
Dynamos and switch-board	18,000
Lamps, sockets, shades, wiring, labor, and other material	28,000
Fixtures	18,000
Electric call-bell system	750
	94,750

The above is a liberal estimate, except in the matter of fixtures, which, if of very superior design, may be from 10 to 20 per cent. higher.

Very respectfully,

J. E. POWELL,
Inspector Electric Light Plants for United States Treasury Department.

Hon. SAMUEL DIBBLE,
Chairman Committee on Public Buildings and Grounds,
House of Representatives, Washington, D. C.

SPECIFICATIONS FOR AN ELECTRIC-LIGHT PLANT AND THE INSTALLATION THEREOF IN AND FOR THE HOUSE WING OF THE UNITED STATES CAPITOL, WASHINGTON, D. C.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS,
Washington, D. C., December 18, 1888.

Sealed proposals will be received until 12 o'clock m. Thursday, January 10, 1889, for supplying and installing, in accordance with the plans and specifications furnished by this committee, an electric-light plant.

Proposals must be submitted for furnishing all the materials, supplies, devices, and labor necessary in installing the electrical and power portion of the plant and electric-bell system in the manner described in the specifications, and must be for a specified sum, expressed in writing.

Proposals must be sealed and marked on outside of wrapper or envelope "Proposals for electric-light plant." They must state specifically and in detail the name, character, make, and type of the engines, boilers, pumps, feed-water heater, and minor appliances it is designed to furnish, with all data relative to their construction, capacity, and power necessary to determine their relative merit.

Proposals for supplying combination and electrical fixtures and their erection in the manner described in the specifications and of the number and location, as shown in accompanying plans, will be received from manufacturers of fixtures. Designs and specifications of each style of fixture (with price thereof) proposed to be supplied, with the location by number or name of room in which it is contemplated to place them, must be submitted.

Proposals must be accompanied by a schedule showing the number of fixtures of each design and the price of same, expressed in writing, with the total price of the entire bid, also in writing.

The acceptance of proposals for fixtures will be determined by their relative merits of price and design.

Proposals must be signed by the person, company, or corporation making them. If by a company, by the signature of each member thereof; if a corporation, by an officer duly authorized to sign, and accompanied with a copy (under seal of said corporation) of his authority to contract for and bind the corporation.

All proposals must be accompanied by written guaranty, signed by not less than three responsible persons, that the bidder shall, within ten days after notification so to do, execute a contract with terms of bidder's proposal and give bond as hereinafter required; certification of the responsibility and sufficiency of guaranty signers to be made by an United States judge, United States attorney, or the clerk of a court of record at or nearest place of residence of bidder.

The work must be commenced within thirty days and completed within twelve months from date of signing contract.

All that portion of the work, both electrical and fixture, located in the Chamber of the House, its galleries, corridors, lobbies, and rooms adjacent—*i. e.*, all work on the principal floor of the building—must be performed during the recess of the House next ensuing after the award of the contract and perfectly completed before the next regular session of the House. Reference is here made to the period known as the long recess—March to December. In the event of an extra session and shorter recess work must be completed in the Chamber of the House, its galleries and lobbies, during said short recess.

Should the contractor for any portion of the work fail to prosecute the same in such manner and at such a rate of progress as shall be deemed necessary by the ——— to insure its completion within the time limit of contract, a notice of the same shall be served upon the contractor for said work, giving him twenty days from date of notice in which to remedy the delay. Upon his neglect or refusal to provide a remedy the ——— shall have the authority to suspend the contractor and employ other parties to complete the work, and any excess of cost over and above the contract price will be charged against the contractor and the sureties on his bond, who will, jointly or severally, be held liable therefor. If by circumstances beyond control of contractor, and through no fault of his, he be prevented from commencing or completing the work within the time specified in contract, such additional time may be allowed in writing upon his application therefor as, in the judgment of the ———, may be just and reasonable.

The right is reserved to suspend the work during the determination of any question at issue between the contractors and the Government, and the time of such suspension, if it be the fault of the contractor, shall be considered as in and part of the contract time. Such questions are to be determined as hereinafter provided.

Contractors for the electrical and power plant and its installation will be required to give bond in the sum of $25,000, with at least two responsible sureties, in which they shall covenant and agree that in case the said contractors shall fail to do or perform all or any of the covenants, stipulations, and agreements of said contract (except in the matter of the time of completion of the work which is hereinafter provided) on the part of the said contractor to be performed as therein set forth, the said contractor and his sureties shall forfeit and pay to the United States of America the sum specified in said bond; for which said forfeiture the contractor and his sureties shall be jointly and severally liable as fixed, settled, and liquidated damages (and not as a penalty), to be sued for in the name of the United States.

Such sureties shall justify their responsibility by affidavit showing they severally own and possess property of the clear value, in the aggregate, of double the amount of the above-mentioned forfeiture, over and above all debts and liabilities and all property by law exempt from execution, to be sworn to before a notary public, district or circuit judge of the United States, and to be approved by him or a Presidential postmaster. The contract will also provide that if at any time during its continuance the sureties or any of them shall die or become irresponsible the ——— shall have the right to require additional and sufficient sureties, which the contractor shall furnish, to the acceptance of the ———, after fifteen days' notice, and in default thereof the contract may be annulled at the option of the ———.

In the event of the contractor failing to perform the work in the stipulated time, and the authorized extensions of the same, the aforesaid contractor and his sureties shall forfeit and pay to the United States of America the sum of $50 for each and every day, including Sundays, beyond the stipulated time and the authorized extensions thereof which they shall require to complete the installation, for which said forfeiture the said contractor and his sureties shall be jointly and severally liable as fixed, settled, and liquidated damages, to be deducted from the payments due contractor on said work by the Government, said deductions to be made on certification to the proper accounting officer by ———.

Contractors for fixtures will be required to give a bond similar in all conditions and requirements except the amount of bond, which shall be $10,000.

The Government (or committee) reserves the right to reject any and all bids, to waive technical defects, and to accept any part of any bid and reject the other part, if in its judgment the interests of the Government shall require it; also the right to annul the contract if in its opinion there shall be a failure at any time to perform faithfully any of its stipulations, or in case of a willful attempt to impose upon the Government articles inferior to those required by contract.

SPECIFICATIONS.

Boilers.—Contractors shall provide and erect, in boiler-room indicated on plan, four (4) boilers, of the following-described type, dimensions, material, etc., with settings and trimmings:

Type.—Boilers to be of type known as horizontal tubular.

(Proposals will also be received for supplying, in lieu of the above-mentioned type, any of the standard and well-known make of sectional boilers, as Babcock & Wilcox, Abendroth & Roots, etc., but said proposals must be for equal power, capacity, and general style of finish, trimmings, etc., as indicated in the hereinafter-described horizontal tubular boilers.)

Dimensions.—Each boiler shall be 18 feet long and 72 inches in diameter, and contain not less than ninety (90) 3½-inch lap-welded wrought-iron flues or tubes.

Dome.—Each boiler shall be provided with a steam-dome 42 inches in diameter, 36 inches in height.

Materials.—Shell of boilers shall be of steel plate three-eighths of an inch in thickness and of not less than 60,000 pounds tensile strength per square inch of section, the same, with manufacturer's name, to be stamped on each sheet and on heads of boilers and domes.

Heads.—Heads of boilers shall be five-eighths of an inch thick (same character of material as shells) and well braced in steam space. Dome shall be constructed of same material as shells, heads well braced to side of dome.

Seams.—All longitudinal seams shall be double riveted, girth seams single riveted. All seams to be chipped and calked with blunt tools. Seams where domes join shell shall be double riveted.

Shells of boilers will require to be put together (*i. e.*, sections or courses riveted up) in proposed boiler-room, doorways not permitting passage of constructed shell. This objection does not pertain to sectional boilers. Riveting must be done during recess of House.

Man-holes.—Each boiler shall have a man-hole in front head under tubes; also a hand-hole in back head under tubes, and a man-hole in shell of boiler in rear of steam-dome; the above to be supplied with the usual fittings.

Brackets.—Four cast-iron brackets shall be riveted to each side of shells, 1¼ inches thick, 14 inches wide and 16 inches projection, resting on iron plate of not less than 1 inch margin, fitted with steel expansion rollers.

Bracing and rivets.—All braces to be of refined iron and rivets of A1 quality.

Fire-fronts.—A cast-iron fire-front shall be supplied each boiler equal in design and general finish to the present battery of boilers in south wing of Capitol.

Fire-doors.—Each front shall be supplied with two fire-doors and two ash-pan doors, all to swing right and left, and to be fitted with revolving registers, and fire-doors to have perforated baffle-plates.

Cleaning-doors.—Each boiler shall be provided with a cleaning-door and frame 14 inches by 20 inches placed in rear wall back of each boiler. Frames to be securely anchored in walls by lugs or straps and placed with upper surface of lower portion of frame flush with top of flame bed.

Upper doors.—Similar doors (14 inches by 12 inches) set in rear wall above flues (over return diaphragm).

Front connection doors.—Front connection doors (double) to swing right and left.

Grate.—Full set of rocking grate-bars, equal to Kirkwood, Lanhann, or National, shall be provided each boiler, area of not less than 36 square feet each boiler.

Binders.—Full sets of heavy wall binders, four on each side, and anchor rods for rear and side walls. Rods of rear walls to be tied through boiler fronts; binders to have truss-shaped web.

Settings.—Foundations for settings shall be not less than 2 feet 6 inches in depth and 2 feet wide, of hard brick, laid in good cement mortar.

Sustaining or side walls (to be of good hard brick) 18 inches thick, with 2 inches air space, the outer faces to be of smooth brick, close joints. Walls to be tied every third course.

Rear walls.—Rear walls 2 feet in thickness and solid.

Direction of setting.—Setting shall provide for passage of smoke and flame under bottoms of boilers, thence through tubes, and return over top of boilers (to breeching as provided below) through a flue constructed of cast-iron T bars extending from wall to wall (side walls) of boiler; setting and bottom of said bars not less than 14 inches above highest point in crown or shell of boiler. On said T plates shall be laid two courses of brick in mortar, topped with 1 inch cement.

Access to man-hole.—Provision to be made for access to man-hole back of steam-dome by an aperture in top of said flue, said aperture to be covered with cast-iron plate, fitted with ring-bolts to serve as handles for same, two in each plate.

Return diaphragm.—The return flame diaphragm at back of each boiler shall be constructed of arched iron bars, ends of bars formed to receive the outer or end bricks of fire-brick arch, said arch to consist of two courses of fire-brick.

Furnace walls.—Furnace walls and inside face of rear walls below diaphragm to be lined with the best grade of fire-brick laid in fire-clay.

Flame bed.—The flame bed under boilers shall extend from rear and crown of bridge wall to inside face of rear wall; have fall of 18 inches from bridge wall to bottom frame of lower cleaning-door; to be made of earth filling topped with two courses of brick laid in mortar, faced with 1 inch thickness of cement. Upper surface of flame bed to conform to arc of boiler.

Gauges.—Each boiler shall have one steam-gauge, brass case, to register not less than 175 pounds, with 10-inch dial. Gauges shall be fastened to their respective boiler fronts, with air-space not less than one-half inch between them and surface to which attached. All gauges to be siphoned and have drain-pipes therefrom to ash-pits.

Drain-pipe.—All drain-pipes from gauges, either water or steam, must extend down boiler fronts to at least 10 inches inside of ash-pits. Pipe to steam-gauges must lead from boiler domes and have small stop-valves therein (between gauge and dome).

Gauges for engine-room.—An automatic registering steam-gauge, equal to the Edson, must be placed in engine-room and connected to register pressure from each boiler, whether used independently or collectively.

Feed-water pipe.—Each boiler shall have one 2-inch brass body check-valve; one 2-inch brass body straightway valve on feed pipe, and placed between check-valve and boiler; also one 2-inch brass body straightway valve between check-valve and juncture of feed-pipe with main feed.

Blow-off.—One 2-inch straightway valve brass body blow-off.

All blow-off pipes, drain pipes from feed-water heater, pumps, injectors, etc., must extend to and into the nearest sewer, and are in no manner to be connected with or interfere with the operation of any pipes of similar service now in place. Pipes of this character in boiler-room are not to be laid in floor or concrete, but in a brick-lined trench to their point of entrance to sewer hereinbefore provided. Said trench to be laid in rear of boilers and to be covered with cast-iron plates.

Intermediate or stop valves.—For each boiler there shall be provided and placed one 6-inch intermediate, brass body, yoked, stop-valve, flanged to steam dome. All steam pipes to lead into a common equalizer or distributing pipe, from whence the steam-supply pipes to engines shall proceed; equalizer to be cylindrical (12 inches diameter) and extend entire length of battery of boilers, fitted with drain pipes; shell of lap-welded boiler-flue tested to 150 pounds per square inch; tensile strength of material, 60,000 pounds per square inch of section; equalizer to be braced at ends to prevent expansion strain on steam piping.

All joints of piping or stop-valves must be flanged and packed with three-ply wire insertion, rubber packing.

Connections.—All connections, either of steam, feed-water, or blow-off, are to

be made so that each boiler may be used independently or the entire battery at the same time.

Pressure test.—The foregoing-described boilers must be inspected and subjected to a hydrostatic pressure test, after their erection and connection with engines, etc., of 150 pounds per square inch. Pressure test to extend to and include all steam piping to engines and equalizer, and equalizer also. The test to be applied before any steam is permitted to be raised on said boilers, and the test to be made by an United States inspector of steam-vessels, whose certificate of test must be filed with the authorities in charge of the work prior to raising steam.

Drying boiler walls.—Slow fires are to be kept in the furnaces of said boilers every day at least two weeks before steam is raised thereon.

Ash-pans.—The ash-pans under each boiler to be two courses of brick (common) laid in and topped with cement, having drop of 2 inches from back to front. Doors thereof to swing clear of floors by at least 1 inch.

Safety-valves.—For each boiler there shall be provided and placed one 7-inch iron body, brass trimmed, flanged safety-valve, lever pattern, with weight. An escape shall lead therefrom into smoke breeching at some point beyond damper of its respective boiler. Escape pipes and valves to be drained. All piping above boilers to be suspended from ceiling by iron hangers or supported on trusses above boiler shells, as may be deemed most advisable. Hand chains are to extend from safety-valve levers over suitable pulleys to boiler fronts, terminating at height easily reached from the fire-room floor. Iron cleat on each front to secure chain to. Pulleys to be of iron.

Water column.—Each boiler shall be provided with one cast-iron water column; body to have clear inside diameter of not less than 4 inches; connecting pipes thereto shall be not less than 1¼ inch, with T's at each bend; open end of T to be closed with screw plug (not cap), with square stock or nipple, and at outer lower angle of lower connecting pipe a 1-inch globe-valve, with drain-pipe thereto extending not less than 6 inches inside of each ash-pit.

Water glass, etc.—Each column to have one ¾-inch heavy brass water-gauge, with Scotch glass tube; three ¾-inch gauge-cocks, with stuffing boxes and wooden handles.

Setting.—The lower try-gauge to be not less than 2 inches above the upper surface of the upper line of tubes; bottom of water-glass 1 inch below lower try-gauge; a brass or copper drip-pan to be supplied each column, with drain-pipe extending to ash-pit; a drain-pipe also to extend from bottom blow-out cock of water-glass, and connect with drain of column; at some point between blow-out cock of water-glass and junction of its drain-pipe with drain of column a three-fourths inch brass-body globe-valve is to be placed.

All the above is to be securely strapped to boiler fronts to insure steadiness.

Fire-floor.—A fire-floor, consisting of corrugated cast-iron plates, shall be provided, extending not less than 8 feet from boiler fronts.

Flues.—A flue of No. 10 wrought-iron shall connect boilers to stack. Each section of flue shall have an area equal to the area of the flue surface of its own boiler plus that of the others whose smoke and flame pass through it.

A cleaning-door shall be placed near entrance of flue into stack, and also one midway its length. Above-described flue to be circular and to be hung by straps from ceiling. A damper to be placed in each boiler's breeching and be operated by an automatic governor or regulator equal to Peerless, etc. The present floor flue from boilers can be utilized for new battery, but it is to be carried by contractors into the present air-flue marked on plan; said flue is to be made into smoke-stack for proposed battery by the Government, contractors to connect thereto.

Feed-pump.—A duplex steam-pump equal to Worthington, Dean, Knowles & Co., size 10 by 7 by 10 inches, with a discharge of 300 gallons per minute at a piston speed not to exceed 100 feet per minute, with a 4-inch discharge to boiler-feed pipes (each and all), and said pump to be fitted with brass plungers, rods, and rings, located as directed by Government's agent, set on brick foundation, capped with a cast-iron dished sole-plate, extending 8 inches beyond ends and sides of pump, with drain pipe from said plate to ash-pan of nearest boiler. Steam-pipe of pump to be arranged to receive steam from each or all boilers, separately or collectively. Exhaust to discharge into siphon condenser; also to main exhaust elsewhere provided. Pump also to have a discharge pipe, suitable for and provided with fire-hose connection.

Lubricators.—Pump to be fitted with sight-feed lubricators attached to steam-pipe (equal to Detroit). Feed-water or discharge pipe of the pump must be arranged to supply boilers both through the feed-water heater and out and around or independent of said heater, with all necessary stop-valves.

Feed-water heater.—A feed-water heater equal to Baragwanath or Berryman shall be provided, containing not less than 400 square feet heating surface; tubes of O. S. seamless brass, with drain-pipe from overflow or safety release to sewer.

Efficiency test.—All relief or overflow valves to be prompt in action and seat tightly. Said heater, when working with 80 pounds pressure on boilers and temperature of supply-water at 50° Fahrenheit, shall deliver its feed-water, at point of said heater's discharge, at a temperature of not less than 210° Fahrenheit.

Contractors shall place in feed-pipe, at or near points of entrance and discharge from heater, T's, to receive thermometers; size of thermometer stock, three-fourths inch. Exhaust-pipe of engine is to be arranged similar to feed-water supply pipes—*i. e.*, discharging both through heater and also independent of said heater to condenser by intervention of suitable stop-valves.

Injector.—An injector, equal to Korting's double tube, of 400 horse-power capacity, and to be connected to work from and discharge to each boiler separately and all collectively.

Ladder.—A light iron ladder is to be provided and secured to either side wall of battery for access to top thereof.

Firing tools.—A set of firing tools, consisting of two slice-bars, two hoes, and two large coaling-shovels, shall be supplied.

Steam-flue.—Also one steam-flue cleaner for said boilers, fitted complete with steam connections, hose, clamp, etc., all attached ready for use.

Fire-hose.—Also 50 feet of 1½-inch 3-ply hydrant hose (with reel and nozzle), connected to city water supply, for wetting down ashes, filling boilers, etc. A connection to discharge-pipe of steam-pump for fire purposes is to be provided.

Joints.—All steam piping joints, etc., shall be tested with hydrostatic test of not less than 150 pounds per square inch, and all defects, leaks, etc., remedied before steam is turned on.

A working plan.—A set of shop or working plans, showing boiler setting, location of heater, pump, connections, etc., shall be submitted by the contractors for the approval of the inspector and person placed in charge of the work and before the work is commenced.

Water connections.—The water supply for the entire plant shall be made from the nearest point of city service on south side of Capitol building (about 75 feet from face of southern terrace) and must be independent of any similar service in the building. The supply-pipe to be of double extra strong lap-welded wrought-iron and 8 inches in diameter. Sod over trench for same to be carefully relaid, and pipe to be laid in brick-lined trench throughout its course in the building.

Discharge of siphon condenser.—The discharge of siphon condenser shall be delivered into the large sewer at point marked "sewer" on plan.

ENGINES AND SHAFTING.

Engines.—Contractors shall supply and erect as per plan submitted, two engines, of the type known as high-speed, automatic cut-off, self-contained engine, of the best construction in all their parts, and equal in general efficiency and finish to any of the well-known makes, as Armington & Simms, or Porter-Allen, N. Y. Safety, etc. Proposals submitting other types of engines of slower speed, as any of the well-known forms of Corliss, must be accompanied by sketch plan showing proposed method of driving main shaft, and the space to be required by such arrangement must not exceed the area shown on accompanying plan of location of engine-room and general arrangement of engines and dynamos.

Horse-power.—They shall be capable of delivering with a speed of not over 250 revolutions per minute, with an initial pressure of 80 pounds per square inch, and cutting off at ½ stroke, 200 horse-power each, with a consumption of coal of not more than 3 pounds per hour per horse-power. They shall be placed upon hard brick foundations, capped with sole-plate or stone, unless engines are built upon solid bed-plates of their own, in which event the stone or plate may be omitted. Engines of slower speed, as above referred to, must exhibit an equal efficiency. Foundations are to be laid in cement and laid complete not less than thirty days before the engines are placed thereon. Bed-plate of engine to be rust-jointed to foundations at outer edges. All shaft foundations to be laid similar in depth and character.

Running.—Engines must run smooth and without heating in any of the frictional parts. They are to be supplied with automatic sight-feed lubricators.

Connections.—Each engine shall be connected by means of a 200 horse-power friction-clutch coupling equal in efficiency and general construction to the improved Frisbie or Moore & White Co.'s, etc., to a section of 6-inch shaft, with fast and (bracketed) loose pulleys as per plan submitted.

Auxiliary engine.—An auxiliary engine of not less than 50 indicated horse-power under former expressed conditions, must be provided and placed with necessary belting, piping, etc., as indicated in general engine plan.

Valves.—Steam and exhaust connections are to be made by means of suitable intermediate valves in such manner as will permit of operating engines singly or collectively.

Indicator attachments.—All engines must be provided with complete devices for indicator attachments and for back-pressure gauge attachment on exhaust side.

Trimmings.—Engine must have cylinders lagged with fancy wood, brass-banded or finished in equal style, frames and bed-plate painted and striped in an artistic manner. Trimmings to be nickel-plated. A full and complete set of polished wrenches for each engine, mounted upon black walnut wrench-board and secured to engine-room wall, shall be supplied. Two complete sets of oil-cans, squirt-cans, and trays shall be supplied.

Shafting.—Main connecting shaft between engines shall be in three pieces of hammered wrought-iron bearings, as per plan, 18 feet long, of best pattern, babbited; there shall be supplied said shaft and placed as per plan, two friction clutches capable of transmitting not less than 200 horse-power; each of said clutches must be operated by wheel and screw, with bell-lever arm, and run at their maximum load without slip, heating, or jamming. Proposal must state style and name of clutch proposed to be used.

There shall also be provided (placed as per general plan) two jaw-clutches worked by similar means; jaws to be steel-faced.

Pulleys.—There shall be placed upon said shaft six main driving-pulleys, 10-inch face, 86 inches diameter, with bracketed loose pulleys, same dimensions, for carrying belt while idle. Loose pulleys will revolve on bracket bearing of substantial pattern bolted to foundation plates.

Shoes.—Cast-iron shoes (water-tight) for fly-wheel and pulley-pits are to be provided for main line of shafts.

Lubricators.—All bearings are to be supplied with drop-feed lubricators and have drain-pans provided for collecting drippings.

Railing.—A brass railing, with posts of polished cast-iron, brass mounted, acorn tops and collars, to extend as shown on plan; railing 1½-inch brass, single rail.

Foundations.—Foundations for engines, shaft bearings, loose-pulley brackets, etc., dynamos, feed-water heater, pumps, etc., are to be of brick laid in Portland cement.

Piping (steam).—All live-steam piping to engines from boiler must be not less than 20 per cent. in area in excess of the combined throttle area of all engines, and contain expansion device, by joint or otherwise, to prevent strain upon engine connection, with necessary drain pipes and valves. In engine-room all steam and exhaust piping must be laid in covered brick trenches beneath floor.

Exhaust.—Exhaust piping from engines must be not less than 20 per cent. in excess of the combined area of all engines from the point of their junction to heater. It must also, by means of proper connection, be arranged to discharge into condenser without passing through heater. Exhaust pipes through engine-room must be laid in a brick-lined trench and covered with removable cast-iron lids or plates. Pockets of same under engine must be bricked and concreted. Trenches to be of sufficient size to allow jacketing or covering pipes.

Outside exhaust pipe.—In addition to exhaust connection to siphon condenser, hereinafter described, an exhaust pipe, extending not less than 20 feet above roof, with muffler and drain, shall be provided, the same to be connected with intermediate valve to condenser referred to; to be securely braced and stayed to sides of building and run up inside of air-flue, on plan, proposed to be used as smoke-stack; to be of double-extra, lap-welded wrought-iron; fitted with drain pipe and valve at bottom.

Drain piping.—All necessary drain piping from engines, heater, and other appliances shall be provided and laid in trenches to point of discharge into sewer.

Condenser.—A siphon condenser shall be provided sufficient in size to receive the exhaust of all engines and pump working unitedly at their maximum capacity and with a condensing temperature of 70° Fahrenheit in water supply to produce a vacuum of not less than 26 inches. Discharge from condenser to be into adjacent sewer. Condenser in construction to be similar to and discharge in same sewer as one now in the building. Discharge to be in some point in terrace.

Auxiliary exhaust discharge.—Connection is to be made from exhaust of condenser to exhaust to atmosphere, rendering the two systems interchangeable.

Covering.—All boiler domes, live-steam pipes, all exhaust pipes to heater and feed-water heater are to be covered with a non-radiating material of sectional pattern equal to the magnesia sectional covering.

Electrical dynamos.—There shall be provided six dynamos, each to deliver, when driven at normal speed, sufficient current, having an E. M. F. of not less than 50 nor more than 120 volts, to maintain five hundred incandescent lamps each (of 16 candle-power each), at a rate not greater than 4 watts per candle—*i. e.*, each dynamo must have an output of not less than 32,500 watts.

The armature must run cool on its bearings without use of water, be well balanced, have hard copper collector sections, and allow but trifling sparking, carrying maximum load.

Dynamos shall discharge their currents in multiple arc to reservoir bars upon back of switch-board, and thence by circuit levers, as hereinafter described, to various parts of the building.

Foundation.—They shall be placed upon brick foundations laid in cement and mounted upon frames of oak, ash, or other hard wood, fitted with adjusting levers or wheel and screw for belt-tightening. Journals shall be supplied with automatic sight-feed (drop) lubricators.

Rheostat.—There shall be supplied, should the dynamos not be self-regulating to their maximum capacity, one individual or balancing rheostat for each dynamo, the same to be placed on and form a part of main switch-board, hereinafter provided, and a large or universal rheostat for the entire system (controlled

by an automatic regulator or motor) and of sufficient capacity to govern the entire system at its maximum rate of operation. All the above to be protected by incombustible casings.

Potential indicator.—A potential indicator for entire system shall be supplied and form part of the switch-board and connected at some remote part of system. A similar indicator shall be placed in the office of the chief engineer of the House of Representatives, and both calibrated to correspond. Drop or potential fall must not exceed 5 per cent. between reservoir bars of switch-board and any lamp in any part of the building, plant running with maximum load.

Amperemeters.—Individual amperemeters for each dynamo shall be supplied and built in switch-board.

Switch-board.—A switch-board of hard, fancy wood (mahogany or walnut, etc.), built in heavy panels to allow for shrinkage, shall be provided. It shall be of artistic design, and, in addition to containing appliances previously mentioned, it shall also be furnished with a heavy lever switch for each dynamo in addition to that provided usually upon dynamos and of such design as will prevent accidental closing of the dynamo circuit. All switches, plugs, or other current-carrying devices placed upon the switch-board are to be insulated therefrom by glass, asbestos, or other non-combustible material as will effectually prevent or protect the same from fire; switch-board to be located at such point in dynamo-room as may be selected by Government's agent.

Circuit switches.—Lever or switches of other pattern shall be arranged upon face of the board to control circuits of the following places, namely, all lamps in sub-basement. All lamps upon other floors (basement, principal story, and attic) shall be divided into two circuits, each controlled by switch on said board, except that all lamps in the House Chamber shall be upon a separate service controlled by switch, as hereinafter described; also all lamps in Tholus. Fusible safety strips or plugs shall be placed in each "leg" of all circuits back of switch-board. Lamps in House Chamber shall be controlled by a group-switch for the galleries, another for lamps in gallery face, and another for special "bowl" fixtures in ceiling, all to be controlled by one main switch.

Names, letters, or numbers.—Dynamos shall be lettered or numbered, and each fusible strip, box, or plug, main-circuit switch, dynamo switch shall be lettered or numbered to correspond to the dynamo or circuit to which it is attached.

Names, numbers, or letters to be in black letters on nickel-plated strips of metal.

Wiring.—All lamps to be wired in multiple arc, and wires for mains and distributers shall be of copper, conductivity not less than 96 per cent., and insulated with rubber or okenite, in addition to a layer of rubber next wire, which must be unvulcanized, and all wires are to be wrapped with insulating tape, and the insulation must be of such character in its physical composition as shall permit it to sustain a temperature of 212 degrees without deterioration structurally. It shall be equal to the best grades of okenite or Grimshaw's white core, and contractors must submit specimens of the wire they propose to use (a specimen of each size), together with a statement of its resistance per thousand. No wires of any inferior grade than those required as above and accepted with contractor's proposal shall be admitted in any part of this work. Wires about engine and boiler rooms must also have wrapping or braiding of asbestos braid or tape.

Molding.—All wires in the building shall be concealed from view, except in such cases as specially provided. Wires concealed in plastering must be lead-incased. All other wires must be concealed in pine or poplar moldings, the same to be of well-seasoned material and free from knots or liability to shrink or warp. The molding shall consist of a back board, grooved for the necessary number of wires, grooves of such size as will allow wires to lie easily therein without jamming, the wires to be fastened with fiber staples; the face strip of molding to be grooved or beaded on its exterior face and fastened by screws to the back board. A short section of face strip shall be placed over each joint and marked with a star, painted or stamped thereon.

All screw holes are to be countersunk and puttied, and the face of all moldings is to be painted or stained to match the surface to which they are attached. Paint in all instances to be of best lead and not less than three coats or more if necessary to match surfaces adjoining. In damp places, back board of molding must be kept at least one-eighth inch from wall or ceiling.

Blind molding.—All molding carried from cornice to chandeliers must be continued "blind" from chandelier to opposite cornice.

Frescoed ceilings.—In rooms containing frescoed ceilings, such as room of Committee on Public Buildings and Grounds, moldings may be dispensed with and silk-covered duplex wire may be run direct from cornice to chandelier.

Ornamental plaster-work, center-pieces, etc.—Where chandeliers are suspended in the midst of ornamental center-pieces the wires from main to said chandelier shall be lead-covered and laid in grooves cut in the plaster of ceiling to center-piece, and across center-piece they shall be tucked or stowed in the least observable manner to chandeliers; lead casing of wire to be painted to match center-piece. The above is to be the method of wiring all chandeliers in corridors of basement, principal story, and attic, and all rooms in the building having ornamental plaster center-pieces. Contractors' attention is specially directed to this provision: Grooves are to be subsequently filled with plaster and painted to match ceiling through which they run. This feature of the work will be specially enforced. Chandeliers in corridor of attic story may be wired from floor-ing above.

Insulating joints.—All gas fixtures, piping, stanchions, or metal fixtures of any character whatever to which wires are attached are to be insulated from "earth" by means of insulating joints or other device. On fixtures all insulating joints must be placed between point of contact of wire with fixture and gas connection. Each fixture is to have in its base, or at some convenient point near it, a double-pole safety device with incombustible base.

Wires from dynamo to board.—All wires leading from dynamos to switch-board must be lead-covered and laid in covered brick trenches from each dynamo to said board.

Wire passing through walls, door-frames, ceilings, etc., must be inclosed in hard rubber tubes, securely closed at ends to wire.

Joints.—All joints or splices of wire to be heavily soldered and wrapped with insulating tape; on mains, in addition to tape, a rubber sleeve secured with insulating tape at each end is to be placed over every joint.

Safety plugs or other devices of this character must be covered with removable lids and have incombustible bases. They must be plainly marked with the number of 16 candle-power lamps they are intended to carry, and in all cases be readily accessible.

Rise of temperature.—No safety device will be permitted on any line which (device) will allow a rise of temperature in said line of more than 30 degrees above the surrounding atmosphere. Such devices are to be placed at every point where size of wire for any purpose is reduced.

Calculations relative to the distribution of the current must take into consideration the probability of there being subsequently required a service sufficient for the maintenance of two hundred 32 candle-power lamps (bowl fixtures) for use in lighting ceiling of House Chamber.

Proposals must submit a separate bid for performing this service, supplying the lamps (not the fixtures), sockets, and wiring and making necessary connections thereto.

Electrical contractors must supply all lamps and their sockets for fixtures, make all connections hereinafter referred to in fixtures, furnish all cable drops, with their lamps, sockets, shades, and holders, and wall or ceiling blocks, as hereinafter described.

Lamps.—There shall be provided incandescent electric lamps of 16 candle-power each and of 32 candle-power each, as per number on plans submitted, namely, about 810 lamps of 32 candle-power each and 2,500 (a few more or less) 16 candle-power. All lamps shall be provided with key sockets, except those in Tholus, in the Chamber of the House of Representatives, and those on special fixtures in Rotunda over paintings, but each fixture in places thus referred to shall have a key or switch for the number of lights therein.

Tholus.—Lamps for special fixtures in Tholus are to be provided of following colors, namely:

Colored lamps.—Red, blue, and white—*i. e.*, sufficient lamps as per special fixture design of each color for each circle. Fixture in Tholus is to be wired with three mains, one for each circle of lamps, and each to be controlled by a separate switch placed in the dynamo-room. Lines leading thereto are to be concealed in moldings until they reach a point in upper frame-work of Dome, when they may be run on porcelain knobs to Tholus. Corrugated-metal reflectors are to be provided for Tholus, one for each space between windows thereof (8); reflectors to be full length of windows, and to be supplied by electrical contractor.

Shade-holders, shades, etc.—All lamps are to be provided with shade-holders and shades. In sub-basement they are to be plain porcelain, flat disk for cable drops, and where above desks, etc., to be bell-shaped.

Shade and shade-holders.—Lamp shades or globes in basement are to be cable drops, flat disk; in chandeliers in corridors, ornamental etched glass; in committee-rooms, of glass in fancy designs, flower or lily-shaped, crimped edges. On the principal floor and attic the same provisions are to be made as described for basement, except in the matter of lamps on fixtures in the House of Representatives. These are to be provided with shade-holders, with shades of slightly-tinted or opalescent glass, flower pattern, crimped edges, and all lamps are to be made of slightly ground or frosted glass in Chamber of the House.

Lanterns or bowls.—Lamps overhead are to be inclosed in lanterns formed of corrugated or diamonded opalescent glass bowls; said bowls are to be inclosed in fine wire mesh or net, secured to frame of bowl to prevent accidents from breaking.

Lanterns continued.—Lanterns: Forty, as per drawing submitted or similar thereto, above floor of House are to be placed at intersection of beams of ceiling and arranged to lower from above, by means of safety chains, to within 7 feet of floor. Wires leading to said lanterns are to be run on upper side of beams (in the skylight or lantern space above) and put in wooden moldings; the bottom molding strip to be kept clear of iron beam by short pieces or cleats underneath.

Electrical connections to these lanterns are to be such as to permit of their easy detachment for purpose of lowering lamp, and also to be protected from dampness or dust. Design submitted is simply to show general plan. A convenient device for raising and lowering these lamps within 10 feet of floor and a handy method of making electrical attachment thereto must be provided.

Proposals for fixtures must contain a separate bid for supplying and placing of these fixtures. The Government reserves the right to accept such bid at such time as it may determine.

PRESS GALLERY.

The fifty-three special fixtures, as per design submitted, for press-gallery desks are to be made of heavy sheet brass, inside face nickeled, supplied with strong hinge and key to socket of each lamp; all wiring thereto to be carefully concealed.

Lamps on terrace.—The gas-lamps on balcony of terrace (30) are to be fitted with one 32-candle power each, wires thereto to be lead-incased. All lamps shall be interchangeable in their sockets.

Fixture specifications.—All materials used in fixtures must be of the best of their respective kinds, and drawings and specifications submitted herewith or submitted by contractors and accepted as part of their proposal must be executed in their true intent and meaning. Curved pieces must be true and regular, free from kinks and bruises, brazed joints when practicable, finish of fixtures to be polished "old brass," fixtures to be wired with same character of wire as that provided for other portions of the work. The fixtures are to be placed in position by the fixture contractors, but all of the electrical connections—at the ceiling or on walls, in the bodies of the fixtures and at the sockets—will be made by the contractor for the performance of the electrical work. They (electrical contractors) will supply all sockets and cut-outs necessary.

Submitting designs.—Contractors must submit designs and specifications thereof in addition to those provided in these specifications. Specifications must be full and explicit, both as to sizes, material, and general equipment of fixture.

NOMENCLATURE.

All combination fixtures on plans are to be understood as having an equal number of electric lights and gas-jets (each) to that expressing the number of fixture, namely: One 8-light combination chandelier is to be understood as meaning 8 electric lamps and 8 gas-jets on said fixture.

CABLE DROPS AND BLOCKS.

All cable drops and their shades and lamps will be furnished by the electrical contractor. They will furnish suitable wood blocks and place the same in position at the back of all electric brackets, and to hang all electroliers from. These blocks are to be in keeping with the fixtures.

HEIGHT OF STORIES.

The height of stories may be taken from the drawings on file in the Architect's office, and must be verified by the contractor.

In general the chandeliers and pendants will hang at the following heights from the floor (measurements are to tip of burner):

Office rooms, 7 feet 4 inches.

Corridors, if ceiling is 14 feet or less in height, 7 feet 8 inches.

Corridors, if ceiling is more than 14 feet in height, 8 feet.

All work must be finished in a thorough manner, and ornamental work in the most artistic style.

All combination fixtures must be furnished with 5-foot burners and lava tips, chandeliers to be supplied with necessary lengthening pipe and casing.

Drawings.—Full-size working drawings of each fixture must be submitted by contractors to the Government agent supervising the work within thirty days from acceptance of proposal, this requirement also to relate to such designs as, having been submitted by contractors in proposal, shall have been accepted in preference to those herein described.

Shades of clear etched glass and holders of same must be supplied for gas service of combination fixtures. Cup-burners may be substituted for the same in sub-basement or other portion of building which, in the judgment of the Government's agent, does not require glass globes.

Chandeliers must be suspended at a true vertical, using ball joint if required.

The fixtures will be subject to inspection by an agent of the Government during their construction.

Contractors for supplying fixtures will remove the present ones as necessary in the progress of the work, from time to time, and store them in such locality in the building as may be assigned for that purpose.

Test.—A test of thirty days' run shall be made on completion of the plant in all its details.

First ten days.—The plant during the first ten days of said test is to be run at the rate of the ordinary requirements of the service at that period.

Second ten days.—During second ten days of test period it shall, in addition to the regular requirements of the service, be run at its maximum capacity on alternate days for periods of not less than eight hours each.

Third ten days.—During third or last ten days of test, in addition to the regular requirements of the service, it shall be run at such rate and under such conditions as the agent of the Government may prescribe at various periods to permit of such determinations of horse-power, electrical efficiency or output, number and candle-power of lamps, etc., as stipulated in the specifications.

Belting, oils, etc.—The contractors will furnish all necessary belting, equal to Schultz's best A1 solid leather, oak-tanned, short-lap, and during test will furnish all oils necessary for lubricating engines, shafting, dynamos, etc.

Electrical supplies.—The contractors shall furnish all electrical supplies required during the test—*i. e.*, lamps, slips, brushes, etc.—and at the end of test they are to have all broken, defective, or high-resistance lamps removed and replaced with new ones.

Repairs.—If at end of prescribed test the plant is otherwise satisfactory to the Government, any damage to any part of the plant caused by its operation is to be repaired and all defects remedied by and at expense of contractors.

Powers and electrical determinations.—The E. M. F. and Q. of current, candle-power of lamps, number per horse-power and indicated horse-power of engines, and all other requirements relating to the performance of the plant, as described in these specifications, are to be determined by a properly authorized agent of the Government.

During the installation of the plant the transaction of public business is not to be retarded in any manner or interfered with by the persons making the installation, except by permission from the Government's agent in charge of the work.

Placing fixtures.—Combination fixtures must be put in place in such order as not to deprive any large number of rooms or length of corridor entirely without gas. Fixtures provided for Chamber of House must be placed during recess of the same.

Pump test.—All combination fixtures must be submitted to pump test before erection.

Instructors.—The contractors must at their own expense provide sufficient men of proper qualifications to instruct the employés of the Government during the test in the management of the dynamos, engine, and all appurtenances of the plant.

Débris.—The contractors shall remove all débris resulting from the performance of the work herein described from the Capitol, engine, and boiler rooms, and repair all damage done to the premises in the best possible manner.

Notice.—They shall file formal notice with Government's agent of their readiness to begin test.

Suspension.—Should any question arise as to whether the contractors are carrying out these specifications in their true intent and meaning, either during the installation of the work or the period of test, the Government reserves the right to suspend the work of installation or the test of the same until the same shall be determined by the Government.

Finally, these specifications and drawings are meant and intended to include everything essential to a first-class installation of the capacity and style herein specified, and any minor details omitted are to be included as if they were specified.

Changes.—The Government reserves the right to make any changes, additions, or deductions to or from same, at a price to be agreed upon between the contractors and the Government before the same shall be begun.

Completion.—The entire plant, in all its details, shall be completed and ready for test twelve months after the awarding of the contract therefor.

ELECTRIC CALL-BELL SYSTEM.

Call-bells.—Contractors shall supply electric call-bells (diameter of gong, 3 inches) to the number and in the locations as indicated on accompanying plans.

Circuit-closing device.—Said bells are to be operated by means of a commutator switch or other device of similar character, operated by lever or crank, so connected as to ring each and every bell successively; said device to be neatly incased in black walnut box and placed adjacent to seat of Doorkeeper of House of Representatives.

Ground return will not be permitted.

Individual-call board.—An individual-call board, arranged for sixty-four push-button calls, shall be supplied; said board to be of fancy wood (cherry, mahogany, etc.), of artistic design, and not to exceed in area 4 square feet, *i. e.*, 2 feet by 2 feet. The push-buttons shall be flush with surface of said board, and the name of room or place with which it is connected shall be placed directly over it on nickeled plate in black enameled letters, all to be covered with hinged glass door, lock, and key, to be placed convenient to seat of Doorkeeper. Calls upon board to operate same bell in each room operated by commutator switch previously described (except bath-rooms), to which connection need not be made from board.

Bells.—Electric bells shall be mounted upon walnut back-boards, magnets and armatures covered by walnut box, all in smooth finish and varnished; gongs to be nickeled and have clear tone.

Wiring.—Wires for bell service are to be of the same character, both as to insulation and conductivity, as that of similar sizes supplied for electric-lighting circuits; all joints to be soldered; no cleats allowed.

Molding.—They shall in all instances be neatly molded, and, whenever practicable, they shall run in the same moldings concealing parallel service of electric-lighting system. Moldings specially provided for call system are to be painted or stained to match surface to which they are attached.

Battery.—An electric battery, composed of not less than twenty cells, ten in series by two in multiple, shall be provided. They shall be of the kind known as open-circuit batteries, equal in efficiency to the Le Clanche or Gassner. They must be neatly inclosed in a suitable walnut case or box, with cover, lock, and key, secured to wall of room now used by electrician for dynamo of gas-lighting service.

Sealed cells.—All cells must be sealed to prevent evaporation.

INFORMATION.

All communications relative to the work or requesting information thereof must be addressed to—

JOHN DOUGHERTY, *Clerk.*

By order of the committee.

SAMUEL DIBBLE, *Chairman.*
JOHN DOUGHERTY, *Clerk.*

Mr. DIBBLE. I rise to a parliamentary inquiry. Will this joint resolution retain its privilege?

The SPEAKER. The Chair will not decide now whether it will retain its privileged character or not. It is a privileged report, and is privileged for consideration if the House should consider it now. The Chair will examine the question suggested by the gentleman from South Carolina.

Mr. DIBBLE. If the resolution is to lose its place, I prefer to withdraw the report.

Mr. RANDALL. I give notice that if I should be here, I shall again make the point of order; but I submit that the report can not now be withdrawn, having been referred to the Committee of the Whole.

The SPEAKER. The Chair prefers not to decide a question of the kind suggested by the gentleman from South Carolina until it is presented practically. The Chair will examine the matter to determine whether under the practice of the House——

Mr. DIBBLE. I prefer to withdraw the report.

Mr. RANDALL. It can not be withdrawn, having been already referred.

The SPEAKER. The gentleman from Pennsylvania objects to the withdrawal of the report.

Mr. RANDALL. I want to know what it is. It has not even been printed.

Mr. DIBBLE. Then I move that the House now resolve itself into Committee of the Whole on the state of the Union for the consideration of the joint resolution.

The SPEAKER. The Chair thinks the motion is in order. The gentleman from South Carolina moves that the House now resolve itself into Committee of the Whole on the state of the Union for the purpose of considering the privileged report.

The motion was not agreed to.

ORDER OF BUSINESS.

The SPEAKER proceeded to call the States and Territories for the introduction of bills and resolutions.

Mr. WHEELER introduced the following resolution; which was referred to the Committee on Rules:

Resolved, That Wednesday, the 16th day of January, immediately after the reading of the Journal, be set apart for the consideration of the following bills reported from the Committee on Expenditures in the Treasury Department, to wit: Bill (H. R. 8189) to determine the final balances of accounts due to and from the United States Government, and for other purposes; bill (H. R. 6127) to determine and increase the pay of watchmen in the Treasury Department; H. Res. 164, for the appointment of a joint committee of both Houses of Congress to inquire into existing irregularities, if any, in the compensation of the officers and employés of the Executive Departments and bureaus of the Government; bill (H. R. 9518) providing for leave of absence for officers and employés in the service of the Government who receive per diem compensation; bill (H. R. 9767) authorizing the Secretary of War to appoint a board of engineers to investigate certain claims for damages done to planted oysters in Raritan Bay in 1881; bill (H. R. 11392) to authorize and direct the Secretary of War to establish signal stations on the West India Islands; bill (H. R. 11530) to establish camps of refuge during yellow-fever epidemics; and if one day be not sufficient time in which to dispose of said bills, this shall be a continuing order from day to day until they are disposed of.

HOUR OF MEETING.

Mr. WHEELER also introduced the following resolution; which was referred to the Committee on Rules:

Resolved, That it is the sense of the House that from and after this date the House convene daily at 11 o'clock a. m.

JURISDICTION OF UNITED STATES COURTS.

Mr. ROGERS introduced the following resolution; which was referred to the Committee on the Judiciary:

Resolved, That the Committee on the Judiciary be instructed to inquire into the propriety of amending the existing laws regulating the jurisdiction of the circuit courts of the United States, in order to correct the practice reported to exist in some of said courts of allowing suits to be maintained therein by assignees of choses in action, not made by a corporation, which could not have been maintained therein if no assignment had been made; and that said committee report by bill or otherwise.

SAN LUIS OBISPO A PORT OF ENTRY AND DELIVERY.

Mr. VANDEVER introduced a bill (H. R. 12102) to extend the privileges of immediate transportation to San Luis Obispo, and to constitute said place a port of entry and delivery; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

MONTEREY HARBOR, CALIFORNIA.

Mr. VANDEVER also introduced a bill (H. R. 12103) to authorize the purchase of land in front of Point Pinos light-station, at the entrance of Monterey Harbor, California; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

MANAGER OF NATIONAL SOLDIERS' HOMES.

Mr. MORROW (by Mr. MCKENNA) introduced a joint resolution (H. Res. 252) appointing James A. Waymire, of California, a manager for the national soldiers' homes for disabled soldiers, to fill the vacancy caused by the death of William Blanding; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

INDIAN LANDS.

Mr. THOMPSON, of California, introduced a bill (H. R. 12104) to extend the provisions of the act of February 8, 1887, providing for the allotment of lands in severalty to Indians on the various reservations, and for other purposes, to the Indians residing upon the Klamath River reservation in California; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

SANITARY INSPECTOR, MARINE-HOSPITAL SERVICE.

Mr. DAVIDSON, of Florida, introduced a bill (H. R. 12105) to provide for a special sanitary inspector in the Marine-Hospital Service; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

STREET LETTER-BOXES.

Mr. BLOUNT introduced a bill (H. R. 12106) to authorize the Postmaster-General to advertise for and purchase improved street letter-boxes and locks and keys; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

INTERNATIONAL MONEY-ORDERS.

Mr. BLOUNT also introduced a bill (H. R. 12107) to increase the maximum amount of international money-orders from $50 to $100; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

BRANCH POST-OFFICE, WASHINGTON.

Mr. BLOUNT also introduced a bill (H. R. 12108) to authorize the Postmaster-General to rent a suitable building on Capitol Hill, in the city of Washington, for use as a branch of the Washington City post-office; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

RAILWAY MAIL SERVICE.

Mr. BLOUNT also introduced a bill (H. R. 12109) to amend section 3999 of the Revised Statutes, relating to the railway mail service in carrying the mails, and section 4001, relating to the compensation of railways for carrying the mails, and to provide a penalty for neglect and refusal to carry the mails by railroads; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

BUYING AND SELLING VOTES.

Mr. STEWART, of Georgia, introduced a bill (H. R. 12110) to punish buying and selling votes, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

NATIONAL MILITARY AND NAVAL MUSEUM.

Mr. TOWNSHEND introduced a bill (H. R. 12111) to establish a national military and naval museum in the city of Washington; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

INTEREST-BEARING DEBT, UNITED STATES.

Mr. PLUMB introduced a bill (H. R. 12112) to provide for refunding the outstanding interest-bearing debt of the United States, and to make provision for retiring national-bank notes and substituting therefor United States Treasury notes; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

Mr. PLUMB. I ask by unanimous consent that the entire bill be printed in the RECORD.

There was no objection, and it was ordered accordingly.

The bill is as follows:

A bill to provide for refunding the outstanding interest-bearing debt of the United States, and to make provision for retiring national-bank notes and substituting therefor United States Treasury notes for currency.

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to issue in sums not exceeding in the aggregate $1,000,000,000, and not to exceed so much thereof as may be required to refund the present interest-bearing debt of the United States which is now represented by coupon or registered bonds bearing 4½ and 4 per cent. interest, in such form as he may prescribe, and in denominations of $50, or of some multiple of that sum, payable in coin of the present standard value, and redeemable at such time and in such manner as is hereinafter prescribed. Said bonds to bear interest as hereinafter provided, such interest to be payable quarterly in each year, and all bonds so issued, together with the interest thereon, shall be free from taxation in any form, under any State, municipal, or local authority, and shall be exempt from the payment of all taxes or duties of the United States.

SEC. 2. Of the bonds so as aforesaid to be issued there shall be two classes. One class shall be payable, at the pleasure of the United States, at any time after the expiration of public notice given to the holders thereof in the manner hereinafter provided; and on this class of bonds the interest shall be at the rate of 2½ per cent. per annum, payable as provided in section 1 of this act; but bonds so issued, bearing such interest, shall not be available for the use of national banks for banking purposes, as is now provided for by law or as may be provided for in this act.

The other class of bonds authorized in this act to be issued shall bear interest at 2 per cent. per annum, payable as provided in section 1 of this act, and shall be redeemable at the pleasure of the United States after the same or any portion of them shall cease to be required or used by national banks in the manner hereinafter provided, and shall be registered in the manner now provided by law.

SEC. 3. The Secretary of the Treasury shall offer the bonds so as aforesaid provided for at par and accrued interest, and at no less, and shall receive for the same United States Treasury notes, notes of solvent national banks, gold and silver coin of the United States, and certificates of the same as now issued, or which may hereafter be issued by the United States Treasury at their par value; and he shall also receive in exchange for said bonds any interest-bearing obligations of the United States now outstanding which bear interest at 4½ or 4 per cent. per annum, such bonds to be received at par and accrued interest.

SEC. 4. Whenever and as soon as the sales of bonds herein provided for shall reach the sum of $10,000,000, it shall be the duty of the Secretary of the Treasury to call in and redeem, in the order and manner now provided for by law, an equal amount of the now outstanding bonds of the United States at par and accrued interest, and the bonds so called shall be canceled and discharged in the manner now provided for by law. And in like manner the said Secretary shall continue the sale of the bonds as provided for in this act, and shall redeem and refund the present outstanding 4 and 4½ per cent. bonds until all are redeemed, refunded, or paid.

SEC. 5. That every association now formed for the purpose of banking under existing laws of the United States, or which may hereafter be formed under the same or amendments thereto, may, in the manner provided for by law, deposit with and transfer to the Treasurer of the United States the bonds issued under the provision of this act, and bearing interest at the rate of 2 per cent. per annum, in sums of $10,000 or any multiple thereof, and shall receive from the Treasury Department an equal amount of Treasury notes at their face value, in all respects like the Treasury notes now in circulation, which shall be for that purpose issued by the Treasury Department in the manner provided for by law.

SEC. 6. That the bonds transferred to and deposited with the Treasurer of the United States, as hereinbefore provided, by any banking association for exchange for United States Treasury notes shall be held for that purpose and for the benefit of such banking association; and such association shall have the right, at the expiration of any quarter in which the interest on said bonds becomes due and payable, to repay to the Treasury any portion of the amount of United States Treasury notes received by such banking association for the bonds so deposited, equaling the par value of any bond or multiple thereof, whereupon such bond or bonds shall be exempt from the custody and control of the Treasury Department, and shall be subject only to the custody and control of such banking association: *Provided, however*, That said banking association may, at any subsequent time during its corporate existence, again deposit with and transfer such bonds, or any of them, with the Treasurer and receive in lieu thereof United States Treasury notes subject to the conditions provided for in this act.

SEC. 7. That from and after the delivery by the Treasury Department to any banking association provided for in this act, or to any banking association formed under the laws now in force, of Treasury notes now issued as provided for in section 5 of this act, and until the return of such Treasury notes by said banking association, such association shall accept and receive from the United States 1 per cent. per annum, payable quarterly, in full payment for interest on the bonds remaining deposited by it as security for Treasury notes so as aforesaid delivered to such banking association: *And it is further provided*, That the one-quarter of the 1 per cent. thus allowed to the banking association shall be retained annually by the Treasury Department and held in trust for the benefit of all the banking associations that shall accept of the provisions of this act, and the same shall constitute a fund to be known as the depositors' fund.

SEC. 8. The depositors' fund, provided for in section 7 of this act, shall be used as follows: Whenever any banking association doing business under this act, or any act to which this is amendatory, shall fail to pay its depositors in full, it shall be the duty of the Comptroller of the Currency to appoint a receiver for such association in the same manner as is now provided for by law in cases where banking associations fail to redeem their notes of issue; and if after disposing of all the assets of such association, and exhausting the liabilities of its directors under existing law in the manner now provided, it shall be found that the proceeds of such assets are insufficient to pay in full and discharge such liabilities to depositors, then the deficiency shall be made good so far as possible from the depositors' fund, as aforesaid provided.

SEC. 9. It shall be lawful for the holders of any of the bonds bearing 2½ per cent. interest, issued under the provisions of this act at any time previous to the call of the said bonds for redemption by the Treasury of the United States, to exchange the same for bonds bearing 2 per cent. interest, authorized in this act at par and accrued interest for each class, and any 2 per cent. bonds so issued for the redemption of bonds bearing 2½ per cent. interest shall be subject to the same conditions as the 2 per cent. bonds first issued under this act.

SEC. 10. Whenever the Secretary of the Treasury has received the notes of solvent national banks in payment for bonds issued under the provisions of this act, he shall hold the same for redemption by the banking associations issuing the same, and said associations may, under such rules and regulations as the Treasury Department shall prescribe, exchange any bonds now held by the Treasury and belonging to any banking association for bonds bearing 2 per cent. interest, to be issued under the provisions of this act; and the Treasury Department shall, if so required by any such association, provide for and carry into effect any exchange of Treasury notes for national-bank notes that may be necessary to retire such bank notes by substituting therefor Treasury notes, as provided for in this act.

SEC. 11. That the maximum amount of United States notes outstanding and to be used as a part of the circulating medium, as provided for in section 6 of 'An act fixing the amount of United States notes, providing for a redistribution of national-bank currency, and for other purposes," passed June 20, 1874, be, and hereby is, authorized to be enlarged by such an amount as may be required to substitute such United States notes for national-bank notes, and to furnish to national banks a circulating medium for the amount of bonds deposited by national banking institutions, as provided for in this act; but nothing contained in this act shall be so construed as to authorize the retiring of the United States Treasury notes now outsanding from circulation, as provided for by law.

SEC. 12. From and after the passage of this act it shall not be lawful for any banking association to issue national bank-notes, and as soon as such notes now outstanding are retired in the manner provided for in this act, they shall be canceled and destroyed in the manner provided for by law.

SEC. 13. All banking associations organized under the provisions of this act, or which, being now organized, may at any time surrender the bonds of the Government owned by them and held by the Secretary of the Treasury as security for the circulating notes of such banking association for the purpose of exchanging the same for the 2 per cent. bonds authorized by this act, and which shall receive Treasury notes for the purpose of circulation, shall be governed in every respect by the laws now existing for the government and regulation of national banks, except so far as relates to national-bank notes; but all laws relating to the redemption and cancellation of national-bank notes shall remain in full force and operation as long as any such national-bank notes are outstanding unredeemed.

SEC. 14. That section 1 of an act to enable national banking associations to extend their corporate existence, and for other purposes, passed July 12, 1882, be so amended as to read as follows: "That any national banking association organized under the acts of February 25, 1863, June 3, 1864, and February 14, 1880, or under sections 5133, 5134, 5135, 5136, and 5154 of the Revised Statutes of the United States, may, at any time within the two years next previous to the date of the expiration of its corporate existence under the present law, and with the approval of the Comptroller of the Currency, to be granted as hereinafter provided, extend its period of succession by amending its articles of association for a term of not more than twenty years from the expiration of succession named in said articles of association, and at the expiration of such extended corporate existence such banking association may in like manner extend its succession for the further period of twenty years, and shall have such succession for such extended period, unless sooner dissolved by the act of shareholders owning two-thirds of its stock, or unless its franchise becomes forfeited by some violation of law, or unless hereafter modified or repealed."

SEC. 15. That the Secretary of the Treasury may make such rules and regulations, not inconsistent with the provisions of this act, as in his judgment may be required for carrying into effect the same.

SEC. 16. All laws and parts of laws now in force contrary to the provisions of this act are hereby repealed. This act shall take effect and be in force from and after its passage.

LIGHT-HOUSE AND FOG-SIGNAL, CHICAGO.

Mr. ADAMS introduced a bill (H. R. 12113) for the establishment of a light-house and steam fog-signal on the outer breakwater at the harbor of Chicago, Ill.; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

STEAM-TENDER FOR GREAT LAKES.

Mr. ADAMS also introduced a bill (H. R. 12114) for an appropriation for the construction of a steam-tender for the service of the Great Lakes; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PENSIONS.

Mr. PAYSON introduced a bill (H. R. 12115) to amend section 4724 of the Revised Statutes, relating to pensions; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

NATIONAL PENITENTIARY.

Mr. MORRILL (by Mr. PETERS) introduced a bill (H. R. 12116) for the construction of a national penitentiary; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

JUDICIAL DISTRICTS OF LOUISIANA.

Mr. BLANCHARD introduced a bill (H. R. 12117) to amend and re-enact section 5 of an act entitled "An act to divide the State of Louisiana into two judicial districts," approved March 3, 1881; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CHARITABLE INSTITUTIONS OF THE DISTRICT OF COLUMBIA.

Mr. LONG introduced a bill (H. R. 12118) concerning the service of members of Congress in connection with charitable institutions in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

STEAM-TENDER FOR GREAT LAKES.

Mr. CUTCHEON introduced a bill (H. R. 12119) making an appropriation for the construction of a steam-tender for service of the Great Lakes; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

CONSTRUCTION OF TORPEDO-BOATS.

Mr. CHIPMAN introduced a bill (H. R. 12120) for the construction of four semi-submerging torpedo-boats with armored, protected, deflective decks; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

BELDUKE COMBINATION PROPELLER.

Mr. CHIPMAN also introduced a bill (H. R. 12121) for testing the Belduke combination propeller; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

CONSIDERATION OF PRIVATE PENSION BILLS ON SATURDAY.

Mr. CHIPMAN also introduced the following resolution; which was referred to the Committee on Rules:

Whereas this House has designated Friday evenings until half past 10 o'clock as the time for the consideration of private pension bills; and

Whereas, by reason of the non-attendance of a quorum on those evenings, action on said bills is impossible; and

Whereas, also, it is the duty of Congress to grant the reasonable relief sought by the veteran soldiers of the Republic: Therefore,

Be it resolved, That during the remainder of the session, on Saturday of each week, after the reading of the Journal, all bills on the Private Calendar relating to private pensions shall be the first and only business until they are disposed of.

ADDITIONAL JUDGE IN THE STATE OF MISSISSIPPI.

Mr. HOOKER introduced a bill (H. R. 12122) to provide for an additional judge in the State of Mississippi; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

FREE COINAGE OF SILVER.

Mr. BLAND introduced a bill (H. R. 12123) for the free coinage of silver, and other purposes; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

BRIDGE OVER MISSISSIPPI RIVER NEAR ST. CHARLES, MO.

Mr. HATCH introduced a bill (H. R. 12124) to amend an act entitled "An act to authorize the construction of a bridge over the Missouri River at the most accessible point between the mouth of the Femme Osage Creek and a point 2 miles above the city of St. Charles, in the county of St. Charles, in the State of Missouri;" which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

REORGANIZATION AND EQUALIZATION, UNITED STATES NAVY.

Mr. MCKINNEY (by request) introduced a bill (H. R. 12125) to reorganize and equalize the rank and pay of the *personnel* of the United States Navy, and for other purposes; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

LIGHT-HOUSE AND FOG-SIGNAL IN PRINCESS BAY, NEW YORK.

Mr. TIMOTHY J. CAMPBELL introduced a bill (H. R. 12126) for the establishment of a light-house and a fog-signal at Old Orchard Shoal, in Princess Bay, State of New York; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

CARRIAGE OF DANGEROUS ARTICLES ON PASSENGER STEAMERS.

Mr. COX introduced a bill (H. R. 12127) to amend section 4472 of the Revised Statutes, regulating the carriage of dangerous articles on passenger steamers, and for other purposes; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

EIGHT-HOUR LAW.

Mr. TRACEY introduced a bill (H. R. 12128) providing for the enforcement of the eight-hour law on Government premises; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

Mr. TRACEY. I ask unanimous consent to have that bill printed in the RECORD.

The SPEAKER. The gentleman from New York asks unanimous consent to have the bill which he has just introduced printed in the RECORD. Is there objection? [After a pause.] The Chairs hears none, and it is so ordered.

The bill is as follows:

Be it enacted, etc., That whenever any contract is made by or on behalf of the Government of the United States with any corporation, person, or persons, for the performance of any work, the contracting party or parties shall agree that eight hours shall constitute a day's work for all laborers, workmen, and mechanics while employed on premises owned or occupied by the Government of the United States at work required by such contract.

DANGER TO NAVIGATION.

Mr. FARQUHAR (by request) introduced a bill (H. R. 12129) to prevent dangers to ocean, lake, and river navigation from rafts of logs or timber; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

FORBIDDING CLERKS, ETC., OF COURTS ACTING AS RECEIVERS, ETC.

Mr. FARQUHAR also introduced a bill (H. R. 12130) to amend act of March 3, 1879, chapter 183 (Supplement to Revised Statutes, page 464, paragraph 2); which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

AMENDMENT OF INTERNAL-REVENUE LAWS.

Mr. COWLES introduced a bill (H. R. 12131) to amend the internal-revenue laws.

The SPEAKER. The bill will be referred to the Committee on Ways and Means.

Mr. COWLES. I ask that the bill be referred to the Committee on Appropriations. I do so for the reason that on the 17th day of last December I introduced a resolution to that effect which was referred to the Committee on Ways and Means, but that resolution has met with no response.

The SPEAKER. It is not debatable.

Mr. MCMILLIN. Let the bill be read.

Mr. COWLES. I will state to the gentleman from Tennessee that it contains *verbatim et literatim* the provisions of the Mills bill relative to the internal revenue.

The Clerk proceeded to read the bill.

Mr. MCMILLIN (interrupting the reading). The statement of the gentleman from North Carolina is sufficient, and I do not insist on the further reading.

Mr. COWLES. I desire to make a verbal amendment in the bill as read. I desire 1888 made 1889. It is corrected in the other parts of the bill.

Mr. MCMILLIN. I think the question properly goes to the Committee on Ways and Means.

The SPEAKER. The Chair has so decided; but the gentleman from North Carolina moves to refer it to the Committee on Appropriations. Of course it is in the power of the House to send it wherever it chooses.

The question was taken on referring the bill to the Committee on Appropriations; and the Speaker announced that the noes seemed to have it.

Mr. COWLES. On that I demand the yeas and nays.

The question was taken on ordering the yeas and nays; when the Speaker announced that 36 gentlemen had arisen in support of the demand for the yeas and nays.

Mr. GROSVENOR. The other side.

The other side was counted.

The SPEAKER. Thirty-three gentlemen have arisen on the other side, and the yeas and nays are ordered.

Mr. MACDONALD. I desire the reading of the bill.

The bill was read for information.

The SPEAKER. The question is upon referring this bill to the Committee on Appropriations. Upon this question the yeas and nays have been ordered.

The question was taken; and it was decided in the affirmative—yeas 126, nays 91, not voting 106; as follows:

YEAS—126.

Adams,	Cowles,	Hermann,	Peters,
Allen, Mass.	Crouse,	Hiestand,	Plumb,
Allen, Mich.	Cummings,	Hires,	Post,
Arnold,	Cutcheon,	Hitt,	Pugsley,
Atkinson,	Dalzell,	Holmes,	Romeis,
Baker, N. Y.	Darlington,	Hopkins, Ill.	Rowell,
Baker, Ill.	Davis,	Hopkins, Va.	Scull,
Bayne,	Dingley,	Houk,	Seymour,
Belden,	Dorsey,	Hunter,	Simmons,
Bingham,	Dougherty,	Jackson,	Spooner,
Bliss,	Dunham,	Johnston, N. C.	Steele,
Boothman,	Ermentrout,	Kelley,	Stephenson,
Bound,	Farquhar,	Kennedy,	Stewart, Vt.
Bowden,	Felton,	Kerr,	Struble,
Bowen,	Finley,	Ketcham,	Symes,
Brewer,	Flood,	La Follette,	Taulbee,
Brower,	Forney,	Laidlaw,	Taylor, E. B., Ohio
Browne, T. H. B., Va.	Fuller,	Long,	Taylor, J. D., Ohio
Brown, J. R., Va.	Funston,	Mason,	Thomas, Ky.
Buchanan,	Gallinger,	McClammy,	Thomas, Wis.
Buckalew,	Gear,	McComas,	Thompson, Ohio
Burrows,	Gest,	McCormick,	Tillman,
Campbell, T. J., N. Y.	Glass,	Milliken,	Vandever,
Candler,	Greenman,	Moffitt,	Warner,
Carlton,	Grosvenor,	Newton,	Weber,
Caruth,	Grout,	Nichols,	West,
Caswell,	Hare,	O'Donnell,	Williams,
Clark,	Harmer,	O'Ferrall,	Woodburn,
Cogswell,	Haugen,	O'Neill, Mo.	Yardley,
Compton,	Hayden,	Osborne,	Yost.
Conger,	Henderson, Iowa	Owen,	
Cooper,	Henderson, Ill.	Perkins,	

NAYS—91.

Abbott,	Dibble,	McAdoo,	Russell, Mass.
Allen, Miss.	Dockery,	McCreary,	Sayers,
Anderson, Iowa	Enloe,	McKenna,	Shively,
Anderson, Miss.	Foran,	McKinney,	Sowden,
Anderson, Ill.	Gibson,	McMillin,	Spinola,
Barnes,	Hall,	McRae,	Springer,
Biggs,	Hatch,	Mills,	Stewart, Tex.
Blanchard,	Heard,	Montgomery,	Stewart, Ga.
Bland,	Henuphill,	Moore,	Stockdale,
Blount,	Herbert,	Morgan,	Stone, Ky.
Breckinridge, Ky.	Holman,	Nelson,	Stone, Mo.
Burnes,	Hudd,	Norwood,	Tarsney,
Burnett,	Hutton,	Oates,	Thompson, Cal.
Bynum,	Jones,	O'Neall, Ind.	Tracey,
Clements,	Kilgore,	Outhwaite,	Townshend,
Cobb,	Laffoon,	Peel,	Turner, Ga.
Cothran,	Landes,	Perry,	Walker,
Crain,	Lane,	Phelan,	Washington,
Crisp,	Lanham,	Randall,	Wheeler,
Culberson,	Macdonald,	Rice,	Whiting, Mich.
Dargan,	Maish,	Richardson,	Wilson, W. Va.
Davidson, Ala.	Mansur,	Robertson,	Yoder.
Davidson, Fla.	Martin,	Rogers,	

NOT VOTING—106.

Anderson, Kans.	Fisher,	Lodge,	Rusk,
Bacon,	Fitch,	Lyman,	Ryan,
Bankhead,	Ford,	Lynch,	Sawyer,
Barry,	French,	Maffett,	Scott,
Boutelle,	Gaines,	Mahoney,	Seney,
Breckinridge, Ark.	Gay,	Matson,	Shaw,
Browne, Ind.	Glover,	McCullogh,	Sherman,
Brown, Ohio	Goff,	McKinley,	Smith,
Brumm,	Granger,	McShane,	Snyder,
Bryce,	Grimes,	Merriman,	Stahlnecker,
Bunnell,	Guenther,	Morrill,	Thomas, Ill.
Butler,	Hayes,	Morrow,	Turner, Kans.
Butterworth,	Henderson, N. C.	Morse,	Vance,
Campbell, P., N. Y.	Hogg,	Neal,	Wade,
Campbell, Ohio	Hooker,	Nutting,	Weaver,
Cannon,	Hopkins, N. Y.	O'Neill, Pa.	White, Ind.
Catchings,	Hovey,	Parker,	White, N. Y.
Cheadle,	Howard,	Patton,	Whiting, Mass.
Chipman,	Johnston, Ind.	Payson,	Whitthorne,
Clardy,	Kean,	Penington,	Wickham,
Cockran,	Lagan,	Phelps,	Wilber,
Collins,	Laird,	Pidcock,	Wilkins,
Cox,	Latham,	Rayner,	Wilkinson,
Davenport,	Lawler,	Reed,	Wilson, Minn.
De Lano,	Lee,	Rockwell,	Wise.
Dunn,	Lehlbach,	Rowland,	
Elliott,	Lind,	Russell, Conn.	

So the bill was referred to the Committee on Appropriations.

The following additional pair was announced:

Mr. PIDCOCK with Mr. JOHNSTON, of Indiana, on all political questions, until further notice.

The result of the vote was then announced as above recorded.

Mr. COWLES. I move to reconsider the vote by which the motion to refer was agreed to; and also move that the motion to reconsider be laid on the table.

Mr. BRECKINRIDGE, of Kentucky. Upon that I ask for a division.

The SPEAKER. The rules of the House provide that a bill which has been referred to a committee can not be brought back to the House by a motion to reconsider.

MESSAGE FROM THE PRESIDENT.

Several messages, in writing, from the President of the United States were communicated to the House by Mr. PRUDEN, one of his secretaries, who also announced that the President had approved bills of the following titles:

An act (H. R. 10323) to incorporate the American Historical Association;

An act (H. R. 10869) to construct a road from Florence, S. C., to the national cemetery adjacent thereto; and

An act (H. R. 10023) to authorize the Cairo and Tennessee River Railroad Company to construct bridges across the Tennessee and Cumberland Rivers.

LEAVE OF ABSENCE.

Mr. FRENCH, by unanimous consent, obtained leave of absence for two days, on account of important business.

GOVERNMENT BUILDING, GREENSBOROUGH, N. C.

Mr. BROWER introduced a bill (H. R. 12132) appropriating the sum of $20,000 for the enlargement and improvement of the United States Government building at Greensborough, N. C.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

REPEAL OF TOBACCO TAXES.

Mr. BROWER also introduced a bill (H. R. 12133) to repeal the tax on tobacco in all its forms, and for other purposes; which was read a first and second time, and ordered to be printed.

Mr. BROWER moved that the bill be referred to the Committee on War Claims.

The question was taken on the motion of Mr. BROWER, and the Speaker declared that the noes seemed to have it.

Mr. BROWER. I ask for the yeas and nays.

The yeas and nays were ordered, 42 members voting in favor thereof.

The question was taken; and there were—yeas 101, nays 117, not voting 105; as follows:

YEAS—101.

Adams,	Cutcheon,	Hopkins, Ill.	Rowell,
Allen, Mass.	Dalzell,	Hopkins, Va.	Ryan,
Allen, Mich.	Darlington,	Houk,	Scull,
Arnold,	Davis,	Hunter,	Seymour,
Atkinson,	Dorsey,	Jackson,	Simmons,
Baker, N. Y.	Dunham,	Johnston, N. C.	Spooner,
Baker, Ill.	Farquhar,	Kennedy,	Stephenson,
Bayne,	Finley,	Kerr,	Stewart, Vt.
Belden,	Flood,	Ketcham,	Struble,
Boothman,	Fuller,	Laidlaw,	Taulbee,
Bound,	Funston,	Lind,	Taylor, E. B., Ohio
Bowden,	Gaines,	Lodge,	Taylor, J. D., Ohio
Brower,	Gallinger,	Long,	Thomas, Ky.
Browne, T. H. B., Va.	Gear,	McComas,	Thomas, Ill.
Brown, Ohio	Gest,	Milliken,	Thomas, Wis.
Brown, J. R., Va.	Grosvenor,	Moffitt,	Vandever,
Buchanan,	Harmer,	Nelson,	Warner,
Burrows,	Haugen,	Nichols,	Weber,
Cannon,	Hayden,	Owen,	West,
Caswell,	Henderson, Iowa	Payson,	Williams,
Clark,	Henderson, Ill.	Perkins,	Woodburn,
Cogswell,	Hermann,	Peters,	Yardley,
Conger,	Hiestand,	Plumb,	Yost.
Cooper,	Hires,	Post,	
Cowles,	Hitt,	Pugsley,	
Crouse,	Holmes,	Romeis,	

NAYS—117.

Abbott,	Cummings,	Landes,	Rice,
Allen, Miss.	Dargan,	Lane,	Richardson,
Anderson, Iowa	Davidson, Ala.	Lanham,	Robertson,
Anderson, Miss.	Davidson, Fla.	Lee,	Rogers,
Anderson, Ill.	Dibble,	Macdonald,	Sayers,
Bankhead,	Dingley,	Maish,	Seney,
Barnes,	Dockery,	Mansur,	Shively,
Biggs,	Dougherty,	Martin,	Sowden,
Blanchard,	Enloe,	Matson,	Spinola,
Bland,	Foran,	McAdoo,	Springer,
Bliss,	Ford,	McClammy,	Stewart, Tex.
Blount,	Forney,	McCreary,	Stewart, Ga.
Breckinridge, Ky.	Gibson,	McKinney,	Stockdale,
Bryce,	Glass,	McMillin,	Stone, Ky.
Buckalew,	Greenman,	McRae,	Stone, Mo.
Burnes,	Grimes,	Mills,	Tarsney,
Bynum,	Grout,	Montgomery,	Thompson, Cal.
Campbell, T. J., N. Y.	Hall,	Moore,	Tillman,
Candler,	Hare,	Morgan,	Tracey,
Carlton,	Hatch,	Newton,	Townshend,
Caruth,	Hayes,	Norwood,	Turner, Ga.
Chipman,	Hemphill,	Oates,	Vance,
Clements,	Herbert,	O'Donnell,	Walker,
Cobb,	Holman,	O'Ferrall,	Washington,
Compton,	Hudd,	O'Neall, Ind.	Weaver,
Cothran,	Hutton,	Outhwaite,	Whiting, Mich.
Cox,	Jones,	Peel,	Wilkinson.
Crain,	Kelley,	Perry,	
Crisp,	Kilgore,	Phelan,	
Culberson,	Laffoon,	Randall,	

NOT VOTING—105.

Anderson, Kans.	Bowen,	Bunnell,	Campbell, Ohio
Bacon,	Breckinridge, Ark.	Burnett,	Catchings,
Barry,	Brewer,	Butler,	Cheadle,
Bingham,	Browne, Ind.	Butterworth,	Clardy,
Boutelle,	Brumm,	Campbell, P., N. Y.	Cockran,

Collins,	Johnston, Ind.	Neal,	Snyder,
Davenport,	Kean,	Nutting,	Stahlnecker,
De Lano,	La Follette,	O'Neill, Pa.	Steele,
Dunn,	Lagan,	O'Neill, Mo.	Symes,
Elliott,	Laird,	Osborne,	Thompson, Ohio
Ermentrout,	Latham,	Parker,	Turner, Kans.
Felton,	Lawler,	Patton,	Wade,
Fisher,	Lehlbach.	Penington,	Wheeler,
Fitch,	Lyman,	Phelps,	White, Ind.
French,	Lynch,	Pidcock,	White, N. Y.
Gay,	Maffett,	Rayner,	Whiting, Mass.
Glover,	Mahoney,	Reed,	Whitthorne,
Goff,	Mason,	Rockwell,	Wickham,
Granger,	McCormick,	Rowland,	Wilber,
Guenther,	McCullogh,	Russell, Conn.	Wilkins,
Heard,	McKenna,	Russell, Mass.	Wilson, Minn.
Henderson, N. C.	McKinley,	Rusk,	Wilson, W. Va.
Hogg,	McShane,	Sawyer,	Wise
Hooker,	Merriman,	Scott,	Yoder.
Hopkins, N. Y.	Morrill,	Shaw,	
Hovey,	Morrow,	Sherman,	
Howard,	Morse,	Smith,	

So the motion to refer the bill to the Committee on War Claims was not agreed to.

On motion of Mr. SPRINGER, by unanimous consent, the reading of the names was dispensed with.

The following additional pairs were announced:

Mr. LAWLER with Mr. SHERMAN, on all political questions, for the remainder of the day.

Mr. HEARD with Mr. MCKENNA, for the remainder of the day.

The result of the vote was announced as above stated.

The bill was then referred to the Committee on Ways and Means, and ordered to be printed.

ELECTION OF REPRESENTATIVES.

Mr. GROSVENOR introduced a bill (H. R. 12134) to make and alter regulations as to the times, places, and manner of holding elections for Representatives in Congress; which was read a first and second time, referred to the Select Committee on the Election of President and Vice-President and Representatives in Congress, and ordered to be printed.

EMPLOYÉS IN INTERIOR DEPARTMENT, ETC.

Mr. GROSVENOR also introduced a resolution calling upon the Secretary of the Interior for certain information in regard to employés in his Department, etc.; which was referred to the Select Committee on Reform in the Civil Service.

STEAM-TENDER FOR LIGHT-HOUSE DISTRICTS.

Mr. FORAN introduced a bill (H. R. 12135) making appropriation for the construction of a steam-tender for service in the ninth and eleventh light-house districts; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

ELECTRIC LIGHTING OF CAPITOL.

Mr. DIBBLE introduced a joint resolution (H. Res. 253) to provide for electric lights and call-bells in the House wing, Rotunda, and Tholus of the Capitol at Washington; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC PARK IN DISTRICT OF COLUMBIA.

Mr. HEMPHILL introduced a bill (H. R. 12136) authorizing and establishing a public park in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

SECURITIES OF INSURANCE COMPANIES.

Mr. HEMPHILL (by request) also introduced a bill (H. R. 12137) relating to the deposit of securities of insurance companies; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

PUBLIC ORDER DURING INAUGURATION.

Mr. HEMPHILL introduced a bill (H. R. 12138) to secure the maintenance of public order during the inauguration of 1889; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

ELECTIONS OF REPRESENTATIVES.

Mr. HOUK introduced a bill (H. R. 12139) to make and alter regulations as to the times, places, and manner of holding elections for Representatives in Congress; which was read a first and second time, referred to the Committee on the Election of President and Vice-President and Representatives in Congress, and ordered to be printed.

JUDICIAL DISTRICTS IN TEXAS.

Mr. HARE introduced a bill (H. R. 12140) to amend an act approved February 24, 1879, entitled "An act to create the northern judicial district of the State of Texas, and to change the eastern and western judicial districts of said State, and to fix the time and places of holding courts in said districts," and to amend an amendment of said act approved June 16, 1879; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

DENISON AND WASHITA VALLEY RAILWAY.

Mr. HARE also introduced a bill (H. R. 12141) to amend section 9 of an act entitled "An act to authorize the Denison and Washita Valley Railway Company to construct and operate a railway through the Indian Territory, and for other purposes," approved July 1, 1886; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

RATIO OF REPRESENTATION.

Mr. HARE also introduced a bill (H. R. 12142) to fix the ratio of representation for each Representative in Congress under the eleventh decennial census; which was read a first and second time, referred to the Committee on the Eleventh Census, and ordered to be printed.

COINAGE OF SILVER.

Mr. HARE also introduced a bill (H. R. 12143) to provide for the increased coinage of silver, and for other purposes; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

NATIONAL BANKS.

Mr. HARE also introduced a bill (H. R. 12144) to repeal an act entitled "An act to enable national banking associations to extend their corporate existence, and for other purposes," approved July 12, 1882; which was referred to the Committee on Banking and Currency, and ordered to be printed.

ELECTRICITY AS A MOTIVE POWER.

Mr. THOMAS H. B. BROWNE introduced a bill (H. R. 12145) for experimenting with electricity as a motive power in its application to marine architecture; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

INHABITANTS OF FLAGSTAFF, ARIZ.

Mr. SMITH, of Arizona, introduced a bill (H. R. 12146) for the relief of the inhabitants of the town of Flagstaff, county of Yavapai, Territory of Arizona; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

AMENDMENT OF REVISED STATUTES.

Mr. WILLIAMS introduced a bill (H. R. 12147) to amend section 354 of the Revised Statutes of the United States relating to the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

ADMISSION OF UTAH.

Mr. DUBOIS presented a memorial of the Legislative Assembly of the Territory of Idaho, against the admission of Utah as a State; which was read, and by unanimous consent ordered to be printed in the RECORD as follows:

House joint memorial No. 1.

To the honorable the Senate and House of Representatives of the United States:

Your memorialists, the council and house of representatives of the Legislative Assembly of the Territory of Idaho, most respectfully represent:

That the proposed admission of the Territory of Utah as a State would be a calamity, not only to every loyal gentile citizen of the Territory, but to the general public, and especially to those States and Territories adjacent to Utah.

That the admission of Utah would place the government of the State directly in the hands of the leaders of the Church of Jesus Christ of Latter-Day Saints, commonly known as the Mormon Church, an organization treasonable in its teachings and practices to the United States Government; that many of said leaders are now, and have been for months past, fugitives from justice, and under indictment for crimes against the laws of the United States; others are serving terms in the penitentiary for similar crimes.

That the members of this treasonable organization, known as the Mormon Church, largely outnumber the loyal gentile citizens in said Territory, and consequently will, and for many years to come would, have absolute control of all elections therein.

That all pretenses of an abandonment of bigamy, polygamy, and other crimes against the laws of the United States are pretenses only, made for the purpose of deceiving persons unacquainted with the abhorred practices of the Mormon Church, and thus create a feeling favorable to the proposed admission of said Territory of Utah.

That the turning over of a State government to said Mormon Church or the leaders thereof would be unsafe and unpolitic, because said church is composed by a large majority of the lowest and most densely ignorant classes of the Old World peasantry, who are in no way Americanized and who have nothing in common with our aims or our republican institutions. They are serfs, and serfs only; slaves to the most tyrannical and despotic organization in existence. They are absolutely under the control of their leaders, and the use of the ballot in their hands would be entirely under the direction of their leaders and a travesty on the election franchise. That there is no severance of church and state in Utah, all reports to the contrary notwithstanding.

That the admission of Utah and additional power thus given said church would create a dangerous condition of affairs in Idaho and would endanger the welfare of our social and moral institutions.

We, you, memorialists, would therefore respectfully pray that the Territory of Utah be not admitted as a State; and we do further pray that a legislative commission be created for the government of said Territory; and the secretary of this Territory is hereby requested to cause a copy of said memorial to be transmitted at once to the Secretary of the United States Senate, and to Hon. Fred. T. Dubois for presentation in the House of Representatives.

And your memorialists will ever pray, etc.

Passed the house on the 19th day of December, A. D. 1888.

H. Z. BURKHART,
Speaker of the House.

Passed the council December the 20th, A. D. 1888.

J. P. CLOUGH,
President of the Council.

A true copy:

E. J. CURTIS,
Secretary of Idaho.

Mr. DUBOIS. I ask the reference of this memorial to the Committee on the Territories.

Mr. STEWART, of Vermont. It seems to me that properly this memorial should go to the Committee on the Judiciary.

The SPEAKER. Under the rules the memorial could be referred either to the Committee on the Territories or to the Committee on the Judiciary.

Mr. DUBOIS. I ask that it go to the same committee to which has been referred the proposition for the admission of Utah into the Union as a State.

Mr. DUBOIS's motion was agreed to; and the memorial was referred to the Committee on the Territories, and ordered to be printed.

FORT ELLIS MILITARY RESERVATION.

Mr. TOOLE (by request) introduced a bill (H. R. 12148) to grant to the Territory of Montana the abandoned Fort Ellis military reservation in said Territory for educational purposes; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

MONTANA WESLEYAN UNIVERSITY.

Mr. TOOLE (by request) also introduced a bill (H. R. 12149) for the organization and incorporation of the Montana Wesleyan University; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

RIGHT OF WAY THROUGH CROW INDIAN RESERVATION, MONTANA.

Mr. TOOLE (by request) also introduced a bill (H. R. 11150) granting to the Big Horn Southern Railroad Company a right of way through a part of the Crow Indian reservation, in Montana Territory; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

RIGHT OF WAY, FORT CUSTER MILITARY RESERVATION, MONTANA.

Mr. TOOLE (by request) also introduced a bill (H. R. 12151) granting to the Big Horn Southern Railroad Company a right of way across the Fort Custer military reservation; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

BUSINESS OF FOREIGN AFFAIRS COMMITTEE.

Mr. MCCREARY submitted the following resolution; which was referred to the Committee on Rules:

Resolved, That Thursday, 24th day of January, immediately after the reading of the Journal, be set apart for the consideration of measures reported by the Committee on Foreign Affairs, in such order as may be presented by said committee, not to interfere with appropriation or revenue bills, and if in any case whatever said day shall not be so used, this order shall continue from day to day until a day is occupied.

ENOS'S MACHINE FOR COUNTING AND RECORDING VOTES.

Mr. COGSWELL submitted the following resolution; which was referred to the Committee on Rules:

Resolved, That the Committee on Rules be directed to inquire and report on the expediency of introducing a machine into the House, patented by John A. Enos, for the purpose of facilitating the counting and recording of votes.

JUDGMENTS OF CONSULAR COURTS.

The SPEAKER laid before the House the following message from the President of the United States; which was referred to the Committee on Foreign Affairs, and ordered to be printed:

To the Senate and House of Representatives:

Whereas, by virtue of the provisions of the act of Congress approved June 22, 1860 (Statutes at Large, volume 12, page 73), entitled "An act to carry into effect provisions of the treaties between the United States, China, Japan, Siam, Persia, and other countries, giving certain judicial powers to ministers and consuls or other functionaries of the United States in those countries, and for other purposes," Charles Denby, minister of the United States at Peking, has formally promulgated, under date of August 18, 1888, additional regulations governing the rendition of judgments by confession in the consular courts of the United States in China, the same having been previously assented to by all the consular officers of this Government in that empire:

Now, therefore, in accordance with section 4119 of the Revised Statutes of the United States, being the sixth section of the act above mentioned, and which directs that all such regulations shall be transmitted to the Secretary of State "to be laid before Congress for revision," I do herewith transmit to the Congress a copy of Mr. Denby's dispatch, No. 754, of November 5, 1888, containing the regulations so decreed.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, January 14, 1889.

DIFFERENTIAL RATES OF TONNAGE DUES.

The SPEAKER also laid before the House the following message from the President of the United States; which was referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the consideration of Congress and such legislation in respect of the matters therein presented as may seem necessary and proper, a report of the Secretary of State, with accompanying explanatory correspondence, in reference to the international questions arising from the imposition of differential rates of tonnage dues upon vessels entering ports of the United States from foreign countries, under the provisions of the fourteenth section of the act of June 26, 1884, and the later amendatory provisions of the act of June 19, 1886, as set forth in said report.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, January 14, 1889.

ENROLLED BILLS.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (S. 944) increasing the pension of Mrs. Elizabeth Scott; and

A bill (H. R. 5985) to increase the pension of Mrs. Mary Ann Cross, Mrs. Minnie L. Gardiner, and Mrs. Lilla May Pavy to $30 per month.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced the passage of bills of the following titles; in which concurrence was requested:

A bill (S. 3804) for the relief of the occupants of the town of Flagstaff, county of Yavapai, Territory of Arizona; and

A bill (S. 3782) to amend an act entitled "An act declaring that certain water-reserve lands in the State of Wisconsin are and have been subject to the provisions of the act of Congress entitled 'An act granting to railroads the right of way through the public lands of the United States,' approved March 3, 1875," approved September 10, 1888.

UNITED STATES APPRAISER'S WAREHOUSE AT CHICAGO.

Mr. MASON submitted a resolution to investigate charges of irregularity in regard to letting of contract for the erection of United States appraiser's warehouse at Chicago; which was referred to the Committee on Public Buildings and Grounds.

RESERVED FILES IN CLERK'S OFFICE.

Mr. SHIVELY submitted a resolution for the preservation of reserved files in the Clerk's document-room; which was referred to the Committee on Accounts.

FILING OF REPORTS.

Mr. TAULBEE. Mr. Speaker, I ask unanimous consent that members having reports to make may be permitted to file them with the Clerk.

There was no objection.

The following reports were filed by being handed in at the Clerk's desk:

JOHN W. KENNEDY.

Mr. MASON, from the Committee on Claims, reported back favorably the bill (H. R. 4137) for the relief of John W. Kennedy; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JENNIE HARRIS.

Mr. YODER, from the Committee on Invalid Pensions, reported back with amendment the bill (H. R. 7858) granting a pension to Jennie Harris; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

W. S. HENRY.

Mr. LAWLER, from the Committee on War Claims, reported back favorably the bill (H. R. 7941) for the relief of W. S. Henry; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

HARRIET YOUNG.

Mr. WHEELER, from the Committee on the Public Lands, reported back favorably the bill (H. R. 11669) for the relief of Harriet Young; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

J. HARRY ADAMS.

Mr. SIMMONS, from the Committee on Claims, reported back favorably the bill (H. R. 11779) for the relief of J. Harry Adams; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JACOB A. HENRY.

Mr. TAULBEE, from the Committee on War Claims, reported back favorably the bill (H. R. 3511) for the relief of Jacob A. Henry; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MEDALS TO SURVIVORS.

Mr. STAHLNECKER, from the Committee on the Library, reported back favorably the bill (H. R. 1534) authorizing the Secretary of War to procure and present suitable medals to the survivors of the forlorn-hope storming party of Port Hudson; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

SURRENDER OF BURGOYNE.

Mr. STAHLNECKER also, from the Committee on the Library, reported back favorably the bill (S. 3460) to appropriate $10,000 for the completion of the monument commemorating the surrender of Burgoyne at Saratoga; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

JAIL AND COURT-HOUSE, WHITMAN COUNTY, WASH.

Mr. TAULBEE, from the Committee on the Territories, reported back favorably the bill (H. R. 11918) to authorize the board of county commissioners of the county of Whitman, Washington Territory, to issue bonds and to build a court-house and jail and to sell and acquire real estate for such purposes; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

RAILROAD BRIDGES.

Mr. CRISP, from the Committee on Commerce, reported back with amendment the bill (H. R. 11782) to approve and ratify the construction by the Vicksburg, Shreveport and Texas Railroad Company of the bridge over the Red River at Shreveport, La., and the bridge over the Ouachita River at Monroe, La., and to authorize said railroad company to maintain said bridges over said water ways, subject to certain stipulations and conditions; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ANNIE J. WEAVER.

Mr. SPOONER, from the Committee on Invalid Pensions, reported back with amendment the bill (H. R. 8100) granting a pension to Annie J. Weaver; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

GEORGE K. OTIS.

Mr. SIMMONS, from the Committee on Claims, reported back favorably the bill (S. 3348) for the relief of George K. Otis; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

PAWNBROKERS IN DISTRICT OF COLUMBIA.

Mr. GROUT, from the Committee on the District of Columbia, reported a bill (H. R. 12154) as a substitute for the bill (H. R. 9082) to regulate and license pawnbrokers in the District of Columbia; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed.

REPORT OF HEALTH OFFICER, DISTRICT OF COLUMBIA.

Mr. RICHARDSON, from the Committee on Printing, reported back favorably a joint resolution (H. Res. 241) authorizing the printing 2,500 extra copies of the report of the health officer of the District of Columbia; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

NATIONAL ACADEMY OF SCIENCES.

Mr. RICHARDSON also, from the Committee on Printing, reported back favorably a Senate concurrent resolution to print 4,000 copies of the report of the National Academy of Sciences for 1887; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

Mr. HEMPHILL. Mr. Speaker, on behalf of the Committee on the District of Columbia, I ask consideration of the bill H. R. 11785, Report No. 3639. I will state that it relates to the laying of tracks at the Baltimore and Ohio depot for the purpose of the inauguration.

The SPEAKER. The title of the bill will be reported.

The Clerk read as follows:

A bill (H. R. 11785) to authorize the commissioners of the District of Columbia to permit the temporary occupation and crossing of certain streets in the city of Washington and District of Columbia by the tracks of the Baltimore and Ohio Railroad Company, to meet the demands of increased travel incident to the inaugural ceremonies on the 4th of March, 1889.

Mr. BLANCHARD. Against that I raise the question of consideration.

Mr. ATKINSON. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. ATKINSON. My point of order is this, that Rule XXVI provides as follows:

That the second and fourth Mondays in each month, after the call of States and Territories, shall, when claimed by the Committee on the District of Columbia, be set apart for the consideration of such business as may be presented by said committee.

This rule, sir, is imperative, and it is not competent to antagonize the business of the Committee on the District of Columbia by raising the question of consideration.

I desire further to call the attention of the Chair to the wording of the other section of this same rule:

Friday in every week shall be set apart for the consideration of private business, unless otherwise determined by the House.

Fridays therefore may, by the rule, be taken by some other committee, or they may not be set apart for the consideration of private business, but this particular day is reserved, by the express language of the rule, for the Committee on the District of Columbia, and nobody has a right to antagonize the business of the committee on the days so specified.

The SPEAKER. It is not competent for the House, except by an order made by unanimous consent, or upon a suspension of the rules, or upon a report from the Committee on Rules, to vacate the order setting apart this day for the consideration of business reported from the Committee on the District of Columbia. But it is in order for any gentleman on the floor of the House to raise the question of consideration on any bill called up by the committee, just as may be done on Friday when, though private business may not be dispensed with, the question of consideration can be raised with reference to any private bill. The House might desire to go on with the consideration of business reported from the Committee on the District of Columbia but may not want to consider this particular bill; and the Chair has always held that the question of consideration can be raised against each bill.

The Chair overrules the point of order.

The question is, Will the House now proceed to consider the bill called up by the gentleman from South Carolina?

The question was taken; and on a division there were—ayes 73, noes 33.

Mr. BLANCHARD. No quorum.

The SPEAKER appointed as tellers Mr. BLANCHARD and Mr. HEMPHILL.

The House again divided; and the tellers reported—ayes 98, noes 43.

So (no further count being demanded) the House determined to consider the bill.

TEMPORARY OCCUPATION OF CERTAIN STREETS.

The SPEAKER *pro tempore* (Mr. MCCREARY in the chair). The House having determined to proceed with the consideration of the bill called up by the gentleman from South Carolina, the bill will now be read.

The Clerk read as follows:

Be it enacted, etc., That the commissioners of the District of Columbia are hereby authorized and directed to issue to the Baltimore and Ohio Railroad Company a permit to lay and use, for a period commencing February 20, 1889, and extending to and including March 10, 1889, temporary tracks on the following streets and avenues:

First. Commencing at the east side of North Capitol street, and crossing said North Capitol street to D street, and down the bed of D street, occupying it with two tracks to its intersection with New Jersey avenue.

Second. Commencing at the south side of Massachusetts avenue, and extending in a southerly direction across E street at or about the building line into square 681, the property of the Baltimore and Ohio Railroad Company, and running parallel with the Baltimore and Ohio Railroad Company's freight warehouse to North Capitol street.

Third. To cross the unnamed street running north and south through square 678, between F and G streets, with five tracks, being the extension of the five tracks now in use in the southeast portion of square 678, with the privilege of closing this street to travel from the 1st to the 6th of March, inclusive.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. HEMPHILL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

EDUCATION IN THE MANUFACTURE OF SUGAR.

Mr. FUNSTON, by unanimous consent, introduced a bill (H.R.12152) to establish a sugar station for education in the manufacture of sugar; which was read a first and second time, referred to the Committee on Agriculture, and ordered to be printed.

PUBLIC BUILDING, LAWRENCE, MASS.

Mr. ALLEN, of Massachusetts, by unanimous consent, introduced a bill (H. R. 12153) for the erection of a public building at Lawrence, Mass.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

RELIEF OF CERTAIN PROPERTY, DISTRICT OF COLUMBIA.

Mr. HEMPHILL. I now call up for present consideration the bill (S. 1092) for the relief of certain property in the District of Columbia.

The SPEAKER *pro tempore*. The bill will be read.

The bill was read, as follows:

Be it enacted etc., That the provisions of section 1 of the act of the late legislative assembly of the District of Columbia, entitled "An act regulating assessments for improvements," approved December 19, 1871, shall be construed to apply to all cases where the work was done after February 21, 1871, and that the commissioners of the District of Columbia are hereby directed to make the necessary reductions in assessment for such work.

SEC. 2. That drawback certificates for the amount of such reductions, with interest thereon to the date of the passage of this act, shall be issued to the holders of the liens the security for which is reduced by the operation of this act, and to such other persons as may be found to have paid in excess of one-third of the cost of such work drawback certificates shall be issued for the amount of such excessive payment. All such drawback certificates shall be receivable for arrears of general taxes due the District of Columbia and unpaid June 30, 1887.

The bill was read the third time, and passed.

Some time subsequently,

Mr. HEMPHILL said: Mr. Speaker, I am informed that in passing the Senate bill 1092 a moment ago an amendment which the committee recommended was omitted, and I now ask unanimous consent to recur to that bill for the purpose of including that amendment. I move to reconsider the vote by which the bill was passed.

The motion was agreed to.

Mr. HEMPHILL. I now move to amend the bill by changing the date at the end from 1887 to 1888.

The amendment was adopted.

The bill as amended was read the third time, and passed.

Mr. HEMPHILL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

NAVIGATION OF THE POTOMAC RIVER.

Mr. HEMPHILL. Mr. Speaker, I now ask consideration of the bill (H. R. 12009) to provide for keeping open the Potomac River.

The SPEAKER *pro tempore*. This bill is in Committee of the Whole House on the state of the Union.

Mr. HEMPHILL. I ask unanimous consent to consider the bill in the House as in Committee of the Whole.

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the sum of $10,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the purpose of keeping open the Potomac River during the winter of 1889 and 1890, the same to be expended under the direction of the commissioners of the District of Columbia, one half to be charged to the United States, and the other half to the District of Columbia, and to be immediately available.

Mr. HEMPHILL. I move to amend by adding the letter "s" after "winter," in the sixth line. It has been omitted in printing the bill.

The amendment was adopted.

Mr. FARQUHAR. I would like to ask the gentleman from South Carolina in charge of this bill if such an appropriation as this has ever been made heretofore; whether this is following in the line of precedent, or whether it is entirely new legislation on the subject.

Mr. HEMPHILL. I will state to the gentleman that so far as my knowledge extends there has not heretofore been an appropriation made for this purpose. There was a bill introduced here for the construction of an ice-boat to keep the river clear during the winter, but when we found that that could not make any headway so as to obtain the use of it during this season, we asked this appropriation for this winter and next. Only so much of it is to be used as may in the discretion of the commissioners be found to be necessary.

Mr. FARQUHAR. I simply call attention to this fact, that in keeping open the rivers and harbors elsewhere in the United States the money used in building ice-boats has either been furnished by private individuals or corporations. I am not aware that anywhere else in the United States the Government has entered into keeping channels of communication open during the winter season.

Mr. HEMPHILL. Do you mean the city government or State government?

Mr. FARQUHAR. I mean the city governments take care of this matter; and, in many cases, railroad corporations take care of it, as they do in Detroit River. I was not aware that the United States Government was entering into the practice of keeping open these channels of communication until this bill appeared.

Mr. HEMPHILL. But the gentleman will remember that we are legislating for this city. We are doing here what the corporation of Baltimore City does for that city.

Mr. FARQUHAR. By this bill you make the United States do that.

Mr. HEMPHILL. These matters have been taken from the city of Washington by the action of Congress itself, and the city can not do anything towards keeping open the channels.

Mr. FARQUHAR. In other words, you ask the people of my district to pay for keeping the Potomac open.

Mr. HEMPHILL. Oh, no.

Mr. FARQUHAR. Oh, certainly. Now, I wish to say to the gentleman from South Carolina that I am willing to vote everything for the District that is necessary; but I think this is going a little outside of proper requirements. I do not know how accommodating it may be to any one. Is it to keep the channel open between this city and Alexandria, for instance, or is it to extend beyond the limit of the District?

Mr. HEMPHILL. Well, it is to keep the river open so far as it is necessary to keep up navigation.

Mr. FARQUHAR. From Washington to the mouth of the river?

Mr. HEMPHILL. Yes, sir.

Mr. FARQUHAR. While I do not want to make any particular objection, as the District is somewhat the infant of the United States, yet it seems to me that those who are interested in it ought to attend to this matter, and that individuals or business men in the city ought to take care of such a matter as this without doing it out of the general tax funds of the United States.

Mr. SPINOLA. The item under consideration is a very small one, I admit, but it is like the edge of a wedge. It is proposed to start in with a small appropriation and to continue that probably year after year. If started it will continue to grow in magnitude as time rolls by until the whole matter is laid wide open. Now, sir, I do not think this is a proper appropriation to be made. I am willing to go as far as any member of this House towards appropriations for the District of Columbia; but when we are to commence upon a new question and introduce a new class of appropriations for an entirely new purpose I must oppose it. It is a purpose heretofore unknown in this House of Representatives. It is a proposition which may have been made, but has never been granted, according to the statement of the chairman of the committee, and is one which, in my judgment, will establish a very dangerous precedent. I must oppose it, for in another year you will probably find in the river and harbor bill appropriations for similar purposes for other cities.

Mr. BLANCHARD. There have been none.

Mr. SPINOLA. There have been none, the chairman of the Committee on Rivers and Harbors says; but you can not tell what will come.

Mr. BLANCHARD. "Sufficient unto the day is the evil thereof."

Mr. SPINOLA. I admit that; but there has got to be a starting point for this new class of legislation and this new character of expenditure. Therefore I trust that the appropriation may not be made.

Mr. LEE. I do not think that my worthy friend from New York [Mr. SPINOLA] altogether understands the question. The city of Washington has been for many years, and oftentimes, subjected to great inconvenience and great expense by the Potomac River becoming blocked with ice. There have been efforts made from year to year to obtain an ice-boat to keep the river open, in which we have failed; and this is a measure simply and solely to provide for contingencies which may occur during this winter. The Potomac River furnishes the city of Washington with its fuel in a large part, and with its food in a large part. It is often the case that at some little reefs within 20 miles of Washington there are ice blocks which have prevented navigation for a period of six weeks or two months, as the case may be. The United States stands in the same relation to the city of Washington that the municipality of the city of New York does to the harbor of New York; and it is just as important to the United States because of the comfort of this city, and for the material which is used, that this river should be kept open, as it is for the harbor of New York or Baltimore, Philadelphia or Detroit, or any other great city of this country.

Mr. O'FERRALL. And Congress is the legislature of the District.

Mr. LEE. Congress is the legislature of the District, as my friend suggests. It seems to me, Mr. Speaker, that this proposition is a fair, moderate, and proper one. The fact that this appropriation has not been made heretofore is, in my judgment, simply an additional reason why it should be made now and why we should begin to keep open the harbor of this great city, the capital of this ccountry, and I hope that my friend from New York will withdraw his objection.

The SPEAKER *pro tempore*. The gentleman from New York [Mr. SPINOLA] raises a point of order, which the Chair will decide. Subsection 3 of Rule XXI refers to general appropriation bills. The bill now under consideration is not a general appropriation bill, but is a bill to provide for keeping open the Potomac River. The point of order is therefore overruled.

Mr. HEMPHILL. Mr. Speaker, I think that gentlemen have not exactly understood the character of this proposition. It is not a proposition to commit the United States to keeping open the rivers and harbors of this country. Gentlemen are all aware of the fact that every particle of legislation that is enacted for this District has to be done by Congress, and we are now simply proposing to do for this city what is done by other municipal corporations all over the country, as I am informed. Certainly it is done in Baltimore, and there the work of keeping open the harbor is provided for by the city council. This bill appropriates $10,000 for this purpose, to be paid one half by the District and the other half by the United States Government, just like any other public improvement in this District. If we were making provision for the erection of a new post-office for this city (which every one of us will admit ought to be provided for), the cost of the structure would be paid one half by the General Government and one-half by the people of the District, in accordance with the provisions of the general law under which all appropriations are made for the District, which rests upon the theory that the Government owns one-half of the property here. Therefore, for Congress to make this appropriation is just the same as for the city council of Baltimore to make an appropriation for keeping that harbor open. Now as to the necessity of this, if Baltimore finds it necessary to keep two boats for the purpose of keeping open its harbor, we certainly can safely appropriate $10,000 for one boat to keep open the harbor of Washington. There has not been any such appropriation as this heretofore, so far as I know, but that is no reason why it should not be made now if the expenditure is a proper one.

Mr. FARQUHAR. Can the gentleman inform us out of what fund the money has been taken for this purpose heretofore?

Mr. HEMPHILL. I do not know that any money has been used for this purpose heretofore. So far as I know there has been no such appropriation made, but ever since the District government was abolished and Congress took control of District affairs we have been appropriating the money for similar expenditures exactly in the same way. Therefore this is not anything extraordinary. The only thing extra or unusual about it is that it is an appropriation for the clearing of the harbor, a work which has not been provided for heretofore, so far as my knowledge goes, during the time that I have been in Congress; what was done before I came here I am not able to say.

Mr. FARQUHAR. But the work has been done before, has it not?

Mr. HEMPHILL. I say I do not know about that.

Mr. FARQUHAR. Well, I take very much the position of my colleague from New York [Mr. SPINOLA], that you are proposing here to vote an appropriation, and to continue it annually, for this purpose, whereas, heretofore, in all probability, the money for this work has been taken out of the contingent fund of the District, and now, that fund being exhausted, they come here for a special appropriation.

Mr. HEMPHILL. The gentleman does not seem to understand that the District commissioners do not have any contingent fund at their disposal. They do not have a dollar at their command that is not raised under an act of Congress, one half of it being paid by the people of this District and the other half by the Government.

Mr. FARQUHAR. We all understand that.

Mr. HEMPHILL. So that if this work has been paid for at all heretofore, it has been paid for out of the funds of the District.

Mr. FARQUHAR. And the question I want answered is, by what authority the money has been expended for this purpose heretofore?

Mr. HEMPHILL. I have said that, so far as I know, no such expenditure has been made.

Mr. FARQUHAR. Well, it has been, as every member knows.

Mr. HEMPHILL. I have no information of it.

Mr. LEE. I will say to the gentleman from New York [Mr. FARQUHAR] that I have no knowledge of any money having ever been expended for this purpose.

Mr. FARQUHAR. How did they get the ice out of the harbor when there was a flood here which was sending the water back over the low lands of the District?

Mr. LEE. I say it may have been done before, but I have no knowledge of it.

Mr. FARQUHAR. Well, it has been done.

Mr. McCOMAS. If the gentleman will permit me, I will say that out of several contingent funds money has been expended from time to time in clearing the harbor of ice and perhaps clearing the river to some extent below, and, as I understand it, the object of the committee is to provide regularly for clearing the harbor and keeping it open. Certainly that is a work of necessity for this great capital city of over a quarter of a million of people, and the reasons for this appropriation are just as strong and just as urgent as they are for an appropriation for sweeping or paving the streets.

Mr. FARQUHAR. As the streets are inside of the District I do not see that the cases are parallel.

Mr. McCOMAS. So is the harbor and so is a portion of the river.

Mr. FARQUHAR. Well, I simply say, as I said before, that I do not object to the amount, but rather to the character of the precedent that it is proposed to establish. This bill proposes that we shall go into the municipal work of clearing the harbor of this city, although other cities all over the country provide for clearing their own harbors, and where there are railroad corporations interested, as, for instance, at Detroit, they keep the harbor clear.

Mr. LEE. What good would it do to clear the harbor of Washington if the river 20 miles below was blocked with ice?

Mr. FARQUHAR. I agree that it would not do any good; but other parties ought to co-operate in a case of that kind.

Mr. LEE. What other parties?

Mr. FARQUHAR. The railroad companies; as they do at Detroit, for instance.

A MEMBER. But if they do not do it, then people can not get into the harbor.

Mr. FARQUHAR. If they do not do it, they do not have any of the advantages.

Mr. HENDERSON, of Illinois. But we want the people to have the advantages.

Mr. FARQUHAR. I would greatly prefer to vote this money into any contingent fund rather than have a precedent of this kind established.

Mr. HEMPHILL. This expenditure is left entirely in the discretion of the commissioners, and they will hardly go to work to clear out the ice here at Washington unless the river below is clear so that vessels can get in and out. I call for a vote.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. HEMPHILL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PROTECTION OF GIRLS IN THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL. I call up the bill (H. R. 5870) to amend the Revised Statutes relating to the District of Columbia.

The bill as proposed to be amended by the Senate was read, as follows:

That every person who shall carnally and unlawfully know any female under the age of sixteen years, or who shall be accessory to such carnal and unlawful knowledge before the fact in any Territory, District of Columbia, or other place over which the United States has exclusive jurisdiction, or on any vessel within the admiralty or maritime jurisdiction of the United States, and out of the jurisdiction of any State, shall be guilty of a felony, and when convicted thereof shall be punished by imprisonment at hard labor, for the first offense not more than five years, and for the second or other offense for not more than ten years.

Amend the title so as to read: "An act to amend the Revised Statutes relating to the District of Columbia, for the protection of girls under sixteen years of age in any Territory, the District of Columbia, or other place over which the United States has exclusive jurisdiction, and for other purposes."

Mr. HEMPHILL. I am instructed by the committee to move that the House non-concur in the amendment of the Senate and ask for a conference.

The motion was agreed to.

PURCHASE OF REAL ESTATE FOR THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL. The resolution offered by the gentleman from Kentucky [Mr. TAULBEE] (Miscellaneous Document No. 22) in relation to the purchase of real estate for the District, and the resolution offered by the gentleman from Illinois [Mr. TOWNSHEND], which were referred to the Committee on the District of Columbia, I am directed by that committee to report back with a substitute therefor, which, in effect, is the resolution of the gentleman from Illinois [Mr. TOWNSHEND] with amendments, which will appear by the report I ask to be read. Let the resolution of the gentleman from Illinois [Mr. TOWNSHEND] be read first.

The Clerk read as follows:

Resolved, That the commissioners of the District of Columbia be directed to furnish the House with a statement of all matters relating to the purchase of sites for public schools erected within the District of Columbia under the provisions of the acts approved March 3, 1887, and July 18, 1888, embracing in such statement the location of said site, the amount paid therefor, and whether such amount was the fair market price of said site at the time of said purchase; whether the sites in question were purchased from the owners thereof directly or through the intervention of agents, and if agents were employed upon what terms such employment was made, and if any sum was paid for the services rendered by such agent by the commissioners or with their knowledge, and also whether the deeds for such sites were made in all cases directly from the owners of such sites, or in any and what case by the intervention of third parties or middlemen, and if by third parties or middlemen why such method was resorted to, and generally, all information touching the purchase of said sites and the conveyance thereof to said commissioners which they may have in their power other than such as is asked for specially in this resolution, and which may be needed for a full understanding of the subject-matter referred to, together with such recommendations as to them may seem best for the conduct of the purchase of such sites in future, to the end that proper legislation may be effected for that purpose.

Mr. HEMPHILL. Now let the report be read.

The Clerk read as follows:

The Committee on the District of Columbia, to whom was referred the resolution of January 5, 1889, introduced by Mr. TOWNSHEND, relating to the purchase of school sites in the District, having had the matter under careful consideration, respectfully report:

In the opinion of your committee it is but right that the commissioners should be allowed to make a full statement of all their actings and doings and to put the House in full possession of all the facts in the matter. The committee have suggested the following amendments with the view of extending the scope of the statement called for: After the date "1888," in the fifth line of the resolution, insert the words "station-houses and all other public structures." After the word "purchase," in the seventh line, insert the words "and what price the actual owners received." After the word "knowledge," in the eleventh line, insert the words "and the amount so paid." After the word "to," in the eighteenth line, insert, "the amount of profit realized by middlemen." As thus amended your committee recommend that the resolution pass.

Mr. ATKINSON. I ask for the reading of the resolution referred to in the report.

The resolution was again reported.

Mr. HEMPHILL. The substitute that is offered by the committee, Mr. Speaker, is simply intended——

Mr. TAULBEE. Mr. Speaker, I desire to reserve the point of order for the present against the substitute.

Mr. HEMPHILL. Mr. Speaker, the object of the resolution of the gentleman from Kentucky [Mr. TAULBEE], which was referred to the Committee on the District of Columbia, was an investigation of the purchase of certain sites for public institutions made by the commissioners of the District. The District Committee considered the subject and reported the resolution favorably to the House. Subsequently, however, the gentleman from Illinois [Mr. TOWNSHEND] submitted another resolution calling upon the commissioners for all the information they had with reference to the purchase of these sites. The District Committee considered the matter and concluded that it was but fair and just to the commissioners to allow them to make their statement to the House, as embodied in the resolution of the gentleman from Illinois, before action was taken looking to an investigation; and if this resolution is adopted asking for that information, I will ask unanimous consent that the resolution offered by the gentleman from Kentucky [Mr. TAULBEE] stand upon the Calendar in its present order, so that it may be passed by the House at the next District day in case the response of the commissioners is not satisfactory.

Mr. TAULBEE. Mr. Speaker, I think the reason assigned by the gentleman from South Carolina for his motion to substitute this resolution of inquiry for the resolution of investigation submitted by myself is a sufficient argument why it should not be done.

So far as my purpose in the introduction of the resolution looking to an investigation was concerned, I had for my prime object the recovery of whatever money might have been erroneously paid, if any, out of the funds belonging to the District of Columbia. This resolution of inquiry

furnishes no information whatever upon which proceedings might be instituted looking to such recovery.

So far as the question of the rights of the commissioners of the District of Columbia to be heard is concerned, there has been no allegation against them of an official character, hence their answer is unnecessary. It might, I think, with reason be assumed that during the course of an investigation to ascertain facts with reference to any of their acts they could be heard by witnesses and by documents, and whatever vindication they might rely on for their conduct in regard to the matter could be fully heard and determined. There is, in my judgment, no danger whatever of our passing any law authorizing an institution of suits against the District commissioners, except upon the fullest and most thorough investigation.

I believe, sir, that the adoption of the resolution offered as a substitute will defer the consideration of this subject until such time as the House will be unable to pass any legislation whatever looking to the reimbursement of the District funds for the moneys erroneously taken from them, if such has been the case.

Now, I believe if we need any information at all it will be such as will enable us to understand how much money, if any, has been wrongfully expended, and who have been the beneficiaries of the transactions; and then I presume we will be able to determine what proceedings will be proper looking to the recovery of the money.

So far as I am concerned I am willing that the House shall take the matter as it is and vote upon it without further delay or the consumption of unnecessary time. I hope the substitute will be voted down, and that the resolution will be passed as it was reported originally by the committee, and in the concurrence in which I understand they are practically unanimous.

The SPEAKER *pro tempore*. The question is on the amendment proposed by the committee.

Mr. HEMPHILL. There seems to be some little misapprehension, I understand. I desire to have the House pass the resolution offered by the gentleman from Illinois [Mr. TOWNSHEND], which calls upon the commissioners for all the information in regard to the matter. That gives their statement of the case. When this is done, if that answer is not sufficient we can pass the resolution for an investigation, and in the mean time I will ask the House that the resolution of the gentleman from Kentucky may remain on the Calendar where it can be reached the next District day.

Mr. BUCHANAN. Will the gentleman yield for a question?

Mr. HEMPHILL. Certainly.

Mr. BUCHANAN. Has not this matter been investigated to some extent elsewhere?

Mr. HEMPHILL. All I know is that Mr. TAULBEE'S resolution was referred to the Committee on the District of Columbia, and we heard some statements from the commissioners there. But that statement was not in writing, nor was it taken down by a stenographer. It was simply a verbal statement.

Mr. GROUT. And not of record.

Mr. BUCHANAN. Does not this statement show that in some cases the owners of real estate had been paid a sum larger than the asking price?

Mr. HEMPHILL. Well, it showed this, as far as the statement went, that there were certain persons engaged by the commissioners as agents who bought property at one price and sold at a higher price.

Mr. BUCHANAN. Higher than was originally asked by the original owners?

Mr. HEMPHILL. I do not know that the price was higher than that which was paid to the owners; but the object of this resolution is, if it passes, to get from the commissioners a full and complete statement of all of these matters. Then if it is not sufficient, as I have said, we can incur the expense of appointing a committee to investigate it and see what is necessary to be done.

Mr. BUCHANAN. Meantime the session expires.

Mr. HEMPHILL. Oh, no. I will state to the gentleman from New Jersey, as I stated a moment ago, that this resolution of the gentleman from Kentucky will, if the House agrees to my proposition, stand upon the Calendar to be acted upon at the next District day.

Mr. BUCHANAN. When will that be?

Mr. HEMPHILL. Two weeks from to-day.

Mr. TAULBEE. Will the gentleman from South Carolina allow me a question?

Mr. HEMPHILL. Yes, sir.

Mr. TAULBEE. I am not certain that I caught correctly the reading of the resolution which he proposes as a substitute. What I wish to ask him is, whether or not under the resolution as he asks the House to pass upon it calls for such facts as will enable the House to ascertain to whom these amounts were paid, if any, and how much was realized as profit by these intervening parties?

Mr. HEMPHILL. Yes, sir; it does.

Mr. TAULBEE. Now, Mr. Speaker, I wish to ask this further question of the gentleman from South Carolina——

Mr. HEMPHILL. I will tell the gentleman, if he will allow me to answer, that every amendment he suggested to the committee was adopted by the committee with a view of obtaining all necessary information on this subject.

Mr. TAULBEE. I only recommended such amendments as I thought were necessary, or which would in some measure answer the purpose; provided the resolution authorizing the investigation can not be reached and passed by the House, it was thought to be necessary to accomplish something in the direction in which the original resolution looked.

Now, Mr. Speaker, I desire to ask the gentleman from South Carolina another question, and that is based upon what I understood to be his statement, that one of the objects of this resolution which his motion substitutes for the resolution of inquiry is to give to the commissioners an opportunity to be heard. My question is whether the commissioners were not fully heard by the committee of which he is chairman, and did not that full hearing by the committee influence the belief that the resolution which I introduced ought to pass as introduced and amended by the committee?

Mr. BUCHANAN. Will the gentleman from South Carolina permit me a question?

Mr. TAULBEE. Will the gentleman from New Jersey pardon me? I was asking the gentleman from South Carolina a question.

Mr. HEMPHILL. I do not know that I ought to reveal the secrets of the committee.

Mr. TAULBEE. Certainly. I do not ask that.

Mr. HEMPHILL. I will state for the information of the House that the committee did invite the commissioners before them, and that after some consultation and talk with them they reported Mr. TAULBEE'S resolution back to the House with the recommendation that it do pass. Subsequently this other resolution was introduced in the House and referred to that committee, and they came to the conclusion that Mr. TAULBEE'S resolution should be adopted in case there was necessity for an investigation, but that it was fair to any public officer that he should have an opportunity to make a statement which the House could have before it before we appointed a committee of investigation. An investigation proceeds upon the theory that there is some grave suspicion as to the proper conduct of public business, and it is but fair to a man, whether he be a commissioner or holds a portfolio in the Cabinet, or anywhere else where he occupies any official position, that he should have an opportunity to make a proper showing before the House should enter upon an investigation. That is the whole object we have in passing this resolution, because the members of the committee, and I think I may say I believe every member on the floor, would like to get at the truth of this thing; and there is no other purpose in view.

Mr. BUCHANAN. Is it not a fact that the term of one of these commissioners has already expired, and that of another expires the 1st of next month?

Mr. HEMPHILL. Well, I do not know that of my knowledge, but I may say I understand the commission of one of them expired yesterday, I believe, but I know nothing about that except what I see in the press. The other will not expire until some time in the spring, two or three months hence.

Mr. BUCHANAN. I am told that it expires at the end of the present month.

Mr. HEMPHILL. I do not know positively.

Mr. MCCOMAS. That is an error.

Mr. HEMPHILL. I am told by the gentleman from Maryland [Mr. MCCOMAS] that that is an error.

Mr. BUCHANAN. Let me ask one more question. Is it not the belief from what was produced before the committee of the gentleman from South Carolina that there should be a deep, thorough, and searching investigation into this matter?

Mr. HEMPHILL. I can not say that I am thoroughly satisfied about that. I think it is fair and just to all that these gentlemen should be permitted to make their statements, and if they are not satisfactory we have the other resolution here. It will not take three days to investigate the whole subject, I think.

Mr. TAULBEE rose.

The SPEAKER *pro tempore*. The Chair understood the gentleman from South Carolina to say that he desired the resolution of the gentleman from Kentucky should remain on the Calendar, and action should be had on what he has offered as a substitute.

Mr. HEMPHILL. Yes, sir.

The SPEAKER *pro tempore*. Then the Chair understands the committee report this resolution as an independent resolution.

Mr. TAULBEE. Which one is reported as an independent resolution?

The SPEAKER *pro tempore*. The resolution reported by the gentleman from South Carolina.

Mr. TAULBEE. I rise to a question of order.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. TAULBEE. My point of order is that the resolution introduced by the gentleman from Illinois [Mr. TOWNSHEND] is not before the House except on the motion of the gentleman from South Carolina, as a substitute for the resolution which I introduced and which was called up. That resolution was before the House before the substitute was

offered; and it is now proposed that my resolution shall keep its place on the Calendar.

The SPEAKER *pro tempore*. The Chair will state that the chairman of the District Committee has the right as chairman to call up whichever resolution he desires. He offered the resolution introduced by the gentleman from Illinois [Mr. TOWNSHEND] as a substitute for the resolution of the gentleman from Kentucky [Mr. TAULBEE]. Before any action had been taken on the resolution introduced by the gentleman from Kentucky he announced that he offered the resolution, which he has called a substitute, as an independent resolution, and asks the House to pass that resolution. The Chair thinks that the gentleman from South Carolina has the right, before any action is taken on a resolution called up, to introduce any resolution as an independent resolution that he desires.

Mr. TAULBEE. My point of order is that the gentleman from South Carolina called up the resolution which I introduced. That brought the resolution before the House, and not the resolution introduced by the gentleman from Illinois [Mr. TOWNSHEND]. He then announced his purpose to modify it by an amendment to the resolution which was then pending, and of which the House has never disposed. My point of order is that the resolution which I introduced is the resolution now pending.

The SPEAKER *pro tempore*. Before any action was had on the resolution heretofore introduced by the gentleman from Kentucky the chairman of the Committee on the District of Columbia withdrew that and introduced the other resolution as an independent resolution. The Chair thinks that he has that right, as no action had been taken upon the resolution introduced by the gentleman from Kentucky.

Mr. TAULBEE. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. TAULBEE. I wish to be understood plainly, and not misunderstood. Do I understand the Chair to say that when the gentleman from South Carolina had called up the resolution which I introduced that he could then withdraw it without the consent of the House?

The SPEAKER *pro tempore*. The Chair thinks he had the right to withdraw it until some action had been taken upon it; and the Chair thinks no action has been taken upon it. No vote had been taken upon it, and therefore the Chair thinks that the chairman of the Committee on the District of Columbia had the right to withdraw it.

Mr. TAULBEE. If I understood the gentleman from South Carolina, he asked to modify that resolution by another, which would, in my judgment, amount to consideration of the resolution.

The SPEAKER *pro tempore*. There was no vote taken. The Chair decides that the chairman of the Committee on the District of Columbia withdrew the resolution which was called up by himself, and that he has the right to do so.

Mr. TAULBEE. I simply rose that I might understand clearly what has been stated by the Chair and to know whether I was mistaken. My understanding was we had proceeded to the consideration of the resolution which the gentleman first called up.

The SPEAKER *pro tempore*. There had been no vote upon a pending amendment and no action of the House. The Chair holds that the gentleman from South Carolina has the right to withdraw his resolution.

Mr. TAULBEE. Then the resolution introduced by the gentleman from Illinois is pending?

The SPEAKER *pro tempore*. It is.

Mr. TAULBEE. Then I will offer as a substitute the resolution which I introduced, as amended by the committee, and which I send to the Clerk's desk.

The resolution is as follows:

Whereas it is stated in certain newspapers that the commissioners of the District of Columbia have in recent purchases of real estate within and for the use of the District of Columbia paid to and through certain agents appointed or employed by them prices above that asked or received by the vendors or owners of such property, contrary to law: Therefore,

Resolved, That the Speaker of the House of Representatives appoint a special committee of five members to investigate the matter of the purchases of real estate by the commissioners of the District, and report to the House in writing, at any time, by bill or otherwise; and that said committee be furnished a stenographer by assignment by the Speaker from the roll of stenographers now in the employ of the House, and that they be authorized to employ a clerk at a compensation of $6 per day, and that said committee be authorized to sit during the sessions of the House and authorized to administer oaths and send for persons and papers. That the expenses of said investigation be paid out of the contingent fund of the House.

Now, Mr. Speaker, in regard to this proposed investigation I have the further fact to state that until the introduction into this House of the resolution offered by the gentleman from Illinois [Mr. TOWNSHEND] I had heard but little said among citizens of the District with reference to the proposed investigation, but when that resolution of inquiry was introduced a meeting was held of citizens representing many thousands of dollars of tax-paying property in the District, and they appointed a delegation who waited upon me and furnished me with a copy of resolutions which they had adopted expressing the belief that the resolution of inquiry could effect nothing except to "sidetrack" the matter and avoid such an investigation as my resolution looked to.

From what I know of the sentiment of the tax-payers of this District I believe that they are almost universally of the opinion that this resolution of inquiry should not be substituted in any way for the resolution which I introduced and which would bring about a real investigation of the facts. The tax-payers of this District have rights. I pay some taxes in the District myself, and I believe, with due regard to all the public officials connected with this business, that the reports printed in the newspapers and the documents read by a member of this House during the consideration of the District appropriation bill were and are sufficient to authorize the House to proceed to the investigation in a proper and orderly manner, in a manner which will bring out the facts. I have in my possession the statement of a citizen of this District who has taken some pains to inquire into the facts, and who is a reliable gentleman, to the effect that in more than twenty instances of the purchase of sites, relatives of the commissioners of the District have been employed as middlemen to purchase the property of the owners and then have sold it to the commissioners for much greater prices than were advertised on the bulletin-boards of the real-estate men who had the property for sale. I believe that such will be found to be the fact, but I can not hope that these facts will be reached by an *ex parte* statement from the commissioners, even if their statement before the Committee on the District of Columbia was such as to justify that committee in recommending the passage of my resolution.

Mr. BUTTERWORTH. What is the difference between the two propositions?

Mr. TAULBEE. The difference between the two propositions is this: The resolution of inquiry calls for an *ex parte* statement, or explanation, of such charges as have been made by the newspapers and in discussions upon this floor. That, I believe, would be the whole effect of the resolution introduced by the gentleman from Illinois [Mr. TOWNSHEND]. The effect of the resolution which I introduced would be to give us a committee——

Mr. GROUT. To raise a new committee?

Mr. TAULBEE. Yes, sir; to raise a new committee, and to give the employés of the District, and all the persons connected officially with this business, an opportunity to be heard, while at the same time it would afford to the commissioners themselves every opportunity to explain or justify whatever they have done, and to give the House any information which they might desire to offer. So, Mr. Speaker, I think the resolution which I introduced is a proper one, and while I have all due respect for the conduct of the Committee on the District of Columbia, and while I believe that they are sincerely desirous of this investigation, I give it now as my belief that the passage of this resolution of inquiry and the postponement of the resolution authorizing an investigation will deprive us of an opportunity to carry into effect some of the possible remedies for these evils and to enact such legislation as will result in the recovery of this money.

Mr. HEMPHILL. I raise the point of order against the substitute offered by the gentleman from Kentucky [Mr. TAULBEE] that he can not take up a resolution reported by a committee and offer it as a substitute for a measure that is pending.

The SPEAKER *pro tempore*. The Chair thinks that the gentleman from Kentucky has the right to offer a substitute that is germane to the pending proposition, and the gentleman sends up a resolution which may be in substance the same as the resolution which was pending before the Committee on the District of Columbia, but which is germane to the pending proposition. The point of order is therefore overruled.

Mr. HEMPHILL. One of the charges of which the gentleman [Mr. TAULBEE] says he has evidence in his possession is that a number of pieces of property, twenty, I think, have been bought by relatives of the commissioners as middlemen, and sold to the commissioners. Now, that is one of charges made in the newspapers, and, so far as the proofs went that were before the committee, there is not a particle of foundation for any such statement. That is one reason why the committee thought it was proper to give the commissioners an opportunity to make a statement for themselves before voting for an investigation. We all know that when such charges get started there are always people in the world who, whether they are rascals themselves or not, always take the ground that everybody else is a rascal. Nobody pretends that the commissioners have made a single cent out of any of these transactions.

Mr. TAULBEE. I do not charge that.

Mr. HEMPHILL. The gentleman from Kentucky has not made any such charge; nobody has made it. The whole object is to get at the truth, to put the House in a position where, if things have been done in a disorderly or unbecoming manner, they can be properly regulated for the future by appropriate legislation. Therefore if the commissioners give a statement that is fair, and clear, and honest, and full, and will satisfy the House, that will be the end of the transaction. On the other hand, if two weeks from to-day they have not made that statement, then we can pass the resolution providing for an investigation and go on with the work which the gentleman from Kentucky seems so anxious to have done.

Mr. GROSVENOR. Will the gentleman permit a question?

Mr. HEMHPILL. Yes, sir.

Mr. GROSVENOR. I understood the gentleman to say that this investigation could be made in two or three days.

Mr. HEMPHILL. In three days.

Mr. GROSVENOR. Is it not a fact that the subject of this inquiry

has been a matter of public knowledge for several weeks, through the press and through the resolution offered by the gentleman from Kentucky [Mr. TAULBEE]?

Mr. HEMPHILL. Yes, sir.

Mr. GROSVENOR. Have the commissioners of the District of Columbia made haste to answer, or have they in any way answered, or made any communication as to their notions about what the facts really are?

Mr. HEMPHILL. I will say to the gentleman that so far as my knowledge goes the statement which they made before the committee is the only statement they have made. But I will state also that I suppose the commissioners of the District, like other public officers, can not devote their entire time to explaining charges against them. The gentleman knows as well as I do that if members of Congress should undertake to explain everything that is said about them in the newspapers, they would be drawing their salaries simply for taking care of their own individual characters. I think the commissioners will make a statement to this House, and if they do not, then we can pass the resolution proposed by the gentleman from Kentucky [Mr. TAULBEE].

Mr. GROSVENOR. I wish to ask the gentleman another question. If this whole matter can be investigated in two or three days, why can not the commissioners answer the questions immediately instead of postponing the matter until the next District day?

Mr. HEMPHILL. I am perfectly willing that they shall answer it within five days, or within any other reasonable time which the House may agree upon. I named next District day, because I thought it probable that we should not have an opportunity before that time to consider business from the District Committee.

Mr. COMPTON. Mr. Speaker, if I understand the decision of the Chair, it is that the resolution of the gentleman from Kentucky [Mr. TAULBEE] is in order as a substitute for the resolution reported by the committee, and that that is the proposition now before the House.

The SPEAKER *pro tempore*. The question is on the substitute offered by the gentleman from Kentucky [Mr. TAULBEE].

Mr. COMPTON. As a member of the Committee on the District of Columbia, I desire, for my own sake, to state briefly what my position is on this question. On the 10th of December a resolution was introduced into this House by the gentleman from Kentucky [Mr. TAULBEE] which was considered sufficiently grave to justify its reference to the Committee on the District of Columbia. The committee took that resolution into consideration and made inquiry enough to satisfy them that it was their duty to report the resolution back favorably to this House, providing for an investigation. I so voted in the committee, and I divulge no secrets when I say that that was a unanimous vote. That resolution was reported back here after proper consideration, in the judgment of the committee which reported it to this House, and is on the Calendar in proper form.

A resolution was offered by my friend from Illinois [Mr. TOWNSHEND] covering the same ground, and it also was referred to the District Committee for consideration. I have not seen the time in the committee when I felt, and I do not now feel that I can, in justice to myself or to the committee, vote to substitute the resolution of the gentleman from Illinois for that originally recommended by the committee. I took that position in the committee, and I take it here. If this is a matter of sufficient consequence to deserve the attention of this House, if there are grave questions involved affecting the business interests of the community, or the conduct of the District commissioners, then I maintain that it is the duty—not simply the right, but the duty—of this House to investigate that matter properly to the bottom; and I maintain further, that of all men living within the limits of this District the commissioners are the men who should, most of all, desire a thorough investigation by an impartial committee.

The committee that will be appointed to investigate this charge will be appointed by the Speaker of this House. That fact in itself is a guaranty, an absolute guaranty, that that committee will be one which will do justice to all the parties concerned, and, for one, I shall cast my vote in favor of the resolution of the gentleman from Kentucky.

Mr. TOWNSHEND. Will the gentleman allow me to say a word?

Mr. HEMPHILL. Certainly.

Mr. TOWNSHEND. Mr. Speaker, when the question was before the House in December last, at the time the District appropriation was under consideration, the gentleman from Kentucky [Mr. TAULBEE], by his remarks then, as well as those made by him to-day, indicated that he had no supposition that the conduct of the commissioners in connection with this matter was censurable, at least so far as their integrity is concerned. It seems, sir, from what I could learn, that his desire was to inquire whether a better method could not be found than the one heretofore adopted for the purchase of sites for schools and police station-houses.

It seems to be his desire to elicit information so as to enable this House to legislate judiciously and intelligently on the subject. The resolution reported from the Committee on the District of Columbia was delayed by the objections which have been made from time to time. Therefore, in order that the real facts might be elicted and that the House might be fully and thoroughly informed as to the facts, I offered the resolution of inquiry which has been adopted by the committee, and which was intended to cover the entire field of investigation. That was introduced a week or more ago. The Committee on the District of Columbia had the right to report that resolution back at any time. If it had done so promptly it could have been passed and answered in time for action by the House on the resolution of the gentleman from Kentucky to-day, and then we could more intelligently determine whether we should incur the expense of appointing a new and special committee of investigation, and the employment of a stenographer, etc. It is probable in this way all the information desired could be ascertained without making any appropriation.

Mr. TAULBEE rose.

Mr. TOWNSHEND. Do not interrupt me now. The gentleman has said some one or more persons in the District of Columbia informed him that the resolution I introduced had the tendency to side-track the investigation which was intended by his resolution. Let me say to the gentleman from Kentucky that his informants, whoever they may be, are entirely mistaken, and that they had no warrant for making any such remark. My resolution was intended to obtain all the facts in regard to the matter and to spread them before this House, but it was not in any sense intended for the purpose of side-tracking his resolution or to conflict with it.

Mr. TAULBEE. I do not wish the gentleman from Illinois to misunderstand me. What I think I said, and what I meant to say, was that citizens of the District of Columbia had expressed that belief to me, that the adoption of the resolution offered by the gentleman from Illinois could have no other effect. I meant to cast no reflection upon the gentleman's purpose in offering the resolution, nor do I intend to do so at this time. If he understood me to say anything of that sort, I can only say that I am sorry for it.

Mr. TOWNSHEND. I did not understand the gentleman to impute such a purpose to me. I merely intended to say to the gentleman from Kentucky that those who stated that would be the effect of my resolution or that it was so intended in any sense were mistaken. My resolution was intended to elicit information pending the consideration of his resolution for investigation, in order that we might more intelligently act upon his motion when it could be reached.

My purpose was to do everything I could for the purpose of reaching a just conclusion in regard to this matter. I supposed my resolution of inquiry could be answered before action on his resolution could be had. I sought thereby to put the House in possession of all the facts which it would have brought out.

The gentleman has himself disclaimed any intention of reflecting upon the commissioners of the District of Columbia. Now, Mr. Speaker, so far as my observation has gone, extending over some years in reference to these matters, I believe we have never had more honest and capable commissioners for the District than we have to-day. I am glad to hear the gentleman from Kentucky say that he does not reflect on them. I understood him to say his purpose is to provide for the purchase of sites for school-houses and station-houses by the very best method and upon the most advantageous terms to the District of Columbia, and that if money has been paid out unlawfully to agents in securing the purchases it should be recovered. I heartily join hands with him on that proposition, but I think the Committee on the District of Columbia have taken the right view of this subject in determining that before the committee of investigation is appointed all the facts obtainable without investigation should be presented to the House, and then we can more judiciously determine whether a special committee should be appointed to investigate.

So far as I am concerned, I do not object to the adoption of the resolution of investigation. I introduced mine as an independent proposition. I repeat that it was not intended to conflict with that of the gentleman from Kentucky, but to stand on its own merits as a resolution of inquiry for the purpose of bringing fully and thoroughly all the facts involved before the House.

Mr. TAULBEE. Mr. Speaker, I would be glad to join hands with the gentleman from Illinois in his effort to obtain all the facts that would lead to the recovery of money paid out to gentlemen in this District unlawfully. Now, I wish to call his attention to the fact that his resolution as introduced into the House did not look to that result. There was nothing in that resolution which would justify the commissioners, in answering the resolution, to give one single intimation as to who were the parties, or how much of the people's money had been paid to parties not entitled to any.

Mr. TOWNSHEND. My friend is entirely mistaken.

Mr. TAULBEE. Well, let it be read.

Mr. TOWNSHEND. My resolution was intended for the purpose of naming the parties and the amount. It included everything, as the resolution will show. Now, the gentleman has made it more specific by suggesting amendments which I think ought to be adopted; and if he has other amendments which will unearth other features, I beg that he will introduce them, so that we may get at the very bottom facts of the case.

Mr. TAULBEE. The difference between the gentleman and myself is simply one of fact, which the resolution will determine without bandying words. I read the resolution and went before the Committee on the District of Columbia and suggested an amendment, which they

adopted, which would call for the information as to how much money has been realized by the middlemen. His resolution did not call for any such information, and I ask that the resolution now on the desk be read, leaving out the amendment recommended by the committee; and the reading of the resolution will demonstrate that what I have said is absolutely correct.

Mr. TOWNSHEND. Will not my friend from Kentucky do me the justice to state that when he said the resolution I introduced would not elicit all the information desired, I said, while differing in opinion, I desired him to present such suggestions as would meet the object he had in view, did I not?

Mr. TAULBEE. You did.

Mr. TOWNSHEND. And I was gratified to learn that the committee adopted the gentleman's suggestions.

Mr. TAULBEE. And I have suggested an amendment in the nature of this resolution which will answer the object fully.

Mr. HEMPHILL. Mr. Speaker, in order to bring this matter to a conclusion, I will state that if this resolution is adopted it simply gives each member of the House the information upon which the committee had to act, and then it will be for every man to act upon his own responsibility. Otherwise, if you adopt Mr. TAULBEE'S resolution, it is simply adopting it upon our recommendation solely, and without a report as to what the commissioners said; for, as I have stated, we had no stenographer, and we think it but fair to the commissioners to have their statement in writing. I will then, if this is adopted, at the proper time move that the resolution be reported in one week after its passage, so that it will come back to the House in time to adopt any legislation that may be deemed necessary before the adjournment.

Mr. BUCHANAN. Will the gentleman also incorporate in his resolution a provision that upon the reception of this information, if deemed unsatisfactory by the Committee on the District of Columbia, the committee may at once proceed to investigate?

Mr. HEMPHILL. The original resolution provides for a special committee of three.

Mr. BUCHANAN. I know, and to that feature I am opposed. I think the Committee on the District of Columbia is amply able to attend to that matter.

Mr. HEMPHILL. We have more work than we can possibly attend to now.

Mr. BUCHANAN. Well, I do not notice a very haggard look on the faces of its members. [Laughter.]

Mr. WILLIAMS. I move that the House do now adjourn.

Mr. HEMPHILL. I hope the gentleman will withdraw that, so that we can have a vote on this question.

Mr. WILLIAMS. Very well, I will withdraw it.

Mr. ROGERS. Let the resolution be again reported.

The resolution of Mr. TAULBEE was again read.

Mr. ATKINSON. I move to strike out so much of this resolution as provides for the appointment of a clerk at a compensation of $6 per day.

The SPEAKER *pro tempore*. Does the gentleman refer to the substitute now?

Mr. ATKINSON. Yes, I refer to the resolution just read, offered by the gentleman from Kentucky as a substitute, and I desire to be heard briefly.

One of the objections, sir, which I have to this resolution of the gentleman from Kentucky is that by reason of this provision that a clerk shall be employed at a compensation of $6 per day, the investigation would be unnecessarily protracted and hence unreasonably expensive. So far as I can see there would be no work for that clerk to do. A stenographer is provided for in the resolution also, and no man living can tell you how long this investigation will run or how much it may be protracted at the instance of that clerk, who desires to retain the very handsome salary provided by the resolution.

I believe, sir, that the resolution of the gentleman from Illinois will develop all the facts in the case in controversy here that are desired, and if after the commissioners have answered that inquiry and all of the facts are developed, then this investigation provided for by the resolution of the gentleman from Kentucky can go on if deemed necessary.

I am perfectly satisfied that the gentleman from Kentucky has offered his resolution in good faith, but I know that after the resolution was offered and referred to the District Committee, and after it was reported it became a matter of common knowledge that war was being made upon the commissioners of the District of Columbia, not on account of school sites, but because they had refused licenses to certain liquor-sellers here because they had been violating the provisions of the license law of the District, and whether that delegation of people of the District of Columbia that called upon the gentleman from Kentucky were applicants for license who had been refused or not, I do not know.

Mr. TAULBEE. Will the gentleman allow me a moment? The first question I asked of them was whether any of the parties participating in the transaction had anything to do with the traffic in intoxicating liquors in this District, and the answer was that they had not. So far as I am concerned, I have never asked the commissioners to grant licenses to anybody, nor have I ever been engaged in the business myself, and I disclaim any such motive or purpose. I know nothing of the war upon the commissioners of which the gentleman speaks.

Mr. ATKINSON. I was careful in my statement to say that I did not believe the gentleman from Kentucky was actuated by any such motives or influences; but if he reads the daily papers here, if he reads the Sunday papers especially, that seem to be sent gratuitously to us, he will learn that there is war being made upon the commissioners because they have refused to renew liquor licenses to men who have abused the privileges that had previously been given to them.

And whether this proposed investigation is intended to cast an aspersion upon these commissioners, and the liquor-dealers are back of it or not, I am not prepared to say. I can not tell. It may be that these men are under two fires instead of one; but nevertheless I do believe that this resolution presented by the gentleman from Illinois, which will give to these commissioners an opportunity to answer fully all the allegations that have been made against them, should first be adopted, and after that, if this House should deem a further investigation necessary, it could go on with all the paraphernalia of a stenographer, clerk, if you please, or anybody else, and make this investigation, but until then I believe that the resolution offered by the gentleman from Illinois should be adopted. To remove the objectionable feature in the resolution of the gentleman from Kentucky, however, I adhere to my motion that so much of the resolution as provides for the appointment of a clerk at $6 a day shall be stricken out. [Cries of "Vote!" "Vote!"]

The SPEAKER *pro tempore*. The question is on the adoption of the amendment.

Mr. BREWER. Mr. Speaker, I desire to be heard for three minutes. I do this being a member of the Committee on the District of Columbia. The resolution of the gentleman from Kentucky was referred to that committee to investigate as to whether there was occasion for the investigation of the subject-matter referred to in the resolution. The committee called the commissioners before them. They gave them the privilege of bringing before the committee just such witnesses as they saw fit to explain the transactions referred to; and after the committee had deliberately heard the statements of the commissioners, and heard the statements of those they desired to bring before us, we reported in favor of an investigation; and that report has been in the hands of the chairman of our committee, who has been unable to present it or call it up in this House. That was the condition of things when the resolution was introduced by the gentleman from Illinois. I do not know why this House, nor do I understand why our committee, after its deliberate consideration of that resolution and its report, should go back on it here to-day.

I voted against reporting back the resolution of the gentleman from Illinois, because I believed from the lips of the commissioners themselves, every member on that committee believed, there ought to be an investigation, and that there were transactions that ought to be explained, transactions that could not be explained by an answer to the resolution of the gentleman from Illinois. And there is not one transaction, but there are many of these transactions, as was developed before that committee.

Now, in regard to the clerkship, I care nothing about that. I am in favor of the substitute of the gentleman from Kentucky, and I believe the committee, if that is the usual course, should have its clerk, and that it should proceed with this investigation in order that such legislation should be had at the present Congress as may be found to be necessary.

The SPEAKER *pro tempore*. The question is on the amendment of the gentleman from Pennsylvania.

The question was taken; and the Speaker *pro tempore* announced that the ayes seemed to have it.

Mr. TAULBEE. Division.

The House divided; and there were—ayes 34, noes 39.

So the amendment of Mr. ATKINSON was disagreed to.

The SPEAKER *pro tempore*. The question is now on the substitute offered by the gentleman from Kentucky.

Mr. SOWDEN. I would like to have the substitute reported, so that we may know what we are voting upon.

The substitute was again read.

Mr. TAULBEE. I ask to amend the resolution, simply to correct a typographical error and have the word "vendees" changed to "vendors."

The SPEAKER *pro tempore*. The correction will be made.

The question was then taken on the adoption of the substitute; and the Speaker *pro tempore* announced that the ayes seemed to have it.

Mr. HEMPHILL. Division.

The House divided; and there were—ayes 56, noes 21.

So the substitute was adopted.

The SPEAKER *pro tempore*. The question now is on the adoption of the resolution as amended.

The resolution as amended was adopted.

Mr. TAULBEE moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. THOMPSON, of Ohio. I move that the House do now adjourn.

Mr. SPINOLA. I ask the gentleman to withhold that for one moment.

The SPEAKER *pro tempore*. The Chair will lay before the House some personal requests of members.

Mr. THOMPSON, of Ohio. I withdraw the motion to adjourn at the request of the gentleman from New York [Mr. SPINOLA].

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. ROWLAND, indefinitely, on account of sickness.

To Mr. JOHNSTON, of Indiana, until Thursday next.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. HATCH was granted leave to withdraw from the files of the House, without leaving copies, the papers in the pension case of William C. Ebert.

ORDER OF BUSINESS.

Mr. SPINOLA rose.

Mr. MCMILLIN. Mr. Speaker, what has become of the motion to adjourn?

The SPEAKER *pro tempore*. The gentleman from Ohio [Mr. THOMPSON] withdrew it.

LIGHT-SHIP AND FOG-SIGNAL, SANDY HOOK.

Mr. SPINOLA. I have been requested by all the commercial interests of the city of New York to ask the House to give favorable consideration at this time to a short bill which I send to the desk. I ask the Clerk to read the report, which is very brief, and which will explain the bill.

The bill was read, as follows:

Be it enacted, etc., That there be established off Sandy Hook, entrance to New York Harbor, a new light-ship, with a steam fog-signal, the entire cost of which shall not exceed the sum of $60,000.

The SPEAKER *pro tempore*. The Chair will call the attention of the gentleman from New York to the fact that this bill is in the Committee of the Whole on the state of the Union.

Mr. SPINOLA. I ask unanimous consent that the Committee of the Whole be discharged from the further consideration of the bill, and that it be now considered in the House.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from New York?

Mr. KILGORE. Mr. Speaker, I do not think that at this hour and under these circumstances the House ought to undertake to pass a bill appropriating $60,000.

Mr. SPINOLA. I will say to the gentleman that this bill passed both Houses before, and failed to become a law only because it did not reach the President in time.

Mr. MILLS. I suggest that the bill lie over until to-morrow as unfinished business.

Mr. SPINOLA. I have no objection to that.

Mr. MILLS. I now move that the House adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 20 minutes p. m.) the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. W. C. P. BRECKINRIDGE: A bill (H. R. 12155) for the relief of Mary B. Wiley—to the Committee on Invalid Pensions.

By Mr. C. E. BROWN: A bill (H. R. 12156) for the relief of Thomas H. Foulds, late postmaster of Cincinnati, Ohio—to the Committee on Claims.

By Mr. COMPTON: A bill (H. R. 12157) for the relief of Leonard Roberts Coates, of Baltimore, Md.—to the Committee on Claims.

By Mr. DIBBLE: A bill (H. R. 12158) for the relief of Clifford Oakman—to the Committee on War Claims.

Also, a bill (H. R. 12159) for the relief of William G. Capers—to the Committee on War Claims.

Also, a bill (H. R. 12160) for the relief of Thomas G. White, executor, etc.—to the Committee on War Claims.

Also, a bill (H. R. 12161) for the relief of Thomas G. White—to the Committee on War Claims.

Also, a bill (H. R. 12162) for the relief of Alfred H. McTureons—to the Committee on War Claims.

Also, a bill (H. R. 12163) for the relief of Edward T. Walker—to the Committee on War Claims.

Also, a bill (H. R. 12164) for the relief of Francis M. Pritchard—to the Committee on War Claims.

Also, a bill (H. R. 12165) for the relief of John B. Miller—to the Committee on War Claims.

Also, a bill (H. R. 12166) for the relief of Daniel P. Jenkins—to the Committee on War Claims.

Also, a bill (H. R. 12167) for the relief of Thomas Means—to the Committee on War Claims.

Also, a bill (H. R. 12168) for the relief of Augusta E. Fripp—to the Committee on War Claims.

Also, a bill (H. R. 12169) for the relief of B. E. Fripp, administrator—to the Committee on War Claims.

Also, a bill (H. R. 12170) for the relief of Elizabeth and Joseph J. Fripp, executors, etc.—to the Committee on War Claims.

Also, a bill (H. R. 12171) for the relief of W. O. P. Fripp, administrator, etc.—to the Committee on War Claims.

Also, a bill (H. R. 12172) for the relief of William O. P. Fripp—to the Committee on War Claims.

Also, a bill (H. R. 12173) for the relief of John R. Read—to the Committee on War Claims.

Also, a bill (H. R. 12174) for the relief of Mary A. Capers—to the Committee on War Claims.

Also, a bill (H. R. 12175) for the relief of Edward Capers—to the Committee on War Claims.

Also, a bill (H. R. 12176) for the relief of Francis T. Capers—to the Committee on War Claims.

Also, a bill (H. R. 12177) for the relief of Henry H. Von Harten—to the Committee on War Claims.

Also, a bill (H. R. 12178) for the relief of W. A. Chisholm—to the Committee on War Claims.

Also, a bill (H. R. 12179) for the relief of J. A. Hamilton and William H. Perryclear—to the Committee on War Claims.

Also, a bill (H. R. 12180) for the relief of Stephen E. Scanlan, administrator, etc.—to the Committee on War Claims.

Also, a bill (H. R. 12181) for the relief of Ann E. Pritchard and O. J. Pritchard—to the Committee on War Claims.

Also, a bill (H. R. 12182) for the relief of Franklin Talbird—to the Committee on War Claims.

Also, a bill (H. R. 12183) for the relief of Franklin Talbird, executor, etc.—to the Committee on War Claims.

Also, a bill (H. R. 12184) for the relief of Thomas B. Chaplin—to the Committee on War Claims.

Also, a bill (H. R. 12185) for the relief of Heph J. Pope—to the Committee on War Claims.

Also, a bill (H. R. 12186) for the relief of Honorah Armstrong, administratrix, etc.—to the Committee on War Claims.

Also, a bill (H. R. 12187) for the relief of the legal representatives of Albert L. Hazeltine—to the Committee on War Claims.

By Mr. DUNN: A bill (H. R. 12188) for the relief of William Z. Congers—to the Committee on Invalid Pensions.

By Mr. HUNTER: A bill (H. R. 12189) for the relief of Granville H. Mansfield—to the Committee on Military Affairs.

Also, a bill (H. R. 12190) granting a pension to Thomas Cottrell—to the Committee on Invalid Pensions.

By Mr. LAFFOON: A bill (H. R. 12191) to remove the charge of desertion against William Rafferty—to the Committee on Military Affairs.

By Mr. MAISH: A bill (H. R. 12192) to remove the charge of desertion from the military record of T. W. Smythe—to the Committee on Military Affairs.

By Mr. MCCREARY: A bill (H. R. 12193) granting a pension to Louisa M. Gordan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12194) granting a pension to Abraham A. Fowler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12195) granting a pension to Charles T. Fleming—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12196) granting a pension to Mary Jane Owsley—to the Committee on Pensions.

Also, a bill (H. R. 12197) for the relief of Henry Cohen—to the Committee on War Claims.

Also, a bill (H. R. 12198) granting increase of pension to H. S. Mayhall—to the Committee on Invalid Pensions.

By Mr. MCMILLIN (by request): A bill (H. R. 12199) granting a pension to Margaret L. Watson, widow, and Charles E. and Boyd Watson, heirs of Charles H. Watson—to the Committee on Invalid Pensions.

By Mr. MORRILL: A bill (H. R. 12200) to grant the Home Mining Company the coal underlying the bed of the Missouri River opposite Fackler's addition to city of Leavenworth, etc.—to the Committee on Mines and Mining.

By Mr. NORWOOD: A bill (H. R. 12201) for the relief of Josiah E. Butler—to the Committee on War Claims.

Also, a bill (H. R. 12202) for the relief of W. T. Zorn—to the Committee on War Claims.

Also, a bill (H. R. 12203) for the relief of Thomas B. Lee—to the Committee on War Claims.

By Mr. O'DONNELL: A bill (H. R. 12204) granting a pension to Susan M. Gardner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12205) granting a pension to Julia W. Freeman—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 12206) granting a pension to Edward Patton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12207) granting arrears of pension to Dr. W. H. Warner—to the Committee on Invalid Pensions.

By Mr. PETERS: A bill (H. R. 12208) for the relief of Johan J. Eichoff—to the Committee on War Claims.

By Mr. PLUMB: A bill (H. R. 12209) for the relief of Eliza Murphy—to the Committee on War Claims.

By Mr. REED: A bill (H. R. 12210) to enable the city of Portland to build a powder-house on Hog Island Ledge—to the Committee on Military Affairs.

By Mr. RYAN: A bill (H. R. 12211) for the relief of Daniel W. Boutwell—to the Committee on War Claims.

By Mr. STONE, of Kentucky: A bill (H. R. 12212) for the relief of John H. Harris—to the Committee on War Claims.

By Mr. TOWNSHEND: A bill (H. R. 12213) for the relief of Elias Cleveland—to the Committee on Invalid Pensions.

By Mr. WARNER: A bill (H. R. 12214) for the relief of Charles E. Hasbrook—to the Committee on Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. E. P. ALLEN: Petition of Josiah Collins and 34 others, asking for a law providing for a drawback on tin-plate, etc.—to the Committee on Ways and Means.

By Mr. BARNES: Petition of James M. Williams, of Glasscock County, Georgia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. BINGHAM: Resolutions of the Commercial Exchange of Philadelphia, for the passage of Senate bill 2851 amendatory of the act regulating interstate commerce—to the Committee on Commerce.

By Mr. BLOUNT: Petition of Benjamin C. Haygood, of Elizabeth W. Robson, of Gabriel Parks; of heirs of John R. Ralls, of Monroe County, and of heirs of Beheathiland Fountaine, of Wilkinson County, Georgia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. T. H. B. BROWNE: Petition of John R. Johnson, of Accomac County, Virginia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. CAREY: Memorial of certain citizens of Wyoming, praying that compensation for the excess of eight hours' labor by certain United States employés be paid—to the Committee on Labor.

By Mr. CROUSE: Petition of Francis M. Swanson, for property taken by the Army—to the Committee on War Claims.

By Mr. FINLEY: Petition of William H. Nall, for special act granting him arrears of pension—to the Committee on Invalid Pensions.

By Mr. HALL: Resolution for relief of Robert Dougherty, an employé of the House folding-room—to the Committee on Accounts.

By Mr. HUNTER: Petition to place Thomas Cottrell on the pension-roll—to the Committee on Invalid Pensions.

Also, petition of Granville H. Mansfield, for an honorable discharge—to the Committee on Military Affairs.

By Mr. T. D. JOHNSTON: Petition of Abel J. Leatherwood, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. JONES: Petition of Lafayette D. Steele, of Monroe County, Alabama, heir of Stephen Steele, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. McCREARY: Petition of Isaac McKinney, Company K, Fortieth Iowa Volunteer Infrantry, for relief—to the Committee on Invalid Pensions.

By Mr. MORROW: Memorial of Joseph Belduke, relative to propellers for steam-ships—to the Committee on Naval Affairs.

By Mr. MORSE: Petition of S. F. Dunlap, relative to the constitutionality of the interstate law—to the Committee on the Judiciary.

By Mr. PUGSLEY: Petition of Sears & Nichols and others, of Chillicothe, Ohio, in regard to tin-plate—to the Committee on Ways and Means.

By Mr. SAYERS: Petition of G. A. Boll, of Los Angeles, Cal., asking inquiry into the Lomas de Santiago land grant—to the Committee on Private Land Claims.

By Mr. HENRY SMITH: Remonstrance of the North Side Turnverein against the Blair Sunday bill—to the Committee on the Judiciary.

By Mr. SPINOLA: Petition of the Maritime Association of New York, for a harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

By Mr. STAHLNECKER: Petition of the Maritime Association of New York, favoring a harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

By Mr. J. D. STEWART: Petition of Lewis Nash, of Georgia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. TOWNSHEND: Petition to accompany bill for the relief of Elias Cleveland—to the Committee on Invalid Pensions.

By Mr. VOORHEES: Petition of 462 citizens, of 199 citizens, of 81 citizens, of 114 citizens, and of 22 citizens, of Washington Territory, praying for legislation permitting women to vote for members of the constitutional conventions in the several Territories, and for the adoption or rejection of the constitutions submitted therefrom—to the Committee on the Territories.

By Mr. WASHINGTON: Petition of Cynthia H. Brown, sole distributee of Granville P. Brown, deceased, late of Phillips County, Arkansas, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. W. L. WILSON: Resolution for the relief of Maurice Ruddlesden—to the Committee on Accounts.

By Mr. YARDLEY: Petition of Council No. 241, Junior Order United American Mechanics, of Conshohocken, Pa., for the passage of a law regulating foreign immigration—to the Committee on Foreign Affairs.

The following petitions against the passage of the international copyright bill were received, and severally referred to the Committee on Patents:

By Mr. DORSEY: Of W. H. Mullane, of Nebraska.

By Mr. HOWARD: Of citizens of Seymour, Ind.

By Mr. SENEY: Of A. H. Balsley, of Findlay, Ohio.

SENATE.

TUESDAY, *January* 15, 1889.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

CERTIFICATE OF ELECTORAL VOTES.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of State, transmitting, in pursuance of the provisions of the act of Congress approved February 3, 1887, a certified copy of the final ascertainment of the electors for President and Vice-President appointed by the State of Michigan; which was ordered to be printed, and, with the accompanying certificate, to lie on the table.

COURT OF CLAIMS REPORT.

The PRESIDENT *pro tempore* laid before the Senate a communication from the clerk of the Court of Claims, transmitting, in compliance with the act of Congress of January 20, 1885, the conclusions of fact and of law filed by the Court of Claims in a certain French spoliation claim; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. FARWELL presented a petition of citizens of Centreville, Wayne County, Indiana, praying for the passage of the Sunday-rest bill; which was referred to the Committee on Education and Labor.

Mr. ALLISON presented resolutions adopted by the Jobbers' and Manufacturers' Association of Sioux City, Iowa, a petition of jobbers and manufacturers of Dubuque, Iowa, and resolutions adopted by the Board of Trade of Dubuque, Iowa, in favor of the opening of the Sioux Indian reservation for settlement; which were referred to the Committee on Indian Affairs.

He also presented resolutions adopted by the Military Order of the Loyal Legion of the United States at Des Moines, Iowa, favoring suitable provision by Congress for the completion of the publication of the naval records of the war of the rebellion; which were referred to the Committee on Appropriations.

Mr. STEWART presented a petition of the Board of Trade of San Luis Obispo, Cal., praying that an appropriation of $50,000 be made for constructing a breakwater at the port of San Luis Obispo, as recommended by the Army engineers; which was referred to the Committee on Commerce.

Mr. BROWN presented a petition of the Board of Trade of Savannah, Ga., praying that the channel in the harbor at that city be deepened to 28 feet and that an adequate appropriation for that purpose may be made; which was referred to the Committee on Commerce.

Mr. HOAR presented the petition of Zerelda N. McCoy, vice-president of the National Woman's Suffrage Association of Washington Territory, praying that a clause allowing women to vote for delegates to the State constitutional conventions and at the election for the adoption of the constitution, in every Territory where the Legislatures thereof have passed laws providing that women may vote, be inserted in the enabling acts for such Territories; which was referred to the Committee on Territories.

REPORTS OF COMMITTEES.

Mr. VOORHEES, from the Committee on the Library, reported a joint resolution (S. R. 129) accepting the donation of the battle-sword of the late Capt. Samuel Chester Reid, tendered as a gift by his son, Sam C. Reid, and providing for the presentation to him by Congress of a gold medal; which was read twice by its title.

Mr. VOORHEES. I ask that the joint resolution may be placed on the Calendar, and I give notice that on some suitable occasion I shall call it up for the action of the Senate, and to enable me to submit some remarks upon it.

The PRESIDENT *pro tempore*. The joint resolution will be placed on the Calendar.

Mr. PLATT, from the Committee on Territories, to whom was referred the bill (S. 3777) to authorize the board of county commissioners of the county of Whitman, Washington Territory, to issue bonds and to build a court-house and jail, and to sell and acquire real estate for such purposes, reported it with amendments, and submitted a report thereon.

BILLS INTRODUCED.

Mr. HISCOCK introduced a bill (S. 3818) for the establishment of a light-house and a fog-signal at Old Orchard shoal, in Princess Bay, New York; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

He also introduced a bill (S. 3819) granting a pension to Esther Gould; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3820) granting a pension to Philos G. Cook; which was read twice by its title, and referred to the Committee on Pensions.

JOHN L. BROOME.

Mr. COCKRELL. I desire to offer a substitute for the bill (S. 1463) to authorize an additional appointment on the retired-list of the Marine Corps. I offer this as a substitute for the entire bill, and when the bill is taken up I shall ask that the substitute may be considered. I ask that it be printed and placed on the Calendar with the bill.

The PRESIDENT *pro tempore*. The proposed amendment will be printed and placed on the Calendar, and noted in connection with the bill.

STATE NATIONAL BANK OF LOUISIANA.

Mr. VOORHEES. I ask the indulgence of the Senate to pass a little bill this morning which will provoke no discussion and which has heretofore passed the Senate three times, referring a claim to the Court of Claims for adjudication. It is Senate bill 205.

The PRESIDENT *pro tempore*. If there be no further morning business, that order is closed, and the Calendar, under Rule VIII, being in order, the Senator from Indiana asks unanimous consent to proceed to the consideration of a bill the title of which will be stated.

Mr. ALLISON. I will not object unless it should take time.

Mr. VOORHEES. I would not ask it if I thought it would take time.

The CHIEF CLERK. A bill (S. 205) for the relief of the State National Bank of Louisiana.

Mr. VOORHEES. I wish simply to say that the bill was reported from the Committee on Claims by the Senator from Massachusetts [Mr. HOAR] not now in his seat, and I have his permission to call it up in this way.

The PRESIDENT *pro tempore*. The bill will be read at length for information, subject to objection.

The Chief Clerk read the bill, as follows:

Be it enacted, etc., That the claim of the State National Bank of Louisiana for the payment of cotton belonging to said bank taken by the agents of the Treasury Department of the United States in the States of Louisiana and Arkansas, after the 30th of June, 1865, be, and the same is hereby, referred to the Court of Claims for adjudication, and that said bank may institute suit in said court, and that the same shall be tried and adjudicated as if said action had been filed in said court within the time authorized by law; that the testimony and original papers filed by said bank or the United States before the Treasury Department of the United States in connection with the said claim be, and the same shall be, received by said court as evidence as if taken or filed under the rules of said court; that the said bank and the United States may take further evidence as may be deemed proper, subject to the rules for taking testimony in said court.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. PLATT. I should like to have the last clause again read.

The Chief Clerk read as follows:

That the said bank and the United States may take further evidence as may be deemed proper, subject to the rules for taking testimony in said court.

The PRESIDENT *pro tempore*. Does the Senator require further reading?

Mr. PLATT. No, sir.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5870) to amend the Revised Statutes relating to the District of Columbia for the protection of girls and for the punishment of the crime of rape, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HEMPHILL, Mr. COMPTON, and Mr. GROUT managers at the conference on the part of the House.

The message also announced that the House had concurred in the amendments of the Senate to the bill (H. R. 5349) for the relief of James Trabue, Thornton Thatcher, Michael Callahan, and the widow of John Waters.

The message further announced that the House had passed the bill (H. R. 11683) for the establishment of a light-ship with a fog-signal at Sandy Hook, New York Harbor; in which it requested the concurrence of the Senate.

THE REVENUE LAWS.

Mr. ALLISON. I move that the Senate proceed to the consideration of House bill 9051.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue, the pending question being on the amendment proposed by Mr. VEST, in line 2206, paragraph 670, of the free-list, to strike out "Ottar of roses" and insert "Salt;" so as to read:

670. Salt.

Mr. VANCE. Yesterday I stated upon the authority of the tariff compilation which has been placed upon the desks of Senators that there was no duty upon salt from 1846 to 1860. I find by a visit to the Bureau of Statistics that I was mistaken; that although there was no duty imposed in the statute, and the tariff duty of 1842 had been repealed, yet under the general clause taxing non-enumerated articles there was a duty of 20 per cent. collected upon salt until 1857, when the duty was reduced to 15 per cent.

I desire to make that correction, merely remarking that the force of the argument, such as it was, that I presented as applicable to free salt would be equally or very nearly equally applicable to salt at a very low rate of duty.

I have received the following telephonic dispatch from the Bureau of Statistics:

JANUARY 15, 1889.

Senator VANCE:

The duty on salt under the act of 1846 was 20 per cent.; under the act of 1857 the duty on all salt was 15 per cent.

THE BUREAU OF STATISTICS.

Mr. ALLISON. I understand the Senator from Missouri [Mr. VEST] has the floor upon this amendment, so I will delay any observations I may have to make.

Mr. VEST. Go on; I yield the floor for that purpose.

Mr. ALLISON. No, I prefer that the Senator should go on.

Mr. VEST. Mr. President, I desire to supplement what has been said by the Senator from North Carolina in regard to salt having been on the free-list by stating that I relied upon the compilation to which he has referred, and also upon the testimony taken before the Tariff Commission in 1882, when Mr. E. P. Wheeler, of New York, stated emphatically that salt had been upon the free-list from 1846 to 1861, and also the statements——

Mr. TELLER. Who stated that?

Mr. VEST. Mr. E. P. Wheeler, of New York, on page 221.

Mr. TELLER. He is president of the New York Free Trade Club?

Mr. VEST. Yes, sir.

Mr. TELLER. Very likely. I should expect such a statement from him.

Mr. VEST. I might retort by saying that I should expect a statement on the other side equally erroneous, judging from a good many statements that have been made here in this debate. But that does not prove anything. Mr. Wheeler is a man of high character, and generally accurate in his statements. Besides his statement, the same thing was stated in the debate in the House of Representatives, by Mr. BRECKINRIDGE, of Arkansas, and not contradicted, and that debate was a most acrimonious one.

Mr. TELLER. If the Senator will allow me to interrupt him, I will say that it was contradicted on the floor of the House.

Mr. VEST. I can not hear the Senator.

Mr. TELLER. I say it has been contradicted on the floor of the House more than once, and if the Senator had read some of the speeches on the subject he would have found that the duty was specifically given year by year.

Mr. VEST. I think that I have read——

Mr. PALMER. Mr. President——

The PRESIDING OFFICER (Mr. DOLPH in the chair). Does the Senator from Missouri yield to the Senator from Michigan?

Mr. VEST. I prefer to go on. Senators can take their own time. However, I yield to the Senator from Michigan.

Mr. PALMER. I merely wish the Senator from Missouri to repeat his statement. I could not hear it, there was so much confusion on this side of the Chamber.

Mr. VEST. I can hardly hear myself.

My last statement was, that in the House of Representatives during the debate upon the salt item in the Mills bill Mr. BRECKINRIDGE, of Arkansas, made the statement that salt had been put on the free-list from 1846 to 1861, and without going back to the statistical or official tables, I took it for granted that such was the case, and have always so understood.

As to reading all the speeches in the House of Representatives or anywhere else upon the tariff question, life is too short, and unless put in solitary confinement for life I hardly think that any human being will ever accomplish that feat.

For all practical purposes it does not matter, or, to speak more correctly,

for all the purposes of this discussion it does not matter whether I was absolutely correct in that statement or not. I have before me the statement of a gentleman about whom I think the Senator from Colorado will not make the statement he did about Mr. Wheeler, that he would expect that sort of a statement; in other words, that a man who differed with him politically as to the tariff question would not state the truth. That was the substance of it.

Mr. TELLER. No, I did not say that.

Mr. VEST. I leave that for proper deduction. Here is the statement of Mr. David H. Mason, of Chicago, Ill., representing the Michigan Salt Association before the Tariff Commission in 1882. After giving a summary of the legislation on the subject of the salt duty he proceeds to say:

After four and one-third years under the duty of 8 cents, followed the tariff of 1846, going into effect December 1 of the same year, and fixing the duty on salt at 20 per cent. ad valorem, equal, during the period of its continuance, to a specific rate of only 2.43 cents per bushel on a general average. Almost simultaneously with this reduction of the import charge New York reduced her tax to 1 cent per bushel, at which figure it has remained ever since; consequently, so long as the tariff of 1846 was in force, or ten years and seven months, the New York manufacturers, who then produced the bulk of our domestic salt, had only the mockery of protection contained in the excess of 1.43 cents of import duty over the State tax. Then came the act of 1857 further diminishing the tariff rate to 15 per cent. ad valorem. This rate lasted three years and nine months. Taking the average for that time, it was equivalent to a specific duty of 1.58 cents per bushel, leaving for protection, if anybody can venture to call it such, not quite three-fifths of a cent per bushel after the amount of the State tax was deducted.

So if salt was not absolutely upon the free-list it was reduced to a nominal protection, as was stated by this gentleman, who represented before the Tariff Commission the salt interests of the great Northwest.

One of the contentions in regard to salt is that the tariff duty has diminished the price. That has been continually asserted in both branches of Congress, and I am obliged to the Senator from Colorado for putting in the RECORD yesterday a table of prices which is conveniently at hand, the Statement B showing "the quantity and value of salt imported annually from 1847 to 1853, and also the duties which accrued thereon during the same period." That was during the continuance of the tariff of 1846, under nominal protection. In 1847 this table shows that the average price per bushel was 12.35 cents. In 1848, under the same tariff, it was 11.62 cents. In 1849 it was 12.38 cents. In 1850 it was 11.2 cents. In 1851 it was 12.7 cents. In 1852 it was 10.99 cents, and in 1853 it was 10.52 cents.

Mr. TELLER. The price?

Mr. VEST. The price, the average per bushel, according to the Senator's own table furnished here and put into the RECORD on yesterday; and that was under a nominal protection.

Mr. PALMER. I wish to ask the Senator——

The PRESIDING OFFICER. Does the Senator from Missouri yield?

Mr. VEST Oh, yes.

Mr. PALMER. I merely wished to ask whether that was the quotation at the custom-house for the purpose of collecting the tariff duty?

Mr. VEST. If the Senator will turn to the RECORD, on page 788, he can read exactly what it was. It was this:

B.—Statement exhibiting the quantity and value of salt imported annually from 1847 to 1853, and also the duties which accrued thereon during the same period.

Mr. TELLER. I should like to say, if the Senator will allow me——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Colorado?

Mr. VEST. Oh, yes; of course.

Mr. TELLER. That is the foreign price at the port from which it was shipped.

Mr. VEST. As a matter of course it is; but we have always had the contention here that if you took off the duty the foreign importers, the manufacturers of salt in Great Britain, would avail themselves of it and would put up the price in the United States. I show from that table, printed by the Senator from Colorado, that when the duty was simply nominal upon salt, the price went down, the import price, and that the statement here that taking off the duty gives to the foreign importer control of the domestic market and the power to put up the price to suit himself, and to increase his own profit, is not true; and that is a material point in this entire controversy.

Yesterday the Senator from New York [Mr. HISCOCK] was kind enough to say that any one who advocated the removal of this duty upon salt was almost idiotic. Let us see, turning to that portion of the record, or history rather, of the salt duty, whether the Republican party has been consistent upon this question, or whether its great leaders did not join us in demanding the removal of the duty upon salt entirely in 1871. I read the vote yesterday taken in the Senate. I turn now to the House of Representatives. In 1871 my distinguished friend from Maine [Mr. HALE] led the cohorts of reform upon the salt duty in the House of Representatives. He closed that debate with the following statement:

In closing general debate upon this bill—

Which was a bill to put salt upon the free-list—

In closing general debate upon this bill, I wish to say but a word or two. The duty upon salt is now 18 cents per hundred pounds in bulk and 24 cents in sack. The best Turk's Island salt can be purchased at the place where it is produced for from 9 to 10 cents per bushel. Any gentleman here can compute for himself the percentage of duty resting upon this article. I believe that there is no one question about which the reflection of millions of people day by day is so decided as it is in declaring that there should be no tax upon this article of salt.

I have been asked to amend the bill introduced by me so as to cut down the duty 50 per cent. I do not consent to that. I believe this article should go upon the free-list; that the monopoly which has obtained heretofore for the Onondaga salt-works—as great and complete as any monopoly ever granted by the Tudors in England's most despotic times—ought to cease.

Mr. GEORGE. Whose language is that?

Mr. VEST. It is the language of the Senator from Maine [Mr. HALE], who was then a member of the House of Representatives, when he introduced the bill to put salt upon the free-list; and when that vote was taken in the House of Representatives the bill was carried by a vote of 147 to 47.

Mr. COCKRELL. It was a Republican House.

Mr. VEST. The House suspended the rules in passing the bill, for it took two-thirds under the rules of the House to do it; and in the list of those voting in the affirmative—the idiotic part of the community, according to the Senator from New York—I find Messrs. DAWES, FRYE, Garfield, HALE, HAWLEY, and HOAR. I leave to their Republican associates to determine the mental capacity of these leaders of that great party.

Mr. COCKRELL. They are now members of the Senate.

Mr. VEST. As a matter of course, with the exception of Garfield.

Mr. FRYE. We have grown wiser as we have grown older.

Mr. VEST. Oh, yes, Mr. President, as the Senator from Massachusetts said yesterday, there is a great difference between now and then; but that difference grows not out of an increase of wisdom, but out of the exigencies of the Republican party—an overwhelming argument, and one that is always omnipotent in this or the other branch of Congress when it arises.

But the distinguished Senator from Maine [Mr. HALE] was not satisfied with that emphatic vote of 147 to 47. He said a year afterwards, in the House of Representatives, May 9, 1872:

One year ago, on the yeas and nays, the House voted to put salt on the free-list by a vote of more than two-thirds. We have the record here. The vote was 147 in the affirmative and 47 in the negative. I see no reason why members of the House should go back on the record which they then made. Nothing since has occurred which ought to change their views.

At that time a distinguished member of the House, who was afterwards President of the United States, supplemented the statement of my friend from Maine. General James A. Garfield, the martyred President, said:

I know, moreover, that for nearly two years the wholesale price of American salt in Toronto, Canada, was a dollar lower per barrel than the same salt was selling for on the New York side of the lake. That is, we produced it, shipped it across, paying whatever portage, freights, and transportation were required, and then sold it to our Canadian neighbors at a dollar per barrel less than it was sold to people on our shores. Certainly gentlemen will not want a duty continued that enables that thing to be done.

Another idiot joined the grand procession.

Mr. PALMER. Will the Senator from Missouri give me the year?

Mr. VEST. Yes, sir; I will give the year. That was delivered May 18, 1872, and the gentleman who delivered it was General Garfield. In the language of the Senator from Maine, which I have read, he refers to the Onondaga monopoly, and we are again confronted in considering this duty upon one of the absolute necessaries of life with that eternal and ever-present specter to the American people, a combination, a trust, called by a witness before the Committee on Ways and Means, from whose testimony I read the other day, a gentleman from New York, a "sympathetic movement."

I now read testimony which shows that a salt trust was created under these high protective duties upon salt which lasted for more than five years, which was indignantly denied to be any combine or any trust, or even a sympathetic movement, but was called a unifying of interests. I read now from a statement made by the Saginaw Board of Trade, in the salt country in Michigan. In a pamphlet showing the lumber and salt production and auxiliary industries of the Saginaw Valley, the annual report of the Saginaw Board of Trade, I find the following:

The Michigan Salt Association was organized in 1876, expired by limitation in 1881, was at once reorganized under the name of the Salt Association of Michigan, and in 1885 was again reorganized under its old name, the "Michigan Salt Association." The principal agencies of the association are at Chicago, St. Louis, Milwaukee, Duluth, Louisville, Cincinnati, Toledo, Nashville, and Sandusky. The capital stock is $200,000, and the general office is at East Saginaw. The association handles the product of the manufacturers, taking their salt as fast as made, making liberal advances thereon, placing it on the market and making returns in full when sold. The benefits derived from a unity of interest—

"The benefits derived from a unity of interest"—

The benefits derived from a unity of interest were so patent that during the past year all of those manufacturers who had previously operated independently (with two or three exceptions) became members of the association, which now practically handles the entire product of the State.

The sales of the association during 1887, as shown by the secretary's books, were 3,201,537 barrels, as against 2,685,989 barrels in 1886.

* * * * * * *

During 1887 the movement of the salt product was greatly delayed owing to

scarcity of cars. To obviate this as much as possible a car-line company composed of salt manufacturers has been organized to be known as the "Michigan Salt Line."

The officers are: President and treasurer, W. C. McClure; secretary, D. G. Holland; trustees, W. G. McClure, East Saginaw; F. C. Stone, C. A. Rust, Saginaw City; J. F. Eddy, Thomas Cranage, Bay City. The capital stock is $75,000.

Contracts have been let to the Michigan Car Company for the construction of one hundred and twenty freight cars to constitute the Michigan Salt Line, and to be run in four solid trains of thirty cars each, between the Saginaw Valley and Chicago. The cars will each have a capacity of 50,000 pounds, equal to 150 barrels of salt, and the whole number can move 18,000 barrels. It is also proposed to construct a number of lighters to be used in transferring salt from the various works to the cars.

So this trust was not confined to the production of salt, but to its transportation by land and water, and with its immense capital was enabled to control the market and to unify all the interests, direct and indirect, that were connected with this industry.

It is notorious that two years ago this same Michigan Salt Association went into the State of West Virginia, bought up the salt springs in the valley of the Kanawha, and closed all except two, and by that means controlled also the production of salt in another State of this Union; and they were enabled to do it by reason of this tariff duty which shut out foreign competition, handicapped the foreign importer to such an extent that it left them in absolute control of the home market.

I can read testimony here showing the impossibility of constructing such a trust under the free-trade system of Great Britain. It was attempted there and went to pieces because it required a sufficient amount of capital to control the output of salt throughout the whole world, there being no tariff which put a commercial wall around England and gave to the producers of salt an unlimited monopoly of the market.

I was glad upon yesterday to hear from the Senator from New York [Mr. HISCOCK], who has taken a prominent part in constructing this bill, in framing the report, and in the debate which has followed, that he was prepared to vote now to repeal the clause in the existing law and in this proposed substitute which gives free salt to the fishermen of the United States, although he is not willing——

Mr. HISCOCK. Do I understand the Senator from Missouri to say that I am prepared to vote to repeal that section?

Mr. VEST. I certainly understood the Senator to say so.

Mr. HISCOCK. Oh, no; I said nothing of the kind.

Mr. VEST. Did not the Senator state yesterday that he thought that provision of law was wrong?

Mr. HISCOCK. I did.

Mr. VEST. Well, then, is not the Senator willing to remove anything that is wrong from the law?

Mr. HISCOCK. Oh, it is not morally wrong.

Mr. VEST. But I mean wrong in legislation.

Mr. HISCOCK. I want to say to the Senator that there is no question of future rewards and punishments involved in it.

Mr. VEST. I hope for the sake of the Republican party there is not. [Laughter.]

Mr. HISCOCK. It is largely a question of expediency. The question of a tariff bill, a revenue bill is to a certain extent always a question of compromises and reaching the best sense of a majority that have in charge the measure. I shall always bow to that judgment, and while I am not in favor of that provision, I shall bow to the judgment of the majority on this side of the Chamber on that question. I thought I made myself clear yesterday in regard to my position.

Mr. VEST. I did not understand it that way. I supposed that when the Senator denounced the legislation he was ready to remove it; but if there is a more potent influence with him than his conviction that it ought not to be upon the statute-book, of course he enters into the wide domain of ethical reform, about which I have nothing to say.

Mr. HISCOCK. I hope that the Senator will not put into my mouth the word "denounced." I simply expressed my private judgment and opinion with respect to that provision, and tried to make clear what I have said.

Mr. VEST. Very good; I accept the amendment. The Senator from Florida [Mr. CALL] hands me the RECORD. I tried to quote the Senator correctly, and would not do any injustice intentionally. I read from the record of yesterday's proceedings:

Mr. HISCOCK. I say that, in my judgment—

Referring to that clause in regard to free salt for the fishing vessels—

I say that, in my judgment, it ought to be repealed, and I say further than that, there is no logic, in my opinion, which can sustain the law referred to.

But we must content ourselves with the abstract opinion of the Senator from New York, which is something, although we can not secure his practical action in the way of reform. We will take it for what it is worth. "Blessed are they who expect nothing, for they shall not be disappointed."

Mr. President, I have said all that I propose to say in regard to this question. I feel very earnestly that this duty ought to be taken off. It seems to me that it is worse than absurdity for any Senator to say that the amount of the duty has anything to do with the principle. If it were but the shadow of 1 cent I would take it off the people of this country, because salt is an absolute necessity of life, and the present condition of our Treasury gives us the best argument possible for reducing taxation in every direction.

The Republican party has stood since 1884 pledged to reduce the surplus in the Treasury, and here is a duty upon an article that enters into every household, an article which should be, like the light and air of heaven, free to the humblest citizen in our broad domain, and with an overflowing Treasury, an enormous surplus, no necessity for the money, we continue to impose this duty; and when we point out its iniquity we are told it amounts to nothing; it is a mere shadow; salt to-day is as cheap as the dirt under our feet and as the rocks around us, and therefore the duty should be retained.

I close what I have to say upon this subject by quoting from a historic statesman, my illustrious predecessor upon this floor, Thomas H. Benton. He says in his Thirty Years' View, in giving the debate upon the salt question:

A salt tax was not only politically but morally wrong; it was a species of impiety. Salt stood alone amidst the productions of nature without a rival or substitute, and the preserver and purifier of all things. Most nations had regarded it as a mystic and sacred substance. Among the heathen nations of antiquity and with the Jews it was used in the religious ceremony of the sacrifice, the head of the victim being sprinkled with salt and water before it was offered. Among the primitive Christians it was the subject of divine allusions and the symbol of purity, of incorruptibility, and of perpetuity. The disciples of Christ were called "the salt of the earth," and no language or metaphor could have been more expressive of their character and mission; pure in themselves, and an antidote to moral as salt was to material corruption. Among the nations of the East salt always has been and still is the symbol of friendship and the pledge of inviolable fidelity. He that has eaten another's salt has contracted towards his benefactor a sacred obligation and can not betray or injure him thereafter without drawing upon himself (according to his religious belief) the certain effects of the divine displeasure. While many nations have religiously regarded this substance, all have abhorred its taxation; and this sentiment, so universal, so profound, so inextinguishable in the human heart, is not to be overlooked by the legislator.

Mr. Benton concluded his speech with declaring implacable war against this tax, with all its appurtenant abuses of monopoly in one quarter of the Union and of undue advantage in another. He denounced it as a tax upon the entire economy of nature and of art, a tax upon man and upon beast, upon life and upon health, upon comfort and luxury, upon want and superfluity, upon food and upon raiment, on washing and on cleanliness. He called it a heartless and tyrant tax, as inexorable as it was omnipotent and omnipresent; a tax which no economy could avoid, no poverty could shun, no privation escape, no cunning elude, no force resist, no dexterity avert, no curses repulse, no prayers could depreciate. It was a tax which invaded the entire dominion of human operations, falling with its greatest weight upon the most helpless and the most meritorious; and depriving the nation of benefits infinitely transcending in value the amount of its own product. I devote myself, said Mr. Benton, to the extirpation of this odious tax and its still more odious progeny, the salt monopoly of the West. I war against them while they exist and while I remain on this floor. Twelve years have passed away, two years more than the siege of Troy lasted, since I began this contest. Nothing disheartened by so many defeats in so long a time, I prosecute the war with unabated vigor; and relying upon the goodness of the cause, firmly calculate upon ultimate and final success.

Mr. MORRILL. I desire to ask the Senator from Missouri whether in his reading of the Thirty Years in the Senate, by Hon. Thomas H. Benton, he has not come across another eloquent passage, where Mr. Benton stated that he had almost become a free-trader, but when it came to the subject of putting the tariff on lead, said he, "I rose and proposed to put 100 per cent. upon that, and I carried it, because Missouri produces the chief part that is to be found in the United States."

Mr. VEST. Yes, I well remember it, and it haunted that distinguished statesman to the day of his death. In 1849, when he made his celebrated appeal to the people of Missouri, before he commenced this work, The Thirty Years' View, to which he devoted his latest efforts, there was not a single speech that he delivered in Missouri where he was not confronted by Democrats with that statement, and it as much as anything else brought about his political downfall.

I remember another historic episode. If my friend, and he is my friend, from Vermont will permit me, I remember another statesman, covered now with years and honor, who, when the question of taking the duty off of coal and salt was pending in this Chamber, rose and said when his name was called, "Mr. President, the Senator from Vermont on this question is paired with himself. He is for free coal but not for free salt," or "for free salt and not for free coal," I am not certain which; but "he is paired with himself," and the record stands in that way to-day.

Mr. HISCOCK. Mr. President, I hope there was nothing in what I said yesterday that questioned the capacity and the learning and the integrity of the distinguished Senator from Missouri in discussing this question. I confess that as I have seen Senators upon the other side day after day insist that the duties upon the raw material for the more finished product, as it was advanced step by step, were all aggregated in the last duty, and when I have heard it asserted here as if they believed it that the schedule of duties must cover the entire labor cost of the articles protected, I have questioned in my own mind somewhat their knowledge of this question or their integrity in discussing it.

The Senator from Missouri is frank and ingenious upon this question. He comes as near being a free-trader, doubtless, as any other Senator upon that side of the floor, and he has the courage of his convictions. But how long ago was it that we were treated in the Senate to the sight of two distinguished Senators upon the other side giving him notice that he did not represent the Democratic party and that they would not follow his leadership? They served notice upon him that the doc-

trine for which he contended had resulted in a defeat of the Democracy in the past and would result in the defeat of the Democracy in the future, and he was deposed as a great party leader upon this question.

I say again that it does seem to me that even the Senator from Missouri in the examination of this question hardly delves beneath the surface for the facts that he parades before the Senate. He points to the fact that during the period when the duty on salt was reduced to 20 per cent. ad valorem it ruled at a lower price in this country. It did. Then, as now, unless misstatements are made in the public press, a salt syndicate upon the other side of the ocean controlled the product and controlled the price, and they attempted to stifle this industry in the United States during that period of time, and it was a contest between the salt manufacturers of Europe, Asia, and Africa, and those of the State of New York, that I have in part the honor to represent here, whether it should be stifled or not. During the whole of that period of time the most liberal appropriations were made by the State of New York to develop the salt industry in that State. All that science could do it employed in that direction, all that mechanism could accomplish it employed in that direction, for the purpose of developing the salt industry of this country. Europe lowered the price, attempting to crush out this industry in the county of Onondaga, in the State of New York. The State of New York was back of the industry, and its liberal appropriations during that period of time in the promotion of the industry in that State were all that prevented the absolute crushing out of it in the United States. Michigan, by accident or in some other way, discovered salt within her territory, and I think I am right in stating that the result was a liberal bounty in that State upon the production of salt in it, and the only reason why we were not turned over to the foreign producer was that the State of New York and the State of Michigan, with liberal hand, promoted the domestic industry.

The Senator has seen fit to call the attention of the Senate to remarks which have been made by Republicans against this industry. Well, sir, there is nothing that more completely illustrates the progress we have made than the circumstance that the facts of the last ten or fifteen years have changed the minds and the judgments of those same gentlemen upon this subject. When they spoke and when they voted as has been cited here this industry was limited to two Congressional districts in the United States. Science, as I said yesterday, proclaimed that we had all the raw material that was necessary to produce all the salt that was needed in this country, and yet in deference to the public sentiment of constituents, as I doubt not, somewhat, these gentlemen, Senators and Representatives, cast the votes to which the Senator has referred. But they did not put salt on the free-list. They left upon it the same protection which I am defending here to-day; and let us see what the result of it has been.

California in 1870 produced 174,000 bushels of salt, in 1880 nearly a million; Kentucky, 64,000 bushels in 1870; in 1880, 83,000 bushels; Michigan, 3,981,316 bushels, in 1870, 12,425,885 bushels in 1880; New York, 4,900,000 bushels in 1870 and about 9,000,000 bushels in 1880. Ohio about held her own. Pennsylvania increased from 579,000 bushels in 1870 to 851,000 bushels in 1880; Utah increased from 1,950 bushels in 1870 to 483,000 bushels in 1880. West Virginia about held her own. In the other States the product was doubled; and since the census of 1880 the development of this industry has been unparalleled in the United States. In my own State of New York it has more than doubled. In Kansas it is prospering. The result of this has been that the price of salt has been forced down to a point never before known in the history of that product. Every prophecy that was made by the salt-men during the discussions which have been referred to by the Senator from Missouri has been verified and fulfilled; and now the distinguished gentlemen whose names have been called, who were on the roll of those who voted against the then protection of salt, in view of the facts are unanimously in favor of holding the protection which is now afforded it by the present law.

Mr. PALMER. Mr. President, I supposed when the amendment was offered to put salt on the free-list that it was done more in a jocular mood than in any other. I did not suppose that there was any serious opposition to the tariff on salt, for if there is anything in tariff legislation which shows clearly the benefit of protection it is the effect on the salt industry as developed in this country.

The State which I have the honor to represent in part produces one-third of the salt used in the United States—about four millions of barrels; New York produces about a sixth. One-third of the consumption is imported from abroad, and the other sixth comes from West Virginia, California, Kansas, and other States which produce salt in small quantities. The question now, as far as protection is concerned, is more a matter of transportation than anything else, for salt at Saginaw is just the same in price as it is in Liverpool, and there is a margin of country along the coast of the United States where salt can be delivered cheaper from Liverpool than from Saginaw, but it would not be delivered cheaper if it had not been for the development of that great interest in Saginaw.

In 1860 there were only 4,000 barrels produced in Michigan. In 1857 or 1858, it having been known by tradition and by the geological surveys that there was an immense salt deposit under a great portion of Michigan, the State offered a bounty of 40 cents a barrel, and wells were put down. Then the tariff of 1861 gave a new impetus to the industry, and it has developed from that time till this, when it has reached its maximum of a little over 4,000,000 barrels.

The business now is unremunerative. It hardly pays the wear and tear, let alone the interest on the great works that have been established throughout the State, in which have been invested millions of capital; and everything that goes into salt at the present time is labor.

There is probably no part of the world where for the same amount of labor so much salt can be manufactured as in Saginaw, for the steam which saws the logs, and which generally goes off into the exhaust-pipe, is injected or projected through the pipes that are in the centers of the salt block and evaporates the salt, so that all of that is economized. There is nothing for fuel. Then, again, the refuse of the mill is worked up into barrels and into headings, so that barrels are manufactured cheaper there than anywhere else. And now salt is sold, with a barrel costing 21 cents, the raw material given in, for 51 cents a barrel. The barrel, as I say, costs 21 cents. In other words, they only get 6 cents a bushel for salt now at Saginaw.

To show what an effect this has had upon the foreign salt, I will just read the first and last of a couple of tables here, and let them go into the RECORD, showing the range of prices:

Year.	Price.	Year.	Price.
1867	$1.77	1877	$0.85
1868	1.85	1878	.85
1869	1.58	1879	1.02
1870	1.32	1880	.75
1871	1.46	1881	.85
1872	1.46	1882	.75
1873	1.37	1883	.81
1874	1.19	1884	.73
1875	1.10	1885	.70
1876	1.05	1886	.61

It is down to 51 cents now, and it is a drug on the market.

Now, in regard to the foreign salt. Does any one suppose that with the supply of which England has a most liberal amount in Cheshire, that with the immense demand here in America, if it had not been supplied in part by our local wells the price of English salt would have been dragged down in this wise?

Year.	Common salt.	Fine salt.	Year.	Common salt.	Fine salt.
	s. d.	s. d.		s. d.	s. d.
1872	10 6	35 0	1880	9 0	26 0
1873	15 0	40 0	1881	9 0	26 0
1874	16 0	42 0	1882	9 0	26 0
1875	12 0	40 0	1883	9 6	26 3
1876	10 0	31 0	1884	7 9	25 9
1877	9 0	28 0	1885	9 0	27 0
1878	10 0	28 0	1886	9 6	26 0
1879	9 0	27 0	1887	7 9	24 6

In other words, the foreign salt has been compelled to come down one-third in fifteen years, notwithstanding the enhanced price of labor abroad, and that was the reason why this attempted salt trust was got up, and I do not know but that it is a success in England, to save the manufacturers or the salt diggers there.

The Senator from Missouri in illustrating one point referred to a table on page 788 of the RECORD giving the decline in salt under a free-trade tariff from 1847 to 1853. It commenced in 1847, when the average per bushel was 12.35 cents; it ended in 1853 at 10.52 cents; but take the tariff right along through, this protective tariff which I wish was prohibitory, the price has gone down from 10.52 cents to 6 cents a bushel, showing that protection more than free trade has had a tendency to reduce the price of salt in this country.

In regard to the Salt Association of Saginaw, I think I know something about it.

Mr. VEST. Before the Senator proceeds——

Mr. PALMER. Does the Senator from Missouri wish to say anything? If so, I yield.

Mr. VEST. Upon the point which the Senator is just leaving, as to the depreciation or decrease in price under the respective tariffs, I neglected in the remarks I made to allude to a table which I find in the first volume of the report of the Tariff Commission, upon page 1198, incorporated in the testimony of Mr. David H. Mason, who represented the Michigan Salt Association. He takes the respective decades from 1830 to 1880 and gives the price of salt, foreign and domestic, for each ten years. I call the attention of my friend from Michigan, for this evidence comes from his own side of this question and his own State, to Mr. Mason's statement and as to the decline in the price of salt from the year 1850 to the year 1870. He gives the amount produced, together with the exports of domestic salt, the amount retained in the United States, the amount imported into the United States, the exports of foreign salt and the foreign salt retained in the United States, the domestic salt retained, and the foreign salt retained, and it shows that the price of salt in the United States was in 1850—and the low

tariff, the Walker tariff, took effect on December 1, 1846—22.76 cents per bushel. In 1860, after ten years of that tariff and after an additional reduction from 20 to 15 per cent. ad valorem in 1857, the price was 18 cents per bushel, a decline of 4.76 cents per bushel; and that was under the low tariff of which he was just speaking.

Mr. PALMER. Under the low tariff?

Mr. VEST. Yes, and I will ask that these tables—in order that the whole question may be put upon the record—shall be incorporated in my remarks.

Mr. ALLISON. Is there in there also a table showing the continuance of the depreciation in the price of salt?

Mr. VEST. I have no objection to putting all of the tables in. The Senator from Iowa can inspect them.

Mr. ALLISON. I do not care to inspect them, but I think it might be well to put them all in.

Mr. VEST. Of course, all of them. I want to be perfectly fair about this question. I believe I am right. I think I am; I want to be. The table to which I particularly refer commences with the year 1830, and by decades brings the price of salt down to the year 1880.

Mr. ALLISON. What was it in 1880?

Mr. VEST. In 1880 it was 16.51 cents. It declined steadily, with fluctuations, sometimes lower and sometimes higher, but the decline has spread.

Mr. ALLISON. Is that the price per bushel?

Mr. VEST. Per bushel, the average per bushel.

Mr. PALMER. Will the Senator read those tables again before he sits down?

Mr. VEST. With the greatest pleasure. In 1880 Mr. Mason—and I refer to his testimony as that of an adverse witness—gives first the source of supply, then the year, then the portion, then the value, then the average per bushel. The price in 1830 was 21 cents per bushel.

Mr. PALMER. In 1830?

Mr. VEST. In 1830. Then he gives the amount retained of foreign and domestic salt. Now, come to the next decade. He goes by the census. In 1840 there were produced in the United States 6,179,174 bushels and the price was 20 cents. Go to the next. There were produced in the United States 9,763,000 bushels, an increase of nearly 4,000,000 bushels, and the price was 22.76 cents, an increase over the price in 1840. We had the Walker tariff from December 1, 1846, to 1861, and we also had a decrease during that time in the ad valorem duty from 20 to 15 per cent. In 1860 there were produced in the United States 12,717,000 bushels, showing that under the Walker tariff there was an increase of 4,000,000 bushels in those ten years, and the price had decreased under the Walker tariff from 22.76 cents per bushel to 18 cents.

Again, in 1870 there were produced 17,000,000 bushels, an increase of 5,000,000 within a fraction—nearly 5,000,000 bushels; and the price had increased in 1870 to 27 cents and a fraction. There might have been abnormal reasons for that. I am perfectly fair about it, and I will state frankly that I do not know that 1870 was an average year as to salt.

Mr. PLUMB. The increase between those two periods was greater, the Senator will ascertain, than the entire amount of the duty—about twice the total duty.

Mr. VEST. I think it was.

Mr. PLUMB. So that the Senator can readily see that there must have been circumstances operating.

Mr. VEST. I admit that, and I said that of my own accord.

Mr. PLUMB. I only called attention to it.

Mr. VEST. I think 1870 was an exceptional year, as we know there were circumstances that year which increased the price of all commodities.

The PRESIDING OFFICER (Mr. DOLPH in the chair). Before the Senator from Missouri proceeds further, the Chair suggests that the Senator from Missouri is talking in the time of the Senator from Michigan [Mr. PALMER]. The Chair will insist on the rule that when a Senator is addressing the Senate he shall address the Chair and wait until he is recognized and the consent of the Senator having the floor is obtained. In this colloquial discussion going on it must be difficult for the Reporter to take the reports of the debate, and it does not tend to the orderly consideration of the bill.

Mr. VEST. In 1880—I am through with the table for which the Senators on the other side asked—in 1880 there were produced in the United States 20,800,298 bushels of salt, and the prices had decreased from 27 cents and a fraction in 1870 to 16.50 cents in 1880, and there is the table to prove it.

Mr. ALLISON. Since that time the price has further decreased.

Mr. VEST. No doubt about that. There has been a decrease in that and everything else.

Mr. ALLISON. I think it is about 10 cents a bushel now. For some reason or other there has been a constant decrease in the price.

Mr. VEST. There has been a decrease in the price of every other article of necessity in this country. I know my friends on the other side claim that the tariff did it, and I claim that it has been done by competition and improvements in methods and discoveries in salt-springs and in the rock-salt which is dissolved and made into salt for the table and dairy. I now present the tables produced by Mr. Mason before the Tariff Commission for insertion in the RECORD:

Salt.

Source of supply.	Year ended—	Bushels.	Values.	Average per bushel.
YEAR 1830.				*Cents.*
Produced in United States	May 31	4,444,929	$935,173	21.039
Exports of domestic salt	Sept. 30	47,488	22,978	48.387
Retained in United States	Sept. 30	4,397,441	912,195	20.744
Imported into United States*	Sept. 30	5,374,046	671,979	12.504
Exports of foreign salt	Sept. 30	101,866	20,064	19.696
Retained in United States	Sept. 30	5,272,180	651,915	12.365
Domestic salt retained	Sept. 30	4,397,441	912,195	
Foreign salt retained	Sept. 30	5,272,180	651,915	
Total retained		9,669,621	1,564,110	
YEAR 1840.				
Produced in United States	May 31	6,179,174	1,235,835	20.000
Exports of domestic salt	Sept. 30	92,145	42,246	45.847
Retained in United States	Sept. 30	6,087,029	1,193,589	19.609
Imported into United States*	Sept. 30	8,183,203	1,015,426	12.409
Exports of foreign salt	Sept. 30	31,999	11,524	36.017
Retained in United States	Sept. 30	8,151,204	1,003,901	12.316
Domestic salt retained	Sept. 30	6,087,029	1,193,589	
Foreign salt retained	Sept. 30	8,151,204	1,003,901	
Total retained		14,238,233	2,197,490	
YEAR 1850.				
Produced in United States	May 31	9,763,840	2,222,745	22.765
Exports of domestic salt	June 30	319,175	75,103	23.530
Retained in United States	June 30	9,444,665	2,147,642	22.739
Imported into United States*	June 30	11,224,185	1,237,186	11.023
Exports of foreign salt	June 30	31,046	9,668	31.141
Retained in United States	June 30	11,193,139	1,227,518	10.969
Domestic salt retained	June 30	9,444,665	2,147,642	
Foreign salt retained	June 30	11,193,139	1,227,518	
Total retained		20,637,804	3,375,160	
YEAR 1860.				
Produced in United States	May 31	12,717,198	2,289,504	18.003
Exports of domestic salt	June 30	475,445	129,717	27.283
Retained in United States	June 30	12,241,753	2,159,787	17.643
Imported into United States*	June 30	14,094,227	1,431,140	10.154
Exports of foreign salt	June 30	126,167	28,933	22.932
Retained in United States	June 30	13,968,060	1,402,207	10.039
Domestic salt retained	June 30	12,241,753	2,159,787	
Foreign salt retained	June 30	13,968,060	1,402,207	
Total retained		26,209,813	3,561,994	
YEAR 1870.				
Produced in United States	May 31	17,606,105	4,818,229	27.838
Exports of domestic salt	June 30	298,142	119,582	40.109
Retained in United States	June 30	17,307,963	4,698,647	27.147
Imported into United States*	June 30	13,340,258 $\frac{33}{56}$	1,442,835	10.816
Exports of foreign salt	June 30	234,780 $\frac{13}{56}$	42,714	18.193
Retained in United States	June 30	13,105,477 $\frac{49}{56}$	1,400,121	10.683
Domestic salt retained	June 30	17,307,963	4,698,647	
Foreign salt retained	June 30	13,105,477 $\frac{49}{56}$	1,400,121	
Total retained		30,413,440 $\frac{49}{56}$	6,098,768	
YEAR 1880.				
Produced in United States	May 31	20,800,298	4,817,636	16.502
Exports of domestic salt	June 30	22,179	6,613	29.816
Retained in United States	June 30	20,778,119	4,811,023	16.156
Imported into United States*	June 30	17,213,762 $\frac{33}{56}$	1,837,432	10.674
Exports of foreign salt	June 30	118,399 $\frac{33}{56}$	8,861	7.484
Retained in United States	June 30	17,095,363 $\frac{13}{56}$	1,828,571	10.696
Domestic salt retained	June 30	20,778,119	4,811,023	
Foreign salt retained	June 30	17,095,363 $\frac{13}{56}$	1,828,571	
Total retained		46,873,482 $\frac{13}{56}$	6,639,594	

*Average prices of imported salt per bushel are those in the foreign ports of departure.

Mr. PALMER. Is the Senator through?

Mr. VEST. Yes, sir.

Mr. PALMER. The Senator's own argument, I think, proves very conclusively the benefit of the protective tariff, for if it is the object of law-making to cheapen commodities certainly it must be conceded that the protective tariff has cheapened salt much more than the free-trade tariff of which he speaks, for there was in none of those decades any such decrease in price as there has been in the last ten years, which has brought salt down to 6 cents a bushel without the package, and that I imagine is the way he characterized it in speaking of it.

We are now consuming in this country 60,000,000 bushels of salt. Eight million barrels are produced in this country; 4,000,000 are brought from abroad. Now let us see what the effect would be of taking out 2,000,000 or 4,000,000 bushels of the salt production of this country. It would undoubtedly increase the price by the discouragement of the industry by reducing the tariff and letting in foreign salt. It would compel the abandonment of many salt-blocks in Michigan, and when they were once abandoned they are very expensive machines that would never be rehabilitated unless under very exceptional circumstances. It would be for the benefit of this country, if they could not be kept up in any other way, to pay a direct bounty for the maintenance of the blocks in Michigan, which make 4,000,000 barrels a year for the supply of this country and for competition with foreign salt.

A word now in regard to what the Senator from Missouri said in respect of the salt association of Saginaw; he characterized it as a trust. If he wishes to make trusts popular, he wants to take just such instances as that and hold them up before the public. What has been the mission of that salt association? It has been to do through the hands of one office business much more cheaply than it could have been done through fifty offices. Instead of having runners all over the United States, they have their agents at different points, and they know exactly the supply. The weak salt-blocks upon the river or throughout the State have been enabled to get advances upon their salt. None of them have ever been crushed out, none of them have ever been stifled. They have been helped against the interests of the strong. If the salt-blocks of Michigan had been decimated, if the weak ones had been allowed to go to the wall, salt would be higher to-day. That salt association of Saginaw is just like the rules of the House of Representatives, for the protection of the weak and for the protection of the public.

Mr. VEST. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Missouri?

Mr. PALMER. Certainly; I am in pursuit of knowledge, and I am very glad to be interrupted.

Mr. VEST. I am always very willing to be interrupted myself, but as a matter of fact I indulge very little in the interruption of others. Does the Senator mean to say—because I take it that is the tendency of his argument—that the creation of the Saginaw or Michigan salt trust or salt association diminished the price of salt?

Mr. PALMER. I do not suppose that was the intention, but that has been the practical result. As the Senator can see, when a weak concern which is staggering along can get advances on its product without going into the market and selling it, the effect must be to cheapen salt.

Mr. VEST. That reminds me, if I am not interrupting the Senator at too much length, of the attack that was made upon my course in the Senate in the Steel and Iron Bulletin of Philadelphia. I stated here in the debate on the steel and iron schedule that the Vulcan Steel Works, near St. Louis, had been leased for five years by the iron and steel monopoly trust, and had been shut down for three years in order to enable the trust to control the output of steel rails in the United States. This paper came back and said that I was entirely mistaken, that the price paid to the Vulcan Iron Works to shut down for a year or nine months was about $70,000 and not $500,000 a year, as I stated. But the remarkable part of the statement in the line of the Senator's argument was that the steel and iron trust, which they admitted existed, had interfered and paid $70,000 to the assignee who had charge of the Vulcan Works in order to prevent the sacrifice of the property, and that they had simply gone in out of a spirit of philanthropy and charity in order to prevent this very valuable property from being bid off under the hammer for almost nothing!

Now, Mr. President, I deny that the Senator is entirely right when he states that the formation of that Michigan salt association, which it is said was to unify interests, was not simply to increase their profits and to enable them to control the market. I make this statement, and I can prove it by the report of the Saginaw Board of Trade, that from 1866 to 1876—and that trust was formed in 1876—the price of salt went down to a greater degree than it did in the years when the trust was in existence, and it could not have been that the trust was formed to depreciate the price.

Mr. PALMER. Will the Senator base the logical connection of his argument on a verification of that? I have the figures right here.

Mr. VEST. I have the figures also.

Mr. PALMER. He will permit me to say that in 1867, nine years prior to the organization of what he calls the trust—it is not a trust; it is an organization——

Mr. VEST. It was born in 1876.

Mr. PALMER. In 1876. Salt was sold at $1.70 a barrel in 1867, and it ran down to $1.05 a barrel in 1876; but the great decrease was in the last three years.

For instance, in 1873 salt was $1.37 a barrel, and from 1876, when it was $1.05, it has run down at the present time to 51 cents. So you will see, conceding that it was equable through the nine years previous to 1876, the proportion for the ten years following has been for each year greater than it was before.

Mr. VEST. What was the price in 1886?

Mr. PALMER. In 1886 the price was 61 cents and now it is 51 cents; but at the same time the Senator must remember that there is one thing that remains arbitrary all the time, and that is the barrel. That costs just as much now as it did twenty-five years ago.

Mr. President, I concede that salt, which in our State employs from 5,000 to 10,000 laborers, has been very much depressed. Our people, however, are asking for no relief, but they ask that this tariff shall be allowed to remain just where it is; and my opinion is that if it should be taken off, salt would rise within five years to double what it is at the present time.

Right on the St. Clair River there is an immense salt-bed of salt-rock where the water from the river is let down into a vast cavity and the salt is saturated, as they call it, and the pressure of the water forces it to within about 10 feet of the top of the ground—the saturated brine that is pumped out with very little expense; and yet notwithstanding the facilities that nature has given, notwithstanding that coal can be delivered there for $1.50 a ton, that large concern, managed by good business men, making 500 to 600 barrels a day, has not paid one cent of dividends in the last six years. It is so, measurably, throughout the State, and the blocks are supplied by steam from the mill. I do not believe there is a salt-block in Michigan that is paying enough to make up for wear and tear, let alone the interest; and the great object now is to keep the work for our men, looking for better times.

Mr. TELLER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Colorado?

Mr. PALMER. Certainly, if he desires.

Mr. TELLER. I thought the Senator was through.

Mr. PALMER. I think I have said about all I have to say. I am not given to making long speeches.

The Senator from Texas [Mr. REAGAN] was speaking of who paid the tax. I can not see where the tax comes in if one year I pay a nominal tax and the next year the article falls so much below the present price that I more than get my tax back, and that has been the history of the salt industry in this country, and every measure of protection that has been given to it has been recompensed by five times the reduction by the manufacturers at home.

Mr. PLUMB withholds his remarks for revision. [See Appendix.]

Mr. TELLER. Mr. President, yesterday the Senator from North Carolina [Mr. VANCE] and the Senator from Missouri [Mr. VEST] both made arguments to show that the tariff on salt had been oppressive to the people of the United States, and that in the halcyon days, of which they are always so fond of talking, under the Walker tariff from 1846 to 1861, there was no duty on salt, salt was very cheap, and the people were not oppressed by this great monopoly. Mr. President, the argument fell to the ground when it was discovered that there was a duty on salt during that period. It is true it was not a great duty, but it was 20 per cent. ad valorem, which I have heard denounced on this floor over and over again on some articles as an outrageous duty. But the Senator from Missouri this morning excuses himself for having made this mistake as to the fact on the ground that the statement had been made by the president of the Free-Trade Club, whom I do not personally know, but of whose conduct during the last campaign I have had some knowledge, as to the character of the arguments that have been sent out by that club. He made the statement, and the Senator relied upon that. I said it was just such a statement as I would expect to come from that source.

I did not mean to say that Mr. Wheeler, the president of the club, was not a reliable man. I do not suppose Mr. Wheeler got up the statistics and the statements that were sent out. In nine cases out of ten no doubt they were the result of the mental operations of some clerk in that free-trade club office. But I do mean to say that not only have statements gone from that club in the interest of free trade unsupported by facts, but contrary to facts; and I want to say that a great many of the statements made on this floor have been without the basis of fact. It is not the first time on this floor, in the interest of free trade, that the plain statistical facts of the country, that can be reached and examined by everybody, have been misrepresented.

We have heard here about the great mortgages on the whole Northwest, aggregating more in some States than the value of the farm-lands in the States, mortgages upon the farms, put forth here solemnly by a Senator who had never taken a moment's time to examine to see whether the statement was true or not; but because he found it in some free-trade journal or in a circular issued by some free-trade club, he accepted it as true and palmed it off on the people of the United States under the high authority of his place in this body. We heard only a day or two ago from the other side of the Chamber that Great Britain

was paying no subsidies in fact to her subsidized steamers. We heard the statement from the same source that the French Government were not subsidizing steamers at this time. And this when it is a notorious fact, which nobody ought to deny on this floor, that since 1848 the English Government has paid out nearly, if not quite, five millions a year on an average and some years six millions and more of money for the support not of her mails but of her commerce. It is a notorious fact that ought not to be disputed here that the French Government has entered upon the system of subsidies to her steamers. And yet, upon the authority of a Senator in this body, the people of the United States are told that all the world has abandoned subsidies to steamers, and that we on our side are the only people who have any desire to engage in that kind of business; and we are told further that the United States has never granted to ships bounties, when the history of this country proves that that is not true.

I am reminded by a Senator near me that Great Britain is now complaining bitterly of the subsidies that are granted by the French Government to the French steamers encouraging French commerce; and so, Mr. President, as I said, I was not surprised at a misstatement emanating from a free-trade club. I repeat again, the misstatements of free-traders are not confined to free-trade clubs. The Senator from North Carolina yesterday attempted to show that there was no tariff duty on salt in 1846 and subsequent thereto to 1861, and that by reason of the absence of duty the price of salt had fallen. Will the Senator from North Carolina tell me what was the price of salt in 1861 when Congress adopted the new tariff? I presume he has not got that. It was nearly twice as much as it is to-day, and it was more than twice as much as salt has sold for in the State of Michigan by the barrel within the last four years.

Mr. VANCE. If the Senator will allow me——

The PRESIDING OFFICER. Does the Senator from Colorado yield?

Mr. TELLER. Certainly.

Mr. VANCE. If the Senator will recur to my remarks yesterday he will see that I gave the average price of salt, not for every year, but for the period he alludes to.

Mr. TELLER. The Senator gave the price of salt for a series of years under that tariff as 26.4 cents a bushel, which is $1.32 a barrel. For years salt has not been $1.32 a barrel. I called attention yesterday to a report made in 1854, showing that there was a duty on salt during the Walker tariff, and I should like to call the attention of the Senator from North Carolina to a report made the 2d of January, 1858, in which it is said:

> The present duty, under the act of 1846, is 20 per cent. ad valorem, which, on the importation of 15,405,864 bushels last year, valued at $1,981,065 by the custom-house books, makes the duty within a fraction of 2.57 cents per bushel.

Mr. VANCE. The Senator certainly was not in the Chamber this morning when I made the correction of my statement of yesterday.

Mr. TELLER. I have not been out of the Chamber at all.

Mr. VANCE. The Senator will probably remember that I said that I had gone to the Bureau of Statistics and had corrected my statement made yesterday, showing that there was a duty of 20 per cent. on salt from 1846 to 1857, and then it was reduced to 15 per cent.

Mr. TELLER. I have been in my seat all the time. I knew the Senator had the floor this morning, but I confess to him I did not hear what he said, and I did not know that he made any correction.

Mr. VANCE. Yes, sir; I did.

Mr. TELLER. I am not finding any fault with the Senator. I was only saying that his argument had fallen to the ground, because the basis on which it was founded had failed. We have had a tariff on salt at all times, except from 1807 to 1813. There has been no free salt in this country at any time within the memory of man, and it is a notorious fact that under that free trade in salt, salt was higher in price than it has ever been at any other time, except during the war before we had revived our destroyed salt industry.

It is further a notorious fact that year by year salt has been going down in price, until to-day it is not worth over 11 cents a bushel. Of course, it may be worth more in some sections of the country, but not in the salt-marts and salt-markets of the country.

Now, the Senator from Missouri, not learning experience by having followed Mr. Wheeler, produced another free-trade argument, a statement that has been denied over and over again in the public press, that owing to the duty on salt the salt manufacturers of the United States were enabled to carry their salt in 1872 and thereabouts to Canada and sell it for a dollar a barrel less than they sold it in the United States. At the very time the Senator complains of, when he says salt was being sold in Canada for a dollar less, salt was selling in the United States, and had been for more than a year before that time, for $1.46 a barrel, with 21 cents for the barrel. Saying nothing about the transportation from the salt-fields to Canada, the producer must have received on Canadian soil 25 cents a barrel for his salt.

Mr. VEST. If the Senator will permit me a moment——

Mr. TELLER. Certainly; I yield.

Mr. VEST. I simply read what President Garfield said in the House of Representatives, without comment. I read his own statement, and if it was a mistake it was made by him. I gave the authority at the time, and you will find it in the CONGRESSIONAL RECORD.

Mr. TELLER. It does not make any difference what the authority was. The Senator must have known, if he had stopped to think a moment, that the statement must be erroneous. He must have known that no such thing could have existed, and the Senator must have seen over and over again the statement made and its contradiction in the public press. If he has not, I have.

The Senator waxed eloquent and became somewhat pathetic over the sufferings of the people of the United States caused by this great duty when salt is selling for from 9 to 11 cents a bushel, and when the utmost consumption that can be claimed is a bushel per capita in the United States, which includes all the great packing establishments, all the salt for manufacturing purposes, as well as agricultural purposes. It can be readily seen how oppressive this must be upon the common people, who are so dear to the Senator from Missouri!

Why, Mr. President, the ordinary farmer who puts up his own pork does not use more than a barrel of salt a year, and the ordinary mechanic, with an ordinary family, does not use a bushel of salt a year. The duty paid on that is inconsequential. The price of salt is of no earthly account in the consideration of a man's expenses.

There is an article that enters into use in every family in this country, an article that so far all the duties we have been able to put upon it have not succeeded in stimulating the industry to such an extent that any appreciable amount upon the market can be produced and has been produced in this country, and notwithstanding the high tariff we have put upon it we are producing less to-day than we produced thirty years ago; and that article is sugar. The Senator from Missouri is quite willing to keep the sugar tariff on. He admits that we do not need the duty. He says that we do not need the revenue, and yet he will grow enthusiastic, and pathetic, and eloquent over the duty on salt, while he is entirely silent on the question of the duty on sugar.

Mr. VEST. Wait until we reach that schedule and see whether I am silent or not.

Mr. TELLER. I do not know what the Senator may do when we reach the sugar schedule. I know what his political party has done as a party. While they are aggrieved over salt, as a political party they have nothing to say about sugar, or but little. What they do is in favor of the continuance, practically, of the present duty.

Mr. President, Mr. John L. Hayes was the chairman or president of the Tariff Commission of 1882–'83. He made a statement which I find quoted in the House of Representatives, to which my attention has been called, and I desire to put it in the RECORD. Mr. Hayes said:

> It is said that the cost of salt to the consumer will be diminished by free trade or reduction. This is contradicted by American experience. In 1807 the duty of 20 cents a bushel which had before been imposed was repealed, and salt was admitted free of duty for six years. Consequently our home works were abandoned, or greatly reduced in production. Domestic competition being withdrawn, the prices of foreign salt which then flooded the markets advanced, being as high as $2 per bushel. When the war of 1812 arrived the foreign supply from England and her colonies was cut off. We had to depend upon the few establishments of our own which had not been driven out of business by foreign rivalry; and it is recorded as a historical fact that "salt was sold in quantities in more than one of our States at $4 per bushel."
>
> While writing this article we were informed by a merchant of Portsmouth, N. H., that a cargo of salt was held in that town during the war of 1812 by speculators, though not actually sold, at $8 per bushel.
>
> In 1872 Congress reduced the duty on salt in bags from 24 cents per 100 pounds to 12 cents, and on salt in bulk from 18 cents per 100 pounds to 8 cents, that is, reduced the duty more than one-half. What was the result? The foreign producers put up the price immediately, and in forty-seven months after the reduction of the duty took effect the average increase in the foreign invoice value amounted to over 8 cents per 100 pounds, or to more than two-thirds of the duty taken off; and the expected benefit of reduction, instead of inuring to our consumers, went into the pockets of foreign manufacturers of salt.
>
> The rise of prices attracted attention everywhere in this country; and the New York Chamber of Commerce, in a report upon this subject in 1873, declared: "The reduction of duty on foreign salt has not had that effect upon the price of salt that was anticipated by those who advocated its passage. The cost of both ground and fine salt is higher than it was before the duty was reduced."
>
> These facts establish what the American salt producers maintain, that any legislation which would break the growing force of the American competition against the foreigner would be sure to strengthen the foreigner and enable him to exact higher prices, and that the tendency to cheaper salt, now in operation, can be sustained only by maintaining those circumstances which strengthen the power of American competition.

Mr. President, I have here a statement of the price of salt, and I say, notwithstanding what has been said by Senators on the other side about the small duty on salt under the Walker tariff, that since 1877 salt has been cheaper in barrels in the United States than it was in 1860 and 1861, before the passage of the new tariff law. This salt question is not simply a question of expense. No people can afford to be without salt manufactures on their own soil if they have the means of so doing, and a better illustration of the necessity of the home manufacture of salt can not be had than that which we had during the recent war. The South was without manufactures at all, although the State of Louisiana and other sections had an abundance of salt which if they had utilized would have been of great value to them, not only as a necessity of life, but as a necessity of war. I do not know what the price of salt was in the South, but it went up to an unheard-of price, and there was undoubtedly great suffering in the South because of the lack of salt.

If we should have a foreign war with a power great enough to blockade our ports—and if we are to have a war there is where it will be, upon the ocean and not upon the land—what condition would 65,000,000 people be in if they had no salt manufactures? Much as Senators on

the other side may be in love with the idea of cheapness, I do not think when they carefully consider this question that they ought to view it wholly and entirely from the standpoint of dollars and cents. It is as necessary to a successful nation that it should have salt as that it should have wool or that it should have iron. They are necessities in time of war, and we can not abandon our salt industry in this country, if we should save 2 or 3 or 5 or 10 cents a bushel on salt; but with salt at 10 and 11 cents a bushel, with the industry being opened and salt being made in all parts of the country and the people thus being saved the expense of transportation, there is the greater necessity for the encouragement of this industry.

The people of Colorado and the people of Kansas would pay to the railroad companies immense sums of money for the transportation of salt if the salt came from the seaboard and had to be transported across the continent by rail. We want to develop the great salt-fields of Kansas, of Northern Texas, of Utah, and of all that section, and we shall have local production as well as local demand.

Mr. VEST. Mr. President, I want to say a single word before the vote is taken. I apologize for having consumed so much time in the discussion already. What I have to say is suggested by the last remarks of the Senator from Colorado.

So far as his country and mine are concerned in the trans-Mississippi department it is not affected by this duty at all. We can very safely rely upon the salt-fields of Kansas and of Michigan, and the competition between them will bring the price down to us whether the tariff be increased or diminished.

But the operation of this tariff, the unjust operation of this duty upon salt is in the South and on the Southern Atlantic seaboard. The testimony before the Tariff Commission in 1882 showed that the freight from the New York salt-mines and the Michigan salt-mines put their product absolutely out of the reach of the Southern consumer; and the salt that comes into Galveston, and New Orleans, and Savannah, and Charleston, and Richmond, Va., to a large extent must be foreign salt.

Mr. ALDRICH. I suppose the Senator from Missouri must be aware that Louisiana is one of the most valuable natural deposits of salt in the world.

Mr. VEST. Yes, I know as much about it as any man living; I have seen it, and there is an island in the Mississippi River which could produce enough salt to furnish the entire world, or ten more such worlds.

Mr. ALDRICH. I wish the Senator would explain, then, how the places to which he alludes are dependent upon foreign salt.

Mr. VEST. As to the mine to which the Senator alludes, if he will turn to the debate in the House he will find that a member from Louisiana gave a very intelligent and succinct account of it. The mines in Louisiana have been under pecuniary difficulties and have not been worked. Whether those difficulties have been removed now or not I am unable to say, but that Louisiana mine would not supply the markets upon the Southern Atlantic seaboard.

I have here a statement to show how this tariff operates. I speak now in regard to the region of country which I have mentioned. Here is a statement from Mr. W. A. Hazard, who is the managing partner of one of the largest salt establishments in the United States, and here is his calculation:

Cost of common salt at works in England, per ton	$0.51
Transportation to Liverpool	1.03
Freight to New York	1.94
Insurance and shrinkage	.12
Total cost in New York, per ton	3.63
To this add the tariff duty	1.79
Makes the cost of the English salt upon our shores, per ton	5.42
Cost at the works in New York, per ton, including everything (I mean the salt works of New York.)	3.20
Freight to New York	1.00
Total cost	4.20

Leaving a margin between the foreign salt and the New York salt of $1.22 a ton, and that is what this tariff does. It gives, according to my position (and I do not think there is any man living who can answer the statement), the additional cost of $1.22 on every ton of salt, which must be paid by the consumer. As a matter of course, if the consumer does not pay it that is the end of this whole tariff discussion. That closes the book at once. But from my standpoint and that of the Senator from Rhode Island—because in his report he claims that the duties on sugar have increased the cost to the consumer, and his argument in that report is that the duties on sugar ought to be diminished because sugar is an article of absolute necessity and there is more sugar than bread used in the United States——

Mr. ALDRICH. I admit the truth of the statement as applied to sugar, but I object to the inference which the Senator is now making that that condition would apply to all the imports of the United States.

Mr. VEST. I understand what the Senator would say, because he knows what he has said in that report, but it does not answer his own position. He says the sugar produced in the United States is not sufficient to furnish the requisite competition with the imported article, but that is only in degree; the principle remains; the principle is there. He admits in so many words in his report that if you take off the duty on sugar you diminish the cost to the consumer. That is all I say. Then the Senator and myself at last have got together.

Mr. ALDRICH. Upon the article of sugar we have.

Mr. VEST. We are together on the whole principle, because if taking the duty off sugar diminishes the cost to the consumer it is only a question of degree measured by the quantity of production in this country as to how much you take off.

Mr. ALDRICH. Will the Senator from Missouri allow me?

Mr. VEST. Certainly.

Mr. ALDRICH. I think the Senator from Missouri will agree with me that where nine-tenths of any article that is consumed in this country are imported, the price is fixed by the foreign price plus the duty; but, to reverse that statement, where one-tenth is imported and nine-tenths produced in this country, it is the nine-tenths that fixes the value of the article and not the one-tenth; and the cases are not analogous. A statement of facts which might be true in one case is not the truth in another, and the inference drawn from the one would not apply to the other.

Mr. VEST. Well, Mr. President, I could quote a good deal more authority which I have here, and which I will take occasion to put in during the debate, showing that whenever it suits our friends on the other side they always insist upon the doctrine as I lay it down, that the increase of duty comes off the consumer; but again they take the other side of that question and deny the truth of the proposition. Now, I contend, and I can not see it in any other way, without regard to the quantity imported or the quantity produced in this country, if you ever admit as to any single article, without regard to the amount that is produced or imported, that the consumer pays the tariff tax, you give away the whole position of the Republican party upon that question.

I know that you can bring in sporadic articles, as the Senator from Vermont [Mr. EDMUNDS] did in his two magazine articles and in his argument afterwards in the Senate, like coffee, but I think I showed, without any sort of question, as my friend from Rhode Island [Mr. ALDRICH] will admit, I believe, that coffee is an exceptional article, and it is the only one in all commerce that the Senator from Vermont could have found in which the rule that the duty is added to the cost did not work.

Mr. ALDRICH. If the Senator from Missouri will allow me, I think I can explain by a practical illustration exactly what I mean. Take the article of straw braids, on which a discussion was had in the Senate the other day, where the entire amount consumed is imported. I think every Senator in the Chamber will agree that in this particular case the duty is added to the cost to the American consumer.

Mr. VEST. What article is that?

Mr. ALDRICH. Straw braids, where the entire consumption is imported.

Take, on the other hand, ordinary print cloths, where the price is not very much greater in Manchester, at times, than it is in Fall River, and where the duty is say 2, 3, or 4 cents a yard. There are no importations whatever of print cloths and the duty is never added, I think the Senator will agree, to the cost to the American consumer.

These two cases illustrate the difference in conditions which render the rule applicable or inapplicable. Between these two extremes are a great number of cases where a fraction of the duty is added to the cost to the consumer, the percentage varying with the relative portion of the American market which is held by domestic or foreign producers.

Mr. TELLER. I want to call the attention of the Senator from Missouri [Mr. VEST], who insists that the duty is added to the price of the salt, to the fact that salt has been selling in the United States by the barrel for 7½ cents a bushel. The duty upon that at 8 cents a hundred is 4.48, or, practically, 4½ cents. That leaves 3 cents for the manufacture of salt. The Senator can hardly contend that salt can be manufactured or has been manufactured at 3 cents. The truth is that we produce so much salt that we fix the price ourselves. We produce about two-thirds of all the salt used in the United States, which is about in the neighborhood of a bushel per capita. It is less than that, but call it that. If the duty is added to a bushel, which is 8 cents a hundred, amounting to 4.48 cents a bushel, that, added to every bushel of salt consumed by the farmer who consumes four bushels, will make him pay a revenue of 18 cents a year. The mechanic, who consumes half a bushel—which is quite as much as the ordinary mechanic would consume who does not put up meats—would pay by this 2¼ cents a year. And yet, to any unacquainted observer or listener who had heard the speeches made on this question, a foreigner, coming in here and listening to them, and not knowing the facts, would have supposed there never was such tyranny on the face of the earth.

The Senator from Michigan [Mr. PALMER] says that salt is selling in Saginaw for 3 cents a half bushel. Salt has never been so cheap as it is to-day, except occasionally. The price has been steadily coming down year by year, and it is becoming cheaper to the people in the different sections of the country, because we are opening up the industries there.

The Senator from Kansas [Mr. PLUMB] showed us a few moments since that salt was cheaper in Kansas than it ever had been. Why?

Because we are getting the advantage in the West of the local production, and I saw a statement made only a few days ago that 10,000 barrels had been shipped to the capital of Colorado in one single shipment, which I understand was shipped from the salt-fields of Kansas.

Mr. President, all this worry and talk when salt is selling from 7½ to 11 cents a bushel seems to me hardly worth our while.

Mr. VEST. Mr. President, I stated before distinctly that the amount of this tax made no sort of difference with me as to my action in the matter. If it were but the shadow of a cent, it is wrong. I have nothing to do with the vote of the Senator from Colorado or with his principles about it, but if he thinks it is right that the men who put up meat in this country for exportation abroad, his constituents and mine, should have only 10 per cent. rebate on the salt used under this bill, whilst the fishermen have 100 per cent. rebate, I have nothing to do with it; but in my judgment it is an unjust discrimination as the bill now stands. I want to take the whole duty off. That single distinction, that single discrimination in this bill stamps it as unjust and inequitable.

Now, referring—as I have found the paper—to one of the salient points in this whole discussion, and that is who pays the tariff duty, I have here an authority that I think will be indisputable in the Republican party. The Philadelphia North American, which is the ablest protection paper in the United States, of December 22, 1888, on the point of who pays the tariff duty, says:

The Republicans of the Senate found the revenue bill delayed, the early part of the week, by the obstructive tactics of the opposition. All sorts of objections were made. Senator VANCE, of North Carolina, was quite agitated by the proposal that cotton-ties should be made in America by men instead of our buying them in England where they are made by women and girls. He thinks the retention of a duty upon them is a clear proof of the sectional character of the bill, whereas the truth is that the putting cotton-ties on the free-list was a clear proof that the Mills bill was a sectional measure. The Senate bill aims at protecting all American industry with which foreign labor can compete injuriously. The Mills bill took the amplest care of every Southern industry, while it transferred to the free-list whatever the South was more interested in buying than in selling.

Mr. VANCE, however, contends that while the tariff does nothing for the cotton-planter, it makes him pay dearer for this necessary article. He forgets that the very existence of a cotton-growing industry in America is due to the protective duty on cotton, which was imposed in spite of Alexander Hamilton's protest, and kept up until the planter was well on his feet. Under that duty the women of New England long paid a higher price for every pound of cotton they plaited into lamp-wicks or wove into sheetings. It was not until the improvement in the quality of American cotton forced the English to take the duty off it, that the South joined hands with Manchester, and strove to kick down the ladder by which it had climbed. Let Mr. VANCE read Edward Everett's address on the history of American cotton.

Now, I should like to know how that increase to the cost of the women of New England was brought about upon cotton unless it was by that tariff duty.

Mr. DAWES. I will tell the Senator. In the early days, before the American manufacturer could supply the market, the foreign producer charged the duty that he paid in addition to the cost. It is only when the American producer can supply the market that the foreign producer is obliged to pay the duty himself. The times have changed. That was the reason why John Quincy Adams, in 1832, made the statement which was read by the Senator from Texas [Mr. REAGAN] here. That was true until a protective tariff had introduced and created industries that supply our market, and whoever comes into a market already supplied must pay the additional expense.

Mr. VEST. Well, Mr. President, here is the point, and the Senator ignores it—I will not say evades it, but he does not notice it. The point between the other side of the Chamber and us is just simply this: Does the tariff duty come out of the consumer or out of the importer?

Mr. DAWES. That is what I was trying to state.

Mr. VEST. This editorial article says that before the cotton-planting interest became of any interest in the United States, and when there was a tariff duty on cotton, that increased the price to the women of New England.

Mr. DAWES. All I said was true then, and I undertook to give the Senator the reason, because then the manufacture at home was so limited that it could not supply the market at home, and therefore the importer came in to supply our market, and could add the duty to the cost; but the moment that the home producer supplies the market that ceases, and while that was true in the early production of cotton fabrics, it has long since ceased to be true under the influence of protection.

Mr. VEST. That, I respectfully submit, is another branch of the subject. That is as to the effect of competition created, as our friends say, by the exclusive tariff. Their position is that the tariff creates domestic competition which brings down the price of the article to the consumer notwithstanding the foreign duty; but the point I am making is this: Is there any phase of the tariff question when the tariff duty comes off the consumer, or not? I am not talking about the effect of the tariff in building up domestic manufactures to create competition to reduce prices to the consumer, but I am talking about this point: Does the tariff duty at any time come off the consumer? The article which I read says it does, and the Senator from Massachusetts admits it, because he says until the domestic cotton interest is built up to such an extent as to compete with the foreign importation, that state of things exists which this article depicts.

Mr. ALDRICH. Does the Senator from Missouri admit that it did exist; that the duty upon cotton increased the cost to the American consumer?

Mr. VEST. I believe in every case the tariff duty increases the cost.

Mr. ALDRICH. But for a great many years prior to the time it was repealed it was inoperative; that is to say, the exportation of cotton from the United States was very great. Now does he think the fact that that duty remained upon the statute-book added to the cost of American cotton cloths consumed by the American people?

Mr. VEST. That is not pertinent to this question.

Mr. ALDRICH. That is exactly pertinent.

Mr. VEST. Not at all.

Mr. ALDRICH. The duty remained just the same.

Mr. VEST. That is another phase of the question.

Mr. ALDRICH. Three cents a pound was levied on cotton from the time the duty was put on the statute-book, under the influence of Mr. Calhoun, until it was finally repealed, comparatively a few years ago. In the first part of that period it did add to the cost of the cotton.

Mr. VEST. Precisely.

Mr. ALDRICH. If the theory of the Senator from Missouri, as I understand it, is correct, that a tariff duty is a tax at all times and is added to the cost both of the foreign product and the domestic product, then will he explain how it was that for the last years of that period it did not add to the cost to the American consumer? What stopped it? If there is any natural law about it, why did it not continue over the whole period?

Mr. VEST. I have never denied that to some extent the principle might be true that there might be domestic competition between American manufacturers or producers, instead of the operation of the tariff, that would for the time decrease prices, but unfortunately the experience of this country is that as soon as that thing comes about then the manufacturers or producers combine and create a trust, create one of these associations to unify interests; one of these sympathetic movements——

Several SENATORS. Where?

Mr. VEST. Some Senators ask "where?" Where not? What article of any importance in this country to-day is not under the operation of a trust?

Mr. ALDRICH. The cotton growing and cotton manufacturing and woolen manufacturing.

Mr. HISCOCK. Will the Senator from Missouri yield to me for a question?

Mr. VEST. I yield to anybody.

Mr. HISCOCK. I find a provision in the law that potatoes per bushel of 60 pounds pay a tariff duty of 15 cents a bushel. There were imported into this country in 1887 one million and a half bushels. In 1888 it was largely increased, and the duty collected upon all of those potatoes was 15 cents a bushel. The product of the potato crop of that year in this country was 134,000,000 bushels. Now, I ask the Senator from Missouri if the 15 cents a bushel paid upon the importation of potatoes into this country, paid upon a million and a half of importations, raised the price of the other potatoes raised and consumed in this country 15 cents a bushel?

Mr. BUTLER. Mr. President——

Mr. HISCOCK. One other question in that same connection. Hay is quite a crop in this country. There is imposed upon it a duty of $2 per ton, and the importation to this country was 78,000, nearly 79,000, tons of hay, and the hay product of this country was 41,000,000 tons. Now, do I understand the Senator from Missouri——

Mr. VEST. How much did we export?

Mr. HISCOCK. We may have exported a little. Possibly we export manufactured goods also. The parallel holds all the way through. Now, does the Senator from Missouri assure me that $2 a ton was added to the cost to the consumer of the 41,000,000 tons of hay produced in this country and consumed in this country? And when he has answered that, we will take tobacco also, and we will take very many other products; and when he has answered, if he insists that the duty did not add to the price, then I ask him to discriminate or draw the line of distinction between these items, these goods, these products that I have indicated and the products of the manufacturing industries of the United States.

Mr. VEST. Mr. President, all that is in a copy of the Tariff League Bulletin, which I have here, and which I have been looking for since the Senator commenced his question.

Several SENATORS. "Plagiarism."

Mr. VEST. I will not say "plagiarism." It just shows how great minds run in the same channel.

Mr. HISCOCK. That, if the Senator will pardon me, was what I attempted to illustrate yesterday for his information. I say I never saw this in the Tariff Bulletin.

Mr. VEST. That shows what I say to be true.

Mr. HISCOCK. I am very glad it is true, and I am very glad for this reason: The Senator seems to have his attention called to it; he has had time to reflect upon the problem, and I doubt not now he is thoroughly prepared exhaustively to explain it.

Mr. VEST. Why, Mr. President, if the Senator will take the volume which I have here, containing the testimony of Mr. Mason, from which I read this morning, he will find his whole argument applied to wheat and to corn and to the productions of the truck garden; and then

Mr. Mason, who represented the salt interest of Michigan, triumphantly asked, "Now we want to know of our free-trade friends if the duty upon wheat is added to the cost to the consumer in this country." *Io triumphe!* and the protection drums are beating and the protection bugles are sounding and the American people are expected to believe any such nonsense and stuff and rot as that! Why, sir, do we not know that all of our agricultural productions are exported from this country? Do we not know that we have a surplus of them? Do we not know that the miserable pretense of protecting the farmer by putting a duty on corn and wheat is worse than the old absurdity of carrying coals to Newcastle? Do we not know, besides feeding consumers in this country upon wheat and corn, that we send abroad out of all our exports two-thirds in wheat and corn and cereals?

Mr. HISCOCK. I insist that the Senator from Missouri shall not divert me at least from the question which I put to him. I have not called his attention to wheat; oh, no.

Mr. VEST. Oh, no.

Mr. HISCOCK. I have not called his attention to wheat; I have called his attention to those products which stand on a parallel with our manufacturing industries; I have not extended it to the products as to which he seeks to answer; not at all. I have directed his attention to those products which we import because we require more than we produce, as in the case of tobacco, and therefore I say to him that his answer with respect to corn and with respect to meat is simply an avoidance of the question.

Mr. VEST. Not at all. I announced the principle; I announced the rule.

Mr. HISCOCK. And I announce to the Senator this rule, which I do not believe he has ever studied, that there is always a proportion between an imported article and the home production; there is always a relation in the price of the imported article, whatever the duty may be upon it, and the price of the home product, whatever the duty may be upon the competitive article, which depends absolutely upon the relative volume of the two. In other words, as in the case of potatoes, I will give the Senator the answer to the problem. The importation is so inconsequential as compared with the volume of the product that it does not affect the price.

So with reference to hay; the importation is so inconsequential as compared with the whole volume which is consumed that it does not affect the price. So with reference to woolen goods; so with reference to steel goods, the importation—I would not say does not affect the price; it does affect the price, but it does not raise the price to the amount the Senator seems to think it does under the protective duties. So it is with respect to steel goods and iron goods, and with respect to leather and with respect to all goods as to which we produce immensely in excess of that which we import, there is not that increase which he claims that there is on account of the duty which has been imposed.

Something was said about sugar the other day——

Mr. VEST. Now, I am the best-natured man in the Senate——

Mr. HISCOCK. I thought the Senator had yielded the floor.

Mr. VEST. I do not care to have a whole speech interjected in the nature of a question. But let the Senator go on.

Mr. HISCOCK. There is one other word——

The PRESIDING OFFICER (Mr. CULLOM in the chair). The Senator from New York will suspend. The Chair thought the Senator from New York was entitled to the floor.

Mr. VEST. Not at all.

The PRESIDING OFFICER. The Chair begs the pardon of the Senator from Missouri. Does the Senator from Missouri now yield to the Senator from New York for further remarks?

Mr. VEST. Oh, yes; I yield.

Mr. HISCOCK. There is one other point to which I desire to direct the Senator's attention. Something was said here yesterday, I think, about the Senator from Rhode Island having conceded that the duty was added to the price in respect to sugar. That is true. Why? Because the condition of things is reversed. The production in this country is inconsequential as compared with the importation, and the result is that every single farthing that is added to the tariff upon sugar practically is added to the price of sugar to the consumer. The relation between the two is maintained, only it is reversed.

Begging the Senator's pardon if I thrust myself inopportunely or injuriously into his speech, I yield.

Mr. VEST. Not at all, except that I must say I get a little impatient under certain statements made by Senators on the other side when they put a question and tell me I have never studied this question and know nothing about it, and therefore the inference is logical that I ought to keep my mouth shut and listen to *ex cathedrâ* denunciation by the great statesmen on the other side of this Chamber in reference to our mistakes, and flagrant mistakes, made by men who I thought were a little larger than any of those leading in this debate, and I am a little tired of hearing that we can learn nothing except from that fountain of perpetual and perennial wisdom, and there are other people, and I insist upon my right to go elsewhere than to them. I am not an expert on the tariff. My people are not living on it, thank God! We are not making money out of it, and are not in partnership with it to make money. The people of Missouri are digging it out of the ground, making it without any protection from these laws for which the Senators on the other side are now so energetically striving. If the Senator had waited, as he ought to have done in all courtesy, for me to have answered—of course I could not have answered it in his opinion and never expect to, but when I arrive at that sublimity of wisdom where I can answer anything satisfactorily to a protectionist, I expect to be ready for that temple "not made with hands, eternal in the heavens." [Laughter and applause.]

Mr. President, I was about to remark in answer to the Senator that I have never gone to the extent of saying that the tariff duty, every cent of it, was put upon the cost to the consumer. I thought the President of the United States stated that too strongly and that the facts did not warrant him when he made that statement in his celebrated tariff message. But I do say that the imposition of the tariff duty affects the cost to the consumer, always modified by the amount of production in the United States. For instance, as to potatoes; let there be a failure of the potato crop in my country and all through the Western States and then you will find the foreign importation affects the supply and affects the price, and whenever we raise enough potatoes to supply the home market and have a surplus, foreign importation does not affect us at all. So with other products. And I would have attempted to have said that in my feeble, Western, Democratic way if my friend from New York had permitted. That is the natural operation of the tariff.

I repeat again, when Senators undertake to make an exception as to sugar they give away the whole case, because the quantity produced in this country can not affect the principle when you once admit that the tariff duty is put on the cost to the consumer under any state of the case at all, and that is the whole of it. If the duty does not come out of the consumer, why do you impose it? Why do you put it there? The Senator from Massachusetts [Mr. DAWES] would say that it is put there in order to enable domestic competition to lower the price. That is the answer to the proposition, and when I asked in regard to this identical article of salt, why is it that you make a discrimination between the meat producers of the West and the fishermen of New England and the fishermen anywhere else; why, when you give a rebate of 90 per cent. only to one, to the other you give a rebate of 100 per cent., the reply comes, "To protect the Navy, to build up the Navy;" no other excuse can be given for it.

Mr. President, without being offensive to any one, I believe as honestly as I am a United States Senator addressing the Senate of the United States that the whole of this tariff system is based upon greed, to protect and encourage (as they call it, to protect) the manufacturers in larger profits and more exorbitant demands, and that every cent that is unjustly taken from the people of this country is taken under the pretense that it protects American labor, when in fact it protects those gentlemen who are putting enormous amounts of cash in these respective interests for the purpose of building up enormous fortunes for themselves.

Mr. HISCOCK. Mr. President, the Senator from Missouri and myself seem to agree now with reference to the effect of the tariff upon prices, and I propose to make one other suggestion in regard to the increase of prices, and possibly we may agree upon that. It is this: Suppose that in Europe is produced $100,000,000 worth of woolen clothing, and we enact a system in this country which enables us to produce $100,000,000 worth here, doubling the volume of woolen clothing that goes into the market. Now, what we say is, that that condition of things has the effect to force down the price to the consumer. That is our proposition. So in reference to cotton goods; and if we keep on increasing the production in this country until we increase here the product of the world three times, the effect of it is to force down the price of that product to the people of the world; and this is conceded by every political economist who has written upon the subject. Indeed, I know of no one who does not concede that the tariff of the United States in stimulating production, increasing the product of the world to the world's consumers, has had the effect to produce the abnormally low prices which we have to-day in everything.

Mr. BUTLER. May I ask the Senator from New York a question?

Mr. HISCOCK. Any question.

Mr. BUTLER. The Senator states that the production in this country, stimulated, as I understood him to say, by the protective tariff, high taxation, has a tendency to reduce the price of commodities. Now I would be very much obliged to the Senator if he would explain just how that is done. I perhaps may owe him an apology for not listening to what he said, but I should be glad to understand how it is that with a high protective tariff the price of the commodity in this country is reduced as compared with the same commodity in a foreign country, and what the limit is.

Mr. HISCOCK. What I said and what I repeat is this: Upon the other side $100,000,000 worth of goods of any particular line are made. You stimulate the industry in this country so that we place in the market from our factories $200,000,000 worth of goods, adding them to the world's market. The effect is that this large increase in production lowers the price of those goods the world over, and there is a corresponding depression in the price here. I am conceding all the while that in the main there is a relative difference between the price of

the goods here and the price of the goods upon the other side, and yet we are claiming that there is a decrease in the price of the goods here and elsewhere that more than compensates for it.

Mr. BUTLER. Then, that being true, may I ask the Senator what is the necessity for this excessive taxation upon imported goods? The Senator from Connecticut [Mr. PLATT] says it is not excessive. Why this high import duty which brings a hundred million dollars surplus into the Treasury? If the argument of the Senator from New York is sound, we have this tax upon imported goods in order to reduce the price in this country.

Mr. HISCOCK. For the reason that here in this country to enable us to produce these goods it is necessary that certain conditions between our producers and foreign producers should be equalized—the labor cost, if you please, the cost of money, every element which enters into the price of goods. The theory of a tariff is to equalize those conditions.

I will illustrate my argument in the same way that I think I have done before upon the floor of the Senate on this same question. France and Germany gave high protection in one form and another upon sugar. They gave a bounty upon the beet-sugar product of those countries. The result was the development of the beet-sugar industry, so that at the present time it equals the cane-sugar product of any country in the world. By this paltry sum in bounties, compared with the product, the world's product has been increased, and the result of that has been to force sugar down to its present low price.

Mr. BUTLER. If that be true, may I ask the Senator from New York if the protection given to the production of sugar in France and Germany has enhanced the value of wages in those countries?

Mr. HISCOCK. I have no sort of doubt about it. I say yes. I know how often the argument has been used that protection does not increase the price of wages, and it has been illustrated by the rate of wages in Europe. In that connection it is always well for the inquirer to bear in mind what the price of labor in Germany and France would have been if this increased field for labor had not been opened. That answers the question, or at least the inquirer should answer that question himself first. With their accumulating population there in those paternal governments they have to look after the people and keep them employed or else they have a revolution on their hands. The German statesmen discovered and the French statesmen discovered that they had to furnish labor for their subjects, or else they would have a revolt and a revolution, and therefore they stimulated this industry for the purpose of giving labor to their people.

Mr. BUTLER. And only for that?

Mr. HISCOCK. I do not say that it was only for that. I can not say that. I say it was because of the fact, which I have no doubt the Senator from South Carolina will concede, that it is the compelled policy of those nationalities to furnish their people with labor, or else a revolution follows.

Mr. BUTLER. Then, if that be true, is it a fact that the high taxation in France and Germany has brought the value of labor in those countries up to the point it is in this country, where we have a high protective tariff?

Mr. HISCOCK. No, the rate of wages is not equal.

Mr. BUTLER. Will the Senator from New York be kind enough to explain why it is not equal? If his theory is correct, why is it the fact that the labor in Germany or in France, with a high protective tariff, is not upon a plane with that in the United States, where we have a high protective tariff?

Mr. HISCOCK. Simply for the reason that France and Germany have all the labor they want to do the work they must have done. That is the reason why.

Mr. BUTLER. Why is it not as high there as it is here?

Mr. HISCOCK. If France and Germany could be the producers of the world, if our ports were open to them free, if they could supply us——

Mr. BUTLER. I understood the Senator from New York to state awhile ago that we imported very largely from foreign countries more than we exported.

Mr. HISCOCK. I have not said so.

Mr. BUTLER. I understood the Senator to say so.

Mr. HISCOCK. The Senator misunderstood me. I have not even discussed that question.

Mr. BUTLER. I understood the Senator to say that we brought in a great many things, that we are very large importers.

Mr. HISCOCK. If the Senator will read my remarks he will discover that I have not even touched upon that question.

Mr. BUTLER. I understood the Senator to say so in reply to the Senator from Missouri.

Mr. HISCOCK. I said nothing of the kind. I stated that with reference to certain products to which I called the attention of the Senate, the parallel held good in our importation and exportation of them as well as in the manufacturing industries.

We have heard the fact that the price of labor has not advanced in Germany or in France dwelt upon. It is advancing to some extent, but I do not care to state that fact. I simply will ask the man who puts the question to me why it is not higher, to tell me where it would have been unless this immense amount of labor had been furnished to their people.

Mr. TELLER. Mr. President, I wish to give the Senator from South Carolina just one item of increase of wages in Germany. Germany did not adopt the protective system really until 1883. They had a very small tariff, but in 1883 the chancellor declared that it was now time for the German Empire to adopt a protective system to be put in force, and he declared that the great prosperity of the United States, in his judgment, was due to the protective tariff, which prosperity he said was unequaled and unparalleled in the history of the world.

If the Senator will allow me I will call his attention to the changed condition in that short time in the German industries:

The statistics of German companies owning iron and steel works show that in January, 1887, 138,695 workers were employed in 250 works, but in January, 1888, there were 147,051 employed, an increase of 6.2 per cent. But the average of wages for all classes in these 250 establishments was 66.20 marks in January, 1887, and in January, 1888, the average of wages had risen to 69.67 marks per month. Thus an increase of 11.7 per cent. was recorded in a single year, with a large increase in the number of hands In four years after the protective tariff was adopted it added 52,000 to the number of workers in German iron and steel industries, and increased their wages 17.4 per cent.

Mr. BUTLER. The arguments of our friends on the other side are sometimes very amazing to a simple-minded man. I have sat in this Chamber by the hour and heard our friends on the other side emphatically and eloquently depict the condition of the American laborer as compared with the European laborer in language which I should not attempt to follow. They have contrasted to the advantage of the American laborer his condition with that in Germany and France, and they have attempted time and again to impress upon the American people that there were no laborers upon the face of the earth so happy, so rich, so prosperous as the American laborers. Yet, when I put the question to the Senators on the other side as to the condition of the German laborers under the influence of a high protective tariff, they say that the German laborer's wages have been wonderfully increased under a protective tariff.

Mr. HISCOCK. Oh, no.

Mr. BUTLER. The Senator says "Oh, no," they have not increased. The Senator from Colorado has just read statistics to prove that they have increased under a protective tariff.

Mr. HISCOCK. When I shook my head inopportunely, I was excepting to the word "wonderfully."

Mr. BUTLER. Then I will withdraw the adjective, and I will say that the wages of the German laborers have been increased under a high protective tariff. Does that suit the Senator?

Mr. DAWES. Is not that the fact?

Mr. BUTLER. If it is a fact, your argument then is not worth the time it takes to utter it.

Mr. DAWES. That may be; but is it not the fact?

Mr. BUTLER. Your argument is not worth the time it takes to utter it if that is true. The controlling reason that I have heard in this discussion for a high protective tariff, sometimes a prohibitive tariff, is that it is enacted to protect American labor against the pauper labor of Europe. Now you prove, when you are tested on another branch of the argument, that there is no pauper labor in Germany practically.

Mr. HISCOCK and others. Oh, no.

Mr. BUTLER. "Oh, no!" The Senators shake their heads and say "Oh, no." They do not say there is no pauper labor. The Senator from Colorado has just proven by statistics that the German laborer is fairly well off at least, and that the American laborer has to compete with pauper labor in Europe so far as Germany is concerned.

Now, Mr. President, one word more. I never have believed, I do not believe now, in the doctrine that any taxation, high or low, has anything whatever to do with the price of wages. I, in my humble judgment, believe that to be the most flagrant, the most untenable position that any intelligent people ever got into their minds. I do not believe that a high protective tariff in this country enhances the value of any man's wages. I think it is a fallacy from beginning to end.

Mr. ALDRICH. Will the Senator from South Carolina allow me to ask him a question?

Mr. BUTLER. Yes, sir.

Mr. ALDRICH. Does not the Senator think that the duty upon rice enables the laborers of South Carolina and Georgia to produce rice in competition with the cooly labor of India?

Mr. BUTLER. I doubt it very much. I doubt very much if it affects the labor.

Mr. ALDRICH. That was not my question.

Mr. BUTLER. I doubt very much if it affects the labor.

Mr. ALDRICH. My question was not as to whether it affects the labor, but whether the protective duty upon rice does not allow the laborers of South Carolina and Georgia to raise rice in competition with the cooly labor of India.

Mr. BUTLER. They may be in competition with the cheap labor of India, perhaps.

Mr. ALDRICH. Could they do it without any tariff at all?

Mr. BUTLER. Yes, sir.

Mr. ALDRICH. Without any tariff?

Mr. BUTLER. Yes, sir.

Mr. PLATT. Then let us take it off.

Mr. BUTLER. I have not asked you to keep it on.

Mr. ALDRICH. I have not said that the Senator did ask us to do so.

Mr. BUTLER. And I will never ask it. Let my friends on the other side understand that.

Mr. ALDRICH. I have not made any such suggestion.

Mr. BUTLER. But when the Senator from Rhode Island gets up and says that he is attempting to protect all the industries of this country under this bill uniformly, without regard to locality, without regard to industries, and increases the tax on cotton-ties 100 per cent., and reduces the tax on imported rice 50 per cent., he will pardon me if I question the entire sincerity and honesty of that committee—I do not mean personally, of course.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Rhode Island?

Mr. BUTLER. Certainly.

Mr. ALDRICH. If the duty upon rice is not necessary at all and if we still retain a duty of 50 per cent. ad valorem, we certainly have done ample justice to the Senator's constituents.

Mr. BUTLER. Very well; I am not complaining; but I am simply calling the Senator's attention to the want of consistency of the committee. As my friend from Iowa said when he was discussing this question the other day upon the tax on fish, the committee desired to be conservative. I was a little struck with the condition of this bill. But that is apart from what I was saying.

Now, the Senator from Colorado produces statistics, coming back to this question of labor, to show that the wages of German laborers have increased, and yet we hear day in and day out upon this floor and everywhere that the main object of a high protective tariff is to increase the wages of labor in this country. I had supposed that the tariff tax was like the dews of heaven, that it fell upon the righteous and unrighteous alike. Yet we find under its operation the wages of labor at one point in one section of this country at one rate, at another point at another rate. We find one rate in Ohio, one rate in New Jersey, one rate in the State of the Senator from New York, another rate in Georgia, and another rate in Texas. And yet our friends tell us that so beneficent is this protective system intended for the benefit of American labor that they all thrive and prosper and grow happy and rich under its operation.

Mr. DAWES. Will the Senator answer me a question?

Mr. BUTLER. And that is claimed in the face of our experience for fifteen years that the laboring classes in this country have had to combine and strike day after day, week after week, month after month, and year after year, in order to have simple justice done them.

Mr. TELLER. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Colorado?

Mr. BUTLER. I yield to anybody. The Senator from Massachusetts [Mr. DAWES] wants me to yield to him.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. DAWES. If the Senator will give me his attention, I should like to have him tell the Senate what he thinks the effect upon the wages of labor would be of increasing employment.

Mr. BUTLER. I think that would depend entirely upon the amount of labor that was to be employed. I think if there was an abundance of labor it would be cheap.

Mr. DAWES. That is not answering the question.

Mr. BUTLER. I think if there was a scarcity of labor it would be dear.

Mr. DAWES. I did not ask the Senator what degree of effect it would have, but what effect does the increase of employment have upon wages?

Mr. BUTLER. The only way I can answer that is just as I have answered it. It would depend entirely upon the demand.

Mr. DAWES. I will put my question in another form. If one man has two things to do, and two men have only one thing to do, which is the best off?

Mr. BUTLER. I think that increased employment increases the value of labor.

Mr. DAWES. That is all. That is the answer.

Mr. BUTLER. I have no doubt upon earth about that. In any department of life, whether in agriculture or in manufactures, or in the professional world, I think that increased employment increases the value of labor, of course. Nobody but an idiot could think otherwise.

Mr. DAWES. If the Senator will allow me one word in that connection I will say that that is all the theory of a protective tariff.

Mr. BUTLER. Oh, no, Mr. President.

Mr. DAWES. That is the theory of a protective tariff in relation to labor. Nobody that I know of claims that a protective tariff increases the wages of labor in any other way than that it increases employment, and by increasing the employment of labor has a tendency to raise the wages, and wages are always regulated by supply and demand. When the supply of labor is greater than the demand for it, wages will fall. When the demand for work is greater than the supply of labor, wages will rise. Therefore the greater the amount of employment the greater the demand, and that will as certainly raise wages as that water will rise from a fountain.

Mr. BUTLER. That is a new phase of the question.

Mr. DAWES. That is the bottom of it.

Mr. BUTLER. That is a new phase of the question presented in order to meet the proposition which I made. As I said, they always have something to meet every proposition of that kind. Admitting it to be true that increased employments increase the value of labor, I take it the Senator and I would differ very widely as to what would increase employment.

Mr. DAWES. That is very likely.

Mr. BUTLER. I do not believe for one that a high protective, prohibitive tariff increases employment for anybody.

Mr. DAWES. If the Senator will allow me——

Mr. BUTLER. On the contrary, if the Senator will allow me to conclude my sentence, I think up to a certain point it restricts employment for labor. It makes possible trusts and combinations which shut down and put labor out of employment. That is my theory upon that subject. So whilst we might agree upon that general proposition that increased employment will increase the value of labor, we should differ as to what would give increased employment in this country.

The PRESIDING OFFICER. Does the Senator from South Carolina yield further to the Senator from Massachusetts?

Mr. BUTLER. Yes, sir.

Mr. DAWES. Now I will tell the Senator how I think that a protective tariff will increase employment. I may be wrong and the Senator may be right; but I will tell him as well as I can just how I think it is.

There are about $2,800,000,000 worth of fabrics affected by a tariff. Seven hundred million dollars of them are imported. Twenty-one hundred million dollars of them are manufactured in this country. Therefore, one-quarter of all the labor performed on what is consumed in this country is performed abroad. Now, if a protective tariff should so operate as to enable the wage-earners of this country to perform all of the labor on these fabrics, there would be $700,000,000 more of fabrics made in this country, or 33 per cent. more of labor performed in this country than there is now. You would add 33 per cent. to the amount of labor to be performed while the number of laborers would remain the same, and my opinion is that it would just as certainly lift up wages as that the sun rises.

Mr. BUTLER. If the proposition of the Senator be true that if all the products made elsewhere than in the United States were made here there would be just that much more labor employed in this country——

Mr. DAWES. I am putting an extreme case.

Mr. BUTLER. Precisely; that is an extreme case. I do not remember the figures, but the Senator said if every importation that we bring in from foreign countries were manufactured here, just in that proportion would be the demand for labor. If that be true and all of the products manufactured elsewhere than in America could be manufactured here, what does the Senator from Massachusetts think would be the condition of what he chooses to call the home market?

Mr. DAWES. My opinion about it is that two things would happen. The home producer would have this market at his door and spend no dead loss in carrying his product to a distance. The American producer having employment all the time and adequate recompense would be able to consume a great deal more, and thus each one would strengthen the other.

Mr. BUTLER. Then I understand the Senator from Massachusetts to say that practically there is no limit to the home market; that no surplus can be manufactured in this country?

Mr. DAWES. I do not know why the Senator should infer that I said there was no limit when I did not intimate anything about the limit.

Mr. BUTLER. Simply because the Senator stated that if all these goods were manufactured in this country it would require the employment of additional labor, and therefore there would be additional consumption; and that the people of this country would not have to spend the money for transporting and shipping articles abroad and bringing others in. I understood from that statement of the Senator that the entire product of this country would be consumed in this country.

Mr. DAWES. I spoke of the condition which would supply our market. When that time comes and our manufacturers seek a foreign market they must do just what England does; they must devise a way by which they can produce articles cheaper and put them down in that market cheaper than anybody else can, or else they can not sell them. The effect of that will be, as I had occasion to say the other day, if they adopted that principle here at home, to weaken home consumption, and therefore it would be suicidal to them.

Mr. BUTLER. The argument comes down to this at last: that the Senators on the other side who advocate what I think to be a monstrosity—I must say monstrosity, as this bill in my judgment is——

Mr. DAWES. Will the Senator allow me to add a word?

Mr. BUTLER. I do not mean to say that in any disrespect to anybody, but I think in effect it is a monstrosity. Understand me to say this, that when it becomes necessary for any country, as it is for this

country, to raise $300,000,000 annually, largely from importations, whoever talks about this man or that man being a free-trader because he advocates such an adjustment of the tariff duties as shall be fair and equitable and just and equal all around, I was about to say would be perhaps but one or two degrees removed from idiocy.

The idea of any man in this country, with this large amount of money to be raised annually, largely from importations, being a free-trader is such an absurdity that really it does not require discussion, it seems to me, among intelligent people. Nobody in this country is a free-trader; nobody can be a free-trader with that amount of money to be raised. All that I contend for, all that those contend for with whom I agree, is that the taxation shall be so adjusted and so laid and so collected that it will be fair and just and equitable and honest to all the people of this country, not for the benefit of one privileged class.

The argument is made that one of the effects is, in addition to the encouragement of American industries, to enhance the value of American labor. God knows I do not want to destroy any American industry. I want to encourage them all. I would be glad to see in my own State, as I have said again and again, in every township in that State, if it were practicable, a cotton factory erected. But I am not prepared to see that done at the expense of the other tax-payers of the State, and I say in reference to the whole country what I say in regard to the State I have the honor in part to represent; and that is all I contend for. When we hear in this discussion the claim, the argument, and the pretense that the effect of a high protective tariff is to enhance the value of American labor, I can scarcely restrain myself from characterizing that pretense as I think it deserves to be characterized in the face of our experience and of the facts of history and in the face of the very statistics which the Senator from Colorado himself has read to the Senate this morning.

Mr. TELLER. Mr. President, the Senator from South Carolina has made a great deal out of the statistics to which I referred. He assumes that those statistics show that the prices of German labor and American labor are the same.

Mr. BUTLER. No, I did not say that.

Mr. TELLER. The Senator practically said that, and he said that I had furnished the proof here that gave away our whole case.

Now, Mr. President, what is the fact? Germany was not a protective country and had the lowest labor of Europe with one or two exceptions. She never had been a protective country. Great Britain had been a protective country until forty years ago, when she abandoned the protective system. After she had organized all her industries upon a solid basis, with a home market and with much of the market of the world that she had got by her skill, by her superior knowledge of manufactures and her great capital and her commercial advantages, she abandoned the protective system. She then was paying the highest wages to labor of any nation of the world—I mean outside of the United States. She has continued to pay the highest wages to labor in the world outside of the United States. Yet in very many of these industries we are paying 100 per cent. more than Great Britain and as high as 140 per cent. more than Germany.

While I read a statement to the effect that in four years of protection in Germany wages had advanced 17 per cent., yet it will take twenty-four years for the very lowest of German industries to reach the price of the ordinary labor in the ordinary industries in this country, and in some of the industries it will take forty years; yet the Senator rises and says the whole case is surrendered because four years of German tariff protection have advanced the wages 17 per cent. when they are still 100 per cent. lower than the wages in the United States.

Technically speaking I suppose it is true that a tariff does not raise wages. It does not immediately put them up. In other words, you can not legislate that a man shall have so much more for a day's work by a tariff. But when you do as the Germans did, when you organize a system of industries that will add fifty-two thousand more workers to the men who work in iron and steel in four years, you have made a demand for labor that did not exist before, and everybody knows, even the Senator from South Carolina admits, that the demand for wages governs the price of wages.

Mr. BUTLER. Yes; and that is all there is in it.

Mr. TELLER. And that is all there is of it. When Germany said, "We will manufacture instead of buying of Belgium," as they had been doing, their iron and their steel, when they took 52,000 men from the farms and put them in the iron mills, they raised not only the wages of every man they put in an iron mill, but of every man they left on a farm. Does it require any great comprehension to understand that? It is a fact that can not be questioned or denied.

Mr. BUTLER. Will the Senator allow me to interrupt him?

Mr. TELLER. The German consuls are authority for the statement and the report of the English consuls everywhere, and I have the proof right here if the Senator wants to look at it.

Mr. BUTLER. No, I do not want to look at it.

Mr. TELLER. I have the proof to show that with a protective tariff in Germany have come more labor, more demand, better wages, and greater prosperity, not only to the men who labor in these industries, but to all Germany.

Mr. BUTLER. Will the Senator allow me a moment?

Mr. TELLER. Certainly.

Mr. BUTLER. I may have misconceived the drift and tenor of what is called the protection argument in this debate, and in all the other debates on that subject, but I have been very much mistaken if I have not understood it to be the object and purpose of a high tariff to enable the manufacturer to pay higher wages to the laborer. Now, the Senator says, as I understand him, that that question is regulated by demand and supply; that a high tariff has nothing to do with it; that is to say, so far as the regulation and raising and reducing of wages is concerned. I may be mistaken, but I say that the entire argument in the past has been that we want a high tariff, that we want high taxation, in order to protect American labor against the pauper labor of Europe, solely and simply to enable the manufacturer to increase the price of American labor. That is what I have understood to be the argument.

Mr. TELLER. I can not say what the Senator from South Carolina understands and what he does not. Nobody I ever knew of has asserted that the manufacturers of this country because of a tariff would add, unless they were compelled to do so by their interests, a single cent to the wages of labor. I never heard it suggested that they would do it as a matter of charity. What we have asserted from time to time and what has been asserted on this floor by the men who sustain the protective system, including the great South Carolinian, John C. Calhoun, was that it was to make labor where there was not any, to give opportunity to men where no opportunity existed, not that the manufacturer became a philanthropist, not that he was to step out and do charity to labor, but that when he was enabled to manufacture large quantities of goods that had before been manufactured in a foreign country he was compelled to call upon the American people to do the labor, as the German people were compelled to call upon the men who had not worked in iron when they had command of the iron market of Germany and needed to make more iron than they had been producing.

Mr. BUTLER. Then I understand the Senator to say that he does not justify the importation of foreign labor to compete with American labor.

Mr. TELLER. That has nothing in the world to do with the question of free trade or with the question of protection, and the Senator had no right to come here and say a word upon that subject, representing the political party that he does, which has at all times insisted upon opening the door to foreign labor and which has derived the great benefit, politically speaking, that has been derived from a mass of ignorance and vice in this country.

Mr. BUTLER. I do not suppose, if the Senator will allow me to interrupt him, that the Senator from South Carolina has a right to express his opinion upon this floor at all, in the estimation of the Senator from Colorado. But, Mr. President, as long as I have a seat upon this floor I propose to exercise my right to express my opinions just as freely as I choose, and upon all questions and all subjects, the Senator from Colorado to the contrary notwithstanding. I have as perfect a right to express my opinion upon the labor question as the Senator from Colorado, and therefore I can not quite see the force of the observation which he made, that I had no right to express my opinion here, representing the party that I represented, which opened the door to this influx, when I put a very civil and, as I think, an entirely proper question to him, and asked him whether or not he justified the influx of pauper labor from Hungary, and Germany, and Canada, and other parts of the world, to come in competition with the American laborer, who, he says, is the essential object of consideration by the party which he represents.

Mr. TELLER. If the Senator from South Carolina desired to be extremely courteous and wanted to read me a lecture he should have read it in his own time and not in mine, or he should at least have waited until I consented that he might occupy the floor.

Mr. BUTLER. I understood the Senator to consent——

Mr. TELLER. I decline to yield to the Senator. The Senator knows very well, when I replied to him in that way, I had no reference to his personal expression of opinion on this floor. The Senator knew that it had no connection with him personally, that I spoke of him simply as a member of a great political party, and that I was not attempting in any wise, either directly or indirectly, to reflect upon him or to curtail his privileges in this body or anywhere else. He knew that very well, and he can not seek occasion to find fault with me because I replied to him as a member of a political party when he attempts to thrust into this debate that which is as foreign to it as it is possible to be.

The question of protection to American industries has nothing to do with the question of the admission of foreigners, one way or the other; and if it was connected with it the Senator from South Carolina, I repeat, representing the political party he does, would have no right to arraign any man on this side of the Chamber, because that political party from the very day that it had organization and political existence has stood always for the admission of all classes of people, without any reference to their character or the country from which they come, as long as they come here with the ability to assimilate themselves with our own people and become a part and parcel of the people of the United States.

I do not hesitate to say that in that sentiment I have always been in sympathy with them. I have yet but little of that feeling which is

growing up so rapidly in these days, and which we have condemned on other occasions as an un-American spirit, which declares that only those should come here who are rich and strong and great. The question whether men come here from abroad or not, I repeat, does not have anything to do with this question. The point that we were touching upon, and on which I read the little slip which I said had come from the German minister, was to prove that a tariff created a demand for labor, and I trust the Senator from South Carolina can appreciate what I mean by that.

If the great bulk of articles consumed in this country is manufactured abroad, does not everybody know that there is a reduction correspondingly in the demand for American labor? I spoke one day here of the great mass of manufactured goods brought to this country, that have averaged for more than ten years $238,000,000 a year of the coarser manufactures, of the class of manufactures that we are manufacturing now, where we have the plants, where we have the skilled men to manufacture, where skill is required. I am not speaking of the finer articles, but of the coarser articles of production we have imported $238,000,000 a year for ten consecutive years. How much labor would the production of these goods have furnished to American mechanics, and American manufacturers, and American wool-growers, and American laborers generally can easily be determined when you divide that sum by what is a fair compensation for labor, for in almost every instance it represents labor and nothing else.

I do not pretend, Mr. President, I never have pretended, that we could legislate labor up, but I simply contend that when you have made an opening for labor you have increased the demand for labor, and the increased demand is followed always by an increased price, and the greater the demand is in proportion to the number of men to be employed so the price always is.

Mr. REAGAN. Mr. President, I do not quite understand the argument of the Senator from Colorado, that the introduction of the cheapest or most worthless of the foreign population that comes to this country has no influence upon the subject of the wages of labor. I do not understand how it is that he says the advocates of a protective tariff regard that as a question foreign to the issue before the Senate. His argument all through has been that the prime object of protection, the great object, was to increase the wages of American laborers.

The Senator says, and other Senators say, that the increase of consumption and the increase of production cause increased employment. But if there is a foreign population sending goods here they say they are made by pauper labor. If instead of the goods the men are brought here, taking the place of the labor here at cheap rates, as we know to be the case, is not that affecting the rates of wages? Is not that affecting the profits of labor? We know that there are companies in this country who have been and are perhaps to-day sending abroad to obtain cheap labor to take the place of American labor; and still the cry is that protection means the increase of the wages of American labor.

There is another phase of this question that occurred to me while the Senator from South Carolina and the Senator from Massachusetts were discussing this matter. When we talk about the increase of the wages of American labor, what do we mean? Is it the increase of the wages of labor all over this country, and of all classes of labor, or is it the increase of some particular class of labor that is meant? Which is it? If it is the increase of a particular class or classes of labor at the expense of others, we all understand that that is unjust discrimination, and wrong. If it is intended by this position to assume that it increases the value of all labor, let us see how that tallies with the doctrine of home markets, which came up in that same discussion.

It is insisted that to encourage by protection domestic manufactures is to increase the labor of the country and to give a home market for the products of the country. I have had occasion before to state in reference to the subject of home markets that we already have more money and more machinery invested in manufacturing establishments than can be successfully run, the result of which is that those establishments frequently have to shut down for a time and turn their laborers out to beg, to steal, or to starve. That comes from the great bounties which have been offered upon these particular classes of industries at the expense of other people, stimulating investments beyond the natural demands of the country; and because under our high protective tariff we have made our manufactured products cost so much that we can not go into the markets of the world and find markets out of our own country for them. Our market being substantially limited to our own country, the investments in manufacturing establishments caused by the bounties offered having gone beyond the demands of the country, we have disorganized our system of industries, and we have produced evils that can not be corrected until we abandon it.

Further, let us see whether protection benefits——

Mr. HISCOCK. Mr. President——

The PRESIDENT *pro tempore*. Does the Senator from Texas yield to the Senator from New York?

Mr. REAGAN. I will yield to the Senator in a few moments. I would be glad to complete the suggestion I have to make now.

Mr. HISCOCK. Very well.

Mr. REAGAN. In relation to the home market and to the encouragement of labor all over the country, we have seen that even under the circumstances which I have mentioned, with an overinvestment of capital in the manufactures of this country, during the last year in the exports from this to foreign countries, amounting to a little over $700,000,000, there were five hundred and thirty-three million and odd thousand dollars of agricultural products.

Seventy-five per cent. of all our exports were of agricultural products, and yet that agriculture, as I had occasion to suggest once before here, is hardly regarded as one of the American industries. It is regarded as the field of plunder from which all others are to be enriched. It gets no protection. I do not care if there is said to be a nominal protection on things that can not be competed with in this country, I say it gets no protection, as was displayed here on the subject of cotton-ties. The tax is increased over 100 per cent. on an agricultural product that furnishes the largest portion of our foreign products of any single agricultural product. We have according to the census of 1880 nearly 8,000,000 laboring people—I do not mean population—we have of the 17,000,000 people in this country engaged in gainful occupations, nearly 8,000,000 engaged exclusively in agriculture.

Mr. HOAR. Will the Senator allow me to ask him, in connection with his very interesting statement that agriculture is plundered for other occupations, how it happens that during the last twenty-five years, ever since this high protective policy has been in force, while there has been an immigration from Europe into this country, into the manufacturing States, there is a much larger immigration constantly going on into the agricultural regions and a large emigration constantly going on from the manufacturing regions to the agricultural? How does he explain that, if the fact he states is true?

Mr. REAGAN. I do not know whether that can be explained or not. I am not sure that the hypothesis is correct. A very large proportion of the foreign immigration that has come into this country has stopped in the Senator's own State and a much larger proportion in the States of New York and Pennsylvania. It may be that the cheapness of lands in the West has drawn people to them. I think that probably it is natural that a larger portion of that immigration should have gone to the cheap lands of the West, where they could have a chance to obtain homes, which they could not do in the East, where the lands are dearer and are occupied.

Mr. HOAR. The fact is notorious. I have not the census figures now, but I have seen them, and I am justified in stating as the result of official information that from the great manufacturing States and centers an enormous emigration is constantly going on into the agricultural regions, and they are filling up, and that although the manufacturing States grow, the proportion of growth is very largely against them as compared with the agricultural States. Look at Kansas——

Mr. REAGAN. I do not suppose it is the purpose of the Senator——

Mr. HOAR. If the Senator will pardon me one sentence; take the most purely agricultural States in this country, take the two, Iowa and Kansas. There is nothing there to disturb the natural flow of the emigrant. Labor is honored and honorable. There are no traditions there of a state of things when labor was not honored and honorable. There is no remnant of that. The current goes in freely. Now, how does the Senator explain the fact that Kansas and Iowa are receiving from the manufacturing communities of the East this enormous stream of their best blood if the fact he states be true?

Mr. REAGAN. I do not suppose it was the purpose of the Senator to try to break the force of the argument I was making, but I do not see the relevancy of the question he has put to me to the point I was trying to present to the Senate.

Mr. HOAR. If the Senator will permit me——

Mr. BLAIR. I was going to make a suggestion which might be a reply to the Senator from Massachusetts.

Mr. HOAR. What I wished to say to the Senator was this: The Senator said that the agriculture of this country was the victim of the rapacity of the rest of the country; that it bore all the burden and was the subject of robbery. He did not use the term "robbery" at this particular time, but something equivalent to it. I asked him if the fact which I called his attention to is not inconsistent with the correctness of the very thing he was saying. That is the relevancy of it.

Mr. REAGAN. I do not see how that can be, and I do not care to go into that now. It is not the subject I was discussing.

Mr. BLAIR. Will the Senator permit me to interrupt him?

The PRESIDENT *pro tempore*. Does the Senator from Texas yield to the Senator from New Hampshire?

Mr. REAGAN. If Senators are determined not to permit me to make a statement, if they think it is injuring them, of course I shall yield.

Mr. HOAR. I beg the Senator's pardon; I wished to give him a fact.

Mr. BLAIR. I did not wish to interrupt the Senator, but to ask him if from his standpoint he could not well suggest in reply to the Senator from Massachusetts that Iowa and Kansas are two very strongly prohibitory States; that they have opposed and prohibited the liquor traffic in both of those States by constitutional enactments as well as by rigid statutory laws which they have enforced. I ask the Senator if on the common ground which he and I occupy in reference to that

great reform this suggestion may not be an ample reply to the Senator from Massachusetts.

Mr. REAGAN. Doubtless the temperance and industry of those people have invited other people to participate in their good fortunes. But I do not care to take up that line of argument at present.

I was trying, Mr. President, to meet the suggestion that protective tariffs were for the benefit of the labor of this country, and I was trying to demonstrate by official statistics that the great body of the laborers of this country not only derived no benefit from this legislation, but were the victims of the plunder which was to be given to other vocations. When we see that there is no protection to agriculture, that a majority of the people of this country engaged in gainful occupations are engaged exclusively in agriculture, that 75 per cent. of the exports of this country are purely agricultural products, and that these people are to be taxed from 30 to 100 per cent. on all they buy for the benefit of those engaged in other vocations, it seems to me that it is very clear such legislation is not for the general benefit of labor, but for the benefit of the capital engaged in particular vocations, and is not for the labor engaged in them.

I agree most thoroughly with the statement made by the Senator from South Carolina that the rate of duty imposed on imports has no relation to or connection with the rate of wages. It is true that it may furnish additional employment where there are manufacturing establishments, but it is not true that it increases wages. I before stated, and I repeat, that wages are controlled by other considerations. If there is a demand for labor greater than the supply the rates of wages will be higher. If there is more labor than the market demands, the rates of wages will be lower. If the country is in a condition of prosperity, wages will be higher. If it is in a condition of financial depression, wages will be lower. If the circulating money of the country is abundant, wages will be higher. If there is too limited a circulation of money, wages will be lower.

These are the character of the considerations which influence the price of labor; but that the tariff does not increase wages generally, and that it does not equalize wages, is proven by every Senator's knowledge of the different rates of wages in the various parts of the country now prevailing and at all times prevailing; for instance, between New York and Illinois; between Massachusetts and Iowa; between Ohio and Georgia. You will find in the different cities and different places men engaged in the same vocation receiving different rates of wages. This is illustrated by our labor reports in the fullest manner.

So, if the effect of tariff legislation was to increase wages, it ought to be to equalize them, if it is just, for if it increases a class at the expense of others it is unjust. We see that it does not equalize wages; and from what I have stated I maintain that it does not increase wages, but it places a burden upon somebody, for when money is to be paid it is to be paid by somebody, and for the benefit of somebody else. Who pays it? Those who purchase the article of the protected classes. Who receives it? In the first place, the Government receives the gross amount of duties directly paid on the imports, but the domestic manufacturer increases the price of his product to correspond to the increased price of the imported product caused by the addition of the tariff to its ordinary price.

This being so, let us look further. There were of taxed imports that came into the United States during the last fiscal year four hundred and odd million dollars. By the census of 1880 it is shown that the amount of manufactured products in the United States for the year for which that census was made amounted to five billion three hundred and odd million dollars. If we take off two billions of that amount as corresponding to what would be upon the free-list of imports—and that would be a larger amount than corresponds with the free-list of imports—we still have over $3,000,000,000 of manufactured products corresponding to the taxed imports, upon which the price may be increased to the consumer just what the tariff increases the price to the foreign manufacturer. When we do that, any one who will take the pains to calculate will find that in addition to the two hundred and odd million dollars which are paid into the Treasury, the gross revenues arising from imports, we pay about $600,000,000 into the treasuries of the manfacturing companies, which comes from the labor and mainly from the agriculture of this country.

I mention this to show the injustice, the inhumanity of a system of legislation which will take $600,000,000 a year beyond the needs of the Government from the toiling millions of this country and transfer it to the treasuries of the few or many manufacturing establishments, as the case may be.

This legislation which is urged here in the name of labor is depriving a majority of the laboring men of this country of the fruits of their labor, taking from them what they honestly earn, without price, without consideration, and transferring it to men who never earned it. This is the effect of this class of legislation. It not only does not benefit American labor in the aggregate, it does not give increased wages, but it reduces them in the aggregate, and besides that it is a system which it is impossible in logic, in morals, or in reason to defend.

Mr. HISCOCK. Mr. President, I suppose it is not the first time in his history that the Senator from Texas has indulged in invective of the same character as that of to-day against political systems in which he did not believe and against opponents to a political policy that he believed in; and the nation has been endangered, and our institutions would perish, and we would all go down in wreck unless his peculiar notions obtained! He has had the courage of his convictions. Such denunciation has been indulged in for fifty years and more, and yet the country has survived it, and it will survive it long after the Senator from Texas has retired from this body. Yes, it will survive it until the chances are that, like the great West, when the roll-call is made here in this Chamber we shall find from the Southwest States that those who represent them were born in New York, New England, Pennsylvania, and other Northern States. The tide of empire from the Northeast will take its way to the Southwest, and carrying with it the political principles, the political doctrines of the Northeast, we shall see a higher degree of prosperity there than was pictured by the colleague of the Senator from Texas the other day.

I do not know that it is worth while to become excited over this talk about robbery and robbers and men who take the money from one man's pocket illegally and dishonorably and put it into another's. In political methods and social life, in all that constitutes civilization, we challenge a comparison with those States that hold the peculiar doctrines of the Senator from Texas.

We have been told of late that the war was to go on, we do not know how long. They have had a meeting in Boston, Mass., and I think substantially made Cleveland a candidate for some time in the future. We have been told by Senators upon the other side that a great question was not disposed of by one defeat; that they were organized for a future victory; and it has been coupled with these denunciations of the men who believe for their political faith in these doctrines. At the same time there comes to us that which I mentioned earlier to-day, the notice served on the Senator from Missouri [Mr. VEST] by the Senator from Maryland [Mr. GORMAN] and the Senator from Indiana [Mr. VOORHEES] that they did not follow in his footsteps or accept his leadership, and half the Democratic press of the North to-day is in revolt against your doctrine and in support of the men whom you denounce as robbers and this policy which you denounce as robbery.

I desire to call the attention of the Senator from South Carolina to a fact or two which seems to be invited by a remark that he made, and it is equally pertinent in connection with a remark made by the Senator from Texas. I agree that a tariff does not equalize labor all over the country, but I maintain that it does advance labor, because it furnishes more employment for it. That is the reason. I desire in this connection to call the attention of the Senator from South Carolina to a fact or two. I will take the State of New York, and I will take the wages of farm laborers. In 1888 it was $16.30 a month. I will take the State of South Carolina. It was $8 a month.

Mr. BUTLER. Will the Senator be good enough to allow me to ask him a question in that connection?

Mr. HISCOCK. Certainly.

Mr. BUTLER. What does that $16.30 include?

Mr. HISCOCK. Board.

Mr. BUTLER. What else?

Mr. HISCOCK. It does not include the man's clothing. It includes his board.

Mr. BUTLER. Does it include his quarters and fuel, and all that?

Mr. HISCOCK. Certainly, the whole thing; everything except his clothing; and in the same conditions in South Carolina it was $8. In North Carolina it was $9. In Georgia it was $8.81. In Louisiana it was $11. In Texas it was $12. In Arkansas it was $12.50. In Massachusetts it was $18. In Rhode Island it was $17. In Ohio it was $15. In Kentucky it was $11 and a little over.

Mr. BUTLER. Now, let me ask the Senator a question right there.

Mr. HISCOCK. Certainly.

Mr. BUTLER. Are the tariff laws of this Government uniform all over the country?

Mr. HISCOCK. I believe this, sir——

Mr. BUTLER. Well, just answer my question.

Mr. HISCOCK. I shall answer the question.

Mr. BUTLER. Are they uniform all over the country?

Mr. HISCOCK. Yes, sir.

Mr. BUTLER. Then will the Senator explain why it is that the wages of farm laborers are less in South Carolina than they are in New York?

Mr. HISCOCK. I shall proceed to do that.

Mr. BUTLER. Will the Senator explain why they are less in New York than in Massachusetts?

Mr. HISCOCK. You will find that the value of the labor of the farm laborer bears a direct proportion to the manufacturing in the State.

Mr. BUTLER. Oh, no.

Mr. HISCOCK. Ah, sir, I am right, and it has been ciphered out absolutely.

Mr. EUSTIS. What statistics does the Senator read from?

Mr. HISCOCK. I am taking the statistics of the Bureau of Agriculture of this year.

Mr. EUSTIS. I desire to state that as far as the price of labor in Louisiana is concerned those statistics are ridiculous.

Mr. HISCOCK. I have no doubt that the gentleman at the head of the Bureau of Agriculture, Mr. Colman is his name, is an accomplished man, and has tried to furnish honest statistics. As is suggested to me by the Senator from Massachusetts [Mr. HOAR], do you question the facts as stated?

Mr. EUSTIS. I do as to the amount paid in Louisiana.

Mr. REAGAN. I question the correctness of the statement as to Texas. I have been carrying on a farm for twenty years there, and hiring every year, and I have paid from $12 to $18 all the time.

Mr. HISCOCK. Twelve dollars is the average in the Senator's State.

Mr. REAGAN. As a question of actual experience, I can say that the statement is not correct.

Mr. HISCOCK. Strange as it may seem, I, too, am a farmer, and I can say that in my State he has given about what is right and correct.

Mr. VEST. May I ask the Senator if he quotes from the same report of the Bureau of Agriculture which says that in the State of New York "three-tenths of the farms are mortgaged, and that one in twenty of the farm proprietors is hopelessly in debt?"

Mr. HISCOCK. Possibly.

Mr. VEST. I have got that right before me.

Mr. HISCOCK. I do not know where that statement is.

Mr. VEST. It is in the report of the Department of Agriculture for 1886.

Mr. HISCOCK. I may as well reply to that now as at any other time. I say that a great deal of the land in New York is mortgaged. It is a common thing for a young man to buy the farm perhaps that his father owned before him and give the mortgages that are to pay off the distributive shares to his brothers and sisters and make it his home. It is cheaper, allowing the interest upon a mortgage, than to hire a farm perhaps, and estates are subdivided in that way. That practice exists very largely all over the State of New York. If the Senator will go to that State, though, and traverse it from one end to the other and look at the thrift that is presented on all sides, he will be satisfied with the prosperity of the State.

Mr. BUTLER. If it will not disturb the Senator, I wish to ask him one additional question. Is it not a fact that the manufacturing industries of New England have practically destroyed the agricultural interests of those States? I should like to be informed on that subject.

Mr. HISCOCK. The manufacturing industries of New England and New York have practically destroyed the agricultural industry in those States as the Senator understands it. A higher agriculture has been developed; truck farming, all that is more valuable of the products of the earth, instead of hay and corn and wheat, as used to be produced. Sheep are fattened, stock are stall-fed, and all that for the near market for the butter and for the milk. Away up 300 miles in the interior of New York the milk trains gather up the milk and cream and take it on to the city. Agriculture has changed entirely.

Mr. BUTLER. In that connection it would not be improper for me, I am sure, to ask the Senator whether the agricultural products of New England (and I include New York, although I have not reference to that especially) support the population?

Mr. HISCOCK. I suppose not, and I want to say to the Senator——

Mr. DAWES. It is demonstrated in Massachusetts by statistics that the farms of Massachusetts are more valuable now than they were twenty years ago. We export the farm products of Massachusetts.

Mr. BUTLER. I should like to have some information on that subject, because——

Mr. DAWES. So far as Massachusetts is concerned, the suggestion of the Senator is not true by any means. In no respect has the value of the farms of Massachusetts or their products decreased. They have undergone the change suggested by the Senator from New York, and in the remote hill towns farthest from these markets that have been built up the value of the farms has diminished, but everywhere else they have so increased that the aggregate of farm values is very much larger than before.

Mr. BUTLER. I am not making this inquiry for any invidious comparisons, but for information.

Mr. DAWES. I understand that.

Mr. BUTLER. Is it not true that under the system of industries in New England a good deal of land has been turned out to waste?

Mr. DAWES. I am speaking of Massachusetts, and what is true of Massachusetts I have no reason to doubt is true of all the other New England States. The change has taken place which was suggested by the Senator from New York, but the result is highly beneficial.

Mr. BUTLER. My information was that agriculture was being damaged very largely for the benefit of manufactures.

Mr. HISCOCK. Mr. President, I think I will continue my remarks.

Mr. HOAR. I wish the Senator to allow me to make a statement.

The PRESIDENT *pro tempore*. Does the Senator from New York yield to the Senator from Massachusetts?

Mr. HISCOCK. Certainly.

Mr. HOAR. I desire to say that the county in which I live, which is the heart of the manufacture of New England and is the largest county certainly in Massachusetts, is the fifth agricultural county in this country.

Mr. HISCOCK. As I said earlier—and I invite especially the attention of the Senator from South Carolina to this—I do not claim that a protective tariff equalizes the price of labor all over that country which comes within its jurisdiction. What I claim is that wherever the protected industries are planted, there the value of farm labor is advanced. The place of domicile is strong upon every man, and men South will not rush away to the North for higher employment so as to reduce the balance which is devoted to agriculture, so as to raise the value of agricultural labor in that locality. The South is their home. They have lived there, they and their fathers before them, for generations, and when you have the area too large the equalization does not extend over it all. After you recede a certain distance you are outside of the limits of the effect of it; but wherever you have planted these industries and diversified agriculture and diversified labor, the man who is interested in agriculture and enjoys laboring in agriculture can devote himself to that, the man whose brain would be busy with mechanics can devote himself to that, giving to each brain and to each arm its proper employment, not forcing them all into one industry. The effect is to elevate all and to increase the price of labor to all, and you can mark the increase in the value of farm labor by the amount of manufacturing done in these States respectively. It bears a direct relation to it.

Mr. VEST. Mr. President——

The PRESIDENT *pro tempore*. Does the Senator from New York yield to the Senator from Missouri?

Mr. HISCOCK. Certainly.

Mr. VEST. The State of New York is, I believe, one of the largest manufacturing States. It has about the largest manufacturing interest of any State in the Union, as it is geographically one of the largest States. I understood the Senator to say a few minutes ago that there were mortgages upon the farms of New York, put there by young men.

Mr. HISCOCK. There is no doubt of it. I said that, and I have no doubt, too, by old men.

Mr. VEST. I wish to call the Senator's attention to the statistics which he commends so highly, and which state as follows——

Mr. HISCOCK. On what page does the Senator read?

Mr. VEST. I quote from page 418 of the Agricultural Report for 1886, published in 1887.

Mr. HISCOCK. I have it here.

Mr. VEST. I read from pages 418 and 419. The statistics were not prepared by Commissioner Colman, but by his assistant, who is a protectionist and a member of the Republican party, and who, if I had had my way, would not have remained there as long as he has done, I will add parenthetically. He says:

> The result of the investigation in New York shows that three-tenths of the farms are mortgaged, and that one in twenty of the farm proprietors is hopelessly in debt, if the estimate, which is based upon extensive information, is reliable.

Again he says:

> There are a large number of farms, which were purchased a few years ago and mortgaged, which now would not sell for more than the face of the mortgages, owing to the depreciation of the farming lands, which on an average is fully 33 per cent. in ten years. Probably one-third of the farms in the State would not sell for more than the cost of the buildings and other improvements, owing to this shrinkage.

Mr. HISCOCK. I thank the Senator for that. That is doubtless the statement made by the Commissioner of Agriculture. It is in the larger type. I call the Senator's attention to what the State agent says right below it:

> In the best sections of the State the farmers are making money or holding their own, and are less in debt than ten years ago; while in the more unproductive parts, and those more easily affected by drought, there has been a considerable increase, so that, on the whole, farmers are more in debt than they were ten years ago, but the average indebtedness is not heavy. There are a large number of farms, which were purchased a few years ago and mortgaged, which now would not sell for more than the face of the mortgages, owing to the depreciation of the farming lands, which on an average is fully 33 per cent. in ten years.

Mr. VEST. That is from the State agent.

Mr. HISCOCK. That is from the State agent. That is an opinion by him. It is entirely unlike the other. There is no sort of doubt about this. I state for the benefit of the Senator from Missouri that the fact is true that at the close of the war, or I will say at the point of time when we resumed specie payments in this country, the value fixed upon land was in the inflated currency of the country, and with our return to the gold standard that inflated value has been wiped out, as it has all over the country. The effect has been a depreciation beyond any sort of question of the value of the real estate in that State nominally. It is recovering from that, and has been for the last four or five years. We can all understand that condition of things. Many of these farms were probably purchased by men when gold was at 50 or 100 premium, and the land was 50 or 100 per cent. higher in that inflated currency than it is to-day under gold values. That explains all that. I have no doubt that will be found to be equally true in all of the older States.

As I said, if Senators will trace it through they will find that the increase in the rate of wages paid in the manufacturing States above what it is in the Carolinas and in Texas is in direct proportion to the increase of manufacturing in those States above what it is in the Carolinas and in Texas and Arkansas.

Mr. BUTLER. Does not the Senator think there is another factor or element entering into that? Does he not think that the price of farm wages in South Carolina, for instance, is due very largely to the fact that there is so much farm labor in that part of the country?

Mr. HISCOCK. Yes, sir.

Mr. BUTLER. The supply is in excess of the demand.

Mr. HISCOCK. Yes, sir; I do think so.

Mr. BUTLER. Then it is not attributable to the fact that manufactures have been established or are being established, because the Senator will allow me just one moment to state as a matter of information——

Mr. HISCOCK. Certainly.

Mr. BUTLER. Manufactures have increased immensely in my State in the last ten years. I think the next census will show an increase in cotton manufacturing that will surprise even the Senator from New York, and I am rejoiced at it. I have no hostility to manufactures; I have none to New England or to New York; but my deliberate judgment and opinion is that the effect of this high stimulation, if I may use the expression, of manufactures in this country, which has been going on under the high protective tariff, will result just as the Senator from Texas has stated.

Mr. HISCOCK. I want to say to the Senator from South Carolina right here that in 1879 the price of farm labor in South Carolina was $6.66 with board.

Mr. EDMUNDS. Per month?

Mr. HISCOCK. Per month. In 1888 it was $8.

Mr. BUTLER. In South Carolina?

Mr. HISCOCK. Yes; and I have no sort of doubt whatever but that the increase is in direct proportion to the increase in manufactures.

Mr. REAGAN. Will the Senator from New York be better to me than I was to him, and let me interrupt him?

Mr. HISCOCK. Certainly.

Mr. REAGAN. I wish only to say that if the conditions can be changed, and the States of South Carolina, Texas, and the other Southern and Southwestern States could receive as much advantage from the Eastern States as they are receiving from the States I have mentioned, the condition of prosperity would be changed between the two sections, and he would not have occasion to speak of the advantages of protection.

Mr. HISCOCK. I believe most emphatically if the same political system had been acted on in the Senator's State that prevails in mine, and if the people of his State had had faith that the system would be maintained, if they had not clung to their old system, if they had been in favor of the diversification of labor, Texas to-day, with her natural resources, would be far in advance of the State of New York. It is my opinion that the gravest mistake is made by gentlemen on the other side whose States have natural resources far beyond the mountainous States and the rock-bound States of the East and of the Northeast in this country. If they had but adopted the same policy, and had not continually pushed away capital and enterprise, they would have been in advance of us. That I certainly believe.

Mr. REAGAN. The difficulty with us, if the Senator will permit me, is that we begin of course as new States after others have age and accumulation and comfort.

Mr. HISCOCK. Yes, you begin as new States——

Mr. REAGAN. If the Senator will allow me, the system which prevails transfers the net earnings of the country, and more than the net earnings of the country, year by year, from those States to the State the Senator represents and to some other States engaged in manufactures, and we never can get up because we never can accumulate the capital.

Mr. HISCOCK. They begin as new States, but no newer than Kansas and Nebraska, and I might almost say than Iowa. However, the emigrants to those States carried with them their political faith. They welcomed industries, they sympathized with them, and the result has been that those States outstripped others, and will continue to outstrip them in progress until your States adopt the same policy they have adopted and let capital feel that it is sympathized with, and let the labor of your States feel that it is respected, tolerated even, and has the same right that the labor of the North has. Do this and you will surpass the North in the race of prosperity and obtain a larger degree of wealth than is possessed by us to-day.

But, as I started to say when interrupted upon this subject, I indorse all that the Senator from South Carolina has said in respect to their having a surplus of agricultural labor there. I repeat that home is dear to everybody, and it is not the case that your people will leave your States and your communities to go to the manufacturing industries, so as to reduce the volume of farm labor to the point that will increase the price. Manufacturing industries must be carried to them. So the man who has been fitted to toil in the shop goes to the shop and toils, and there at home among you the volume of agricultural laborers will decrease; and then the value of the labor of the agriculturist will be increased. Why, do you know that the facts of the case—I can not believe it is true—demonstrate that it is your purpose to constantly depreciate the value of agricultural labor; that that is your line of policy now as much as it ever was. I believe I could establish upon the evidence before even a South Carolina or a Texas jury that you are wedded to this old agricultural system, this cotton and rice and sugar raising system; that you want the cheapest kind of labor with which to prosecute those industries; that you are fighting against any system which elevates labor and increases the price of labor.

Mr. BUTLER. I am not, of course, a juryman of South Carolina, and I suppose my friend from Texas [Mr. REAGAN] will not claim to be a juryman from Texas; but I should be very glad to hear the Senator prove the statement he has just made.

Mr. HISCOCK. I say I can not believe you are so misguided as to adopt any such ruinous policy as that; but in the face of the facts I have stated, that labor appreciates as you diversify the uses in which it is employed, and that you refuse to invite new industries to settle among you by giving them the protection they demand, what are we to conclude?

Mr. BUTLER. Why, Mr. President, the Senator is certainly very wide of the mark if he states that anybody in my part of the country has refused to protect the infant industries there, for we have exempted all manufacturing establishments from taxation for ten years, and it seems to me we have done everything that a reasonable people can do under our condition to invite manufacturers.

If the Senator will pardon me one moment further in reply to what he stated, I will say that I have been preaching and almost praying and begging and urging the people of my country to diversify not only their mechanical industries but their agriculture. I will also say to the Senator that that is going on in a very satisfactory way at the present time, and instead of our attempting to depreciate labor, every reasonable effort has been made to elevate it and to encourage it in every way that we can possibly do without doing injustice to somebody else, and I think the Senator will be content after the next census upon that subject.

Mr. HISCOCK. There is eternally in it "without doing injustice to anybody else;" that is eternally what is urged, and that is that these industries flourish and are prosperous, the most intelligent that you can find in the country anywhere. There is no complaint on the part of the poor, for we have none, and there is no complaint on the part of those who labor by manual labor for their support.

Mr. BUTLER. The Senator has the advantage of us, because we have a great many poor people.

Mr. HISCOCK. We have very few.

Mr. BUTLER. We have a great many, I am sorry to say.

Mr. HISCOCK. I say in my State there is no man or woman who by industry and temperance may not support himself or herself and accumulate a surplus and educate the children and fit them to fill and adorn the stations occupied by him or her.

Mr. BUTLER. Well, we have such, I am sorry to say.

Mr. HISCOCK. I make that assertion broadly, and I have no doubt I shall be indorsed in it by the Senators from Massachusetts, and from every New England State.

Mr. BUTLER. I am very sorry to say that we have a great many poor people, but I think I may make this statement in answer to the statement made by the Senator from New York, that we have fewer paupers than they. I think the statistics will show it.

Mr. HISCOCK. It is not unlikely that in our great cities, in which vice and crime congregate, we exceed you in pauperism and in crime where the foreign countries unload upon us their vicious; that very likely is true; but I am speaking for another class. I am speaking for the people of the country.

Mr. BUTLER. The paupers are part of the people.

Mr. HISCOCK. I do not believe that the Senator from South Carolina is in favor of degrading, or lowering we will say, the price of labor, and yet it seems to me that it is absolutely patent that such is and must ever continue to be the result of the policy that he and those associated with him are pursuing and have been pursuing for the last ten years. I believe these Southern States have wrought themselves irreparable mischief during the last ten years in keeping unsettled constantly this question of protection, agitating the country, making capital to feel that is was unsafe to invest in manufacturing enterprises, so that it has held back from your States. We have enough and more than enough of it in the North at a low rate of interest seeking investment everywhere. Capital is easily alarmed, and the constant agitation that has come from your section over this question has affrighted it and it is held back from investment in your States.

Mr. BUTLER. I am not quite content to sit quietly and permit that statement to go uncontradicted. I have not the figures before me, but I have read them lately, of the amount of capital invested in enterprises south of the Ohio and Potomac Rivers, which would indicate that capital was not very much frightened by the agitation of this or any other question.

Mr. HISCOCK. Capital has to some extent, and a large extent, been invested there, I know.

Mr. BUTLER. And I will say to the Senator that it seems to me quite fast enough for all practical purposes.

Mr. HISCOCK. It has followed the great Appalachian chain that severs your territory largely.

Mr. BUTLER. The Senator is mistaken.

Mr. HISCOCK. I say that it has followed that in the main; not entirely.

Mr. BUTLER. I will state to the Senator, for his information and

that of other Senators who feel any interest in the subject, that within the last five years a cotton factory has been projected or built in almost every county in my State.

Mr. HISCOCK. I congratulate the Senator and his State.

Mr. BUTLER. And in almost every town. I would state to the Senator, furthermore, that quite a number of foundries have been erected in that State, and there is very little iron there, and capital is being invested in many enterprises. So the Senator is mistaken in saying that capital has been frightened. Capital has not been frightened.

Mr. HISCOCK. I am not mistaken. Many times I have been in consultation and heard it. It is affrighted there. It has been affrighted in the North.

Mr. BUTLER. And yet within the last year there have been 2,000 miles of railway built in that very section of country which the Senator says is driving capital away.

Mr. HISCOCK. Perhaps I may be too strong in my language in saying that it drives capital away, but I have known instances of that kind, in large volume, too. Perhaps it would be more correct for me to say that it has prevented large amounts of capital from seeking investment there.

Mr. BUTLER. Then will the Senator explain why it is that New Jersey is getting along so well, having voted at the last election on the line which he has just been denouncing, and so Connecticut is getting on happily and prosperously, and his own State of New York, which went against his views at the last election. Is capital affrighted in those States?

Mr. HISCOCK. I say to the Senator that this time both capital and labor combined in sturdy resistance against this policy of yours in New York, Connecticut, and New Jersey, and in New York we were successful.

Mr. BUTLER. Why, Mr. President, will the Senator allow me——

Mr. HISCOCK. I will say to you, further, that, in view of the large number of Democrats in the State of New York who joined with us, we have a right to believe at least that we can carry on the resistance successfully in the future.

Mr. BUTLER. May I ask, as a matter of information, if New York did not vote for Governor Hill by about 20,000 plurality?

Mr. HISCOCK. It did. Wherever rum, rum, rum was the banner Democracy was successful.

Mr. BUTLER. "Rum!" Did "Romanism" have anything to do with it, or "rebellion?"

Mr. HISCOCK. Hill upon the open sale of whisky carried the State. Harrison under the banner of protection carried the State.

Mr. BUTLER. Did not Governor Hill indorse the Mills bill?

Mr. HISCOCK. Well, Governor Hill is to have no voice in this tariff-making. He is to confine himself to legislation on the question of license or no license, high license or low license.

Mr. BUTLER. May I ask another question? I ask if the Chicago Republican convention did not indorse free whisky?

Mr. HISCOCK. It did not. There was in the Chicago platform a plank of this kind, that before we would submit to the destruction of the industries of the country——

Mr. BUTLER. You would take free whisky.

Mr. HISCOCK. We would abolish the internal-revenue tax upon whisky. That is precisely what we said.

Mr. FRYE. And the Temperance party said the same.

Mr. HISCOCK. And I ask if the Senator from South Carolina is not quite ready to vote to repeal the internal-revenue tax on whisky, whether protection goes or stays?

Mr. BUTLER. I did not catch the question.

Mr. HISCOCK. I inquired of the Senator from South Carolina how he stood on the question of taking the tax off distilled spirits, without any reference to the question of protection whatever

Mr. BUTLER. What would be my position on that subject?

Mr. HISCOCK. Yes, sir.

Mr. BUTLER. I would retain the tax on whisky.

Mr. HISCOCK. You would maintain the present revenue tax upon whisky?

Mr. BUTLER. I think so.

Mr. HISCOCK. Unchanged and unbroken. You do not indorse the Mills bill.

Mr. BUTLER. I think it is a pretty fair bill.

Mr. HISCOCK. But do you stand on the Mills bill?

Mr. BUTLER. I am for the Mills bill.

Mr. HISCOCK. Certainly; I supposed so.

Mr. BUTLER. And the Mills bill does not propose to take the tax off whisky.

Mr. HISCOCK. The Mills bill carries in it those provisions which practically allow the free distillation of whisky in this country, and the very moment those provisions become law the effect will be to break down the internal-revenue system with reference to whisky and compel the repeal of the internal-revenue system.

Mr. BUTLER. When the Senator from New York has to resort to such a labored argument to establish a fact it ought to be taken with a great many grains of allowance. I do not understand the Mills bill to favor free whisky by any means. It takes the tax off tobacco.

Mr. HISCOCK. I commend to the Senator from South Carolina the criticisms on that feature of the Mills bill contained in the majority report of the Committee on Finance.

Mr. BUTLER. I will do myself then the honor to instruct myself; but I thought I had done so.

Mr. HISCOCK. It will be well.

Mr. BUTLER. I thought I had done so, but the Senator from New York may be wrong and I may be right. If I am wrong, certainly a very large number of the people of this country are wrong.

Mr. HISCOCK. Very likely they are. I think that is true. I agree with the Senator that there are a great many people wrong on this question, and it is a constant surprise to me that such is the case, and I confess it is a constant surprise to me to hear so much of error so openly proclaimed on that side of the Chamber.

Now, as illustrating the question of the effect of home manufacturing industries upon agricultural labor, let us take the two States of Ohio and Kentucky. A river, I believe, divides them, and there is a marked difference in the value of agricultural labor in the two States.

Mr. BUTLER. Will the Senator allow me just one moment on that line to refer to some statistics upon the agricultural products of different States?

Mr. HISCOCK. I do not wish to yield for a speech. Of course I will always yield to a question.

Mr. BUTLER. It is strictly in reply to the line of argument the Senator is pursuing.

Mr. HISCOCK. Certainly, then, I yield.

Mr. BUTLER. I made some inquiries awhile ago about the agricultural products of New England and the Senators from Massachusetts notably rather berated me because I questioned whether there were sufficient food products raised in New England to support the population. I find by reference to some figures, that in the State of Connecticut, for instance, there were 58,140 acres in corn, and 1,997,000 bushels were raised, valued at $1,324,590. Of wheat there were 2,171 acres producing 37,000 bushels, valued at $36,630. Then I come to Massachusetts——

Mr. HISCOCK. What State is that?

Mr. BUTLER. I have just given Connecticut. Massachusetts had in corn 59,997 acres, producing 2,124,000 bushels, valued at $1,486,800. It had in wheat 1,080 acres, which produced 16,000 bushels, valued at $16,000.

Then I come to my own State. I do not know what the population will be under the next census, but Massachusetts certainly outstripped her very largely in the last. I find South Carolina had 1,501,322 acres of corn, and she made 15,013,000 bushels, valued at $9,308,000. She had 192,637 acres in wheat, and she raised 1,233,000 bushels, valued at $1,220,670.

Mr. HOAR. Will the Senator state the area of Massachusetts and South Carolina in square miles?

Mr. BUTLER. I can not state exactly the area, but South Carolina is larger than Massachusetts, of course.

Mr. HOAR. How many times?

Mr. BUTLER. I do not know how many times. South Carolina has about 30,000 square miles.

Mr. HOAR. And we have about 8,000.

Mr. BUTLER. More than three times as large. Then I find Maine, which I believe is larger than South Carolina, had 32,165 acres in corn and made 1,132,000 bushels, valued at $769,760. She had in wheat 39,460 acres, and made 481,000 bushels, valued at $505,050. I find that Rhode Island had in corn 12,946 acres, producing 414,000 bushels, valued at $289,800, and I find wheat blank. She did not produce a seed according to these statistics. I might carry out the comparison in Vermont and New Hampshire and the other agricultural States. I see the Senator from New Hampshire [Mr. BLAIR] is interesting himself in this. I find that New Hampshire had 38,578 acres in corn, that she made 1,323,000 bushels, valued at $912,870; in wheat she had 10,485 acres, which produced 110,000 bushels, valued at $114,400.

I merely state this as a result of the immense progress made by agriculture in those States.

Mr. HISCOCK. In which States?

Mr. BUTLER. In those which I have just mentioned.

Mr. HISCOCK. Which ones do you mean?

Mr. BUTLER. The New England States especially.

Mr. CHACE. What is the farm land worth?

Mr. BUTLER. I should be very glad indeed to be informed what it is worth.

Mr. HISCOCK. Allow me to say to the Senator that, as I understand the statistics, they are introduced for the purpose of showing the impoverished condition of agriculture in these New England States.

Mr. BUTLER. Yes, sir; that was one of the objects.

Mr. HISCOCK. That was precisely what the Senator intended to do. Now, I want to say to him in reference to agriculture in those States as well as in large sections of New York, we have not the advantages that you have South in reference to agriculture. We have not the rich alluvial soil that you have, and we depend upon a higher degree of cultivation and a more expensive cultivation. We produce milk, we produce meat, we produce fruit, we produce chickens, we produce eggs, we produce these agricultural products of a higher value,

garden vegetables; we have truck gardens depending on the near village or city for a market, which is far more profitable than the raising of wheat or corn. We raise potatoes, early potatoes, onions, and all that.

Mr. BUTLER. Perhaps the Senator from New York may be able to answer the question the Senator from Rhode Island [Mr. CHACE] asked as to the value of farm lands. I should like to know.

Mr. CHACE. If the Senator from New York will allow me, I have a statement here prepared by the Agricultural Department. The value of the land in South Carolina is $5.10 per acre.

Mr. BUTLER. A good deal less than that, some of it.

Mr. CHACE. The value of land in Rhode Island is $50.37 an acre.

Mr. BUTLER. Farm land?

Mr. CHACE. Farm land; agricultural land.

Mr. BUTLER. What is it in Connecticut?

Mr. HAWLEY. About $49.

Mr. CHACE. In Connecticut it is $49.34, I believe.

Mr. HISCOCK. That settles the question and that tests it, and if your people want to be prosperous——

Mr. BUTLER. We are getting along reasonably well.

Mr. HISCOCK. You can do still better.

Mr. BUTLER. We are getting along pretty well, but we get lectures every now and then as to how we ought to behave ourselves.

Mr. HISCOCK. What you ought to do is what has been done in the North. The farmers there all recognize the fact that it is no longer profitable for them to raise grain in many localities, and they depend upon the sale of their products in the cities and manufacturing towns that are near them, and agriculture has been diversified; and what you want in the South is the diversification of your industries.

Mr. BUTLER. Precisely. I agree with the Senator in that.

Mr. HISCOCK. What you want is to build up a home market.

Mr. BUTLER. I agree with the Senator in that.

Mr. HISCOCK. What you want is to discard forever the idea that cotton is to be your only product.

Mr. BUTLER. I agree with the Senator in that.

Mr. HISCOCK. You want to manufacture your cotton; you do not want to send it across the ocean to be manufactured there and bear the expense of transporting it. You want to manufacture it at home and raise around about you in the villages where it is manufactured the farm products that are necessary for the support and maintenance of the operatives.

Mr. BUTLER. I agree fully with the Senator in that.

Mr. HISCOCK. And the way to accomplish it is to preserve the market of 65,000,000 people inviolate to the working men and women of America.

Mr. BUTLER. I agree fully with the Senator. We do not disagree at all upon these general propositions.

Mr. HISCOCK. I suggest this question to the Senator: Supposing that South Carolina had a population that her agricultural resources were unequal to feed, what then would be the effect upon the agriculture of that State? It would be lifted to the same plane that it occupies in Massachusetts and in New York.

Mr. BUTLER. I am sorry to say that it is very largely true now, and I will go as far as the Senator from New York or anybody else to get them out of that.

Mr. HISCOCK. Does the Senator say that the agricultural resources of his State are unequal to the support of the population of the State?

Mr. BUTLER. I say that we import a good many articles in the way of food products, and I am sorry to say it.

Mr. HISCOCK. You import a great many things. That has always been the peculiarity of your State and section; you confine yourselves to one line of agriculture without diversifying it. As I have been told, although I do not know that it is true, the cotton-planter has been accustomed to plant cotton and to look to another market for the meat with which to feed his employés and the bread with which to feed them and the clothing which they are to wear.

Mr. BUTLER. That has been unfortunately true.

Mr. HISCOCK. Very well. We want to change it.

Mr. BUTLER. So do I.

Mr. HISCOCK. And the difference between the Senator and myself is that I see only one way to change it, and that is to preserve all this heritage to the labor of the country. As is suggested by the Senator from Massachusetts [Mr. HOAR], I see one way in which to change it, and you see no way in which to change it.

Mr. BUTLER. I think I do see a way.

Mr. HISCOCK. I say to the Senator from South Carolina that we have had a policy in the North since this Government was established, and we have clung to it, and we can see the beneficent effects of that policy among our people. Let him sit at our feet and learn from us or follow our lead upon this great question, and I assure him that prosperity will come to his State if he will do it.

Mr. BUTLER. The Senator will allow me. He says that I have no method for improving these conditions. I beg leave to differ with him. He says that he has and that I have none; that I can make no suggestion. If the Senator will pardon me for giving him my remedy for some of the evils of which he speaks—and I admit there are a great many in the South; there is no doubt about that—the State of my benevolent and venerable friend, the Senator from Illinois, who sits in front of me [Mr. CULLOM], supplies a good many people in my State with something to eat, and I should be afraid, if we got to be independent of them in that respect, his people might suffer. But if the Senator from New York will permit me to suggest a remedy for many of the evils to which he has just alluded, I would say that the most direct route to prosperity in that country is to reduce taxation and stop imposing unnecessary burdens upon the people who have to labor for their daily bread. I think that would be the solution of the difficulty. The Senator thinks that the solution of it is to increase taxation and pile it up higher, to make the people's expenses greater, and make the expenses of the laboring man and of all who consume greater, and in that way increase their prosperity! There I draw the line.

Mr. HISCOCK. Mr. President, we have heard this constantly urged, "reduce taxation." Gentlemen talk of robbery, of taking from the pocket of one man to put into the pocket of another. I can dismiss that by saying that it is the highest compliment to the intelligence of the people that that sort of declamation ceases to-day to have any effect whatever on the public mind. No man believes it in my part of the country. It awakens a laugh on the hustings, I suppose, in the gentleman's State. Wherever this question is discussed the idea that this is a matter of taxation has been discarded by everybody. One talks about taxation and another talks about the increase of price. Life is too short, at least the day is too short, to go into a refutation of these pretenses.

There is but one other suggestion that I have to make, and that is in reference to the oft-repeated declaration which is made, that the tariff does not increase the price of wages. I think I have heard the Senators from South Carolina—I am not sure—make that same statement, when the fact must be conceded if what they say is true, that if it advances the price of the product, with the competition there is in this country, it must advance the price of labor. That follows as a sequence. It logically flows from it, because trusts and combinations are the exception. The labor cost in the main is what advances the price or cost of goods in this country above what it is abroad; and therefore when you strike down protection you do and must of necessity lower the price of labor, and in my part of the country, in my State, labor is willing to receive the difference that I pointed to in wages between what is paid in the State of South Carolina and what is paid in the State of New York, and stand this onerous tax that the Senators complain of.

Mr. BUTLER. The labor is willing to receive it, but does labor always get it? That is the point.

Mr. HISCOCK. I do not think that the Senator from South Carolina is one of those who believe in this accumulation of wealth in the hands or in the coffers of the manufacturers of the country. I grant that there are exceptional men who have piled up immense fortunes in manufacturing, as some have in railroading, as men have in speculations of different kinds.

Mr. BUTLER. Then why are there a million laborers out of employment in this country? I believe that is the last estimate.

Mr. HISCOCK. I do not know that there are any such number.

Mr. BUTLER. That is the statement.

Mr. HISCOCK. But certainly the Senator from South Carolina does not believe, and he will not go upon the record as believing, that the capital invested to-day in the manufacturing industries of the country receives a higher rate of interest than is paid for money invested upon farm land, mortgage security.

Mr. BUTLER. I did not quite catch that remark.

Mr. HISCOCK. I say I do not believe that the Senator from South Carolina will go upon the record with the claim that capital to-day invested in manufacturing receives a higher rate of interest than money invested upon farm land, mortgage security.

Mr. BUTLER. Yes, I will.

Mr. HISCOCK. Then I say to the Senator that he is entirely mistaken, and that he may go to friends and foes, in respect to politics, engaged in manufacturing industries, and he will find, taking them as a whole, that he is entirely mistaken.

Mr. BUTLER. I of course am not prepared to make a statement as to any part of the world except my own State; but I will say to the Senator that certain lines of manufacturing in my part of the world are paying anywhere from 8 to 22 per cent. dividends annually, and I do not object to that. I have no hostility to manufactures; I am glad to see them prosper. But what I do object to is that it should be claimed that all this protection is for the benefit of labor and that the manufacturer gets a very small percentage on his investment. I know the contrary is true.

Mr. HISCOCK. We do not claim that capital invested in manufactures receives any less than it ought to have; but will the Senator stand here and deliberately assert that capital receives more than its due proportion of interest, in the face of the immense amount of capital that is constantly leaving the Northern and Eastern States and seeking investment in bonds and mortgages in the Western States, the vast amount of money that is deposited in our savings-banks at 3 and 4 per cent.? Will he tell me that he believes exceptional high rates of

interest or dividends are paid upon capital invested in manufacturing when there is this immense volume of capital earning this low rate of interest?

Mr. BUTLER. That sustains the statement of my friend from Texas [Mr. REAGAN] awhile ago, that the investment of capital in our manufacturing industries is overdone; there is too much of it, and it does not require any protection. There is too much money in manufactures now, according to the Senator's own statement, and it is going to seek investment elsewhere.

Mr. HISCOCK. What there is in reference to manufacturers is this: They want stable laws that are not to be changed or to be threatened every year, so that they may know what to depend upon, what their markets are to be, and the result will be, if you will give us this condition of things, that the earnings of capital in whatever it is invested and wherever it is invested will be equalized all over the United States.

Mr. BLAIR. Mr. President, it is singular, it seems to me, that both sides of the Chamber should have discussed this important matter all the afternoon and failed to strike upon the real secret at the bottom of all this difficulty between the South and the North. The labor of the South is cheap because it is ignorant labor. Make it intelligent and it will get what it is worth. As long as it can be kept as it is, it will work for 33 to 50 per cent. of what is paid for the same sort of service in the Northern States. That is the secret of the whole difficulty. My friend from New York might have suggested that in connection with his protective-tariff theories.

Now, Mr. President, I will put in a few statistics, inasmuch as this seems to be a debate from which statistics as a rule are excluded. I have here a document in which extracts are made from the official records of the Government and as reliable as the census. The late Commissioner of Education has prepared a statement, from which I read this extract:

I must not pause to elaborate these points, but supposing (1) that the labor of an illiterate is increased in value 25 per cent. by teaching him to read and write, 50 per cent. by fairly educating him, and 75 per cent. by giving him a thorough training; and (2) that the average value of the labor of illiterates is the same as the average wages paid employés in manufactories, then the following computations give sound conclusions:

By the census of 1880 the number of persons of twenty-one years and upward in the Southern States who were unable to write was 2,984,387. If 75 per cent. of them should be taught to read and write, it would increase the value of the labor of 2,238,290 persons 25 per cent. The present value of their labor is, approximately, $248 a year each. The increase of value would be $62 a year per capita, a total of $138,773,980. If 15 per cent. of the illiterates should be fairly educated, it would increase the value of the labor of 447,658 persons 50 per cent., or from $248 to $372 a year each. The total of this annual increase would be $55,509,592. If the remaining 10 per cent. of illiterates should have the value of their labor increased 75 per cent. by being thoroughly trained, the industrial value of 298,439 persons would be raised from $248 to $434 a year each, a total of $55,509,654. By adding the three totals just given, it is seen that the increase which would come to the industrial value of illiterates in the Southern States would be, were they educated as indicated, $241,727,220 a year.

And then he makes an estimate for the whole country, were the illiterates educated, which gives an increase of the production of the country in value of $488,757,022 a year, which would be the increased value of the production of this country if the same laborers were educated who now perform this work. There is much more of this matter which it would be profitable to examine. I read further from the same source:

A regular computation may be made for the entire country. The average annual wages paid by manufacturers is $345. The number of persons twenty-one and over unable to write is 4,204,262. By teaching 75 per cent. of these to read and write the labor of 3,153,272 individuals is increased in value from $345 to $431 a year, a total gain of $271,181,392 each year. The gain which would come from educating 15 per cent. (630,654) of the illiterates so that their labor would be increased 50 per cent. in value would be $108,787,815. The same amount would be gained by so training the remaining 10 per cent. of illiterates that their labor would be of 75 per cent. more value; and the total annual profit to the country by the conversion of illiterate into educated labor would be, according to the premises assumed as a basis of computation, $488,757,022 a year.

Need I go further to indicate that education is a most profitable investment for both labor and capital? * * *

Omitting any reference to the influence of illiteracy during minority, or any bearing of the illiteracy of the female adults, the late census shows us that there is a great army of 1,870,216 adult males or voters who can not write, an army nearly double that ever in the field during the late deplorable civil war. You will certainly excuse me from any delineation of the horrors of the devastation that might follow their united and concentrated efforts against the peace and order of society.

I simply call your attention to what may be the injurious effect of their silent action at the polls. The members of our respective political parties believe in the rightness of their principles and seek to make their appeal to the reason and consciences of the people; but the figures disclose the alarming fact that in eleven States these illiterate voters outnumbered the votes cast in the last Presidential election by either of the political parties. Thus, should they unite under any strong, impassioned, successful leader, they would have absolute control of legislation and offices in those States, and of the election of twenty-two members of the United States Senate.

I turn now to the address of Col. Dexter A. Hawkins, of New York City, who is a prominent lawyer and publicist, as undoubtedly members of the Senate are aware. His address was upon the relations of education to wealth and morality, pauperism and crime. I read only the most pertinent extracts, and would refer any one interisted to the entire address:

In 1870 the Commissioner of Education at Washington sent out a series of carefully drawn, comprehensive, and searching questions to the great centers of labor in all parts of the United States. These centers were so selected as to represent every kind of labor, from the rudest and simplest up to the most skilled. The object of the questions was to determine the relative productiveness of literate and illiterate labor. I have tabulated, reduced, and generalized the answers so as to get at what seems to me to be the average result over the whole country. This investigation—one of the most interesting ever made—brought clearly to light the following facts:

1. That an average free common-school education, such as is provided in all the States where the free common school has become a permanent institution, adds 50 per cent. to the productive power of the laborer considered as a mere productive machine.

2. That the average academical education adds 100 per cent.

3. That the average collegiate or university education adds from 200 to 300 per cent. to his average annual productive capacity, to say nothing of the vast increase to his manliness—to his godlikeness.

By the census of 1880 we had in the United States 4,204,362 illiterate adults—white and colored.

Now, putting their labor at the minimum annual value of $100 each (which is far below the average even for farm labor, while the wages of manufacturing operatives, including 15 per cent. of women and children, as shown by the census of 1880, average in the whole country $345 each per year), and the annual loss to these persons from the lack of at least a common-school education would be $50 each. This, for the whole number of 4,240,362, is $210,000,000 per year—a sum twice as large as the entire annual expenditure for public education in the whole country. This sum—$210,000,000—is a clear annual loss, not only to these illiterates, but to the community, by reason of their illiteracy.

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The late slave States complain of their inability to pay the expenses of free common schools, and they raised for public education in 1880 only $10,883,104. The amount of the annual loss in these same States, from their labor being illiterate, is at least $150,000,000. The extra productiveness of their laborers over what it is now would—had they been educated, as in Maine and New Hampshire—establish and support free common schools nine months in the year for every child of the school age within their borders, and leave a surplus sufficient to support a free academy in every county and a free college in every State.

A supposition of that kind is very well, but it must be remembered that an existing state of things, where it is the status of human beings, can not be changed but by long and expensive processes, and that to change the actual condition in these Southern States to the degree of literacy which exists in the ones referred to must necessarily be the work of ten or fifteen or twenty years.

A careful examination of the census of England, Scotland, Ireland, and of the several countries on the continent of Europe indicates that, other things being equal, pauperism is in the inverse ratio of the education of the mass of the people; that is, as education increases pauperism decreases, and as education decreases pauperism increases.

In the Grand Duchy of Baden they put into operation in 1854 a rigorous system of universal compulsory education in the elementary branches. The effect in seven years upon pauperism was to reduce it 25 per cent. It has been calculated by statisticians and students of social science that 96 per cent. of pauperism could be exterminated by universal compulsory education in the elementary branches of knowledge and industry.

* * * * * * *

In Pennsylvania, Ohio, and Illinois, three great central States, where self-support is not difficult, one in ten of the illiterates is a pauper, while of the rest of the population only one in three hundred is a pauper. In other words, in those three great central States a given number of children suffered to grow up in ignorance produce thirty times as many paupers as when given an average common-school education.

In 1870 a special investigation was made, in fifteen States, of the inmates, to the number of 7,398, of almshouses and infirmaries. Of these, 4,327, or nearly 59 per cent., could not read and write; while in those fifteen States the average percentage of illiterates was only 6 per cent. of the whole population. From this 6 per cent. came that 59 per cent. of the paupers; or, to express it in another form, a given number of children in those fifteen States, suffered to grow up in ignorance, produced twenty-two times as many paupers as the same number of children would if given a fair common-school education.

Similar results may be obtained from the census of almost every country in Europe or America.

We may safely say, then, that it is a general law of modern civilization that an illiterate person is from twenty to thirty times as liable to become a pauper and a charge upon the public as is one with an average common-school education; and that the annual loss to the community, in the United States, in the productive power of the illiterates, and in the support of paupers made such by illiteracy, is nearly, if not quite, equal to the amount that would be required to establish and maintain a free common school the year round in every State in the Union, amply sufficient for the whole fifteen millions of the children of the school age in the United States.

The annual expenses of maintaining paupers—96 per cent. of whom have become such through lack of proper training while young—is at least ten times as great as would have been the expense to the public of securing an education while young to each of these paupers sufficient to have enabled 96 per cent. of them to support themselves instead of being a charge upon the public.

Education leads naturally to industry, sobriety, and economy; hence it makes one conscious of the benefits resulting from these habits.

Statistics proclaim in no uncertain voice that education is the surest preventive of pauperism; and that the expense of providing and applying in season this preventive would not be one-tenth that now brought upon society by pauperism.

The first incentive to action is self-support—gaining a livelihood. This is the very basis of personal independence of individual character, respectability, and influence. The key to self-support is education. Money and labor, invested in education, are capital invested in such a manner that the principal is absolutely safe, and the income large, sure, and promptly paid. The States should see to it that a reasonable investment of this kind is made in and for every child as it grows up.

* * * * * * *

In France, in 1868, one-half of the inhabitants could not read nor write. From this half came 95 per cent. of the persons arrested for crime. From the other, the educated half, came only 5 per cent. In other words, a given number of children, suffered to grow up illiterate, produced nineteen times as many persons arrested for crime as the same number would if educated, at least to the extent of the elementary branches.

In the Grand Duchy of Baden, from 1854 to 1861—seven years—the government, by a rigorous system of universal compulsory elementary education, reduced the number of prisoners actually arrested 51 per cent., and the number of crimes committed 54 per cent.

In the six New England States, in 1870, 7 per cent. only of the inhabitants above ten years of age were unable to read and write; and yet this 7 per cent. produced 80 per cent. of the criminals. Or, in other words, a given number of children in New England at that time suffered to grow up illiterate produced fifty-three times as many criminals as the same number would if educated to the extent of the curriculum of the public schools. This fact is a complete vindica-

tion of the moral effect of the New England system of public education, Cardinal Antonelli to the contrary notwithstanding.

In the State of New York, in 1880, the illiterates produced eight times their pro rata proportion of the criminals in that State; that is, a given number of children brought up illiterate on the average produced eight times as many criminals as the same children would have produced if educated to the extent of the curriculum of the public schools.

In the city of New York, in 1870, among the illiterates, one crime was committed for every three persons; while among the literates there was only one crime to every twenty-seven persons. Or, in other words, the ignorant cla s in that city furnishes nine times the criminals they would if educated in the public schools.

In the Commonwealth of Pennsylvania, in 1870, the illiterates, according to their numbers, committed seven times as many crimes as the literate class.

In Pennsylvania, Ohio, and Illinois, taken together, the illiterates committed ten times as many crimes, according to their numbers, as the literate class.

Take the whole of the United States together, according to the census of 1870, the illiterates committed ten times their pro rata proportion of crime.

In Pennsylvania, in the years 1879 and 1880, one-thirtieth of the population above ten years of age could neither read nor write, and this one-thirtieth committed one-sixth part of the crimes, or nearly six times its proper proportion. But if we class with the illiterates the criminals who could barely read and write, but who had no education beyond bare reading and writing, it will then appear that the one-thirtieth of the population of Pennsylvania that is illiterate commits one-third of the crime, or more than fourteen times its legitimate proportion.

A careful examination of the statistics of twenty States shows the following average results:

First. That one-sixth of all the crime in the country is committed by persons wholly illiterate.

Second. That one-third of the crime in the country is committed by persons wholly or substantially illiterate.

Third. That the proportion of criminals among the illiterate class is, on the average, ten times as great as it is among those who have been instructed in the elements of a common-school education or beyond.

Fourth. That the expense imposed upon society to protect itself against a few thousand criminals, most of whom were made such through the neglect of society to take care of their education when young, is one of the heaviest of the public burdens. In the city of New York it is 50 per cent. more than the whole cost of the public schools.

In that city the annual appropriation for police, criminal courts, reformatories, jails, and penitentiaries is over five millions of dollars; while that for the training of the 385,000 school children in the city is only $3,500,000.

The average attendance at the schools in 1880 was 138,329. The "compulsory school age"—that is, the age within which all children are required by law in the State of New York to attend school—is eight to fourteen years. The number of children of this age in the city of New York in June, 1880, was 144,474; while the average attendance on the public schools of children of all ages from five to twenty-one in that year in the city was only 133,096. As a logical consequence of this neglect of education the city jails and almshouses are crammed and taxes are high.

The city, in its meager provision for education and its enormous taxation for criminals (to use an old but expressive adage), "saves at the spigot but loses at the bung."

What is true of the metropolis of the country is equally true of every city, town, village, and neighborhood.

These facts could be multiplied almost without limit.

The examination of the statistics of criminality and illiteracy in the census of any civilized state or country will give results substantially in harmony with the above.

Carlyle says that—

"If the devil were passing through my country and he applied to me for instruction on any truth or fact of this universe, I should wish to give it to him. He is less a devil knowing that three and three are six than if he didn't know it; a light spark, though of the faintest, is in this fact; if he knew facts enough, continuous light would dawn on him; he would (to his amazement) understand what this universe is, on what principles in conducts itself, and would cease to be a devil."

There is much more matter of this kind, but I have presented sufficient to suggest the real difficulty in regard to the difference in wages between the South and the North.

The statements which have been read to the Senate, these returns of the Agricultural Department, are rather flattering than otherwise to those States in the Southern portion of the country. I have made personal inquiry in several of them. Go into the State of Virginia, go into the State of Maryland close by where we are to-day, and inquire of the men who earn the wages, and they will state their wages lower than the amounts read from this book.

Inquire of men who are engaged in other occupations, those who are engaged in railroad occupations at the depots or stations along the lines, and wherever you find a railroad laborer you will find that his wages average but a very trifle more than 50, or at the most, 60 per cent. of what is paid for corresponding laborers who are employed on the railroads of the North. That has been the result of my personal inquiries in both sections of the country, and I believe that is the best way to find out how these things are.

Our statistics as published give us averages and do not show the amount of misery that exists to a very large extent throughout the country. Take the case in reference to schools. Here are whole counties in the Southern States that have no schools at all, and yet there are cities in the Southern States, like Atlanta, for instance, which have as good school systems, compared with others according to their population, as exist in any of the Northern States. Put the city of Atlanta and a county which has no school together, and you get an average of perhaps three and a half or four months' schooling in the year.

But the real difficulty as revealed by the naked facts is that here are certain children who are having just what they ought to have, and there are great numbers of other children who are getting nothing at all. Some are receiving a reasonable degree of food and sustenance for their intellectual natures and others are simply starving to death; and so these general averages that are spread before us do not call the attention of Congress or of the country to those things which demand actual remedy and legislation at our hands, and do not in any substantial sense indicate the necessity of action or the locality where that action may be most needed.

Mr. BUTLER. Then I understand, according to the Senator's own statement, that the statistics that he has just read are not worthy of consideration.

Mr. BLAIR. Oh, no. I say that they throw some light, but they do not throw that intensity of light upon these dark places that is necessary in order that we may realize the difficulties which exist. They are the best we have. What we get in the reports is an average. It is like taking the illumination of the country; it is an average of so much, and in a great many places there is no shining whatever, but a darkness that may be felt night and day and the year round. That is the point I wish to illustrate.

I wish to suggest one other thing: that here are two systems of labor in this country, cheap labor at the South and dearer labor at the North, and that the increased cost of production at the North is by reason of this difference in the cost of labor more than all other causes combined. The labor at the North is ninety-odd per cent.—from 90 to 96 per cent.—of the cost of everything that is produced and everything that is consumed. At the South the cost of the article there produced, as placed upon the Northern market, may be, and will be, made just as nearly as possible the cost of the Northern article as it can be made and at the same time command the market.

So it comes to pass that the laborer is paid from 33 to 50 per cent., and not more than that, in the State of South Carolina for his work in a manufacturing establishment, compared with what the same laborer would get in the North. That labor, thus cheap, enables the manufacturer, who controls the labor and who produces the article that is sold in the North in competition with the Northern product, to pocket from 8 to 22 per cent. of profits, and that is why manufacturing is so much more profitable at the South than it is at the North.

The Senator from South Carolina is quite misled when he judges the profits of the capital of the North by the returns which he finds, owing to this existing cheap labor, at the South, and now this competition between Southern and Northern production can be and will be conducted and become sharper and sharper until the laborer at the North will be obliged to take just what is paid to the laborer at the South, in order to retain the markets of the country.

So it is that the question of the general education of the masses of the people, the masses of the producing element of the South, is an absolutely indispensable condition to the continuance of the prosperity of the capital and labor of the North. The plants of the North are located where they are already engaged in manufactures. The farms and other occupations are there, and there they will stay; and so of the labor. That is there, and there is nowhere else on the face of the earth for it to go. If it goes to the South it meets and must compete with cheaper labor there.

It can not engage in any other occupation without breaking down the existing producing occupations of the North. But if you educate the illiterates of the South or the illiterates wherever they are found, they will demand corresponding prices for their labor, and thus they will effect a distribution to the masses of those who produce of these high profits which the manufacturers of the South are now taking to themselves.

I say there is no other protective system which can be applied to the great industrial system of the North in its competition with the developing industries of the South. This protection of the general education of the masses of the people, that is to say, of the laborers who are the producers of the South, is alike a benefit to them and the salvation indeed of the North.

There is no protective tariff that can exist as between the States; and the end in view can be secured only as you render the condition of the masses of the people homogeneous, so that labor, which is the great element of production and cost, shall be as much and the same in one section as the other, and give a corresponding purchasing power to the laborer in one section as in the other, so that an equality of civilization and of conditions can be established and wants can be satisfied; and when you do this you hold this great country together in peace.

Mr. ALLISON. Mr. President, I hope we can have a vote now on the pending amendment.

Mr. HOAR. Mr. President, I am sorry to interfere with the desire of the Senator from Iowa, who has been so patient, but I wish to put one or two statistics in the RECORD of to-day's debate, which will take two or three minutes only, in reply to what has been said by the Senator from South Carolina.

He has undertaken to claim that the value of the farm products of the North has diminished by the policy of the protective system there as compared with other States. Just one hundred years ago the entire wealth of the State of Massachusetts, personal and real, including Maine, was $11,000,000. The last statistics furnished by the statistician of the Department of Agriculture show that there were in Massachusetts alone, which has a little less than 8,000 square miles of territory, 3,359,000 acres, of the value of $146,197,000.

In South Carolina, under the Senator's system of cultivation, there are 13,457,000 acres of farming lands, being a little more than four times

Massachusetts in area, and the value of those farming lands is $68,677,000, or about one-third only of the value per acre of the farming lands in Massachusetts—in South Carolina $5.10 an acre, while in Massachusetts it is $43.32.

Mr. BUTLER. As the Senator has that statement I should be glad if he would state what the value of the farm products of the respective States is.

Mr. HOAR. I have not got that before me. It is here somewhere, but it would take more time to find it than I wish to impose on the patience of the Senate.

It is very obvious that the value per acre of $43 compared with $6 is occasioned by the amount of the value of the farm products wholly.

In regard to mortgages, I suppose that in every community, as is the case of every enterprising man, the existence of mortgages is a sign of life and health. The first thing I did myself after I got admitted to my profession and proposed to be married, was to buy a tract of land and give a mortgage on it, and every time I enlarged the tract of land of my dwelling I gave a mortgage on it. What would become of these Western States if the mortgage did not exist, if they could not get credit for the development, which is only possible for the settler in consequence of the use of his credit, which is his life and the breath of his nostrils? The thing to look at is not the amount of mortgages. It is the question of the credit of the borrower as indicated by the rate of interest.

It is very difficult in Massachusetts or in any New England State to get a real good 5 per cent. mortgage. I can borrow money to-day easily on real estate at from 4 to 4½ per cent. That is the generally prevailing rate. Our savings-banks, who do largely invest in real estate, make dividends of but 4 per cent.

Now, what is the condition of things under the Senator's policy? I will take for that the testimony of the Senator who sits in the very seat from which the Senator from South Carolina spoke, the Senator from Alabama [Mr. MORGAN]; and I desire merely to have read a single marked passage from his speech made in the Senate on the 13th of December, 1888.

I send it to the desk to be read.

The Chief Clerk read as follows:

I wish in this connection to call attention to a fact, and that is the amount of mortgages that, as is stated, are upon the lands of the people of the Northwest. Before doing that, however, I desire to say that the capitalists in the Northern States while the carpet-baggers were in force in the South and had the authority over us, were afraid to invest their money upon mortgages in our Southern lands. The result is that there are not many mortgages held in the Northern States upon Southern lands. Nevertheless they are being mortgaged rapidly and at a terribly usurious rate of interest. Who are the mortgagees? The British people. The British capitalists are swarming the South with their money. You can not go to a considerable village in a Southern State to-day but you will find the authorized agents of British capital there loaning money to the people at from 12 to 25 per cent. per annum and taking mortgages for it.

Why are the agriculturists who produce three hundred and odd millions of money a year, and throw it into the exchanges of this country, so crippled and borne down that they are compelled to resort to the same plan that your agriculturists in the North were, to load their estates with mortgages at usurious rates of interest? The Northeastern people, from New York and the East mainly, own the mortgages upon the Northwest, but the British people own the mortgages upon us, and it is getting to be an evil of such dimensions as that the thoughtful men of the South are beginning to inquire whether, after awhile, the British people are not going to dispossess them of their homes, and introduce immigrants from their own country to take possession of these lands.

Mr. HOAR. Mr. President, I call the attention of the Senator from South Carolina to the fact that within six weeks the Democratic leader on that side of the Chamber from the South has declared in this very debate what is the result of this policy of trading with foreign countries and fostering but a single industry. He says that there is not a considerable village in the South in which there is not to be found a British money-lender lending money at the rate of from 12 to 25 per cent., and that the serious and thoughtful men of his country are anticipating with dread the occupation by British of the land of the Southern people. That is not my statement. It was a surprise to me when it was stated. It is the statement of the Senator from Alabama.

Mr. BUTLER. I do not see exactly what that has to do with what I was discussing.

Mr. HOAR. I think it has a great deal to do with what the Senator was discussing. The Senator undertook to make the point that the result in the Northern States, where this policy had its full, free, and legitimate effect, was that the lands of the people were becoming mortgaged.

Mr. BUTLER. I did not say that.

Mr. HOAR. And that the farm products were diminishing; that the farm products were insufficient to maintain the people.

Mr. BUTLER. I did not say a word about mortgages. The Senator has it all wrong. The statement I made was that the farm products were diminishing.

Mr. HOAR. I meant the Senator from Missouri [Mr. VEST].

Mr. BUTLER. The Senator must reply to the Senator from Missouri, then.

Mr. HOAR. I am replying to both Senators at once.

Mr. BUTLER. The point I made—if the Senator will allow me to interrupt him and put him right, because I do not suppose he wants to place me in a false attitude——

Mr. HOAR. I do not.

Mr. BUTLER. The point I made was that, as I believed, at least I had been informed, the result of this excessive development of manufacturing industries had largely impaired the agriculture of the country, and I asked the question, for information, whether or not the farm product of New England would feed its people. It was upon that point. That was the idea.

Mr. HOAR. A State two-thirds of whose lands are fit only to raise granite and ice, when its agricultural lands are multiplied alone in their value by eight to ten is in a condition of high prosperity, even if the result of the system which has brought that about has brought into that State a large additional population which its agriculture is insufficient to feed. The very fact that the Senator calls attention to is an instance of the result of the prosperity and of the success of this policy.

Mr. BUTLER. I will state the point I desired to make, if the Senator will allow me one moment. I did not elaborate it, of course, because I did not have the time and did not intend to do it; but I have always understood—and if I am wrong I shall be glad to be corrected—that one of the results of the diversification of manufacturing industries was to make the people independent of everybody else.

Mr. HOAR. Certainly.

Mr. BUTLER. That it made them self-reliant, and I merely called attention to the fact that in that particular they were not self-sustaining and independent.

Mr. HOAR. When we are speaking to the country, I do not suppose it is an answer to that proposition to point out that the cotton crop of Massachusetts does not supply the demand of Massachusetts, but that the cotton crop of the country supplies it.

Mr. BUTLER. I should think hardly anybody would be stupid enough to make that proposition.

Mr. HOAR. I understand. I am illustrating it by reducing to the *reductio ad absurdum* the Senator's proposition. The country becomes independent. It is stronger in peace, stronger in war, stronger in its capacity to supply its own wants and from its own resources, and the particular State shares the general prosperity, as is shown by the fact that in every department of labor the values of its property and the values of the products of that labor increase.

Massachusetts, which, including the large area of the present State of Maine, a hundred years ago was worth $11,000,000 only, now has a production of at least fifteen hundred millions. Under the development of the manufacturing system it has an annual production of at least fifteen hundred million dollars, nearly one hundred and fifty times its whole principal one hundred years ago. Its farms have an annual product of forty-six or forty-eight millions, and are worth $142,000,000. That is my proposition.

Mr. BUTLER. Precisely. Now, if the Senator will permit me, carrying his logic to its necessary consequences, I understand the Senator and those who think with him to urge upon us, upon the rest of the United States, the remaining States of the Union, to have established in those States precisely the same condition of things that exists in New England. I merely mention New England by way of illustration, because I have nothing against New England, but to illustrate the point I desire to make. If it be true that the result of the diversification or development of the manufacturing industries of New England has been to deprive that whole section of its power to produce its own food products, and the same condition of things were established in all the other States, we have a right to assume that that same result would follow in those States.

Mr. HOAR. The other States have vastly increased their producing forces as compared with the South.

Mr. BUTLER. Take my own State, for instance. Suppose we had the same condition of things in South Carolina that you have in Massachusetts in regard to manufactures, and that the relative condition of the industries was the same of agriculture and of manufacturing, we should have to depend on somebody else for our food product, and therefore we should not be independent.

Mr. HOAR. That is the precise fallacy, the precise error, the precise wrong frame of mind in which, with all due respect, it seems to me, that Senator and his associates are found in supposing that each separate State is like a separate country. What we want is to make the United States independent. Now, if we can take the thirty-three or thirty-four million acres of South Carolina, which to-day furnish food perhaps for 700,000 or 800,000 people—not all that, as the Senator says—and plant 5,000,000 happy, prosperous, and contented people there, for 3,000,000 of whom that agriculture will find profitable prices to support itself, the fact that there are 2,000,000 of those who have to look to Dakota or California or Oregon or Texas or the great wheat regions which we hope will come into this country on our northern border makes it not the less a profitable and a prosperous thing to do.

Mr. BUTLER. Not at all.

Mr. HOAR. That is the answer to the whole argument.

Mr. BUTLER. I agree fully with the Senator. It would be a great deal better for us to do that.

Mr. HOAR. That is precisely what we are urging.

Mr. BUTLER. I think it would be a great deal better for us in South Carolina if we had diversified industries. There is no doubt about that. But if you carry the argument to its legitimate conse-

quences, it would seem to me, if you take that section of country which has developed in the highest degree, you are bound to bring the same condition of things to exist all over the country.

Mr. HOAR. The whole point of the Senator's argument is, and nothing more, that while we have multiplied our food products and the value of our farming lands from $11,000,000 in value to over $146,000,000, because we have increased our manufacturing population in still larger proportion, that it is something by way of a failure, because when our population was entirely agricultural they fed themselves; and now they feed themselves, but do not quite make out to feed all the people who have come in there. I do not think that argument carries us very far.

I wish to make one other remark before I get through. I do not want to cite over and over again the statistics of wages which have been put in so often in this debate. I hold in my hand a very careful and accurate statement made by Dr. DAVIS, an eminent member of the other House, largely interested in manufacturing, and who has made a full personal examination of this matter as relates to the city of Fall River, where he dwells—and that was brought into discussion the other day—and he gives statistics, a table which I will have printed in my remarks without reading. He shows that the wages in Fall River are more than 50 per cent. higher than they were in 1860, when the Morrill tariff bill passed.

The table is as follows:

Average pay per week of—	
Mule spinners	$11.00
Weavers	7.75
Carders (men)	7.50
Carders (women)	7.00
Slasher tenders	10.00
Children (ring spinning)	4.25

He states in his speech in the House that he can vouch for the accuracy of that statement on his personal knowledge and information. Then he gives the statistics of the dividends upon the manufacturing establishments in that city and the cotton manufactures in New England. Here is what he says:

Dividends paid by fifty-two corporations, having $53,182,000 capital stock, manufacturing cotton goods in Maine, New Hampshire, and Massachusetts, have averaged during fourteen years, 1874 to 1887, inclusive, 6.149 per cent. per annum.

Dividends paid by seventy-five corporations, having $70,681,000 capital stock, manufacturing cotton goods in Maine, New Hampshire, and Massachusetts, have averaged during six years, 1882 to 1887, inclusive, 5.952 per cent. per annum.

Mills in Fall River—

A great cotton center now in this country—

having a capital stock of $13,361,330, have paid annual dividends averaging during fourteen years, since 1873, 5.23 per cent.

So it is perfectly clear that, while the profits on manufacturing capital have been constantly going down till they have reached a point not equal to the ordinary interest paid upon money loaned over the largest portion of this country, there has been during that time a corresponding and a most marvelous rise in the value of farm lands, in the product of farm lands, in the amount of agricultural wages, and in the amount of wages paid to the workman.

EXECUTIVE SESSION.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 5 o'clock and 57 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 16, 1889, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate the 15th day of January, 1889.

COMMISSIONER OF THE DISTRICT OF COLUMBIA.

William B. Webb, of the District of Columbia, to be a commissioner of the District of Columbia; reappointment, his commission having expired January 13, 1889.

ASSOCIATE JUSTICE OF UTAH.

Thomas J. Anderson, of Iowa, to be associate justice of the supreme court of the Territory of Utah, in the place of Jacob S. Boreman, whose term has expired.

PROMOTION IN THE NAVY.

Passed Asst. Surg. Presley M. Rixey, a resident of Virginia, to be a surgeon in the Navy, from the 27th November, 1888, *vice* Surg. William J. Simon, deceased.

COLLECTOR OF CUSTOMS.

Henry S. Nunn, of North Carolina, to be collector of customs for the district of Pamlico, in the State of North Carolina, to succeed John A. Richardson, resigned.

APPOINTMENTS IN THE MARINE-HOSPITAL SERVICE.

Hiram W. Austin, of Ohio, to be a surgeon in the Marine-Hospital Service of the United States.

Preston H. Bailhache, of Illinois, to be a surgeon in the Marine-Hospital Service of the United States.

Charles S. D. Fessenden, of New York, to be a surgeon in the Marine-Hospital Service of the United States.

James M. Gassaway, of the District of Columbia, to be a surgeon in the Marine-Hospital Service of the United States.

John Godfrey, of Alabama, to be a surgeon in the Marine-Hospital Service of the United States.

Charles B. Goldsborough, of Pennsylvania, to be a surgeon in the Marine-Hospital Service of the United States.

George Purviance, of Pennsylvania, to be a surgeon in the Marine-Hospital Service of the United States.

Henry W. Sawtelle, of Maine, to be a surgeon in the Marine-Hospital Service of the United States.

George W. Stoner, of New York, to be a surgeon in the Marine-Hospital Service of the United States.

John Vansant, of Virginia, to be a surgeon in the Marine-Hospital Service of the United States.

Walter Wyman, of Missouri, to be a surgeon in the Marine-Hospital Service of the United States.

Robert D. Murray, of Florida, to be a surgeon in the Marine-Hospital Service of the United States.

William H. Long, of Kentucky, to be a surgeon in the Marine-Hospital Service of the United States.

Fairfax Irwin, of the District of Columbia, to be a surgeon in the Marine-Hospital Service of the United States.

William H. H. Hutton, of Illinois, to be a surgeon in the Marine-Hospital Service of the United States.

Arthur W. Condict, of New Jersey, to be an assistant surgeon in the Marine-Hospital Service of the United States.

Julius O. Cobb, of South Carolina, to be an assistant surgeon in the Marine-Hospital Service of the United States.

John B. Fattic, of Illinois, to be an assistant surgeon in the Marine-Hospital Service of the United States.

Henry D. Geddings, of Alabama, to be an assistant surgeon in the Marine-Hospital Service of the United States.

Henry T. Goodwin, of New York, to be an assistant surgeon in the Marine-Hospital Service of the United States.

Gregorio M. Guitéras, of South Carolina, to be an assistant surgeon in the Marine-Hospital Service of the United States.

Frederic C. Heath, of Maine, to be an assistant surgeon in the Marine-Hospital Service of the United States.

Stephen H. Hussey, of Ohio, to be an assistant surgeon in the Marine-Hospital Service of the United States.

Joseph J. Kinyoun, of Missouri, to be an assistant surgeon in the Marine-Hospital Service of the United States.

George M. Magruder, of New York, to be an assistant surgeon in the Marine-Hospital Service of the United States.

Seaton Norman, of Maryland, to be an assistant surgeon in the Marine-Hospital Service of the United States.

Thomas B. Perry, of Georgia, to be an assistant surgeon in the Marine-Hospital Service of the United States.

William J. Pettus, of Virginia, to be an assistant surgeon in the Marine-Hospital Service of the United States.

James B. Stonor, of Pennsylvania, to be an assistant surgeon in the Marine-Hospital Service of the United States.

George T. Vaughan, of Virginia, to be an assistant surgeon in the Marine-Hospital Service of the United States.

Rell M. Woodward, of Indiana, to be an assistant surgeon in the Marine-Hospital Service of the United States.

Charles P. Wertenbaker, of Virginia, to be an assistant surgeon in the Marine-Hospital Service of the United States.

Robert P. M. Ames, of Massachusetts, to be a passed assistant surgeon in the Marine-Hospital Service of the United States.

Samuel T. Armstrong, of Missouri, to be a passed assistant surgeon in the Marine-Hospital Service of the United States.

Charles E. Banks, of Maine, to be a passed assistant surgeon in the Marine-Hospital Service of the United States.

William D. Bratton, of South Carolina, to be a passed assistant surgeon in the Marine-Hospital Service of the United States.

Stephen D. Brooks, of Massachusetts, to be a passed assistant surgeon in the Marine-Hospital Service of the United States.

Duncan A. Carmichael, of New York, to be a passed assistant surgeon in the Marine-Hospital Service of the United States.

Paul M. Carrington, of Maryland, to be a passed assistant surgeon in the Marine-Hospital Service of the United States.

Henry R. Carter, of Maryland, to be a passed assistant surgeon in the Marine-Hospital Service of the United States.

Spencer C. Devan, of Missouri, to be a passed assistant surgeon in the Marine-Hospital Service of the United States.

John Guitéras, of Pennsylvania, to be a passed assistant surgeon in the Marine-Hospital Service of the United States.

Arthur A. Glennan, of the District of Columbia, to be a passed assistant surgeon in the Marine-Hospital Service of the United States.

Parker C. Kalloch, of Pennsylvania, to be a passed assistant surgeon in the Marine-Hospital Service of the United States.

William P. McIntosh, of Maryland, to be a passed assistant surgeon in the Marine-Hospital Service of the United States.

Frank W. Mead, of New York, to be a passed assistant surgeon in the Marine-Hospital Service of the United States.

Cyrus T. Peckham, of Massachusetts, to be a passed assistant surgeon in the Marine-Hospital Service of the United States.

Francis M. Urquhart, of New York, to be passed assistant surgeon in the Marine-Hospital Service of the United States.

Eugene Wasdin, of South Carolina, to be passed assistant surgeon in the Marine-Hospital Service of the United States.

William A. Wheeler, of New York, to be passed assistant surgeon in the Marine-Hospital Service of the United States.

Joseph H. White, of Georgia, to be passed assistant surgeon in the Marine-Hospital Service of the United States.

Louis L. Williams, of South Carolina, to be passed assistant surgeon in the Marine-Hospital Service of the United States.

CONFIRMATION.

Executive nomination confirmed by the Senate January 15, 1889.

POSTMASTER.

Walter C. Newberry, to be postmaster at Chicago, in the county of Cook and State of Illinois.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January* 15, 1889.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

MANUSCRIPTS IN STATE DEPARTMENT.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of State of an appropriation for mounting and binding certain manuscript letters and papers in the State Department; which was referred to the Committee on Appropriations, and ordered to be printed.

OBSTRUCTIONS IN COLUMBIA RIVER, ETC.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, the second preliminary report of a board of engineers upon obstructions to navigation in the Columbia River, and upon the feasibility of a boat-railway at The Dalles and Celilo Falls; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

INDIANS OF SOUTHERN COLORADO.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting, with accompanying map and papers from the General Land Office, a report of the commission appointed to negotiate with the Indians of Southern Colorado for a modification of their treaty and for an exchange of their reservation; which was referred to the Committee on Indian Affairs, and ordered to be printed without the map.

SENATE BILLS REFERRED.

The SPEAKER also laid before the House Senate bills of the following titles; which were respectively read a first and second time, and referred as indicated:

The bill (S. 3804) for the relief of the occupants of the town of Flagstaff, county of Yavapai, Territory of Arizona—to the Committee on Public Lands.

The bill (S. 3762) granting a pension to Nancy Polock—to the Committee on Invalid Pensions.

WATER-RESERVE LANDS IN WISCONSIN.

The SPEAKER also laid before the House the bill (S. 3782) to amend an act entitled "An act declaring that certain water-reserve lands in the State of Wisconsin are and have been subject to the provisions of the act of Congress entitled 'An act granting to railroads the right of way through the public lands of the United States, approved March 3, 1875,'" approved September 10, 1888.

Mr. GROSVENOR. I ask unanimous consent that this Senate bill be taken up and passed. It is in the nature of an amendment to an act already passed by this Congress. It simply explains an error in that former act.

The SPEAKER. The bill will be read, after which there will be opportunity for objection to its consideration.

The bill was read.

Mr. HOLMAN. I suggest that this bill be retained on the Speaker's table for the present.

The SPEAKER. If there be no objection, that course will be taken. The Chair hears no objection.

USELESS PAPERS IN EXECUTIVE DEPARTMENTS.

The SPEAKER also laid before the House the following:

IN THE SENATE OF THE UNITED STATES, *January* 11, 1889.

Resolved by the Senate of the United States (the House of Representatives concurring), That in the enrollment of the bill (S. 2305) to authorize and provide for the disposition of useless papers in the Executive Departments, the Committee on Enrolled Bills be instructed to insert in lieu of the word "Senator," where it occurs in the eighth line, the word "Senators."

The SPEAKER. If there be no objection, this resolution, which provides simply for the correction of an error, will be concurred in.

There being no objection, it was ordered accordingly.

JAMES TRABUE AND OTHERS.

The SPEAKER also laid before the House the amendments of the Senate to the bill (H. R. 5349) for the relief of James Trabue, Thornton Thatcher, Michael Callahan, and the widow of John Waters.

Mr. ROGERS. Mr. Speaker, the Senate amendment is simply the insertion of the name of the executor of James Trabue, and I ask that it be agreed to; also that the title of the bill as amended by the Senate be agreed to.

There was no objection, and it was so ordered.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. ROWLAND, indefinitely, on account of sickness.

To Mr. MCCULLOGH, for one week, on account of important business.

To Mr. BROWER, for five days, on account of important business.

To Mr. ALLEN, of Mississippi, for two weeks, on account of important business.

REPRINT OF CERTAIN BILLS.

On motion of Mr. CRISP, by unanimous consent, the bill (S. 2851) to amend an act entitled "An act to regulate interstate commerce," with the amendments agreed to by the House, was ordered to be printed.

On motion of Mr. GROSVENOR, by unanimous consent, 2,500 extra copies of the bill (H. R. 12134) to make and alter regulations as to the times, places, and manner of holding elections for Representatives in Congress, were ordered to be printed.

LIGHT-SHIP AND FOG-SIGNAL, SANDY HOOK.

Mr. SPINOLA. Mr. Speaker, at the hour of adjournment on yesterday the House was considering the bill (H. R. 11683) for the establishment of a light-ship and fog-signal at Sandy Hook, New York Harbor. I ask that this bill be considered now, it being the unfinished business.

The SPEAKER. But the unfinished business does not come up at this time except by unanimous consent.

Mr. SPINOLA. I ask unanimous consent that it be taken up now and disposed of. It was before the House at the hour of adjournment last night, and if any gentleman desires to interpose an objection I hope he will permit me first to make a brief statement.

Mr. COX. Is this for the establishment of a light-ship at Sandy Hook?

Mr. SPINOLA. Yes, sir.

Mr. COX. I do not think anybody will object to that.

Mr. SPRINGER. If this does not lead to debate——

Mr. MILLS. It is the unfinished business of yesterday.

Mr. HOLMAN. There is no objection to it.

The SPEAKER. But the unfinished business does not come up until after the hour for the call of committees and the hour for the consideration of bills.

Mr. SPINOLA. I ask unanimous consent that the Committee of the Whole House on the state of the Union be discharged from the further consideration of the bill, and that it be now considered.

The SPEAKER. This bill is not in the Committee of the Whole. The Journal and the RECORD do not at all agree in regard to the condition of the bill. The RECORD shows that the gentleman from New York asked unanimous consent to consider it, and pending that request the House adjourned. The Journal shows that the bill was taken up for consideration, the question being upon the third reading of the bill.

Mr. SPINOLA. I ask unanimous consent for the present consideration of the bill.

Mr. BAYNE and Mr. KILGORE. What is the bill?

The SPEAKER. It is in relation to the establishment of a light-ship at Sandy Hook.

Mr. KILGORE. I think this bill has the right of way some time during the day anyhow, and we might as well proceed in the regular order.

Mr. SPINOLA. I hope the gentleman from Texas will reserve his objection until I can make a very brief statement, not exceeding one minute.

This bill at the last session of Congress passed both Houses unanimously. It has been reported unanimously by the committee this year. It failed to become a law at the last session because it reached the President too late for his signature. It was recommended by the Light-House Board and also by the Secretary of the Treasury in the following language:

> The vessel used for the relief of this important station is badly out of repair, and must practically be rebuilt. It is recommended that she be replaced by a first-class vessel, with all modern improvements, including a steam fog-signal, such as is placed on all important stations.

It is a matter absolutely necessary for the preservation of life and property, and solely in the interest of the commerce of the country. I trust the gentleman from Texas will allow it to be considered.

The SPEAKER. The bill will be read, subject to the right of objection.

The bill is as follows:

Be it enacted, etc., That there be established off Sandy Hook, entrance to New York Harbor, a new light-ship, with a steam fog-signal, the entire cost of which shall not exceed the sum of $60,000.

There being no objection, the bill was considered and ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. SPINOLA moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LIEUT. COL. E. E. EYRE.

Mr. FELTON. I ask unanimous consent to discharge the Committee of the Whole House from the further consideration of the bill (H. R. 3106) for the relief of Lieutenant-Colonel Eyre, and put it upon its passage.

Mr. SPRINGER. After one recognition on that side, as we have had one on this, I shall demand the regular order.

The SPEAKER. The bill will be read subject to objection.

The bill was read, as follows:

Be it enacted, etc., That Lieut. Col. Edward E. Eyre, late lieutenant-colonel of the First California Cavalry, be released from all further liability on account of his receipts and disbursements of funds as acting quartermaster, and the proper officers of the United States Treasury are authorized and directed to cancel said liability, whether the same be pending in court or has become a judgment, and to close the accounts of said Col. Edward E. Eyre.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TOWNSHEND. Reserving the right to object, I desire to know whether this bill has been considered by any committee of this House.

Mr. STEELE. It was considered by the committee at the last session.

Mr. FELTON. And it was unanimously reported by the committee. It involves but a small amount.

Mr. TOWNSHEND. Let the report be read subject to the right of objection.

Mr. FELTON. I ask for the reading of the report.

The report (by Mr. YODER) was read, as follows:

From an examination of the records of the War Department and from other reliable information we find the facts to be:

That Lieutenant-Colonel Eyre, while performing duty with his regiment at Las Cruces, N. Mex., on August 14, 1862, was ordered by his commanding officer, General James H. Carleton, to relieve Capt. T. Moore, assistant quartermaster U. S. Army, from duty, and to assume and perform the duties of said office, which, though under protest, he immediately did (with the understanding that on his arrival at Santa Fé, N. Mex., he should be relieved from duty as quartermaster), and received from said Capt. T. Moore, August 14, 1862, the sum of $16,705, and on August 16, 1862, the sum of $721.37, making a total of receipts of $17,426.37.

That on the march of General Carleton's command, consisting of the greater portions of the First and Second California Cavalry, from Las Cruces, N. Mex., to and into Texas, thence returning to Santa Fé, N. Mex., consuming forty-seven days' time, from August 14, 1862, to September 30, 1862, he had disbursed and expended in payment of employés and in purchase of forage and quartermaster's stores the sum of $8,668.91.

That on September 1, 1862, he turned over to Lieut. A. H. French, of the First California Volunteers, the sum of $200; on the 5th of September, 1862, to Col. J. R. West, of the First California Volunteers, the sum of $3,000; and in Santa Fé, on the 30th of September, 1862, to Lieut. B. C. Cutler, of the First California Volunteers, assistant quartermaster, the further sum of $10,557.48, together with his accounts and vouchers for the disbursement of the sum of $8,668.91, to the said quartermaster's clerk, one J. S. Barbey, which amount, together with his return of moneys, equaled the amount he had received while acting as quartermaster, or $17,426.37, and was then and there relieved from duty as quartermaster and resumed his duty as lieutenant-colonel First California Cavalry; that from that day, the 30th of September, 1862, until December, 1875, thirteen years afterwards, when he was notified by the Department, he was unaware that his accounts and vouchers had not been forwarded to the Department, and hence his account as quartermaster stood debited with the exact sum of his expenditures, to wit, $8,668.91.

That had he been notified within any reasonable time he could have availed of the law of June 23, 1870, made and provided for the settlement of such cases as his (whose existence was limited to two years), and have settled the said balance now standing to his debit.

We find that the character of Colonel Eyre for truth and veracity is not nor ever has been questioned; that he has been and is a man of means and high social standing, well known and universally respected; and believing that the deficiency, as represented in his accounts, was expended for the uses and benefits of the United States, we therefore recommend the passage of the bill as an act of justice.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BRECKINRIDGE, of Kentucky. From what I can hear of the reading of the report, this is a case where an officer is allowed to settle his accounts without any vouchers being shown. I do not see why this should be taken out of the regular course.

The SPEAKER. Is there objection to the consideration of the bill? The Chair did not hear whether the gentleman from Kentucky objected to the consideration of the bill or not.

Mr. BRECKINRIDGE, of Kentucky. I do not object to the consideration of the bill.

The SPEAKER. Then the question is on ordering the bill to be engrossed and read a third time.

Mr. BRECKINRIDGE, of Kentucky. I do not object to the consideration of the bill. I think the bill ought to be considered.

Mr. SPRINGER. If it is to take up any time I shall demand the regular order.

Mr. FELTON. If the gentleman had heard the report read, I do not think there would be any objection. It takes no money from the Treasury.

Mr. SPRINGER. I demand the regular order.

Mr. BRECKINRIDGE, of Kentucky. I do not object to the consideration of the bill.

The SPEAKER. The Chair understands that the gentleman from Kentucky does not object to the consideration of the bill, and that the gentleman from Illinois announces that if it be desired that the bill should be debated he would demand the regular order.

Mr. SPRINGER. Let it go over.

Mr. MCKENNA. I understand the Chair said that the question was on the engrossment and third reading of the bill.

The SPEAKER. The Chair did; but the gentleman from Kentucky demanded consideration of the bill.

Mr. MCKENNA. Is it not too late?

The SPEAKER. It is not. The Chair will endeavor to dispose of it one way or the other if there can be order.

Mr. SPRINGER. If this bill can be disposed of in five minutes I have no objection to its consideration; and if it can not be disposed of in five minutes I object to taking it up.

The SPEAKER. Is there objection to the consideration of this bill for five minutes?

Mr. BRECKINRIDGE, of Kentucky. I do not agree to its consideration being confined to five minutes.

Mr. SPRINGER. Then I demand the regular order.

Mr. BRECKINRIDGE, of Kentucky. I think it is of sufficient importance to go over and receive consideration.

Mr. SPRINGER. Regular order.

The SPEAKER. The regular order is demanded.

LEAVE OF ABSENCE.

By unanimous consent, at the request of Mr. DOUGHERTY, leave of absence was granted to Mr. DAVIDSON, of Florida, indefinitely, on account of sickness in his family.

ADMISSION OF SOUTH DAKOTA.

The SPEAKER. The gentleman from Illinois [Mr. SPRINGER] demands the regular order, which is the special order for this day.

Mr. SPRINGER. I call up the special order, S. 185, which the Clerk will read. I have been requested, before this order be taken up, to ask unanimous consent that gentlemen having reports from committees to file may be permitted to hand them to the Clerk.

Mr. MCKENNA. I object.

Mr. SPRINGER. I do not care. I do not desire it for myself.

The Clerk read as follows:

Be it enacted, etc., That the State of South Dakota is hereby declared to be a State of the United States of America, and is hereby admitted into the Union on an equal footing with the original States in all respects whatever; and that the constitution which the people of South Dakota have formed for themselves be, and the same is hereby, accepted, ratified, and confirmed, subject, however, to the provisos hereinafter contained.

SEC. 2. That the following shall be the boundaries of the said State of South Dakota, to wit: Beginning at the point of intersection of the western boundary line of the State of Minnesota with the northern boundary line of the State of Iowa, and running thence northerly along the western boundary line of the State of Minnesota to its intersection with the seventh standard parallel, where in its easterly course it intersects said boundary line; thence west along the said seventh standard parallel to the easterly bank of the Missouri River at low-water mark; thence up the said Missouri River, along the easterly bank thereof at low-water mark, to the point of intersection with the forty-sixth parallel of north latitude; thence west along the forty-sixth parallel of north latitude to its intersection with the twenty-seventh meridian of longitude west from Washington; thence south on the twenty-seventh meridian of longitude west from Washington to its intersection with the northern boundary line of the State of Nebraska; thence easterly along the northern boundary line of the State of Nebraska to its intersection with the western boundary line of the State of Iowa; thence northerly along the western boundary line of the State of Iowa to its intersection with the northern boundary line of the State of Iowa; thence east along the northern boundary line of the State of Iowa to the place of beginning.

SEC. 3. That the said State of South Dakota shall have concurrent jurisdiction of the river Missouri and of every other river bordering on the said State of South Dakota, so far as the said rivers shall form a common boundary to the said State and any other State or States or Territory or Territories now or hereafter to be formed, said rivers to be common to both; and that the said river Missouri shall be a common highway, and forever free as well to the inhabitants of said State as all other citizens of the United States, without any tax, duty, impost, or toll imposed by said State of South Dakota therefor.

SEC. 4. That until the next census and apportionment shall be made the said State of South Dakota shall be entitled to two Representatives in the House of Representatives of the United States Congress.

SEC. 5. That to defray the expenses of the constitutional convention held by the people of said State, and of elections held therefor and thereunder, the sum of $25,000, or so much thereof as may be necessary, is hereby appropriated, out of any funds in the Treasury not otherwise appropriated, to be paid to the treasurer of said State upon the requisition of the Legislature thereof, setting forth the items and particulars of such expenses so incurred.

SEC. 6. That sections 16 and 36 in every township of the public lands of the United States within said State, and where such sections, or any part thereof, shall be mineral lands, or shall have been sold or otherwise disposed of by the United States according to law, other lands equivalent thereto, in legal subdivisions of not less than one quarter-section, are hereby granted to the said State for the support of common schools; and such sections shall not be subject to pre-emption or entry, whether surveyed or unsurveyed, but shall be reserved for school purposes only.

SEC. 7. That thirty entire sections of the unappropriated public lands within said State, to be selected and located by direction of the Legislature thereof, with

the approval of the President, shall be, and are hereby, granted, in legal subdivisions of not less than one quarter-section, to the said State for the purpose of erecting public buildings at the capital of said State for legislative and judicial purposes, in such manner as the Legislature shall prescribe. The lands may be selected out of the public lands within the boundaries of said State, whether surveyed or unsurveyed.

SEC. 8. That so much of seventy-two sections of land granted by the act of February 18, 1881, to the Territory of Dakota for the use of a university as lies within the said boundaries of the State of South Dakota is hereby granted and confirmed to said State for such purpose, and, in addition thereto, a sufficient number of sections to make a total of seventy-two. If any of the lands granted by said act of February 18, 1881, and lying within the boundaries of said State, have been sold under the provisions thereof, then the proceeds thereof shall go to said State in lieu of the land sold.

SEC. 9. That ninety sections of land, to be selected and located as provided in section 8 of this act, are hereby granted to said State for the use and support of an agricultural college in said State, and none of the lands granted by this act, or the proceeds thereof, shall be used for any other purpose than that for which the grant is specifically made whatever.

SEC. 10. That so much of the lands belonging to the United States as have been acquired and set apart for the purpose mentioned in "An act appropriating money for the erection of a penitentiary in the Territory of Dakota," approved March 2, 1881, together with the buildings thereon, be, and the same is hereby, granted, together with twenty sections more of the unappropriated public lands, to be selected as herein provided, to the State of South Dakota for the purpose aforesaid.

SEC. 11. That 5 per cent. of the net proceeds of sales of all public lands made by the United States within the limits of the said State, prior or subsequent to the passage of this act, after deducting all expenses incident to the same, be, and the same is hereby, granted to the said State of South Dakota for the support of public schools.

SEC. 12. That all mineral land shall be excepted from the grants provided for in this act.

SEC. 13. That immediately after the taking effect of this act the governor and the commissioner of school and public lands of said State shall proceed to ascertain the number of sections 16 and 36 within the limits of said State which are mineral lands, or which shall have been sold or otherwise disposed of by the United States according to law; and the said officers shall then proceed to select, from any unappropriated public lands in said State, a number of sections equal to such mineral lands and the lands so sold or disposed of; and said officers shall also, in addition thereto, select a number of sections equal in number to the total number of sections granted in this act for other than common-school purposes; and when such selections shall have thus been made said officers shall certify a list of the same to the Secretary of the Interior, and if the same shall be approved by him the title to the same shall vest in the said State of South Dakota.

SEC. 14. That all lands herein granted for common-school purposes shall be sold only at public sale, and at a price not less than $5 per acre, and in parcels not exceeding one quarter-section to any one person, the proceeds to constitute a permanent school fund, the interest of which only is to be expended in the support of common schools.

SEC. 15. That the State of South Dakota shall constitute one judicial district, which shall be called the district of South Dakota, and the circuit and district courts therefor shall be held at the capital of said State for the time being. The judge of said district shall receive a yearly salary of $5,000, payable in four equal installments, on the first days of January, April, July, and October of each year, and shall reside in his district. There shall be appointed clerks of said courts, who shall keep their offices at the capital of said State. There shall be appointed for said district one district judge, one United States attorney, and one United States marshal. The regular terms of said courts shall be held at the place aforesaid on the first Monday in April and the first Monday in November in each year. For judicial purposes the district of South Dakota shall be attached to the eighth judicial circuit, and only one grand jury and one petit jury shall be summoned in both of said courts.

SEC. 16. That the circuit and district courts for the district of South Dakota, and the judges thereof, respectively, shall possess the same powers and jurisdiction and perform the same duties possessed and required to be performed by the other circuit and district courts and judges of the United States, and shall be governed by the same laws and regulations.

SEC. 17. That the marshal, district attorney, and clerks of the circuit and district courts of the said district of South Dakota, and all other officers and other persons performing duty in the administration of justice therein, shall severally possess the powers and perform the duties lawfully possessed and required to be performed by similar officers in other districts of the United States, and shall, for the services they may perform, receive the fees and compensation allowed by law in the State of Nebraska to other similar officers and persons performing similar duties.

SEC. 18. That that portion of the Territory of Dakota not included within the boundaries of said State upon the admission of said State of South Dakota into the Union shall, until otherwise provided by act of Congress, continue as a Territory by the name of North Dakota; and all provisions of the acts of Congress and of the Legislative Assembly of said Territory of Dakota, not locally inapplicable, shall continue therein in full force and effect the same as though no portion of the Territory of Dakota had been admitted into the Union; and the governor, secretary, United States marshal, and district attorney of the present Territory of Dakota shall continue to hold and exercise their respective offices within and for said Territory of North Dakota; and the chief-justice and three of the associate justices, to be designated by the President, shall continue to hold and exercise their respective offices for and within said Territory of North Dakota; and temporarily, and until otherwise provided by the Legislative Assembly of said Territory of North Dakota, the governor, chief-justice, and secretary thereof may divide said Territory into judicial districts and assign the judges thereto, and into twenty council and fifty representative districts, and apportion the representation therein to which each district shall be entitled in the Legislative Assembly: *Provided, however*, That the act of Congress approved March 3, 1879, creating the fourth judicial district for the Territory of Dakota, shall not apply to the Territory of North Dakota.

SEC. 19. That all cases of appeal or writ of error heretofore prosecuted and now pending in the Supreme Court of the United States upon any record from the supreme court of the Territory of Dakota, or that may hereafter lawfully be prosecuted from said court, may be heard and determined by said Supreme Court of the United States; and the mandate of execution or of further proceedings shall be directed by the Supreme Court of the United States to the circuit or district court of the district of South Dakota, or to the supreme court of the State of South Dakota, or to the supreme court of the Territory of North Dakota, as the nature of the case may require; and each of said last-mentioned courts, respectively, shall be the successor of the supreme court of the Territory of Dakota as to all such cases, with full power to proceed with the same and to award mesne or final process therein; and that from all judgments and decrees of the supreme court of the Territory prior to the admission of said State the parties to such judgment shall have the same right to prosecute appeals and writs of error to the Supreme Court of the United States as they shall have had by law prior to the admission of said State into the Union.

SEC. 20. That in respect to all cases, proceedings, and matters pending in the supreme or district court of the Territory of Dakota at the time of the admission of said State into the Union, whereof the circuit or district courts by this act established might have had jurisdiction under the laws of the United States had such courts existed at the time of the commencement of such cases, the said circuit and district courts, respectively, shall be the successors of said supreme and district courts of said Territory; and in respect to all cases, proceedings, and matters arising within the limits of the Territory of North Dakota, the courts of North Dakota Territory shall be the successors of the courts of the Territory of Dakota; and all the files, records, indictments, and proceedings relating thereto shall be transferred to said circuit, district, and Territorial courts, respectively, and the same shall be proceeded with therein in due course of law: *Provided, however*, That in all civil actions, causes, and proceedings in which the United States is not a party, such transfers shall not be made except upon the written request of one of the parties to such action or proceeding filed in the proper court.

SEC. 21. That the Legislature provided for in said constitution shall have the power to provide, by an act to that effect, for the transfer of all actions, cases, proceedings, and matters pending in the supreme or district courts of the Territory of Dakota at the time of the admission of the said State of South Dakota into the Union, arising within that part of the said Territory of Dakota herein prescribed as the proposed new State, and not included within the provisions of the foregoing sections, to such courts as shall be established under the constitution of said State; and no indictment, action, or proceeding shall abate by reason of any change in the courts, but shall be proceeded with in the State courts according to the laws thereof.

SEC. 22. That the following division of the public debt of the former Territory of Dakota is made: All the public indebtedness thereof which has been incurred for the purpose of public institutions within the limits of the State of South Dakota shall be assumed and paid by the said State of South Dakota. The said State of South Dakota shall make immediate provision for the settlement of said indebtedness. All the remaining funded indebtedness of the former Territory of Dakota shall be and remain a debt of the Territory which by this act is organized out of the remaining portion of said former Territory. The Legislature of said Territory shall make immediate provision for the settlement of said indebtedness. One-half of the funds remaining in the treasury of the Territory of Dakota at the passage of this act, and of all receipts from taxes imposed by former Legislatures thereof, less the expense of collecting, and after the payment of any unfunded indebtedness that may be a charge against the same, shall be paid by the treasurer of said Territory to the treasurer of the State of South Dakota. All archives and records of the former Territory of Dakota now in the custody of the secretary or governor of said Territory shall be turned over by said officers to the governor or the secretary of the said State of South Dakota: *Provided*, That the State of South Dakota shall furnish to the Territory of North Dakota full and accurate copies of all such archives and records at the cost of said State of South Dakota.

SEC. 23. That until otherwise provided by act of the Legislative Assembly of said Territory of North Dakota, the city of Bismarck shall be the place of holding the sessions of the Legislative Assembly therein, which place shall be the capital of said Territory until changed by such Legislative Assembly; and the governor thereof shall also have power to designate temporarily, and until otherwise provided by the laws of said Territory of North Dakota, the places in the first, second, and third judicial districts whereat the district courts shall exercise the jurisdiction of district and circuit courts of the United States.

SEC. 24. That in accordance with the stipulations contained in section 5 article 13 of said constitution of said State of South Dakota, there is hereby apportioned to the State of South Dakota, and said State shall assume, be liable for, and pay, all the indebtedness of the Territory of Dakota incurred for public buildings of the Territory which are built and situated, or which are provided by law to be built, within the limits of said State; and the Territory of North Dakota shall assume and be liable for all the indebtedness of the Territory of Dakota incurred for public buildings of the Territory which are built and situated, or which are provided by law to be built, within the limits of said Territory of North Dakota.

SEC. 25. That there is hereby granted to the Territory of North Dakota so many sections of the unappropriated public lands lying within said Territory as will, with the other lands lying therein selected and set apart under the act of February 18, 1881, make the full amount of seventy-two sections, such additional sections to be selected and set apart under the provisions of said last-named act and for the use therein mentioned; and any other grants heretofore made by act of Congress to the Territory of Dakota, for any purpose, of lands lying within the limits of said Territory of North Dakota, are hereby confirmed to said Territory of North Dakota for the same uses and in the same manner as the same were granted to said Territory of Dakota.

SEC. 26. *Provided, however*, That inasmuch as by this act the name of the State, which was adopted by the constitutional convention recited in the preamble hereto, has been changed from that of the State of Dakota to the State of South Dakota, and the boundaries of said State have been modified in this act by the change thereof, east of the Missouri River from the forty-sixth parallel of north latitude to the seventh standard parallel, before said State of South Dakota shall be admitted by her representatives to the Congress of the United States or be entitled to the other rights and privileges of a State in the Union, there shall be submitted to a vote of the people of the proposed State of South Dakota the question of the acceptance or the rejection of said amended boundaries and name; and to that end an election is hereby ordered to be held by the qualified electors of said portion of said Territory of Dakota included within the boundaries of said proposed State, on the 28th day of August, 1888, upon which day there shall be submitted to said electors the following propositions: First, Is the name of the State of South Dakota accepted? Second, Is the proposed change in boundaries east of the Missouri River to the seventh standard parallel accepted? The form of the ballots to be used shall be as follows: Change of name to South Dakota accepted. Yes. Or, change of name to South Dakota accepted. No. Change of boundaries to seventh standard parallel east of the Missouri River accepted. Yes. Or, change of boundaries to seventh standard parallel east of the Missouri River accepted. No.

SEC. 27. That at the time of the election herein provided for the people of said proposed State of South Dakota shall have submitted to them for their ratification or rejection the constitution heretofore in the preamble of this act stated as having been formed and adopted, together with each of the separate articles thereof, in conformity with the schedule of said constitution, not including the selection of the temporary seat of government.

SEC. 28. That said election shall be governed in all respects by the laws of the Territory of Dakota governing elections and the canvass and return of the votes thereof. Within twenty days after the day of said election, the respective officers and county canvassers having by the law of the Territory of Dakota such duties in charge shall make returns of the votes so cast for and against each of said propositions to the governor of said Territory of Dakota. And within ten days thereafter, or sooner, if the returns are all received by him, the said governor, calling to his assistance the auditor and chief-justice of said Territory of Dakota, shall with them aggregate said vote, and immediately certify the result thereof to the President of the United States, who shall issue his proclamation announcing the result of said vote.

SEC. 29. That if a majority of the votes cast at said election shall be in favor of the acceptance of both the change of name and boundaries, and also for said constitution, regardless of the separate articles, then said State of South Dakota shall be deemed admitted into the Union of States on an equal footing with the original States in all respects whatever. And this act of admission shall then

have full force and effect, and said constitution shall be deemed amended so as to conform to said changes. But if a majority of said votes so cast shall not be in favor of both of said propositions, and not in favor of the adoption of said constitution, then this act shall cease to have further force or effect.

FILING OF REPORTS.

The SPEAKER. The gentleman from California [Mr. MCKENNA] withdraws his objection to the request of the gentleman from Illinois [Mr. SPRINGER], that members having reports to present may have leave to file them with the Clerk. Is there further objection?

There was no objection, and it was so ordered.

The following reports were filed by being handed in at the Clerk's desk:

BENJAMIN E. SNYDER.

Mr. CHIPMAN, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 10780) for the relief of Benjamin E. Snyder; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM FOWLER.

Mr. CHIPMAN also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 10216) granting a pension to William Fowler; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. MARIA C. M'PHERSON.

Mr. CHIPMAN also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 10523) granting a pension to Mrs. Maria C. McPherson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARY WHITNEY.

Mr. CHIPMAN also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 5790) granting a pension to Mary Whitney; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

OSCAR K. ROGERS.

Mr. CHIPMAN also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1552) to increase the pension of Oscar K. Rogers; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JAMES B. BRAY.

Mr. CHIPMAN also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2864) granting a pension to James B. Bray; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JULIA M. EDIE.

Mr. CHIPMAN also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 3325) granting an increase of pension to Julia M. Edie; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

AARON S. LANCKTON.

Mr. SAWYER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11953) granting a pension to Aaron S. Lanckton; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARGARET M. NUGENT.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11736) granting a pension to Margaret M. Nugent; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

REBECCA D. VEDDER.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11737) granting a pension to Rebecca D. Vedder; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

LYMAN D. GREEN.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 6314) granting a pension to Lyman D. Green; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ERASMUS W. JONES.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11459) granting a pension to Erasmus W. Jones; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

DELIA W. MONSHALL.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with amendment the bill (H. R. 11728) granting a pension to Delia W. Monshall; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JULIANA ROITSCH.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 3502) granting a pension to Juliana Roitsch; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ABIGAIL FARLEY.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 3457) granting a pension to Abigail Farley; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARY C. THOMPSON.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 3428) granting a pension to Mary C. Thompson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM H. MAYS.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 3556) granting a pension to William H. Mays; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MISS ELIZABETH A. TUTTLE.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 3529) granting a pension to Miss Elizabeth A. Tuttle; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MINERVA GRIFFITH.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 3477) granting a pension to Minerva Griffith; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

TRUMAN A. MORTON.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back adversely the bill (S. 1598) granting to Truman A. Morton a pension of $24 a month; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CHARLES S. HAMILTON.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with amendment the bill (S. 3387) granting a pension to Charles S. Hamilton; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JAMES WATERS.

Mr. BLISS, from the Committee on Pensions, reported back favorably the bill (H. R. 11714) to provide increase of pension to James Waters, formerly of Captain Weatherbye's Company of Pennsylvania Militia, war of 1812; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

DORCUS ALFORD.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (H. R. 10474) granting a pension to Dorcus Alford; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

FLORIDA KENNERLY.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (H. R. 11584) for the relief of Florida Kennerly; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ABRAHAM DALLY.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (H. R. 11959) granting an increase of pension to Abraham Dally; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN J. BROWN.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (H. R. 10977) granting a pension to John J. Brown; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN CARLOCK.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (H. R. 9943) granting a pension to John Carlock; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. M. S. JEWELL.

Mr. BLISS also, from the Committee on Pensions, reported back with amendment the bill (H. R. 11091) granting an increase of pension to Mrs. M. S. Jewell; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN H. STARR.

Mr. BLISS also, from the Committee on Pensions, reported back with amendment the bill (H. R. 10975) granting a pension to John H. Starr; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM L. WILSON.

Mr. BLISS also, from the Committee on Pensions, reported back with amendment the bill (H. R. 10976) granting a pension to William L. Wilson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

EMMA BIDDLE.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (S. 3628) granting an increase of pension to Emma Biddle; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

DAVID O. SANBORN.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (S. 3456) granting a pension to David O. Sanborn; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ZO. S. COOK.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (S. 3249) for the relief of Zo. S. Cook; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

FRANCES H. L. PRESCOTT.

Mr. RUSSELL, of Massachusetts, from the Committee on Pensions, reported back favorably the bill (S. 1144) granting a pension to Frances H. L. Prescott; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARTHA E. FLESSCHERT.

Mr. LAWLER, from the Committee on Claims, reported back favorably the bill (H. R. 11660) for the relief of Martha E. Flesschert; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ORDNANCE AND ORDNANCE STORES.

Mr. THOMAS, of Wisconsin, from the Committee on War Claims, reported back favorably the bill (H. R. 1752) to authorize the Secretary of War to credit the State of Oregon with the sum of $12,398.55, for ordnance and ordnance stores to be issued to the Territory of Washington on account of said State, in payment for ordnance and ordnance stores borrowed by said State of said Territory during the Nez Percé Indian war of 1877 and 1878, and for other purposes; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

REFUGE STATION, ALASKA.

Mr. DAVIS, from the Committee on Commerce, reported back the bill (H. R. 12011) for the establishment of refuge stations at or near Point Barrow, Alaska, at or near Point Hope, Alaska, and at or near East Cape, Siberia; which was laid on the table.

Mr. DAVIS also, from the Committee on Commerce, reported back the bill (H. R. 11852) to establish two refuge stations on the coast of the Arctic Ocean; which was laid upon the table.

Mr. DAVIS also, from the Committee on Commerce, reported in lieu of the two foregoing bills a bill (H. R. 12215) for the establishment of a refuge station at or near Point Barrow, Alaska, on the coast of the Arctic Ocean, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

STEPHEN WILLIAMS.

Mr. HUNTER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11586) for the relief of Stephen Williams; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ELIZABETH HARPER.

Mr. HUNTER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11089) granting a pension to Elizabeth Harper; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

PETER REVELLETT.

Mr. HUNTER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11994) granting a pension to Peter Revellett; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM BARNES.

Mr. HUNTER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11999) granting a pension to William Barnes; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

STERLING H. TUCKER AND OTHERS.

Mr. ROGERS, from the Committee on the Judiciary, reported back favorably the bill (H. R. 11938) for the relief of Sterling H. Tucker and others; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN W. DORSEY AND OTHERS.

Mr. BIGGS, from the Committee on Indian Depredation Claims, reported back favorably the bill (H. R. 6997) for the relief of John W. Dorsey and others; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ALFRED T. M'KINSEY.

Mr. MORRILL, from the Committee on Invalid Pensions, reported back favorably the bill (S. 3453) granting an increase of pension to Alfred T. McKinsey; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

THIRZA S. JENNER.

Mr. SAWYER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 12039) granting a pension to Thirza S. Jenner; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CONSULAR CLERKS.

Mr. HEARD, by unanimous consent, introduced a bill (H. R. 12216) to provide for the compensation and promotion of consular clerks of the United States, and for other purposes; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

STATISTICAL ABSTRACT.

Mr. RICHARDSON, by unanimous consent, submitted the following concurrent resolution; which was referred to the Committee on Printing, and ordered to be printed:

Resolved by the House of Representatives (the Senate concurring), That there be printed, in addition to the usual number, 15,000 copies of the eleventh number of the Statistical Abstract of the United States for the year 1888, of which 5,000 copies shall be for the use of the Senate and 10,000 for the use of the House of Representatives.

PROTECTION OF GIRLS IN THE DISTRICT OF COLUMBIA.

The SPEAKER. The Chair will appoint on the conference on the disagreeing votes of the two Houses on the bill (H. R. 5870) to amend the Revised Statutes relating to the District of Columbia, for the protection of girls and for the punishment of the crime of rape, Mr. HEMPHILL, Mr. COMPTON, and Mr. GROUT.

ADMISSION OF DAKOTA.

Mr. SPRINGER. The gentleman from Dakota [Mr. GIFFORD] desires to submit some amendments to perfect the text of the substitute, and as amendments to perfect the text will be in order first, I yield to him now for that purpose.

Mr. BURROWS. Mr. Speaker, I understood the gentleman from Illinois [Mr. SPRINGER] to say that some amendments were proposed to be offered to the substitute.

Mr. SPRINGER. Amendments to Senate bill No. 185.

Mr. BURROWS. The gentleman said amendments to the substitute.

Mr. SPRINGER. They are amendments to Senate bill 185, which has just been read.

The SPEAKER. It is in order to offer amendments to the original bill first.

Mr. BURROWS. I had no question about that, Mr. Speaker, but I understood the gentleman to say they were amendments to the substitute, and I desire to have the matter distinctly understood.

The amendments proposed by Mr. GIFFORD were read, as follows:

Amend section 9 by striking out the words "ninety sections of," and insert in lieu thereof "one hundred and twenty thousand acres."

Amend section 26 by striking out the words "28th day of August, 1888," and insert in lieu thereof "the first Monday in June, 1889."

Amend section 27 by adding thereto the following: "And at said election there shall be elected the State, judicial, and other officers and members of the Legislature of the said State of South Dakota provided for in the constitution of said State, and also two Representatives in the House of Representatives of the United States Congress; and if a majority of the votes cast at said election, upon the acceptance of both change of name and boundaries and of said constitution, shall be in the affirmative, as hereinafter provided, the governor, judicial and State officers thus elected shall have power to at once qualify and enter upon the duties of their respective offices, and they and the members of the Legislature thus elected shall hold their offices until the next general election, in November, 1890, unless otherwise provided by the laws of said State, and until their successors are duly elected and qualified. The governor shall have authority to at once convene said Legislature, and said Legislature thus elected may, in the manner provided by law, elect for said State two Senators to serve in the Senate of the United States Congress, and the Representatives duly elected at said election provided for in this section, and the United States Senators thus chosen, if otherwise legally qualified, shall be admitted to represent said State of South Dakota in the Congress of the United States."

Mr. COX. Are those amendments printed?

Mr. GIFFORD. Yes, in the amendments which the gentleman from Illinois [Mr. SPRINGER] has had printed. I desire also to offer another amendment, which I send to the desk.

The amendment was read, as follows:

Amend section 27 by striking out the word "not" from line 7.

The SPEAKER. Is a separate vote demanded upon these amendments?

Mr. SPRINGER. I have no objection to these amendments being agreed to, as they are submitted mainly for the purpose of perfecting the text of the original bill.

Mr. ADAMS. Mr. Speaker, would the adoption of an amendment to one of the sections of this pending bill preclude a motion hereafter to strike out that entire section?

Mr. SPRINGER. Oh, no.

The SPEAKER. There had better be an understanding upon that point. The order under which the House is now proceeding provides that this bill shall be considered in the House as in Committee of the Whole on the state of the Union, and in the Committee of the Whole on the state of the Union bills are read by paragraph for amendment, or by sections, as the House may choose, so that unless some understanding be had the Chair thinks that when a section is taken up and discussed and amended, that would preclude a recurrence to a previous section unless by unanimous consent.

Mr. ADAMS. Then I will ask unanimous consent (of which, however, I may not choose to avail myself) to submit a motion hereafter to strike out the sections providing for an election to ratify the change of name and the change of boundaries.

The SPEAKER. In order to prevent confusion hereafter, it would perhaps be best that the bill be read by sections, or that it be understood that amendments may be offered to the different sections without regard to their order, as the House proceeds with the consideration of the bill.

Mr. DUNN. I wish to make another parliamentary inquiry. It is generally understood that the gentleman from Illinois [Mr. SPRINGER] will offer a substitute for this bill after the text is completed. Now, the question is, will that substitute be read by paragraphs, so as to admit of amendments, as in the case of the original bill?

The SPEAKER. The substitute would be one entire amendment.

Mr. DUNN. And when adopted it could not be amended further?

The SPEAKER. After a substitute is agreed to, it is not subject to amendment.

Mr. REED. But it can be amended prior to a vote upon the substitute.

The SPEAKER. Of course.

Mr. CUTCHEON. I rise to a parliamentary inquiry. The bill has now been read the first time. Is it not the regular order to read the bill by sections for amendment?

The SPEAKER. It is.

Several MEMBERS. Regular order.

Mr. SPRINGER. I desire that the friends of the bill should have leave to put in just such amendments as they desire to perfect the text, being those prepared by the Delegate from Dakota [Mr. GIFFORD]. I ask unanimous consent that those amendments be now agreed to without prejudice as to any other amendments that may be offered.

Mr. BAKER, of New York. And that the bill be then read by sections.

Mr. SPRINGER. That is not necessary. Let this proposition be submitted first.

The SPEAKER. The gentleman from Illinois [Mr. SPRINGER] asks unanimous consent that the amendments proposed by the gentleman from Dakota [Mr. GIFFORD] be now considered, and agreed to or disagreed to, as the case may be, without prejudice to the right of any gentleman to offer other amendments. Is there objection?

Mr. CUMMINGS. I object.

The SPEAKER. Then the Clerk will proceed in the regular order and read the bill by sections.

Mr. SPRINGER. I hope the gentleman from New York [Mr. CUMMINGS] will not insist upon his objection. These are the amendments which the friends of the bill desire to have adopted in order to perfect its text. The election provided for in this bill was to take place last August; and these amendments provide for fixing a time when that election can take place under the provisions of the bill. I desire that time shall not be occupied in the reading of the bill by sections. These amendments can be agreed to at once, as they are formal and there is no objection, as I understand, to any of them.

The SPEAKER. The gentleman from New York [Mr. CUMMINGS] has objected to the request of the gentleman from Illinois.

Mr. CUMMINGS. As the bill is to be read by sections, these amendments can be offered just as well when the sections to which they relate are reached.

Mr. GIFFORD. That will take a great deal of time.

Mr. CUMMINGS. I withdraw the objection.

The SPEAKER. The objection is withdrawn. Is a separate vote demanded upon any one of the amendments proposed by the gentleman from Dakota? If not——

Mr. CUTCHEON. Is it understood that the action on these amendments is not to prejudice the right to offer other amendments?

The SPEAKER. It has been expressly so stated.

Mr. BRECKINRIDGE, of Kentucky. Is it in order to ask that the order under which the House is proceeding be read, so that we may knows it exact terms?

The SPEAKER. The Chair will cause it to be read.

The Clerk read as follows:

Resolved, That the Committee on the Territories be discharged from the further consideration of Senate bill numbered 185, being a bill to provide for the admission of the State of South Dakota into the Union and for the organization of the Territory of North Dakota, and that said bill be made a special order to be considered in the House as in Committee of the Whole immediately after the reading of the Journal on to-morrow, and from day to day until disposed of, with leave to offer as a substitute therefor House bill 8166; that thereafter other bills in relation to the admission of the Territories reported from the said committee shall be in order in the House in like manner until disposed of, to be considered in the order fixed by the committee.

Mr. BRECKINRIDGE, of Kentucky. Now, Mr. Speaker, I ask that the order be carried out, and I object to any modification of it.

The SPEAKER. The gentleman from Kentucky objects to the request which has been made. The bill will be read by sections.

Mr. SPRINGER. No modification of the order is proposed.

The SPEAKER. The gentleman from Kentucky objects, and the Chair has no control over the matter. The order provides that the bill shall be considered in the House as in Committee of the Whole, and of course the bill must be read by sections unless some other arrangement be made.

Mr. BURROWS. To expedite matters I demand the regular order.

Mr. BRECKINRIDGE, of Kentucky. At the request of the chairman of the Committee on Territories [Mr. SPRINGER] I withdraw my objection.

The SPEAKER. The objection is withdrawn. The question is upon the amendments proposed by the gentleman from Dakota.

Mr. BURROWS. Are those amendments to be voted upon in gross?

The SPEAKER. The Chair has asked two or three times whether any gentleman desired a separate vote, and there was no response.

Mr. BURROWS. I have no doubt the amendments are all right; but I doubt whether when they were read all members heard them.

Mr. SPRINGER. They have been printed for two weeks; and they are simply those amendments which are necessary in order to——

Mr. BURROWS. Let them be read one by one, so that we may understand them.

The first amendment, offered by Mr. GIFFORD, was read, as follows:

Amend section 9 by striking out the words "ninety sections of" and insert in lieu thereof the words "one hundred and twenty thousand acres."

The SPEAKER. The question is on agreeing to this amendment.

Mr. COX. Have I the right, Mr. Speaker, to take the floor now and speak on the general merits of the amendments to the bill?

The SPEAKER. The Chair thinks so. General debate must be allowed under the rules, if any gentleman desires to discuss the bill in that way. After that will come the discussion under the five-minute rule.

Mr. COX rose.

Mr. SPRINGER. I understood there was no objection to agreeing to the amendments in gross.

The SPEAKER. The statement was these amendments might be agreed to or disagreed to without prejudice to any other gentleman to amend any further section of the bill hereafter. Nothing was said about general debate.

Mr. SPRINGER. I understand the gentleman from New York [Mr. COX] desires to discuss the bill generally.

Mr. COX. We want to understand the bill and the amendments before we are required to vote on either of them.

Mr. SPRINGER. There must be some understanding as to that fact.

The SPEAKER. The Chair is simply endeavoring to carry out the order of the House.

Mr. SPRINGER. As soon as these formal amendments were agreed to in regard to the general features of this bill and the other bill then the members of the committee who desired to speak on the subject could do so. I was on the floor for that purpose, and so far as the gentleman from New York is concerned I intended to ask, after yielding the floor to the gentleman from New York on the other side of the House [Mr.

BAKER], to yield and to ask the members of the House to yield to the gentleman from New York [Mr. COX]. I intended to follow the regular order of proceeding.

The SPEAKER. This is the regular order of proceeding. The general debate comes first.

Mr. SPRINGER. I thought we had proceeded to consider the bill by sections.

The SPEAKER. On the contrary, that was waived for the present in order that the amendment moved by the gentleman from Dakota [Mr. GIFFORD] might be disposed of.

Mr. SPRINGER. Mr. Speaker, I claim the floor for the purpose of opening the general debate.

The SPEAKER. The gentleman was entitled to the floor under the usage of the House, and if he claimed it, it would have been given to him. The Chair is in some doubt what course should be pursued under the circumstances.

The gentleman from Illinois was undoubtedly entitled to the floor according to the practice of the House to open the discussion of this bill, and if the debate continued longer than to-day he was entitled to one hour to conclude the debate. But the gentleman from Illinois did not take the floor for that purpose, but on the contrary permitted amendments to be offered, and before those amendments were disposed of the gentleman from New York [Mr. COX] inquired of the Chair whether he could take the floor for the purpose of addressing the House, and the Chair said he could.

Mr. SPRINGER. I only wished to have those amendments introduced, then intending to take the floor for the purpose of opening the general debate. While they were trying to get unanimous consent to dispose of those amendments the gentleman from New York, I understand, asked to be recognized. I did not intend to yield the floor, but on the contrary had taken the floor and was then occupying it, intending to proceed as soon as I could do so to open the general debate on this subject.

Mr. COX. The gentleman from Illinois will not be disturbed by my remarks in this connection.

Mr. BAKER, of New York. How long is it proposed this debate shall continue? There should be some arrangement, of course, as to the time to be devoted to general debate on this subject.

Mr. SPRINGER. Mr. Speaker, I must insist upon holding the floor. I will yield any ordinary courtesy to the gentleman from New York [Mr. COX], but he not being a member of the Committee on Territories, he is asking an extraordinary favor at my hands that he shall take the floor at this time before the general debate has been opened.

The SPEAKER. Gentlemen can arrange it among themselves. The confusion arose from the fact that the gentleman from Illinois [Mr. SPRINGER] did not take the floor to debate the bill, but permitted amendments to be offered.

Mr. SPRINGER. I was endeavoring to get these amendments offered, and by unanimous consent they might be agreed to. Pending that the gentleman from Kentucky and other gentlemen asked they might be read, and they were read. While those amendments were being disposed of the gentleman from New York [Mr. COX] rose and took the floor. But, Mr. Speaker, I did not yield the floor to the gentleman from New York, but was standing here all the time, intending as soon as I could do so to open the general debate.

The SPEAKER. If the gentleman from Illinois states that he had taken the floor to debate the bill that presents a different question.

Mr. SPRINGER. As these formal amendments were proposed by the friends of the Senate bill I thought they should be entertained and disposed of, but after they were disposed of I intended to go on with the general debate. I took the floor for that purpose, and did not yield it.

Mr. COX. If I can have the floor afterward, I will not insist on occupying the floor.

Mr. SPRINGER. After one hour has been occupied by the gentleman from New York on the other side, I will yield to the gentleman from New York [Mr. COX].

Mr. BAKER, of New York. I do not propose to occupy the floor at present.

Mr. SPRINGER. If no gentleman on the other side of the House desires to occupy the floor, of course then the gentleman from New York [Mr. COX] can take the floor.

Mr. COX. Then I will follow my friend from Illinois.

The SPEAKER. The gentleman from Illinois will proceed.

Mr. SYMES. There ought to be some understanding in regard to the time to be occupied by the members of the committee and others in this debate. Gentlemen of the committee have the prior right in this debate, but there are many other gentlemen on the floor who also desire to be heard.

The SPEAKER. The matter is in the control of the House.

Mr. SYMES. I withdraw the objection I was going to make, at the suggestion of the gentleman from Maine.

Mr. SPRINGER withholds his remarks for revision. [See Appendix.]

Mr. COX. Mr. Speaker, I favor the substitute proposed by the gentleman from Illinois [Mr. SPRINGER] and his committee. I favor it, provided there are adopted certain amendments. In the last resort, if these Territories can not be brought in within a reasonable time, I propose to help any conference between the two bodies looking to the statehood of Dakota and the other Territories.

Congress has been derelict with respect to the admission of these Territories. For reasons which can not be given within the hour, but reasons which appeal to the discretion of gentlemen, I ask that these Territories be admitted.

ROMANCE OF EMPIRE.

There is a sort of glamour and fascination about the admission of States into our imperial federation. I am subject to influences of a romantic character. But they have not disturbed, and I think will not disturb, that discretion which belongs to Congress when it votes to make complete the circle of our Federal felicities.

Mr. Speaker, as we approach the centenary in the life of our nation the mind becomes reminiscent. It would also be prophetic. In dim outline the ancient seers saw, through the mists of western seas, our hemisphere as the home of a race which rejoiced in a "golden age." These dreams take hold upon the imagination. They give an illusion to our "discretion" on bills like these looking to future empire.

The imaginary commonwealth of Plato was not altogether unsubstantial. Some of the visions upon the horizon of our early epochs have found realization. But a republic never imagined by Plato, nor dreamed of by Harrington or Sir Thomas More, has found its home in our hemisphere. Like all hope that has its fruition, this has come to us through toil, danger, and heroism. These sacrifices have no parallel in the adventures of our race or upon our planet.

Out of what were mere nebulæ four centuries ago, stars have been resolved. Our western heavens are aglow with political luminaries which have their symbolization upon our flag.

A few only of our Territories remain in their rudimentary state. They are fast assuming the proportions for statehood.

Wyoming, Idaho, Arizona, and Alaska are springing to the front. They are fulfilling the conditions of political independency, while our other Territories, in so far as population and resources are concerned, have already human souls and prosperous opulence enough for a more exalted relation in the hierarchy of statehood.

What concerns us immediately, Mr. Speaker, is the admission as States, with proper boundaries and suitable numbers, of five Territories. These are combined in the substitute—the two Dakotas, Montana, Washington, and New Mexico. I omit purposely any consideration of Utah.

As to Wyoming, Idaho, Arizona, and Alaska, provision will be made in time, that when they attain a population adequate under the Representative ratio steps may be taken for their admission.

So that in the consideration of Territorial questions we view it from a standpoint whose scope comprehends nearly all of our remaining domain.

FORMALITIES OF ADMISSION.

It is well to remember, notwithstanding certain precedents to the contrary, that these Territories can not become political States with equal privileges in a Federal way without certain formalities. There is no leaping, like Minerva from the brain of Jove, fully equipped and matured. Under our system there are provisions to be observed before the boon of stately equality and the regality of "unassuming pomp" are bestowed.

The examination of these formalities involves the question, first, of power; second, the array of precedents; and, third, the deductions of reason.

As to the power. Is it not ample on the part of Congress? Why, sir, there is only one limitation. That power is found in the third section of the fourth article of the Constitution. It says: "New States may be admitted by the Congress into this Union." In a subsequent section it "guaranties to every State in this Union a republican form of government." Here is a power to admit. It is unquestionable. The meaning of the phrase "a republican form of government" was much discussed during the slavery agitation, before and during our civil war. It needs no rehearsal now. There is no danger that any constitution made by any of these Territories will be unrepublican in form. It will not only have the authority from Congress, the stamp of maturity and the reflection of the popular will, but in its very body as well as in its essence it will be republican.

The Territories which we propose to admit have an organic law from Congress and they are under certain clauses of our Federal statutes. The organic law does not provide for a convention of the people to form constitutions. There has been no legislation by Congress in that direction, and there is no inhibition in our statutes upon such action.

Whether it be necessary that Congress should initiate proceedings looking to a convention and a constitution and admission or whether a Territorial Legislature may do this I will not now discuss. If Congress has not done it in the organic act, it has certainly not delegated the power to do it to the Territorial Legislature, and therefore, although the precedents are not all one way, it would certainly be more regular and comport more with the dignity of the proceeding that the scepter of sovereignty should be derived from the people of the United States in Congress assembled. [Cheers.]

PRECEDENTS.

I am not unaware that some precedents can be quoted for the admission of States where the initiative did not begin with Congress, but in the body of the Territory; and although there may be absolute discretion, limited, as I have stated, in Congress to admit States, regardless of the initial steps, it is safer to follow the words of Jefferson as to the first constitution of Virginia, adopted in 1776, when he said that the Legislature of that time had been elected only for the ordinary purposes of legislation. He denied that the acquiescence of the people had supplied the want of original power to create the constitution. This was in 1824. He fortified his opinion by saying—

That of the twenty-four States then under the Federal organization, twenty-three have disapproved the doctrine and example of Virginia, and have deemed the formal authority of their people a necessary foundation for their constitution.

In the case of Arkansas, General Jackson's Attorney-General decided that the Legislature could not act in the formation of a State government. In the Michigan case, Mr. Buchanan held that such acts were usurpation. California is no precedent, for her case, like that of Texas, was exceptional. The Lecompton constitution is no precedent; the people of Kansas set aside the Lecompton constitution as null. She came in afterwards under the authority of Congress. I had the pleasure, under much objurgation from Republicans, of voting for Kansas. Kentucky was admitted without a constitutional convention. Her constitution was not even submitted to her people. Tennessee, in 1796, formed a State without asking Congress. The question was discussed in Congress. The majority of the statesmen who engaged in that discussion maintained the same right which was ordained in 1787, and upon that right Tennessee was admitted. Indiana came in under an enabling act. Iowa, Michigan, Florida, and Oregon came in under constitutions whose only authority were the conventions which were held under legislative acts.

In many of our States there were no enabling acts at all. So that there is no uniformity of procedure in matters of this nature.

In so far as this question can be distorted into a party question, I may say that there is a uniform line of precedent for the admission of States into the Union, under conditions not so urgent or favorable for statehood as those presented by the Territories named in the substitute of the honorable gentleman from Illinois [Mr. SPRINGER].

The ordinance of 1787 was a compact. By it the people, in certain boundaries, when they attained 60,000 inhabitants, were authorized to form States and demand admission as "an act of justice." By the acts of Congress of June 20, 1834, and April 20, 1836, this ordinance was extended to the Territory of Wisconsin. That Territory then included Dakota. Section 1891 of the Revised Statutes recognized the same right in the present Territory of Dakota. [Cheers.]

Our custom, sir, as to population has not been uniform. If population is to be the test of admission, the Territories in the substitute have each a sufficient number for one member of Congress. This is the moral, though not the legal, touchstone by which the admission of States should be determined. Many of our States have been admitted with less than a representative ratio. Illinois was 380 less; Florida, 6,000 less; Oregon, 43,000 less; Kansas about 20,000 less, and Nevada 87,381 less than the ratio! The ratio in 1864, when Nevada was admitted, was 127,381. Nebraska was less than the ratio by 27,000, and Colorado by 31,425.

An observant foreigner, Professor Bryce, of Oxford, has carefully noted the relation of our Territorial government to the Union. I commend his words to your attention, and ask the Clerk to read it. It will serve as a relief to the House.

The Clerk read as follows:

If it were possible under the Federal Constitution to admit Territorial residents to active citizenship—that is to say, to Federal suffrage—admitted they would be. But the Union is a union of States. It knows no representatives in Congress, no electors for the Presidency, except those chosen in States by State voters. The only means of granting Federal suffrage to citizens in a Territory would be to turn the Territory into a State. This would confer a power of self-government, guarantied by the Federal Constitution, for which the Territory might be still unfit. But it would do still more. It would entitle this possibly small and rude community to send two Senators to the Federal Senate, who would there have as much weight as the two Senators from New York, with its 6,000,000 of people. This is a result from which Congress may fairly recoil. And a practical illustration of the evils to be feared has been afforded by the case of Nevada, a State whose inhabitants number only about 40,000, and which is really a group of burnt-out mining camps. Its population is obviously unworthy of the privilege of sending two men to the Senate, and has, in fact, allowed itself to sink, for political purposes, into a sort of rotten borough which can be controlled or purchased by the leaders of a silver ring. It would evidently have been better to allow Nevada to remain in the condition of a Territory till a large, settled, and orderly community had occupied her surface, which is at present a parched and dismal desert, in which the streams descending from the eastern slope of the Sierra Nevada soon lose themselves in lakes or marshes. On a review of the whole matter it may safely be said that the American scheme of Territorial government, though it suffers from the occasional incompetence of the governor, and is inconsistent with democratic theory, has in practice worked well, and gives little ground for discontent even to the inhabitants of the Territories themselves.

Mr. WOODBURN. I am glad the gentleman has been compelled to resort to British authority to sustain him.

Mr. COX. Yes, sir.

Mr. WOODBURN. Because he could not produce any American authority.

Mr. COX. I was just trying to say that you and I agree for the first time in our lives. [Laughter.] My authority is an intelligent and observant Briton. He seems to love our country. Mr. Speaker, wherever such discreet laudation of our country comes from I care not. If an Englishman praises our Western folk, I give to him, as I give to Gladstone, all honor for his idea of autonomy, whether applied to Erin or Dakota.

In regard to the admission of new States we must regard population and representation. We must do that not alone with reference to Nevada. I might take that State as an illustration of our worst dereliction. I do this not because her distinguished Congressman is not able to fill the bill for a dozen other members [laughter], and not because her two Senators are not able to represent Nevada as the older and larger States are represented, but because of the fact that in the discussion of the Kansas-Nebraska bill, in which I took a part, there was fixed at that time for admission a criterion. That criterion should guide us. It provided that no State should be admitted unless it had a sufficient population for one member of Congress. I think that was a good plan, because it gave a good test on a fair ratio. I believe that the good old motherly people of this country, who adhere with a great deal of reverence to proper precedents, will sanctify this standard, not because we would like to get rid of the gentleman from Nevada who represents Nevada, for we love him too dearly to part with him. [Laughter.]

When my friend from Illinois [Mr. SPRINGER] discusses all of the various details of the Senate bill and his own substitute, he seems to anticipate the future. In that future these States by their Legislatures or constitutional conventions may revoke any law, organic or otherwise, which they may pass for local interests, subject only to the Constitution of the United States.

Therefore I am ready to welcome any legislation looking to the admission of Territories which fills the conditions, knowing that by legislative enactment or constitutional changes all defects may be remedied under local influences.

In most of the States Congress has provided for a convention and has generally required the constitution to be submitted to the people. But there are some precedents which after ratification by the people indicate that the State can be admitted by the proclamation of the President. When such an amendment appears, with respect to these long-deferred Territories, as one is intimated by the eloquent Delegate from Washington [Mr. VOORHEES], I will cheerfully vote for it.

SUBMISSION OF CONSTITUTIONS.

Many of the earlier constitutions were not submitted. But in the great majority of States, the constitutions were submitted to the people. The weight of the precedents is in favor of the principle of submission.

Therefore it would seem to be wise, especially owing to the lapse of time since the South Dakotan constitution and the Montana constitution have been adopted, to require new conventions in order that in these fast-growing States the new order shall conform to the latest popular judgment.

If, therefore, it be said that the precedents are not one way, I answer that it is altogether more regular and more in accordance with sound discretion that enabling acts should be passed in order to induct our Territories within the circle of the Union.

DISCRETION THE TEST.

But after all, sir, whatever may be said or done in the last resort on this question of statehood, the admission of States depends upon the wise discretion of Congress.

Some States have come in like Texas—*teres atque rotundus*—a "Lone Star," a republic already instituted. But Texas is superbly exceptional! When she came in she had memories—tearful and patriotic memories—of the Alamo and of San Jacinto. Yet her statesmen made provision for an emergency of five States, each—not asteroids—but each a star, brilliant and beautiful. Other States, like California, came in with fixed limits, boundaries, and peculiar interests, and others again, like Michigan, having catastrophic origin, being impelled into prominence by the insurgent, volcanic action of her people irrespective of Congressional authority.

This question of discretion, therefore, addresses itself to our best reason. There is no absolute right on the part of the Territory for admission, unless it be derived from those abstract rights of human nature which, under our system, must be chrystalized into an organism before it becomes an object of Federal fraternity.

CONDITIONS OF ADMISSION.

The only remaining conditions which appeal to our judgment are those relating to the population, boundary, intelligence, prospects, and, I may add, character of the Territory.

In early days, when Kansas came forward with a constitution unauthorized, and with a mode of submission ambiguous and illusory, I voted against her admission. But I declared at that time, in the first speech I ever made here, and the first made in this Hall—and it was listened to for its acoustic properties [laughter]—that I would have voted for the admission of Kansas as a slave State if it had been fairly made so by the people. In the last analysis the popular will must be the foundation of sovereignty.

By the prompt admission of these Territories, and especially of Dakota, with her six or seven hundred thousand people, we avoid the invidious remarks which have been often made and which partake too much of partisan spirit.

It is the habit of some gentlemen to refer to the Southern States and the meagerness of their vote compared with the number of their Congressmen-elect, and then to make the further comparison that the Territories have a larger population than some of our States.

The question is asked cynically why should the votes of States of less population be used to prevent Dakota, which would have seven members of Congress in 1890, from voting at all?

NO MORE LARGE STATES.

Mr. Speaker, although in the discretion which each member here is authorized to exercise in admitting States, I give great heed to the judgment of the people of the Territories who are most affected by our action on the question of admission, which includes boundaries and population and even names. But I am not so bound that I would admit a State with such an extensive area as undivided Dakota. I would not so vote if every man, woman, and child in the Territory should demand it; for, sir, it then becomes a question affecting other States in the brotherhood; as other States are affected by representation in both branches of our Federal Legislature.

SHACKLES ON STATES.

Nor would I clothe a State with the robes of sovereignty and then shackle its limbs so that it might not change its own constitution at pleasure and within the limits of a "republican form."

If we give sovereignty to Utah and hamper her with conditions that she should do something or reverse something or abrogate something abnormal, incongruous, corrupt, or disgraceful, according to the standards of civilization, we do that which is futile, for we do not give to her State sovereignty, but make her still a dependency.

Governments are representative, says Jefferson, only as they embody the popular will and execute it; and in that popular will should reside the power to change and revoke whenever the wisdom of the people desire it. These, Mr. Speaker, are some of the preliminary propositions upon which to determine the votes which may be given upon the questions before us.

I propose, therefore, to consider in their order the admission of the Territories proposed by the bill reported from the Committee on the Territories.

OMNIBUS NOT FAVORED.

I would have preferred that each one of these Territories should have come in by her own intrinsic vigor and virtue, and not through any interdependence or leaning upon one or more of the other Territories embraced in the bill. Perhaps in the end our legislation may run in that channel. Certainly such a channel will be more easily navigable and free from quicksands and difficulties. I can not see why South Dakota should depend on the admission of Washington, or North Dakota upon the admission of New Mexico. There used to be some sort of implication when I first came into this body that we should balance a slave State with a free, and a free one with a slave State. But all that has happily gone to the rear.

MORE PRECEDENTS.

When Ohio came in she came in under the ordinance of 1787, as Tennessee came in under an ordinance made upon the same line. But they depended for their admission upon their intrinsic merits. And I should not hesitate to vote for each one of these Territories in this so-called "omnibus bill" separately and independently, one without the other, if by no other means we could accomplish the object.

PARTY BIAS.

Above all things, Mr. Speaker, this question of admission is not a party question. In the nature of things it can not be. The people of the Territories are not wedded to any party. They are remote and isolated; preoccupied with absorbing local matters. They are easily molded, like the clay in the hands of the potter. As the wheel whirls, a little pressure here and a little pressure there, and out comes the graceful vase, irrespective of the rude and selfish manipulations of our Federal politics. If these Territories be not admitted this session they will surely be admitted under Republican auspices in the next Congress, and their politics will take the reflection of the friends who give them their early nurture.

I have voted for many Territories to become States since I have been here. I have been taught some lessons from the result. Perhaps the only mistake I have made in my vote was in voting prematurely for Oregon; for we had no correct census returns of her population, and she did not, at that time, approach the ratio. We had to determine her population more from her resources and her tax returns than from any other source. She was ushered into the Union by the eloquent dialectics of Alexander H. Stephens. She bid fair to be a Democratic State, and she came in with Democratic Senators and Representatives. But how long did she remain so? I notice the honorable gentleman from Oregon—a Republican—smile as he recalls his splendid majority. [Laughter.] I voted for Kansas and Nebraska. They came in as Republican States, and though their population was not quite equal to the ratio, they were growing fast; and we but anticipated a sufficient population, while we settled a prolonged and vexatious controversy. Party bias is a fragile reed to rely upon when principles are at stake.

COLORADO.

When Colorado came up, lacking a sufficient number for even one Congressman, I gave my vote against her admission, because I did not see then from the quality of her soil and the peculiar occupations of her people that they had the elements of growth as other Territories have developed.

NEW MEXICO.

When New Mexico, fourteen years ago, appeared at the bar here, she was ushered in by a Republican Delegate (Mr. Elkins). You know Mr. Elkins.

Many MEMBERS. Oh! yes; we know Stephen. [Laughter.]

Mr. COX. Yes; Stephen. He has not hidden his light since under a bushel. [Laughter.] I recall his personality. He tried with all the urgency belonging to a party full of the zealotry of the war and the glory of its triumph to have New Mexico admitted. I did not give it my vote, because New Mexico at that time was in such a confused and incongruous condition that I resented the attempts made by the Republican party to force her into the Union. New Mexico is here again.

Mr. PETERS. There has been a change of heart since.

Mr. COX. I can not change my party. I have been too long in it for that.

Mr. PETERS. I said a change of heart.

Mr. COX. Now, my friend represents Kansas. When I was a young Congressman from Ohio, he was my little constituent, about that high. [Indicating.] His heart was all Democratic then, for he used to peddle my tickets. [Laughter and applause.] I never could get over my affection for the gentleman from Kansas on account of his early partisanship for me. My heart toward him never changes. [Cheers and laughter.]

Mr. PETERS. Well, that is beautiful fiction. [Laughter.]

Mr. COX. It is too late in the day for gentlemen of the Republican party to challenge the admission of New Mexico. Our RECORD (page 4129) shows that on the 21st of May, 1874, a Representative from Mississippi (Mr. McKee) proposed to take up the bill for the admission of New Mexico, which was the bill of Mr. Elkins, the then Delegate, and, although he was opposed by gentlemen on the Democratic side and by some Republican gentlemen, notably Mr. G. F. HOAR, of Massachusetts, now a Senator from that State—the House voted to admit New Mexico by 160 yeas to 54 nays. The strongest speech made against her admission by a Democrat was made by my then colleague, Mr. Clarkson N. Potter, of New York. The most urgent speech in its favor was by Mr. Kasson, assisted by Mr. Maynard and Mr. Hoskins, all Republicans.

In presenting the bill the Republican party gave their voice, through Mr. McKee, in favor of admission, because New Mexico had all the elements out of which we make States. He said:

It is large enough; it has population enough; it has prosperity enough; in fact, it has every element of statehood. In area it is three times as large as Ohio. It has more than 143,000 people. The vote by which the Delegate comes here is over 17,000. There are forty Representatives on this floor—

Said Mr. McKee—

who come here with fewer votes. In everything that goes to make a State, New Mexico is fully up to the standard.

Certainly, since that time New Mexico has not diminished in population or prosperity. She has not been curtailed of her area nor disappointed in her hopes. At that time she had a Republican Legislature and a Republican Delegate. Well, has she not a Republican Legislature to-day? And if she has a Democratic Delegate, it is because he was more in sympathy with the large body of her peculiar people than his Republican competitor. I warn my Democratic friends that New Mexico is more nearly Republican than Democratic. If it be not Stephen B. Elkins as one Senator, it will be Stephen Dorsey as the other.

Much rhetoric has been expended on this subject. The attempt to force New Mexico in as a State has been stigmatized as nefarious. The Republicans in the Forty-third Congress had 49 of the 74 Senators, and 149 of the 200 Representatives, and they cried, "All hail to the half-breed, unprogressive population of New Mexico." They would have given her equal power in the Senate with New York and Pennsylvania. I do not say this because New Mexico had Republican proclivities at that time. I think she has the same proclivities now, and with more certainty.

I find, in looking at the RECORD, that I opposed her admission because of her lack of population, and this was what I said:

In the admission of States in those early days of Buchanan's administration, out of all that Red Sea of trouble, we got some little good, because at the end of this struggle we agreed to a certain rule, and that rule was that a population equal to the ratio represented by a member of Congress should always be sufficient for the admission of a State, and that was entered of record and a joint resolution passed to give effect to it.

Although it is within the discretion of Congress to allow or disallow admission, still is it not a safe rule that a population equal to the ratio for one Congressman, whether it be binding by joint resolution or not, should be the criterion for admission? Perhaps the Senate in its wisdom acted upon that doctrine then. But, inasmuch as the population is now fully up to the standard, the Senate may reverse their rule and

admit New Mexico. Certainly it does not lie on the part of Republican partisans to refuse her admission on that ground.

If the Republican party could vote for New Mexico fourteen years ago, why can not they do it now? She has added 55,000 in population since the census of 1880 was taken. In the last year 384,000 acres of public land have been entered for actual occupation and improved. She is engaged in the construction of railroads across her territory, and is opening new sections to settlement and establishment. At the end of the year which has just passed there was completed 2,000 mileage of railroads. Her grain crops and other products, especially grapes and semi-tropical fruits, grow in profusion, while her cattle ranges are among the marvels of her growth. She had an increase of 135,000 head of cattle in 1888 over 1887, and her mines are becoming productive after the idleness of years, if not of centuries.

It will not do, therefore, to say that New Mexico has not enough population or wealth to support a State government; nor is it just to the elements which permeate that Territory to say that she has too much ignorance or too small an admixture of intelligence for the regulation of a State. It is no objection to her admission that the peon and mongrel race forms a portion of her population, for the same rule would have kept out California, and would to-day disbar the States south for their mixed colored elements. It is no objection that the New Mexicans speak a Spanish *patois*, for California had the same disability and has outgrown it promptly. The progress which New Mexico is now enjoying in mining and stock-growing, sheep-raising and agriculture, indicates that though portions of her soil may be barren, rainless, and arid, she has all the elements of growth, and will shine as a fit embodiment of statehood in the catalogue of States.

OTHER TERRITORIES.

From the reports of the governors of our Territories it will appear that as to population Alaska has 50,000 people and $25,000,000 in wealth; Idaho has 100,000 in population and $65,000,000 in wealth; Arizona 120,000 population and $75,000,000 in wealth. As to the other Territories, omitting Utah, Dakota is registered as having 600,000 in population and $320,000,000 in wealth; Washington 168,000 population and $250,000,000 in wealth; Montana 140,000 population and $70,000,000 in wealth. But I have no doubt that Montana has to-day a sufficiency for one member of Congress. So that in the bill proposed there is no objection to any of these five Territories on account of wealth or population.

MONTANA.

First, as to Montana. Her growth is at the rate of 10,000 a year and 100,000 over that of the census of 1880. Her financial condition is sound and stable, with money in the treasury and freedom from debt. She has every inducement to emigration, for her taxes are light. Her mines of gold and silver and lead are even greater than her agricultural and pastoral resources.

WASHINGTON.

Second, as to Washington Territory. Her governor believes that the population I have named to be a low figure and that at present her population is equal to nearly 188,000. Her gain in values, though not equal to that of Dakota, is simply enormous, being a gain of over $65,000,000 during the past ten years. She has nearly 1,200 miles of railroad, and over her bosom are borne the products of eastern Asia, as well as her own commercial and agricultural produce, in which fish and lumber figure prominently.

DAKOTA.

As to Dakota, it is to me amusing, if not astonishing, that those who have had charge of our Territorial affairs in this House should require another expression from Dakota as to the matter of division.

Again and again, through her conventions of both parties and her legislatures, has she asked for that division, respectfully, earnestly, and persistently. The fact is that by the action of this Congress the question of division has practically disappeared. Still it is submitted by the third section of the substitute, and I am content if gentlemen desire to have it submitted again. It is be no obstacle to my vote for admission, and it seems to give our friends some relief; since no one desires to force Dakota apart in order to admit her as twins. It seems to be practically concluded that she will be divided according to the provisions of the bill, upon the seventh standard parallel. The submission of the question of division may be wasteful excess, but so long as it comports with a certain regularity in procedure I will not object to it.

Dakota in length and breadth, in population, in area, in wealth, and in progress, stands unexampled in the annals of mankind for material, political, and, I may say, intellectual and spiritual advancement. [Cheers.]

DIVISION OF DAKOTA.

I will not argue the propriety of dividing her, nor will I discuss now the necessity of complying with the rule which I have laid down—of giving to her population members of Congress in proportion to her population. It is the rule of the Constitution and the rule of right. But I will say that the census of 1890 will show that Dakota, which began with 14,000 population in 1870, and rose to 135,000 population in 1880, and has to-day over 600,000 population—I will say, that a State which leaped in the last decade, from 1870 to 1880, 885 per cent. in the increase of her population, will have in 1890, by the least computation, 1,329,750 people, with seven members of Congress to represent her in her entirety.

Every element connected with the progress of this remarkable Territory, including her 4,000 miles of railroad, all point with no unmistakable gesture toward the division of the State. There can be no greater indignity, Mr. Speaker, than in keeping so vast a country, with a population so energetic and hopeful, so industrious and far-sighted, under a Territorial form of government. The people there desire to vote for the Chief Magistrate of the Union. They desire to have a voice under the Constitution of the United States. They desire to have representation at this Capitol. They desire to govern themselves by their own elected officials. They desire that their income-less school lands shall be utilized for the education of their children. They desire courts of their own judges. They desire the right to make their own laws and to reform them at pleasure. They want neither the satraps of the Orient, nor the satraps of reconstruction.

When they pay their taxes, they desire a voice as to the disposition of the moneys. They desire even when traveling from one part of their Territory to another, something less than a thousand miles of their journey, for the argument of cases. Because there is little or no commercial intercourse between North and South Dakota; because one part is reached by one system of railroad and the other by another, and because they are different in their very organizations north and south, as well as in their homes of charity and institutions of learning, they wish that independency which division will give them, and that liberty to which they were accustomed before leaving their homes in the States to build an empire in the wilderness.

Dakota has already spoken for division through her conventions as she had often spoken before. Joining with her sisters, Montana and Washington, she appeals in behalf of the Northwest to this Congress of the nation for the recognition of her movement toward statehood. She points to her population and her wealth, and with no unmeaning gesture to the history of our States. She admonishes us that Kentucky came in with 74,000; Tennessee with 67,000, and yet she has ten times as many people as had either of these States on admission. She points to the admission of Ohio with her 35,000; Missouri with her 66,000; Michigan with her 65,000; Florida with her 64,000; Iowa with her 78,000; California with her 92,000; Oregon with her 50,000; Kansas with her 107,000; Minnesota with her 120,000; Nebraska and Colorado with their 100,000 each; and Nevada!—what an anti-climax!—[laughter] with her 40,000. She says to the nation, "Behold our 600,000 people, and give us the habiliments of statehood according to our growth!" When divided, South Dakota is five times the average of our States in population and North Dakota four times.

EARLY HISTORY OF DAKOTA.

The history of the Territory is that of fur-trading upon the Upper Missouri. Lewis and Clarke—pioneers hardy and true from West Virginia—were there in the beginning of the century. The first steamers visited there in 1830. In 1839 Frémont, and in 1841 Catlin visited Dakota; then military posts began to be established. It was not until 1856 that the first settlements began on lands bought of the Sioux, near Sioux Falls. Part of Dakota became a part of Minnesota Territory in 1851. In 1857 a land company from Minnesota traveled overland and established the town of Medary, in honor of one of my constituents from Ohio, then governor of Minnesota. In spite of many contests with the Indians—some of them bloody and horrible—the Territory was organized on 2d March, 1861, and grew wonderfully.

She is too large, too unwieldy, too top-heavy, to be admitted as a whole. Let us not forget the lessons of our State history. California seeks for division, or begins the agitation. So does New York; and but for her superb ante-State annals, so would Texas.

AREA OF DAKOTA AND OTHER TERRITORIES AND STATES.

I can remember very well the jealousy between tide-water Virginia and Virginia west of the Alleghanies. The constant bickerings between the two sections of Virginia never ceased until the Cæsarian operation during the war, whereby West Virginia was brought forth from the womb of the mother.

Dakota was not made one Territory because of any homogeneity of its soil or other elements. When it was organized its population did not number more than 5,000. Had it been divided into two Territories then, who would think now of making its territory into one State?

Look at this table and draw your own inference as to the argument which may be made in opposition to Dakota as a whole:

	Square miles.
Maine	29,895
New Hampshire	9,005
Vermont	9,135
Massachusetts	8,040
Rhode Island	1,085
Connecticut	4,845
New York	47,620
New Jersey	7,455
Maryland	9,866
Total	126,940
Dakota	150,932

A good deal has been said, sir, about the sectionalism of the recent tariff legislation. Much more will be said, likely, about sectionalism in connection with the Northern Territories if Democrats oppose their admission on party grounds. This is to be deprecated, and most of all by the Democratic party. Already it is hinted that the vote of South Carolina and Dakota is about the same; and yet South Carolina has nine votes in the Electoral College and Dakota none! Why none? it will be asked. Why no representation in Congress, and yet taxation? And if South Carolina or other Southern States prevent Dakota coming in, what will then be said? And if said, what is the answer? And who will respond?

TAXATION AND REPRESENTATION.

The question of the admission of Dakota is a question of taxation; for is it not the interest of the people even in the matter of money to have small States?

Oh, it may be said that it will cost more for salaries if there are two States instead of one; but those who say this do not know that about 100 per cent. is levied for general taxation when the area is undivided. That is the experience of Dakota. These facts demonstrate it:

Small States.	Levy per $100.	Large States.	Levy per $100.
Massachusetts	$0.09	Louisiana	$1.00
Rhode Island	.01½	Texas	.68
New Hampshire	.20	California	.56
Maryland	.17	Kansas	.50
New Jersey	.20	Missouri	.40
Michigan	.11	Minnesota	.30
Connecticut	.12½	New York	.30
Wisconsin	.10	Nebraska	.40
Delaware*		Georgia	.44
		Mississippi	.50

*None paid by railways.

These figures are taken from the census of 1880, and are authentic. They show that the larger the State and the farther the people are away from the seat of legislation, the more the fraud, the greater the corruption, combinations, and appropriations; and hence the greater the taxes. It is easy to see to which of the above classes of States Dakota would belong if she did not get division.

"The cost of paying our own officers," say the Dakota people, "is not a drop in the bucket compared to the appropriations we would save paying."

If it be true that the remoteness of the administrative offices from the seat of government tends to corruption and prodigality, then a large State like Dakota is an element of weakness, while a State of less size has an element of strength. Besides, it has been said by those who have urged the division of the State that the Territorial expense of Dakota by the last Legislature amounted to thousands more than the State of Wisconsin, and that there has been a constant increase of Territorial expense for the past few sessions of the Legislature. This statement shows the increase:

1880	$75,000
1883	150,000
1885	700,000
1887	1,400,000

So that representation and taxation have some meaning in connection with the admission of Dakota.

There are many complaints of the tyranny exercised by the "one-man power" in Dakota, which no Territorial legislation and no restraints by Congress have suppressed or can suppress. The governor—not chosen by the people, and generally an outsider appointed by the President—names ninety officers. These control the expenditure of all the revenues of the Territory. He appoints most of the other officers connected with the charities, colleges, and other institutions. There is a revenue of over half a million per annum expended by these officers, subject to the approval of the governor. In the last Legislature the governor refused to approve of any appropriation bills unless the expenditure was subject to his approval. So that the old American doctrine of taxation and representation was substantially nullified.

AREA AND RESOURCES.

But as Professor Bryce, the British observer, remarks, these Territories to be autonomous must be States, and here the question arises, Shall these States be top-heavy in the unpopular branch, the Senate? I beg pardon of the Senate, Mr. Speaker. I did not mean that the Senate was unpopular. [Laughter.] It is only plutocratic. [Laughter.] I meant to say it was not the popular branch. But to resume: Shall Nevada cancel New York? Shall these remote Territories, with mixed populations, be admitted, and nullify the votes of such imperial States as Texas, Georgia, and Pennsylvania in the national Senate?

Assuming that Montana, Washington, and New Mexico combined have three times the unit of representation, or about 450,000, and that Dakota has 600,000, there would be enough in Dakota, according to the unit rule of representation, for three or four members of Congress. So that Dakota would have in excess, if she were admitted as one State, enough for two other members of Congress in addition to the two which the "omnibus bill" would give her.

Moreover, a strong plea can be made for Dakota on the ground of her resources and her marvelous progress in all that makes up the State. Her area is 151,992 square miles. Her sister Territories, whom my friend from Illinois [Mr. SPRINGER] would seat in the same "omnibus" with her, have the following area: Montana, 145,310; Washington, 66,880; New Mexico, 122,460; or a total of 334,650 square miles.

This is somewhat more than double that of Dakota. But Montana, Washington, and New Mexico are mountainous, and likely to remain so for some time; their population is sparse, and also likely to remain so.

We know that nearly all of the soil of Dakota is fertile. It is filled up with the homes of people who are industrious and who can stand anything in the shape of disaster—from a March blizzard down to a summer's drought. When it comes to making grain Dakota can beat all the rest of the "omnibus." When it comes to banks, newspapers, and schools, she has the same preponderance.

Bishop Hare, in writing to the New York Herald, indicated the rapid growth of this great community when he said:

> You may stand ankle-deep in the short-burned grass of an uninhabited wilderness. Next month a railroad train glides over the waste. I have ridden into Dakota valley and pitched my tent. Lolling on my buffalo robe, I looked around and could see nothing but a wolf. When I visited the valley next year, lo! a train of Pullman palace cars. I camped on the flat bottom of land near the Missouri River that same trip. There was only a log hut, with a mud roof. No other sign of civilization. Within a year I revisited the spot, and lo! there was a town of two thousand.

"Seven thousand new-comers a month," exclaims the author of the Resources of Dakota, published in 1887.

Dakota's wheat crop in 1887 exceeds the record of any State in the Union. It was one-seventh of the entire crop of the United States in 1886. In 1886 the wheat crop of New York was 11,093,000 bushels, while Dakota's was 30,704,000; yet in 1860 Dakota raised only 945 bushels, and in 1887, 62,553,499 bushels. Whereas in 1860 the live stock of Dakota was worth about $40,000, in 1887 it was over forty-three millions! Her corn crop was 20,000,000 bushels per year; barley, oats, rye, flax, grass, buckwheat, and vegetables in proportion. Her railroad mileage was over 4,207 in 1887, and of railroads graded in 1887, 301 miles more. She has more completed railroad than either California, Tennessee, Nebraska, Virginia, North Carolina, Colorado, Alabama, or Georgia; twice as many miles as either Massachusetts, South Carolina, Florida, New Jersey, Mississippi, or Kentucky; more than three times that of either Maine, Maryland, West Virginia, Louisiana, or Oregon; more than four times that of New Hampshire, Vermont, or Connecticut; thirteen times the railway mileage of the gigantic State of Delaware, and twenty times that of the Brobdignagian State of Rhode Island!

Surely she is fitted for statehood if railroads or transportation facilities indicate a prosperous community. Even if she were divided, is she not entitled to a double statehood? Her manufactures and mining, as well as her crops, indicate ample prosperity. Besides, she has a cultured, moral, and refined people, whose schools, churches, and other moral advantages are the peers of those farther east. These indicate a preponderance of citizens of advanced nationality who have moved on isothermal lines to better their fortunes in the new Territory, which has shown so much alluring prosperity.

Of the population now at the end of 1888, likely numbering 650,000, one-third are of foreign birth, of which one-sixth are Canadian, and a few hundred Chinese, colored, and Indian citizens. The rest are of the stock which makes up New England and the Middle States.

It is not necessary to analyze, as the Department of Agriculture has, the samples of her soil in order to show why her percentages are so great of that organic matter out of which her grain stuffs and, ultimately, her meat stuffs are made.

The rich, dark drifts of alluvial loam, with its properties for holding moisture and for growing crops, illustrate the bounty of nature toward Dakota, for her very soil hoards her wealth, and this enrichment, with no need of manures, contains a "surplus" that no legislation can dissipate. Indeed, her surface is nearly all arable land. It is easily tilled and miraculously productive. There is no necessity to clear trees or remove stumps. This fertility beckoned the plow of the pioneer, and the plow came. Those interested in her advancement have given her resources in columns which astound the statistician. She has nearly 100,000,000 of acres of tillable land—more than that of any other State or Territory except Texas and California. Only one-half of it is occupied, and this would furnish farms of 160 acres each to three hundred thousand families, or two millions of people.

WHY NOT DIVIDE DAKOTA?

Why should she not be divided? She has within her breast two political communities. They are distinct in their interests, character, associations, and institutions—more so than the people of any of the contiguous States. To insist upon their admission as one State, in defiance of all the proprieties and utilities, would be to run counter to all that has been done both by parties and all legislators in the Territory and out. Why, her Territorial Legislature has located hospitals, asylums, penitentiaries, universities, colleges, and schools with a view to this natural division. Even bonds have been issued based upon a division of the Territory. The very names—North and South Dakota

—have been fixed with as much distinctness as these designations to the Carolinas. Is there any interest which requires that there should not be a separate and distinct political organism for each portion of the Territory? If it be political or partisan, let it be shown. Is the Republican party, which is sure to divide it, as they have the next Congress, to have all the merit of this act of wisdom?

The Territory, as a whole, is larger in extent than New York, Pennsylvania, New Jersey, Maryland, Delaware, and Virginia put together. It is 430 miles from its northern to its southern boundary, and 400 miles from its eastern to its western boundary.

It is as far from the southern to the northern boundary as Chicago is from Memphis, or New York from Raleigh.

To be candid, it must be stated that one-fourth of the acreage of the Territory is in Indian reservations. They are not within the Territorial jurisdiction; but the reservations are melting away before the progressive Caucasian!

It is proposed to divide the Territory not quite east or west or north or south, but nearly upon the forty-sixth parallel, or rather, on the "seventh standard parallel" which is some 5 miles south of the forty-sixth parallel, and that has been adopted as the boundary line of organized counties which are cut by the forty-sixth parallel. If divided into two States, South Dakota will have an area greater than any one of the States, except California, Colorado, Kansas, Minnesota, Nevada, Oregon, or Texas. It would exceed the whole of New England with New Jersey thrown in. It would be one-third larger than Iowa. It has a population running from 375,000 to 400,000. It is bounding ahead with a tremendous energy. Its wheat crop in 1887 was 60,000,000 bushels; its corn crop 26,000,000. Its mineral opulence figures up over $33,000,000 of gold and silver from the Black Hills since 1877. In addition to her soil and climate she has lignite coal, with 20-foot veins, which is quite a useful thing when the blizzards come.

A PEERLESS BEAUTY.

The report on these topics, gentlemen will recall—the report from which all others on the Republican side are taken—is from the urgent pen of General Harrison; and it must be heeded. Even my honored friend and colleague [Mr. BAKER] has learned from that report.

I might sum it all up in the lyric language of my colleague from New York [Mr. BAKER], who made the report of the minority in favor of South Dakota:

For ten years she has pressed herself, a peerless beauty in resources, wealth, numbers, and intelligence; the pride of all America, yet ignored by Congress and denied the right to enter her father's house!

This personification of Dakota as a fair female has received the *imprimatur* of many publications, for I have seen a picture of the Territory in female form, pointing with some pride to a stately column of figures showing the resources of other States and then pointing with sublime gesture and tearful indignation to a roll on which is inscribed her own magnificent area, accomplishments, and destiny.

NORTH DAKOTA.

The bill for North Dakota, or the territory lying north of the seventh parallel of surveys, authorizes the election of delegates to a convention to form a constitution. It is in the usual form. The Democratic majority of the House Committee, however, have interposed an adverse report.

What reasons will be given in favor of such a measure? First, the State will have an area of 74,000 square miles. It will be 400 miles long from east to west, and 214 miles wide from north to south. Its area will be equal to that of our largest States, with the exception of eight, namely: Nebraska, Kansas, Minnesota, Oregon, Colorado, California, Nevada, and Texas. It is a prairie and, like the rest of the Territory, fertile. It is capable of sustaining an immense population. It had already 225,000 people on the 1st of January of this year, as shown by official data in the office of the Secretary of the Interior.

It will be urged in favor of her admission that no State was ever organized from the public domain with such a population. The assessed value of her property for the purposes of taxation, including railroads, was seventy-two millions and a half, and her railroad mileage 1,966. The value of her school property and the outlay for schools, her schoolhouses, her newspapers, banks, and banking capital, all play their part in the argument which the Republicans and the friends of the division of the Territory will urge for the admission of North Dakota. The question is, Shall that party have the monopoly of the credit for its admission?

This immense growth has occurred since 1880. In 1870 her population was only 2,000. In 1880 it was 38,000. It is now 225,000. The next census will probably show enough for two members of Congress. However, that is dependent upon the ratio as it will be fixed by the Fifty-second Congress.

Much will also be said in favor of the patriotism, the institutions of learning and religion, and the soldier element, as well as the precedents which have been fixed by Federal legislation for statehood.

WHO DEFEATED THE ADMISSION OF THE DAKOTAS?

Why, then, has not one or the other or both of these Territories been admitted? Is it because their admission has been made the sport of party or of politics? I am afraid there has been too much of it. I remember to have read in the Chicago Times an article headed "Dakota the victim of both parties." It fixed the odium of denying Dakota admission to the sisterhood of States six years ago upon a Republican Senator. That Senator was Hon. EUGENE HALE, of Maine, because, as he thought, one county in Dakota had acted in bad faith as to a small amount of bonds held by his constituents. He interposed the fatal objection. He relegated her to a position of an outlying province. And yet Maine had at that time about the same population as Dakota and hardly one-half of the square miles of South Dakota.

It will be asked, why should Maine be favored with our Federal ægis and Dakota disfavored? Why should there be an ostracism upon this people, irrespective of the doctrines of Jefferson, Jackson, and Douglass, and popular sovereignty? Why should we oppose Mr. HALE'S party in building up the great Republican States in the Northwest, when the liberalities of trade and interchange, growing out of our philosophy and economy, would make them, in time, Democratic States?

DAKOTA AS SHE WAS.

Dakota has only recently been organized. It was within a decade a desolate wilderness, held only by the buffalo, the bear, and the not less savage Indian. Gradually the change began through the influences of our adventurous population and with the aid of steam and lightning. From a rude country, thinly settled, inhospitable to strangers and armed with ruffians, cowboys, and gamblers, with revolvers, the ramshackle stage, and the glittering bowie-knife, with an Indian war constantly menacing, all has been changed.

Already the ruffian is a myth; the gambler has gone to his last account; the cowboy rides upon the foothills of the Rocky Mountains, and the Indian at least is acquiescing in his changed condition, for his children, if not himself, are being educated and civilized under our institutions. The old fort, Sitting Bull, and all the wildness of those early days have given way to cities and towns and railroads and farms, and a population larger than that of many of the States looms up in majestic proportions, with all the paraphernalia of government and all the refinement of Christian civilization.

THE DEMAND FOR ADMISSION.

It is impossible, Mr. Speaker, to resist the demand of such a State even when divided. You can not enchain this Prometheus to a rock. Its organisms—counties, towns, and cities—governed just now as Indians are governed, by a remote Department in this city, can not afford to wait upon a Congress whose recreations are filibustering and whose best business habits are the ridicule of the nation. Why should such a country, so rich and prosperous and intelligent, be governed differently from Georgia or Massachusetts, Illinois or New York? You can not keep such a people down. Your Territorial organization and your two hundred Federal officers chosen outside; your governor, with his little brief authority, exacting that every dollar spent of the people's money should pass through his palms, is an alien system. Our fathers would have none of it in the Revolution, and our country were prompt to be rid of it after our civil war.

RESULT OF REFUSAL TO ADMIT.

Refuse to admit this State and its Territorial sisters? Why, sir, you may enact that frost shall cease in the North and blooms in the South, or try to fix the figure of Proteus by statute, but you can not prevent the people of this Territory from their demand, and you must accede to it; and if this Congress does not, we know that the next Congress will.

The spirit of this people of the Northwest is that of unbounded push and energy. These are the men who have tunneled our mountains, who have delved our mines, who have bridged our rivers, who have brought every part of our empire within the reach of foreign and home markets, who have made possible our grand growth and splendid development. They are the men who have made our national life. There is no parallel in history to their achievements. You can not hold them as captive to the Federal system. You must give them self-reliant statehood.

The historian of Rome draws a picture of the proud Queen of Palmyra arrayed in purple and loaded with golden chains to aggrandize the procession in honor of the conqueror of Asia. It needs no such imagination to picture the condition of our inchoate States in the West. They will wear no golden chains. No, sir! They will march in no procession of dishonor. Such exhibitions do not belong to our country. Our people are not to be led in fetters at the car of an imperial Congress. Why, such exhibitions were unfit even for pagan Rome. So that in every possible equipment, whether divided or united, this remarkable Territory is ready to join that circle of felicity which makes up the Federal fraternity.

PROGRESSIVE MOVEMENTS WEST.

In speaking of the admission, of Kansas, Mr. Speaker, on December 16, 1857, I made some remarks illustrative of the vast changes in our political and social existence upon this hemisphere as compared with the laggard movements of other nations. Here, change was the very condition of existence—

here, States are formed in the twinkling of an eye; cities grow up in a night, as if under the magic of Aladdin's lamp; here, economical ideas, more power-

ful than political tenets, are ever permeating the body political, to change its form and substance; here, the border men are students of politics, and seek popularity and wealth by ameliorating institutions; here, the telegraph throws its thought from the very Capitol in which we speak to the borders of our territory; and the "goblin of steam," under the aid of Congressional land grants, is doing the work of years in a week, and the work of a hundred years in one. Behind its power the dwarf removes mountains and bridges rivers; civilization follows in the train.

* * * * * * *

Here, in America, where the changes of a year are equal to the changes of a century in Europe, and where the changes of a lustrum only herald greater changes; and all through change, working out that secular magnificence which is the destiny of our land.

We should be mindful of those laws that bring to the front those States upon our border whose destiny will be our own. I will not say that all the hardy sons of New England, New York, and the other Middle and Eastern States have emigrated to the West and followed the isothermal line to make up the million of men who now ask under this bill for statehood. But such an emigration of men who can grapple with the hardships of pioneer life do drain the best element of our older States.

There is a class of peculiar people remaining in New England, if not in New York. It is stranded on some rock-bound farm in some bucolic town. [Laughter.] This class generally has a big family. Its head raises blueberries in spite of the mortgage on his worthless acres. [Laughter.] He has found that the lucky, thrifty, and unshiftless neighbor has gone to the West, where no isolation depresses him, and where he is energized by new surroundings; but he remains—or it, the class, in blocks of five or fifty—on its paternal acres, while the evolution goes on which brings to the new order and new lands the fittest as survivors!

The emigration from the Eastern States constitutes the nerve, the sinew, the muscle, and the mind which penetrates the wilderness and builds up our commonwealth. It is the unaided energy which has made a million of men stand in intelligent masses and ask of the Federal Government participation in its blessings and its glories. The pioneer recks not of the past; he works in the living present. All the energies of his nature are aroused by the splendid prospect and by the glowing inspiration of budding commonwealths. Government itself is but an incident in the march of his civilization. No figures of speech, no flights of imagination can picture or compass the achievements of this State-creating and man-ennobling advancement. Like the eagle, to which our nation is often compared, he seeks a wider ether for his wing and the fire within his heart seeks the source of all illumination—the sun itself. [Cheers.]

How much nobler and wiser is the effort to install and institute such States of our own land, rather than chase the *ignis fatuus* of Canadian annexation. There will be time for that when our nebulous Territories put off their rudimentary and don their stately stoles of independence!

At this time in the world's history, when the overgrown nations of Europe are seeking fresh colonial dependencies, when the centers of Asia and Africa and the coasts and islands of every sea are scrutinized as homes for immigration, is it not ennobling to contemplate the quiet yet immense expansion of our numbers and our realm within our own boundaries during the past hundred years, and to feel that glowing pride over the prediction of what our country shall be when another century comes around?

This energetic and hopeful population have in their veins the vigorous blood of many races. They have inherited the material, intellectual, and moral triumphs of the Old and New Worlds and their civilizations. They settle upon soil which has no rival in richness and no peer in production. Their faith in their future is buoyant. No perplexity about their fortune; no weariness in their work; no despondency in their hope—exulting ever in their strength, these millions move on to fill up our territory from sea to sea, from Canada to the Gulf, and from north to south. Restless, active, and yet steady, like the movements of the heavenly bodies, shining as they move in orbits of their own, and yet to the casual eye fixed in our heavens as the stars.

There is a chapter in the book of Professor Bryce, whose spirit, outvying the careful analysis of De Tocqueville, is of the very essence of democratic-republicanism. It deals with the temper of the West.

A HOROSCOPE OF THE GREAT WEST.

Western America, to this author, is the most interesting subject of study which the modern world has seen. Its territories, resources, and climate; its variety of production, such as mountains of minerals, forests of trees of fabulous height, appliances of modern science, and other phenomena, make Western America, to the eye of this observer, without precedent in history. He says that it may not recur elsewhere, because our planet contains no such other favored tract of country. He lays most stress upon the character and temper of the men of this region. The West is to him the most American part of America. Here those features which distinguish America from Europe come out in the strongest relief. He exclaims:

What Europe is to Asia, what England is to the rest of Europe, what America is to Europe and England, that the Western States and Territories are to the Atlantic States. The heat and pressure and hurry of life, always growing, is that following the path of the sun.

He sees what we are very prone to forget, that in Eastern America there are still quiet spots in the valleys of the Alleghanies, in the nooks of old New England and in our university towns, which doubtless reminded him of some places in England and elsewhere in Europe, as they have reminded me of places in the Orient. But in the West there is none. All is bustle, motion, and struggle, more so, of course, among the native Americans. Yet, even the alien from the secluded valleys of Bohemia or the shores of some Norwegian fiord learns the ways almost as readily as the tongue of the country, and is soon swept into the whirlpool. This is the frontier spirit, with its passionate eagerness and strenuous effort. It would extract the greatest amount of values from mining, hills, territories, and fields, and with a passion so absorbing as to be unselfish. It takes from its very vastness a tinge of ideality. It makes routes for exchangeable commodities with a rapidity which seeks a market with one hand and throttles a monopoly with the other.

He sees this remarkable people intoxicated by the majestic scale of nature in which their lot is cast. Their imagination revels in every sight. They gild their own struggles with the belief that they are the missionaries of civilization and the instruments of Providence in the greatest work the world has ever seen. They live in the future rather than in the present; not that they fail to work while it is called to-day, but they see the country not merely as it is, but as it will be twenty, fifty, or one hundred years hence, when the seedlings shall have grown to forest trees.

Before this all-pervading spirit governments become mere incidents in the race of advancement. Their people will use governments as they use plows and saw-mills and ore-crushers and locomotives, and when they come to Congress in the robes of statehood they little care what party may have made the robes or embroidered them with land largesses for schools, political franchises for men, decent domesticates for women, and liberty and independence for all. [Applause.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced the passage of a bill (S. 205) for the relief of the State National Bank of Louisiana; in which concurrence was requested.

ENROLLED BILL SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (H. R. 5349) for the relief of James Trabue, executor of James Trabue, deceased, Thornton Thatcher, Michael Callahan, and the widow of John Waters; when the Speaker signed the same.

ADMISSION OF SOUTH DAKOTA.

Mr. BAKER, of New York. Before the gentleman from Dakota takes the floor, I desire to ask unanimous consent that the proposed substitute of the gentleman from Illinois, and the amendment which I understand the gentleman from Minnesota proposes to offer, be printed in the RECORD, so that members of the House may read them in the morning, with the amendments offered by the gentleman from Dakota.

The SPEAKER. The amendments offered by the gentleman from Dakota will necessarily be printed in the RECORD. Is there objection to the request of the gentleman from New York?

Mr. MACDONALD. I ask that it include the amendments proposed by anybody.

Mr. RICHARDSON. I would like to ask the gentleman from Illinois how much space the substitute and amendments would occupy.

Mr. SPRINGER. It is the substitute which I desire to submit.

There was no objection, and it was so ordered.

Mr. SPRINGER submitted the following substitute for "An act (S. 185) to provide for the admission of the State of South Dakota into the Union, and for the organization of the Territory of North Dakota."

Strike out all after the enacting clause and insert the following:

SECTION 1. That the inhabitants of all that part of the area of the United States now constituting the Territories of Dakota, Montana, Washington, and New Mexico, as at present described, may become the States of Dakota, Montana, Washington, and New Mexico, respectively, or in lieu of the State of Dakota, the States of North Dakota and South Dakota, as hereinafter provided.

SEC. 2. That all persons who shall have resided within the limits of said proposed States for sixty days, and are otherwise qualified by the laws of said Territories to vote for representatives to the Legislative Assemblies thereof, are hereby authorized to vote for and choose delegates to form conventions in said Territories; and the qualifications for delegates to such conventions shall be such as by the laws of said Territories respectively persons are required to possess to be eligible to the Legislative Assemblies thereof; and the aforesaid delegates to form said conventions shall be apportioned among the several counties within the limits of the proposed States, in such districts as may be established as herein provided, in proportion to the population in each of said counties and districts, as near as may be, to be ascertained at the time of making said apportionments by the persons hereinafter authorized to make the same, from the best information obtainable, in each of which districts three delegates shall be elected, but no elector shall vote for more than two persons for delegates to such conventions; that said apportionments shall be made by the governor, the chief-justice, and the United States attorney of said Territories; and the governors of said Territories shall, by proclamation, order an election of the delegates aforesaid in each of said Territories, to be held on the Tuesday after the second Monday in May, 1889, which proclamation shall be issued at least thirty days prior to the time of said election; and such election shall be conducted, the returns made, the result ascertained, and the certificates to persons elected to such conventions issued in the same manner as is prescribed by the laws of the said Territories regulating elections therein for Delegates to Congress. The number of delegates to said conventions respectively shall be seventy-five, except in the Territory of Dakota, in which the number of delegates shall be one hundred and fifty; and all persons resident in said proposed States, who are qualified voters of said Territories as herein provided, shall be

entitled to vote upon the election of delegates and upon the ratification or rejection of the constitutions, under such rules and regulations as said conventions may prescribe, not in conflict with this act: *Provided*, That in the apportionment of delegates to the convention in the Territory of Dakota, the districts shall be so constituted that one-half of the delegates to be elected in said Territory shall be elected in districts north of the seventh standard parallel produced due west to the western boundary of said Territory, and one-half in districts south of said parallel.

SEC. 3. That at the election for delegates to the constitutional convention in the Territory of Dakota provided for in the foregoing section of this act, each qualified elector may have written or printed on his ballot the words "For division" or the words "Against division." The returns on this question shall be made and the result ascertained in the same manner as provided in said section. And if a majority of the votes cast in that part of the Territory south of the seventh standard parallel produced due west to the western boundary of said Territory shall be "For division," and also if a majority of the votes cast in that part of the Territory north of said parallel shall be "For division," then in both those events the following provisions in this section set forth shall take effect and be in force and all subsequent sections of this act shall be changed and modified accordingly, namely:

First. The area comprising the Territory of Dakota shall, for the purposes of this act, be divided on the line of the seventh standard parallel produced due west to the western boundary of said Territory; and the delegates elected to the constitutional convention in districts north of said parallel shall assemble in convention, at the time prescribed in this act, at the city of Bismarck; and the delegates elected in districts south of said parallel shall, at the same time, assemble in convention at the city of Sioux Falls. The convention which shall assemble at Bismarck shall form a constitution and State government for a State to be known as North Dakota or as Dakota, if said convention shall so determine, and the convention which shall assemble at Sioux Falls shall form a constitution and State government for a State to be known as South Dakota, or by any other name than that of Dakota which said convention may determine. Each of said conventions shall form such constitution and State government in accordance with and subject to all the provisions of this act the same as if the States of North Dakota and South Dakota had been provided for in the first section of this act, and mentioned instead of the State of Dakota in all the subsequent sections of this act.

Second. Each of the States of North Dakota and South Dakota shall be entitled to one Representative in Congress until the apportionment for Representatives in Congress under the eleventh census of the United States.

Third. The donations of public lands provided for in this act to be granted to the State of Dakota shall apply to and be granted to each of the States of North Dakota and South Dakota, as far as applicable, and Congress will in the act or acts admitting said States into the Union, equalize and adjust the donations of public lands therein so that each of said States shall receive substantially the same amount of public lands, according to their respective areas, as are granted to the States of Montana, Washington, and New Mexico.

Fourth. The appropriation for paying the expenses of constitutional conventions and the compensation of the members thereof, authorized by section 18 of this act, shall be increased so as to appropriate the sum of $20,000 for each of the conventions in North Dakota and South Dakota.

Fifth. It shall be the duty of the constitutional conventions of North Dakota and South Dakota to appoint a joint commission, to be composed of not less than three members of each convention, whose duty it shall be to assemble at the present seat of government of said Territory and agree on an equitable division of all property belonging to the Territory of Dakota, the disposition of all public records, and also adjust and agree upon the amount of the debts and liabilities of the Territory, which shall be assumed and paid by each of the proposed States; and the agreement reached respecting the Territorial debts and liabilities shall be incorporated in the respective constitutions, and each State shall obligate itself to pay its proportion of such debts and liabilities the same as if they had been created by such States respectively.

Sixth. If the constitutions formed for both North Dakota and South Dakota shall be rejected by the people at the election provided for in this act, the Territorial government of Dakota shall continue in existence the same as if this act had not been passed. But if the constitution formed for either North or South Dakota shall be rejected by the people, that part of the Territory so rejecting its proposed constitution shall continue under the Territorial government of the present Territory of Dakota, but shall, after the State adopting its constitution is admitted into the Union, be called by the name of the Territory of North Dakota or South Dakota, as the case may be.

SEC. 4. That the delegates to the conventions elected as provided in this act shall meet at the seat of government of each of said Territories on the 4th day of July, 1889, and, after organization, shall declare, on behalf of the people of said proposed States, that they adopt the Constitution of the United States; whereupon the said conventions shall be, and are hereby, authorized to form constitutions and State governments for said proposed States, respectively. The constitutions shall be republican in form, and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence. And said conventions shall provide, by ordinances irrevocable without the consent of the United States and the people of said States:

First. That perfect toleration of religious sentiment shall be secured and that no inhabitant of said States shall ever be molested in person or property on account of his or her mode of religious worship.

Second. That the people inhabiting said proposed States do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries thereof, and to all lands lying within said limits owned or held by an Indian or Indian tribes; and that until the title thereto shall have been extinguished by the United States the same shall be and remain subject to the disposition of the United States, and said Indian lands shall remain under the absolute jurisdiction and control of the Congress of the United States; that the lands belonging to citizens of the United States residing without the said State shall never be taxed at a higher rate than the lands belonging to residents thereof; that no taxes shall be imposed by the States on lands or property therein belonging to or which may hereafter be purchased by the United States or reserved for its use. But nothing herein, or in the ordinances herein provided for, shall preclude the said States from taxing as other lands are taxed any lands owned or held by any Indian who has severed his tribal relations and has obtained from the United States or from any person a title thereto by patent or other grant, save and except such lands as have been or may be granted to any Indian or Indians under any act of Congress containing a provision exempting the lands thus granted from taxation; but said ordinances shall provide that all such lands shall be exempt from taxation by said State so long and to such extent as such act of Congress may prescribe.

Third. That the debts and liabilities of said Territories shall be assumed and paid by the said States respectively.

Fourth. That provision shall be made for the establishment and maintenance of systems of public schools, which shall be open to all the children of said States and free from sectarian control.

SEC. 5. That in case constitutions and State governments shall be formed in compliance with the provisions of this act, said conventions forming the same shall provide by ordinances for submitting said constitutions to the people of said States for their ratification or rejection, at an election to be held in each of said Territories on the Tuesday after the first Monday of November, 1889, at which election the qualified voters of said proposed States shall vote directly for or against the proposed constitutions, and for or against any provisions separately submitted. The returns of said elections shall be made to the secretary of each of said Territories, who, with the governor and chief-justice thereof, or any two of them, shall canvass the same; and if a majority of the legal votes cast shall be for the constitution, the governor shall certify the result to the President of the United States, together with a statement of the votes cast thereon and upon separate propositions, and a copy of said declaration, constitution, and ordinances.

SEC. 6. That until the next general census, or until otherwise provided by law, said States shall be entitled to one Representative in the House of Representatives of the United States, except Dakota, which, if admitted as one State, shall be entitled to two, but if admitted as two States such number as may be provided in the third section of this act; and such Representatives, together with the governors and other officers provided for in said constitutions, may be elected on the same day of the election for the adoption of the constitution; and until said State officers are elected and qualified under the provisions of each constitution, respectively, and the States, respectively, are admitted into the Union, the Territorial officers shall continue to discharge the duties of their respective offices in each of said Territories.

SEC. 7. That sections numbered 16 and 36 in every township of said proposed States, and where such sections, or any parts thereof, have been sold or otherwise disposed of by or under the authority of any act of Congress, other lands equivalent thereto, in legal subdivisions of not less than one quarter-section, and as contiguous as may be to the section in lieu of which the same is taken, are hereby granted to said States for the support of common schools: *Provided*, That the sixteenth and thirty-sixth sections embraced in permanent reservations for national purposes shall not at any time be subject to the grants nor to the indemnity provisions of this act, nor shall any lands embraced in Indian, military, or other reservations of any character be subject to the grants or to the indemnity provisions of this act until the reservation shall have been extinguished and such lands be restored to and become a part of the public domain.

SEC. 8. That when either or any of the proposed States shall be admitted into the Union in accordance with the provisions of this act, fifty sections of the unappropriated public lands within said State, to be selected and located in legal subdivisions by direction of the Legislature thereof, with the approval of the Secretary of the Interior, on or before the 1st day of January, 1892, shall be, and are hereby, granted to said State for the purpose of erecting public buildings at the capital of said State for legislative, executive, and judicial purposes.

SEC. 9. That so much of the lands belonging to the United States as has been acquired and set apart for the purpose mentioned in "An act appropriating money for the erection of a penitentiary in the Territory of Dakota," approved March 2, 1881, together with the buildings thereon, be, and the same is hereby, granted, together with any unexpended balances of the moneys appropriated therefor by said act, to said State of Dakota, or to the State of South Dakota, if said State should be divided, as provided in this act, for the purposes therein designated; and the States of New Mexico and Washington shall, respectively, have like grants for the same purpose, and subject to like terms and conditions as provided in said act of March 2, 1881, for the Territory of Dakota. The penitentiary at Deer Lodge City, Mont., and all lands connected therewith and set apart and reserved therefor, are hereby granted to the State of Montana.

SEC. 10. That 90,000 acres of land, to be selected and located as provided in section 8 of this act, are hereby granted to each of said States for the use and support of agricultural colleges in said States, as provided in the acts of Congress making donations of lands for such purpose.

SEC. 11. That 5 per cent. of the proceeds of the sales of public lands lying within said States which shall be sold by the United States subsequent to the admission of said States into the Union, after deducting all the expenses incident to the same, shall be paid to the said States, to be used as a permanent fund, the interest of which only shall be expended for the support of the common schools within said States respectively.

SEC. 12. That all lands herein granted for educational purposes, except as hereinafter otherwise provided, shall be disposed of only at public sale, and at a price not less than $10 per acre, the proceeds to constitute a permanent school fund, the interest of which only shall be expended in the support of said schools. But said lands may, under such regulations as the Legislatures shall prescribe, be leased for periods of not more than five years, in quantities not exceeding one section to any one person or company. In all cases where actual settlers have located, resided upon, and made valuable improvements on section 16 or 36, prior to the 1st day of January, 1890, with the intention in good faith of purchasing such lands from the State upon its admission, the respective Legislatures may provide for disposing of so much of the lands so settled upon, to such settlers, their heirs, or legal representatives, at a price not less than $6 per acre, to be fixed by appraisement of the value of the lands, exclusive of improvements.

The appraisement of such lands shall be made in the manner following:

The actual settler shall, within one year after the admission of such State into the Union, apply to the court in the county or district where the land is situated, having general common law and chancery jurisdiction, setting forth the facts of settlement and cultivation in good faith and praying for appraisement and sale of such land, making the county superintendent of schools of the county in which the land is situated, or, if there be no such officer, the county treasurer, the party defendant. The court shall thereupon appoint three commissioners, who shall be freeholders and wholly disinterested, whose duty it shall be to appraise such land at the actual cash value at the time of such appraisement and the improvements thereon, separately, under oath, and make report thereof to the court. The court shall thereupon make an order for the sale of such land either to the settler at the appraised value thereof or at public sale to the highest bidder, in such manner as the court may deem just to the public and the settler.

SEC. 13. That the lands granted to the Territories of Dakota and Montana by the act of February 18, 1881, entitled "An act to grant lands to Dakota, Montana, Arizona, Idaho, and Wyoming for university purposes," are hereby vested in the States of Dakota and Montana, respectively, or in the States of North Dakota and South Dakota if such States are formed as provided in this act, to the extent of the full quantity of seventy-two sections to each of said States, and any portion of said lands that may not have been selected by either of said Territories of Dakota or Montana may be selected by the respective States; but said act of February 18, 1881, shall be so amended as to provide that none of said lands shall be sold for less than $10 per acre, and the proceeds shall constitute a permanent fund to be safely invested and held by said States severally, and the income thereof be used exclusively for university purposes. And the lands, to the extent of two townships in quantity, authorized by the sixth section of the act of July 22, 1854, to be reserved for the establishment of a university in New Mexico, are hereby granted to the State of New Mexico for university purposes, to be held and used in accordance with the provisions of this section. And such quantity of the lands authorized by the fourth section of the act of July 17, 1854, to be reserved for university purposes in the Territory of Washington, as together with the lands confirmed to the vendees of the Territory by the act of March 14, 1864, will make the full quantity of seventy-two entire sections, are hereby granted in like manner to the State of Washington for the purposes of a university in said State. None of the lands granted in this section shall be sold at less than $10 per acre; but said lands may be leased in the same manner as provided in section 12 of this act. The schools, colleges, and universi-

ties provided for in this act shall forever remain under the exclusive control of the said States, respectively, and no part of the proceeds arising from the sale or disposal of any lands herein granted for educational purposes shall be used for the support of any sectarian or denominational school, college, or university. The section of land granted by the act of June 16, 1880, to the Territory of Dakota for an asylum for the insane shall, upon the admission of said State of Dakota into the Union, become the property of said State, or of the State of North Dakota or South Dakota, as the case may be.

SEC. 14. That all mineral lands shall be exempted from the grants made by this act. But if sections 16 and 36, or any subdivision or portion of any smallest subdivision thereof in any township, shall be found by the Department of the Interior to be mineral lands, said States are hereby authorized and empowered to select, in legal subdivisions, an equal quantity of other unappropriated lands in said States, in lieu thereof, for the use and the benefit of the common schools of said States.

SEC. 15. That in lieu of the grant of land for purposes of internal improvement made to new States by the eighth section of the act of September 4, 1841, which act is hereby repealed as to the States provided for by this act, and in lieu of any claim or demand by the said States, or either of them, under the act of September 28, 1850, and section 2479 of the Revised Statutes, making a grant of swamp and overflowed lands to certain States, which grant it is hereby declared is not extended to the States provided for in this act, and in lieu of any grant of saline lands to said States, the following grants of land are hereby made, to wit:

To the State of Dakota: For the maintenance of a school of mines at Rapid City, 50,000 acres; for the reform school at Plankington, 50,000 acres; for the deaf and dumb asylum at Sioux Falls, 50,000 acres; for agricultural colleges at Fargo and Brookings, 50,000 acres each; for the State normal schools at Madison, Spearfish, Springfield, and Minto, 25,000 acres each; for public buildings at the capital of the State, 150,000 acres, in addition to the fifty sections hereinbefore granted for that purpose. If the States of North Dakota and South Dakota are formed as provided in this act, the donations shall be made to the States in which said places are located, and other donations shall be made to each of said proposed States as provided in section 3 of this act.

To the State of Montana: For the establishment and maintenance of a school of mines, 100,000 acres; for State normal schools, 100,000 acres; for agricultural colleges, in addition to the grant hereinbefore made for that purpose, 50,000 acres; for the establishment of a State reform school, 50,000 acres; for the establishment of a deaf and dumb asylum, 50,000 acres; for public buildings at the capital of the State, in addition to the grant hereinbefore made for that purpose, 150,000 acres.

To the State of New Mexico: For the establishment of permanent water reservoirs for irrigating purposes, 250,000 acres; for the establishment of an insane asylum, 50,000 acres; for the establishment of State normal schools, 50,000 acres; for the establishment of a school of mines, 50,000 acres; for the establishment of a deaf and dumb asylum, 50,000 acres; for the establishment of a reform school, 50,000 acres.

To the State of Washington: For the establishment and maintenance of a scientific school, 100,000 acres; for State normal schools, 100,000 acres; for public buildings at the State capital, in addition to the grant hereinbefore made for that purpose, 100,000 acres; for State charitable, educational, penal, and reformatory institutions, 200,000 acres.

That the States provided for in this act shall not be entitled to any further or other grants of land for any purpose than as expressly provided in this act. And the lands granted by this section shall be held, appropriated, and disposed of exclusively for the purposes herein mentioned, in such manner as the Legislatures of the respective States may severally provide.

SEC. 16. That all lands granted in quantity or as indemnity by this act shall be selected under the direction of the Secretary of the Interior from the surveyed, unreserved, and unappropriated public lands of the United States within the limits of the respective States entitled thereto. And there shall be deducted from the number of acres of land donated by this act for specific objects to said States the number of acres in each heretofore donated by Congress to said Territories for similar objects.

SEC. 17. That the conventions herein provided for shall have the power to provide, by ordinance, for the transfer of actions, cases, and matters pending in the supreme or district courts of the Territories of Dakota, Montana, Washington, and New Mexico at the time of the admission of the said States into the Union, arising within said Territories, respectively, to such courts as shall be established under the constitutions to be formed as provided in this act; and no indictment, action, or proceeding shall abate by reason of any change in the courts, but shall be proceeded with in the State courts according to the laws thereof.

SEC. 18. That the sum of $20,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to each of said Territories for defraying the expenses of the said conventions, except to Dakota, for which the sum of $35,000 is so appropriated, and for the payment of the members thereof, under the same rules and regulations and at the same rates as are now provided by law for the payment of the Territorial Legislatures. Any money hereby appropriated not necessary for such purpose shall be covered into the Treasury of the United States.

SEC. 19. That the constitutional conventions may, by ordinance, provide for the election of full State governments, including members of the Legislatures and Representatives in Congress; but said State governments shall remain in abeyance until the constitutions framed by said conventions shall have been approved by Congress. In case the constitution of any of said proposed States shall be ratified by the people, but not otherwise, the Legislature thereof may assemble, organize, and elect two Senators of the United States; and the governor and secretary of state of such proposed State shall certify the election to Congress; and when the constitution so framed is approved by Congress, and such State admitted into the Union by special act of Congress therefor, the Senators and Representatives shall be admitted to seats in Congress, and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States; and the State governments formed in pursuance of said constitutions, as provided by the constitutional conventions, shall proceed to exercise all the functions of State officers; and all laws in force made by said Territories at the time of their admission into the Union shall be in force in said States, except as modified or changed by this act or by the constitutions of the States, respectively.

SEC. 20. That the constitutional convention to assemble in the Territory of New Mexico, as hereinbefore provided, shall submit to the people, as a separate proposition, to be voted upon at the same time that the vote upon the constitution is taken, the question of changing the name of the State from that of the State of New Mexico to that of the State of Montezuma, and if a majority of voters shall be in the affirmative the name of the State shall, upon its admission, be Montezuma; and all the powers, rights, privileges, grants, and obligations pertaining under this act to the State of New Mexico shall attach to, be vested in, and imposed upon the State of Montezuma; and the constitutional convention of Washington Territory shall, in like manner, and with like effect, submit to the people the question of changing the name of that State from Washington to Tacoma.

SEC. 21. That all acts or parts of acts in conflict with the provisions of this act, whether passed by the Legislatures of said Territories or by Congress, are hereby repealed.

Amend the title so as to read: "A bill to enable the people of Dakota, Montana, Washington, and New Mexico to form constitutions and State governments and to be admitted into the Union on an equal footing with the original States, to provide for the division of Dakota into two States, and to make donations of public lands to such States."

Amend further by striking out the preamble of said bill.

Mr. SPRINGER. I desire now to ask unanimous consent that any gentleman who desires to print remarks upon any of these Territorial admission bills may have leave to do so.

The SPEAKER. Is there objection?

Mr. WARNER. At the present time this is rather premature, and I object for the present.

On motion of Mr. MACDONALD, leave was granted for members to file amendments to be printed in the RECORD.

They are as follows:

Mr. MACDONALD moved to amend the substitute offered by the gentleman from Illinois [Mr. SPRINGER] by striking out all after the words and figures "Section 1," in line 3 thereof, and inserting in lieu thereof the following:

That the State of South Dakota is hereby declared to be a State of the United States of America, and is hereby admitted into the Union on an equal footing with the original States in all respects whatever; and that the constitution which the people of South Dakota have formed for themselves be, and the same is hereby, accepted, ratified, and confirmed, subject, however, to the provisos hereinafter contained.

SEC. 2. That the following shall be the boundaries of the said State of South Dakota, to wit: Beginning at the point of intersection of the western boundary line of the State of Minnesota with the northern boundary line of the State of Iowa, and running thence northerly along the western boundary line of the State of Minnesota to its intersection with the seventh standard parallel, where in its easterly course it intersects said boundary line; thence west along the said seventh standard parallel to the easterly bank of the Missouri River at low-water mark; thence up the said Missouri River along the easterly bank thereof at low-water mark to the point of intersection with the forty-sixth parallel of north latitude; thence west along the forty-sixth parallel of north latitude to its intersection with the twenty-seventh meridian of longitude west from Washington; thence south on the twenty-seventh meridian of longitude west from Washington to its intersection with the northern boundary line of the State of Nebraska; thence easterly along the northern boundary line of the State of Nebraska to its intersection with the western boundary line of the State of Iowa; thence northerly along the western boundary line of the State of Iowa to its intersection with the northern boundary-line of the State of Iowa; thence east along the northern boundary line of the State of Iowa to the place of beginning.

SEC. 3. That the said State of South Dakota shall have concurrent jurisdiction of the river Missouri and of every other river bordering on the said State of South Dakota, so far as the said rivers shall form a common boundary to the said State and any other State or States or Territory or Territories now or hereafter to be formed, said rivers to be common to both; and that the said river Missouri shall be a common highway, and forever free as well to the inhabitants of said State as all other citizens of the United States, without any tax, duty, impost, or toll imposed by said State of South Dakota therefor.

SEC. 4. That until the next census and apportionment shall be made the said State of South Dakota shall be entitled to two Representatives in the House of Representatives of the United States Congress.

SEC. 5. That to defray the expenses of the constitutional convention held by the people of said State, and of elections held therefor and thereunder, the sum of $25,000, or so much thereof as may be necessary, is hereby appropriated, out of any funds in the Treasury not otherwise appropriated, to be paid to the treasurer of said State upon the requisition of the Legislature thereof, setting forth the items and particulars of such expenses so incurred.

SEC. 6. That sections 16 and 36 in every township of the public lands of the United States, within said State, and where such sections, or any part thereof, shall be mineral lands, or shall have been sold or otherwise disposed of by the United States according to law, other lands equivalent thereto, in legal subdivisions of not less than one-quarter section, are hereby granted to the said State for the support of common schools; and such sections shall not be subject to pre-emption or entry, whether surveyed or unsurveyed, but shall be reserved for school purposes only.

SEC. 7. That thirty entire sections of the unappropriated public lands within said State, to be selected and located by direction of the Legislature thereof, with the approval of the President, shall be, and are hereby, granted, in legal subdivisions of not less than one quarter-section, to the said State for the purpose of erecting public buildings at the capital of said State for legislative and judicial purposes, to be disposed of in such manner as the Legislature shall prescribe. The lands may be selected out of the public lands within the boundaries of said State, whether surveyed or unsurveyed.

SEC. 8. That so much of seventy-two sections of land granted by the act of February 18, 1881, to the Territory of Dakota for the use of a university, as lies within the said boundaries of the State of South Dakota, is hereby granted and confirmed to said State for such purpose, and, in addition thereto, a sufficient number of sections to make a total of seventy-two. If any of the lands granted by said act of February 18, 1881, and lying within the boundaries of said State, have been sold under the provisions thereof, then the proceeds thereof shall go to said State in lieu of the land sold.

SEC. 9. That ninety sections of land, to be selected and located as provided in section 8 of this act, are hereby granted to said State for the use and support of an agricultural college in said State, and none of the lands granted by this act, or the proceeds thereof, shall be used for any other purpose than that for which the grant is specifically made whatever; and for the maintenance of a school of mines at Rapid City, Dak., there is hereby granted, with the conditions aforesaid, fifty sections of land.

SEC. 10. That so much of the lands belonging to the United States as have been acquired and set apart for the purpose mentioned in "An act appropriating money for the erection of a penitentiary in the Territory of Dakota," approved March 2, 1881, together with the buildings thereon, be, and the same is hereby, granted, together with twenty sections more of the unappropriated public lands to be selected as herein provided, to the State of South Dakota for the purpose aforesaid.

SEC. 11. That 5 per cent. of the net proceeds of sales of all public lands made by the United States within the limits of the said State, prior or subsequent to the passage of this act, after deducting all expenses incident to the same, be, and the same is hereby, granted to the said State of South Dakota for the support of public schools.

SEC. 12. That all mineral land shall be excepted from the grants provided for in this act.

SEC. 13. That immediately after the taking effect of this act the governor and the commissioner of school and public lands of said State shall proceed to ascertain the number of sections 16 and 36 within the limits of said State which are mineral lands, or which shall have been sold or otherwise disposed of by the United States according to law; and the said officers shall then proceed to select, from any unappropriated public lands in said State, a number of sections equal to such mineral lands and the lands so sold or disposed of; and said officers

shall also, in addition thereto, select a number of sections equal in number to the total number of sections granted in this act for other than common-school purposes; and when such selections shall have thus been made said officers shall certify a list of the same to the Secretary of the Interior, and if the same shall be approved by him the title to the same shall vest in the said State of South Dakota.

SEC. 14. That all lands herein granted for common-school purposes shall be sold only at public sale and at a price not less than $5 per acre and in parcels not exceeding one quarter-section to any one person, the proceeds to constitute a permanent school fund, the interest of which is only to be expended in the support of common schools.

SEC. 15. That the State of South Dakota shall constitute one judicial district, which shall be called the district of South Dakota, and the circuit and district courts therefor shall be held at the capital of said State for the time being. The judge of said district shall receive a yearly salary of $5,000, payable in four equal installments, on the 1st days of January, April, July, and October of each year, and shall reside in his district. There shall be appointed clerks of said courts, who shall keep their offices at the capital of said State. There shall be appointed for said district one district judge, one United States attorney, and one United States marshal. The regular terms of said courts shall be held at the place aforesaid, on the first Monday in April and the first Monday in November in each year. For judicial purposes the district of South Dakota shall be attached to the eighth judicial circuit, and only one grand jury and one petit jury shall be summoned in both of said courts.

SEC. 16. That the circuit and district courts for the district of South Dakota, and the judges thereof, respectively, shall possess the same powers and jurisdiction and perform the same duties possessed and required to be performed by the other circuit and district courts and judges of the United States, and shall be governed by the same laws and regulations.

SEC. 17. That the marshal, district attorney, and clerks of the circuit and district courts of the said district of South Dakota, and all other officers and other persons performing duty in the administration of justice therein, shall severally possess the powers and perform the duties lawfully possessed and required to be performed by similar officers in other districts of the United States, and shall, for the services they may perform, receive the fees and compensation allowed by law in the State of Nebraska to other similar officers and persons performing similar duties.

SEC. 18. That that portion of the Territory of Dakota not included within the boundaries of said State upon the admission of said State of South Dakota into the Union shall, until otherwise provided by act of Congress, continue as a Territory by the name of North Dakota; and all provisions of the acts of Congress and of the Legislative Assembly of said Territory of Dakota, not locally inapplicable, shall continue therein in full force and effect the same as though no portion of the Territory of Dakota had been admitted into the Union; and the governor, secretary, United States marshal, and district attorney of the present Territory of Dakota shall continue to hold and exercise their respective offices within and for said Territory of North Dakota; and the chief-justice and three of the associate justices, to be designated by the President, shall continue to hold and exercise their respective offices for and within said Territory of North Dakota; and temporarily, and until otherwise provided by the Legislative Assembly of said Territory of North Dakota, the governor, chief justice, and secretary thereof may divide said Territory into judicial districts and assign the judges thereto, and into twenty council and fifty representative districts, and apportion the representation therein to which each district shall be entitled in the Legislative Assembly: *Provided, however*, That the act of Congress approved March 3, 1879, creating the fourth judicial district for the Territory of Dakota, shall not apply to the Territory of North Dakota.

SEC. 19. That all cases of appeal or writ of error heretofore prosecuted and now pending in the Supreme Court of the United States upon any record from the supreme court of the Territory of Dakota, or that may hereafter lawfully be prosecuted from said court, may be heard and determined by the said Supreme Court of the United States; and the mandate of execution or of further proceedings shall be directed by the Supreme Court of the United States to the circuit or district court of the district of South Dakota, or to the supreme court of the State of South Dakota, or to the supreme court of the Territory of North Dakota, as the nature of the case may require; and each of said last-mentioned courts, respectively, shall be the successor of the supreme court of the Territory of Dakota as to all such cases, with full power to proceed with the same and to award mesne or final process therein; and that from all judgments and decrees of the supreme court of the Territory of Dakota prior to the admission of said State the parties to such judgment shall have the same right to prosecute appeals and writs of error to the Supreme Court of the United States as they shall have had by law prior to the admission of said State into the Union.

SEC. 20. That in respect to all cases, proceedings, and matters pending in the supreme or district court of the Territory of Dakota at the time of the admission of said State into the Union, whereof the circuit or district courts by this act established might have had jurisdiction under the laws of the United States had such courts existed at the time of the commencement of such cases, the said circuit and district courts, respectively, shall be the successors of said supreme and district courts of said Territory; and in respect to all cases, proceedings, and matters arising within the limits of the Territory of North Dakota, the courts of North Dakota Territory shall be the successors of the courts of the Territory of Dakota; and all the files, records, indictments, and proceedings relating thereto shall be transferred to said circuit, district, and Territorial courts, respectively, and the same shall be proceeded with therein in due course of law: *Provided, however*, That in all civil actions, causes, and proceedings in which the United States is not a party, such transfers shall not be made except upon the written request of one of the parties to such action or proceeding filed in the proper court.

SEC. 21. That the Legislature provided for in said constitution shall have the power to provide, by an act to that effect, for the transfer of all actions, cases, proceedings, and matters pending in the supreme or district courts of the Territory of Dakota at the time of the admission of the said State of South Dakota into the Union, arising within that part of the said Territory of Dakota herein prescribed as the proposed new State of South Dakota, and not included within the provisions of the foregoing sections, to such courts as shall be established under the constitution of said State; and no indictment, action, or proceeding shall abate by reason of any change in the courts, but shall be proceeded with in the State courts according to the laws thereof.

SEC. 22. That the following division of the public debt of the former Territory of Dakota is made: All the public indebtedness thereof which has been incurred for the purpose of public institutions within the limits of the State of South Dakota shall be assumed and paid by the said State of South Dakota. The said State of South Dakota shall make immediate provision for the settlement of said indebtedness. All the remaining funded indebtedness of the former Territory of Dakota shall be and remain a debt of the Territory which by this act is organized out of the remaining portion of said former Territory. The Legislature of said Territory of North Dakota shall make immediate provision for the settlement of said indebtedness. One-half of the funds remaining in the treasury of the Territory of Dakota at the passage of this act, and of all receipts from taxes imposed by former Legislatures thereof, less the expense of collecting, and after the payment of any unfunded indebtedness that may be a charge against the same, shall be paid by the treasurer of said Territory to the treasurer of the State of South Dakota. All archives and records of the former Territory of Dakota now in the custody of the secretary or governor of said Territory shall be turned over by said officers to the governor or the secretary of the said State of South Dakota: *Provided*, That the State of South Dakota shall furnish to the Territory of North Dakota full and accurate copies of all such archives and records at the cost of said State of South Dakota.

SEC. 23. That until otherwise provided by act of the Legislative Assembly of said Territory of North Dakota, the city of Bismarck shall be the place of holding the sessions of the Legislative Assembly therein, which place shall be the capital of said Territory until changed by such Legislative Assembly; and the governor thereof shall also have power to designate temporarily, and until otherwise provided by the laws of said Territory of North Dakota, the places in the first, second, and third judicial districts whereat the district courts shall exercise the jurisdiction of district and circuit courts of the United States.

SEC. 24. That in accordance with the stipulations contained in section 5 of article 13 of said constitution of said State of South Dakota, there is hereby apportioned to the State of South Dakota, and said State shall assume, be liable for, and pay, all the indebtedness of the Territory of Dakota incurred for public buildings of the Territory which are built and situated, or which are provided by law to be built, within the limits of said State; and the Territory of North Dakota shall assume and be liable for all the indebtedness of the Territory of Dakota incurred for public buildings of the Territory which are built and situated, or which are provided by law to be built, within the limits of said Territory of North Dakota.

SEC. 25. That there is hereby granted to the Territory of North Dakota so many sections of the unappropriated public lands lying within said Territory as will, with the other lands lying therein selected and set apart under the act of February 18, 1881, make the full amount of seventy-two sections, such additional sections to be selected and set apart under the provisions of said last-named act and for the use therein mentioned; and any other grants heretofore made by act of Congress, to the Territory of Dakota, for any purpose, of lands lying within the limits of said Territory of North Dakota, are hereby confirmed to said Territory of North Dakota for the same uses and in the same manner as the same were granted to said Territory of Dakota.

SEC. 26. *Provided, however*, That inasmuch as by this act the name of the State, which was adopted by the constitutional convention recited in the preamble hereto, has been changed from that of the State of Dakota to the State of South Dakota, and the boundaries of said State have been modified in this act by the change thereof, east of the Missouri River from the forty-sixth parallel of north latitude to the seventh standard parallel, before said State of South Dakota shall be admitted by her representatives to the Congress of the United States or be entitled to the other rights and privileges of a State in the Union, there shall be submitted to a vote of the people of the proposed State of South Dakota the question of the acceptance or the rejection of said amended boundaries and name; and to that end an election is hereby ordered to be held by the qualified electors of said portion of said Territory of Dakota included within the boundaries of said proposed State, on the 9th day of April, 1889, upon which day there shall be submitted to said electors the following propositions: First, Is the name of the State of South Dakota accepted? Second, Is the proposed change in boundaries east of the Missouri River to the seventh standard parallel accepted? The form of the ballots to be used shall be as follows: Change of name to South Dakota accepted. Yes. Or, change of name to South Dakota accepted. No. Change of boundaries to seventh standard parallel east of the Missouri River accepted. Yes. Or, change of boundaries to seventh standard parallel east of the Missouri River accepted? No.

SEC. 27. That at the time of the election herein provided for, the people of said proposed State of South Dakota shall have submitted to them, for their ratification or rejection, the constitution heretofore stated as having been formed and adopted, together with each of the separate articles thereof, in conformity with the schedule of said constitution, not including the selection of the temporary seat of government, and at said election there shall be elected the State, judicial, and other officers and members of the Legislature of the said State of South Dakota, provided for in the constitution of said State; and also two Representatives in the House of Representatives of the United States Congress; and if a majority of the votes cast at said election upon the acceptance of both change of name and boundaries and of said constitution shall be in the affirmative, as hereinafter provided, the governor, judicial, and State officers thus elected shall have power to at once qualify and enter upon the duties of their respective offices, and they and the members of the Legislature thus elected shall hold their offices until the next general election in November, 1890, unless otherwise provided by the laws of said State, and until their successors are duly elected and qualified. The governor shall have authority to at once convene said Legislature, and said Legislature thus elected may, in the manner provided by law, elect for said State two Senators to serve in the Senate of the United States Congress, and the Representatives duly elected at said election provided for in this section, and the United States Senators thus chosen, if otherwise legally qualified, shall be admitted to represent said State of South Dakota in the Congress of the United States.

SEC. 28. That said election shall be governed in all respects by the laws of the Territory of Dakota governing elections and the canvass and return of the votes thereof. Within twenty days after the day of said election, the respective officers and county canvassers having by the law of the Territory of Dakota such duties in charge, shall make returns of the votes so cast for and against each of said propositions to the governor of said Territory of Dakota. And within ten days thereafter, or sooner, if the returns are all received by him, the said governor, calling to his assistance the auditor and chief-justice of said Territory of Dakota, shall with them aggregate said vote, and immediately certify the result thereof to the President of the United States, who shall issue his proclamation announcing the result of said vote.

SEC. 29. That if a majority of the votes cast at said election shall be in favor of the acceptance of both the change of name and boundaries, and also for said constitution, regardless of the separate articles, then said State of South Dakota shall be deemed admitted into the Union of States on an equal footing with the original States in all respects whatever. And this act of admission shall then have full force and effect, and said constitution shall be deemed amended so as to conform to said changes. But if a majority of said votes so cast shall not be in favor of both of said propositions, and not in favor of the adoption of said constitution, then this act, so far as it relates to South Dakota, shall cease to have further force or effect.

SEC. 30. That the inhabitants of that portion of the Territory of Dakota included and within the boundaries hereinafter designated as North Dakota be, and the same are hereby, authorized to form for themselves out of said portion of said Territory a constitution and a State Government, with the name of the State of North Dakota, which State, when formed, shall be admitted into the Union upon an equal footing with the original States in all respects whatsoever, as hereinafter provided.

SEC. 31. That the said State of North Dakota shall consist of all the territory included within the following boundaries, to wit: Beginning at the point of intersection of the eastern boundary line of the Territory of Dakota with the northern boundary line of the United States, and running thence southerly along the western boundary line of the State of Minnesota to its intersection with the seventh standard parallel of the Territory of Dakota; thence west along the said seventh standard parallel to the Missouri River; thence up and along the left bank of said river at low-water mark to the forty-sixth degree of north latitude; thence west to the twenty-seventh meridan of longitude west from Washington;

thence north upon said twenty-seventh meridian of longitude to its intersection with the northern boundary line of the United States; thence easterly along the northern boundary line of the United States to its place of beginning.

SEC. 32. That in order to secure the formation of such State government the qualified electors resident within said boundaries are hereby authorized, on the second Tuesday, the 9th day, of April, 1889, and in conformity to the laws of the Territory of Dakota relating to the election of county officers as nearly as practicable, and in so far as they may be applicable, to elect delegates possessing the qualifications of such electors within the limits of said boundaries. That there shall be elected at said election the following number of delegates, who shall be apportioned among and elected by the qualified voters of each organized county within said boundaries, the following number of delegates from such organized county, to wit: One delegate for each 3,000 inhabitants thereof, and addition thereto; one delegate for the major part of the fraction of said 3,000 inhabitants: *Provided, however*, That each organized county within said boundaries shall be entitled to at least one delegate. That said delegates shall each be an inhabitant of the county from which he may be elected. That it shall be the duty of the officers of the several counties herein named to provide for the election of said delegates, by calling and giving notice of said election and canvass the returns thereof, as is provided for in the election of county officers, as near as the same may be applicable and practicable.

SEC. 33. That said delegates shall meet at Bismarck, in the Territory of Dakota, on the second Tuesday of June, 1889, at 12 o'clock noon, and when organized shall declare on behalf of the people of that portion of the Territory of Dakota within said boundaries hereinbefore set forth, that they adopt the Constitution of the United States; and thereupon said convention is hereby authorized to form a constitution and State government for that portion of the Territory of Dakota within said described boundaries, and said State, when formed and organized, shall be known and called the State of North Dakota: *Provided, nevertheless*, That such constitution shall be republican in form, and make no distinction in civil and political rights on account of race or color, except as to Indians not taxed, and not repugnant to the Constitution of the United States and the principles of the Declaration of Independence: *Provided further*, That such constitution shall provide that neither the money nor the credit of the State, or of any city, town, or other municipal corporation therein shall be given or loaned to or in aid of any association, corporation, or private undertaking, and that the aggregate debt of the State shall not at any time exceed $200,000: *And provided further*, That such constitution shall provide that the Legislature of said State shall under no circumstances exempt any portion of the property within said State belonging to any corporation, except corporations organized for religious and educational purposes, from taxation, and that no distinction whatever shall be made in the assessment and collection of taxes between an individual and a corporation: *And provided further*, That said convention shall provide by an ordinance, irrevocable without the consent of the United States and the people of said State, that perfect toleration and the free exercise of religious sentiment shall be secured; that the inhabitants within said proposed State do agree and declare that they forever disclaim all right and title to the unappropriated public lands and the lands the Indians' title to which has not been extinguished by the United States lying therein, and that the same shall be and remain at the sole and entire disposition of the United States; that no tax shall be imposed by said State on lands or property therein belonging to the United States, any Indian tribe or Indians sustaining tribal relations, or which may hereafter be purchased by the United States; and that all navigable waters within said State shall be and remain public highways free to all citizens of the United States.

SEC. 34. That said convention, having formed such constitution as provided in this act, shall provide by ordinance for submitting the same to the people of said State for their satisfaction or rejection, at an election to be held at such time and places and under such regulations as said convention may prescribe.

SEC. 35. That at the election last aforesaid the legal voters of said new State shall vote directly for or against such proposed constitution, and the returns thereof shall be made to the governor of Dakota Territory, who, with the secretary and chief-justice thereof and the president of said convention, or any two of them, shall canvass the same, and if a majority of the legal votes so cast in said proposed State shall be for said constitution, said governor shall certify the same to the President of the United States, together with a copy of said constitution and ordinances.

SEC. 36. That on receipt of such certification of the votes so cast at said election, showing adoption of said constitution by the people of the said State as aforesaid, and a copy of such constitution and ordinances, the President of the United States, if said constitution and ordinances shall conform to the requirements of this act, shall thereupon transmit a copy of said constitution and ordinances and result of said vote to Congress, and thereupon the said State shall be admitted into the Union on an equal footing with the original States by a special act of Congress for that purpose.

SEC. 37. That until the next general census said State shall be entitled to one Representative in Congress.

SEC. 38. That such Representative and the governor and other officers that may be provided for in the constitution of said State shall be elected on a day to be fixed by said constitutional convention, and which may be the same as the one fixed for the submission of the proposed constitution to the people for ratification or rejection as aforesaid, and that until said State officers are elected and qualified the Territorial officers shall continue to discharge the duties of their respective offices.

SEC. 39. That from and after the admission of said State into the Union in pursuance of this act the laws of the United States not locally inapplicable shall have the same force and effect within the said State as elsewhere in the United States.

SEC. 40. That the Legislature provided for in said constitution shall have the power to provide by an act to that effect for the transfer of all actions, cases, proceedings, and other matters pending in the supreme or district courts of the Territory of Dakota at the time of the admission into the Union, arising within the limits of said State, to such courts as shall be established under the constitution to be thus formed and the laws of the United States, and no indictment, action, or proceeding shall abate by reason of any change in the courts, but the same shall be transferred to and proceeded with in the State courts according to the laws thereof.

SEC. 41. That sections 16 and 36 in every township of the public lands of the United States within said State, and where such sections, or any part thereof, shall be mineral lands, or shall have been sold or otherwise disposed of by the United States, other lands equivalent thereto, in legal subdivisions of not less than one quarter-section, are hereby granted to the said State for the support of common schools; and such sections shall not be subject to pre-emption or entry, whether surveyed or unsurveyed, but shall be reserved for school purposes only.

SEC. 42. That ninety other sections of the unappropriated non-mineral public lands of the United States within said State, to be so selected as aforesaid, are hereby likewise granted to said State for the use and support of an agricultural college and for the promotion of industrial science therein.

SEC. 43. That thirty other sections of such lands, to be selected as aforesaid, are hereby likewise granted to said State for the erection and maintenance of suitable public buildings at the seat of government thereof, when permanently located, for legislative and judicial purposes.

SEC. 44. That fifty other sections of such lands, to be selected as aforesaid, are hereby likewise granted to said State for the erection, maintenance, and support of a State penitentiary.

SEC. 45. That seventy-two other sections of such lands, to be selected as aforesaid, are hereby likewise granted to such State for the erection, maintenance, and support of a State university.

SEC. 46. That 5 per cent. of the net proceeds of the sales of public lands lying within said State which shall have been made after the 30th day of June, 1880, shall be paid to said State for school purposes.

SEC. 47. That all lands herein granted for common-school purposes shall be sold only at public sale, and at a price not less than $5 per acre, and in parcels not exceeding one quarter-section to any one person, the proceeds to constitute a permanent school fund, the interest of which only is to be expended in the support of common schools.

SEC. 48. That all mineral land shall be excepted from the grants provided for in this act.

SEC. 49. That immediately after the taking effect of this act the governor and the commissioner of school and public lands of said State shall proceed to ascertain the number of sections 16 and 36 within the limits of said State which are mineral lands, or which have by any means been appropriated to private or other uses, or in any way diverted from school purposes; and the said officers shall then proceed to select, from any unappropriated public lands in said State, an equal number of sections to those thus diverted; and said officers shall also, in addition thereto, select a number of sections equal in number to the total number of sections granted in this act for other than common-school purposes; and when such selections shall have thus been made, said officers shall certify a list of the same to the Secretary of the Interior, and if the same shall be approved by him, the title to the same shall vest in the said State of South Dakota.

SEC. 50. That the said State shall constitute one judicial district, and be called the district of North Dakota; that for said district a district judge, a marshal, and a district attorney of the United States shall be appointed by the President, by and with the advice and consent of the Senate, with the same right, powers, and duties as provided by law for similar officers in the other districts except as herein otherwise provided; that said district of Dakota shall be attached to and constitute a part of the eighth judicial circuit, and a term of the circuit court and district court for said district shall be held at the seat of government in said State on the first Tuesday after the first Monday of January and the first Monday of June in each year, and one grand jury and one petit jury only shall be summoned and serve in both of said courts.

SEC. 51. That the circuit and district courts for the district of North Dakota and the judges thereof, respectively, shall possess the same powers and jurisdiction and perform the same duties possessed and required to be performed by the other circuit and district courts and judges of the United States, and shall be governed by the same laws and regulations.

SEC. 52. That the district judge appointed for the district of North Dakota shall receive as his compensation the sum of $3,500 per annum, payable in four equal installments, on the 1st days of January, April, July, and October of each year.

SEC. 53. That the marshal, district attorney, and clerk of the circuit and district courts of said district of North Dakota, and all other officers and persons performing duties in the administration of justice therein, shall severally possess the powers and perform the duties lawfully possessed and required to be performed by similar officers in other districts of the United States, and for the services they may perform shall receive the fees and compensation allowed to other similar officers and persons performing similar duties by the laws of the United States, excepting such provisions thereof as are specially applicable to some particular office or district.

SEC. 54. That all cases of writ of error or appeal heretofore presented and now pending in the Supreme Court of United States upon any record from the supreme court of the Territory of Dakota, or that hereafter may be lawfully presented from said court, may be heard and determined by said Supreme Court of the United States; and where the same arose within the limits of said State, the mandate of execution or of further proceedings shall be directed by the Supreme Court of the United States to the circuit or district court aforesaid, or to the supreme court of said State, as the nature of the case may require; and each of said last-mentioned courts shall be the successor of the supreme court of said Territory as to all such cases, with full power to proceed with the same, and so award mesne or final process therein; and that from all judgments and decrees of the supreme court of the said Territory rendered prior to the admission of said State, the parties of such judgments and decrees shall have the same right to prosecute writs of error and appeals to the Supreme Court of the United States as they shall have had prior to such admission; and as to all such cases arising within the limits of said State, the like subsequent proceedings shall be had therein as aforesaid.

SEC. 55. That in respect of all cases, proceedings, and matters pending in the supreme or district courts of the Territory of Dakota at the time of admission of said State into the Union, arising within the limits of said State, whereof the circuit or district court by this act established might have had jurisdiction under the laws of the United States had such courts existed at the time of the commencement of such cases, the said circuit and district courts, respectively, shall be the successors of said supreme and district courts of said Territory; and all the files, records, indictments, and proceedings relating thereto shall be tranferred to said circuit and district courts, respectively, and the same shall be proceeded with therein in due course of law: *Provided, however*, That in all civil actions, causes, and proceedings, in which the United States is not a party, such transfer shall not be made except upon the written request of one of the parties to such action or proceeding filed in the proper court.

SEC. 56. That the Secretary of the Treasury shall ascertain and audit the expenses incident to the formation of said constitution and the submission of the same to the people of said proposed State, including such compensation to the officers and members of said convention as is allowed to the members and officers of the Territorial Legislatures; and the sum of $20,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the payment thereof: *Provided*, That any money hereby appropriated not necessary for such purpose shall be covered into the Treasury of the United States.

SEC. 57. That at the election of delegates to the constitutional convention for North Dakota and at the election in South Dakota upon the acceptance of the change of name and boundaries as hereinbefore provided for, each qualified elector may have written or printed on his ballot the words "For division" or the words "Against division." And if a majority of the votes cast either in North Dakota or in South Dakota as herein bounded shall be against division at said elections, then, and in that case, all the foregoing provisions relating to South Dakota and North Dakota shall cease to have further force or effect and shall from that time be inoperative and void.

SEC. 58. That all persons who shall have resided within the limits of said proposed States of Montana, Washington, and New Mexico for sixty days, and are otherwise qualified by the laws of said Territories to vote for representatives to the Legislative Assemblies thereof, are hereby authorized to vote for and choose delegates to form conventions in said Territories of Montana, Washington, New Mexico, and the qualifications for delegates to such conventions shall be such as by the laws of said Territories respectively persons are required to possess to be eligible to the Legislative Assemblies thereof; and the aforesaid delegates to form said conventions shall be apportioned among the

several counties within the limits of the proposed States, in such districts as may be established as herein provided, in proportion to the population in each of said counties and districts, as near as may be, to be ascertained at the time of making said apportionments by the persons hereinafter authorized to make the same, from the best information obtainable, in each of which districts three delegates shall be elected, but no elector shall vote for more than two persons for delegates to such conventions; that said apportionments shall be made by the governor, the chief-justice, and the United States attorney of said Territories; and the governors of said Territories of Montana, Washington, and New Mexico shall, by proclamation, order an election of the delegates aforesaid in each of said last-named Territories, to be held on the Tuesday after the second Monday in May, 1889, which proclamation shall be issued at least thirty days prior to the time of said election; and such election shall be conducted, the returns made, the result ascertained, and the certificates to persons elected to such convention issued in the same manner as is prescribed by the laws of these Territories regulating elections therein for Delegates to Congress. The number of delegates to said conventions respectively shall be seventy-five, and all persons resident in said proposed States, who are qualified voters of said Territories of Montana, Washington, and New Mexico, as herein provided, shall be entitled to vote upon the election of delegates and upon the ratification or rejection of the constitutions, under such rules and regulations as said conventions may prescribe, not in conflict with this act.

SEC. 59. That the delegates to the conventions elected in the Territories of Montana, Washington, and New Mexico shall meet at the seat of government thereof on the 4th day of July, 1889, and, after organization, shall declare, on behalf of the people of said proposed States, that they adopt the Constitution of the United States; whereupon the said conventions shall be, and are hereby, authorized to form constitutions and State governments for said proposed States, respectively. The constitutions of all the proposed States named in this act shall be republican in form, and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence. And said conventions shall provide, by ordinances irrevocable without the consent of the United States and the people of said States, and said State of South Dakota is admitted into the Union of States upon the express conditions:

First. That perfect toleration of religious sentiment shall be secured, and that no inhabitant of said States shall ever be molested in person or property on account of his or her mode of religious worship.

Second. That the people inhabiting said proposed States do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries thereof, and to all lands lying within said limits owned or held by any Indian or Indian tribes; and that until the title thereto shall have been extinguished by the United States, the same shall be and remain subject to the disposition of the United States, and said Indian lands shall remain under the absolute jurisdiction and control of the Congress of the United States; that the lands belonging to citizens of the United States residing without the said States shall never be taxed at a higher rate than the lands belonging to residents thereof; that no taxes shall be imposed by the States on lands or property therein belonging to or which may hereafter be purchased by the United States or reserved for its use. But nothing herein, or in the ordinances herein provided for, shall preclude the said States from taxing as other lands are taxed any lands held or owned by any Indian who has severed his tribal relations, and has obtained from the United States or from any person a title thereto by patent or other grant, save and except such lands as have been or may be granted to any Indian or Indians under any act of Congress containing a provision exempting the lands thus granted from taxation; but said ordinances shall provide that all such lands shall be exempt from taxation by said State so long and to such extent as such act of Congress may prescribe.

Third. That the debts and liabilities of said Territories shall be assumed and paid by the said States, respectively.

Fourth. That provision shall be made for the establishment and maintenance of systems of public schools, which shall be open to all the children of said States, and free from sectarian control.

SEC. 60. That in case constitutions and State governments shall be formed in compliance with the provisions of this act, said conventions forming the same shall provide by ordinances for submitting said constitutions to the people of said States for their ratification or rejection, at an election to be held in each of said Territories of Montana, Washington, and New Mexico, at such time and under such regulations as such conventions may prescribe, at which election the qualified voters of said proposed States last named shall vote directly for or against the proposed constitutions, and for or against any provisions separately submitted. The returns of said elections shall be made to the secretary of each of said Territories, who, with the governor and chief-justice thereof, or any two of them, shall canvass the same; and if a majority of the legal votes cast shall be for the constitution, the governor shall certify the result to the President of the United States, together with a statement of the votes cast thereon and upon separate propositions, and a copy of said declaration, constitution, and ordinances.

SEC. 61. That until the next general census, or until otherwise provided by law, said States of Montana, Washington, and New Mexico shall be entitled to one Representative in the House of Representatives of the United States; and such Representatives, together with the governors and other officers provided for in said constitutions, may be elected on the same day of the election for the adoption of the constitution; and until said State officers are elected and qualified under the provisions of each constitution, respectively, and the States, respectively, are admitted into the Union, the Territorial officers shall continue to discharge the duties of their respective offices in each of said Territories.

SEC. 62. That sections numbered 16 and 36 in every township of said proposed States of Montana, Washington, and New Mexico, and where such sections, or any parts thereof, have been sold or otherwise disposed of by or under the authority of any act of Congress, other lands equivalent thereto in legal subdivisions of not less than one-quarter section, and as contiguous as may be to the section in lieu of which the same is taken, are hereby granted to said States for the support of common schools: *Provided*, That the sixteenth and thirty-sixth sections embraced in permanent reservations for national purposes shall not at any time be subject to the grants nor to the indemnity provisions of this act, nor shall any lands embraced in Indian, military, or other reservations of any character, be subject to the grants or to the indemnity provisions of this act until the reservation shall have been extinguished and such lands be restored to and become a part of the public domain.

SEC. 63. That when either or any of the proposed States shall be admitted into the Union in accordance with the provisions of this act, fifty sections of the unappropriated public lands within said State, to be selected and located in legal subdivisions by direction of the Legislature thereof, with the approval of the Secretary of the Interior, on or before the 1st day of January, 1892, shall be, and are hereby, granted to said State for the purpose of erecting public buildings at the capital of said State for legislative, executive, and judicial purposes.

SEC. 64. That the States of New Mexico and Washington shall, respectively, have like grants for the erection of a penitentiary, and subject to like terms and conditions as provided in the act of March 2, 1881, for the Territory of Dakota. The penitentiary at Deer Lodge City, Mont., and all lands connected therewith and set apart and reserved therefor, are hereby granted to the State of Montana.

SEC. 65. That 90,000 acres of land, to be selected and located as provided in section 8 of this act, are hereby granted to each of said States of Montana, Washington, and New Mexico for the use and support of agricultural colleges in said States, as provided in the acts of Congress making donations of land for such purpose.

SEC. 66. That 5 per cent. of the proceeds of the sales of public lands lying within said States which shall be sold by the United States subsequent to the admission of said States into the Union, after deducting all the expenses incident to the same, shall be paid to the said States, to be used as a permanent fund, the interest of which only shall be expended for the support of the common schools within said States respectively.

SEC. 67. That all lands herein granted to the States of Montana, Washington, and New Mexico for educational purposes, except as hereinafter otherwise provided, shall be disposed of only at public sale, and at a price not less than $10 per acre, the proceeds to constitute a permanent school-fund, the interest of which only shall be expended in the support of said schools. But said lands may, under such regulations as the Legislatures shall prescribe, be leased for periods of not more than five years, in quantities not exceeding one section to any one person or company.

SEC. 68. That the lands granted to the Territory of Montana by the act of February 18, 1881, entitled "An act to grant lands to Dakota, Montana, Arizona, Idaho, and Wyoming for university purposes," are hereby vested in the State of Montana, to the extent of the full quantity of seventy-two sections to said State, and any portion of said lands that may not have been selected by said Territory of Montana may be selected by that State; but said act of February 18, 1881, shall be so amended as to provide that none of said lands shall be sold for less than $10 per acre, and the proceeds shall constitute a permanent fund to be safely invested and held by said States severally, and the income thereof be used exclusively for university purposes. And the lands, to the extent of two townships in quantity, authorized by the sixth section of the act of July 22, 1854, to be reserved for the establishment of a university in New Mexico, are hereby granted to the State of New Mexico for university purposes, to be held and used in accordance with the provisions of this section. And such quantity of the lands authorized by the fourth section of the act of July 17, 1854, to be reserved for university purposes in the Territory of Washington, as together with the lands confirmed to the vendees of the Territory by the act of March 14, 1864, will make the full quantity of seventy-two entire sections, are hereby granted in like manner to the State of Washington for the purposes of a university in said State. None of the lands granted in this section shall be sold at less than $10 per acre; but said lands may be leased in the same manner as provided in section 12 of this act. The schools, colleges, and universities provided for in this act shall forever remain under the exclusive control of the said States, respectively, and no part of the proceeds arising from the sale or disposal of any lands herein granted for educational purposes shall be used for the support of any sectarian or denominational school, college, or university.

SEC. 69. That all mineral lands shall be exempted from the grants made by this act. But if sections 16 and 36, or any subdivision or portion of any smallest subdivision thereof in any township, shall be found by the Department of the Interior to be mineral lands, said States are hereby authorized and empowered to select, in legal subdivisions, an equal quantity of other unappropriated lands in said States, in lieu thereof, for the use and benefit of the common schools of said States.

SEC. 70. That in lieu of the grant of land for purposes of internal improvement made to new States by the eighth section of the act of September 4, 1841, which act is hereby repealed as to the States provided for by this act, and in lieu of any claim or demand by the said States, or either of them, under the act of September 28, 1850, and section 2479 of the Revised Statutes, making a grant of swamp and overflowed lands to certain States, which grant it is hereby declared is not extended to the States provided for in this act, and in lieu of any grant of saline lands to said States of Montana, Washington, and New Mexico, the following grants of land are hereby made, to wit:

To the State of Montana: For the establishment and maintenance of a school of mines, 100,000 acres; for State normal schools, 100,000 acres; for agricultural colleges, in addition to the grant hereinbefore made for that purpose, 50,000 acres; for the establishment of a State reform school, 50,000 acres; for the establishment of a deaf and dumb asylum, 50,000 acres; for public buildings at the capital of the State, in addition to the grant hereinbefore made for that purpose, 150,000 acres.

To the State of New Mexico: For the establishment of permanent water reservoirs for irrigating purposes, 250,000 acres; for the establishment of an insane asylum, 50,000 acres; for the establishment of State normal schools, 50,000 acres; for the establishment of a school of mines, 50,000 acres; for the establishment of a deaf and dumb asylum, 50,000 acres; for the establishment of a reform school, 50,000 acres.

To the State of Washington: For the establishment and maintenance of a scientific school, 100,000 acres; for State normal schools, 100,000 acres; for public buildings at the State capital, in addition to the grant hereinbefore made for that purpose, 100,000 acres; for State charitable, educational, penal, and reformatory institutions, 200,000 acres.

That the States provided for in this act shall not be entitled to any further or other grants of land for any purpose than as expressly provided in this act. And the lands granted by this section shall be held, appropriated, and disposed of exclusively for the purposes herein mentioned, in such manner as the Legislatures of the respective States may severally provide.

SEC. 71. That all lands granted in quantity or as indemnity by this act shall be selected under the direction of the Secretary of the Interior from the surveyed, unreserved, and unappropriated public lands of the United States within the limits of the respective States entitled thereto. And there shall be deducted from the number of acres of land donated by this act for specific objects to said States the number of acres in each heretofore donated by Congress to said Territories for similar objects.

SEC. 72. That the conventions herein provided for shall have the power to provide, by ordinance, for the transfer of actions, cases, proceedings, and matters pending in the supreme or district courts of the Territories of Montana, Washington, and New Mexico at the time of their admission into the Union, arising within said Territories, respectively, to such courts as shall be established under the constitutions to be formed as provided in this act; and no indictment, action, or proceeding shall abate by reason of any change in the courts, but shall be proceeded with in the State courts according to the laws thereof.

SEC. 73. That the sum of $20,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to each of said Territories for defraying the expenses of the said conventions, and for the payment of the members thereof, under the same rules and regulations and at the same rates as are now provided by law for the payment of the Territorial Legislatures. Any money hereby appropriated not necessary for such purpose shall be covered into the Treasury of the United States.

SEC. 74. That the constitutional conventions may, by ordinance, provide for the election of full State governments, including members of the Legislatures and Representatives in Congress; but said State governments of North Dakota, Montana, Washington, and New Mexico shall remain in abeyance until the constitutions framed by said conventions shall have been approved by Congress. In case the constitution of any of said proposed States shall be ratified by the people, but not otherwise, the Legislature thereof may assemble, organize, and elect two Senators of the United States; and the governor and secretary of state of such proposed State shall certify the election to Congress; and when the constitution so framed is approved by Congress, and such State admitted into the

Union by special act of Congress therefor, the Senators and Representatives shall be admitted to seats in Congress, and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States; and the State governments formed in pursuance of said constitution, as provided by the constitutional conventions, shall proceed to exercise all the functions of State officers; and all laws in force, made by said Territories, at the time of their admission into the Union, shall be in force in said States, except as modified or changed by this act or by the constitutions of the States, respectively.

SEC. 75. That the constitutional convention to assemble in the Territory of New Mexico, as hereinbefore provided, may submit to the people, as a separate proposition to be voted upon at the same time that the vote upon the constitution is taken, the question of changing the name of the State from that of the State of New Mexico to that of such name as such convention may propose, and if a majority of voters shall be in the affirmative the name of the State shall, upon its admission, be Montezuma; and all the powers, rights, privileges, grants, and obligations pertaining under this act to the State of New Mexico shall attach to, be vested in, and imposed upon the State of Montezuma; and the constitutional convention of Washington Territory shall, in like manner, and with like effect, submit to the people the question of changing the name of that State from Washington to Tacoma.

SEC. 76. That all acts or parts of acts in conflict with the provisions of this act, whether passed by the Legislatures of said Territories or by Congress, are hereby repealed.

Amend the title so as to read: "A bill to enable the people of Dakota, Montana, Washington, and New Mexico to form constitutions and State governments and to be admitted into the Union on an equal footing with the original States, to provide for the division of Dakota into two States, and to make donations of public lands to such States."

Amend further by striking out the preamble of said bill.

By Mr. COX:

On pages 4 and 5 of substitute strike out all after the word "second" to the end of the paragraph, and insert "the State of North Dakota shall be entitled to one Representative in Congress and South Dakota shall be entitled to two Representatives in Congress until the apportionment under the eleventh census of the United States.

By Mr. ADAMS:

Amendment No. 1 to S. 185: In section 1, line 7, strike out the words "South Dakota" and insert in lieu thereof "that part of the Territory of Dakota lying south of the forty-sixth parallel of north latitude."

Amendment No. 2: In section 1, line 8, strike out "subject, however, to the provisos hereinafter contained" and insert in lieu thereof "as the constitution of the State of South Dakota."

Amendment No. 3: Strike out sections 26, 27, 28, and 29.

Mr. GIFFORD. Before proceeding I wish to ask unanimous consent that a memorial or petition of the convention of North Dakota be printed in the RECORD.

There was no objection, and it was so ordered.

The memorial is as follows:

NORTH DAKOTA'S REQUEST.

To the Senate and House of Representatives of the United States Congress:

The undersigned, a committee appointed at a convention held in the city of Jamestown, Dak., on the 5th day of December, A. D. 1888, for the purpose of considering the question of division of said Territory and the admission into the Union of the northern portion thereof, at which convention all counties north of the seventh standard parallel of north latitude were represented, respectfully represent that said convention unanimously agreed that Dakota Territory should be divided on the seventh standard parallel; that the northern portion thereof should be speedily admitted into the Union of States; that it should be admitted under the name of North Dakota, and that the Fiftieth Congress provide for such admission.

Illinois was admitted into the Union with a population of 31,420; Kentucky, 73,677; Tennessee, 67,096; Ohio, 45,365; Indiana, 63,897; Missouri, 66,557; Michigan, 65,000; Florida, 64,000; Iowa, 78,819; California, 92,597; Oregon, 50,000; Nevada, 40,000; Nebraska and Colorado, 100,000; and Minnesota, 120,000. The said committee appointed as above state, as facts showing the qualifications of the said section of Dakota Territory for statehood, the following:

North Dakota has an area of 72,000 square miles. It contains over 40,000 cultivated farms, or over 1,000,000 acres of cultivated land, showing the surprising fact that it contains nearly one cultivated farm for each voting inhabitant, and if admitted would be the ninth State in the Union in area of territory. It had in 1885 a population of 152,199, and from facts appearing from the assessors' returns in 1885 it is shown to now have a population of more than 245,000, or more than twice the number required of any of the States above named, and more than six times as many as Illinois or Nevada contained when admitted to statehood. It has 700 manufacturing establishments of various kinds, 150,000 head of horses and mules, and over 600,000 head of live-stock, 2,000 miles of completed railroads, 129 newspapers, more than 200 churches, 1,137 public school-houses, and an assessed valuation of $70,039,893, and paid a postal revenue in 1885 of $140,534.

It has as public Territorial buildings: The capitol building at Bismarck; hospital for the insane at Jamestown; the penitentiary at Bismarck, and North Dakota University at Grand Forks, costing in all more than $900,000.

It has a Congregational college at Fargo; a Baptist college at Tower City; a Presbyterian college at Jamestown, and Ursalyn college at Grand Forks.

There were raised in North Dakota in 1888 more than 20,000,000 bushels of wheat and 11,000,000 bushels of oats and barley.

It is universally conceded that whenever any Territory possesses the qualifications presented by North Dakota, such Territory shall be admitted into the Union on terms of equality with older States.

North Dakota having attained to all the conditions of statehood according to any and all precedents heretofore observed for the admission of States, these conditions should entitle its citizens by all laws and rules of civil government to the rights enjoyed by an equal population in any one of the States. Which rights can be long withheld without the perpetration of a great wrong, and which can find explanation only in the ability to inflict it.

Now, therefore, the people of North Dakota, through its committee appointed as aforesaid, without regard to political preferences, do most respectfully ask and petition your honorable bodies to enact such measures as will divide the present Territory of Dakota on the seventh standard parallel. Pass an enabling act or such other measure as will most speedily provide for our adoption of a constitution, election of proper officers, and admission into the Union of States.

R. N. STEVENS,
SMITH STIMMEL,
J. MORLEY WYARD,
Committee appointed by the Convention.

Mr. GIFFORD. Mr. Speaker, I will first notice some of the objections raised by the gentleman from Illinois [Mr. SPRINGER] to the details or provisions of the constitution of the proposed State of South Dakota, and of the Senate bill. Some of these objections are of public importance, concerning the whole country, and no doubt must be adjusted by Congress. His first objection is in regard to the vote cast upon the adoption of this constitution by our people. There were thirty-odd thousand votes cast upon the adoption of the constituton; and permit me to say that no greater or larger vote has been cast in the whole history of the admission of States upon the adoption of a first constitution, with but one exception, and that was the State of Minnesota. The vote cast in Dakota was satisfactory to the people there. No objection has ever been offered to it. It was a full, free, and fair vote.

Now, in regard to the legislative apportionment under that constitution. This same answer which I shall make will apply to several of these objections. If the State of South Dakota, or the proposed State of South Dakota, had been admitted when it should have been, some years ago, these objections would not be tenable. They would not lie against the provisions of the constitution, provided that Dakota had been admitted into the Union during the first session of the Forty-ninth Congress. The adjustment of our legislative districts and all details in regard to the apportionment would have been perfectly proper and just. Of course they need readjustment, and if the delays in regard to the admission of Dakota be continued much longer we would need still further changes in the constitution.

Another objection which the gentleman from Illinois makes is in regard to this election committee. I mean the committee to audit the expenses, etc., of our constitutional convention. He says that extraordinary powers were conferred upon that committee. Mr. Speaker, not one word of criticism has ever been made upon the action of that committee, nor upon the manner in which they performed or executed their duties—not one word of reflection has ever been cast upon them, and if they had extraordinary powers, then it redounds to their credit that they did not exercise those powers improperly.

Another matter to which the gentleman from Illinois refers demands special attention. That is the question of the adjustment of the State debt and the disposition of the archives, etc. Our people have wisely provided for this very contingency. They propose not to suffer any such embarassment as has been suffered by the States of Virginia and West Virginia in the past. They propose that this whole matter of the adjustment of the State debt and the disposition of the joint property shall be arranged, and I will read the provision of the Senate bill in regard to that:

SEC. 24. That in accordance with the stipulations contained in section 5 of article 13 of said constitution of said State of South Dakota, there is hereby apportioned to the State of South Dakota, and said State shall assume, be liable for, and pay, all the indebtedness of the Territory of Dakota incurred for public buildings of the Territory which are built and situated or which are provided by law to be built within the limits of said State; and the Territory of North Dakota shall assume and be liable for all the indebtedness of the Territory of Dakota incurred for public buildings of the Territory which are built and situated or which are provided by law to be built within the limits of said Territory of North Dakota.

Then follows the provision in regard to the Congress of the United States making further adjustment in case any matter shall remain unprovided for under this act. What better, what more business-like provision could you ask for than that? And our constitution further provides that there shall be furnished to North Dakota, at the expense of South Dakota, a complete record of everything they wish for, and we have to pay for that out of our own pocket. In this connection I wish to notice a provision in the substitute bill which will be found on page 5, the fifth subdivision of section 3. It says it shall be the duty of the constitutional conventions of North and South Dakota to appoint a joint commission to be composed of not less than three members of each convention. Now, supposing they do not do that, what then? Why, this act fails. A part of the duty imposed upon those conventions is to do this and appoint the commissioners. This is to be a joint body composed of three commissioners from North Dakota and three from South Dakota. Supposing they do not agree, there is no other body to which they can appeal. There is no provision made for anything further in regard to this, and in case of disagreement your bill fails and Dakota is not admitted.

Mr. SPRINGER. I beg the gentleman's pardon. That part of it fails, but that is all. That is not made a condition-precedent.

Mr. GIFFORD. It is one of the duties to be performed by this convention.

Mr. SPRINGER. Yes, but if they should come to Congress and say that they could not agree, we might let that pass; but I think the duty should be urged upon them.

Mr. GIFFORD. Supposing that they fail to agree, then what? Why, the whole measure fails. The embarrassment and the trouble caused by this property still remaining joint property would still hang over us. Is not our provision a much better one? In case of a disagreement there can be no readjustment of the joint debt. No appeal lies to anybody, and there is no provision in the omnibus bill for any other way of adjustment.

Ours is a perfect act within itself. It leads to an absolute adjustment of every question that can arise in connection with this subject.

There is another question here to which the gentleman has referred which requires special mention, and that is found in subdivision 2, of

section 4, in reference to Indian lands and Indian property. I desire to say in this connection that this constitution and the Senate bill underwent severe criticism on this point in the Senate committee, and in the Senate itself when it was considered and discussed there. It is precisely the same provision that has been placed in the compact between the States in several instances and the United States upon their admission to the Union. There can no trouble arise out of that provision. Why, sir, our Territory has had jurisdiction over certain Indians for many years, and those Indians have suffered no hardships in consequence. The provision is the usual one.

But I want to call attention now to the peculiar provisions of this subdivision of this section. I can not imagine where the gentleman from Illinois found them or what he drew them from. They are most extraordinary. Why, sir, under this subdivision if a man who has a single drop of Indian blood in his veins holds a section of land we can not even lay out a highway over it. We can not exercise any right of eminent domain over the land, no matter whether he has held it one year, or twenty-five years, or fifty years; and every man is held to be an Indian who has Indian blood in his veins, and there are many such in Dakota. I will read the provision:

Second. That the people inhabiting said proposed States do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries thereof, and to all lands lying within said limits owned or held by any Indian or Indian tribes.

We must have jurisdiction over these Indians to a certain extent.

We are perfectly willing that the United States shall exercise jurisdiction over the lands belonging to Indian tribes, and over all public lands.

Under the Senate bill and the Constitution we will have no more jurisdiction over these matters than has the State of Michigan, Minnesota, or any other State.

We are to recognize tribal relations in connection with Indians for only a very short time longer. Our proposed State can not submit or consent to any such provisions as these.

Except such lands as have been or may be granted to any Indian or Indians under any act of Congress containing a provision exempting the lands thus granted from taxation.

That provision is all right. We have no objection to the usual provision for the protection of Indians in their property, but extraordinary provisions of the character found in this bill are unjust and ought not to be made.

I apprehend that if this bill fails it will be for other reasons than defects in the Sioux Falls constitution; or that the proceedings in connection therewith are improper or ill considered in detail. I do not suppose that Congress, nor any Member or Senator, will undertake to dictate to a people the provisions of their constitution, except in such several matters as concern public policy and the spirit of our Government.

If this bill for the admission of South Dakota as a separate proposition fails in this House it will be because a majority of the members are unwilling to vote upon and determine the claims of South Dakota for statehood, without coupling with it some other question which may determine the fate of the bill, without even touching the merits of Dakota's claim. Certainly, then, objections to our constitution can not have much weight in deciding this question.

I am only surprised that more and greater objections have not been found to it. There have been for three years among the files of this House and the Senate complete, engrossed, and certified copies of the proceedings of the convention which framed this constitution; records of everything done, votes taken and words spoken in that convention, are now and have been for years here for inspection. All of the proceedings of our people in connection with this business from first to last are and have been for years a public record in possession of this House; and it appears that the only mistakes we have made are in not stating specifically that a woman shall not be a judge, and that we have been too liberal with the right of suffrage.

If gentlemen will take the trouble to examine the constitution of several States they will find identically the same provisions.

Considerable stress is placed upon the fact that it is proposed to resubmit this constitution and many questions therein contained to a vote of the people of the proposed State. If this matter had been disposed of when it should have been, nothing would now be heard of these propositions.

Our people, in connection with those of North Dakota, desire that the name "Dakota" shall attach to both sections. We undertook in the beginning to satisfy some sentimental people concerning this matter of name, and we found it much more difficult to satisfy them than ourselves, and have gone back to our first love. Not a very serious matter—simply one of adjustment, and only requires a formal vote of our people. I wish to say that our people desire the names of North and South Dakota. They are attached to the name of Dakota just as strongly as the members of a family or the people of a community or State are attached to a favorite name of their own. And why should we not have it? If we are willing to live and grow up under these names, why not be permitted to do so?

Undoubtedly our great prairies will bloom as brightly and our people be as prosperous and happy under another name; but why can not we be accorded the privilege that has been given to every family, tribe, city, community, and State since the "morning stars sang together," and have given us the name of our choice? It is dear to us, we are attached to it and we want it. It not only represents blizzards, but it represents warmth and sunshine; not only the hardships incidental to a frontier prairie life, but also as well a country of unexampled fertility and productiveness, and a people qualified and anxious to perform their whole duty in life, both to themselves and to the Government.

Another formal question to be submitted is a slight change to our proposed northern boundary to a fixed, surveyed line, a difference of only three or four miles, perhaps.

The other questions that were submitted to our people with the constitution as separate propositions it is proposed to resubmit to them. There is nothing unusual or strange about this. Quite likely it would have been done anyway about this time had we been admitted as a State three years ago, when we should have been. Among other propositions we propose to submit the question of the location of the temporary capital.

Among these questions is prohibition. Our constitution provides for submitting amendments, provided a majority of the Legislature so determine. This was done that we might have, as the country grew, a ready means for amending the constitution.

Now, Mr. Speaker, I want to say again, if this bill fails it will be because gentlemen are unwilling to meet this question squarely. Nobody will be misled, neither now or hereafter, by coupling with it the question of the admission of other Territories, to which some people have objections.

The people of Dakota would like to see this question presented and decided upon its merits. South Dakota is satisfied with this constitution and the State government they have provided for; and the people of North Dakota are perfectly willing this should be done.

We want no further vote upon this question of division. Not even a petition, not even a letter, so far as I have heard, has been written or sent during the present session of Congress either protesting against the passage of the Senate bill or asking for another vote on division. Our people are not asking for anything of the kind.

The question is, will the House consider and pass upon the claims of our people for statehood as an independent proposition? It is conceded by all that we are fully prepared and qualified to enter the Union. This was conceded years ago, and still we live under a miserable, unsatisfactory, Territorial government. Our condition would be almost unbearable did we not feel that relief would soon be given.

Think of a Territory containing 700,000 people, with a wealth of $320,000,000, as estimated by the governor of the Territory in his last report, with more than 4,500 school-houses, over 5,000 teachers, with a school fund of nearly $2,500,000 and a thousand post-offices. What a criticism upon the theory that our Government is in favor of home-rule and self-government Dakota furnishes! It costs us almost $700,000 per annum to support our Territorial government and public institutions. An average of almost $45,000 per annum of this is paid by the United States, and the balance is paid by our people and out of their own pockets.

Not one of the officers who disburse and pay out these Territorial moneys is chosen by the people. Not one of them is responsible to the people for his official acts. Every one is appointed by a governor who comes from abroad. They are responsible only to those who appoint them, and not to the people whose money they handle and whose laws they execute. Not a public officer in our Territory above county officers is elected. Even clerks of court are appointed.

In the matter of insufficiency of our courts, the sufferings of our people have been intolerable. Dockets are two and three years behind, and parties charged with crime have awaited in confinement for almost years a trial, simply because the judge had more business than he could possibly reach. Counties with many thousands of people and with populous towns have had no court at all, in some cases, and in many others not to exceed three days in a year. Crimes go unpunished and property rights are frittered away from sheer lack of sufficient courts.

Dakota to-day is a province, and not a Territory, except in name; as much a province in the formation of its government as was ever attached to the British Empire.

We are in no sense a Territory. We are ruled over by officers not of our choosing. We bear the expense of our own government, schools and all, to within $30,000 or $40,000 per annum, and our people pay more than three times these sums back into the Treasury as internal revenue.

Even our postal service would be more than self-supporting were it not for the great transcontinental service across the Territory. Comparisons are ofttimes instructive, but generally odious. I can scarcely forbear making a few comparisons between our Territory and some States; I mean our Territory as a whole.

First, as to population, wealth, and material prosperity. The area of the proposed State of South Dakota will be about 75,000 square miles and North Dakota the same area or larger. The country is eminently an agricultural country throughout, and capable of supporting as dense a population as any of the States adjoining us—Minnesota, Wisconsin,

Illinois, Iowa, or Nebraska—which can be easily shown by reference to the official report on immigration of Dakota and official census reports.

The number of farms in Dakota in 1885 was 50,235 in the south and 31,781 in the north, according to the official census. From reliable data there are now nearly 70,000 in the south and over 40,000 in the north.

The crop reports of 1887—those of 1888 are not in—show that we raised nearly 60,000,000 bushels of wheat and 25,000,000 bushels of corn, while hundreds of thousands of horses and cattle graze upon our boundless and fertile prairies.

In the matter of stock, we have more cattle than any one of twenty-one States; more horses than any one of twenty States; more swine than any one of fourteen States; more sheep than any one of twelve States.

In the matter of banking institutions, we have sixty-two national and two hundred and thirty-seven private banks; we have more banks than either one of twenty-eight States, including Indiana, Connecticut, California, Kentucky, Minnesota, Wisconsin, Texas, and Colorado.

We have more than the eight States of North Carolina, West Virginia, Florida, Mississippi, Louisiana, Arkansas, Delaware, and Nevada combined; more than twice the number credited to the States of Maine, New Jersey, New Hampshire, or Maryland; nearly three times as many as Georgia, Virginia, Colorado, or Tennessee combined; and more than the States of Vermont, Oregon, and all the Territories put together.

In the matter of railways, we have nearly 4,500 miles of completed railroad in Dakota, and more than is contained in any one of twenty-five States of the Union that could be named, it being the thirteenth State in this regard.

I do not care to enter upon a comparison of school-houses, educational institutions, and expenditures for educational purposes with other States.

Suffice it to say that we have nearly, or quite, 4,500 school-houses, with about 5,500 teachers, and expended nearly $2,500,000 for school purposes, the proceeds of taxes raised by the people, or more than was expended by any one of twenty-two States in 1885.

These figures and comparisons will give the House some idea of our population and wealth, which is so essential to every State and community.

But we have not neglected that important particular, which may be regarded as the foundation of true greatness in every State, the education of our children.

Dakota may justly feel proud of her common-school system and the educational advantages which are placed within the reach of every youth of the Territory.

We have two Territorial universities, three normal schools (Territorial), and an agricultural college, besides a school of mines and one for deaf-mutes, and also a very large number of sectarian colleges and academies belonging to different religious denominations.

In the matter of the value of school property Dakota exceeds any one of twenty-three of the States. Not one dollar of money or aid have we received from the Government towards the support of our schools either from lands or in any other way. Our public lands are not yet available for school purposes.

As another evidence of the intelligence of our people, it is proper to state that we have in Dakota three hundred and fifty-two different newspapers, and more than are published in any one of twenty-three States.

In the matter of post-offices, we have forty-six Presidential offices, and nine hundred and sixty fourth-class offices; a number equal to or exceeding that of any one of twenty-two States.

But, Mr. Speaker, I grow weary of giving these statistics and comparisons, however interesting and instructive upon this question they may be. I could continue to do so indefinitely, and each comparison given would only make stronger the argument in favor of the proposition I have presented.

It must be remembered that the proposed State of North Dakota contains at least 300,000 people, and South Dakota 400,000, and that each of the proposed States contains a like proportion of the material wealth and educational advantages possessed by the whole Territory.

North Dakota had a population, even under the census of 1885, which was official, of 152,199, and South Dakota 263,465, and there have been added at least 150,000 people to each of the two sections since.

It is admitted, indeed there can be no question, that so far as population is concerned in the matter of the admission of new States, the basis is that there shall be a sufficient number to entitle them to a Representative in the lower House of Congress, and therefore there can be no question about the eligibility of each of the proposed States to admission so far as population, wealth, material prosperity, and capacity for self-government are concerned.

The total vote of Dakota at the last election, held in November, 1888, for the election of Delegate to Congress was 114,500, of which nearly 71,000 was cast in South Dakota and over 43,000 in North Dakota. There are something over forty counties in the Territory unorganized, which contain a considerable population that is not allowed to vote.

I append the following from the last report of the governor, 1888, in regard to our population:

The population of Dakota in 1860, according to the national census of that year, was less than 5,000; in 1870 it was 14,181, showing an increase during that decade of about 200 per cent.; in 1880 the number of inhabitants in the Territory amounted to 135,177, or an addition of 850 per cent. to the population of the previous census, and five years later this number had increased, as shown by a Federal census, to 415,610, a gain of more than 200 per cent. in the period between the years 1880 and 1885.

There has been no official count of the population since the Federal census of 1885, and the only figures available for the years 1886, 1887, and 1888 are estimates approximately correct, made by the commissioner of immigration, and based on the public-land entries as reported by the ten United States land offices within the Territory.

On June 30, 1886, the commissioner estimated the number of Dakota's inhabitants to amount to 500,000 souls. A year later, June 30, 1887, the same authority gave the Territory a population of 568,477; and his estimate for the year ending June 30, 1888, indicates a gain, since the date of my last report, of 62,346, or a total population to-day of 640,823. This, of course, does not include Indians, Government employés, nor the other inhabitants of the numerous Indian and military reservations, which cover one-fifth of the entire area of the Territory. Add these, and the whole number of people within the boundaries of Dakota will approach closely to 700,000.

The proportion of foreign-born to the entire population is about one in three, or at least that was the ratio in 1885, as shown by the Federal census, and there is no reason to suppose it has changed very much with the increase during the three years since that enumeration.

A majority of the settlers of foreign nativity are Scandinavians; next come the Germans, Canadians, Irish, and Russians in the order mentioned. One can scarcely name a foreign country which is unrepresented among the inhabitants of the Territory. Colonies of Jews from Poland, Mennonites from Russia, Turks from Roumelia, natives from Iceland, and representatives of nearly every clime, color, and religious sect upon the globe are here engaged side by side in that struggle for home and independence which marks the better civilization of the world.

But as the admixture of the brain and the brawn of the world has produced in our nation a race which ranks in energy, intelligence, and all the distinguishing traits of civilization, just so has this commingling, in the settlement of Dakota, of the best elements of foreign and native ambition and enterprise yielded its return in a prosperous people whose happy homes and well-tilled farms surround the thrifty villages, marked by towering spire of church and school.

Mr. Speaker, what are the qualifications of a Territory or people for statehood? It is conceded that they must possess—

Those conditions as to area, productiveness, capacity, population, loyalty, and good disposition of her people as are in keeping and in harmony with the spirit of our Constitution and policy of our Government.

Does the proposed State of South Dakota possess these qualifications? I need not reiterate what has been said regarding this in the many speeches and reports both in this and the other end of the Capitol. As I understand, there remains no question over our possessing these qualifications.

Then, sir, have not the people of the proposed State of South Dakota an absolute constitutional right to be admitted as a State? We claim it as a matter of right. In the language of the appeal that was made in behalf of California:

These people request admission to the Union as a State. They understand and estimate the advantages which will accrue to them from such a connection, while they trust they do not too highly compute those that will be conferred upon their brethren.

They do not present themselves as suppliants, nor do they bear themselves with arrogance or presumption. They come as free American citizens, by treaty, by adoption, and by birth, and ask that they may be permitted to reap the common benefits, share the common ills, and promote the common welfare as one of the United States of America.

There has been considerable discussion over the question of the right of a Territory, qualified in all respects to be admitted as a State—an absolute constitutional right. Can there be any question regarding that proposition?

It is true there is no court or tribunal wherein the right may be tried or enforced. No decree can be rendered, no mandate issued, therefore we appeal to Congress again and again. An act of Congress is necessary to admit a State. Some claim that it is discretionary with Congress whether to admit Dakota or not. Then to refuse us admission, under the circumstances, is an abuse of discretion, proportionate with the wrong and injury of depriving us of statehood.

Abuse of discretion has dethroned kings, destroyed courts, and impeached judges. It has frequently deprived parties of political power in the history of our own country. Our people have but one recourse left, if Congress does not give us justice, and that is to appeal to the popular sense and fairness of the American people at a general election. Let the people of the country understand the case of Dakota, which they in part do, and there can be no doubt of the result.

Dakota was organized as a Territory in 1861, and was carved out of the Louisiana purchase. It was proposed in the celebrated treaty between Napoleon as the representative of the French, and Jefferson of our people, that the inhabitants of that region should have guarantied to them all the rights of American citizenship, including the right of admission into the Union of States. The treaty was more far reaching than the mere cession of territory to be ruled and governed as the United States should see proper. It contemplated, and the obligation was assumed on the part of our Government, to ingraft and incorporate the people who might settle in the new Territory into full rights of citizenship, including self-government and statehood.

The third article of the treaty is as follows:

The inhabitants of the ceded territory shall be incorporated into the Union of the United States and admitted as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and in the mean time they shall be maintained and protected in the free enjoyment of their liberty, property, and the religion which they profess.

What can be plainer than this?

Is there any "discretionary" ground in this stipulation, provided it

is conceded the necessary conditions regarding population, intelligence, etc., exist?

This provision of the treaty was in harmony with a policy this Government adopted at and even before its formation.

Some years before, and prior to the adoption of the Federal Constitution, certain of the States had ceded and relinquished to the United States all of their several claims to a vast region which lay northwest of the river Ohio. In order to govern this territory, and also to inevitably destine to admission into the Union the commonwealths which it was clearly seen would arise within it, the ordinance of 1787 was enacted. This revered instrument, like the Constitution which immediately followed it, was framed by statesmen who "looked into the seeds of time to see which grain would grow and which would not." It also provided in most explicit language of law and of inviolable compact that the communities thereafter to come into being in that territory should, under certain conditions, be entitled to enter the Union as it then was, without the formality of special precedent license.

The foregoing is taken from the remarks of Senator DAVIS upon this proposition.

The ordinance of 1787 provided as follows:

SEC. 13. And for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions, are erected; to fix and establish those principles as the basis of all laws, constitutions, and governments which forever hereafter shall be formed in the said Territory; to provide also for the establishment of States, and permanent governments therein, and for their admission to a share in the Federal councils, on an equal footing with the original States, at as early periods as may be consistent with the general interests.

SEC. 14. It is hereby ordained and declared by the authority aforesaid that the following articles shall be considered as articles of compact between the original States and the people and the States in said Territory, and forever remain unalterable, except by common consent, to wit:

* * * * * * *

Whenever any of said States shall have 60,000 inhabitants therein, such State shall be admitted by its delegates into the Congress of the United States, on an equal footing with the original States in all respects whatever, and shall be at liberty to form a permanent constitution and State government.

By this ordinance Virginia, with a generosity that has been of immeasurable benefit to our Union, ceded to the Government the territory out of which the great and populous States of Ohio, Indiana, Michigan, and Illinois were taken.

This ordinance was over and over again extended after the adoption of the Federal Constitution to territory of which Dakota now forms a part.

We see, upon examination, that the ordinance of 1787 and the Louisiana treaty have been successfully and repeatedly used as authority for the right of new States to be admitted to the Union. No better authority or language regarding the duty of Congress to admit new States need be given than the following from Chief-Justice Taney in the Dred Scott case (19 Howard, 446):

In the case of Dred Scott vs. Sandford (19 How., 446), the court (Chief-Justice Taney delivering the opinion) said upon this subject:

"There is certainly no power given by the Constitution to the Federal Government to establish and maintain colonies bordering on the United States, or at a distance, to be ruled and governed at its own pleasure, nor to enlarge its territorial limits in any way except by the admission of new States. That power is plainly given, and if a new State is admitted it needs no further legislation by Congress, because the Constitution itself defines the relative rights and powers and duties of the State, and the citizens of the State, and the Federal Government. But no power is given to acquire a Territory to be acquired and held permanently in that character.

* * * * * * *

"We do not mean, however, to question the power of Congress in this respect. The power to expand the United States by the admission of new States is plainly given; and in the construction of this power, by all the departments of the Government, it has been held to authorize the acquisition of territory not fit for admission at the time, but to be admitted as soon as its population and situation entitle it to admission. It is acquired to become a State, and not to be held as a colony and governed by Congress with absolute authority; and as the propriety of admitting a new State is committed to the sound discretion of Congress, the power to acquire territory for that purpose, to be held by the United States until it is in a suitable condition to become a State upon an equal footing with the other States, must rest upon the same discretion."

Appeals have been made over and over again and repeatedly sustained in behalf of other States based upon this article of the treaty quoted above, and also upon the ordinance of 1787, and their application to us. I quote the following from the report submitted in the Senate upon the Dakota bill, as follows, concerning the ordinance of 1787:

The ordinance of 1787 gave to the Northwestern Territory at first a colonial form of government. The executive, legislative, and judicial powers were lodged in officers appointed by Congress. But this was of necessity and temporary. So soon as 5,000 inhabitants were found in the district, authority was given to the people to elect a legislature and to enact laws. The end to which these expedients of government looked was statehood. In the fifth article it was provided:

"And whenever any of the said States shall have 60,000 free inhabitants therein such State shall be admitted, by its delegates, into the Congress of the United States, on an equal footing with the original States in all respects whatever, and shall be at liberty to form a permanent constitution and State government: *Provided*, The constitution and government so to be formed shall be republican and in conformity to the principles contained in these articles; and so far as it can be, consistent with the general interest of confederacy, such admission shall be allowed at an earlier period and when there may be a less number of free inhabitants in the State than 60,000."

By an act of Congress passed April 20, 1836 (5 Stat. L., p. 10), the Territory of Wisconsin was organized, and embraced within its limits a large, perhaps the larger, part of the present Territory of Dakota. Section 12 of that act extended all the rights, privileges, and advantages secured to the people of the Northwest Territory by the ordinance of 1787 to the inhabitants of the Territory of Wisconsin. A prior act of Congress, relating to the Territory of Michigan, which embraced all that part of Dakota east of the Missouri and White Earth Rivers, and a later act, relating to the Territory of Minnesota, which included the same region west of the Mississippi, also expressly guarantied to the people the privileges and advantages o the ordinance of 1787.

The ordinance of 1787 was a wise and beneficent compact. It guarantied certain rights to the people who should settle the western wilderness, and among the most valuable of these was the right to form a State government and to be admitted on terms of equality to the Union of the States. The hardy men and women who pushed back our frontier and developed the vast resources of the West were to be also builders of States. We do not stop to discuss at any length the question whether one of these States contemplated by the ordinance of 1787 could become *de jure* and *de facto* a State without the sanction of Congress. The existence of a State is a political fact, and involves the admission of its Senators and Representatives to the Congress of the United States. Again, by the terms of the compact the right of admission as a State was upon the condition that "the constitution and government so to be formed shall be republican and in conformity to the principles contained in these articles." Congress must judge whether these conditions have been complied with.

Whatever views may be entertained by the committee regarding a strict construction of the Louisiana treaty and the ordinance of 1787, it certainly will strike the average mind that Congress is under an "imperious moral obligation" to admit both North and South Dakota as States into the Union, if the conditions as to area, production, capacity, population, good disposition towards the Government and institutions of the country are found to exist.

It appears that Dakota comes within the provision both of the ordinance and the treaty.

Time and again have Territories within the great region included within the ordinance and treaty proceeded, as we have done in South Dakota, in the formation of a constitution and State government without authority of Congress, and over and over again have this treaty and ordinance been quoted and invoked as authority therefor.

Now, what is the history of other Territories regarding this matter of admission?

By the act of March 26, 1804, the Louisiana purchase was divided into two Territories. That portion north of the thirty-third parallel of latitude was constituted the Territory of Orleans.

By the act of March 2, 1805, a Territorial government was instituted for this Territory, and it was ordained that the inhabitants thereof "shall be entitled to enjoy all the rights, privileges, and advantages secured by such ordinance (1787) and now enjoyed by the inhabitants of the Mississippi Territory."

This act further provided that—

"The inhabitants of the Territory shall be authorized to form for themselves a constitution and State government, and be admitted into the Union upon the footing of the original States in all respects, conformably to the third article of the treaty of Paris. * * * *Provided*, That the constitution shall be republican in form and not inconsistent with the ordinance of 1787, so far as the same is made applicable to the Territory of Orleans: *Provided*, That Congress shall be at liberty at any time prior to the admission of the inhabitants of the said Territory to the rights of a separate State, to alter the boundaries thereof as they shall judge proper, except only that no alteration shall be made which shall procrastinate the period for the admission of the inhabitants thereof to the rights of a State government according to the provisions of this act."

It will have been observed that the provisions of the ordinance of 1787 were extended to the Territory of Louisiana to the same extent that they were enjoyed by the inhabitants of the Territory of Mississippi.

The application of this ordinance to that Territory was by the act of April 7, 1798, and it provided that the people of the Territory of Mississippi—

"Shall be entitled to enjoy all and singular the rights, privileges, and advantages granted to the people of the Territory of the United States northwest of the river Ohio"—

By the ordinance of 1787—

"in as full and ample a manner as the same are possessed and enjoyed by the people of the last-mentioned Territory."

The Territory of Missouri was established by the act of June 4, 1812. By implication these rights were continued to the people of that Territory, the act repealing only the repugnant portions of the acts in reference to the Territory of Louisiana.

The present Territory of Dakota has been, in part, successively a part of the Territories of Missouri, Michigan, Wisconsin, Iowa, and Minnesota, and in part of the Louisiana purchase. By the act of June 28, 1834, all that region north of Missouri, and east of the Missouri River, and west of the Mississippi River, and south of the northern boundary of the United States, was attached to the Territory of Michigan by an act which provided that—

"The inhabitants therein shall be entitled to the same privileges and immunities, and be subject to the same laws, rules, and regulations, in all respects, as the other citizens of Michigan Territory."

By act of April 20, 1836, this region last described was transferred to the Territory of Wisconsin, and it was provided—

"That the inhabitants of the said Territory shall be entitled to and enjoy all and singular the rights, privileges, and advantages granted and secured to the people of the territory of the United States northwest of the Ohio River, by the articles of the compact contained in the ordinance for the government of the said territory, passed on the 13th day of July, 1787."

Iowa became a Territory by the act of June 12, 1838, and comprised all the Territory of Wisconsin west of the Mississippi River and west of a line drawn due north from its headwaters to the international boundary. This act provided that—

"The inhabitants of the said Territory shall be entitled to all the rights, privileges, and immunities heretofore granted and secured to the Territory of Wisconsin and its inhabitants."

All of the region in question had previously been part of the Territory of Michigan, under the statute enacted in 1834, which so extended the western boundary of that Territory as to comprise all of the territory between the northern line of Missouri and the northern international boundary lying east of the rivers Missouri and White Earth.

Michigan had been a Territory ever since 1805, by an act which declared that—

"The inhabitants thereof shall be entitled to all and singular the rights, privileges, and advantages granted and secured to the people of the territory of the United States northwest of the Ohio River by the said ordinance"—

Of 1787.

In 1849 the above portion of Dakota became part of the Territory of Minnesota, under an act for the Territorial government, which ordained that the inhabitants of the Territory "shall be entitled to all the rights, privileges, and immunities granted and secured to the Territory of Wisconsin and its inhabitants,"

Among which, as has been shown, were those conferred by the ordinance of 1787, both by the ordinance itself and by subsequent re-enactment of its terms.

It thus appears that Dakota stands upon the equities of both the ordinance and treaty.

By the act of May 26, 1790, the ordinance of 1787 was extended to all of the

territory south of the Ohio River. It constituted all of that region one district for the purposes of temporary government—

"The inhabitants of which shall enjoy all the privileges, benefits, and advantages set forth in the ordinance of the late Congress for the government of the territory of the United States northwest of the river Ohio."

By the act of August 14, 1848, Oregon and its inhabitants were invested with the "rights, privileges, and advantages" of the ordinance of 1787.

The preamble to the constitution of Arkansas, adopted in 1836, asserted—

"The right of admission into the Union by virtue of the treaty of cession by France to the United States of the province of Louisiana."

In the case of Kansas, the preamble of the Topeka constitution asserted—

"The right of admission into the Union by virtue of the treaty of cession by France to the United States of the province of Louisiana."

The same assertion of right under the treaty is found under the Lecompton constitution. It was also put forth in the Minneola or Leavenworth constitution.

Turning to another passage of our diplomatic history which records the acquisition of territory by treaty, it is found that the treaty with Spain, concluded in 1819, by which the United States acquired the Floridas, contains this article:

"ART. 6. The inhabitants of the territories which his Catholic Majesty cedes to the United States by this treaty shall be incorporated in the Union of the United States as soon as may be consistent with the principles of the Federal Constitution, and admitted to the enjoyment of all privileges, rights, and immunities of the citizens of the United States."

Accordingly, in 1839, Florida adopted a constitution, the preamble of which declares that—

"We, the people of the Territory of Florida, having and claiming the right of admission into the Union as one of the United States of America, consistent with the principles of the Federal Constitution, and by virtue of the treaty of amity, settlement, and limits between the United States of America and the King of Spain."

The treaties with France and Spain became, by constitutional mandate, the supreme laws of the land, and so remain to this day.

The ordinance of 1787 was extended by act of Congress, May 26, 1790, to the territory south of the Ohio River.

The case of Tennessee is of the utmost importance in considering this question, because it establishes beyond a possible doubt the right of our people to form a constitution without authority of Congress.

A convention met at Knoxville, January 11, 1796, for framing a State constitution. A committee was appointed to frame a constitution, and a bill of rights was reported to the convention within a few days. The labors of the convention were completed on the 6th of February by the adoption of a constitution, and on the 19th an engrossed copy was forwarded to President Washington with a notification that on the 28th of March the Legislature of the proposed State would meet to act on the constitution, and on that day the temporary government established by Congress would cease.

Thus, nearly a hundred years ago, a people took position far in advance of Dakota to-day. There was no pretense on their part that an act of Congress, even, was necessary to admit a State to the Union. It was the proposed State government or nothing with them. They so distinctly notified the Government. Neither was there any arrogant claim on their part. They relied squarely upon the same authorities that Dakota relies upon to-day, and their claim was successful after an energetic discussion and considerable opposition. Washington referred the matter to Congress with the following message:

GENTLEMEN OF THE SENATE AND OF THE HOUSE OF REPRESENTATIVES: By an act of Congress passed on the 26th of May, 1790, it was declared that the inhabitants of the territory of the United States south of the river Ohio should enjoy all the privileges, benefits, and advantages set forth in the ordinance of Congress for the government of the territory of the United States northwest of the river Ohio; and that the government of said territory south of the Ohio should be similar to that which was then exercised in the territory northwest of the Ohio, except so far as was otherwise provided in the conditions expressed in an act of Congress passed the 2d of April, 1790, entitled "An act to accept a cession of the claims of the State of North Carolina to a certain district of western territory."

Among the privileges, benefits, and advantages thus secured to the inhabitants of the territory south of the river Ohio appear to be the right of forming a permanent constitution and State government, and of admission as a State, by its delegates, into the Congress of the United States on an equal footing with the original States in all respects whatever when it should have therein 60,000 free inhabitants, provided the constitution and government to be so formed should be republican, and in conformity to the principles contained in the articles of the said ordinance.

As proofs of the several requisites to entitle the territory south of the river Ohio to be admitted as a State into the Union, Governor Blount has transmitted a return of the enumeration of its inhabitants, and a printed copy of the constitution and form of government on which they have agreed, which, with his letters accompanying the same, are herewith laid before Congress.

G. WASHINGTON.

UNITED STATES, *April* 8, 1796.

The admission of Tennessee under this movement was objected to upon the ground that no previous act of Congress authorized it. The debate was spirited and participated in by men who assisted in forming this Government, notably Mr. Madison. The House acted upon the message, and passed a resolution declaring Tennessee a State and admitting it to the Union.

The debate upon that resolution is exceedingly instructive, and among the proceedings is the following:

"Mr. RUTHERFORD. They have erected a State government and wish to come into the Union, and to resist their claims would be out of character.

"Mr. DEARBORN. As to passing a previous law recognizing the Territory as a State before it was admitted into the Union, he did not believe it to be necessary.

"Mr. LYMAN. In his opinion, according to the ordinance they had a clear right to be admitted as a State into the Union, for it was then said that when they had 60,000 inhabitants they should be admitted.

"Mr. SEDGWICK quotes Mr. Madison as saying that they, 'the inhabitants were in a degraded condition because controlled by laws which were made independent of them.'

"Mr. MACON. The question before the committee was on admitting the Territory to be a State of the Union. There appeared to him to be only two things necessary to be inquired into: First, was the new government republican? It appeared to him to be so. And, secondly, were there 60,000 inhabitants in the Territory? It appeared to him there were; and if so, their admission as a State should not be considered as a gift, but as a right. To admit this Territory as a member of the Union appeared to him as a matter of course. It also seemed as if the Executive were of that opinion. The President having been duly informed from time to time of the proceedings of that Territory toward being admitted into the Union, if he had thought they had been doing wrong, he would have set them right."

I come now, Mr. President, to the opinions of one whose words upon everything connected with the Federal Constitution are of more than judicial authority, Mr. Madison. He said:

"The gentleman from South Carolina seemed to think that the ordinance by which this State should be admitted into the Union required that the Territory should first be acknowledged as a State, and then have the inhabitants of it as such numbered under the authority of Congress. He thought this would be spinning a finer thread than was necessary, and would give the people reason to suppose that the General Government was disposed to keep them in their present condition as long as possible. If the Legislature of the United States should be convinced that the Territory contained a sufficient number of inhabitants to entitle them to admission into the Union, it was matter of form only how the census had been taken, or whether the Territory had been previously acknowledged as a State by Congress or not. The fact of population was the only necessary one, and would no evidence satisfy the gentleman but such as they themselves should direct? * * *

"The inhabitants in that district of country were in a degraded situation at present; they were deprived of a right essential to freemen—the right of being represented in Congress. Laws were made without their consent, or by their consent in part only. An exterior power had authority over their laws; an exterior authority appointed their executive, which was not analogous to the other parts of the United States and not justified by anything but an obvious and imperious necessity. * * * He thought when there was doubt Congress ought to lean towards a decision which should give legal rights to every part of the American people."

"Mr. Gallatin was of the opinion that the people of the Southwestern Territory became *ipso facto* a State the moment they amounted to 60,000 free inhabitants, and that it became the duty of Congress, as a part of the original compact, to recognize them as such and to admit them into the Union whenever they had satisfactory proof of the fact."

"Mr. Colt said it is declared by the ordinance for the government of the Territory that when there should be 60,000 inhabitants in any one of the States there, they should be admitted into the Union. If, then, it is not in contemplation to divide the Territory into two States, he considered the right to be admitted was complete as soon as there was the requisite number within the whole Territory."

Mr. Kitchell proposed a resolution in the place of the one agreed to in the convention of the whole, as he thought some law should be passed by Congress recognizing the Territory as a State before they were admitted into the Union. It was negatived, and the original resolution was agreed to by a vote of 43 to 30.

Among the nays were James Madison, Albert Gallatin, William R. Giles, Wade Hampton, Robert Goodloe Harper, Nathaniel Macon.

The committee of the Senate reported against admission, because—

"1. The Territory had not been laid out by Congress into a State or States, as provided by the ordinance of 1787.

"2. The census had not been taken under authority of the United States."

And recommended a bill laying out the Territory into a State, and providing for an enumeration of its inhabitants. Such a bill passed the Senate and went to the House. The result finally was a report from Mr. Giles upon the bill as it came from the Senate, "which went to change the principle of the bill from the Senate."

"The House contended that the proceedings of these people had been so far regular as to authorize the admission of them as a State into the Union; but by the bill sent from the Senate it was proposed to lay out this Territory into a State and order a census taken before it could be admitted. This report of the committee confirmed the bill to the opinion heretofore expressed in the House."

The bill thus conformed was adopted by a vote of 48 to 30. The House bill was disagreed to by the Senate; a committee of conference was appointed; the Senate finally receded from its plan and passed the House bill or resolution.

The case of Michigan is one of the most remarkable in the history of the admission of States. Michigan applied for admission in 1835.

The facts are stated in the following extract from the report of the Senate committee of the first session of the Forty-ninth Congress upon the question of the admission of Dakota:

"The history of the formation of a State government in Michigan is very familiar. In the year 1833, and again in 1834, memorials were presented to Congress asking for the admission of the State. No action having been taken by Congress, the Territorial Legislature, January 26, 1835, passed an act authorizing the holding of a convention to form a State constitution. The convention assembled at Detroit on the second Monday of May following, and proceeded to frame a constitution, which was submitted to a popular vote in October of the same year, and ratified, and at the same time State officers were elected. The schedule attached to the constitution provided that a certified copy thereof, together with an abstract of a census which had been taken, and a copy of the act of the Legislature referred to, should be transmitted to the President. No memorial praying for the admission of the State was provided for or sent, nor was there, so far as we have seen, anything in the constitution staying the going into effect of the State government for any action of Congress thereon.

"The communication to the President, which accompanied the copy of the constitution sent, was as follows:

"'WASHINGTON, *December* 9, 1835.

"'SIR: The undersigned, elected Senators and Representatives to Congress from the State of Michigan, have the honor to transmit to you herewith an additional authentic copy of the constitution adopted by the convention of Michigan on the 24th day of June, 1835, and ratified by the people of the same on the first Monday and the succeeding day in October, 1835.

"'We have the honor to be, with the highest respect, your most obedient servants,

"'JOHN NORVELL.
"'LUCIUS LYON.
"'ISAAC E. CRARY.

"'The PRESIDENT OF THE UNITED STATES.'

"Andrew Jackson, then President of the United States, transmitted the documents to Congress, accompanied by the following message:

"WASHINGTON, *December* 9, 1835.

"'*To the Senate and House of Representatives:*

"'GENTLEMEN: By the act of the 11th of January, 1805, all that part of the Indiana Territory lying north of a line drawn due "east from the southerly bend or extreme of Lake Michigan until it shall intersect Lake Erie, and east of a line drawn from the said southerly bend, through the middle of said lake, to its northern extremity, and thence due north to the northern boundary of the United States," was erected into a separate Territory by the name of Michigan.

"'The territory comprised within these limits, being part of the district of country described in the ordinance of the 13th of July, 1787, which provides that whenever any of the States into which the same should be divided should have 60,000 free inhabitants, each State should be admitted by its delegates "into the Congress of the United States on an equal footing with the original States in all respects whatever, and shall be at liberty to form a permanent constitution and State government, provided the constitution and government so to be formed shall be republican and in conformity to the principles contained in these articles," etc., the inhabitants thereof have, during the present year, in pursuance of the right secured by the ordinance, formed a constitution and State government. That instrument, together with various other documents connected therewith, has been transmitted to me for the purpose of being laid before Congress, to whom the power and duty of admitting new States into the Union exclusively appertains, and the whole are herewith communicated for your early decision.

"'ANDREW JACKSON.'

"A dispute between Michigan on the one side and the States south of her on the other as to the boundary line complicated and delayed her admission as a State; but meantime the new State government was exercising the functions of government.

"In the debates in Congress Michigan found many able defenders of her cause. Others denied her claim to be a State without some act of Congress authorizing or ratifying her proceedings. The result was the act of June 15, 1836, by which Congress ratified what Michigan had done and admitted the State into the Union upon the condition that her convention should consent to a change in the southern boundary.

"In the proceedings of the Senate, on December 10, 1835, the following appears:

"'Mr. Benton presented the credentials of Hon. Lucius Lyon and Hon. John Norvell, elected by the Legislature of Michigan Senators from that State; which were read. Mr. Benton then moved that seats be assigned to Mr. Lyon and Mr. Norvell on the floor of the Senate until the decision of the question of their admission as Senators. This [Mr. B. said] had been done by courtesy in similar cases.'

"The remarks of Mr. Benton upon this subject, a few days afterwards, are of present interest, as they refer to his own experience when he first appeared as a Senator from Missouri. He said:

"'When a gentleman brought a letter to him from a respectable source he at least asked him to take a seat until he read it; and here (said he) these gentlemen have brought a letter from a State *de facto*, signed by a high official functionary, and we are to hesitate before we extend to them an act of common courtesy. * * * But it has been said that the adoption of the resolution would prejudge the case of the admission of Michigan into the Union; that the mere courtesy of asking the gentlemen to sit down was to commit the Senate as to their admission as Senators. Are we of such treacherous memories as not to recollect what took place with regard to the admission of Missouri into the Union? Were the Senators from Missouri not sent back after having had seats assigned them? Was there one single Senator influenced in the vote he gave on that occasion by the fact that seats had been assigned to the Missouri Senators pending the question of their admission? He [Mr. B.] was here as one of those Senators, and was told by that accomplished gentleman and amiable man who then filled the chair [Mr. Gaillard] to take his seat; and he [Mr. B.] had all the incidental privileges of a Senator extended to him. He had the right to frank documents to wherever he pleased, and he had the privilege of using the stationery of the Senate, notwithstanding the question of right was decided against him and he was sent home. As to the question of the admission of Michigan he, for one, remained not only uncommitted but undecided as to the course he should take.'

"Afterwards Mr. Benton withdrew his resolution and offered another, which, on motion of Mr. Hendricks, of Indiana, was modified so as to extend to these gentlemen the same privileges on the floor of the Senate that were extended to members of the House, and in that form the resolution was adopted.

"In the course of the debates in the Senate Mr. Buchanan said:

"'I think their course is clearly justifiable, but if there is anything wrong or unusual in it, it is to be attributed to the neglect of Congress.

"'For three years they have been rapping at your door and asking for the consent of Congress to form a constitution and for admission into the Union; but their petitions have not been heeded and have been treated with neglect. Not being able to be admitted in the way they have sought, they have been forced to take their own course and stand upon their rights—rights secured to them by the Constitution and a solemn irrepealable ordinance (of 1787).

"'They have taken a census of the Territory; they have formed a constitution, elected their officers, and the whole machinery of a State government is ready to be put in operation; they are only awaiting your action. Having assumed this attitude, they now demand admission as a matter of right; they demand it as an act of justice at your hands.

"'Are they now to be repelled or to be told that they must retrace their steps and come into the Union in the way they first sought to do, but could not obtain the sanction of Congress?

"'In fear of the consequences of such a decision, I tremble at an act of such injustice.'"

In the case of Arkansas there was no enabling act. Congress had refused to pass one. In 1836 the people adopted a constitution the preamble of which asserted the right to admission by virtue of the articles of the treaty with France. The State was admitted June 15, 1836, by an act which recites the adoption of a constitution by a convention, and that the convention had on behalf of the people asked Congress to admit the Territory into the Union as a State. From the fact that the act of the admission prescribed the boundaries there seems to have been some question upon that point. A supplementary act of June 23, 1836, submitted to the General Assembly "of the State of Arkansas" certain other conditions; as to schools, salt springs, 5 per cent. from sales of Government lands, five sections for public buildings, two townships for a seminary of learning, and on October 18, 1836, that Legislature accepted the required conditions.

Mr. Morris, of Ohio, justified the right of the people of a Territory, when amounting to 60,000, to mee tand form their own constitution. He said:

"I hold that any portion of American citizens, who may reside on a portion of the territory of the United States, whenever their numbers shall amount to that which would entitle them to a representation in the House of Representatives in Congress, have the right to provide for themselves a constitution and State government, and to be admitted into the Union whenever they shall so apply; and they are not bound to wait the action of Congress in the first instance, except there is some compact or agreement requiring them to do so. I place this right upon the broad and, I consider, indisputable ground that all persons living within the jurisdiction of the United States are entitled to equal privileges; and it ought to be a matter of high gratification to us here that in every portion, even the most remote, of our country our people are anxious to obtain this high privilege at as early a day as possible. It furnishes clear proof that the Union is highly esteemed and has its foundation deep in the hearts of our fellow-citizens.

"By the Constitution of the United States power is given to Congress to admit new States into the Union. It is in the character of a State that any portion of our citizens, inhabiting any part of the territory of the United States, must apply to be admitted into the Union; a State government and constitution must first be formed. It is not necessary for the power of Congress, and I doubt if Congress has such power, to prescribe the mode by which the people shall form a State constitution; and for this plain reason, that Congress would be entirely incompetent to the exercise of any coercive power to carry into effect the mode they might prescribe. I can not, therefore, vote against the admission of Arkansas into the Union on the ground that there was no previous act of Congress to authorize the holding of her convention. As a member of Congress I will not look beyond the constitution that has been presented. I have no right to presume it was formed by incompetent persons, or that it does not fully express the opinions and wishes of the people of that country. It is true that the United States shall guaranty to every State in the Union a republican form of government, meaning, in my judgment, that Congress shall not permit any power to establish, in any State, a government without the assent of the people of such State; and it will not be amiss that we remember here, also, that that guaranty is to the State and not as to the formation of the government by the people of the State; but should it be admitted that Congress can look into the constitution of a State in order to ascertain its character, before such State is admitted into the Union, yet I contend that Congress can not object to it for the want of a republican form, if it contains the great principle that all power is inherent in the people and that the Government draws all its just powers from the governed.

"The people of the Territory of Arkansas having formed for themselves a State government, having presented their constitution for admission into the Union, and that constitution being republican in its form, and believing that the people who prepared and sent this constitution here are sufficiently numerous to entitle them to a Representative in Congress, and believing also that Congress has no right or power to regulate the system of police these people have established for themselves, and the ordinance of 1787 not operating on them, I can not, as a member of this body, refuse my vote to admit this State into the Union."

In the course of the debate in the House, John Quincy Adams yielded his profound convictions on the subject of slavery to his sense of other obligations, saying:

"I can not, consistently with my sense of my obligations as a citizen of the United States, and bound by oath to support their Constitution—I can not object to the admission of Arkansas into the Union as a slave State; I can not propose or agree to make it a condition of her admission that a convention of her people shall expunge this article from her constitution. She is entitled to admission as a slave State, as Louisiana and Mississippi and Alabama and Missouri have been admitted, by virtue of that article in the treaty for the acquisition of Louisiana which secures to the inhabitants of the ceded territories all the rights, privileges, and immunities of the original citizens of the United States; and stipulates for their admission, conformably to that principle, into the Union."

It has been shown that Florida adopted a constitution in 1839, and stood upon the right to be admitted under the terms of the treaty with Spain.

It has been objected to the proceedings of our people, and this the Senate will propose to validate, that we seek to fix the boundaries of our proposed State.

The cases of Iowa, California, Kansas, and Oregon are squarely in point, and fully sustain our proposition.

Iowa and Florida were admitted together. The former State arranged its own boundaries.

Iowa, assuming the right to take the action she did, adopted a constitution in 1844. There was no enabling act as to either of these Territories. The people of each had memorialized Congress repeatedly, but in vain, for admission, until March 3, 1845, when both were admitted by act of that date. with the following preamble:

"Whereas the people of the Territory of Iowa did, on the 7th day of October, 1844, by a convention of delegates called and assembled for that purpose, form for themselves a constitution and State government; and whereas the people of the Territory of Florida did, in like manner, by their delegates, on the 11th day of January, 1839, form for themselves a constitution and State government, both of which said constitutions are republican; and said conventions having asked the admission of their respective Territories into the Union as States on an equal footing with the original States."

The act of Congress changed the boundaries of the State of Iowa, as defined in her constitution, and required the consent of the people to this change. This proposition was defeated at a popular election. A second convention, called by the Territorial Legislature, met and formed a new constitution in May, 1846, which was adopted by the people, and on December 28, 1846, an act of Congress admitting the State was passed.

In the case of Oregon the claim was made in behalf of the people of the right to originate a State government without authority of Congress under the ordinance of 1787, which had been extended to that Territory.

In December, 1856, the Territorial Legislature passed an act providing for a constitutional convention. The delegates were duly elected and the convention held. It met at Salem in August, 1857, and framed a constitution, which was ratified at a popular election. The boundaries, as provided for in that constitution, are the present boundaries of the State of Oregon, except that the territory lying north of the forty-sixth parallel of latitude and included between the Columbia and Snake Rivers, was, by the act of Congress admitting the State, taken from the State of Oregon and attached to the Territory of Washington. There was no enabling act, the movement for admission having originated wholly with the people. The State was admitted to the Union on the 14th day of February, 1859.

In the case of Oregon some question arose concerning its population. In the House, Mr. Stephens, of Georgia, reported a bill for the admission of Oregon, and after quoting the ordinance of 1787, he said:

If there were any questions as to whether there were 90,000 people there, if there were any question as to whether Oregon comes up to the ratio of representation, yet, sir, I hold that there is a solemn guaranty and a contract made with those people which we ought not to disregard. That there are more than 60,000 people there it seems to me no gentleman upon this floor can doubt.

Mr. Clark, of Missouri, also said, upon the same subject:

"I claim that Oregon has a right to come in under the ordinance of 1787, and that it is the duty of Congress to admit her on the same principle and according to the same rule established in that ordinance for the Northwest Territory."

California applied for admission in a manner much more self-assertive than was that adopted by the other States. The treaty of Guadalupe Hidalgo, properly construed, gave little warrant for the proceedings that were instituted. Two fruitless efforts were made in 1848 in Congress to establish a Territorial government in California, and a bill which was introduced for her admission as a State came to naught. In 1849 the military governor of that conquest called a constitutional convention by proclamation. This body adopted a constitution and elected State officers. The governor was inaugurated December 20, 1849. The military governor proclaimed the constitution to have been adopted, and delivered the government to the State thus organized. President Taylor transmitted this constitution to Congress in a message which took no exception to the manner in which it had been formed. Mr. Douglas presented to the Senate the memorial of the Senators and Representatives elect, praying the admission

of California as a State. The report of the conference committee of thirteen, made by Henry Clay, contains this passage:

"There are various instances prior to the case of California of the admission of new States into the Union without any previous authorization by Congress. The sole condition required by the Constitution of the United States in respect to the admission of a new State is that its constitution shall be republican in form."

It was under these circumstances that California came into the Union by the act of September 9, 1850.

The territory which is now the State of Vermont was claimed by Massachusetts, New Hampshire, and New York. The people of Vermont adopted a constitution in 1777, and adopted another in 1781. Massachusetts assented to the independence of Vermont.

The claim of New Hampshire was relinquished in 1782 and that of New York in 1790. Vermont was admitted into the Union February 18, 1791, and in the long history of this effort of her people to become a State no pretense was ever made that she could not approach Congress as a claimant to the right of admission without the credentials of an enabling act.

So in the case of Maine. Massachusetts, by act passed June 19, 1819, submitted the question of separation to the people of Maine, who thereupon voted (17,091 to 7,132) in favor of forming a separate State. In 1820 a constitution was adopted by a convention and ratified by the people and the State admitted.

Mr. Speaker, what more need be said upon the two propositions:

1. That our people have the constitutional right to frame a constitution and organize a State government precisely as we have done.

2. That as a matter of right we are entitled to admission to the Union.

If anything in reason or authority was ever established it is these two propositions; and they are supported by Washington, Madison, Macon, Benton, Clay, Buchanan, Douglas, John Quincy Adams, Mr. Stephens, and many other statesmen of almost equal eminence.

It is unquestionable that the ordinance of 1787 has been extended since the adoption of the Federal Constitution over the greater portion of Dakota, and that this ordinance has been regarded as conferring this right upon the people of a Territory to frame a constitution and demand admission into the Union. And the stipulations of the treaty with France have been regarded in many instances as conferring the same right.

Now, there is no consistent practice in regard to the admission of States. About as many have been admitted in one way as another. In some instances, like Kentucky and one or two others, a popular vote was not required, even upon the adoption of a constitution. The people of at least three States arranged their own boundaries without previous authority from Congress.

It can not be said that it is wholly within the discretion of Congress whether a State shall be admitted. It has been declared over and over again by the highest authority, by Chief-Justice Taney, speaking for the court in the Dred Scott case, that the United States has no right to acquire territory except with the intention to admit it as a State. Do the States of the Union consent to the acquisition of new territory for the purpose of keeping and maintaining a province? Did the people of Dakota go out from the various States, where they enjoyed full rights of citizenship and self-government, upon the vast prairies of Dakota to make homes for the purpose of being disfranchised—themselves and their children—by living in a province?

Talk about the admission of Dakota being discretionary with Congress. To refuse her admission is doing violence to the very name of discretion. It is a burlesque upon the name of discretion. How much discretion has the majority of this House exercised during the past four years in neglecting and refusing, during all this time, to give even a moment's time to the question of the admission of Dakota or of any other Territory? How much discretion did the distinguished Senator from South Carolina and his Democratic colleagues exercise, in presenting to the Senate and voting for an enabling act for the admission of Dakota as a whole, by permission of Congress some time hereafter—no definite period fixed—and insisting that Utah shall be admitted at once upon proclamation by the President, which were precisely the terms of the so-called enabling act?

Is that what you call "exercising discretion" in the admission of new States? We call it in Dakota, and the people of the country call it, the very height of partisan blindness and folly, of injustice and tyranny.

I come now to the question of the division of Dakota—the boundaries and area of the proposed State. Are they not sufficient in all reason for a State? It will contain more than 75,000 square miles, and exceeded in size by only seven States—California, Colorado, Kansas, Minnesota, Nevada, Oregon, and Texas. The proposed State will be about 200 miles wide and 400 long, larger by far than any State east of the Mississippi, and will exceed in size all of New England and New Jersey added.

Can the gentlemen from Illinois or Georgia, from Iowa or South Carolina, object to the admission of South Dakota on the ground that it is not large enough for a State? What a condition of things we would now have had Ohio and Indiana been admitted as one State, and yet both combined are much smaller than the proposed State of South Dakota. It is not for political parties nor for the present generation that we construct States. It is for the future—for those who are to come after us. It is for the millions who are to live in Dakota that the foundations for statehood are now laid. Admit Dakota as a whole, and you have a State nearly twice as large as Minnesota—larger than all New England, New York, and Pennsylvania combined.

Have the climate and soil sufficient productive capacity for two States? Permit me to give a few figures and comparisons in this regard. It must be remembered that the area of the proposed State of North Dakota is about equal to that of South Dakota. I will give the population and area of the States when admitted into the Union:

State.	Date of admission.	Representative ratio on previous census.	Population by previous census.		
			Free.	Slave.	Total.
Vermont	1791	33,000	85,425	.....	85,425
Kentucky	1 92	33,000	61,247	12,430	73,677
Tennessee	1796	33,000	32,274	3,417	35,691
Ohio	1802	33,000	45,365	.....	45,365
Louisiana	1812	35,000	41,896	34,660	76,556
Indiana	1816	35,000	24,520	.....	24,520
Mississippi	1817	35,000	23,264	17,088	40,352
Alabama	1819	35,000			
Illinois	1818	35,000	12,282	.....	12,282
Maine	1820	35,000	228,705	.....	228,705
Missouri	1821	40,000	56,335	10,222	66,557
Arkansas	1836	47,700	25,812	4,576	30,388
Michigan	1837	47,700	31,639	.....	31,639
Florida	1845	70,680	28,760	25,717	54,477
Texas	1845	70,680	.....	.....	.....
Iowa	1846	70,680	43,112	.....	43,112
Wisconsin	1848	70,680	30,945	.....	30,945
California	1850	93,423	92,597	.....	92,597
Minnesota	1858	93,423	6,077	.....	6,077
Oregon	1859	93,423	13,294	.....	13,294
Kansas	1861	127,381	107,206	.....	107,206
West Virginia	1863	127,381	.....	.....	.....
Nevada	1864	127,381	6,857	.....	6,857
Nebraska	1867	127,381	28,841	.....	28,841
Colorado	1876	131,425	39,864	.....	39,864

State.	Population when admitted.			Population by following census.	Rate per cent. of increase during decade of admission.
	Free.	Slave.	Total.		
Vermont	85,425	.....	85,425	154,446	80
Kentucky	61,247	12,430	73,677	220,955	200
Tennessee	*60,600	*7,000	*67,000	105,602	195
Ohio	45,365	.....	45,365	230,760	408
Louisiana	41,896	34,660	76,556	152,923	100
Indiana	63,897	.....	63,897	147,178	500
Mississippi	45,441	30,061	75,512	75,448	403
Alabama				127,901	
Illinois	34,620	.....	34,620	55,162	350
Maine	298,269	.....	298,269	399,445	33
Missouri	56,335	10,222	66,557	140,445	111
Arkansas	*33,000	*9,240	52,240	97,574	221
Michigan	*65,000	.....	*65,000	212,267	570
Florida	*34,000	*30,000	*64,000	87,445	60
Texas	*105,000	*38,000	*143,000	212,592	.....
Iowa	78,819	.....	78,819	192,214	345
Wisconsin	*180,000	.....	*180,000	305,391	886
California	92,597	.....	92,597	379,994	310
Minnesota	*120,000	.....	*120,000	172,023	2,370
Oregon	*50,000	.....	*50,000	52,465	294
Kansas	107,206	.....	107,206	364,399	240
West Virginia	.....	.....	*350,000	442,914	.....
Nevada	*40,000	.....	*40,000	42,491	520
Nebraska	*100,000	.....	*100,000	122,993	322
Colorado	*100,000	.....	*100,000	194,640	388

*Estimated.

The present basis of representation in the House of Representatives is 151,911. No State ever created out of the public domain had at the time of admission anything like the population which is contained in either of the proposed States, and the claims of every State admitted or annexed into the Union to this time bear no comparison whatever to the claims of Dakota. Treaty obligations have been violated, constitutional guaranties trodden upon, and the spirit as well as the letter of our Government cast contemptuously aside in the case of Dakota. Can there be any doubt about each of the proposed States containing sufficient area for a State? Can the gentleman from Georgia, or Iowa, or Missouri, or Illinois, or South Carolina consistently raise the question or object to the admission of either Dakota upon the ground that it does not contain sufficient area?

Mr. Chairman, there is no question that the work of creation and constituting States into the Union is of serious and most important import.

There may be questions connected therewith which seriously affect the body of the States, which should be fairly taken into account; and, on the other hand, there may be, and in the case of Dakota certainly are, considerations of higher importance affecting her people that are of the utmost concern and urgency to them.

It must be considered that we have outgrown to a vast degree all and every condition contemplated or intended to come within the provisions of a Territorial government. We have six judges, with the most urgent need of two more. The usual number allotted to a Territory is three. Our Legislature has double the number of members that Territorial Legislatures usually contain.

The government which is provided for the Territories of the United States is almost identical with that which was extended by England over her colonies a century and a half ago, and against which the fathers of this Republic so successfully rebelled.

Regarding the object and purposes of a Territorial government, I can do no better than to quote the following language, which comes to us from high authority:

"The policy of the United States from the time of the adoption of the Constitution, and even before, has been to encourage the settlement of the public lands lying outside of the boundaries of the States, and to organize the communities thus formed into States as soon as the requisite population was found within a suitable area. Territorial governments were always regarded as formative and temporary, to be superseded by State governments as soon as the necessary conditions existed. The vast domain acquired by cession from Virginia, by the treaty of Louisiana, and by conquest from Mexico, has been carved into States, which have been admitted to the Union as fast as sufficient population was found therein."

Summary of areas of States, Territories, etc., in square miles.

States and Territories.	Gross areas.	Coast waters (bays, gulfs, sounds, etc.).	Rivers and smaller streams.	Lakes and ponds.	Total water surface.	Total land surface.
Total	3,025,600	17,200	14,500	23,900	55,600	3,970,000
Alabama	52,250	440	260	10	710	51,540
Arizona	113,020	.....	80	20	100	112,920
Arkansas	53,850	.....	540	265	805	53,045
California	158,360	540	240	1,600	2,380	155,980
Colorado	103,925	.....	270	10	280	103,645
Connecticut	4,990	25	80	40	145	4,845
Dakota	149,100	.....	610	790	1,400	147,700
Delaware	2,050	30	60	.....	90	1,960
District of Columbia	70	.....	10	.....	10	60
Florida	58,680	1,800	390	2,250	4,440	54,240
Georgia	59,475	150	300	45	495	58,980
Idaho	84,800	.....	200	310	510	84,290
Illinois	56,650	.....	515	135	650	56,000
Indiana	36,350	.....	330	110	440	35,910
Indian Territory	64,690	.....	600	.....	600	64,090
Iowa	56,025	.....	450	100	550	55,475
Kansas	82,080	.....	380	.....	380	81,700
Kentucky	40,400	.....	375	25	400	40,000
Louisiana	48,720	1,060	540	1,700	3,300	45,420
Maine	33,040	545	300	2,300	3,145	29,895
Maryland	12,210	1,850	500	.....	2,350	9,860
Massachusetts	8,315	125	60	90	275	8,040
Michigan	58,915	.....	290	1,225	1,485	57,430
Minnesota	83,365	.....	360	3,800	4,160	79,205
Mississippi	46,810	30	340	100	470	46,340
Missouri	69,415	.....	630	50	680	68,735
Montana	146,080	.....	410	360	770	145,310
Nebraska	76,855	.....	630	40	670	76,185
Nevada	110,700	.....	35	925	960	109,740
New Hampshire	9,305	.....	80	220	300	9,005
New Jersey	7,815	205	120	35	360	7,455
New Mexico	123,580	.....	115	5	120	122,460
New York	49,170	350	300	900	1,550	47,620
North Carolina	52,250	3,260	250	160	3,670	48,580
Ohio	41,060	.....	140	160	300	40,760
Oregon	96,030	50	500	920	1,470	94,560
Pennsylvania	45,215	.....	200	30	230	44,985
Rhode Island	1,250	135	10	20	165	1,085
South Carolina	30,570	215	180	5	400	30,170
Tennessee	42,050	.....	200	100	300	41,750
Texas	265,780	2,510	800	180	3,490	262,290
Utah	84,970	.....	80	2,700	2,780	82,090
Vermont	9,655	.....	50	380	430	9,135
Virginia	42,450	1,780	520	25	2,325	40,125
Washington	69,180	1,380	560	360	2,300	66,880
West Virginia	24,780	.....	135	.....	135	24,645
Wisconsin	56,040	.....	420	1,170	1,590	54,450
Wyoming	97,890	.....	85	230	315	97,575
Unorganized territory	5,740	.....	.....	.....	.....	5,740
Delaware Bay	620	620	.....	.....	620	.....
Raritan Bay and lower New York Bay	100	100	.....	.....	100	.....

It will be seen that the proposed State of Dakota would be the eighth State in area—only California, Colorado, Kansas, Minnesota, Nevada, Oregon, and Texas having a larger area—while the Territory of Lincoln would be only exceeded in area by one additional State, namely, Nebraska. The proposed State would be more than twice as large as Indiana; 20,000 square miles larger than Illinois; 23,000 square miles larger than Arkansas; 8,000 square miles larger than Missouri; more than two and a half times larger than South Carolina, and more than 10,000 square miles larger than the six New England States.

South Dakota cast over 70,000 votes at the election of November last, and North Dakota more than 44,000, with no officers of importance to be voted for, except a Delegate to Congress, members of the Legislature, and county officers—nothing of interest to excite people or draw out a vote. There are organized counties in Dakota with many inhabitants where the right of suffrage is not exercised.

Now, concerning the wishes of our people upon the question of division:

As early as the Territorial legislative session of 1870-'71 the agitation of the question of division of Dakota upon the forty-sixth parallel of north latitude took form, and at that session a memorial to Congress, praying for such division, was passed in both houses unanimously, and approved by the governor January 12, 1871.

Again, December 31, 1872, there was passed and approved a similar memorial, with 4 dissenting votes in the house and none in the council.

Again, December 19, 1874, another passed unanimously in the house, with 1 dissenting vote in the council.

Again, January 24, 1877, another passed unanimously, with no negative votes in either house.

In 1879 a protest against admission of the whole Territory as one State was passed.

In 1881 a memorial praying for a division into three Territories passed both houses, but received 10 negative votes in the house and 3 in the council.

In 1883 the bill for the constitutional convention for South Dakota, to be held that year, was passed, as heretofore stated, which was withheld by the governor.

(Since 1889 the legislative sessions have been biennial.)

"In 1885, at the last session of the Legislative Assembly, there was an increased number of members of both houses, Congress having recognized the absurdity of governing this great Territory with the machinery of government usually allotted to an ordinary Territory. It will be observed this was after the agitation of the question of division in Congress, incident to the passage through the Senate of the enabling act for South Dakota. It will further be borne in mind that these members of the Legislative Assembly were just elected by the people of both sections of Dakota, the northern as well as the southern portion; that the questions of division and admission had been prominent subjects of discussion for years; that they were fresh in the minds of everybody; a bill for a constitutional convention for South Dakota had passed the previous session; it had been defeated by the executive, but the convention was nevertheless held, the constitution ratified, and presented to Congress.

"Now, with all this agitation and with double the number of members elected to this Legislative Assembly formerly allowed, thus necessarily reflecting the public sentiment of both sections of the Territory, they passed unanimously, in addition to the act calling a constitutional convention for South Dakota, a memorial to Congress praying for the division of the Territory and admission of the south part as a State, which was approved by the governor February 2, 1885, he thereby honorably recognizing public sentiment."

In the matter of the location of public institutions the ultimate division of Dakota has been kept in view in the Legislative Assembly; these institutions have been duplicated, as shown by the following acts:

By act of February 22, 1879, an insane asylum was located at Yankton, in South Dakota, for which bonds have been issued to the amount of $215,000.

By act of March 9, 1883, the North Dakota Hospital for the Insane was located at Jamestown, in North Dakota, for which bonds have been issued to the amount of $168,000.

By act of February 17, 1881, a penitentiary was located at Sioux Falls, in South Dakota, for which bonds have been issued to the amount of $94,000.

By act of February 27, 1883, a penitentiary was located at Bismarck, in North Dakota, for which bonds have been issued to the amount of $41,000.

By act of February 3, 1883, the University of Dakota was located at Vermillion, in South Dakota, and bonds to build the same were authorized to the amount of $85,000.

By act of February 27, 1883, the University of North Dakota was located at Grand Forks, in North Dakota, and bonds for the same have since been issued to the amount of $74,000.

By act of February 21, 1881, an agricultural college was established at Brooking, in South Dakota, for which bonds have been issued to the amount of $100,000.

By act of February 27, 1883, an agricultural college was located at Fargo, in North Dakota, but the buildings have not yet been constructed.

By act of March 5, 1881, a normal school was located at Madison, in South Dakota, and bonds have been issued therefor to the amount of $55,000.

By act of March 9, 1883, a normal school was authorized at Larimore, in North Dakota, the buildings for which are yet to be constructed.

In all of these acts authorizing the issue of bonds it was provided that the part of the Territory in which was located the institution for which bonds were issued should, upon the division of the Territory, assume all obligations incurred for the erection of such institutions.

Many other instances of legislation specifically adapted and made applicable to the different sections of the Territory might be adduced, but the above examples will suffice to illustrate and emphasize the separate and distinct interests of the people in the southern and northern portions of the Territory.

The political division of Dakota into North and South is as distinctive as possible. These terms are used with us as common, and are as necessary as the terms North and South Carolina are used in those respective States. Our people desire division because they believe that a better and more economical government can be secured in a State of medium size than can possibly be realized in so large, unwieldy, and populous a State as Dakota would be if admitted as one State. The best possible data that can be secured regarding State expenditures show that small and medium States can be more economically managed per capita than large ones.

This has not been a matter with us of the mere isolation of the people of the two sections of the Territory from each other. The foundation of our whole political structure has been laid with a view of division, because we realized the fact that it is more for coming generations than for ourselves that States are built, and I verily believe, whatever may be the fate of the division movement in Dakota, posterity will insist as the result of sad experience, and when too late to be remedied, that sound government in a State of moderate size is far better than glory and lavish expenditure is in a State of great area. It may well be said that except in matters which are necessarily compulsory through one Legislature, and trammeled by acts of Congress, North and South Dakota are quite distinct.

We even have two boards of agriculture, one for North and one for South Dakota, two public examiners, and, in fact, almost everything connected with our system over which we have any control or about which we are permitted to legislate is duplicated to accommodate and harmonize with our peculiar and distinctive relations.

Even the religious societies realize the necessity of duplicating their institutions in Dakota, and recognize the political distinction between the two sections.

The South Dakota Congregational College is built at Yankton, the North Dakota Congregational College at Fargo. The South Dakota Baptist College is at Sioux Falls, the North Dakota Baptist College at Tower City. The South Dakota Presbyterian College is at Pierre, the North Dakota Presbyterian College at Jamestown. The Episcopal Church has its diocese of North Dakota and South Dakota, each with its own bishop.

The Roman Church has recently located a missionary bishop for South Dakota. I am informed, and also learn, that the Pope has recommended the establishment of one for North Dakota, to be located at Jamestown.

And again, at the session of the Legislature held in January, 1887, a memorial was adopted by a unanimous vote praying for division, and at the session just convened the same memorial has been adopted by a like vote. In addition to that, a succession of conventions and mass-meetings have been held in North Dakota in favor of division, and not a voice has been raised in favor of admission as a whole at any of them.

The whole history of Dakota, from beginning to end—of its political parties, legislation, and tone of its press—shows all through that it is the overwhelming desire of the people to be admitted as two States. The declarations of the Democratic party of the Territory have been

consistently for division throughout. I quote from a reliable publication in regard to this:

[From the Huron Herald-Democrat (Democratic).]

RECORD OF THE DEMOCRATIC PARTY OF DAKOTA ON DIVISION—VOTES OF ALL THEIR CONVENTIONS—DIVISION AN ORIGINAL DEMOCRATIC MEASURE.

Inasmuch as the question of division of the Territory of Dakota is now before Congress, and as Ordway, Johnson, and other self-constituted leaders of the Democratic party here are endeavoring to make Congress believe that the Democrats are opposed to the division of the Territory and in favor of admission as a whole, the Democrat proposes to give the attitude of this party upon this important question in the past, so that all may be informed on the subject.

At the Territorial Democratic convention which assembled at Bon Homme July 18, 1872, and which nominated Moses K. Armstrong for Delegate in Congress, who was afterwards elected to his second term, the following resolution was adopted:

"*Resolved*, That a division of the Territory should be made, giving to the settlement of Dakota a separate and distinct Territorial government north of the forty-sixth parallel of north latitude."

At the Territorial Democratic convention held at Elk Point, August 20, 1874, in which W. A. Burleigh was nominated for Delegate in Congress, the following resolution was passed:

"*Resolved*, That we believe the best interests of the public demand the erection of a new Territory out of that portion of Dakota lying north of the forty-sixth parallel, and we pledge the influence of the Democratic party to secure the organization of such new Territory."

At the Territorial anti-monopoly convention held at the same time and place, and which also nominated Dr. Burleigh for Delegate, the following resolution was adopted:

"*Resolved*, That we are in favor of the organization of a new Territory out of the northern portion of Dakota at the earliest possible day."

The Territorial Democratic convention held at Yankton, July 6, 1876, which nominated Hon. S. L. Spink for Delegate in Congress, adopted the following resolution:

"*Resolved*, That we earnestly favor the organization of a new Territory out of the northern part of Dakota, and believe that such organization will largely tend to enhance the interests of the people of both sections."

In the Territorial convention which nominated Bartlett Tripp for Delegate in 1878 no expression upon the division question was made. In the convention of 1880, which nominated M. L. McCormack for Delegate, it is asserted by those who were present that a division resolution was passed, but the record is not available.

In 1882 the Democrats of Dakota assembled in Territorial convention at Mitchell, and after nominating W. E. Steele, of Deadwood, for Delegate, adopted the following resolution:

"*Resolved*, That we are in favor of the division of Dakota on the forty-sixth parallel and retaining the present name of Dakota for the south half."

In 1884, at Sioux Falls, where the Territorial Democracy in convention assembled nominated John R. Wilson, of Deadwood, for Delegate, the resolutions adopted embraced the following:

"*Resolved*, That we are in favor of the division of the Territory on the seventh standard parallel, and appeal to the Democratic members of Congress to favor such division."

At the Democratic Territorial convention, held at Aberdeen, September 30, 1886, in which Hon. M. H. Day was nominated for Delegate in Congress, plank No. 7 in the platform of principles adopted was as follows:

"That we favor the submission to a vote of the people of the whole Territory the question of the division of the Territory on the seventh standard parallel."

This is the consistent, outspoken attitude of the Democratic party of Dakota for fourteen years upon the question of division. This party has been the originator, fosterer, and promoter of division. The unselfish, thoughtful Democrats who have resided here for years, and who have studied the needs and wishes of the whole people of this Territory, have pronounced time and again for division. The last Democratic convention elected its chairman upon the issue of division, nominated its candidate for Delegate upon the same issue, and came very near electing him. Every man who attended the Aberdeen convention of September 30, 1886, remembers that W. I. Quigley was nominated by the one-State men for temporary chairman. The divisionists put up Hon. John R. Wilson, who was elected by an overwhelming majority. When it came to the selection of a candidate for Delegate the same question was presented. It was a trial of the strength of the divisionists and anti-divisionists. What was the result? On the informal ballot L. G. Johnson, who represented the one-State men, received 70 votes; M. H. Day, who represented the two-State men, received 204 votes; and D. W. Maratta received 69 votes. On the formal ballot Mr. Day received 228 votes, D. W. Maratta 76 votes, and L. G. Johnson 4 votes, most of the Johnson men voting for Maratta.

Thus it will be seen that every time this question has been before the Democratic party of this Territory, in whatever form, the party has pronounced emphatically for division.

When the resolution favoring the submission of the question to a vote of the people passed the Aberdeen convention every good and true Democrat was bound to stand by the result. And what was the result? In favor of division by nearly 5,000 majority.

If Mr. Johnson was a good Democrat he would submit to this verdict. But he does not, and hence forfeits his right to be called a Democrat. In fact, his course in this matter is in keeping with his past political record. Up to a very recent date Mr. Johnson was an active Republican. When the Territorial Republican convention assembled at Pierre in 1884 he was heading the Republican delegation from Brown County and assisted in nominating Judge GIFFORD, the present Republican Delegate, and in the same year he was a prominent member of the Territorial convention which met in Huron to select delegates to the national Republican convention at Chicago. If he has since been converted to Democracy his acts do not prove it.

The plain truth is, a large majority of the Democrats of this Territory are now, and have always been, in favor of division. And the Democrat is getting pretty tired of having a man with the political record of Mr. Johnson assuming to represent and reflect the sentiments of the Democracy of Dakota.

At the election held in the Territory in November, 1887, the question of division was voted upon; over 70,000 votes were cast, with a majority of about 4,000 in favor of division. The people of North Dakota gave a majority of about 10,000 against division.

The cause of this majority in North Dakota is easily accounted for. They had been told repeatedly, over and over again, by the chairman of the House Committee on the Territories, that we never could be admitted as two States. It was understood the present Administration had declared against it.

Our people were weary of a Territorial government. A long line of governors and other officers had been sent to rule over us from abroad—from Maine, New Hampshire, New York, and from almost every State in the Union.

Very rarely indeed was an officer appointed from among our own people. These officers came, disbursed and spent the money our people paid in the way of taxes, interfered in our political and other affairs, and a great many departed unregretted by us. About the time of this election a letter was written by the distinguished member from Illinois [Mr. SPRINGER], from which I herewith quote.

Mr. SPRINGER says:

This is the first concerted movement on the part of the people of Dakota for single statehood which has come to my knowledge.

And I think in that respect the letter is true.

Heretofore the organized efforts of your people have been in the direction of division of the Territory into two parts, while individuals, partisan localities, and newspapers of the Territory have opposed such efforts. These contending factions among your own people have had the inevitable result of preventing any affirmative action whatever by Congress.

This is his pronunciamiento, the ukase and decree of a man in a certain respect absolutely powerful, or assumed to be so, over this question, prepared in advance to be submitted to these people in that convention.

Those who are wedded to the idea of division may well postpone the realization of their hopes until a more convenient season—

Referring, I suppose, to some time after the then next Presidential election—

for I can assure them, from my knowledge of public sentiment here, that the division of Dakota at this time, and the erection of two States within her border, is utterly impossible.

He concludes as follows:

I therefore bid you Godspeed in the work of the convention of the 15th of December, and trust that its labor will result in the early admission of Dakota as a State in the Union.

Is it strange in the face of all this that some of our people were inclined to accept the dire and exceedingly distasteful alternative and favor admission as a whole? This illustrates the kind of influence that was brought to bear upon our people to affect their vote. Is it strange the margin for division was small in view of these facts? Those people in North Dakota felt that their only chance to get into the Union at all was for Dakota to be admitted as a whole. What is the sentiment there now? They have taken courage since the recent election, and not a voice is heard against division, not a petition is sent, nor a letter written asking even for a vote upon the proposition. Those people want no further voting upon the question of division.

They take it for granted that it will come soon, and they hail with delight the prospect. There may have been a time when our people could have been tempted and induced to accept admission as a whole, as the speediest method of getting rid of their burdens, but that day is forever past. The people of Dakota will never accept admission as one State. They do not say this defiantly or arrogantly, but with the full knowledge and belief that the affairs of medium-sized States are much better administered, the interests of the people better cared for, and the American Union strengthened by their formation, as compared with States of vast area. And we believe this is the sentiment of a vast majority of the people of our country.

The responsibility of this injustice to Dakota is well understood. It is impossible to cloak the senses of the people to any great extent. The theory that it is the mere exercise of discretion to refuse us statehood has long since been exploded. Call it the abuse of discretion and the people will agree with you. What further can we say upon this subject? The people of Dakota, as patriotic and intelligent as ever settled a new country, a part of your own flesh and blood, have asked for simple justice for years, and have been refused. And now that this question is before us, it has coupled with it other matters which tend to complicate and burden it. I will say frankly that the hopes of our people that relief would come through this Congress have not been high, and no keen disappointment will they feel if nothing is done now.

Broken promises and continued harsh treatment have educated us to look upon defeat and disregard of our claims with considerable complacency. If I may be permitted to allude to a personal matter, permit me to say that near the close of four years' service in the House as a Delegate from Dakota, I look upon my refusal to listen to the voice of the tempter to consent to the admission of Dakota as a whole with very much satisfaction indeed. It would be a calamity to coming generations were we admitted as a whole. Admit Dakota as two States and the interests of those people will be better cared for and the great union of States stronger and more complete and the policy of the founders of the Government more nearly complied with.

Mr. GIFFORD. Mr. Speaker, how much time have I remaining?

The SPEAKER *pro tempore* (Mr. ROGERS). Twenty-two minutes.

Mr. GIFFORD. I reserve the remainder of my time.

Mr. TOOLE. Mr. Speaker, I shall address myself to the omnibus bill which will be offered hereafter as a substitute. In January, 1884, a constitutional convention was held at Helena, in the Territory of Montana, at which a constitution was adopted and submitted to a vote of the people for ratification or rejection. The constitution was ratified by the people

at an election held in November, 1884. This constitution was forwarded to Congress, and a memorial was adopted and presented, praying for the admission of Montana into the Union as a State, upon an equal footing with the original States. The memorial is as follows:

To the President of the United States and the Speaker of the House of Representatives:

Your memorialists, the people of Montana Territory, through their representatives in convention assembled, respectfully represent:

That, since the organization of the Territory of Montana, we have cheerfully yielded obedience to the laws of the United States, and recognized the right of Congress to make all needful rules and regulations respecting the Territories.

That we now disclaim any purpose of disloyal action, but, renewing our fealty to the Constitution of the United States, and recalling to mind the right of the people to peacefully assemble and by petition represent their grievances to Congress, do further represent:

That the policy which has so long prevailed, of sending strangers to rule over us and fill our offices, has become distasteful to us, and is wholly unsuited to our present condition and the growing importance of the diversified interests of our country.

That within the past few years our population and resources have been largely augmented, whereby the proper administration of our laws demands a more perfect and comprehensive system of government than ever can be attained under our Territorial organization.

That in order to enlarge our liberties, secure a closer connection with the American Union, and for the establishment and maintenance of a better government, your memorialists, with the consent of the Legislative Assembly, have met in convention and formed a constitution, republican in form, for the State of Montana, and herewith present a certified copy thereof for your approval; and if, upon consideration of the same, you find it unobjectionable in substance and form, your memorialists pray that the Territory of Montana be speedily admitted into the Union of the United States thereunder, and your memorialists will ever pray.

It will be observed that the application here made for statehood is based upon the well-considered and deliberate action of the citizens of Montana, with a full confidence in their ability for self-government. It is our desire to be admitted under that constitution, and at the proper time I shall offer an amendment to that effect. I proceed at once to present for your consideration the merits of our claim. Montana was carved out of Idaho and organized as a Territory May 26, 1864. Our progress has been onward and upward from that day steadily. We base our claim for statehood upon no flimsy pretense, but are willing to be measured by the same standard proposed by three-fourths of the States of the Union at the time of their admission. We have outgrown a system designed only for a weak and sparsely inhabited Territory.

We are twenty-four years old, out of debt, of sound integrity, and good citizens. Our Territorial pupilage, which is only a stage of training necessary to precede the responsibilities of statehood, justifies us in putting aside the restraints of Territorial government and assuming a more important place in the future. Like a child grown beyond the capacity of its garments, our pride is wounded and we are restive under the promise of more suitable habiliments. We stand in many respects in the same relation to the Federal Government that a child does to its parent or a ward does to its guardian, but unhappily the same principles are not applicable or we might go into a court of equity and get immediate relief.

We are bound by the highest duty to admit these Territories as soon as they are qualified for statehood. We are a Republic of States and not of Territories, and yet we are fringed by despotism. Our Territories, forming the border of the great Northwest and Southwest, are dominated and controlled by a centralized power at this capital which was never designed to continue a day longer than the necessity therefor existed. Professions of sympathy no longer assuage us, and no amount of insincerity will hereafter put us aside. The brief time allotted me is insufficient for a recital of our wrongs, but I will venture to inquire for a moment what Congress has done for the Territories. I will answer for the benefit of those who care to know.

It has given us a system of courts inherently wrong, and which never can be made suitable to large communities.

It has regulated the number of our judges, which is grossly inadequate in every instance, resulting in the delay, and in many cases the denial of justice.

It has arbitrarily fixed the time when our local Legislature shall meet and adjourn, to our great damage and inconvenience.

It has denied us the authority to call an extra session of our Legislature without the consent of the President, adding untold burdens to a dependent people.

It has reserved the right to invalidate any law which our Legislature may pass, thereby destroying that full faith and credit which our legislation ought to command.

It has bound us hand and foot by a law which restricts these growing and ambitious communities in the expenditure of money for public improvements.

It has declared what we shall teach in our public schools, and manifested a lack of confidence in us in other instances of legislation too numerous to mention.

It has attempted to stifle our industries by prohibiting us from selling our mining properties in foreign markets, thus laying upon us an embargo not borne by citizens of the States.

It has exempted a railroad and the improvements on its right of way for 820 miles in length from taxation, furnishing another evidence of the gross inequality of citizenship in and out of the Territories.

It has withheld from us our dowry of lands which belong to our school fund and refuses to give to us any kind of supervision or control over it until we become a State, and then sets deliberately to work to prolong the time when that event shall happen.

It has professed to give us a representative in the lower House of Congress, but denies to us a vote, the only element of representation which gives character or influence to a member.

It has left us without any kind of representation in the Senate, and remits us to the beggarly methods of the lobbyist.

It has imposed upon us, with an iron hand, the obligations and burdens of citizenship, while it withholds its corresponding benefits by steadily denying to us participation in the framing of Federal legislation and the right of suffrage in national elections.

It has, by a failure to appropriate the necessary money, made it impossible at three successive terms of our court to summon or procure the attendance of jurors and witnesses in causes arising under the Constitution and laws of the United States, whereby persons accused of crime, invoking the constitutional right to a "speedy trial by an impartial jury," were compelled to be discharged without trial.

It has refused to appropriate the salaries provided by law for the hungry officials whom it has been pleased to send us [laughter], and compels them to accept a measly sum in full compensation, notwithstanding an overflowing Treasury.

It has refused to appropriate sufficient money to extend the public surveys in the Territories, but has doled out annually its driblets, which have ofttimes been covered back into the Treasury, leaving our boundaries undefined and our titles insecure.

It has, by a false economy in the appropriation and expenditure of the public money, deprived the frontier settlements of proper postal facilities, proceeding upon the unjust and impracticable basis that every office should be self-sustaining.

It has failed to cause to be surveyed, selected, and conveyed to the grantees the lands falling to railroad grants in the Territories, as required by law, whereby millions of acres of land owned by rich corporations escape taxation.

It has persistently refused to pass laws by which timber or timber lands in the Territories (except Washington) may be leased or purchased, professing, however, to give the right to actual settlers to cut and remove the same for domestic purposes, while it has hedged in this privilege with an odious and impracticable system of rules and regulations which has resulted in harassing our citizens with expensive civil and criminal proceedings based wholly upon the *ex parte* statements of a crouching and obsequious special agent or spy, who has been taught to believe that his term of office will be measured by the extent of his activity in stirring up strife. [Applause.]

It has, by the organization of these Territories, invited settlement and occupancy of the frontier upon the promise and obligation that our persons and property should be protected against depredations by hostile Indians. These promises have been honored more in the breach than in the observance. The history of our early settlement is red with the blood of the pioneers who blazed the trails of civilization in these remote lands by the lurid light of their burning homes, which went down in ashes before the merciless savage. Millions of dollars of unpaid claims, mildewed by age, growing out of these atrocities, are piled up in the Departments, while the heroes of those troublous times, overcome with the weight of years and no longer able to conquer their feelings, have gone to join the silent majority, leaving destitute widows and orphans to keep alive before Congress the memory of their trials and tribulations. Verily the cruelty of Congress cuts as keenly as the scalping-knife or the tomahawk. [Cheers.]

It has suffered to be fastened upon us the odious system of carpet-bag rule and domination which seems to inhere more or less in the Territorial form of government. The administration of President Garfield and the present Administration were alike bound by party platforms to relieve us from the obnoxious system, but both have failed. We know our capacity for local self-government. We remember that "sending hither a swarm of officials," etc., was one of the causes which led to our declaration of independence. From that day to this carpet-baggers have always been odious, and their presence amongst us is and ever will be as poisonous and destructive to good government as the insidious growth of communism. [Laughter and applause.]

Tradition informs us that the wise men all came from the East; and so our Republican friends, unwilling to depart from the teaching of the past, determined that history should repeat itself, and proceeded to treat us in their own good time to a fine assortment of imported political dudes. [Laughter.] Some of these hot-house specimens who were too frail to stand transplanting in a northern clime soon gave up their commissions and returned to the genial influences of their own civilization. Others, holding religiously to the doctrine that a Federal officer should neither die nor resign, staid with us, became acclimated, and promise in the years to come to develop into tolerably good and useful citizens. [Laughter and applause.] But under Democratic supremacy we find that quite an invasion has been made upon what was supposed to be inflexible fact. Instead of the wise men coming from the East, we now learn that they come from the South. Kentucky furnished us a

governor; Tennessee a chief-justice; Louisiana an associate justice and a surveyor-general; Texas an associate justice, and Mississippi, Maryland, and Tennessee each an Indian agent.

Be it far from me to reflect upon the integrity of any gentleman sent to us by this Administration, or by implication reflect upon the section from whence he came; these considerations do not disturb or annoy us.

If there is a warm spot in my heart it beats for the generous and courageous South. I never knew one of her sons who could not be touched by the recital of a wrong, or who would not respond promptly to the call of duty. [Applause.]

The insolence of office consequent upon these alien appointments and the lack of confidence thereby manifested in us constitute the gravamen of the affront. Time, instead of healing, simply intensifies it. Nearly every day added to the score of time brings some new appointment from abroad, thus adding insult to injury. Ages of forgiveness can not condone it, and statehood alone can prevent its recurrence. We had hoped for better things from this Administration. The glorious aspirations which were born on its accession to power were confident of co-operation and promotion at its hands four years ago. We knew we were entitled to statehood then. We feel confident that a failure to receive it, together with a violation of the platform concerning Federal appointments, did much to bring about a political revulsion in the Territories last fall.

I say this more in sorrow than in anger. The great national Democratic party was right upon this absorbing question. The great popular heart of the country was right. The Administration acted unwisely because it did not press one to an issue and observe the other. Those who comprise the Administration may have been sincere, and doubtless were, but they were certainly lacking in political sagacity. Barnacles will fasten upon the proudest ship, the brightest blade will gather rust, and the surest rifle will sometimes foul. This is all that we can offer in extenuation. [Applause.]

When Moscow burned the world was lighted up so that the nations of the earth might behold the scene. If I could summon a trumpet tongue on this occasion the proclamation of our protest against carpetbagism would be so loud that it could be heard all over this broad land.

Early in this Administration, and at the beginning of the Forty-ninth Congress, I endeavored to remove the temptation to Senators, Representatives, and other politicians to urge the importation of officials into the Territory by giving to the platform on that subject the sanction and validity of law. I introduced a bill containing this single section:

That from and after the passage of this act no person shall be eligible for appointment to any office under the laws of the United States in any Territory of the United States now organized who at the time of his appointment is not a qualified elector of the Territory to which he is appointed.

The Committee on Territories, to whom it was referred, after considering it for six months, brought in the following elaborate and exhaustive adverse report:

The Committee on the Territories, to whom was referred the bill (H. R. 2883) concerning the appointment of Federal officials in the Territories, beg leave to report:

That, while believing that whenever practicable the Territorial offices should be filled by appointment of persons who are qualified electors of the particular Territory, they think it would be unwise to require by statute that this should be done in all cases. They therefore report adversely the bill referred to them, and recommend that it lie on the table.

It is needless to remind you that it has continued to "lie on the table" in blissful oblivion ever since. But while this bill has remained *in statu quo*, the author of the report accompanying it has been more active. Less than two months ago he was appointed chief-justice of Washington Territory from the State of Pennsylvania, from which my good friend and colleague from Washington Territory will doubtless infer that it was not "practicable" to appoint any person learned in the law from amongst the large number of deserving and aspiring residents of that Territory. [Laughter.]

In short, Mr. Speaker, it has made the Territories the dumping-ground for all the experimental legislation which the whims and caprices of Congress can invent. Let me illustrate: At the last session of this Congress the chairman of an important committee called up for consideration a certain bill; objection was made by a member; the chairman simply said that the bill only applied to the Territories and the District of Columbia. The objection was immediately withdrawn, and the bill was passed without a dissenting vote or another word of explanation. [Applause.]

These are briefly some of the wrongs and hardships imposed upon us by the provisional government established in the Territories, but in this connection it is only fair to say that they are not exclusively the offspring of either political party of to-day, but the joint heirs of both. Every count in this indictment can be sustained against both. Obviously there is but one remedy—a place in the galaxy of States; a star on the flag; a vote and voice in both branches of Congress. Without it there is nothing but political insomnia and internal unrest.

We are accustomed to see States with far less resources and possibilities, mounted, as it were, on steeds of steam, rushing swiftly past us, equipped with all the paraphernalia which sovereignty can invent or supply, contesting in a spirit of generous rivalry one with another for the first place in the race for political power and prestige, while we are compelled to "sit solemnly astride a dead horse, in a reverential calm, with the reins held firmly in our hands," only to see the flag fall in our face. [Great laughter.] Take off the handicap! Start us under as favorable circumstances as greeted the States at the time of their admission, and if the race is not always to the swift we will promise not to be last at the finish.

Look at our pitiable political condition—great in numbers, wealth, intelligence, patriotism, and all that makes a State, with no political autonomy save the alleged government provided for a Territory. We know what it is to sympathize with others. There is a homely but pregnant maxim, however, about charity commencing at home.

For years we have heard much about home rule in Ireland, and contributed much to establish that inestimable blessing in that sad land; we needed no urging to enlist our sympathies; it was in keeping with the genius and spirit of our institutions. We were guided and controlled by a generous and humane impulse—the offspring of our national independence.

Their condition was and is lamentable. It touches the tenderest chords of our feelings, and I would not abate the slightest interest in so worthy a cause; but I beg of you not to forget that here at home, under your own flag, are Territories with resources equal to the most favored States in the Union, with a citizenship below no standard which can be established, where constitutional government has never raised its head, where home rule lies bleeding and pleading at the feet of despotism for that same recognition which you so justly and with one accord would give to Ireland. [Applause.] Under these wrongs we have smarted and chafed, but never have we been wanting in loyalty to the Union. We have been patient and long-suffering, hiding our humiliation behind our pride; but as we advance in years we find our modesty departing and our independence asserting itself. We realize that to aspire to be on an equal footing with the States of this Union is a worthy ambition, and without which our political life is incomplete.

Henceforth honor bids us forget pride, and compels us to publish to the world the infirmities of that system under which we live, and which is little better than that suffered by the colonies before the birth of the Republic and the uncertain dawn of independence. Public sentiment has been aroused upon this question and stands ready to applaud our efforts. Our demands are not those of a rude and hostile people. Four-fifths of the adult population of Montana were born and have resided in the several States of this Union, and consequently know and appreciate the blessings of constitutional government. They were born and bred under the same influences and civilization that surround you; they represent a sturdy race of men of strong intellects and vigorous constitutions.

It was a long overland trip to get to that country. There were many perils to encounter and great difficulties to surmount. Only the courageous dared to start, and only the strong and indomitable survived the hardships of the journey and reached their destination. Their home is a tract of mingled mountains, rolling lands, and expansive prairies. Men who mature in such a land are bound to be patriotic. They are as brave as they are strong, and when in the years to come the nation may need defenders it is certain that the contingent from Montana can be counted upon for everything that men can do in the way of toil or dare in the way of danger. [Applause.]

They are your kindred by the ties of a common country, and closer still by the ties of blood. In behalf of such, and for the recognition of their right to enlarge their liberties, to enjoy a closer connection with the American Union, and for the establishment and maintenance of a better government, I appeal to your native justice and magnanimity, in the same spirit that the colonies did to the mother country; and in the solemnity of thought and freedom from partisan bias which ought to attend your deliberations I beg of you to listen to the voice of justice and consanguinity. I make this appeal to gratify no personal ambition. I am commissioned to do so in the name of Montana, a Territory whose valleys of gold and mountains of silver have never ceased to swell the volume of precious metals of the world for a quarter of a century. [Applause.]

A Territory which, if measured by the grandeur of its mountains, the fertility of its valleys, the majesty of its rivers, the splendor and utility of its water-falls, the richness of its mines, the number and value of its herds and flocks, the wealth and density of its forests, the health and vigor of its climate, the intelligence, aspiration, and patriotism of its citizens, ought to admonish you that the time is at hand when we should be accorded a political status upon this floor which will no longer be an empty honor and a delusion, but a full realization of the benefits designed by the Constitution, and for the expectant coming of which we shall anxiously wait and watch.

Let us in this investigation inquire first concerning

THE CONDITION AND EXTENT OF OUR PUBLIC LANDS.

In order to be accurate in the presentation of the facts here submitted, I have obtained the following data from the records of the General Land Office, from which it will be seen, among other things, that the entries upon Government lands in Montana by actual settlers embrace 3,000,000 acres of land independent of those lands falling with-

in the Northern Pacific Railroad grant, large quantities of which have been sold to and improved by the settlers:

First. The number of original homestead entries made in the Territory of Montana to June 30, 1888, was 4,547, embracing an area of 678,252.71 acres.

Second. The number of final homestead proofs made to above date is 1,804 and the area 266,340 acres.

Third. The number of pre-emption filings made in Montana to June 30, 1888, was 9,208, covering an estimated area of 1,383,200.

Fourth. The number of original desert entries made in Montana to June 30, 1888, was 2,469, embracing an area of 876,029.74 acres.

Fifth. The number of final desert-land entries to June 30, 1888, was 760, with an area of 224,782.63 acres.

Sixth. The number of acres sold as coal land to June 30, 1888, was 8,818.25.

Seventh. The number of mineral applications filed to June 30, 1888, is 2,135.

Eighth. The number of mineral entries made to June 30, 1888, is 1,804.

Ninth. The area of Montana in square miles is 143,776.

Tenth. The number of acres in Montana is 92,016,640.

Eleventh. The number of acres surveyed to June 30, 1888, is 18,604,729.

Twelfth. The estimated area embraced in Indian reservations is 10,818,760 acres.

Thirteenth. The estimated area embraced in military reservations is 855,703.84 acres.

Fourteenth. The estimated area of the grant, in Montana, to the Northern Pacific Railroad Company, is 17,838,000 acres, of which there have been selected to June 30, 1888, 4,185,187.95 acres.

Fifteenth. The total amount received from the disposals of the public lands in Montana to June 30, 1888, is $1,651,423.77.

Sixteenth. The amount deposited by individuals for surveying the public lands in Montana to June 30, is $77,268.25.

INDIAN LANDS—ESTIMATED AREA OF EXISTING INDIAN RESERVATIONS IN MONTANA.

Reservations.	Acres.
Crow	4,712,960
Flathead	1,433,600
Northern Cheyenne	371,200
Fort Peck	1,932,000
Belknap	460,000
Blackfoot	1,909,000
Total	10,818,760

Many of these lands will ultimately become a part of the public domain, as they are far in excess of the needs of the Indians.

At the first session of the present Congress I introduced a bill which became a law, by which nearly 18,000,000 acres of Indian lands were restored to the public domain, being carved out of the Blackfoot reservation in Northern Montana, leaving less than 11,000,000 acres embraced within our reservations. What is known as the Dawes severalty law is being put into practical operation in Montana among the Crows. One thousand and sixty-three allotments have been made to the Crows, and 1,337 persons belonging to that tribe remain entitled to allotments. It is estimated that after all allotments have been made to these Indians there will be a surplus of about 4,250,000 acres of land which may be disposed of under the severalty act of February 8, 1887.

POPULATION.

There has been no census since 1880, but the rapid increase of the population of the Territory can be nearly determined by the vote cast in the Territory at elections held for Delegate in Congress in 1884, 1886, and 1888, which was as follows:

Total vote polled in—	
1884	26,969
1886	32,262
1888	39,376

It must be remembered that in the great extent of country covered by Montana a considerable number of people must necessarily live remote from voting precincts and do not vote. It is also proper to note in this connection that the laws of the Territory require six months' residence as a condition-precedent to the right to vote.

It is therefore fair to say, in view of the causes just mentioned, that the non-voting population was fully 10 per cent. of the vote cast, or about 4,000. If we estimate four inhabitants to one voter, a conservative estimate, we will find that the population at the last election was about 176,000; and estimating the increase for the future according to the ratio of the six years last past, we will have considerably over 200,000 people before we could possibly perfect our State organization and secure admission under the present bill. I want it understood that I am making the most conservative estimate, and underestimating rather than overestimating anything.

But upon the point of population it ought to be sufficient to say that favorable reports have been made upon the admission of Montana both in the House and Senate in this and the Forty-ninth Congress; both of which reports were based upon the fact that at those several times her population was equal to the present unit of representation in the House. There is no limitation on the power of Congress to admit new States into the Union as supposed by some. No given number of population is required. The smallest population of any State at the time of admission was Illinois, which was admitted in 1818, and which had 34,620 inhabitants. The largest was that of Wisconsin, which was admitted in 1848 with a population of 180,000.

ASSESSED VALUATION.

The assessed value of property was in—	
1881	$34,040,866
1884	49,745,268
1885	52,874,536
1886	55,076,871
1888	69,600,000

This assessment does not embrace the great mining properties of the Territories, which are exempt from taxation, but represents only the solid and enduring wealth assessed at two-thirds of its cash value. It does not embrace 827 miles of railroad, which is exempt from taxation by act of Congress as long as we remain a Territory. It does not embrace the land grant of the Northern Pacific Railroad, amounting to 17,838,000 acres of land within our Territory, which will become taxable whenever the Government shall have surveyed the same. It is fair to conclude that the total valuation of assessable property in Montana at this time is considerably over $100,000,000, the items comprising which will be considered separately hereafter.

The Territory is composed of sixteen organized counties.

OUT OF DEBT.

Montana enjoys the enviable distinction of being out of debt, with $130,192.76 in her treasury and a low rate of taxation.

EXPORTS FOR 1888.

For the year 1888 our exports amounted to $57,000,000; they embraced the product of our mines, the sale of sheep, wool, cattle, hides, horses, and surplus agricultural products.

MINERAL RESOURCES.

Since the organization of Montana as a Territory it has been famous for the extent and richness of its mines. It is therefore not essential that I should dwell upon a matter of such general notoriety. Suffice it to say that there is not a county in the Territory that is not rich in the precious metals. We have steadily pressed forward in the amount of our mineral output of gold, silver, and copper, until we are far in advance of any State or Territory, and yet it is but fair to say that this great industry is only in its infancy. Aside from the great gold and silver interest, the largest copper plant in the world is at Anaconda, Mont. This concern in its various departments—including the mine and other auxiliaries—employs about twenty-six hundred men.

The aggregate output of gold, silver, and copper in Montana for the calendar year 1888, as ascertained from the most reliable sources, was $40,500,000. There have just been erected at Helena and Great Falls two additional smelters of large capacities, which will guaranty an output from our mines for 1889 of not less than $50,000,000. It is conceded by everybody familiar with the subject that we have the greatest number of dividend-paying mines of any district in the United States. Nine of the principal mines, the reports of which only I have been able to obtain, returned dividends for 1888 as follows:

Boston and Montana (copper)	$400,000
Granite Mountain	1,800,000
Hope	50,000
Dunston	6,000
Jay Gould	196,000
Montana Limited	534,600
Parrot	148,000
Original	6,000
Hecla Consolidated	180,000
Total	3,318,600

Which is more than one-fourth of the total amount paid by mines in the United States and Mexico during the past year.

AGRICULTURAL RESOURCES.

The extent of our agricultural products in the Territories is almost the subject of mathematical calculation. In many parts of the Territory we have sufficient rain to raise crops. We are not, however, made to depend upon the uncertainties of rainfall; we resort almost uniformly to the method of artificial irrigation. This system is no more nor less than tapping the mountain streams by ditches or canals and conveying it thence onto the ranches or farms, over which it is then spread from lateral ditches so constructed as to cover the land by natural flow. It is a simple, easy, and inexpensive method when the ditches are once constructed. The water that is used is living water, coming from the mountains and plateaus freighted with the richest fertilizing materials derived from decaying vegetation and the soils of the upper regions, which are spread by the waters used in irrigation over the cultivated lands.

Observation and experience have demonstrated in the Western States and Territories that all lands upon which water can be supplied by artificial means are capable of being reduced to the highest state of cultivation, at least so far as the cereals are concerned; and as before suggested, they enjoy complete immunity from the vicissitudes of scant or excessive rainfall. The opinion is fast gaining ground that too much attention has heretofore been paid to the chemical composition of the soils and too little to those physical conditions by which moisture and air are supplied to the roots of vegetation. Let me submit the testimony of the governor of Montana as to our agricultural possibilities. In his last report to the Secretary of the Interior he says:

There has been a marvelous stride forward in agriculture, astounding to the people who were skeptical as to the value and capabilities of Montana soil for farming purposes. The results achieved by the sturdy ranchmen who have settled in the valleys and upon lands all over the Territory have manifested the capacity of these lands for successful culture and production of agricultural crops, remunerative in the highest degree. It can be stated in truth that the average yield per acre of wheat, oats, Irish potatoes, and cultivated grass in Montana, for the year 1887, was not equaled by that of any Territory or State. This great foundation interest of all others in this American country is here in Montana rapidly extending and growing in importance. These rich, cheap lands have attracted the attention of the student farmer seeking a home, and in their culture and trial they have demonstrated to the world that this is not only the country of grass and valuable minerals, but is the farmer's country as well.

At the first session of the present Congress I had the honor to submit some remarks upon the origin, extent, and advantage of irrigation, with the view of enlisting Government aid in the construction of a system of dams and reservoirs in what are commonly known as the arid regions of the United States. A brief reference to the same subject may not be uninteresting at this time. Aside from personal observation, I have drawn largely from the very excellent presentation of this question by Col. Charles A. Paston in a pamphlet written a few years ago calling public attention to the importance of reclaiming our arid lands by this method.

Irrigation existed in Egypt before the pyramids were erected. It has fed the millions of Asia since the creation of the world. It nurtured Rome into existence, and was practiced in America before Columbus discovered the New World, and yet the people of the United States east of the Mississippi River know but little about it.

The Moors introduced irrigation into Spain, and the Spaniards imported an imperfect system of irrigation into Mexico, Texas, California, etc. The valley of the Nile has yielded its fruitful abundance from irrigated lands for countless ages, and Cato wrote learnedly advocating its introduction into Italy; but the greatest achievement of modern times has been the improvement of the system of irrigation in the East Indies by the British Government of India. Irrigation in the East Indies antedates all history; the Great Mogul gave it a grand impetus during the magnificence of his reign.

When the British Government (after the Sepoy mutiny) took the control of more than two hundred and fifty millions of subjects in India, the first duty of statesmanship was to provide labor and food for the people, and this has been accomplished by the extension of a system of irrigating canals unequaled in the world. Famine in India is rendered impossible as long as the Himalayas give their melted snows to fructify the Indian valleys. The Ganges Canal, with its branches, is 3,500 miles long.

The greatest prerequisite to success in agriculture, fruit-raising, etc., in the Western States and Territories is water. A constant and abundant supply of water is the true key to Western progress and development. In nearly all of that country the rainfall is insufficient, and not to be relied upon; hence Western people have been forced to study the problem of irrigation. Having been forced to look into this question, we naturally try to trace up its origin and history.

The system found in California and in this country has been bequeathed to us by Mexico, and was inherited by them from Spain. Looking further back, we find that it was one among the many good gifts which the Moors gave to Spain when they overran that country in the eighth century. Whether the Moors obtained it direct from the Arabs or took it from the Egyptians we are unable to determine at this late day. But in inquiring after its still more ancient origin and source we must not stop this side of the valleys of the Euphrates and Tigris. If we start here in the dim and shadowy ages of antiquity, beyond which even tradition becomes unintelligible, we will find that, with few exceptions, the highest types of civilization and the brightest examples of progress and prosperity have been located, sustained, and nurtured by systems of irrigation.

ANCIENT IRRIGATION.

The glory, grandeur, and wealth of royal Babylon, of Nineveh, Thebes, Bagdad, Cairo, and Memphis, around which, as common centers, the civilization of the great periods of time hung and radiated, were all attributable to and dependent upon the agricultural perfection surrounding them, and made possible by irrigation. I might go further and say that it was the support and sustenance of the civilized world long after the cessation of Roman sway. For none will fail to recognize that the Nile country alone supported what was known as the Roman world, and that Egypt was also regarded as the granary of the empire. The Egyptian people were overthrown and vanished, but their system of irrigation survived and gave sustenance to civilization, and remained intact through all vicissitudes and changes.

If anything, irrigation was better in the days of Semiramis than in the days of Boabdil, although, like the other concomitants of the beautiful Alhambra, orchards, vineyards, meadows, as then seen along the banks of the Guadalquivir, speak of a splendid development, both material and intellectual. The Moors obtained from their Arab progenitors a taste for astronomy and some inclination towards practical mathematics, and to some extent we find applied mathematics in its crude state assisting in making large portions of their country bloom and blossom as the rose by the ingenious devices which the Moors had of supplying water to the gardens, orchards, vineyards, and beautiful meadows which dotted old Hispania during their occupancy.

It is a fact which can not be controverted that after the reconquest of Spain and the expulsion of the Moriscoes, Spain began to decline. The splendid schools of Granada and the numerous manufactories of Valencia and other places gradually faded away and left Spain without any support save that which she gathered by the sword, for she had neglected almost entirely her irrigation system; and the apology for one which we have, and which was found in California when that State was acquired, is the system handed down by the successors of those Spaniards who vanquished and expelled the Moriscoes from Spain.

PROGRESS REQUIRED.

I have touched but very briefly upon its antiquity for the reason that four-fifths, we might even say nine-tenths, of English speaking people are practically unacquainted with this system. Their civilization, comparatively speaking, is in its infancy; it is still jejune, and has grown up in a climate of moisture and regular rainfall and operating upon what might be termed virgin soil, and until recently the people of the United States had no necessity of irrigation. But times are changing, and the time will come when four-fifths of the population of America may be dependent upon irrigation in their agricultural pursuits. We will therefore do well to look into this question, and when the American idea once takes hold of it systems new and prolific will evolve wonderful results.

I make the broad statement that the results of irrigation in California, Colorado, Montana, Idaho, Arizona, and New Mexico show, in a large majority of instances, an increase of 100 per cent. over results dependent upon rainfall alone in the Eastern and Middle States. The history of the West proves this statement to be correct.

Before leaving this subject I ought to say that it now seems very probable that an extensive system of dams and reservoirs will be constructed in the Territories of Montana, Arizona, and New Mexico and the State of Colorado for the reclamation by irrigation of their arid lands. The act of October 2, 1888, provided for the survey of these lands with that view. The following is the text of that portion of the statute:

For the purpose of investigating the extent to which the arid region of the United States can be redeemed by irrigation and segregation of the irrigable lands in such arid region, and for the selection of sites for reservoirs and other hydraulic works necessary for the storage and utilization of water for irrigation and the prevention of floods and overflows, and to make the necessary maps, including the pay of employés in field and in office, the cost of all instruments, apparatus, and materials, and all other necessary expenses connected therewith, the work to be performed by the Geological Survey, under the direction of the Secretary of the Interior, the sum of $100,000, or so much thereof as may be necessary. And the Director of the Geological Survey, under the supervision of the Secretary of the Interior, shall make a report to Congress, on the first Monday in December of each year, showing in detail how the said money has been expended, the amount used for actual survey and engineer work in the field in locating sites for reservoirs, and an itemized account of the expenditures under this appropriation. And all the lands which may hereafter be designated or selected by such United States surveys for sites for reservoirs, ditches, or canals for irrigation purposes, and all the lands made susceptible of irrigation by such reservoirs, ditches, or canals, are from this time henceforth hereby reserved from sale as the property of the United States, and shall not be subject, after the passage of this act, to entry, settlement, or occupation until further provided by law: *Provided*, That the President may at any time, in his discretion, by proclamation, open any portion or all of the lands reserved by this provision to settlement under the homestead laws.

Pursuant to this statute steps were at once taken to secure an irrigation survey of the arid region of the United States.

WORK IN MONTANA.

Professor Powell of the Geological Survey, under whose direction this work is to proceed, in referring to the work done in Montana, in his report to Congress of January 2, 1889, says:

Work was commenced on the Continental Divide, at the headwaters of the Columbia and Missouri Rivers, early in October, one party surveying on the Columbia River side and another on the Missouri River side. The whole was under the immediate charge of Mr. E. M. Douglas. An area of 2,200 square miles has been surveyed. The topographic features of this country were delineated, the courses of the streams and sites of all considerable bodies of water were ascertained, and the altitude, position, and general character of irrigable lands were determined. This is a region of abundant perennial streams, and many sites favorable for the establishment of storage reservoirs have been discovered.

THE COMMISSIONER OF AGRICULTURE PAYS A HIGH TRIBUTE TO OUR AGRICULTURAL LANDS IN NORTHERN MONTANA.

Hon. Norman J. Colman, Commissioner of Agriculture, in company with a large number of representatives of the agricultural press, visited

Montana last summer for the express purpose of examining into our agricultural possibilities. They were enthusiastic in their admiration of our climate and the capacity of our soil. They knew a good thing when they saw it. I will read an extract from a petition recently presented by them to Congress referring to a section of country just opened to settlement and embracing 17,600,000 acres of land:

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

The petition of the subscribers, citizens of the respective States named herein, showeth: That during the summer of 1888 your petitioners, proprietors or representatives of the New England Farmer, Boston, Mass.; the American Agriculturist, New York City, N. Y.; the Farm Journal, Philadelphia, Pa.; the Ohio Farmer, Cleveland, Ohio; the Indiana Farmer, Indianapolis, Ind.; the Rural World, St. Louis, Mo.; the Western Rural, Chicago, Ill.; Orange Judd Farmer, Chicago, Ill.; the Western Farmer, Madison, Wis.; Farm Stock and Home, Minneapolis, Minn., representing 2,500,000 readers, in a body explored the late Blackfoot Indian reserve lands in Northern Montana Territory, to which the United States acquired title by act of Congress approved February 8, 1887, with a view of examining the quality and desirability of the lands for settlement, in response to numerous inquiries from the patrons and readers of these papers throughout the United States.

On a pretty wide examination of this country, they found it exceedingly desirable for homesteads and actual settlement, to which by said act of Congress it has been dedicated. For the purpose of enabling many thousands of other citizens of the United States whom we represent to take homesteads and settle on these fertile lands, we join the settlers and those desiring homesteads on these lands in petitioning your honorable body to direct that a section of said lands, at some point to be selected on the line of the St. Paul, Minneapolis and Manitoba Railway, between the national military reserve of Fort Assinniboine, on the west, and Fort Belknap on the east, to be sold at the minimum price of $1.25 per acre, and that the title to the same be invested in the trustee of the Agricultural Press Association, Norman J. Colman, which is composed of the proprietors and representatives of the said papers, and which have become a corporate body, organized for the purpose of aiding homestead settlement on the lands aforesaid, and in supplying a trade center in the Milk River Valley, on said section of land.

Your petitioners further respectfully represent that these lands are exceedingly fertile, and lying in a latitude greatly modified and made most salubrious by the influences of the warm Japanese current of the Pacific Ocean are attracting settlers, and that a trade center is essential for the convenience of the settlers of this great valley. And your petitioners will ever pray.

JOHN B. CONNER,
JOHN FARMER,
Indianapolis.
MILTON GEORGE,
Of Western Rural, Chicago.
ORANGE JUDD,
Of Orange Judd Farmer, Chicago, Ill.
D. R. McGINNIS,
NORMAN J. COLMAN,
CHALMER D. COLMAN,
Of Colman's Rural World, St. Louis.
W. H. LAURENCE,
Of Ohio Farmer.

CHICAGO, *November* 20, 1888.

I believe that the section of country here referred to will in the near future prove second to none in the Northwest as a great wheat-producing region. Its capacity to do so, I think, has already been established, and it seems very probable that in this section irrigation will be unnecessary.

WHAT THE SOIL HAS PRODUCED.

I give a few well-authenticated instances, compiled by reliable authority, showing what Montana soil can do.

C. Milton raised 1,500 bushels of oats from 30 acres.

Percy St. Clair raised 1,900 bushels of grain from 36 acres.

Noah and James Gee had 60 acres of oats that yielded 3,640 bushels.

G. C. Monroe, of Spring Hill, thrashed 1,900 bushels of oats from 37 acres.

George H. Gee, of Spring Hill, thrashed 2,700 bushels of oats from 39 acres.

H. Crouse, of Spring Hill, thrashed 2,989 bushels of oats off of 50 acres of land.

A. Walton, of Spring Hill, had 49 acres of oats that yielded 2,150 bushels, and 23 acres of wheat that yielded 1,010 bushels.

Joseph Sparling, of East Gallatin, raised 4,500 bushels of grain from 150 acres.

Albert W. Walton thrashed 1,700 bushels of oats from 10 acres without irrigation.

R. M. Craven, of Hillsdale, thrashed over 7,000 bushels of grain from 150 acres.

J. B. Moore, of Hillsboro, had 35 acres of oats that averaged 70 bushels per acre.

T. L. Luce, of East Gallatin, thrashed 4,000 bushels of oats from 65 acres of land.

S. J. McGuire, of Mill Creek, thrashed 3,845 bushels from 80 acres, 200 of which was wheat.

John Ferguson, of Spring Hill, recently thrashed from 100 acres 3,090 bushels of Scotch Fife wheat.

Thomas Reese, of Reese Creek, had nearly 80 acres of oats, from which he thrashed 4,300 bushels.

Ben Ferguson thrashed 1,650 bushels of oats from 530 acres and 530 bushels of Scotch Fife wheat from 20 acres.

John E. Reese, of Reese Creek, had 88 acres of wheat that yielded 3,270 bushels, and 30 acres of oats that yielded 2,200 bushels.

George E. Davis, of Mill Creek, 3,700 bushels of oats on 50 acres; 15 acres of the above 50 yielded 1,320 bushels, and 2,122 bushels of wheat grew on 60 acres.

Theo. Norman raised 5,500 bushels of oats upon 74 acres, and had a volunteer crop of 1,500 bushels of Fife wheat upon 80 acres, upon which he raised 1,000 bushels last year.

A. Truman, of Spring Hill, thrashed 1,745 bushels of oats from 30 acres. Mr. Truman, as well as a number of other farmers in the vicinity of Spring Hill, has been troubled with grasshoppers, making the yield lighter than it would have been.

FRUIT.

Montana has already demonstrated her capacity to produce the finest-flavored small fruits. Strawberries, blackberries, currants, and this class of fruits abound as native growths, and when cultivated produce prolific crops. Apples of the hardy variety do well. So far the Missouri and Bitter Root valleys appear to be better adapted to their successful cultivation. I have visited the splendid orchards of Mr. John G. Pickening in the former, and Mr. William E. Bass in the latter valley, and the apples there grown, for size, flavor, and firmness, compare favorably with any I ever saw. Here is the evidence of a fruit-grower in the Bitter Root valley:

W. B. Harlan, of Como, Missoula County, an old-time fruit-grower of that section, writes as follows to the Helena Live-Stock Journal: "I had over 20,000 pounds of orchard fruits of thirty-five varieties. My oldest trees are six years in the ground, and some of that age yielded four and five boxes each, while the largest crabs yielded ten boxes. As to relative hardiness I can scarcely give an opinion, for I do not think I have lost any trees from winter-killing out of over sixty varieties, but nearly all of them are considered hardy kinds, and most of them Iron Clads. I have Ben Davis, Winesap, Dominie, Northern Spy, and the Tolman Sweet doing well here, while they can not be raised at all in Northern Iowa, Wisconsin, or in any part of Minnesota. Of pears, Flemish Beauty seems entirely hardy, and several other sorts half hardy. Of plums, the Green, Yellow, and Imperial Gage seem hardy; also Lombard, Pond's Seedling, De Soto, and others. I have fifty varieties of new Russian fruits, but they are not yet bearing. I expect great things from them."

RIVERS.

Perhaps none of the Territories are so well watered as Montana. I make no mention of the smaller streams, but notice only the larger. Among them may be mentioned the Missouri, which is navigable from its mouth to Fort Benton, in Northern Montana, and which has served as a check in the past upon the unreasonable exactions of other methods of transportation; the Yellowstone, which is navigable from its mouth to Miles City, in Eastern Montana; the Rosebud and Tongue Rivers, in the same section; the Madison, the Jefferson, and Gallatin, in Eastern and Central Montana, furnish an unlimited supply of water. Canal companies are now engaged in the construction of irrigating canals, tapping these rivers, which will reclaim millions of acres of land for agricultural purposes.

In Western Montana the Big Blackfoot, the Little Blackfoot, the Hellgate, the Bitter Root, and Flathead Lake were the great factors in producing the marvelous growth and prosperity of that section. In Southern Montana, the Beaverhead, the Bighole, and other streams serve a similar purpose. In Northern Montana, near Fort Benton, in the Sun River country and in the Blackfoot country are large lakes which never appear to vary in the quantity of their water supply. These also are being tapped by canals for irrigating purposes; I predict that within one year the present agricultural area of Montana will be doubled. To these must be added the Teton, the Sun River, and the Marias, in Northern Montana, and the Big and Little Boulder in Central Montana, thus furnishing a system of water ways unexcelled in any part of the Northwest.

CLIMATE.

Latitudes have been shown to be wholly unreliable upon the question of climate. I undertake to say that the climate of Montana, for health and vigor, is unsurpassed in the United States. Epidemic and pulmonary troubles are unknown to us. The fact that for a few days at a time the mercury drops to 15° or 20° below zero is no cause for alarm nor a just criterion by which to judge our climate. There is no moisture in the atmosphere in that country. It is a dry climate, and I am prepared to testify that the temperature in the city of Washington indicated by 10° above zero is more severe than 10° below zero in the dry climate of Montana; but the cold weather referred to is not continuous; it is softened and tempered by a genial wind from the west, called the Chinook, which removes the snow with great rapidity, and brings us balmy days in mid winter most unexpectedly. It always seems to reach us at the proper time. Laden with the least trace of the spices of the tropics from whence it comes, its gentle touch is like Italian softness, transforming silvern winter into golden Indian summer. It is the *vade mecum* of the Montanian. It has been so admirably described by Governor Semple, of Washington Territory, in his report to the Interior Department, that I must repeat it. He says:

This is a balmy wind, coming from the Kuro Siwo, or Great Japanese current, of the Pacific Ocean. In the summer it is a cool wind, and tempers the heat of summer so that nowhere within its range do people fall down with sunstrokes. In the winter it is a warm, moist wind, and is sometimes slightly odoriferous, as if spice-laden from the tropics. It is so gentle upon ordinary occasions that its presence could not be noted by its motion, and it is almost miraculous in its effects. Snow and ice disapper before it with rapidity, and it seems to be able to blow for long distances between walls of colder air without parting with its heat. Sometimes it constitutes an upper current, in which case the remarkable spectacle is witnessed of snow melting from the mountain tops while thermometers in the valleys register below freezing point. At other times it is the surface current, and follows the valleys and gorges as a flood might follow them. It seems to bear healing upon its wings, like Sandalphon, the Angel of Prayer, and it is not difficult to conceive that the Indians would wish to personify it in order to fix upon it their devotions.

This wind sometimes penetrates as far as the upper stretches of the Missouri, and even tempers the air on the plains of Dakota beyond the Rocky Mountains. Wherever it goes the chains of winter are unloosed and the ice-bound rivers are set free. The Chinook is the natural enemy of the odious east wind, and while, ordinarily, it wields its influence as gently as the zephyrs that waft the thistle downs in autumn, still there are times when the two winds engage in giant conflicts and fight for supremacy, now in the upper, then in the lower strata, on the mountains and in the valleys, alternately driving each other back and forth, swaying the trees, tossing the leaves, and swirling the rain-drops or the crystals of snow, as the one or the other advances. But the combat is never long, and the victory is always with the Chinook. The inhabitants east of the Cascade Mountains, when winter has seized them, and the east wind dashes snow in their faces, pray for the Chinook to come. They look by day for its moist front, and listen by night for the noise of its combat with the east wind, and when it reaches them they rejoice.

Such is the Chinook wind, the blessed wind, of the far Northwest.

CATTLE.

The observations heretofore made concerning free ranges are applicable also to cattle. This industry has made rapid strides within the last few years, demonstrating that our ranges are lasting and that they are the best maturing grounds for cattle to be found. Without providing shelter or feeding a pound of hay or anything except the native grasses as they grow and cure upon the range, we send our cattle rolling fat to the great beef markets of the country, commanding the highest prices paid for range cattle. The number of cattle now in Montana is about 1,500,000, representing the choicest and best breeds. Disease among cattle, sheep, and horses is comparatively unknown with us.

SHEEP.

The country embraced within the present Territories of the United States is destined to become the great sheep range of the future. These Territories are now producing large quantities of superior wool and the finest mutton. We have the benefit of an illimitable free range upon public land, which is fit only for grazing purposes, and free timber for sheds and other building purposes. We winter our sheep upon the native grasses, hence it is apparent that that industry can not long survive in the States east of the Mississippi, where flocks have to be fed upon the products of land which commands a hundred dollars an acre. There are over 2,500,000 sheep in the Territory of Montana, and the wool-clip for the last year brought over $1,500,000. It is claimed that mutton alone will pay the cost of raising sheep in Montana, and that the wool clipped and sold is all profit.

HORSES.

Montana is the natural home for the horse; our altitude is conducive to great development of lung power, our mountain streams are the purest and best water, and the gravelly ranges serve to make the hardest and best feet. Like sheep, our horses feed upon the open ranges the year round, and consequently return handsome revenue to those engaged in the business. There are considerably over 200,000 now on our ranges; we ship them in car-load lots to the East, just as we do cattle and sheep.

In order that I may fairly present this industry in all its magnitude and importance I call attention to the following from the Rocky Mountain Husbandman, the leading stock journal of the Territory:

To be assured that Montana is destined to become one of the greatest horse-producing sections in America, we only have to examine into the affairs that exist in regard to this industry. The introduction of the best blood of the continent with the establishment of our breeding farms from twelve to fifteen years ago, and every year since that date, has marked the incoming of the best of sires, and of later years our horsemen have been bringing both dams and sires. We not only have numerous representatives of the finest and most renowned families of the great American horse, the trotter, but we have thoroughbreds that stand at the top round of the ladder of running fame, and draught horses of every description from beyond the ocean. We have the choicest productions of France and England. Not one or two of each breed, but hundreds have been shipped in, to say nothing of what has been produced here.

As our country has progressed our horsemen have from year to year gone East and attended the stock exhibitions of Chicago, St. Louis, Louisville, and Lexington, and, in fact, have ransacked the Blue Grass State, and spared no expense in securing the best. The stock thus purchased has been brought to Montana and scattered through our valleys, until there is scarcely a herd that does not boast of its celebrities, and most of them number their choice animals by the score. And this year the influx of promising youngsters has been greater than any previous one, and next year will excel this. We have fully one hundred breeding farms in Montana that boast of from fifty to two hundred head of standard-bred trotters, thoroughbreds, or pure-blooded draught animals of some of the popular breeds, and this, together with the incoming of the best the older sections of the State can produce, will certainly make itself felt in the produce of our country.

But a few years ago the general character of our horses doing service was very ordinary. Now our farmers are beginning to sport spanking teams. Grade Normans, Percherons, Clydes, English draughts and Shire horses are beginning to be the rule rather than the exception, and every village and community has its steppers. Three-minute horses, but a few years since so rare, are now found upon many of our farms and about our small towns. Our people are beginning to pride themselves upon their horse-flesh. Nearly every town and community and most every breeding farm has a race-course, and we are growing—almost unconsciously though it be—to be a horse people. With the rate at which shipments are being made of the best, and the increase of those on hand, one can readily see that a most brilliant future is in store for this industry.

IRON.

The Territory is simply threaded with veins of iron. So far we have established no manufactories for its consumption, and the only way in which it is utilized is for fluxing purposes in the reduction of the precious metals. Large quantities, however, are used for this purpose. The Belt range of mountains in the vicinity of Great Falls is virtually a mountain of magnetic iron, an analysis of which shows it to be second to none in the country for the construction of Bessemer steel, and in the days to come, when the labor cost shall be reduced, iron-work and other manufactories of no mean proportions are sure to spring up at Great Falls, a thriving city of 3,000 people, situated on the Missouri River, and on the line of the St. Paul, Minneapolis and Manitoba and the Montana Central Railroads, convenient to which are the great Sandcoulee coal-fields and the unlimited power furnished by the Great Falls of the Missouri River.

COAL-FIELDS.

The fuel supply in Montana is no longer an open question. Our mines are being worked systematically, and from this time forward will show an immense output. These mines are near Cinnabar, Gardiner, Livingston, Sandcoulee, Timberline, Trail Creek, and Red Lodge, and at other points. The coal at Red Lodge is said to be very hard bituminous, requiring the use of powder for mining. The immensity of this field can be approximated when it is known that fifteen veins of discovered coal at Red Lodge are covered by 1½ miles of bluff front, and that these veins are from 4½ to 20 feet in thickness, aggregating 136 feet of clear coal. The Timberline, Red Lodge, Sandcoulee, and Livingston mines are reached by railroads. At the latter place the Livingston Coal and Coke Company erected, over a year ago, a large number of coke-ovens and commenced the manufacture of coke extensively. The product of this camp is said to be equal to the best Pennsylvania coke.

What I have said upon this subject is confirmed by Professor G. C. Swallow, for many years State geologist of Missouri, and for ten years last past a resident of Montana, and whose opinion is of great value. His observations are embodied in the following letter:

HELENA, MONT., *January* 4, 1889.

MY DEAR SIR: My engagements have been such that I could not answer your inquiries as to coal in Montana until to-day.

The whole country east of the main range of the Rocky Mountains, and between the Dearborn and the reservation north, and probably to the Dominion, and as far east as the mouth of Sun River, is underlaid with coal. It is opened in several places on the Dearborn, on the ridge north of the Dearborn, on Flat Creek, at Eagle Rock, in many places on Sun River, on the Missouri below Ulm, on the Teton above Choteau, on the Muddy in several places, on Birch Creek, and on the Marias. I saw the coal-beds in all these places and found it abundant and of good quality. In all the locations mentioned above, the coal is mined for local uses only.

At Sandcoulee the coal is good, the bed is thick, and is now worked extensively for the smelters at Great Falls, and for Helena, Great Falls, Benton, and other markets. The Montana Central uses this coal for its locomotives and stations. The same coal-bed, 12 feet thick, is opened in several places on Belt Creek, at Belt City, and also on Smith's or Deep River, and Hound Creek, west of Sandcoulee, and another bed is opened on Willow Creek and at Chestnut.

The workings at Sandcoulee have shown the presence there of at least 20,000,000 tons of marketable coal. There is as much more at the Belt mines, and half as much more in sight on Smith's River. Doubtless the quantity in each place is much larger. The above estimate is what is proved up.

There are three coal areas in the Judith basin, one extending from Utica to the northwest some 15 miles across Willow Creek. This bed is the same as that at Sandcoulee. The quality is good and the quantity is very great. There are two other coal basins on the western flank of the Judith Mountains, and another on the eastern flank. But little is known of these coal areas. Parties are now opening these mines.

There is another large and valuable coal area north of the Musselshell, and extending from Swimming Woman Creek to Careless Creek. There is also the Bull Mountain coal-field between the Musselshell and Yellowstone, at the head of Razor Creek. There are six or seven workable seams in this area, and the coal is good and the quantity immense. There is a coal basin south of the Yellowstone and west of Fort Keogh. Of this coal I know nothing save the locality.

The Rock Creek coal area, to which they are now constructing a railroad from Park City, is one of the most important in the Territory. There are seven beds and a total thickness of coal in all of the beds, 47 feet. The coal is very good and the quantity is said to be very great. These coals will soon be mined in large quantities and placed in the markets of the Territory.

The outcroppings of the Bozeman coal-beds have been traced for a distance of more than 30 miles, and the beds are extensively worked in several places. The Williams mine, 9 miles west of Livingston, now runs forty coke-ovens and make nearly 50 tons of coke a day. This coke is used at Wickes and Toston.

Several mines are worked in the Gardiner coal-field on the Yellowstone near the National Park. This coal is very good, and is largely used by the Northern Pacific Railroad. In December the Horr mine in this coal-field took out and shipped by rail 2,400 tons to the markets on that railroad. The outcroppings of this coal-bed have been traced from Mount Evarts, in the Park, to Mount Cinnabar, and thence west and south towards Electric Peak for many miles.

The Timberline coal-mines have been worked for several years with good results.

They are now opening up the coal-mines in the Gallatin valley, with good prospects of developing large quantities of good coal.

A coal-mine has also been opened between Radersburgh and Boulder City, which is mined for local uses only.

There is a large coal area on the west side of the range in Missoula County. It has been opened in several places for local uses; but I can not speak with any certainty about the quantity and quality of the coal.

There are vast quantities of coal on the Missouri River at the Coal Banks and below. But what I saw of it, and what we tested on the steam-boats many years ago, did not prove very good. Some of the beds have since been worked with good results. There are six or eight beds extending under large areas of the country, but I can not say how much of it will prove good.

Extensive coal-beds are found on Milk River, but I have never seen them, and have no data to give you any useful information about them.

It may be safely said that the coal deposits of Montana are practically inexhaustible, and they are in such varieties as to supply all the demands for domestic use, for generating steam, and for smelting ores. A large portion of them make excellent coke, as the Bozemau bed, and others will work in furnaces for smelting ores, as the Sandcoulee and Belt coals.

Yours, very truly,

G. C. SWALLOW.

Hon. J. K. TOOLE,
House of Representatives.

FIRE-CLAY.

Fire-clay of a superior quality has been discovered near Thompson Falls, Anaconda, Garrison, Dillon, and Helena. The use of the domestic article promises to become universal in Montana. Considering the large number of mills, furnaces, and smelters steadily running in Montana, it is apparent that this industry is destined to be a large one even if the demand should be confined to the Territory.

OTHER MINERAL.

The Territory abounds in granite, sandstone, limestone, and a superior quality of marble. No finer or more enduring building material

is to be found anywhere. The marble quarries in the vicinity of Deer Lodge, Helena, and Gardiner are known to be of excellent quality, and we are only awaiting the hand of enterprise and capital to give direction and control to a great and profitable industry in that material.

TIMBER.

Our mountains are covered with a dense growth of pine, spruce, and fir. On the more precipitous mountains we have a growth called lodge-pole pine; it scarcely ever exceeds 8 or 10 inches in diameter and grows as straight as an arrow, reaching as high as 70 feet. This is the character of timber used for fencing and also for lagging in deep mining. It exists in great quantities, and wherever found is so thick that it reminds you of fields of growing corn. In no section of the country is there a great scarcity of timber, but by far the finest and best timber to be found is on the west side of the main range of the Rocky Mountains in Deer Lodge and Missoula Counties. Here the size and density of its growth is marvelous, resembling very much the famous timber lands of our sister Territory of Washington.

There is no law by which we can purchase these lands; but a law which has long prevailed of permitting the settler to cut and remove timber from mineral lands for agricultural, mining, and domestic purposes without cost still obtains. This privilege is regulated by rules made by the Interior Department under authority of law. Exportation of timber is prohibited. Our greatest difficulty about the preservation of timber arises from forest fires. Annually more timber is destroyed by these fires than our population would consume in five years. But we have an abundance for all time, which, with the great deposits of coal heretofore spoken of, settles permanently the fuel question for Montana.

RAILROADS.

We have about 2,000 miles of railroad constructed and in operation in Montana, giving us virtually three transcontinental lines. The Northern Pacific, the St. Paul, Minneapolis and Manitoba, and the Utah and Northern, connecting the two mentioned with the Union and Central Pacific at Ogden in Utah. Every county seat but three has railroad connections with these through lines of travel, and both of these have projected lines which will be built in another year.

Name of road.	Points connected.	Miles constructed.	Miles projected.
Union Pacific	Pleasant Valley and Butte	140	
Anaconda Branch	Stuart and Anaconda	9	
Montana Union	Silver Bow and Garrison	44	
Union Pacific and Montana (the Word-Drennen-Irvine-Scott-Raymond syndicate).	2. Butte to the Jefferson River.		
	3. Butte up Yankee Doodle Gulch.		
	4. Dillon to Helena and via Fort Benton to the northern boundary.		
	5. Twin Bridges to Utah Northern via Virginia City and the Park.		
	6. Stuart to Missoula via Silver Lake and Rock Creek.		
	7. Three Forks to the Yellowstone via Bozeman.		
	8. Numerous other branches		1,000
St. Paul, Minneapolis and Manitoba.	Fort Buford to Great Falls	399	
Sandcoulee Branch		20	100
Castle Mountain Branch	Great Falls to Idaho Line		350
Teton Branch			75
Flathead Branch			50
Montana Central	Great Falls to Helena	97	
Main Line	Helena to Butte	74	
Rimini	Helena to Rimini	16	
Marysville Branch	Junction to Marysville	8	
Elkhorn Branch	Boulder to Elkhorn		20
Main Line	Butte to Anaconda and Phillipsburgh.		55
Northern Pacific	Sentinel, Butte, and Heron	820	
Rocky Fork and Cooke City	Laurel to Cooke City	45	45
Rocky Mountain	Livingston to Cinnabar	51	
Helena and Jefferson County.	Prickly Pear Junction to Wickes.	20	7
Helena and Red Mountain	Helena to Rimini	17	
Helena and Northern	Clough Junction to Marysville.	13	100
Helena, Boulder Valley and Butte.	Jefferson to Calvin	30	26
Helena, Boulder and Madison.	Boulder to National Park		150
Drummond and Phillipsburgh.	Drummond to Phillipsburgh	26	30
Missoula and Bitter Root Valley.	Missoula to Idaho line	35	60
Coke Spur	Livingston to Cokedale	4	
Other Northern Pacific Branches.			200
Bozeman and Butte Short Line.	Bozeman to Butte		110
Montana, K. and T	Miles City to Wyoming line		140
Total		1,868	2,518

SCHOOLS.

We have a first-class public-school system. Governor Leslie, who has derived his information from official sources, reports as follows to the Secretary of the Interior:

The subject of education is a favorite theme in every household in Montana. The people are united and have one common spirit of the largest liberality and eager willingness in sustaining and advancing their public schools. Every child of school age in the Territory is on the school-roll and is at school nine months of the year. In this Territory there is in each of the cities and large towns the very best and highest class of graded schools, and in all the schools of the Territory the very best class of teachers, superintendents, etc.

Montana has no public school fund amounting up to millions, as have the people of the States. The school fund for public schools in this Territory is in the hearts of the people and the taxation of their property. The entire fund, supplemented by a small amount derived from fines, is raised from year to year by direct taxation. No one complains of it; and yet there is more money paid out per capita for public schools by Montana's people than is paid by the people (including their assistance from their great school funds) of any of the States. Besides these public schools for the children that can see, hear, and talk; the Territory has provided by law (and it is being done) for the education of all the blind children and deaf-mutes between eight and eighteen years of age in the Territory, at the very best institutions for that afflicted class in the United States, and pay for their education and transportation, under care of a paid escort from their homes.

St. Vincent's Academy, one of the oldest and best institutions of learning in the Territory, is situated at Helena. A classical school is also maintained there, and a denominational school under the auspices of the Methodist Episcopal Church is being established at the same place. A college, where a purely business course in book-keeping is taught, is also one of the permanent institutions of the capital. At Deer Lodge a college of superior merit, and perhaps the best equipped corps of teachers in the Territory is maintained. Under a recent act of Congress an agricultural college is to be founded. The Legislature now in session will doubtless do whatever is necessary to give us the benefit of the substantial aid provided in the act of Congress referred to, and when we shall have received the benefits to be derived from our school lands so long withheld from us by the General Government, we will have a permanent fund of sufficient amount to give us the best possible educational institutions. We think that we can see the dawn of that glad day breaking through the clouds of doubt and delay which have so long enveloped us.

NATIONAL BANKS.

The volume of business transacted by our national and private banks entitles us to a fair and equitable treatment as a business factor of the nation. We have seventeen national banks with an aggregate capital of $1,975,000; aggregate surplus and profits, $1,957,000; aggregate deposits, $9,758,000. We have fourteen private banks, having an aggregate capital and surplus of $1,650,000. Deposits with private banks, $2,500,000.

Mr. E. W. Knight, cashier of the First National Bank of Helena, Mont., to whom I am indebted for the foregoing information, in speaking of the business of the First National Bank, says:

I can not closely estimate the cash transactions for the year, but on the estimate in proportion to capital, we have one-seventh of the capital exclusive of surplus, and our cash footings on one side of cash-book for past year is $72,000,000, and seven times that equals $504,000,000, and I should think that an underestimate.

PUBLIC BUILDINGS.

The several counties of the Territory (being sixteen) are well provided with good and substantial public buildings, consisting of court-houses, jails, school-houses, and hospitals, constructed after the modern styles of architecture. They will afford ample accommodations for many years. From official information furnished the Territorial auditor, I am advised that the cost of said buildings is $1,658,550.

LAND OFFICES.

Land offices are located at Helena, Bozeman, and Miles City, each of which is a maximum office; that is to say, their business is of sufficient volume to entitle the officers thereof to the largest compensation allowed by law. At the next session of Congress at least two new land offices will be established in Northern Montana to meet the convenience of settlers upon the vast country recently opened to settlement in that section and before referred to.

CITIES AND TOWNS.

There are three hundred and six cities and towns in Montana at which United States mails are delivered; of this number nineteen are what are denominated Presidential offices and forty-one are money-order offices. As an evidence of our rapid growth and prosperity, it is proper to remark that seven of these offices have become Presidential since January 1, 1888, and two have in operation the free-delivery system. Street and motor railroad lines are successfully operated in Butte City and Helena. Gas, electric lights, and water works are maintained in the principal cities, furnishing an adequate supply and excellent quality of each at moderate cost to the consumer. Hotels and churches of splendid proportions and magnificent designs attest the liberality and progressive spirit of our people.

MONTANA AGRICULTURAL, MINERAL, AND MECHANICAL ASSOCIATION.

This association has held nineteen annual fairs at Helena, the capital of the Territory, where our ranchmen (farmers), stockmen, and others

enter into a generous rivalry in the exhibition of the products of the ranch and the range. It has grown from a small affair into one of Territorial importance, in which every citizen feels an honest pride, and attests better than empty words the permanency, prosperity, and pride of our population.

MONTANA MILITIA.

Our local Legislature in connection with the General Government has made it possible to establish and maintain a first-class military organization. The present regularly enlisted, organized, and uniformed active militia of Montana consists of seven general staff officers, and the officers and men of one regiment of eight companies of infantry, two companies of cavalry, and one battery of artillery. At the present session of Congress $33,860.76 was appropriated to properly equip the officers and men of our militia; this will be ample, in connection with the annual apportionment made by Congress, amounting to about $2,500, to put them on the very best basis. The men composing this regiment are as fine specimens of physical manhood as were ever seen, and may be expected to do the best service whenever the contingent from Montona shall be called upon.

THE YELLOWSTONE NATIONAL PARK

is the "Wonderland" of the world. The Mammoth Hot Springs, second to no place in the United States as a health resort, and many other special objects of interest in the Park, are within the Territory of Montana. The grandeur and beauty of what is there seen, all in a state of nature, is past description. In the other wing of this Capitol hangs a painting by Moran representing the Grand Cañon of the Yellowstone. While it is of superior merit, and reaches perhaps the perfection of art, it gives but a faint conception of its hoary depths and the magnificence and opulence of its coloring. There, too, are geysers shooting immense columns of water hundreds of feet into the air; boiling springs, and beautiful lakes set like emeralds in a wilderness of colors. Thither are attracted annually thousands of visitors in increasing numbers from abroad as well as from the States of this Union. Their line of travel necessarily takes them through Montana, where our resources at once attract attention. Financial investments are left behind them. Then follow settlement and residence, the legitimate results of so inviting a field for permanent success and prosperity.

THE BEST PAID LABOR IN THE WORLD

is in Montana. Our laborers are better fed and clothed and enjoy greater freedom from the oppression of combined capital than in any section of our common country. Permit me to descend into details upon this point.

The following is a fair list of wages paid for the work indicated:

Carpenters	per day...	$4.00 to	$5.00
Plasterers	do.....	4.00 to	6.00
Bricklayers	do.....	5.00 to	6.00
Hod-carriers	do.....	3.00 to	3.50
Stone-masons	do.....	4.00 to	6.00
Laborers or tenders	do.....	2.50 to	3.50
Brickmolders	do.....		5.00
Brick setters	do.....		4.00
Laborers in brickyards	do.....	3.00 to	3.50
Miners	do.....		3.50
Laborers around mills and smelters	do.....		3.00
Laborers inside mills and smelters	do.....		.503
Skimmers	do.....	4.00 to	4.50
Firemen	do.....	3.50 to	4.00
Engineers	do.....	4.00 to	5.00
Laborers on railroads	do.....		2.00
Firemen on railroads	do.....	2.50 to	2.75
Brakemen on railroads	per month...	65.00 to	75.00
Conductors on railroads	do.....	75.00 to	85.00
Engineers on railroads	per day...	5.00 to	6.00
Telegraph operators	per month...	75.00 to	100.00
Bartenders	do.....	75.00 to	150.00
Stablemen	do*.....	40.00 to	50.00
Teamsters	do*.....	40.00 to	65.00
Cooks	do*.....	50.00 to	125.00
Waiters, men	do*.....	35.00 to	50.00
Waiters, girls	do*.....	25.00 to	30.00
Chambermaids	do*.....	30.00 to	40.00
Laundry women	do*.....	40.00 to	65.00
House servants	do*.....	30.00 to	40.00
Butchers	do*.....	60.00 to	85.00
Clerks in stores	do.....	60.00 to	100.00
Accountants	do.....	75.00 to	125.00
Blacksmiths	per day...	3.50 to	5.00
Millwrights	do.....	5.00 to	6.00
Barbers	per week...	15.00 to	25.00
Bakers	do.....	20.00 to	25.00
Woodchoppers	per cord*...		1.25
Printers	per day†...		4.00

*And board. †And 50 cents per 1,000.

NEWSPAPERS.

The names, location, and politics of the leading Territorial journals are as follows:

Independent, Helena (daily), Democratic.
Record, Helena (daily), Republican.
Gazette, Missoula (daily), Democratic.
The Age, Boulder (weekly), Republican.
The Leader, Great Falls (daily), Republican.
Tribune, Northwest Missoula (weekly).
The Item, Missoula.
Inter-Mountain, Butte (daily), Republican.
Miner, Butte (daily), Democratic.
Mining Journal, Butte (weekly).
Herald, Helena (daily), Republican.
Stock Journal (weekly), cow.
New Northwest, Deer Lodge (weekly), Republican.
Times, Missoula (weekly), Republican.
Missoulian, Missoula (weekly), Democratic.
Review, Anaconda (weekly), Republican.
Mail, Phillipsburgh (weekly), Independent.
Northwest Tribune, Stevensville (weekly), Independent.
New Idea, Corvallis (weekly).
Tribune, Dillon (weekly), Independent.
Madisonian, Virginia City (weekly), Democratic.
Sentinel, Boulder City (weekly), Independent.
Courier, Bozeman (weekly), Independent Republican.
Enterprise, Livingston (weekly), Independent.
Gazette, Billings (daily), Independent.
Journal, Miles City (daily), Independent.
Trenchant, Townsend (weekly), Republican.
Husbandman, White Sulphur Springs, for Maginnis.
Tribune, Great Falls (daily), on the fence.
River Press, Benton, Mugwump.
Rising Sun, Sun River.
Calumet, Choteau, Democratic.
Argus, Lewistown, Republican.

And perhaps others I can not now recall.
There are the usual number of religious and class journals.

THE BAD LANDS.

Candor and fairness compel me to mention briefly this strange country. These lands are mostly in Dakota, but a very small section lies west of the eastern boundary of Montana. This is the only spot in a fair domain of 92,000,000 acres which may be said to be wholly uninviting. Happily, however, the amount covered is insignificant. Strange as it may seem, these Bad Lands, or *Mauvaises Terres*, as they are sometimes known, were quite appropriately named. The country has been the scene of great volcanic action at some time and presents the most unsightly appearance. It possesses no interest except to the scientific and curious. Petrifactions and fossils of great antiquity have been discovered in the Bad Lands. At present there is but slight evidence of vegetable life there.

These vagrant lines, so perfect in description, have fallen in my way. I do not know who wrote them nor of what he wrote, but every person who has passed the Bad Lands will readily recognize the picture as a counterpart of that country:

Far away a scene discloses—strangely solemn—wildly strange,
Lay aside all brilliant colors, painter, now the palette change;
Bring me umber, bring me sepias, vandyke and all tints of brown—
Whatsoe'er will best paint Nature where she wears her gloomiest frown.
Like a ruined world it seemeth, burnt, upturned and scarred by fire;
Vestige of Almighty vengeance, record of Almighty ire!
Mountains in amorphous masses—sea beds of some earlier sea:
Land whereon no flower bloometh—never grows umbrageous tree;
Dreary hills and drearier valleys—howling waste of sage-clad sand,
Chaos of God's first creation—picture, too, of silver land!

And now, Mr. Speaker, having furnished the House a knowledge of our resources in detail, I ask your indulgence for a moment until I present a comparative view somewhat in the language of the last official report made to the Secretary of the Interior.

The annual output of our mines ten years ago was estimated at $7,000,000; now it is over $40,500,000.

The total value of taxable property then was $12,000,000; now it is $70,000,000 (not estimating the value of mines nor the 17,838,000 acres of Northern Pacific Railroad land grant).

The number of cattle in the Territory then was 220,000; now it is over 1,500,000.

The number of sheep then was 120,000, now it is over 2,500,000.

The number of horses then was 40,000, now it is over 200,000.

The number of acres of land then under cultivation was 265,000, now there are over 3,000,000 acres appropriated and settled upon for agricultural purposes.

Then the commerce of the whole Territory was $20,000,000, now it is $50,000,000.

Then there were no railroads, now there are about 2,000 miles constructed and operated.

Then the population was about 20,000, now it is over 175,000.

Mr. SPRINGER. I have no doubt from investigations I have made that the present population of Montana is over 200,000.

Mr. TOOLE. Then the Territory was in debt $112,000, now it is out of debt and has plenty of money in the treasury.

Then taxes were high, now they are low; then we lived in cabins, now piles of brick and mortar make our homes; then twenty or thirty school-houses were to be found, now hundreds of them fit our children for the battle of life; then only a few scattering churches decked the land, now hundreds of temples point their spires to heaven; then every man was in pursuit of fortune, now every man is in pursuit of political liberty. [Laughter and applause.]

OTHER TERRITORIES.

Mr. Speaker, in conclusion I want to go on record as a warm advocate of the section of this bill which provides for the admission of other Territories whenever they shall have reached a population sufficient to entitle them to a Representative in Congress according to the present ratio of representation. New States add to the glory and dignity of the Republic; their admission ought to be provided for here and now;

nothing ought longer to be left to implication; no condition of things ought to be permitted whereby this inestimable right shall be made to yield to policy or expediency in the future; the rights involved are too sacred to be made subservient to the will and pleasure of the petulant and prurient partisan. I have no fear of the character of their citizenship; they are faithful and prompt in the discharge of every public duty. No jurisdiction covering the same extent of country and embracing the same number of people can boast of less crime and vice among the citizens. I speak with some means of information and with some feeling upon this question. More than half of my life has been spent among the kind of men who people these Territories. I know their stern integrity and rugged honesty, their capacity for local self-government, and their deep devotion to the principles of our institutions.

In this connection there come crowding into my memory these oft-repeated and much-appreciated lines:

What constitutes a State?
Not high-raised battlements or labored mound,
Thick wall or moated gate,
Not cities proud, with spires and turrets crowned,
Not bays and broad-armed ports,
Where laughing at the storm rich navies ride;
Not starred and spangled courts,
Where low-browed baseness wafts perfume to pride;
No! Men, high-minded men,
With powers as far above dull brutes endued,
In forest, brake or glen,
As beasts excel cold rocks and brambles rude;
Men who their duties know,
But know their rights; and knowing dare maintain,
* * * * * * *
These constitute a State.

Upon this important question I beg of you to make no mistake. Do not dam up the river of progress. Do not obstruct the march of American manhood towards the destiny contemplated by the Constitution. Popular development and popular government have made us powerful and great among the nations of the earth, but we have not yet reached the zenith of our power and greatness. Let us remember that delays are dangerous; that now is the time and here the place to provide the way by which eight new stars may be added to the flag, and two million of our countrymen in the Territories shall be enfranchised; and then rest assured that the wisdom and patriotism of our course will be vindicated by the deliberate judgment of mankind. [Long-continued applause.]

Mr. JOSEPH obtained the floor.

Mr. BRECKINRIDGE, of Kentucky. As this is a question of very considerable importance, and as the House is now very thin, I think we had better adjourn and let the gentleman from New Mexico [Mr. JOSEPH] speak to a full House to-morrow. It is a question in which of course he feels a very great interest.

Mr. JOSEPH. I will yield for a motion to adjourn, retaining, of course, my right to the floor.

Mr. BAKER, of New York. I move, then, that the House adjourn.

Mr. SPRINGER. Before that motion is put I desire to state that this subject will be called up immediately after the reading of the Journal to-morrow, and that we hope to bring it to a final vote early in the day.

MESSAGE FROM THE PRESIDENT.

A message, in writing, from the President of the United States was received, by Mr. PRUDEN, one of his secretaries, who also announced that the President had on the 14th instant approved and signed the bill (H. R. 7935) for the relief and civilization of the Chippewa Indians in the State of Minnesota.

LEAVE OF ABSENCE.

Pending the motion to adjourn,

Mr. BUTTERWORTH, by unanimous consent, obtained leave of absence for four days, on account of important business.

WITHDRAWAL OF PAPERS.

Mr. RUSSELL, of Connecticut, by unanimous consent, obtained leave to withdraw, without leaving copies, papers presented in connection with House bill 7256, there having been no adverse report.

The motion of Mr. BAKER, of New York, was then agreed to; and accordingly (at 4 o'clock and 45 minutes p. m.) the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. CHIPMAN: A bill (H. R. 12217) granting a pension to William Balow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12218) for the relief of James D. Elderkin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12219) granting a pension to Jedediah Yeager—to the Committee on Invalid Pensions.

By Mr. COMPTON: A bill (H. R. 12220) for the relief of James Legg—to the Committee on War Claims.

By Mr. DORSEY: A bill (H. R. 12221) to increase the pension of Sally Mallory—to the Committee on Pensions.

By Mr. HARMER: A bill (H. R. 12222) for the relief of Edward Y. McCauley—to the Committee on Naval Affairs.

By Mr. HAYES: A bill (H. R. 12223) granting a pension to John N. Wells—to the Committee on Invalid Pensions.

By Mr. HEARD: A bill (H. R. 12224) granting a pension to Asa M. McKinney—to the Committee on Invalid Pensions.

By Mr. S. I. HOPKINS (by request): A bill (H. R. 12225) for the relief of John Richardson and others, and for other purposes—to the Committee on Agriculture.

By Mr. A. C. THOMPSON (by request): A bill (H. R. 12226) for the relief of Mrs. E. G. C. Abbott—to the Committee on the District of Columbia.

By Mr. WHEELER: A bill (H. R. 12227) to refer the claim against the United States of Calphurnia (Calfurny) Willson, widow of the late Stewart Willson, to the Court of Claims—to the Committee on War Claims.

Change in the reference of a bill, improperly referred, was made in the following case, namely:

A bill (H. R. 4551) for the relief of James Healy—from the Committee on Invalid Pensions to the Committee on Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BOWEN: Resolutions of the State Grange of Wadesville, Va., in regard to pure food, etc.—to the Committee on Agriculture.

By Mr. J. R. BROWN: Petition of citizens of Glade Hill, and of Union Hall, Franklin County, Virginia, in favor of pure food—to the Committee on Agriculture.

By Mr. T. H. B. BROWNE: Petition of Peter Slummel and 13 citizens of Grimes, Va., in favor of pure food—to the Committee on Agriculture.

By Mr. CHIPMAN: Petition of Milton Bills and 19 citizens of Wayne County, Michigan, and of L. J. Blount and 18 citizens of Wayne County, Michigan, in favor of pure food and pure lard—to the Committee on Agriculture.

By Mr. DINGLEY: Memorial of the Maine State Grange, for legislation to secure pure food—to the Committee on Agriculture.

By Mr. DORSEY: Petitions of citizens of Nebraska, asking the creation of two land districts and location of land offices at Broken Bow and Alliance, Nebr.—to the Committee on the Public Lands.

By Mr. ERMENTROUT: Memorial of the Maritime Association, for the immediate construction of harbor of refuge at Point Judith, Rhode Island—to the Committee on Rivers and Harbors.

Also, petition of Mrs. Jacob Geiger, of Birdsborough, Pa., requesting the passage of House bill 4356—to the Committee on Invalid Pensions.

By Mr. FITCH: Petition of the owner of the steamer Nautilus, of New York—to the Committee on Merchant Marine and Fisheries.

By Mr. GAINES: Petition of citizens of Virginia and other States, for an international copyright bill—to the Committee on Patents.

By Mr. GIFFORD: A memorial of representative citizens of North Dakota in convention assembled at Jamestown, December 5, 1888, for the admission of North Dakota as a State—to the Committee on the Territories.

By Mr. HATCH: Resolutions of the National Farmers' Congress, held at Topeka, Kans., November 13, 1888, in relation to agricultural legislation and other subjects—to the Committee on Agriculture.

By Mr. D. B. HENDERSON: Resolution of the Board of Trade of Dubuque, Iowa, favoring the opening of the Sioux reservation—to the Committee on Indian Affairs.

Also, petition of business men of Dubuque, Iowa, for the same—to the Committee on Indian Affairs.

By Mr. HOLMAN: Petition of Dr. James H. Sale, for a pension—to the Committee on Invalid Pensions.

By Mr. McCOMAS: Petition of E. L. Hartshorne and 18 citizens of Brighton, Md., and of C. R. Hartshorn and 13 citizens of Brighton, Md., in favor of pure food and lard—to the Committee on Agriculture.

By Mr. MAISH: Petition of James B. Hawke, Company E, One hundred and thirtieth Regiment Pennsylvania Volunteers, for a pension—to the Committee on Invalid Pensions.

By Mr. OSBORNE: Resolutions of the Maritime Association of New York, for the construction of a harbor of refuge at Point Judith—to the Committee on Commerce.

Also resolutions of the Typographical Union No. 13, indorsing the Chace copyright bill—to the Committee on Patents.

By Mr. WHEELER: Petition of Calfurny Willson, of Lauderdale County, and of Elizabeth Pace, of Jackson County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

The following petitions against the passage of the international copyright bill were received, and severally referred to the Committee on Patents:

By Mr. DORSEY: Of W. H. Needham, of Nebraska; of C. Selah, of Ewing, Nebr.

SENATE.

WEDNESDAY, *January* 16, 1889.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

CONDITION OF AFFAIRS IN SAMOAN ISLANDS.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying documents, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Congress:

On the 2d day of April, 1888, I transmitted to the House of Representatives, in response to a resolution passed by that body, a report from the Secretary of State relating to the condition of affairs in the Samoan Islands, together with numerous letters, dispatches, and documents connected with the subject, which gave a history of all disorders in that locality up to that date.

On the 21st day of December, 1888, this information was supplemented by the transmission to the Congress of such further correspondence and documents as extended this history to that time.

I now submit a report from the Secretary of State, with later correspondence and dispatches, exhibiting the progress of the disturbances in Samoa up to the present date.

The information thus laid before the Congress is of much importance, since it has relation to the preservation of American interests and the protection of American citizens and their property in a distant locality and under an unstable and unsatisfactory government.

In the midst of the disturbances which have arisen at Samoa, such powers have been exercised as seemed to be within executive control under our Constitution and laws, and which appear to accord with our national policy and traditions, to restore tranquillity and secure the safety of our citizens.

Through negotiation and agreement with Great Britain and Germany, which, with our own Government, constitute the treaty powers interested in Samoan peace and quiet, the attempt has been made to define more clearly the part which these powers should assume in the government of that country, while at the same time its autonomy has been insisted upon.

These negotiations were at one time interrupted by such action on the part of the German Government as appeared to be inconsistent with their further continuance.

Germany, however, still asserts, as from the first she has done, that she has no desire or intention to overturn the native Samoan Government or to ignore our treaty rights, and she still invites our Government to join her in restoring peace and quiet. But thus far her propositions on this subject seem to lead to such a preponderance of German power in Samoa as was never contemplated by us, and is inconsistent with every prior agreement or understanding, while her recent conduct as between native warring factions gives rise to the suspicion that she is not content with a neutral position.

Acting within the restraints which our Constitution and laws have placed upon executive power, I have insisted that the autonomy and independence of Samoa should be scrupulously preserved according to the treaties made with Samoa by the powers named and their agreements and understanding with each other. I have protested against every act apparently tending in an opposite direction, and during the existence of internal disturbance one or more vessels of war have been kept in Samoan waters to protect American citizens and property.

These things will abundantly appear from the correspondence and papers which have been submitted to the Congress.

A recent collision between the forces from a German man-of-war stationed in Samoan waters and a body of natives rendered the situation so delicate and critical that the war-ship Trenton, under the immediate command of Admiral Kimberly, was ordered to join the Nipsic already at Samoa, for the better protection of the persons and property of our citizens and in furtherance of efforts to restore order and safety.

The attention of the Congress is especially called to the instructions given to Admiral Kimberly, dated on the 11th instant, and the letter of the Secretary of State to the German minister, dated the 12th instant, which will be found among the papers herewith submitted.

By means of the papers and documents heretofore submitted and those which accompany this communication, the precise situation of affairs in Samoa is laid before the Congress, and such executive action as has been taken is fully exhibited.

The views of the Executive in respect of the just policy to be pursued with regard to this group of islands which lie in the direct highway of a growing and important commerce between Australia and the United States, have found expression in the correspondence and documents which have thus been fully communicated to the Congress; and the subject in its present stage is submitted to the wider discretion conferred by the Constitution upon the legislative branch of the Government.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 15, 1889.

HAYTIAN AFFAIRS.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying documents, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate of the United States:

I transmit herewith, in response to the resolution of the Senate of the 4th instant, a report of the Secretary of State, with accompanying copies of correspondence touching recent occurrences in the island of Hayti, both as relates to the state of the government there and to the seizure and delivery up of the American vessel Haytien Republic.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, January 15, 1889.

REPORT OF THE PUBLIC PRINTER.

The PRESIDENT *pro tempore* laid before the Senate the annual report of the Public Printer; which, with the accompanying papers, was referred to the Committee on Printing, and ordered to be printed.

HOUSE BILL REFERRED.

The bill (H. R. 11683) for the establishment of a light-ship, with a fog-signal, at Sandy Hook, New York Harbor, was read twice by its title, and referred to the Committee on Commerce.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of 148 citizens of the State of Kansas, praying for the passage of a Sunday-rest law; which was referred to the Committee on Education and Labor.

Mr. CULLOM. I present a petition of the National Woman's Christian Temperance Union, department of Sabbath observance, praying for the passage of the law prohibiting the running of interstate Sunday trains, Sunday mails, and military drills on the Sabbath. The petition is signed by 100 ministers of Chicago and vicinity in the State of Illinois. I move that it be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. CULLOM. I also present several bundles of petitions that I hold in my hand on the same subject, signed, one of them, by 1,766, another by 7,727, another by 1,000, and the fourth by 2,498 citizens of Illinois, praying for the same legislation. I move the reference of the petitions to the Committee on Education and Labor.

The motion was agreed to.

Mr. PLATT. I present the petition of R. N. Stevens and others, a committee of the statehood convention held at Jamestown, in North Dakota, on the 5th of December last, praying for a division of the Territory of Dakota and the passage of an act which shall permit the admission of North Dakota as a State as speedily as possible. As the petition contains very valuable statistics bearing upon the question of the propriety of admitting that portion of the Territory of Dakota as a State, I ask that it be printed as a public document. It will be valuable for reference.

The PRESIDENT *pro tempore*. The petition will be printed, if there be no objection, and referred to the Committee on Territories. The Chair hears no objection, and it is so ordered.

Mr. CAMERON presented numerous petitions of citizens of Pennsylvania, praying for the passage of a national Sunday-rest law prohibiting needless Sunday work in the Government's mail, military service, and interstate commerce; which were referred to the Committee on Education and Labor.

He also presented resolutions of the Philadelphia (Pa.) Board of Trade, favoring increased appropriations for the maintenance of the branch hydrographic offices and the publication of the pilot charts; which were referred to the Committee on Appropriations.

Mr. FAULKNER presented a petition of 2,591 citizens of West Virginia, praying for the passage of a national Sunday-rest law; which was referred to the Committee on Education and Labor.

Mr. PAYNE presented a petition of citizens of Ohio, praying for the passage of a national Sunday-rest law, prohibiting needless Sunday work in the Government's mail, military service, and interstate commerce; which was referred to the Committee on Education and Labor.

Mr. HALE. I present a petition of the same kind, in favor of the passage of a national Sunday-rest law from labor organizations, churches, and other bodies in the State of Maine. I move the reference of the petition to the Committee on Education and Labor.

The motion was agreed to.

Mr. HALE presented resolutions adopted by the Maine State Grange, urging the immediate passage of House bill 11027, known as the "Conger lard bill," and House bill 11266, a substitute for the "Lee pure-food bill;" which were referred to the Committee on Agriculture and Forestry.

Mr. SHERMAN. I present a petition signed by 4,745 citizens of Ohio, praying for the passage of a national Sunday-rest law, prohibiting needless Sunday work in the Government's mail and military service, and interstate commerce. I also present a similar petition signed by 2,710 citizens of Ohio. I move the reference of the petitions to the Committee on Education and Labor.

The motion was agreed to.

Mr. PLATT. I present a similar petition, which is said to contain 497 individual signatures and representative indorsements of churches and other bodies in the State of Connecticut. On an examination of the names I find that some mistake has been made, and that they are the names of citizens of South Carolina; but I trust the Senator from South Carolina [Mr. BUTLER] will have no objection to my presenting the petition.

Mr. BUTLER. None in the world, Mr. President. I am very glad to see it come from that source.

The PRESIDENT *pro tempore*. The petition will be referred to the Committee on Education and Labor.

Mr. DOLPH presented the petition of Zerelda N. McCoy, vice-president of the National Woman Suffrage Association, praying that in enabling acts for the admission of Dakota, Montana, New Mexico, and Washington, a clause be inserted allowing women to vote for delegates to the State constitutional conventions; which was referred to the Committee on Territories.

Mr. FARWELL presented numerous petitions of citizens of Illinois, praying for the passage of a national Sunday-rest law; which were referred to the Committee on Education and Labor.

Mr. STOCKBRIDGE presented a petition of 379 citizens of Michigan, praying for the passage of a national law prohibiting Sunday mail trains and military drills on the Sabbath; which was referred to the Committee on Education and Labor.

Mr. STANFORD presented a petition of the Board of Trade of San Luis Obispo, Cal., praying that an appropriation be made for the construction of a breakwater at that port; which was referred to the Committee on Commerce.

Mr. HISCOCK. I present a petition collected by the National Woman's Christian Temperance Union, department of Sabbath observance, signed by 3,147 citizens of New York, and a petition of 627 citizens of New York of like character. I move the reference of the petitions to the Committee on Education and Labor.

The motion was agreed to.

Mr. HISCOCK presented a petition of American manufacturers of artificial flowers and materials, etc., praying that a tariff be placed on that class of goods of from 75 to 100 per cent.; which was referred to the Committee on Finance.

Mr. VOORHEES. I present a petition said to contain 6,755 individual signatures and combined representative indorsements collected in Indiana by the National Woman's Christian Temperance Union, department of Sabbath observance, the Illinois Sabbath Association, the American Sabbath Union, etc., praying for a national Sunday-rest law, against needless Sunday work in the Government mail and military service and interstate commerce. I move that the petition be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. GEORGE. I present a similar petition to the one just presented, containing 673 individual signatures collected in the State of Mississippi. I move the reference of the petition to the Committee on Education and Labor.

The motion was agreed to.

Mr. SAULSBURY. I present a similar petition said to contain 338 individual signatures of citizens of Delaware, which I move be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. FRYE. I present a memorial of the Woman's Christian Temperance Union, remonstrating against the running of interstate Sunday trains, etc., signed by 115 citizens of the State of Maine. I move the reference of the memorial to the Committee on Education and Labor.

The motion was agreed to.

Mr. HOAR presented a petition of 3,144 citizens of Massachusetts, praying for the passage of a national law prohibiting Sunday work, military service, etc.; which was referred to the Committee on Education and Labor.

Mr. SPOONER. I present a petition said to contain 953 signatures of residents of the State of Wisconsin, praying for the passage of a national Sunday-rest law, against needless Sunday work in the Government's mail and military service and interstate commerce. I move the reference of the petition to the Committee on Education and Labor.

The motion was agreed to.

Mr. DAWES. I present the petition of 211 citizens of Massachusetts, praying for the same object. I move the reference of the petition to the Committee on Education and Labor.

The motion was agreed to.

Mr. REAGAN. I present petitions collected by the National Woman's Christian Temperance Union, praying for the passage of a national Sunday-rest law, against needless Sunday work, Government mails and military service, and interstate commerce, signed by 565 citizens of the State of Texas. I move the reference of the petitions to the Committee on Education and Labor.

The motion was agreed to.

Mr. SAWYER presented a petition of 2,532 citizens of Wisconsin, and a petition of 264 citizens of Wisconsin, praying for the passage of a national Sunday law; which was referred to the Committee on Education and Labor.

Mr. ALLISON. I present two petitions, one containing 2,458 individual signatures, and the other containing 3,716 individual signatures, all signed by people in Iowa, praying for the passage of a national Sunday-rest law, etc. I move that the petitions be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. ALLISON presented a petition of citizens of Iowa, praying that the drawback now allowed on tin-plate used in the manufacture of cans which are exported to foreign countries may be made to apply equally to tin-plate of foreign manufacture used in this country; which was referred to the Committee on Finance.

Mr. WILSON, of Iowa. I present a petition signed by 3,220 citizens of Iowa, praying for the passage of a national Sunday-rest law, and a similar petition signed by residents of Page County, Iowa. I move that the petitions be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. CHANDLER. I present a petition in favor of a national Sunday-rest law, approved by the New Hampshire Sunday-School Association in convention, with the signatures affixed of J. M. Williams, president, and John G. Lane, secretary; also by Alden Youngman and numerous other citizens of South Merrimac, N. H.; also by Rev. W. H. Alden and numerous other citizens of New Hampshire; which I move be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. CHANDLER. I also present the petition of Frank Bluer and 338 other citizens of South Carolina, who represent that they are residents of the county of Orangeburgh and voting precinct of Evans's Mill, in that State. They represent that they presented themselves at that voting precinct on the last election day in order to vote for Presidential electors and member of Congress, and that they were denied the right to vote. They therefore pray Congress to investigate the facts which they state and the practical working of the registration and election laws of South Carolina, and to devise some means to secure to them the free exercise of the rights guarantied to them by the constitution of South Carolina and the laws and Constitution of the United States. I move that the petition be referred to the Committee on Privileges and Elections.

The motion was agreed to.

Mr. CHANDLER. I also present the petition of Joe Kelly and 58 other citizens of the county of Orangeburgh and the voting precinct of Connors, making the same representations and concluding with the same prayer. I move that the petition be referred to the Committee on Privileges and Elections.

The motion was agreed to.

Mr. RIDDLEBERGER. I present a petition of citizens of Virginia, containing 1,851 individual signatures, in favor of a national Sunday-rest law. I take it for granted it is the same as the other Senators here have presented because of the red covering; and I present it recognizing the right of petition; but in presenting it I want to state, what other Senators have not done, my unqualified opposition to any such legislation. I should like for the ladies who send these petitions here to understand that the first thing they would have to do in the way of legislation would be to change market day. For instance, if we sell our cattle in Washington, in order to give them beef on Tuesday we must transport it on Sunday. I should like to know how the Senators from the West would represent their constituents if they were to stop the cattle trains over Sunday at Cumberland, at Wheeling, or somewhere else *en route*. I ask that the petition may be referred.

The PRESIDENT *pro tempore*. The petition will be referred to the Committee on Education and Labor.

Mr. MITCHELL. I present a similar petition of 355 citizens of Oregon. I move that it be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. HAWLEY. I present a petition signed by members of the South Congregational Church of Middletown, Conn., and other citizens, entitled "A petition to Congress against Sunday work." I move the reference of the petition to the Committee on Education and Labor.

The motion was agreed to.

Mr. HOAR presented a petition of citizens of Boston, Mass., praying for the passage of what is known as the Sunday-rest bill; which was referred to the Committee on Education and Labor.

Mr. BLAIR. I present petitions of several bodies, praying for the passage of a Sunday-rest law. Of the petitions the following analysis is submitted by those who desire their presentation:

Petitions from national bodies.

CONTENTS.

1. Individual signatures	407
2. Representative signatures by indorsements of bodies and meetings	14,174,337
Total	14,174,744

Analysis of the latter:

First indorsement is that of the American Sabbath Union, which was officially constituted by official action of the General Conference of the Methodist Episcopal Church, the Home Missionary Society of the Baptist Church, the General Assemblies of the Presbyterian Church (North and South), and the Synod of the Reformed Church, five denominations whose membership together is 5,977,693. Of the membership of the Brotherhood of Locomotive Engineers, the indorsement of whose international convention stands second, at least 20,000 citizens of the United States. Of the Knights of Labor, the indorsement of whose international convention stands third, at least 219,000 citizens of the United States. The Presbyterian General Assembly, North, whose action stands next, had at the time of the indorsement 722,071 members. The convention of Christian Workers, whose indorsement is next, had 450 present when the unanimous vote of indorsement was taken. The Woman's Christian Temperance Union, which comes next, had 185,521 at the time of the vote. The Roman Catholics, for whom Cardinal Gibbons speaks, number 7,200,000.

Deducting for those who are twice or thrice represented, these petitions represent thirteen and a half million petitioners.

At a low estimate there are on the other petitions presented, besides a multitude who are twice or thrice represented, at least enough to make the total on the 13th of December, 1888, a full fourteen millions.

What I present is the petition of the National Sabbath Union of the United States by Elliott F. Shepard, president, and J. H. Knowles, secretary. Their prayer is very brief:

The undersigned, adult residents of the United States, twenty-one years of age or more, hereby earnestly petition your honorable body to pass a bill forbidding, in the nation's mail and military service, and in interstate commerce, and in the District of Columbia and the Territories, all Sunday traffic and work, except works of religion and works of real necessity and mercy, and such private work by those who observe another day as will neither interfere with the general rest nor with public worship.

The next is the petition in like words of the Brotherhood of Locomotive Engineers, and so throughout, in accordance with the analysis which I first read. I move that the petitions be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. BLAIR. I have here a petition of the Woman's Christian Temperance Union of New Jersey with 6,000 members, of Indiana 2,500 members, of Massachusetts 6,000, of Delaware 800, of Illinois 9,000, of Iowa 6,000, of Pennsylvania 6,000, of Dakota 1,000, and the National nearly 200,000, praying Congress to instruct the Postmaster-General to make no further contracts which shall include the carriage of the mails on the first day of the week, and to provide that hereafter no mail matter shall be collected or distributed on that day, and also to forbid interstate commerce on the first day of the week by railroad trains, and to forbid military drills, musters, and parades of United States cadets, soldiers, and marines on the first day of the week in times of peace, as interfering not only with the soldier's right to the day of rest, but also with his rights of conscience.

I move that the petition be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. BLAIR. I present also the petition of the National Woman's Christian Temperance Union, department of Sabbath observance, the Illinois Sabbath Association, the American Sabbath Union, etc., 492 signatures. This is, however, the petition of that body in the State of New Hampshire. I move its reference to the Committee on Education and Labor.

The motion was agreed to.

Mr. BLAIR. I present a like petition of 43 citizens of Washington Territory, collected by the National Woman's Christian Temperance Union, and also the petition of 190 citizens or residents of the District of Columbia, collected by the Woman's Christian Temperance Union, for both of which I ask a like reference.

The PRESIDENT *pro tempore*. The petitions will be referred to the Committee on Education and Labor.

Mr. EVARTS presented a petition of citizens of New York, praying for the passage of a national Sunday-rest law prohibiting needless Sunday work in the Government's mail, military service, and interstate commerce; which was referred to the Committee on Education and Labor.

Mr. PALMER presented a petition of citizens of Michigan, praying for the passage of a national Sunday-rest law prohibiting needless Sunday work in the Government's mail, military service, and interstate commerce; which was referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES.

Mr. BLAIR, from the Committee on Pensions, to whom was referred the bill (H. R. 11223) to increase the pension of George A. Glover, reported it without amendment, and submitted a report thereon.

Mr. MORRILL, from the Committee on Public Buildings and Grounds, reported two amendments intended to be proposed to the sundry civil appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. SHERMAN. I am directed by the Committee on Foreign Relations to present an amendment intended to be proposed to the consular and diplomatic appropriation bill, providing for indemnity to certain persons, subjects of Japan, who were injured accidentally by American residents. I move that the proposed amendment be referred to the Committee on Appropriations, and that the accompanying communication of the Secretary of State be printed.

The PRESIDENT *pro tempore*. It will be so ordered if there be no objection.

Mr. SPOONER, from the Committee on Claims, to whom was referred the bill (H. R. 6404) for the relief of Charles F. Swain, master of bark Philena, reported it without amendment, and submitted a report thereon.

JOHN J. SHIPMAN.

Mr. FAULKNER, from the Committee on Claims, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 2081) entitled "A bill for the relief of John J. Shipman," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act approved March 3, 1883, and an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, to find and report to the Senate the facts bearing upon the merits of the claim, including the loyalty of the claimant, and all other facts contemplated by the provisions of said act.

OVERLAND-MAIL GUARD.

Mr. MANDERSON. I am instructed by the Committee on Printing to report back the letter of the Secretary of War transmitting certain information in regard to the raising of volunteer troops to guard the overland mails from 1861 to 1866, with a recommendation that the Senate order the usual number of the document to be printed. I ask that such action be now taken.

The PRESIDENT *pro tempore*. It is so ordered, if there be no objection.

REPORT OF INTERSTATE COMMERCE COMMISSION.

Mr. MANDERSON. I am directed by the Committee on Printing to report back favorably a concurrent resolution with certain amendments that I will call the attention of the clerks to. I ask for its present consideration.

The PRESIDENT *pro tempore*. The resolution will be read.

The Chief Clerk read the concurrent resolution submitted by Mr. CULLOM January 10, 1889, as follows:

Resolved by the Senate (the House of Representatives concurring herein), That there be printed 5,000 additional copies of the second annual report of the Interstate Commerce Commission, with the appendices thereto: 2,000 of said copies to be for the use of the Senate and 3,000 for the use of the House of Representatives.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. MANDERSON. I move to amend the resolution in line 4 by striking out "5,000" and inserting "6,000."

The amendment was agreed to.

Mr. MANDERSON. I move to amend in the last line but one by striking out "3,000," before the words "for the use of the House of Representatives," and inserting "4,000."

The amendment was agreed to.

The resolution as amended was agreed to.

BILLS INTRODUCED.

Mr. CAMERON introduced a bill (S. 3821) to amend an act entitled "An act to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States," approved March 3, 1885; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. FARWELL introduced a bill (S. 3822) to authorize the State of Illinois to commence and prosecute suits against the United States in the Supreme Court of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. STOCKBRIDGE introduced a bill (S. 3823) granting a pension to Julia Wheelock Freeman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HISCOCK introduced a bill (S. 3824) to provide for an American register for the steam-yacht Nautilus, of New York, N. Y.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. PLUMB introduced a bill (S. 3825) granting a pension to Martha J. Dodge; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3826) granting a pension to Elizabeth Tucker; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3827) to divide the State of Kansas into two judicial districts, fixing terms of court, and for the appointment of judges and other officers therein; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. HOAR introduced a bill (S. 3828) granting a pension to Mary Baldwin; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 3829) for the relief of Joseph Pennig; which was read twice by its title, and referred to the Committee on Indian Affairs.

PUBLIC BUILDING AT SAN FRANCISCO.

Mr. STANFORD submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1931) to increase the appropriation for the purchase of a site for a building for a post-office, court-house, and other offices in San Francisco, Cal., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment, to strike out "eight hundred and fifty thousand" and insert "$800,000;" and the House agree to the same.

LELAND STANFORD,
JOHN C. SPOONER,
G. G. VEST,
Managers on the part of the Senate.
SAM'L DIBBLE,
C. NEWTON,
P. S. POST,
Managers on the part of the House.

The report was concurred in.

PUBLIC BUILDING AT MILWAUKEE.

Mr. SPOONER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 154) for the erection of a public building at Milwaukee, Wis., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments to the said bill and agree to the same with the following amendments:

1. In second line, first page, before the word "purchase," insert the words "acquired by;" and after the word "purchase," in same line, insert the words "condemnation or otherwise."

2. In eleventh line, first page, before the word "and," insert the words "and the cost of said site shall not exceed the sum of $400,000."

3. In fifteenth line, second page, after the word "city," insert the words "at a cost, however, not exceeding $300,000."

And that the Senate agree to the same.

JOHN C. SPOONER,
WM. B. ALLISON,
G. G. VEST,
Managers on the part of the Senate.

SAM'L DIBBLE,
C. NEWTON,
P. S. POST,
Managers on the part of the House.

The report was concurred in.

PUBLIC BUILDING AT OMAHA.

Mr. SPOONER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 182) to provide for the purchase of a site and the erection of a public building thereon at Omaha, Nebr., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments to the said bill, and agree to the same with the following amendments:

1. In third line, first page, strike out the words "proceedings in accordance with the laws of Nebraska" and insert in lieu thereof the words "or otherwise."

2. In tenth line, first page, after the word "dollars," insert "and the cost of said site shall not exceed the sum of $400,000."

3. Strike out section 3 and insert in lieu thereof the following:

"SEC. 3. That the sum of $600,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase of said site and the commencement of said building."

And that the Senate agree to the same.

JOHN C. SPOONER,
W. B. ALLISON,
G. G. VEST,
Managers on the part of the Senate.

SAMUEL DIBBLE,
JOHN A. McSHANE,
ROBERT P. KENNEDY,
Managers on the part of the House.

The report was concurred in.

STATE NATIONAL BANK OF LOUISIANA.

The PRESIDENT *pro tempore*. Is there further morning business?

Mr. ALLISON. I move that the Senate proceed to the consideration of House bill 9051.

The PRESIDENT *pro tempore*. If there be no further morning business, that order is closed, and the Calendar under Rule VIII being in order, the Senator from Iowa moves that the Senate proceed to the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

Mr. VOORHEES. Will the Senator from Iowa allow me to correct an error of my own which was made yesterday? In calling up the bill to relieve the State National Bank of Louisiana by referring the claim to the Court of Claims the wrong bill was passed. It was a Senate bill reported from the Committee on Claims; but since their report the House of Representatives has passed exactly the same bill. I want to move to reconsider the vote by which the Senate bill was passed yesterday in order to move the House bill as a substitute, so that when the Senate passes that bill it will be through.

The PRESIDENT *pro tempore*. Will the Senator state whether the House bill is on the Calendar?

Mr. VOORHEES. It is not on the Calendar. It is the same bill, however. I have conferred with the Senator from Massachusetts [Mr. HOAR], the member of the Committee on Claims who reported the Senate bill.

The PRESIDENT *pro tempore*. What is the parliamentary stage of the bill?

Mr. VOORHEES. It is just a House bill sent over here and referred to the Committee on Claims.

The PRESIDENT *pro tempore*. Then the proper motion would be to discharge the committee from the further consideration of the bill.

Mr. VOORHEES. It is House bill 3715.

The PRESIDENT *pro tempore*. The Senator from Indiana moves that the Committee on Claims be discharged from the further consideration of House bill 3715.

Mr. SPOONER. Do I understand the Senator from Indiana to say that the bill is still in the hands of the Committee on Claims?

Mr. HOAR. The bill has been favorably reported by the committee, if the Senator will pardon me.

The PRESIDENT *pro tempore*. A Senate bill.

Mr. VOORHEES. And this is exactly the same bill passed by the House since the committee reported the Senate bill. It is the same bill exactly.

Mr. HOAR. The bill came over here. I do not know where it is on the files, but I have seen the printed bill with the evidence that it was passed by the House and sent here to the Senate. It came over here within the last three or four days of the last session. We had reported from the Committee on Claims a bill. The House bill is identical with one exception; and that is, the Senate bill provides that the Court of Claims shall consider all the evidence which either the claimant or the United States used at the former hearing. The House bill does not insert the words "United States," which of course should be inserted, but I understand, on inquiry of the gentleman who reported the bill in the House, and he has investigated it, that there was no evidence used by the United States at the hearing before except certain public documents, which the Court of Claims always admits. Therefore it does not seem necessary, although strictly that should be done, to send the bill back to the House with an amendment. That is the history of it.

The PRESIDENT *pro tempore*. The proper motion would be to discharge the Committee on Claims from the further consideration of the bill.

Mr. VOORHEES. I make that motion. I move that the Committee on Claims be discharged from the further consideration of the bill (H. R. 3715) for the relief of the State National Bank of New Orleans, formerly the Louisiana State Bank, which is exactly the bill that has been reported, I assure the Senator from Wisconsin. My object is to get it through at this session, and I do not believe I can do so unless I can have this done.

The PRESIDENT *pro tempore*. Is there objection? The Chair hears none. The Committee on Claims is discharged from the further consideration of the bill. The bill is before the Senate as in Committee of the Whole, if there be no objection, and will be read.

The Chief Clerk read the bill.

Mr. SPOONER. There is one feature of that bill which seems to me to be objectionable. It is mandatory upon the court that it shall receive in evidence all letters and papers that may have been filed in the Department, no matter whether at law the evidence would be competent or not.

Mr. VOORHEES. I will say to the Senator from Wisconsin that the language is just the same on that point as in the bill reported from the Committee on Claims. I assure the Senator from Wisconsin there is no harm in this measure. The only object is to get it through so as to have it become a law at this session.

Mr. CULLOM. If the Senator will allow me, I should like to inquire if he knows the amount of money that is involved in this investigation.

Mr. VOORHEES. I do not know how much. It is a bill which has passed the Senate three times. It was reported by Senator Howell Jackson and by others, the most careful men here. It has been three times reported in this body. It has been three times passed. The trouble was always to get action in the other House. Now the House has given us a bill which is the same bill exactly that has been here all the time, and my object in getting it up is, when I get it through, that that will be the end of it; and I implore the Senator from Wisconsin to join me in this laudable enterprise.

Mr. CULLOM. It seems to me we might as well allow the claim here if we require the court simply to take the testimony on file.

Mr. VOORHEES. Oh, no; the case is to be determined by the Court of Claims. It has been one of the most thoroughly prepared bills that have been here.

Mr. CULLOM. I will inquire further if there is any printed report showing the facts in connection with it?

Mr. VOORHEES. Yes, sir.

Mr. CHANDLER. I should like to ask the Senator from Indiana a question—whether the legal effect of the bill is only to remove the bar of the statute of limitations?

Mr. VOORHEES. That is all, and then to try the case on the proofs that are in the Treasury Department, and such others as the Court of Claims may have taken.

Mr. CHANDLER. I should like to ask, if the Senator will allow me, whether the Committee on Claims of this body has approved the removal of that statutory bar?

Mr. VOORHEES. Here is the bill they reported, which was passed yesterday by mistake. It was unanimously reported from the Committee on Claims, and it contains the same provisions exactly.

Mr. CHANDLER. It does remove the bar of the statute of limitations?

Mr. VOORHEES. Certainly. That has been done over and over again.

Mr. PLATT. My trouble about the bill is that it seems to me that the clause which provides that the papers on file in the Treasury Department shall be received by the court as evidence is a little too sweeping. I wish to read that clause. It is as follows:

That the testimony and original papers filed by said bank before the Treasury Department of the United States in connection with said claim be, and the

same shall be, received by said court as evidence as if taken or filed under the rules of said court.

I suppose that many of those papers must have been *ex parte* affidavits. I do not know how that may be, but it does not seem to me that in a bill of this sort we ought to provide that the Court of Claims shall receive as evidence *ex parte* affidavits the same as if they had been taken in court.

Mr. ALLISON. I appeal to the Senator from Indiana——

Mr. PLATT. I should like to look at the report in this case. I do not want to delay the bill.

Mr. ALLISON. I was about to appeal to the Senator from Indiana to give Senators an opportunity to look into this.

Mr. HOAR. Before that is done I would like to say one word.

Mr. President, I have not the facts of this case in my memory at present. I reported it some months ago. It was originally examined with great care by the late Senator Jackson, of Tennessee, one of the most careful and thorough lawyers we ever had in the Senate. It was carefully examined by the Committee on Claims, and it was their unanimous report. It has been reported two or three times from that committee. It is not the removal of the bar of the statute of limitations from a claim against the Government. It is one of those cases of claims of owners of cotton seized and sold by the Government the proceeds of which were in the possession of the Government as a special fund out of which payment has been allowed, where there were some circumstances which made the removal of the bar of the statute seem proper. There is not any real statute of limitations, because I do not understand that the remedy was by appeal to the Court of Claims. Some considerable time has elapsed. They were before Congress, I believe, at a very early day for the prosecution of their claim. The facts will appear in the original report if Senators will look at it, and without being able to state what the case is now, my recollection is it is a very clear and plain case.

Mr. SPOONER. I appeal to the Senator from Indiana not to press the bill to-day, but let it go over until to-morrow, and in the mean time it can be examined into by Senators. I desire to examine it further myself. I think I concurred in the report on the merits of the claim, and do not see any objection to it now, but I do not exactly like the form of this bill.

Mr. VOORHEES. I yield to the suggestion of the Senator from Wisconsin.

The PRESIDENT *pro tempore*. Shall the bill be again committed to the committee or remain on the Calendar?

Mr. VOORHEES. Let it remain on the Calendar.

The PRESIDENT *pro tempore*. The Chair will inquire whether a message shall be sent to the House of Representatives to recall the bill (S. 205) for the relief of the State National Bank of Louisiana, that was passed yesterday on the motion of the Senator from Indiana [Mr. VOORHEES], that it may be in the custody of the Senate?

Mr. COCKRELL. That ought to be done as a matter of course.

The PRESIDENT *pro tempore*. It will be so ordered if there be no objection.

THE REVENUE LAWS.

The PRESIDENT *pro tempore*. The regular order will be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue, the pending question being on the amendment proposed by Mr. VEST, in line 2206, paragraph 670 of the free-list, to strike out "Ottar of roses" and insert "Salt;" so as to read:

670. Salt.

Mr. ALLISON. I hope we shall have a vote on that important amendment.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Missouri [Mr. VEST], on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. FARWELL (when his name was called). I desire to announce that I am paired with the Senator from Florida [Mr. PASCO].

Mr. HALE (when his name was called). My pair with the Senator from Kentucky [Mr. BECK] is transferred to the Senator from Nevada [Mr. JONES]. I vote "nay."

Mr. HOAR (when his name was called). I am paired with the Senator from North Carolina [Mr. RANSOM].

Mr. MORRILL (when his name was called). My pair with the Senator from Tennessee [Mr. HARRIS] having been transferred to the Senator from Colorado [Mr. BOWEN], I vote "nay."

The roll-call was concluded.

Mr. BLACKBURN. I am paired with the Senator from Nebraska [Mr. MANDERSON]. If he were in his seat, I should vote "yea."

Mr. ALLISON. I will allow my vote to stand, and the Senator from Kentucky [Mr. BLACKBURN] agreeing, I will transfer the pair of the Senator from New Jersey [Mr. MCPHERSON] to the Senator from Nebraska [Mr. MANDERSON], and allow the Senator from Kentucky to vote.

Mr. BLACKBURN. Then I vote, Mr. President. I vote "yea."

Mr. WILSON, of Maryland. I inquire whether the Senator from Iowa [Mr. WILSON] has voted?

The PRESIDING OFFICER (Mr. PLATT in the chair). He has not voted.

Mr. WILSON, of Maryland. I am paired with the Senator from Iowa [Mr. WILSON], and therefore refrain from voting.

Mr. COCKRELL. I am paired with the junior Senator from Kansas [Mr. PLUMB]. We shall be compelled to be in the Committee on Appropriations the greater part of the day and are paired with each other. I should vote "yea," and he would vote "nay," if present.

Mr. MANDERSON. On this question I am paired with the Senator from New Jersey [Mr. MCPHERSON]. If he were present, I should vote "nay."

Mr. GEORGE (after having voted in the affirmative). Has the Senator from New Hampshire [Mr. BLAIR] voted?

The PRESIDING OFFICER. The Senator from New Hampshire is not recorded.

Mr. GEORGE. I am paired with him. I withdraw my vote. I would vote "yea" of course.

The result was announced—yeas 23, nays 26; as follows:

YEAS—23.

Bate,	Colquitt,	Hampton,	Turpie,
Berry,	Daniel,	Jones of Arkansas,	Vance,
Blackburn,	Eustis,	Morgan,	Vest,
Butler,	Faulkner,	Pugh,	Voorhees,
Call,	Gibson,	Reagan,	Walthall.
Coke,	Gray,	Saulsbury,	

NAYS—26.

Aldrich,	Dolph,	Ingalls,	Sherman,
Allison,	Edmunds,	Mitchell,	Spooner,
Cameron,	Evarts,	Morrill,	Stewart,
Chace,	Frye,	Paddock,	Stockbridge,
Chandler,	Hale,	Platt,	Teller.
Cullom,	Hawley,	Quay,	
Dawes,	Hiscock,	Sawyer,	

ABSENT—27.

Beck,	Farwell,	Kenna,	Ransom,
Blair,	George,	McPherson,	Riddleberger,
Blodgett,	Gorman,	Manderson,	Sabin,
Bowen,	Harris,	Palmer,	Stanford,
Brown,	Hearst,	Pasco,	Wilson of Iowa,
Cockrell,	Hoar,	Payne,	Wilson of Md.
Davis,	Jones of Nevada,	Plumb,	

So the amendment was rejected.

Mr. ALLISON. I move, on page 116, to strike out paragraph 173 and insert in lieu of it what I send to the desk.

The PRESIDING OFFICER. The amendment of the Senator from Iowa will be stated.

The CHIEF CLERK. On page 116, it is proposed to strike out paragraph 173, as follows:

173. Penknives or pocket-knives of all kinds, knife-blades, razors, and razor-blades, 50 cents per dozen blades and 25 per cent. ad valorem.

And in lieu thereof to insert:

173. Penknives or pocket-knives of all kinds, or parts thereof, wholly or partly manufactured, valued at not more than 50 cents per dozen, 12 cents per dozen; valued at more than 50 cents per dozen and not exceeding $2 per dozen, 36 cents per dozen; valued at more than $2 per dozen, 60 cents per dozen, and in addition thereto on all the above 50 per cent. ad valorem.

Razors and razor-blades, finished or unfinished, valued at not more than $4 per dozen, $1 per dozen; valued at more than $4 per dozen, $1.25 per dozen, and in addition thereto on all the above razors and razor-blades 30 per cent. ad valorem.

The PRESIDING OFFICER. Is the Senate ready for the question?

Mr. VEST. Does the Senator want to take that vote now?

Mr. ALLISON. Yes, sir.

Mr. VEST. That is a very material change in that schedule, and I would like to examine it. We have had no notice of it, and it is brought in here now without any chance for us to examine it at all. I will ask that it lie over and be printed so that we can look into it by morning.

Mr. ALLISON. Does the Senator want to take it up later in the day?

Mr. VEST. I want a chance to examine it. We have a day fixed for the vote, and it makes no difference.

Mr. ALLISON. I will allow it to pass over to give the Senator an opportunity. I may want to call it up later in the day.

The PRESIDING OFFICER. Does the Senator from Missouri ask that the amendment be printed?

Mr. VEST. I should rather the Senator would say that we are to take it up in the morning. It makes no difference about the final result, because we have agreed on the day to take the vote, and it is simply a question of courtesy and convenience to us. It is impossible for us to examine it during the day whilst we are engaged in a running debate on the items.

Mr. JONES, of Arkansas. I should like the Senator from Iowa to yield to me to offer an amendment to the free-list, to remain pending until the matter shall be reached in the body of the bill.

The PRESIDING OFFICER. The Chair suggests that the matter now pending before the Senate be disposed of first.

Mr. ALLISON. I will allow this amendment to be passed over until to-morrow morning with the understanding that it is to be considered then.

The PRESIDING OFFICER. Does the Senator from Missouri desire that the amendment be printed?

Mr. VEST. Yes, sir.

The PRESIDING OFFICER. It will be so ordered, if there be no objection.

Mr. ALLISON. I wish to offer one amendment, if the Senator from Arkansas will allow me. On page 115, line 730, I move to strike out "20" and insert "15."

The PRESIDING OFFICER. The amendment will be reported.

The CHIEF CLERK. On page 115, paragraph 172, line 730, it is proposed to strike out "20" and insert "15;" so as to read:

172. Table knives, forks, steels, and all carving, butchers', cooks', hunting, kitchen, bread, butter, vegetable, fruit, cheese, plumbers', painters', palette, and artists' knives of all sizes, finished or unfinished, valued at not more than $1 per dozen pieces, 15 cents per dozen.

Mr. VEST. What line is that?

Mr. ALLISON. Line 730.

Mr. VANCE. I think that ought to go over with the other. It relates to the same thing, cutlery.

Mr. ALLISON. That is a reduction.

Mr. VANCE. Yes, I know it is a reduction of the text of the bill, but it lacks a great deal of being a reduction upon the article itself.

Mr. ALLISON. Perhaps it does.

Mr. VANCE. I think the whole of the amendments pertaining to cutlery in this schedule should go over and be considered at the same time.

Mr. ALLISON. Very well; I will allow it to be passed over.

The PRESIDING OFFICER. Is it the desire that the amendment shall be printed?

Mr. ALLISON. That is easily understood. I do not think it is necessary to print it.

On page 112, paragraph 155, line 643, I move to strike out "six" and insert "eight," and in line 644 to strike out "eight" and insert "ten," and in line 645 to strike out "thirteen" and insert "fifteen."

The PRESIDING OFFICER. The Chair is informed that those amendments are already pending.

Mr. ALLISON. Very well, then I want to have them acted on.

The PRESIDING OFFICER. The amendments will be reported separately from the desk.

The CHIEF CLERK. In line 643, page 112, paragraph 155, before the word "cents," it is proposed to strike out "six" and insert "eight;" so as to read:

Cross-cut saws, 8 cents per linear foot.

The amendment was agreed to.

The CHIEF CLERK. In the same paragraph, line 644, after the word "wide," it is proposed to strike out "eight" and insert "ten;" so as to read:

Mill, pit, and drag saws, not over 9 inches wide, 10 cents per linear foot.

The amendment was agreed to.

The CHIEF CLERK. In the same paragraph, line 645, after the word "wide," it is proposed to strike out "thirteen" and insert "fifteen;" so as to read:

Over 9 inches wide, 15 cents per linear foot.

The amendment was agreed to.

Mr. ALLISON. I ask the Senate to proceed to the consideration now of paragraphs 144 and 145, which we passed over, and act on the amendments I offered yesterday.

The PRESIDING OFFICER. The Senator from Iowa asks for the consideration of a paragraph which has been passed over—paragraph 144, on page 106. The amendment proposed by him to that paragraph will be read.

The CHIEF CLERK. It is proposed to strike out paragraph 144, as follows:

144. Sheets, of iron or steel, common or black, including all iron or steel commercially known as common or black taggers' iron or steel, and skelp iron or steel; valued at 3 cents per pound or less: Thinner than No. 10 and not thinner than No. 20 wire gauge, 1.1 cents per pound; thinner than No. 20 wire gauge and not thinner than No. 25 wire gauge, 1.2 cents per pound; thinner than No. 25 wire gauge and not thinner than No. 29 wire gauge, 1.4 cents per pound; thinner than No. 29 wire gauge, 1.5 cents per pound: *Provided*, That all common or black sheet-iron or sheet-steel not thinner than No. 10 wire gauge shall pay a duty as plate-iron or plate-steel.

And to insert in lieu thereof:

144. Sheets of iron or steel, common or black, including all iron or steel commercially known as common or black taggers' iron or steel, and skelp iron or steel; valued at 3 cents per pound or less: Thinner than No. 10 and not thinner than No. 20 wire gauge, 1 cent per pound; thinner than No. 20 wire gauge and not thinner than No. 25 wire gauge, 1.1 cents per pound; thinner than No. 25 wire gauge and not thinner than No. 29 wire gauge, 1.3 cents per pound; thinner than No. 29 wire gauge, 1.4 cents per pound; corrugated or crimped, 1.4 cents per pound: *Provided*, That all common or black sheet-iron or sheet-steel not thinner than No. 10 wire gauge shall pay a duty as plate-iron or plate-steel.

Mr. ALLISON. I desire to modify the amendment by striking out, in lines 8, 9, and 10, "and not thinner than No. 29 wire gauge, 1.3 cents per pound," and also by striking out "and also thinner than No. 29 wire gauge," the object being a modification to make the amendment read:

Thinner than No. 25 wire gauge, 1.4 cents per pound.

Dispensing with one classification.

The PRESIDING OFFICER. The amendment will be so modified.

Mr. CHANDLER. I desire to ask a question of the Senator from Iowa in charge of the bill, but I do not wish to prevent the Senator from Arkansas from making the inquiry that he desires.

Mr. JONES, of Arkansas. I had almost abandoned the idea of getting an opportunity to say anything.

Mr. ALLISON. The Senator from Arkansas will pardon me.

Mr. JONES, of Arkansas. I asked the permission of the Senate to offer an amendment to a paragraph in the free-list which would come up in connection with the matter he has already called up. I wanted to move in order to have pending an amendment to paragraph 772 of the free-list by adding at the end of that paragraph the words "tin-plates, terne-plates, and taggers' tin," the purpose being to put those articles on the free-list.

Mr. ALLISON. That may be regarded as pending. I do not object to that being offered.

The PRESIDING OFFICER. Does the Senator from Iowa withdraw his amendment for the purpose of allowing action on the amendment the Senator from Arkansas proposes?

Mr. ALLISON. No, I do not withdraw my amendment. The Senator from Arkansas gives notice, as I understand, that he will offer that amendment, and it is directly in connection with this question, so that both amendments may be considered pending.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Iowa [Mr. ALLISON].

Mr. JONES, of Arkansas. The amendment proposed by the Senator from Iowa——

Mr. ALLISON. I will state to the Senator that the amendment now proposed does not affect directly the question of tin-plates. That is in the next paragraph.

Mr. JONES, of Arkansas. The amendment as submitted by the Senator from Iowa has not been printed, has it?

Mr. ALLISON. Yes, sir, it has been printed.

The PRESIDING OFFICER. It has been modified since it was printed.

Mr. JONES, of Arkansas. The proposition is to have a vote on the first paragraph the Senator proposes to amend.

Mr. ALLISON. Yes, sir. I think there will be no objection to these amendments.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Iowa.

The amendment was agreed to.

Mr. ALLISON. Now I offer the next amendment which I have sent up.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed to strike out paragraph 145, as follows:

145. Sheets, of iron or steel, corrugated or crimped, 1.4 cents per pound: *Provided*, That on all iron or steel sheets or plates and on all hoop, band, or scroll iron or steel, excepting on what are known commercially as tin-plates, terne-plates, and taggers' tin, and hereafter provided for, when galvanized or coated with zinc or spelter, or other metals, or any alloy of those metals, three-fourths of 1 cent per pound additional duty shall be paid.

And insert in lieu thereof:

145. All iron and steel sheets or plates and all hoop, band, or scroll iron or steel, excepting what are known commercially as tin-plates, terne-plates and taggers' tin, and hereafter provided for, when galvanized or coated with zinc or spelter, or other metals, or any alloy of those metals, shall pay three-fourths of 1 cent per pound more duty than the corresponding gauges of common or black sheet or taggers' iron or steel; and on and after January 1, 1890, all such iron or steel sheets when coated with tin, or lead, or with a mixture of which these metals, or either of them, is a component part, by the dipping or any other process, and commercially known as tin-plates, terne-plates, and taggers' tin, shall pay three-fourths of 1 cent per pound more duty than the corresponding gauges of black sheet or taggers' iron or steel.

The PRESIDING OFFICER. The question is on this amendment proposed by the Senator from Iowa from the Committee on Finance.

Mr. JONES, of Arkansas. Mr. President, I should like to ask the Senator from Iowa what, under the modification which he offers this morning of the amendment offered a day or two ago, the tariff on the steel and iron sheets which are used in tin-plates will be? The modification he makes this morning I did not understand. He has made some changes in the proposed amendment, and I do not understand what they are.

Mr. ALLISON. It depends somewhat on the gauge. If they are thinner than No. 25 wire gauge, which I think most plates are, the duty would be 1.4 cents per pound and three-fourths of a cent added.

Mr. JONES, of Arkansas. Three-fourths of a cent would be added on account of the tinning?

Mr. ALLISON. On account of the pickling, cleaning, etc. The process of converting black taggers' iron into tin-plates would have three-fourths of a cent addition.

Mr. JONES, of Arkansas. I understand under the proposed amendment now the duty on iron and steel plates will be 1.4 cents a pound.

Mr. ALLISON. On common black taggers' iron or steel it would be 1.4 cents. Then on the processes—not the tinning alone, but the cleaning, pickling by acid, cold rolling, etc.—all those processes that are necessary before tin-plate can be made, we allow three-fourths of a cent a pound.

Mr. JONES, of Arkansas. So that the tax on tin-plates will amount to 2.15 cents.

Mr. ALLISON. Yes, sir; on that class, thinner than No. 25 wire gauge.

Mr. JONES, of Arkansas. I offered, a few minutes ago, an amendment to be pending to the free-list by which I propose to put this article on the free-list. I suppose if the amendment now under consideration should be adopted, the one I proposed would be rejected, and I have no doubt that will be the fate of the two amendments as offered to the Senate.

The report of the Treasury Department which we find on our desks shows that there were imported into this country in the last fiscal year, 1887, 570,643,389 pounds of tin-plates, terne-plates, and taggers' tin. Upon those a tariff of 1 cent a pound was levied, and there was collected into the Treasury upon this article $5,706,433.89. This large amount of money is collected into the Treasury of the United States where it is not needed and not wanted, and collected from the consumers of the country, who are really ill able to bear unnecessary burdens. It would seem to any reasonable man proposing to devise a way to avoid the collection of a tax not needed by the Government levying it and which can not easily or justly be paid by the people from whom it is collected, would be the simple, plain, direct way of remitting the tax, and thus get rid of it by simply not collecting it.

Unnecessary taxation is unjust taxation, and here we have the fact indisputable that the Government does not need this amount of money, and that the people ought not to pay it; and yet when I propose to the Senate that this article shall go on the free-list, that the Government shall not collect what it does not need, we have it replied to by the Committee on Finance proposing to raise this tax more than 100 per cent. That is directly in line with the suggestion made by Mr. Swank some time since, and which I presented to the Senate, that the proper way to reduce revenue is to increase taxation.

The purpose of this proposed change of the Finance Committee is to prevent the collection of this $5,000,000 into the Treasury, but it is not intended to prevent the paying of the tax by the people. Instead of levying a tax for revenue, instead of levying a tax which is to be paid by the people to the Government, the intention of the amendment of the committee is to change this tax so that it shall be a tax levied by the Government in the name of revenue for the purposes of private tribute.

I am not surprised by the action of the committee. I was surprised that the committee should bring this bill in without any proposed change in the rate on tin-plates in the first instance.

Mr. ALLISON. Will the Senator allow me to say just one word on that point?

Mr. JONES, of Arkansas. Certainly.

Mr. ALLISON. The committee stated, or at least I stated for the committee, that at a later period we should propose an amendment relative to the duty on tin-plates. When the bill was originally reported we had not sufficient information, and it is so stated in the report, upon which to base what we considered a wise provision as respects tin-plates so as not to increase the revenue and at the same time encourage the manufacture of the article in this country. That information we have been able to gather since, which enables us to bring in this proposition.

Mr. VEST. I should like to ask the Senator from Iowa a question. He says he has additional information now upon this subject. Has he information that any tin or terne plate manufactories are in existence in this country now, or that there is any immediate prospect of any coming into existence?

Mr. ALLISON. I will say to the Senator in response to that inquiry—and it is a very pertinent and very proper one in this connection—that there are quite a number of establishments which could immediately enter upon the production of these tin-plates, or at least within a very brief period, probably within thirty days, and that we have assurances, and believe from examination and investigation that within the time fixed for the taking effect of this new bill, there will be in this country a sufficient plant to manufacture all the tin-plate that we use. I have no doubt of it.

Mr. JONES, of Arkansas. I should like, if the Senator from Missouri is through——

Mr. VEST. I am through.

Mr. JONES, of Arkansas. I should like to ask the Senator from Iowa if he has furnished the Senate the additional information which the committee have had since the first report was made to the Senate.

Mr. ALLISON. The information is simply this: There are now imported into the United States 283,000 tons of tin-plate. That is a very large amount of tin-plate. The basis of that, of course, is sheet-iron, common black sheet-iron. It was manifest to the committee that if we increased this duty to take effect immediately, the effect would be to largely increase the revenue. Therefore the committee first contemplated a provision whereby certain gauges of tin-plate should be provided for to be manufactured in this country and certain other gauges to be imported, and I sent to the collector of the port of New York, under the direction of the committee, for information as to the various gauges of tin-plate in order that we might draw a line, if possible, at the different gauges.

The collector of the port of New York informed me that it required a considerable time to prepare that information. It was very important information to the committee. That was not received at the date of the reporting of this bill, and therefore the committee had not accurate information upon which to base an amendment covering the production of tin-plate in this country. That information came afterwards. It disclosed that a large portion of the tin-plate imported into this country is thinner than No. 29 wire gauge, that being the line we had intended to mark out.

So the committee found that it would be impossible to draw a line of demarkation between the gauges of tin-plate. Therefore, after looking into the matter further, we decided to allow the present rate of duty to stand upon tin-plate until the 1st of January, 1890, which will allow a sufficient plant to be erected in this country to produce all the tin-plate needed, but in the mean time a considerable amount of tin-plate will be produced in this country in view of the increased protection to American manufacturers.

That is the information, I will state to the Senator, and that is the reason. If we had received the information which we sought from the collector of the port of New York, who I think has been very diligent in furnishing all information, we should have produced when the bill was reported some provision on this subject.

Mr. VEST. I should like to ask the Senator from Iowa how it was that the committee happened to fix the rates that are found in the pending bill and now come in with an amendment that decreases them. As I understand the amendments proposed by the committee now—I have not had time to examine them this morning—they decrease the rates in the reported bill.

Mr. JONES, of Arkansas. No, they do not.

Mr. VEST. They do not?

Mr. JONES, of Arkansas. They more than double the duty. The rates are increased over 100 per cent.

Mr. VEST. I understand they are decreased in the existing bill.

Mr. JONES, of Arkansas. A nominal decrease, but a real increase.

Mr. VEST. I mean the bill reported from the committee.

Mr. JONES, of Arkansas. They have increased. They make the rate on tin-plates three-fourths of a cent in addition to the amount levied on the iron plates.

Mr. VANCE. It is a very decided increase.

Mr. JONES, of Arkansas. More than 100 per cent.

Mr. ALLISON. The Senator from Missouri has one thing in mind—I do not want to disturb the Senator from Arkansas—which, I think, I understand, and that is, he wants to know why we have reduced the duty upon common black taggers' iron and steel from the original report.

Mr. VEST. That is it.

Mr. ALLISON. I will say to the Senator in response to that, that we have reduced two gauges, two grades.

Mr. VANCE. One-tenth of a cent.

Mr. ALLISON. One-tenth of a cent, and we have practically increased one gauge, and the reason of that is that the committee, on further examination, believe that the rates we have fixed now will be sufficient to protect this industry in this country.

I will say to the Senator that in making this change in paragraph 144 we had already reduced it upon iron of this class, but we had increased the duty upon steel, and it was in the readjustment of this matter that we made the changes proposed. There is nothing remarkable, I trust, in that.

Mr. VEST. I am not complaining.

Mr. ALLISON. Certainly the Senator will not complain of the reduction.

Mr. VEST. In the printed testimony of the committee the witnesses who gave their testimony in regard to tin-plates said that a certain amount of duty, which I think was above even that placed in the reported bill, was absolutely necessary to bring this industry into existence in the United States, and I wanted to know what additional testimony had come in that caused these changes. I have never seen it.

Mr. ALLISON. I will say to the Senator that the amendment reported by me is the proposition of the producers of these articles in this country, stating that with the duty which we now propose they will embark in and can manufacture tin-plate in this country in competition with Great Britain.

Mr. VANCE. Will the Senator allow me to ask him a question, and that question is this: Was not this advance upon tin-plate made at the request of manufacturers of the black sheet-iron with which the tin-plate comes directly in conflict?

Mr. ALLISON. The amendments in paragraph 144?

Mr. VANCE. Increasing the duty on tin-plates to three-fourths of

a cent more per pound than the duty on black iron, which is the basis of it.

Mr. ALLISON. No, sir; I do not think it was.

Mr. VANCE. Not made at the request of the sheet-iron men, who, I understand, were in the city yesterday, and perhaps are here now?

Mr. ALLISON. I have no doubt they are here now. There is no harm in their being here, I hope.

Mr. VANCE. None in the world. I suppose it is necessary for them to be here in order to protect their interests.

Mr. ALDRICH. They made no request to the committee, to my knowledge, in regard to that.

Mr. ALLISON. I have heard of no such request. I know they rather protested against our modifications here, but we have made them, or propose to make them, if the Senate will agree.

Mr. VANCE. Mr. President——

The PRESIDING OFFICER. The Senator from Arkansas [Mr. JONES] is entitled to the floor.

Mr. JONES, of Arkansas. I yield to the Senator from North Carolina.

Mr. VANCE. I simply wanted to call attention while on my feet to the fact of the enormous increase of the duty on tin-plates by this modification of the committee. The black iron, of which the tin-plate is made, bears a duty under this bill of 1.4 cents a pound, and the tin-plate now bears a duty of 1 cent per pound. Now, the duty on tin-plate is made three-fourths of a cent per pound more than the duty which is imposed upon the black sheet-iron out of which it is made, which makes it about 2¼ cents, as I hastily cipher it.

Mr. ALLISON. Two and fifteen one-hundredths.

Mr. VANCE. Two and fifteen one-hundredths cents a pound on the tin-plates, which not only forces the sale but increases the price to those people who use the black iron and the sheet-iron, and increases very largely the cost of all the tin-ware of this country, tin roofs, and every use to which tin-plates are put. It is a most outrageous price. Considering it in this hurried way, which we have protested against again and again, it is impossible for us to arrive at the actual figures; but I venture to say this will be fully 100 per cent. duty upon tin-plates.

Mr. JONES, of Arkansas. Mr. President, the statement of the Senator from Iowa, then, seems to come to this conclusion, that his committee are unwilling to increase the tariff on tin-plates from 1 cent to 2.15 cents per pound immediately for the reason that this increase would add largely to the revenues of the Government; they regard the excess of revenue as a very great evil, but the taxation from which the revenue results does not seem to be such a terrible calamity in the opinion of the Committee on Finance, and as soon as an arrangement can be made by which the revenue resulting from this excessive taxation shall go into private pockets and shall not go into the coffers of the Government, they are perfectly satisfied to put this increased tax into operation, the evil to be avoided being not the burden of taxation, but the Government gets it while the tin-plate association wants it.

As I said a few minutes ago, to resume the course of my argument, I was surprised to have the Committee on Finance report this bill back with a proposition that tin-plates should remain at the old rate of taxation that had been imposed upon them for years. It was situated exactly in the same condition as a manufactured product in this country that cotton-ties were which we had under discussion here some time ago. There was none of either article produced in this country; the tax upon each was an absolute revenue tax, and every dollar of tax levied upon either article went into the Treasury, no private citizen being richer by the imposition of either tax.

When the committee reported the bill they proposed an increase of the tax on cotton-ties of more than 200 per cent., under the pretense, I will say the earnest pretense, of building up the manufacture of cotton-ties in this country, that they intended to give the manufacturers the benefit of producing the article in the United States, and I was surprised that while making fish of one they should make flesh of the other, and I was astonished that there was not a proposition to compel the masses of the American people to stand the increased price of tin-plates to allow the tin-plate manufacturers to sell their product at a high price so as to build up their manufacture also.

I am not surprised to find the committee now coming in with a proposed change. I was prepared for this by reading some time since from the Tariff League Bulletin as follows—I presume this is good authority even with the Committee on Finance:

THE TIN-PLATE OUTLOOK.

John Jarrett, secretary of the American Tin-Plate Association, was interviewed recently in Pittsburgh on the outlook for tin-plate through legislation at the hands of the next Congress, and his responses to questions were substantially as follows: "We want a tariff of about 2½ cents per pound. I expect nothing to be done toward the revival of the industry this winter, but as soon as there is any assurance that it will be protected, it will again be started up. The cost of the labor alone in this country would be more than the total cost of production in England.

"Last year the importation of tin-plate to this country was 318,000 tons. That is about 74 per cent. of the whole production of the world. Allowing each man the average wages, the manufacture of this amount of tin-plate would give employment to at least 70,000 men. A tariff of 2½ cents would enable us to manufacture all our own tin-plate. The industry in this country was strangled in its birth. About 1873 there were four tin-plate mills started in this country—Demmler's and Cronnemyer's at Demmler Station, Beale & Rodgers's at Leechburgh, and a co-operative firm at Wellsville. Between that date and 1878 the price of tin-plate fell from $12.50 to $5.18 per box, and the American firms were forced out of the market. I have no doubt that the tariff will be increased on the commodity. The Amalgamated Association is with us in this request. During last year our total production of iron and steel plates was 120,000 tons. In the same time we imported iron and steel plates in the form of tin-plate to the amount of 318,000 tons. An adequate tariff on tin-plate means an increased demand for iron and steel works and a larger employment to American labor."

Now, Mr. President, after the declaration on the part of this gentleman who is connected, I believe, with the American Tin-Plate Association, an association which has been organized, I think, for a long while with the expectation that at some time or other they would be given authority by Congress to levy such taxes upon the American people as would enable them to build up and establish a profitable manufacture, I was not surprised to find this committee recommending a modification of this bill which would increase the tax on this article of domestic necessity more than 100 per cent.

In truth, one of the gentlemen examined by this committee some time since, speaking of the fact that by a ruling of Mr. Fessenden in 1864, I believe, tin-plates were admitted at the old rate of taxation, and were not classified as under the sheet-iron schedule so as to have the tax increased to 2½ cents a pound, said it was "the most inexcusable and costly decision on record."

How was that decision of Mr. Fessenden costly? This man in the course of his statement says that since that time the Government has collected $78,000,000 tax on tin-plates. If the tax had been increased from 1 cent at that time to 2½ cents, the amount of tax paid upon the tin-plate which has been consumed by the American public from then to now would have amounted to $175,000,000. There has been collected into the Treasury $78,000,000, and there would have been collected, not into the Treasury but into the pockets of the favored individuals who would have had the right to levy this tax, $175,000,000 instead of $78,000,000 collected. The failure of Congress, the failure of the Secretary of the Treasury to so rule as to allow this tax to be levied by these men upon the people of the United States he considers "the most inexcusable and costly decision on record." It has cost them nearly $100,000,000 that they did not get, that they might have gotten on a different ruling on the part of the Secretary of the Treasury. And this has been constantly paraded by these people as an outrage upon them.

Mr. President, if the entire country is given over to a desire to have everybody taxed for the purpose of building up a few individuals, then this perhaps was a more correct construction of this ruling; but in my judgment the great bulk of the American people do not believe that there is any right to levy taxes upon the consumers at large for the purpose of building up private fortunes.

There were imported into this country last year, according to the reports, over 280,000,000 tons of tin-plates. The present proposed tax of $2.15 a hundred pounds would amount to nearly $50 a ton—some $47 or $48 a ton tariff. The testimony given by Mr. John Jarrett and by Mr. Williams, who appeared as experts before the committee, I believe—if not, they have been here time and again before committees of Congress, and the testimony is here and was before this committee, that the cost of the production of tin-plates in the United States would be about $40 a ton. These witnesses testify that the cost of production in England would be about $16 a ton.

Mr. ALLISON. Of what?

Mr. JONES of Arkansas. Tin-plates.

Mr. ALLISON. I should be glad to have the Senator turn to that testimony.

Mr. JONES, of Arkansas. I think I shall have very little difficulty in pointing it out, and I will do so before I get through with this argument. The Senator will remind me again if I should forget it. Perhaps it will be best to present it at once, as I have found it. I read from the testimony of Mr. E. P. Williams, taken before a committee of Congress three or four years ago upon this question of tin-plates, and who, I believe, appeared before the Finance Committee at this session of Congress, if I am not mistaken. He stated, on page 108 of the hearings taken by the Committee of Ways and Means of the House of Representatives in 1884, what I shall read. His language is:

The cost of producing tin-plates would amount to a little over $40 per ton.

Mr. Jarrett at the same hearing gave the cost of producing a box of tin, the American cost at $2.14⅜, and the English cost at 80¾ cents a box, which would amount to about $40 a ton for the production of American tin-plates and about $16 for the English, and this includes not only labor, but includes all the other items of cost of production, as I understand.

Mr. ALLISON. The Senator now is talking of the cost of producing tin-plate from sheet-iron or sheet-steel. His statement a moment ago was that tin-plate here could be made for $40 a ton and in England for $16. Inasmuch as the ordinary steel rails cost $19 a ton in England, I was curious to know how tin-plate could be produced so cheaply.

Mr. JONES, of Arkansas. I was cautioned some time since by the Senator from Rhode Island [Mr. ALDRICH] not to accept as absolutely correct the statements submitted by these witnesses in your hearings. I have not accepted as being absolutely true the statements made by

manufacturers as to the cost in Europe, but I took their statements for what they were worth, and proposed to deduct what they stated was the English cost of producing a ton of tin-plates from the American cost, which would leave about $24 a ton difference, while you propose by your tariff to give a tax which amounts to nearly $50 a ton to compensate for the difference in cost.

Mr. ALLISON. We may as well have an understanding respecting these points, because the Senator from Arkansas has one thing in mind and those men who testified had another. They had in mind what it costs to produce a ton of tin-plate from a ton of iron or steel, and not what a ton of tin-plate would cost entirely. That is what the testimony indicates. But the Senator from Arkansas, if I understand him correctly—and if I misunderstand him I hope to be corrected—intimates that a ton of tin-plate can be produced in this country for $40, not from the sheet-iron, but from the pig-iron.

Mr. JONES, of Arkansas. I do not remember, I will say frankly, that there was anything said as to what particular point of production the witness was proposing to assume as the starting point. He did not state, that I know of, the cost of the iron ore, nor the cost of the production of the pig-iron. He said "the cost of producing tin-plate would amount to a little over $40 per ton."

Mr. ALLISON. The Senator will allow me just one word more. The statement made by the Senator was that it cost $16 a ton to make tin-plate in England.

Mr. JONES, of Arkansas. No, sir; I said John Jarrett stated that was the cost.

Mr. ALLISON. Very well. Now, it costs $19 a ton there to make a ton of railway bars of steel. Therefore it is manifest, at least to me, that what Mr. Jarrett was talking about was the cost of putting the tin upon these thin plates of steel, and that he did not include the original cost of the thin plates of steel. So we ought to understand exactly the point before the Senator draws his conclusion.

Mr. JONES, of Arkansas. The witness, if I remember correctly, did not make any such statement. I have no doubt if he thought it was necessary for the interest of the Tin-Plate Association for him to have made such a statement, he would have made it if it were true. But there was no such statement so far as I know or so far as I have heard. I simply accept the words of the gentlemen that this is the cost. It may be true, as the Senator from Iowa suggests, that it was the coating with tin of these iron plates that he referred to; but I did not so understand it. In that I may be mistaken. I do not pretend to say what the truth is, but I do say what the testimony of the witnesses was, and they were interested parties, and I presume they did not intend to state the case against themselves in any event.

Mr. ALLISON. This is an important point and the Senator will allow me a word. Does the Senator believe for a moment that a ton of sheet-tin, which would be less certainly than No. 25 wire gauge, which is the finest kind of sheet iron or steel, can be made in England for $16 a ton and in this country for $40? That is the basis of his entire argument. It is perfectly clear that these gentlemen were talking about one thing and the Senator is talking about another.

Mr. JONES, of Arkansas. As I have no means of settling that question, I will leave it exactly where it stands. I assume that the Senator from Iowa is correct in his assumption on that question.

Mr. ALDRICH. I want to ask, if the Senator will permit me, what volume of testimony he is reading from and what page, in order that we may understand exactly what Mr. Jarrett was speaking about.

Mr. JONES, of Arkansas. I gave the volume and page a moment ago. It was in the hearings by the Ways and Means Committee in the first session of the Forty-eighth Congress in 1884, and on page 108 of the report I read from the testimony of Mr. Williams that the cost of producing a box of tin-plates would amount to a little over $40 a ton, and on page 112 I read the statement by Mr. Jarrett. Whatever the cost may be, we have this fact staring us in the face, that this committee proposes to double the tax upon an article of prime necessity, intending by doubling that tax to divert the whole revenue from the public Treasury into private pockets.

One other feature in connection with this tin-plate taxation strikes me as being manifest, and that is the law we have on the statute-book for refunding nine-tenths of the tax levied upon foreign articles brought in, manufactured, and shipped abroad. While we are making pretenses in this Chamber and everywhere else through the country of a desire to protect our own laboring people against pauper labor abroad, we are discriminating constantly in favor of the foreign poor and against our own.

In 1884 there were refunded drawbacks upon the item of tin-plates amounting to $876,736.11; in 1885 there was refunded $1,144,134.12; in 1886, $1,228,850.96; in 1887, $1,103,832.98; making a total of $4,358,557.17 which has been refunded by the Government of the United States to the manufacturers of tin-plate in this country, because the product of tin-plate shipped from here was to be sold on foreign account and sold abroad. In other words, if the identical tin-ware which was shipped to the foreign laborers, which was sent abroad for sale, had been sold to the American public there would have been a tax paid into the Treasury of the United States of $4,358,557.17 that was remitted upon the articles sent abroad to be sold to the pauper laborers of Europe. Here is a discrimination amounting to millions of dollars against our own people and in favor of the people abroad.

Mr. President, if it is a matter of importance to remit to those who are engaged in the foreign trade nine-tenths of the tax levied upon tin-plate, I ask why it is not reasonable and fair that ten-tenths of it may be remitted to our own laborers, so that they may have one-tenth advantage over the foreign pauper labor? We certainly ought to give them a little bit of advantage over the people abroad. We are professing all the time a desire to take care of them at the expense of the people who live outside of this country. Now the proposition is made to put this article on the free-list simply to give our people the absolute remission of all that there is collected on the part of these imports that go to them, and they certainly ought to be treated as well as the people who live abroad.

I only intended, Mr. President, to call attention to these points in connection with this article. There are many other things in connection with it that would be of interest if there was time to consider them. In 1883, when this matter was under consideration by the Senate, Senator Logan, who was always strongly in sympathy with the people—the "plain people"—when the proposition was made to increase this tariff, taking strong ground in favor of no increase and of allowing the American public to have this article at a low rate of taxation, used this language:

> The manufacturers of tin cans all over the country, in every city in the United States, for putting up meat, fruit, etc., have said to the committee here—I presume they have to the committee, and probably to nearly every Senator—that they were better satisfied with the rate of duty which was imposed before, and are satisfied with the rate proposed by the committee, but they are universally opposed to increasing the duty. I have had telegrams to this effect from different parts of the country, and especially from Chicago, where they manufacture more tin cans than in any other part of the country. The idea of increasing the rate of duty for the purpose of encouraging anybody to commence a manufacture when he has not commenced it, I think, is a new idea. I hope the amendment will not be adopted.

The Senator from Vermont [Mr. MORRILL], who has been recognized as the father of the tariff, also placed himself upon the record as being opposed to any increase in the duty on this article, and made a speech against it in the Senate. Under all these circumstances, with a distinct declaration on the part of the American Congress for years and years that they did not desire any increase, it seems to me that we ought not now, upon a bill in which we pretend that we are attempting to reduce taxation, to impose upon an article of prime necessity, one that finds its way into every cabin all over this country, an increased taxation of over 100 per cent.

Mr. MORGAN. Mr. President, the Senator from Arkansas [Mr. JONES] made a point against this bill and this feature of the bill which it occurs to me is entirely unanswerable when he showed that more than $4,000,000 of duties have been remitted upon tin-plates because of the exportation of tin-ware to foreign countries, and when he insisted also that our people should not be treated by the Congress of the United States less liberally than it is willing to treat the foreign purchasers of tin-ware. This article is of universal consumption in the United States. There is not a family in the country, I suppose, that is not more or less a consumer of tin-ware. To make a discrimination in our laws, first in favor of the manufacturer by imposing what will be a prohibitory duty upon the introduction of tin-plates after we are prepared to manufacture it, and then to remit 90 per cent. of the taxes paid upon the tin which was brought in here to make this article when it is exported to foreign countries, it seems to me is a gratuitous wrong to the people of this country.

This tax brings up in review almost every objectionable feature in this tariff measure. First of all, there were imported, according to the statement read by the Senator from Arkansas, 570,643,389 pounds of tin-plate, upon which a duty was collected of $5,706,433.89, and this bill, as I understand it, proposes to raise that duty 100 per cent.

It will not be denied, I suppose, by the gentlemen who are promoting this bill that the object of it is to create a prohibitory duty upon the importation of tin by the time we get prepared by our manufacturers to make it. The Senator from Iowa says that is not the object. I will ask the Senator from Iowa if he expects any revenue to come in upon the tin-ware after 1890, if by that time we are prepared to manufacture all that the people of the United States consume?

Mr. ALLISON. That will depend very largely upon the profits that the English manufacturers exact. They now, it is said, have a profit of about a dollar or a dollar and a half a box. If they will be content to take a small percentage upon the cost of production there, I have no doubt they will continue to compete, but they can now make very large profits, having absolute control of the tin production of the world.

Mr. MORGAN. Who has the absolute control?

Mr. ALLISON. These producers in Wales.

Mr. MORGAN. In what way?

Mr. ALLISON. In other words, they manufacture nearly all the tin produced. Germany is beginning to manufacture, and if we begin the result will be to reduce the price of tin, and of course the English manufacturer will be compelled, if he sells in this country, to sell at a less profit than he does now.

Mr. MORGAN. We have none in this country likely to be developed.

Mr. TELLER. There is no question about there being tin in this country, I will say to the Senator.

Mr. MORGAN. There has been a question about it for two hundred years, and that question has not been answered yet.

Mr. TELLER. I would like to say to the Senator that the only difficulty in the tin industry is that we have a peculiar class of tin, that is, it is in rock where it is difficult to save, and the Cornwall method has not saved it. Vast quantities of tin are found in this country in the Deadwood region.

Mr. ALDRICH. I suppose the Senator from Alabama will not claim that the American manufacturers will be at any disadvantage so far as block-tin is concerned. They will not be at a disadvantage. We could obtain the block-tin from the same source that the Wales manufacturer obtains it, and as cheaply, so that there would be no question to American producers on account of want of supply of tin.

Mr. MORGAN. There might not be any disadvantage on that account, but my proposition is this——

Mr. JONES, of Arkansas. I wish to make one suggestion in connection with the suggestion made by the Senator from Iowa just one moment ago, if the Senator from Alabama will allow me. The Senator from Iowa states that the English manufacturers make a profit of one dollar or one dollar and a half on tin-plates. One dollar and a half would be $30 a ton. There were imported in 1887, according to the statement of W. Swank, 283,836 tons of tin from Great Britain at a cost of $18,699,145, which is less than $65 a ton. Now, I want to ask the Senator if he believes that all these sheet-iron plates can be manufactured and tinned here when all that is done by the English at a cost of $30 a ton or a fraction over?

Mr. ALLISON. The testimony before the committee, as I remember it, was that it cost about $3.37 to manufacture a box of tin in England, and that the same thing will cost here seventy-six one-hundredths of a cent more; but the price of tin is $5.25 per box, paying $1, in round numbers, in duty. That is the statement as to profits. It costs $3.37 there; it costs three-fourths of a cent more here, and the difference is profit, and it is a very large profit to the manufacturer or the importer; and the facts are well known to everybody who has examined the question.

Mr. JONES, of Arkansas. What I wanted to call the attention of the Senator to was his statement just now, his apparent astonishment that I should think that tin-plates could not be manufactured in this country for something over $40 a ton, when he states that the English make a profit of $30 a ton when they sell the article here at the cost added to the duty with $30 a ton profit, out of a price of $65 a ton or less.

Mr. ALLISON. The cost of making tin in Wales is $3.37 a box. So I was not wrong when I said the Senator was entirely mistaken as to the cost of tin. It costs three-quarters of a cent a pound more in this country from the sheet. So when they sell and box the tin at $5.25 a box that cost $3.37 there is a profit when it comes into this country. It pays a cent a pound duty, which must be deducted from the profit, but that still leaves a large profit to the manufacturer or importer.

Mr. MORGAN. I am very glad to have brought out these facts and have them placed in the RECORD for the observation and instruction of the people on this question. The point I make on this item of the bill now proposed is that it raises the tax upon imported tin-ware 100 per cent., not for the purpose of increasing the revenue, but rather for the purpose, as I understand, of decreasing the revenue.

Mr. ALLISON. This proposed amendment stands on all fours with the entire bill in the contemplation or understanding of the committee, namely, that we are to receive revenue, but at the same time we are to give our own laborers and producers an opportunity of competing at least with laborers and producers in other countries. We want by this bill to place the people who work in this country at least on a par with the people who work in other countries, and that is all that is contemplated in this tin-plate amendment.

Mr. MORGAN. I am very glad to hear the Senator from Iowa say that this item of the bill characterizes the whole measure, contains the principle of the whole measure, and that principle is not to increase the revenues of the Government of the United States, but to increase the profits of manufacturers.

Mr. ALLISON. If the Senator understood me to make that statement, I want to disabuse him of it. I stated nothing about the manufacturers. I stated that the object and purpose of the bill is to enable laborers in this country who produce things, to produce them upon an equality with laborers in other countries who produce the same things; neither to enhance the profits of manufacturers here nor in other countries.

Mr. MORGAN. The Senator undertakes to separate between the laborers and manufacturers and bestows his affectionate regard upon the laborers without any concern at all for the manufacturers, at the same time knowing that any measure of this kind must produce $90 of profit to the manufacturers where it increases $10 the price of wages of labor in this country. But the purpose of this bill, as has been avowed this morning, is precisely what I conceived it to be. It is a bill for the purpose, as it is termed, of protecting American industry so as to build up and make more profitable what we call the home market, whether the profits inure to the manufacturer or laborer or to the consumer or to the agriculturist. That is the object of it, as I understand, to build up what is termed the home market and in that home market to get better prices for the contributory industries that go to support the operatives in these different lines of employment, so that we have now a pretty decided issue formed. We have now brought to the front the principles upon which this bill is founded, and it is those principles that I desire to discuss.

Next in its effect upon the people to the power over human life by condemning men to death, or forcing them into warring armies, is the power of taxation.

It must of necessity be a discretionary power as to the persons or property to be taxed, and as to the rate of taxation and the amount to be raised, unless some restraint is imposed upon the taxing power. If there is no such restraint in our Constitution, we are exposed to a dangerous power.

No people can be in a more unhappy condition than those who are exposed to arbitrary taxation at the will of their government. The first and simplest test of the real liberties of any people is found in the restraints which their power imposes upon those who levy taxes upon them. If that power is unlimited, or unrestrained, the people can not be placed in an attitude that is more helpless or more dependent on the will of their rulers, even under the most autocratic or despotic form of government.

The unlimited power to tax is the power to confiscate, and the confiscation by that means is not for the crimes of the people, but because they have acquired the means to pay taxes by their industry and frugality. It is not for their sins, but for their virtues, that they are condemned to this species of confiscation. Those who enforce such confiscations, or insist upon their right to do so, are self-seekers who employ the power to tax for their personal aggrandizement. They are arbitrary, despotic, and unrelenting, admitting no limits to their power but their autocratic will.

In every country except the United States, and with every political party except that which framed this bill and sustains it in the Senate as a party measure by a solid and unvarying vote, the basis of taxation and its only purpose is to raise revenue for the support of government.

There are very few, if any, of the civilized nations in which a tax levied for any other purpose would be tolerated by the people, even though a third of them were organized into armies to support the demands of the government.

However broad or extravagant the demands of their governments may be, and however they may cruelly burden the people, it is still accorded to them, even by the most despotic rulers, that the people shall not be taxed except for proper governmental purposes.

This era of civilization would put a government pretending to be civilized in coventry, under the ban of universal censure, whose rulers taxed the people except for the support of the ruling power, or that taxed one class of its people for the avowed purpose of enriching another class. Our plan of government, above all others, was formed with a view to prevent and prohibit taxation for such purposes. The fathers of our system had before them the experience of many generations for their guidance, and they took especial care to keep the taxing power under the immediate control of the people—the tax-payers—and their representatives, chosen directly by them.

It was for this reason that they ordained that a tax bill should only originate in the House of Representatives, and that no tax bill should originate in the Senate.

The language is as follows:

> All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendment as on other bills.

The grant of power made to Congress on the subject of taxation is in these words:

> Congress shall have power to levy and collect taxes, duties, imposts and excises, to pay the debts and to provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

Then follows a distinct power "to borrow money on the credit of the United States." Taxes are not required to be uniform throughout the United States; but all duties, imposts, and excises are required to be uniform.

The uniformity thus required as to duties, imposts, and excises indicates that they shall not be unjust or discriminative as between the people of the United States.

Sections, localities, Territories, and States are also included in this rule of uniformity, which equally forbids such discriminations in practice, as it does in theory. The true meaning of the Constitution in this case, as in all other cases, is to secure to the people equality in bearing the burdens of taxation, when those taxes are upon their business pursuits, the privileges accorded to them by law, and the satisfying of their tastes and necessities in the use and consumption of whatever is suited to those purposes.

Taxes assessed upon the property of the people are naturally regulated by the value of the property, but, by express injunction of the Constitution, capitation and direct taxes must be apportioned according to the census.

Uniformity of taxation means more than the appearance of uniformity on the face of the law. It means uniformity in the sense of distributing and equalizing in a spirit of justice and equity the burdens of taxation, for that is the sacred duty of the law-makers as well as the sacred right of the people.

A tax of $1 per ton on the rock phosphates found in South Carolina would raise the price to the farmers whose land require such fertilizers $1 per ton, and would not increase the profits of the owners of the quarries because the tax would go into the Treasury. A duty of $1 per ton on imported phosphates for fertilizers would increase the profits of the owners of the South Carolina beds by that sum, because it would shut out importation and give them the monopoly of the market.

The burden on the farmer would be the same whether he paid the tax of $1 per ton to the Government for revenue or to the South Carolina owner of the quarries for profit. In respect of the sum of money it would cost him there would be uniformity, but it would not be uniformity of taxation.

It is the duty of the people to submit to taxation for revenue, but they are protected by the Constitution against all forms of taxation on imports that prohibit revenue and are designed and intended to make money for any class of business pursuits. The protection against taxation for any other purpose than to provide revenues for the support of the Government of the United States is clear from the language in which the power is given to Congress to lay and collect taxes, duties, imposts, and excises. It is equally clear that the power granted to Congress in the phrase "Congress shall have power," is not a power inherent in Congress, arising from its power to enact laws, but it is a delegated power, and therefore a limited power.

But the limitation upon the power of taxation—that it is for the purpose of raising revenue, and for no other purpose—is made perfectly clear when the distribution of the powers of raising revenue between the House of Representatives and the Senate is brought into view.

The exclusive power of originating laws for taxing the people, either by direct taxation, or taxation in any form, or by duties, imposts, or excises, is given to the House of Representatives. No such power is given to the Senate. This is the segregation of one of the powers of Congress from all the others, and its bestowal upon one of the Houses of Congress.

The power thus given to the House of Representatives to originate tax bills is expressly limited to "raising revenue."

If the object of a bill is to "raise revenue," it is a tax bill, and can not be valid as a law if it originates in the Senate, and the only tax bill that is required to originate in the House of Representatives is a bill "for raising revenue."

It is impossible, in view of these provisions in the Constitution, that Congress can use the taxing power except "for the raising of revenue." No tax bill can be originated except "for the raising of revenue," since no bill to tax the people can originate in the Senate, and in the House of Representatives no tax bill can orginate except "for the raising of revenue."

Our fathers thought that they had effectually prevented the possibility that a crop of evil weeds should spring from the power granted to Congress to tax the people when they provided that the only tax bills that could be originated should be "bills for the raising of revenue," and that these bills should be framed and pruned and perfected under the eyes and through the careful watching of the immediate representatives of the people before the Senate could have the privilege to propose or concur in amendments to tax bills.

Our fathers expected that these injunctions would be obeyed by us when they provided that we should be sworn to obedience, and that we would do, as they required of us, all that we could with the greatest care to winnow out every evil seed of injustice, partiality, discrimination, cupidity, monopoly, and partisan bribery from all bills to tax the people, so that these evils should not originate in the House of Representatives nor be proposed nor concurred in by the Senate, but that such bills in both Houses should be confined in their purpose, "to the raising of revenue."

This is what I understand to be the Democratic reading of the Constitution on the subject of the power and duty of Congress and of the House of Representatives, respectively, in the taxation of the people.

The apothegm "a tariff for revenue only" is a less distinct and expressive way of stating that the power of Congress is limited to originating, amending, and enacting laws of taxation "for raising revenue."

The Democratic doctrine is stated correctly in the language of the Constitution, which, after all, is the only definite and express limitation of the power of taxation, the purpose and the method of taxation. "Taxes, duties, imposts, and excises" limit the methods of taxation, just as "raising revenue" limits and confines the power of Congress to the purpose and object of taxation.

The raising of revenue could not be done by a lottery system, as was once practiced in Mexico, nor by forced loans, nor by military assessment collected at the point of a bayonet under our Constitution, nor could revenue be raised by taxes, duties, excises, or imposts for the support of the churches.

No law could be enacted for "frying the fat out of the manufacturers" (to use the phrase so common in political parlance) for the purpose of supplying revenue to a political party any more than a law can be enacted by Congress, under the pretext of raising revenue for the support of the Government, by "frying the fat" out of the people for the purpose of building up or enriching the manufacturers.

The Constitution prescribes the purpose of taxation, and limits it expressly to raising revenue, and the method of taxation is confined to the levy and collection of taxes, duties, imposts, and excises. When these limits are transcended the Constitution is violated.

The power of taxation is so essential to government that it is not placed under the judgment and control of the judicial department, as are the preservation of the lives and liberties and rights of property of the people. It is, in the legal and governmental sense, more nearly supreme, in respect of its discretionary exercise within prescribed limits, than any other power of Congress.

The people could only save themselves against the abuse of the discretionary features of this vast power by choosing their representatives for the short period of a single Congress—not more than two years—and thus keeping them under their watchful espionage; then by swearing them to support the Constitution; then by giving them the exclusive power, and with it the undivided responsibility of "originating bills for raising revenue;" then by shutting off the Senate from the exercise of this power to determine whether present taxation or new taxation, additional taxation or reduced taxation shall be employed for raising revenue; and then by the express restriction on the powers of Congress that all taxation shall be confined to the purpose and limited to the duty of "raising revenue" for the support of the Government.

This was all that a self-governing people could do to restrain their agents from tyrannical abuse of a power that, of necessity, must include a wide discretion. The fact that the people could not in their Constitution fix absolutely the amount, subjects, and items of taxation, but were compelled to intrust so much of their vital interests to the discretion of their representatives, causes me to respect the plain limitations upon the power of Congress in levying and collecting taxes with the most cautious scrutiny. It is a duty of morality, honor, and sacred obligation that Congress should deny to itself a doubtful power, and should exercise its clear powers in that spirit of justice, equity, and equality of rights which pervades the entire Constitution, and especially the taxing power, which, like the air, should be equal in supply, equal in pressure, and equal in benefits to every interest and every human being in our country. An abuse of the taxing power, either as to the method or purpose of taxation, is a tyranny that is all the more dangerous and disgraceful because it eludes an honorable trust reposed in Congress by the people, and because it appeals for its support to the personal and pecuniary interests of powerful men and dense populations, while it loads with burdens of injustice the poor and the thin populations scattered over wide areas of our country.

I consider it an abuse of the taxing power to levy a tax, duty, impost, or excise for any other purpose than for "raising revenue."

A tax levied for the purpose of prohibiting revenue is so gross a perversion of the constitutional power of Congress that its advocates have no right to expect that it will be treated otherwise than with contemptuous indignation by the people.

If there are articles that we believe should not be permitted to enter into commerce, such as immoral books and prints, poisons and explosives, and articles that are infected with and may become the vehicles of disease, it is only necessary to resort to the municipal power that belongs to every nation to prohibit their introduction into our country. The taxing power has no relation to the prohibition of imports for any cause; it has relation only to "raising revenue." A law that prohibits importation can not be a law for raising revenue, and a duty that prohibits importation and revenue can not be sustained as a proper exercise of the power of taxation. The judiciary can not ascertain the purpose of a tax law where it is not avowed in the terms of the act.

Its purposes may be to prohibit revenue instead of raising revenue, or to give to a certain industry the revenue that ought to go into the Treasury, or to destroy one industry in order to free another from competition; to load the elementary industries, such as the fisheries, the mines, the farms, and the forests, with heavy burdens of tribute to the industries that work men and machines in their speculative ventures; but if these purposes are concealed they find shelter behind a veil of discretionary power and the legal presumption of good intentions, and the arm of the judiciary can not reach them. If either of the purposes that I have named were stated in the many items of this bill where they exist, and especially in these clauses in respect of the taxation of imported tin, and are avowed to exist in this debate in many forms, they would vitiate the law as to such items, and the judges would be bound so to declare the fact. The concealment of this purpose, if that were possible, can not alter the situation of the case. That they are concealed in the bill and yet avowed in debate is only

an evasion that proves that there is no sound constitutional ground upon which those features of this measure can be based.

The country is naturally and justly alarmed at the bold and defiant assault that is being made upon the spirit of the Constitution as to the purposes of tariff taxation by this bill and by the party that supports it under the command of a caucus decree.

The raising of revenue is openly avowed to be a subordinate feature of this measure, while the protection of American industry by taxation and without reference to revenue is the purpose that is kept constantly in view.

We have been a long time in reaching a state of public opinion in which this defiant disregard of the Constitution is boasted of by those intrusted with power to tax the people.

This stage of dereliction could only be openly confessed as a principle of government in opposition to that of taxing the people to raise revenue and in favor of taxing them to raise money for the benefit of certain industries, when its promoters feel that the combination of interested persons and corporations has gained enough of power to control the country at the ballot-box.

It is a fearful condition of the country that puts the Government under the power of such combinations and turns over to their control the power to tax the people at will and pleasure, not to raise revenue but to prohibit it, not to equalize the burdens of Government but to put some classes of our people under the wine-press and to fill other classes with their fatness. The ancient plan of farming out the revenues to private proprietors with liberty to tax the people at the will of the donee or lessee of the power is only repeated under a thin disguise in this bill. The manufacturers dictate every feature of the bill to suit their own purposes, while farmers, miners, lumbermen, and all the consumers of manufactured goods stand by to thank them for any poor concessions they may make to them.

They paid for this lease of power with political influence, political "fat," political "soap," as political corruption is called by a slick and vulgar euphonism in our political slang.

They use this power just as the ancient Briton did, and as the modern Turk does, to tax money out of the people, of which a lesser part goes to the Government and a larger part into their own pockets.

It is in the Senate that this bill to raise revenues for manufacturers originates. It is a substitute for the House bill which reduced the revenues of the manufacturers, and, with lower taxation, enabled all the people to save money; and, with that and a liberal free-list, cut down a redundant and devouring taxation of the people.

The Representatives of the people in three hundred and twenty-five Congressional districts framed a bill that met the support of 100,000 majority of the voters of the United States and sent it to the Senate. The theory of that bill, the constitutional foundation on which it rests, does not suit the Senate, and their committee bring it back with every line but the enacting clause stricken out. The substitute is a new bill which can not be justly styled a bill for raising revenue—new in form, substance, principle, method, arrangement, schedules, free-list, and purposes. Grant that the Senate may do all this and that the House, by adoption, can originate this new bill, just as if it had sprung from its own loins, and thereby make it a constitutional exercise of the taxing power, still it is worth while, if this is a Government of the people, for the people, and by the people, to inquire as to the direct supervision by them over the taxing power as it is exerted in this new bill. What has become of that supervision and why has it been lost to them, and what causes will drive their Representatives to reverse the whole theory of the bill they originated and sent to us and to accept a Senate bill which is framed in utter hostility to their bill and their votes?

This supervision of the people over the exercise of the taxing power has been put into eclipse by the coming of the Senate between them and their constitutional rights. The three hundred and twenty-five Representatives of the people are distributed over the whole country in proportion to population, and their demand for the House bill is the demand of the majority of the whole people, while ten of the Senators who vote to destroy this bill of the people, by the people, and for the people represent fewer people and a smaller area of country than are contained in a single State of the Union. The simple reason why the people are not allowed to have the bill that does justice, even in stinted measure, to them is that the manufacturing industries of the United States are most largely under the care of those ten Senators, and they prefer a bill that is distinctively and carefully framed for the purpose of supporting those manufactories by the taxation of the people.

The causes that may drive the House of Representatives to submit to the reversal of their solemn votes by this alleged bill for raising revenue, that originated in the Senate, are the impending calamities created by the votes of Senators from this same part of the country in the tariff legislation that the House is seeking to correct.

In their plans for giving bounties to the manufacturers they have fastened upon the country a drain of wealth which flows continually in their own direction. It also loads the Treasury with $130,000,000 annually of excessive tax money. The impending calamity is, that this depletion of vital force in the minor industries of the country will paralyze them, and, in turn, they will be swept out like the foundations of a house built on the sand, and that house will fall, and great will be the fall thereof.

The House of Representatives may be forced to accept anything that will reduce this surplus and thereby save the country from bankruptcy.

That is the only excuse for the passage of this bill. It is much like that which lit the torch with which Alexandria was burned, when that remedy was the only one that could stop the progress of the plague.

The debates and votes upon every proposition to amend this bill, and they have been recorded on the Journals, in many instances have disclosed the fixed and avowed purpose of giving more of protection, as it is called, to the manufacturers.

The purpose of raising revenue has been ignored, and the purpose of protection dominates every schedule and almost every line in the bill. I need not cite the proofs of these facts. The record of this debate is full of them, and the purpose, as I have stated it, has been avowed frequently with boastful audacity.

By way of excuse and apology for this flagrant perversion of the power of taxation from public to private ends and profit, several maxims and deductions have been invented and pressed upon public credulity with an earnestness that savors more of desperation than of enlightened zeal for the truth.

The most prominent of these inventions is that a tariff tax creates a home market which absorbs the goods of the manufacturer at lower prices than foreign goods of like kind could be sold for. This is answered fully by the fact that no sane man ever yet sought the cheapest market he could find for the sale of his goods.

They want a home market that will draw the people away from agriculture, settle them in cities, towns, and villages, put them in comfortable houses on good wages and with neat surroundings. They call this the diversifying of labor, and recommend it as a panacea for poverty, hard labor, and the unrefined and unpleasant things of rural life.

If bread and meat, and wool, cotton, flax, silk, and sugar could be produced by machinery, under the roof and within the walls of a factory, these economists would not have need to invite the husbandmen into those sheltered retreats to perform the labor by which they feed and clothe all mankind. They would gladly exchange places with those who labor in the shade and who are fed largely upon what the farmer has to pay to them under tax laws; but those places are always full, and if all the farmers, or half of them, were to leave the fields and go into the factories they would be overcrowded. Labor would then be so diversified that all would starve to death, and go out of the world as they came into it—naked.

The drift of this argument is one of those absurdities that the people never adopt or follow, and its conclusion reverses every law of nature and every impulse of mankind, to produce from the soil food and raiment, from the seas salt and fishes, from the forests and the mines fuel and metals, and shelter from the forests and quarries.

It is the home market for American capital that these ardent patriots also desire.

Our railroads and canals, mines, forests, and vast areas of land afford good opportunities for the investment of American capital and an exclusive home market for so much of their yield and productions as the American people can consume.

In railroads, canals, and mines foreign capital crowds in and gets all the advantage, in proportion to quantity, that is enjoyed by our own capitalists.

Corporations are created for them everywhere to protect them against responsibility for the debts that may be created in the conduct of their business. This form of protection is the same abuse of justice that is perpetrated in that other form of protection that taxes the people to increase the profits of the manufacturers, and enables them to save themselves from loss by increasing the price in the market of all they have to sell, while production is suspended by strikes and lockouts.

We add to the invitation our tariff laws extend to the foreign capitalist the additional inducement of a tax that prohibits competition with him in our markets and thus surrender to him the use and control of the home market to the extent of his capital employed in this country. Of course he comes readily to enjoy these peculiar privileges of growing rich upon the trade of our people. The result is that a very large part of the capital of persons and corporations that are thus subsidized under the theory of the supporters of this bill comes from abroad, but the owner of the capital does not come with it. He remains at home under a foreign allegiance and leaves to Americans the duty of supporting the Government and of fighting its battles when wars occur.

It is arrant folly to say that our capitalists can exclude the competition of foreign capital in our so-called home market. The protectionists say that they want a home market that will give higher wages to American labor than any foreign market can afford to its own people.

If this is a sincere declaration, the means by which they attempt to provide such a home market destroy the purpose they have in view. Cheap, underpaid, and half-starved laborers will resort to this country in myriads to get our better food and shelter and higher prices for their work, and we can not keep them out unless we put them under

a ban like that we have just imposed upon Chinese laborers, and prohibit their coming.

What protectionist, what Republican, has ever attempted to protect the American laborer as they protect American capitalists and manufacturers, by a tax upon the foreign laborer, as well as upon the products of his labor?

The Republican party, in order to increase the supply of labor in the United States, provided for the encouragement of immigration from foreign countries, and this very bill contains some remarkable advantages which are given on the free-list in favor of such immigration.

A home market for foreign laborers is what this bill invites, and to give it full encouragement it exempts them from taxation, with all their wearing apparel, teams, vehicles, tackle, harness, and household effects. When they get here, whether they remain a year or as permanent residents, they enjoy equally with our people all the advantages of the home market we provide for them by taxing our people.

Strikes and lockouts are the great leading features of the manufacturers' home market, next to the barrier that is erected by the tariff to keep out foreign competition.

If the high prices of manufactured goods induce too much capital to be invested in any leading manufacture, and thereby create too much competition and threaten a reduction of prices and the loss of profits, the manufacturers suspend their operations until prices are restored.

While their machines are idle their operatives go unemployed and unpaid. The tariff is behind them to uphold prices against foreign competition, and the shortened supply to the increasing demand of the consumers for their goods makes these periods of suspension the most profitable periods for their business. Under the same shelter they form combinations, called trusts, which take control of an entire manufacturing industry and decree that only a certain quantity of the protected article shall be produced, and that it shall be sold at not less than a certain price. But every subsidized manufacturer, without entering into a trust or combination, has ample power, by a lockout, to stop production until the prices in the home market are satisfactory to him.

Labor is thus placed at his mercy, and the consumer must pay artificial prices for what he consumes because there is no foreign competition, and the supply in the home market is shortened in order to raise the price.

Strikes are voluntary when an increase of wages is demanded by labor. They are involuntary when the insolence or oppression of the employer compels the laborers in this way to redress their grievances. They are more frequently forced upon the laborers as the alternative of injustice than they are resorted to by them for an increase of wages. In either case they are a fearful protest against laws that force labor and capital into an association that is so artificial, and that so exposes labor to the arbitrary demands of capital that strikes become a necessary means of relief to labor from the unjust and insulting demands of capital.

In the unprotected industries strikes do not occur. This important fact leads us up directly to the conclusion that protection is the foster-mother of these labor combinations.

Strikes, whether voluntary or by compulsion, would seldom occur if they did not increase the profits of the capitalist while they last, and if the invitation to foreign labor was not adequate to the ready supply of the factories with imported laborers. With this door open a great strike can not fail to bring into the country a large increase of laborers.

Men thus brought in are cheap and refuse laborers of inferior class and inferior intelligence, often criminal and debased. When they come they take the places from which a better class have been driven out. The result is sad, but it is natural, and the indignant strikers resent defiantly this double wrong to them and their families.

I can not believe that such a great number of men engaged by the great corporations and capitalists in railroads, mines, and factories would incur the losses and hardships that are endured by laboring men of all degrees of skill in conducting these strikes from motives of selfishness, jealousy, or malice. In nearly all of them the men engaged in them are the constant witnesses of the hardest fate that can be visited upon humanity, from the freezing and starving infant and the broken-hearted mother to the father who is the victim of massacre.

Untold and indescribable miseries are the constant results of these strikes, and they are foreseen by the men who engage in them. The strikers are always heavy sufferers, while the employers at most are only losers of a part of their income. Men do not incur such risks and expose their families to such sufferings unless they believe that their wrongs demand the sacrifice. It is the tyranny of capital and its greed for profit, sheltered on the one side by the immunity given to it in acts of incorporation and on the other side by the unjust partiality of tariff laws, that drive the men it employs into these excesses of resistance and retaliation. When they vote bounties to incorporated capital, to be created by tax laws, they expect that the power they thus confer will not be used to increase their poverty and to destroy their manhood. They rebel at results like these and press their revolt with indignant fury, until starvation again forces them into sullen submission. Who can ever imagine the hardships, endured by innocent and dependent people, that have followed the strikes that I now proceed to enumerate?

STRIKES.

Years.	Number of strikes.	Establishments affected.	Employés striking and involved.
1881	471	2,928	129,521
1882	454	2,105	154,671
1883	478	2,750	149,763
1884	443	2,367	147,064
1885	645	2,284	242,705
1886	1,411	9,861	499,899
Total	3,902	22,304	1,323,203

That is a terrible tribute to the plan of taxation that creates a home market for labor and capital. A few such triumphant successes would convert this whole country into a bedlam. If we are pointed to the tariff as the cause of our national prosperity, what shall we say of the maladies it brings to our laboring people—3,902 strikes in 22,403 establishments, including those affected by the strikes, involving 1,323,203 employés, in less than seven years?

The lockouts and the places where they occurred show the key to the home market for labor, as well as to the factories, is placed in the hands of the protected manufacturers.

The President-elect said with triumphant emphasis that the doors of immigration open inward, and not outward. The doors of the factories open outward, and not inward when capital is dissatisfied with the profits labor pays to it.

LOCKOUTS.

Years.	Establishments involved.	Employés involved.
1881	9	655
1882	42	4,131
1883	117	20,512
1884	354	18,121
1885	183	15,424
1886	1,509	101,980
Total	2,214	160,823

Of the establishments in which lockouts occurred, 1,981 were in the States of New York, Pennsylvania, Massachusetts, Ohio, and Illinois—89.48 per cent. of all.

Of the establishments in which strikes occurred, 16,692—74.84 per cent. of all—were in the States of New York, Pennsylvania, Massachusetts, Ohio, and Illinois.

The causes of strikes are still more discreditable to that pretension, so bold and so false, that a protected home market for American labor is the mainspring of the movement for giving high bounties to capital. These self-sacrificing gentlemen pretend that they want more tribute from the tax-payers, only for the purpose of paying their employés better wages. Let the strikers answer this false plea in the statement of the causes that have led to these desperate movements:

CAUSES OF STRIKES.

	Establishments.
For increase of wages in	9,439
For reduction of hours	4,344
Against reduction of wages	1,734
For increase of wages and reduction of hours	1,692
	17,209
All others	5,095
Total	22,304

The total number of employés involved in the whole number of strikes for the whole period was 1,323,203. The number of employés originating the strikes was 1,020,156. The number of employés in all the establishments before the strikes occurred was 1,660,835, while the whole number employed in the establishments involved after the strikes occurred was 1,635,047—a loss of 25,788. There were 103,038 new employés engaged after the strikes, and 37,483 were brought from other places than those in which the strikes occurred.

In the 2,214 establishments in which lockouts were ordered during the period named there were 175,270 employés before the lockouts occurred, and 170,747 after the lockouts, while the number actually locked out was 160,823. There were 13,976 new employés secured at the close of the lockouts, and 5,682 were brought from other places than those in which the lockouts occurred.

The loss to employés in the strikes of this period is estimated at $51,814,723, and the loss to employés through lockouts at $8,157,717—a total loss to employés of $59,972,440.

The employers' losses through the strikes for six years amounted to $30,701,553, and through lockouts to $3,462,261—a total of $34,163,814.

Nearly a hundred millions of money lost by strikes and lockouts to

the employers and to the employés during these seven years under this blessed system that has been invented here that has been called the home market for labor!

The only protected agricultural interest in the United States in which a strike has occurred was an inconsiderable affair on the sugar plantations in Louisiana. Contrast with this the strikes in the protected manufacturing industries from 1881 to 1886, and we find how much more contented is the labor employed in unprotected agriculture than it is when employed by the bounty-fed owners and workers of machines. Here is the statement of the strikes and lockouts in the protected industries——

Mr. HAWLEY. If it will not disturb the Senator, I should like to ask a question just there, especially as I heard the remark that labor is so much more peaceable where it is not protected. Will the Senator tell me whether they have no strikes at all in free-trade countries, and if they have none, what there is in their situation that bars strikes? My point is this: Strikes are not necessarily a result of either a protective tariff or a free-trade tariff, so called, but they are a part of that general movement, that swinging to and fro, that pressure, alternative capital and alternative labor, that is to be found anywhere and everywhere inevitably.

Mr. MORGAN. I am not discussing this question except in the American view of it.

Mr. HAWLEY. Then I understand the Senator——

Mr. MORGAN. I am not discussing it upon the mere question of theory, but I am taking the facts as they have occurred.

Mr. HAWLEY. I wish to emphasize this——

Mr. MORGAN. I want to know whether these facts count a benefit and advantage to agriculture in the system of protection, or whether they show that that system has led to uproar and outrage and wrong and injustice. Manufactures were going on in this country when I was a young man, and I never heard of a strike until I got to be a middle-aged man under a tariff for protection.

Mr. HAWLEY. The Senator will pardon the remark, but I only desired to know whether he charged that strikes were due to the doctrine of protection.

Mr. MORGAN. I am not arguing this question, nor will I argue any question upon the idea of *post hoc ergo propter hoc*. That is not a fair method of argumentation. But I will proceed further with the argument which I have before me to account, as I think rationally and correctly, for the fact that these strikes are the necessary outcome of the protection doctrines in this country, the protection laws that have been in force. We have got the *post hoc* and the *propter hoc* here, but we have got more than that. We have got the direct connection between the strikers and the manufacturers who are protected, and we find that in the unprotected industries of the United States there are no strikes.

Whether it is a mean principle of humanity on the part of the laborer that makes him demand of his employer a part of the bounty that the Government of the United States is paying to him under these tax laws is not for me to answer, but I think I shall take occasion to repeat that my observation has been among the laboring classes, the employés of factories, the mechanics, and the artisans of this country, that they are just as patriotic, and just as virtuous, and just as honest as any other class of men in the world; and when we find them breaking loose in these vast masses, and when they carry the torch of the incendiary in their hands and dynamite bombs concealed beneath their clothes for the purpose of redressing grievances, we must understand that there is a movement in the very depths of the American heart which has been provoked by some very serious cause, and that cause is the state of the law in the United States upon the question of taxation.

The Senator from Connecticut asks me if strikes do not occur in free-trade countries. Yes, they do occur there; but in those countries they have got other monopolistic institutions. They have got other means of grinding down the poor that force them even in free-trade countries to strike. There is a nobility to be supported, on the top a royalty to be supported, and in the midst of all of them enormous monopolies to be supported, which are paid out of the treasury, if you please, of Great Britain. They have got there a more enlarged form than we have got here, the power of aristocratic rule. But in this country the power of aristocratic rule is given to the barons who reap the harvest of taxation that is kept out of the Treasury of the United States by the tariff laws and carried into their pockets.

Continually, day by day and hour by hour, and by every speech that is made on that side of this Chamber, and almost every vote that is given upon a tariff law, we are building up for the American people a bounty-fed aristocracy who grind the people through their factories and their corporations and their tariff laws until they force them to strike, just as the commonalty of England are forced to strike by that other system of arbitrary aristocracy which loads them with burdens of government that they are incapable of meeting without the loss of manhood and almost at the expense of starvation.

Here is a statement of strikes and lockouts in the protected industries. I have already stated that there are none in the unprotected industries. You can not point to an unprotected industry that ever had a strike in it. This is for the same period, from 1881 to 1886:

Strikes in protected industries from 1881 *to* 1886.

Industries.	Establishments.	Striking employés.
Agricultural implements	15	7,251
Boots and shoes	352	49,772
Brewing	139	4,245
Carpeting	95	18,811
Carriages and wagons	49	6,513
Clothing	1,728	74,398
Cooperage	484	11,348
Cotton and woolen goods	32	11,027
Cotton goods	129	43,567
Furniture	491	25,024
Glass	177	20,347
Leather and leather goods	148	5,851
Lumber	395	34,956
Machines and machinery	180	22,197
Metals and metallic goods	1,570	193,409
Mining	2,060	258,920
Pottery, earthenware, etc	27	1,963
Ropes and bagging	12	1,323
Rubber goods	20	9,156
Silk goods	52	5,663
Stone quarrying and cutting	468	14,792
Tobacco	2,959	97,452
Watches	7	1,217
Wooden goods	240	14,257
Woolen goods	52	8,612
Total	11,881	933,080

Then come the lockouts in the protected industries:

Lockouts in protected industries from 1881 *to* 1886.

Industries.	Establishments.	Employés locked out.
Agricultural implements	3	865
Boots and shoes	155	17,861
Clothing	773	27,029
Cooperage	3	607
Cotton and woolen goods	1	103
Cotton goods	23	7,637
Furniture	42	811
Glass	41	4,746
Leather and leather goods	55	1,655
Lumber	5	981
Machines and machinery	9	2,949
Metals and metallic goods	76	16,572
Mining	11	3,425
Pottery and earthenware	13	1,310
Silk goods	2	1,018
Stone quarrying and cutting	24	438
Tobacco	226	30,469
Watches	1	65
Wooden goods	8	450
Woolen goods	6	1,921
Total	1,480	120,942

Making lockouts of 120,942 people in 1,480 establishments from 1881 to 1886. I should like to know under this protection that they have been enjoying all this time, under the bounties with which they have been upheld, why it was necessary to close the doors of their factories in 1,480 establishments against 120,942 employés from 1881 to 1886. Were not the profits sufficient under the tariff to enable them to proceed regularly with business and to furnish their employés with daily employment throughout the year, Sundays excepted? Have we not paid out of our taxes bounties enough to justify these manufacturers who hold the key, as I have observed, of the home market, and also the door of the factory, in giving a regular supply of employment to their laborers?

There is where the proof comes as undeniably as that two and two make four that the power given to these men by the protective tariff to hold foreign goods in abeyance, to keep them from being imported for sale into the United States, enables them in all of these importations when their factories are behind, by the lockout of the employés to raise the price of their commodities and to make money by the operation.

The American market can take only so much goods of any description. Sixty-five million people can not consume all that these factories can produce. The money of speculative capitalists has gone into all of the different manufacturing establishments to such a large amount as that the disproportion is seriously great between the amount of capital employed in manufactures and the capacity of the American people to consume what they produce in their mills. What is the result?

Whenever prices begin to decrease in consequence of competition, the door is turned upon the factory and the employés are locked out of it, and they are not permitted to come back until prices catch up. A speculation is made, and it can always be made, and it will always

be made under a protective tariff by the capitalist in thus stopping the operations of his factory until prices increase in consequence of the increased demand and the short supply.

I have gone as far with this part of the subject as is necessary to show how the capitalists and the laborers fare under this artificially stimulated home market.

If it were not blasphemous ingratitude I would say that it is to be regretted that our farmers produce so much more of grain, provisions, and textiles than are needed to supply our home market.

The outside nations who enjoy this overflow have the signal advantage of fixing the price not merely of the surplus that we can not consume, but the measure of price or value of these commodities, gauged and graded to their poverty, is brought back to our home market and this standard has emblazoned upon it, "These are pauper prices, fixed by the lazzaroni of Europe upon the food and clothing produced in America; accept them in your home market, and be grateful to God and the trans-Atlantic starvelings."

No protected baron scoffs at that declaration. Not one of them would lower his prices a farthing to compensate the farmer for what he must sacrifice in thus having a price fixed in Liverpool for grain and provisions sold in Rhode Island.

They greedily accept the prices fixed upon grain, provisions, and cotton in the foreign market, while they pretend, but only pretend, that they are unwilling that the price of labor employed in their business shall be fixed in the same markets.

What are crops but the wages of the farmer, and what are his wages but the price fixed upon his crops?

The manufacturer rejoices when the prices of grain, provisions, and the textiles run low in the foreign markets, because that fixes the price in the home market and increases his gain by lowering his expenses. He weeps and wails when the prices of labor run low in foreign countries, but soon recovers his spirits when it pours in upon him through the immigrant gates at "the Battery" in New York, which only open inward, bringing labor competition into the protected home market.

To the American laborer he says, "Help me to increase my income by taxing the people and I can do better by you at a convenient season." To the foreign laborer he says, "At a convenient season I will call for you."

That convenient season is when American labor is too high, or makes demands for increase of wages. Then the key of the lockout is turned in the factory door, or the reduction of wages, or some arbitrary wrong, causes the deceived and indignant toilers to walk out and confront starvation, or accept sympathy in the form of bread subscribed by their society to feed their children. They turn away from the cold glitter of the gold they have loaded into the coffers of the capitalists and seek comfort in the warmer bosoms of men whose blood still flows in a warm and charitable current through veins shriveled with poverty.

This is the home market they have been told about for agriculture and for skilled labor.

It raises in a few localities the price of beans, onions, cabbages, turnips, lettuce, fowls, butter, milk, and fruits, and this is the compensation offered to agriculture for compelling the farmers to take pauper prices for wheat, flour, corn, oats, pork, bacon, beef, and mutton, and all the great staples of husbandry. All people are consumers.

Mr. HAWLEY. I wonder if it would disturb the Senator too much to allow me to interject a word. He is just there now where I should like to have him say a little more. I am going to say something by and by upon that precise topic, and I will give him a point now and shall be glad if he will say something about it.

I have heard him speak of vegetables, etc., and of the injuries the farmers suffer here. I call his attention to the fact, which I will lay before him from the census, that the value of farming lands goes up precisely as the percentage of people employed in manufacturing increases in every State and in sections of States. There were no manufactures to speak of until 1880 in the Senator's State, and his land is worth $4.19 an acre, while in granite Connecticut ours is worth $49.

Mr. MORGAN. There are so many people in Connecticut in comparison with the area that the ground for burying a man ought to be pretty high. It is a very dense population.

Mr. HAWLEY. Then I will go where the population is by the square mile the same, and compare manufacturing States with agricultural States.

Mr. MORGAN. You may go through Connecticut, and through Massachusetts, too, and you will find to-day farms grown up, turned to timber, turned to fire-wood, that were formerly under cultivation.

Mr. HAWLEY. I give the Senator the prices against his own prices. That is enough.

Mr. MORGAN. I am talking about the payment of labor; I am not talking about the prices of land. Prices of course go up in lands where the population is dense. The price of real estate in Washington City has advanced not less than 50 per cent. since I came to this city as a Senator, and it is all owing to the fact of the density of the population, the inflow of population. Land is getting scarcer and the population is getting greater, and as a matter of course the price goes up.

Mr. HAWLEY. Will the Senator permit me to make just one statement, and I will not further trouble him? I am certain as to the source where it was taken. Wisconsin has a population of 24.2 to the square mile; Alabama, 24.5 to the square mile. The difference is hardly worth mentioning in density of population. Farm lands are valued in Wisconsin at $23.30 to the acre, though they have barely got over distributing public lands, and in Alabama $4.19. The density of population being the same, the material difference between them, aside from differences of climate, is the extent to which the manufacturing of Wisconsin furnishes a home market.

Mr. MORGAN. The Senator from Connecticut has afforded me an opportunity, by a little diversion from the line of my argument, to make a statement and an answer to his question that I am very happy to do.

The population of Wisconsin originated very largely in immigration. It takes about a thousand dollars of somebody's money to raise a boy from the date of his birth until he is eighteen, nineteen, or twenty years of age, able to do a man's work. Somebody has to expend it. It is a tax upon the community. In considering the aggregate wealth and the aggregate expenditure of any community you are obliged to take into account not merely the cost of raising labor but also the value of labor after it is raised.

The people in Wisconsin and other States in the Northwest, through immigration laws and through their enterprise, for which I commend them very highly indeed, have managed to draw a very large amount of Scandinavian population and population of other kinds from foreign countries, usually employed in the cultivation of land. When those men came to Wisconsin and to those other States they came already raised. The thousand dollars which had been invested in the raising of each one of those men was expended by a community across the water, and it was no tax upon Wisconsin. When the man came here he was ready to take the plow in his hand and go to work, having cost that community nothing. The land upon which he is employed of course is very much more valuable than land would be in a country where it cost a thousand dollars to raise the laborer, and when you get him raised he is of no account at all.

Now, take the young negroes in the South, and they are the most unpromising, yes, the most God-forsaken set of people in respect of industry and of hopes and prospects of ever performing anything that requires labor, found anywhere outside of Algiers or Morocco or the great desert of Sahara. It costs us down there a full thousand dollars to raise a negro child, a boy, from his birth to eighteen years of age, not to include the stealing and the other depredations that that poor creature perpetrates, it seems from a natural drift; I am afraid it is that.

Our country is taxed enormously to raise its labor. It has had no immigration from white countries. It will never have any while the negroes are dominant in that region. There is not a gentleman on the floor of the Senate from a Northern State to-day who would send his son down into an agricultural district in Alabama, no matter how rich the land was, to become a farmer; and yet that same gentleman would jump at the opportunity of sending his son out to take a farm in Wisconsin.

Unfortunately, under the circumstances by which we are surrounded we can not have white immigration into our country. We have to raise our labor at a thousand dollars a head to the time when they are twenty years of age. You import your labor, raised with no tax upon your community. That puts the price of your lands up, and it puts the price of our lands down.

Sir, if I could by a decree of law or of Providence expel from the State of Alabama this day every negro in it and have a barrier erected so that he could never return, the lands in Alabama would run up to prices greater than they are in Wisconsin, and the people would rush into that country with more eagerness than they are trying now to get into Oklahoma.

Sir, that is a beautiful land. Its fertility is unexampled. Its forests beggar description in their magnificence. Streams abound everywhere, furnishing the greatest supply of the finest water. There is scarcely a hill in all that country that has not got its spring at the foundation pouring its limpid stream out for the refreshment of the people. Fruits of every character grow that are known to a temperate clime. You can raise as much wheat to the acre in Alabama, in the northern parts of that State, as you can raise in Wisconsin, the average being 11 bushels to the acre, according to the amount of the present crop. We have the great cotton crop to rely upon. We have such a superabundant supply of providential resources in that country that the difficulty with us is that we can make a living altogether too easily.

But there is this race of people. We did not bring them there. The slave-catchers brought them there, whoever they were, and we bought them from the slave-catchers and from the ships as they were imported into this country. They were flooded out over that Southern country because agriculture in the growing of cotton and other things was profitable. They were flooded upon that country. So we had no power to resist their coming in. The present generation of men in Alabama are no more responsible for the presence of the negro there than are the present generation of Massachusetts and Connecticut re-

sponsible for their importation into this country. We find them there. They are an incubus and a burden upon the country. While they furnish labor, they do not furnish that foundation of industry which must be built, if industry ever succeeds in any country, upon the frugality, the economy, the savings, the industry, and the honesty of what we might call the base of society, what in France is called the peasantry.

If you put beneath the foundations of agricultural industry or manufacturing industry or any other industry, I care not what it is, a people who are reckless and wasteful, who have no thrift and no economy, and while they may enrich by the current profits upon their labor the men who employ capital in manufactories or other establishments, when you come to consider their effect upon the prosperity of a great country you will find that it is like water poured upon the sand; it percolates, is lost, and no effect comes from it. We have a substratum of laboring population in the South upon which you can not build a real, substantial, prosperous industry, either in manufacturing or in agriculture. That is our misfortune. God knows I regret it. I can not help it. That accounts for the figures which the honorable Senator from Connecticut has just laid before the Senate.

Mr. BLAIR. I should like to ask the Senator if we are to understand that he considers it would be for the interest of the Southern white people that the negroes should emigrate from the Southern States in a body?

Mr. MORGAN. Not in a body, Mr. President; I do not think it would, and not immediately.

Mr. BLAIR. I should be glad to have the Senator justify his statement upon that point.

Mr. MORGAN. But I was always in favor of that proposition brought in by the former Senator from Minnesota, Mr. Windom, which looked to the scattering of the negroes of the South out into the Northern States. I wish the Senator from New Hampshire had in his State a hundred thousand that I could furnish him from Alabama. I wish he had a hundred thousand of them. I should be very glad indeed to give them up.

Mr. BLAIR. If the Senator will permit me upon that very point, I will state that I had the honor to serve upon the committee which investigated that subject, and I thought it was very manifest that the Southern people as represented in the Senate at that time were exceedingly incensed at the supposed object of that investigation, to encourage the exodus of the colored people from those States. For one I thought that they had a right to be, and that it was against the interest of both the white and the colored population that there should be any such dispersion of the colored people of the South throughout the country at large any further than a discontented surplus might do that perhaps to the relief of the congested mass at home.

Personally I always encouraged their remaining there, and many a time I have written letters to colored men to that effect who have asked me through their correspondence upon that subject. In letters I have written to them I have stated that I thought the thing for them to do was to remain in the Southern States, at home, that the Southern white man was really their best friend. If I have been laboring under a mistake, if the Southern white people feel that it is better that the colored population should gradually seek homes elsewhere, I should be glad to know it, and I will give such advice as I may be called upon to give in another direction.

Mr. MORGAN. I was asked by the Senator from New Hampshire whether I was of the opinion that it would be for the benefit of the people of the Southern country that the negro should disperse into other States. I answered it by stating that I was always in favor of the proposition advanced by Senator Windom for the dispersion of the negroes. I believe it would be a godsend to the people of the South if that could be done.

I do not know that the Senator from New Hampshire has made any great effort to draw negroes into his State. I wish he would start, among the many societies that he seems to be propagating, a society for the introduction of negroes from Alabama into New Hampshire, and I would do my best to promote his society, to get subscribers to it, and to get negroes to migrate. He can have all the benefit of them that he thinks he wants.

Mr. BLAIR. I will say to the Senator that I would think it quite as much for the interest of my State to organize such a society and to have it efficient to secure the immigration of the colored people of Alabama to our State as the white men.

Mr. MORGAN. As the white men of Alabama! I understand that. The Senator from New Hampshire may spare himself all of his invective against the people of Alabama, for very fortunately for us it either goes below our feet or over our heads. It makes no impression upon us. The Senator can wear himself out with such allusions, if he chooses to do it, without producing even a ruffle upon our skirts or any sort of excitement to the people of Alabama.

Mr. BLAIR. If the Senator will permit me——

Mr. MORGAN. I decline to yield further.

Mr. BLAIR. I should be very glad to limit my general reflection upon the people of Alabama and confine it simply to the Senator with whom I am engaged in a colloquy.

Mr. MORGAN. If any providential thing should keep the Senator and I apart forever, God be thanked. I do not know any reason that I have for going with him. He adds nothing to my happiness that I know of, and I think a more intimate association with him would neither improve me in temper, in information, or in any other respect. So the gentleman can take his leave of me forever, if he chooses to do so, and I should be glad to have him do so.

Mr. BLAIR. I imagine I shall if I ascend hereafter.

Mr. MORGAN. Perhaps you may, but the question of your ascending hereafter is one of the problems that I can not decide, fortunately. As the tree falls so will it lie. I can say this for the people of Alabama and their representatives, that they have none of that intermeddling spirit or peculiar malice which seems to infest the minds of some here, who are always trying to find somebody against whom they can make a point, of whom they can make a complaint. We stand, sir, in the consciousness of the integrity of our own motives and the justice of our purposes, and it is a matter of no sort of concern to us whether our views shall suit those who do not like us or whether they shall not. When our record is read, especially that part of it which relates to the support of our oaths, the maintenance of the Constitution of the United States, I expect that the representatives from Alabama and the people of Alabama will be found to stand as true and loyal for the Constitution of this land as any other set of men who are in it now or who were ever in it; and that is enough. When we stand by our obligations to maintain the Constitution of the country, then of course opinion is free, and in those limits legislation is free, as it ought to be. I censure no man for differing with me upon any question or under any circumstances, unless I am convinced that his policy leads him contrary to the Constitution of his country.

I will now proceed to resume the line of argument which I dropped a few moments ago to reply to a question, and from which I have been diverted unfortunately and very disagreeably and very unnecessarily.

It is to the human family in the United States that the argument is addressed that high taxes make low prices. As the manufacturers do not want low prices for their productions, it is a curious conundrum why they should want high taxes.

They want low prices for all the staple articles of commerce that the farmers, miners, lumbermen, and fishermen produce because they are consumers of their productions.

High prices on imported commodities of manufacture secure to the home manufacturer high prices on what he produces, and prevents the American farmer from getting fair wages for what he produces. When he exchanges his wheat in England for clothing he can not bring it home without paying a tax on it, and, as he can get no higher price for his wheat in New York than in Liverpool, the difference in the cost of clothing between these marts represents the loss in the price of his toil, which is his wages.

It is the tariff that depresses the price of his labor, represented in his wheat, just as much in the home market as it does abroad, by preventing him from purchasing with his wheat, on an average, 46 per cent. more of the same goods in England than he could get for the same amount of wheat in New York.

A theory is presented to fill the gap in the farmers' accounts current, which claims that the home market for articles of a perishable nature that will not bear exportation will compensate them for the vast losses they thus sustain upon all their great staple crops raised in excess of the home market demand.

There can be no need to disprove by an array of facts a theory that is so absurdly false. If our cotton production was reduced to the wants of the home market we would have to reduce our annual crop by 4,500,000 bales. We would have to make this enormous retrograde before we could have even a voice in pricing our products up to a sum corresponding with the prices of manufactured goods in the market. If the annual consumption of cotton were limited to 4 pounds per capita, or 12 yards of fair cloth, we should need a population of 450,000,000 of people to consume our present limited production.

If we wait for that number of people before we are to have a home market that will consume our cotton crop, and before we are to enjoy the supposed blessings of that mythical condition, we shall have to work hard for the home market and the "millions in it" in raising the turnips we are to sell to luxuriating philosophers who plan so wisely to make us all rich by excessive taxation.

What other sentiment than blind and heartless cupidity would have devised this scheme of wanton interference with the personal rights of the tax-payers by converting the power to raise revenue into the power to make and unmake the fortunes of men, and to divert them from the free pursuit of their business vocations, and to trample under the foot of the oppressor one industry that another might have better room to grow and find a richer soil in its decay?

The raising of revenue is the only duty Congress has to perform in taxation of any kind, and when that is done the power is executed. When any different purpose is included in a tax bill the Constitution is abused, the people are wronged, tyranny is excused, lawless disregard of the rights of the people is encouraged; representatives are confronted with temptation, the unceasing foe of honest government; pub-

lic morals are depraved to a standard that recognizes no right that is not paid for in some mercenary equivalent; favors are sandwiched with oppression in every tax bill, and Congress becomes a mart of trade.

These are the principles upon which I oppose the tax proposed by this committee upon the importation of tin, which, as I observed in the outset of my remarks, as was demonstrated by the Senator from Arkansas, is a tax that covers every false principle to be found in this bill. That tax is the image of this bill drawn in a single article; but it is just as true of a very large number of articles embraced in the bill that the tax is imposed not for the purpose of raising revenue, not for any legitimate purpose mentioned or thought of in the Constitution of the United States, but it is imposed solely and expressly for the purpose of giving money taxed out of the people into the hands of the manufacturers that they may make trade profits thereby.

Mr. CHANDLER. Mr. President, I desire to ask the chairman of the subcommittee, who has been reporting amendments which the committee propose to this bill, whether the committee intend to recommend an amendment raising the duty on skates, a manufacture in New Hampshire certain facts in relation to which I had the honor to submit to the committee.

Mr. ALLISON. In response to the inquiry of the Senator from New Hampshire, I will say that the subcommittee, the committee, in fact, have considered somewhat the question presented by him to the committee as respects skates, but the difficulty in making an amendment applying to them is that it lumbers up the bill with too many special things. I think the committee generally were of the opinion that the particular matter which he referred to the committee ought to be remedied in some way, but we have not thus far been able to devise a remedy that would be effective.

Mr. CHANDLER. I submitted to the committee evidence showing very clearly, as it seemed to me, that this manufacture could not be longer continued in New Hampshire without an increase of duty. As I understand, the present duty is, under the basket clause 198, concerning manufactures of iron and steel not specially enumerated or provided for in the act, 45 per cent. ad valorem. The evidence proved that skates could be manufactured in Germany at a very low rate, and that if their importation continued as it would under the present rate of duty the home manufacture would be destroyed. I should like to ask the Senator whether he does not believe that the German manufactures will shortly or eventually prevent the manufacture of skates in this country if the present rate of duty continues.

Mr. ALLISON. I am quite well aware of the purpose of the Senator in making this special inquiry. The manufacture to which the Senator refers is the manufacture of a particular skate or kind of steel skates, which the Senator now produces in the Chamber. Those interested ask us to include them specifically in our schedule. We had not sufficient information to enable us to deal with the question of skates so as to provide a specific duty for the articles indicated by the Senator, and also for other articles of a similar character.

In the absence of more detailed information, we have been unable to suggest a specific remedy for the particular thing he now speaks of. I will say that there are a great many articles which now come in under what is known as the basket clause of manufactures of iron and steel at 45 per cent. ad valorem, which probably will not very long be manufactured at that rate in this country in competition with the Germans, who are invading our manufactures at every point, and producing articles cheaper than they can be produced here with the protection of 45 per cent. ad valorem.

Mr. CHANDLER. Mr. President, I desire to present the facts in reference to this industry to the attention of the Senate. These skates are distinctly a Northern manufacture and for Northern use. Of course they do not interest the Senators from the South. But it is no inconsiderable industry in the city of Concord, where I reside. Concord is not a manufacturing city to any great extent. We make the Concord carriages, the Concord harness, and there is a small amount of woolen manufacture.

But there has grown up in Concord quite an industry in the manufacture of these skates, which are, as the Senate will see [exhibiting], entirely of steel. They are manufactured partly by machinery but largely by hand. There is a very large proportion of the work done upon them which is hand work. They have been profitably made until a recent period, but now, under the influence of German importations, the manufacture is becoming unprofitable, and although it is going on at this moment in Concord and also to some extent in the city of Keene, N. H., where ex-Governor Samuel W. Hale and his son have a skate factory, yet it is apparent that the manufacture will shortly have to be given up and the industry, such as it is, small or great, will have to be abandoned.

I wish to read to the Senate the communication sent to me by the manufacturers, which I presented to the Committee on Finance. It is as follows:

[Haley Manufacturing Company, factory and office, 181 North Main street, Concord, N. H. Boston office, 29 Pearl street (removed to 103 Chauncey street). John Kimball, president; J. J. Haley, treasurer.]

BOSTON, *December* 8, 1888.

DEAR SIR: In compliance with your request I write you giving you a brief statement concerning the manufacture of skates in the United States. From the best information that I can get there are about 1,500,000 pairs of skates sold per year in the United States, and at the present time about 500,000 pairs are imported from Germany, which will be greatly increased at the prices at which the importers are now selling them. I send you by express a pair of skates such as are made in Germany, and which were sold two years ago by the importers at from 50 to 60 cents per pair in lots of 500 pairs or more. The price of these skates this year, as sold by the importers, is 38 cents per pair in lots of 100 pairs or more, which is much less than they can be manufactured for in this country.

Mr. GRAY. The Senator has before him the American skate?

Mr. CHANDLER. This is the American skate. The German skate is slightly inferior to the American skate. The letter proceeds:

It takes about 4¼ pounds of steel to make one pair of these skates, which at the present price is about 4 cents per pound. The labor upon these skates will average about 25 cents per pair. Add to that cost rent, power, insurance, interest, etc., you add at least 5 cents per pair to the cost, which you will readily see is so much above the cost of the German skate that the manufacturers are obliged to give up the manufacture of them in this country.

The steel in these skates manufactured here, as far as I know, is all American steel, and besides stopping the industry of the manufacture of skates, it also stops the manufacture of a large quantity of steel. When my company commenced the manufacture of skates, the lowest price at which they were sold was 58 cents per pair in large quantities. In the last two years we have made between 60,000 and 70,000 pairs. If the duties remain the same as they are now we shall be obliged to discontinue the business, and we know of several other parties who are larger manufacturers than we are who contemplate giving up the business altogether. The pattern of skates that I send you was formerly made in Halifax and patented in the Dominion of Canada.

These skates are called the Halifax or Acme skates.

When the patent expired the Germans for one season flooded the market and the manufacturers at Halifax had to suspend their business. They went to Ottawa and got an additional specific duty put on these skates, enough so that they could manufacture their skates at a profit in competition with the Germans. I would suggest that instead of an ad valorem duty of 45 per cent. on skates, as at the present time, a specific duty, such as would fairly protect American manufacture, should be imposed. I think this should be done, or a small specific duty should be enacted in addition to the present ad valorem. Then I think that from eight to ten hundred more hands could be employed in the manufacture of skates and the steel of which they are made than there will be if the duty remains the same as at present.

J. J. HALEY,
Treasurer Haley Manufacturing Company.

Hon. WILLIAM E. CHANDLER,
Washington, D. C.

December 18, 1888, Mr. Haley also wrote me, as follows:

DECEMBER 18, 1888.

DEAR SIR: Inclosed I send you a letter from Germany to Messrs. Dame, Stoddard & Kendall, to whom I have been selling skates. I send you this letter so that, if you choose, you can use it to sustain my statement in regard to the price at which skates are sold for imported from Germany. You have in my letter my calculations what the skates would cost to make them here. You have in this letter an offer from Germany to supply skates, and can see the difference in the cost of importing skates and getting them made here. I do not wish to weary you on this subject, but as the manufacture of skates is quite an important industry in this country, when you include the steel from which they are manufactured, I desire to give you all the facts that I can, that your committee on tariff may fully understand it.

Respectfully yours,

J. J. HALEY.

Hon. WILLIAM E. CHANDLER,
Washington, D. C.

I now call the attention of Senators who are listening to me to a letter from a German manufacturer, which is as follows:

REMSCHEID, *June* 29, 1888.

GENTLEMEN: Knowing your firm as a buyer of skates from a friend, I take the liberty in offering you Halifax or Acme skates in quantities not less than 5,000 pairs at 1.08 marks free, Hamburg packages free, with 2½ per cent. discount against cash monthly.

A mark is about 23 cents. The price at Hamburg, free on board, for which this German manufacturer says this skate can be made, is 1.08 marks, or about 23 cents.

After my calculation you would pay at this price, if you had the skates at New York, per 100 pairs 108 marks, less 2½ per cent., 105.30 marks net at Hamburg; freight from Hamburg to New York, 2.35 marks; assurance, .50 mark; duty from 93.50 marks (108 marks, less freight, casks, and packing paper). 42; total, 150.15 marks per 100 pairs, or per pair 35½ cents (the dollar at 15 marks.)

During the latter years I manufactured nearly all the skates which are exported from here to the United States and Canada, and most likely you know my skates. But as prices become lower and lower the importer has no profit and the manufacturer is forced to offer his goods direct, and this is the reason for the present letter, assuring you at the same time that nobody else can give you such an advantageous offer.

I manufacture, of course, better kinds of skates than only Acmes, and would thank if you ask for prices.

By a kind reply, if you are willing to buy, you would oblige,

Yours, very truly,

JOH. PET. BECKER, Jr.
E. BARTY.

Messrs. DAME, STODDARD & KENDALL,
Boston, Mass.

You must pay duty only from the net sum.

	Marks.	Marks.
Therefore		108.00
Less freight and casks	8.00	
2½ per cent. discount	2.50	
Packing paper	4.00	
		14.50
		93.50

At 45 per cent., 42 marks duty.

In other words, these German skates can be purchased ready for shipment at less than 25 cents; the duty on them at 45 per cent. is about 11 cents, and therefore such imported skates can be laid down by the wholesale in New York City for 35 or 36 cents per pair.

Mr. VANCE. Mr. President——

The PRESIDING OFFICER (Mr. PUGH in the chair). Does the Senator from New Hampshire yield to the Senator from North Carolina?

Mr. CHANDLER. Certainly.

Mr. VANCE. I wish to understand the object of the Senator from New Hampshire. Does he desire to increase the duty upon German skates? I wait for his reply.

Mr. CHANDLER. I did not think of asking for an increase of duty on American skates. So I think the conclusion is pretty evident that the increase of duty I asked the committee to impose was upon foreign skates.

Mr. VANCE. Do I understand the Senator to say that the German skate undersells the skate made in his State, so that the maker of the home-made article can not afford to manufacture them at that price?

Mr. CHANDLER. He is afraid he can not. Now, I should like to ask the Senator from North Carolina a question.

Mr. VANCE. The Senator will excuse me——

Mr. CHANDLER. I should like to ask the Senator whether he did not know what the manufacturer desired the committee and Congress to do?

Mr. VANCE. I suspected; I did not know. I suspected that he desired to have the duty put upon the foreign skate, in order that he might get an enhanced price for his skates. If that is so, I wanted to ask the Senator from New Hampshire——

Mr. CHANDLER. That is the question I wanted to have answered.

Mr. VANCE. I was desirous to learn from the Senator from New Hampshire how that could be done, because we are told that the duty upon the foreign skate cheapens the home-made skate. Therefore, I could not see how the manufacturer of the home-made skate was to be benefited.

Mr. CHANDLER. That is the old conundrum which has been heard from the Senator *ad nauseam*.

Mr. VANCE. But that is the conundrum that is propounded by the Senator's party, and that is the one that has never been guessed. I thought I was right upon the point of it, if I could get the Senator to answer the question candidly.

Mr. CHANDLER. If I can understand the Senator's point, I will endeavor to answer it.

Mr. VANCE. I understood the Senator to argue and to read from a paper that a Governor Somebody in his State was making skates, and that the German skate undersold him even with the present duty, and he wanted the duty raised for the purpose of cheapening his own skates. He could not afford to compete with the German so long as the duty was on at the present rate, but if the duty was increased sufficiently high, that would enable him to manufacture his skates at a rate that would undersell the German and knock his nose out of joint.

Mr. CHANDLER. I do not think the Senator from North Carolina understood me to say—if he did he is mistaken—that this manufacturer wanted a duty put on the foreign skate in order to cheapen the manufacture of his own skate.

Mr. VANCE. I know, but that is what the doctrine results in.

Mr. CHANDLER. The Senator had an opportunity to answer that doctrine all last summer and pretty much all this winter, and he might have refrained from stating our argument in a form in which I did not make it in order to give him an opportunity to answer it once more. I suppose the manufacturer wants this duty increased because the German manufacturer under present conditions undersells him and he wants a protective duty on the skate. I suppose the Senator from North Carolina understood that this debate was on the merits of protective duties. Apparently it has been so; and there is no dispute about the situation with reference to this one article of manufacture. As I understand it, it can not be manufactured much longer at the present cost of making it to the New Hampshire manufacturer unless a higher rate of duty can be imposed upon the German skate; and then the German manufacturer will either keep his skates at home or he will have to pay the duty to the Government if he puts them in competition with the American skate.

I wrote again to Mr. Haley and received from him another letter, as follows:

CONCORD, N. H., *December* 31, 1888.

DEAR SIR: Your favor of the 26th instant duly received, with inclosures. It is beyond question that we can not manufacture skates in this country to compete with Germany with the present rate of duty. We are working up our stock, and shall discontinue the manufacture until some change is made from the present rate of duty.

Mr. President, here is an industry, a small one to be sure, but it is an illustrative case; that of a manufacture that will disappear in Concord, in New Hampshire, in this country, on the existing rate of duty, because the German manufacturers find that they can make skates more and more cheaply every year, and they are making them and flooding this country with them to the destruction of the American industry.

I certainly had hopes that the Finance Committee would find themselves able to report here a small specific duty upon this manufacture, in order that the making of these skates might continue in this country. It did not seem to me that the Senator from North Carolina or any other Southern Senator, because not interested either in the manufacture or in the use of skates, would object to a slight increase in this duty, particularly when we now have a duty on sugar of 84 per cent., and a duty on rice of from 71 to 134 per cent. I hoped that this industry might be adequately protected at this time. If it can not be, then I trust it may be at some other time before the manufacture is entirely extinct in my city and in my State.

Mr. VANCE. Mr. President, the picture that the Senator from New Hampshire presented to us was an appalling one. The idea that this great industry should absolutely disappear from this country and our boys be left to amuse themselves upon skates made in Germany by the pauper labor of Europe is a picture that startles me from my sense of propriety and makes me hesitate whether or not I shall consider the constitutional question involved in the case.

Mr. CHANDLER. I should like to interrupt the Senator, if he will allow me.

The PRESIDING OFFICER. Does the Senator from North Carolina yield?

Mr. VANCE. Certainly.

Mr. CHANDLER. Does the Senator wish to ask a question, or to make another short speech?

Mr. VANCE. No, sir; I have the floor. I was recognized by the Chair, and I supposed the Senator from New Hampshire had concluded.

Mr. CHANDLER. The Senator is not to blame, then, for going on. I had not yielded the floor, but I will yield to a question.

Mr. VANCE. If the Senator claims the floor, as a matter of course I subside.

Mr. CHANDLER. Did the Chair understand me to yield?

The PRESIDING OFFICER. The Chair thought the Senator from New Hampshire had concluded and yielded the floor.

Mr. CHANDLER. I had not.

The PRESIDING OFFICER. The Senator from New Hampshire is now recognized.

Mr. CHANDLER. I wish in this connection to call the attention of the Senate to some statistics of both manufactures and agriculture in New Hampshire, as indicating the importance of a protective tariff to the welfare of our people. In our State manufactures and agriculture go hand in hand. There probably is no community in this country, certainly not outside of New England or New York, which illustrates so well the benefits of protective duties to all classes of people as does the State of New Hampshire, with her diversified manufacturing and agricultural industries; and there is no community to which it would be so fatal to apply the Democratic doctrine of free trade or a tariff for revenue only as to the people of New Hampshire.

Reliable statistics of manufacturing products must of course be taken from the census of 1880. Another decade has nearly elapsed, and we shall soon be possessed of the statistics of the last ten years, but until the new census is taken we can refer safely only to the census of 1880. I have here, and will insert in the RECORD, with the permission of the Senate, without reading in full, the statistics of the agricultural and manufacturing industries of New Hampshire in the year 1879.

New Hampshire.

[Census of 1880, volume 2, page 149.]

Mechanical and manufacturing industries.	Establishments.	Capital.	Average number of hands employed.			Total amount paid in wages during the year.	Value of materials.	Value of products.
			Males above 16 years.	Females above 15 years.	Children and youths.			
Agricultural implements	17	$196,700	178	.....	.....	$75,068	$91,476	$212,850
Artificial feathers and flowers	1	50	1	2	.....	1,000	100	1,300
Baskets, rattan and willow ware	2	2,750	7	.....	.....	3,250	1,575	6,575
Belting and hose, leather	5	286,094	127	.....	6	60,974	423,185	606,944
Blacksmithing (see also Wheelwrighting)	324	262,458	336	.....	2	107,665	197,340	474,123
Book-binding and blank-book making	6	14,000	11	8	2	8,250	11,525	25,100
Boot and shoe cut stock	2	2,600	3	13	3	3,100	7,200	13,000
Boot and shoe findings	5	67,000	74	50	4	37,000	32,450	88,500
Boots and shoes, including custom-work and repairing	261	1,758,290	3,648	1,036	70	1,882,951	4,092,400	7,619,921

New Hampshire—Continued.

[Census of 1880, volume 2, page 149.]

Mechanical and manufacturing industries.	Establishments.	Capital.	Average number of hands employed.			Total amount paid in wages during the year.	Value of materials.	Value of products.
			Males above 16 years.	Females above 15 years.	Children and youths.			
Boxes, fancy and paper	10	$50,580	84	30	1	$27,800	$57,000	$117,000
Boxes, wooden, packing	29	98,700	212	11	20	64,760	100,500	219,700
Brass castings	4	23,500	25	.....	.....	12,285	24,325	44,597
Bread and other bakery products	26	49,935	76	9	.....	36,692	180,086	294,108
Brick and tile (see also Drain and sewer pipes)	67	120,845	642	.....	.....	118,408	90,251	282,725
Brooms and brushes	13	19,015	21	4	.....	5,005	15,165	29,311
Card-board	1	15,000	8	.....	1	2,500	5,000	10,000
Carpentering	100	223,228	445	.....	2	182,238	439,657	855,372
Carriage and wagon materials	10	69,800	55	.....	.....	20,185	74,480	138,660
Carriages and wagons (see also Wheelwrights)	30	618,857	436	2	.....	196,337	253,275	559,932
Cars, railroad, street, and repairs	1	10,000	200	.....	.....	55,000	125,000	201,659
Charcoal	7	37,300	89	.....	.....	23,525	33,100	87,700
Cheese and butter (factory)	2	10,400	1	3	.....	780	20,683	27,887
Clocks	1	500	2	.....	.....	700	400	1,200
Clothing, men's	61	183,750	125	456	.....	132,081	494,681	731,389
Clothing, women's	1	1,000	.....	4	.....	250	1,200	1,800
Coffins, burial-cases, and undertakers' goods	10	21,450	14	1	1	6,016	11,500	25,080
Confectionery	8	22,300	27	10	5	15,070	57,854	98,500
Cooperage	32	142,050	248	.....	.....	83,694	92,698	226,281
Cordage and twine	1	15,000	4	3	.....	1,908	7,320	13,196
Corsets	1	1,000	4	8	.....	2,000	2,000	5,000
Cotton goods (see also Hosiery and knit goods; Mixed textiles)	41	19,993,484	5,138	9,631	1,749	4,322,622	10,329,184	18,226,573
Cutlery and edge tools (see also Hardware; Tools)	12	255,600	257	6	6	100,492	108,364	270,444
Dentistry, mechanical	10	8,900	8	.....	.....	3,212	4,530	19,600
Drain and sewer pipes (see also Brick and tile)	2	4,500	4	.....	.....	1,158	3,794	7,500
Drugs and chemicals (see also Patent medicines and compounds)	6	17,200	13	.....	.....	2,178	26,293	37,991
Dyeing and cleaning	1	1,000	1	.....	.....	150	200	1,200
Dyeing and finishing textiles	4	2,987,085	637	111	106	372,873	795,553	1,568,100
Electrical apparatus and supplies	1	2,000	5	.....	.....	1,875	1,000	4,500
Electroplating	2	3,000	3	.....	.....	1,550	2,400	5,700
Emery-wheels	1	6,400	3	.....	.....	1,600	1,324	6,639
Fancy articles	1	5,000	7	3	.....	4,000	3,400	11,000
Felt goods (see also Woolen goods)	1	12,000	18	4	19	7,000	29,420	50,000
Files (see also Saws)	4	9,000	20	.....	1	9,660	5,695	22,356
Flouring and grist mill products	181	712,555	253	.....	.....	78,284	2,259,718	2,542,784
Foundry and machine-shop products	71	1,260,635	1,416	21	52	567,825	1,010,495	2,024,656
Furnishing goods, men's	1	50	1	.....	.....	100	300	900
Furniture (see also Mattresses and spring beds; Upholstering)	36	333,235	573	3	33	202,064	314,650	741,238
Furniture, chairs	6	200,500	157	15	7	53,500	67,940	159,300
Glass	1	50,000	80	8	14	25,600	34,000	70,000
Gloves and mittens (see also Hosiery and knit goods; Woolen goods)	25	187,300	171	300	1	92,574	302,142	478,825
Glue	1	3,000	4	.....	.....	1,250	2,500	6,000
Grease and tallow	3	15,500	12	.....	.....	4,429	22,925	41,200
Hair-work	1	700	1	.....	.....	300	1,000	1,600
Handles, wooden	9	21,950	33	.....	1	9,770	7,970	33,700
Hardware (see also Cutlery and edge tools; Tools)	2	14,500	9	5	6	5,600	4,400	13,500
Hats and caps, not including wool hats	4	5,350	401	.....	.....	8,300	10,700	27,450
Hones and whetstones	4	26,100	45	.....	.....	10,648	6,700	32,500
Hosiery and knit goods (see also Cotton goods; Gloves and mittens; Woolen goods)	24	1,224,000	540	1,098	115	536,117	1,249,600	2,362,779
Instruments, professional and scientific	3	34,800	10	.....	.....	4,670	5,000	18,100
Iron and steel	2	650,000	289	.....	1	127,690	523,355	807,340
Iron bolts, nuts, washers, and rivets	2	32,500	19	.....	1	6,000	29,700	39,500
Iron forgings	1	12,000	8	.....	.....	5,500	19,500	32,000
Kindling wood	1	200	.....	.....	.....	.....	50	600
Lasts	2	4,000	11	.....	.....	4,400	2,900	9,000
Leather board (see also Paper)	4	78,000	39	.....	.....	13,800	65,375	96,675
Leather, curried	37	351,850	260	17	.....	114,769	1,824,797	2,161,734
Leather, patent and enameled	1	15,000	15	.....	.....	9,000	55,000	150,000
Leather, tanned	53	603,450	445	18	.....	199,146	1,732,564	2,315,616
Liquors, distilled	1	25,000	4	.....	.....	1,700	20,500	31,500
Liquors, malt	5	845,000	304	.....	.....	138,719	701,523	1,265,477
Lock and gun smithing	3	62,800	104	3	5	37,500	35,300	100,500
Looking-glass and picture frames	6	19,250	17	.....	1	5,250	7,187	19,432
Lumber, planed, (see also Sash, doors, and blinds; Wood, turned and carved)	22	80,900	114	8	2	40,276	81,726	162,429
Lumber, sawed	680	3,745,790	3,056	.....	48	548,556	2,272,991	3,842,012
Mantels, slate, marble, and marbleized	1	20,000	2	.....	.....	673	1,300	2,000
Marble and stone work	55	153,331	351	1	.....	157,887	91,119	374,603
Masonry, brick, and stone	12	13,100	122	.....	.....	39,738	58,977	117,728
Mattresses and spring-beds (see also Furniture)	1	200	1	.....	.....	25	350	550
Mineral and soda waters	3	6,500	9	.....	.....	2,925	5,300	11,951
Mixed textiles (see also Cotton goods; Silk, and silk goods; Woolen goods)	20	1,321,400	653	581	284	494,945	1,456,647	2,703,281
Musical instruments and materials, not specified	2	12,500	11	1	.....	6,000	5,500	19,000
Musical instruments, organs and materials	3	18,200	29	.....	.....	12,948	12,141	30,713
Musical instruments, pianos and materials	3	18,000	32	.....	.....	8,894	15,994	30,380
Needles and pins	5	19,250	46	33	5	23,280	5,560	37,625
Painting and paperhanging	45	67,325	148	18	.....	71,754	87,024	215,062
Paper (see also Cardboard; Leather board; Wood-pulp)	25	1,197,000	497	202	3	249,612	1,131,425	1,731,170
Patent medicines and compounds (see also Drugs and chemicals)	9	45,350	21	11	.....	14,672	52,028	135,594
Paving materials	2	2,500	5	.....	.....	1,227	551	3,249
Photographing	23	53,820	30	31	.....	23,267	24,826	81,022
Pickles, preserves, and sauces	1	2,000	3	.....	.....	1,250	5,000	8,000
Plumbing and gas-fitting	7	28,000	36	.....	.....	24,720	64,880	110,128
Printing and publishing	29	270,050	151	42	5	88,088	91,076	264,750
Printing materials	2	6,500	6	.....	.....	2,100	4,250	13,400
Pumps, not including steam-pumps	4	5,800	13	.....	.....	2,886	6,498	16,475
Refrigerators	1	25,000	25	.....	.....	10,000	15,000	50,000
Roofing and roofing material	2	3,150	4	.....	.....	520	2,200	4,810
Rubber and elastic goods	1	450	1	.....	.....	200	300	800
Rules, ivory and wood	1	600	1	.....	.....	624	75	2,206
Saddlery and harness	82	203,350	202	5	1	83,786	211,267	381,551
Sash, doors, and blinds (see also Lumber, planed; Wood, turned and carved)	28	263,700	366	.....	7	141,530	237,402	444,119
Saws	1	200	1	1	.....	500	800	1,500
Sewing-machines and attachments	1	5,000	4	.....	.....	1,500	2,000	5,000
Ship-building	15	15,330	26	.....	.....	12,243	14,369	30,070
Shoddy (see also Mixed textiles)	3	17,300	13	8	2	5,700	38,900	49,600
Silk and silk goods (see also Mixed textiles)	1	8,000	2	5	1	2,500	11,625	15,000

New Hampshire—Continued.

[Census of 1880, volume 2, page 149.]

Mechanical and manufacturing industries.	Establishments.	Capital.	Average number of hands employed.			Total amount paid in wages during the year.	Value of materials.	Value of products.
			Males above 16 years.	Females above 15 years.	Children and youths.			
Silverware	1	$125,000	20	.....	.....	$12,500	$63,400	$200,000
Soap and candles	22	54,700	41	.....	.....	17,289	61,170	104,541
Spectacles and eye-glasses	1	25,000	35	.....	.....	15,000	30,000	50,000
Springs, steel, car, and carriage	1	8,000	7	.....	.....	3,500	10,000	17,000
Starch	20	56,256	76	.....	.....	4,499	49,977	66,800
Stationery goods	4	204,800	62	18	3	37,050	266,897	355,015
Stone and earthen ware	5	61,000	61	2	4	28,825	12,640	61,000
Surgical appliances	3	17,150	19	2	.....	6,900	4,100	25,000
Tin-ware, copper-ware, and sheet-iron ware	89	220,050	261	4	.....	108,873	225,924	463,997
Tobacco, cigars, and cigarettes	22	19,285	41	12	1	18,169	24,912	65,940
Tools (see also Cutlery and edge tools; Hardware)	1	12,000	20	.....	.....	7,104	5,621	16,368
Toys and games	9	24,000	29	9	7	10,949	14,033	33,128
Upholstering (see also Furniture)	5	4,800	10	2	.....	5,020	10,325	19,475
Upholstering materials	12	51,800	47	.....	.....	16,646	13,084	47,175
Veneering	1	2,500	2	.....	.....	300	600	4,000
Vinegar	4	7,200	12	.....	.....	1,012	9,000	17,500
Washing-machines and clothes-wringers	1	1,000	1	.....	.....	624	500	2,444
Watch and clock materials	1	10,000	10	10	35	4,800	6,500	36,000
Watch and clock repairing	10	11,650	10	.....	.....	4,086	2,580	11,398
Wheelwrighting (see also Blacksmithing; Carriages and wagons)	110	128,400	138	1	1	42,576	60,162	175,699
Wire-work	3	2,900	9	.....	.....	2,000	1,100	6,700
Wood-pulp	7	298,600	338	.....	11	138,350	256,900	759,853
Wood, turned and carved (see also Lumber, planed; Sash, doors, and blinds)	36	255,625	484	2	123	167,055	189,464	468,943
Woodenware	49	322,950	421	2	26	132,260	206,163	431,290
Woolen goods (see also Felt goods; Gloves and mittens; Mixed textiles; Worsted goods)	58	4,510,271	2,288	1,361	378	1,181,738	4,993,709	8,113,839
Worsted goods (see also Woolen goods)	2	2,628,584	505	919	107	512,881	1,582,226	2,694,232
Total	3,181	51,112,263	29,356	16,184	3,291	14,814,793	43,552,462	73,978,028
Belknap County	112	1,400,750	1,309	995	194	653,559	1,600,245	2,963,892
Carroll County	148	800,475	833	129	29	265,826	1,240,367	1,811,313
Cheshire County	317	3,758,815	3,428	833	252	1,299,427	4,502,889	7,768,943
Coos County	194	2,107,250	1,218	17	27	336,010	1,397,362	2,490,356
Grafton County	465	2,155,956	1,912	542	64	633,869	2,595,146	4,117,710
Hillsborough County	517	20,814,729	8,247	7,577	960	5,130,178	13,789,849	23,671,908
Merrimack County	449	6,089,215	3,580	1,477	628	1,875,042	4,974,274	8,742,560
Rockingham County	612	4,369,858	3,328	1,127	217	1,503,371	4,013,922	7,034,939
Strafford County	186	8,134,515	4,648	2,965	804	2,730,542	8,029,025	13,039,753
Sullivan County	181	1,420,700	843	522	116	386,969	1,409,383	2,336,604
Total	3,181	51,112,263	29,356	16,184	3,291	14,814,793	43,552,462	73,978,028

I present, also, a comparative statement of manufacturing in New Hampshire in 1860 and 1880, which shows the increase in the number of our establishments during the twenty-year period, the increase in capital employed, in total amount of wages paid, and in the value of the material and of the products.

Manufacturing in New Hampshire.

Items.	1860.	1880.
Total number of establishments	2,592	3,181
Capital	$23,274,094	$51,112,263
Average number of hands employed:		
Males	18,379	29,356
Females	13,961	16,184
Children	.....	3,291
Total amount paid in wages during the year	$8,110,561	$14,814,793
Value of materials	$20,539,857	$43,552,462
Value of products	$37,586,453	$73,978,028

Another table gives the same comparison between the years 1850, 1860, 1870, and 1880:

New Hampshire—Statistics of manufactures for years as noted.

[Census 1880, volume 2, page xii.]

Year.	Establishments.	Capital invested.	Hands employed.	Wages paid.	Value of all materials used.	Value of products.
1850	3,211	$18,242,114	27,092	$5,123,876	$12,745,466	$23,164,503
1860	2,592	23,274,094	32,340	8,110,561	20,539,857	37,586,453
1870	3,312	36,023,743	40,783	13,823,091	44,577,967	71,038,249
1880	3,181	51,112,263	48,831	14,814,793	43,552,462	73,978,028

Here is a further statement showing the number of persons engaged in manufactures and in mechanical and mining industries, with ages, sex, and nativity, according to the census of 1880:

New Hampshire—Persons engaged in manufactures and mechanical and mining industries, with age, sex, and nativity.

[Census 1880, volume 2, page 30.]

Persons occupied	58,037
Age and sex:	
All ages:	
Male	40,675
Female	17,362
Ten to fifteen:	
Male	1,257
Female	1,353
Sixteen to fifty-nine:	
Male	37,222
Female	15,808
Sixty and over:	
Male	2,196
Female	201
Nativity:	
United States	42,200
Ireland	3,282
Germany	281
Great Britain	1,736
Scandinavia	67
British America	10,328
Other countries	143

It is a fair estimate, I believe, that at the present time there are seventy thousand of the men, women, and children of New Hampshire engaged in her manufacturing and mechanical industries, which would make one-fifth of all our citizens, estimating our population at 350,000. With this one-fifth getting their living in manufacturing, manifestly the people of New Hampshire are sensitive about any attacks upon those industries.

I have here some statistics concerning the city of Manchester, our greatest manufacturing center, which fifty years ago did not exist, but which, at the Falls of the Amoskeag, solely by reason of its manufacturing industries, has grown up from a mere sand-bank to be the largest, the wealthiest, and the most prosperous city in the State.

City of Manchester, New Hampshire.

[Census 1880, volume 2, page xxiii.]

Aggregate population	32,630
Number of establishments	121
Capital	$15,149,153

Number of hands employed	10,838
Total amount of wages	$3,370,404
Value of materials	$7,901,066
Value of products	$14,136,305

[Census 1880 volume 2, page 410.]

Number of establishments*	121
Capital	$15,149,153
Average number hands employed:	
Males above sixteen years	4,632
Females above fifteen years	5,748
Children and youths	458
Total amount paid in wages during the year	$3,370,404
Value of materials	$7,901,066
Value of products	$14,136,305

*All industries.

Manchester, in its order of rank among the manufacturing cities of the country, appears, from the following table which I will insert, to be the thirty-first city in the United States in the number of hands employed, the thirty-third city in wages paid, the thirty-fourth city in the value of the net product, and the thirty-sixth city in the value of the gross product.

Order of rank in cities, of Manchester.

[Census 1880, volume 2, page xxiv.]

Order of rank.	Name of city.	Gross product.	Net product.	Hands employed.	Wages paid.
Thirty-first	Manchester			10,838	
Thirty-third	Manchester				$3,370,404
Thirty-fourth	Manchester		$6,235,239		
Thirty-sixth	Manchester	$14,136,305			

But Manchester, although its position varies from the thirty-first to the thirty-sixth in the statistics above given, occupies a much higher grade in the manufacture of cotton and of woolen goods.

Order of rank of Manchester among the seven leading cities in the United States in the production of the industries specified.

[Census 1880, volume 2, page xxvi.]

Rank.	Industry.
Fourth	Cotton goods.
Sixth	Woolen manufactures (all classes).

In addition to the city of Manchester there are many other prosperous cities and towns in New Hampshire which are engaged in the profitable manufacture of cotton and woolen goods, which I will not undertake to name, but which equally with Manchester will cry out earnestly against any assault upon their industries.

So that our State is a busy hive of industry, and it has grown somewhat in population and largely in wealth by reason of this front rank which it has taken as a manufacturing community.

Manifestly, Mr. President, the Mills bill, if it becomes a law, will injure the State of New Hampshire. I present to the Senate a statement of our leading industries which will be affected by the passage of the House bill, and I will insert in the RECORD these statistics, taken from the census reports of 1860 and 1880, concerning four branches of industry:

Leading industries in New Hampshire.

Industries.	Persons employed.		Amount paid for labor.		Cost of materials.	
	1860.	1880.	1860.	1880.	1860.	1880.
Cotton goods	12,730	16,518	$2,883,804	$4,322,622	$7,128,196	$10,329,184
Woolen, worsted, and felt goods, gloves and mittens, mixed textiles	2,614	7,589	679,742	3,250,840	2,834,553	7,402,442
Paper, books, paper boxes, and wood-pulp	333	1,449	125,580	514,600	378,596	1,502,189
Marble and stone	164	476	71,712	151,396	39,257	198,298
Lumber, sash, doors, and blinds, wood turned, wooden-ware, carpentering, furniture	2,221	5,896	655,880	1,467,479	1,065,340	3,709,993

Let us examine first the figures in reference to the manufacture of cotton goods. I have here the cotton schedule under the existing law, the rates imposed by the House bill, and the rates which are proposed in the Senate substitute which is now under consideration:

Cotton goods.

Cost of materials	$10,329,184
Expended for labor	4,322,622
Total	14,651,806
Number of persons employed	16,518

Article.	Existing law.	House bill.	Senate substitute.
		Per cent.	
Cotton thread, yarn, warps, or warp-yarn:			
Valued at not over 25 cents per pound	10 cents per pound	35	10 cents per pound.
Valued at not over 40 cents per pound	15 cents per pound	35	18 cents per pound.
Valued at from 40 cents to $1 per pound	20 cents to 48 cents per pound.	40	23 to 48 cents per pound.
Valued over $1 per pound	50 per cent	40	50 per cent.
Spool-thread of cotton containing on each spool not exceeding 100 yards of thread, dozen.	7 cents per dozen	40	7 cents per dozen.
Exceeding 100 yards on each spool, for every additional 100 yards, or fractional part thereof in excess of 100 yards.		40	7 cents per dozen.
Cotton cloth, not exceeding 50 threads per square inch, counting the warp and filling:			
Not bleached, dyed, colored, etc	2½ cents per square yard	40	2 cents per square yard.
Bleached	3½ cents per square yard	40	2½ cents per square yard.
Dyed, colored, stained, etc	4½ cents per square yard	40	4 cents per square yard.
Exceeding 50 and not exceeding 100 threads to the square inch, counting the warp and filling—			
Not bleached, dyed, colored, etc	2½ cents per square yard	40	2½ cents per square yard.
Bleached	3½ cents per square yard	40	3 cents per square yard.
Dyed, colored, stained, etc	4½ cents per square yard	40	4 cents per square yard.
Not exceeding 100 threads per square inch, counting the warp and filling—			
Not bleached, dyed, colored, etc., valued at over 6½ cents per square yard	2½ cents per square yard	40	35 per cent.
Bleached, valued at over 9 cents per square yard	3½ cents per square yard	40	35 per cent.
Dyed, colored, stained, etc., valued at over 12 cents per square yard	4½ cents per square yard	40	35 per cent.
Exceeding 100 and not exceeding 150 threads per square inch, counting the warp and filling—			
Not bleached, dyed, colored, etc	3 cents per square yard	40	3 cents per square yard.
Bleached	4 cents per square yard	40	4 cents per square yard.
Dyed, colored, stained, etc	5 cents per square yard	40	5 cents per square yard.
Exceeding 150 and not exceeding 200 threads per square inch, counting the warp and filling—			
Not bleached, dyed, colored, etc	3 cents per square yard	40	3½ cents per square yard.
Bleached	4 cents per square yard	40	4½ cents per square yard.
Dyed, colored, stained, etc	5 cents per square yard	40	5½ cents per square yard.
Not bleached, colored, etc., valued at over 8 cents per square yard	40 per cent.	40	45 per cent.
Bleached, valued at over 10 cents per square yard	do	40	Do.
Dyed, colored, stained, etc., valued at over 12 cents per square yard	do	40	Do.

Cotton goods—Continued.

Articles.	Existing law.	House bill.	Senate substitute.
Cotton cloth, etc.—Continued.			
Exceeding 200 threads per square inch, counting the warp and filling—			
Not bleached, colored, dyed, etc.	4 cents per square yard	40	4½ cents per square yard.
Bleached	5 cents per square yard	40	5½ cents per square yard.
Dyed, colored, stained, etc.	6 cents per square yard	40	6½ cents per square yard.
Not bleached, dyed, colored, etc., valued at over 10 cents per square yard.	40 per cent.	40	45 per cent.
Bleached, valued at over 12 cents per square yard	do	40	Do.
Dyed, colored, stained, etc., valued at over 15 cents per square yard	do	40	Do.
Stockings, hose and half hose, shaped wholly or in part by knitting machines or frames, valued at not exceeding $3 per dozen pairs.	40 per cent	40	60 cents per dozen and 20 per cent.
Cotton damask, clothing (ready-made), and articles of wearing apparel, including hemmed handkerchiefs.	35 and 40 per cent	35 and 40	40 per cent.
Embroideries, laces, and edging, etc	40 per cent	40	45 cents per pound and 15 per cent.
Plushes, velvets, and velveteens, etc	40 per cent	40	10 cents per square yard and 20 per cent.

From the above table it appears that as to nearly all the manufactures in the cotton schedule the House bill proposes to substitute ad valorem rates for specific duties. I believe that I am right in saying that in every case the House bill substitutes ad valorem rates for specific duties, and that result of itself would be almost destructive of the cotton industries of the country. If no other changes were made than to substitute the equivalent ad valorem rate for specific duties, destruction to cotton manufactures would follow from fraudulent undervaluations in importations. But the House in their bill have not confined themselves to changing their specific duties to ad valorem rates; they have also reduced, as I understand it, the whole line of duties upon cotton goods, while the Senate substitute proposes to retain substantially in most cases the duties imposed by the present law, and in some cases, I believe, to increase the existing rates. It is of vital importance to the cotton manufacture of this country that the attempt made by the House bill to destroy the industry by reducing the rates shall not succeed.

A similar table is presented showing the New Hampshire product of woolen and worsted goods. Incorporated in the table is also a statement of the proposed treatment of wool by the House bill and by the Senate substitute.

The table is as follows:

Woolen, worsted, and felt goods; gloves and mittens; mixed textiles.

Cost of materials	$7,402,442
Expended for labor	3,250,840
Total	10,653,282
Number of persons employed	7,589

Articles.	Existing law.	House bill.	Senate substitute.
First class—clothing wools; and second-class—combing wools:			
Valued at 30 cents per pound or less	10 cents per pound	Free	11 cents per pound.
Valued at over 30 cents per pound	12 to 36 cents per pound	do	11 to 33 cents per pound.
Third class—carpet and similar wools:			
Valued at 12 cents per pound	2½ cents per pound	do	2½ cents per pound.
Valued at over 12 cents per pound	5 to 15 cents per pound	do	6 to 18 cents per pound.
Scoured	7½ cents per pound	do	7½ cents per pound.
Waste, top, slubbing, roving, ring, yarn, and all other wastes, wholly or in part of wool or worsted.	Not in present law		30 cents per pound.
Woolen rags, shoddy, waste, and flocks	10 cents per pound	Free	10 cents per pound.
Woolen shawls, cloths, and every description of woolen manufactures:			
Value not above 40 cents per pound	35 cents per pound and 35 per cent.	40 per cent.	35 cents per pound and 35 per cent.
Value over 40, not above 60 cents per pound	35 cents per pound and 40 per cent.	40 per cent.	35 cents per pound and 40 per cent.
Value above 60 cents per pound	40 cents per pound and 40 per cent.	40 per cent.	40 cents per pound and 40 per cent.
Flannels, blankets, hats of wool, knit goods, and all goods made on knitting-frames, balmorals, woolen and worsted, and yarns, and every description of manufacture wholly or in part wool, the hair of alpaca, goat, and other animals, not specifically enumerated in this act:			
Valued at from 30 to 80 cents per pound	From 10 to 24 cents per pound and 35 per cent.	40 per cent.	From 10 to 40 cents per pound and from 35 to 40 per cent.
Valued at above 80 cents per pound	35 cents per pound and 40 per cent.	40 per cent.	From 10 to 40 cents per pound and from 35 to 40 per cent.

The attempt to induce the woolen manufacturers of New England to consent to the reduction of duties upon manufactured woolens by holding out to them the bait of free wool has not succeeded to any great extent. It is my belief that the woolen manufacturers of my section are substantially unanimous in opposing the reduction of the duty upon wool, and in opposing the placing of wool upon the free-list, because they realize that protection should proceed upon a principle, and that every natural and legitimate home industry should receive the benefits of protective duties; and there certainly is no reason, in their opinion, why the farmer who raises sheep and sells wool should not be protected against the cheap wools of foreign countries. Therefore I have placed in this table the duties imposed by existing law upon wool and the proposed duties on the main schedules of woolen goods, from which it appears, as it did with reference to the cotton schedule, that a reduction of duty upon woolen manufactures is to be effected by the House bill if it passes, and the lower rate of duties is to be an ad valorem rate instead of a specific duty.

Mr. President, the attack made by the House bill upon these two industries is one and the same; and if there was any probability that it would succeed and that the cotton and woolen manufactures of this country would be subjected to the destruction which would result from the passage of the bill, the consequences to the State of New Hampshire would be in the highest degree pernicious.

Next, I submit to the Senate a statement of the number of persons employed and the capital engaged in New Hampshire in the manufacture of paper and wood pulp:

Paper, books, paper boxes, and wood-pulp.

Cost of materials	$1,502,189.00
Expended for labor	514,600.00
Total	1,916,789.00
Number of persons employed	1,494

Article.	Existing law.	House bill.	Senate substitute.
	Per cent.		
Books, pamphlets, and engravings, bound or unbound, etchings, illustrated books, maps and charts.	20 to 25.	No change...	25 per cent.
Paper, sized or glued, suitable only for printing.	20	15 per cent...	20 per cent.
Printing paper, unsized	15	12 per cent...	15 per cent.
Boxes, paper and fancy	35	25 per cent...	35 per cent.
Envelopes, paper	25	20 per cent...	25 cents per 1,000.
Pulp for paper-making	10	(*)	10 per cent.

*Free by original Mills bill, changed in House.

Here we have a reduction of duty by the House bill all along the line. We have the Senate bill maintaining the existing rate of duty, with wood-pulp for paper-making, which has a 10 per cent. duty upon it under the existing law. Wood pulp was made free by the original Mills bill, but it was changed in the House, and the duty there retained as it is retained in the Senate bill; and these industries of wood-pulp, and all manufactures of paper, which are large in New Hampshire and in New England, need all the protection which the Senate bill will give them.

Another table which I will insert in my remarks is as follows:

Marble and stone.

Cost of materials	$198,298.00
Expended for labor	151,396.00
Total	349,694.00
Number of persons employed	476

Articles.	Existing law.	House bill.	Senate substitute.
Marble, in blocks, rough or squared, of all kinds.	65 cents per cubic foot.	40 cents per cubic foot.	65 cents per cubic foot.
Veined marble, sawed, dressed, or otherwise.	$1.10 per cubic foot.	85 cents per cubic foot.	$1.10 per cubic foot.
All manufactures not specially enumerated.	50 per cent.....	30 per cent.....	50 per cent.
Grindstones, finished or unfinished.	$1.75 per ton...	Free.....	$1.75 per ton.
Stones, freestone, granite, sandstone, and all building or ornamental stone, except marble, not enumerated in this act:			
Hewn, dressed, or polished...	20 per cent.....	20 per cent.....	25 per cent.
Unmanufactured or undressed.	$1 per ton.....	Free.....	14 cents per cubic foot.

The industry of working granite has grown largely in New Hampshire, and is becoming a very considerable part of the occupations of our people, especially in the city of Concord. It appears that by the House bill unmanufactured or undressed granite is made free of duty. The duty under the existing law is $1 a ton. The duty reported by the Senate committee is 14 cents per cubic foot, and this duty is necessary to the profitable manufacture of granite in New Hampshire.

There appears, in considering this schedule, a curious history of the duty on marble. Under the existing law marble in block, rough, or squared, of all kinds, is dutiable at 65 cents per cubic foot. It was made free by the original House bill. But after the bill was reported to the House of Representatives it was discovered that there was a large marble industry growing up in the State of Georgia, as there had been for a long time profitable marble quarrying in the State of Tennessee, and at the instigation of the Southern State of Georgia, the House, instead of making marble free, adopted a duty of 40 cents per cubic foot. The Senate committee, however, recommend that marble, which is a Southern product as well as a Northern product, shall be protected by a duty of 65 cents per cubic foot.

Another table which I present covers the industries dependent upon wood and lumber.

Lumber; sash, doors, and blinds; wood, turned; woodenware; carpentering; furniture.

Cost of materials	$3,709,993.00
Expended for labor	1,467,479.00
Total	5,177,472.00
Number of persons employed	5,896

Article.	Existing law.	House bill.	Senate substitute.
Timber, hewn and sawed, and timber used for spars and in building wharves.	20 per cent.....	Free.....	20 per cent.
Timber, squared or sided, not specially enumerated in this act.	1 cent per cubic foot.	Free.....	1 cent per cubic foot.
Sawed boards, plank, deals, and other lumber of hemlock, whitewood, sycamore, and bass-wood.	$1 per M feet..	Free.....	$1 per M feet.
Sawed lumber, not enumerated or provided for in the act.	$2 per M feet..	Free.....	$2 per M feet.
Lumber as above, planed and finished, additional.	50 cents per M feet.	Free.....	50 cents per M feet.
Lumber as above, planed one side, tongued and grooved, additional.	$1 per M feet..	Free.....	$1 per M feet.
Lumber as above, planed two sides, tongued and grooved, additional.	$1.50 per M feet.	Free.....	$1.50 per M feet.
Staves of wood of all kinds.....	10 per cent.....	Free.....	10 per cent.
Pickets and palings.....	20 per cent.....	Free.....	20 per cent.
Laths.....	15cents per M..	Free.....	15c. per M.
Shingles.....	35cents per M..	Free.....	35c. per M.
Pine clapboards.....	$2 per M.....	Free.....	$2 per M.
Spruce clapboards.....	$1.50 per M. ...	Free.....	$1.50 per M.
Cabinet-ware and house furniture....	35 per cent.....	30 per cent..	35 per cent.
Wood, unmanufactured, not enumerated.	20 per cent.....	Free.....	20 per cent.
Sawed boards, plank deals, etc., of mahogany, rosewood, satinwood, granadilla, or other cabinet-wood.	Not in present act.	Free.....	15 per cent.

From the above statistics it appears that lumber, which under existing law, is protected in all its varieties, was made free as to nearly all those varieties by the House bill. The Senate substitute proposes to retain the present duties.

Cabinet ware and house furniture is no inconsiderable industry in our State. Furniture is now dutiable at 35 per cent. The House bill proposes 30 per cent., while the Senate bill retains the present rate.

Mr. President, I have thus called the attention of the Senate to the manufacturing industries of New Hampshire and to the impending danger to those interests arising from the pendency in Congress of the House bill. The State of New Hampshire under the existing tariff system has been growing wealthy, and its wealth has been that of the common people of the State. If there are large fortunes in the State of New Hampshire I do not know of them. The only man of immense wealth in the State has made his money by the manufacture of beer. But the citizens of New Hampshire, like those of the other New England States, have largely invested their earnings in savings-banks, and I give here a statement of the deposits in the New Hampshire savings-banks from 1850 down to 1888.

Statement of New Hampshire savings-banks.

Year.	Banks.	Depositors	Deposits.	Average each depositor.	Average each person in State.	Population.
1850.....	12	13,031	$1,641,543.71	$125.97	$5.16	318,000
1860.....	26	30,828	4,860,024.86	157.65	14.90	326,000
1870.....	45	70,918	18,759,461.05	264.52	59.00	318,000
1879.....	66	87,279	26,282,136.09	301.13	80.87	325,000
1880.....	67	89,934	28,204,791.70	313.61	86.78	325,000
1887.....	66	132,714	50,292,656.85	378.95	141.67	355,000
1888.....	69	139,967	53,939,079.29	385.36	151.94	355,000

In 1888 there were 69 savings-banks. There were 139,967 depositors, nearly half the number of the people of the State. The amount of deposits was $53,939,079.29. The average for each depositor was $385.36. The average for each person in the State was $151.94, there being a population of 355,000, and these investments in our savings institutions show as well as anything can the prosperous condition of of our people.

Mr. President, New Hampshire does not depend for her prosperity upon manufacturing alone, but upon agriculture as well. The agriculturists of New Hampshire are not in so forlorn a condition as some Senators seem to think. Agriculture to-day is profitable in our State, and the statistics show that our agricultural wealth is well worth preserving even in comparison with the greater agricultural products of other American States. I ask the attention of Senators to facts taken from the census of 1880, concerning the farms and the agricultural products of New Hampshire.

New Hampshire—Statistics of agriculture.

[Census 1880, volume 3, pages 3, 4, and 5.]

Number of farms		32,181
Land in farms:		
Grand total	acres...	3,721,173
Improved—		
Total	do.....	2,308,112
Tilled, including fallow and grass in rotation, whether pasture or meadow	acres...	907,088
Permanent meadows, permanent pastures, orchards, and vineyards	acres...	1,401,024
Unimproved—		
Total	do.....	1,413,061
Woodland and forest	do.....	1,296,529
Other unimproved, including "old fields" not growing wood	acres...	116,532
Value of farms, including land, fences, and buildings		$75,834,389
Value of farming implements and machinery		$3,069,240
Value of live-stock on farms, June 1, 1880		$9,812,064
Cost of building and repairing fences, 1879		$334,410
Cost of fertilizers purchased, 1879		$165,393
Estimated value of all farm productions (sold, consumed, or on hand), for 1879		$13,474,330
Live-stock on farms, June 1, 1880:		
Horses	number...	46,773
Mules and asses	do.....	87
Working oxen	do.....	29,152
Milch cows	do.....	90,564
Other cattle	do.....	112,689
Sheep, exclusive of spring lambs	do.....	211,825
Swine	do.....	53,437
Wool, spring clip of 1880	pounds...	1,060,589
Dairy products:		
Milk sold or sent to butter and cheese factories, 1879	gallons...	5,739,128
Butter made on farms in 1879	pounds...	7,247,272
Cheese made on farms in 1879	do.....	807,076

We had, it appears from the above figures, 32,181 farms in New Hampshire, according to the census of 1880. They were valued at over $75,000,000. We had, it appears from the figures, in Indian corn (which is certainly under ordinary circumstances not a profitable crop to raise in New Hampshire on account of the cheap transportation of corn from the West) 36,612 acres, 29,485 acres in oats, and even 11,248 acres in wheat. There were 211,825 sheep, and our clip of wool each year is no inconsiderable product, while, as every one knows, the dairy products of New Hampshire are of great value.

New Hampshire—Statistics of agriculture.

[Census 1880, volume 3, pages 6, 7, 8, 9, and 10.]

Cereals:		
Barley, 1879	acres.....	3,461
	bushels...	77,877
Buckwheat, 1879	acres.....	4,535
	bushels...	94,090
Indian corn, 1879	acres.....	36,612
	bushels...	1,350,248
Oats, 1879	acres.....	29,485
	bushels...	1,017,620
Rye, 1879	acres.....	3,218
	bushels...	34,638
Wheat, 1879	acres.....	11,248
	bushels...	169,316
Flax straw, 1879	tons...	3,359

Maple sugar and molasses, 1879:		
Sugar	pounds...	2,731,945
Molasses	gallons...	79,712
Grass lands, 1879:		
Hay—		
Area mown	acres...	674,440
Crop	tons...	588,170
Seed—		
Clover	bushels...	337
Grass	do.....	619
Poultry and eggs:		
Poultry on hand June 1, 1880, exclusive of spring hatching—		
Barn-yard	number...	486,127
Other	do.....	20,683
Eggs produced in 1879	dozen...	3,347,211
Apiarian products:		
Honey, 1879	pounds...	87,886
Wax, 1879	do.....	2,856
Tobacco, 1879	acres.....	88
	pounds....	170,843
Irish potatoes, 1879	acres.....	28,778
	bushels ...	3,358,828
Value of orchard products of all kinds sold or consumed in 1879		$972,291
Value of market garden products sold in 1879		$115,967
Forest products:		
Amount of wood cut in 1879	cords...	503,822
Value of all products sold or consumed in 1879		$2,046,888
Wool, spring clip of 1880:		
Fleeces	number...	211,825
Weight	pounds...	1,060,589
Hops, 1879	acres.....	59
	pounds...	23,955
Broom-corn, 1879	do.....	610
Pulse, 1879:		
Peas	bushels...	5,044
Beans, dry	do.....	63,575

I have here, furnished at my request by the Department of Agriculture, an additional statement of the acreage, the product and value of the principal crops of New Hampshire, which I will insert in the RECORD, which shows that on the whole the agricultural industries of New Hampshire are increasing in extent and value:

The acreage, production, and value of the principal crops of New Hampshire in 1886 are thus shown:

Crops.	Acreage.	Product.	Value.
	Acres.	*Bushels.*	
Indian corn	38,578	1,364,000	$927,520
Wheat	11,154	169,000	199,420
Rye	3,346	38,000	33,060
Oats	32,766	1,081,000	443,210
Barley	3,857	89,000	60,520
Buckwheat	4,784	92,000	52,440
Potatoes	27,577	2,813,000	1,322,110
Hay	678,730	*548,256	6,579,072
Total	800,792		9,617,352

*Tons.

A similar statement for the three leading cereals is also given for 1887:

Crops.	Acreage.	Yield per acre.	Product.	Value per bushel.	Value.
	Acres.	*Bushels.*	*Bushels.*		
Corn	38,578	34.3	1,323,000	$0.69	$912,870
Wheat	10,485	10.5	110,000	1.04	114,400
Oats	33,749	28.6	965,000	.43	414,950
Total	82,812		2,398,000		1,442,220

The number and value of live-stock on the 1st day of January, 1888, are thus shown:

Live-stock.	Number.	Value.
Horses	49,878	$4,298,244
Mules		
Milch cows	99,021	3,020,141
Oxen and other cattle	141,670	4,241,119
Sheep	205,023	610,968
Swine	54,399	594,311
Total	549,991	12,764,783

The chief products of our farms, in addition to animal products, are hay, corn, potatoes, wheat, buckwheat, oats, barley, rye, beans and peas, wool, milk, butter, cheese, hops, and maple sugar and maple molasses, and the direct effect of the House bill upon the farming industries of New Hampshire may be comprehended and some idea formed as to the injury which would be inflicted upon the farmers of New Hampshire if we consider the number and the importance of the agricultural products which the House bill proposes to put on the free-list or upon which it proposes to greatly reduce the duties. Potato, corn, and rice starches, for instance, would by the Mills bill be brought into greater and closer competition with our native-made starches by reducing 50 and 66 per cent. respectively the existing duties, from 2 and 2½ cents a pound to 1 cent a pound.

Of potatoes there were imported into the United States in the fiscal year 1887, 1,430,918 bushels, the value of which amounted to $214,637.81. A million and a half bushels of potatoes were imported at the rate of duty of 15 cents a bushel.

I suppose Senators will say that potatoes are not placed upon the free-list by the House bill. It is possible that under the bill as it passed the House potatoes were not placed upon the free-list, but referring to the expectations of Sir Charles Tupper, who succeeded in negotiating a fishery treaty with the Administration not long since, it is apparent that the great expectations of our Canadian neighbors were raised that potatoes were by the Mills bill placed on the free-list, and that at any rate, if they were not placed on the free-list by that bill, they soon would be made free of duty. I will recall to the attention of Senators the words of Sir Charles Tupper on this subject:

I say that under this bill which has been introduced, and which I believe will pass, for it does not require two-thirds of the Senate, where the Republican majority is only 1 in the whole house, to pass a bill, it requires a majority of 1 only, and I am very sanguine that this bill will pass during the present session. Modified it may be but I am inclined to think that the amendments will be still more in the interest of Canada than as the bill stands to-day. If this is the case I think we may congratulate ourselves upon securing the free admission of our lumber, upon which was paid during the last year no less than $1,315,450. On copper ore, made free by the Mills bill, we paid * * * $96,945. On salt, $21,992 duty was paid. This is rendered free by the Mills bill.

I am sorry to find, as I hoped would be the case from the first copy of the bill that came to me, that potatoes were not included amongst vegetables. I am sorry there is a doubt as to whether the term "vegetables not specially enumerated" will not exclude potatoes. In grappling with this policy of making the natural products of the two countries free, you do not expect any person who wants to carry a bill to put a heavier load upon his shoulders than he is able to carry, lest he may break down and do nothing. You expect him to take it in detail, and, as I believe, you will find the policy contained in this bill of making those natural products of Canada free carried out until you have perfect freedom of intercourse between the natural products of Canada and the United States of America. Of wool we sent last year 1,319,309 pounds of one kind, and a variety of other kinds, upon which a duty was paid to the extent of $183,852. Now, as I say, on articles of prime importance and interest to Canada the removal of duty by the Mills bill amounts to no less than $1,800,193.

It matters not, in the general aspect of this question, Mr. President, that the great expectations of Sir Charles Tupper as to the free admission of Canadian products all along the American border have not yet been realized. He stated what he expected. The policy of the advocates of the House bill is apparent from the whole spirit of this discussion, and the farmers of New Hampshire know perfectly well that if that policy should be carried out in its full length and breadth they would be subjected to overwhelming inroads along the border of all these Canadian farm products, and that result would take place at a time when Canada is imposing duties at a high rate upon the same products of American farms and of American farmers imported into Canada. So clear is this that the majority of the Senate committee in their report declare that the bill is "a bill to favor Canada." The committee say:

The discrimination is not less marked in favor of the people of Canada and against the farmers and lumbermen living along the northern border from Maine to Oregon. The following table contains a comparison of the rates which are imposed by the Canadian tariff upon certain articles placed upon the free-list by the House bill under consideration:

Comparative statement of Canadian and United States tariffs on certain articles affected by the House bill (H. R. 9051).

Articles.	Present law.	H. R. 9051.	Canadian.
Oils, animal and fish	45 per cent	Free	20 per cent.
Oil, coal	10 per cent	Free	7½ cents per gallon.
Meats	1 cent per pound	Free	1 cent per pound.
Shoulders and other meats	2 cents per pound	Free	2 cents per pound.
Vegetables	10 per cent	Free	10 per cent.
Peas	10 or 20 per cent	Free	10 cents per bushel.
Beans	10 or 20 per cent	Free	15 cents per bushel.
Brick	20 per cent	Free	20 per cent.
Shingles	35 cents per M	Free	20 per cent.
Hubs, spokes, etc	20 per cent.	Free	15 per cent.
Lumber and timber	20 per cent.	Free	20 per cent.

And the committee say:

Under our existing tariff the Canadians send to our markets annually many millions of dollars in value of their products, which, after paying duties not greater than those levied by the Canadian tariff, are sold in competition with our domestic producers. The advantages which would accrue to the people of Canada by this removal of duties are manifest.

Beans and peas, that crop which in the State of New Hampshire and in the New England States generally is one of the most important and valuable produced, are protected under existing law by a duty on foreign beans and peas of 10 per cent. ad valorem, and split peas by a duty of 20 per cent. ad valorem. Yet by the House bill beans, peas, and split peas were to be placed upon the free-list. In 1887 there were imported into the United States 478,205 bushels of beans and peas, the value of which was $492,752.39, and the duties collected amounted to

$49,275.23. Of split peas 53,076 bushels were imported, valued at $40,608.40; duties collected, $8,121.73.

Vegetables (beets, cucumbers, cauliflowers, mushrooms, onions, peas, squashes, pumpkins, tomatoes, and the like) in their natural state or in salt or brine, which now pay duty at 10 per cent. ad valorem, would be admitted free of duty if the House bill were to become a law. The imports of these vegetables in 1887 amounted in value to $519,312.36, for which $51,931.25 in duties were collected.

Garden seeds, except seed of the sugar-beet, now pay duty at the rate of 20 per cent. ad valorem. The House bill places them on the free-list. Importations of garden seeds in 1887 amounted in value to $149,876.07; the duties collected amounted to $29,975.21.

Provisions, like meats, game, and poultry, now dutiable at 10 per cent. ad valorem, are on the House free-list. The imports in 1887 were valued at $109,834.08; duties collected, $10,983.44.

Tallow now pays the same duty; is put on the free-list by the House bill.

The existing tariff on bricks, which are no inconsiderable manufacture in New Hampshire, is 20 per cent., and it is so kept in the Senate bill, while bricks by the House bill are put on the free-list.

Bulbs and bulbous roots, not medicinal, now dutiable at the rate of 20 per cent. ad valorem, would be made free by the House bill. The value of imports of 1887 was $160,982 47; duties collected, $32,196.49.

Mr. President, the agricultural industries of New Hampshire are increasing in their value to the people of New Hampshire for the reason that new modes of agricultural work are beginning to be introduced. We have high authority for going to the encyclopedia for facts, and I have taken from the American Cyclopedia some information in reference to new and improved methods of agriculture, which I will not detain the Senate by reading, but will insert in my remarks.

[American Cyclopedia, volume 1, page 234.]

Changes are gradually made everywhere, and the success which attends the introduction of new implements disarms prejudice. Within the last half century, chemistry, the indispensable handmaid of agriculture, has grown with great rapidity, and in each new discovery some new truth applicable to practical agriculture has come to light, while willing experimenters have labored in the field to prove the truth or falsity of the theories proposed, and thus the well-established facts from which the science of agriculture is derived and the sound theories deduced from these facts are constantly increasing in number. The substitution of animal for manual power, and still more the saving of animal power by the substitution of natural and mechanical forces are the surest indications of improvement.

From the changes which have grown up in these respects, and from the more constant use of chemistry to determine the qualities of soils and manures within the last fifty years, we may safely assert that the progress made during that period, or perhaps within the last twenty years, is wholly unparalleled.

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[American Cyclopedia, volume 1, page 235.]

As labor and time saving machines are now looked upon as wholly indispensable by all who raise grain and hay on a large scale, the reaper and the mower may be regarded as types of the present, as the sickle and the flail are types of the past.

Among the other labor-saving implements which are now generally introduced upon farms of any extent all over this country and Great Britain are the horse-rake, the improved horse-hoes, the seed and corn sowers, the broad-cast seed-sowers, the improved subsoil and trenching plows, the straw and root cutters, the cultivators, the thrashing and winnowing machines, and many others of equal importance.

It is safe to say that the improvement in the implements named, made within the last half century, has enabled the farmers of the United States to accomplish at least double the amount of labor with the same number of teams and men. * * * And thus many millions of dollars are annually saved by these improvements in agricultural mechanics.

This is a grand and practical advance over all former periods in its history, and promises a future development of the resources of agriculture almost beyond the power of language to describe.

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[American Cyclopedia, volume 1, pages 235-236.]

The progress which has been made in the application of chemistry to agriculture is hardly less gratifying; for though from year to year there may seem to be little progress, yet when we compare any two periods of five or ten years, the increase of practical knowledge derived from the investigations of the agricultural chemist, as well as its importance, is very perceptible.

* * * Probably Professor Liebig has contributed more than any other man to this awakening—

The importance of applying the results of chemical investigations.

* * * He remarked in his "Organic Chemistry" that "to manure an acre of land with 40 pounds of bone dust is sufficient to supply three crops of wheat, clover, potatoes, turnips, etc., with phosphates, but the form in which they are restored to the soil does not appear to be a matter of indifference. For the more finely the bones are reduced to powder, and the more intimately they are mixed with the soil, the more easily are they assimilated. The most easy and practical mode of effecting their division is to pour over the bones in the state of fine powder, half of their weight of sulphuric acid, diluted with 3 or 4 pints of water."

The grand leading idea contained in this and similar propositions of Liebig's, opened the way for the whole system of artificial manuring which has extended so far in modern times. Before this time the farmer had confined himself to the use either of a compost of animal and vegetable materials, or of other simple substitutes, as ashes, soot, salt, or something of the kind, not in accordance with any fixed principle derived from reasoning or the results of observation, but simply because experience had shown them to be beneficial. His idea was that sulphuric acid—the vitriol of commerce—would make the neutral phosphate of lime soluble, and give it a powerful action in the soil. For the subsequent discovery and use of mineral phosphates, we are indebted to the same source, the development and application of the views first advanced by Liebig.

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[American Cyclopedia, volume 1, pages 237, 238.]

* * * So in every country where agriculture receives the attention it deserves the productive power of the soil has largely increased. Even the Atlantic States of the Union, where the system of cultivating the soil without maintaining its fertility by a proper treatment prevailed for many years, are not an exception, since the condition of agriculture is rapidly improving in the oldest of them, where this system was earliest begun, and the general average of crops, with the exception of the potato, is increasing from year to year as a more proper culture is introduced and persevered in, the farmer being led to improve his practice by the pressure of an increasing population and constantly rising prices. In New England, for instance, one of the oldest sections, the general average yield of Indian corn per acre has risen to about 35 bushels per acre, while crops of 50 and 60 bushels per acre are by no means uncommon, and 80 and 100 are sometimes obtained by careful tillage. The situation and soil of New England are not such as to make it what is called a wheat-growing region, and this fact, which farmers were long in understanding, has caused a great decrease in the extent of land devoted to this crop.

Indian corn, root crops, and all varieties of fruits suited to temperate latitudes are found to be more certain and remunerative, and attention is given mainly to them. In the mean time the system of farm management is gradually improving, new implements to facilitate labor are introduced, and much greater care and economy than formerly in regard to manures everywhere prevails, most farmers having good barn cellars arranged for its preservation, into which peat and loam are carried in large quantities, and composted from time to time during the winter as absorbents and divisors. The spirit of inquiry and enterprise in agriculture was never more general or encouraging than at the present moment. Societies have been established in all the States and in most of the counties. * * *

The cost of fertilizers purchased in a single year (1879) in New Hampshire was $165,793, as shown by the last census.

Mr. President, it is one of the most gratifying results of the chemical researches of the present day that our agricultural products by means of modern fertilizers are being largely increased; and not only this, they are also being increased throughout the United States by the introduction of new and improved modes of cultivation. In this condition of improved agriculture, against having the farmers of New Hampshire injured directly or indirectly in their industries by the passage of this House bill the people of New Hampshire, I am sure, will make very decided protest.

Our farmers are most fortunately situated because they find a near and quick market for their products. They have no expensive transportation to pay for. They take their produce to market easily; they find near their own doors busy manufacturing villages full of inhabitants ready to purchase and consume; and men, women, and children in all occupations are interested in preventing the present American tariff system from being stricken down as is proposed by its present assailants.

Mr. President, I have been at a loss to understand why these assaults have been made at this time upon the American protective system. I can not see why the Democratic party as a whole has arrayed itself against the protected industries of the United States. Certainly that party in its effort to break down our protected industries has received a signal rebuke as the result of the late Presidential election; although the Senator from Missouri [Mr. VEST] undertook to declare the other day that it was not the tariff issue on which the Presidential election had been fought and won by the Republican party. I will read his statement of the reasons for the defeat of the Democratic party:

We were defeated—and I will dismiss the subject with that single remark, for I do not want any political discussion on an economic question—we were defeated by a sectional issue. We were defeated because our friends (and as a politician I do not blame them) went into the Northern States and reawakened the fires of war, stirred up the embers of sectional strife.

They said to the Northern people, "Here are these Confederate brigadiers whom we whipped face to face upon the battle-field, who now seek to strike us down by destroying our manufactures." "Look at the composition," they said, "of the Committee on Ways and Means, with MILLS, of Texas, at its head and the BRECKINRIDGES from Kentucky and Arkansas upon it. The war is again upon us. Union soldiers, to the front, and once more into the fray!"

There is where you won your victory, and not upon this tariff question.

I do not distinctly understand the position of the Senator from Missouri on this point. He begins by saying that it was a sectional issue and not a tariff issue, and yet he asserts that the argument was made to the people that the Confederate brigadiers were striking down the manufactures of the North, and therefore he leaves it to be inferred, notwithstanding his claim that the victory was won upon a sectional issue, that really the Democracy were defeated upon the tariff issue.

In the Senate, on the 14th of September, 1888, the Senator from Missouri certainly seemed to be making not a sectional issue but a tariff issue. I read from his statement on that occasion:

Well, Mr. President, my party, whatever its faults may be, shirks no issue. The record shows whether the Democratic party is willing to meet this issue fairly and squarely. The President of the United States, if he had chosen to skulk behind some other issue, could have been re-elected President with a unanimity unparalleled in the history of the Republic. Like a brave, honest, and true man, he sent his message to Congress, which struck with steely point the shield of this infamous protective system.

Here, then, according to the Senator from Missouri, on the 14th of September the issue was made by the President and by his party upon what the Senator calls the infamous protective system put in operation by the Republican party, but when after election he undertakes to account for the defeat, he says that it was the sectional issue and not the tariff issue.

The Senator is on record in another form, not as some Senators say they are, as seeking to distribute throughout the whole country both the burdens and the benefits which may be derived from a protective tariff system, but as endeavoring to destroy all the protected interests

of the country. I read from the famous letter of the Senator which begins:

UNITED STATES SENATE, *Washington, D. C., June* 23, 1888.

MY DEAR CHARLEY:—

After some other remarks, the Senator says:

We are entering upon the most fearful Presidential contest and the most important since that of 1800. Mr. Cleveland by his message, for which I sincerely honor him, has challenged the protected industries of the country to a fight of extermination.

And later on he says:

It is useless for us to disguise the fact that the fight is to the death, and we would be idiots to ignore this fact.

Your friend,

G. G. VEST.

C. M. NAPTON, Esq.,
St. Louis, Mo.

I know the Senator from Missouri has had some fault to find with what he says was an improper juxtaposition of his statements. He said that the expression concerning the fight to the death in the original letter was further on from the declaration that the President had challenged the protected industries of the country to a fight of extermination than it was in the quotation that had been circulated over the country; and further, the Senator undertook to say that he was not seeking to destroy or to exterminate the American tariff system, but only the infamous features of that system.

Mr. President, it is unfortunate for the Senator, if that is what he meant, that he did not so say, because we have a right to hold him to his language. The people of the North, the men interested in protected industries, will hold the Senator to the words which he used. He did not say that President Cleveland had challenged to a fight of extermination the infamous features of the protective tariff, nor did he say that he had challenged the tariff to a fight of extermination, but that he had challenged to such a fight of extermination the protected industries themselves. These are the pregnant words of the Senator:

Mr. Cleveland by his message, for which I sincerely honor him, has challenged the protected industries of the country to a fight of extermination.

The Senator from Texas [Mr. COKE] also made a memorable utterance in the Senate on the 12th of September, 1888, which has been generally read by the people of the North. The Senator said, addressing the Senator from Massachusetts [Mr. HOAR]:

I will just say to the Senator that if there is any one thing in this world the average Texan would go any number of miles out of his way to kick and kill and destroy it is a protective tariff.

Mr. HOAR. Is that murder?

Mr. COKE. It may be. That is the kind of murder they will commit if you give them a chance.

There is no qualification of these utterances; there is nothing to indicate that these two Senators only meant to remove the excrescences of the tariff, that they only wished to destroy its anomalies, that they only sought to reform the tariff and make it just and reasonable, dispensing its burdens and benefits as equally as possible throughout the United States, but there is the declaration of the Senator from Texas that he wants to "destroy" the tariff, and there is the declaration of the Senator from Missouri that the President of the United States, whom he sustains and justifies, means to "exterminate" the protected industries of the country, and these words describe the issue which the American people, in November last, understood they were settling by their votes.

The Senator tries now to demonstrate it was a sectional issue alone, and that the people of the North were alarmed and aroused because the Confederate brigadiers had taken the field. Mr. President, the people of the North were alarmed because the Confederate brigadiers had taken the field, but their alarm was because the onslaught was upon the protected industries of the country; and that was the political issue. The Senator was not far from right in his statement made after the election. The people of the North were aroused because the Confederate brigadiers, back in the Union to stay, as they say, had determined to destroy those protected industries which had grown up under the beneficent operation of a tariff system.

The Senators have a good text from which to assail the tariff. From the constitution adopted by the Confederate States a principle undoubtedly is implanted in their minds which, as they did not realize it in the experiment of secession, they seek to realize now that they have come back into the Union.

Article I, section 8, of the Confederate constitution said:

Nor shall any duties or taxes on importations from foreign nations be laid to promote or foster any branch of industry.

That was the Confederate principle; a tariff for revenue only. That is the doctrine to which all these gentlemen are committed; that under no possible circumstances—because they put it in their fundamental law—shall duties be imposed upon importations of foreign merchandise that will protect any home industry whatever.

The idea of the founders of the Confederacy was a South purely agricultural. They desired to realize the dream of Southern statesmen; a government under which an agricultural community raising mainly cotton—in which cotton should be king—should purchase all their manufactured goods from England; and therefore they put into the Confederate constitution the declaration to the North and to foreign nations that there should never be, if the Confederacy succeeded, any protection of American industries by a tariff system, and that principle they are now trying in the Government of the Union to carry out—these Confederate brigadiers whom the Senator from Missouri and not I brought into this discussion. They now seek to realize in the administration of this Government the principle which they thus incorporated into their Confederate constitution.

The Senator from Connecticut who usually sits in front of me [Mr. PLATT] called attention, in a speech which he made in the Senate on the 11th of October, 1888, to a resolution introduced in the House of Representatives on the 1st day of December, 1877, by Mr. MILLS, of Texas, which is instructive as showing the purpose and object of the Confederate brigadiers as soon as they obtained political control in that House, and believed that the time had arrived for them to begin the destruction of Northern industries. The resolution proposed by Mr. MILLS was:

Resolved, That the Committee on Ways and Means be instructed to so revise the tariff as to make it purely and solely a tariff for revenue and not for protecting one class of citizens by plundering another.

And the author of this resolution, to whom I suppose it is not improper that I should allude, has been true to the principle he laid down, and from 1877 to this hour he and those with whom he is associated have been endeavoring to eliminate from the American tariff every clause that could by any possibility operate to protect an American industry, and have been trying to make the tariff one for revenue only, which is free trade; and to-day the Senators on the other side of this Chamber stand up and continue that fight.

It is true that the other day one or two Senators, when an industry of Maryland, West Virginia, and Virginia was assailed by their Democratic associates, emerged from their subjection to the Confederate brigadiers and undertook to show their independence by voting to retain the duties on coal, but that was only a momentary spasm. They are gone. I see them no more. They fired their guns and fell back, and the next day the Senator from Missouri and the Senator from North Carolina again came to the front and resumed their war upon the protected industries of the country, continued their declarations that the tariff is robbery, and did their best to justify and vindicate the charges made by the Republican party during the recent canvass, upon which the victory was won, that these Southern gentlemen then, unfortunately, through the ascendency of a Democratic administration in power in this country, meant the destruction of all Northern industries which were protected by the American tariff system.

Mr. President, I had occasion shortly after the close of the war of the rebellion to meet Mr. Justice John A. Campbell, who had been, I believe, a member of the cabinet of Jefferson Davis, and he gave me an interesting account of a conference which took place during the year 1864 between himself, Mr. Alexander H. Stephens, the vice-president of the Confederacy, and some other prominent members of the Confederate government. He said that Mr. Stephens's advice at that time was not to prolong the war any further. He declared that he thought it was better for the South to go back into the Union and vote down the thirteenth amendment abolishing slavery.

Mr. President, the Confederate brigadiers did not get back into the Union in season to vote down the constitutional amendment abolishing slavery. They did, however, under the reconstructed governments of President Johnson, get back nominally into the Union in season to vote down the fourteenth amendment. Every one of those reconstructed States, too late to vote down the thirteenth amendment, voted against and they voted down the fourteenth amendment, and it was only by destroying those governments through the reconstructive legislation of Congress that the adoption of the fourteenth amendment was secured, and that it was further made possible to secure the adoption of the fifteenth amendment, providing impartial manhood suffrage within all the States of the Union.

Our Southern brethren, thus balked in certain of their schemes for resuming control of this Government, finding the thirteenth and the fourteenth and the fifteenth amendments a part of the organic law of the country, have nothing left that they can do to carry out the principles of the Confederacy but to kick, kill, and destroy the protective tariff. That is the business in which they, as well as the President of the United States, have been engaged for the last year; and notwithstanding the bad luck which they have had, they still continue to make grimaces and to kick.

Mr. President, I like the figure of the Senator from Missouri by which he described the President as bravely striking with steely point the shield of the infamous protective system. But the Senator has not told us whether this knight-errant was on foot or on horseback.

We may fairly assume that it was a horseback charge, and can easily picture the President mounted on a steed, handling his free-trade lance, attended by the Senator from Missouri on another charger as one of his squires, and as another the Senator from Texas mounted on a burro, and these three gallant gentlemen, knights of the modern Democracy, charging upon and undertaking to destroy the infamous protective system of the United States.

Mr. President, the charge was a futile one, and the principal knight rolled in the dust. He has picked himself up and gathered himself into some sort of shape, very much bruised and a little dirty. He will never mount and advance again on that charge with that lance at poise.

The American people, by the election of a Republican President, who on the 4th of March, now close at hand, will be inaugurated, have effectually provided for protecting the industries of this country from the assaults which the Senators from Missouri and Texas and the other Confederate brigadiers continue to make upon the protective principle set up by the Republican party of the nation.

Mr. PALMER. I desire to speak on a question of privilege.

This morning I was called away by an imperative call and was not here when the vote was taken on the amendment upon the question of free salt. I merely wish to state that if I had been here, I should have voted against the amendment proposing to put salt on the free-list.

I make this explanation because the people of my State are very much interested in that subject,

Mr. VANCE. I should like to say also that I have a general pair with the Senator from Michigan [Mr. PALMER], and if I had had notice of his absence, or had observed from the roll-call that he was not present, I should have withheld my vote. I am sorry he did not give me some notice of his intended absence from the Chamber, because I have a general pair with him.

Mr. PALMER. I lay no blame at the door of the Senator from North Carolina. We are accustomed to notify each other, but I neglected to do it this morning.

Mr. VEST. Mr. President, I simply wish to remark in regard to the pending item in this bill that there is not one single pound of tin-plate manufactured in the United States. It has been charged that this industry has not sprung up since it was injured several years ago by a construction in regard to the tariff duty made by the then Secretary of the Treasury. But whether this fact which I have stated comes from a construction of the Treasury Department or some other cause, it is absolutely true that not one pound of tin-plate is manufactured to-day in the United States of America.

We have then the spectacle presented to the country in this pending substitute of a duty upon an article not manufactured in this country at all, a duty created for an article *in futuro*, and if protection could go beyond this limit I am unable to imagine how it could be done.

We have protection in this country for every variety of manufactures and productions, but in this specific item the framers of this substitute propose to go into the future as to a thing which may or may not exist hereafter and put a duty in advance for the purpose of creating an industry in the United States which has not existed for years and does not exist at all to-day.

It has been said that tin has been discovered in the United States, and there was testimony taken before the Finance Committee of the Senate as to the pending substitute to the effect that tin mines had been discovered in the Black Hills of Dakota, but those mines have not materialized, and now I understand the Senator from Rhode Island [Mr. ALDRICH] to say that foreign tin can be imported for the purpose of using it upon the sheet-iron in order to create the tin-plates, and thereby constitute competition with the foreign imported article. We are to go abroad, buy tin-plate, impose this duty upon an article that does not exist in the United States, and is not produced here, for the purpose of creating it. It is protection run mad. If this principle is to be adopted, where, then, are we to stop? All sorts of bounties, for it is nothing else, can be created by law in order to induce hereafter persons to engage in a particular business and make the venture.

We were told to-day by the Senator from Iowa [Mr. ALLISON] that he had reasonable hope, if this duty was adopted, that in the course of twelve months a plant would be erected in the United States for the purpose of manufacturing tin-plate. Sir, I know no instance in the history of tariff legislation equal to this. I know nowhere in all the history of tariffs in the United States, from the first one that was levied, where the Congress of the United States was asked deliberately, when no such industry was in existence at all, to levy a duty and take the chance of the industry afterwards coming into existence in the United States. That is all I propose to say about it.

Mr. HAWLEY. Mr. President, it seems the duty on tin-plate has not succeeded in inducing our people to engage in the business; it has not been sufficient. Tin-plate is an article of universal consumption, as much so as tea or coffee or sugar. Therefore the existing duty is precisely in accordance with free-trade doctrine. It collects revenue equally from all parts of the country and from all the people, and is not for protection. It is purely a revenue duty. It stands precisely on the ground of the English duty on tea, 10 cents a pound, of which the poor man pays as much as the rich man. He does not pay according to the value of the tea. His 25-cent tea pays 10 cents, and the rich man's 2-dollar tea pays 10 cents.

The difficulty with the Senator is that by a little increase in this duty, which is now purely a free-trade revenue duty, it is extremely probable, it is certain that the manufacture will be largely introduced into this country, and it perhaps may be that in two, three, four, or five years such things will happen, and all that we need will be produced here. Then the inevitable result follows that by competition the processes are improved, and after a time, and a reasonable time, the price goes down. For an example of what I am speaking of, see the marvelous history of Bessemer steel. The Senator will find that a little higher duty becomes protective, while the present duty carries out the idea of free trade.

Mr. ALDRICH. It is true, as stated by the Senator from Missouri, that of the enormous consumption of tin-plate in this country there is not a single pound produced by American manufacturers at the present time, but this unfortunate fact is owing solely to the inadequate duty imposed upon its importation by existing law, and to no other cause. If any other article in the metal schedule had been treated in the same manner a similar result would have followed. For instance, the American producers have almost the entire market to-day for bar-iron. If twenty years ago the duty on bar-iron had been placed at a less rate than that imposed on pig-iron not a single pound of bar-iron would now be produced in the United States, and this industry would be extinct, and the Senator from Missouri could have called the attention of the Senate to the futility of maintaining a duty upon bar-iron.

The Senator from Missouri alludes to the fact that we do not produce or have not produced tin in this country to any considerable extent to be used in the manufacture of tin-plate. The manufacturers of tin-plate in Wales are not dependent upon Great Britain for their supply of tin. The tin used in Wales is very largely imported from the Straits of Malacca; two-thirds, I think, of the entire amount used in Great Britain is foreign tin. We can obtain tin from these and other sources, as I have already stated in the course of this debate, as cheaply as the manufacturers of Wales. We have the skill and capital to roll the iron or steel sheets as well and as cheaply, except cost of labor, as they can be rolled anywhere in the world.

Nothing but insufficient protection prevents the establishment and maintenance of this large and important industry in this country.

Mr. Mill and other political economists of the school to which the Senator from Missouri belongs have favored protection of infant industries. We are told every day by Senators on the other side of the Chamber, in discussing the rates of duty on articles in this bill, that the industries affected are old and well established, and that they no longer need the protecting care and encouragement of the Government, thus admitting by inference that they are in favor of the development and encouragement of new industries.

Here we have an industry which is entirely new, and in every sense an infant. The committee have been assured by the testimony of reliable manufacturers who have plants now in use in rolling of sheet-iron or sheet-steel, that if this duty is made protective, that within six months from the date of the passage of this bill they will be prepared to make every pound of tin-plate that is consumed in this country.

What does that mean? It means the production here from American iron or steel of 285,000 to 300,000 tons of tin-plate where not one single pound is now produced. It means giving profitable employment to at least 70,000 people. Is not the successful accomplishment of this result worthy of our efforts?

Now, let us examine the question of the difference in the cost of production and the price here and in Wales at the present time. The cost of production in Wales may be assumed to be in the neighborhood of $3 to $3.37 a box weighing about 105 pounds. That same quantity could be produced in the United States for about $5.10 to $5.50.

The price of English tin in the New York market to-day is about $5.07 or $5.25, or very near the price for which it can be manufactured in this country, the margin between the cost in Wales and in New York being made up of say $1.05 duty and $1, or whatever the balance may be, of profit to the English importer. I believe, if this bill should be enacted into a law, that within one year from the time it takes effect domestic tin-plate of superior quality will be selling in New York City at a price not much, if any, in excess of the price of foreign tin to-day; and we should have the further beneficent result of furnishing employment to a large number of people and of creating an important American industry.

A Senator near me suggests that it is quite as much the function of a protective tariff to encourage new industries as it is to maintain existing ones. It certainly fails of its highest functions if this be not true.

Mr. VANCE. Will the Senator yield for a question?

Mr. ALDRICH. Certainly.

Mr. VANCE. Will not that tariff duty, if imposed, increase the price of the domestic article?

Mr. ALDRICH. If the increase in duty goes into effect before the American producer secures a part or the whole of the American market, undoubtedly it will.

Mr. VANCE. Yes. Well, who will pay for that increased duty while the American producer is trying to get hold of the market?

Mr. ALDRICH. The people of North Carolina will pay but very little of it.

Mr. VANCE. That is not the question. The people of North Carolina will pay their full share of it, and the Senator knows it, and if the Senator will stand square up and answer that question I will let him off. [Laughter.]

Mr. ALDRICH. The people who buy tin-plate and consume tin-plate will probably pay the additional cost.

Mr. VANCE. Will probably pay?

Mr. ALDRICH. Yes, will probably pay.

Mr. VANCE. If they probably do not, then who probably will?

Mr. ALDRICH. Well, I can conceive of a great many other people. As the Senator from Vermont [Mr. EDMUNDS] suggests, the importer of tin-plates might be obliged to reduce his profits, the wholesale jobber or retail dealer in tin-plates might contribute a share, the packer of canned goods might be forced to decrease his profits, and the difference might be distributed among many different people, or it might be paid in whole or in part by the ultimate consumer. No one can say exactly who would pay the additional price which would be placed upon tin-plates. The Senator from North Carolina no more than myself can accurately make a statement as to the precise result.

Mr. VANCE. A favorite expression of a witness in court when he wants to dodge is "he mought and again he moughtn't." He mought pay this and again he moughtn't, and then the importer mought and again he moughtn't, and in all probability in the long run, as the Senator says, the price will go down, but in the short run we know into whose pockets the money will go.

Mr. ALDRICH. Into whose pockets does the Senator think it would go in this case?

Mr. VANCE. Into the pockets of those men who have been hanging around here asking for this duty to be raised.

Mr. ALDRICH. Before they commence the manufacture?

Mr. VANCE. The whole amount of the increased price until such time in the distant future as domestic competition will bring it down to where it is now.

Mr. ALDRICH. Let me see if I understand the Senator from North Carolina. We agree that ultimately the price may be reduced by American production. Now, does the Senator say that until American production commences the American manufacturer will receive the benefit of the increased duty?

Mr. VANCE. There was so much noise that I did not hear the question. Will the Senator please repeat it?

Mr. EDMUNDS. Exactly. [Laughter.]

Mr. ALDRICH. I will repeat the question. The Senator from North Carolina and myself agree that ultimately by American competition the price may be reduced to near the foreign level.

Mr. VANCE. Hardly ever, because a trust would step in whenever competition got troublesome.

Mr. ALDRICH. Until that time arrives and before the American production could have any effect upon the price, does the Senator mean to say that the increased price would result in benefit to the American producer?

Mr. VANCE. Not until there is such a thing as an American producer. But whenever he comes into operation with this exclusive and prohibitory tariff put upon the foreign article, then he will begin to put the money into his pocket.

Mr. ALDRICH. I am quite willing to say to the Senator that so far as I am concerned, and speaking for myself alone, I will agree that the average effect of a protective tariff is to increase the price of protected goods to the American purchaser.

Mr. VANCE. I am glad to hear that.

Mr. ALDRICH. If it were not so, a protective tariff would not be protective.

Mr. VANCE. I hope the Reporter will get that down.

Mr. ALDRICH. I hope he will, exactly as I have said it, and I have no doubt he will.

Mr. DAWES. I will suggest to the Senator from North Carolina [Mr. VANCE] one consideration when he inquires who will pay this duty at once. He is well satisfied that by and by the article will become cheaper, but the struggle is apparently in the mind of the Senator from North Carolina to make out that at first the consumer of the tin-plate will pay that duty.

Mr. President, that will depend upon another thing, and that is whether the foreign producer struggles to keep the American market. If he desires to run a race with the American producer and see which will keep this market, he will pay the duty in order to get into the market and compete with the American producer. So it is by no means certain that the moment the duty is imposed it will be added to the price to the consumer. That will depend altogether upon the conclusion of the foreign producer, whether under these circumstances, which are a disadvantage to the foreigner and an advantage to the American, it is worth while for him to contend for this market.

Mr. VANCE. Will the Senator answer me a question if I put it to him?

Mr. DAWES. If I can.

Mr. VANCE. I hope you can, because there is a good deal of meat in it. The question is this: The proposed duty on tin-plates is about 100 per cent. of the value of the article. Does the Senator suppose that the foreigner will pay the duty of 100 per cent. and then make the American people a present of the article?

Mr. DAWES. No; I hope he will not.

Mr. VANCE. I hope he will. I am for that kind of a duty.

Mr. DAWES. I will answer the question. I hope he will give up at once and let the American market belong to the American producer, where it ought to belong. I hope he will give it up at once.

Mr. VANCE. Then it is the object of the Senator in voting for this high duty to force the foreigner to give it up.

Mr. DAWES. That is my object.

Mr. VANCE. So that the American consumer will be at the tender mercies of American manufacturers of tin-plates.

Mr. DAWES. I will answer the Senator further, so that there can be no mistake between him and me.

I had rather the American consumer should be turned over to the tender mercies of the American producer than to the tender mercies of the foreign producer, and so far as I can understand every feature of legislation that it is possible for me to infuse into this tariff, it shall have that result. It is emancipation of American labor and American production from domination by foreign labor and foreign production that I am seeking.

Mr. VANCE. And submission to an American trust. That is the domination.

Mr. DAWES. Between an American trust and a foreign trust I have no hesitation.

Mr. JONES, of Arkansas. Mr. President, we have heard so often that one of the prime purposes of the protective tariff was to protect the American consumers against the high prices charged by the foreigners that I take considerable pleasure in presenting to the Senate some statistics furnished by Mr. Swank in this very connection.

I have heard the Senator from Massachusetts [Mr. DAWES] again and again assert on this floor that the purpose of a protective tariff was to decrease the cost of articles to our consumers; but when the question was asked him some days since if there was not also a reduction abroad in the prices of articles consumed in this country, he replied that it was very often the case that it was, and the reduction was forced by American competition—that these prices came down by reason of the manufactures that we built up here by our protective system.

Mr. DAWES. I did not say so.

Mr. JONES, of Arkansas. I so understood the Senator.

Mr. DAWES. I did not say we brought it down. I said the foreigner brought it down in order to bring his goods into our market.

Mr. JONES, of Arkansas. I understood the Senator to say that the foreigner brought it down on account of American competition; that the building up of American industries compelled the foreigner to reduce his price.

Mr. DAWES. The Senator mistakes me. The Senator refuses to understand plain English. I said that the foreigner finding that the American market being at the disposal of the Americans brought down the price, that that induced him to bring his price down in order to compete here with us.

Mr. JONES, of Arkansas. That is in effect what I stated that the Senator had said. I was satisfied that when he came to think of it that he would say so.

I wish now to call attention to the fact that there have been reductions in this article of tin-plate when there have been no American industries to compel the foreign producers to reduce their price. The statement submitted by Mr. Swank was that in 1871 there were imported into the United States 82,969 gross tons; that their value was $9,946,373. There was an increase of the importation, with an increase also in value, but the latter much smaller in proportion than the increase in the amount of importation—I will not detain the Senate by reading the entire table, though I will put it in the RECORD—until 1887, when there were imported into this country 283,836 tons at a cost of $18,699,145—about five times as much of importation at about twice the cost. This is the table:

Years.	Gross tons.	Values.	Years.	Gross tons.	Values.
1871	82,969	$9,946,373	1880	158,049	$16,478,110
1872	85,629	13,893,450	1881	183,005	14,886,907
1873	97,177	14,240,868	1882	213,987	17,975,161
1874	79,778	13,057,658	1883	221,233	18,156,773
1875	91,054	12,098,885	1884	216,181	16,858,650
1876	89,946	9,416,816	1885	228,596	15,991,152
1877	112,479	10,679,028	1886	257,822	17,504,976
1878	107,864	9,069,967	1887	283,836	18,699,145
1879	154,250	13,227,659			

So you have had tin-plates reduced without an American industry to bring the price down, when we get our entire supplies from abroad. I want to call the attention of the Senator from Massachusetts to the fact that there has been a great decrease in the value of this article, which has not been brought about by any American protective tariff, and I want other Senators who are constantly pointing us to the fact that there have been decreases in the prices of goods that have been protected and who always claim that protection brings about these results, that there are some things which may be reduced in price without a protective tariff.

Mr. DAWES. Did the Senator from Arkansas understand me to say that every reduction of price in everything was brought about by the reduction of the price on particular things in the United States; that that was the result of the tariff? There is no doubt that there are a great many reasons which combine to reduce prices abroad, and a great many reasons combine to reduce prices here; but where an article is not produced at all in this country, of course the reduction of price abroad is not affected for that reason, and I do not think the Senator understood me to say that the price of an article that was not produced in this country was lessened abroad because it was produced in this country. I did not make myself so absurd as that.

Mr. JONES, of Arkansas. Not at all.

Mr. DAWES. I know that the price of tin-plate abroad has been diminished from time to time as other things have, and I know that the price of articles that are produced in this country has been reduced from other considerations not imputable entirely to the effect of a tariff. There are other reasons which combine with the condition of the American market to make it necessary for a foreigner to reduce his price. The fact that the American market has brought them down is an element that compels him to bring his own down if he comes near our market. But any man who undertakes to ascribe the reduction of prices to one thing, to one element, to one cause, does not do justice to himself any more than he does to the very industry he is discussing.

Mr. JONES, of Arkansas. If I may be permitted to resume, I will state once more that it has been again and again claimed on that side of the Chamber, whenever there was a reduction in the price of any particular article foreign or domestic, that this reduction has been caused by protection; and while you have not said in distinct terms that all the reduction comes from the protective tariff, you have in effect so said, and you have often given us to understand that there is hardly a single blessing known to American citizens that has not come from protection, and you have even claimed that it has gone to the extent of creating a commercial Elysium in some sections of this Union.

I simply call attention to this article of tin-plates to show that it was possible, while it might have escaped the attention of the Senators on the other side, that there should be a reduction in the price of an article of necessity which did not result from a protective tariff. That is one instance. That was the purpose I had in view in calling the attention of the Senator to it.

There is one other thing that I wish to mention. Ever since I have been in Congress, before every committee that I have ever known anything about investigating this question, the statement has been made that by the erroneous ruling of Mr. Fessenden the tin-plate business had been construed out of existence. It was characterized by one of the witnesses before the committee at this session as being "the most inexcusable and costly decision on record."

There are some things in the history of this matter to which I want to call the attention of the Senate. In 1846 it was provided that tin-plate should be taxed 15 per cent., and this was the language used in the bill:

Terne-plates, tin in plates, tin-plates galvanized, not otherwise provided for, 15 per cent. ad valorem.

The tariff of 1857 referred to the schedules of the tariff of 1846, and by naming the schedule fixed the tariff on tin-plates at 10 per cent.

On page 181 of volume 12 of the Statutes at Large we find in the tariff law of 1861 the following words:

Tin-plate galvanized, galvanized iron coated with zinc, 2 cents a pound.

On page 188 of the same book and in the same act we find the following:

Tin-plates in sheets, terne tin in plates and sheets, 10 per cent. ad valorem.

So you see there was a distinction in the act of 1861 between the item of "tin-plates galvanized and galvanized iron" and the item of "tin-plates, terne-plates, and taggers' tin," and in 1862 the same difference was preserved in pretty near the same language.

In 1864, when the tariff law was enacted which the advocates of this tariff have been fond of saying was misconstrued by Mr. Fessenden, the following language was used. This act made no reference specifically to tin-plates, terne-plates, and taggers' tin, as had been uniformly the rule up to that time. It did not repeat that language, but it repeated the precise language of the other section, leaving out the single word "galvanized," and I want to call the attention of Senators particularly to the structure of this clause. On page 204, volume 15, Statutes at Large, we read:

On tin-plates and iron galvanized or coated with any metal by electrical batteries or otherwise, 2½ cents a pound.

That is precisely the language that appears in the act of 1862 in describing an article well known, except that the word "galvanized" is left out in one place. When that bill was passed with that provision in it it was immediately claimed by those who were advocating an increase of the tax upon this article of universal consumption, of absolute necessity, that this clause was intended to embrace tin-plates, terne-plates, and taggers' tin. Mr. Fessenden held otherwise, and the wails that have come up from these people who claim to have been wronged and outraged by that ruling of his have been heard by every committee that has investigated this question from then until now; but in the tariff bill of 1874 and in the succeeding tariff bills the distinction between tin-plate galvanized, etc., and tin-plate, terne-plate, and taggers' tin was made, as it was in 1861. On page 233 of the seventeenth volume of the Statutes at Large we find—

On tin in plates or sheets, terne, and taggers' iron, 15 per cent. ad valorem; on iron and tin-plates galvanized or coated with any metal by electrical batteries or otherwise, 2 cents per pound.

Showing that the uniform, unvarying practice of Congress has been in every instance, except in the enactment of the tariff of 1864, to make a distinction between these two articles and to impose different taxes upon them.

Now, it does look very much as if somebody had devised that clause in the tariff of 1864 to increase the tax on tin-plates more than 200 per cent. covertly—by a fraud—without the knowledge or consent of Congress or of anybody except the authors of the scheme. I have looked at the record on the passage of that bill and I find no reference made to the marvelous change that would be effected in this tariff on tin-plates by the adroit omission of a single word. I believe Mr. Fessenden carried out the spirit of the law and the intention of Congress. I believe he acted wisely in refusing to allow these people to levy additional taxes upon the consumers of the country. I know that his action has been ratified by Congress since, and, as I read this morning, no less a personage than the venerable and distinguished father of the tariff himself, in 1883, when this matter was under consideration, took strong ground in favor of not increasing this tariff.

In 1875, when the tax was first changed from an ad valorem to a specific tax, it was made 1.1 cents a pound, when the ad valorem at that time was not over three-fourths of a cent. Yet by reason of making it a specific tax you have increased the real rate of taxation steadily from then until now. Up to that time the rate had never been above 25 per cent., and had generally been 10 or 15 per cent., but by the cunning imposition of a specific tax you have increased the rate now to more than 30 per cent., and now you propose to carry out openly what was attempted in 1864, as I believe, by a fraud.

Mr. ALLISON. I desire to modify the amendment I offered, or to amend it in line 21 of the printed amendment, after the words "than the," by inserting the following words:

Rates imposed by the preceding paragraph upon the.

And by inserting the same words, in line 29, after the words "than the."

These amendments are really to make certain what the intent of the original amendment now is, and do not change in any way the sense. I ask that they may be adopted.

The PRESIDENT *pro tempore*. The amendment will be stated from the desk.

The SECRETARY. In the amended paragraph 145, line 21, after the words "than the," it is proposed to insert "rates imposed by the preceding paragraph upon the;" and in line 29, after the words "than the." to insert "rates imposed by the preceding paragraph upon the."

The amendment was agreed to.

Mr. ALLISON. I will move in a moment or two that the Senate adjourn, but I want to call the attention of Senators to the fact that we have a great many very important amendments still pending to this bill where opportunity ought fairly be given to discuss them. I do not wish to reflect upon any speeches that have been made to-day, but if we occupy much more time in general debate as to whether the prices are advanced or reduced, or whether the general system of protection is wise or otherwise, I fear we shall not have time enough left for the discussion of these questions between now and the 22d of January, when the final vote is to be taken. Therefore I wish to consult the convenience of Senators whether or not we should not begin our session to-morrow at 11 o'clock. Of course I know that I can not carry that motion now at this late hour, unless it is with the general consent of the Senate. I therefore ask the consent of the Senate that when we adjourn to-day it shall be to meet at 11 o'clock to-morrow.

Mr. HOAR. I wish the Senator would change that notice so as to make it Friday instead of to-morrow. I have an important committee meeting called for to-morrow morning at half past 10 o'clock.

Mr. ALLISON. If it will not suit the convenience of Senators, I shall not press the matter for to-morrow.

INTEROCEANIC CANAL.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying communication, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate and House of Representatives:

I have the honor to lay before you a report from the Secretary of State, with accompanying correspondence, in relation to the possible disturbances on the Isthmus of Panama, in the event of the stoppage of work on the proposed interoceanic canal.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, January 16, 1889.

BILLS INTRODUCED.

Mr. JONES, of Arkansas, introduced a bill (S. 3830) to amend an act entitled "An act to authorize the Choctaw Coal and Railway Company to construct and operate a railway through the Indian Territory

and for other purposes," approved February 18, 1888; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. REAGAN introduced a bill (S. 3831) for the relief of R. C. Oglesby; which was read twice by it title.

Mr. REAGAN. I ask leave to refer the two papers inclosed in the bill with it to the Committee on Claims, in order that they may have the information.

The PRESIDING OFFICER (Mr. PUGH in the chair). The bill will be referred to the Committee on Claims, with the accompanying papers.

Mr. EVARTS introduced a bill (S. 3832) granting a pension to Mary Hamilton; which was read twice by its title, and referred to the Committee on Pensions.

HOUR OF MEETING.

Mr. HOAR. I waive any objection on my part to the motion suggested by the Senator from Iowa [Mr. ALLISON].

Mr. VEST. Let it not begin until Friday.

Mr. ALLISON. I will ask unanimous consent that on Friday and Saturday we meet at 11 o'clock instead of 12, so that we may be able to go on with the paragraphs that have not been considered.

The PRESIDENT *pro tempore*. The Senator from Iowa asks unanimous consent that on Friday and Saturday of this week the hour of daily meeting shall be 11 o'clock a. m. instead of 12 o'clock m.

Mr. ALLISON. I will add Monday and Tuesday next also.

The PRESIDENT *pro tempore*. And Monday and Tuesday of the week following, that the daily hour of meeting of the Senate upon the four days named shall be 11 o'clock a. m. instead of 12 o'clock m. Is there objection? The Chair hears none, and it is so ordered.

Mr. ALLISON. I move that the Senate do now adjourn.

The motion was agreed to; and (at 6 o'clock p. m.) the Senate adjourned until to-morrow, Thursday, January 17, 1889, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January* 16, 1889.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

SAMOAN ISLANDS.

The SPEAKER laid before the House the following message from the President of the United States; which was read, and, with the accompanying documents, referred to the Committee on Foreign Affairs, and ordered to be printed:

To the Congress:

On the 2d day of April, 1888, I transmitted to the House of Representatives, in response to a resolution passed by that body, a report from the Secretary of State relating to the condition of affairs in the Samoan Islands, together with numerous letters, dispatches, and documents connected with the subject, which gave a history of all disorders in that locality up to that date.

On the 21st day of December, 1888, this information was supplemented by the transmission to the Congress of such further correspondence and documents as extended this history to that time.

I now submit a report from the Secretary of State, with later correspondence and dispatches, exhibiting the progress of the disturbances in Samoa up to the present date.

The information thus laid before the Congress is of much importance, since it has relation to the preservation of American interests and the protection of American citizens and their property in a distant locality and under an unstable and unsatisfactory government.

In the midst of the disturbances which have arisen at Samoa, such powers have been exercised as seemed to be within executive control under our Constitution and laws, and which appear to accord with our national policy and traditions, to restore tranquility and secure the safety of our citizens.

Through negotiation and agreement with Great Britain and Germany, which, with our own Government, constitute the treaty powers interested in Samoan peace and quiet, the attempt has been made to define more clearly the part which these powers should assume in the government of that country, while at the same time its autonomy has been insisted upon.

These negotiations were at one time interrupted by such action on the part of the German Government as appeared to be inconsistent with their further continuance.

Germany, however, still asserts, as from the first she has done, that she has no desire or intention to overturn the native Samoan Government or to ignore our treaty rights, and she still invites our Government to join her in restoring peace and quiet. But thus far her propositions on this subject seem to lead to such a preponderance of German power in Samoa as was never contemplated by us, and is inconsistent with every prior agreement or understanding, while her recent conduct as between native warring factions gives rise to the suspicion that she is not content with a neutral position.

Acting within the restraints which our Constitution and laws have placed upon executive power, I have insisted that the autonomy and independence of Samoa should be scrupulously preserved according to the treaties made with Samoa by the powers named and their agreements and understanding with each other. I have protested against every act apparently tending in an opposite direction, and during the existence of internal disturbance one or more vessels of war have been kept in Samoan waters to protect American citizens and property.

These things will abundantly appear from the correspondence and papers which have been submitted to the Congress.

A recent collision between the forces from a German man-of-war stationed in Samoan waters and a body of natives rendered the situation so delicate and critical that the war-ship Trenton, under the immediate command of Admiral Kimberly, was ordered to join the Nipsic already at Samoa, for the better protection of the persons and property of our citizens and in furtherance of efforts to restore order and safety.

The attention of the Congress is especially called to the instructions given to Admiral Kimberly, dated on the 11th instant, and the letter of the Secretary of State to the German minister, dated the 12th instant, which will be found among the papers herewith submitted.

By means of the papers and documents heretofore submitted and those which accompany this communication, the precise situation of affairs in Samoa is laid before the Congress, and such executive action as has been taken is fully exhibited.

The views of the Executive in respect of the just policy to be pursued with regard to this group of islands which lie in the direct highway of a growing and important commerce between Australia and the United States, have found expression in the correspondence and documents which have thus been fully communicated to the Congress; and the subject in its present stage is submitted to the wider discretion conferred by the Constitution upon the legislative branch of the Government.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 15, 1889.

SCHOONER AMANDA TOMPKINS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate of an appropriation to pay the owners of the schooner Amanda Tompkins for injuries sustained by collision with the United States steamer Nina; which was referred to the Committee on Appropriations, and ordered to be printed.

TENURE OF OFFICE, ETC., OF APPRAISERS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, with inclosures, recommending legislation relative to the tenure of office and salaries of appraisers at the principal ports; which was referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

ROCK ISLAND BRIDGE.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting an estimate of an additional appropriation for prosecution and operation of the Rock Island bridge for the current fiscal year; which was referred to the Committee on Appropriations, and ordered to be printed.

EMPLOYÉS IN NAVY DEPARTMENT.

The SPEAKER also laid before the House a letter from the Secretary of the Navy, transmitting a report of the names and salaries of the employés in that Department, and stating that their services are indispensable; which was referred to the Committee on Expenditures in the Navy Department, and ordered to be printed.

ECKINGTON AND SOLDIERS' HOME RAILROAD.

The SPEAKER also laid before the House a report of the president of the Eckington and Soldiers' Home Railroad Company, submitted in compliance with the requirements of its charter; which was referred to the Committee on the District of Columbia, and ordered to be printed.

LEAVE OF ABSENCE.

Mr. BUNNELL, by unanimous consent, obtained indefinite leave of absence on account of private business.

EMPLOYÉS IN POST-OFFICE DEPARTMENT.

The SPEAKER. The gentleman from Mississippi [Mr. ANDERSON], on behalf of the Committee on the Post-Office and Post-Roads, asks that that committee be discharged from the further consideration of the bill (H. R. 11819) for the relief of employés and late employés in the Post-Office Department, and that the bill be referred to the Committee on Appropriations. If there be no objection, that order will be made.

There was no objection, and it was ordered accordingly.

PROVINCIAL MONASTERY OF THE GOOD SHEPHERD, NEW YORK.

The SPEAKER. The gentleman from New York [Mr. FELIX CAMPBELL], on behalf of the Committee on Appropriations, asks that that committee be discharged from the further consideration of the bill (H. R. 6318) for the relief of the Provincial Monastery of the Good Shepherd, East Ninetieth street, New York City, and that the bill be referred to the Committee on Claims. If there be no objection that order will be made.

There being no objection, it was ordered accordingly.

EXCAVATION OF SHIP-CHANNEL, NEW YORK HARBOR.

Mr. DUNN. I am directed by the Committee on Merchant Marine and Fisheries to report back two resolutions of inquiry, which were reported at the last session, but were then objected to on account of the absence of a quorum.

The Clerk read as follows:

IN HOUSE OF REPRESENTATIVES, *August* 6, 1888.

Mr. BUCHANAN submitted the following resolution; which was referred to the Committee on Merchant Marine and Fisheries:

"Whereas one Joseph Cumings has a contract from the War Department for the excavation of 800,000 cubic yards of material from the main ship-channel in New York Harbor, and has chartered for use in filling such contract the English steam-ship State of Alabama, a vessel built in 1873 at Glasgow, Scotland, to run between that port and New Orleans, which vessel is now being fitted out at the Erie basin with a new dredging machine owned by an English syndicate; and

"Whereas it appears by the following letter that the said steam-ship has been allowed to be imported free of duty for that purpose:

"'TREASURY DEPARTMENT, *Washington, D. C., June* 2.

"'SIR: The Department is in receipt of a letter from the Secretary of War, in which, upon the recommendation of the Chief of Engineers, he requests that Joseph Cumings, who has a contract under the War Department to deliver 800,-

000 cubic yards of material from the main ship-channel in New York Harbor, may be permitted to import to our port without payment of duty thereon and use for the purpose of fulfilling this contract a large foreign vessel adapted for the necessary powerful machinery. It is represented that no domestic vessel of sufficient strength and capacity can be obtained for the purpose mentioned and that it is of the utmost importance that the work be completed prior to the 1st of December next, or during the present working season, which can only be done by the use of said foreign vessel. The Chief of Engineers states that the vessel referred to is to be used solely for the purpose of carrying out said contract, and that she will not engage in any way in the coastwise trade. Under the circumssances you are authorized to comply with the request of the Secretary of War.

"'C. S. FAIRCHILD,
"'*Secretary of the Treasury.*

"'COLLECTOR OF CUSTOMS, *New York.*'

"And whereas it is alleged that domestic vessels of sufficient strength and capacity could have been obtained for that purpose and were ready to be chartered: Therefore,

"*Resolved*, That the Secretary of the Treasury be, and he is hereby, requested and directed to transmit to this House copies of all correspondence, orders, and decisions in his Department relating to said matter."

The amendment reported by the committee was read, as follows:

Add to the resolution the words, "together with his reasons for such action."

The amendment was agreed to; and the resolution as amended was adopted.

Mr. DUNN moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. DUNN. I ask now for the reading of the other resolution and proposed amendment.

The Clerk read as follows:

Mr. BUCHANAN submitted the following preamble and resolution; which was referred to the Committee on Merchant Marine and Fisheries:

"Whereas it appears by a letter from the Secretary of the Treasury to the collector of customs at the port of New York, dated June 2d instant, that the said Secretary is in receipt of a letter from the Secretary of War in which, upon recommendatoin of the Chief of Engineers, he requests that Joseph Cumings, who has a contract under the War Department to deliver 800,000 cubic yards of material from the main ship-channel in New York Harbor, may be permitted to import through our ports without payment of duty thereon and use for the purpose of fulfilling this contract a large foreign vessel adapted for the necessary powerful machinery; and

"Whereas upon receipt of said letter from the Secretary of War the said Secretary of the Treasury instructed the said collector as follows: "Under the circumstances you are authorized to comply with the request of the Secretary of War;" and it is alleged that under the said instructions the steam-ship State of Alabama, built at Glasgow in 1873, has been so entered and is being fitted up at Erie basin, in the city of Brooklyn, N. Y., with machinery owned by an English syndicate, for such work: Therefore,

"*Be it resolved*, That the Secretary of War be, and he is hereby, directed to transmit to this House copies of said recommendation of the Chief of Engineers, of his said letter to the Secretary of the Treasury, and of all correspondence on file in his Department relating to said matter."

The amendment reported by the committee is as follows:

Add to the end of the resolution the following:
"Together with his reasons for such action."

The amendment of the committee was agreed to, and the resolution as amended was adopted.

Mr. DUNN moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. ABBOTT was recognized.

Mr. SPRINGER. I demand the regular order of business.

Mr. BLOUNT. I ask the gentleman from Illinois to withdraw his demand for the regular order until I can submit a request for unanimous consent from the Committee on the Post-Office and Post-Roads. I ask the gentleman from Illinois to yield to me for that purpose.

The SPEAKER. The gentleman from Illinois can not yield for that purpose; he must withdraw the demand for the regular order.

Mr. BLOUNT. I ask the gentleman from Illinois to withdraw his demand for the regular order.

The SPEAKER. If the demand for the regular order is withdrawn the Chair will have to submit the request of the gentleman from Texas [Mr. ABBOTT], who has already been recognized.

Mr. BLOUNT. I merely ask the gentleman from Illinois to withdraw his demand for the regular order so I may submit a request to the House on the part of the Committee on the Post-Office and Post-Roads.

FILING OF REPORTS.

Mr. SPRINGER. I ask, by unanimous consent, that all members having reports to submit from the several committees of the House may file them.

There was no objection, and it was ordered accordingly.

The following reports were filed by being handed in at the Clerk's desk:

FORT BROWN MILITARY RESERVATION.

Mr. FORD, from the Committee on Military Affairs, reported back favorably the bill (H. R. 10422) to provide for the purchase of the Fort Brown military reservation, Texas, and to extinguish all claims for the use and occupation of said reservation; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

RODMAN M. PRICE.

Mr. MCADOO, from the Committee on Naval Affairs, reported back with amendment the bill (H. R. 8550) for the relief of Rodman M. Price; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN C. GREEN.

Mr. GEAR, from the Committee on Military Affairs, reported back favorably the bill (S. 67) to perfect the military record of John C. Green, of Tennessee; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

THOMAS D. MEARES.

Mr. STONE, of Kentucky, from the Committee on War Claims, reported back favorably the bill (H. R. 11872) for the relief of Thomas D. Meares, administrator of Armand D. Young, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

FRANK L. WOLFORD.

Mr. HUNTER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 12062) granting an increase of pension to Frank L. Wolford; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARY A. LONG.

Mr. HUNTER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11993) granting a pension to Mary A. Long; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARTIN KEATING.

Mr. LAWLER, from the Committee on War Claims, reported back favorably the bill (H. R. 11724) for the relief of Martin Keating; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CHARLES A. FOLSOM.

Mr. LAWLER also, from the Committee on War Claims, reported a bill (H. R. 12229) for the relief of Charles A. Folsom; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BRIDGE ACROSS DETROIT RIVER.

Mr. PHELAN, from the Committee on Commerce, reported a joint resolution (H. Res. 254) as a substitute for joint resolution (H. Res. 207) to authorize the Secretary of War to cause survey and report to be made of the practicability and necessity of a bridge across the Detroit River; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CONDEMNED CANNON, ETC.

Mr. MCADOO, from the Committee on Naval Affairs, reported back with amendment the bill (S. 3612) donating condemned cannon and small-arms to Naval Post, No. 400, Grand Army of the Republic, Department of Pennsylvania; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN G. ROSE.

Mr. MCADOO also, from the Committee on Naval Affairs, reported back favorably the bill (H. R. 11268) for the relief of John G. Rose; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

OREGON PAVING COMPANY.

Mr. BAYNE, from the Committee on Rivers and Harbors, reported back favorably the bill (S. 3159) for the relief of the Oregon Paving and Contract Company; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

Mr. BLOUNT. I understand the gentleman from Illinois [Mr. SPRINGER] to withdraw his demand for the regular order.

Mr. SPRINGER. For a moment only.

The SPEAKER. The demand for the regular order having been withdrawn, the Chair recognizes the gentleman from Texas [Mr. ABBOTT].

Mr. BLOUNT. I understood the gentleman from Illinois to withdraw his demand for the regular order at my request.

The SPEAKER. But the gentleman from Texas [Mr. ABBOTT] had been recognized, and was on the floor when the demand for the regular order cut him off.

PUBLIC BUILDING, FORT WORTH, TEX.

Mr. ABBOTT. I ask, by unanimous consent, to call up for present

consideration the bill (S. 1974) for the erection of a public building at Fort Worth, Tex.

The SPEAKER. The bill and report will be read subject to objection.

Mr. BUCHANAN. I demand the regular order of business.

ORDER OF BUSINESS.

Mr. BLOUNT. I desire the floor only for a moment, to submit a request on the part of the Committee on the Post-Office and Post-Roads.

The SPEAKER. The gentleman from New Jersey [Mr. BUCHANAN] demands the regular order of business, and the Chair has no discretion in the matter.

Mr. BLOUNT. I am not complaining of the Chair, but merely ask that the demand for the regular order may be withdrawn until I can submit my request.

Mr. BUCHANAN. I object to the bill which the gentleman from Texas [Mr. ABBOTT] asked unanimous consent to call up for present consideration, and then will withdraw the demand for the regular order of business.

CLERKS IN FIRST AND SECOND CLASS OFFICES.

Mr. BLOUNT. I desire, Mr. Speaker, to make to the House a request at the instance of the Committee on the Post-Office and Post-Roads, and it is that that committee be allowed to report in the Post-Office appropriation bill legislation providing for the classification of clerks in first and second class offices. It has been recommended by the President and by Postmasters-General from time to time, and the only reason the matter has not been disposed of has been the difficulty under the rules of the House of reaching the matter. I hope there will be no objection to my request, so that the matter may be brought before the House for disposition.

Mr. BURROWS. To be considered in order.

Mr. BLOUNT. That is all. I merely ask that it may be brought before the House for consideration.

The SPEAKER. Is there objection?

Mr. TAULBEE. I shall have to raise the point of order against the proposition if it is to bring these clerks under the provisions of the civil service.

Mr. BLOUNT. It has no relation to the civil service.

Mr. TAULBEE. I would like to hear, then, exactly what is the object of the proposition.

Mr. BLOUNT. The object of it is simply this: The gentleman from Kentucky is aware that the clerks in the Post-Office Department have their salaries fixed. He is also aware that the letter-carriers have their salaries fixed by law. The postal clerks also have their salaries fixed by law, but so far as the first and second class offices are concerned the clerks therein have their salaries fixed, not by law, but regulated by the chief of the salary and allowance division in the Post-Office Department. The proposition we ask to bring before the House for consideration is in relation to that matter.

Mr. TAULBEE. That is the object of the provision, then.

Mr. BLOUNT. The object is to fix the salaries of these clerks in first and second class offices.

Mr. TAULBEE. I am for it. I do not object to that. I thought it was a proposition to classify them within the civil service.

Mr. HOLMAN. I wish to inquire whether the object of this request is to classify in the same manner as in the Department, or to increase or diminish the salaries of the employés?

Mr. BLOUNT. No, sir; not to increase, but simply to classify them. So far as the details are concerned, whether the salaries shall be higher or ower, is a matter for the House to determine.

Mr. HOLMAN. I wish to know whether my friend proposes in any respect to increase these salaries or the grade of the employés in the branches of the Department to which he refers?

Mr. BLOUNT. I do not.

Mr. CUTCHEON. Will the classification proposed carry any particular rate of salary?

Mr. BLOUNT. Well, that is just the very object, to fix the salary and to limit the power of the head of the bureau in the matter.

Mr. CUTCHEON. But will not this allowance of salaries have to be paid as heretofore, through the Department?

The SPEAKER. This is not debatable.

Mr. TOWNSHEND. I wish to ask the gentleman from Georgia if a bill has been reported heretofore to the same effect as he now proposes from the Committee on the Post-Office and Post-Roads?

Mr. BLOUNT. Oh, yes, I think on several occasions.

Mr. TOWNSHEND. But I mean during the present Congress.

Mr. BLOUNT. Not during the present Congress, for the reason that there were certain elements then wanting to enable us to reach a proper conclusion, which have since been supplied by the Postmaster-General, and hence are not wanting to-day.

Mr. MCMILLIN. What is the objection to letting the provision be brought in when the bill is before the House, without asking us beforehand, and without our knowing what the provision is, to make an exception to the general rules of the House which have proved so salutary in the past?

Mr. BLOUNT. I will say to my friend from Tennessee that if it is brought in outside of the Post-Office appropriation bill, the gentleman himself will readily understand that the chances are not one in a hundred of ever reaching the bill.

Mr. COX. That is so.

Mr. MCMILLIN. But what I mean is, why not go along until you reach the consideration of the bill, then submit your proposition and ask unanimous consent when the bill is being considered to let the amendment come in, notwithstanding the rules which would prohibit the consideration of the subject?

Mr. BLOUNT. Why, that would be absolutely futile work. I have no objection whatever to letting the House vote upon it, and accept or reject it, but it would certainly seem superfluous to go to work and prepare a bill on this subject, notwithstanding that it has the recommendation and indorsement of the President, the recommendations of the Department, and others interested in and familiar with the subject, when one single objection on the floor of the House would prevent the House from considering it.

Mr. ADAMS. But a single objection will do that now.

Mr. BLOUNT. I am only asking that the House will give consent that the committee may formulate the proposition in the bill, and then it will be for the House to determine whether it will accept the proposition or not.

Mr. MCMILLIN. But the gentleman ought to bring in his proposition first. The difficulty about his request is that I do not see why the House should bind itself beforehand to consider a proposition which is brought in in violation of the rules when it does not even understand what the proposition is. If the gentleman will state his proposition at the time that the bill is being considered, and if it commends itself to the sense of justice of the House, it would no doubt, as many other matters of the same kind have done heretofore, be considered by the House and no doubt agreed to. On the contrary, if the proposition is an objectionable one, it is too late, after the privilege is given in this manner—after the point of order is waived—to make objections which, under the present circumstances, would prevent the consideration of the matter.

Mr. BLOUNT. Mr. Speaker, it is prefectly competent when the bill comes before the House to discuss it and vote it out if the House is unwilling to accept the proposition.

Mr. MCMILLIN. But the gentleman from Georgia knows that the power to vote out is often utterly useless, and that it can not be exercised here always in cases where it ought to be exercised.

Mr. BLOUNT. I wish to say to my friend that I appreciate his great desire for extreme care in legislation; and I also appreciate that rule which excludes certain legislation from appropriation bills. But there is not a member on this floor who does not feel at times the necessity for legislation for a great Department of the Government which is absolutely essential, but which can not be entered upon because of the stringent provision of the rule which makes no exception. This is a matter we believe to be essential. My friend certainly recognizes the difficulty that we have had in reference to the distribution of the mails by reason of defects in this very matter of legislation in regard to the clerical service of the Department. It has been urged for a great many years that such a change be made. It is not by any means a new question. My friend will see that hereafter, if it is fixed by law now, instead of a chief of division having to contest with every member on this floor as to the salary of each employé throughout the first and second class offices in the United States, when you shall ascertain his salary by law as you have done in relation to the postal clerks, letter-carriers, and clerks in the various Departments, that there is but little to surprise the House with in the matter which will come from the Committee on the Post-Office and Post-Roads. That is all there is of it, simply to fix the salaries ourselves and take the right of fixing them from the chief of division. Let them be ascertained and fixed by law, as the salaries of other employés are fixed.

The SPEAKER. The Chair will again state that this subject is not debatable. If any gentleman objects to the request of the gentleman from Georgia the matter is not before the House.

Mr. BLOUNT. Mr. Speaker, the matter is of such importance that I hope the Chair will permit a brief effort to satisfy gentlemen.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. HOLMAN. I wish to understand from him——

Mr. MCRAE. I demand the regular order.

Mr. COX. I hope the gentleman will not do that.

Mr. BINGHAM. Give us a minute longer.

Mr. MCRAE. I do not object to the request of the gentleman from Georgia, but I do object to further debate.

The SPEAKER. The Chair has stated that the matter is not debatable. If any gentleman objects the question is disposed of.

Mr. HOLMAN. I wish to ascertain from my friend from Georgia to what extent he proposes to increase the aggregate appropriations for clerical service for first and second class post-offices?

Mr. BLOUNT. Mr. Speaker, that is a matter difficult of ascertainment. So far as the allowance for clerk-hire goes now, the salaries are fixed by the chief of the division.

Mr. HOLMAN. I know; but you make the appropriation for clerical hire in gross, do you not?

Mr. DUNN. To be distributed according to the favoritism of the chiefs of divisions in the Department, instead of by law, as it should be.

Mr. BLOUNT. That is true.

Mr. HOLMAN. Do you propose to diminish the amount appropriated for the coming year?

Mr. BLOUNT. I can not say whether it will increase or diminish the allowance for clerk-hire, because that is dependent upon the arbitrary action of a chief of division, and I do not know sufficient about the details of the Department to know whether it increases or diminishes the appropriation.

Mr. STEWART, of Vermont. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state the point of order.

Mr. STEWART, of Vermont. There is so much confusion that we can not hear what is before the House.

The SPEAKER. The gentleman from Georgia has submitted a request for unanimous consent, and the Chair is endeavoring to ascertain whether there is objection. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

ADMISSION OF SOUTH DAKOTA.

Mr. SPRINGER. The gentleman from New Mexico is entitled to the floor for thirty minutes.

Mr. JOSEPH rose.

Mr. SPRINGER. Mr. Speaker, was leave given to file reports in accordance with the request made a few moments ago?

The SPEAKER. It was.

Mr. SPRINGER. I wish to state, without any arrangement having been made as to the closing of the debate, that I desire to move the previous question not later than half past 2 o'clock to-day.

Mr. STRUBLE. I do not think that will give time enough for this side.

Mr. SPRINGER. We will endeavor to accommodate everybody.

Mr. BURROWS. Let the debate run on.

Mr. JOSEPH. Mr. Speaker, New Mexico, the oldest Territory now in the Union, has joined hands with her giant sister Territories, Dakota, Montana, and Washington, and for the fourth time in her political history she is again knocking at the doors of Congress for admission into the sisterhood of States on an equal footing with the States that now compose this grand Republic. New Mexico, in my opinion, has stronger claims for admission at this time than the other Territories included in this bill under consideration, in the line of treaty obligations under which she was ceded and annexed to the United States, and by virtue of which this nation's honor is pledged to her admission as a State.

In 1530, but thirty-eight years after Columbus first beheld the shores of America, an intrepid Spanish voyager, Cabeça de Vaca by name, found his way into the valley of the upper Rio Grande. He was the first European to visit New Mexico. Stimulated by the accounts which he brought of the wonderful fertility of the country and the prosperity of its native inhabitants, and aroused partly by that spirit of adventure which then animated the entire Spanish nation and partly by that eager zeal for the salvation of souls which possessed the Christian church, various other expeditions during the next sixty years explored this new country, and each brought back more wonderful accounts of the dwellings of the inhabitants, of the abundance of precious metals, of the fertility of the soil, and of a genial day where the kindly sun was never obscured by clouds.

In 1591, Don Juan de Oñate, an influential Mexican, descended from the first Spanish explorers of that country, organized an expedition partly of soldiers, partly of friars, and partly of colonists, who passed through Northern Mexico, reached the Rio Grande, and traveled up that river until near the present border of the State of Colorado. Choosing a site upon the banks of the Rio Grande, surrounded by a country of great fertility, attracted by its convenience of access, its beautiful prospect, and its wonderful climate, a place long before chosen by the Indians for one of their pueblos, at a date about fifteen years before the settlement of Jamestown, and more than twenty-five years before the Pilgrim Fathers landed at Plymouth Rock, they founded the city of Santa Fé, the earliest permanent European settlement and seat of government within the present borders of the United States.

This ancient seat of civilization and Christianity in America has remained for over three hundred years the political center of New Mexico.

New Mexico continued a Spanish possession until Mexico declared its independence of the Spanish crown in 1821, when it became a part of the Republic of Mexico, entitled to representation in the Mexican Congress, and other privileges of statehood. In the year 1822 the first public schools were established in New Mexico, and from time to time their number and efficiency were increased. The first newspaper printed on the continent west of the Mississippi River—El Crepusculo (The Dawn)—was published, in 1835, at Taos, N. Mex., by Padre Martinez.

With the American occupation under Col. S. W. Kearny in 1846, and the treaty of Guadalupe Hidalgo of February 2, 1848, New Mexico became a part of the United States of America. At that time the people of New Mexico believed that they were entitled under the provisions of the treaty and the inducements held out to them to be admitted into the Union as a State. Accordingly, on the 20th of June, 1850, a State constitution (prohibiting slavery) was adopted by New Mexico and subsequently submitted to Congress. An election was held under this constitution. Henry Connelly was elected governor and William S. Meservy Representative in Congress; the Legislature, under the constitution, chose R. H. Weightman and F. A. Cunningham as Senators to represent the new State. This Representative and these Senators appeared and demanded admission for the State under its constitution, but their prayer was denied, and Mr. Meservy, elected as a Member of Congress, was admitted to the House as a Delegate.

Much disappointment was felt by the people of New Mexico at this action of Congress, but this in no manner abated their allegiance to their new Government. Such was their feeling of attachment that at the outbreak of the war, only thirteen years after the treaty of Guadalupe Hidalgo, the people of New Mexico rallied to the support of the national flag and furnished more troops to the Federal Government than all the then existing Territories combined, including the present States of Nebraska, Nevada, and Colorado. No stronger answer than this can be given to the charges that the native people of New Mexico are foreign in spirit or lacking in devotion to the United States.

In the year 1874 a bill was presented to the Forty-third Congress for the admission of New Mexico as a State. An extended debate occurred in the House of Representatives (see CONGRESSIONAL RECORD, volume 2, part 5, pages 4129 to 4138, and part 6, Appendix, pages 295 to 302), and the chief argument which the opponents of the bill could then advance, headed by the distinguished member from New York, Hon. Clarkson N. Potter, now deceased, was that the constitutional representation in the Senate was greater than should be possessed by a new State. At that time the population of New Mexico was but 110,000, as compared with over 175,000 at the present date, while hundreds of miles of railroad now existing, which render intercourse easy between the different sections of the Territory and invite immigration, had not then been built.

This bill passed the House by a three-fourths majority—160 to 54. Among the votes cast in favor of the bill were those of the following members of the present House: Hon. R. R. BUTLER, Hon. JOSEPH G. CANNON, Hon. ALFRED C. HARMER, Hon. ROGER Q. MILLS, Hon. CHARLES O'NEILL, and Hon. DAVID WILBER. There were also then recorded in favor of the bill the following distinguished members of the House who now occupy seats in the Senate: Hon. HENRY L. DAWES, Hon. CHARLES B. FARWELL, Hon. WILLIAM P. FRYE, and Hon. PHILETUS SAWYER. Among other distinguished gentlemen who have since then passed out of both Houses of Congress, who then voted for the admission of New Mexico, are the late President Garfield; the distinguished Interstate Commerce Commissioner, Hon William R. Morrison; that distinguished Republican from Iowa who has since represented his country abroad with great credit, the Hon. John A. Kasson; together with Hon. O. D. Conger, of Michigan, afterwards Senator; Hon. Charles E. Foster, of Ohio; and Hon. William Lawrence, of the same State. All of those whose names are mentioned, excepting Representative MILLS and Commissioner Morrison, were members of the Republican party. Certainly that party, urged on by such leaders, can not now fail to include New Mexico among the Territories to be admitted into the Union.

In the Senate the bill met a like reception (see CONGRESSIONAL RECORD, volume 3, pages 1691, 1692). After a debate in which very little opposition was developed to the admission of the Territory, the Senate passed the bill by a vote of 32 to 11. Among the Senators now holding seats in that body who voted for the bill are Senators ALLISON, INGALLS, MITCHELL, and STEWART, while other no less distinguished Republicans who are no longer in the Senate were recorded in favor of the bill, among them being Hon. George S. Boutwell, of Massachusetts, Hon. Simon Cameron, of Pennsylvania, Hon. Hannibal Hamlin, of Maine, Hon. John A. Logan, of Illinois, and Hon. William Windom, of Minnesota. It is certainly to be supposed that if three-fourths of both Houses of Congress at that time were in favor of the admission of New Mexico the vote at the present time should be practically unanimous. Certainly none of the distinguished gentlemen whose names are mentioned and who are still in either House of Congress, can fail not only to vote for, but also to advocate vigorously, the admission of New Mexico. The passage of the bill by the Senate was at so late a day that the two Houses were unable to agree upon points of detail about which differences existed and the bill failed to become a law before the adjournment of that Congress. But for the accidents of legislation New Mexico would now be a State.

In the Forty-fourth Congress the Senate again passed a bill to admit New Mexico as a State, by a vote of 35 to 15, among those voting for the bill being the following distinguished Senators who still occupy seats in that body: Messrs. INGALLS, JONES, of Nevada, MITCHELL, PADDOCK, RANSOM, and SHERMAN (see CONGRESSIONAL RECORD, volume 4, part 2, pages 1607 to 1617). This same bill was subsequently reported back to the House of Representatives by the Committee on Territories, but in the crowded condition of public business in the House it failed to receive consideration or become a law.

Had the House considered it there can be no doubt that New Mexico would have entered the Union as a State at that time. How strongly do the votes of these distinguished leaders of the Republican party refute the slanderous report of the minority of the Committee on Territories of the present House.

The right of New Mexico to admission as a State thus practically admitted both in 1874 and 1876, upon what ground, I ask, can it now be denied after a great increase in population and material development? I have sought with great diligence to ascertain the objections urged by the opponents of admission. I have read editorials from some of the Eastern papers opposing admission, and have given careful attention to the minority report filed in the House. So far as I have been able to find, the objections urged are the result of gross ignorance of the people, the conditions, and the prospects of New Mexico. I am amazed that persons in responsible public positions should attempt to assert themselves in respect to matters as to which they have plainly made no reasonable inquiry. To read some of these accounts one would suppose that New Mexico was one vast Sahara, with scattered oases occupied solely by tribes of savages, and destined to be forever a desert without resources of any avail for human use.

First among these accusations is that the people of New Mexico are not only ignorant but are not desirous of learning, and that to their ignorance they add a willful disregard of law. It is undoubtedly true that the opportunities for education in a sparsely settled Territory can not be those afforded by a thickly inhabited State like Massachusetts, and in years past the advantages of a complete school system have necessarily not been open to New Mexico. But this state of affairs no longer exists. People to whom the best opportunities for education have been denied are often those most deeply interested in obtaining a greater measure of knowledge for their children than they themselves have been able to acquire. A special school tax is now assessed throughout the whole of the Territory, a compulsory school law exists, and public schools are held in sufficient numbers for every child of school age to attend. The people of the Territory are eager in availing themselves of the present opportunities. The daily demand is for a still greater expansion and development of the school system. The Lincoln County Leader of recent date voices this demand in these words:

> The coming session of the Legislature will give us a school law which will compare with any of the States. The people have demanded it from present necessity and assured development.

This sentiment is common to the whole Territory. There are no people in the United States more devoted to the public-school system and more determined that its advantages shall be spread among them than the people of New Mexico. Nothing will give greater impetus to this sentiment than the recognition by Congress of New Mexico as a State and the gift to its people of the well-earned right to exercise their share in the government of the United States.

Any assertion that the native citizens of New Mexico are characterized by a contempt or defiance for law betrays the grossest ignorance. Among all the people of this continent no more peaceful and law-abiding citizens can be found than these. Their regard for law is so great that the statistics show that 75 per cent. of the crime of the Territory is committed by wandering desperadoes from neighboring States and Territories.

Upon this point I again quote from the Lincoln County Leader of December 22, 1888:

> As to the character of the people, no subject has been so grossly misrepresented and so generally falsified. It is an outrage upon our people. We defy any one to name a community either North or South that is more law-abiding than our own White Oaks. With its public school with an attendance of 75 daily, our academy with over 25 pupils as a starter, the Young Men's Benevolent Association with a membership of 75, Knights of Pythias, Independent Order of Good Templars, a lodge soon to be of Ancient Order United Workmen, the Methodist Church about completed, and other religious denominations holding service, the Masonic fraternity building a hall, the Grand Army of the Republic strong and growing, with the auxiliary Woman's Relief Corps, it is the universal remark of strangers that White Oaks, morally, socially, and intellectually, is far ahead of many pretentious places. What is true of White Oaks is in a manner the case throughout Lincoln County, the largest of the Territory and settling very fast. The proportion of Mexicans to the whole number is overestimated by our outside chaps. Reliable estimates place the Mexicans about two-fifths of the whole in the Territory, while in White Oaks precinct, with over 270 voters at the last election, there were less than 20 Mexicans.
>
> We have among our Mexican fellow-citizens some as able and brilliant men as any community can boast of, and as a whole no class of people in this country have been so vilified as the Mexicans of New Mexico. The court statistics are our best guide. New Mexico, compared with Nebraska, to-day has less crime per capita.
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> The objection to Catholic Spaniards should be no stronger than to Catholic Irish or Germans, Swedes, and Lutherans in the other Territories. In a word, the Mexicans of New Mexico, for the purposes of statehood, are in advance of the recent-arrived Swede of Dakota or the lawless elements of other nations in many sections of the country; when compared to a Southern State, far superior.

To the stranger in New Mexico, next after the industry of the citizens, their hospitality is notable. Their last crust is divided with the stranger—not equally, for the New Mexican takes the lesser portion. Whatever the native New Mexican possesses, that is free to his guests. In all their financial dealings they are open and honorable. In short, these descendants of that nation which discovered the New World and first brought it under European and Christian control, possess in a high degree all the qualities necessary to fulfilling the obligations of complete citizenship.

But the objection most frequently made to the admission of New Mexico is that her inhabitants are of a foreign race, alien to popular government, and unable to appreciate the blessings and advantages of the American Constitution. Such contention has no basis in fact, but even if it were true it is plain to my mind that the easiest mode to teach such people the proper method or exercising the duties of citizenship is to confer its privileges upon them. These privileges can not be forever denied without a violation of the treaty stipulations of this Government. Article IX of the treaty of Guadalupe Hidalgo of February 2, 1848, contains the following promise in relation to the admission of the territory acquired under this treaty:

> Mexicans who, in the territory aforesaid, shall not preserve the character of citizens of the Mexican Republic, conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States, and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States, according to the principles of the Constitution; and in the mean time shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion without restriction.

It is true that Congress reserved to itself the right to determine when the time should arrive for the admission of New Mexico as a State. But it is plain on the face of this provision that the people of New Mexico have a right to demand that that discretion should be exercised in good faith and that the circumstances under which the promise of ultimate admission was made should be considered in determining its propriety at any given time. When this stipulation was made it was perfectly well known to the framers of the treaty that the inhabitants of New Mexico were then Mexican citizens and spoke the Spanish language. All persons remaining in the Territory by so remaining renounced their Mexican allegiance, but can it be said that Congress can fairly oblige them to renounce their native language before entering as a State of the Union? Can it be believed that Mexico, while yielding this discretion to Congress, believed that, as a condition-precedent to the admission of New Mexico, it could properly be required that all its inhabitants should forswear the Spanish language? I can not think that any such condition is consistent with carrying out in good faith the promises of the treaty. To interpolate such a condition is a violation of the treaty obligations.

But even if such a condition is required it is now fully met. It may be that in a few remote districts of New Mexico some persons may be found who still have no knowledge of English, yet there is but a small proportion of native New Mexicans of Spanish descent now in the Territory who can not both speak and understand English freely, while practically all the younger generation who have recently attained to years of manhood speak and understand English as they do the Spanish of their forefathers. It can not be expected that the Spanish language will wholly disappear. A language is as much an integral part of a people as the contour of the face or the tint of the skin. It will remain for generations. Even in Wales many persons are yet to be found who can not make themselves understood in the English tongue. The devoted natives of that little country who have found homes in America cling so tenderly to that language, to us so harsh, yet to them the sweetest of all tongues, that they have in America two papers published wholly in the Welsh language. Yet in spite of this devotion to the ancestral tongue I have yet to hear it asserted that the subscribers to these Welsh papers in this country are any the less fitted for the duties of American citizenship, nor has it ever been contended that the members whom these devoted Welshmen send to represent them in the British Parliament are less fitted to legislate for the British Empire than the representatives of purely English-speaking constituencies. The Representatives upon this floor from the State of Louisiana can tell you that many of the most respected of their constituents still preserve in family use the French tongue as the means of communication between father and son, mother and daughter.

The honorable gentlemen upon this floor who represent the agricultural regions surrounding York and Lancaster, in the State of Pennsylvania, can tell you that that curious compound of German and English known as "Pennsylvania Dutch" still survives as a living language among their constituents, and that religious services are held, sermons preached, schools taught, and the laws printed in that language, and that many citizens of these localities who are as well qualified as any in the country to exercise the sovereign right of franchise conduct all their conversations and negotiations in that dialect and are none the less fitted for their duties. I doubt if anywhere in the Union can be found any more substantial class of citizens than these very men, and the State of Pennsylvania would sadly miss them if they should disappear.

A recent editorial in the New York Tribune thus states this objection to the admission of New Mexico:

> Its population is not American as we understand the word. The people are largely of Mexican descent and speak the Spanish language. A few years ago five-sixths of the schools were taught exclusively in that language, and in half the remainder Spanish and English divided the honors. In many essentials it is still a Mexican province. The average of intelligence is low.

The Las Vegas Daily Optic thus pointedly and fully answers this unwarranted position:

> In this article, which is one of the least abusive that we have seen, it will be noticed that figures are taken from the condition of New Mexico before the railroads had reached her borders. If such criticism had been applied to the

much-vaunted Dakota, before railroads had been continued to that section, it is doubtful if she could have made even so good a showing as New Mexico is able to make, notwithstanding the fact that the figures are manipulated by her bitter partisan enemies. Then, too, on what ground does the Tribune assert that immigrants from Old Mexico are not desirable? On what ground does it put them as inferior to the Swedes, Hungarians, Poles, Italians, and foreigners of other nationalities by whom much of the Northwest Territories have been populated?

Then, too, suppose the people are largely of Mexican descent and speak the Spanish language, can the Tribune show that they are any the worse for that? Were they not the same at the time the treaty of Guadalupe Hidalgo was signed? Were they not then guarantied the rights and privileges of American citizens, and was there any stipulation that the most important of these rights, that of self-government, should be withheld until they learned to speak the English language?

Those who advocate the exclusion of New Mexico because the Spanish language is still spoken there by some of her citizens belittle the greatness of this country. The American Union is so extensive and the privileges of American citizenship so great that the one flag can wave above persons of all races and descent, and representatives of every population on the globe to-day are gladly embracing the opportunities afforded by a free Government and equal rights.

But in what just sense can even the Spanish-speaking citizens of New Mexico be classed as a foreign race? If their interests are not with the United States to whom do they hold allegiance? Not to Spain, for Mexico severed the bonds that bound her to the Spanish crown long years ago; not to Mexico, for it now approaches a half century since Mexico yielded to the United States all right and title to the Territory of New Mexico, and all feelings of obligation and allegiance have long since disappeared. The material ties are all with the United States. The great railroads now span New Mexico east and west, and every article of commerce produced in the Eastern States finds its way to these great arteries of travel into New Mexico, while the connection with Old Mexico is difficult and the commerce of but small importance.

It is difficult to see how objection can be made to the admission of New Mexico upon the ground that its inhabitants are of foreign allegiance and interests when no objection on that account is raised to the admission of the Territories of the Northwest. The census of 1880 furnishes information which places New Mexico in the highest rank of all the Territories of the United States in the proportion which its native-born inhabitants bear to their whole number. The following table, from the census of 1880, shows the proportion of native-born to foreign-born inhabitants in the Territories of Dakota, Montana, New Mexico, and Washington:

Territories.	Native.	Foreign.
Dakota	83,382	51,795
Montana	27,638	11,521
New Mexico	111,514	8,051
Washington	59,313	15,893

From this it will be seen that while the proportion of foreign to native born population is about 1 to 14 in New Mexico, it is 1 to 4 in Washington, 1 to 3 in Montana, and 2 to 3 in Dakota. The proportions have certainly not changed since 1880 to the disadvantage of New Mexico, for the Territories of the Northwest have received tremendous accessions from Norway and Sweden, as well as from Hungary, Poland, and Bohemia, while the most unfortunate class of Russians have been settled by thousands upon the broad plains of Dakota, and even now are loudly calling for substantial aid in their extreme necessity from our citizens of the East. The immigration into New Mexico in this period has been of the best class of farmers from States farther east, who have greatly aided in the progress of the Territory. Such has been the development that I do not hesitate to affirm that a knowledge of Spanish would not be half so essential in the remotest part of New Mexico as a knowledge of Scandinavian in many recently settled parts of Dakota.

Can it be said that a native of New Mexico, who renounced his allegiance to the Republic of Mexico over forty years ago, has less interest in the Government of the United States, less devotion to republican principles, or less fitness for full American citizenship than a subject of the European kingdoms who has within but a few years left his native home? The honorable and industrious inhabitants of New Mexico of Spanish descent are devoted to American principles, will ever uphold the American Constitution, and will continue to honor and support the American flag as the sign and symbol of that Government under whose authority they have so long lived. The mingling of the blood of the Spanish race with that of the Anglo-Saxon, such as is now taking place in New Mexico, can not fail to produce, as such mixtures always have done, wonderful results of the greatest benefit to humanity, and I do not hesitate to prophesy that before many years have elapsed, under the genial warmth of the sun which always shines upon New Mexico, aided by the material prosperity which is now pouring in upon her from the East, New Mexico will raise up to the glory and pride of our common country orators, poets, artists, and statesmen of the highest rank. I can not forbear quoting the eloquent dedication of the Historical Sketches of New Mexico, by Hon. L. Bradford Prince, as a fitting tribute to the people of the Territory:

To the people of New Mexico, threefold in origin and language, but now one in nationality, in purpose, and in destiny;

To the Pueblos, still representing in unchanged form the aboriginal civilization which built the cities and established the systems of government and social life which astonished the European discoverers nearly four centuries ago;

To the Mexicans, who, in generosity, hospitality, and chivalric feelings are worthy sons of the Conquistadores, who, with undaunted courage and matchless gallantry, carried the cross of Christianity and the flag of Spain to the end of the earth;

To the Americans, whose energy and enterprise are bringing all the appliances of modern science and invention to develop the almost limitless resources which nature has bestowed upon us;

To all, as New Mexicans, now unitedly engaged in advancing the prosperity and working for the magnificent future of the Territory, of which the author is proud to be a citizen—

These sketches of part of its earlier history are respectfully dedicated.

Upon what grounds does New Mexico assert her title to a position among the States of this Union? Any investigation of these will amply establish that in territory, in population, in natural resources, and in prospects for the future she is fully entitled to such a position. The area of New Mexico comprises 122,460 square miles, or nearly 80,000,000 acres. The area of New Mexico is three times as great as Ohio, and larger than all of New England, New York, New Jersey, and Delaware combined. The average elevation of the southern portion is 4,000 and of the northern portion more than 6,000 feet above the level of the sea, thus producing a mild and equable climate throughout the year.

The population by the census of 1880 was 119,565, this including 9,772 Indians, most of whom, being those dwelling in the ancient pueblos, are citizens of the United States and men of industrious and peaceful habits, well advanced towards civilization. No census of the Territory has been recently taken, but the present governor, in his report to the Secretary of the Interior for the year 1888, places the population at 175,000, an estimate which I deem erroneous, if at all, in the direction of too great moderation. I quote his remarks from his report:

POPULATION.

No census of the Territory having been taken since 1885, it is impossible to state definitely the increase in population since that date. From information I have been able to obtain upon careful inquiry in different quarters of the Territory, especially in the public-land sections, I am certain that the increase during the past year has been from 10,000 to 12,000. Fully one-quarter of this has been in the southeast, and largely from the State of Texas. The bureau of immigration has, during the past year, received many thousands of letters of inquiry from States eastward, mainly from the Mississippi Valley States, desiring information of New Mexico as to business chances, agricultural conditions, climate, opportunities for profitable investment, etc., which would indicate a growing interest in the Territory on the part of home-seekers, and the probability of a very considerable immigration in the near future. I deem it a safe estimate that the population of New Mexico is now about 175,000, exceeding by several thousand the number of people entitling it to admission to statehood.

The apportionment bill of February 2, 1872 (volume 17, Statutes at Large, page 28), provides that no State shall hereafter be admitted to the Union without the necessary population to entitle it to at least one Representative. This declaration, a permanent statement of the principles governing the admission of future States, carries with it, as a necessary converse, the proposition that any Territory is entitled to admission into the Union upon proof that it has reached such number. Under the last apportionment the ratio necessary for a Representative was 150,000, and it is beyond a doubt that New Mexico has far passed this mark. She therefore appears before you for admission, fulfilling the requirements of law, and demands admission as a right. At the last election for Delegate in Congress the total vote was 32,627.

This, it must be remembered, represents a larger number of inhabitants in New Mexico, where the polling places are widely scattered than in a more thickly settled vicinity. The Congressional Directory discloses the striking fact that more votes were cast at this election than were cast in electing Representatives to this Congress in two hundred and thirty-eight districts out of a total of three hundred and twenty-five. That is to say, the vote cast at the election of each of a two-thirds majority of the members of this Congress was less than the total vote cast at the last election for the Delegate from New Mexico. Less than one-third of the members of the present House hold their seats as the result of elections at which votes were cast in larger number than in New Mexico. Surely no member can object to the admission of New Mexico if the Delegate upon this floor from that Territory come here as the result of an election at which a greater number of votes were cast than in the election by which the Representative holds his seat. There is no ground for fear that the population of New Mexico may suffer any diminution. While New Mexico has not been the scene of such wonderful strides in population as some of the Territories of the Northwest, yet ever since she became a part of the United States her population has steadily and gradually grown greater. Since the railroads have entered the Territory this increase has been most marked.

The mineral resources of New Mexico are familiar to all who have any knowledge of the West. Gold and silver are found in large quantities, while enormous deposits of copper, which only await development to rival the copper mines of Lake Superior, are known to exist.

These mines were known to the Indians before the Spanish conquest. In her deposits of coal New Mexico stands easily pre-eminent. Not only are there immense fields of bituminous coal, but a pure anthracite, rivaling in its valuable qualities the famous anthracites of Pennsylvania, is found in such large quantities that with the further development of these mines New Mexico will doubtless stand to the West as Pennsylvania does to the East in furnishing the finest quality of fuel. In the northern part of the Territory, near the present Navajo Indian reservation, petroleum is found of the finest quality, and already Eastern capitalists have fixed their eye upon these fields, which give promise of a certainly lucrative future. Arrangements are already made for a pipe line from these fields to the railroad, an enterprise involving millions of dollars, which capitalists who know the capabilities of New Mexico are anxious to invest. The mineral resources of New Mexico, notwithstanding the already large production, have but begun their development.

In my former remarks on this subject, which appeared in the CONGRESSIONAL RECORD of May 28, 1888, I referred in full to the agricultural resources of New Mexico and to the fact that New Mexico produced vastly greater quantities of corn than either Montana or Washington Territories, whose admission as States appears assured. The total production of corn in the two Territories of New Mexico and Montana appears from the following table, taken from the Agricultural Report:

	Bushels.
Montana	22,000
New Mexico	903,000

New Mexico, too, is well fitted for the cultivation and production of all the best-known fruits. Peaches, plums, and pears grow in great abundance and luxuriance, as well as figs and pomegranates, without danger of killing frosts or blighting mildew. There is no part of the country where the grape flourishes with less care and with greater profusion than upon the hillsides of New Mexico. New Mexico and California will in the future produce the wines of America, and our people can be free from the evil effects of doctored and impure foreign wines.

I have met at times an impression that New Mexico is one vast desert, where farming can never be successfully carried on. This idea is wholly due to ignorance. It is true that in many parts of New Mexico rain seldom falls, and that irrigation is essential to agriculture in the greater portion of the Territory. But irrigation as an aid to agriculture is known the world over, and has been practiced from time immemorial; while the incidental fertilization and the certainty of crops derived from irrigation vastly exceed the disadvantages brought on by the absence of rain. So general has become the interest on this subject, and so important is irrigation to the welfare, not only of New Mexico and Arizona, but of Colorado, Kansas, Nebraska, and Nevada, that at the last session of Congress an appropriation of $100,000 was made for the beginning of a national system of water storage and irrigation which would render vast territories, which are without such aid not susceptible of cultivation, among the most fertile of this country. I quote from the last report of the governor of New Mexico to the Secretary of the Interior, as showing the great advantages of a system of irrigation and the vast possibilities of agriculture in New Mexico under that system:

In view of the fact that a failure of crop is not possible with a reasonably complete system of water storage and distribution, whereby the farmer can compute his crop practically to the pound, in advance, year by year, with a given extent and thoroughness of cultivation, it follows that that system of cultivation will pay all, or more, the additional cost of irrigation, as the liability of failure of crop is thereby reduced to the minimum.

New Mexico differs materially from all the Western Territories in that, lying in the southern foot-hills of the Rocky Mountains, it has few of the continuous, rugged ranges that characterize much of the North. The country here is broken into alternate valleys, mesas, mountain peaks, and short ranges. Excellent facilities are thus afforded for the gathering and storage of water, and at elevations that permit its distribution, by the force of gravitation, to practically every tillable acre of land in the Territory.

The area of New Mexico is 79,000,000 acres. Of this it is estimated that not less than 60,000,000 acres may be classed as tillable with sufficient appliances for placing water thereon. This can be done only by a general system of storage in the higher altitudes, so disposed as to gather and hold the surplus that comes down from the mountains and runs the streams bank full at certain periods of every year, and thus reserve it for distribution during the dry periods of the later spring and earlier summer months.

In the same report a full exhibit is made of the recent achievements of New Mexico in agriculture and fruit-raising, so interesting that I incorporate it as a portion of my remarks:

AGRICULTURAL DEVELOPMENT.

There has been in all parts of the Territory marked progress in the development of our agricultural industries, illustrated by the late local and Territorial fairs, in grains, vegetables, fruits, and garden products, and by the corresponding cheapness and abundance in which they are found on sale in the markets. Large areas of land have been brought under cultivation for the first time this year, and the yield has been good. These productions include all varieties peculiar to the temperate zone, and some, such as figs, almonds, pomegranates, English walnuts, etc., that are classed as semi-tropical. The great range of latitude of New Mexico, from the thirty-second to the thirty-seventh parallel, affords a range of climate unknown in any Eastern State and a corresponding variety of product, while the range of altitude of tillable land, from 3,000 to 8,000 feet above sea-level, adapts the country alike to the products of the extreme North and the more northerly States of the South.

The development in agriculture has more than kept pace with the increase in population, and New Mexico is this year well started on the road towards self-supply in all the staples of consumption. In fruits, especially, the advance has been very marked. Orchards and vineyards that were planted a few years ago by the earlier colonists have this year come to bearing, and the volume on product has been something remarkable and exceeded only by the quality.

The Doña Aña County fruit fair, held in September at Las Cruces, in the quality of the fruits displayed of all kinds, was a surprising exhibit and a revelation of the wonderful capacity of the country, and of the Rio Grande valley especially, for the production of every description of fruits, more especially of grapes. The Black Hamburg, the Muscat, the Muscatelle, the Flaming Tokay, and many other equally valuable varieties, including excellent wine and raisin grapes, are there produced in astonishing size and profusion and of rare excellence. It is apparent from that exhibit that the manufacture of wines and raisins and the preparation of canned fruits are destined to become staple and profitable industries of that section.

The Santa Fé fruit exhibit, during the same month, was a gratifying display of the capacity of that region for the production of fruits of all kinds adapted to the latitude and the altitude—between 35° and 36° north and 7,000 feet.

At Las Vegas, last fall, was displayed an exhibit of grains, fruits, and vegetables especially adapted to the northern portion of the Territory, which indicated a marvelous productive capacity in a region that had been accounted almost a desert. The grains comprised wheat, oats, barley, and corn gathered promiscuously from the fields, many specimens of the small grains standing 6 to 8 feet high and the heads surpassing the average of the West, even in the weight of the grain—much of it grown without irrigation.

The Territorial fair at Albuquerque was an equal surprise to those unacquainted with the capacities of the country. In grains, vegetables, fruits, and textiles the display was of surpassing interest in its demonstration of the capacity of the Territory for the development of, practically, every product of the soil that contributes to the satisfaction of human needs and human comforts. Here were exhibited deliciously-flavored apples that weighed from 20 to 23 ounces, and peaches, pears, quinces, apricots, plums—in fact, every variety of corresponding size and quality, gathered from every quarter of the Territory; wheat weighing 70 pounds to the bushel and yielding 40 bushels to the acre, and oats, barley, corn, all the usual grains, fully up and even superior to the yields of the Middle States, as also in variety and quality; potatoes weighing 2 to 4 pounds, cabbages 40 to 50 pounds, and every variety of vegetable product of corresponding yield and weight.

During the past few years especial effort has been made to the introduction of improved agricultural machinery and modern methods of agriculture, and the result of that effort has been perceptible in these displays. Deep plowing and the introduction of intelligent, systematic pursuit of the science of agriculture have developed the fact that the soils of New Mexico, though at first sight forbidding and apparently a desert, possess in a remarkable degree all the elements of fertility, and that the great bulk of its lands, with intelligent cultivation, is susceptible of a high degree of development.

Until very recently the impression has prevailed that the successful production of American corn was impossible on account of the altitude, but the past year's experience has effectually dispelled that unpleasant delusion. As large and perfect American corn, the product of New Mexican corn-fields, was displayed at the late fairs as can be produced in any of the Mississippi States, and of quite equal yield, evidencing that that cereal is destined to hold its rank here as one of the great Western staples.

A gratifying indication of the increasing interest in and growth of our agricultural industries is the incorporation of irrigating companies. Nineteen of these associations have been chartered during the past year, and construction commenced on several of the number. Conspicuous among the latter is the Pecos Irrigation and Improvement Company, in Lincoln County, which has projected two canals, one 25 and the other 40 miles in length, and sufficient to irrigate 150,000 acres of land, now under contract. Other similar enterprises are also under way there, aggregating, in all, 140 miles of ditches and intended to water 250,000 acres of land. Lincoln County is more especially an agricultural county, and is rapidly filling up with farmers. The facilities for irrigation are generally good, and what was not many years ago known only as the Llano Estacado, or Staked Plain—waterless and treeless—comprising the eastern half of the county, will, before the lapse of many years, become one of the most populous and prosperous agricultural sections of the Southwest.

An extensive ditching enterprise is also on foot in the northwestern counties, another very promising agricultural section.

In Grant County an experiment at storage and distribution has proven an abundant success, so much so that a project for a considerable extension of the system has become a certainty.

In western Bernalillo County an enterprise is now under way for the establishment of a reservoir to be supplied from the watershed of the surrounding country and independent of running streams. This experiment will be watched with much interest, as, if successful, it will solve a troublesome problem and demonstrate the possibility of water storage and irrigation under conditions that have heretofore been considered impossible.

New Mexico, however, justly claims pre-eminence for its suitability for domestic animals. The following table, also from the Agricultural Report, shows that in the total number of horses, mules, and cattle New Mexico exceeds the whole of Dakota and far surpasses Montana and Washington, while the number of sheep in New Mexico is three times as great as in the other three Territories combined, out of which it is proposed to make four States:

Animals.	Dakota.	Montana.	New Mexico.	Washington.
Horses and mules	218,004	129,710	30,494	82,954
Cattle	810,490	751,000	1,169,789	343,088
Total	1,028,494	880,710	1,200,283	426,042
Sheep	253,672	718,750	4,328,753	544,548

What fit answer can be made to this as displaying the resources of New Mexico? It is safe to say that enough sheep can find grazing in New Mexico to supply wool to fill the need of the people of the whole United States. Recent experiments show that a combination of the native breeds of sheep with the best American and foreign breeds results in the production of wool of the finest quality.

There are now over 1,500 miles of railroad in the Territory, while other lines projected—some now in course of construction and nearly all to be constructed within one or at most two years—will triple the total mileage. Along the lines of every railroad spring up thriving towns, while the increase of population is composed of responsible and intelli-

gent settlers from the Eastern States who desire to try their fortunes in a region where cyclones and droughts are alike unknown, and where that dreaded scourge of the eastern coast, consumption, can not invade their households, and where the fever and ague of the inland States is equally a stranger.

Of the advantages of New Mexico from a hygienic point of view too much can not be said. During the past two years the rush of travel has been directed towards Southern California, and fortunes have been made and lost in a single week in speculation there. But those who know the future of that country best assert that its continued development is absolutely assured, because in that region can be found what multitudes from the East and Northwest have sought in vain—freedom from many of those dread diseases so prevalent throughout other parts of the Union. New Mexico presents precisely the same advantages. In her beautiful elevated valleys the sun shines every day throughout the year. Diseases of the lungs are unknown, while that affliction which has at length come to be known as the national disease—catarrh—never plagues the inhabitants of New Mexico. The following testimony on this point is taken from a work entitled "Rocky Mountain Health Resorts," by Charles Denison, M. D.:

In New Mexico, Arizona, and Utah not a little evidence of an altitude of immunity is shown in communications I have had the pleasure of receiving from Army surgeons who have served at elevated stations. Surgeon John F. Hammond, United States Army, writing on the diseases of New Mexico, Rio Grande valley, says: "Phthisis pulmonalis I have never seen in the country except in two instances—once in an officer of the United States Army, and once in an American emigrant. It was developed in each before he left the States, and each very gradually improved."

Dr. Irwin reports for Fort Defiance (6,500 feet), Northwestern New Mexico:

During a service of some seven years in New Mexico and Arizona, ranging over a region embraced between the thirty-first and thirty-sixth degrees of north latitude—Fort Union, New Mexico, to Fort Buchanan, Arizona—I never saw or heard of a case of tuberculous disease amongst the native inhabitants of those Territories.

In connection with the altitude and the dryness of the air, the numerous wonderful mineral springs of New Mexico co-operate to make it the great health resort of the continent.

In a former Congress, when the bill for the admission of New Mexico passed the Senate, a distinguished Senator from California, Senator Sargent, gave this eloquent description of her resources and future:

A doubt with reference to the resources of New Mexico would seem to be hardly plausible. New Mexico has peculiar advantages for wealth. It is a great pastoral country. Of that there can be no doubt; and it has enormous wealth in the way of cattle and sheep. But New Mexico is something like California in one respect. If I am not mistaken, Daniel Webster, in discussing the treaty of Guadalupe Hidalgo, by which California became a portion of the territory of the United States, said it was a land of rocks and deserts with rattlesnakes enough to fence it. Whether he ever said that or not, I do not know; I have never sought to verify it, but it is popularly believed that that was the estimate put upon California by Daniel Webster.

I went there before the State was admitted into the Union, in 1850, and I know the estimate among our own people at that time was that we had no agricultural capacity, or very slight. The idea of raising fruit in the mountains would have been considered absurd, and was so for a number of years after I went there, until the first experiment was timidly tried, and the hills then blossomed with fruit trees at once, bearing most magnificent and luxurious fruit. Our valleys were supposed to be sterile, to be impossible of cultivation; and yet now we are feeding Europe; we are beating Russia in the markets of Liverpool with the wheat which we send around the Horn, the product of our great valleys which were considered so sterile; and very much the same conditions exist in New Mexico. We do it partially by irrigation; we do it partially by differently alternating seasons; as, for instance, during this year the winter has been open, the snows and the rains have come on our State until the heart of the State is made glad by the promise of a harvest more abundant than that ever known to the history of the State, while last year the harvest was slight on account of the light rains and there being no snow whatever. So I say the seasons alternate.

The vast crop of a single year is enough to enrich the State for five, the luxuriance is so teeming. We can garner in our granaries as they did in Egypt in the old time against seasons of drought or periods of slackness of trade, and wait for the markets of the world. These same conditions exist in a very large degree in New Mexico. They have these vast plains. They have occasional seasons of heavy rains. They have their mountains garnering their snow, with the opportunity for irrigation, as we have in California. Of course the great agricultural resources are confined principally to the valleys, but the valleys are broad and extensive. The mountains, I have no doubt, are adapted to fruit raising, as they are in California, and those mountains are seamed further with valuable resources of minerals, with coal, and the precious metals, given promise by and by of enormous development, as our people shall pour in there.—*Congressional Record*, volume 4, part 2, page 1610.

The people of New Mexico are anxious to be relieved from the condition of tutelage and dependence in which they are now situated.

The governor in his last annual message to the Legislative Assembly thus referred to the development of the Territory and to the necessity for its admission as a State:

Especially in the mining and agricultural industries the advancement and development have been of a substantial and very gratifying character, surpassing the record of any corresponding period of our previous history. These two industries are destined, and for all time, especially agriculture, with which stock-raising will become closely blended and a constituent, to become and continue the basic industries of the Territory. In the mining of gold, especially, the development has been exceptional in extent and volume, which, if continued, will tend largely to obliterate the present factitious discrimination in values of the gold and silver metals as commercial standards of exchange.

In the nature of things, however, as all industries and all values are bottomed on successful agriculture, it becomes us in all ways and under all conditions to conserve and stimulate that industry. To that end, as it is apparent that in large areas of the Territory any general, prosperous system of agriculture is dependent on an equally general and effective system of water supply and irrigation, a bill was introduced in Congress at its last session providing for the admission of New Mexico to statehood, and donating a stipulated amount of the public lands in the Territory to be devoted to the establishment of reservoirs for water storage for purposes of irrigation. As it is not at all probable that this donation will be made except upon the admission of New Mexico to the Union, and in order that we may be placed at the earliest possible day in possession of that very important means of development, as also that we may be able to utilize as speedily as possible the usual appropriation of public lands for public schools and the purposes of public education, I suggest that the Legislative Assembly by public resolution memorialize Congress for the prompt passage of the measure now pending in the House of Representatives for the admission of New Mexico to statehood. It is confidently believed that the passage of this measure containing these two very important propositions would be the means of very greatly stimulating immigration, investment, and development.

The people of New Mexico are anxious to assume the full obligations of citizenship. The leaders of both parties alike are calling for statehood. From a recent number of the Chicago Times I cut the following article, displaying the sentiment of one of the leading Republicans of the Territory:

Ten years ago W. H. H. Llewellyn, of Omaha, was appointed Indian agent for the Mescalero and Jicarilla tribes of Apaches in New Mexico. When his term of office expired he moved to Las Cruces, in the Rio Grande valley, and enjoyed a lucrative law practice. The town in which he resides is in the center of the great fruit section of the country and much property is owned by Chicago investors. He was a delegate to the Republican national convention four years ago and, naturally, is intensely interested in the question of admitting New Mexico into the Union. "The people of New Mexico feel entitled to some consideration from the rest of the people of the United States," says he. "Both Democrats and Republicans are working for the cause. It is not a party question in the least, and of all the souls in the Territory fully three-quarters of them would vote yea to the question. We polled 40,000 votes at the last election, and with our natural resources we are as fully equipped for statehood as any Territory. A great cry in the North is, 'Don't let the Greasers in.' They are an orderly, well-behaved race, who respect the Government, and if the court records of all the crimes committed in that country were looked up, it would be found that 75 per cent. were committed by the so-called Americans."

Mr. Llewellyn says that civilization has progressed most rapidly in his Territory during the last few years. This is especially notable among the Indians. The Navajos, the largest individual tribe in the United States, are now self-supporting, save the establishment of schools, which work is carried on by the Government. Last year they sold 1,500,000 pounds of wool of their own raising.

Mr. Llewellyn will remain at the Leland for a few days and then visit the East.

The Lincoln County Leader of December 22, 1888, thus presents the need of admission:

New Mexico has a taxable value of $130,000,000; Montana, $69,000,000. Why admit Montana and not New Mexico? The discrimination seems to be religious as well as partisan. From all sides we receive such assurances of renewed immigration when we are admitted as a State as to assure us that capital will feel more secure; and while we are at present expending large sums in private enterprises, notably the irrigation of 200,000 acres of land in this county, involving an expense of over $2,500,000, we have untold wealth in our mines, undeveloped, to say nothing about our superior climate.

The following appeal for statehood and the prompt response show the general interest now existing in this subject:

AN APPEAL FOR STATEHOOD.

NEW YORK, *December* 15, 1888.

There is a subject of the greatest importance to New Mexico that requires immediate action within the Territory. I refer to its admission as a State. A number of Territories are to be admitted either before March 4 or very soon after. If that number should not include New Mexico it will be the cause of great injury to us. A Territorial condition is considered here as a proof of backwardness and lack of progress. Heretofore we have had the excuse that no Territory could be admitted as parties stood in Congress, and pointed to Dakota as an illustration; but if three or four are now brought in and we are left out, it will be understood as meaning that we are not fit for statehood, and are retrograding rather than improving. Every acre of our land would lose value and every industry be injured by such an event.

And yet there is grave danger of it. The States talked of here are Dakota, Montana, and Washington. Even Idaho is mentioned; but not New Mexico. There are various reasons for this. Some we can not prevent. But one we can obviate. People think we are not prepared because we are not clamoring for admission as other Territories are. In them they take every means possible to obtain admission. Their Legislatures petition, their boards of trade pass resolutions, they hold meetings and send delegations to Washington, and they fill the newspapers with accounts of their efforts and their claims. The general public thinks that each Territory is prepared for statehood in proportion to its efforts to obtain it. Just now the subject is attracting much attention. Every one understands that a number of new States are to be formed. Dispatches appear every day from Dakota, Montana, and Washington on the subject. Scarcely a day passes that I am not asked whether New Mexico will not have population enough before a great while to make application! My answer that we have had population enough for years, and we are far more ready in every respect for statehood than either Montana or Washington, is received in surprise and perhaps a little incredulity, and they say, "Why, I haven't noted any movement there on the subject."

This is very vexatious, and worse, because the underlying idea is harmful. People will not go to or invest their money in a section that they think is backward or non-progressive. Men are like sheep. They want to go with the crowd. If they emigrate they prefer a locality which is growing up rapidly. And the idea of statehood, or at least of efforts for statehood, are directly connected here with progress.

So it is important that our people should act promptly. Every board of trade should pass resolutions and have them telegraphed by the Associated Press. Every organization that can have a meeting should do likewise. The Legislature, of course, should act as soon as it meets. This very morning the New York Tribune has an editorial which shows the danger of longer inaction. It urges the admission of four new States, but the keeping out of New Mexico on the avowed ground that the Territory is too backward and has not the elements of a substantial community. I will endeavor to answer that here, but we should act unitedly and energetically all over the Territory. Will not the press of New Mexico aid in this?

L. BRADFORD PRINCE.

To the citizens of Lincoln County:

As citizens and residents of New Mexico we very fully appreciate the truth of

the foregoing communication, and comprehend the value and importance of a democratic representative government, equally with the blessings of the great Union of States. We believe that we have outgrown a Territorial government, and that the Territorial condition is detrimental to the development of our interests and our industries.

Therefore we earnestly urge upon the citizens of Lincoln County and the Territory of New Mexico to convene in mass meeting in their respective communities on the 5th day of January, 1889, for the purpose of general discussion of the subject of statehood, and to select delegates to a general convention to be held at Santa Fé, N. Mex., January 12, 1889; said convention to urge our claims to admission to the sisterhood of States, and select a committee to go immediately to Washington and present the same to Congress.

It is suggested that delegates be selected on a basis of one for each 100 votes or fraction thereof, each precinct to be entitled to one delegate regardless of the vote.

The importance of each citizen of New Mexico taking an active interest in the matter can be readily understood by reading the columns of slanderous and damaging matter daily being circulated throughout the East by the leading journals concerning our population and resources while discussing the question of New Mexico's admission to statehood.

It is also suggested that delegates selected who are unable to attend send their proxy to the chairman of the board of county commissioners, at Lincoln, N. Mex., who will deliver them to such delegates or other persons as may be selected and signify their intention of being present at the convention at Santa Fé.

M. CRONIN.	C. H. WEIDMAN.
JOSE MONTANO.	ARCADIO SAIS.
H. H. PIERCE.	JOHN Y. HEWITT.
FLORENCIO GONZALES.	P. F. GARRETT.
S. BACA.	GEORGE CURRY.
J. K. BYERS.	SIPIO SALAZAR.
A. M. ROBERTSON.	HENRY LUTZ.
JONES TALIAFERRO.	WILLIAM SLANE.
G. A. RICHARDSON.	JAMES R. BRENT.
S. T. GRAY.	H. H. C. HARRISON.
JOHN BURNS.	GEORGE B. BARBER.
R. MICHAELIS.	JOHN J. COCKRELL.
E. ORR.	

The convention thus called has met and has adopted resolutions demanding immediate admission. These will be presented to the House as soon as they arrive.

New Mexico as a Territory has long suffered from the neglect of the General Government. In years past the ravages of hostile Indians have been unchecked, and, while on the one hand protection has been denied, on the other compensation for past injuries has been refused. Then, too, by the neglect of Congress the titles to land for a great number of acres in the Territory have remained unsettled ever since the first occupation of New Mexico. Notwithstanding this her people have been patient, believing that at last some redress would be afforded. Now they call upon Congress for that consideration to which they are entitled—their admission as a State. No greater encouragement to immigration and development can be given.

The admission of New Mexico will stimulate her people to renewed activity in developing the resources of the country, and will operate to attract extensive immigration from the States of the East, for as a State its resources will become known. Once admitted as a State her rapid development is assured. Her future is not doubtful. High up among the mountains of New Mexico numerous smelting furnaces will be busy in preparing for use the vast mineral wealth now buried in the earth. Thousands of prosperous citizens will be employed in the mining industries, and mountain cities equal to those of Colorado will arise. Throughout the upland region millions of cattle, horses, and sheep will pasture, increasing in number every year, since they escape all danger from the stress of hostile winters. On every side thousands of thrifty farms will be cultivated, and the diligent farmer, freed from the uncertainty of drought or floods, will contentedly cultivate his fields knowing that his diligent labor will surely result in an abundant harvest. Vineyards and orchards will adorn every hillside, and the fruits and wines of New Mexico will be as widely celebrated as those of California. Under these conditions prosperous cities will increase, while all of the inhabitants of this favored region, in a climate the delights of which are unequaled throughout the globe, will be blessed with health and longevity not to be surpassed in any other part of our common country.

These resources and possibilities New Mexico tenders to the Union. Her citizens will esteem it their highest honor to be admitted to an equal share in the responsibilities of the Union, and should danger menace they would deem it their greatest privilege to bear their full share and thus exhibit their devotion to our country's flag and the American Constitution.

During the delivery of the above remarks,

The SPEAKER *pro tempore* said: The time of the gentleman from New Mexico has expired.

Mr. HENDERSON, of Illinois. I ask that the gentleman from New Mexico be allowed to proceed.

Mr. SPRINGER. Mr. Speaker, the gentleman desires ten or fifteen minutes more, and I hope it will be granted him.

Mr. MACDONALD. I move that he be allowed to conclude his remarks.

There was no objection, and it was so ordered.

Mr. JOSEPH. I thank the gentleman from Minnesota for his courtesy.

Mr. JOSEPH resumed and concluded his remarks.

Mr. JOSEPH. I ask unanimous consent to incorporate in my remarks some resolutions in my possession in reference to the admission of New Mexico as a State.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico? The Chair hears none, and it is so ordered.

The papers referred to are as follows:

LAS VEGAS, N. MEX., *December* 29, 1888.

To the Speaker of the House of Representatives in Congress assembled:

A public meeting was held here last night for a canvass of the statehood question. The following resolutions were adopted:

"*Resolved*, That we, the citizens and voters of San Miguel County, in mass meeting assembled, hereby proclaim that in our judgment the time has come for the people of the whole Territory of New Mexico to unite in a demand that New Mexico be admitted as a State into the Union as soon as the preliminary steps can be taken to secure such admission.

"*Resolved*, That we hereby ask the Territorial Legislature, as soon as possible after it shall convene, to pass a joint resolution memorializing Congress and asking the passage of an enabling act authorizing the calling of a constitutional convention to frame a constitution for New Mexico, and that the Legislature of New Mexico pass a law providing for the holding of an election for delegates to a constitutional convention fixing the time and place for holding the same.

"*Resolved*, That the press of New Mexico be requested to give these resolutions as wide publicity as possible, and that the friends of the movement for statehood everywhere in the Territory be invited to meet in mass meeting and by similar resolutions request the Legislature of New Mexico to take prompt and decided action in the matter, in order that Congress and the whole country may become fully advised of the general desire to secure a State government before the adjournment of the present Congress."

F. A. BLAKE,
J. J. FITZGERRELL,
A. C. ABEYTIA,
PABLO ULIBARRI,
J. S. ELSTON,
Committee.

DEMANDING STATEHOOD—NEW MEXICO INSISTS ON BEING ADMITTED TO THE FEDERAL UNION.

[Special to the Republic.]

SANTA FÉ, N. MEX., *January* 13.

At the statehood convention, held in Santa Fé, the following resolutions were passed:

Whereas the Territory of New Mexico was ceded to the United States by the treaty of Guadalupe Hidalgo in the year 1848, and has been an organized Territory under the laws of the United States ever since the year 1850; and

Whereas by the terms of said treaty it was stipulated and guarantied that the people in this Territory who should not preserve the character of citizens of Mexico should be incorporated into the Union of the United States and be admitted at a proper time to all the enjoyments of all the rights of citizens of the United States according to the principles of the Constitution; and

Whereas the people of this Territory have frequently demanded and asked for a compliance on the part of the Federal Government with the said terms of said treaty, and have always been desirous of being admitted into the United States and the enjoyment of the rights of citizens of the United States; and

Whereas the people of this Territory have ever since the cession of New Mexico to the United States been loyal to its principles and institutions and desire its perpetuity; and

Whereas the population of the Territory of New Mexico at the present time exceeds 170,000, exclusive of all Indians, which said Indians have no right to vote in the Territory and by its laws have always been prohibited from voting and never have voted at any election in the Territory; and

Whereas the Territory is now traversed by railroad and telegraph lines in various directions, giving every part of it speedy and easy communication with all other parts of the United States, such railroad lines amounting to about 1,400 miles in length, all of which have been constructed within the last nine years, bringing with them from the States of the Union a large, wealthy, intelligent, and enterprising immigration, nearly if not quite equal to the population which was in this Territory prior to the advent of said railroads; and

Whereas the assessed value of property in this Territory has been constantly and largely on the increase ever since its annexation to the United States, and in the last ten years such increase has been tenfold; and

Whereas there has been an increase during the last two years of over 5,000 votes actually cast at the last general election over the vote cast at the general election held two years previous, showing an increase in population in that time of about 30,000; and

Whereas a large and intelligent immigration from all parts of the United States is constantly coming into this Territory, settling it up and rapidly developing its resources and increasing its wealth, intelligence and prosperity; and

Whereas the Territory of New Mexico is possessed of sufficient resources, intelligence, and inhabitants, not including Indians, to authorize and require its admission into the Union as a sovereign State, equal in every respect with the present States of the Union; and

Whereas under the Territorial form of government limitations upon our right to legislate not contemplated by the Constitution of the United States or the spirit of American institutions are imposed upon us, the progress and development of our Territory are retarded, leaving us in a condition of tutelage and minority, thus impairing confidence in the stability of our institutions on the part of those seeking homes and investment in the West, all of which will be obviated by our admission to statehood; and

Whereas the name of New Mexico has been for more than three hundred years applied to that portion of the United States now embraced within our Territory, and the inhabitants have for generations held that name in veneration and desire to perpetuate it in our history as the name of a sovereign State: Now, therefore,

Be it resolved by the people of the Territory of New Mexico in convention assembled, representing every portion and political subdivision and every political party therein, That we insist upon and demand admission into the Federal Union as a State, in fulfillment of the pledges and guaranties solemnly made by the Government of the United States in the treaty of Guadalupe Hidalgo, and also by virtue of our wealth, population, and intelligence, which are amply sufficient to support and maintain a free and sovereign State and all the institutions incident thereto.

Resolved, That we further insist and demand that speedy action be taken by the Congress of the United States to the end that New Mexico shall be at once admitted into the Federal Union as a State thereof.

Resolved, That we deem it a sufficient answer to the many misrepresentations promulgated throughout this country as to the intelligence and morality of our people to advise the fair-minded people of the United States that more than one-fourth of all the revenue raised in this Territory, 90 per cent. of which is collected and paid into the school fund, is devoted to the support and maintenance of free non-sectarian public schools and that such schools exist in all parts of this Territory.

And be it further resolved, That simple justice to this people demands that they should be permitted to perpetuate the history and achievements of their forefathers by retaining "New Mexico" as the name of the new State.

Mr. STRUBLE withholds his remarks for revision. [See Appendix.]

Mr. MANSUR. Mr. Speaker, before proceeding with my remarks by an arrangement with the members of the committee, I desire to yield twenty minutes of my time to the Delegate from Washington Territory [Mr. VOORHEES].

Mr. VOORHEES. Mr. Speaker, four years ago the people of Washington commissioned me to present to the Congress the urgent commercial, geographical, social, and political importance of the erection of that northwest angle of the Republic into an American State. During all that period, frequently at the risk of rendering myself obnoxious to members, so little have they seemed to realize the intense bitterness of a disfranchised condition, I have laboriously sought to induce such results in this connection as would justify the confidence which impelled my constituency in placing in my hands this important and far-reaching trust. That the appeals of the people of this remote region of the Republic have thus far found dull ears has been to me a source of the keenest regret, not unmixed with a feeling of profound indignation. Whatever the causes may have been which wrought out this policy of non-action, a more indefensible position was never assumed than that predicated upon a supreme indifference to the repeated petitions of disfranchised thousands for constitutional enfranchisement.

On the 28th day of July last I made in this House a plea for American citizenship for a disfranchished constituency, in the course of which I used the following language:

> Confronted by the majestic presence of American citizenship mere political considerations grow mean and small. I address myself to this great question to-day, not as a Democrat, but as an American citizen. I care not what the future political complexion of the Territory may be, the citizenship of its inhabitants can not become less sacred, be the administration Democratic or Republican. American citizenship presents too exalted a question to be circumscribed by political considerations, and I shall always protest against the utilization of such a question for the perpetuation of party supremacy or for the achievement of mere party advantage. It is a question of statesmanship and not of politics.

My sentiments as then expressed have undergone no change or diminution. The rapid advancement and progress of the great commonwealth which I represent since that time have but served to intensify such a feeling, and to-day I feel that any scheme of party advancement which is to be based upon the continued disfranchisement of the people who sent me here will involve a grave crime against constitutional government and an indefensible transgression of the fundamental principles of civil liberty.

It is a subject for congratulation that this House has at last placed itself in a position to mete out tardy justice to more than a million of American citizens.

It is not possible to discover any sufficient reason for the apparent apathy which has heretofore characterized this House in its treatment of this vital question.

As so eloquently suggested by my learned and distinguished friend from New York [Mr. COX], an invocation of all the powers of imagery and of prophecy fails to furnish forth any adequate notion of the stupendous and unparalleled growth and development of the communities affected by the pending measure.

Even the far-reaching instinct of Thomas Jefferson, which bequeathed this empire to the American people, could not have felt the extent of the blessings to posterity which lay concealed in his wise and unerring statesmanship. The sturdy and intrepid spirits of Lewis and Clarke little dreamed that the vast and mighty solitude of that country—

> Where rolled the Oregon,
> And heard no sound save its own dashing,

would, in less than a century's life, respond to the ringing voices of an imperial and astounding progress. Even in prophetic vision they could not have foreseen the establishment upon the splendid waters of Puget Sound of a seat of commerce which, in less than three generations, outstripping its older competitors, challenges the admiration of the commercial world as the ocean port fifth in importance in the United States. No amount of prescience could have revealed to them that in the year 1888 the total valuation of taxable property of Washington would be $84,641,548, having advanced to that amount from $18,922,922 in 1878.

Was there a prediction in any of the voices of the wild and savage life by which they were surrounded that there would be polled in the Territory, in the year 1888, 46,353 votes, representing a population at the least calculation of 231,665, as against a vote of 12,647 in 1878, the basis of a population of 63,235?

In the variety and permanency of her natural resources and advantages Washington has no equal amongst her sisters. In her superb maritime advantages she surpasses every other Territory, and very many of the States. By reason of her inexhaustible coal supply and her abundance of iron she has been very aptly styled the Pennsylvania of the Pacific Northwest. Within her borders is to be found the great lumber reserve region of this country. Her agricultural possibilities are excelled in no quarter of the globe, and her production of the precious metals is very pronounced. It will thus be seen that, in the aggregate of her resources and advantages, she is in advance of any State or Territory in the Union.

Admiral Charles Wilkes thus describes the maritime features of Puget Sound:

> Nothing can surpass the beauty of these waters and their safety. Not a shoal exists within the Straits of Juan de Fuca, Admiralty Bay, or Hood's Canal that can in any way interrupt their navigation by a 74-gun ship. I venture nothing in saying that there is no country in the world that possesses waters equal to these; they cover an area of about 2,000 square miles; the shores of all its inlets and bays are remarkably bold, so much so that a ship's side would strike the shore before her keel would touch the ground.
>
> The country by which these waters are surrounded is remarkably salubrious and affords every advantage for the accommodation of a vast commercial and military marine, with convenience for docks, and a great many sites for towns and cities, at all times well supplied with water, and capable of being well provided with everything by the surrounding country, which is well adapted for agriculture.
>
> The Straits of Juan de Fuca are 95 miles in length, and have an average width of 11 miles. At the entrance (8 miles in width) no danger exists, and it may be safely navigated throughout.
>
> No part of the world affords finer inlands, sounds, or a greater number of harbors than are found within the Straits of Juan de Fuca, capable of receiving the largest class of vessels and without a danger in them that is not visible. From the rise and fall of the tide (18 feet) every facility is afforded for the erection of works for a great maritime nation.
>
> The country also affords as many sites for water-power as any other.

Washington has 1,984 miles of coast line, all but about 170 miles of which is washed by the waters of Puget Sound.

In my speech of July 28 last I thus alluded, in a statistical way, to our vast maritime interests:

> The gigantic lumber, coal, agricultural, and other interests are of such proportions that in 1887 the number of American steam-vessels engaged in the foreign trade, which was 674 entering and clearing in the Puget Sound customs district, exceeded that of any other district in the United States, New York standing second with 488 vessels; and the tonnage of such vessels, representing 532,748 tons, was only exceeded by New York, where the tonnage was 764,551. During that year in the aggregate number of American and foreign steam-vessels engaged in the foreign trade, at 1,312, this district stood second only to New York, and in the aggregate tonnage of such vessels the district was seventh in importance. In the aggregate number of entrances and clearances of American and foreign vessels, steam and sail, the district was fifth in the United States, with 881 vessels, and in the aggregate tonnage of such vessels it was seventh. In the fiscal year of 1886 the collections of this district were $79,000, while such collections for the fiscal year of 1887 will not fall far short of $300,000.
>
> It is estimated that the export trade of Puget Sound in coal, lumber, wheat, and other products amounts to $10,000,000 annually.

The fact that Washington alone, of all the Territories, occupies a maritime position should long since have induced the conviction that delay in clothing her with a settled and certain form of government is fraught with the gravest peril and concern to the nation. Her exposed and totally defenseless position is a perpetual invitation to the aggression of every hostile foreign power. Great Britain, in the expenditure of more than a million of money in providing for the public defense in her provinces immediately to the northward, has set an example worthy of the emulation of the American Republic.

So forcibly did this consideration present itself that Senator MORGAN, in his most admirable speech upon the admission of Washington, in the first session of the Forty-ninth Congress, put forth the following observations:

> Considered in a political view, there could be nothing more important to the welfare of the whole Union than to have a State established at that angle of our Northwestern possessions, one side of which is washed by the Pacific Ocean and the other by the Straits of Fuca. I may describe it as a political buttress standing out there partly in the sea, opposed directly to the power and enterprise of the greatest rival that we have in the world—people of our own kith and kindred, whose power and enterprise we certainly ought to learn to estimate if we have not done it yet—the British people.

Considerations of this character, Mr. Speaker, are worthy of the thoughtful and earnest attention of the wisest statesmanship, and I commend such a course to the statesmen of this House.

So widespread and overwhelming is the desire for constitutional government amongst the people whom I represent that during the recent election it constituted the living, burning issue between the two parties. So keenly did these people in that election resent the delay in this House in responding to their continued appeals for statehood that a pronounced Republican majority was the result. In the intensity of their desire to rebuke the Democratic party for what they conceived to have been an unwarranted indifference to their appeals, they lost sight of the persistency with which I have during my four years of service here urged my friends in this House to immediate action.

I have no personal regret over my defeat, but it is a source of very considerable regret to me that my efforts have proved unavailing to impress upon my party friends in this House the wisdom of moving in such a way toward the accomplishment of this mighty result, which, during every hour of my service here, has been demanded by every dictate of American citizenship, as to inspire in the hearts of the people of Washington a feeling of friendliness for the splendid party of which I am an humble member. That I failed was not through a failure of diligent, determined effort on my own part, and I stand here to-day, in the shadow of overwhelming political defeat, to insist, with the same vigor and zeal that animated me in the sunshine of political success, that any further delay in the consummation of this paramount result is an unconscionable usurpation of the inalienable rights of nearly three hundred thousand American citizens.

Mr. MANSUR. Mr. Speaker, from what I believe to be the consensus of opinion upon the floor of the House, there is practically nothing

left at this time to discuss, so far as the admission of Washington and Montana are concerned. I feel confident that this side of the Chamber has reached a conclusion in their own minds to support and vote for their admission. I believe a similar sentiment obtains on the other side of the House, and hence there is little to discuss in regard to them.

The proposition that seems at present to meet the best favor on this side of the Chamber is that known popularly as the "omnibus" measure. A few words in regard to that bill, and as to the points that I understand our friends on the other side differ with us upon. I believe I may say that in the formation of that bill the Delegates from all of the several Territories interested were consulted as to the details, and, so far as I know, from the time of its formation and presentation to the House down to the present time, in regard to these details there has been no difference of opinion and no exception taken to them, I repeat, so far as my knowledge extends, by any member of the House on either side, and I mean now all the details in the way of land grants, the mode and manner of calling conventions, their power and duties, etc. So that we narrow the field of our discussion down considerably when we say that in the details of this bill, so far as the committee were concerned, they were agreed, the several items of detail being acceptable alike to both sides.

What then, Mr. Speaker, were the differences of opinion in the committee? One was that these Territories should not all be included in any omnibus bill, but that each of them should stand on its own individual merits. Another was that Dakota ought to be per force of sentiment divided, and the southern part be admitted upon the constitution adopted a little over three years ago.

Another, and the last point of objection, was in regard to New Mexico—the Republican side of the House was not in favor of its admission into the Union at the present time. I believe I have stated fairly the differences, and gentlemen on either side of the committee can supplement these points of difference with any other existing. I know of none, but I may have forgotten, and if so I hope they will be presented to the House in the course of this discussion.

Whatever may have been the opinion of this side in the past, true it is that now our side of the Chamber have reached a conclusion that Dakota should be admitted into the Union; and we have also reached the conclusion that if it be the will of her people, upon due notice given and in a formal manner, to declare in favor of the division of the Territory, we will assent to that also.

So that, having conceded these great vital points on this side, it seems to me there is comparatively little left to differ with the other side upon, it is true, though personally I believe that it would be more than wise to resubmit the adoption of the constitution framed in the fall of 1885 to a direct vote of the people; and not only that, but that it should be done in such a manner as to disembarrass the minds of the people of that Territory from all fear that if they do not accept the constitution already adopted that they can not get another hearing.

Personally I would be glad to submit that question, and to couple with it another thing that would take from the mind of every person and every voter in Dakota Territory, North or South, all apprehension on that subject, and would do it in this manner: That at the time when the people vote upon the question of ratification anew of the constitution of 1885, with the various amendments submitted at that time separately, there should be also coupled with it a call for another convention and the election of delegates, who, in the event of a failure on the part of the people of both Dakotas to ratify the convention of 1885, should immediately assemble in another convention and there form another constitution, taking all the good features of this constitution they desire, and amending it in such manner as to make it thoroughly acceptable to all the people of Dakota of the present day.

This should be done, particularly when we remember that three years ago North Dakota had no voice whatever in that convention or upon the question of division, and when we remember that to-day, according to the vote of November, 1888, there is largely over 100,000 voters in that Territory. So that when they come to vote upon the question of the adoption or ratification anew of the constitution submitted for South Dakota they shall not be under any fear that by declining to ratify it anew they will be put to delay in the formation of a new constitution, but that at the one election they may pass upon all these questions. I believe it to be the preferable and better plan to get afresh the will of the people, and to give that right anew to all the people of that Territory, instead of permitting less than one-third of the number of voters that now exist in that State to decide it; for less than one-third of their present number voted on these questions at the election in 1885, when the constitution referred to in the Senate bill was adopted.

By such means we would get at the very last and best expression of their wishes. It would enable us to get a solution of the whole difficulty and truly enable the people of Dakota to determine these questions of local self-government for themselves. In that way they could consider all the merits and demerits of the old constitution and accept or reject it, free from all fear of losing statehood. It is not my purpose to canvass this question at any length, but rather to devote myself in the few remarks I shall address to the House in reply to the distinguished gentleman from Iowa [Mr. STRUBLE] who has just taken his seat.

By the treaty of Guadalupe Hidalgo, forty years ago, I think it is safe to say that the honor of this nation was pledged that in due and reasonable time, when the New Mexican people should become citizens of our country, that country should be admitted into the Union as a State as other Territories have been. And I see from the observations and discussions in the past that Senators especially took that view years ago, to wit, that the good faith of the Union demanded that New Mexico should be admitted into the Union. This is especially the case in the debate of 1874 in the Senate upon the question then of admitting New Mexico as a State.

What my friend says about the past condition of New Mexico is as wholly irrelevant to the condition of affairs as they exist to-day as it would be for us to undertake to compare the condition of the Pilgrim Fathers after they had been in Massachusetts a month or a year—not, perhaps, in moral condition or in intellectual capacity, for that was great—but upon their financial ability to maintain a State government.

The House should remember that in 1876 there was not a mile of railroad in the Territory. The House should remember that none of our Territories have suffered as much as New Mexico from the ravages of Indians of the fiercest and most hostile character, for the Navajoes, the Arapahoes, and the Cheyennes have been the fiercest and bravest warriors in the West and Southwest, and they have ravaged this Territory more than any other, and kept it down and kept it backward for very many years. With these disadvantages, separated as it was by a thousand miles from the settled States of the East, with no means of getting to and from New Mexico except what used to be called in those days "bull-trains," which would only carry a person from our Missouri frontier to New Mexico in a period of from six to ten weeks, there was of course little opportunity for improvement for the people of the Territory. But the condition of affairs as described by writers thirty years ago, their descriptions of the utensils with which the people of the Territory then cultivated the ground, and the quotation of such descriptions as if they were applicable to the present condition of things, is, in the light of the progress that we make in the West each and every year of our lives, simply futile, and infantile besides.

The gentleman says that he will make no attack upon the religion of the people of New Mexico. I am glad to hear him say so. It is very hard indeed to read the report, of which he confesses himself the author, and reach that conclusion; but a late repentance is perhaps better than no repentance at all. It will not do to say that those New Mexicans, who are white, and who are within our territory and protected by the treaty stipulations made with Old Mexico when we took them within our limits in 1848—it will not do to say that they are not to be counted as a part of the population to entitle them to statehood; but it would seem from the tenor of the argument of the gentleman from Iowa as if the only character of people within the limits of the Territory of New Mexico is such as is stated in his report upon this bill and in his speech to-day, namely, that the people are ignorant, stupid, superstitious, and uneducated. This is not so.

Let me call the attention of the House to a couple of incidents occurring in the years 1874 and 1876. And first let me remind the House what period of time that was in the history of the Republican party. Politically, gentlemen, it was the greatest era in your history. In 1872, when General Grant was elected President for the second time, you had unlimited control over every department of the Government. The Senate and the House both were two-thirds in your favor; the Supreme Court was on your side; General Grant was your idol, and you had everything your own way. In that administration, in the year 1874, a bill was introduced in the Forty-third Congress to provide an enabling act for the admission of New Mexico into the Union. That bill passed both Houses of Congress.

It passed the House of Reprensetatives at the first session, on the 21st day of May, 1874, by a vote of 160 yeas against 54 nays, lacking only two of being a vote of three to one. At the second session of the same Congress, on the 24th day of February, the bill passed the Senate by a vote of 32 yeas to 11 nays, lacking only one vote of being three-fourths; and that was in the most stalwart Republican Congress, both in the upper and lower branch, that our history has known. But that is not all. That bill failed for want of agreement on some minutiæ in conference, and two years later the Senate led off and introduced a bill which passed by a large majority. Since that time neither House has passed a bill for the admission of New Mexico. Now, Mr. Speaker, I understood the gentleman from Iowa [Mr. STRUBLE] to say that the agricultural lands of that Territory are incapable of supporting such population as would reasonably authorize New Mexico to demand to be admitted among the States, and I understood him to says also that there were only about 5½ per cent. of the agricultural lands of the Territory which could be cultivated profitably without irrigation.

Mr. STRUBLE. Yes; without an improved system of irrigation. I made that statement and gave as my authority the governor's report.

Mr. MANSUR. The gentleman from Iowa has been quoting from literature on this subject as stale as a last year's almanac, but I desire

in this connection to quote from the last two reports of the governor of the Territory, who ought to know something about the condition of affairs there. In his report for 1887 Governor Ross says:

It is impossible to accurately or definitely estimate or describe the undeveloped resources of New Mexico, so vast is the range of natural resources known to exist. Of the 122,500 square miles of land 10,000 are covered with pine forests; of the 78,000,000 acres, 40,000,000 are good average agricultural lands, and probably 20,000,000 of the balance are mountainous.

In his report for 1888 he says:

There has been in all parts of the Territory marked progress in the development of our agricultural industries, illustrated by the late local and Territorial fairs, in grains, vegetables, fruits, and garden products, and by the corresponding cheapness and abundance in which they are found on sale in the markets.

Again:

The development in agriculture has more than kept pace with the increase in population, and New Mexico in this year well started on the road towards self-supply in all the staples of consumption. In fruits especially the advance has been very marked. Orchards and vineyards that were planted a few years ago by the earlier colonists have this year come to bearing, and the volume of product has been something remarkable and exceeded only by the quality.

The Doña Ana County fruit fair, held in September at Las Cruces, in the quality of the fruits displayed of all kinds, was a surprising exhibit and a revelation of the wonderful capacity of the country, and of the Rio Grande valley especially, for the production of every description of fruits, more especially of grapes. The Black Hamburg, the Muscat, the Muscatelle, the Flaming Tokay, and many other equally valuable varieties, including excellent wine and raisin grapes, are there produced in astonishing size and profusion and of rare excellence. It is apparent from that exhibit that the manufacture of wines and raisins and the preparation of canned fruits are destined to become staple and profitable industries of that section.

The Santa Fé fruit exhibit, during the same month, was a gratifying display of the capacities of that region for the production of fruits of all kinds adapted to the latitude and the altitude—between 35° and 36° north and 7,000 feet.

At Las Vegas, last fall, was displayed an exhibit of grain fruits and vegetables especially adapted to the northern portion of the Territory, which indicated a marvelous productive capacity in a region that has been accounted almost a desert. The grains comprised wheat, oats, barley, and corn gathered promiscuously from the fields, many specimens of the small grains standing 6 to 8 feet high and the heads surpassing the average of the West, even in the weight of grain—much of it grown without irrigation.

The Territorial fair at Albuquerque was an equal surprise to those unacquainted with the capacities of the country. In grains, vegetables, fruits, and textiles the display was of surpassing interest in its demonstration of the capacity of the Territory for the development of, practically, every product of the soil that contributes to the satisfaction of human needs and human comforts.

Again:

During the past few years—

When did the railroads get in there? All of them, you may say, practically, within the last six or eight years.

During the past few years especial effort has been made to the introduction of improved agricultural machinery and modern methods of agriculture, and the result of that effort has been perceptible in these displays. Deep plowing and the introduction of intelligent, systematic pursuit of the science of agriculture have developed the fact that the soils of New Mexico, though at first sight forbidding and apparently a desert, possess in a remarkable degree all the elements of fertility, and that the great bulk of its lands, with intelligent cultivation, is susceptible of a high degree of development. Until very recently—

Mark the language—

Until very recently the impression has prevailed that the successful production of American corn was impossible on account of the altitude, but the pas-year's experience has effectually dispelled that unpleasant delusion. As large and perfect American corn, the product of New Mexican corn-fields, was displayed at the late fairs as can be produced in any of the Mississippi States, and of equal yield, evidencing that that cereal is destined to hold its rank here as one of the great Western staples.

The governor then proceeds to speak of what they are doing in the way of irrigation and the introduction of canals. He states:

Nineteen of these associations have been chartered during the past year, and construction commenced on several of the number. Conspicuous among the latter is the Pecos Irrigation and Improvement Company, in Lincoln County, which has projected two canals, one 25 and the other 40 miles in length, and sufficient to irrigate 150,000 acres of land, now under contract. Other similar enterprises are also under way there, aggregating, in all, 140 miles of ditches, and intended to water 250,000 acres of land. Lincoln County is more especially an agricultural county, and is rapidly filling up with farmers. The facilities for irrigation are generally good.

And he winds up his remarks on this subject by saying—

What was, not many years ago, known as the Llano Estacado, or Staked Plain—waterless and treeless—comprising the eastern half of the county, will, before the lapse of many years, become one of the most populous and prosperous agricultural sections of the Southwest. These are remarkable statements, and prove conclusively, that all ideas in regard to the sterility of New Mexico, based upon observations and experiences prior to the advent of railroads and the new modes of cultivation arising from the use of modern improved farming machinery, are absolutely to be discarded, and in determining the agricultural resources and capability of New Mexico to sustain a population worthy of a State both now and in the future, must be sought and obtained only from the period within the advent of railroads and of an aggressive, active, energetic farming class within her borders.

I have now called the attention of members of the House to the fact that the Republicans on two different occasions—I may say three, two in the Senate and one in the House—in 1874 and in 1876, voted that in their opinion New Mexico was entitled to admission; that she had all the elements necessary to entitle her to admission as a State. What has caused the change since? If anything, the climate has surely bettered. The improvements in other respects are great; and best of all, at least 75,000 stalwart American citizens—many of them Northern men, many of them Union men—have gone in there and are developing that country under the auspices mainly of a Boston company—a great railroad company—the Atchison, Topeka, and Santa Fé Railway Company. Under the stimulating influences of this great railway 50,000 population has been added to the Territory, and these people are now building cities and peopling its valleys, carrying there wealth and advancement, creating farms, growing orchards, developing mines of fabulous wealth, and all this done by the best brains of New England and many other of the Northern States.

I appeal to the other side to say whether these 75,000, added to its population since 1880, our own brethren, American citizens, who when they left their homes were blessed with all the privileges of statehood, have done anything to forfeit their rights as American citizens by going into that Territory. Those people there say that they have not. I received this morning resolutions adopted by a convention held on the 10th of this month, at Santa Fé, in favor of statehood—vigorous, ringing resolutions, showing good reasons why, in the opinion of those people, that Territory should be admitted. Why should she not? Organized in 1850, she has since then seen seven States admitted into the Union from a Territorial condition. She has to-day a larger population than any Territory ever admitted as a State, if we except Texas and Maine. She certainly has wealth sufficient to entitle her to admission.

But, says my friend from Iowa [Mr. STRUBLE], although we may concede that the elements of wealth to sustain statehood are there, yet there is so little intelligence among the people, so little education in her Legislature, that they quarrel and fritter away their time, and have in the last session of their Legislature—for there has been none since the one to which the gentleman refers—shown their inability to frame a revenue law adequate to the demands of that country. Well, the governor of that Territory did state, of course, what the gentleman has cited; but in his more recent report of 1888 he declares that public opinion is now wonderfully awakened on this subject, that everywhere the people see the necessity for such legislation, and that as soon as the Legislature again convenes, so great being the public interest in this question, he doubts not a suitable law to remedy this evil will be passed.

I am also informed by my friend Mr. JOSEPH, of New Mexico, that hitherto railroad property has not been assessed; that property is valued at some thirty millions or more of dollars. Hereafter it will be assessed, and when so done, will carry the assessed wealth of this Territory to between eighty and one hundred millions of dollars.

Furthermore, Governor Ross states this wealth other than the railroad is equitably distributed amongst the entire population of the Territory, and it is as fairly distributed in proportion to the number of people in the Territory as it is in any other Territory in the Union.

I want to call the attention of the House to the disingenuousness of the gentleman from Iowa, if he will pardon me for the assertion. The first extract my friend read from his own report, and which was copied from Governor Sheldon's report in 1884 made as governor of New Mexico, is as follows:

The people of the Territory have not for several years in the past been producing enough to supply the necessaries of life so far as food articles are concerned, but have been purchasing breadstuffs abroad which has depleted the country of cash. For several years the construction of railroads was extensive, which gave employment to a large number of people, and reliance was placed on this source of revenue to supply their wants. During the last eighteen months there has been little railroad building, and the cultivation of the soil having been neglected the people find themselves without much money. Hence trade is light and times are dull.

This was all he read. If he had read the next six lines he would have found the following antidote for the situation portrayed in the foregoing extract:

This year there has been a considerable increase in agricultural and fruit productions. From the very best information at command I am of the opinion that the production of cereals, vegetables, and fruits is nearly, if not quite, sufficient to supply the consumption of the people. There seems to be a general appreciation of the importance of these interests, and it may be expected that in future no money will be sent out of the country for articles of food that can be raised at home!

Now, a word as to what the gentleman said as to the ancient agricultural implements in use in the Territory of New Mexico. Of course no one can know just exactly what agricultural implements are in use in New Mexico unless he has seen them, and it is my belief from what I know that agricultural machinery has been taken into that Territory in sufficient quantity to answer all the requirements of the most improved cultivation of much of its cultivated soil. A son of mine travels for the firms of Deere & Co. and Deere, Mansur & Co., well-known firms in Illinois who are engaged in the sale of agricultural implements, and I understand they have supplied very largely to that Territory.

I have not the data at hand as to just what amount of improved agricultural machinery has been sent to New Mexico, but it has been going there beyond all doubt for a dozen years past and is going there every day, so that in my belief the Territory of New Mexico is fully up to the standard of most of the other Territories in supplying itself with all the necessary adjuncts of modern civilization so far as the cultivation of the soil is concerned. Of course gentlemen will understand that nearly all the machinery has been introduced there within the last ten or twelve years; that is, since the railroads were constructed and have been running into the Territory.

By the census of 1881 there were only 101,000 inhabitants there.

The governor in his last report states that the present estimate is 175,000 of population.

Now, I have an article here written by J. J. Fitzgerrell, member of the Territorial board of immigration, and who signs himself past department commander, New Mexico Grand Army of the Republic. In that article he states that he is a lifelong Republican, and went to New Mexico from Illinois. He states that the present population is estimated by the bureau of immigration at 204,040. I give it as my own opinion that the Territory of New Mexico in the last eight years has made more substantial progress than either Wyoming, Arizona, Idaho, or Montana not only in increase of population but also in all substantial developments necessary to permanent statehood. With her rich valleys and her capacity for irrigation, there are more elements for the future sustenance of a large population in New Mexico than in any of the other Territories I have named.

Mr. JOSEPH D. TAYLOR. You stated the amount of arable land was 40,000,000 acres. Now can you state how much of that arable land is under cultivation?

Mr. MANSUR. I do not know that I can state at this moment just how much is under cultivation. What investigation I have made has been on very short notice for the purpose of replying to my friend from Iowa. Indeed, what facts I have been able to gather have been the result of my work during the last few hours. I can not at present give an answer.

In this connection, Mr. Speaker, I desire to call the attention of the House to an extract from the report of the governor just printed, the report for 1888, on the subject of education, in which Governor Ross says:

> The educational interests of the Territory have not been neglected. If there has not been that advancement that was hoped for substantial progress has been made. A compulsory school law was passed at the last session of the Legislature, but its conditions have been such that it has been practically inoperative, and yet it is a step in the right direction.
>
> On the whole, the school attendance has been increased, and larger amounts of money have been expended in the maintenance of the public schools. The number of schools has increased, as has also the number of denominational and parochial schools and the attendance thereon. Schools in the Territory generally are in a perceptibly better condition, and an increased and increasing public interest in the education of the youth is very manifest.

This is the latest official report made by one of the officers of the Government, who is in position to give definite information upon the subject.

Mr. WARNER. Will my colleague allow a suggestion?

Mr. MANSUR. Certainly.

Mr. WARNER. Can my colleague give any figures bearing upon this subject?

Mr. MANSUR. I have no figures at hand, but——

Mr. WARNER. I take it for granted that my colleague is familiar with the report of the auditor for 1886 and 1887, wherein it is shown that in New Mexico the total amount paid to school teachers for the year was, in round numbers, $33,000, and that there were but forty-one public school buildings in the Territory, or one to each 3,000 square miles of Territory. Is that the condition of things in the Territory that my colleague approves of?

Mr. MANSUR. That is one of the strongest reasons why this Territory should have the rights of statehood. Now, any donations or largesses of land to which she may be entitled under the general law when she shall be admitted as a State are not available. If we give her all of the sixteenth and thirty-sixth sections of her vast area she will have money to go on and develop her school system, and will have means to aid in the advancement of the education of her people to a remarkable degree.

Mr. WARNER. Will my colleague allow another suggestion?

Mr. MANSUR. Certainly.

Mr. WARNER. The Territory of Dakota did not have any such provision, and did not have the lands, and yet she has expended about $2,000,000 for her public schools.

Mr. BUCKALEW. She had more taxable property.

Mr. MANSUR. The comparison may be to the advantage of Dakota. I know not how that may be, for I have not the figures at hand to compare the two; but I do know this, I know that South Dakota would be shorn of much of her reputation abroad if separated from North Dakota, for North Dakota grows all of the twenty millions or more of wheat which has made the name of Dakota famous the world over.

I understand also that up to four years ago—I do not know how it may be now—North Dakota paid more taxes than South Dakota. But that is altogether an agricultural country, and the people reside generally in settlements and they close up the gap and keep together, and therefore they can have numerous schools. But here is a Territory with a population of 175,000, and 125,000 square miles of territory, mountainous, uncrossable, and inaccessible in many parts, and therefore you can not have the same number of schools there under the circumstances that exist in her Territorial condition that you can have in a smooth, level, agricultural country like Northern Dakota.

But, Mr. Speaker, the increase in the number of schools of both kinds in this Territory under the compulsory law shows, and I think in the opinion of everybody present it will be conceded, that the Territory is making rapid and laudable strides to a better condition.

My friend, Mr. STRUBLE, stated also as his last objection, and I believe it is the last to which I shall call the attention of the House, "that the character of her people was such as to militate against her admission as a State," and that this character which he has assigned to her people as now constituted did not fit them for successful self-government. What has brought about this remarkable change since 1876, when the Senate by a two-thirds vote wanted them in, or what has brought about the change since 1874, when both Houses of Congress by a three-fourths majority wanted them in? We can not say it has been a change in the climate, for if there has been a change that way it is a change for the better, for the annual rainfall has increased from 17 inches to 23 inches in the last five years.

The only thing that is different now in her condition from that time is this: There has been an influx of some 75,000 of our Northern citizens, and they must have made the change, but they are all Republicans and all Democrats alike, and this House will be slow to believe any such proposition as that. No; on the contrary, the fact that there have been 75,000 of the best and bravest spirits of the country within eight years past seeking this Territory to make homes and fit it for future statehood is a reason why they ought to be admitted. In more than one-half of the counties in this Territory to-day, according to the last statistics, the Americans, if you please to call them so in contradistinction to the term "Mexicans," are now predominating. Not only that, but the majority of these men are Republicans. This is shown to be the fact, for the Territorial Legislatures for the last three or four sessions have been essentially Republican; and if you shall say that many of the Mexicans, a majority, perhaps, are Democrats, then you ought to say at once that many of the other element, which are in the majority, are Republicans.

But let me call your attention, in concluding, to a statement made by Mr. Fitzgerrell over his own signature, which I find published in the edition of the Weekly Optic of January 10, 1889.

The SPEAKER *pro tempore* (Mr. MCMILLIN in the chair). The time of the gentleman from Missouri has expired.

Mr. MANSUR. I would like, then, to print a brief extract from this letter.

Mr. BAKER, of New York. I ask unanimous consent that my friend from Missouri have leave to finish his remarks.

Mr. MANSUR. I will not longer detain the House, but will print with my remarks in the RECORD the entire letter of Mr. Fitzgerrell.

It is as follows:

EAST LAS VEGAS, *January* 3, 1889.

Editor Chicago Tribune:

In your issue of December 25 you publish my letter, written by me as an old Illinois soldier, a life-long Republican, and a resident of Las Vegas for the past eight years. In publishing my letter and in your editorial reply you insert several interrogation points, and dispute the statements made by myself and other New Mexico correspondents. The impression created in my mind by your editorial is that if the statements made by the citizens of New Mexico are true New Mexico is entitled to statehood; not being true, she must be kept in a Territorial condition until her citizens can tell the truth. You say, "Party reasons should cut no figure in admitting Territories." That is right. But New Mexico is safely Republican for time to come, because her mining, agricultural, horticultural, and manufacturing industries demand protection. This is shown by her Legislature for a number of years past. Her present Legislature, too, is two-thirds Republican in both houses. The Republican party in the United States can not possibly object to the admission of New Mexico on party grounds.

You say, "Dakota does not urge her case because she has thousands of Sioux (Indians) within her borders whom she does not count, but because she has over one-half million of Americans. Montana and Washington do not include or base their claim upon their Indian population, but upon their American and white inhabitants. It is not right that New Mexico should enumerate her ignorant, mongrel, foreign-speaking Greasers in order to qualify on a representative basis for admission."

In your issue of December 20 you say: "Much time must elapse before this dense mass of Spanish-Aztec (Aztec means the Pueblo Indian) alien ignorance and superstition can be sufficiently infused with intelligence by the operation of immigration to entitle New Mexico to such an honor. To couple the weak, stagnant, mentally childish, unproductive rubbish population with the enterprising, energetic, industrious, and rapidly-increasing population of the magnificent Dakotas, and make the admission of the latter dependent upon that of the wretched, imbecile character of the former, or to demand their admission at the same time, is not only ridiculous but insulting."

New Mexico does not count the wild or Pueblo (called Aztec) Indians in her population. They are not taxed and are by law prohibited from voting. They never in one single instance attempted to exercise any of the rights of citizenship, all statements to the contrary notwithstanding.

The population in 1880, not counting a single wild or Pueblo Indian, was 119,565. The semi-decennial census of 1885 shows a population of over 134,000, an increase of 15,000 in five years. Since 1885 the growth of population has far exceeded that of the five years preceding 1885. The increase has been principally farmers, horticulturists, miners, capitalists, and active business men, generally from the New England, Middle, and Western States, drawn here through the influence of the Atchison, Topeka and Santa Fé Railroad—the same class that have peopled the State of Kansas. They are largely the old soldier population, and none are from the slums of Europe, such as are dumped by the thousands in the Northwest.

Carefully prepared statistics just issued by the Territorial bureau of immigration place the population for 1889 at 204,040, an increase of 84,475 since 1880. As an illustration of the character of the increased population, there were eleven hundred homestead, pre-emption, and other land entries made at the Santa Fé land office during the last twelve months. One single township within 20 miles of Las Vegas one year ago did not contain one land entry; now it contains thirty-six entries by actual settlers. This is but a sample of the actual settlements made by farmers throughout New Mexico. The days of range cattle here in New Mexico are ending.

The best indications of the actual increase in population is shown by comparison of the vote cast in 1886 and 1888, showing a net increase of 4,045 votes. This will show the estimated population by the bureau of immigration for 1889, at 204,040, to be a conservative estimate.

An analysis of the census for 1885 shows the Mexican population to be about

101,000. They polled about 19,000 votes, and are practically at a stand-still. With an American population of about 75,000, nearly one-half the votes cast at the last election were cast by Americans from the East. Not by a naturalized European rabble element. In almost one-half the counties in New Mexico the American vote predominates to-day. With a rapid increase of American population, there can be no doubt that the next United States census will show a majority of American voting population.

By the treaty of Guadalupe Hidalgo with Mexico, in 1848, the admission of New Mexico as a State was guarantied. In 1850 a Territorial government was given New Mexico.

During General Grant's administration, in 1874, a bill was passed by a Republican Congress, to admit New Mexico as a State, by a two-thirds vote in each House, but failed to become a law for lack of agreement between the Houses in the matter of detail in the process of admission.

In 1876 the bill for the admission of New Mexico passed the Senate by a large majority, but failed in the House for want of action.

California was admitted in 1850 with a population of 92,597; Minnesota in 1858, with 120,000; Oregon in 1859, with 50,000; Kansas in 1861, with 107,000; Nevada in 1864, with 40,000; Nebraska in 1867, with 100,000: and Colorado in 1876, with 100,000. New Mexico, with her population of 175,000, is as well equipped for self-government as any people who now seek admission. Of the 75,000 American population the facts are that they are composed largely of the soldier element, reinforced by the young, active, progressive, enterprising, farmer, horticulturist, miner, and capitalist who have come to till the soil, develop the mines, and add to the material wealth and prosperity of the Territory.

The assessed valuation of New Mexico is $43,151,920, not including railroad property amounting to over $30,000,000. This does not include fully $10,000,000 valuation of unadjudicated private land-grants that escape assessment. By careful comparison with the assessed valuation and population of other Territories seeking admission, as shown by Bradstreet's report, it is found the per capita valuation of wealth in New Mexico is equal to that of the other Territories.

The Territorial census of 1885 also shows the rate of illiteracy was reduced 20 per cent. The ratio of reduction since 1885 has been much greater. This arises from various causes.

In 1874, when the Congress of the United States by vote deemed New Mexico worthy to be admitted to statehood, she cast a little over 15,000 votes; the population being almost entirely of Mexican descent. Hence, if New Mexico is not entitled to statehood to-day, it must be for the want of intelligence, virtue, and fitness for self-government of her 75,000 American population, who have immigrated into New Mexico since that time. In 1874 and 1876 there was not a single foot of railroad built within her borders. The only means of communication was by bull-trains and the stage-coach. To-day there are over 1,300 miles of railroad in active operation; with a number of well-built, active, enterprising American cities, built of brick, stone, and wood; with watering-places, health-resorts, and hotels, for size, beauty, and elegance of appointments equal to those of the large cities of the New England States.

The physical resources of New Mexico are to-day equal to those of any Territory at the time of admission to statehood. She is superior to many in her agricultural and horticultural resources. Her coal and mineral resources are superior to any, while her climatic condition excels any portion of the United States, as shown by the mortality table of the United States census for 1880. Death rate per 10,000 from the dread diseases of consumption, pneumonia, and diphtheria: New Mexico is the lowest, with a death-rate of 17.97; Wisconsin, 35.37; Washington, 35.93; California, 36.86; Illinois, 37.18; Dakota, 38.99; Colorado, 46.27; New York, 46.80; Maine, 51.79; Utah, the highest, 76.47.

The record of the United States Signal Service at Fort Union, N. Mex., shows the range of the thermometer is limited and the seasons remarkably uniform. The clear days, without a single cloud, preponderate. The average annual sunshine of New Mexico exceeds that of Central Park, New York, 50 per cent.; and that of Greenwich Observatory, in England, 112 per cent. The annual average temperature is 50.6°; the coldest month is January, with 31°; the warmest, July, 79.70°. But little snow or rain falls during the eight fall, winter, and spring months, leaving the husbandman, the miner, and the business man free to pursue his labors with comfort. The annual rainfall during the past few years was 21.19 inches; for the ten years preceding 1883 the annual average rainfall was 17.68 inches, a gain of 6.49 inches in three years. The rainy season comes annually during the months of June, July, August, and September, with annual average during the last three years for the months named of 13.85 inches. The lowest rainfall for the month of August for the past thirteen years was 4.76 inches, the highest 8.04 inches. While the annual average rainfall is lower than in the States, the rainfall in New Mexico is greater during the months that produce crops than in the States. Experience shows it is a matter of proper preparation of the soil and planting, according to the seasons as they exist, to produce abundant crops without irrigation. Rains are more sure in New Mexico during the crop-producing months than in the States. Agriculturist and horticulturist prefer to use irrigation when practical, for the reason that with irrigation abundant crops are absolutely insured one year with another. With her mountain ranges and a system of water storage ample water supply can be secured.

There are 60,000,000 acres of tillable land in New Mexico, capable of furnishing homes for 2,000,000 inhabitants, not counting the vast population engaged in mining, manufacturing, merchandising, the professions, and in other lines of business. There are over 12,000,000 acres of timbered lands, millions of acres of which are covered with as fine yellow pine as grows in Georgia or Alabama.

The attention of the American agriculturists and horticulturists is but just being called to the grand possibilities of New Mexico. Only during the past three years with the introduction of improved agricultural implements and planting according to the seasons, have the grand possibilities of New Mexico been shown in the production of abundant crops of a superior quality and quantity of wheat, both spring and winter, oats, rye, barley, buckwheat, hemp, hops, flax, castor beans, sorghum, broom-corn, and gouber peas or peanuts.

While we can not enter into details of the amounts produced in bushels and pounds per acre, the challenge is made to the agriculturist and horticulturist of the Eastern, Middle, and Western States to stand up the exhibits made in different New Mexico fairs against the exhibit made in the different State fairs. New Mexico will take the blue ribbon with ease, all reports and statements to the contrary notwithstanding. Many cereals produce two crops per year, such as oats, rye, and barley. In hay crops, from three to five crops per year can be cut of alfalfa, espercette, clover, etc. Of these feeds, as grown here, 2 tons by actual feeding test will fatten a steer for the market.

Over the Northwest, which for many winter months is blizzard-cursed, by which life and property are destroyed, and disease and death are produced, while during the summer months it is the breeding-ground for cyclones, by which terror is struck to the stoutest hearts, and of droughts and overpowering heats, the advantage of New Mexico over these regions to horticulturists, agriculturists, gardeners, and vine-growers are as follows:

First. Greater certainty of producing abundant crops of all kinds by rainfall without irrigation, and absolute certainty with irrigation.

Second. Owing to the superior soil and climatic condition the grain is heavy, plump, and bright; the straw and hay cure better, contain more saccharine matter, and remain green and bright for feed. In the case of fruits, freedom from blight, worms, and pests, a superior delicacy in taste and flavor. In the case of vegetables, the size, weight, and quality are simply astonishing, requiring personal inspection to believe the truth.

Third. A home market at advanced prices for all her products for many years to come, to miners and other non-producing classes of people. While the husbandmen in the Northwest must contend with blizzards in winter, cyclones, sunstroke, and droughts in summer, the husbandman in New Mexico pursues his daily vocations with comfort every day in the year, free from winter's cold and summer's heat. With us blizzards, cyclones, and sunstrokes are absolutely unknown.

It appears to the citizens of New Mexico that no portion of the United States has been so foully and maliciously misrepresented. It is still maintained that New Mexico is a barren, waterless, treeless waste. Hear William E. Dane, in the bureau of irrigation paper just issued. He says: "For thirty years I fed cattle and hogs in Iowa. Becoming disgusted with the cold and with the stock business, I provided myself with improved agricultural impliments, and came to New Mexico. In 1887 I put 450 acres of corn, oats, barley, and alfalfa, and found I produced more feed and a better quality, without irrigation, than I did in Iowa. Last winter I fattened 120 head of steers on one-third of the feed it required to fatten cattle in Iowa. The winter is about right for feeding; the climate is dry, clear, bracing, and healthful, with almost constant sunshine. I sowed oats and barley in July and August last. They harvested from 40 to 60 bushels to the acre in November. I have cut 2 to 3 tons of oat hay to the acre since the election, and am generally well pleased with farming in New Mexico." The experience of Mr. Dane is but one among thousands in New Mexico.

MINING RESOURCES.

The mining resources of New Mexico are in their infancy. The deepest mines are but a few hundred feet deep. Enough has been developed to show that no portion of the United States possesses greater or richer fields with the advantages of an all-the-year-round climate for mining operations. Mineral is found in every county. Large fields of gold, silver, copper, lead, zinc, coal, and other less valuable minerals are known to be on Government lands, that are practically valueless on account of the distance from railroad transportation and the want of the means to mine or wash out the gold, as in placer mining. Let an investigator visit the mining camps and he will be struck with the richness of the yields, and with the fact that the country has not even been prospected yet. Up to two years ago the hostile Indians scalped the miners and ranchmen within sight of the mining camps and of many of the leading towns, and held undisputed sway over millions of acres of valuable mineral and farming lands. The output of precious metals during 1888 will fall but little short of $10,000,000, while large amounts of high-grade ores have been shipped to reduction works in Colorado, Texas, and elsewhere, for which credit is given elsewhere. Large and valuable deposits of iron and coal, both anthracite and bituminous, of a superior quality, equal to the best in Pennsylvania, are known to exist, and are now partially opened.

With the building of new railroads the development of new mining districts will follow, building up cities where now the wild animals are the only occupants. At present the leading mining camps and reduction works are at White Oaks, Socorro, Silver City, Kingston, Hillsborough, Cerrillos, Chloride, Fairview, Magdalena, Nogal, Glorieta, Elizabethtown, Lake Valley, and Organ.

It appears to the citizens of New Mexico that no portion of the United States has ever been so foully, maliciously, and undeservedly maligned and misrepresented as New Mexico. In case her enemies still maintain that the statements made in this paper are not true, the writer would refer to the following-named gentlemen for confirmation: Hon. F. A. Manzanares, ex-member of Congress; Hon. E. V. Long, chief-justice for New Mexico; Jefferson Reynolds, banker; G. W. Hartman, merchant and farmer; Edward Haren, Atchison, Topeka and Santa Fé Railroad, Las Vegas; Hon. E. S. Stover, ex-lieutenant governor of Kansas; Hon. W. S. Burk, editor and farmer; Hon. J. G. Albright, editor of Democrat, Albuquerque; Col. G. W. Morman, Laguna; Hon. Henry Lockhart, hotel man and capitalist, Col. J. A. Bahney, postmaster, Hon. J. C. Woodyard, druggist, Socorro; William Locke, merchant and stockman, Farmington, N. Mex.; Hon. A. Gusdoff, capitalist and ranchman, Taos; J. B. Dawson, farmer, W. E. Dane, farmer, Cimoliro; M. W. Mills, attorney, Springer; F. R. Butler, editor, Hon. H. Wigham, secretary Maxwell Grant Company, Raton; Col. C. M. Shannon, capitalist, Col. J. C. Miller, miner, Silver City; Norman C. Raff, banker, Col. J. P. Hyland, miner, Kingston; William H. Weed, merchant, Lee H. Rudisell, merchant, White Oaks; J. C. Lea, ranchman, E. T. Stone, ranchman, Roswell; S. V. Axtell, ex-chief-justice, L. Bradford Prince, ex-chief-justice, E. G. Ross, governor, Santa Fé.

THE MEXICAN PEOPLE.

The Americans that know the Mexican people the best are their warmest defenders. It comes with as bad grace for an American to call a Mexican a Greaser, etc., as for a Mexican to call an American a Gringo, etc. Both utterances are in bad taste when used in calling American-born fellow-citizens names.

Every Mexican born in New Mexico during the last forty years is as much an American citizen as if born in Boston. In 1848, cut off from Mexico by the fortunes of war, and isolated from the States of the Union as an advanced outpost of civilization, surrounded on all sides by a warlike, stealthy, treacherous Indian foe that greatly outnumbered them, the war-whoop of the Comanche, Apache, Cheyenne, Navajo, and other hostile tribes constantly in their ears, the only means of communication with their Government and to the first outpost of civilization was by bull trains and the stage coach over 1,000 miles of a trackless, waste country to Fort Leavenworth, on the Missouri River.

The bloody trail left by Victorio, Geronimo, and other hostile chiefs shows at what fearful cost of life and treasures these people have maintained themselves, and at the same time supported their little ones, with none of the opportunities to educate their children, as enjoyed by their fellow-citizens in the East, who now call them ignorant Greasers. For forty years the strong arm of the Government failed to notice them, and only until two years ago, with the aid of the volunteer militia, in which the American citizen of Mexican descent bore an honorable and conspicuous part, was the last hostile Indian corraled.

During the dark days of the rebellion these people volunteered for the defense of our flag and country, with a patriotism and devotion unexcelled, in proportion to their number, by any portion of our country. The bones of their heroes lie bleaching on Val Verde, Glorieta, and other hard-fought battle-fields, defeating the well-appointed armies of the Confederacy, and maintaining New Mexico in her allegiance to the Government.

The writer has sat on juries of his peers in the courts of Illinois, and has sat on juries in New Mexico, with the citizens sneeringly called Greasers. He is free to say the Mexican jurors grasped the evidence and law points presented by the judge in his charge to the jury as fully as their American brothers, and were as much and as obstinately divided among themselves as the American jurors were among themselves.

The Mexican citizen makes an honest, conscientious juror. The record of crime among the Mexican people is far less than among the American people. Now that opportunities for the education of their children are presented no people are more eager to avail themselves of such opportunities. None make better students. The proceedings of the courts of New Mexico are conducted in the English language. Interpreters are used here the same as in the courts of Chicago, when a witness or juror does not clearly understand the use of the English tongue; to the contrary notwithstanding.

It is respectfully submitted that the American-born citizen of Mexican descent, born within the past forty years, who knows no other flag than the Stars and Stripes, whose patriotism has stood the crucial test of war and been found true as steel, whose life has been one of constant warfare for its defense and preser-

vation, is more entitled to and is more capable of the self-government that comes from statehood than are the hundreds and thousands of Danes, Norwegians, Swedes, Polanders, Hungarians, Slavonians, Italians, Russians, etc., who are landed at Castle Garden, on contract and otherwise, and railroaded by trainloads to the Northwest; who know nothing of the English language, and never will learn it; who know nothing of American institutions, who never had one single heart-beat in sympathy with the principles of universal liberty; do not know its meaning; whose steps never have and never will keep time to the music of the whole Union; who never gave a prayer for the preservation of the Government during her days of trial.

Their virtue, intelligence, and devotion to the principles of self-government are not to be named in the same category nor spoken of in the same connection as the American citizen of Mexican descent, whose blood has been shed and whose baptism by fire has sealed his devotion to this Government and the principles of universal freedom.

This rabble from the slums of Europe, who, if naturalized, are voted like cattle at so much per head, in their education and feeling have nothing in common with American institutions. They come to this country from various causes, hoping in some blind way to better their condition, as shown by recent Congressional investigation. The spectacle of bribery and corruption among such people at elections would cause our Mexican people to stand aghast with horror, as the Mexican people have political convictions of their own, and, having them, they dare as American freeman to exercise them.

LET JUSTICE BE DONE.

Since New Mexico became a Territory seven Territories have been admitted to statehood, not one of them possessing the qualifications of population, wealth, natural resources, and possibilities of New Mexico. None have been more patriotic or more devoted to our flag and country. Let even-handed justice be done New Mexico by her admission into the sisterhood of States by the present Congress. It will at once give strength to immigration, stimulate industrial pursuits, develop our vast mineral resources, and give a prosperity to our people, whose blessings will fall as the gentle dew on the heads of her friends who in the Congress of the United States do even and exact justice to her liberty-loving people.

Respectfully submitted.

J. J. FITZGERRELL,
Member Territorial Board of Immigration, Past Department Commander New Mexico, Grand Army of the Republic.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCOOK, its Secretary, announced the passage of a concurrent resolution authorizing the printing of 6,000 additional copies of the annual report of the Interstate Commerce Commission, with the appendices thereto, 2,000 of said copies to be for the use of the Senate, and 4,000 for the use of the House of Representatives; in which concurrence was requested.

It also requested the return of the bill (S. 205) for the relief of the State National Bank of Louisiana.

It further announced agreement to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 154) for the erection of a public building at Milwaukee, Wis.

It also announced agreement to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 182) to provide for the purchase of a site for the erection of the public building therein named at Omaha, Nebr.

It further announced agreement to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1931) to increase the appropriation for the purchase of a site for a public building for a post-office, court-house, and other offices in San Francisco, Cal.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President was received, by Mr. PRUDEN, one of his secretaries, who also announced that the President had on January 15, 1889, approved and signed bills of the following titles:

An act (H. R. 11042) for the relief of Motier Howe;
An act (H. R. 206) granting a pension to William H. Starr;
An act (H. R. 210) granting a pension to Ephraim Nye;
An act (H. R. 308) granting a pension to John Lynn;
An act (H. R. 2702) granting a pension to Mary Ann Shook;
An act (H. R. 2707) granting a pension to Baker Saine;
An act (H. R. 2839) granting a pension to Henry Sommers;
An act (H. R. 3512) granting a pension to Anthony Shafer;
An act (H. R. 4101) granting a pension to Martha Giddings, formerly Martha Priest;
An act (H. R. 4648) granting a pension to Jemima Sterling;
An act (H. R. 4649) granting a pension to Daniel Tanner;
An act (H. R. 4737) granting a pension to Micah French;
An act (H. R. 11317) granting a pension to Fredericka Liesegang;
An act (H. R. 11333) granting a pension to Mrs. Louise M. Humphrey;
An act (H. R. 2677) for the relief of Ida M. Howell;
An act (H. R. 11362) for the relief of William R. Rodgers;
An act (H. R. 10947) for the relief of John Sweeney;
An act (H. R. 724) for the relief of Louisa McLain;
An act (H. R. 2061) granting an increase of pension to Francis De Freitas;
An act (H. R. 5593) granting an increase of pension to Laura L. Wallen;
An act (H. R. 9654) granting an increase of pension to Jesse J. Clark; and
An act (H. R. 2499) increasing the pension of Miss Sarah Mary Carroll.

VETO MESSAGES.

The following messages were severally laid before the House, read, and referred to the Committee on Invalid Pensions, and ordered to be printed:

To the House of Representatives:

I return without approval House bill No. 7, entitled "An act granting a pension to Thomas B. Walsh."

This beneficiary enlisted January 1, 1864, and was discharged August 1, 1865.

He is reported absent without leave in April, 1864, and further recorded as having deserted November 24, 1864. He was restored to duty in May, 1865, by the President's proclamation.

He filed an application for pension in December, 1881, alleging that he contracted rheumatism in May, 1865.

This statement of the claimant and nearly if not all the evidence in the case which tends to show the incurrence of the disability complained of, appears to fix its appearance at a date very near the return of the beneficiary after his desertion.

In these circumstances the proof of disability, such as it is, is as consistent with its incurrence during desertion as it is with the theory that the beneficiary suffered therefrom as the result of honorable military service.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 16, 1889.

To the House of Representatives:

I return without approval House bill No. 2236, entitled "An act granting a pension to Eli J. Yamgheim."

The beneficiary named in this bill filed an application for pension in the Pension Bureau April 15, 1875, basing his claim upon an alleged wound of his left leg from a spent ball, about October 15, 1861.

There is no record of his incurring any wound or injury during his service, and it does not appear that the company to which he belonged was in action nearer to the date he specifies than September 17, 1861, and his captain testifies that the beneficiary was not injured in the engagement of that day, which lasted only about fifteen minutes.

The proof taken in the case establishes that before enlistment the beneficiary had a sore on his leg which was quite troublesome, which suppurated, and after healing would break out again.

In the medical examinations made during the pendency of the claim the diseased leg was always found, but no mention is made of any other injury, and no other injury seems to have been discoverable.

I can not avoid the conviction upon the facts presented that whatever disability has existed since the discharge of the beneficiary arose from causes which were present before enlistment, and that the same is not chargeable to his military service.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 16, 1889.

To the House of Representatives:

I return without approval House bill No. 4887, entitled "An act granting a pension to Charles E. Scott."

This beneficiary entered the volunteer service nearly at the close of the war of the rebellion, and served from the 8th day of March, 1865, to July 24, in the same year, a period of four months and sixteen days.

He filed a claim for pension in 1884, alleging that he incurred camp itch in July, 1865, which resulted in partial blindness.

Upon the proof presented, and after examination, the claim was rejected upon the ground that it did not appear that the impairment of his vision was the result of any incident of his Army service.

I am entirely satisfied that this was a correct disposition of the case, and that upon the same ground the bill herewith returned should not be approved.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 16, 1889.

To the House of Representatives:

I return without approval House bill No. 8469 entitled "An act for the relief of Michael Pigott."

This bill appropriates the sum of $48 to the beneficiary therein named, formerly the postmaster at Quincy, Ill., which was paid by him for the use of a telephone for the year ending June 30, 1873.

There is evidently a mistake made in the statement of the period covered by the use of this telephone, for the official term of the beneficiary extended from May 16, 1881, to June 18, 1885.

Assuming, however, that it was intended to describe the period ending June 30, 1883, it appears that the use of a telephone during that time was wholly unauthorized by the Post-Office Department, and that the only authority given for any expenditure for that purpose covered the period of one year from the 1st day of January, 1884.

The following letter, dated July 16, 1884, was sent to the beneficiary from the salary and allowance division of the Post-Office Department:

"In reply to your letter relative to amounts disallowed for use of telephone for your office, you are informed that the said expenditures were made without the authority of this office, and it is therefore deemed advisable not to approve the same.

"Your authority for a telephone was for one year beginning January 1, 1884. At the expiration of the time named, if you desire to continue the telephone service, you should make application to the First Assistant Postmaster-General for a renewal of the same."

The multitude of claims of the same kind which the legislation proposed would breed and encourage and the absolute necessity, in the interest of good administration, of limiting all public officers to authorized expenditures constrains me to withhold my approval from this bill.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, January 16, 1889.

PANAMA CANAL.

The following message from the President was laid before the House, read, referred to the Committee on Foreign Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I have the honor to lay before you a report from the Secretary of State, with the accompanying correspondence in relation to the possible disturbances on the Isthmus of Panama in the event of the stoppage of work on the proposed interoceanic canal.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, 16th January, 1889.

To the President:

I have the honor to transmit, with a view of its communication to Congress, a copy of a dispatch just received from the consul-general at Panama, which

indicates an apprehension on the part of the local authorities along the route of the proposed interoceanic canal of disturbances among the varied populations which have been employed on that enterprise in the probable contingency of a cessation of the work.

The exigency referred to by Mr. Adamson is peculiar; and as I am unaware of the existence of any fund which could lawfully be applied to aid in the deportation of American citizens from foreign countries when they are not mariners, nor are connected with the public service, it has been considered proper that the discretion of Congress should be consulted, in order that an adequate sum of money may by their action be placed under the direction of the Executive to be applied to the humane and charitable purposes indicated in the correspondence.

In this connection it may be well to take into consideration the obligation of the United States under the treaty of 1846 with New Granada in relation to maintaining an unembarrassed route of transit of the Isthmus of Panama in the locality in question.

It will be remembered that in 1885 it became necessary for the United States to send sufficient forces to the Isthmus for the purpose of performing their duty under treaty, to suppress disorder at that point.

Respectfully submitted.

T. F. BAYARD.

DEPARTMENT OF STATE,
Washington, January 15, 1889.

Mr. Adamson to Mr. Rives.

CONSULATE-GENERAL OF THE UNITED STATES,
Panama, January 3, 1889. [Received January 14.]

SIR: Under date of the 2d instant the secretary-general of the department of Panama addressed to me a letter, as per copy herewith, showing that the local government fears that disturbances of the public peace may follow the suspension of work on the Panama Canal, which suspension is expected soon.

In view of what may be anticipated, the governor of the department suggests that the foreign consuls should solicit authority from their respective governments to send home their countrymen who may thus be deprived of the means of subsistence.

I acknowledged the receipt of the letter of the secretary-general, as per copy, and now submit the matter for your consideration. The work on the locks still continues, and it is understood that Mr. Eiffel, contractor for that part of the work, had a large advance placed to his credit with a third party before he commenced. The supposition is that he will continue until that advance is exhausted.

Work has stopped at Bas Obispo and will be stopped at Culebra on the 5th instant.

We appear to be on the verge of a crisis, and grave results may well be apprehended.

Fortunately there are comparatively few Americans employed on the canal, but those few will surely demand my aid.

Whatever may occur, I shall do my best for the protection of American interests here, and hope to merit a continuance of that kind support heretofore given to me.

I am, etc.,

THOMAS ADAMSON,
Consul-General.

[Inclosure No. 1.—Translation.]

Mr. De Fabrega to Mr. Adamson.

[Republic of Colombia, government of the department of Panama, secretaryship-general. Department of government, bureau of public order. Circular No. 1.]

SIR: I have been instructed by his excellency the governor to direct to you the present circular with the object of learning, in all courtesy, the steps which you will take in the events which may result from the suspension of the canal works, thus leaving without employment a considerable number of laborers, the majority of whom derive their sustenance from daily work.

The government has unquestionably the duty of maintaining peace and order, and, with the necessary elements, relies upon doing so, and though desirous of avoiding severe measures, will not omit any effort which permits a proper and peaceable solution.

His excellency the governor thinks that an understanding between the consuls with the local government to ship away their respective countrymen appears to offer the most convenient measure which could be adopted, and as it is supposed that you have received no instructions upon this matter, it would be desirable to notify your Government of the anticipated emergency, and to ask definite orders, so as to co-operate in the solution as above indicated.

In the name of his excellency the governor I must say to you that the local government will at all peril comply with its duties, and will maintain peace and order in the Isthmian territory, no matter how painful may be the measures it may feel obliged to adopt, thereby protesting against any responsibility which it might be claimed to result from the measures adopted.

Please acknowledge the receipt of this, and accept, etc.,

FRANCO DE FABREGA, JR.

[Inclosure No. 2.]

Mr. Adamson to Mr. De Fabrega.

UNITED STATES CONSULATE-GENERAL AT PANAMA, *January 2, 1889.*

SIR: I have the honor to acknowledge the receipt of your official communication of this day's date, informing me that his excellency the governor desires to know what measures this consulate-general will take in case that the operations of the canal company should be suspended and the laborers on said enterprise be thus deprived of the means of subsistence.

I note with pleasure that while the government acknowledges it to be its duty to maintain peace and order and has the elements necessary for this purpose it desires to avoid severe measures and will spare no efforts to bring about a proper and peaceable solution of the case.

I also note the opinion of his excellency the governor that an understanding between the consuls and the local government, with a view to the removal of the laborers, appears to be the most feasible plan; wherefore he suggests that the governments of the respective consuls be notified of the emergency which it is expected may arise, and that they ask for definite instructions in the case.

I note also that his excellency the governor is firmly resolved to maintain peace and order on this Isthmus, and that he disclaims any responsibility for the results of the measures which may be adopted.

In acknowledging the receipt of your very important communication, I limit myself, for the present, to saying that I shall send a copy thereof to my Government immediately and await instructions.

I am, etc.,

THOMAS ADAMSON,
Consul-General.

ADMISSION OF SOUTH DAKOTA.

Mr. BAKER, of New York. I desire to yield thirteen minutes to the gentleman from Oregon [Mr. HERMANN]. When he shall have finished I will resume the floor.

Mr. HERMANN. Mr. Speaker, I appreciate the kindness of the gentleman from New York; but as much has been already said on this great question I shall not ask the indulgence of the House for even the limited time so kindly allotted me. Cordially uniting with my associates as to the advisability of an immediate admission into the Union of Dakota, Montana, and Washington, I desire more particularly to address the House as to the latter Territory, though I should, in justice, even favor an enabling act for Idaho and Wyoming.

No State, sir, feels so deep an interest in the admission of Washington Territory as the State which I have the honor to represent.

For over 325 miles the great Columbia River is a common boundary. The same mountain ranges which divide Oregon into its principal parts also divide Washington Territory, producing the same climatic changes and conditions and yielding substantially the same productions. The resources are likewise similar, and wonderful in each. Our commercial interests are largely reciprocal. This Territory was once a portion of the Oregon Territory, and the struggling trials and privations in the early settlement of each were borne by a common people. This indicates briefly the bonds which unite us, and explains the universal desire among our people for the admission of this Territory into the Union of States. The people of this great section now number at least two hundred thousand and the increase is continuous and large. They embrace the best elements of the Eastern population—the moral, the intelligent, the progressive, the energetic, and the inventive.

Capital from every portion of the Union is seeking investment there in the vast coal fields, the lumbering mills and camps, the fisheries, the gold and iron ore mines, the railroads, the shipping, and the manufacturing, grazing, and agricultural interests. No stronger proof of these various industries can be presented than that shown in the assessment-rolls of the Territory. That for 1887 exhibits assessable property to the extent of $61,562,739, and still later exhibits are here for 1888, which show a further remarkable increase. I have not the exact figures at hand. When we are reminded that assessments as usually made represent less than 50 per cent. of the actual value, it can be seen that the full property value is over $100,000,000. This does not include millions of rich acres of the Northern Pacific land grant, the immense value of which I do not pretend to approximate. The increase of population as well as the material riches since 1880 has simply been phenomenal. But one other Territory excels her.

The commercial importance of Washington Territory is as far different from as it exceeds that of all the other Territories. It is the only Territory yet remaining which has a coast line. All others are interior. In the light of her ocean commerce she presents a record that stands out in astonishment even to the great States of the Union. This has been well adverted to by the honorable gentleman representing her on this floor, but it is so important that I may be pardoned for a second reference.

Quoting from the statistics of the Puget Sound customs district we find that—

1. In the number of American steam-vessels engaged in the foreign trade, this Territory stands first.
2. In tonnage of American steam-vessels engaged in the foreign trade, second only to New York.
3. In the aggregate number of American and foreign steam-vessels engaged in the foreign trade, second only to New York.
4. In the aggregate tonnage of American and foreign steam-vessels engaged in the foreign trade, seventh.
5. In the aggregate number of entrances and clearances of American and foreign vessels, steam and sail, fourth.
6. In the aggregate tonnage of all vessels, American and foreign, steam and sail, seventh.

The revenue annually collected in the Treasury through the custom-house now exceeds one-quarter of a million of dollars.

Over two thousand vessels have entered and cleared during the past year, and this, of course, does not include an immense fleet of coasting vessels under license.

The export trade amounts to over ten millions of dollars. This alone affords the strongest showing of the immense resources of the Territory already being utilized by her busy and energetic population.

In 1853 Washington was separated from the Oregon Territory and organized as a separate Territory, and for thirty-six years has remained such and been subjected to all the inconveniences and obstacles which always attend Territorial limitation. In view, however, of the marvelous development made, with all these disabilities to retard her, what further aggrandizement would she not have achieved by this time had she been favored but for half of this interval with the advantages of statehood. Six years after the separation of the two Territories Oregon was admitted into the Union, while Washington still remains, with all her magnificent development and nearly one-fifth of a million in population, a mere province so to speak, among States many of which she far exceeds. In the face of such a record what becomes of that compact in the fundamental laws of the Republic as to that great expanse of empire west of the Mississippi?

Whenever any of said States shall have 60,000 free inhabitants therein such State shall be admitted by its delegates into the Congress of the United States on an equal footing with the original States in all respects whatever.

Judged in a political or national sense every consideration of public duty pleads in behalf of prompt and unconditional admission. Indeed, the long delays already suffered reflect no credit on the majority in this Congress thus far. Washington Territory should have been a State in this Union ten years ago, and then would have exceeded the wealth as well as population of most of the States of the Union at the time of their admission.

Lying as she does, contiguous to a foreign power, with numerous conflicting interests, inviting serious contention at any time, it is highly essential that her people be clothed with those higher powers which enable a State to put forth greater and more immediate defenses than when a mere Territorial body. Her people have discussed this question of admission for many years, and now there exists a perfect unanimity of sentiment. There is no dissension either as to the boundaries, the form and substance of the organic act, or as to the necessity or expediency of immediate admission. In conventions, in legislative sessions, and in the elections this sentiment has repeatedly been expressed. It is not a question there between Democrats and Republicans, nor should it be in this body. It is a question for every citizen impartially to consider. There is to-day throughout our whole nation not a single valid reason or objection urged against admission. All parties are now in favor of it, and there are no constitutional impediments existing, while every argument of local benefit to the people directly concerned, as well as that greater benefit which appeals to every patriotic American, earnestly and loudly protests against further delays.

Mr. BAKER, of New York. I desire to invite the attention of the House for a few moments to the real question at issue.

Mr. BUCHANAN. Before the gentleman begins I should like to ask him if it is the intention to press this matter to a vote this evening?

Mr. BAKER, of New York. It is the intention to press this matter to a vote at the earliest possible hour. The chairman of the committee is better able to state when that will be than I.

Mr. SPRINGER. I desire to have disposed of this evening the formal amendments which were submitted by the Delegate from Dakota to the Senate bill, so as to perfect that bill, as the friends of the bill desire that it should be perfected, and thus make it possible for me to submit the substitute which I intend to submit at the proper time, and take a vote as early as possible.

Mr. BUCHANAN. Is it the purpose to submit the substitute to-night?

Mr. SPRINGER. It would be to-night, if possible.

Mr. BAKER, of New York. Mr. Speaker, I desire to invite the attention of the House for a few moments to the real question at issue. The debate thus far has proceeded upon the proposition presented by the so-called "omnibus bill." The House has been instructed in the situation as regards the claims to statehood of Montana, Washington, and New Mexico; while Arizona and Idaho have also advised us that they are getting ready to demand membership into the family of States. Utah also urges her claims. My idea of our duty is that we should speed the coming of every new State when assured that the proper conditions exist; that a Territorial government should be tolerated and continued so long as the people thereof are too few in number and too scant in resources, material, moral and otherwise, to maintain a strong and healthy State.

A Territory is acquired to become a State and not to be held as a colony and governed by Congress with absolute authority.

This has been and is the policy of the Republican party. For four years we have vainly endeavored to exemplify it in the case of South Dakota, but have encountered so many obstructions along the way that all efforts thus far have been in vain.

My views as to the claims of South Dakota were fully expressed in the speech delivered by me during the present Congress, in May last, upon the bill presented by me, which had been reported adversely by the House Committee on Territories, and which is the same bill subsequently passed by the Senate and allowed to slumber in committee until the 17th of December, when, under the influence of the recent Presidential contest, as I take it, the honorable chairman of the committee was persuaded to request that the Committee on Territories be discharged from the further consideration thereof and that it be made a special and continuing order for the next and succeeding days of the session until disposed of, with leave to offer as a substitute therefor the "omnibus bill," to which attention has mainly been directed by the debate thus far had.

The real question before us, then, is the passage of the pending Senate bill for the immediate admission of South Dakota, a new State created by carving out of the great Territory of Dakota the southern half thereof, embracing a State which in area will rank eighth in the Union, and in material and other respects to-day ranks ahead of many of the older States. Theirs is a contest for home rule. A new State embracing a population of about 400,000 people of push and enterprise, with an area of about 77,000 square miles, with wonderful resources, as I have shown on a former occasion, has for a decade been denied admission to the Union upon grounds and for reasons that are unworthy in the extreme.

The resolution of the 17th of December also provided that after this bill should have been considered the House would go on and consider until disposed of other bills for the admission of new States. The only State asking admission with a constitution already adopted by the people is the State of South Dakota, except, perhaps, Montana. For several years, ever since 1885, South Dakota has been knocking at the doors of Congress for admission to the Union. The proposition has been antagonized on the Democratic side of the House with propositions of different kinds, so that in one way and another final action has been postponed and no general debate in the House has been permitted until the present. The "omnibus bill," so far as it relates to all the Territories named, is in the nature of an enabling act. In effect it disregards all the steps taken heretofore by the people of South Dakota in the way of preparation for statehood.

South Dakota is ready for statehood, equipped with a constitution which has received the indorsement of the people of that Commonwealth.

Montana, a year or two before, adopted and brought to Congress a constitution, and later on in this debate the Delegate from that Territory will, he informs me, offer an amendment with a view of having that State admitted under the omnibus bill. So far as Washington, New Mexico, Arizona, and Idaho are concerned, the only effect of this proposed legislation will be to create an enabling act under which those Territories, by future action of their people, may form constitutions, organize State governments, and come to Congress for admission to statehood. I insist, Mr. Speaker, that it is the duty of this Congress to admit immediately the State of South Dakota under the pending Senate bill. I am opposed to the omnibus bill, because it seems to load Dakota with the other propositions; moreover, because there is no more necessity for these enabling acts than there is for a fifth wheel to a wagon.

Representative Grow said, in January, 1857, in reporting the enabling act for Oregon:

Gentlemen seem much averse to giving this authority, which is a mere matter of form, as the people of the Territory can meet in their assemblies and form a constitution and send it here as well without this authority as with it.

And Representative Jones, of Tennessee, said:

That is exactly my opinion.

In my remarks on a former occasion I discussed this subject in the following language:

It is said, first, that she has proceeded in her application for admission in an irregular and revolutionary method; second, that the State has been organized out of a portion only of the great Territory of Dakota. This Territory was organized subsequent to the admission of the States of Iowa, Minnesota, and Wisconsin, which were carved out successively and admitted as States from territory including what is now the Territory of Dakota.

Let us examine these propositions and ascertain if the objections made are at all tenable. It will be borne in mind that twenty-five States have been admitted since the Constitution was adopted by the thirteen original States. Of the twenty-five, Texas was admitted under a treaty compact, it being at the time an independent sovereign State; West Virginia was admitted by virtue of the power to consent to a division of one State into two or more States; Maine was admitted by the consent of Massachusetts, of which it formed a part; Vermont was admitted by the consent of the contiguous States of New Hampshire and New York, which made some claim to it; Louisiana was admitted under the treaty with France, but was already an organized community.

Twenty States, therefore, are all that have been admitted into the Union from the Territories to the United States, exclusive of Louisiana. Some of these have been admitted without any previous Territorial organization. One half of them had previous enabling acts and the remaining half had no such acts, or at least none under which proceedings were taken to organize themselves into States and make application for admission. The method pursued by Dakota is precisely identical in principle with that pursued by Tennessee, Iowa, Michigan, Arkansas, Wisconsin, California, Oregon, Kansas, Florida, and Kentucky. Thus it is shown that one-half of all the States admitted into the Union from the outlying and unorganized Territories belonging to the United States pursued the same identical course which the people of Dakota have pursued in their efforts to obtain admission of their State. Can it, then, be claimed with reason that Dakota has pursued any irregular method, since she has followed the precedents which have been approved by Congress in one-half of all the States admitted from Territories? Upon principle, are not these precedents just as binding upon Congress as those where the other method was pursued? What, I ask, is an enabling act but a mere invitation to the people of a portion of the territory of the United States to organize themselves into a State and apply for admission into the Union?

I have said Congress can not make a State. It has the power to admit new States, not to create them. Congress organizes Territorial governments solely under the authority of the Constitution, which gives the right "to make all needful rules and regulations respecting the Territories or other property belonging to the United States." The people alone can organize the State. It must be their work. No other power or tribunal can do it for them. The power is reserved to Congress to admit new States.

Congress may clothe a community in a Territory with the forms of laws under which they may proceed to organize for themselves a constitution and State government, and all the effect which the law of Congress has upon the subject is merely to throw around their proceedings such forms of law as will allow and direct an orderly movement of the people to the desired end. If Congress neglects or refuses to thus directly furnish such community with the forms of law—the invitation—under which these proceedings may be had, may not the local legislative authority perform that, or may not the people themselves in their primary capacity assemble in public convention, frame and adopt a constitution, organize a State government, and demand admission of the new State thus formed into the Union? Either method is clearly regular.

No objection was made, none has ever been made upon the ground that the constitution framed is not republican in form. No objection has been made to the admission of the State upon any grounds that are important and weighty in the consideration of a question of such magnitude as this. Consider for a moment, Mr. Speaker, the tactics of the opponents of the Dakota bill. At one time it was proposed, in order to defeat the object of the people and their efforts for admission, to compel a division upon a line running north and south, and a bill was

introduced by the gentleman from Illinois [Mr. SPRINGER] accordingly. Subsequently, after that bill had been introduced, printed, and buried in the archives of the Committee on Territories, another proposition was brought forward by the same gentleman for the admission of Dakota only as a whole, and the committee in their majority report on such bill made the absurd and now confessedly ridiculous argument which I will read from their report, presented May 25, 1886, No. 2577:

The question as to whether the Territory should be admitted as a whole or subdivided into two or more States or Territories is not remitted by this bill to the people of that Territory, that being a question, in the opinion of your committee, in which the people of all the country are equally interested. As demonstrated in your committee's report on the Senate bill, that Territory has neither the area, the population, nor the legal right to be admitted into the Union other than as one State.

If Dakota should be admitted into the Union as one State, it will be but a few years until State pride, local interests, and its diversified resources will be such as to demonstrate beyond all peradventure the wisdom of single statehood. The demand for division will not be insisted upon when all questions of the present and future are carefully considered.

In view of these facts and considerations, yonr committee are of the opinion that no greater wrong could be done to the inhabitants of that Territory than to provide for its division.

That report was made in the first session of the Forty-ninth Congress, on the 25th of May, 1886. At that time the population of the Territory was over 400,000. Now it is conceded to be nearer 600,000, and I have heard it stated by residents of that great Territory that its population is to-day much larger. The proposition to insist upon the admission of Dakota as a single State was never seriously urged in Congress because it was clearly in violation and disregard of the will and wishes of the people. It was of a kind with many others that have emanated from our Democratic friends in regard to Dakota.

Why, sir, if I were a Democrat, standing up here and speaking of the treatment by Congress of the Territories, I should unhesitatingly say, and I believe at least one member on the other side of the House has admitted, that the treatment of the Territories by Congress during the last twenty-five years has been such as to lose to the Democracy every Democratic Territory in the United States. [Applause on the Republican side.]

Mr. Speaker, upon the question of division of South Dakota, and of the rights and qualifications that entitle her to statehood, I need spend no time. Some question was made by the honorable chairman of the Committee on Territories [Mr. SPRINGER] as to some minor portions of the constitution which has been adopted by the State, but I regard those objections as frivolous. Without doubt the first act of the Legislature of the new State of South Dakota will be provided for a constitutional convention. In my judgment the duty of the hour is to admit South Dakota to statehood. That State should come in untrammeled by these other propositions. The pending Senate bill, with the amendments proposed by the Delegate from Dakota [Mr. GIFFORD], meets the question, and the whole question. Pass it, and under the resolution adopted by the House on the 17th of December we can go on and consider fairly and fully the case of every other Territory seeking admission or asking the passage of an enabling act under which it may proceed to the adoption of a State constitution and the organization of a State government.

What is the attitude of the other side? Simply this: Our Democratic friends say, by their acts, South Dakota, though in all respects worthy and well qualified, although having passed the most rigid civil-service examination, and having been duly instructed in the correct countersign, is so made up as to the people thereof that there is little hope for the Democratic party there for all time to come; therefore, unless we can be permitted to incorporate in the bill an enabling act for New Mexico and the other Territories, and unless we can reduce South Dakota to the necessity of traveling over again for the third time the steps preliminary to statehood, so that she shall not be admitted in advance of her less enterprising sisters, we will continue to hinder, delay, and obstruct.

I have said before, Mr. Speaker, and will repeat and emphasize:

The three millions of American people rebelled against the exercise of the same identical powers by Great Britain over them which the Government exercises over the Territories. They complained, and were by the world justified in complaining, that they were kept in a state of semi-vassalage. They had their governor appointed by a foreign tribunal; so have the Territories. They had their judges appointed by the same foreign tribunals; so have the Territories. They had their local legislatures, which enacted laws for them, subject to the revision of the same foreign agency; and so have the Territories. They were taxed without representation; and so are the Territories. Laws were made for them by a tribunal in which they had no voice and in which they could exercise no influence except such as one citizen may, by petition and argument, exercise over another; so have the Territories. They dared the force of the most powerful nation on the face of the earth to be rid of these evils. They were rid of them, and it never was contemplated that in this day and generation they should impose upon their fellow-citizens the same evils which had been imposed in those days by their fellow-citizens upon them. It will be a happy solution of many difficulties in legislation when all the outlying Territories may be populated, created into States, and admitted into the Union. The necessity for Territorial governments is unquestioned, but no effort should be made to constitute it an enduring evil anywhere. It is unjust to the new State to reject it. It is a self-imposed wrong upon the old States to keep her out, and to do so can not be defended on any ground.

[Applause.]

One of the redeeming features of this discussion on the Democratic side of the House is the attitude of my colleague from New York [Mr. COX] on this question. He has stood up here bravely and expressed himself in favor of the admission of South Dakota singly, if possible, or with the other Territories if it must be. In the views he has expressed he is leagues ahead of his party. He deserves honor and praise for the advanced position he has taken with reference to this great question. [Applause.] We owe it to ourselves, we owe it to the people of Dakota and of these other Territories, that immediate legislation be had in their behalf; but no good reason can be given, none has been attempted, why the pending act to admit South Dakota should be turned into a mere enabling act and the Territories of New Mexico, Arizona, Montana, and Washington included in one bill therewith. An enabling act is a mere invitation to do what South Dakota has already done. So far as it relates to South Dakota the omnibus bill is an insult, to be borne only because those people consider the source from which it comes. The gentlemen from Montana and Washington Territories have characterized in appropriate language the sentiments of their Territories in respect of the treatment of them by the Congress during the past four years. [Applause.]

What I object to is the attaching to this bill of the provisions for an enabling act for Washington, for Montana, and for New Mexico. The Delegate from Arizona [Mr. SMITH] is prepared to offer an amendment to include his Territory in the bill and to provide for its admission two years hence. There is no objection, perhaps, to an enabling act, but what is the necessity for it? As I have said, such an act has been held over and over again to be a mere matter of form, an invitation to the people of a Territory to form a State constitution and organize themselves for admission to statehood, but such an act is in no case necessary. Every one of these Territories has a legal and constitutional right to come here at any time, with a constitution already prepared, with a State organization already perfected, and ask immediate admission to statehood. And that is what I claim for South Dakota.

For seven long weary years Dakota was knocking at the doors of Congress for the passage of an enabling act in her behalf. That was denied. Then her people went forward, as they had a perfect right to do, organized a government and prepared a State constitution, which has been before this House for several years. It was before the Forty-eighth, Forty-ninth, and the Fiftieth Congresses. These people are abundantly equipped for statehood, and by all the precedents connected with the admission of twenty-five States are entitled to immediate admission.

It will be urged by my friend from Illinois [Mr. SPRINGER], the chairman of the Committee on Territories, that his bill, the "omnibus bill," will meet the whole question by one vote. But this is too great a question to be disposed of by a single vote, without the fullest and fairest consideration. Arizona, if entitled to be attached to this "omnibus bill," ought to be. Her case is certainly entitled to the fullest consideration. Wyoming desires to be embraced in this same bill. Shall these two Territories be denied consideration? Why are these Territories left out and New Mexico alone included?

Mr. SPRINGER. I will answer my friend. All the Territories embraced in the "omnibus bill" have a population exceeding the ratio of one Representative in Congress; the other Territories have not. That is the reason.

Mr. BAKER, of New York. It is claimed that Wyoming has such a population.

Mr. SPRINGER. Wyoming has a population of less than 100,000.

Mr. BAKER, of New York. Wyoming claims a population sufficient to entitle her to statehood, and is asking admission or the passage of an enabling act. Now, if we are to have action on a case where a community equipped in all respects for statehood comes asking, not for an enabling act, but for admission into the Union, let the case be considered alone; and then, if enabling acts are desirable for other Territories, let us pass acts meeting those cases. I trust the House, when it comes to vote on this question, will reject the proposition to pass the "omnibus bill," because when we come to that the other Territories will properly urge their claims. They have a right to be heard. We have given no consideration to Wyoming, no full and satisfactory consideration to the claims of New Mexico. Washington and Montana have had but a partial hearing, although the representatives from those Territories have spoken out in condemnation of the treatment which they have received at the hands of this Democratic Congress.

I appeal to the House and desire to urge with all the power I possess that we shall reject the proposition to load down Dakota with four or five other Territories. I am in favor of their admission as States at the earliest possible day. I would vote enabling acts for them if they desired it. But I say to those people, come up as Dakota has done; build up your constitution, organize your State government, come to Congress and claim the constitutional right you have of admission to statehood.

I hope I have made clear the status as to the present bill. The gentleman from Minnesota [Mr. MACDONALD] proposes, after the consideration of the substitute of the gentleman from Illinois [Mr. SPRINGER], to urge his substitute which has been printed in the RECORD. It will take some time to read it. It is perhaps entitled to be debated. All those matters ought to be considered, as we have the right to consider them under the continuing order of the House, but let us in the dis-

charge of our duty under the obligation resting on us first vote on the Senate bill, which is alone the proposition before the House to-day.

The bill for the admission of South Dakota ought to be passed without any barnacles in the shape of enabling acts in reference to four or five other Territories, and thereby delaying the admission into the Union of South Dakota, as provided for in the Senate bill.

Mr. BUCHANAN. Will the gentleman allow me to ask him a question?

Mr. BAKER, of New York. With pleasure.

Mr. BUCHANAN. Will the gentleman from New York allow me to ask him whether there is anything in the situation which prevents the Committee on the Territories from reporting an enabling act for each one of the Territories comprised in the so-called "omnibus bill" instead of attaching them to the substitute?

Mr. BAKER, of New York. Nothing at all.

Mr. BUCHANAN. Can you suppose any other purpose in the action proposed than to smother the Senate bill?

Mr. BAKER, of New York. It appears to me that the effect of lumbering up the Senate bill with propositions in reference to the other Territories is to delay and obstruct action and defer the admission of South Dakota into the Union. It can have no other result. The case as to the other Territories of course is entitled to full consideration. That will have to be given to it in any case.

Mr. ADAMS. Can not we go on and pass the Senate bill, and immediately afterwards, under the extraordinary power given to the Committee on the Territories to control the time of the House, go on to-morrow and the day after to-morrow and pass bills in reference to these other Territories?

Mr. BAKER, of New York. That is exactly what I have said. We have the right under the continuing order to take up the case of each of the several Territories and consider it on its merits. We have had a discussion between the gentleman from New Mexico and the gentleman from Iowa [Mr. STRUBLE] in regard to New Mexico. There is as much, perhaps, to be said on one side as on the other. I am strongly disposed to legislate in favor of New Mexico, but I think all these cases ought to be considered, each upon its own merits, and at length.

Washington Territory, in whose behalf the Delegate [Mr. VOORHEES] spoke so eloquently, is entitled to proper consideration. This side of the House has always been ready to give it. Montana has been here for several years asking for admission as a State. This side of the House has been ready to consider its claims and to admit it as a State into the Union. North Dakota asks simply for an enabling act, but they have already taken steps to formulate a constitution and to come here fully prepared to ask for admission as a State. It matters not whether we pass enabling acts for these Territories, as it will not delay their admission as States. They can come in as other States have done, but it is not just to obstruct and delay the passage of the Senate bill for the admission of South Dakota by unnecessarily tacking these other Territories upon the Senate bill, which is now under consideration. We have the right, under the continuing order, without interfering with the appropriation bills or the contested-election cases, to go on and legislate in reference to each and every one of these Territories.

Mr. BUCHANAN. I am not entirely familiar with the provisions of the proposed substitute or "omnibus bill." Is it not provided there that this question in referenee to Dakota shall be remitted to the people for another election? Will not the effect be, if that "omnibus" proposition be adopted, to hinder and delay the admission of South Dakota into the Union?

Mr. BAKER, of New York. The adoption of that omnibus proposition must result, as every gentleman can see, in obstructing and delaying the admission of South Dakota. As originally reported by the committee the "omnibus bill" provided for the admission of one Dakota. The majority of the committee prior to the last election conceived it to be their duty and only the right of Dakota to come in as one State. Subsequent to the election new light came to the minds of our Democratic friends, and they have come to the conclusion that the people of Dakota are entitled to consideration and admission as two States.

But, Mr. Speaker, I wish to emphasize the fact that the passage of the "omnibus bill," or the substitute which has been printed and offered by my friend from Illinois, will practically operate to do away with all the legislation and the acts of the people of South Dakota already done in regard to statehood. It practically resubmits to them the constitution and requires a new vote upon that instrument; and so I repeat, we had better put aside all these collateral propositions and act directly upon the bill of the Senate now before us.

Thanking the House for its patient attention, I reserve the remainder of my time. [Applause.]

Mr. SPRINGER. Mr. Speaker, I desire that those gentlemen who wish to take part in the debate, or who propose to do so, will proceed to-night, or that we can agree upon a time when the debate shall close. But before that I desire to ask unanimous consent that the amendments introduced by the Delegate from Dakota may now be read *seriatim* and agreed to by the House.

Mr. ADAMS. I object.

Mr. SPRINGER. You can move any amendment you desire.

Mr. ADAMS. I know, but I wish to discuss an amendment.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Illinois?

Mr. ADAMS. I object.

Mr. SYMES. I object, unless there is an understanding with the chairman of the committee, which I presume I can have, that I can take the floor in my own right for the purpose of debate. It was understood that I should have the floor in my own right after the gentleman from New York [Mr. BAKER]; but both the gentleman from New York and myself have refrained from taking the floor before, Mr. Speaker, with the intention of giving the Delegates from the Territories an opportunity to represent their people by arguments in support of their views upon amendments to be submitted by them or on the bill as presented. I shall insist, therefore, on having the floor in my own right, and will say for the information of the House that I have promised more than one-half of my time, as much, perhaps, as two-thirds of it, to other members on both sides of the House who desire to talk pointedly upon the bill and the substitute, as well as some proposed amendments to the bill.

Mr. SPRINGER. I am perfectly willing, and ask unanimous consent now that the gentleman from Colorado shall occupy that hour to-morrow morning, immediately after the reading of the Journal, provided we can have these amendments taken up and disposed of at once.

The SPEAKER *pro tempore*. The Chair has already submitted the request for unanimous consent.

Mr. GROSVENOR. I do not want to object to the proposition of the gentleman from Illinois, but I want to remind the gentleman, as well as the members of the Committee on the Territories, that there are other members of the House who would like to have five or ten minutes' time to explain their position upon so important a measure as the proposed introduction into the Union of several new States.

Mr. SPRINGER. This will not prevent gentlemen from exercising that privilege.

Mr. GROSVENOR. The interest in this question is not confined solely to two or three Territorial Delegates or to the members of the Committee on the Territories; and I shall object to any consent which will involve the cutting off of gentlemen who desire to be heard for at least a brief time. I think they should be permitted to make an explanation of their position upon the bill.

Mr. SPRINGER. I have no desire——

Mr. SYMES. Permit me to say in reply to my friend from Ohio that my principal object in claiming the hour is to try to distribute it so that gentlemen may have the opportunity to which he refers of expressing their views upon the subject, and I shall retain but a very small proportion for myself.

Mr. SPRINGER. The proposition that I have submitted did not involve the cutting off of gentlemen who desired to participate in the debate, but only asked consent to take up each of these amendments offered by the gentleman from Dakota and consider them now *seriatim*.

Mr. GROSVENOR. The gentleman will understand that my only object was to secure time for those who desired to be heard.

Mr. SPRINGER. I understand.

Mr. BAKER, of New York. How much time have I remaining?

The SPEAKER *pro tempore*. The gentleman has eight minutes.

Mr. BAKER, of New York. I yield that to the gentleman from Idaho.

Mr. SPRINGER. I wish to renew the request I made, that the amendments of the gentleman from Dakota [Mr. GIFFORD] be read and considered *seriatim*. Let the first be announced, and if there is objection——

Mr. REED. I suppose it is understood that whenever the substitute is adopted, if ever, the House will have an opportunity to amend that?

Mr. SPRINGER. Of course.

Mr. REED. That is the understanding, then?

Mr. SPRINGER. Of course the opportunity will be offered.

I renew the request, Mr. Speaker, for unanimous consent.

Mr. ADAMS. I object, and the reason is that I desire to take more than five minutes myself on a substantial amendment which I propose to move.

Mr. SPRINGER. Well, you can have the time right now.

Mr. BAKER, of New York. I propose to yield the remainder of the time belonging to me to the gentleman from Idaho.

The SPEAKER *pro tempore*. The gentleman from New York not having reserved the time at the time he took his seat, the Chair recognized the gentleman from Illinois for the purpose of asking unanimous consent; but after this matter is determined the Chair will recognize the gentleman from New York.

Mr. SPRINGER. The gentleman from New York did reserve his time, but allowed me to take the floor for a request.

Mr. BAKER, of New York. The gentleman from Illinois desired to make a request for unanimous consent, which has been objected to; and now I yield the remainder of my time to the gentleman from Idaho.

The SPEAKER *pro tempore*. Does the gentleman from New York——

Mr. SPRINGER. I desire to ask of my colleague that the proposition I made be adopted.

Mr. BAKER, of New York. I object. Objection was made, and I want my friend from Idaho [Mr. DUBOIS] to occupy the remaining eight minutes of my time.

Mr. DUNHAM. I move that the House do now adjourn.

Mr. SPRINGER. I hope that that will be withdrawn.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. DUNHAM. Division.

The House divided; and there were—ayes 37, noes 46.

So the House refused to adjourn.

Mr. SPRINGER. Now I ask that the amendment first submitted by my friend from Dakota [Mr. GIFFORD] be read.

The SPEAKER *pro tempore*. Objection has been made to the request of the gentleman from Illinois.

Mr. BAKER, of New York. We had better have the regular order.

Mr. SPRINGER. Now, Mr. Speaker, I have the right to move to close debate upon this amendment.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Illinois that the gentleman from New York reserved the balance of his time, and as there are only eight minutes remaining, the Chair will recognize the gentleman from Idaho, after which the Chair will recognize the gentleman from Illinois.

Mr. DUBOIS. Mr. Speaker, I take it for granted that there will be no objection, founded on sound public policy or justice, to the admission of North and South Dakota, Montana, and Washington.

There seems to be a doubt in the minds of some members as to the expediency of admitting New Mexico. No argument has been advanced to prove that the citizens of New Mexico are not law-abiding and attached to the principles of our Government. On the other hand, it is admitted that New Mexico is well governed, and is inhabited by an industrious, intelligent people, whose higher and only civil allegiance is to the Government of the United States.

The foreign and native-born population is about equal in numbers, and they live and act in harmony. An end has about come to more than the usual foreign immigration which is seeking homes in the far West, and with statehood the only valid objection to the admission of New Mexico would quickly pass away. The brave and ambitious youth of New England, the Mississippi Valley States, the Northwestern and Southern States would flock there as they do to the other Territories. With or without statehood New Mexico must inevitably be peopled very soon by a majority of native-born citizens. As was clearly shown by the able and conscientious Delegate from New Mexico, she is fully equipped in every way for statehood.

I regret that the gentleman from Iowa [Mr. STRUBLE] has considered it to be his duty to object to the admission of New Mexico for the reasons which he gives. The claim that Congress will best settle the disputed land titles and develop the country by a system of irrigation from streams or artesian wells is contrary to all the teachings of the past and present in the history of national legislation affecting the Territories. If anything has been settled by this debate it is that the only hope that the Territories have for the full expansion of their resources is under a State government.

Congress does not legislate for the Territories in agreement with their desires and needs, and will not allow them to legislate for themselves. They have shown no disposition to appropriate money to the Territories for any purpose, and do not even allow them the money provided by law. In my judgment, the arid lands of New Mexico and all those Territories whose lands require irrigation will not be reclaimed until the Territories become States. The people of New Mexico desire statehood and its accompanying responsibilities, and I believe it will accept and bear the promotion proudly and to the honor and glory of the nation.

There seems now to be an era of good feeling toward the Territories, and disposition among the members to divest their minds of all partisan prejudice, and do the Territories tardy justice. I trust this is not merely a "spurt," and that you will not "break and go to pieces" over the stated objections to New Mexico.

The remarks which have been made by the various Delegates whose Territories are included in the bill under discussion apply with full force, clearness, and fairness to Idaho. They could be iterated and reiterated in a hundred different ways, yet the truth would not be half told. The order under which this discussion is being held provides—

That after the Dakota bill is disposed of other bills in relation to the admission of Territories reported from the said committee shall be in order in the House in like manner until disposed of, to be considered in the order fixed by the committee.

I will not at this particular time in this discussion insist on a recognition of the just claims of the Territory which I have the honor to represent, because it might retard the justice which I believe and hope you are prepared to mete out to our sister Territories. I will please my fancy in the hope that the journey on this road of fairness to these brave and loyal people, who have been harassed and handicapped so long beyond the usual probationary period of Territorial government will bring such unqualified peace and contentment to your minds that you will quickly recognize and pass upon the appeal of Idaho.

I do not ask immediate statehood. My people do not claim admission at once. We ask an enabling act which will definitely fix a time when we can assume the responsibilities and blessings of a State. We care not what conditions you may impose as to population or resources. It makes no difference to us whether we come in under the ordinance of 1787, which requires 60,000 free inhabitants, or whether we are to have the number equal to the ratio of representation for a member of Congress. We desire a certain "stake" which we can move to. We wish to avoid the danger of being made a political football in the future, and are anxious to catch this tide of good-nature and brotherly love at the flood, and prepare the way for our admission when we fill all the conditions which the most technical can demand.

I do not intend to make a detailed statement at this time in regard to our resources, but will in a general manner briefly call your attention to the present condition and capabilities of the Territory.

Idaho is greater in area than New York, New Jersey, Massachusetts, and New Hampshire combined. Its climate is unexcelled. The warm currents of the Pacific sweep over the Territory and have a most beneficial effect on its arable belts. The average or mean annual temperature of the valleys is about 51°, about 4° warmer than Connecticut.

No Western or coast State or Territory is so well watered as Idaho. The Snake River, Clarke's Fork, Spokane, Salmon, Boisé, Payette, Weiser, Big and Little Wood, Bruneau, Malad, Portneuf, Clearwater, Cœur d'Alene, St. Joseph, and Kootenai are all large rivers into which many smaller ones empty. There are at least 15,000,000 acres in the valleys and uplands which can be irrigated and made lavishly productive.

All cereals and vegetables which can be raised north of the cotton-growing line in the Atlantic States flourish in the greatest profusion. Apples, pears, prunes, apricots, nectarines, and all smaller fruits, and berries of the finest quality are produced with never-failing regularity.

Irrigation is necessary in South Idaho. Nearly all the lands which lie adjacent to the smaller streams, and which can be irrigated with trifling cost, have been taken up and are cultivated. The expense of building large canals from the great streams is so great that individuals can not afford it, and companies are loath to invest their money in it without subsidies of land. By giving Idaho statehood and granting them the control of certain lands, provided the State will first reclaim it by putting water on it, every acre would be settled up within four years. The lands which could be made the most productive in the country are now valueless and will remain so for years to come under our present system of Territorial government.

North Idaho is different in climate somewhat, and raises grain, vegetables, and fruit in the greatest abundance without irrigation. There is no better farming country anywhere than in North Idaho, and it is fast settling up with an intelligent and industrious class of farmers. North Idaho alone will have 200,000 people within eight years, and South Idaho will have double or treble the number if statehood is given. Between 1,200,000 and 1,500,000 acres of land in Idaho are now under improvement, and within the region of 1,000,000 acres of agricultural land has been patented. Five hundred thousand acres of agricultural land were taken up last year under the various land entries.

When you consider that Rhode Island contains less than 900,000 acres of land, you can form some idea of the present condition and future possibilities of the agricultural resources of this Territory. The forest area of Idaho is 7,000,000 acres, and the growth is heavier than in a majority of the timbered States east of the Rocky Mountains. There are varieties of fir, white, red, and black spruce, scrub oak, yellow and white pine, mountain mahogany, juniper, tamarack, birch, cottonwood, alder, and willow.

Such a prodigious amount of timber to the acre can be found in no other part of the United States, except on the western slopes of the western mountains in Washington Territory. The timber is of large growth and magnificent for lumbering purposes. White-pine logs, 5 feet in diameter, 100 feet long, without a knot and straight as an arrow, are common.

Nine million dollars of gold, silver, and lead was produced last year, and you might say that mining is in its infancy in the Territory. Experts say that it is the best of all the mining States or Territories. Rich copper mines have also been discovered.

The population of the Territory at the present time is carefully estimated at 106,000, and the property at $60,000,000.

The unstable form of Territorial government is a great drawback to the development of the country. The people all eagerly desire statehood.

Nearly 1,000 miles of railroad are operated in the Territory, almost all of which has been built since 1882.

During the delivery of the foregoing remarks the Speaker announced that the time had expired.

Mr. SPRINGER. I ask unanimous consent that the gentleman from Idaho be allowed to conclude his remarks.

Mr. DUNHAM. I move that the House do now adjourn.

Mr. NELSON. I do not think the gentleman from Idaho ought to be taken off the floor by a motion to adjourn.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Minnesota that he is not taken off the floor by the motion to adjourn, but because the time allotted him has expired.

Mr. NELSON. I ask that he be given an additional five minutes.

The SPEAKER *pro tempore*. Is there objection?

Mr. DUNHAM. I withdraw the motion to adjourn in order that the gentleman's time may be extended five minutes.

Mr. BURROWS. Let him have ten minutes.

Mr. DUNHAM. Let him have five minutes.

The SPEAKER *pro tempore*. Is there objection that the time of the gentleman from Idaho be extended until he shall have concluded his remarks? [After a pause.] The Chair hears none, and it is so ordered.

Mr. DUBOIS then resumed and concluded his remarks.

Mr. SPRINGER. I desire to move to adjourn, but will withhold that motion in order that the gentleman from Ohio [Mr. OUTHWAITE] may make a request.

PORT OF DELIVERY AT COLUMBUS, OHIO.

Mr. OUTHWAITE. I ask unanimous consent to discharge the Committee of the Whole from the further consideration of the bill which I send up, and that it be considered and passed by the House at this time.

The Clerk read the title, as follows:

A bill (H. R. 12060) to constitute Columbus, Ohio, a port of delivery, and to extend the provisions of the act of June 10, 1880, entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," to said port of Columbus.

The SPEAKER *pro tempore*. The bill will be read, after which the Chair will ask for objections.

The bill was read, as follows:

Be it enacted, etc., That Columbus, in the State of Ohio, be, and is hereby, constituted a port of delivery, and that the privileges of the seventh section of the act approved June 10, 1880, entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," be, and the same are hereby, extended to said port, and that there shall be appointed at said port a surveyor, with compensation at $900 per annum and the usual fees.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Ohio? [After a pause.] The Chair hears none.

The bill was accordingly ordered to be engrossed and read a third time; and being engrossed, it was according read the third time, and passed.

Mr. OUTHWAITE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. SPRINGER. I think there should be one recognition given to the other side of the House.

Mr. HOLMAN. I move that the House adjourn.

Mr. SPRINGER. I desire that there should be one recognition made on the other side of the House before an adjournment is taken.

The SPEAKER *pro tempore*. The gentleman from Massachusetts [Mr. DAVIS] will be recognized, after which the Chair will submit the motion to adjourn.

Mr. DAVIS. I ask unanimous consent to consider the bill which I send up to the Clerk's desk.

The Clerk read the title of the bill, as follows:

A bill (S. 2182) to amend sections 4488 and 4489 of the Revised Statutes requiring life-saving appliances on steamers.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Massachusetts that this is a Senate bill, and that the Clerk has not been able to find the copy transmitted by the Senate to the House. Can the gentleman inform the Chair which Calendar the bill is on?

Mr. DAVIS. It is a Senate bill on the Speaker's table.

The SPEAKER *pro tempore*. The Chair will state that the Senate bill will have to be considered.

Mr. BUCHANAN. I ask unanimous consent that it be considered as pending in the morning.

Mr. DAVIS. I can not be here in the morning.

Mr. BUCHANAN. I withdraw that motion, as the gentleman can not be here in the morning.

Mr. SPRINGER. Then I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. BLISS: A bill (H. R. 12228) to provide for an American register to the steam yacht Nautilus, of New York, N. Y.—to the Committee on Merchant Marine and Fisheries.

By Mr. CATCHINGS: A bill (H. R. 12230) for the relief of the estate of Charlotte Jacques, deceased—to the Committee on War Claims.

By Mr. CLARDY: A bill (H. R. 12231) to increase the pension of Lewis D. Thurman—to the Committee on Invalid Pensions.

By Mr. COMPTON: A bill (H. R. 12232) for the relief of George W. Bishop—to the Committee on Claims.

By Mr. DIBBLE: A bill (H. R. 12233) for the relief of Moses Goldsmith—to the Committee on War Claims.

Also, a bill (H. R. 12234) for the relief of Thomas Black—to the Committee on War Claims.

Also, a bill (H. R. 12235) for the relief of Henry C. Stoll—to the Committee on War Claims.

Also, a bill (H. R. 12236) for the relief of Eugenia F. Sams—to the Committee on War Claims.

Also, a bill (H. R. 12237) for the relief of Julius J. Sams—to the Committee on War Claims.

Also, a bill (H. R. 12238) for the relief of Robert De T. Ellis—to the Committee on War Claims.

Also, a bill (H. R. 12239) for the relief of the heirs of L. Reeve Sams—to the Committee on War Claims.

Also, a bill (H. R. 12240) for the relief of William Morrison—to the Committee on War Claims.

Also, a bill (H. R. 12241) for the relief of Stephney Riley—to the Committee on War Claims.

Also, a bill (H. R. 12242) for the relief of Robert Oswald—to the Committee on War Claims.

Also, a bill (H. R. 12243) for the relief of Frederick Williams—to the Committee on War Claims.

Also, a bill (H. R. 12244) for the relief of Edward W. Marshall, surviving partner, etc., of Charleston, S. C.—to the Committee on War Claims.

By Mr. HOUK: A bill (H. R. 12245) for the relief of Charles Baum—to the Committee on War Claims.

By Mr. OWEN: A bill (H. R. 12246) granting a pension to Henry H. Denton—to the Committee on Invalid Pensions.

By Mr. ROBERTSON: A bill (H. R. 12247) for the relief of Syphroien Bondreau—to the Committee on War Claims.

Also, a bill (H. R. 12248) for the relief of Alexandre Stelley—to the Committee on War Claims.

Also, a bill (H. R. 12249) for the relief of Louis Marks—to the Committee on War Claims.

Also, a bill (H. R. 12250) for the relief of Louis Marks—to the Committee on War Claims.

Also, a bill (H. R. 12251) for the relief of Felicite Chretien and heirs of H. D. Chretien—to the Committee on War Claims.

Also, a bill (H. R. 12252) for the relief of Clemense G. Smith—to the Committee on War Claims.

Also, a bill (H. R. 12253) for the relief of David Roos—to the Committee on War Claims.

Also, a bill (H. R. 12254) for the relief of Eremise Meche, administratrix, etc.—to the Committee on War Claims.

Also, a bill (H. R. 12255) for the relief of Sosthene Lagrange, administrator, etc.—to the Committee on War Claims.

Also, a bill (H. R. 12256) for the relief of the heirs, etc., of Jean B. Pousson—to the Committee on War Claims.

Also, a bill (H. R. 12257) for the relief of the heirs, etc., of Eugene Petetin—to the Committee on War Claims.

Also, a bill (H. R. 12258) for the relief of Joseph Marks, administrator, etc.—to the Committee on War Claims.

Also, a bill (H. R. 12259) for the relief of Albert N. Robin, executor, etc.—to the Committee on War Claims.

Also, a bill (H. R. 12260) for the relief of Theodore S. Richard—to the Committee on War Claims.

Also, a bill (H. R. 12261) for the relief of Alexander Fournier—to the Committee on War Claims.

Also, a bill (H. R. 12262) for the relief of Benjamin A. Smith, of St. Landry Parish, Louisiana—to the Committee on War Claims.

Also, a bill (H. R. 12263) for the relief of Hypolite A. Meche—to the Committee on War Claims.

Also, a bill (H. R. 12264) for the relief of Philip Stagg, of St. Landry Parish, Louisiana—to the Committee on War Claims.

Also, a bill (H. R. 12265) for the relief of Joseph Marks, of St. Landry Parish, Louisiana—to the Committee on War Claims.

Also, a bill (H. R. 12266) for the relief of Jerome Stelley—to the Committee on War Claims.

Also, a bill (H. R. 12267) for the relief of Azelie Bergeron—to the Committee on War Claims.

Also, a bill (H. R. 12268) for the relief of Jacob Hirsch—to the Committee on War Claims.

Also, a bill (H. R. 12269) for the relief of James Burleigh and Augustus Burleigh—to the Committee on War Claims.

Also, a bill (H. R. 12270) for the relief of Pierre Pitre—to the Committee on War Claims.

Also, a bill (H. R. 12271) for the relief of Barthelemy A. Martel, syndic, etc.—to the Committee on War Claims.

By Mr. WILLIAMS: A bill (H. R. 12272) to pension Luicnda Adams—to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BOUTELLE: Petition of the Maine State Grange, in favor of the passage of House bills 11266 and 11027, to prevent adulteration of food—to the Committee on Agriculture.

Also, petition of citizens of East Lowell, Me., for repeal of certain

statutes concerning importation of lumber—to the Committee on Foreign Affairs.

Also, petition of citizens of Dexter, Me., for drawback on tin-plate used for canning purposes—to the Committee on Ways and Means.

By Mr. FUNSTON: Petition of S. S. Akin and 19 others, citizens of Kansas—to the Committee on Agriculture.

By Mr. HAYES: Petition by citizens of Dakota, for admission, but protesting against the Sioux Falls constitution—to the Committee on the Territories.

By Mr. T. J. HENDERSON: Petition and papers relative to statement of appropriations, new offices, etc.—to the Committee on Appropriations.

By Mr. MAISH: Memorial to pay Mrs. Boydanna Potts, widow of A. R. Potts, deceased, who was an employé of the House of Representatives, a sum equal to six months' salary—to the Committee on Accounts.

By Mr. PLUMB: Petition of Mrs. Amie Lucas, for compensation as laundress to Union and Patent Office Hospitals—to the Committee on War Claims.

By Mr. ROWELL: Petition of Emma Minson, widow of Eutiles Minson, Company G, Sixty-eighth Regiment Indiana Volunteers, for relief—to the Committee on Invalid Pensions.

Also, petition of citizens of Meadows, Ill., for free distribution of the CONGRESSIONAL RECORD—to the Committee on Printing.

By Mr. WILLIAMS: Petition of Lucinda Adams, for relief—to the Committee on Invalid Pensions.

By Mr. W. L. WILSON: Petition of the State Grange of West Virginia, in favor of pure food and lard—to the Committee on Agriculture.

The following petition against the passage of the international copyright bill was received, and referred to the Committee on Patents:

By Mr. TRACEY (by request): Of 46 citizens of Albany, N. Y.

SENATE.

THURSDAY, *January* 17, 1889.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

CERTIFICATE OF ELECTORAL VOTES.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of State, transmitting, in pursuance of the provisions of the act of Congress approved February 3, 1887, a certified copy of the final ascertainment of the electors for President and Vice-President appointed by the State of Mississippi; which was ordered to be printed, and, with the accompanying certificate, to lie on the table.

SOMERVILLE (MASS.) POST-OFFICE.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Postmaster-General, transmitting, in response to a resolution of January 10, 1889, correspondence in regard to leases by the Government of buildings or parts of buildings for the use of the post-office in Somerville, Mass., and stating that there have been no such leases formally executed since the 1st day of December, 1887; which, with the accompanying papers, was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS.

Mr. PUGH presented a petition of 494 citizens of Alabama, praying for the passage of a national Sunday-rest law; which was referred to the Committee on Education and Labor.

Mr. GORMAN presented a petition of 159 citizens of Maryland, praying for the passage of a national Sunday-rest law; which was referred to the Committee on Education and Labor.

Mr. DAVIS presented a petition of 22 citizens of Sleepy Eye, Brown County, Minnesota, praying for a constitutional amendment to prohibit the sale or manufacture of alcoholic liquors as a beverage throughout the United States; which was referred to the Committee on Education and Labor.

Mr. COCKRELL. I present a petition, transmitted to me by Mrs. M. E. Catlin, secretary of the department of Sabbath observance, National Woman's Christian Temperance Union, signed by 157 citizens of Missouri, praying for legislation against the running of interstate Sunday trains and mail trains and against military drills on the Sabbath. I move that the petition be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. SHERMAN presented the petition of Francis L. Swift and other members of the National Woman's Christian Temperance Union, praying for the passage of the resolution reported from the Committee on Foreign Relations in regard to international arbitration; which was referred to the Committee on Education and Labor.

Mr. PLATT presented a petition of the Woman's Christian Temperance Union of the State of Connecticut, Mrs. S. B. Forbes, president, representing 3,600 members, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. FAULKNER presented the petition of the Brotherhood of Locomotive Engineers in Martinsburgh, W. Va., praying for the passage of a national Sunday-rest law, prohibiting needless Sunday work in the Government's mail, military service, and interstate commerce; which was referred to the Committee on Education and Labor.

Mr. GIBSON presented the petition of the members of the Beaver Creek Baptist Church, of St. Landry Parish, Louisiana, praying for the passage of a national Sunday-rest law, prohibiting needless Sunday work in the Government's mail, military service, and interstate commerce; which was referred to the Committee on Education and Labor.

Mr. VANCE presented the petition of 331 citizens of North Carolina, praying for the passage of a national Sunday-rest law, prohibiting needless Sunday work in the Government's mail, military service, and interstate commerce; which was referred to the Committee on Education and Labor.

MARGARET S. HEINTZELMAN.

Mr. DAVIS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2726) entitled "An act granting an increase of pension to Margaret S. Heintzleman," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment to said bill and agree to the same.

C. K. DAVIS,
D. TURPIE,
H. W. BLAIR,
Managers on the part of the Senate.

J. LOGAN CHIPMAN,
THOMAS L. THOMPSON,
A. C. THOMPSON,
Managers on the part of the House.

The PRESIDENT *pro tempore*. No action is required by the Senate.

REPORTS OF COMMITTEES.

Mr. STEWART, from the Committee on Military Affairs, to whom were referred a memorial and findings of fact by the Court of Claims, and other papers in the case of Flora A. Darling, reported a bill (S. 3833) for the relief of Mrs. Flora A. Darling; which was read twice by its title.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (S. 3515) granting a pension to Lottie R. Hunter, reported it without amendment, and submitted a report thereon.

Mr. DOLPH, from the Committee on Commerce, to whom was referred an amendment submitted by Mr. MITCHELL on the 12th instant, intended to be proposed to the consular and diplomatic appropriation bill, reported it formally and moved its reference to the Committee on Appropriations; which was agreed to.

He also, from the Committee on Commerce, to whom was referred an amendment submitted by Mr. MITCHELL on the 12th instant, intended to be proposed to the sundry civil appropriation bill, reported it favorably, and moved its reference to the Committee on Appropriations; which was agreed to.

Mr. HAMPTON, from the Committee on Military Affairs, to whom was referred the bill (S. 3754) to construct a road from the village of Plattsburgh, N. Y., through and along the Government military reservation in said village, reported it with amendments.

Mr. SAWYER, from the Committee on Commerce, to whom was referred the bill (S. 3734) to authorize the construction of a bridge or bridges across the Mississippi River at La Crosse, Wis., reported it with an amendment.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred the bill (S. 3661) authorizing the Secretary of War to transfer the United States barracks and grounds at New Orleans to the Tulane University of Louisiana, at New Orleans, for educational purposes, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. JONES, of Arkansas, from the Committee on Indian Affairs, to whom was referred the bill (S. 3794) granting to the Big Horn Southern Railroad Company a right of way through a part of the Crow Indian reservation in Montana Territory, reported it with amendments.

Mr. MORRILL, from the Committee on Public Buildings and Grounds, reported two amendments intended to be proposed to the sundry civil appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. SAWYER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5752) for the relief of Julia Triggs;

A bill (H. R. 9163) granting a pension to Eli Garrett; and

A bill (H. R. 11378) granting a pension to James S. Hardin.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (H. R. 2261) to increase the pension of Elijah W. Penny, reported it with an amendment, and submitted a report thereon.

COUNT OF ELECTORAL VOTES.

Mr. HOAR. I am directed by the Committee on Privileges and Elections, to whom was referred the concurrent resolution in regard to the count of electoral votes, to report back the same without amendment and recommend its passage. I desire that it may be printed. It is not necessary to have it read now, as it was read the other day. I will call it up for passage to-morrow or Monday.

The PRESIDENT *pro tempore*. The concurrent resolution will be placed on the Calendar and printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by Mr. CLARK, its Clerk, announced that the House had passed a bill (H. R. 12060) to constitute Columbus, Ohio, a port of delivery, and to extend the provisions of the act of June 10, 1880, entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," to said port of Columbus; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore:*

A bill (S. 154) for the erection of a public building at Milwaukee, Wis.;

A bill (S. 182) to provide for the purchase of a site and the erection of a public building thereon at Omaha, Nebr.;

A bill (S. 1931) to increase the appropriation for the purchase of a site for a building for a post-office, court-house, and other offices in San Francisco, Cal.;

A bill (S. 2726) granting an increase of pension to Margaret S. Heintzelman; and

A bill (H. R. 5349) for the relief of James Trabue, executor of James Trabue, deceased, Thornton Thatcher, Michael Callahan, and the widow of John Waters.

BILLS INTRODUCED.

Mr. FAULKNER (by request) introduced a bill (S. 3834) for the relief of Mrs. E. G. C. Abbott; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PAYNE introduced a bill (S. 3835) for the relief of William B. Burnet; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. SHERMAN introduced a bill (S. 3836) to remove the charge of desertion existing against Daniel Morris, late of Company F, Fortieth Regiment of New York State Volunteers; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENT TO A BILL.

Mr. MANDERSON submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

THE REVENUE LAWS.

The PRESIDENT *pro tempore*. Is there further morning business? If there be none, that order is closed, and the Calendar under Rule VIII is in order.

Mr. ALLISON. I move that the Senate proceed to the consideration of House bill 9051.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

The PRESIDENT *pro tempore*. The question recurs on the amendment proposed by the Senator from Iowa [Mr. ALLISON] as a substitute for paragraph 145.

Mr. HALE. Before the Senate goes on with the consideration of the amendment which was pending at the time of the adjournment yesterday, I should like to ask the Senator from Iowa, who is in charge of the bill, what portions of the bill still remain unacted upon.

It is now within three or four days of the time when the final vote must be taken. I apprehend that nobody will seek to extend the time when we reach the point that has been fixed by the Senate for taking the vote. I also apprehend that there are large and important portions of the bill which have not yet been considered by the Senate, and for one I should be glad to know what those portions are, how extensive they are, and what we have got to pass upon in the next three or four days.

Mr. ALLISON. There are a number of important matters. The entire wooden schedule has been passed over; the sugar schedule has been passed over; the wool and woolen schedule entire has been passed over; and then there are fractions of other schedules.

Mr. BROWN. Rice.

Mr. ALLISON. Rice and a great many detached portions of other schedules have not yet been considered, such as cutlery, and various things that will lead to more or less debate. I hope we can have an early vote this morning upon the amendment which is now pending. Of course it is an important amendment.

Mr. VEST. Mr. President, I do not wish to protract the debate, but I want to make a single remark in regard to the pending amendment as to tin and terne plate.

The whole of the argument made upon the other side in favor of imposing this duty is that within thirty days, according to the Senator from Iowa, certain iron establishments now in existence in this country will go into the manufacture of tin-plate if this duty is imposed. Yesterday we had the statistics showing the enormous amount, to use the language of Senators upon the other side, of tin-plate now consumed in this country. It seems to me, with entire respect to the Senator from Iowa, that it would be a most exceptional case if this trade could be taken away inside of thirty days or sixty days, or a year, or two years, from the foreign importers.

Mr. ALLISON. If the Senator understood me to make that statement he misunderstood me, or I failed to say what I intended to say.

Mr. VEST. I think the RECORD shows that the Senator made this statement (of course I do not want to do him any injustice) that if this duty was imposed, within thirty days many establishments would go into this business in the United States. I inferred as a matter of course that the plant already existed here as to iron and steel, and that they would by simply employing additional hands and putting additions to their manufactories go into the manufacture of tin-plate. As a matter of course they could not construct the factories in thirty days, and employ the labor, and originate a new industry.

Mr. ALLISON. Will the Senator allow me to interrupt him just there?

Mr. VEST. Certainly.

Mr. ALLISON. The testimony before the committee is that there is capacity now for the production of about 200,000 tons of the iron or steel plates for the application of tin, and that at least one-half of that plant could be at once utilized in the production of tin-plate. There would have to be added to that of course more or less pickling and clearing establishments, and more or less vats for coating, which it was stated to us could be done in a very short space of time.

I did not mean by saying thirty days to be mathematically accurate. I meant to say that within a brief space, in my judgment, this industry could be started. But the committee, with a view of making it absolutely certain that time should be given, has provided in this amendment that this increase of duty upon tin-plate shall not take effect until the 1st day of January, 1890. Of course no one can predict what the effect of such a prospective provision would be. My impression is that the tendency of it would be at once to depress the price of tin-plate.

Mr. VEST. The Senator has anticipated much that I intended to say as to the *modus operandi* in this industry, without having any practical experience in the matter, which was simply inaccessible, for the reason that there is no such industry or production now in the United States, even if I had the time and sufficient knowledge to go and examine the details. I have, with the limited time given me, examined the evidence as to the different processes which are necessary in order to produce tin-plate, and it is simply physically impossible that this industry should be created in this country to any extent so as to meet the demand inside of twelve months, putting it at the most reasonable limit.

Now, Mr. President, what is to become of the American consumer until this industry is established?

Mr. ALLISON. What is to become of him?

Mr. VEST. What is to become of him?

Mr. ALLISON He will be in no worse condition than he is now.

Mr. VEST. He is to pay the additional duty imposed by this bill after the 1st of January, 1890, unless the American industry shall have then arrived at such proportions as to supply the American market.

Mr. ALLISON. Do I interrupt the Senator?

Mr. VEST. Of course not. I yield with pleasure.

Mr. ALLISON. I do not wish to interrupt the Senator except to state my views as respects this matter.

Mr. VEST. It is no interruption.

Mr. ALLISON. The consumption of tin in the world is a very large consumption. It is now manufactured chiefly in Wales. Germany has commenced recently to manufacture tin. Of course the consumption of tin within the last few years has increased more rapidly than the establishments for its manufacture.

If we shall largely increase, as I believe we shall under this provision, the establishments for the manufacture of tin, and thereby increase largely the supply of tin to the world, the effect will be to depress the price of tin-plate, the production of which is now an absolute monopoly, practically, in the hands of a few men, who have had for the last few years an immensely enlarged market for the product.

Mr. VEST. The official statistics do not carry out the Senator's statement that this has been a monopoly.

Mr. ALLISON. I do not mean strictly a monopoly, I mean to say that the demand has been larger than the supply, practically, and that has increased the price.

Mr. VEST. I know the demand has been very large. It has increased with the increasing population of this country. That goes without saying. But the statistics show, as the Senator from Arkansas read yesterday, that the price has gone down in the market.

Mr. JONES, of Arkansas. In this connection I should like to call attention to another fact, if the Senator from Missouri will permit me. The Senator from Iowa yesterday stated that the cost of manufacture in Wales in the production of tin-plates was $3.37 per box. That would make the cost $67.40 per ton. There were 283,000 tons imported into this country last year, at an expense of $65 a ton, which was $2 a ton less than the actual cost of the manufacture in Europe, if the statement just made by the Senator from Iowa is correct. There is no monopoly in that sort of a statement.

Mr. ALLISON. That is dealing with special figures. I am talking now about this great industry. As a matter of course there have been new methods. Tin-plate was entirely made from iron only a few years ago. Recently it is made from steel, and the utilization of steel for its production has largely decreased the cost undoubtedly. What I mean to say is that in comparison with the establishments in the world for the production of tin-plate the consumption of tin-plate has largely increased within a few years, and this has enabled those who have been fortunate enough to have those establishments to hold up the price substantially as they desired to have it held up.

Mr. VEST. There is no question but that the consumption has increased, because tin enters into all the ordinary details of every-day life as to domestic utensils, buckets, pans, etc., and also into the covering of houses and other necessary uses, into the canning of fruits and fish, an industry which has largely increased in the United States. There is no doubt about that consumption having increased, but there has been immense competition at the same time. The tin supply of Cornwall has not been sufficient for the English manufacturers and they have imported large quantities of tin from Malacca and other parts of the world. But the fact still remains that the price has gone down.

Mr. ALLISON. Does the Senator mean the price of tin or tin-plate?

Mr. VEST. The price of tin-plate; and tin is the article which is now of immediate importance in the consideration of this question. Of course as to the thin iron plates which receive a bath of tin, to use the language of one of the witnesses, and then become tin-plate, those thin sheet-iron plates are produced in this country, in England, and in Germany indifferently; but it is the tin which we do not have in this country and for which we must rely upon foreign countries for a supply, if we go into this industry at all.

Mr. ALLISON. So far as that is concerned, if the Senator will allow me to interrupt him for a moment more——

Mr. VEST. Certainly.

Mr. ALLISON. I have no doubt that we have a larger supply of tin in the United States than in all the world besides. We have not yet utilized it. There is tin enough, I have no doubt, in the Territory of Dakota to supply the world with tin, if it can be utilized, and it will doubtless be utilized.

The Senator says what is true, I have no doubt, that the Cornwall mines furnish a mere infinitesimal part of the tin produced in the world. They are delving down there 3,000 feet to get tin, and they import largely from Malacca and from the Malayan Archipelago. But that is nothing. We are not talking about tin. We import tin free now into this country, and we can get tin here as cheap as anybody can get it elsewhere. Tin is worth $600 a ton. Only from 2 to 5 per cent. of a tin cup or a tin pail is tin; the rest of it is iron.

This whole thing of manufacturing tin-plate with this thin coating of tin is a question of labor. That is all it is. It is a question of labor in this country and abroad, and when we import our tin as free as Great Britain does, surely we can compete with her in the production of tin if we have the plant to do it, I mean when other things are made equal.

Mr. VEST. As to the production of tin in this country, the testimony taken before the Tariff Commission in 1882 was to the effect that there were immense deposits of tin in the Black Hills of Dakota. But I assert now, and my assertion is based upon the experience in this country since 1882, that unless the manufacture of tin-plate is developed by the imposition of this duty or by some other cause, those tin mines, if they exist, will not be developed, or they would have been developed before.

Mr. DAWES. Will the Senator yield to me?

Mr. VEST. Certainly.

Mr. DAWES. I received this morning in my mail a paper from the Black Hills, sent to me for another purpose, in which there was a description of the tin mines of Dakota, represented to be perfectly inexhaustible, and an account of the tons of tin that had within a few days been shipped from those mines to Denver. The paper was not sent with any reference to this tariff, but was sent to me for the purpose of giving me information about Indian matters in that Territory. I left the paper at my room, but the description of those mines was perfectly marvelous. There was no occasion for them to misrepresent the statement in connection with this matter.

Mr. VEST. I shall make no issue with a newspaper account. I simply refer to sworn testimony taken in 1882, that these mines exist, with these deposits of tin, and they have not been developed. We are still importing large quantities of tin into this country.

Mr. ALLISON. Undoubtedly, but the raw material, tin, cuts no figure in this discussion, I repeat. That is worth $500 or $600 a ton in England, here, or wherever it is imported.

Mr. CHACE. Block-tin.

Mr. ALLISON. I mean the block, pig-tin. It is imported into this country and imported into England. There is only about 2 or 3 or at most 5 per cent. upon the weight of the best tin in it. So that question is of no moment. But I agree with the Senator that it would be an additional inducement to establish this industry if we could open up an immense tin industry in this country and develop thereby our tin mines in Dakota. I shall go hand in hand with him in aid of that great project, which I have no doubt will be accomplished in a very few years.

Mr. VEST. I was replying to the statement of the Senator from Rhode Island [Mr. ALDRICH] upon yesterday, that as to the tin that was necessary, whether it be more or less, we could rely safely upon the foreign importation. Yet we are told in the next breath that this duty imposed will develop tin mines in the Black Hills of Dakota.

Mr. ALLISON. That was the Senator's own statement.

Mr. VEST. I did not make the statement. It was made yesterday in debate.

Mr. ALLISON. I understood the Senator to agree to it this morning, and I was rather congratulating him.

Mr. VEST. Not at all. I said the statement was made in 1882 before the Tariff Commission; and yet the singular fact remains that those mines have not been developed since.

Mr. TELLER. Will the Senator allow me to interrupt him to make a suggestion?

Mr. VEST. Of course.

Mr. TELLER. There is not any question as to the great abundance of tin in Dakota. I have known something about the search for tin in the mining regions for a good many years, and I have seen a great many specimens of what was called tin from time to time in different sections of the country, both in my own State and in States and Territories farther west in which I have been. About 1881 or 1882 they discovered what was supposed to be tin in the Black Hills country. Specimens of that tin were taken to the Eastern States and to Europe, and it has been pronounced by experts everywhere to be the richest tin found in the world. I have seen myself a single piece of tin ore that weighed 7 or 8 tons in the city of New York. Twenty-eight tons in one piece were sent to Wales from Deadwood, and pronounced to be richer than any tin found in Wales.

The trouble is we have not yet discovered how to separate it. It has a different connection with the rock from the Wales tin. Tin ore can be worked in Wales that produces 4, 5, or 6 per cent. of tin. Much of the tin-ore found in this country produced 20, 25, and 30 per cent. of tin, it is said. If it will produce 6 or 8 per cent. it can be worked.

We had the same difficulty in working the rich gold rocks in Colorado. The system in vogue in other sections of the world would not release the gold from the rock. We discovered in a few years exactly how to do it. We shall discover exactly how to release this tin whenever there is a sufficient demand for it to make it worth while to do so. Mills are being put up now for the purpose of reducing the tin in the Black Hills, and I have no doubt we shall produce it, not perhaps as cheaply as they do abroad, because of the great price paid for labor in the Black Hills, which is infinitely higher than in any other part of the world almost, but we shall produce it, I have no doubt, in paying quantities.

Mr. VEST. We are then confronted with the very same obstacle that met the men who undertook to raise jute in this country. There is no climatic difficulty, no trouble as to soil; but when we came to the machinery necessary to defibricate the jute it could not be done.

Mr. BUTLER. Decorticate.

Mr. VEST. "Decorticate," my friend says. I call it "defibricate." It is to separate the fiber and make it suitable for manufacturing. The testimony before the Tariff Commission, in 1882, showed that for fifteen years prior to 1882 jute had been raised in this country, and yet with all the American talent for invention, which excels that of any people in the world, we had never been able to invent a machine for decorticating (I am advised that this is the proper term) the jute. We are told now that if we protect this tin-plate some sort of invention will be had to meet the difficulty suggested by the Senator from Colorado, and that tin will be separated from the rocks in proper fashion and made available.

Mr. TELLER. I wish to correct the Senator. There is nobody asking for any protection on tin. I have not any doubt that tin will be produced in this country in a few years in great quantities without any protection.

Mr. VEST. It is true we are not considering the duty upon tin *per se*, but we are considering the duty upon tin-plates, which are simply thin sheets of iron bathed in tin. That makes the tin-plate, and another process makes the terne-plate. But we are advised now by the Senator from Iowa that tin must be eliminated from this discussion, that that is not an element at all in this debate, and it now comes down to a simple question of protection upon the sheet-iron.

Mr. TELLER. That is all of it.

Mr. VEST. It is all of it, I am told.

Mr. ALLISON. Of course that is all of it.

Mr. VEST. I thought from the beginning that this was nothing else but a demand on the part of the manufacturers of sheet-iron in this country, the thin iron that is used for the covering of houses, in order to keep out the competition of tin-plate and terne-plate that is brought in from abroad. But I do not want to continue the debate. I am as anxious to get through with this bill as the Senators in charge of it. I wish to make one other remark, and I am done with it.

I have the highest respect for the opinion of the Senators in charge of the bill. I believe that they are sincere in their statement that the effect of this duty will be to originate this industry, that it may come

into existence within the time which they name in this bill—the 1st of January, 1890. But now we are confronted with two possibilities, not to use the stronger word, probabilities. In the first place, if we originate it at all by reason of imposing this duty, there would still be a considerable, an indefinite time when the production in the United States would not supply the necessities of this country; and when that is the case it will simply, according to the statement of the Senator from Rhode Island yesterday, as to the average effect of a tariff duty, increase the price to the consumer in the United States.

But let us take the further proposition and probability in my judgment. Suppose that these industries do not spring up; suppose that this tax does not have the effect which is contemplated by the Senators who have introduced it, then what is the condition of the consumer in the United States? He has to pay this increased duty without bringing into existence the domestic industry, with the additional employment of labor in the United States, and the increase of the home market. It seems to me, sir, that it is dangerous legislation. It is exceptional legislation. It is carrying protection to an extreme never before contemplated by judicious minds. It is going into an unknown future and undertaking to construct out of nothing an industry that does not now exist.

Mr. ALDRICH. As I understand the position of the Senator from Missouri he is in favor of what is called sometimes a revenue duty for the purpose of raising the proper amount of money to carry on the Government. Now, upon his own theory, and upon the practical belief that I presume he has that this duty will be paid generally by the people of the United States, I do not see how he can object to it. If it is a revenue duty which bears equally upon the people of the United States, as the sugar duty does, in his opinion, and as is the duty upon straw braids which he sought to restore the other day, I do not see how he can object to this simply as a revenue duty.

Mr. VEST. If my friend will permit me I want to reduce the revenue. We do not need it.

Mr. ALDRICH. Then why did the Senator vote the other day to restore the duty on straw braids?

Mr. VEST. I have explained to the Senator again and again that I voted upon the ground that a portion of those braids were simply articles of luxury, and my vote proves it; and the RECORD shows that I made a motion to strike out that portion of the item that embraces the articles for ornamentation alone.

Mr. ALDRICH. Perhaps the Senator did not vote with Senators on the other side generally.

Mr. VEST. I did not.

Mr. ALDRICH. But the Democratic Senators generally voted to restore the duties on those straw goods which are not a luxury.

Mr. VEST. The RECORD will show that I moved to strike out the words "for ornamentation."

Mr. VANCE. I question the wisdom of the course we are pursuing in regard to tin-plates in trying to get the duty reduced for the benefit of the poor people of the country. I think the first thing we know we shall have a duty on tin also, and then a duty raised still higher on tin-plates in order to compensate for the duty on the raw material. That is the tendency of everything here. Because some objection was made to the admission of free fish into the border States, where they could be obtained fresh from water without any preservative process, and because there was a movement made to extend that privilege to all the United States, the first thing we know fish were put upon the dutiable-list; and that was what was called a compromise. That is, it doubled the rate for everybody. A compromise always gives the benefit of the doubt to all persons who are protected.

I have been informed this morning by this debate that the richest deposits of tin to be found in the world at present are known to exist in Dakota. My observation of protective-tariff legislation is that there must be something always done by the ingenuity of man to counterbalance the gifts of nature, and the more lavish Providence has been to us in bestowing wealth of any kind upon us the higher the taxes have been elevated upon that article, so that really upon those very things which we have been furnished with more abundantly than any people upon the face of the earth we pay higher taxation than any other people upon the face of the earth. The time is not far distant when, if it be true that these great deposits of tin exist in Dakota and the proper methods of separating the tin from the ore have been discovered, instead of having what Providence manifestly designed, an abundance of tin cheaper and surpassing in quality any other people in the world, we shall have the highest taxation imposed upon that article, and the highest-priced tin-ware for the use of the common people of any nation of the world. That will be the result of it. That has been the result of all our efforts to reduce taxation upon the common necessaries of life. They have resulted in an increased duty. I fear it will be the same in this case.

The PRESIDENT *pro tempore*. The pending amendment having been modified since it was offered, it will be read as it now stands.

The CHIEF CLERK. It is proposed to strike out paragraph 145, and insert in lieu thereof:

145. All iron and steel sheets or plates, and all hoop, band, or scroll iron or steel, excepting what are known commercially as tin-plates, terne-plates, and taggers' tin, and hereafter provided for, when galvanized or coated with zinc or spelter, or other metals, or any alloy of those metals, shall pay three-fourths of 1 cent per pound more duty than the rates imposed by the preceding paragraph upon the corresponding gauges of common or black sheet or taggers' iron or steel; and on and after January 1, 1890, all such iron or steel sheets when coated with tin, or lead, or with a mixture of which these metals, or either of them, is a component part, by the dipping or any other process, and commercially known as tin-plates, terne-plates, and taggers' tin, shall pay three-fourths of 1 cent per pound more duty than the rates imposed by the preceding paragraph upon the corresponding gauges of black sheet or taggers' iron or steel.

Mr. ALDRICH. I will suggest to strike out the word "such." It will be better to read "all steel or iron sheets, etc."

The PRESIDENT *pro tempore*. The proposed amendment will be reported.

The CHIEF CLERK. In line 24 of the amendment, before the word "iron," it is proposed to strike out "such;" so as to read:

And on and after January 1, 1890, all iron and steel sheets when coated with tin, or lead, or with a mixture of which these metals, or either of them, is a component part.

Mr. ALLISON. I accept that modification.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment which has just been read as modified. [Putting the question.] By the sound the ayes appear to have it.

Mr. VANCE. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. GORMAN. I only desire to enter my protest against this increase of duty upon an article of universal consumption. I have no idea of now entering into the general discussion, but I think it is perfectly plain that under the provisions of this amendment as proposed it will be impossible to manufacture this article in this country by 1890 to an extent that will begin to supply one-tenth of the demand, and the inevitable result will be an increase of revenue and an increase of taxes upon the people which neither the Government needs nor any interest in this country specially desires.

We have had one or two attempts to manufacture tin under a high rate of duty. In 1883, after very full and free discussion in this body, it being recognized on both sides of the Chamber that it was a tax that ought to be decreased, it was decreased to 1 cent a pound. If there was any pressing demand for it, if there was any special interest that was prepared to enter into the manufacture of this article, I could understand perfectly the desire of the committee to increase the duty.

Mr. ALLISON. I want to say to the Senator that more than forty manufacturers, or those who are prepared for the manufacture of these tin-plates, have stated that they will enter upon the necessary preparation immediately; and therefore, while I agree with the Senator from Maryland that it is not probable that there will be a plant on the 1st day of January, 1890, to supply the entire demand of this country, there will be such a plant as will greatly depress the price of tin-plate, in my belief.

Mr. PLUMB. Right there I wish to ask a question of the Senator from Maryland. The Senator started out with the proposition that this is an article of necessity, and of course, therefore, of great usefulness. The imposition of this tax, he said, was something that ought not to be interposed. Is that the test which the Senator proposes to apply to the discriminations of the tariff bill—to tax only those things which are not articles of necessity, and thereby promote the manufacture of such articles in this country, and not that of articles of necessity?

Mr. GORMAN. I do not intend to go into the general discussion of the question which the inquiry of the Senator from Kansas would necessarily bring forth; but I do make this assertion, that to-day there is no earthly necessity for the revenue that the increase of the tax proposed by the amendment which is now pending would necessarily produce, an increase of from $5,000,000 to $7,000,000; and therefore the revenue question does not enter into it. There is no necessity whatever for it.

I make the further assertion that notwithstanding the efforts which have been made to find tin in the Black Hills and in one county in Alabama, the deposit has not been found sufficient in this country to utilize it. The deposit does not begin to do it. We shall be compelled to import all the tin used in the manufacture of this article probably for the next ten or fifteen years. The possibilities are that we can not manufacture it successfully here because we have not the material. Therefore it is the imposition of a tax at this time which the Government does not require, and is directly against the interests of the people. If it could have been shown or should be shown, after the efforts made in Pittsburgh and made in my own State in the last fifteen years under a higher rate of duty than exists to-day, that it is possible to make this article in competition with the rest of the world, then the question which the Senator from Kansas puts would be applicable.

Mr. ALLISON. Let me interrupt the Senator a moment. He says we have not the material. We have precisely the same material that they have in England, barring the block-tin, which now comes in free of duty into this country, and can be imported from Australia or from the Malayan Archipelago, or from England herself. Therefore, with other conditions equal, we are upon a precise par with England.

Mr. MORGAN. What would be the condition of this country in the event that those producing countries should put an export duty upon it?

Mr. ALLISON. We should, of course, be in their power to the extent of the export duty.

Mr. MORGAN. Would they not be able, by putting an export duty upon tin, to manufacture every pound of tin that comes to this country?

Mr. ALLISON. I do not think there is any danger of an export duty on tin.

Mr. MORGAN. They do not levy it now, but they have a right to do it, and they certainly would do it if they consulted their own interest.

Mr. ALDRICH. Is the Senator afraid they will manufacture tin or tin-plate?

Mr. MORGAN. They can do it just as well as we can. They have as much capital as we have, and they can import the iron ores if they have not got them, and we import coke now from Australasia to San Francisco.

Mr. GORMAN. The point I was making was that no matter what may come hereafter the time has not arrived when in my judgment it will be possible for our people to make this particular article with a reasonable rate of duty, which we might call a protection, and that there is no necessity for an increase. The steel industry or the iron industry is sufficiently protected under the existing law. We have not reached that degree of proficiency in the machinery for making tin-plate which enables us to manufacture it at a reasonable cost; and while we are engaged in reducing the revenues of the Government I think it is impolitic and unwise to go to the extreme of attempting to create this business before our people are prepared for it.

That is all I desire to say, except to add this: In 1883 when this question was before the Senate it was upon a motion of my own to reduce the tax, and there were various propositions pending in the Senate. The Senator from Ohio [Mr. SHERMAN], it appears in the RECORD, wanted at that time to fix the rate at 2 cents a pound, and after a long discussion, in which the subject was very thoroughly gone over, the rate was reduced to 1 cent a pound, and I believe by general consent. I have before me the RECORD of January 26, 1883, and among others who took the position with us then was Senator John A. LOGAN, of Illinois. He said:

> The manufacturers of tin cans all over the country, in every city in the United States, for putting up meat, fruit, etc., have said to the committee here—I presume they have to the committee, and probably to nearly every Senator—that they were better satisfied with the rate of duty which was imposed before, and are satisfied with the rate proposed by the committee, but they are universally opposed to increasing the duty. I have had telegrams to this effect from different parts of the country, and especially from Chicago, where they manufacture more tin cans than in any other part of the country. The idea of increasing the rate of duty for the purpose of encouraging anybody to commence a manufacture when he has not commenced it, I think, is a new idea. I hope the amendment will not be adopted.

In my State we have an immense industry in canning goods, canning meats, and everything that is consumed which makes living cheap. The canned goods are shipped not only to all parts of the Western country, but to all parts of the world, and I repeat what Senator LOGAN said, it is a new idea and I think a very unwise proposition at this time to increase the revenues of the Government and this tax when there is no probability of establishing the manufacture here within a reasonable time.

Mr. PLUMB. Does the Senator know how much this duty will add to the price of an ordinary 2-pound can, supposing the duty is to be added to the price?

Mr. GORMAN. No; I have no means of knowing the number of cans that are made in this country; but I do know that under the rate of duty at 1 cent a pound, if there is no larger consumption than there was in 1887, you would increase the taxes of the people in this country over $3,000,000, and you would increase the revenues of the Treasury to that extent, when the effort we are making is to reduce taxes.

Mr. PLUMB. I do not design now to controvert, I do not know that I ever shall, the general proposition of the Senator from Maryland that even with the imposition of this duty this article can not be made in this country; that I do not know about; but I was very much struck by his opening statement to the effect that this duty ought not to be imposed because the article upon which it is imposed is a necessary article.

I thought he thereby designed to say in substance that he was not in favor of imposing duties in order that necessary articles may be manufactured in this country, the opposite of which would be that he would be in favor of imposing duties upon articles to obtain revenue which were not necessary to the people of this country; and that is entirely a logical position, and one which I think his party generally assumes.

Mr. GORMAN. The Senator is mistaken.

Mr. PLUMB. I may be mistaken.

One other point in regard to this matter. I am informed on what I regard as good authority that the addition of this duty to the price of the ordinary 2-pound can would be about one-third of a cent. That is perhaps a large proportion, a considerable addition in proportion to the gross cost of the can; but I submit to the Senator that that imposition would not finally fall upon the consumer of the article covered by the can. There is no such nice adjustment of the prices of canned goods at retail as that the price shall be affected by the imposition of the duty of 30 per cent. It would fall upon the manufacturer and upon the wholesale dealer. I do not say they are not to be taken into account; but what I mean is that the persons who use the cans in putting up meats, vegetables, fruits, and so on, which are sold in the market, while I am perfectly willing to take them into account, are not the great mass of the people of the United States. The consumers, in my judgment, would not be affected by that.

I say nothing at all about the main proposition of the Senator from Maryland, that tin can not be produced in this country. That I do not know about. I have no doubt he is better qualified to speak of that than I.

Mr. GORMAN. I am satisfied the Senator from Kansas does not intend to do me any injustice. I think my position is perfectly well understood. If there was an industry in this country engaged in manufacturing tin-plate that had grown up under our tariff laws, and a proposition was made to reduce the tariff so as to destroy or impair it, I would be opposed to the proposition. But this is an entirely different proposition, and I ask the Senator from Kansas how he can maintain a proposition, with our financial condition, to impose an unnecessary tax for the purpose of establishing a business when it has yet to be demonstrated whether it can ever be successful in this country under any taxation?

Mr. PLUMB. If it be true that the imposition of this duty will result in the manufacture of tin-plate here, then I entirely agree with the Senator. We do not need the duty for revenue, and if we did need the revenue I think I could find plenty of other subjects from which I would rather obtain it than this; but it is a question about which I presume there is a controversy. If it should result in producing in this country very largely or entirely the tin-plates consumed by the American people, of course it could not result in an increase of revenue.

Mr. SHERMAN. Mr. President, this amendment is a very important one, not only because of the great amount involved, but also because the subject has been very fully considered, though I do not know that the debate here, so far as I have heard it, has thrown much light upon it. It seems to me a very simple proposition. The question is whether the 285,000 tons of tin-plate, or rather iron-plate covered with tin, consumed in this country shall be of American manufacture or of foreign manufacture, or I will say English manufacture. The 285,000 tons of imported tin-plate are really iron or steel plate covered with tin; and of those 285,000 tons 275,000 tons are iron or steel, and only the remainder is tin. Under existing law there is no duty upon tin, and no duty is levied upon tin in any form. When this article is spoken of as tin-plate it is a deceptive name. It is iron or steel plate covered with a mere coating of tin, a kind of chemical baptism, you may say, a mere coating of the iron or steel by a chemical process with tin. I have seen the process in the old country. It is not a difficult process at all. It can be performed in this country at once, and I am assured now, and we are assured by direct statements of gentlemen who have plants already engaged in rolling out iron and steel plates, that within a reasonable time they can apply the requisite methods. The mode of baptizing or covering this plate with tin is not a secret. There is no doubt about it, no question about it, and very little additional work will cover the iron and steel with tin to make tin-plate. But the real point is whether or not the 275,000 tons of iron or steel that is covered with tin shall be dug out of the earth here and passed through the furnace and rolled into plates ready to be covered with tin or whether all that shall be done abroad.

Mr. President, I have not seen any evidence that tin can be found in this country in sufficient quantities and under circumstances that will enable us profitably to get it out for awhile; but the time will come, I think, when tin will be found in this country, because it is now found to some extent in this country.

Mr. TELLER. I would like to inquire of the Senator if he has taken any pains to find the result of the explorations in the Black Hills country.

Mr. SHERMAN. I say there is no mode of procuring it in any amount.

Mr. TELLER. The Senator says there is no tin.

Mr. SHERMAN. There is no tin that is available now for the purpose of use; and the tin-plates that will be covered under this amendment will be covered with Welsh tin.

Mr. TELLER. That is brought from the Straits of Malacca.

Mr. SHERMAN. Wherever it comes from; it comes from a very few places. It may be that the time will come when we shall get tin in this country, but I vote for this amendment on the ground that the tin is a mere incident, and I vote for it to protect the manufacturers of the plates covered by the tin, and that is the only ground upon which it can be based. We have the assurance that before the 1st day of January next some twenty or thirty different establishments will make arrangements to cover steel and iron plates with tin. Under those circumstances the relief asked ought to be granted. There is no more reason why the people who use iron in the form of tin-plates should be exempt from taxation than there is that any other class of people should be exempt. One thing or the other ought to be done: either this duty ought to be made to correspond with the duty on other iron plates, about 2 cents a pound or a little above, or the duty ought to be repealed. True, we do not want the revenue. That is conceded on all

hands, and therefore, if this amendment is not adopted, we had better make this iron-plate covered with tin free of duty and abandon the enterprise at once. That is the logic of it.

It seems to me the true policy is to give to the American manufacturer of the 275,000 tons of iron and steel plates necessary in this industry the same degree of protection and the same degree of consideration that are given to the manufacturers of iron and steel plates in any form whatever. It strikes me, therefore, that now the time has come when we ought to give this industry protection. I thought so five or six years ago, as it seems the Senator from Maryland [Mr. GORMAN] has reminded me. I then thought the time had come when this article should be put upon the same footing with terne-plates and other sheets of iron, and I believe if the proposition had been adopted then we should by this time have covered in this country all the iron which is necessary for tin-plate.

I shall vote for the amendment with great pleasure.

Mr. VEST. I should like to ask the Senator from Iowa in charge of the bill a question. There is a difference of opinion here between experts. I ask what in the opinion of the Senator in charge of this bill is the duty proposed by the amendment? What is the ad valorem rate?

Mr. ALLISON. The ad valorem duty now on tin-plate is 33 per cent.

Mr. VEST. At 1 cent a pound?

Mr. ALLISON. One cent a pound. We now propose to increase it 1.15 cents, which would be between 66 and 70 per cent., not quite 70.

Mr. REAGAN. What is the duty on this iron?

Mr. ALLISON. The duty on this iron is a cent and a half a pound.

Mr. REAGAN. What is the proposed duty?

Mr. ALLISON. One and four-tenth cents a pound. We reduce the duty on the iron that enters into this production a tenth of a cent per pound; that is, all iron above 25 wire gauge.

Mr. REAGAN. And that would give a protection of 64.25 per cent., as proposed by the bill.

Mr. ALLISON. I think, taking the ad valorem and assuming that prices are going to be in the future what they have been, the percentage would be about 66, although I look forward to a very marked depression in prices, which will reduce the ad valorem.

Mr. REAGAN. Is it proposed to increase that duty beyond 64 or 66 per cent. on sheet-iron?

Mr. ALLISON. No, sir.

Mr. REAGAN. I understand the Senator to say that as tin is free, and under all the circumstances we can make the sheet-iron about as cheap as it is made anywhere else, except for the condition of labor, it is simply a question of the duty upon sheet-iron?

Mr. ALLISON. The Senator misunderstood me. I said that the cost of making tin-plate from this class of iron is three-quarters of a cent a pound, or to be exactly accurate seventy-six hundredths of a cent in this country, as estimated, more than it is in England or Wales. Therefore we have added three-fourths of a cent a pound to the existing duty. We have supposed that the present rate of duty upon this sheet-iron would stand a reduction of one-tenth of 1 cent, and therefore we have so reduced it.

Mr. REAGAN. I understood the Senator to say that the cost of making the tin-plate is 76 per cent. higher in this country than in Great Britain. What enters into the elements of cost that makes it cost 76 per cent. more here than there?

Mr. ALLISON. I have every element of cost here. Our testimony shows every element of cost here, and every element of cost in Wales, so that there can be no question about the relation between the two countries.

Mr. REAGAN. I will not ask the Senator to show that, but it struck me as very remarkable that there should be 76 per cent. difference in the cost between the making of this material in England and here.

Mr. ALLISON. Seventy-six one-hundredths of a cent per pound, as I understand, is what it costs to tin in this country compared with Wales. On page 1048 of the testimony is a table going over all the details; for instance, the cost of making bars, billets, sheets, and then the pickling and cleaning with acids and the wages of the tin-men, and so on, including all the elements, showing that in Wales a box of 105 pounds would cost $3.37, while to produce the same quantity in the United States would cost $5.25, or a difference of $1.88 per box.

Mr. REAGAN. The Senator has examined the question and is satisfied that that difference exists?

Mr. ALLISON. I have no doubt of it. Here is what Mr. Cronemeyer, who is an expert in this matter, says:

Mr. CRONEMEYER. Of course tin costs there the same as here. From the black sheet, I said, it is $1.98. Over there it would be $1.25.
Senator ALDRICH. Then you want 0.73 of a cent protection?
Mr. CRONEMEYER. Yes; 0.73 more than we get on the black iron.
The CHAIRMAN. That would be 0.7 of a cent in round numbers?
Senator JONES. That is 0.7 of a cent per pound?
Mr. CRONEMEYER. Yes.
The CHAIRMAN. About 0.7 of a cent per pound; in other words, whatever duty we put on pickled and cold-rolled sheet iron or steel, then you want 0.7 of a cent a pound additional in order to enable you to make tin-plate here?

That is all there is in the statement.

Mr. PLATT. Mr. President, I desire very much that we shall reach a vote on this subject, and yet I must ask the indulgence of the Senate for a few observations.

Of course the State that I represent, Connecticut, can not have any direct interest in the raising of this duty. We shall not manufacture tin-plate in Connecticut; we shall not manufacture it in New England; so that whatever we may do in this matter can not be attributed to any selfishness growing out of locality. It seems to me a simple question, and yet a very important one, and as the Senator from Ohio remarked a few moments ago, we either ought to put tin-plate on the free-list or we ought to impose a duty upon it which will try the experiment fairly of whether it can be manufactured in this country, because we do not want this revenue. We want to avoid the revenue; but it seems to me the time has come in the history of the country and in the history of the industry when if we refuse now to put on an increased duty which the people who know about this say will establish the industry of manufacturing tin-plate in this country, then we might as will forever abandon the idea of attempting to make tin-plate in this country. The Senator from Maryland says that if we had the industry in this country he would not vote to reduce the duty, provided the duty was only and necessarily a protective duty, but that he is unwilling to put a duty upon an article for the purpose of seeing whether it can be manufactured in this country.

Well, now, I submit that if that had been the policy of the Government from 1789 up to the present time, a period of one hundred years, we should not have had any manufacturing in this country. If protective duties had not been imposed upon branches of industry which were not carried on in the United States, we should not have had those industries established in this country. So, as it seems to me, it is no departure from the principle and the system which has been adopted from the first; and to my mind it is just this question: Shall we give up the attempt ever to produce tin-plate in this country?

Of course I do not know except by the statements which are made here whether this duty will establish the industry in this country; but I am assured by the committee that it will, and I confess that I want to vote for every duty which will establish a new industry in this country; that is to say, an industry which under any circumstances it can be supposed can be profitably carried on in this country. If employment can be found for 70,000 additional workmen in this country in the manufacture of the whole or a large portion of these 283,000 tons of tin-plate which we now pay our money to England for, I want that opportunity for the employment of labor to be satisfied; and I do not believe that this duty is going to result in any great increase of the price of tin-plate; I think it very doubtful whether it results in any if the usual course pursued by foreign manufacturers is adopted by them. When they see there is a probability that tin-plate factories will be established in this country they will put down the price quite equal to the amount that is added to the duty; and even if the price is temporarily raised all the experience of this country shows that it will immediately fall to or below its present price.

It is said that within six months or a year plants can be adapted towards the manufacture in this country of a large proportion, I think a half or a third, of all the tin-plate which we buy. What does that mean? Suppose we establish plants for the manufacture of one-half of the tin-plate which we consume and purchase from abroad. It is said that we use three-quarters of the entire consumption of the world, and that means if we establish plants to make half of it in this country, that we are going to add one-third to the capacity for producing tin-plate in the world. There is no Senator who does not know that that very act, adding one-third to the capacity of the world for the production of tin-plate, must inevitably reduce the price; and so, as it seems to me, we shall not have, we certainly shall not have this duty added to the price of tin-plate, to continue at any rate any length of time; nor do I believe that if there is an increase in price that will come out of the consumer of tin-plate.

Speaking of the consumer as the person who buys the articles which are made out of tin-plate, I bought a little while since, when I was out on a camping expedition, a pound of baking powder in a tin can for 55 cents. Now, the utmost that could be added if the duty were added to the price of that can would be a quarter or a half a cent. Does anybody suppose the retailer would have asked 55½ cents for that? Any increase of price is going to be distributed over and among a great many people and not fall upon the ultimate consumer, and, as I say, in a very short time it must be apparent that the price will be reduced.

If the duty is a tax which is paid by the consumer, as it will not in this case by the ultimate consumer, the consumer gets the benefit of it if he is going to continue to buy the article upon which the duty is laid in the reduction of price which inevitably must follow the establishment of such an industry as this and the increase of the capacity of production of an article like this. I agree, perhaps, that if a man is going to die within twenty-four hours and has to pay half a cent on a tin can or a cent on a dinner-pail more than he otherwise would except for the imposition of this duty, to use a common phrase he would be out just so much; but we do not expect to die just within twenty-four hours, and if a man is going to live until the inevitable law of political economy takes effect and the increase of the capacity for produc-

tion diminishes the price of the article, then he is going to get the benefit of it and be better off at the end of a year, or two years, or five years, as the case may be, than he would if we had not established the industry in this country, if we had not added to the capacity of the world to produce this article and he had been still paying the price which the foreign manufacturers chose to impose upon this country.

Mr. SAULSBURY. Mr. President, I understand that this is a proposition to increase the duty upon tin-plate from an ad valorem of 33 per cent. to 70. This is an article that enters into the consumption of almost every family in the land. It is not confined simply to the canning industry, but it is an article which enters into every household. There is scarcely a single household in the land where there is not more or less to some extent, in some cases to a very considerable extent, the use of tin. It is used for the purpose of roofing, putting on roofs of dwellings, and for other purposes. It is an article which is used by the people generally throughout the country in some shape or other; and here is a proposition to increase the ad valorem duty upon that article from 33 per cent. to 70 per cent., according to the statement of the Senator from Iowa.

What is the reason for this? It is admitted on all sides of this Chamber that there is no necessity for it. The Treasury does not need the revenue from it. Why, therefore, should this duty be advanced? The Senator from Connecticut [Mr. PLATT] and other Senators have said that it is in order that an industry may spring up in this country that can manufacture these goods, these tins. We are, then, for the purpose of experimenting, to increase the burden of every household in this country to a greater or less extent.

It is assumed on the other side of the Chamber that the consumers of this tin will not pay the duty. Why, such an idea certainly must be very erroneous. Take, for instance, a canning establishment where there are ten or twenty thousand dollars' worth of tin used. Does any person suppose it will not add that to the price of its goods when it puts them upon the market?

If it was confined simply to canned goods and the cans that are made for the purpose of canning fruits, vegetables, meats, fish, and other things, does any one suppose that persons engaged in that business, investing large amounts for the purpose of buying the tin with which to make the cans, will not add the duty to the price of the goods, and that they will not go into the hands of the consumers enhanced by reason of the cost of the cans in which they are incased? It illustrates, in my opinion, very clearly the position of the two parties in the Senate upon the question of taxing the people. Here where there is no industry in this country to be affected by this, no industry in this country that can be affected by it even if we were to put the article upon the free-list, for the purpose of experimenting to ascertain whether we can not develop a new industry of this kind we propose now to increase the burdens upon this class of goods from 33 to 70 per cent. ad valorem in cost.

It seems to me, Mr. President, that if there is any unwise legislation that has ever taken place, this must be an illustration of it. As I before remarked, there is scarcely a household in the land but what is interested in this very question. You can not go into any kitchen in this city but what you will find there these goods in the utensils necessary for the comfort of the families; you can not go into any canning establishment of the country but what you will find large amounts of money invested in buying tin-plates in order to preserve the goods and fit them for the market. The simple fact is that there is no industry in the United States to be injured by refusing this increase, no existing industry to be protected by an additional duty; and yet you propose deliberately to raise the ad valorem duty from 33 to 70 per cent.

Mr. President, I do not desire to enter into the discussion of the general subject of the tariff. I have abstained from that. At the last session of the Senate I delivered some views upon the general subject of the reform of our revenue laws, and I do not wish to trouble the Senate any further in that regard; but it seems to me that a proposition of this kind is so obviously unjust and wrong that it ought to receive the reprobation of every Senator on this floor. If there was any good to be served, any industry to be protected by it, it would be a different thing; but there is no industry whatever claiming that it will be benefited by this increased duty. It is simply a proposition to experiment and see whether by imposing an onerous burden upon a necessary of life we can not induce some persons to make an experiment to see whether this kind of goods may not be manufactured in this country.

It is very unwise legislation, in my opinion, and for one I can not vote for such a proposition.

Mr. GORMAN. Mr. President, in 1883 this proposition was very fully discussed, as I before stated, and with the light that was thrown on it by the report of the Tariff Commission, who held that it would require a duty of 2.1 cents a pound to enable manufacturers to begin to make the article in this country. The proposition to fix that high duty came before this body—it was presented by the Senator from Ohio [Mr. SHERMAN]. Now it seems, if the statements of the Senators from Rhode Island [Mr. ALDRICH] and Iowa [Mr. ALLISON], in charge of this bill, be correct—and I have no doubt their statements are based upon the information given to them by manufacturers of iron—that a less rate or duty will enable them to manufacture this article. If I am correct in this, then the country has gained immensely by waiting from 1883 until now, and I have no doubt that if the committee would permit the present law to stand or make a reduction, by the time we come to consider this matter hereafter it will probably be found that 33 per cent. will be sufficient.

But I desire, Mr. President, to read what a distinguished member of this body said in reply to the Senator from Ohio [Mr. SHERMAN], who made at that time the same argument that he has made to-day, the same argument that is made substantially by my friend from Connecticut [Mr. PLATT], that it was the duty of the Government not only to protect the existing manufacturing interests but to go on and by putting an increased tax upon various articles induce other manufacturing interests to be established. In reply to a proposition of that sort from the Senator from Ohio the Senator from Kansas [Mr. INGALLS] who presides with so much ability over this body made a conclusive answer. I will read his answer to the Senate. It seemed to me it was conclusive then, and it is now. The Senator from Kansas [Mr. INGALLS] said—it will be found in the CONGRESSIONAL RECORD of January 26, 1883:

> The Senator from Ohio states rather an advance opinion, I think, upon this subject. We have heard hitherto of the necessity of protecting infant industries; that it was necessary to impose additional burdens upon the people to prevent industries that were struggling for existence from being strangled. But he now assures us that the duties are essential to create industries, to institute and inaugurate manufactures here that do not exist, for the purpose of obtaining prospective profits that may be realized upon articles that are not and can not be manufactured here, and that are imported in vast quantities for the welfare of the people.
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> Mr. President, if any argument has been adduced or can be adduced for the extraordinary motion of the Sentor from Ohio I should be very glad to hear it. He claims that this is something that is in the interest of American industry, but the industry does not exist. It is apparent that so far as tin-plate is concerned it is actually a raw material. It is in no sense whatever competitive with any American manufacture. The only reason why a duty should be imposed upon tin-plate is for the purpose of revenue. The tariff upon this article should be fiscal merely. It can not be fiscal and protective, because there is nothing to protect, and every dollar that is imposed upon this article that is in excess of what it ought to bear as a revenue proposition is so much that is directly taken from the industry, from the wages of this country, that have burdens upon them already which they are illy able to bear.

Now, sir, I adopt that statement of the Senator from Kansas. It is exactly true and can not be controverted. I think we are going to an extreme when we pass beyond the present rate of duty that is imposed on this article. My own belief is that this article should be placed on the free-list just as you have jute and other articles that can not be successfully manufactured in this country.

I was very much interested and instructed by the discussion between the Senator from Ohio and the Senator from Texas a few days ago. The Senator from Ohio then took the broad ground, which is correct, that while we could produce jute in Texas, or in South Carolina, or in Louisiana, the time had not arrived when it was possible to manufacture in this country in competition with other peoples, and therefore we should place it on the free-list and let our countrymen have the benefit of the low-priced article from abroad, simply because we were not prepared to manufacture it here. The same rule should be adopted as to tin-plate.

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. GORMAN. With pleasure.

Mr. ALDRICH. Does he think there is any obstacle or any reason why tin-plate should not be manufactured in this country except the greater cost of labor here?

Mr. GORMAN. Yes. I think there are additional reasons for it.

Mr. ALDRICH. What are they?

Mr. GORMAN. I think in the manufacture of steel and iron, as the Senator is perfectly well aware, in all the grades except the coarser textures, we have not yet reached that point in the manufacture where our people have become skilled so that we can make the finer grades at a reasonable cost. We are not prepared for it. We have not worked up to it yet, and the time has not arrived when it can be done. Now, that our manufactures are approaching it, and approaching it under the system upon which we are acting, is demonstrated by the fact that in 1882 the intelligent commission appointed to look into all these matters said that it was impossible to manufacture tin-plates in the United States unless you made the duty 2.1 cents a pound.

Mr. ALDRICH. Will the Senator allow me to ask him how long he thinks it will take before we can develop the industry in this country sufficiently to make tin-plates, provided the present rate of 1½ cents a pound on steel sheets can be maintained and the duty on tin-plates from which they are made is maintained at 1 cent a pound? When does he think the time will arrive that we can manufacture tin-plates in this country?

Mr. GORMAN. I am not at all astonished at that question of the Senator from Rhode Island, for his whole proposition is a speculative one. The very proposition pending before the Senate is a mere matter of speculation whether tin-plates can be manufactured at a rate of duty of 70 per cent. I know that there are enthusiastic men who are engaged in the iron business who believe it can be done. I have read their statements with a great deal of interest, and I have no doubt the time will come when we shall be prepared to do it, and I have no question myself that if this duty remains at 1 cent a pound they will pro-

gress in the next six years precisely as they have in the past six years, when they said it would require 2.1 cents a pound to enable them to manufacture, and now, as I understand the proposition, they can do it for 1¾.

Mr. ALDRICH. I do not understand that that is true. What rate does the Senator understand we propose to place upon this article?

Mr. GORMAN. I understood from the Senator from Iowa it was about 1¾ cents a pound.

Mr. ALDRICH. Two and fifteen hundredths cents.

Mr. GORMAN. Two and fifteen hundredths. Then I misunderstood the Senator from Iowa and did not catch the amendment as it was read. That is a greater tax than I supposed it was, and it only shows the enormity of the proposition.

I have nothing to add to what has been so well said by the Senator from Kansas [Mr. INGALLS], which I have read, except to enter my protest and to record my vote against this proposition.

The PRESIDING OFFICER (Mr. BERRY in the chair). The question is on the amendment offered by the Senator from Iowa [Mr. ALLISON], on which the yeas and nays have been ordered.

Mr. MITCHELL. I ask the Senator from Rhode Island whether, as he understands it, this bill in any way interferes with the subject of drawbacks on tin-plates?

Mr. ALDRICH. It does not.

Mr. MITCHELL. What is meant by the provision in section 39 providing "that all articles exported manufactured of materials upon which duty has been paid" are "entitled to drawback?" That is on page 224, section 39 of the bill. I wish to know exactly what is meant or what is the effect of these words in that section, "and entitled to drawback under any provision of law."

Mr. ALDRICH. Various articles are entitled to drawback under various provisions of law when they are manufactured of imported material. For instance, tin-ware in the canning industries of the Columbia River is now entitled under the provisions of existing law to 90 per cent. drawback, and under the provisions of this bill they will be entitled to 100 per cent., the whole amount of duty paid.

Mr. MITCHELL. I understand that; but this bill does not undertake to prescribe in any of its provisions the articles that shall be subject to drawback. Is the Senator quite certain that there is provision in the existing law that covers what I am referring to?

Mr. ALDRICH. As I understand it, a drawback is now being paid under the prescribed conditions of 90 per cent. of the amount of the duties which have been collected.

Mr. MITCHELL. I notice that by the bill there are a great many of the existing sections of the Revised Statutes repealed. Is it not quite possible that the provisions of existing law prescribing on what articles there shall be a drawback are repealed?

Mr. ALDRICH. I think it is entirely safe to say that none of them is repealed. If any such action has been taken by the committee, it certainly has been through an inadvertence.

Mr. MITCHELL. That was not the intention?

Mr. ALDRICH. That was not the intention of the committee.

Mr. CALL. Mr. President, I do not wish to take part in this debate further than to state that the amendment which is now proposed is virtually the giving of nearly $6,000,000 for the purpose of encouraging the commencement of a new and untried business.

The people of the United States and the Government of the United States stand in relation to this question precisely in the position that an individual would do if he were to have before him the question of appropriating any portion of his revenues to the creation of a new employment.

Admitting the theory—and I see no well-founded distinction between an inducement to a new and the support of an established business—admitting the theory that the Government is by bounty or by Government support, by the collection of a tax and its appropriation, to create particular industries and employments for the benefit of the whole people upon the theory that diminishing the competition between a foreign and the home country, which has become an established proposition in this country, will ultimately produce a lower rate of value which the people will be required to pay for the newly created article—admitting that, which has become a settled policy in this Government, what is the next question? Five million seven hundred and sixty thousand dollars collected this year, probably $6,000,000 the next, an average likely with the increasing consumption of the country, appropriated to such persons as will develop this industry, upon the condition that they substitute their products for those that are imported.

The first question that an individual would reasonably ask would be as to the probability of effecting that purpose, as to the cost to the people of the country, whether $6,000,000 for an indefinite period of time is or is not an extravagant appropriation of money for that particular purpose. The direct way, as a matter of logic, evidently would be to prohibit the importation of tin-plates. This being a necessary article there would be, of course, an unlimited field of profit, of charge for the manufacture in the United States, subject only to the laws that create competition or that restrain competition confined to a particular locality; but the people would be relieved from the payment of the tax until the article had been produced and actually sold.

Now, if we are to reason upon this proposition, what argument can be given by any person to show why there should not be an absolute prohibition of the importation of this article if the object be to require its production in this country? If not, then you must consider carefully the question of how far the amount of $6,000,000 increasing year by year is or is not an unreasonable appropriation of money for this particular purpose.

Is it an established proposition that the Government is to create these industries by taxation upon the people and the appropriation of it? It does not matter whether it is done as was stated by Mr. Hamilton in his remarkable paper upon manufactures, whether the appropriation is made by a duty on imports or by a bounty, which, in his judgment, was preferable and the more direct and efficacious method, as it unquestionably is—the cheaper to the people at large, the more direct in its effect in encouragement. It does not matter which of these two methods is adopted.

It is not to be justified in any case, nor can there be any reason given by any one why it should be so, unless the demonstration is clear and evident that the industry can not only be created by the appropriation of money, and unless it can also be demonstrated that this new production can be made upon a basis equal in point of cheapness to the community of the manufactured product from abroad, because it is not proposed and can not be justified unless you are going to create a baronial order and make an aristocracy living upon the bounty and taxation. It can not be justified in reason upon any theory of encouragement or the creation of an industry that it shall continue to live by bounty forever.

It is a necessary portion of this argument that there shall be a period in which its development will be more beneficial to the people in point of cheapness of cost to them than the imported product. Therefore it is an essential part of this proposition upon the theory of protection, either in the creation of a new industry or the maintenance of an old and existing one, that the cost to the people shall be vindicated by evidence that it can be successfully carried on.

Now what is the evidence in this case? There is a positive, unquestioned, and admitted tax of $6,000,000 a year for the single purpose of creating a new employment of possibly beneficent effects in the country. Is there any reasonable evidence of the possibility or the probability or the certainty as ought to be required, of that result?

Mr. President, it can not be said that there is the slightest evidence of the certainty of this result. It can not be said that there is any great evidence of its probability, and we are reduced now to the proposition of the imposition of a tax and the appropriation of $6,000,000 annually, the tax being certain and the appropriation dependent upon possible and uncertain conditions.

That is the question. The tax is certain. The poor man must pay, the poor woman must pay; and now when you read the treatise of Mr. Atkinson, which is based upon mathematical propositions, upon ascertained facts, that the margin between want and abundance in this country is less than a cent a day upon its laboring people, when we see that a cent a day in the compensation paid to the laboring people of this country will produce upon the one hand want and upon the other hand abundance, and that is a fact, not speculation, but a fact based upon the statistics of the country, made by that very able and accurate man in his computations upon that subject—when we consider that fact are you willing now to impose this additional burden on that class of people to whom this cent a day is a matter of comfort or of discomfort, of abundance or of want.

When we impose that tax upon them upon no other ground than the bare possibility that these results may follow, it is an entirely indefensible proposition. We are showing the theory of protection even as maintained on the other side to a point not only dangerous to the perpetuity of our form of Government, but certain of abuse and oppressive use when we enter upon the region of possible speculative and conjectural enterprises wholly disconnected from all needs and purposes of revenue.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Iowa [Mr. ALLISON], on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. MITCHELL (when Mr. DANIEL'S name was called). I am paired with the junior Senator from Virginia [Mr. DANIEL]. If he were here, I should vote "yea" and he would vote "nay."

Mr. HALE (when his name was called). My pair with the Senator from Kentucky [Mr. BECK] has been transferred to the Senator from Nevada [Mr. JONES], and I vote "yea."

Mr. PLATT (when Mr. HAWLEY'S name was called). My colleague [Mr. HAWLEY] is paired for the day, I believe, with the senior Senator from Missouri [Mr. COCKRELL]. My colleague is absent for the day.

Mr. HOAR (when his name was called). I am paired with the Senator from North Carolina [Mr. RANSOM].

Mr. MORRILL (when his name was called). My pair with the Senator from Tennessee [Mr. HARRIS] has been transferred to the Senator from Colorado [Mr. BOWEN], and I vote "yea."

Mr. PUGH (when his name was called). I desire to state that I have a general pair with the Senator from Vermont [Mr. EDMUNDS],

but I have transferred that pair to the Senator from Kentucky [Mr. BECK], so as to enable the Senator from Maine [Mr. HALE] and myself to vote so as to have a quorum to carry on the business of the Senate.

Mr. VANCE. I am paired generally with the Senator from Michigan [Mr. PALMER], but by request I will transfer that pair to the Senator from Louisiana [Mr. GIBSON], and will vote "nay."

The PRESIDING OFFICER. The Senator from Louisiana [Mr. GIBSON] has voted.

Mr. VANCE. Then I beg to withdraw my vote.

The roll-call was concluded.

Mr. GEORGE. I am paired with the Senator from New Hampshire [Mr. BLAIR]; otherwise I should vote "nay."

Mr. FAULKNER. I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. HALE. As the Senator from Nevada [Mr. JONES] is present and has voted, I will transfer my pair to the Senator from Vermont [Mr. EDMUNDS], and allow my vote to stand.

Mr. VANCE. I will transfer the pair which I have with the Senator from Michigan [Mr. PALMER], and vote "nay."

Mr. ALLISON. I am paired with the Senator from New Jersey [Mr. MCPHERSON], but I am authorized to vote in order to make a quorum.

Mr. COCKRELL (to Mr. ALLISON). Suppose we exchange pairs. I am paired with the Senator from Connecticut [Mr. HAWLEY], who is compelled to be absent to-day; and by agreement you and I can exchange the pairs.

Mr. ALLISON. I will exchange with pleasure with the Senator from Missouri.

Mr. COCKRELL. Then I will announce that the Senator from Connecticut [Mr. HAWLEY] is paired with the Senator from New Jersey [Mr. MCPHERSON].

Mr. ALLISON. And I vote "yea."

Mr. COCKRELL. And I vote "nay."

Mr. MITCHELL. I announced a moment ago that I was paired with the junior Senator from Virginia [Mr. DANIEL]. I am authorized by him to vote to make a quorum, and if necessary I shall vote "yea."

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

The result was announced—yeas 25, nays 18; as follows:

YEAS—25.

Aldrich,	Dolph,	Paddock,	Stewart,
Allison,	Evarts,	Palmer,	Stockbridge,
Brown,	Frye,	Platt,	Teller,
Chace,	Hale,	Plumb,	Wilson of Iowa.
Chandler,	Hiscock,	Sawyer,	
Cullom,	Jones of Nevada,	Sherman,	
Dawes,	Morrill,	Spooner,	

NAYS—18.

Bate,	Colquitt,	Payne,	Vest,
Berry,	Gibson,	Pugh,	Walthall,
Call,	Gorman,	Reagan,	Wilson of Md.
Cockrell,	Jones of Arkansas,	Saulsbury,	
Coke,	Morgan,	Vance,	

ABSENT—33.

Beck,	Edmunds,	Hearst,	Ransom,
Blackburn,	Eustis,	Hoar,	Riddleberger,
Blair,	Farwell,	Ingalls,	Sabin,
Blodgett,	Faulkner,	Kenna,	Stanford,
Bowen,	George,	McPherson,	Turpie,
Butler,	Gray,	Manderson,	Voorhees.
Cameron,	Hampton,	Mitchell,	
Daniel,	Harris,	Pasco,	
Davis,	Hawley,	Quay,	

So the amendment was agreed to.

Mr. ALLISON. Mr. President——

Mr. BROWN. I beg leave to call the attention of the Senator from Iowa [Mr. ALLISON] who has the bill in charge to paragraph 287, in relation to rice, and should be glad to have him indicate when he proposes to consider that.

Mr. ALLISON. I prefer to take up another matter first, and we can go to that hereafter.

In paragraph 147, on page 106, line 553, there is an amendment which I desire to have acted upon, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. At the end of paragraph 147, relating to sheets or plates of iron or steel, or taggers' iron, etc., it is proposed to add:

Until January 1, 1890.

The amendment was agreed to.

Mr. ALLISON. I now ask for the consideration of the amendment submitted by me from the Finance Committee, to come in on page 86, line 57.

The PRESIDING OFFICER. The amendment will be reported.

Mr. ALLISON. That is an amendment relating to sugar. I send to the desk two or three modifications of the printed amendment, which I will ask to have read, and I presume there will be no objection to their being inserted in the amendment, because they do not change the sense.

The PRESIDING OFFICER. The Senator can modify the amendment. It will be read as modified.

The CHIEF CLERK. On page 86, after line 57, it is proposed to insert as new sections the following:

SEC. —. That until April, 1900, there shall be paid to the producer of sugar testing not less than 80 degrees by the polariscope, from beets, sorghum, or sugar-cane grown within the United States, a bounty of 1 cent per pound, under such rules and regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe.

The producer of said sugar to be entitled to said bounty shall have first filled with the Commissioner of Internal Revenue a notice of the place of production, with a general description of the machinery and methods to be employed by him, with an estimate of the amount of sugar proposed to be produced in the next ensuing year and an application for a license to so produce, to be accompanied by a bond in a penalty, and with sureties to be approved by the Commissioner of Internal Revenue, conditioned that he will faithfully observe all rules and regulations that shall be prescribed for such manufacture and production of sugar.

The Commissioner of Internal Revenue, upon receiving the application and bond hereinbefore provided for, shall issue to the applicant a license to produce sugar from sorghum, beets, or sugar-cane grown in the United States at the place and with the machinery and by the methods described in the application; but said license shall not extend beyond one year from the date thereof.

No bounty shall be paid to any person engaged in refining sugars which have been imported into the United States, or produced in the United States upon which the bounty herein provided for has already been paid or applied for, nor to any person unless he shall have first been licensed as herein provided, and only upon sugar produced by such person from sorghum, beets, or sugar-cane grown in the United States. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall from time to time make all needful rules and regulations for the manufacture of sugar from sorghum, beets, or sugar-cane grown in the United States, and shall, under the direction of the Secretary of the Treasury, exercise supervision and inspection of the manufacture thereof.

The bounty herein provided for, including the expenses incident to the payment thereof, shall be paid from the duties collected and paid into the Treasury on sugars imported into the United States, and a sufficient sum for said purpose is hereby appropriated and shall be paid annually from the duties so collected, such appropriation and payment to continue until the 1st day of April, A. D. 1900, and no longer.

SEC. —. That any person who shall knowingly refine or aid in the refining of sugar imported into the United States or upon which the bounty herein provided for has already been paid or applied for, at the place described in the license issued by the Commissioner of Internal Revenue, and any person not entitled to the bounty herein provided for who shall apply for or receive the same, shall be guilty of a misdemeanor, and, upon conviction thereof, shall pay a fine not exceeding $5,000, or be imprisoned for a period not exceeding five years, or both, in the discretion of the court.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Iowa.

Mr. VANCE. I ask for the yeas and nays on that amendment, Mr. President.

The yeas and nays were ordered.

Mr. VEST. Mr. President, I have not been able to see that amendment in print and have not had time to examine it, but I understand that it has within it the provision for a bounty of 1 cent a pound upon all sugar produced in the United States. That I understand to be the meaning of it.

Now, I do not wish to enter into any extended discussion of this subject. I suppose that those who know my political opinions will take it for granted that I am opposed to this bounty; that I am opposed to all bounties; that they constitute the most objectionable form of protection *per se;* that in my judgment the system of giving bounties is antagonistic to the true theory of all free government. If this practice is indulged in by the legislative power of the Government, it simply amounts to this, that a private citizen is to be paid out of the general Treasury of the country for entering into some particular business or pursuit. The doctrine to which I am devoted and in which I expect to die is that this Government belongs to all the people; that its highest mission is to protect every man in life, liberty, and property, and after doing this that the citizen, under equal and just laws, shall be permitted to work out his own destiny, to achieve success or to fail; but this idea of the Government going into partnership with any individual or with any set of individuals in order to enable him or them to obtain peculiar advantages in order to enrich themselves at the expense of the large body of the people is a relic of absolute tyranny and utterly opposed to a free and popular government.

Not having the amendment before me, I have not been able to see exactly the provision in regard to this bounty, but I ask for a division of the question, if it is possible, my object being to take a vote by yeas and nays upon that provision which gives a bounty of 1 cent a pound to the producer of sugar in the United States. If it is possible under the terms of the amendment to bring about in a parliamentary way that division, I ask for it.

Mr. EUSTIS. Mr. President, I should like to ask the Senator from Iowa [Mr. ALLISON] or the Senator from Rhode Island [Mr. ALDRICH] to explain to the Senate why this amendment which they propose did not form part of the original bill, and why no recommendation of this bounty is contained in the report made by the majority of the Committee on Finance, which with this single exception has furnished such very valuable information upon the tariff question.

Mr. ALLISON. Mr. President, I can only answer for myself, though I presume I can answer in the same sense for every gentleman on the committee, that it was not incorporated in the report on the bill as originally reported, because it was not then agreed upon, and I will say to the Senator that it has only been agreed to within a very short

time; in fact, about the time that it was originally presented by me to the Senate as an original amendment. I do not know what further answer I can give than that.

I will say further, however, that we have been told with great emphasis by the Senators from Louisiana and their friends that the protection which we give in this bill to the sugar producers in this country is not a sufficient protection, and I confess that suggestion made some impression upon me. Now, inasmuch as we give them a bounty equivalent to the protection of the existing law, I supposed they would be satisfied, especially as the result of this mode of giving them protection will be to enable the people of my State and the other States of this Union who do not produce sugar to obtain sugar at 1 cent less per pound than they pay now.

I say with frankness that the object I have and I believe the committee has in the insertion of this amendment, is to induce the production of sugar in this country from beets, from sorghum, and from sugar-cane. It is for the purpose of encouraging that industry that I have consented to this great benefaction or bounty to those who produce sugar from cane and sorghum and beets.

Mr. EUSTIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield the floor?

Mr. VEST. Yes; I will yield to the Senator from Louisiana.

Mr. EUSTIS. Then I would ask the Senator from Iowa to state whether this proffered bounty of 1 cent a pound on sugar produced in this country is not a direct contradiction of the ground taken by the committee for the large reduction of the import duty. As I remember the report of that committee, the specific ground is taken that the cause of this radical reduction of the duty on sugar is on account of the known and ascertained limited sugar capacity of this country.

Mr. ALDRICH. Cane-producing.

Mr. ALLISON. I do not consider this in any sense a change of the position originally taken by the committee. I will say frankly to the Senator from Louisiana that, judging from a century of experiment and experience, the sugar produced from cane in this country has not kept pace with the increase of the population of the country, and I do not believe now that unless we can make sugar successfully from beets or from sorghum that we shall be enabled in this country to produce a sufficient amount of sugar for our own consumption. I will not go further in the expression of belief at this time, but the object, I will say, of this amendment was a yielding, if I may so speak, to those who believe that with proper encouragement sugar can be produced successfully in this country from beets and sorghum.

Mr. EUSTIS. Mr. President, I would ask the Senator from Iowa whether at the time that the Senate committee substitute was reported, and at the time that the report accompanying that bill was submitted to the Senate, the majority of the Finance Committee were not as well informed as to the capacity of the sugar-producing industry of the United States as they were at the date when they agreed to propose this bounty system?

Mr. ALLISON. Why, Mr. President, I do not know exactly what the Senator means by that kind of interrogatory. I do not think I knew quite as much on the 5th of October, when this bill was reported, as I did on the 7th of November, nor do I believe I knew quite as much about the sugar question then as I do now. I confess that I have received some valuable information from a witness who appeared before the committee only a few days ago. Our committee has not shut itself up like an oyster with the idea that we knew everything, when this bill was reported. We have kept our committee-room open every day and nearly every night since this session began, gathering information and correcting ourselves where we had made a mistake. We have received no added information as to the probable production of sugar from sugar-cane in the United States; but rather we have received confirmation of the opinions that we previously had, that confirmation being imparted by the gentlemen from Louisiana who appeared before the committee only a few days ago. If there was anything lacking in my absolute opinion that sugar-cane would not be the method or means whereby we could supply our sugar, that information was supplied to me by the gentlemen from Louisiana who appeared before our committee.

Mr. GIBSON. Will the Senator from Iowa permit me to ask a question?

Mr. ALLISON. Yes, sir.

Mr. GIBSON. Did the Senator not receive information from the planters of Louisiana that the production of sugar per acre had increased nearly 25 per cent. in the last five or six years, and that the output of sugar per ton of cane by the application of the diffusion process had increased nearly 100 per cent. the yield of sugar-cane? In other words, that under the old milling process in Louisiana from 1864 when they made 5,000 tons of sugar until last year when they made 200,000 tons of sugar, if they should to-day apply the diffusion process they would, instead of making 200,000 tons of sugar out of the cane raised by them, make nearly 400,000 tons of sugar, judging the yield of cane in pounds of sugar per ton of cane by the application of a new process.

Mr. ALLISON. Yes, we had some testimony in the line suggested by the Senator from Louisiana [Mr. GIBSON], and we had also the testimony that there was no diffusion plant in the State of Louisiana except that erected by the Government of the United States, and that of all the sugar-planters in the State of Louisiana not one had even suggested that he would create a diffusion plant of his own in that State. But even with this diffusion process as applied to sugar-cane, Mr. Spreckels disclosed very clearly that he can beat that product by the manufacture of sugar from beets.

Another thing was disclosed by the gentlemen who appeared before the committee, and that is that more than two-thirds of the sugar produced in the State of Louisiana is now produced by the open-kettle process, a process a century old. So, while I agree with the Senator from Louisiana that they are taking some recent steps to largely improve the processes of producing sugar, it must be borne in mind that the increase of population in the United States and the increase of consumption of sugar per capita is so great in this country that you must add 100,000,000 pounds or 150,000,000 pounds of sugar every year to the consumption of this country in order to meet the demands of the growing population. If Louisiana was increasing her production of sugar at a ratio far beyond anything she proposes she would not then even be able to produce sugar enough to supply the increasing consumption in the United States, saying nothing of the 3,000,000,000 pounds of sugar that are now imported from foreign countries.

Mr. ALDRICH. I wish to supplement the statement of the Senator from Iowa by one other statement. If the use of the diffusion process in Louisiana should result in doubling the yield of the sugar from the cane, it would have the same effect in the tropical islands and other sugar-producing countries of the world and would maintain the disparity of the value which now exists between those tropical producing countries and the United States. It would increase, certainly it would not diminish it.

Mr. EUSTIS. I ask the Senator from Iowa whether those gentlemen who represented the sugar-planters of Louisiana did not inform the committee that they did not desire a bounty?

Mr. ALLISON. Of course the testimony taken before us was printed. I have not a copy of it before me, and therefore can only state my recollection. They stated that the existing protection to their industry was absolutely necessary to enable them to carry it on now, namely, the protection practically of 2 cents a pound for sugar. I think I asked them specifically if they would not be content with having one-half of that protection in the form of a bounty of a cent a pound and the other half in the duty as proposed by this bill, and they stated that if our methods could be as enduring as the method in existence now they would be content with it, but they said they were afraid that somebody would come along in the Senate or House of Representatives and insist after a while that Louisiana was receiving too much in this form, and that it could be concealed (was the inferential argument) if we put it all in the shape of a tariff duty rather than part of it as a bounty.

Mr. GIBSON. Did they not express a preference for the protection feature of the tariff rather than the bounty?

Mr. ALLISON. My recollection would be from looking at the faces and hearing their statements that if they had a preference for any particular mode, it was not expressed. What they wanted was that they should have another cent a pound added to the duty in our bill. They may have believed that if they could get the protection needed in the concealed method of a tariff duty on sugar they would prefer it. But as I understood them, the main thing they wanted was this additional cent a pound in order to enable them to continue the industry successfully. As I understood them, after explaining to them what we proposed, to allow this to last until 1900, which would enable them to go on certainly for a number of years, they would be satisfied with that.

Mr. VEST. Mr. President, the question before the Senate, as I understand it, is as to this proposed legislatiou giving a bounty of 1 cent a pound upon sugar produced in the United States. That is the precise question.

Mr. ALLISON. That is it.

Mr. VEST. There is no division, as I find upon examination, possible of this amendment, as in its web and woof, every letter, line, and section, it means bounty.

Now, if I understand the Senator from Iowa and his colleague upon the committee, the Senator from Rhode Island, they say that some new light has dawned upon them since they prepared their report in regard to the Senate substitute now pending. They made a report then substantially as to sugar—and I want to call their attention to it—a very deliberate report and very exhaustive report, after long delay, much testimony, great examination of witnesses and parties, and here it is:

> The excessive duty of from 2 to 3½ cents per pound now imposed upon sugar adds a considerable sum to the daily cost of living of every family in the United States, where in most cases the cost of sugar is greater than the cost of bread.

Mr. ALDRICH. Does the Senator deny that statement?

Mr. VEST. That is not the point which I have now under discussion. I do not deny that, and I was glad to hear my friend from Rhode Island graduate on that subject yesterday by saying that the average effect of the tariff was to increase the price to the consumer.

If this debate has done nothing else, it has brought about that admission, and the time has not been wasted.

The high rates of duty which have been levied upon this important article of food have not successfully developed the sugar-producing industry of the United States. The great natural advantages which the producers of cane sugars in the tropical islands have over those of the United States preclude domestic competition upon equal terms.

Now, here is the point to which I ask the serious consideration of our friends on the opposite side, and which I think will require some explanation:

If it were not for the fact that parties interested in the production of sugar from sorghum or beets are confident of the rapid development of these industries in the United States, the committee would recommend a still greater reduction in the rate of duty upon sugar, as the advantages of this reduction would be felt through a larger circle than any other which could be made in our tariff schedules.

Mr. ALLISON. Does the Senator want an explanation of that statement?

Mr. VEST. Of course; that is what I want.

Mr. ALLISON. Very well. You want me to answer it?

Mr. VEST. At any time.

Mr. ALLISON. I believe every line and syllable of that statement.

Mr. ALDRICH. So do I.

Mr. ALLISON. Does anybody believe that we can produce sugar enough in this country from sugar-cane to supply one-tenth and as population increases one-fifteenth of the sugar consumed here? Does anybody believe that? It is therefore a direct tax upon consumption and is in direct conflict with everything there is contained in that report. Does the Senator from Missouri suppose that we have changed our views as respects that? Certainly I have not. I have no doubt that we can increase by the stimulation of a bounty somewhat, and perhaps considerably, the production of sugar from sugar-cane; but I ask the Senator from Missouri if he believes that we can from sugar-cane alone produce one-half—I will say one-third—of the consumption of sugar in this country in the next twenty-five years? That report is based upon that idea, and I adhere to it. If the Senator wants me to state further, I will say that in my judgment it is extremely doubtful whether we can within twenty-five years make the production of sugar from beets and sorghum such a success as will enable us to produce all we consume.

Mr. EUSTIS. Why not?

Mr. ALLISON. It will be a gradual growth, and it will take some years. It may not take twenty-five years; I hope it will only take ten. I hope by 1900 we can do it. But it will require a large amount of money for the plant. It will require a great change in the agricultural industries of several States. Everybody knows that that is not going to be done in one year or two years or three years. I hope it will be done in ten years, but I am not sanguine that it will be done in less than twenty or twenty-five years.

Mr. VEST. With entire respect to my friend from Iowa, that is not the question. We are talking now about bounties. We are talking about the proposed bounty of 1 cent a pound; and we want the new light that has come to the majority of the Committee on Finance, because the report shows that they considered the question of the manufacture of sugar from beets and sorghum, and they said if it had not been for the assurance which they believed that a large amount of sugar would be produced from those two sources they would have reduced the duty upon imported sugar more than they did. Now, what light has come to them since?

Mr. ALDRICH. We did not say we believed it, if the Senator will pardon me.

Mr. VEST. Here is the language, and I leave fair-minded men to construe it:

If it were not for the fact that parties interested in the production of sugar from sorghum or beets are confident of the rapid development of these industries in the United States the committee would recommend a still greater reduction.

Mr. ALDRICH. Yes, that is it.

Mr. VEST. Then the confidence must have been transferred from the witness to the committee, for they acted upon it.

Mr. ALDRICH. Sufficient confidence had been transferred to the committee to warrant them in recommending Congress to try the experiment, I am free to say.

Mr. VEST. I want to know what new light and new facts have come that induce them now to offer a bounty of 1 cent a pound on sugar when they had this whole question before them and never thought of it, or if they did, rejected the idea when they made this report and brought in this bill.

Mr. ALDRICH. Does the Senator from Missouri or either of the Senators from Louisiana expect the members of the committee to detail *verbatim* the conversations or the evidence which they have received upon the subject of sugar-producing in the last three or four months?

Mr. VEST. Oh, no.

Mr. ALDRICH. It would certainly take a member of the committee three or four days to do that. I will say very frankly to the Senator from Missouri, if it is any satisfaction to him, that the information which we have received from parties whose testimony we believed to be entitled to credit satisfied the committee that it is for the interest of the people of this country that we should try to produce sugar here, and so develop the agricultural industries of the country.

Mr. VEST. I might inquire why, if the majority of the Finance Committee propose to rely upon the bounty, they did not let the duty stand upon sugar as it is. We ought to be entirely frank with each other about this great economic question. This is a most serious part of the bill. The Senators ought to admit that political exigencies brought about this bounty clause. ["Oh!"] That is it. Now I have struck the core of this whole matter.

Mr. ALLISON. I will say to the Senator from Missouri that no political exigency controlled my judgment or my mind in reporting this bounty. So, if he has been fishing with his bait for an admission of that sort from me, he has made a great mistake. I am perfectly willing to make an experiment of this bounty. I look upon it as an experiment. I was willing to do it at several stages of the debate last summer, but other people were not then ready to do it.

Mr. VEST. I am not engaged in any piscatorial exercises that I know of, and I am certainly not going into any debate upon an issue of veracity with the Senator from Iowa. I say to him that that is not a fair way to discuss this question, but he should state on his personal responsibility——

Mr. FRYE. I wish to say to the Senator from Missouri, whom I recognize as a fisherman, that it is fortunate for him that he is not engaged in piscatorial pursuits at present, for this old trout is altogether too slow to rise to any fly the Senator carries. [Laughter.]

Mr. VEST. That may be. I have had some experience in that line myself.

Mr. ALLISON. I want the Senator to understand first and always that so far as I am concerned—of course I can not go into the motives, or arrangements, or possibilities of other people, but I have no doubt in this, I speak for the entire committee—when I found the delegation coming here from Louisiana, and the Senators from Louisiana pressing upon us the absolute necessity of this protection to their industry (and we have letters before our committee in which they say 500,000 people would be thrown out of employment by this device of the committee), when a gentleman of the prominence of Mr. Spreckels came to us and showed us that he had produced 220 pounds of sugar from 1 ton of beets, and that these beets were grown upon idle acres that could produce from 20 to 40 tons an acre, and that that experiment could be carried on successfully in the State of California if this cent a pound was granted, I was willing for one, believing that it was an object to secure the production of sugar in this country, if we can do it, to make this experiment; and I regard it only as an experiment. I confess I came reluctantly to it. I consented to the reduction of duty on sugar in the bill last year because we had had high duties on sugar for a century and the people of Louisiana had not developed any marked degree of improvement in the production of sugar from sugar-cane.

Mr. VEST. I repeat that I do not propose to make any issues as to motives or reasons which are not susceptible of being met with anything except suspicion or absolute contradiction. I do not choose to go into that sort of discussion. But it has been an open secret for weeks that there was trouble in the Republican camp as to the schedules on sugar and lumber, and that the Senators from Kansas and the Senator from California [Mr. STANFORD] were not disposed to take the provisions of the bill as to sugar. There is a large sorghum interest springing up in the Western States, in Missouri and Kansas. I have received a great many letters from Western Missouri in regard to the provisions as to sugar in this bill and with reference to the cultivation of sorghum. Experiments have been carried on with great success by the Agricultural Department under a new process, which have been eminently successful at Fort Scott and other points in the State of Kansas, until at last it has come to the question, as I am informed, simply whether the money can be raised in the respective localities for the purchase of the requisite machinery, there being no difficulty whatever in regard to the raising of sorghum, as there is no difficulty in regard to raising jute.

But there has been difficulty in the councils of our friends upon the other side in regard to sugar and lumber, and it has resulted, for it is an open secret, in the putting of a bounty of 1 cent a pound upon sugar produced in the United States, so as to conciliate the Senators from Kansas and from California; and when the lumber schedule is reached I undertake, without being gifted with prophecy, to say now that we shall find another modification to meet the views of the Senators from the great lumber States in the Northwest, Michigan and Wisconsin.

Mr. ALLISON. What of it?

Mr. VEST. My remarks are certainly without point unless they go to this extent, that both this bounty system and the lumber modifications, which I shall discuss hereafter, are based upon political exigencies and not upon any real substantial reason which affects the public good for the benefit of the entire country.

Mr. MORRILL. Will the Senator allow me to interrupt him?

Mr. VEST. Certainly.

Mr. MORRILL. I desire to state that the Senator is mistaken in supposing that this is a sudden resolution by the Committee on Finance. Before I was compelled to leave here last summer I drew up a scheme and a plan with several sections for the purpose of putting a

bounty upon sugar. I did not understand that there was any opposition in the committee to it. When I returned here at the present session I found that that was not in the bill, and upon inquiry I was told that it was a complicated subject and required study, and they intended to look into it further during the pendency of the bill in the Senate.

Mr. DAWES. This particular plan was presented a year and a half ago and published as a proposition to be inserted in the bill, *in hæc verba*.

Mr. VEST. I thank the Senators from Vermont and Massachusetts for reinforcing my opinion in regard to this matter, because it shows that this question of a bounty is not a new one. It shows that it was presented directly by the highest tariff authority in this country, the father of the protective system, the distinguished Senator from Vermont, and was before the committee and was rejected.

Mr. ALDRICH. Oh, no; it was never rejected.

Mr. VEST. It was not adopted, and the Senator from Vermont says he put it before the committee.

Mr. ALDRICH. He gave the reason why it was not. The committee had not time to consider it.

Mr. VEST. Because it was a complicated question. Is there a schedule here that is not complicated? The whole tariff business is complicated.

Mr. BUTLER. Will the Senator from Missouri permit me one moment?

Mr. VEST. Certainly.

Mr. BUTLER. May I inquire of the two Senators who have special charge of the bill if this identical proposition was not made in another branch of Congress during the discussion of the tariff there?

Mr. ALLISON. Not bounties.

Mr. ALDRICH. Not in this form.

Mr. BUTLER. But was it not presented?

Mr. ALLISON. In a form it was presented; certainly.

Mr. BUTLER. Precisely; in another branch of Congress?

Mr. ALLISON. Yes, sir.

Mr. BUTLER. How many votes did that proposition receive?

The PRESIDENT *pro tempore*. The Chair thinks that is not a proper inquiry.

Mr. BUTLER. May I not inquire if there has not been a vote somewhere else? I will not say in the other branch of Congress.

The PRESIDENT *pro tempore*. The Chair hopes the Senator will not by indirection express what he would not be willing to state directly.

Mr. VEST. All the facts in the case——

The PRESIDENT *pro tempore*. The Senator from South Carolina had not concluded.

Mr. BUTLER. I wanted to see if I could not come entirely within parliamentary propriety and the rule.

Mr. VEST. If it is a question of parliamentary law, I shall have to yield.

Mr. BUTLER. I do not pretend to be an adept or expert in parliamentary law, but I think I may inquire of the Senator from Iowa, without violating the rules of the Senate, whether a vote has been taken upon that question elsewhere.

Mr. ALLISON. I think very likely. It has been a matter of discussion in a great many places. We voted on it several times in the Committee on Finance, and it has been a subject of debate and consideration. My friend on my left [Mr. DAWES] handed me the other day a speech made by him in Massachusetts two years ago, of great elaboration, in which this exact provision was suggested. There have been a great many votes about it, and under a great many different conditions and circumstances and situations. I have understood that there have been votes where it was put in as an alternative proposition, and where people wanted something different and expected and hoped to get it, which probably made them vote against a bounty.

Mr. BUTLER. Elsewhere?

Mr. ALLISON. Possibly. I do not know of any place where the bounty question has been absolutely suggested and put to the test. The nearest that I know of its being put to the test has been in my conversation with the Louisiana people, in which they said if they could get the measure of protection they wanted in the form of a bounty they would be glad to receive it.

Mr. BUTLER. I suppose it would be entirely competent to read from the RECORD of the last Congress, would it not, as to any proceedings taken elsewhere?

The PRESIDENT *pro tempore*. That would be historical, and the Chair thinks it would be in order.

Mr. BUTLER. I will then suspend my inquiry for the present until I can get the RECORD.

Mr. VEST. I simply wish to make one additional statement and conclude. I want no better argument as to the correctness of my opinion in regard to this matter than the report of the committee themselves. If they have not in that report announced as the result of all their examinations and deliberations that a rate of 50 per cent. of the present tariff duty was sufficient upon all the sugar brought into this country, then I do not understand the English language at all; and what new light, what new exigency has brought about this creation of a bounty of 1 cent a pound remains unexplained, and I rather take it unexplainable.

Mr. ALLISON. Therefore, the argument is, we should have no bounty because the Committee on Finance did not bring it in four months ago!

Mr. SHERMAN. Mr. President, the Senator from Missouri [Mr. VEST] is mistaken in supposing that this is a new question. It has been proposed and debated at different times. But there is a strong feeling in this country against a direct bounty for the production of anything. Such bounties have existed since the beginning of the Government, especially on salt and on fish. In other cases bounties have been proposed and have existed under our laws, and were voted for by the most eminent men in the history of our country.

When it is proposed now as a separate proposition, for the encouragement of particular industries, it ought to be distinguished and separated, I think, entirely from the tariff question. I believe in it, and I have believed in it for many years. I proposed, myself, a direct bounty on the production of sugar, not so much to stimulate the production of sugar in Louisiana as to induce the production of sugar from beets and sorghum in all parts of the United States. Years ago I remember, in a speech made by me before an agricultural society, in the presence of the Senator from New York [Mr. HISCOCK], I made this very proposition to maintain the rates of duty on sugar at about the average rates of other agricultural products, and in order to induce the manufacture of sugar from other things than sugar-cane I proposed a bounty and suggested it as a proper expedient before a great mass of farmers in the State of New York, and, as far as I know, it was approved.

Since that time the development has grown stronger. It has been proven by the experience of Germany, Austria, Italy, France, and Belgium that sugar can be produced from the beet cheaper than from sugar-cane. That is manifest. There is now more sugar produced for the markets of the world from beets than from sugar-cane. The last statement I saw of any acknowledged authority—I think it was in the London Economist—showed that there were 2,400,000 tons of sugar produced from beets, an amount so enormous that it almost staggers one. The amount produced from sugar-cane was only about 2,200,000 tons in any year within the last few years. So already, by the experience of other nations, the production of sugar has been induced from this new article of beets, and all within sixty or seventy years, the first proposition having been made during the time of the Napoleonic wars, when a large bounty was offered by France for the production of sugar, and that was extended to other countries. From time to time those countries, not wishing to depend upon the tropical islands, the West India Islands, and Asia, resorted to this expedient to insure the production of an ample supply of domestic sugar.

We can learn something from the experience of European nations. Although we may not copy their institutions and do not believe in their forms of government, yet on industrial questions we can derive a great deal of information from the experience of other nations. It is now established as a fact that in France they produce 9 per cent. of the weight of a given amount of beets in sugar of the finest quality, equal in every respect to the finest sugar that can be made in the West India Islands. In Germany the average has risen until 13 and 14 per cent. of the amount of the weight of beets is now produced in sugar; and by the new process that has been discovered and is being applied in this country it is shown that the quantity of sugar which can be extracted from beets is 50 per cent. greater than could be produced under the old process of extracting the juice and reducing it by fire. Now, by the process of diffusion or by the use of water, etc., they can produce 50 per cent. more sugar.

I believe, therefore, as a mere question of political economy, following the example and experience of all the European nations in moderate climates, that we can in this country produce in ten years enough sugar to supply the domestic market. I am more hopeful about it than my friend from Iowa. There is not a county in the State of Ohio where sugar can not be produced. Sugar is probably the most universal element in vegetable substances of any in the world. There is scarcely any article that does not contain sugar. It is now developed from beets to such an extent that one-sixth of the entire weight of the beet can be produced in sugar.

Is it not an object of desire in this country to make this industry a success here? We can raise it cheaper than anywhere else. Our lands are not so valuable in this country as they are in any portion of Europe. Yet they have diverted more than a million acres of land in each of those countries from the ordinary productions of agriculture to the production of sugar, and now all the sugar of France is made from beets, all the sugar of Germany is made from beets, and they export sugar from those countries, and from Belgium and from Italy. If they can do it can we not do it? We have cheaper lands, we have a more boundless surface, and greater variety of soil. Certainly this is an object of desire.

The Committee on Finance are naturally reluctant to make any new proposition of this kind, and they would naturally hesitate about it until sure of their footing. But now they have become sure. They feel

now that if this experiment, the same experiment that has been tried in other countries, is resorted to here we can have sugar independent of the tropical countries.

This is not proposed with a view of injuring the sugar of Louisiana, because Louisiana never can compete with Cuba and the islands of the West Indies, for the simple reason that the plant has to be restored every one or two years in Louisiana and they have to plant anew. In Cuba the sugar-plant is perennial. It grows from the same stalk year after year, sometimes for thirteen and fourteen years in succession, without replanting. Then they have cheaper forms of labor there. So we never can compete with them in producing sugar from sugar-cane. But that can be done if we extend the production of sugar to every part of the country, and there is not a county, as I said before, in the United States that can not produce beet sugar.

Besides that, this new discovery about sorghum-cane has come in. For years we have produced in Ohio and nearly all of the Western States more or less sugar and molasses from sorghum, and it has entered into the common use of great masses of our people. In almost every county in Ohio they raise sorghum, and they have evaporators which produce a very fair quality of molasses. They extract from the sorghum all the taste of the cane, and it is now a very palatable article, and is used largely by the farmers of Ohio. So from sorghum and from beets we have ample facilities and means of producing all the sugar used in the country.

Now, is it not wise to do it? It is not a question of politics; it is a question of political economy. It is not a question that affects any particular region of the country, because it affects all. The recent experiments in California show a remarkable success, and a man of the capital and influence and power of Mr. Spreckels has embarked in this enterprise. Although he has been engaged for years in the production of sugar from sugar-cane in the Sandwich Islands, and has built up great industries in California, he now proposes to turn from the sugar-cane of tropical regions to the sugar beet, and is establishing industries in Philadelphia and in different parts of the country.

The great difficulty in the way is to get the farmers to grow this article. It must be grown in such great quantities that it requires probably one hundred farmers cultivating 10 or 20 acres each to produce enough beets to run a single sugar factory, as they call it. There is the difficulty. Sugar-beets can be raised in Ohio, in Indiana, in Illinois, in Missouri, everywhere in the country in any quantity. The only element of the problem is whether we can give the people such an inducement, either in the form of a duty or a bounty, as will encouruge them in sufficient numbers at a particular place to supply beets for the factory. It will be established, no doubt, but that is the problem.

The Committee on Finance were rather reluctant to propose this. As a matter of course, they are conservative. They did not propose it until it was found to meet the general sentiment of the people of the country. I believe the time has now arrived when this experiment ought to be made, and I am willing for one to vote for it, notwithstanding the prejudice that exists against a bounty given to any particular production.

The only question there has been is whether this encouragement to the growth of beet and sorghum sugar shall be extended by a bounty or by a duty. The objection to the present duty on sugar is that it is so enormous, amounting to 82 or 83 per cent. That is a larger duty than is imposed on any agricultural product whatever except rice. No agricultural product in the Northern States now receives a protection of more than 40 or 50 per cent.

Mr. BUTLER. May I ask the Senator in that connection if there is any agricultural product in any of the Northern States, except Irish potatoes, that come in competition with any agricultural product abroad?

Mr. SHERMAN. Yes, with Canada mainly. As a matter of course we are separated by the sea from European countries, and our competition is mainly with Canada, but to protect our products against Canada it is necessary to maintain a reasonable duty. But what is the rate of duty? On wheat the equivalent of 20 cents a bushel is 20 per cent., assuming that the nominal value of wheat is about a dollar; and so with barley, so with hops, and so with other articles.

Mr. BUTLER. Is it not a fact that there is a surplus of those products in this country? Is there not a surplus of wheat in this country? What would be the object of bringing wheat into the country where there is a surplus?

Mr. SHERMAN. Wheat is brought in from Canada in great quantities, and barley and all those things are brought in.

The argument in favor of bounties is a practical one. A bounty paid goes directly to the producer. He sees it; he feels it. The bounty paid to him adds to his income. It will add to the income of more than a million people who will be engaged speedily in this production. That bounty is seen, it is felt, while the nature of a duty is indirect. Therefore a bounty is, I think, more of an inducement than is a duty.

Mr. GIBSON. If the Senator will allow me I should like to ask him if he does not think that bounties should be created for the domestic industries which come in competition with foreign industries, and whether agricultural industries ought not to receive this benefit under the protective system as well as manufacturing industries?

Mr. SHERMAN. Undoubtedly. I stand with the Senator in that.

Mr. GIBSON. The Northern manufacturing industries receive a bounty. The ad valorem rate on flannel goods, for instance, is in some cases 80, 90, or 100 per cent., in some cases 133 per cent. Salt is 79 per cent. in bulk; balmorals 138 per cent.; some flannels 148 per cent.; blankets for ordinary consumption are 79 per cent. and 80 per cent. I submit to the Senator from Ohio that if the protective system really creates bounties or benefits for the persons engaged and the capital engaged in particular industries, would it not be wise statesmanship to distribute these bounties between the three great pursuits of industry in our country, commerce, manufactures, and agriculture, and between the different sections of the country. The benefits of the tariff system being uniform, these bounties ought to be distributed.

Mr. SHERMAN. The Senator has made quite a long speech involving a great many questions. His premise, though, I agree with entirely, that not always the same protection but necessary protection should be extended to all producers alike. The industries of the farm, and of the mine, and of the workshop stand on precisely the same footing. Certain industries may need more and certain industries less. We ask nothing for the farmers but what is necessary to meet competition with Canada. We do not go beyond that and we do not ask for any more.

In regard to sugar, the experience of nearly a hundred years has shown that a duty will not bring about the production of the article in this country. To-day the relative proportion of sugar produced in the United States to that consumed is less than it was twenty years ago. Before the war the production of sugar in Louisiana rose to from 16 to 20 per cent. of the amount consumed.

Mr. GIBSON. Fifty per cent.

Mr. SHERMAN. Perhaps 50 per cent. That makes the argument still stronger.

Mr. GIBSON. Yes; it was 50 per cent. in 1860.

Mr. SHERMAN. Experience has shown, therefore, that the system of a duty will not bring about the object we seek to accomplish, that is, the diversity of production.

Mr. GIBSON. I do not like to interrupt the Senator, but if he will pardon me I will make a suggestion.

The PRESIDENT *pro tempore*. Does the Senator from Ohio yield?

Mr. SHERMAN. Oh, yes.

Mr. GIBSON. Since the war the duties on sugar have steadily decreased, while the bounties afforded by the Governments of Germany and France have been steadily increased, so that the American market has been absolutely taken possession of, not by Cuba, but by the bounty-fed sugars of Europe. I would ask the Senator, as he is an ardent protectionist, why he should isolate this particular industry that he admits is substantially established in one State of the Union and is spreading out its plants into other States in the Union; if the theory of protection be any groundwork to rest upon, why would he exclude the people of these several States from its benefits and have them stand apart and isolated so that they shall appear here *in formâ pauperis* to receive bounties from the people of the other States of the Union?

Mr. SHERMAN. The first part of the Senator's statement answers his second part. He says that the price of sugar has declined. The duty has not declined.

Mr. GIBSON. The duty has declined. The duty in this country has declined steadily.

Mr. SHERMAN. The duty has been steadily increased, not by the number of cents a pound, but by the ad valorem. The reason is that the production of sugar from beets, produced by bounties only and caused only by bounties, has brought into competition with the sugar of the tropics new forms of sugar, and that has reduced the price. I say myself that the effect of the production of sugar in this country will be still more to reduce the value of sugar after a period of time.

The Senator from Missouri makes a great deal of outcry about a declaration made by the Senator from Rhode Island, that the imposition of a duty increases the price. So it does in the first instance, and therefore to that extent I admit it, but the inevitable effect of protection or bounty in any form is eventually to reduce prices, and that is shown in every article of industry on our tariff list. There is not a single article which is now produced in America but what is at a less price and less value in the markets of the world than it was before a protective duty was put upon it. That has been the way with beet sugar. It is beet sugar that has reduced the price. It is the bounty given in European nations for the production of beet sugar that has reduced the price, and we only follow the example of other nations when we pursue this course. They could not have reduced the price, they could not have induced the production of beet sugar in France and Germany except by a bounty. No duty would have induced the people of France or the people of Germany to engage in the production of sugar because it was new, but it was the direct bounty paid to each individual family that produced the sugar, a bounty that was brought home to the household, that aided in carrying on the expenses of the household. That is the form of protection that was deemed wisest in regard to sugar. It is an exceptional article.

Mr. GIBSON. If the Senator from Ohio will allow me——

The PRESIDENT *pro tempore*. Does the Senator from Ohio yield?

Mr. SHERMAN. Oh, yes.

Mr. GIBSON. He states only half the case. It is true that originally bounties were paid to the farmers in Germany and in France, and to chemists who might improve the methods of extracting sugar from the beet-root. But the sugar industry in Germany and France was not built up by bounties alone, as is proposed here. It was built up under the protective system, and the rate of tariff on imported sugars in Germany, France, Austria, and Italy has never been less than 4 cents a pound. If France adopted the policy of offering bounties for the production of sugar and Germany had not excluded the French sugars from the German markets, France would have taken possession of the German markets. So Germany erected a barrier as high as that with which France has surrounded herself. The average rate of tariff tax on sugar in Europe, one country against the other, is 4 cents a pound.

Mr. SHERMAN. In other words——

Mr. GIBSON. Now look at the bill under consideration, if the Senator from Ohio will permit it.

Mr. SHERMAN. Let me go on awhile. The Senator is answered by the weight of his argument. For instance, he shows that in France and Germany, where they have established this great industry, they reduced the price of sugar 3 and 4 cents a pound. He shows that in those countries they had a compound mode of protecting their sugar industry; that is, they maintained a tariff duty and a pretty high tariff duty on the production of sugar, putting sometimes 4 cents a pound when sugar was worth 10 cents a pound. But they superadded to that the bounty system that brought out the protected industry. It is this compound protection given to the article of sugar that, in my judgment, will bring down the price of sugar in this country in ten years.

The committee thought it would not be worth while simply to put on this bounty, leaving it dependent upon the changes of opinion from time to time and the prejudice against a bounty, and therefore they proposed as a part of the scheme, without which it would not be successful and ought not to pass, to give assurance to the producers of this country that if they will embark in raising beets and sorghum we will give them for ten or eleven years this steady bounty, doing in this respect precisely what these other countries have done. This is but a copy of the laws made in those countries. We still retain a protective duty on sugar of 50 per cent.

Mr. GIBSON. No, sir; only about seventy-one one-hundredths of 1 cent. You have reduced the tariff on sugar 50 per cent. in this bill.

Mr. SHERMAN. I am talking about the ad valorem. The duty proposed by this bill on sugar is from 42 to 50 per cent., and that is higher than upon any other article of agriculture except rice. Even now it is one-half of the cost. That duty is left there, applying to all sugars that come into this country. We propose to superadd to that a bounty paid directly to the producer. Without that, in my judgment, the experiment of making sugar from beets will not succeed, but with a bounty coming home to every farmer, to the owner of every establishment in the neighborhood that produces sugar as the result of his handiwork, we believe, following the example of other nations, that this mode of protection is more efficient.

They ought to be separated from each other. One is a direct bounty administered by the Commissioner of Internal Revenue; the other is a duty collected by collectors of import duties at the seacoast. If you make this bounty come home, as I say, to the farmer, you superadd to him the strongest possible inducement to produce sugar.

I say it is an exceptional case. I would not like to extend such a bounty to anything else that I know of. I do not like to propose it in regard to sugar except that it can be put on exceptional grounds, and I think the grounds are solid on which you can stand, and although our people enter upon it and Senators and Members of Congress enter upon it with some doubt and reluctance, yet I believe that if the experiment is fairly made the same results will come here that came in Germany and in other European countries. The result will be the reduction of the price of this most important and essential element of human life and comfort, and that will be brought about in a plain and simple way in accordance with the experience of other nations.

I beg Senators not to look upon this in a sectional point of view or in a party point of view, because there is no politics in it so far as I can see. The question is not how it would affect political parties or political ends, but if we could agree now, without respect to parties or sections, to try this experiment for ten years, if it does not produce the same results here that it has done in the countries of Europe, then the laws of political economy work according to continents and not according to natural effects. The same results will be produced here by the bounty that have been produced in other countries. This compound system is simple and easily enforced. There is no difficulty in its practical application. The duty will be still collected as before, and the bounty will be easily administered.

There are some difficulties in regard to the machinery of this matter, but it is no more difficult than the collection of the whisky tax, the collection of the tax on beer, or any other domestic tax. It is a bounty paid out of a specific fund to be administered by the Commissioner of Internal Revenue, to be paid directly to the producer; and no man, and no section, and no party has a right to complain of it. It operates in favor of Democrats as well as Republicans. It will be beneficial in States largely Democratic, as it will be beneficial in States largely Republican. It will induce the production in this country of an essential want of human life. It is an experiment that I wish to see tried, not in the interest of any party, or any section, or any State, or any community, but in the interest of the whole country; and I believe the experiment will be successful if Congress has the courage to enter upon it.

Mr. EUSTIS. Mr. President, I have tried to be an attentive listener to this very prolonged debate on the tariff question, because I wanted to learn something about it. It seems to me that the Senator from Ohio has taken very extreme ground with reference to the sugar question. I agree with him that the sugar-beet industry of this country, which is now in its infancy, is capable of great development. I do not know much about the sugar-beet industry, but I know of no reason why that industry should not be developed to its fullest extent in this country. We certainly have every variety of climate and every variety of soil. It is now simply a question of mechanically handling the beet, which has been reduced by great improvements recently to a very simple process.

But what I do not understand is this: If it be true that this can become a great domestic industry in the supply of sugar for domestic consumption, what becomes of all the arguments which we have heard in this Chamber repeated every day by Senators from the East and Senators from the West, that this bill is framed upon the theory, and I use a favorite expression of the Senator from New York [Mr. HISCOCK], that regardless of the needs of the Government, regardless of the condition of the tax-payer, it is the duty of the Government of the United States by its protective legislation to develop every American industry possible, whether it be in existence as a full-fledged industry, whether it be an industry in its infancy, whether it be an industry which is in the womb, or whether it be an industry which has never been in existence in this country? It excites my suspicion, for without intending any disrespect to the members of the Finance Committee, it strikes me that with reference to this single industry there is attempted something of the mysterious, if not of the "heathen Chinee" species of legislation. Why do you not give this industry the same encouragement that you give to other industries? Why do you hesitate?

Mr. ALLISON. Does the Senator want a reply?

Mr. EUSTIS. I know my friends on the other side are loaded with ingenious replies. I ask why do you hesitate if you want to develop and encourage and foster, not only this existing industry, but this promising industry?

The Senator from Ohio allowed his lips to utter a phrase which has not been used before on the other side in this tariff debate. He said the duty on sugar was already enormously high. I have understood the protective theory to mean, as we have been educated and instructed to understand it, that no matter how high the duty on imports, if it was 100 per cent., that was not considered an obstacle to its increase, as was illustrated in the case of cotton-ties, when the duty was raised with reference to an industry which has no existence whatever in this country, and the guaranty you have that it will exist *in futuro* is simply the declaration of some party who has gone before the Finance Committee and said if you raise the duty 200 or 300 per cent. he thought then that he would go into the business of making cotton-ties. So I do not understand how the gentlemen on the other side propose to reconcile their former arguments with the arguments which they make to-day with reference to this sugar duty.

I do not ask as a representative of my State for any undue or special protection from the Government of the United States to that industry based upon favoritism. We have strong ground to stand upon with reference to the sugar duty. From the foundation of the Government to the present time the duty upon the imported article has been exceedingly high. Long before there was a sugar plantation within the limits of the United States, the duty was exorbitantly high, and why? Because it was for the interest of the fisc, of the Treasury of the United States, of the people of the United States, that the Government of the United States should derive a large revenue from that single imported article.

Mr. ALDRICH. May I interrupt the Senator for a moment?

Mr. EUSTIS. In one moment. Of course I do not deny that the sugar planter of Louisiana received incidental protection from the legislation, but that was a mere incident of the legislation, for the planters of Louisiana have never been strong enough to control or influence the legislation of this country upon the question of taxation.

Mr. HISCOCK. Will the Senator yield to a question?

Mr. EUSTIS. In one moment, if you please.

The PRESIDENT *pro tempore*. The Senator from Louisiana declines to yield.

Mr. EUSTIS. I will ask Senators not to request me to yield.

If you protect this industry, if you believe it be an American industry which ought to be protected as such, if you allow that industry to receive the same shelter and protection which you extend to other industries because it would be an advantage that we should make and manufacture in this country the sugar to be consumed in this country, and, to use a favorite argument, that you do not intend that foreign labor upon a foreign soil shall make for American citizens what Amer-

ican citizens have a right to consume—if you will have that article protected in the future as it has been in the past, then it remains under the shelter of the opinions and convictions of the great Republican party. Then you are carrying out to its logical results the theory upon which you claim that this bill is framed and upon which you claim that the financial affairs of this Government should be administered. But if you propose to kick it out of your household like a bastard and let it come to your kitchen for crumbs of bread, the only thing that I can say is that you have abandoned the ground upon which you boasted that you stood, and that you carried the last Presidential election upon false pretenses.

I do not believe that the opinion is seriously entertained in this Chamber that this proposed bounty will ever culminate in Congressional legislation. You may succeed under trying and difficult circumstances in maintaining the discipline in your ranks upon this tariff question; you may succeed in classifying in the high-priesthood of the Republican party Republican Senators who are representing agricultural and non-manufacturing States and who vote according to this new theory of government, for it has never been heard of until this substitute was brought into the Senate, that whatever can be manufactured, made, or produced in this country it is the duty of the Government to protect, regardless of the constitutional question of revenue, regardless of the economic question of the demands and needs of the Government itself, regardless of the question of justice to the tax-payer and to the consumer.

But, Mr. President, there may be a time when we shall see that there is a limit to popular delusion and popular deception. Who discovered that new system of government? You have made a disciple of the venerable Senator from Vermont [Mr. MORRILL] in your new school of political economy. He was once a great teacher, he was once a great authority, a great light upon the important questions affecting the finances of the Government and the interests and relations of the people to the Government.

Mr. MORRILL. Will the Senator allow me to interrupt him?

The PRESIDENT *pro tempore*. Does the Senator from Louisiana yield?

Mr. MORRILL. I desire to say a single word.

Mr. EUSTIS. I yield to the Senator from Vermont.

Mr. MORRILL. In 1861, when the tariff was established, I had the cordial support of Louisianians in the other House to obtain a specific duty of three-fourths of a cent per pound on sugar. The duty had been an ad valorem prior to that; under the tariff of 1846 of 30 per cent., and under the tariff of 1857 of 24 per cent. During the war the tariff was raised to 2 or 3 cents a pound, and it has remained at that rate ever since, except for the reduction that was made in the tariff of 1883.

I have understood that the Democratic party were very desirous to get rid of the war tariff. If we allow the duty to remain as the Finance Committee have reported their bill, it will be 33⅓ per cent. more than it was prior to the war, and the object of protection is amply secured by the new proposition, that is, to give an equivalent for the reduction and yet that the consumer shall receive his sugar for 1 cent less per pound.

Mr. EUSTIS. Mr. President——

Mr. CHANDLER. Will the Senator allow me to ask him a question?

Mr. EUSTIS. If the Senator will allow me, I prefer to proceed.

The PRESIDENT *pro tempore*. The Senator from Louisiana declines to be interrupted.

Mr. EUSTIS. I do not want to be discourteous to Senators, but I prefer to go on.

The PRESIDENT *pro tempore*. Does the Senator from Louisiana yield?

Mr. EUSTIS. I prefer to yield a little later, if the Senator will allow me.

Mr. CHANDLER. I only wished the Senator to say——

Mr. EUSTIS. A little later. What I was referring to was that the tariffs advocated by the Senator from Vermont were tariffs made with reference to the needs of the Government, and this is an entirely new feature, a newly discovered theory, that you are to frame a tariff law regardless of the question of the needs and wants of the Government and of the justice due to tax-payers. When this is denounced as robbery, when this is denounced as spoliation, when this is denounced as legislative appropriation of the earnings and profits and property of one individual in favor of another, I will tell the Senate what I understand by these terms, which were not invented by Confederate brigadiers, but are to be found in the oldest text-books upon political economy.

You ask us to adore Chinese civilization as contrasted with American civilization; you ask us to subscribe to the Chinese system of government as contrasted with the American system of government, for if I understand the declarations made by Senators on the other side of this Chamber, interpreting the character and scope and purpose of this proposed law, it is not a question of protection; it is a question of absolute prohibition and commercial non-intercourse, so far as importable articles are concerned which can be manufactured or produced in this country. There is no other step for you to take, unless you can discover what other articles can be manufactured or produced in this country, for your declarations have been frank, open, bold, and emphatic that, with reference to any article, no matter what it be, that can be produced in this country, no matter what may be the rate of taxation necessary to force the manufacture or production of that article, the only thing that a person has to do is to make that information known to the majority of the Finance Committee, and the item will be inserted in this bill. Is that protection? You use a soft, smooth, melodious, emollient word, "protection," which you say represents patriotism, which you say represents the sum of human happiness, the sum of human contentment, the sum of human prosperity, and if we do not agree with you in the new signification which you have given to that single word, we are to incur the obloquy of being free-traders and British sympathizers!

The most amusing illustration that I have seen with reference to this new theory is that furnished by the case of the American actors and actresses. They use precisely the same arguments which have been used in this Chamber. They tell you the number of American actors employed, those out of employment, the salaries that they receive, the salaries that British actors and actresses receive, and demand that you shall protect them against British competition. They argue, as you do, that it is the duty of the Government of the United States to protect the American legs of American ballet dancers against British competition. But even their argument contains a fallacy which I have no doubt would be corrected by the Senator from Rhode Island. They say that while they want protection they do not think stars ought to be protected. Why not? Would not the Senator from Iowa and the Senator from Rhode Island say that you are mistaken, according to the theory of protection, for it is the duty of the Government of the United States to protect and foster, ay, and breed, American Coquelins and American Sara Bernhardts?

Where is to be the limit of this legislation, and what is it? You secure to the manufacturer by positive enactment, you secure to the manufacturer by textual provision of your law, by the absolute terms of your law, the profits which he desires to make from that business. That he can read plainly in the language of statute. But what do you give the consumer? What do you give the tax-payer? You give him only the prophetic assurances, which the Senator from Massachusetts [Mr. DAWES] gives us so often and so eloquently, that the operation of the law will inure to his benefit.

Mr. President, in making these few remarks I simply wanted to define my position, that if I understand properly the true protection system I am not in a frame of mind, owing to serious reverses in the indigo trade last November, to make a very fierce assault upon that system. I do not consider that one's convictions as to an original proposition of protection or free trade have any pertinency or application to any question which we have been considering under this bill. But so far as this protection system is now exhibited, it is to destroy the individual right of the citizen of the United States, his freedom and liberty of private selection, that he shall buy nothing except what is made by American labor and American industry; that he shall drink nothing but American beer; that from the Bible to the playing-card, from a steam-engine to a jack-knife, from a pulpit to a wooden pipe, the Government shall command him from whom he shall buy, to whom he shall pay that money, at what price he shall buy. If we are to have that system of government, I say that that is a government of oppression, of extortion, and of tyranny, and that you, by this measure, have converted this Government into a huge trust, for what you have said with reference to this bill and what the bill itself contains corresponds exactly with the definition of a trust given by Judge Barrett in his late opinion with reference to trusts. He says that it is a combination to prohibit competition (which you say is the intended purpose and effect of this bill) and intended to control the price of commodities (which you say is to be the result of this legislation). You promise us cheaper articles of consumption. Strike down the sugar industry and you promise the people cheaper sugar!

But, Mr. President, I have no serious apprehensions with reference to the results, from the very fact that such a sudden and radical change in this proposed legislation was made upon the sugar question by the majority of the Finance Committee. Although I deprecate the character of the remedy which they propose, the mere fact that they have found it necessary to announce to the country that the sugar industry should be protected by a bounty is a guaranty that they will receive further light upon the subject, and place the sugar industry of Louisiana under the shelter and protection of this great American system.

Mr. ALLISON. Mr. President, I have listened with interest to the suggestions made by the Senator from Louisiana [Mr. EUSTIS], especially that portion of his remarks which denounced the American system of the tariff for protection to American industry. I wanted, if I could, to glean from his remarks whether he was in favor of or against this proposition which the Finance Committee makes now to the Senate.

Mr. EUSTIS. I am against it.

Mr. ALLISON. I wanted to glean from him whether he thinks that this necessary article of consumption in the United States should bear the highest rate of duty of any article to-day in the tariff schedules, brandy, wines, and liquors not excepted, and then stand in his

place as a Senator representing the only State in this Union that practically derives benefit from this taxation, and denounce the whole system.

The duties upon sugar to-day are 82 per cent. That is a higher rate of duty than is found in any schedule in the existing tariff. It is a prime necessity of life, used by every civilized people on the globe. It has been produced for some years in the State of Louisiana. The sugar-producers there have grown strong and vigorous under this system of protection, and have stood in with it and abided by it for sugar and sugar alone. Now, when we come to suggest in this bill a proposition which will reduce to the consumer of sugar at least 1 cent a pound in the cost of it, the Senator answers by a denunciation of our whole system.

The Senator sat up an imaginary system and then pulled it down. No Senator on this side of the Chamber, no person I know of who speaks upon these topics, has defined the protective principle as the Senator from Louisiana defines it. We define the protective principle to mean that we shall reserve for our own citizens and our own people the production of such articles as we can produce here in sufficient quantities for consumption, where climatic or other natural conditions do not intervene. That is the position of the Republican party as I understand it. It is certainly the position of this bill, and it is the position of this side of the Chamber, that we extend the principle of protection to those industries which can be carried on here successfully in competition with other countries, having the necessary opportunities to produce them, climatic or other natural conditions excepted.

I submit to the Senator from Louisiana that for one hundred years in this country sugar has not come within that category, and but for the fact that the recent developments of chemistry and science and machinery have disclosed that we can produce sugar from sorghum and from beets that condition of things would exist to-day.

Mr. EUSTIS. Does the Senator say that the duty on sugar has not been high until lately?

Mr. ALLISON. I do not say that. I say that under the definition of protection to American industries which I have given, and which I understand to be the true definition, sugar does not come within its range until we have been able to develop the industry of producing sugar from sorghum and from beets. Here is a high duty upon sugar from the very foundation of the Government, except for the intervening period between 1846 and 1861. Except for that intervening period there has always been a high specific rate upon sugar. Unless we except the production of this year in the South from sugar-cane, the production is less now than it was thirty or forty years ago. So the effect of a large duty upon sugar has not been to induce its production here in sufficient quantities for our consumption. In 1858–'59 there were 414,000,000 pounds produced; in 1861–'62, 528,000,000 pounds; in 1878–'79 there were 239,000,000 pounds produced. That was ten years ago. In 1886–'87 there were only 181,000,000 pounds produced.

I say, with all respect to the Senator from Louisiana, that if we do not take into account the new conditions which I have described, it would be better for this people, so far as they are concerned, to buy the entire sugar crop of the State of Louisiana and dump it into the Gulf of Mexico.

Why have we reduced the duty upon sugar? We have reduced it because we do not need the revenue and because sugar is a prime necessity of life, and practically for no other reason. That is the reason why we reduced it in the bill originally, and we propose to reduce it one-half.

Mr. BUTLER. May I inquire of the Senator, if that be true, why he has increased the tariff on cotton-ties about 100 per cent.?

Mr. ALLISON. We increased the duty on cotton-ties in order to make a symmetrical iron and steel schedule, not exempting from duty an article which is a refined article practically of manufacture, when we place a high duty upon the raw material.

Mr. BUTLER. Mr. President——

Mr. ALLISON. I will say to the Senator in all kindness that I am not going to be diverted now from what I am about to say on sugar to all these other things, but I give that as the reason for the duty on cotton-ties. We have reduced the duty on sugar for the purpose of reducing the price of sugar to the consumer. That is what we have done, and I want Senators to understand that that is the object. We have reduced the duty on sugar so as to reduce the price of sugar to the consumers. And who are they? They are every man, woman, and child in the United States, a consumption extending to the amount of 55 pounds per annum per capita to every person in the United States.

I want to ask the Senators on the other side of the Chamber who made an argument here about tin cups a few moments ago, what answer they have to make when we propose here a system which will reduce the price of an absolute necessity of life 1 cent per pound?

The Senator from Louisiana wants to know why we have made this departure as respects sugar. The sugar duty is a duty that comes out of the pockets of the consumer for the reason that we do not produce enough sugar in this country to become a competitor in its production. Sugar is an exceptional article, as the Senator said. I shall be glad to yield to a Senator who will tell me another article in this tariff that is protected which stands in the same relation that sugar does to our home production and our home consumption. It was for that reason that we proposed the reduction.

We have reduced to the consumers of this country a tax amounting to $28,000,000, and we have imposed upon them by this system of a bounty of a cent a pound four and a half million dollars. Now, the Senator from Louisiana, if I understand him, still insists that we shall continue to take $28,000,000 out of the pockets of the consumers in order that the producers of sugar in the State of Louisiana may receive 1 cent a pound more for the minimum, infinitesimal amount of sugar they produce as compared with the amount of sugar used in this country. If Senators can stand upon such an argument as that I am willing to allow them to vote against this bounty. We propose by this provision to save from the sugar duties a sum equal to about twenty-two or twenty-three millions of dollars to the consumers of this country after we have paid the bounty. So our plan, as compared with the plan of Senators who oppose this bounty, is that they proposed to take out of the pockets of the people money that is not needed in order that the sugar-growers of Louisiana may have a cent a pound more for sugar. We reduce the price of sugar a cent a pound and give the people of Louisiana all to which they are entitled, namely, a cent a pound, in order to enable them to compete in the production of sugar with all the world beside.

I confess to absolute amazement at the position of the Senator from Louisiana, representing a constituency interested chiefly in this amendment, because so far as we know now there is comparatively a small amount of sugar produced from either sorghum or beets. We believe there will be a rapid increase of that production. But I want to call the attention of Senators to the fact that we not only need a diversion of our agricultural industries to create this production, but we need also the establishment of local factories which will require the investment of considerable amounts of capital. So far as I am concerned, I believe that this increased production will be more gradual than most Senators on this side believe, and it being more gradual the bounty paid annually will be less than they suppose. But in the mean time we shall have saved at the rate of $22,000,000 per annum to the consumers of sugar in this country as compared with the existing law.

That is all there is in this amendment, and the "leather and prunella" argument of the Senator from Missouri that this amendment should have been brought in last October instead of now has no weight with me. We brought it in here believing it to be a wise, just, and fair solution of this great question to the sugar producers of Louisiana and those who are expecting to embark in the production of sugar from beets and from sorghum; and that is all there is in it.

Mr. PLUMB reserves his speech for revision. [See Appendix.]

Mr. STEWART. Mr. President, I suppose it will be conceded that there is no one article so universally used as sugar and which is so essential to the comfort of the people, and there is no one article which every one of them desires to cheapen as much as this for the reason that it is so universally used.

Mr. VOORHEES. I would except salt. We can live without sugar, but we can not live without salt.

Mr. STEWART. Salt we find everywhere.

Mr. VOORHEES. You keep a tax on it, though.

Mr. STEWART. What salt costs is nothing but a mere bagatelle.

Mr. VOORHEES. Not by any means.

Mr. STEWART. I do not propose to discuss salt.

Mr. VOORHEES. I know you do not.

Mr. STEWART. I suppose that there is no one article that the people of the United States are so anxious to cultivate and produce in this country and cheapen the price of as sugar. I suppose we can take those propositions for granted.

That being so, it seems to me that the committee have done wisely to devise a scheme whereby the production of this article can be encouraged, and that there shall be no opportunity lost to make the production sufficient to supply the demand and at the same time relieve the people from a burden that has been very onerous and to them seems very unjust. To impose upon this article of universal consumption 80 per cent. duty, higher than the duties in any other schedule, has long been felt to be a great oppression.

Twenty-two years ago when this question was before the Senate we had hopes of manufacturing sugar from beets, and a little experiment was then being tried in California. I advocated then the continuance of the tariff in order that that industry might be developed and with the hope that we could supply ourselves with sugar. We have gone on twenty-two years without any material increase notwithstanding this high war tariff upon sugar; and the people have a just right to complain.

It is now again stated, and I believe with a great deal of authority and assurance, that we can produce sugar from beets and from sorghum, particularly from beets, and that it is no longer an experiment, as it was twenty-two years ago. Continental Europe has done it, by what system? The same system devised by the Finance Committee. Each one of the continental powers has in the last twenty years adopted the tariff system in its fullest extent. They have followed us in adopting

tariffs, our tariff having produced such good results, and in their arguments in favor of establishing tariffs they have alluded to the success of the tariff policy in this country. They did not apply a protective tariff to the production of sugar from beets, but in order to encourage that production they adopted the system of paying bounties. Germany has paid as high as 2½ cents a pound bounty, and here are France and the other continental powers following suit, and now sugar bounties prevail on the Continent, the annual average in France being about $3,000,000 on 600,000,000 pounds. One hundred and seventy million pounds are produced in little Belgium, and 150,000,000 in Holland. The result has been that they produce their own sugar and are able to export it.

I think that system is better than a tariff, because while this industry is growing we can relieve the people of a large portion of their burdens and at the same time cultivate and encourage the industry. It is more direct, and has been effective in other countries.

Mr. BUTLER. May I ask the Senator from Nevada whether or not Germany pays a bounty on the sugar now produced in Germany?

Mr. STEWART. They have reduced it somewhat because they have developed the industry so that it is not required.

Mr. BUTLER. They have abolished it entirely.

Mr. STEWART. They retain it on sugar exported.

Mr. BUTLER. The bounty now paid in Germany is upon the export, the surplus which the German people export. There is not a cent paid now on sugar that is consumed in Germany.

Mr. ALLISON. But they paid a bounty in order to produce the exportation of sugar. They produce now a very large surplus.

Mr. BUTLER. I understand 4 cents a pound is what they pay on sugar exported from Germany, but not one cent is paid on sugar consumed in Germany.

Mr. STEWART. They did pay a bounty for a long time until they developed the industry.

Mr. BUTLER. They have not in a good many years.

Mr. STEWART. But they did until they developed the industry. They paid it when they were in the condition in which we are to-day and developed the industry so that they could export sugar, and in order that they may export and compete with the world they pay a bounty on the export, showing that they have cultivated this particular article.

I am thoroughly convinced that we can produce in a few years all the sugar we want in this country, all that will be consumed, if we do not neglect the industry; but believing that, I am not willing to impose this extra burden on all the people longer for the purpose of accomplishing that object when it can be accomplished in a more direct, business-like way by a bounty.

When it is said that the bounty is in conflict with the tariff system, that is a great mistake. In the very first Congress this principle was involved in aiding our ship-building by a differential duty, and it has been involved in much legislation encouraging the fisheries, etc. There is nothing new in it. It is right in the line of protection. It was one of the first things considered when the matter of protecting our industries and our commerce was discussed in the First Congress. It was proposed to give a bounty to our shipping to put it on a basis so that it could exist, and our fisheries have been nurtured in that way and for the same reason by means of the diffusion of the bounties of this Government.

Here we have an industry that will be of slow growth perhaps. If we can maintain it and demonstrate that it will be a success, and we can raise sugar anywhere in the United States, we shall have plenty of competition, and then you will have sugar cheaper than you can have it in any other way. But we have gone on now with this war tariff, which has been so much complained of, because it was a war tariff to raise as much money out of the necessaries of life, or in any other way, as possible to carry on the war, and we have allowed it to remain on sugar, with very little reduction, up to the present time. We do not need the revenue, but we do need the development of that industry in order to produce sugar at home, where we buy the sugar and pay the money for it. We have very little trade with any country from which we buy sugar, and it does not increase our trade. It simply takes our money. If we can do as France and Germany and Belgium and Holland have done, produce our own sugar, we can save nearly $100,000,000 of money at home among the people, and give them additional employment, and if we do not succeed in developing this industry the amount paid out will be small.

I do not see anything wrong in the principle. I like it better than the tariff as it formerly stood. I think it better for the development of the interest, and it is certainly better for the consumer, if we do not need the money, to give him cheaper sugar by 1 cent a pound. So I think the committee have acted very wisely. We do not know everything, but we find that this same class of legislation has produced grand results in other countries, and has enabled them to develop this industry so that they can export sugar to the people of the world. I do not know why we may not adopt the same policy and follow their example. Every one of the continental powers followed our example in putting up their tariffs and establishing their home manufactures. I can show they have done so one after another, and they have held up our tariff as an example. Why can we not follow their example in developing this great industry, a successful example to enable us to do likewise, which, if we can accomplish, will be accomplishing more good than any other legislation, or any one matter of legislation, that has been had in this country for half a century.

We are sending out a regular drain of $100,000,000 or more for sugar every year. I do not know the exact figures, but that drain is enormous, and we have no return, for the countries which produce sugar buy very little of us. Why not, I say, encourage this industry when there is a hope, and, as we now think, a demonstration that we can produce it from beets and from sorghum—from beets I am certain.

Mr. EUSTIS. If we buy Cuba we can.

Mr. STEWART. Well, when we have bought Cuba it will be time enough to attend to that. We have country enough now. There is a large portion of this country, and chemists who have examined this subject inform me that there is hardly a State in the Union where sugar-beets may not be raised as well as in any part of Europe.

It would be a great industry at home and keep our money at home. If the encouragement that is furnished by this bounty can accomplish the purpose, who would want to vote against it, particularly when we can spare it from the revenue? It seems to me the object to be sought and the little risk in the outlay are such as to induce every man who wants to benefit the country by legislation to vote for this amendment. It is unlike anything else. There is no other industry in the country that can compare with it in its condition. So it appeared to every one who had taken this into consideration, so it appeared to the Finance Committee, and I think that they have done wisely in proposing to relieve the people of this burden and at the same time not destroy the prospect we have of producing our own sugar.

I am astonished to see the representatives from Louisiana, who have been protected by a war tariff for a quarter of a century and have failed to increase the amount of sugar produced so that it is competitive or so as to reduce its price to the consumer, oppose the only practicable method that the people of the United States can now adopt to develop this industry and protect them.

Several Senators addressed the Chair.

Mr. SHERMAN. I was going to move an adjournment.

Mr. ALLISON. I wish to say a word.

Mr. BLAIR. I desire to get an order to print.

Mr. SHERMAN. I withhold the motion.

Mr. ALLISON. I desire to say just one word respecting the laws and manipulations of Germany on the question of sugar. Germany now taxes beets that are produced in Germany for sugar-making 80 pfennigs per double centner or 200 pounds, and from that tax they realize an enormous revenue. Then they allow a drawback on the exportation of sugar upon a certain amount of supposed saccharine strength in a ton of beets, which operates as a great incentive to the exportation of sugar from Germany. They do this first for the purpose of securing a large revenue, which is absolutely necessary under the German taxing system, and they do it also for the purpose of employing their agriculturists in the production of beets. So, whilst their system is a little different from ours, it reaches the same purpose, at the same time securing an enormous revenue.

Mr. GIBSON. Will the Senator state what the export bounty is?

Mr. ALLISON. I have not the data before me.

Mr. GIBSON. I will state that it is 2 cents a pound.

Mr. ALLISON. I think it is a little more than that.

Mr. GIBSON. It averages about 2 cents a pound.

Mr. ALLISON. It depends on the saccharine strength of the beets, and as they increase the saccharine strength of the raw beet they increase the bounty on the manufactured sugar exported. Therefore they accomplish the double purpose of securing a large inducement for the production of beets and the manufacture of sugar, and at the same time realize a large revenue to support the government. I wanted to state that in order that there might be no misapprehension.

Mr. GIBSON. The Senator from Iowa will observe that if the bounty or drawback on German sugar is 2 cents a pound and our bounty is 1 cent a pound, it will enable the German producer with his export bounty to bring his sugar here and undersell our own sugar with the bounty and tariff.

Mr. ALLISON. That may be a good argument for increasing the bounty, but I do not think that will be the effect of it. I merely desired to make this statement as respects the situation in Germany, that there might not be misapprehension.

Now, unless some Senator desires otherwise, I will move that the Senate adjourn.

Mr. REAGAN. I should like to take the floor on this question for to-morrow morning.

The PRESIDENT *pro tempore*. The Senator from Texas will be recognized on the pending question in the morning.

PRINTING OF SUNDAY-REST HEARING.

Mr. BLAIR. I desire to obtain an order of the Senate to print, if the Senator from Iowa will give way to me for a moment. I have here

the notes of the hearing before the Committee on Education and Labor upon what is known as the Sunday-rest bill, for which there has been a great call in the country. I ask that it be printed as a document.

The PRESIDENT *pro tempore*. As a miscellaneous document?

Mr. BUTLER. Are all those petitions to be printed?

The PRESIDENT *pro tempore*. Only the testimony taken before the committee, the Chair understands.

Mr. BLAIR. That is all.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection. The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 4106) for the relief of Lieutenant-Colonel Eyre;

A bill (H. R. 7501) for the relief of H. Clay Wood; and

A bill (H. R. 11638) to amend an act entitled "An act to provide for a term of court at Quincy, Ill.," approved August 8, 1888.

The message also returned to the Senate, in compliance with its request, the bill (S. 205) for the relief of the State National Bank of Louisiana.

The message further announced that the House had passed the bill (S. 3782) to amend an act entitled "An act declaring that certain water-reserve lands in the State of Wisconsin are and have been subject to the provisions of the act of Congress entitled 'An act granting to railroads the right of way through the public lands of the United States,' approved March 3, 1875," approved September 10, 1888.

MISS ANNA ELLA CARROLL.

Mr. SPOONER. The Senate referred to the Committee on Claims the bill (S. 3803) for the relief of Miss Anna Ella Carroll, which is a claim for payment for information alleged to have been furnished to the Government during the war. It is the opinion of the committee that the bill should go to the Committee on Military Affairs. I am therefore instructed to report it back and ask that the Committee on Claims be discharged from its further consideration, and that the bill and accompanying papers be sent to the Committee on Military Affairs.

The report was agreed to.

AMENDMENT TO A BILL.

Mr. SAWYER submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

REPORT ON ALASKAN SEAL ISLANDS.

Mr. DAWES submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury is hereby directed to furnish for the use of the Senate a copy of the report of Special Agent George R. Tingle, in charge of the Seal Islands of Alaska, for the current year.

HOUSE BILLS REFERRED.

The bill (H. R. 3106) for the relief of Lieutenant-Colonel Eyre was read twice by its title, and referred to the Committee on Military Affairs.

The bill (H. R. 7501) for the relief of H. Clay Wood was read twice by its title, and referred to the Committee on Military Affairs.

The bill (H. R. 11638) to amend an act entitled "An act to provide for a term of court at Quincy, Ill.," approved August 8, 1888, was read twice by its title, and referred to the Committee on the Judiciary.

The bill (H. R. 12060) to constitute Columbus, Ohio, a port of delivery, and to extend the provisions of the act of June 10, 1880, entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," to said port of Columbus, was read twice by its title.

The PRESIDENT *pro tempore*. At the request of the Senator from Maine [Mr. FRYE], the bill will lie on the table until morning.

EXECUTIVE SESSION.

Mr. CULLOM. I wish to have a very brief executive session. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two minutes spent in executive session the doors were reopened, and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 18, 1889, at 11 o'clock a. m.

CONFIRMATION.

Executive nomination confirmed by the Senate January 17, 1889.

COLLECTOR OF CUSTOMS.

John Farrington, of Minnesota, to be collector of customs for the district of Minnesota, in the State of Minnesota.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January* 17, 1889.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

BRIG MINERVA.

The SPEAKER laid before the House a letter from the assistant clerk of the Court of Claims, transmitting conclusions of fact and law in the matter of the brig Minerva; which was referred to the Committee on Claims, and ordered to be printed.

WAR CLAIMS.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting findings of fact in the cases of Mary E. Wagely, administratrix of David Wagely, deceased, *vs.* The United States; William Lloyd *vs.* The United States; Mary E. West, administratrix of Richard T. West, *vs.* The United States, and Elizabeth Ann Best, executrix of David Best, *vs.* The United States; which was referred to the Committee on War Claims, and ordered to be printed.

REPORT OF INTERSTATE COMMERCE COMMISSION.

The SPEAKER also laid before the House the following concurrent resolution of the Senate; which was referred to the Committee on Printing:

IN THE SENATE OF THE UNITED STATES, *January* 16, 1889.

Resolved by the Senate (the House of Representatives concurring herein), That there be printed 6,000 additional copies of the second annual report of the Interstate Commerce Commission, with the appendices therein; 2,000 of said copies to be for the use of the Senate, and 4,000 for the use of the House of Representatives.

STATE NATIONAL BANK OF LOUISIANA.

The SPEAKER also laid before the House the following:

IN THE SENATE OF THE UNITED STATES, *January* 16, 1889.

Ordered, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 205) for the relief of the State National Bank of Louisiana.

The SPEAKER. If there be no objection the request of the Senate will be complied with, and the Clerk of the House will be directed to return this bill.

There was no objection, and it was ordered accordingly.

WATERR-ESERVE LANDS IN WISCONSIN.

The SPEAKER also laid before the House the bill (S. 3782) to amend an act entitled "An act declaring that certain water-reserve lands in the State of Wisconsin are and have been subject to the act of Congress entitled 'An act granting to railroads the right of way through the public lands of the United States,' approved March 3, 1875," approved September 10, 1888.

Mr. GROSVENOR. I ask unanimous consent that this bill be put on its passage at the present time.

Mr. HOLMAN rose.

The SPEAKER. This bill has already been read when it was laid before the House on a previous day. It will be read again if any member so desires.

Mr. HOLMAN. I understand the bill. I do not call for the reading. It involves merely the correction of a date.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

Mr. GROSVENOR moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. SCOTT, indefinitely, on account of important business.

To Mr. FELTON, for one week, on account of important business.

To Mr. MORROW, for four days.

RESIGNATION OF HON. ALVIN P. HOVEY.

The SPEAKER also laid before the House the following communication from the governor of the State of Indiana; which was laid on the table:

EXECUTIVE DEPARTMENT, GOVERNOR'S OFFICE,
Indianapolis, January 14, 1889.

DEAR SIR: The resignation of Hon. ALVIN P. HOVEY as a member of the Fiftieth Congress from the First Congressional district of this State was received and accepted by me on the 12th day of January, 1889.

Very respectfully,

ISAAC P. GRAY.

Hon. JOHN G. CARLISLE,
Speaker House of Representatives, Washington, D. C.

REAL ESTATE PURCHASES BY DISTRICT COMMISSIONERS.

The SPEAKER announced the appointment of Mr. TAULBEE, Mr. LEE, Mr. CHIPMAN, Mr. ROWELL, and Mr. BAKER, of New York, as the

select committee to investigate, under a resolution of the House, the purchase of real estate by the commissioners of the District of Columbia.

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:

A bill (S. 154) for the erection of a public building at Milwaukee, Wis.;

A bill (S. 2726) granting an increase of pension to Margaret S. Heintzelman;

A bill (S. 182) to provide for the purchase of a site and the erection of a public building thereon, at Omaha, Nebr.; and

A bill (S. 1931) to increase the appropriation for the purchase of a site for a building for a post-office, court-house, and other offices in San Francisco, Cal.

LIEUTENANT-COLONEL EYRE.

Mr. MCKENNA. In behalf of my colleague, Mr. FELTON, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk (H. R. 3106) for the relief of Lieutenant-Colonel Eyre.

The Clerk read the bill, as follows:

Be it enacted, etc., That Lieut. Col. Edward E. Eyre, late lieutenant-colonel of the First California Cavalry, be released from all further liability on account of his receipts and disbursements of funds as acting quartermaster, and the proper officers of the United States Treasury are authorized and directed to cancel said liability, whether the same be pending in court or has become a judgment, and to close the accounts of said Col. Edward E. Eyre.

Mr. HOLMAN. I ask that the report be read.

Mr. MCKENNA. The report has been read. I can make a simple statement of the case; and then, if there is any objection, I will withdraw the bill. Lieutenant-Colonel Eyre while performing duty was commanded by his commanding officer to supersede a quartermaster; which he did under protest. From that quartermaster he received certain funds. He performed the duties of quartermaster for a few months on the march, disbursed certain sums, then turned over the balance of his funds and the vouchers for his disbursements to his successor, and assumed that they had been transmitted to the Department. Thirteen years afterwards he was notified that the vouchers had not been presented, and that he was apparently in default some three thousand and odd dollars. These are the facts. If he had been notified in time of his seeming default he could have taken advantage of an act which was on the statute-book providing for the settlement of just such accounts.

Mr. HOLMAN. What became of the vouchers?

Mr. MCKENNA. They were turned over to his successor and were lost.

Mr. HOLMAN. What evidence is there that the vouchers ever existed?

Mr. MCKENNA. The evidence of General Eyre himself, who I will state is a very respectable gentleman, one whose word no person who knows him would hesitate to take for anything, and to whom might be safely intrusted any amount of money.

Mr. MCMILLIN. Does the proof show conclusively that the vouchers did exist?

Mr. MCKENNA. Yes, sir.

Mr. MCMILLIN. And that the money was paid out in good faith?

Mr. MCKENNA. Yes, sir.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. MCKENNA moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PERSONAL EXPLANATION.

Mr. STOCKDALE. I rise to a matter of personal privilege, and ask the Clerk to read the newspaper extract which I send to the desk.

The Clerk read as follows:

A VOTE TO BE HAD ON "NAT" M'KAY'S CLAIM.

[Special.]

WASHINGTON, *January* 15.

At the last session of Congress President Cleveland vetoed a bill providing for a reference to the Court of Claims of the claim of "Nat" McKay. The veto message was referred to the House Committee on War Claims, which recommended its passage. At a meeting of the committee to-day, by a vote of 7 to 5, it was decided to recommend the passage of the bill over the veto, whereupon Mr. STOCKDALE, of Mississippi, became much excited and declared that the bill should never pass the House, no never, as long as he [STOCKDALE] could prevent it. His chief reason was that in the recent Presidential campaign Mr. McKay had been guilty of "pernicious activity," had actually ridiculed and insulted the great reformer whose name stood at the head of the losing ticket. Mr. STOCKDALE's cogent and pertinent arguments failed to sway the committee, which declined to reconsider its decision in favor of the claimant.

Mr. STOCKDALE. I will not detain the House——

Mr. BURROWS. Mr. Speaker, how does that present a question of privilege?

Mr. REED. I am afraid that it would take too long if we were all to explain our positions under newspaper criticism.

The SPEAKER. The Chair does not understand that this is a question of privilege at all, but the gentleman from Mississippi stated that he rose to a question of privilege.

Mr. REED. Well, if he wishes to explain——

Mr. HOLMAN. I hope there will be no objection to the gentleman making a statement.

The SPEAKER. If there be no objection the gentleman may proceed for five minutes.

Mr. BAYNE. I object unless the explanation is limited to five minutes.

The SPEAKER. The gentleman has asked for only five minutes.

Mr. STOCKDALE. Mr. Speaker, I do not desire to occupy the attention of the House upon the facetiousness of this article—only upon its falseness. In the committee, when the question came up I stated that it seemed to be admitted on all hands that the bill could not pass at this session——

Mr. DUNHAM. Mr. Speaker, I make the point of order that the gentleman has no right to state what occurred in the committee.

The SPEAKER. He has a right to state what he said himself, but he has no right to disclose the proceedings of the committee or the position taken by other members. If the gentleman thinks proper to disclose what he said himself, the Chair sees no objection.

Mr. STOCKDALE. I stated, as a reason, that I had voted for this bill in the committee and in the House, but that Mr. McKay had made a personal attack on the Executive because he had failed to sign the bill——

Mr. DUNHAM. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman can not take a member off the floor with a parliamentary inquiry.

Mr. DUNHAM. Then I make a point of order.

The SPEAKER. The gentleman will state it.

Mr. DUNHAM. I make the point that the gentleman has no right to state how he voted in the committee.

The SPEAKER. The Chair thinks he has. [Laughter.] In other words, the Chair supposes that whenever the minority of a committee present their views to the House, the fact is disclosed that they were against the proposition in the committee. The gentleman has a right to state what his own action was in the committee. The gentleman from Mississippi will proceed.

Mr. STOCKDALE. Mr. Speaker, I was saying I do not desire to detain the House to notice the oppressive facetiousness of this article—only its falseness. A misrepresentation in a paper of the standing of the Tribune, even expressed in this silly way, may injure a member so humble as myself. What I resent in the article is that I am represented as acting unbecomingly in presence of the committee of which I am a member.

There were but eight members of the committee present, and as the vote on the McKay bill was taken the committee rose and dispersed, and I said not a word of what the Tribune represents me as saying.

I did not use any of the language nor assume the manner attributed to me in the Tribune. What I said on the subject was said in a respectful way to the committee and before the vote was taken, to the effect that while I had voted in committee to report the McKay bill favorably and voted in the House for its passage, I was opposed to the committee reporting the bill back now with the recommendation that it pass over the veto of the President, and in explanation of that position I said that it seemed to be conceded on all hands that the bill could not pass over the veto at this session; that I did not believe that Mr. McKay expected it to pass, but that Mr. McKay had made a bitter attack on the President, which reflected on his integrity, on account of his veto of this bill, and was still pursuing that course, and that he sought to procure a report from the War Claims Committee recommending its passage over the veto to emphasize and strengthen his criticism; that I regarded it as improper that the War Claims Committee in its official capacity should re-enforce a citizen in his attack on the Executive of the United States, which seemed to be the main object; that so far as I was concerned I did not propose to be mustered into that column; that I wanted the committee to understand that my action did not indicate that I would oppose the passage of the bill in the next Congress; that I had nothing to do with Mr. McKay's quarrel. I simply on my own account declined to be used in it. I stated that I would do the same thing were the Executive a Republican.

I have examined and reported as a subcommittee a number of cases in this Congress, some of them large and laborious, and I do not believe I know the politics of any claimant whose case I examined, unless I knew him personally beforehand. I did not know that Mr. McKay was a Republican until he told me yesterday, when I gave him my reasons for making a minority report. Mr. McKay did not send this report to the Tribune. He is a gentleman, and could not descend to misrepresentations. I do not suppose the Tribune desires to do so. Whatever in this article differs from what I have said is false.

H. CLAY WOOD.

Mr. REED. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole House from the further consideration of the

bill (H. R. 7301) for the relief of H. Clay Wood, and put it upon its passage.

The SPEAKER. The bill will be read, subject to the right of objection.

The bill is as follows:

Be it enacted, etc., That the sum of $296.10 be paid, out of any money in the Treasury of the United States not otherwise appropriated, to H. Clay Wood, in full satisfaction and discharge of any and all claims against the United States for the loss of property by said H. Clay Wood at the evacuation of Fort Cobb, Indian Territory, in May, 1861, and at Indianola, Tex., in the autumn of 1861, in consequence of the surrender of the military department of Texas by General Twiggs.

Mr. HOLMAN. I hope there will be some explanation given of this bill, or that the report will be read.

Mr. REED. I can put the explanation of the bill into a very few words.

Lieut. Henry Clay Wood was one of two officers who lost personal property on account of the surrender of General Twiggs in the military department of Texas. The other officer was Capt. Joseph B. Plummer. His loss, that of Captain Plummer, has been paid by an act of Congress, and this bill is to reimburse Lieutenant Wood on the same account.

It has been customary under such circumstances to reimburse officers for losses that have been plainly proved, as in the case of shipwreck.

Mr. HOLMAN. How much was paid to the other officer mentioned?

Mr. REED. About a thousand dollars.

Mr. HOLMAN. This was personal effects?

Mr. REED. This was for personal effects, and the report of the Committee on War Claims is made in favor of it.

There being no objection, the bill was considered and ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. REED moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

TERM OF COURT, QUINCY, ILL.

Mr. ANDERSON, of Illinois. Mr. Speaker, I ask unanimous consent to discharge the House Calendar from the consideration of the bill (H. R. 11638) and put it upon its passage. This is a bill to amend the act entitled "An act to provide for a term of court at Quincy, Ill.," approved August 8, 1888.

The SPEAKER. The bill will be read, subject to objection.

The bill was read, as follows:

Be it enacted, etc., That the act entitled "An act to provide for a term of court at Quincy, Ill." approved August 8, 1888, be, and the same is hereby, amended by striking out, in lines 4 and 5 in section 3, the following words "for the disposal of the unfinished business thereof."

There being no objection, the bill was considered and ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. ANDERSON, of Illinois, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same, namely:

A bill (S. 1931) to increase the appropriation for the purchase of a site for a building for the post-office, court-house, and other offices in San Francisco, Cal.; and

A bill (S. 182) to provide for the purchase of a site and the erection of a public building thereon at Omaha, Nebr.

ORDER OF BUSINESS.

Mr. SPRINGER. I demand the regular order.

The SPEAKER. The regular order is the further consideration of the bill for the admission of Dakota.

Mr. CRISP. In pursuance of the notice given last week, I desire to call up to-day the contested-election case of Smalls *vs.* Elliott. I will state, Mr. Speaker, that I would not do so if there was any assurance or I had any idea that the pending proposition would be disposed of within a reasonable period, say within an hour or two. But I have no such idea and no such assurance; therefore I ask the House to permit me to call up the contested-election case now.

Mr. SPRINGER. I have conferred with several gentlemen on the other side who wish to speak on this question, and they have agreed that they will be satisfied with an extension of the time for general debate amounting in all to one hour and ten minutes, and I desire to submit a motion that all general debate be closed in an hour and ten minutes, and then we can proceed under the five-minute rule. We wish to dispose of this proposition as soon as possible under the rules of the House, and I ask every gentleman present to assist us in bringing it to a speedy conclusion, so that other matters may go on. I hope the gentleman from Georgia will not insist upon calling up the election case to-day.

The SPEAKER. The gentleman from Georgia calls up a privileged matter, the contested-election case from the State of South Carolina.

Mr. SPRINGER. Then I must raise the question of consideration against it.

Mr. BAKER, of New York. I hope the gentleman from Illinois will couple with his motion a request for unanimous consent that all gentlemen who desire to do so may have leave to print upon this question.

Mr. SPRINGER. I ask unanimous consent that that leave be given.

The SPEAKER. Unanimous consent can not be asked now until the other matter is disposed of, unless the gentleman from Georgia waives it for the present.

Mr. CRISP. I call up the contested-election case.

Mr. SPRINGER. And against that I raise the question of consideration.

The SPEAKER. The question is, Will the House proceed to consider the election case?

The question was taken; and on a division there were—ayes 48, noes 74.

So the House refused to consider the election case.

ADMISSION OF DAKOTA.

Mr. SPRINGER. Mr. Speaker, I move now that all general debate upon the pending bill be closed in one hour and ten minutes. Pending that I ask unanimous consent that all gentlemen who wish to do so may have leave to print remarks in the RECORD on this question.

There was no objection.

Mr. DINGLEY. How is the time that the gentleman from Illinois proposes to allow for general debate to be divided?

Mr. SPRINGER. The gentleman from Colorado will occupy one hour and the gentleman from Missouri [Mr. WARNER] ten minutes of the time.

Mr. GROSVENOR. The time so far having been occupied mainly by the Delegates from the Territories and the members of the Committee on the Territories, it seems hardly fair to now limit the time to an hour and ten minutes and give one hour of that to a member of the Committee on the Territories.

Mr. SPRINGER. But that is to be divided amongst a number of gentlemen. I will see that the gentleman from Ohio shall have a part of the time.

Mr. GROSVENOR. I stated very respectfully yesterday that I would like to have ten minutes in which to express my views upon this question, and I do not propose to consent to any disposition of the time which will not permit me to do so.

The SPEAKER. Does the gentlemen present any amendment?

Mr. GROSVENOR. I ask to do that.

Mr. SPRINGER. When the bill is under discussion under the five-minute rule the gentleman will be enabled to express his views upon the measure.

Mr. GROSVENOR. I do not want to speak on the bill under the five-minute rule.

Mr. SPRINGER. I will make it one hour and twenty minutes and give the gentleman ten minutes' time.

The SPEAKER. The gentleman from Illinois then moves that general debate be limited to one hour and twenty minutes. Is there objection? The Chair hears none, and it is so ordered.

Mr. SYMES. Mr. Speaker, I yield fifteen minutes of my time to the gentleman from Minnesota [Mr. MACDONALD].

Mr. MACDONALD. Mr. Speaker, I do not know that I will require all that time, because I do not wish to speak on the general principles of admission to any great extent. That has been covered by the general debate which has preceded me. I am prompted in speaking at all upon this subject by the same motives that prompted me to introduce the amendment which I have submitted to the substitute proposed by the chairman of the committee [Mr. SPRINGER], and that is to secure action upon the proposition to admit all the Territories named in his substitute as proposed States, and to secure such action as will be satisfactory to the people thereof, and which will at the same time be satisfactory, I believe, to the majority of this House.

Now, I know personally that the Territory of Dakota is ready for admission as two States, and that what we understand to be South Dakota and North Dakota are each of them separately anxious to be admitted as free and independent States, and are each in favor of division almost (if not actually) unanimously. I believe that all the proposed States mentioned in the substitute of the gentleman from Illinois are entitled to admission, and supposed it would be conceded, until I heard the remarks of the gentleman from Iowa [Mr. STRUBLE] yesterday, that New Mexico, as well as the others named, would be admitted by this act without objection; and I must say that I have heard nothing said by the gentleman from Iowa that I regard as a valid objection to the admission of the Territory of New Mexico as a State. It has the requisite population, having 175,000 at least, and compares favorably in that respect with the Territory of Montana and other Ter-

ritories which that gentleman does not object to have admitted, and in its productions it is considerably in advance of these and much superior in the possession of the elements necessary to make a great State to some States of this Union. But, sir, as I said before, I am desirous to have action taken by this Congress, and especially of seeing Dakota admitted soon as two States. A great injustice has been done the people of Dakota by their admission being delayed so long. It would do no good to discuss the causes of this delay. I hold that it has been because other measures were given preference, to its exclusion, and not because of political bias, as has been claimed. But let that pass. Let us act, and by respecting each other aim to secure the passage of a bill as the majority desire.

Recognizing the fact that there are a larger number of gentlemen on this floor who are in favor of admitting South Dakota under the constitution presented here, and being one of those in favor of admitting South Dakota under that constitution, I have prepared an amendment to the substitute of the gentleman from Illinois which ought to be acceptable to him, because it relates only to the proposed States of North and South Dakota and does not interfere with the omnibus character of his substitute or the provisions thereof relating to Montana, Washington, or New Mexico.

Now, South Dakota is ready to be admitted. The constitution that was submitted to us for consideration here has been subjected to as severe a criticism by the gentleman from Illinois [Mr. SPRINGER] as he evidently was capable of.

After listening to those criticisms and all that has been said of the proposed constitution of the new State of South Dakota by the gentleman from Illinois and others, I am fully satisfied that if the Territory of South Dakota should hold another constitutional convention the chances are more than even that they can not improve on the document they have already submitted to us; and, with all due respect to the gentleman from Illinois, I must say that his criticism of that document, taken as a whole, is a high compliment to it, as I believe he himself, on reflection, will admit, he being unable to point out more serious objections.

Now, what are the alleged defects? The first criticism that he made was shown in the debate to be a mere typographical error. The next was on the provision limiting the sessions of the Legislature to sixty days.

In respect to that I need only say that that provision has existed in the constitution of our State for over fifteen years. And it was not adopted hastily, but was adopted as a separate and distinct proposition after we had become a State, and was submitted by the Legislature of the State, and the same clause is in the constitution of many other States. As I understand the clause giving women the right to vote, it simply confers upon them a right similar that which women have in our State, to vote for school officers and at school meetings. His criticism in reference to the provision giving the Legislature the power to repeal certain charters is shown by the wording thereof to be a mistake. It is clearly intended to include municipal corporations. It is a manifest misprint by omitting the word "municipal," and we have the right and it is our duty to presume that in the original constitution it is correct. But no court would say that it was not intended to mean municipal corporations. Upon its face it wasclearly the intention of the framers of this constitution that this legislative power was confined to municipal corporations, for in the copy before us the word "cities" is used, and thus places this beyond doubt. I do not hesitate to say that this constitution is creditable to its framers, and will compare favorably with that of any other State in this Union.

Entertaining these views and believing that that constitution is as good a consitution as South Dakota could adopt if the question was resubmitted, and knowing it to be, if anything, more carefully drawn than the constitution of the State that I in part represent here, I feel that it would be a great wrong to require the people of South Dakota, upon a mere sentimental consideration, to go to the trouble and engage in the turmoil of holding another State convention. I know that there are gentlemen upon this side of the House, if not upon the other, who in the face of the election held in Dakota upon the question of division, in which North Dakota decided against division by a majority of 10,000 votes, believe that the question ought to be resubmitted. Now, I am satisfied that the sentiment of the people of North Dakota is entirely different at the present time; but to meet the objection based upon that ground I have incorporated in my amendment (which is in part the Senate bill with some slight changes) a provision submitting the question of division to the people of North and South Dakota, and making the admission of both or either contingent upon that vote. Before incorporating that provision in my amendment I submitted it (as also the other one which I shall presently mention) to gentlemen here representing both North and South Dakota, gentlemen belonging to both political parties—I refer to Chief-Justice Tripp, Judge Spencer, Judge Moody, and Mr. Stevens, a gentleman who has been sent here as a delegate to represent North Dakota by the recent convention of North Dakota held at Jamestown—and they all agreed that this provision should be inserted, being entirely satisfied that both sections are now in favor of division, and are therefore perfectly willing that the question shall be submitted at the same time as the other questions are submitted, as provided in the bill.

Mr. WARNER. Your amendment would admit South Dakota without further Congressional action.

Mr. MACDONALD. Yes, sir, without further Congressional action. In addition to this, there is also a further provision (which is also satisfactory to the gentlemen I have named and to other gentlemen who represent the Territory here) requiring a new election for Representatives in Congress, and State officers. These are the changes which I propose to make in what relates to Dakota from the Senate bill. So far as the amendment that I propose is concerned, it differs from the amendment or substitute proposed by the gentleman from Illinois [Mr. SPRINGER] only in the fact that under my amendment South Dakota can come in under the Sioux Falls constitution. I believe that it is unnecessary to resubmit the question, and that they could not improve the constitution if another convention were held. Following what I have referred to are provisions which are in effect an enabling act for North Dakota after its organization as a Territory. So far as my amendment relates to Montana, Idaho, and New Mexico, it is the same as the gentleman's substitute. That is all I have to say on that point.

Being a Western Representative, I have two or three serious objections to raise to certain provisions contained in the substitute of the gentleman from Illinois. Section 12 of that substitute contains a provision which certainly ought not to be included in this act. If gentlemen will refer to that section of the substitute they will find that it provides for the disposal of the school lands to purchasers at a price not less than $10 an acre; but, in a provision, beginning in line 9 of that section, the substitute provides that in all cases where settlers shall have located upon such school lands prior to the 1st day of January, 1890, with the intention, in good faith, of purchasing the lands, they can procure them at $6 per acre. Now, I do not believe there is a Western gentleman here or others who have had such experience as we have had—indeed it does not require that a man should have had any experience in the West for him to know, in view of the weaknesses of human nature, that, before January, 1890, with that clause in this act, there would not be a valuable school section in either North or South Dakota that would not be "settled upon" and taken at $6 an acre, by parties who would go and locate upon them between now and that date.

My friend from Illinois [Mr. SPRINGER] also criticises the provision in the Senate bill for a division of the property and of the indebtedness of the Territory. I insist that the provisions of my amendments, or of the Senate bill (which is the same thing upon this point), clearly prescribing how the division shall be made, are infinitely superior to his proposed plan of leaving the question to three gentlemen to be appointed, who would be liable to disagree, and to leave the whole matter in an unsettled and chaotic condition. Therefore I am in favor of the provisions of my amendment (or bill) as to this also.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. MACDONALD. One word more and I have done. I will say to the gentleman from Illinois further that his bill donates to the Territories of Dakota a much larger amount of the public lands than is given to these Territories by my bill, and I do not believe that he intends that. He proposes to give more than the friends of Dakota ask.

Mr. SPRINGER. The gentleman is led into error from the fact that the bill changes the existing laws which carry with them these donations without any acts of legislation, namely, 500,000 acres for internal improvements and swamp and overflowed lands. Those have been repealed as to this act; and in lieu of them such donations are given as are expressed in the bill, and which represent the unanimous judgment of the Committee on Territories.

[Here the hammer fell.]

Mr. WARNER. I ask unanimous consent that the time of the gentleman from Minnesota [Mr. MACDONALD] be extended ten minutes, as I understand the time of the gentleman from Colorado [Mr. SYMES] has been parceled out.

Mr. SPRINGER. I believe the gentleman from Minnesota [Mr. MACDONALD] asks only five minutes; and to that I make no objection.

The SPEAKER *pro tempore* (Mr. DOCKERY). Is there objection to extending the time of the gentleman from Minnesota five minutes, not to come out of the time allotted to general debate? The Chair hears no objection.

Mr. MACDONALD. My amendment, which is in this respect substantially the same as the bill introduced in the Senate by Senator PLATT, provides for 30 sections for capitol buildings, aggregating 19,200 acres; for universities, 72 sections, aggregating 46,080 acres; for agricultural college, 90 sections, aggregating 57,600 acres; for penitentiary, exclusive of the 20 sections, 12,800 acres; making an aggregate of 135,680 in addition to the 500,000 acres mentioned by the gentleman from Illinois. The amount of lands provided in the act of March 2, 1881, I have not had time to ascertain; but for capitol buildings, penitentiary, agricultural college, universities, schools, reform schools, and deaf and dumb asylum the substitute of the gentleman from Illinois gives to these Territories an aggregate of 373,680 acres.

Mr. Speaker, I do not wish to say anything more upon this subject, except to appeal to the gentleman from Illinois [Mr. SPRINGER] to yield the point I have suggested, and not insist that this constitution shall be submitted to the people of South Dakota. I believe that South Dakota ought to be admitted, and should have been before this; but it is an open secret that gentlemen on this side of the House—and I concur in their view—believe that these several Territories ought to be admitted in the form of an "omnibus bill." They fear that if this is not done all of them will not be dealt fairly with. I have therefore retained that feature intact; and I simply differ with the gentleman from Illinois in this, that I propose that South Dakota shall not be subjected to the annoyance and expense of another constitutional convention—this, and nothing more. In every other respect my proposition corresponds with his. Certainly he ought to agree to this suggestion; and I trust that gentlemen on the other side will agree to this and cease to press the Senate bill. In making this appeal I am simply striving to bring about results that I know the people of North and South Dakota are anxiously hoping for.

I hope gentlemen on this side will take this view also of this question. It seems to me it must be recognized that it would be an act of injustice to require the people of South Dakota to do over again what they have already done and done so well.

Mr. SPRINGER. I will ask to have printed in the RECORD, in answer to the remarks just made by the gentleman from Minnesota [Mr. MACDONALD], the proceedings of a meeting, composed of both political parties, held in Minnehaha County a few days ago.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Illinois [Mr. SPRINGER] to print in the RECORD what he has indicated? The Chair hears no objection.

The publication referred to by Mr. SPRINGER is as follows:

[From the Sioux Falls Press, January 13, 1889.]

THE COUNTY CONVENTION—THE DELEGATES TO HURON—RESOLUTIONS ADOPTED.

In pursuance of the joint call of the chairman of the Republican and Democratic county central committee, a mass convention met at Germania Hall at 2 o'clock yesterday to choose delegates to the Huron convention, which has been called for Wednesday, January 16. A. B. Kittredge was elected chairman and C. O. Bailey, secretary. The following delegates were chosen: J. M. Bailey, jr., D. R. Bailey, C. E. McKinney, Cyrus Walts, Mark Bridge, W. E. Wiley, B. F. Campbell, J. W. Boyce, W. H. Lyon, C. S. Palmer, W. R. Burkholder, E. J. Elliott, E. G. Wright, M. Kaufman, J. T. McCarrier, J. B. Cloudas, J. J. Murry, D. S. Gilden, V. Wuest.

After a spirited debate the following resolutions were adopted:

"Whereas the people of South Dakota are urgent and unanimous in their desire for admission into the Union at the earliest moment that admission can properly be secured; and

"Whereas it is uncertain whether anything looking toward admission will be done by the present Congress, and equally uncertain whether there will be an extra session of the Fifty-first Congress; and

"Whereas serious defects exist in the Sioux Falls constitution, notably that limiting the State indebtedness to $500,000, when the bonded debt made on behalf of the public institutions located in South Dakota already exceeds $667,000, while from present prospects the State of South Dakota is liable to begin business without a dollar in the treasury; and

"Whereas certain changes required by the Platt bill, which is now before the lower House of Congress, provide for the resubmission of parts of the constitution to popular vote; and

"Whereas the tenure of office of the various officials elected under the Sioux Falls constitution is indefinite and uncertain; and

"Whereas certain counties in South Dakota did not send delegates to the Sioux Falls constitutional convention, some delegates have died, and some have left the Territory; and

"Whereas the population of South Dakota since the choice of these delegates in June, 1885, has increased from 263,000 to over 375,000, nearly one-third of the present electors having had no voice in what was then done; and

"Whereas admission into the Union can be secured under an entirely new constitution practically as soon as under one which must again be submitted to popular vote, and which confessedly will even then need amending in other important respects: Therefore,

"*Be it resolved by the electors of Minnehaha County in mass convention assembled*, That the interests of all classes will be best subserved by admission into the Union under a constitution which does not contain the objectionable features found in the Sioux Falls constitution, and which will give every legal voter now in South Dakota an equal voice in determining certain disputed provisions of the constitution, the choice of temporary State capital, and the selection of State officers, members of the Legislature, and Congressmen.

"*Resolved*, That we, electors of Minnehaha County, firm in the belief that the quickest, best, and most satisfactory way of getting into the Union will be under a new constitution, favor the calling of a new constitutional convention for the making of a new fundamental law for the State of South Dakota.

"*Resolved*, That the delegates chosen by this convention to represent Minnehaha County in the statehood convention at Huron, on Wednesday, January 16, be instructed to urge that convention to ask the Legislative Assembly of Dakota, which is now in session at Bismarck, to pass a law providing for a new constitutional convention for South Dakota, whose delegates shall be apportioned upon the total vote polled at the late election for delegate."

On the call for a division of the house it developed that of the one hundred and fifty persons, more or less, who were present, all but twelve or fifteen favored the resolutions.

Mr. SYMES. I yield ten minutes to the gentleman from Illinois [Mr. ADAMS].

Mr. ADAMS. Mr. Speaker, I wonder how many members of this House there are who have so profound a contempt for the intelligence of the people of the Territories as to suppose that they can be imposed upon by this transparent subterfuge known as the "omnibus" substitute for the Senate South Dakota bill. The gentleman from New York [Mr. COX] delivered the other day a eulogy on the intelligence and progressive spirit of the people of the West. It was deserved by them, and it was creditable to him. But how can he imagine that they will fail to see what he evidently does not fail to see, that under this proposed omnibus bill the people of Washington and Montana and every other Territory do not obtain a single substantial advantage which they can not obtain without the passage of the bill, while the passage of this bill and the consequent defeat of the Senate bill will have the practical effect of continuing for one year longer the outrage on the people of South Dakota which they have already suffered for about a year at the hands of this House?

Now, I do not choose to argue the question of the propriety of admitting the Territories as new States as soon as they are fit. We are all agreed as to that. And on the point of the division of the Territory of Dakota (in which I believe the gentleman from New York agrees with me) it is not fit that I should detain this House long. But as in this substitute bill there is a provision that that question shall be voted on again, and as in the otherwise much less objectionable omnibus bill of the gentleman from Minnesota [Mr. MACDONALD] there is a similar provision, I want to say simply this: The question whether Dakota shall be admitted as two States or as one is not a question for the people of Dakota alone. It is a question which interests us as the representatives of the entire American people; and if a large majority of the people of that Territory, north and south, should vote in favor of the admission of the Territory as one State, it would still be our duty to insist on its division into two States.

We ought to see to it in admitting States hereafter that no new State shall be exceptionally large or exceptionally small in population. As Dakota is a level and fertile Territory its vast area will maintain in the years to come a vast population. It is in the interest of the United States that the vast population which is destined to fill that area shall be represented by four Senators at the other end of the Capitol instead of by two.

The unequal representation of the people of the United States which prevails in the other House of Congress is an evil. It has no justification whatever, except a historical justification. It is a part of the original compact, and that is all. We may not be able to do away with that evil so far as existing States are concerned, but it is our duty to see to it as far as we can that all States which shall hereafter come into the Union shall be, when fully developed, average States in population and area.

The average area of the thirty-eight States of the Union is about 55,000 square miles, I think, or in that neighborhood.

Mr. COX. Much less than that.

Mr. ADAMS. Very well. If Dakota is admitted and divided equally the area of each of those two States will be over 70,000 square miles.

Mr. BAKER, of New York. Seventy-five thousand.

Mr. ADAMS. Not quite, I think; but call it 75,000. More than half as large again as New York or Pennsylvania or Ohio; nearly half as large again as Illinois, which has but 56,000. These two new States will be large enough; and they will be populous enough, if the fertility of the soil and the enterprise and intelligence of their present population give any indication of their future growth. I think there is little doubt, either in Congress or out of Congress, that the people of Dakota, North and South, would vote by a large majority to divide the Territory and admit it as two States.

But I say again that the question of the proper size and boundaries of new States is one in which the people of the other States have the right to exercise their judgment, as well as the people of the proposed new States, and that it would be our duty to divide Dakota even if the people now residing in the Territory preferred to be admitted to the Union as one State. What, then, is our present duty toward South Dakota, with a South Dakota bill pending before us which has already passed the Senate? Our duty is to admit her at once.

The Senate bill will need amendment. It is necessary because of the inexcusable delay of the House in acting on the bill, which passed the Senate in April, 1888, nearly a year ago. Now, we ought to amend the bill by providing for an election of State officers and of members of Congress at the earliest practicable day. I have prepared an amendment fixing the date of the election on April 9, 1889. The resubmission of the question of the name and boundaries of the State can take place at the same time. I take this date from the proposed substitute bill of the gentleman from Minnesota [Mr. MACDONALD], and I wish to say of that bill that if any omnibus bill ought to pass that is the bill.

Now, Mr. Speaker, I wish to point out, first, the practical effect of passing the Senate bill with the amendment I propose and the amendments sent up yesterday by the gentleman from Dakota; secondly, the practical effect of passing the Senate bill without these amendments; and thirdly, the effect of adopting the omnibus bill of my colleague [Mr. SPRINGER] and passing it as a substitute for the Senate bill. In the first case the members of Congress from Dakota will be elected early in next April. They will receive their certificates of election within a few weeks thereafter. They can take their seats early in the first session of the Fifty-first Congress, even if it should be a special session called by the next President of the United States.

In the second case named, South Dakota would become a State at some rather indefinite time next summer or autumn, and the Senators and Representatives of that State would take their seats at the regular December session of the next Congress. In the third case named, that is, in case the substitute of my colleague becomes law, South Dakota

would not become a State until the Fifty-first Congress could pass an act for that purpose. A bill would have to be introduced. It would be referred to a committee. It would be reported and go on the Calendar. It would have to take its chances with election cases, and perhaps with a tariff bill. It might not become a law till late in the first session or even till the second session of the next Congress. That is the practical effect of passing the substitute bill.

Mr. BAKER, of New York. Does the gentleman refer to the substitute bill of the gentleman from Illinois [Mr. SPRINGER], or the substitute bill of the gentleman from Minnesota [Mr. MACDONALD]?

Mr. ADAMS. I do not refer to the bill of the gentleman from Minnesota, as it is not open to the objection I have named. Let me say of that bill, Mr. Speaker, I mean the bill of the gentleman from Minnesota, that although it is a long bill as it appears in the RECORD, it is easily understood by those who have examined the other bills pending before us. It is the Senate bill, so far as it relates to South Dakota, while it is substantially the Springer omnibus bill as far as it relates to all the other Territories. There may be some variations, but that is the substance of it. It contains enabling acts for all the Territories named in the bill of my colleague, excepting of course South Dakota.

Now, Mr. Speaker, I have no objection to passing enabling acts for these Territories, except for New Mexico. With that one exception, I believe the next Congress will be ready to admit them all. As to New Mexico, I have some doubt, and I believe that in the country at large and in the next Congress there will be some question raised whether the time for the admission of New Mexico has arrived. In a case of doubt like this I think a Congress ought not, in its last session, to pass an enabling act which will have to be ratified by a succeeding Congress.

It is in the legislative discretion of the Fifty-first Congress to determine whether to admit New Mexico or not. If we now pass an enabling act for New Mexico, and the people of that Territory act on it, and frame a constitution and submit it to the next Congress, it will still be the duty of that Congress, if it deemed it unwise, to admit New Mexico, so to declare, and to refuse admission, notwithstanding the enabling act and all that has been done under it. If on the other hand we refuse to pass the enabling act and the people of New Mexico go on notwithstanding and frame a constitution and submit it to the next Congress and that Congress deems it wise to admit New Mexico as a State at that time, it will be their bounden duty to do so.

With regard to New Mexico we all know that there is a difference of opinion on this floor and among the people at large, and perhaps even among the people of the Territory, as to whether it should be admitted or not. I do not intend to discuss the merits of that question. I do not say, indeed I can not say, how I shall vote on that question in the next Congress if I live to take my seat there. I do say that my duty in voting on that question in the next Congress will depend on my conviction as to the wisdom of the measure when it is presented for my vote.

It will not depend on what this Congress shall have done. Therefore, I think that in a case of doubt such as the case of New Mexico is it would be unfair to the people at large, and unfair to the next Congress, and unfair to the people of the Territory of New Mexico to pass an enabling act in the last session of this Congress, when we have no strong assurance, as we have in the case of the other Territories named in the bill, that what we do and what is done under our act will be ratified by the Fifty-first Congress.

Mr. GROSVENOR was recognized.

Mr. SYMES. Mr. Speaker, the ten minutes to which the gentleman from Ohio [Mr. GROSVENOR] is entitled are not to be taken out of the time allotted to me in this discussion.

The SPEAKER *pro tempore* (Mr. DOCKERY). The Chair so understands.

Mr. GROSVENOR withholds his remarks for revision. [See Appendix.]

Mr. SYMES withholds his remarks for revision. [See Appendix.]

Mr. REED. Mr. Speaker, of course I do not propose to discuss the proprieties one by one of the admission of the large number of Territories which are embraced in what is generally called the "omnibus bill." I desire at the threshold of my remarks to protest against this perpetuation of a system of grouping the Territories together, a system which prevailed and had its sole excuse under the divided system of freedom and slavery in which this country used to live. There is no sense and no occasion for employing that system to-day. There can be no relation between the situations of the different Territories which will justify the party in power in attempting to force a multitude of States in or out without giving to each proposed State an opportunity to be heard upon its individual merits.

The Territory of South Dakota, everybody knows, ought to be admitted at once, promptly, without any delay. Everybody knows that the effect of this omnibus amendment which is proposed by the chairman of the Committee on the Territories will be inevitably to delay the admission of that Territory. Everybody knows, further, that the region called "North Dakota" ought to be put in train for admission in due form into the Union. This bill has a tendency to delay that, and ought not to have been presented, and would not have been presented if the object and design had been to relieve certain communities from the oppression under which they have suffered for reasons that are purely political. Six hundred thousand people have been practically disfranchised from the last Presidential election by this maneuver in Dakota alone, and it is proposed still by the same men to throw other obstacles in the way.

Everybody knows likewise, Mr. Speaker, that the admission of each Territory is a question that ought to be taken up and considered on its individual merits, and there is no reason for tying up the undisputed cases with those that are disputed. It may be possible that the Territory of New Mexico has very nearly reached a position and condition under which it ought to be admitted into the Union, but no one who has listened to this debate can say that it is an undisputed question. We all know that it is not. This dispute about the condition of New Mexico is by no means necessarily a reproach upon its inhabitants. This Union ought to be homogeneous within certain limits. It ought to be alike from one end of it to the other; and each new State, when admitted into the Union, ought to be composed of a population which can from its nature act in harmony with the rest of the States of the Union. That is the ground obviously upon which everybody puts the non-admission, and even the non-presentation for admission, of the Territory of Utah.

There is no doubt that the improvements which have been going on in the condition of New Mexico, if continued, will in time remove any doubts which exist to-day, and will give her a population the average of which will be in accord with the sentiments and feelings of the people of the United States. And I say it is a wrong, here attempted to be committed upon these Territories about which there is no doubt, to thrust upon Congress needlessly a question about which there is doubt—grave doubt—and about which there is dispute. It can arise from nothing except a disposition to get into this Union a State the situation of which is doubtful, at the expense of those Territories with regard to which every one is agreed.

Now, Mr. Speaker, why should this be done? Why should we submit to it? What reason is underlying it? It has the appearance—although I do not charge it, for the chairman of the Committee on the Territories would hardly be guilty of it—it has the appearance of a political maneuver. [Laughter.] It has the appearance of an attempt to put somebody in the wrong, by saying to us on this side of the House, "Vote for the admission of that Territory here and now, or else you have got to vote against the admission of all of them, and that puts you in an unfortunate position, a position which you have got to explain, and a position which you have got to excuse." But I think it will be discovered that the people of the United States are too wise and too sensible to be deceived by such an obvious position of affairs. When this bill goes over to the Senate, if this attempt to foist this omnibus bill upon the pending bill is persisted in—if this goes to the Senate, it seems to me that it should go with the moral force of opposition to some parts of it, so that finally, when we get the results of the conference committee, we may be able to admit that Territory which the Senate have already voted to admit, and which ought to be admitted instantly, and which will enable us to do justice to the other Territories about which there is no question of dispute.

Mr. WARNER. It is not my purpose to make an extended argument upon this question. I said in substance all that I desired to say on this question at the first session of this Congress. Yet it may be well, sir, to recur to the history of these Territorial bills. It is well known that South Dakota in the fall of 1885 called a constitutional convention, adopted a constitution that no member upon this floor contends is not republican in form. The honorable chairman of the Committee on Territories may differ with the good people of Dakota as to some of the provisions of that constitution; but that is simply a difference of opinion between a citizen of the State of Illinois and the citizens of the Territory of Dakota, and upon a question of that kind the citizens of Dakota should be permitted to control.

Now, sir, in February, I think, 1886, three years ago, the Senate passed a bill to admit South Dakota upon the constitution thus adopted, and carving out the Territory of North Dakota. That came over to this House. With this bill this House did nothing. At an early day of this Congress the Senate passes again a bill for the admission of South Dakota, and carving out the Territory of North Dakota. The Senate furthermore passes a bill to enable Washington Territory to come into the sisterhood of States by an enabling act.

It is a well-known fact from the proceedings upon this floor, without disclosing the secrets of the committee, that there was no difference of opinion between the Democratic members of the committee and the Republican members that Dakota should be admitted into the Union.

The only question of dispute as to Dakota was whether South Dakota should come in as a State under the constitution adopted in 1885, and that North Dakota be given an enabling act to enable it at some future time to come in as a State, or whether Dakota should be admitted as one State—a proposition which it would seem that people who were

anxious or were willing to have action upon that question would have brought squarely before Congress and submitted it without any entangling alliances to the judgment of their fellow-members, whether this Territory, an empire, should be admitted as one State or whether it should be carved into two States. There was never any question of dispute as to Washington Territory between the members of the committee. There was no dispute as to Montana. We all agreed that these Territories should be admitted as States. Why is it, I ask the chairman of the committee; why, I ask my friends upon the other side, is it that we have had no legislation for these Territories? Is it not a fair proposition I submit? Is it not treating the members of this House fairly, saying nothing about the rights of the Territories, that members should have an opportunity to vote upon Dakota without having it linked with any other Territory? That we should have a right to vote upon Washington, Montana, Utah, or any other Territory as a separate and distinct proposition none will question. Why link the fortunes of one Territory to those of any other? Is this fair; is it honest? The claims of no Territory should be advanced or retarded by being placed in an omnibus bill with any other Territory.

Why should the destinies of the people of Washington Territory be arbitrarily linked and tied with those of New Mexico? Why should we be asked to do this with the great empire of Dakota, that to-day has all that goes to make a people great and prosperous, with a population equal to any in intelligence? It is fully abreast of any State in the Union in its industries, its agriculture, its educational institutions, from the common school to the university. Why has this been done? I will leave that for the chairman of the committee to answer.

Members of this House have contended—and I class myself among that number—that the people of New Mexico, at the last session of Congress, when this matter was brought forward, were not—at least it was not shown to the committee—fitted for the duties, rights, and privileges of statehood.

Now, if you ask me for one of these reasons I say, in addition to what was said by the gentleman from Iowa [Mr. STRUBLE], that on the 3d day of March last the learned gentleman who so ably represents the Territory of New Mexico made a report; reciting what? The gentleman, among other things, said in that report that, "from 1860 to 1880," a period of twenty years marked with unparalleled growth in this country; twenty years in which the great West had almost become the controlling factor in the United States, an era of unprecedented prosperity; yet amid all this prosperity, amid all this growth, according to the gentleman's report—and he cites the census of the United States to support him—

There were fewer acres of land tilled in the Territory of New Mexico in 1880 than in 1860, the number of farms in 1880 being actually less than in 1860.

I believe, sir, that upon the educational growth and development of a community largely depends the future welfare and greatness of a people. In the language of General Grant, I believe that—

In a Republic like ours, where the citizen is sovereign and the official the servant; where no power is exercised except by the will of the people, it is important that the sovereign—the people—should possess intelligence, and that the free school is the promoter of that intelligence which is to preserve us a free nation.

Sir, take two of the Territories that are linked together in the substitute, New Mexico and Dakota if you please. The learned gentleman, the Delegate from New Mexico [Mr. JOSEPH], at the first session of this Congress cited, as something of which his people should be proud, that in the years 1886 and 1887 they had expended for the payment of teachers in their public schools in that Territory—the schools where the future citizens of the State, the legislators, the men who are to control and govern the destinies of that State hereafter, are to be educated—that they had expended for the maintenance of those schools the munificent sum of $33,000; while, sir, in the same period the great empire in the Northwest, upon which the sun does not shine so favorably as it shines upon New Mexico, had expended, instead of the paltry sum of $33,000, the munificent sum of $2,600,000, without a cent of it coming from the public lands—the benefits of these you have deprived the Territory of—all paid from a tax levied upon the people; yet you persist in keeping from them the school lands to which they were entitled.

Mr. JOSEPH. Will the gentleman allow me to correct him on that point?

Mr. WARNER. Certainly.

Mr. JOSEPH. I stated in my speech in May last that the sum of $53,000 was being expended during the then current year, and that up to the time when I was speaking $33,000 had been expended.

Mr. WARNER. I have the extract from the gentleman's remarks here, but I will not take time to read it. The gentleman spoke also yesterday of the number of school-houses in his Territory. Why, sir, the valleys and hilltops in every neighborhood of Dakota are dotted with school-houses, while the report on New Mexico, which the gentleman cited, shows there were forty-one public schools, being one public school to each 3,000 miles of her territory! It is true New Mexico levied a tax of 3 mills upon the dollar of assessed value of the property of New Mexico, which amounted in round numbers, if collected, to $178,000 for school purposes.

The SPEAKER. The time of the gentleman has expired.

Mr. WARNER. I wish a few minutes more.

Mr. DOCKERY. I hope the gentleman will be allowed to proceed.

There was no objection.

Mr. WARNER. But, Mr. Speaker, either through the inefficiency of the law, the inattention of the people, or the corruption of the officials, I care not which, only $45,000, in round numbers, of that tax ever found its way into the school fund. Sir, I believe that New Mexico in the last few years has been advancing. I believe that she is touching elbows with her sister Territories. I believe that the construction of railroads has infused new life, new energy, a new and a higher civilization into the old citizens. There is a breaking away from the past. I know there are men there of equal intelligence with those found in any other part of the Union—men of energy, men of enterprise. I have nothing to say against the morals of her people. I take it that they are as high as those of any community, and God knows that upon her religion I have never either publicly or privately commented. Nor do I concur in any statements that reflect either upon the religion or morals of her people. It is true that in years past she has been a laggard among the Territories. Let her show that she is in the highway of enterprise with her sister Territories. I say to my friend from New Mexico that while as a proposition to-day I doubt—I honestly doubt—the propriety of admitting New Mexico as a State, yet if I am driven to vote for New Mexico in order to get in the Dakotas, Montana, and Washington, I would rather err on the side of favoritism to the people of New Mexico than to longer continue this burning outrage upon the people of the other Territories. [Applause.] One word more. The people of the Territories, as was said by the eloquent representative from Washington yesterday [Mr. VOORHEES], understand this question full well. We must do something more than weave choice garlands of rhetoric, let me say to my friend from New York [Mr. COX]; we must show our faith by our deeds, by doing something. The gentleman from Washington gave you yesterday the pathetic story of his struggles and his defeat. A man equal in intelligence and energy with any upon this floor, elected to this Congress by nearly 2,000 majority, laboring here, in season and out of season, in the interest of his people, yet defeated in the last election by your wrongs to the Territories. He can justly charge his defeat at the doors of his own party. He can charge it to your inattention, to your lack of sympathy with the interests and the aspirations of his people. He was slain in the house of his friends. So in Montana, the Delegate from that Territory came up with nearly 4,000 majority; his successor, a Republican, is elected by a majority of five or six thousand. The people of the Territories do not take part or interest in these petty differences which show themselves here. They do not sympathize with these attempts to get party advantages. Let us treat Dakota fairly. Pass the Senate bill, gentlemen on the other side, who cheered when I said I would vote for the admission of New Mexico rather than keep out the other Territories; but I beseech of you, do something that will yield good to the people of Dakota.

Pass a bill here that shall enable the people of Dakota to become a State within the next few months; pass your enabling acts for Washington, North Dakota, and Montana. Then, if you wish, bring us to a vote on New Mexico; and I do not say now that I would vote even against New Mexico, though I do not believe that she is entitled to statehood. But let this question be so presented that we may vote upon the rights of each of these prospective States. You should learn wisdom on the Territorial question by the blunders of the past.

The SPEAKER. The time allowed for general debate has expired.

Mr. SPRINGER. I ask unanimous consent that the Clerk may announce the numbers of the sections of the South Dakota bill, without reading them at length; and that as each section is announced any member may offer an amendment to that section. I make this request for the purpose of saving time.

Mr. BURROWS. You do not mean the "South Dakota bill;" you mean the Senate bill.

Mr. SPRINGER. Yes, sir.

The SPEAKER. Is there objection to the proposition of the gentleman from Illinois, that the sections of the bill be read only by their numbers, and that as the number of any section is announced members be permitted to offer amendments to that section. The Chair hears no objection.

The Clerk proceeded to read the sections of the bill by their numbers. When section 2 was reached,

Mr. SYMES said: My colleague, the chairman of the committee [Mr. SPRINGER], will remember that there was an amendment providing for boundaries, which I believe is applicable to this second section.

Mr. GIFFORD. That is all provided for in the Senate bill.

Mr. SPRINGER. The boundary question is covered in the Senate bill.

Mr. SYMES. Then this section does not need amendment?

Mr. SPRINGER. No, sir.

Sections 3, 4, 5, 6, 7, and 8 were read by their numbers, and no amendments were offered.

When section 9 was reached,

The SPEAKER said: The gentleman from Dakota [Mr. GIFFORD] has pending an amendment to this section, which will be read.

The Clerk read as follows:

Amend section 9 by striking out the words "ninety sections of," and inserting in lieu thereof the words "one hundred and twenty thousand acres."

Mr. SPRINGER. That is in accordance with the act of Congress. There is no objection to it.

The amendment was agreed to.

Sections 10, 11, 12, and 13 were read by their numbers, no amendment being offered.

When section 14 was reached,

Mr. JOSEPH D. TAYLOR said: I move to amend by striking out, in line 3 of section 14, the word "five" and inserting the word "ten."

Mr. SPRINGER. There will be no objection to that, I presume.

Mr. GIFFORD. There is no objection to it.

The amendment was agreed to.

The Clerk announced section 15.

Mr. WILSON, of Minnesota. I move to amend by striking out, in lines 5 and 6 of section 15, the words "five thousand dollars" and inserting "$3,500."

Mr. Speaker, in the bill before the House the salary of the district judge is fixed at $5,000 per annum, whereas in the various States of the Union, with very rare exceptions, the salary of the district judges is $3,500. And I may say that in the State of Dakota the business of the district judge of the United States will be very small compared with that of such judges in the other States. It is therefore absurd to say that we must give in this new State a salary of $5,000 while in other States, where the business is ten times as great, the United States district judges are receiving only $3,500. I have therefore moved this amendment.

Mr. SYMES. Mr. Speaker, I think that a salary of $5,000 is not too much for this district judge. A bill proposing to fix this amount as the salary of the various district judges has on numerous occasions been presented in Congress, and has been passed by the Senate; and it is generally understood that if a vote were taken in this House on the subject the salary of every district judge of the United States would be fixed at $5,000. I think that this salary is not too large for a United States district judge at this day, because during the last fifteen years the salaries of the district and circuit judges of the various States have been continually increased until now many of these officers are receiving $5,000 a year. I say that any active lawyer who has not passed the days when he can earn a proper reward for his abilities by his practice, and who proposes as a United States district judge to do his duty, will not accept the position unless the salary be $5,000. I think that the worst economy the Government of the United States has ever indulged in is the payment of cheap salaries to cheap judges.

It puts second and third rate men on the bench instead of first-rate men. Where you give a district judge $1,500 more per annum, the difference between $3,500 and $5,000, he will save the United States in the mode in which he will administer justice in that court $10,000 a year as a rule.

[Here the hammer fell.]

Mr. WILSON, of Minnesota. Mr. Speaker, the gentleman from Colorado [Mr. SYMES] who has just taken his seat, either has said or assumed that the salary of State judges is as high as $5,000 a year ordinarily.

Mr. SYMES. In some States.

Mr. WILSON, of Minnesota. In some States I admit it to be true, but in the majority of States it is not true. Take for instance the State of Minnesota, adjoining the Territory of Dakota.

Mr. BAKER, of New York. Is the gentleman opposed to the general increase of the salaries of these judges?

Mr. WILSON, of Minnesota. I am in favor of a proper increase in the salaries of United States judges, but it is absurd to say we should give a judge in the State of Dakota $5,000 per annum when we are giving a United States district judge in the State of Minnesota, in the State of Iowa, in the State of Wisconsin, in the State of New Jersey, and in the State of Ohio, and many other States only $3,500, when in those States the judges are required to do five or ten times the business which will be required of any judge in Dakota. [Cries of "Vote!"] Dakota should be the last State and not the first in which the salary should be increased.

The raising of the salaries of judges is not a guaranty that we will get better men for judges. Experience disproves the claim, and gentlemen may be assured that there will not be the least difficulty in filling the office by one of the best lawyers in Dakota.

Mr. BAYNE. Let me inquire of the gentleman from Minnesota whether the absurdity is not in the fact that the United States district judges get only $3,500 a year when they should get $5,000 a year?

Mr. WILSON, of Minnesota. I did not hear the question of the gentleman from Pennsylvania.

Mr. BAYNE. My question was whether the absurdity is not in the fact that the United States district judges get only $3,500 a year instead of $5,000?

Mr. WILSON, of Minnesota. That is not the question I am discussing now. I am discussing the question of raising the character of judges by raising their salaries. Common observation shows it does not have that effect. I am speaking of the absurdity of giving a salary of $5,000 to a judge in Dakota when in the States where the salary is but $3,500 the judge has to perform from five to ten times as much business as will be required of the Dakota judge.

Mr. RANDALL. I will say to the gentleman from Pennsylvania [Mr. BAYNE] that we have two United States judges in Pennsylvania who, I believe, receive $4,500 a year, and there has never been a time in my experience when we have had a bad judge at that salary.

I ask, Mr. Speaker, whether it is fair in this way to raise to $5,000 a year the salary of a judge in the proposed State of Dakota when at the lower rate of pay the Government secures the services of as acceptable judges as there are in the United States? All the salaries should pass in review and no unfair discrimination made as proposed. The Pennsylvania judges do many times the work as is probable in Dakota.

Mr. HOLMAN. I wish to make a single remark on this subject. Take, for example, the State of Indiana. It pays $4,000 a year to its supreme judges. The salary of the district judge is $3,500. The present district judge of Indiana is one of the ablest lawyers in the State and was transferred from the supreme bench of Indiana to that position. He cheerfully left the bench of Indiana to take the lower salary on the district bench.

Mr. RYAN. What was the term on the supreme bench of Indiana?

Mr. HOLMAN. The term was six years.

Mr. RYAN. He left it, then, to take a life position on the United States bench.

Mr. HOLMAN. Yes, here is a life position, and the salary of $3,500 a year is worth more than the higher salary where there is a limitation of the term.

Mr. SPRINGER. I hope we will have the previous question.

Mr. BAYNE. I move to strike out the last word. My colleague is mistaken, I think, about the judges in Pennsylvania getting $4,500 a year.

Mr. RANDALL. That only shows a greater disparity.

Mr. BAYNE. In some of the States they get $3,500.

Mr. WILSON, of Minnesota. In the bulk of them.

Mr. BAYNE. While in some they get $5,000.

I introduced a bill in the Congress before the last, and also in the last one, increasing the salaries of the district judges throughout the country to $5,000 a year, and the circuit judges to $6,000. In the last Congress the Senate passed a bill increasing the judicial salaries to $5,000 per year, and I had hoped the House would favorably consider and adopt that proposition. I hope that this measure will pass, giving the judge of Dakota and the other new States $5,000 a year, because I wish to emphasize the injustice done to the judiciary throughout the country by paying them but $3,500 or $4,000 a year for the service they render the people. I think this Government can afford to pay its judicial officers a reasonable and fitting compensation, and when the State of New York pays its State judiciary and even its local judiciary sums ranging from $8,000 to $12,000 and $15,000, I think the United States Government can well afford to deal justly at least, if not liberally, with its judiciary and pay its judges the small sum of $5,000 a year. In Pennsylvania they get $4,000 instead of $4,500, as suggested by my colleague. I think we ought to give this new judge, whoever he may be, $5,000, and increase the salaries of all the other judges to the same sum.

Mr. KERR. Mr. Speaker, the proposition now pending, I believe, is to reduce the amount proposed by this bill as compensation to this judge to $3,500 a year. I believe that is the proposition of the gentleman.

I do not think there is any difficulty in getting the very best kind of material for the bench at that price throughout this country, and I have no sympathy with the constant efforts which are being made by some men on this side of the House to increase these judicial salaries throughout the country.

The most eminent men who ever sat on the bench in some of the Western States, including a man who has not a peer within the last twenty-four years, Judge Breese, who sat upon the bench of Illinois, received but $1,000. In my own State we pay only from $1,900 to $2,500 a year, and men of good ability can always be found who are thoroughly competent and qualified to occupy these positions at that price. For that reason I am convinced that $3,500 for the judge in this Territory, as proposed by the amendment, is ample. We have too much need for money in other directions in this country to be applying this constant pressure to increase the salaries of men who want to occupy high social positions with large salaries, and therefore I hope the amendment in this case will be adopted.

Mr. SPRINGER. I demand the previous question on the amendment to this section.

The previous question was ordered.

Mr. JOSEPH D. TAYLOR. I want to move a further amendment——

The SPEAKER. The previous question has been ordered.

Mr. JOSEPH D. TAYLOR. What is the pending question?

The SPEAKER. On the amendment to strike out "5,000," and insert "3,500."

The question was taken; and on a division there were—ayes 78, noes 59.

So the amendment was adopted.

The next amendment was offered to section 26 by Mr. GIFFORD, of Dakota.

The SPEAKER. This amendment has already been printed in the RECORD.

Mr. DINGLEY. Let it be again read.

Mr. GIFFORD. It relates to the date.

The Clerk read as follows:

Amend section 26 by striking out the words "28th day of August, 1888," and insert in lieu thereof "the first Monday in June, 1889."

Mr. ADAMS. My proposed amendment would come in there and would strike out the same words, but would insert in lieu of "June 1st" the "9th day of April, 1889."

Mr. GIFFORD. I will say to the gentleman that that is entirely acceptable to us.

Mr. BAKER, of New York. I hope it will be adopted in that form.

Mr. ADAMS. I desire simply to say that I took that from the bill of the gentleman from Minnesota [Mr. MACDONALD], who told me it was suggested to him by the gentlemen from Dakota here.

Mr. GIFFORD. I accept that.

The amendment of Mr. ADAMS was adopted.

Mr. GIFFORD. There is also an amendment of mine to section 27.

The SPEAKER. If there be no other amendment to section 26, section 27 will be now considered, and the Clerk will report the amendment of the gentleman from Dakota.

The Clerk read as follows:

Amend section 27 by adding thereto the following: "And at said election there shall be elected the State, judicial, and other officers and members of the Legislature of the said State of South Dakota provided for in the constitution of said State, and also two Representatives in the House of Representatives of the United States Congress; and if a majority of the votes cast at said election, upon the acceptance of both change of name and boundaries and of said constitution, shall be in the affirmative, as hereinafter provided, the governor, judicial and State officers thus elected shall have power to at once qualify and enter upon the duties of their respective offices, and they and the members of the Legislature thus elected shall hold their offices until the next general election, in November, 1890, unless otherwise provided by the laws of said State, and until their successors are duly elected and qualified. The governor shall have authority to at once convene said Legislature, and said Legislature thus elected may, in the manner provided for by law, elect for said State two Senators to serve in the Senate of the United States Congress, and the Representatives duly elected at said election provided for in this section, and the United States Senators thus chosen, if otherwise legally qualified, shall be admitted to represent said State of South Dakota in the Congress of the United States."

Mr. JOSEPH D. TAYLOR. I desire simply to say this, Mr. Speaker: It seems to me that this amendment ought not to be adopted now. If before this State is admitted these further questions are to be decided, suppose on the question of accepting the name of "South Dakota" the State would vote "no," or in regard to the boundaries that the State should vote "no." Where is the necessity for the election? Shall it all go by default? What would be the result? It seems to me that the first thing is to let the election herein provided for take place; let the election be held and the question determined first whether or not the State shall be admitted, and then after the admission of the State, and as a consequence, South Dakota can take care of herself. It seems to me that this bill as reported would be better without the amendment.

Mr. GIFFORD. If the gentleman will permit me, I will state to him that this is the usual proceeding; that it has been done in many prior instances, and there are a great many precedents for it. Of course if the constitution fails to receive a majority of the votes of the people, the whole proceedings fail. But this is the usual mode of electing the officers—all the State officers—so that the whole machinery of the State government can go into operation whenever the constitution takes effect. This is the usual manner of proceeding in these cases. Our people are united on this. It is agreeable to the Senate, and was agreed to by them.

Mr. JOSEPH D. TAYLOR. Why did not the committee report that upon the bill?

Mr. GIFFORD. This bill was not reported by the committee.

Mr. JOSEPH D. TAYLOR. Has the committee passed upon that question?

Mr. GIFFORD. This amendment was agreed upon by the committee.

Mr. JOSEPH D. TAYLOR. Then, if the committee has agreed to it, I withdraw my objection.

The amendment was adopted.

The reading of the bill was continued and concluded.

The SPEAKER *pro tempore*. The Clerk has completed the reading of the Senate bill by sections.

Mr. BAYNE. I demand the previous question on the third reading of the bill.

Mr. SPRINGER. I have the floor, I think.

The SPEAKER *pro tempore*. The Chair recognizes the gentleman from Illinois.

Mr. SPRINGER. I move to strike out all after the enacting clause of this bill, and insert the following.

Mr. BURROWS. What is the offer of the gentleman?

Mr. SPRINGER. I move to strike out all after the enacting clause of the Senate bill and insert the amendment which I send to the Clerk's desk. It is the substitute.

Mr. BURROWS. I make a point of order against the substitute. Let it be read subject to objection.

Mr. SPRINGER. I ask unanimous consent, so as to save time, to omit the reading of this substitute from the fact that it is precisely——

Mr. BURROWS. I desire to have it read.

Mr. SPRINGER. It is precisely in the words printed in the RECORD yesterday morning, and has been before the House, and every gentleman knows what is in it, and if I can have——

Mr. BURROWS. I desire to have the substitute read, or a portion of it until I can see what it is.

The SPEAKER. The Clerk will read the substitute.

Mr. BAYNE. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BAYNE. No one arose in his place to offer this substitute, and I arose and demanded the previous question on the third reading of the bill.

Mr. SPRINGER. I hope my friend from Pennsylvania will not assume that he has the right to take this bill out of the hands of the committee.

The SPEAKER. The Chair is advised by the gentleman who occupied the chair at the time, that the gentleman from Illinois was recognized. Besides, the order on which the House is proceeding expressly provides that the gentleman from Illinois shall have leave to offer that substitute. The Chair will cause the order of the House to be read.

Mr. BAYNE. If the gentleman will admit his laches I will not insist.

Mr. SPRINGER. I will not admit any laches in the matter.

Mr. BAYNE. He sat perfectly still.

The SPEAKER. The Clerk will report the substitute. [After a pause.] The gentleman from Illinois asked unanimous consent to dispense with the reading of the substitute.

Mr. SPRINGER. I have asked unanimous consent to dispense with the reading of the substitute, but the gentleman from Michigan [Mr. BURROWS] objects.

Mr. BURROWS. I stated when the substitute was offered that I desired to make a point of order against it.

The SPEAKER. It has not yet been read.

Mr. BURROWS. Let it be read subject to the point of order. I desire to have that paper read, or a portion of it, until I can see what it is.

The SPEAKER. The Clerk will read it.

Mr. SPRINGER. It is precisely the text printed in the RECORD yesterday morning.

The Clerk proceeded to read the substitute, and read down to the proviso in line 40 of section 2.

Mr. BURROWS. The Clerk has read sufficient for my purpose. So far as I am concerned I will not ask for the further reading of the substitute.

The SPEAKER. Is there further demand for the reading of the substitute?

There was none.

Mr. BURROWS. Mr. Speaker, I desire to make the point of order against the substitute that it is not in order under Rule XVI, clause 7.

The SPEAKER. The Chair will state that he has examined the order of the House as carefully as his opportunities would permit, and as far as possible has examined other orders made by the House heretofore setting bills for consideration on particular days and prescribing the method of proceeding, and has been unable to come to any satisfactory conclusion as to what was the real intention of the House in this case. Under these circumstances the Chair has thought it proper to submit the question to the House, so that it may decide for itself just what it meant by this order; and inasmuch as he has determined to submit the question to the House, the Chair desires to call the attention of members to that fact, in order that they may give attention to the argument as it proceeds.

Mr. BURROWS. I think the Chair does not apprehend the point of order that I intend to make. In Rule XVI, clause 7, the latter portion of the clause, there is this provision:

And no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

The substitute now submitted is offered, not under the order of the House but under the rule, for this reason: The order of the House specifies that the gentleman shall have leave to offer House bill No. 8466, but instead of offering that bill we have offered a substitute, every page of which is different from the bill specified in the order. Therefore, the gentleman can take nothing by the order, and as this substitute (which I understand is the caucus substitute) is offered under the rules of the House, and not under the special order, and is on a different subject from the bill we are now considering, the language of the order will not help the gentleman, but the substitute must stand or fall under the rules of the House.

The SPEAKER. The Chair supposed that it was the substitute mentioned in the order of the House.

Mr. BURROWS. It is not. Now, Mr. Speaker, upon this question I desire to be heard.

Mr. SPRINGER. Will the gentleman allow me to explain?

Mr. BURROWS. Not now. I desire to make my point of order without interruption.

Mr. REED. I think the gentleman from Illinois ought to have a chance to explain. [Laughter.]

Mr. BURROWS. Mr. Speaker, this is a very important question. We must now proceed under the rule of the House and not under this special order. The only question presented is whether this substitute, which provides for the admission of Montana, Washington, and New Mexico, is a subject different from the one under consideration. If it is a different subject, then the rule says that it must be rejected. If it is on the same subject, then it is admissible. It is true the substitute contains, in one portion of it, a provision in regard to Dakota which is the subject of the Senate bill, but if there is any provision of the substitute which is not germane, or which is out of order under the rule, of course the Chair is aware that that disposes of the entire amendment and it must all fall.

So in arguing the question it may be presented in this way: Is a proposition to admit New Mexico on a bill to admit Dakota the same subject or a different subject? That is the only question. Now I affirm, Mr. Speaker, that to hold that this substitute, which provides for the admission of New Mexico and other Territories, is in order would be to reverse the decisions of the House of Representatives for three-quarters of a century and throw us back to the confusion of the Congress of the Confederation. In that Congress it was the universal practice to load a bill with all sorts of amendments, so that a proposition which arrested the attention of the House in the beginning was completely changed. Public bills were changed to private ones, and private bills into public bills; and such was the confused state of parliamentary practice that in 1781 that Congress found it necessary to adopt a rule on amendments to which I desire to call the attention of the Chair. That rule was as follows:

No new proposition or motion shall be admitted, under color of amendment, as a substitute for the question or proposition under consideration.

The First Congress in 1789 adopted the same rule. Mark its language: "No new proposition or motion shall be admitted under color of amendment to any proposition." Now, under that rule it was held both in the First Congress and in subsequent Congresses that it only excluded the "new proposition" when it was offered as a substitute. A new proposition could be offered as an amendment, and would be in order whether germane or not; but a new proposition, even if germane, could not be offered as a substitute. So the practice under the foregoing rule did not relieve the difficulty. This condition continued until 1822, when the present rule was adopted, which has remained in force without modification ever since.

Let me repeat its language:

No motion or proposition on a subject different from that under consideration shall be offered by way of amendment.

Is a proposition to admit New Mexico the same proposition as to admit Dakota? Is it the same subject, or is it a different subject? It can not be said that it is the same subject, because it relates in a generic way to the Territories. That would be opening a door so wide that everything relating to the Territories could be admitted under color of amendment, and it would run counter to the whole current of the rulings of presiding officers of the House of Representatives.

A few citations will serve to elucidate the point and establish the practice.

This question was first presented in the Twentieth Congress. A resolution was introduced instructing the Committee on Manufactures to send for persons and papers and to inquire into a certain subject pending before that committee. An amendment was offered to that resolution, authorizing the committee in their inquiry to examine the question of the tariff and make a report on a certain matter connected therewith. A point of order was raised under this rule that this amendment presented a different subject, and was therefore not in order. Mr. Stevenson, then the Speaker of the House, ruled it out of order under the rule which I have read.

In the Twenty-seventh Congress a bill was being considered making appropriations for fortifications and ordnance, and for the suppression of Indian hostilities, appropriating a certain sum therefor. A member offered an amendment that the funds received from the sale of public lands should be dedicated to the satisfaction of the terms of this appropriation bill, devoting these moneys to meet the amount appropriated by the bill. A point of order was made that this was not germane; and Speaker White promptly sustained the point, holding that the proposition was on a different subject; and upon an appeal being taken to the House the Speaker was sustained and the amendment was ruled out of order.

In the Thirtieth Congress a bill was pending to extend the time for locating military land warrants in the State of Virginia. An amendment was proposed to that bill providing that these land warrants might be located on any public lands subject to entry. A point of order was made that the amendment was not germane; and Speaker Winthrop under this rule promptly held the amendment out of order, deciding that it was not germane to the bill. So the amendment was excluded.

Again, in the same Congress, a resolution was pending to instruct a certain committee to ascertain the salaries paid to United States district judges throughout the United States, and providing that wherever the salaries were less than $2,000 they should be equalized and all the salaries placed at that amount. The general subject under consideration was the salaries of officers of United States district courts. So an amendment was offered that this same committee should inquire into the salaries paid to United States district attorneys and marshals, and where they fell below a certain amount that those salaries should be equalized.

A point of order was made that this proposition was not on the same subject-matter; that the subject under consideration was the salaries of United States district judges, and that the proposed amendment relating to the salaries of United States marshals and district attorneys, although they were officers of the same courts, would not be germane. Speaker Winthrop promptly excluded the amendment, citing this very rule and declaring the amendment out of order because it was on a different subject. Upon an appeal the decision of the Chair was sustained. That, as a gentleman near me suggests, is "on all fours" with the case presented here.

In the Thirty-first Congress another case involving this question arose, though perhaps not so pointed as those to which I have referred. A proposition was pending fixing the amount of stationery to be allowed each member of the House; and it was proposed as an amendment to incorporate a provision to regulate the salaries of the employés of the House. Speaker Cobb, of Georgia, promptly ruled this amendment out of order, as not being germane and in violation of the rule I have cited.

In the Thirty-first Congress a bill was pending pensioning a widow of a soldier of the Mexican war. An amendment was offered providing that the pensions of widows of soldiers in the Mexican war should commence from the date of the death of the soldier and continue through the life of the beneficiary. A point of order was made that the amendment proposed a different subject from the one under consideration, and Speaker Cobb promptly excluded the amendment as not being germane.

I have found but one decision which even points toward the idea that this substitute could be in order under this rule, and that case is this: A bill was pending fixing the western and northwestern boundary of the State of Texas, and it provided that the State should relinquish all territory exterior to this line, and also all claims against the United States. To this bill an amendment was offered, proposing to organize the Territories of Utah and New Mexico, giving them a Territorial government; and that amendment was held in order by Speaker Cobb. But he expressly stated that it was so held because the proposition pending related to the territory acquired from Mexico, and as the amendment proposed a disposition of the same territory—to wit, Utah and New Mexico—he would hold that it related to the same subject. He held, therefore, the amendment in order because it related to a part of the territory which we had acquired from Mexico; and, strange to say, the decision of the Chair was sustained on an appeal.

But in the same Congress, and in less than two months afterward, another proposition was pending—a proposition to admit California—and an amendment was proposed to such bill to organize a Territorial government for Utah. Speaker Cobb then held, in accordance with his previous decision, that this amendment was in order, because Utah was a part of the territory acquired from Mexico. An appeal was taken from that decision, and the House reversed it by a vote of 115 to 87. The reference to this decision in Cushing's Manual is misleading, for upon an examination of the Journal I find that in this case the decision of the Chair was overruled by the House, and thus the proposition for the organization of the Territory of Utah was held to be out of order under this rule as an amendment to that bill.

And in the Thirty-fifth Congress (and I will cite but two or three cases more) a bill was pending to amend the various acts granting the right of pre-emption to settlers. An amendment was offered giving to settlers 160 acres of land. The bill related to the public domain, but a point of order was made against this amendment donating 160 acres of land. The point of order was made that it was in violation of this rule, and Speaker Orr in that case excluded the amendment under the rules. An appeal was taken from the decision, and the House sustained the Speaker and rejected the amendment.

In the Thirty-sixth Congress a bill was pending to establish a Territorial government for the Territory of Idaho. An amendment was offered establishing land offices in that Territory. The bill pending was in reference to the government of the Territory of Idaho. A point of order was made against the amendment that it was not in order under the rules because it was on a different subject, and Speaker Pennington promptly rejected the amendment. An appeal being taken, he was sustained by the House.

One more citation from the Thirty-fifth Congress which appears to me bears pretty directly on this question. It was when Speaker Orr occupied the chair. The bill pending was for the admission of Oregon into the Union, and the amendment offered was an amendment authorizing the people of Kansas to organize a Territorial government. That would seem quite like this case. Let me read the case:

The House then resumed the consideration of the bill of the Senate (S. 239)

for the admission of Oregon into the Union, the pending question being on the motion of Mr. Alexander H. Stephens to commit the same to the Committee of the Whole House on the state of the Union.

After debate,

Mr. Alexander H. Stephens withdrew his said motion to commit.

The question then being on the third reading of the bill,

Mr. Grow proposed to submit an amendment, in the nature of a substitute; the said amendment being, in substance, an enabling act for the Territories of Oregon and Kansas.

Not to admit Oregon as Senate bill proposed, but pass an enabling act for Oregon and Kansas much like the condition presented now.

Mr. Sandidge made the point of order that the said amendment was not in order, on the ground that it was not germane to the bill.

The Speaker—

Speaker Orr—

decided that the amendment was out of order under the fifty-fifth rule, which declares that "no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment."

From this decision of the Chair Mr. Grow appealed.

Pending which,

Mr. Alexander H. Stephens moved that the appeal be laid upon the table.

And the question being put,

It was decided in the affirmative—yeas 126, nays 92.

Why, only in the Forty-eighth Congress there was a bill pending in the House to change the eastern and northern judicial districts of Texas and attaching parts of the Indian Territory for judicial purposes to this district. An amendment was offered creating a new district in the Indian Territory, courts to be held in the Indian Territory, and the present occupant of the chair promptly rejected the amendment on the ground that it was not germane; that it was on a different subject from the one under consideration; holding that the bill under consideration provided only for the change of boundaries of a district already established, and although it took in a part of the Indian Territory an amendment to establish another district embracing the Indian Territory was not germane to the bill, being a subject different from the one under consideration.

It has frequently been held that no public bill can be changed into a private bill and no private bill into a public bill.

I submit, therefore, in the light of these authorities and rulings that this amendment is not in order.

Bear in mind, Mr. Speaker, we are not considering this point of order under the special order of the House, but under the rules of this body. If it should be held that this substitute is in order, then the opportunity of my friend from Iowa [Mr. WEAVER] has come, and his Oklahoma bill can be attached to this Senate bill as an amendment in order. So you may admit Alaska; and the very purpose of the rule, which was that the House should know in advance what it would be called upon to consider, what it would be called upon to vote on, would be nullified, and we would be brought to the consideration of propositions about which we had not the slightest intimation in the beginning.

I wish to say in conclusion that I make this point of order not for the purpose of hindering the admission of these Territories, but, on the contrary, for the purpose of facilitating their admission. I am glad this order provides that even if the substitute should be excluded it is still within the power of the gentleman from Illinois to proceed at once to the consideration of the bills for the admission of Washington, Montana, and New Mexico. This will be in order, and this being a continuing order, the only effect of the rejection of the substitute, or if the Chair shall rule it out of order, will be that we will be brought to a direct vote on the Senate bill as amended, which can be concluded this afternoon, and we can then proceed to the consideration of the other bills.

The SPEAKER. When the gentleman from Michigan made the point of order the Chair supposed that the gentleman from Illinois had offered as a substitute the bill H. R. 8466, which is the bill mentioned in the order made by the House. Of course, if the gentleman has not offered that bill, the question which the Chair proposed to submit to the House has not yet arisen. The Chair supposes that a mere technical difference between the two bills would not be material. For instance, a correction of a mere clerical error, or something of that sort. But it seems that the proposed substitute now offered by the gentleman from Illinois contains provisions of a substantial character and not contained in the original House bill. The Chair thinks, therefore, that the order does not apply to it, and believes that in accordance with the practice of the House and its rules, ever since the House overruled its own decision in the case of California, that this substitute is not in order under the rules. The Chair holds, therefore, that the substitute sent to the desk by the gentleman from Illinois does not come within the terms of the order made by the House; and hence is not in order under the rules and practice of the House. [Applause on the Republican side.]

Mr. SPRINGER. Now, Mr. Speaker, I offer——

Mr. REED. I hope the decision of the Chair will not deprive us of the proposed explanation of the gentleman from Illinois. [Laughter.]

Mr. SPRINGER. I now offer this as a substitute, and will then make the explanation which the gentleman from Maine seems to desire.

The SPEAKER. The gentleman from Illinois now offers the substitute mentioned in the order of the House.

Mr. SPRINGER. No, not at this time.

I desire to submit first a parliamentary inquiry, whether I have the right to offer it as I now propose——

Mr. BURROWS. I make the point of order against it.

Mr. SPRINGER. Wait until it has been read.

Mr. BURROWS. I would like to hear it read, if it is not the House bill referred to in the order.

Mr. SPRINGER. It is substantially that bill.

The SPEAKER. The gentleman, of course, has the right to have it read and offer it as a substitute, but still it would be subject to the point of order. The Chair, however, prefers not to decide a question of order until the question arises.

Mr. SPRINGER. Then I ask that the proposition be read.

The SPEAKER. It will be read.

The Clerk read as follows:

Strike out all after the enacting clause and insert in lieu thereof House bill 8466 with certain amendments thereto; so that the same shall read as follows:

Mr. BURROWS. That will not do.

The SPEAKER. The Chair holds that all the gentleman has the right to do under the order of the House, made on motion of the gentleman from Illinois, is to offer as a substitute for this bill House bill 8466. After that has been offered, if the House should entertain and consider it, the Chair has heretofore stated, in response to a question propounded by the gentleman from Maine, that the substitute would be subject to amendment in a proper way under the rules and practice of the House. That is as far as the Chair can go.

Mr. SPRINGER. I offer to strike out, then, all after the enacting clause and insert in lieu thereof House bill 8466.

Mr. REED. When are we to have the explanation?

Mr. SPRINGER. When this question is stated.

Mr. BURROWS. Against the substitute now proposed I desire to make a point of order. Let it be read, subject to objection.

The SPEAKER. The Chair will state that on this point of order the Chair proposes to take, under the circumstances, the judgment of the House itself. The order made by the House provides—

That the Committee on the Territories be discharged from the further consideration of Senate bill numbered 185—

Then describing the bill—

and that it shall be considered from day to day, etc., with leave to offer as a substitute therefor House bill 8466.

The Chair has examined the orders heretofore made, as stated a few minutes ago upon similar subjects, and from the interpretation put upon them has been unable to come to a satisfactory conclusion as to whether or not it was the intention of the House that the gentleman from Illinois should not be cut off by the previous question, or should have the right to present it subject to a point of order, or whether the House should proceed to entertain and vote upon it. The order does not so specify. It only provides that it shall be in order to offer it. It does not say that he shall be allowed to offer it and have a vote upon it, but simply the right of offering. He has offered it, notwithstanding the fact that the gentleman from Pennsylvania attempted to move the previous question.

Mr. MILLS. What is the precise question?

The SPEAKER. The question will be, Shall the proposed substitute be entertained and considered by the House? That is the question which the House will determine.

Mr. BURROWS. Upon that I desire to be heard.

Mr. SPRINGER. I think I may be permitted to make the statement that the gentleman from Maine has asked me to make.

Mr. REED. I have repeatedly asked.

Mr. WARNER. Will the chairman of the committee [Mr. SPRINGER] permit me to make this suggestion, as a member of the committee, for the purpose of taking the House out of the difficulty that we are now in? I would suggest, in good faith, to the chairman of the committee, that we go to work and admit Dakota under the Senate bill, and immediately take up Washington, Montana, and the others. That would get us out of this trouble. [Derisive jeers on the Democratic side.]

Mr. BURROWS. Mr. Speaker, I desire to be heard on this point. The first substitute which the gentleman presented having been held properly to be out of order under the rules, he now offers as a second substitute the bill numbered in the special order, and will claim, I suppose, that by virtue of that order the point of order was waived, and that we are estopped from making any point of order against it.

I wish to call the attention of the House to the language of that order. After providing that the Senate bill shall be taken up at a certain time, the order continues:

And with leave to offer as a substitute therefor House bill 8466.

Mark the language:

With leave to offer as a substitute therefor House bill 8466.

I affirm that it has never yet been held by any presiding officer, and has never been determined by this House on a vote, that such an order as that waives all points of order upon a bill authorized to be presented. Under that order the House simply gives leave to offer a sustitute; that is all. And what is the meaning of the term "to offer?" "To bring before;" "to bring about;" "to hold out;" "to present;" "to

exhibit;" "to proffer;" "to tender." That is the meaning of the term "to offer."

And by this order he has the full right, and there is no question about it, to offer or tender this bill as a substitute. That order does not go beyond the right to offer it as a substitute; and when offered it is subject to the rules of this House, and must be offered under and in conformity with the rules of the House. It must stand or fall under the rule which declares "that no amendment or substitute shall be in order on a subject different from the one under consideration."

I am sustained in this view by a decision which the Speaker has made within a week, to which I desire to call the attention of the House. It will be remembered that we have a rule making a conference report always in order, and which provides that a conference report may be presented at any time. That is the language of the rule, "may be presented at any time." Last week a conference report was presented by the gentleman from South Carolina [Mr. DIBBLE], and under the language of the rule when he had presented the conference report he contended it could be considered, and no motion to adjourn would be in order. It was argued that the mere presentation of such a report was a barren ceremony if it did not carry with it the right also to consider. The language of this order, "leave to offer," can not convey any larger meaning than the rule to which I have referred, and yet the Speaker held that when the conference report was presented the terms of the rule had been fully satisfied. This is the language of the Chair:

The nineteenth rule of the House provides that the presentation of reports of committees of conference shall always be in order, except when the Journal is being read. Under this rule it has been held that the presentation of a report is in order.

Then the Speaker said the literal terms of the rule have been complied with:

The report has been presented to the House, and the terms of this rule have been satisfied and complied with.

So that when the gentleman presents or offers his substitute the literal terms of the rule have been complied with and the literal terms of this order have been complied with, and the substitute is open to any objection that may be urged against it under the rules of the House. If the gentleman desired to go further and make this substitute in order, he could very easily have done so if he had said:

Shall have leave to offer this substitute, which substitute shall be in order.

Then there would have been no question about it. There is nothing in this order but the right to offer I have just suggested, the terms in which all orders of this kind are made. I have looked in vain for a single order, obtained either by suspension or by unanimous consent, couched in the language of this order, under which it was claimed that all points of order were waived. In the Forty-third Congress General Garfield moved this—and I call attention to it, as the question is to be decided by the House. General Garfield said:

I want to offer this:

"*Resolved*, That the rules of the House be so suspended that the following section shall be in order as a part of the text of the bill making appropriations for the legislative, executive, and judicial expenses of the Government."

"Shall be in order" is the language. And the gentleman from Georgia [Mr. BLOUNT] in the last Congress, on the Post-Office appropriation bill, asked unanimous consent that a certain provision might be incorporated in that bill—not that he might have leave to present it. This was his language:

Mr. BLOUNT. Believing that the House will appreciate the force and justice of the criticism made by the Postmaster-General in the extract which I have just read, in relation to the present compensation of third-class postmasters, I ask unanimous consent that on the 2d day of March, of this year, the Committee on the Post-Office and Post-Roads should be allowed to place in the Post-Office appropriation bill, for consideration by the House, a proposition authorizing an allowance for rent, etc.

That was agreed to, and the rule prohibiting new legislation on appropriation bills was thereby suspended. The gentleman from Georgia [Mr. BLOUNT] made a like request yesterday. He asked leave to present a certain proposition in the bill. But suppose that instead of asking the privilege of incorporating it in the bill he had simply asked leave to offer it when the bill should be under consideration by the House, and suppose that leave had been granted, would any member here contend that the point of order could not be made against it? So the gentleman from Illinois [Mr. CANNON] asked that the rule might be suspended in regard to an appropriation bill, and that a certain amendment might be allowed to be incorporated in the bill.

In other words, the mere right to offer the proposition does not do away with a point of order when it is offered. This is the first opportunity we have had to make the point of order. It could not be interposed when the order was made, because that was simply an order saying that a certain bill might be presented. That order has now been executed and the gentleman has presented his bill, and this is the first time that we have had an opportunity to make the point of order against it.

But it is said, what was the intention of the House? If the Chair was to pass upon the question, he might say he would go outside of the language of the order and ascertain if possible the intention of the House. I do not know what that intention was. I simply know that so far as I am concerned I listened to the order very carefully; I voted for it because I believed that it would not prevent us from making the point of order, and had I believed at that time that we could not make the point of order against the substitute when offered, I should not have voted for the order.

But it will be said that, under this construction of the order, the gentleman gets no additional rights. He had the right under the rule to offer the substitute, and if it be held that the order gives him no additional rights he gains nothing by it. Does that concern you or me? Are we operating here and considering this bill under the intentions of the gentleman from Illinois, as they shall be disclosed from time to time, or under the terms of this order and the rules of the House? I hold that we are operating under this order, and under the order the gentleman can go no farther than to offer this substitute, and that when presented it is subject to all points of order; and I make the point of order the same as against the other proposition, that it is not germane to the bill under consideration.

Mr. MILLS. Mr. Speaker, the question which the Chair is to submit for the decision of the House is, what did the House mean by the language used in this order? It is one of the rules for construing all laws that you must look to the intention of the law-making power. You must look to the old law as it existed, the mischief that existed, and the remedy that was intended to be applied for that mischief. These are cardinal principles which must be kept in view when we come to construe this order. Now what was the old law? It was that the Senate bill was in the Committee on Territories, where it was beyond the reach of this House for consideration. House bill No. 8466 was on the Calendar, reported and ready for consideration whenever the House might reach it. It was the desire of the House that these two bills should be considered together, but under the rules they could not be considered together. Under the rules of the House, the gentleman from Illinois [Mr. SPRINGER], if he desired, could offer his bill, House bill 8466, and have it ruled out, but it would not be in order. So that, if the position assumed by the gentleman from Michigan [Mr. BURROWS] be correct, the additional rule which was made by the House confers no privilege whatever upon the bill of the gentleman from Illinois; and the House in making the order did a thing that was without any purpose whatever, a thing which did not aid at all in the solution of the problem or in effecting the remedy desired. The House intended, I say, that these two bills should be brought up and considered together, that the question of admission should be decided, not only for the one Territory of Dakota, but for all the Territories mentioned in these bills, at one and the same time, and the House took the bill out of the Committee on Territories by a special order, and brought it here and laid it on the table subject to be considered by the House. By the adoption of that order the House revoked, for the time being, the rule which prevented House bill 8466 from being offered as a substitute for the other, and made it in order to be offered as a substitute, so that the whole question might be taken up by the House and considered with reference to all the Territories and decided at one time.

That was the intention of the House, and this order must be construed to carry out the intention of the House, and from the language used it seems to me clear that that was the intention, and that the order conferred upon this House the power to consider this substitute, and not merely to have it offered. The order was not intended merely to provide that it might be offered and ruled out under the existing rule, but the House, for the purpose of considering this bill, changed the existing rule and made a new rule by which the two bills were to be considered together.

Mr. BURROWS. Will the gentleman permit a question?

Mr. MILLS. Certainly.

Mr. BURROWS. Would you hold that if this order read, "shall have leave to offer a substitute," all points of order would be waived against the substitute?

Mr. MILLS. No, sir; I would hold that the whole question was to be determined together.

Mr. BURROWS. But you think that by mentioning the number of the bill the point of order is waived?

Mr. MILLS. No, sir; the point of order is not waived, but the rule is overruled for the time being by a new rule.

Mr. BURROWS. Suppose it should turn out that the bill mentioned by number in the order was the river and harbor bill, could not the point of order be made against it?

Mr. MILLS. No, sir; it could not. The House can by its order overrule any rule of this House; and it can make in order any bill when another is being considered, whether it applies to the same subject-matter or not. Under general parliamentary rules, the river and harbor bill would not be in order as an amendment to a bill on another subject.

Mr. PETERS. Do I understand the gentleman from Texas to say there is no doubt as to the intention of this order?

Mr. MILLS. I think there is none; there is none in my mind.

Mr. PETERS. Then you differ with the Speaker in regard to that.

Mr. MILLS. That may be. I do not regard the Speaker as entirely infallible. I do not believe he speaks by inspiration. He is a human being like the rest of us.

Mr. REED obtained the floor.

Mr. SPRINGER rose.

Mr. REED. If the gentleman from Illinois desires to make an explanation, I will yield.

Mr. SPRINGER. I will state that when this matter was being considered between the majority of the Committee on Territories and the minority members of that committee, this particular resolution was submitted to the minority, or at least to the gentleman from New York [Mr. BAKER], who in reference to this matter represented the minority, and I understood that the resolution was agreeable to them. If I had had the slightest idea that this business was to be taken out of the hands of the Republican members of the Committee on Territories, and that the other side of the House was to look at every technicality in regard to the question, I should have been more careful in dealing with it. But I thought we had reached a conclusion which was satisfactory to both sides of the House, and in that view this order was offered by me under a motion to suspend the rules, and it was agreed to. When it was pending, the gentleman from Maine [Mr. REED] inquired of me why the resolution asked leave to offer this House bill as a substitute for the South Dakota bill, and in answer to that question I stated:

Because it would not be in order to make it unless we did so.
Mr. REED. Why do you not take up South Dakota——

No; that is not the point.

Mr. REED. Read that; it seems to begin well. [Laughter.]

Mr. SPRINGER. Yes, it reads very well.

Mr. REED. It is understood that all other legitimate amendments may be offered?

Mr. SPRINGER. Certainly. It shall be considered in the House as in Committee of the Whole, which will admit any proper amendment. I desire to say to the gentleman that opportunity will be given to test the sense of the House by yea-and-nay votes upon every substantial proposition that the minority of the Committee on Territories desire to have a vote taken on.

Mr. REED. Why, then, do you ask for special leave to make the substitution?
Mr. SPRINGER. Because it would not be in order to make it unless we did so.

Therefore, I concede all that the gentleman from Michigan has stated with regard to this proposition. It was for the purpose of avoiding the rules which he has been citing that this proposition was introduced. I stated further:

There is a bill pending in the Committee on Territories in regard to South Dakota. It would not be in order to move an amendment to that, except as relating to Dakota, unless this express leave shall be granted to embrace other Territories.

And that statement having been made, the House immediately adopted the order.

Now, this statement having been made in answer to that inquiry, I submit to gentlemen on the other side whether they did not understand that I was of the opinion that I could not offer the substitute unless the leave of the House was given, which was then sought and was then given with that express understanding.

Mr. REED. If you thought that you could not offer that substitute without leave, why did you offer the substitute which you did offer?

Mr. SPRINGER. I will explain that; I am very glad the gentleman has asked me that question. The substitute which I did offer was the substance of House bill No. 8466 with certain amendments thereto which were germane, and will now be germane to that, and will be moved at the proper time, one of which——

Mr. REED. Why did you not explain that this was not the proposition which the order of the House authorized you to offer?

Mr. SPRINGER. The gentleman from Michigan took me off my feet and insisted upon making his explanation of the point of order, and I sat down, as I always do, when that gentleman insists upon taking the floor before I have it, because I always like to hear him speak. This is the first opportunity I have since had to explain the matter. And I want to state that there is not a proposition in the substitute I originally proposed that is not germane to House bill 8466; therefore it is in order to move House bill 8466 as a substitute for this. It is in order to move that bill with amendments, provided each amendment proposed is germane to it. I did no more than that, and I will call attention now to the principal amendment which was germane, and which I wish shall now be brought to the consideration of the House.

Mr. BAYNE. Right there I want to call the gentleman's attention to the RECORD.

Mr. SPRINGER. The gentleman will excuse me at this moment. I want to finish my statement.

The principal feature of the amendment is contained in section 3. The original bill, known as House bill 8466 (and to move which leave was given by the House), provides for one Dakota—one State; but the substitute which I desired to offer in lieu of that contained an amendment in section 3, which permitted Dakota to be divided and to come into the Union as two States, and for the purpose of having the measure harmonious all the way through, and in accordance with the change in this principal feature, several other amendments were inserted so that the bill as proposed would be a harmonious whole, and would result in bringing about what gentlemen on the other side insist ought to be done, namely, the division of the Territory of Dakota into two States, assuming that the people on both sides of the dividing line desire such division.

Mr. REED. Well, it is not now "a harmonious whole."

Mr. SPRINGER. It is harmonious, because as it stands now it provides for one Dakota.

Mr. REED. But it is not "a harmonious whole," because an amendment was needed to make it so.

Mr. SPRINGER. It is harmonious if we want to admit one Dakota.

Mr. REED. That is to say, it is harmonious if we argue the matter one way, and not harmonious if we argue it another.

Mr. SPRINGER. No; my friend desires to be facetious at the expense of the facts.

Mr. REED. On the contrary, I am very serious, because I think there is something concealed under this; and I will be very frank in stating what I believe it is. I think you intend to claim that the House having ordered the admission of this substitute, it can not be amended.

Mr. SPRINGER. Oh, no; not at all.

Mr. BAYNE rose.

Mr. REED (to Mr. SPRINGER). I think you had better listen to these suggestions, because you are misleading yourself.

Mr. BAYNE. I want the gentleman to listen and be convinced on this point by the RECORD.

Mr. SPRINGER. The gentleman may read the RECORD.

Mr. BAYNE. Then I ask the Clerk to read what appears in the RECORD.

The SPEAKER *pro tempore*. Does the gentleman from Illinois yield for that purpose?

Mr. SPRINGER. Yes, sir; I desire to hear the matter read. I do not know what it is.

Mr. BAYNE. The very proposition came up whether your substitute would be susceptible of amendment or modification. An inquiry on that point was made, and the Speaker replied that it was an entirety—that but one amendment could be offered as a substitute after the Senate bill had been perfected. You proceeded upon that hypothesis because you wanted the House to consent to the amendments proposed by the Delegate from Dakota, and they were agreed to; and you had your proposed substitute in due form——

Mr. SPRINGER. Let the RECORD be read; let us see what it shows.

The Clerk read as follows:

The order under which the House is now proceeding provides that this bill shall be considered in the House as in Committee of the Whole on the state of the Union, and in the Committee of the Whole on the state of the Union bills are read by paragraph for amendment, or by sections, as the House may choose, so that unless some understanding be had the Chair thinks that when a section is taken up and discussed and amended, that would preclude a recurrence to a previous section unless by unanimous consent.

Mr. ADAMS. Then I will ask unanimous consent (of which, however, I may not choose to avail myself) to submit a motion hereafter to strike out the sections providing for an election to ratify the change of name and the change of boundaries.

The SPEAKER. In order to prevent confusion hereafter, it would perhaps be best that the bill be read by sections, or that it be understood that amendments may be offered to the different sections without regard to their order, as the House proceeds with the consideration of the bill.

Mr. DUNN. I wish to make another parliamentary inquiry. It is generally understood that the gentleman from Illinois [Mr. SPRINGER] will offer a substitute for this bill after the text is completed. Now, the question is, will that substitute be read by paragraphs, so as to admit of amendments, as in the case of the original bill?

The SPEAKER. The substitute would be one entire amendment.

Mr. SPRINGER. As an entire amendment it is subject to amendment as well as anything else, is it not? Certainly it is.

Mr. BAYNE. Read the following paragraphs.

Mr. SPRINGER. To show that was the intention the gentleman from New York proposed an amendment, and it was printed in the RECORD.

Mr. BAYNE. Let the Clerk read the following paragraphs.

Mr. SPRINGER. Very well.

The Clerk read as follows:

Mr. DUNN. And when adopted it could not be amended further?
The SPEAKER. After a substitute is agreed to, it is not subject to amendment.
Mr. REED. But it can be amended prior to a vote upon the substitute.
The SPEAKER. Of course.
Mr. CUTCHEON. I rise to a parliamentary inquiry. The bill has now been read the first time. Is it not the regular order to read the bill by sections for amendment?
The SPEAKER. It is.
Several MEMBERS. Regular order.
Mr. SPRINGER. I desire that the friends of the bill should have leave to put in just such amendments as they desire to perfect the text, being those prepared by the Delegate from Dakota [Mr. GIFFORD].

Mr. REED. Mr. Speaker, I am bound to say to the gentleman from Illinois that makes that matter perfectly clear, and I have a distinct recollection of pressing that question to the point it has reached. So it is evident we can amend this if it is agreed to.

Mr. SPRINGER. Then the only question is whether the leave to offer carries with it the leave to consider, and as that was expressed and it was understood at the time it was for that purpose, I hope the House will sustain the proposition. [Cries of "Vote!"]

Mr. REED. I hope the House will permit me a single word. The Speaker announced after careful comparison of this order with similar orders in past times that he is unable to state what could have been the meaning of the House, and therefore leaves it to the House to determine its method of procedure in this particular case.

Now this leaves to the House an opportunity to do what every fair man will consider to be just and right. No man can stand up here and give any reason whatever why the fate of one Territory should be linked with the fate of another. There is not even the poor excuse there would be an opportunity to get up some other bill relating to some other Territory, for unless I am mistaken this order gives an opportunity for us to go directly through with the whole list, each in its turn.

Now, why should not the House do it? Let any man ask himself what is fair to the Territories and what is fair to the country, and he can give himself no other answer than that each one ought to be considered on its merits. What object is there in bunching these Territories, in collecting them in a group? Surely there can be no other than to give the weaker the advantage which accrues to the Territories which have the stronger reason. Now, is that fair to the Territory under discussion? As the matter stands now, unless the House changes the present aspect of it, we shall proceed to vote on the immediate admission of South Dakota. Why should we not do it? Can anybody give a reason why we should not? Therefore I ask this House to pause upon the brink of an action which will possibly prevent the admission of a Territory which every man in this House agrees should at once become a State.

Mr. WILSON, of Minnesota. Mr. Speaker, this is a deliberate attempt to distract attention from the question before the House. [Derisive laughter on the Republican side.] The question before the House—gentlemen may laugh, but honest men will have to answer this question—the question before the House is what was meant by the order or compact we entered into here, that the right was reserved to offer a substitute for this Senate bill. Does that mean by reserving the right to offer the substitute that you have not the right to entertain the substitute or consider it? Does it mean that this is a mere childish thing, a mere play upon words, without force and effect, or has it any substantial meaning? That is the question, and it is not whether we shall vote for one of the Territories or for all of the Territories together. That is not before us; that is not the question; and as honest men we are bound to vote on this question.

The gentleman from Texas [Mr. MILLS] gave certain rules that are understood and unquestioned as to the construction of such matters. The context read here from this very RECORD shows what was meant, and there is another rule of construction to which there is no exception, that where one construction would give no meaning, force, or effect to the contract, it is not admissible as against one which would give force and effect and meaning to it. The latter must in all cases be adopted.

Now, do we mean here when we solemnly enter into this contract, reserving the right to offer a substitute, that we might offer it, send it to the desk, have it read, and have the Speaker say you can not consider this, or then have the House say you can not act upon it or vote upon it?

It would be a mere empty farce. It is childish and absurd, and against all the rules of construction, and this is nothing but an attempt to lead us away to another question not now before the House, and the consideration of which does not at this time demand our attention.

[Cries of "Vote!" "Vote!"]

Mr. BAKER, of New York. Mr. Speaker, I desire to make one or two brief observations in regard to this matter for the purpose of correcting a misapprehension which seems to exist in the minds of certain gentlemen. The first question that confronts us is, what will be the effect if the House shall vote to consider this omnibus bill? Plainly, it will be to turn what is now a plan for the admission of the State of Dakota into the Union into simply an enabling act in connection with four other Territories. If the bill shall pass in that shape it goes back to the Senate as an amendment to the act for the admission of South Dakota. It then goes to the conference committee, and what will be the result? Simply to defer for two years at least the admission of the States of Washington, of Montana, and of New Mexico. But if we go on and consider the matter as it stands before the House, we shall have immediately the State of South Dakota; and under the order of the House we have a right to go on here and consider, bill by bill, the questions as to whether Montana, North Dakota, Washington, and New Mexico shall be admitted, or if they are in shape to come in under an enabling act, while South Dakota will have the right for which she has been contending in vain here for seven long and weary years.

Mr. BLAND. Will the gentleman allow me a question?

Mr. BAKER, of New York. Certainly.

Mr. BLAND. I wish to ask if it was not the understanding of the gentleman, as a member of the Committee on the Territories, when this order was made, that the purpose was to consider the substitute?

Mr. BAKER, of New York. My friend the chairman of the committee talked with me in relation to the matter, and proposed to make House bill 8466 the bill to come before the House.

Mr. BLAND. But what was your understanding?

Mr. BAKER, of New York. I am coming to that. It was contended on the part of the minority of the committee that it was our duty to take up and consider the Senate bill, No. 185. The honorable chairman of the committee yielded the point and prepared the rule accordingly, and it was presented to the House and agreed upon in the terms in which it now stands upon our record.

Mr. BLAND. But that is not the question I asked the gentleman.

Mr. BAKER, of New York. I am coming to that.

Mr. BLAND. What I want to know is if the understanding was not between the gentleman from Illinois and yourself that the order was to be made for the purpose of consideration without regard to points of order.

Mr. BAKER, of New York. No thought was given to points of order. The main idea was to get before Congress fairly and squarely the question whether South Dakota was to be admitted.

Mr. BLAND. But what was your understanding of the order? What did it mean in your opinion?

Mr. BAKER, of New York. There was nothing said about it; nothing thought about it. The whole object was to bring the Senate bill, No. 185, before the House.

Mr. BLAND. But was not that the understanding, that it was to be considered?

Mr. BAKER, of New York. There was no understanding about it; not a word was said.

Mr. BRECKINRIDGE, of Kentucky. What did you understand?

Mr. BAKER, of New York. Just this precisely——

Mr. BLAND. In all candor, did you not understand when that proposition was offered that it was offered to be voted upon?

Mr. BAKER, of New York. I understood you were to have a chance for South Dakota, and the concluding portion was to give us an opportunity to consider the other questions.

Mr. BLAND. Well, that is all right.

Mr. BAKER, of New York. Yes, that is all right.

Mr. DOCKERY. Then stand by the agreement.

Mr. BAKER, of New York. Why, there was no agreement about it.

Mr. BRUMM. Mr. Speaker, the question before the House, as I understand it, is a question of the construction of a rule of this House raised on a point of order made by the gentleman from Michigan.

The Chair, as I understand it, declined to give his decision upon that point of order, but submits the question to the House. Before a vote upon that question has been taken the assertion is made that an agreement had been entered into that this substitute should be offered and voted upon, and I have yet to learn between whom that agreement was made; and whether, if there be any agreement, the parties are able to contract; whether, if there be any agreement, it was an agreement entered into upon the floor of this House.

For one I will say that if such an agreement was entered into upon the floor of this House openly I will not object, and will vote in favor of allowing the substitute to be voted on. But, Mr. Speaker, if the agreement was entered into between certain gentlemen in a committee-room, although it is not clear, then I say it becomes our duty to vote against the admission of this substitute, because gentlemen can not in committee-rooms, and ought not, make an agreement that violates a rule of the House. Therefore, the question of agreement not being fully established, I think it becomes the duty of members of this House to vote as their judgment dictates upon the question of order pure and simple. [Cries of "Vote!" "Vote!"]

Mr. VOORHEES. I desire to say one word.

Mr. SPRINGER. I hope the gentleman will be heard.

Mr. VOORHEES. Inasmuch, Mr. Speaker, as I was somewhat intimately connected with the proceedings upon which this order was based, it may not be out of place for me to state briefly just what took place. In my zeal to secure some order of the House by which these admission matters might be considered, I put myself in consultation with several of my friends on the Republican side of the House, and notably with my good friend from New York [Mr. BAKER], and it was understood between him and me that if an order could be drawn whereby the consideration of this entire question could be begun on Senate bill 185, a bill for the admission of South Dakota, he individually would agree to a proposition looking to the offering at the proper time of the substitute, being House bill 8465. It was distinctly agreed, as I understood it, that that proposition might be voted upon. If it was voted up, the friends of the South Dakota measure would rest content, and if voted down, this side of the House would be content that South Dakota should come in by virtue of Senate bill 185. I carried that proposition to the chairman of the Committee on Territories, and upon my statement, while I was sitting by him, this order was formulated by him and handed to me. I took it to my friend from New York [Mr. BAKER], and he in turn carried it to members on his side of the House. Just what transpired between him and the Republican members with whom he consulted I know not, but I do know that the distinct understanding between the gentleman and myself was that this substitute should be offered at the proper time; that it should be voted up or voted down, as the case might be.

Mr. BAKER, of New York. Will my friend allow me right there——

Mr. VOORHEES. Certainly.

Mr. BAKER, of New York. Do you not remember the fact that the concluding words of the resolution were—

That thereafter other bills in relation to the admission of the Territories reported from the said committee shall be in order in the House in like manner until disposed of, to be considered in the order fixed by the committee.

I remember, Mr. Speaker, speaking of the effect it would have and the attitude we would be in with reference to Montana, Washington,

and New Mexico in case Senate bill 185 should prevail; that under this provision, in these concluding words, we were in a shape to permit the House to proceed with the other measures; but it had nothing whatever to do with the question whether the substitute should be voted upon or not, I think.

Mr. BRUMM. Will the gentleman permit me a question at this point? [Cries of "Vote!"]

Mr. VOORHEES. Certainly.

Mr. BRUMM. Does the gentleman know of any agreement entered into except in a committee-room?

Mr. VOORHEES. Only just what transpired as I have stated. It seems the Speaker was under misapprehension. The agreement was made on the floor just in the manner suggested by me.

Mr. BURROWS. I desire to say simply one word. I have no doubt but that it was the intention of the gentleman from Illinois to so frame his order that the point of order would not be made against the substitute. I have no doubt there was some understanding of that kind among members of the committee. When I came in, and the gentleman moved to suspend the rules and pass this order, I said at once to gentlemen near me that that would not prevent the point of order being made. I have made the point of order in perfect good faith, and it will be a very dangerous precedent if it can be defeated now. As there seems to be some misunderstanding about it, and as gentlemen will vote upon the question of the substitute rather than upon the point of order, I will withdraw the point of order.

The SPEAKER *pro tempore*. The amendment to the gentleman's substitute is now pending.

The Clerk proceeded to read the substitute.

Mr. SPRINGER. Mr. Speaker, as this amendment is now before the House and the reading of it has been waived, I desire to call attention to certain amendments which I desire shall be offered thereto.

Mr. BAKER, of New York. Are you going now to ask for a vote on the substitute as printed in the RECORD?

Mr. SPRINGER. The gentleman from New York does not object to taking a vote on the substitute which I have offered as printed in the RECORD, containing only such amendments as are germane to House bill 8466.

Mr. BAKER, of New York. I suggest that the first thing in order is a vote on the substitute of the gentleman from Minnesota [Mr. MACDONALD].

Mr. SPRINGER. The gentleman from New York who is now in the chair [Mr. COX] desires to move an amendment, and as he is not on the floor I will offer it for him.

The SPEAKER *pro tempore* (Mr. COX). The Chair will state the proposition. Unanimous consent has been given that the substitute proposed by the gentleman from Illinois is now pending—the substitute as printed in the RECORD—to which the gentleman offers an amendment.

Mr. SPRINGER. This amendment, I desire to state——

Mr. BUCHANAN. Let us have that amendment read.

Mr. SPRINGER. The gentleman from New York desires to offer an amendment which I will offer in his behalf. I desire to make a request of members. It will greatly facilitate this matter and enable us to reach a vote much more quickly if they will allow me to substitute for the proposition which is pending the one which I originally submitted.

Mr. BUCHANAN. Mr. Speaker, I rise to a parliamentary inquiry. Is there an amendment yet offered?

The SPEAKER *pro tempore* (Mr. CRISP). The substitute is pending.

Mr. BUCHANAN. Let us have the amendment read.

Mr. COX. I offer the amendment which I send to the desk to be read.

The Clerk read as follows:

On pages 4 and 5 of substitute, strike out all after the word "second" to the end of the paragraph and insert: "The State of North Dakota shall be entitled to one Representative in Congress, and South Dakota shall be entitled to two Representatives in Congress until the apportionment under the eleventh census."

Mr. COX. I wish to say a word in explanation of that amendment. As South Dakota has a population of 375,000 or more——

Mr. BUCHANAN. But there is a question back of that. That amendment does not fit in there. The substitute pending is House bill 8466.

Mr. COX. I ask the attention of the House for a moment. Inasmuch as South Dakota has population enough for two and a half members I propose to give her at least two members, and as North Dakota is entitled to one I provide that she shall have one member until the next census, and I hope there will be no objection.

Mr. BUCHANAN. I am not objecting to that. I am calling attention to the fact that it does not fit in that place. It is drawn as an amendment to the substitute that went by the board.

Mr. SPRINGER. Unanimous consent was given to consider that in lieu of the other proposition.

Mr. BUCHANAN. I do not understand that unanimous consent was given.

Mr. COX. Unanimous consent was asked for and given to consider the substitute as printed in the RECORD.

Mr. BURROWS. Mr. Speaker, there is no such understanding on this side.

Mr. DOUGHERTY. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. DOUGHERTY. The gentleman from New Jersey [Mr. BUCHANAN], the gentleman from Maine [Mr. REED], the gentleman from New York [Mr. COX], the gentleman from Illinois [Mr. SPRINGER], and various other gentlemen are all on the floor and talking together. Which one is entitled to the floor? [Laughter.]

The SPEAKER *pro tempore*. The question now is on the amendment proposed by the gentleman from New York.

Mr. BUCHANAN. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. BUCHANAN. I have already stated it. It is that the amendment as offered does not agree with the terms of the substitute before the House, the bill H. R. 8466. To that it has been replied that unanimous consent has been given to bring before the House the substitute originally offered by the gentleman from Illinois and ruled out of order by the Speaker. I desire to know whether that is the fact or not, and if so at what time that consent was given. I did not hear it.

Mr. COX. I would like to have the record read on that point. The Chair certainly put the question very plainly and clearly, asking for unanimous consent to consider this substitute. If the Reporter's notes do not show the matter in that way, I am very much mistaken.

Mr. BUCHANAN. Which substitute does the gentleman refer to?

Mr. COX. The one printed in the RECORD yesterday morning.

The SPEAKER *pro tempore* (Mr. CRISP). The Clerk informs the Chair that such consent was given. The present occupant of the chair was not at that time presiding.

Mr. FARQUHAR. I rise to a parliamentary inquiry. I submit that it is rather unfair to overrule the ruling of the Chair of only an hour ago.

The SPEAKER *pro tempore*. That is not a parliamentary inquiry. The only question raised is a mere question of fact.

Mr. BURROWS. There is certainly a misunderstanding. It was my understanding that after the other substitute was ruled out the gentleman from Illinois offered House bill 8466 as a substitute; and we are now considering that with such amendments as gentlemen may desire to offer.

Mr. COX. The Chair put the question as plainly and clearly as ever a motion was put in this House, asking for unanimous consent for the consideration of the substitute as printed in the RECORD of yesterday.

Mr. BURROWS. I did not hear it.

Mr. COX. Everybody heard it.

Several MEMBERS. Oh, no.

Mr. COX. I appeal to the record.

Mr. BUCHANAN. I stood within 30 feet of the Chair and did not hear it.

Several MEMBERS. I did not hear it.

Mr. COX. The gentleman from New York [Mr. BAKER] indorses my statement, and the Reporter's notes will sustain it.

The SPEAKER *pro tempore*. The Chair will state that the only question raised is a question of fact as to whether the House did or did not give unanimous consent to consider the substitute printed in the RECORD. The present occupant of the chair was not in the chair at the time when the action in question was taken. Therefore the Chair will cause the Reporter's notes to be read to ascertain what they show.

Mr. BURROWS. That is right; let them be read.

Mr. COX. I am willing to stand by the Reporter's notes.

The SPEAKER *pro tempore*. The Reporter will write out whatever there may be in the notes on this subject, so that it may be read.

Mr. MACDONALD. I rise to a parliamentary inquiry. I understand that the substitute of the gentleman from Illinois is not now before the House.

The SPEAKER *pro tempore*. The Reporter's notes which will show what did take place are now being written out and will be read.

Mr. BAKER, of New York. It is fair for me to state, as one of the friends of the Dakota bill pure and simple, that under all the circumstances we ought by unanimous consent to consider the substitute of the gentleman from Illinois as printed in the RECORD as the basis for amendment, hoping that if any substitute is to be adopted, it will be that offered by the gentleman from Minnesota [Mr. MACDONALD]. In this way we can facilitate the matter, have speedy action upon it, and put an end to it. I ask unanimous consent that this course may be taken.

Mr. COX (to Mr. BAKER, of New York). Has not that consent already been given?

Mr. BAKER, of New York. I so understood.

Mr. COX. I appeal to the Reporter's notes to justify my statement.

Mr. BAKER, of New York. The gentleman from Dakota so understood.

Mr. COX. And as I supposed so did every man here.

Mr. BAKER, of New York. But there was so much confusion in the House——

Mr. SPRINGER. Then let it be agreed to again.

Mr. COX. I want the Reporter's notes read.

Mr. BUCHANAN. I have no objection to that. I simply desire to understand the condition of affairs. I did not understand any such consent was given. If we had less noise and more business we could get along better.

Mr. BAKER, of New York. Mr. Speaker, I make this request for unanimous consent, so that the Macdonald amendment shall be fully and fairly considered and voted upon.

Mr. BURROWS. That will be right.

Mr. SPRINGER. The only objection I offered to that suggestion, when I had the conference with the gentleman from Colorado, was that it would take two hours to read the substitute; and I would now ask unanimous consent that after the amendment which I desire to submit to this substitute be voted on, we may then have a vote upon the substitute of the gentleman from Minnesota without reading it.

Mr. SYMES. You mean his amendment to the substitute.

Mr. SPRINGER. Yes, sir, his amendment to the substitute.

Mr. BAKER, of New York. I prefer that the substitute of the gentleman from Minnesota should be voted on before that of the gentleman from Illinois. It must be so as a matter of order.

Mr. SPRINGER. I have agreed that the gentleman from Minnesota shall have a vote on his proposition after this other question has been submitted to the House. I think that is fair.

Mr. BAKER, of New York. Members of the House have read both the propositions and understand this question.

Mr. SPRINGER. I call the attention of my friend from New York to the fact that when I had drawn this order providing that House bill 8466 should be first considered, with leave to offer the Senate bill as a substitute, the request came from his side that the matter should be arranged the other way. I have yielded everything to you; why should you not be willing to yield this to me?

Mr. REED. Regular order.

The SPEAKER *pro tempore*. The regular order is demanded. The Reporter's notes, when written out, will be read.

Mr. COX. The regular order is the amendment which has been submitted. I do not propose that unanimous consent shall be asked until the Reporter's notes are read.

Mr. SYMES (to Mr. COX). Assuming that you are correct, this is another proposition.

A MEMBER. The point of order made by the gentleman from Michigan was withdrawn.

Mr. BURROWS. Of course it was understood when I made the point of order that I would withdraw that point, as against the bill named in the special order, if the Speaker decided in my favor.

Mr. BAKER, of New York. There is no question about that, and in behalf of Dakota and the friends of Dakota I renew my request for unanimous consent that the vote be now taken, first on the substitute of the gentleman from Minnesota [Mr. MACDONALD], and second on that offered by the gentleman from Illinois [Mr. SPRINGER].

Mr. LODGE. Regular order.

The SPEAKER *pro tempore*. The gentleman from Massachusetts demands the regular order.

Mr. BURROWS. Let the official report be read.

The SPEAKER *pro tempore*. The House is in such a state of confusion that it is utterly impossible to hear gentlemen upon the floor. The Chair is informed by the Chief Official Reporter that he has not yet obtained the statement, to which reference has been made, in the official notes.

Mr. WARNER. Permit me just a moment. I wish to make this suggestion. I was sitting here paying attention, as I thought at least, to the action taken upon the substitute, and my remembrance is that the Speaker said this——

Mr. CUTCHEON. I rise to a question of order. It would be interesting to know what the gentleman from Missouri is saying, but we can not hear a word of it.

The SPEAKER *pro tempore*. The point of order is well taken, and the Sergeant-at-Arms will aid the Chair in preserving order upon the floor.

The Chair will state that in the absence of any notes furnished to the Chair on this question, the present occupant of the chair not being then in the chair, it is not in order for him to decide upon a question of order any more than it would be for any other member of the House. Therefore, if it is insisted upon, the Chair must leave that question to the House—whether it did give unanimous consent or not to the substitution of that bill. It is merely a question of fact about which there is no information immediately available.

Mr. THOMPSON, of Ohio. Let the request for unanimous consent be again stated.

Mr. BURROWS. I desire to say a single word. The gentleman from Illinois presented as a substitute the bill named in his order. There is no question about that. And after discussion—after I had made the point of order—I withdrew the point of order against that substitute, it being the one named in the special order. Now that substitute is under consideration, as is clearly understood by gentlemen on this side of the House. Gentlemen on the other side of the House seem to have adopted a different view, and hold that the proposition under consideration is the one which was ruled out by the Speaker. There is a proper way to settle the question of difference. Now let us proceed to that.

The SPEAKER *pro tempore*. The gentleman from New York [Mr. COX] then occupying the chair states that unanimous consent was given by the House to consider, in lieu of the substitute offered by the gentleman from Illinois, that which had been printed in the RECORD.

Mr. LODGE. That is a mistake.

Mr. BURROWS. If there is any record of that I would like to have it produced.

Mr. OWEN. Let the Reporter's notes be read.

Mr. LODGE. There is no such record, as I understand it.

Mr. SPRINGER. I understand that the Journal Clerk made a minute of the proceeding, and made it at the time, which corresponds with the statement of the gentleman from New York.

Mr. COX. And that statement is confirmed by the gentleman from Dakota and others.

Mr. LODGE. Well, let any such statement be read.

Mr. BURROWS. Let us have the record. It will be sufficient.

Mr. SPRINGER. I ask for the reading of the Journal entry made at the time.

Mr. BURROWS. No; let the Reporter's notes be read.

Mr. SPRINGER. But the Chair has stated that the Reporter's notes have not yet been furnished, or that they did not catch the remarks in the confusion prevailing.

Mr. THOMPSON, of Ohio. Nor did anybody else.

Mr. SPRINGER. There was a great deal of confusion at the time——

Mr. REED. If there was so much confusion prevailing at the time that even the Reporters did not get the language, how could we be expected to have had such an understanding?

Mr. COX. There was such an understanding. It was clearly stated. The Journal Clerk's evidence, which I call for, is better than that of an incompetent reporter's notes. There was no such confusion prevailing as to prevent the agreement from being heard and understood by the House.

The SPEAKER *pro tempore*. The Chair will state that the present situation in which the House finds itself is largely attributable to the want of order on the floor, and appeals to the House to aid the Chair in enforcing the rules.

Mr. CUTCHEON. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. CUTCHEON. If the Reporter's notes do not show that any such unanimous consent was given, and this entire side of the House, almost without exception, were not aware that any such consent was given, can it be considered by the Chair that the House is bound by any such consent?

The SPEAKER *pro tempore*. The only question, the Chair will state, that is presented by the situation now is one of fact as to what substitute or bill is before the House. As stated before, the present occupant of the chair did not occupy it when either of these propositions was before the House; but when he takes the chair he is informed by the gentleman from whom he took it [Mr. COX] that the pending proposition brought before the House by unanimous consent was that which was printed in the RECORD by the gentleman from Illinois.

Mr. CUTCHEON. My inquiry relates to that precise state of facts. Under these circumstances, there being no record by the Official Reporters, and this entire side of the House understanding that there was no such admission, can it be considered as binding upon the House, and must not the Chair submit it again to the House?

Mr. BRECKINRIDGE, of Kentucky. I wish to make a parliamentary inquiry: whether it would be in order, under the circumstances, to move to reconsider the unanimous consent given, by any member, as everybody is presumed to have voted for that? If so, I move to reconsider the unanimous consent, so as to go back to where we were. If the gentleman from New York and the gentleman from Illinois made an agreement which the Speaker thought was to be carried out, but which the House misunderstood because of the confusion prevailing, would it not be better to reconsider that action and put things back where they were before that was done?

The SPEAKER *pro tempore*. The Chair will state that the Reporter's notes have now been copied, and will probably throw some light upon the question. They will be read.

The Clerk read the following transcript from the Reporter's notes:

Mr. BAKER, of New York (to Mr. SPRINGER). Are you going now to ask for a vote on the substitute as printed in the RECORD?

Mr. SPRINGER. The gentleman from New York does not object to taking a vote on the substitute which I have offered as printed in the RECORD, containing only such amendments as are germane to House bill 8466.

* * * * * * *

The gentleman from New York now in the chair (Mr. COX) wishes to offer an amendment, and as he is not on the floor, I will offer it for him.

The SPEAKER *pro tempore* (Mr. COX). The Chair will state the proposition. Unanimous consent has been given that the substitute proposed by the gentleman from Illinois [Mr. SPRINGER] is now pending—the substitute as printed in the RECORD—to which the gentleman offers an amendment.

Mr. BURROWS. There, it seems that the gentleman from New York had not asked unanimous consent. It is simply stated that it

was given. Why can not the gentleman from Illinois take up the substitute and offer his amendment?

Mr. SPRINGER. I will explain that to the gentleman if I can get order.

Mr. BRECKINRIDGE, of Kentucky. I ask that the order be reconsidered.

The SPEAKER *pro tempore* (Mr. CRISP). The gentleman from Kentucky asks that the order be reconsidered.

Mr. SPRINGER. I object to that. I think this agreement is already made, and I want to explain that the amendment of the gentleman from Minnesota——

The SPEAKER *pro tempore*. The question now is on the request of the gentleman from Illinois, asking unanimous consent to substitute the bill printed in the RECORD for the substitute offered by him.

Mr. BURROWS. Which is it? There have been several bills printed in the RECORD.

The SPEAKER *pro tempore*. The substitute.

Mr. SPRINGER. I desire to make a brief statement——

The SPEAKER *pro tempore*. The Chair is endeavoring to determine what is before the House.

Mr. SPRINGER. I have sent the bill up to the Clerk's desk.

The SPEAKER *pro tempore*. The Chair will state this: As he understands the request of the gentleman from Illinois, he asks unanimous consent that the substitute which was ruled out by the Speaker on a point of order be considered as pending now as the substitute offered by him.

Mr. MACDONALD. I object.

The SPEAKER *pro tempore*. The gentleman from Minnesota has objected. The Clerk will report the substitute offered by the gentleman from Minnesota.

Mr. SPRINGER. I do trust that gentlemen will treat me with fairness about this subject. I stated to the gentlemen on the other side favoring the amendment that they desired to submit, that the South Dakota bill should be perfected in just such language as they desired it should be offered and voted upon, and I asked a similar favor for myself and for this side of the House, which was that each side of the House could present all the propositions that it desired and have a vote upon them; and that is all I desired.

It would delay this matter a long time if I have to go through with all these small amendments that have been put in this proposition for the purpose of perfecting the text. There are several of them that are merely inaccuracies in regard to several matters, and it will delay this thing a long time if we are to go through them. Therefore it was printed in the RECORD as gentlemen desired to have it, and as the friends of the bill on this side desired to have it. I hope gentlemen will deem it due to the House and the country to allow the House to vote upon them, and that is all we request.

Mr. REED. There are two propositions to be before the House. One is the South Dakota bill of the Senate and the other the substitute proposed by the gentleman from Illinois. Now, both of these have to be perfected under parliamentary law in accordance, not with the wishes of the friends particularly of the one or the other, but in accordance with the wishes of the majority of the House; that the House, if not interfered with, will determine which of the two alternative propositions it will vote upon. The gentleman from Illinois has said the South Dakota or Senate bill has received its amendments. Now, will he consent that the amendment of the gentleman from Minnesota [Mr. MACDONALD] may be offered and voted upon as an amendment to his substitute?

Mr. SPRINGER. If you will allow it to be done without reading the whole of it, as it will take two hours to read it.

Mr. REED. That means that the House is to vote upon a proposition of that kind without reading it, and that is the only way it has to ascertain whether it is absolutely unsuitable and improper.

Mr. SPRINGER. It would require a long time to read it.

Mr. REED. And if it requires time to do it, what is the difficulty about it?

Mr. SPRINGER. I have no objection to its being brought to a vote; and only ask this to save time now.

Mr. REED. Let us vote upon it, then.

Mr. SPRINGER. I will yield for him to offer it now.

Mr. REED. I understand from the friends of the South Dakota bill that they have no objection to this course, namely, the presentation of the substitute of the gentleman from Illinois [Mr. SPRINGER], and that a prior vote shall be taken on the amendment offered by the gentleman from Minnesota [Mr. MACDONALD], and any such other amendments as may be found necessary by the House to perfect it, and then, when both propositions are perfected, to take a vote upon the alternative—that is, upon the substitute; and if that substitute is voted down, then upon the admission of South Dakota.

Mr. SPRINGER. Which substitute do you mean?

Mr. REED. If the amendment of the gentleman from Minnesota is carried, then it becomes a part of the substitute of the gentleman from Illinois; and if it is voted down by the House, then it is substituted by the South Dakota bill.

Mr. SPRINGER. I will agree that the gentleman from Minnesota [Mr. MACDONALD] may now move his substitute, the South Dakota bill, and take a vote upon it.

Mr. REED. But that is not the proposition. The proposition is that that shall be submitted and voted upon as a substitute for your substitute.

Mr. SPRINGER. I understand that that is agreeable to the other side of the House.

Mr. REED. It is an amendment to your substitute. It will be first voted on, of course.

Mr. SPRINGER. All right. I will agree to let the gentleman from Maine say what is fair in this respect and I will agree to everything that he says.

Mr. REED. Then you will be quite sure to get what is fair. [Laughter.]

Mr. SPRINGER. I am so desirous to have a vote upon this matter that if the gentleman from Maine will take charge of it and indicate what votes will test the sense of the House, I will agree to anything he proposes.

Mr. SYMES. If the gentleman had said that this morning there would not have been so much time wasted.

Mr. BURROWS. Mr. Speaker, is it understood that the amendment of the gentleman from Minnesota [Mr. MACDONALD] shall be in order?

The SPEAKER *pro tempore*. There is pending, offered by the gentleman from Illinois [Mr. SPRINGER], a substitute for the Senate bill. The first thing in order is the reading of that substitute, to which amendments may be offered if desired.

Mr. SPRINGER. That reading was waived at the beginning of the session to-day.

The SPEAKER *pro tempore*. But the substitute must be considered.

Mr. SPRINGER. I know that; but the reading was waived.

The SPEAKER *pro tempore*. Then if there be no amendment, the question is on agreeing to the substitute.

Several MEMBERS. No! No!

Mr. KELLEY. The amendments to be considered to the substitute are those offered by the gentleman from Minnesota [Mr. MACDONALD], and not other amendments.

The SPEAKER *pro tempore*. The Clerk will report the first amendment pending to the substitute.

Mr. SPRINGER. The gentleman from New York [Mr. COX] desires to offer an amendment. Let that be read.

Mr. KELLEY. There is no objection to the amendment of the gentleman from New York, except that it has not received unanimous consent.

The SPEAKER. The Clerk will report the first amendment.

The Clerk read as follows:

On pages 4 and 5 of the substitute, strike out all after the word "second" to the end of the paragraph, and insert:

"The State of North Dakota shall be entitled to one Representative in Congress, and South Dakota shall be entitled to two Representatives in Congress until the apportionment under the eleventh census of the United States."

Mr. SPRINGER. I hope that will be agreed to.

Mr. BUCHANAN. I rise to a parliamentary inquiry. [Cries of "Vote!" "Vote!"] I purpose to know where this House stands, let the cries of "Vote, vote!" be as numerous and as long as they may. There has been confusion enough upon this important question. I desire to make a parliamentary inquiry. An amendment is now proposed, which seems to be an amendment to the substitute headed "House bill 8466," and I desire to know if that bill is the pending substitute?

The SPEAKER. The present occupant of the chair is not aware that anything else has been offered.

Mr. BUCHANAN. Then I would ask the mover of the amendment at what line on page 4 the amendment comes in?

Mr. COX. I supposed I was offering an amendment to the substitute offered by the gentleman from Illinois [Mr. SPRINGER] to come in at the bottom of page 4.

Mr. BUCHANAN. And headed in large print "Substitute?"

Mr. COX. Yes.

Mr. BUCHANAN. But that is not the answer that the Speaker makes to my inquiry.

Mr. SPRINGER. While the present occupant of the chair was out it was agreed that this was to be considered instead of the other.

Several MEMBERS. That is correct.

The SPEAKER. That being the case, of course that proposition is pending. The Chair had ruled it out of order in the first place, but now the Chair is advised that there has been an agreement that the proposition printed in the RECORD shall be considered as a substitute.

Mr. BUCHANAN. I have no objection to either, but I want to know which is which.

The SPEAKER. That, then, is the order. The question is on agreeing to the amendment just read.

The amendment of Mr. COX was agreed to.

Mr. SPRINGER. Now I yield to the gentleman from Montana [Mr. TOOLE] to offer an amendment to the substitute.

The amendment was read, as follows:

Provided at the time of election of delegates, as provided in section 2 of this act, the constitution framed and adopted by the constitutional convention at the session thereof begun Monday, January 14, A. D. 1884, and concluded February 9, A. D. 1884, at Helena, Mont., shall be submitted to the people of said Territory for their ratification or rejection, and all persons entitled to vote for delegates under the provisions of this act shall be entitled to vote upon the ratification or rejection of said constitution Each elector voting at such election for delegates shall have written or printed upon the ticket the words "For the old constitution" or "Against the old constitution;" which said vote shall be canvassed as provided herein for the canvass of votes for the election of delegates, and if, when all the votes for or against the adoption of said constitution have been canvassed in the manner aforesaid, it shall appear that the constitution has been ratified by a majority of all the votes cast, then and in that event the constitutional convention which may assemble in said Territory of Montana, as provided in subsequent sections of this act, shall resubmit to the people of Montana, at the election provided for in this act, for ratification or rejection, the constitution so adopted aforesaid, with such changes only as relate to defining judicial districts, the salaries of county officers in counties organized since the adoption of the constitution, and such other changes as may be necessary in order to comply with the provisions of this act.

Mr. SPRINGER. There is no objection to that amendment so far as I know, and I hope it will be agreed to.

Mr. DOUGHERTY. I move that the House do now adjourn.

The motion was not agreed to, there being—ayes 4, noes 92.

Mr. PAYSON. I rise to a parliamentary inquiry. Where does the amendment just proposed come in?

Mr. SPRINGER. At the end of section 2.

The amendment was agreed to.

Mr. SPRINGER. I desire to offer an amendment to my substitute, to come in at the end of section 3.

Mr. STRUBLE. Mr. Speaker, is another amendment in order to section 1?

The SPEAKER. This amendment is one entire proposition, and under the rules is not required to be considered by paragraphs. An amendment to one section does not preclude a subsequent amendment to a preceding section.

Mr. STRUBLE. If I understand the substitute now before the House, I desire to offer this amendment——

The SPEAKER. There is one amendment pending—that offered by the gentleman from Illinois [Mr. SPRINGER], which will be read.

The Clerk read as follows:

At the end of section 3 of the substitute insert:

"Seventh. That at the election for delegates to the constitutional convention in South Dakota each elector may also have written or printed on his ballot the words 'For the Sioux Falls constitution of 1885,' or the words 'Against the Sioux Falls constitution of 1885;' and if a majority of all votes cast on this question shall be 'For the Sioux Falls constitution of 1885,' and if a division of the Territory is authorized as provided in this section, then it shall be the duty of the convention which may assemble at Sioux Falls as provided herein, to resubmit to the people of South Dakota, for ratification or rejection at the election provided for in this act, the constitution framed at Sioux Falls and adopted November 3, 1885, and also the articles and propositions separately submitted at that election, with such changes only as relate to the name and boundary of the proposed State, to the reapportionment of the judicial and legislative districts, and such amendments as may be necessary in order to comply with the provisions of this act; and if a majority of the votes cast on the ratification or rejection of the constitution shall be for the constitution irrespective of the articles separately submitted, then the President of the United States may issue his proclamation, declaring the State of South Dakota admitted as a State in the Union from and after the date of such proclamation. And the Territorial government of the Territory of Dakota shall continue in existence thereafter and apply to that portion of the Territory not embraced in the State of South Dakota until the State of North Dakota is admitted into the Union; but the archives, records, and books of the Territory of Dakota shall remain at the capital of North Dakota until an agreement in reference thereto is reached by said State."

Mr. BAKER, of New York. This is a part of the substitute proposed by the gentleman from Minnesota. The presentation of it in this manner is not in accordance with the agreement which was made when the gentleman from Maine was on the floor. It was fairly understood we should have a vote on the substitute of the gentleman from Minnesota.

Mr. SPRINGER. This does not change that agreement at all.

Mr. REED. I submit to the gentleman from Illinois that this was not within the scope of the agreement. I think he had better withdraw it.

Mr. SPRINGER. My agreement was that the gentleman from Minnesota might offer his proposition as a substitute for mine after it had been perfected by the amendments which would be offered.

Several MEMBERS. Oh, no.

Mr. REED. I think upon reflection the gentleman from Illinois will see that this was not within the spirit of the agreement.

Mr. SPRINGER. As I understand the Chair, the regular order is that we must perfect this before a vote on the substitute can be taken.

Mr. REED. The proposition of the gentleman from Minnesota [Mr. MACDONALD] is not a substitute, but an amendment; and a square vote was to be taken on it. I submit to the gentleman from Illinois that he ought not to propose this amendment.

Mr. SPRINGER. I want to explain why this proposition would carry out what some gentlemen have insisted should be done, and why the amendment of the gentleman from Minnesota will not.

Mr. BAKER, of New York. The whole question is covered by the amendment of the gentleman from Minnesota.

Mr. SPRINGER. I insist it is not, and if I could have the attention of the House for a few moments I think I could convince every gentleman here that his amendment would throw everything into the most inextricable confusion. For the sake of preserving the measure from being absolutely meaningless or irreconcilable I have offered this amendment. I can explain in a few moments what the amendment provides. It is very different from the proposition of the gentleman from Minnesota. It proposes that at the time delegates are voted for in South Dakota each elector may have written or printed upon his ballot the words "For the Sioux Falls constitution of 1885" or "Against the Sioux Falls constitution of 1885;" and if a majority shall be in favor of that constitution, and if a division should be ordered as provided in other portions of the bill, then when the convention assembles it has only to make such changes in the constitution as may relate to boundaries, to the name of the Territory, to the reapportionment of the judicial and legislative districts, and such amendments as may be necessary in order to comply with the provisions of the act of Congress. There is a want of such compliance in that constitution in many respects, rendering it necessary that the convention should take such action as I have stated; and then the constitution as amended by the convention is to be submitted to the people in November next. Thus this Territory is treated just as Montana has been treated in the amendment just agreed to.

If the constitution as amended should be approved by a vote of the people, then the President is to issue his proclamation admitting South Dakota into the Union from the date of such proclamation; and the Territorial government of Dakota is to continue in existence as to the portion of the Territory not embraced in South Dakota until Congress shall take action in regard to the admission of North Dakota; but I will say to gentlemen that the admission of the two portions of the present Territory will practically be simultaneous, because at the next regular meeting of Congress North Dakota will have voted upon a constitution and will be ready to come into the Union.

Mr. REED. Now, Mr. Speaker, the gentleman has seen fit to present his substitute which covers a great many different Territories and an immense tract of country. It also covers a great many facts and a great many propositions of law. A great deal of confusion has resulted therefrom.

But I am informed that his amendment in its scope is an interference with the agreement that was plainly made here on the floor of the House, and I would like to ask the gentleman from Minnesota [Mr. MACDONALD] whether my view is not correct, or whether I have been imposed on in regard to it.

Mr. MACDONALD. The agreement having been made between the gentleman from Illinois [Mr. SPRINGER] and the gentleman from New York [Mr. BAKER] I did not pay very close attention to it. It was understood that my amendment should be offered and acted on.

Mr. REED. Does not this amendment now offered cover portions of the ground embraced within the provisions of your substitute?

Mr. MACDONALD. I do not so construe it. I construe it in a certain sense that it does, as it retains his provision to submit the constitution—for the resubmission of the constitution of Sioux Falls to a vote of the people.

Mr. BAKER, of New York. Your proposition is complete in providing for the admission into the Union of the State of South Dakota.

Mr. MACDONALD. Yes, sir.

Mr. REED. It is an interference with that complete proposition, and it is not fair for the gentleman from Illinois now to bring forward this substitute, which is clearly in violation of the understanding on the part of the House.

Mr. SPRINGER. I took this proposition to the gentleman from Minnesota early this morning and he read it. There has not been a surprise in the matter to anybody.

Mr. REED. But I think the gentleman from Illinois under the circumstances will himself see he should not press it.

Mr. MACDONALD. If my amendment is offered and voted on there is nothing to prevent him from offering his substitute.

Mr. SPRINGER. I wish to call the attention of the House to this fact, that the proposition introduced by the gentleman from Minnesota as an amendment to the substitute offered by me with the consent of the Committee on Territories—that is, the Democratic portion of it—embraces, I am informed, many of the features of two or three bills, and it is twice as long as the substitute I have offered. I confess for myself that I have not had time to read it and it would take two hours to read it carefully. I submit to the House in all candor, I submit to the gentleman from Minnesota, whether he will ask that we shall vote on a proposition so lengthy, so cumbersome as the substitute which he has offered and which comes only from himself without any other member or any committee knowing anything at all about it——

Mr. BAKER, of New York. I know it well. It is all right.

Mr. SPRINGER. I desire in good faith to have the propositions which are legitimately here voted on, but I do protest, Mr. Speaker, that the gentleman from Minnesota ought not to insist the House shall

vote on his proposition when it has never been considered by any committee, and thereby crowding out these well-matured propositions.

Mr. REED. I wish to recall the gentleman from Illinois back to the frame of mind in which he was a short time ago when he said he would leave the whole business to me. [Laughter.] I hope he has not repented.

Mr. SPRINGER. The gentleman is claiming generosity for everybody under the sun except the friends of this bill.

The SPEAKER. If the gentleman from Illinois will desist, the Chair will endeavor to secure order upon the floor.

Mr. SPRINGER. Certainly.

Mr. MACDONALD. Mr. Speaker——

The SPEAKER. The gentleman from Illinois is entitled to the floor, he having yielded at the request of the Chair.

Mr. MACDONALD. I understood the gentleman from Illinois to ask me a question, and I wished to answer.

Mr. SPRINGER. I wish to assure gentlemen over there of my desire to meet everything that can be demanded that is reasonable. Now, I will ask, before this amendment that I have offered is voted upon, that the House will take a vote upon the proposition of the gentleman from Minnesota.

Mr. BAKER, of New York. That is all right. Now let us vote.

Mr. SYMES. And that is in accordance with your agreement.

Mr. SPRINGER. Oh, no; not in accordance with my agreement. My friend from New York has offered an amendment since——

The SPEAKER. The gentleman from Minnesota will send his proposition to the desk.

The Chair will state, as he understands the arrangement now, that the House shall vote upon the proposition of the gentleman from Minnesota before voting upon such amendments as may be submitted to the one offered by the gentleman from Illinois, and if the proposition of the gentleman from Minnesota is not agreed to, that the House will proceed to amend the other. Is that the understanding?

Mr. BURROWS and others. It is.

[Cries of "All right!"]

Mr. DOUGHERTY. I rise to a parliamentary inquiry. If I understood the Chair correctly, he used the words "the House shall vote upon the proposition." I wish to know by what authority the Chair makes that decision?

The SPEAKER. The Chair stated that such was the agreement.

Mr. DOUGHERTY. When was it made?

The SPEAKER. Gentlemen have just this moment come to the understanding. Is there objection to it?

Mr. SPRINGER. It has been agreed to already.

Mr. DOUGHERTY. I object.

Mr. SYMES. It is too late to object.

Mr. BAKER, of New York. I make the point of order that the agreement had been made and was not objected to some time ago, between the gentleman from Illinois and the gentleman from Maine.

The SPEAKER. But the gentleman from Illinois and the gentleman from Maine can not make agreements that will bind the House.

Mr. BURROWS. But it was understood and agreed to by the House.

The SPEAKER. Unless a proposition is stated from the Chair and assented to by the House, the Chair does not think it is more than a private agreement.

It is now stated that the agreement was made some time ago, perhaps during the absence of the present occupant of the chair.

Mr. SPRINGER. For the purpose of bringing the House to some understanding in reference to this bill, I will for the present withdraw the amendment.

Now I want to ask unanimous consent that the proposition of the gentleman from Minnesota may be considered as having been read, and then I will move to adjourn so that gentlemen can read it in the RECORD. Otherwise, I will have to insist on sitting here until it has been read.

The SPEAKER. The gentleman from Illinois asks unanimous consent to dispense with the reading of the proposed substitute, and asks that it be printed in the RECORD. Is there objection?

Mr. DOUGHERTY. I object.

Mr. SPRINGER. Then let it be read; and I desire to state that as soon as it is read I will move to adjourn, and no business shall be done after the reading, if I can avoid it, so that gentlemen who do not desire to remain can leave the Hall, and I will stay with the gentleman from Florida to take care of the floor. [Laughter.]

The SPEAKER. The proposition of the gentleman from Minnesota has already been printed once in the RECORD, but it will be read.

Mr. BRECKINRIDGE, of Kentucky. Mr. Speaker, this is a very important matter; and we are not all going to sit here to hear it read, as it will consume some hours, we are told. It does not seem to me to be good legislation to have it read in the absence of the members, and therefore I move to adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 55 minutes p. m.) the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. A. R. ANDERSON: A bill (H. R. 12273) for the relief of Newton C. Ridenour—to the Committee on Invalid Pensions.

By Mr. BOUTELLE: A bill (H. R. 12274) granting a pension to Mary E. Brainerd—to the Committee on Invalid Pensions.

By Mr. BYNUM: A bill (H. R. 12275) to increase the pension to John W. Smith—to the Committee on Invalid Pensions.

By Mr. HEARD: A bill (H. R. 12276) granting a pension to William Parker—to the Committee on Invalid Pensions.

By Mr. J. J. O'NEILL: A bill (H. R. 12277) granting a pension to Clara Leigh Freeborn—to the Committee on Invalid Pensions.

By Mr. S. V. WHITE: A bill (H. R. 12278) authorizing the payment of the pension of Edward S. Smith, accrued at the date of his death, to his mother, Catharine Smith—to the Committee on Invalid Pensions.

By Mr. YODER: A bill (H. R. 12279) granting a pension to Joseph Stoeser—to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. FISHER: Petition of A. W. Comstock and 13 others, asking for increase of duty on lumber or forest products—to the Committee on Ways and Means.

By Mr. FULLER: Petition of 133 citizens and of 131 citizens of Decorah, Iowa, for a constitutional amendment prohibiting the manufacture, importation, etc., of all alcoholic liquors—to the Committee on the Judiciary.

By Mr. HARMER: Petition of American nurserymen, in favor of restoring the former duty on fruit trees, plants, etc.—to the Committee on Ways and Means.

By Mr. HUDD: Petition of chiefs, headmen, and members of the Menominee Indians of Wisconsin, for an act allowing them to sell the dead and down pine timber on their reservation—to the Committee on Indian Affairs.

By Mr. J. J. O'NEILL: Petition of Typographical Union No. 6, of New York City, in favor of the Chace copyright bill—to the Committee on Patents.

By Mr. PUGSLEY: Petition of H. K. Roads and 54 others, citizens of Highland County, Ohio, to grant a higher rate of pension to William Estle—to the Committee on Invalid Pensions.

By Mr. W. L. WILSON: Petition of James Mason, of Joseph Hoffman, and of E. M. Pitzer, administrator, of Berkeley County, West Virginia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

SENATE.

FRIDAY, *January* 18, 1889.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Secretary read the Journal of the proceedings of yesterday.

Mr. VEST. Mr. President——

The PRESIDENT *pro tempore*. Does the Senator rise to a correction of the Journal?

Mr. VEST. No, sir; I rise to move a call of the Senate.

The PRESIDENT *pro tempore*. If there be no motion to correct or amend the Journal, it will stand approved as read. The Senator from Missouri suggests the absence of a quorum. The roll of the Senate will be called.

The Secretary called the roll, and after some delay the following Senators had answered to their names:

Aldrich,	Farwell,	Hoar,	Stewart,
Allison,	Frye,	Ingalls,	Stockbridge,
Berry,	George,	Manderson,	Teller,
Blair,	Gibson,	Mitchell,	Vance,
Chandler,	Gorman,	Morrill,	Vest,
Colquitt,	Gray,	Payne,	Voorhees,
Cullom,	Hale,	Platt,	Walthall,
Davis,	Harris,	Reagan,	Wilson of Iowa,
Dawes,	Hawley,	Sawyer,	Wilson of Md.
Edmunds,	Hiscock,	Sherman,	

The PRESIDENT *pro tempore*. A quorum being present, further proceedings under the call will be dispensed with, if there be no objection.

W. R. WHEATON AND C. H. CHAMBERLAIN—VETO MESSAGE.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read:

To the Senate:

I return without approval Senate bill No. 3646, entitled "An act for the relief of William R. Wheaton and Charles H. Chamberlain, of California."

These parties were, respectively, for a number of years prior to 1879, the register and receiver of the land office at San Francisco, in the State of California.

Prior to July, 1877, they had collected and retained, apparently without question, certain fees allowed by law for reducing to writing the testimony heard by them in establishing the rights of claimants to public lands.

On the 9th day of July, 1877, these officials were notified by the Acting Commissioner of the General Land Office that monthly thereafter, and dating from July 1, 1877, such fees should be reported with other fees to the General Land Office.

This notification furnished clear information that whatever may have been the justification for their retention of these fees in the past the parties notified must thereafter account to the Government for the same.

On the 8th day of February, 1879, the beneficiaries were peremptorily required by the Commissioner of the General Land Office to deposit in the Treasury of the United States the sums which they had received for the services mentioned since July 1, 1877, and which, though reported, had not been paid over. Soon thereafter, and pursuant to this demand, the sum of $5,330.76, being the aggregate of such fees for the nineteen months between July 1, 1887, and February 1, 1879, was paid over to the Government.

On the 19th day of February, 1879, these officers were authorized to employ two clerks, each upon a salary of $100 per month.

The purpose of the bill now under consideration is to restore to the beneficiaries from the money paid over to the Government, as above stated, the sum of $3,800. This is proposed upon the theory that clerks were employed by the register and receiver to do the work for which the fees were received, and that these officials having paid them for their services they should be reimbursed from the fund.

It will be observed that whatever services were performed by clerks in the way of writing down testimony, and paid for by the beneficiaries, were performed and paid for after July, 1877, and after they had in effect received notice that such employment and payment would not be approved by the Government.

Upon this statement the claim covered by the bill can hardly be urged on legal grounds, whatever the Government may have allowed prior to such notice.

I am decidedly of the opinion that the relations, the duties, and the obligations of subordinates in public employment should be clearly defined and strictly limited. They should not be permitted to judge of the propriety or necessity of incurring expenses on behalf of the Government without authority, much less in disregard of orders. And yet there are cases when, in an emergency, money is paid for the benefit of the public service by an official which, though not strictly authorized, ought, in equity, to be reimbursed.

If there is any equity existing in favor of the beneficiaries named in the bill herewith returned, it is found in the fact that during the nineteen months from the 1st day of July, 1877, to the 1st day of February, 1879, they paid out certain moneys for which the Government, in the receipt of the fees which they paid over, received the benefit. Manifestly such equity in this case, if it can be claimed at all in view of the facts recited, is measured by the sum actually paid by these officials to the persons, if such there were, who did the work from which the fees arose which were paid over to the Government.

In other words, if certain clerks were paid by the beneficiaries from their private funds for doing this work, there should be a distinct statement of the sum so paid, and their claim should rest upon indemnity and reimbursement alone. But no such statement appears, so far as I can see from an examination of papers presented to me by the Interior Department and from the report of the Senate committee who reported this bill, except as it may be gathered from the rather indirect allegations contained in a paper prepared by counsel.

No vouchers have ever been received at the General Land Office for money paid for clerical services rendered during the period for which reimbursement is sought. The verified statement of the claimants annexed to the committee's report contains only the allegation that they paid for the necessary clerical services, and the affidavits of the clerks themselves furnish no clew to the amount they received. Such an omission, in my opinion, discredits the claim made, and the allowance of the sum of $100 per month for two clerks during the period of nineteen months covered by this claim, because that was the sum authorized to be paid thereafter for clerks' services, is, it seems to me, adopting a standard entirely inapplicable to the subject.

In any event these beneficiaries should be required to establish the sum necessary for such indemnification, and the amount appropriated for their relief should be limited to that sum.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 17, 1889.

The PRESIDENT *pro tempore*. Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

Mr. PLATT. May I inquire what bill it is that the President objects to?

The PRESIDENT *pro tempore*. The bill will be read.

The Chief Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to William R. Wheaton, ex-register, and to Charles H. Chamberlain, ex-receiver of the land office at San Francisco, Cal., jointly, out of any money in the Treasury not otherwise appropriated, the sum of $3,800, being a portion of the amount deposited in the Treasury of the United States by them as fees for testimony which was taken by clerks whose compensation was paid from the private funds of said ex-register and said ex-receiver.

Mr. STEWART. I move that the bill and veto message be referred to the Committee on Claims.

The PRESIDENT *pro tempore*. The bill and the message will be referred to the Committee on Claims, if there be no objection.

Mr. BERRY. Did not the bill come from the Committee on Public Lands?

The PRESIDENT *pro tempore*. The Chair will have the files examined to ascertain.

Mr. BERRY. I am of the opinion that it came from that committee.

Mr. STEWART. Then let it go to the Committee on Public Lands.

The PRESIDENT *pro tempore*. The Chair is informed that the bill was reported by the Senator from Oregon [Mr. DOLPH] from the Committee on Public Lands.

Mr. BERRY. Then I move that the bill and message be referred to the Committee on Public Lands.

Mr. STEWART. I accept that amendment.

The PRESIDENT *pro tempore*. If there be no objection, the bill will be referred, with the message of the President, to the Committee on Public Lands.

CREDENTIALS.

Mr. HALE presented the credentials of WILLIAM P. FRYE, chosen by the Legislature of Maine a Senator from that State for the term beginning March 4, 1889; which were read and ordered to be filed.

PETITIONS AND MEMORIALS.

Mr. STOCKBRIDGE presented a petition of 400 members of the Methodist Church of Otsego, Mich., praying for the passage of a Sunday-rest law; which was referred to the Committee on Education and Labor.

Mr. CULLOM presented two petitions of members of the Embury Methodist Church, of Freeport, Ill., and a petition of Labor Assembly No. 6576, Knights of Labor, of Chicago, Ill., praying for the passage of a national Sunday-rest law; which were referred to the Committee on Education and Labor.

Mr. DAVIS presented a petition of 7,315 citizens of Minnesota, praying for the passage of a Sunday-rest law; which was referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES.

Mr. FAULKNER, from the Committee on the District of Columbia, to whom was referred the bill (S. 3674) to amend "An act to incorporate the Georgetown and Tennallytown Railway Company of the District of Columbia," which was received by the President August 10, A. D. 1888, and became a law without his approval, reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. 3752) to incorporate the Homestead Savings Bank of Washington, D. C., reported it with amendments.

BILLS INTRODUCED.

Mr. GIBSON introduced a bill (S. 3837) to authorize the Secretary of State to appoint agents to procure copies of all papers in possession of the Governments of Great Britain, France, and Spain relating to the history of Louisiana Territory and East and West Floridas; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. FAULKNER introduced a bill (S. 3838) for the relief of J. G. Fellers; which was read twice by its title, and referred to the Committee on Claims.

Mr. MITCHELL introduced a bill (S. 3839) granting pensions to Annie D. Rundlett and Annie Howard Rundlett; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HOAR introduced a bill (S. 3840) to establish a light-ship off Great Round Shoal, near Nantucket, Mass.; which was read twice by its title, and referred to the Committee on Commerce.

THE REVENUE LAWS.

Mr. ALLISON. Mr. President——

The PRESIDENT *pro tempore*. If there be no further morning business, that order is closed and the Calendar under Rule VIII is in order.

Mr. ALLISON. I move that the Senate proceed to the consideration of House bill 9051.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

The PRESIDENT *pro tempore*. The Senator from Texas [Mr. REAGAN] is entitled to the floor, the question being upon agreeing to the amendment proposed by the Senator from Iowa [Mr. ALLISON].

Mr. ALLISON. From the committee.

The PRESIDENT *pro tempore*. From the Committee on Finance.

Mr. REAGAN. Mr. President, the amendment proposed by the committee contains a proposition to give a bounty of 1 cent a pound on sugar produced in the United States from beets, sorghum, and from sugar-cane. If those Senators who reported the bill had remembered the pleasure which it may have given them as it did me at the time before dimes and half dimes were coined to purchase fourpence ha'penny worth of maple sugar for immediate consumption, I think they would put maple sugar in the list. It may be that the sugar-maple does not grow in Iowa. I do not know as to that. If it does not, that is reason enough to excuse the Senator from Iowa for forgetting maple sugar, but I do not see how we can excuse the Senator from Rhode Island who lives neighbor to New Hampshire and Vermont, which a few years ago were among the largest producers of maple sugar. I do not know how it is at this time.

The debate on this bill has certainly resulted in some good, in that it has at last compelled the admission by the friends of the bill that high duties increase the price of commodities, and that the consumers of such imports pay that increased price. This is that much of an achievement in the interest of right and of justice, and it is to be hoped we will not again hear the assumption in the progress of this debate that increased duties do not increase the cost of products to the consumer.

The Senator from Iowa repeatedly stated in the discussion on yesterday that the high duty now imposed upon sugar largely increased the cost of sugar to the producer. That of course we understand to be true, and he seemed to make it a point of complaint that it took so much money from the people and turned it over into the public Treasury.

I wonder that it had not occurred to the Senator in making that point that the duties we impose upon iron, upon steel, upon cotton and woolen goods and like fabrics also take large amounts of money from the people that go into the public Treasury for the support of the Government. But unlike sugar, which furnishes revenue almost entirely, the duties imposed upon the articles I have just named not only take the money from the people to put into the Treasury for the support of the Government, but take several times as much from them and transfer it from the rightful owners of the money into the coffers of the manufacturing establishments without price and without consideration.

The Senator from Kansas [Mr. PLUMB] yesterday expressed, as he had several times before expressed, the idea that it was right and proper for Senators to legislate for the benefit of their own constituents, and avowed that that was the rule upon which he acted. I am aware, sir, that it is very hard for us to divest ourselves of all idea of selfishness. I am aware that it is our duty to take care of the interests of our immediate constituents, as it is our duty to conserve the rights of all the American people; but in taking care of our constituents we should be careful that we do not do so by being unjust to other people, for that would be inexcusable.

The Senator from Kansas vindicates himself, however, against any supposition that he would benefit his own constituents at the expense of others by the support which he gives to this bill, which is a bill for the benefit of manufacturing capital at the expense largely of the agricultural people of this country, and he represents a peculiarly agricultural State. As was said at a former time by the late Senator Benton, the West and the South are recognized in this bill "for its burdens and not for its benefits." The position which they occupy in it is that they furnish the bounty, the bonus, which Congress proposes to give to people engaged in other vocations than in agriculture; and my surprise during the whole progress of this debate has been that gentlemen representing agricultural communities, who are to bear the immense burdens imposed by these laws for the benefit of other people, should find themselves compelled by party exigencies and party discipline to support a measure which distinctly and clearly sacrifices the interest of the people they represent for the benefit of others.

Yesterday the Senator from Louisiana [Mr. EUSTIS] very aptly referred to the bill before the Senate as indicating a change in our theory of Government. When we remember that our Government, as it was originally constituted, was expected to conserve and protect the interests of all alike, and to give exclusive and special privileges to none, and contrast it with this bill, which is intended to impose monstrous burdens upon the great masses of the people for the benefit of a few capitalists, individuals and corporations, we may well understand the force of the suggestion of that Senator that this bill is the announcement of a change of the character of our Government.

Mr. President, the grant of constitutional power under which this legislation is to take place is "to lay and collect duties, etc., to pay debts, to provide for the common defense and general welfare of the United States." That is the power and the only power under which such a law as this can be passed. I know of no other. I know of no other power given by express grant of power or which follows as an incident to any granted power. This bill ignores the idea embodied in the tenth amendment to the Constitution of the United States, that the powers not granted in the Constitution are reserved to the States, respectively, or to the people.

It assumes in Congress unlimited power over the property of the people of this country. It ignores another idea of the Constitution in the fifth amendment, that private property shall not be taken by the Government except for public use, and not then except upon just compensation. It ignores the whole theory of our constitutional system of government, and places the rights and property of the people under the control of a political majority, freed from the limitations and restraints and protection of the Constitution.

The view has been advanced upon different occasions during the progress of this debate that if we may levy duties at all for the support of the Government, that necessarily imposes upon the people burdens beyond the support of the Government and transfers to the protected manufacturers the money of the consumers in an amount equal to the rate of the tax. Certainly it has that effect; and then we may be asked, why urge the constitutional objection? That is urged because the power given in the Constitution and the reason for giving it was to collect revenue for the support of the Government and the payment of its debts.

The object of this bill, as it has been stated over and over by Senators on the other side of the Chamber, is to give protection to domestic industries subordinating to the question of revenues. Indeed, assertions on that side have been repeatedly made that one of the objects held in view by this bill was to reduce the surplus of revenue by the exclusion of imports into this country; but of that I shall say more after a while.

But when we impose a tax for the collection of revenue it is true that to the extent to which that tax goes it furnishes protection, not as a principal object of the law or of the Constitution, but simply as an incident to the power to collect revenue by an indirect tax. I submit that it is a plain perversion of the Constitution to assume that protection of domestic industries can constitutionally be the object of such a bill.

If we can reduce revenue by excluding imports, the logical result of such a policy is to destroy our foreign trade, to take from our people the foreign markets for our agricultural products, which last year amounted to more than $523,000,000 worth, and was about 75 per cent. of all our foreign imports—such a policy would bankrupt our people, destroy our prosperity, isolate us commercially from the balance of the world, and turn us back into barbarism.

It has occurred several times that gentlemen have spoken with some feeling about the charge against this bill that its object is to transfer the property of one part of the citizens to another part without consideration, and they have complained that it has been denounced as robbery. That denunciation is not new to this body or to this debate, as I shall show by the presentation of one or two authorities. Mr. Cooley, in his work upon Constitutional Limitations—and he is perhaps as high authority as we can refer to on such a question—makes the statement:

> But we think it clear, in the words of the supreme court of Wisconsin, that "the Legislature can not * * * in the form of a tax, take the money of a citizen and give it to an individual, the public interest and welfare being in no way connected with the transaction. The objects for which money is raised by taxation must be public, and such as to subserve the common interest and well being of the community required to contribute." Or, as stated by the supreme court of Pennsylvania, "the Legislature has no constitutional right to * * * levy a tax or authorize a municipal corporation to do it in order to raise funds for a mere private purpose."

Such as improving the fortunes of a manufacturing company—I put that in parenthesis, not as part of the authority—

> No such authority passed to the Assembly by the general grant of legislative power. This would not be legislation. Taxation is a mode of raising revenue for public purposes. When it is prostituted to objects in no way connected with the public interest or welfare, it ceases to be taxation and becomes plunder.

That is not my word. It is the word of the supreme court of Pennsylvania.

> Transferring from the owners of it into the possession of those who have no title to it, though it be done under the name and form of tax, is unconstitutional for all the reasons which forbid the Legislature to usurp any other power not granted to them.

Mr. SPOONER. Mr. President——

The PRESIDING OFFICER (Mr. CULLOM in the chair). Does the Senator from Texas yield to the Senator from Wisconsin?

Mr. SPOONER. The Senator will allow me to call his attention to the fact——

Mr. REAGAN. I shall be obliged if the Senator will put his question when I am through. It will interrupt the course of my argument. I do not wish to exhibit any discourtesy, but I would like very much to continue my statement, and then I shall be glad to yield to the Senator for any question he wishes to ask.

Mr. SPOONER. I was not intending to put a question. I only wanted to call the attention of the Senator to the fact, pertinent to the precise point he is debating, that the supreme court of Michigan some years ago held constitutional an act of the Legislature of that State granting a bounty to encourage the production of salt, and afterwards on appeal to the Supreme Court of the United States the Supreme Court of the United States treated that act as a legal enactment.

Mr. REAGAN. Whatever the reasons may have been for the decision of the supreme court of Michigan, the general ground laid down in these decisions can not be controverted successfully. Mr. Justice Miller, in delivering the opinion of the Supreme Court of the United States in the case of the Loan Association against Topeka, decided in 20 Wallace, uses this language:

> To lay with one hand the power of the Government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes is none the less robbery because it was done under the forms of law and is called taxation. This is not legislation; it is a decree under legislative forms.

So it will be seen that when we speak of this bill as being a measure to plunder and to rob the people, we are following the language of some of the ablest courts in this Union, and we are presenting a case which, it seems to me, with all deference to those who hold a different view, is placed upon the firmest foundation of justice and truth and common honesty, and can not be overthrown by sophistry and by artful statements.

I know, sir, how easy it is for persons—for we all have something of human nature in us—to believe that that is right which is to our interest or to the interest of our friends. It is the old case of the lawyer who persuades himself that his client, however guilty, is an innocent man. If it is to the interest of our particular constituents that they shall be enriched by the money of the constituents of some other Senator, it seems that we can find arguments to justify the plundering of that other Senator's constituents for the enrichment of our own.

This may be more the fault of the weakness of human nature than the fault of individuals, who yield to the seduction presented by the hope of gain to those who seek it. Our Republican friends have indicated by this bill and by their speeches that they are animated, not by the purpose of securing equal rights, equal privileges, equal prosperity to all, but by the purpose of using the Federal Government to

enrich particular classes of the American people at the expense of others. Their policy is the use of the Federal Government to enrich their friends. There can be no faithful observer of the history of that party that does not understand and clearly comprehend that their idea of success in policy rests upon the promotion of the interests of the moneyed classes as against those who contribute to the fortunes of moneyed people, the agricultural and laboring classes and all others not engaged in manufacturing.

There have been no class interests resting upon money that it has not done all that it could do from its origin as a party to aid and strengthen, and the interest of the people as contradistinguished from the privileged classes is rarely spoken of unless upon the eve of a Presidential election. On such occasions we hear a great deal said about the interest of labor and the interest of the people.

I had occasion to notice that during the debate of last summer and to say then that after the election we should not hear much from the same Senators on the subject of the rights of labor and the interests of the people until we approached the time for another Presidential election.

Their policy is to assume the paternal care and management of the various pecuniary interests of the people of this country and to determine the amount of bounty which they confer upon their wards at the expense of people not so blessed by their favor. No one can doubt this who sees the policy by which they are animated. To accomplish this purpose they have in the bill before the Senate combined most skillfully the classes of interests, the moneyed interests of privileged classes, and which it was supposed would be sufficient to enable them to carry this bill successfully through, and Senators who represent agricultural States and parts of the country, I trust, will not consider me as too presumptuous when I say that, if such a law can be put in force, they will yet hear from their constituents on that subject, not about the result of the last election, but about the oppression and robbery of themselves by a law passed by the aid of their Senators.

Sophistry may answer for certain purposes, but the cold logic of facts, the cold experience of oppressive taxation, of privation of benefits for the enrichment of the already affluent and powerful, can not escape the attention of the American people and will not escape that attention permanently, and Senators had as well understand this.

This seems to be a fine frolic here to impose unlimited duties for the purpose of excluding imports because there is a majority that has the power to do it. The majority must understand, however, that there are sixty millions of American people behind us with vast and varied interests, each interest looking to its own welfare and criticising action which tends to its injury. In this combination of interests for the purpose of carrying this bill of plunder, this bill which I think I have a right to call a bill of robbery, originally, as it was reported by the committee, agriculture was left out of the combination because it was necessary to have some field from which to draw the revenues to enrich the particular classes intended to be benefited by the bill.

That most numerous class of the American people, that class which has done most to enrich this country, to conserve civil liberty and popular rights, to maintain the manly independence of the American citizen, is selected by the framers of this bill as the class which is to be the victim to be plundered for the benefit of the beneficiaries of the bill. But it seems to have occurred to Senators in the progress of the debate that perhaps they had made a mistake in entirely leaving agriculture out of the benefits of this bill, and, notwithstanding, in their report and speeches, after making an argument against the high duty on sugar, after showing that it was burdening the people with an undue and unjust tax, they concluded it was necessary in this combination to embrace at least a part of the agricultural interests of the country, and so they come in, ashamed or afraid to go back on their arguments about the high tax on sugar, with an amendment proposing in lieu of the high duties to give a bounty of 1 cent a pound on all sugar made in the United States, thus embracing not only those who make cane-sugar in Louisiana, Texas, and other Southern States, but doubtless especially to throw a bait to the great agricultural Republican States of the West, such States as Iowa and Kansas, on the idea that they are to have a bounty on sugar if they will make it out of beets and sorghum.

It is said that the production of sugar in this country was about 5,000,000 pounds for the year 1887–'88. It was 200,000 hogsheads, which would make 5,800,000 pounds. This would give a bounty of $580,000 on that amount of sugar to the producers of sugar. Of course, if the policy of the law should succeed in augmenting the production of sugar, the amount would be increased; but on that basis of $580,000 to be given to the whole Union, how much is the price which is to be paid to Iowa and to Kansas for their part of this $580,000 to justify the violation of the Constitution and the adoption of a most pernicious policy? I would like to know whether the citizens of those two great agricultural and Republican States think they ought not to sell for a better price than this for the adoption of such a policy and for the violation of the Constitution.

Mr. MITCHELL. May I ask the Senator a question?

Mr. REAGAN. I would prefer that the Senator should reserve his question and let me get through.

The PRESIDING OFFICER (Mr. FRYE in the chair). The Senator from Texas declines to yield.

Mr. REAGAN. Mr. President, where do the Senators find the warrant in the Constitution for the giving of bounties, for the levying of taxes upon one part of the people to make a gift to another part of them? Under what clause of the Constitution may it be found? From what power conferred by the Constitution may it be derived?

Mr. MITCHELL. Will the Senator allow me now?

The PRESIDING OFFICER. Does the Senator from Texas yield?

Mr. REAGAN. I will hear a question from the Senator, but I do not know that I will answer it now.

Mr. MITCHELL. I understand the Senator from Texas has repeatedly said since he commenced his discourse that the protective system was not only robbery, but was unconstitutional. He has repeated that several times. I want to ask the Senator from Texas if he indorses the Mills bill?

Mr. REAGAN. If the Senator wants to know whether I indorse all the items in the Mills bill, I say to him unhesitatingly that there are many of them which I do not approve, but I very greatly prefer that bill to the still worse one of the Senate.

Mr. MITCHELL. The next question is, does the Senator indorse the provision of the Mills bill that fixes a rate, I think, of about 60 per cent. tariff on sugar?

Mr. REAGAN. I do not know that I do. But I will ask the Senator now——

Mr. MITCHELL. Then I——

Mr. REAGAN. I do not wish to be diverted further.

Mr. MITCHELL. One other question, if the Senator will allow me.

Mr. REAGAN. I must ask the Senator not to insist on further questions at this time. I will cheerfully answer all questions when I am through.

The PRESIDING OFFICER. The Senator from Texas declines to yield further.

Mr. REAGAN. I do not believe the duty ought to be as high on sugar as it is under the existing law. I do not believe that it ought to be as high on rice as under the existing law. I would not take the entire duty off of wool; I would not take the entire duty off of lumber. I state these things in order that Senators may know why I prefer the Mills bill, as it is called, bad as I conceive it to be in some respects, to the Senate bill, though it does not meet my approval as a whole; and the Senator knows, and all other Senators know, that in matters of legislation no one Senator can expect to embody his views upon a question affecting all the great material interests of this country. All such legislation must of necessity be a compromise of opinions and of interests.

I say further to the Senator that I have conversed with Democratic members of the Committee on Ways and Means of the House, and I have never conversed with one of them who expressed himself satisfied with that bill. There is not one of them who has not said it was not such a bill as he desired, but it was all he could get under the circumstances. I feel just as they felt. It is not such a bill as I would desire, but I would take it rather than the present law and rather than adopt the Senate substitute.

On the subject of the allowance of bounties I would read a paragraph or two from a report of Mr. Clay, made on the subject of bounties on the 19th of January, 1858:

> That, after a careful and elaborate examination of the whole subject of fishing bounties and allowances, the committee has been irresistibly led to the conclusion that they originated in the fallacious but now almost universally exploded theory of refunding to the manufacturer, on establishing the fact of re-exportation, the amount of duties paid on the raw material entering into the product of his industry and skill.

Mr. TELLER. Will the Senator allow me to inquire whether he said that was written by Henry Clay?

Mr. REAGAN. Henry Clay.

Mr. TELLER. Not at all. If he will look he will see it was not Henry Clay. Henry Clay was dead at that time, and he never enunciated such a sentiment while living.

Mr. REAGAN. I believe, on reflection, the Senator is right. I thought it was Henry Clay.

Mr. TELLER. I know I am right.

Mr. DAWES. It was Clement C. Clay, of Alabama.

Mr. REAGAN. Yes; Clement C. Clay, of Alabama.

Mr. TELLER. Clay, of Alabama.

Mr. REAGAN. I suppose that as to that Senator, because Mr. Clay was from Alabama, his report would have no weight. Anything that appears from a Senator south of what is called Mason and Dixon's line, I am aware, is no kind of authority for the Senator from Colorado, no matter how much of virtue and of wisdom is in it. I understand that, but it is not necessary for us to prolong the discussion upon that point, and he understands it as well as I.

Mr. TELLER. If the Senator will read from the works of Henry Clay, who was south of Mason and Dixon's line, we shall find no fault with him.

Mr. BUTLER. If the Senator will pardon me, I will read something from the utterances of Mr. Henry Clay, south of Mason and Dixon's

line, to which I should like to have the approbation of the Senator from Colorado, too, before this debate gets through.

Mr. TELLER. I did not say I would approve of everything he did or said.

Mr. BUTLER. I so understood the Senator.

Mr. TELLER. But I did not want the Senator from Texas to make the impression that the remarks of Clement C. Clay, of Alabama, were those of Henry Clay, of Kentucky.

Mr. REAGAN. I merely saw the name of "Mr. Clay" at the head of the report which I hastily read, and I gave the date of the report, forgetting that Mr. Henry Clay was not then alive.

I shall continue the reading of the paragraph, and trust I shall not be interrupted again until I get through.

That this view of the origin and object of these gratuities, whether granted in the shape of drawbacks, allowances, or bounties, according to the phraseology of the law authorizing them, has not only been adopted by the different committees of Congress to whom the subject has at different times been referred, but has been demonstrated in their reports by an array of facts and reasonings and a recapitulation of the acts bearing upon it that can scarcely be resisted by any disinterested and unbiased mind; that the report made to this body April 10, 1810 (Senate Document No. 113, Twenty-ninth Congress, first session), by Hon. T. H. Benton, covers the whole subject and its history from the commencement of the Federal Government to the date of said report, and leaves nothing for your committee to add further than to state that the subsequent and current history of our cod-fisheries illustrates the arguments and strengthens the conclusions of that masterly report, and shows that the bounties (in the language of the Secretary of the Treasury, in January, 1857) "instead of furnishing encouragement for seamen, mainly encourage the commission of multiplied perjuries, and tend to the demoralization of a large class of the community."

I will read another paragraph of that. After discussing the question as to whether they need the bounties the report adds:

If they do need it, it is inexpedient to grant it, because the mackerel, whale, and other fisheries, our merchant and military marine, certainly afford ample means for training seamen without the aid of bounty. And, if both expedient and necessary to sustain the cod-fisheries, it is unjust and unconstitutional to levy contributions on all other kinds of labor for their support.

I leave the authority upon its own reasoning. Its author was an able lawyer and one of the purest men I ever knew.

If this bill with this amendment, or whether with or without this amendment, could become a law, the students of American history would in after years mark its passage as a distinct change in the character of this Government, leading to its inevitable downfall and the inauguration of an aristocracy of wealth and of a merciless despotism.

Mr. President, on this subject I am tempted to read a somewhat lengthy paragraph from a speech made by Mr. McDuffie, of South Carolina, in a debate on the tariff of 1828, and I am inclined to read it because it so much more clearly and powerfully expresses the ideas and feelings which pervade my own mind than anything I can say that it will be better for the Senate and better for the country that his words should be heard:

Sir, if the union of these States shall ever be severed and their liberties subverted, the historian who records these disasters will have to ascribe them to measures of this description. I do sincerely believe that neither this Government nor any free government can exist for a quarter of a century under such a system of legislation. Its inevitable tendency is to corrupt not only the public functionaries, but all those portions of the Union and classes of society who have an interest, real or imaginary, in the bounties it provides, by taxing other sections and other classes.

What, sir, is the essential characteristic of a freeman? It is that independence which results from an habitual reliance upon his own resources and his own labor for his support. He is not in fact a freeman who habitually looks to the Government for pecuniary bounties. And I confess that nothing in the conduct of those who are the prominent advocates of this system has excited more apprehension and alarm in my mind than the constant efforts made by all of them, from the Secretary of the Treasury down to the humblest coadjutor, to impress upon the public mind the idea that national prosperity and individual wealth are to be derived, not from individual industry and economy, but from Government bounties. An idea more fatal to liberty could not be inculcated. I said on another occasion that the days of Roman liberty were numbered when the people consented to receive bread from the public granaries. From that moment it was not the patriot who had shown the greatest capacity and made the greatest sacrifices to serve the republic, but the demagogue who would promise to distribute most profusely the spoils of the plundered provinces that was elevated to office by a degenerate and mercenary populace. Everything became venal, even in the country of Fabricius, until finally the empire itself was sold at public auction!

To which I think we are rapidly hastening. We sell Presidencies and Senates and Congresses now.

And what, sir, is the nature and tendency of the system we are discussing? It bears an analogy, but too lamentably striking, to that which corrupted the republican purity of the Roman people. God forbid that it should consummate its triumph over the public liberty by a similar catastrophe, though even that is an event by no means improbable, if we continue to legislate periodically in this way, and to connect the election of our Chief Magistrate with the question of dividing out the spoils of certain States, degraded into Roman provinces, among the influential capitalists of the other States of this Union! Sir, when I consider that by a single act like the present from five to ten millions of dollars may be transferred annually from one part of the community to another—

And now under this law from five to six hundred millions would be so transferred—

when I consider the disguise of disinterested patriotism under which the basest and most profligate ambition may perpetrate such an act of injustice and political prostitution, I can not hesitate for a moment to pronounce this very system of indirect bounties the most stupendous instrument of corruption ever placed in the hands of public functionaries. It brings ambition and avarice and wealth into a combination which it is fearful to contemplate, because it is almost impossible to resist. Do we not perceive at this very moment the extraordinary and melancholy spectacle of less than one hundred thousand capitalists—

And now between three and four hundred thousand manufacturing establishments—

by means of this unhallowed combination, exercising an absolute and despotic control over the opinions of eight millions of free citizens—

Now sixty millions—

and the fortunes and destinies of ten millions? Sir, I will not anticipate or forebode evil. I will not permit myself to believe that the Presidency of the United States will ever be bought and sold—

He was living in a day earlier than this—

by this system of bounties and prohibitions. But I must say that there are certain quarters in this Union in which if a candidate for the Presidency were to come forward with the Harrisburg tariff in his hand, nothing could resist his pretensions, if his adversary were opposed to this unjust system of oppression. Yes, sir, that bill would be a talisman which would give a charmed existence to the candidate who would pledge himself to support it. And although he were covered with all the "multiplying villainies of nature," the most immaculate patriot and profound statesman in the nation could hold no competition with him, if he should refuse to grant this new species of imperial donative.

Mr. President, for seventy years in the history of this Government the American people presented a spectacle to which the world was unused, of brave, earnest, honest, free men, patriotic in the broadest and noblest sense, seeking to promote the general welfare of all, and denying special privileges or advantages to any. A sense of justice pervaded the lower strata of communities as well as the higher officials; a sense of patriotism and pride in the welfare of all animated the whole people. Now, sir, after twenty-odd years of Republican rule under the policy of governing by money and corporations, what is the condition of the popular mind? It is a feeling of apprehension, a remembrance of injustice done and fear of wrongs to come which takes away from men that broad patriotism and love of country which would come naturally to a people under a just and impartial government.

When fifty years ago Mr. Girard, by accidental good fortune, had become the possessor of a fortune of $3,000,000, it was the wonder of our people—a fortune which came to him not strictly in the legitimate pursuit of any regular business, but because, being the owner of ships, the people of San Domingo and Hayti who were being massacred placed their valuables on his ships and did not live to call for them. But he was guilty of no crime in plundering the people to make his fortune. So it went on until twenty-odd years ago. The wealth of this country was more equally distributed among the people than in any other country beneath the sun. The fruits of that wealth were more universally enjoyed than by any other people known to us in ancient or modern times by proud, upright, patriotic, brave, honest American citizens, enjoying the blessings of the best government that had ever been given to man. How is it now? Under a system of laws conferring bounties upon corporations and privileges to banks and by financial management in favor of the interests of bondholders and bankers by the Republican party, we have built up men's fortunes by the ten and by the hundred million. We do not become astonished to hear now that a man's fortune is worth a hundred or two hundred million dollars.

Mr. PLUMB. In that line does the Senator find in his recollection, and if not I will refresh it and recall it, some Democratic favoritism towards national banks somewhat recently exercised?

Mr. REAGAN. I do not remember what the Senator refers to.

Mr. PLUMB. I refer to the deposit of about $60,000,000 of his money and mine and money of the people of the United States in national banks without interest by this Administration.

Mr. REAGAN. The Senator perhaps chooses to attempt to divert me, and I will answer him directly if I can. There is a very good answer to that, but I do not choose to be turned off just now; and I do not admire the policy of attempting at every effective point to try to turn an argument off by a question. I am dwelling upon the condition of this country, upon the character, the hopes, and the prospects of the American people, and upon the fact that under a system of legislation which was intended to and has promoted the fortunes of a few men and of many corporations, the great body of the American people are becoming poorer and poorer, and this day more than one-half of the American people are unable to secure to themselves the ordinary comforts of life and to meet all the obligations which are imposed upon them by their duties to their families and to society.

If the Senator can find any Democratic party, or any Democratic office-holder, or citizen who has favored these policies, I join him in denouncing that party and that man with as much vigor as he dares to use. I am not here to justify wrong by any one, if wrong has been perpetrated, but to try to point out the evils of this sort of class legislation for enriching the few at the expense of the many; for degrading the character of the American citizen, and making him a poor dependent, a menial at the foot of power and of money.

Mr. President, the Senator asks me if a Democratic administration has not loaned $60,000,000 without interest. I might add that money to a very considerable amount, not $60,000,000, was so loaned, and it was loaned in pursuance of a policy that had been adopted by previous Republican administrations, which, I suppose, the Senator thinks was all right. It was loaned because there seemed to be an impending danger of a financial crisis. It was loaned on security by the deposit of Government bonds, which made the Government absolutely secure. The holders of bonds run them up until it was impossible to buy them

without paying exorbitant premiums. The banks had retired a portion of their circulation. The President and the Secretary of the Treasury, it seems, conceived the idea that it was better that this money should go into the hands of the banks, where it could reach the people and ward off the danger of a financial crisis, without loss to the Government, than that it should remain in the Treasury, where it would draw no interest and where it was doing nobody any good.

What objection has the Senator to that? Does he think it would have been better for the country to retain that money in the Treasury, where it was drawing no interest, than to have loaned it to the banks, where it drew no interest, but where it went into the circulation to stave off the possibility of financial disaster and to aid in the business operations of the country and give the reward of labor?

Mr. PLUMB rose.

The PRESIDING OFFICER (Mr. FARWELL in the chair). Does the Senator from Texas yield to the Senator from Kansas?

Mr. PLUMB. I do not want to argue the question. I simply wanted to have the Senator do as he has now done—justify loaning the money to the banks. That is all I care about.

Mr. REAGAN. The Senator thinks he has answered all I have said about the policy of the Republican party with reference to banks and the bondholders by saying that the Democratic Administration loaned money to banks. The Democratic Administration did not adopt the policy of the act of 1869, by which the people of this country were loaded with an additional burden of not less than $500,000,000 to give increased value to the bonds of the Government in the hands of men who paid at the rate of about 50 cents on the dollar for those bonds. The Democrats never did that. The Democrats are not responsible for the demonetization of silver in 1871–'72, when the country was on the verge of bankruptcy, when the currency had been contracted to such an extent that property was being sold for taxes and the country and people were unable to pay their debts. The Democratic party was not responsible for the passage of the act which required the taking up and cancellation of the legal-tender notes and retiring them from circulation when the people were suffering for the want of currency. But it is responsible for having remonetized silver and restored the silver coin of the country to some extent to the people. It is responsible for the repeal of the act for the retirement of the legal-tender notes after perhaps some $50,000,000 of those notes had been retired, arresting the operation of that act to retire them and preserving to the people $346,000,000 of legal-tender notes as a part of the currency of the country intended to aid its industries and to reward its labor. But it is not responsible for all the vast bounties given to railroads and other corporations in land and in money with a view to open up railroad communication with the Pacific, which was all right and proper. If the Government's bounty had been used to build those roads no complaint would have ever come from me; but as I understand it, the men who combined to build those roads, instead of using the land and money given by the Government, pocketed it and issued stock and bonds with which to build these railroads, and the people have yet to pay for their construction in paying for transportation of persons and of freight, while a few men are furnished with fortunes of hundreds of millions of dollars given to them for the patriotic purpose of aiding to construct a railway or railways across the continent.

I did not have it in view to speak of any of these subjects, Mr. President. I simply aimed at present to level whatever remarks I made at the policy of this bill, and at the more infamous policy of giving bounties, making gifts to a particular industry by a tax levied upon the other industries of the country. I shall hope until the vote is taken that the Senate will have too much respect for American interests, the rights of American citizens, the Constitution of the United States, which, as has been said, and wisely said, is the sheet-anchor of our liberties, to take this other step and propose to vote bounties out of the Treasury, levied upon other industries, for the support of the sugar industry.

Mr. DAWES. Mr. President, I have been many years associated with the Senator from Texas [Mr. REAGAN] in the public service, and during all that time our relations, so far as I know and believe, have been such as become the intercourse between gentlemen having confidence in the integrity and honesty of purpose which actuated each other. I have not risen now at this late day in our association in that service to measure words of vituperation with him nor to undertake now to question his honesty of conviction. During that service he and I have differed very widely upon matters of constitutional law and of the power of Congress under the Constitution. He has gone very far during that time in his construction of those powers and of that instrument away from our common path, and has been led by his construction into positions and attitudes which very much surprised and pained me.

I rejoiced when he began to retrace his steps and came back into a common service in the other House and here with me as we began our public service together. But during all that time and during all that period of what seemed to me to be so strange a wandering from what I thought was the true construction of the Constitution, I never charged the Senator with any purpose to violate the Constitution of the United States or any indifference to the matter whether he did violate it or not, but attributed all those strange, and, as it seemed to me, utterly indefensible positions upon his part, to what he honestly believed to be the true construction of the Constitution. Yet, after thirty years' service with him, I have been compelled this morning to sit by his side and hear him charge me and a majority of the Senate with the moral turpitude of an indifference as to whether we violated the Constitution or not.

I desire to put two or three plain interrogatories to the Senator. If the Senator believes the statement which he has made here upon this floor, is it not incumbent upon him to lay before the Senate and the country the ground for the charge of moral turpitude against me and a majority of the Senate? I do not ask him to show how utterly inconsistent with his idea of the Constitution is my idea of the Constitution. I admit that. I admit that the Senator stands up here, as he has to-day, in an honest advocacy of a construction of the Constitution which, to my mind, is utterly groundless and indefensible, and appears to me as strange as it is indefensible; but I should hold it as much a violation of my relations to him as a gentleman as it would be in violation of the rules of parliamentary order and courtesy to charge him with moral turpitude in advocating that doctrine.

I put this other question to him, whether it is not due from him to do one of two things, withdraw that charge before the public and the Senate, or lay before the Senate the evidence he has that I, a Senator sworn to support the Constitution of the country, am deliberately and morally guilty here of an indifference as to whether I violate that oath or not?

Mr. REAGAN. The Senator will allow me a word. I am sorry that the Senator takes the view that anything I said had a personal application to any individual Senator, and especially to him, for whom I have always had the greatest personal and political respect. I think I did use an expression something like this——

Mr. SPOONER. If the Senator will permit me, I will read to him the precise expression which he used.

Mr. REAGAN. I shall be obliged if the Senator will read it.

Mr. SPOONER. The Senator said:

I have no idea that the Senators who advocate this policy will pretend to answer this question, for I suppose it is a matter of utter indifference upon this subject as upon most others to them whether they violate the Constitution or sustain it, so that the policy which subserves their purpose can be carried out.

Mr. REAGAN. My purpose was not to characterize individual action, not to impute improper motives to individuals, but to characterize the policy of the Republican party. However, I fear that in doing so I used language not altogether justifiable, and I beg, so far as it may be liable to such construction, to withdraw that language.

Mr. CHANDLER. Mr. President, I regret that the Committee on Finance have, while proposing a bounty on sugar, deemed it expedient to give that bounty on sugar from cane. It seems to me that while they have omitted any bounty on maple surgar they might also well have omitted to propose a bounty on cane sugar. It appears that the raising of sugar in Louisiana, according to the statements made by the chairman of the subcommittee, is not an industry of this country which upon correct principles of protection is entitled to assistance either by a duty on foreign sugar or by the bounty which is proposed by the committee.

As I understand the chairman of the subcommittee, the amount of sugar raised in this country is comparatively insignificant in quantity compared with the amount required for consumption. I understand further that it is the opinion of the committee that this industry is not making that progress which entitles it to protection, either by a high rate of sugar duties or by a bounty. While I shall vote in accordance with the judgment of the committee on this subject upon the principle laid down by the Senator from Ohio [Mr. SHERMAN] in the ontset of the discussion on this bill, I regret that they have proposed that a bounty should be given for the protection of cane sugar, which, according to their own showing, is an industry progress in which is not sufficient in this country to justify the care and fostering protection of the Government, which the Senators from Louisiana desire shall be accorded to it by a high rate of duty, while they oppose the bounty proposed by the committee.

Mr. STEWART. If the Senator will allow me, I suggest that he can relieve the Senators from Louisiana from the embarrassment of this bounty by moving to strike out "cane sugar" wherever it occurs in the amendment.

Mr. CHANDLER. The Senator from Nevada can make that motion if he sees fit; but I have stated my position upon the question, which is that upon this matter of detail I shall vote with the committee, although I regret that they are undertaking in this way to encourage the growth of sugar-cane for the purposes of making sugar when they admit that there is no probability that the industry will ever be a success in this country.

More than that, Mr. President, I regret that the committee, even if this were an industry worth protecting by a bounty, should insist upon protecting it against the opposition of the two Senators from the State in which the industry exists. It seems to me that if those Senators do not want this form of protection it should not be forced upon them. I can conceive of no reason for doing it, except that the Senate are of opinion that those Senators do not represent the people of their State. If they do not then possibly the Senate may wisely take notice of that

fact and legislate in accordance with what they believe to be the desire of the people of Louisiana without regard to the wishes of their Senators. But unless that be the situation it is to me an anomaly in legislation upon the tariff question either to continue an unnecessary duty upon sugar or to insist when making a needed reduction in that duty upon giving a bounty on the production of sugar in a State against the wishes of the Senators from that State. It is also an anomaly in practical legislation to insist upon retaining an enormously high duty upon rice, a product of South Carolina, when the Senator from South Carolina [Mr. BUTLER] upon the floor of this Chamber has stated that he does not desire that the duty shall be retained.

There is another reason why I do not think that the sugar of Louisiana should be entitled to excessive care from the Government, and that reason is that the laborers upon the sugar plantations of Louisiana do not have the same advantages in the race for life that the laborers do in other sections of the country. Senators on the other side have had a great deal to say about duties protecting only the capitalists, and have contended that duties do not increase the wages of labor. There is one duty which I admit does not increase the wages of the labor of those engaged in making the product for the benefit of which the duty is imposed, and that is the duty on sugar, for reasons which I will endeavor to state.

Capital and labor, employers and employed, in the strife of life undoubtedly have perpetual contention with each other. The employer tries to get labor as cheap as he can. The laborer, the operative, the employé, tries to get as high wages as he can obtain. Both the employer and the employed in a free country, certainly in a free republic, can agitate and can organize, each class for its own benefit. Throughout the Northern States of this Union the operatives in our factories, the miners in our mines, and the wage-earners of all kinds can organize for their own protection. They have trades unions, they have Knights of Labor, and they have various other organizations of workingmen engaged in the great struggle of life, all endeavoring by these means to increase the share which shall come to them of the joint product of the capital of others and their own labor.

But, Mr. President, this privilege is not accorded to the negroes of Louisiana engaged in producing sugar upon the plantations of that State. When Louisiana Knights of Labor with black skins undertake to get a higher rate of wages from the sugar-planters the militia is called out and they are shot down by the white military companies. That is the way capital controls labor in the sugar State of Louisiana.

I desire to call to the attention of the Senate a letter which I have received, signed by Hugh M. Wallis, editor of the Terre Bonne Times, published at Houma, La. It is as follows:

OFFICE OF THE TERRE BONNE TIMES,
Houma, La., December 17, 1888.

DEAR SIR: Being persuaded that a correct and truthful account of some of the political outlawry on the part of the local Democracy of this parish will be of inestimable value to you and our friends in the Congress of the United States in preparing some way for the better protection of the lives and property of Republicans in this State, I am induced to trouble you at this time.

About one year ago there was a laborers' strike organized throughout several of the sugar parishes for an increased rate of wages, and the order known as the Knights of Labor led the strike. There was some rioting, in a small way, engaged in by some parties unknown, but to counteract any criminal acts upon the part of the strikers the governor of the State sent the military to several parishes, which overawed and subdued all opposition to the will of the planters, and the laborers were forced back to the plantations at the rates offered by said planters.

Then the persecutions of the laborers were begun by judicial process. Both white and black men were arrested upon charges of trespass, compelled to give unreasonable bond or lie in jail until the meeting of the court. These cases were brought before a grand jury the foreman of which was one of these self-same planters, and had been a very prominent figure in the persecutions, a leading Democrat of local reputation. True bills were found in every case for criminal trespass. The cases were put upon trial, a petit jury impaneled, and evidence introduced, and argument of counsel and charge of the judge delivered, and the case finally given to the jury for judgment. And, to the disgust and evident defeat of the persecutors, the jury brought in a verdict of "not guilty;" whereupon the planters and their sympathizers and tools formed a vigilance committee at once under the cover and protection of the State troops, bought guns and Winchester rifles with funds subscribed by the planters and other Democrats of this parish and of the city of New Orleans.

The vigilants proceeded at once to organize and dragoon the laboring people of the parish, and have continued their operations up to the present time. Under cover of this organization acts of intimidation and bulldozing were practiced before, during, and after the State election in April last. There was one colored man named Hampton killed by these vigilants on or about April 19, 1887, and the house of R. B. Johnson was fired into by the same gang on the same night, as the bullet holes in the doors and windows bear silent but certain evidence of the fact. Other houses, some three or four in number, were fired into in the night-time soon afterwards, and, fortunately, no lives were lost, but the owners and their families have been compelled to flee from the parish. Some dozen or so of colored Knights of Labor, all Republican, have been driven from this parish for the commission of no crime against the laws either of the State or the parish; and still no investigation by any authority whatever has been had, although these things are of public notoriety, known of all men.

Hon. RANDALL L. GIBSON, in his speech which is before me, says "that no one in Terre Bonne was injured, and that no such man as R. B. Johnson ever lived in this parish." Now, Mr. GIBSON must know that such an assertion as that can not be passed by without contradiction, as it is an untruth in whole and in every part. R. B. Johnson was a member of the State Legislature, in 1877, from this parish, during the contest for the governorship between Packard and Nicholls, and has lived here ever since, having a home in this town belonging to him. All of the other parties run out of the parish by threats to kill them and by shooting at them and their friends in their houses in the night-time have never returned, although several of them have property here.

At the last election for President and Congressman in this district and parish not half of the vote was polled by reason of frauds and intimidation. The Democratic leaders and their henchmen openly practiced their arts of bulldozing and intimidation upon the leaders of the colored Republicans by visiting them at their homes and threatening them with death in case they attempted to carry this parish for the Republican ticket. They did these things so openly this time that their names are known almost to everybody, and yet the grand jury impaneled just awhile ago failed to indict them for their crime. At last an attempt has been made to assassinate the editor of the Terre Bonne Times because he is a Republican and shows up the iniquities practiced by these same vigilants. On December 3, this year, such an attempt was made on us by three Democrats, local leaders and members of the campaign committee of their party, to get rid of us; but it failed. We have always stood up for Republican principles, and will continue to do so as long as we live; and the Times will continue to hold up to the public gaze such creatures for such scorn and contempt as they richly deserve. I suggest to you the passage of a new election law to enable Republicans to vote as they may wish; also, that you push your motion for an investigation of the late election in this State, as you will unearth a real political bonanza in the matter.

You are at liberty to use this letter in any way you choose. I have preferred not to burden it with the names of individuals who are known to me as criminal in these matters, but have stated facts that can be substantiated by indisputable evidence. If you think proper you can ask R. L. Gibson, Andrew Hero, jr., Governor Warmoth, H. C. Minor, or any other reputable gentleman in Louisiana, who Dr. Hugh M. Wallis, editor of the Terre Bonne Times, is. There is every incentive urging our friends to act and we hope you will not cease to urge your motion until success crowns your efforts.

Respectfully,

HUGH M. WALLIS,
Editor of Terre Bonne Times, Houma, La.

Hon. WILLIAM E. CHANDLER,
United States Senator from New Hampshire.

I will not in this discussion at this time——

Mr. GIBSON. As the letter alludes to me, will the Senator allow me to make an explanation to the Senate?

Mr. CHANDLER. Not until after I finish.

Mr. GIBSON. It will be very brief.

Mr. CHANDLER. I intend to be very brief myself and should prefer to have the Senator wait. If he wishes to ask me a question or to state any single fact I shall be glad to yield to him, but if he desires to make a speech on this general subject there will be plenty of time hereafter.

Mr. GIBSON. I only want to state two or three facts that will dissipate entirely the impression which the letter has produced upon the mind of the Senator.

Mr. CHANDLER. I have not finished all I desire to say, but if it will gratify the Senator to say now what he wishes to state with reference to this letter, I will yield to him for that purpose.

Mr. GIBSON. The letter just read to the Senate by the Senator from New Hampshire purports to have been written by H. M. Wallis, a resident of Houma, Terre Bonne Parish, Louisiana. It informs the Senator from New Hampshire that the Senator from Louisiana [Mr. GIBSON] stated an untruth when he declared in the debate on the Chandler resolution last summer that he did not believe there was any such man as Johnson residing in Terre Bonne Parish, and that his own statement showed he had suffered no harm or injury on the occasion referred to. The letter also informs the Senator [Mr. CHANDLER] that there is a reign of terror in Terre Bonne Parish; that the strike which occurred there some months or some years ago was put down by the militia, and that the free will of the people had been suppressed at the recent election.

It is evidently the intention of the Senator from New Hampshire, by reading this letter to the Senate, to cast a slur upon me and upon the good people of the parish of Terre Bonne. I have been a resident of that parish since my childhood, and still own a plantation I inherited, situated about 20 miles from the village of Houma, which formerly produced large crops, yielding a net revenue of from twenty-five to fifty thousand dollars a year.

For many years past, with the exception of the main house and yard, the entire property has been in the possession and use of the former negro slaves. The colored people and some white people who have lived upon it occupied the houses, raised their cattle and their crops without paying a sou of rent or of the taxes.

So much for my contribution to the reign of terror in Terre Bonne Parish; so much for my oppression and denial of rights and privileges to my former negro slaves.

I have been a great deal absent from Terre Bonne Parish, and notwithstanding the statement of the Senator's correspondent, which it has pleased the Senator to parade before the Senate, with the view of perhaps wounding my feelings, I can say truthfully I never heard of the man alluded to in the letter. I have never heard his name mentioned except in the communications addressed to the Senator from Kansas and to himself. It is quite possible that I might make this statement without uttering a falsehood, for it is quite possible that such a man might live in Terre Bonne Parish without my knowing him.

I know many people in Terre Bonne Parish, and when I go to my old home, both on the plantation near the neighboring village, which the citizens have named in honor of me, Gibson City, and when I go to Houma, I have always been received with every mark of esteem, I may say friendship and affection. I did not know, until informed by the Senator from New Hampshire, that I had an enemy in my old parish or that there was any person in it who would characterize any statement I might make as untrue. Nor did I believe there was a Senator in this body who would so far forget decorum and good manners, which always mark the relations of gentlemen and which we have the

right to expect from American Senators, as to read a letter, with the view to wound the sensibilities of an associate, from one of his political correspondents.

I remember some year or two ago (I can not fix the date) there was a strike on some of the sugar plantations in La Fourche and Terre Bonne, and I heard something about it on one of my visits to Louisiana. I heard that the district judges of La Fourche and Terre Bonne were exercising the powers of their office and their influence and standing in the county to endeavor to persuade the strikers from persisting in a course of conduct in violation of the laws. They had become the disturbers of the peace and put in peril life and property. The officers of the law interposed to preserve order and to vindicate the laws. No one was more active than the presiding judge, who is one of the leading Republicans of the State.

There was a militia company organized under the laws of the State in Terre Bonne Parish. It was organized, not for any political purpose, or to accomplish any political object, but for recreation and drilling and social entertainment, and to aid, if occasion should require, the civil authorities. The captain of the company is William J. Minor, a leading Republican. I have never heard of any outrage in the parish. It is true I am, as I before observed, absent a great deal; indeed, I visit the parish generally once a year, and then only for a few days at a time; but I have always had occasion to congratulate myself and my neighbors and friends, my fellow-citizens of that parish, upon the relations of confidence and kindness existing between the white people and the colored people.

It is a Republican parish in politics. The Republican party generally, indeed, I believe, always, carries the parish for both parochial and State officers.

The Republicans elected the members of the General Assembly in 1880, and again in 1888. The leading native Republican resides in the parish, and he is the largest planter in it. I refer to H. C. Minon. We differ in politics. He is a Republican and I am a Democrat, but we are neighbors and friends. I can say that he would be an honor to the Republican party in any State in this Union, and a credit to any community in which he might reside. A Republican parish, Republican office-holders, Republican members of Legislature, and yet the Senator would have the Senate believe a reign of terror prevails there, the voice of the people suppressed and the laborers robbed of their earnings.

How deeply the Senator's sympathies are excited for the wrongs of people at a great distance from his own home and people! How quickly he responds with remedies for all the grievances of these people so far away, while overlooking and neglecting opportunities for his sagacious and ample benevolence at home! I was surprised that any one residing in Terre Bonne Parish and in intimate correspondence even with the Senator from New Hampshire should have suffered himself to cast a slur upon me, but I was still more astonished to find a Senator who could descend to reading such letters to the Senate.

But, sir, the Senator feels that perhaps he has been commissioned by the good people of New Hampshire to offer reproach and opprobrium and insults to the good people of Louisiana, and that, devoting himself to the mission, he may receive proper reward. The Senator allowed himself to utter the declaration that the Senators from Louisiana do not represent the people of the State. I have no doubt it would suit the Senator better if he could appoint the Senators from that State himself, but meantime I suggest that he might employ his time to more advantage by looking after the election of the next Senator from New Hampshire.

Sir, let us examine the grounds of these extraordinary statements of the Senator.

My credentials show and the fact is that I received the unanimous vote of the Legislature of Louisiana, Democrats and Republicans, white and colored members. The first time I was elected to the Senate every member of the Legislature voted for me. At the election in May last there was but one vote in the General Assembly against me.

There were several candidates for the second place, but there was no candidate against me for the seat I occupy in the Senate. I was nominated and elected without opposition. I had no coalition, no compromises, no understanding. I had gone before the people of the State face to face from one end of the State to the other during six long months of the most extraordinary canvass that ever took place in Louisiana, and I confess I felt proud of their approval of my course as their Senator.

I have never heard the faintest whisper against the fairness of my election. There was no opposition at home. There was no complaint. Republicans and Democrats had alike extended the trust to me, had joined in conferring the honor. There was not a petition, not a complaint, not a contest, not a memorial of any kind from any citizen of that State, not even an affidavit was forthcoming at the bidding of the Senator from New Hampshire. There was absolutely nothing before the Senate excepting my credentials and the broad seal of the State, certifying my election without opposition to the Senate.

Under these circumstances it was reserved for the Senator from New Hampshire to offer a resolution—a resolution without a precedent in the hundred years of the existence of the Government—to instruct the Committee on Privileges and Elections to investigate the conduct of the recent State election in Louisiana; not the election for Representatives in Congress, but the State election for State officers. And now he regales the Senate by reading a letter that may wound the sensibilities of one of his associates and cast odium upon the people of his State—create a false impression for political effect.

From my earliest boyhood I was taught to revere the Senate of the United States, and when I came here I expected to find it filled with gentlemen whose bearing and conduct would be in keeping with the august powers which the Constitution clothes this body with and the splendid traditions which have given it a foremost position among all the deliberative assemblies in the world, for dignity, decorum, learning, and wisdom. It will fall from this lofty position if Senators shall condescend to convert themselves into mere scavengers of scandal and seek not how best they may serve their country, but how best they can belittle their fellow-countrymen of the Southern States of the Union, sow the seeds of dissension, discord, and hate, and with what impunity they may violate the courtesy and candor due from one gentleman to another, and not less from one Senator to another.

Public life has not sufficient attraction for me to remain in it if the Senate shall decline upon the lower plane suggested by the Senator from New Hampshire.

Mr. CHANDLER. Mr. President, the general discussion of the question upon which the Senator has entered may well be deferred until the resolution for the investigation of the election in Louisiana in April last is taken up, and any difference on that subject between me and the Senator who has just spoken may be settled at that time.

Fortunately, as I now understand the Senator, he makes no objection to an investigation. On the contrary, he has offered in the Senate a resolution directing the Committee on Privileges and Elections to open up the whole subject of the condition of the suffrage throughout the United States. I welcome the Senator to the ranks of those who believe that the Senate of the United States, in order to preserve its own purity, its own integrity, in order to ascertain the regularity of the composition of the Senate, may investigate the condition of the suffrage in all the States, and when his resolution is amended by striking out its limitation to the three States of Louisiana, Rhode Island, and Massachusetts, I shall certainly give it my support, and hope it may receive the unanimous vote of the Senate.

By means of these investigations we shall find out to what extent the suffrage in the States of this Union is corrupted and to what extent votes are influenced by intimidation and political murder.

The Senator made reference to an anonymous letter. No anonymous letter has ever been used by me in the Louisiana discussion. The names of one or two correspondents have been withheld, but no anonymous letter has been read; and to-day, when I have produced to the Senator a letter bearing testimony to the murder of colored Knights of Labor engaged in making sugar upon these protected Louisiana plantations, I have given to him the signature to that letter, and the Senator from Louisiana has uttered no word in condemnation of the signer, Dr. Wallis.

The letter which the Senator says I would not have introduced into this discussion if I had shown a proper regard for the decorum of the Senate was also not an anonymous letter, but was signed by R. B. Johnson, and it was dated at New Orleans April 25, 1888. It was addressed to Maj. Andrew Hero, jr., of New Orleans, the Republican candidate in April last for lieutenant-governor, and a man who although a Republican is the peer of any Louisiana Democrat.

That letter makes a succinct statement of outrages in Terre Bonne Parish perpetrated by a gang of Democratic roughs under the lead of Mr. Tobias Gibson, a brother of the Senator. The letter was not introduced into the discussion by me first, but is to be found in a speech made on a previous occasion by the Senator from Kansas [Mr. INGALLS]. All the answer the Senator from Louisiana has ever made to the distinct charges contained in the letter has been to say what Dr. Wallis recites, that "no one in Terre Bonne was injured;" that "no such man as R. B. Johnson ever lived in that parish."

Mr. President, I leave the further elucidation of the subject which the Senator has discussed at considerable length until the resolution for investigation is before the Senate, and I will come back to the precise point which I undertook to-day to make, and which is this: I do not believe that the Senate should undertake to foster the unnatural industry of the raising of sugar in the State of Louisiana by giving a bounty at this time, particularly when the Senators from the State repudiate the proposition to give the bounty and propose to vote against it, and when more especially there is no method by which the laborers upon the sugar plantations of Louisiana can get their fair share of the sugar product of that State, because whenever they agitate or organize for that purpose they are shot down by the Louisiana militia sent to the scene by the governor in order to demonstrate that whatever rights of organization laborers in the other States may have, the poor black sugar hands upon the plantations of Louisiana shall have no such rights.

Mr. President, in this discussion yesterday the Senator from Alabama [Mr. MORGAN] made a singular statement, which I will read:

This supervision of the people over the exercise of the taxing power has been put into eclipse by the coming of the Senate between them and their constitu-

tional rights. The three hundred and twenty-five Representatives of the people are distributed over the whole country in proportion to population, and their demand for the House bill is the demand of the majority of the whole people, while ten of the Senators who vote to destroy this bill of the people, by the people, and for the people represent fewer people and a smaller area of country than are contained in a single State of the Union. The simple reason why the people are not allowed to have the bill that does justice, even in stinted measure, to them is that the manufacturing industries of the United States are most largely under the care of those ten Senators, and they prefer a bill that is distinctively and carefully framed for the purpose of supporting those manufactories by the taxation of the people.

If the Senator from Alabama meant anything by these assertions he meant that in reference to this pending question concerning the Mills bill and the Senate substitute, the House of Representatives, which passed the Mills bill, stands at some advantage over the Senate, and that the House is entitled to some voice upon this question greater than that of its mere utterance expressed by the majority by which the Mills bill passed the House. He also seems to attempt to convey the idea that the Senate is seeking to express and enforce its views in some other way than by the majority vote of its members.

I must confess that I do not quite understand the point of the Senator from Alabama when he denounces ten Senators upon this floor, who exercise their power only through a final vote of all the Senators, as improperly standing in the way of the wishes of the people of this country because the House of Representatives has passed the Mills bill and sent it to the Senate for consideration.

Mr. President, I do not know to what ten Senators the Senator from Alabama alluded. If he meant the New England Senators, there are twelve. He does not specify. Assuming, however, that he meant the New England Senators, it has occurred to me to see how many voters of this country in the last Presidential election were behind the Senators from the six New England States, and how many voters were behind an equal number of Senators who are advocating the passage of the Mills bill. I have taken the State of Alabama, the Senator's own State, and the States of Delaware, Florida, Georgia, South Carolina, and Louisiana, all of which are represented by Senators who vote for the Mills bill and against the Senate substitute, while all the twelve Senators from the six New England States vote against the Mills bill and for the Senate substitute.

In the six New England States there were 444,645 votes for Harrison, 355,071 for Cleveland, and 19,897 for Fisk, making the total for President on the 6th of November last in the six New England States of 819,613 votes.

In the six Southern States mentioned there were 181,193 votes for Harrison, 424,523 votes for Cleveland, and 3,318 votes scattering, making a total of 609,034 votes, showing 210,579 votes less in the six Southern States which are casting 12 votes in this body in favor of the Mills bill than in the six New England States whose Senators are voting the other way.

The figures in detail are as follows:

States.	Harrison.	Cleveland.	Scattering.
Six Southern States:			
Alabama	57,197	117,310	583
Delaware	12,973	16,414	400
Florida	26,659	39,561	403
Georgia	40,443	100,472	1,802
South Carolina	13,740	65,825	
Louisiana	30,181	84,941	130
Total	181,193	424,523	3,318
New England States:			
Maine	73,734	50,482	2,690
New Hampshire	45,728	43,358	1,592
Vermont	45,192	16,788	1,459
Massachusets	183,447	151,990	8,641
Rhode Island	21,960	17,533	1,281
Connecticut	74,584	74,920	4,234
Total	444,645	355,071	19,897

Total in New England States	819,613
Total in six Southern States	609,034
Excess in New England	210,579

And yet the Senator from Alabama stands up here to criticise and to condemn the Senators from New England because through the vote of this Senate, the majority vote of this whole Senate, varying from 2 to 12, all the propositions on the other side are voted down and the Senate stands by the American system of protection to American industries.

It may be said, possibly, that the six Southern States which I have selected did not, on the 6th of November last, cast their full vote, and it is lamentably true that they did not. There are included in this table the States of Louisiana and South Carolina, where the Republican vote is substantially suppressed, either by intimidation or by false counting. If, however, the votes of those six States had been lawfully increased last fall, as they might have been, until they reached the aggregate of the votes of the six New England States, the increased votes would not have been cast for Grover Cleveland, but would have been cast for Benjamin Harrison.

The Mills bill passed the House of Representatives by a vote of 162 yeas to 149 nays, being a majority of 13. A change of seven votes would have defeated the bill; seven changed votes would have passed a bill revising the tariff substantially as the Senate bill revises it. As the Senator from Alabama has set up the House of Representatives as entitled to represent the whole people as against the Senate, and has condemned the Senate, unduly influenced, he said, by these ten Senators, for refusing to adopt the Mills bill, I desire to call attention to the number of Representatives which the six New England States have upon the floor of the House of Representatives. They have twenty-six. The six Democratic States to which I have alluded have thirty-four Representatives in the House, giving a sufficient surplus over the New England States to account for the passage of the Mills bill, although last November when the people of the United States were passing upon this precise tariff issue there were 819,613 popular votes behind the twenty-six New England Representatives, and only 609,034 behind the thirty-four Democratic Representatives. The number of Representatives in the House from these respective States is as follows:

Number of Representatives in House.

Alabama	8
Delaware	1
Florida	2
Georgia	10
South Carolina	7
Louisiana	6
	34
Maine	4
New Hampshire	2
Vermont	2
Massachusetts	12
Rhode Island	2
Connecticut	4
	26

	Votes.
The districts represented by the 149 members who voted against the bill cast	4,629,424
The districts represented by the 162 members voting for the bill cast	3,816,022
Popular majority against the members supporting the bill	813,402
NORTHERN STATES—22.	
The districts represented by 133 members voting against the bill cast	4,279,521
The districts represented by 60 members voting for the bill cast	1,921,863
SOUTHERN STATES—16.	
The districts represented by 16 members voting against the bill cast	349,903
The districts represented by 102 members voting for the bill cast	1,894,159

I have prepared four groups of Congressional districts which have elected seven or more members of the present House of Representatives, and I find the result following:

	Total vote.
First Alabama district	4,220
Second Alabama district	5,659
Third Alabama district	4,662
Fifth Alabama district	6,333
First Arkansas district	6,092
Fifth Arkansas district	4,746
Seventh Kentucky district (W. P. C. BRECKINRIDGE's)	4,808

Making a total vote in this first group of 36,520 votes, which elected seven Representatives.

The second group I take entirely from the State of Georgia:

First Georgia district	2,078
Second Georgia district	2,411
Third Georgia district	1,704
Fourth Georgia district	3,239
Fifth Georgia district	2,999
Sixth Georgia district	1,723
Seventh Georgia district	6,680
Eighth Georgia district	2,377
Ninth Georgia district	2,366
Tenth Georgia district	1,944

Making only 27,520 votes cast in the ten districts of the State of Georgia.

The third group includes:

Fourth Louisiana district	5,759
Sixth Louisiana district	10,132
First Mississippi district	3,167
Third Mississippi district	6,900
Fourth Mississippi district	3,086
Fifth Mississippi district	4,316
Seventh Mississippi district	4,514

Making 37,874 votes only behind this third group of seven Representatives.

The fourth group is made up entirely from the State of South Carolina—seven districts in the State of South Carolina.

First South Carolina district	3,317
Second South Carolina district	5,235
Third South Carolina district	4,409
Fourth South Carolina district	4,470
Fifth South Carolina district	4,701
Sixth South Carolina district	4,469
Seventh South Carolina district	12,476

Making a total of 39,077 votes only in this fourth group of seven South Carolina Representatives, which constitute the majority that passed the Mills bill.

Now, note the contrast. In the second district of New Hampshire, in which I reside, there were cast (on the same election when all these

Mills bill Southern free-trade Democrats were precipitated into the House of Representatives) 39,559 votes. Yet on this showing the Senator from Alabama stands upon this floor and claims that the House of Representatives represents the whole people of the United States, and that the Senate should bow to the popular will!

Mr. President, upon this whole subject the people of this country are learning many things. They are not only learning something upon the Southern question, but they are learning something upon the tariff question, and wherever there is a free and honest vote and a fair count, and wherever the influence of the rum power has not been felt at the polls, the Republican party has been gaining votes throughout the land.

There is progress that is not unhopeful even in the State of the Senator from Missouri. As we are to be gratified in the next Congress by having a Republican Senator from Delaware to help uphold the tariff system of the United States, in which no community is more interested than the State of Delaware, so it is not unlikely that many Senators now upon this floor may see a Republican Senator, a high-tariff Senator, here from Missouri.

The Republican vote in the State of Missouri has been steadily increasing. Garfield had 153,567 votes only; Blaine had 202,929, while Harrison had the magnificent vote of 236,253. The Democratic majority in Missouri is still quite large, but it is steadily declining. Hancock had 55,042, Cleveland 33,059 four years ago. Last fall he had only 25,701. The same tendency of the popular mind is visible in various other States, the Senators from which have championed the cause of a tariff for free trade, or "a tariff for revenue only," if they prefer to have that term used.

Take the State of Kentucky, which is represented by a Senator whom we all respect [Mr. BECK], now absent on account of sickness, who has labored so much here toward breaking down the American tariff system. The Republican vote in Kentucky was 104,550 in 1880. In 1884 it was 118,122; in 1887 Mr. Bradley had for governor 126,473, while Harrison had 155,134 votes. The Democratic majority during the three last Presidential elections has gone steadily down from 43,449 to 34,849, and last year to 28,666.

North Carolina is a State in which the Republican party is hopefully growing, where the people are rising up to gradually overcome the Democratic forces arrayed against the natural development of that State and in favor of a tariff for revenue only. The vote in North Carolina for Garfield was 115,878; for Blaine, 125,068; for Harrison, 134,784. The Democratic majority for Cleveland of four years ago was 17,884, while last fall it was only 13,118.

So I might challenge the attention of Senators to the growing Republican strength in Tennessee, West Virginia, and Virginia; and I believe that within the next four years, instead of the voice of the present House of Representatives, to which the Senator from Alabama has undertaken to ascribe so much potency, being re-enforced by the approval of the people, the Republicans in the Senate who stand for the protection of American industries will be re-enforced, as they have already been from Delaware, as they are likely, even, shortly to be from West Virginia, by the advent into this Chamber of several other Republican Senators from States which are now Democratic.

Mr. SPOONER withholds his remarks for revision. [See Appendix.]

Mr. EUSTIS. The Senator will allow me to supplement the information he has given with a brief statement.

Mr. SPOONER. Certainly; but I am through.

Mr. EUSTIS. For instance, in the ten years from 1865 to 1874, inclusive, the product was 490,000 tons.

Mr. FRYE. For ten years?

Mr. EUSTIS. Yes, sir. For a like period from 1875 to 1884 it was 1,030,000 tons, an increase of more than 100 per cent. in a single decade. This supports the position the Senator from Wisconsin has taken——

Mr. FRYE. Can the Senator give the ten years from 1850 to 1860?

Mr. EUSTIS. I can not. This supports the position of the Senator from Wisconsin that it is not exactly fair to compare the statistics of a few years after the war with those previous to the war. There is no property which the war so devastated as the sugar crop.

Mr. TELLER. If the Senator from Wisconsin will allow me, I should like to ask the Senator from Louisiana how he accounts for the fact that in 1877, in 1879, in 1880, and in 1881 the sugar crop was much larger than it was in 1887?

Mr. EUSTIS. That is owing to seasons.

Mr. ALLISON. Climatic influences?

Mr. EUSTIS. Climatic influences which we can not control by law. For instance the crop of 1887 and 1888, which produced 200,000 tons, is the largest crop that has ever been produced in Louisiana, except the crop just before the war.

Mr. SPOONER. While this has been a revenue duty, at the same time having been a protective duty to Louisiana, I want to call attention to these figures and then I shall have finished. Commencing with 1851 and ending with 1887, I want to show the vast disproportion of the Louisiana sugar crop to the imported sugar and the immense sum of money which the people of the United States have paid by way of duty upon imported sugars during those years. The total production in Louisiana during those years was 7,559,053,405 pounds. That was from 1851 to 1887. The total amount of sugar imported and used by the people of the United States during those years was 47,587,912,647 pounds, and the amount of money paid in the way of duties during those years was $961,318,340.30, or nearly a thousand millions of dollars.

Mr. BUTLER. Mr. President, I wish to add to the information which has been given to the Senate on this subject, and in pursuance of what I attempted to say yesterday, and which I was prevented by the Chair from doing, although my reference was to a former session of Congress and I supposed I had the right to refer to it as a historical fact, but I was prevented from doing so. Now I have the RECORD. I find in the RECORD of July 8 of last year an amendment offered by Mr. CANNON, of Illinois, to the tariff bill then under discussion. I will not read the whole amendment, but the section which has reference more especially to the matter now under consideration, to wit, a bounty to the producers of sugar in this country. I find in the last section these words:

On sugar, 2 cents per each pound of crystallizable sugar contained therein as ascertained by the polariscope.

On molasses, testing above 56 degrees by the polariscope, 6 cents per gallon; testing not above 56 degrees by the polariscope, 4 cents per gallon.

And the bounties provided for in this act shall be paid out of any moneys in the Treasury not otherwise appropriated, under such regulations as the Secretary of the Treasury shall prescribe.

In discussing that amendment, Mr. KELLEY, of Pennsylvania, used the following language, which I shall read for the purpose of correcting a misapprehension on the part of some of the Senators who have discussed this question, who have stated that under the operation of the law as it now exists the production of sugar has not increased in the State of Louisiana. I believe the Senator from Kansas made that the principal ground upon which he proposes to vote for this bounty system, that the Louisiana producers were sluggish and indolent, and had not availed themselves of the advantages which the people of this country had a right to expect from them. Mr. KELLEY, of Pennsylvania, said upon that subject:

Now, my friend from Illinois [Mr. CANNON] was not quite candid when he said protection did not stimulate the production of sugar in Louisiana. Sir, war is the science of destruction carried into practice by nations. Louisiana is even now recovering from five years of war, during which her cane-fields were overgrown and her machinery and the buildings that housed it went to decay. Impoverished by war, ruined as the people of all the Confederate States were, their banks gone, their insurance companies without capital, their private fortunes exhausted, a people who had been making about 500,000,000 pounds of sugar per year found that in 1864-'65 they could produce but 10,800,000 pounds, though in 1861-'62 they had produced 528,000,000 pounds. Now, sir, beginning at the close of the war with wasted estates and fortunes broken, they have, under protection, raised the crop from less than 11,000,000 pounds to 303,000,000 pounds in 1882-'83. In the decade from 1867 to 1876, inclusive, they raised 1,121,000,000 pounds of sugar. In the next decade the 1,100,000,000 had grown to 2,297,000,000 pounds, or largely more than doubled in a decade. Sir, I would plant myself upon the record of Louisiana's sugar growing since the close of the war to prove the beneficence of the American protective system which gentlemen propose to set aside in favor of what the American people would not adopt for Hamilton and Washington and what they would not sustain if this House could be tempted to perpetrate the folly of trying to put the industries of the country under such a form of protection.

That is what this high and reliable authority on the subject of protection said in the House of Representatives on the 8th day of last July.

Mr. President, a friend has handed me a paper containing interviews with several of the gentlemen of the House of Representatives from the State of Kansas, which I will ask the Secretary to read, beginning with Mr. PETERS.

The Secretary read as follows:

Mr. PETERS, of Kansas: "I am not favorable to the proposition of the Senate Finance Committee to establish a bounty of 1 cent a pound on sugars produced in this country, in compensation for a 50 per cent. cut in the duties, because any cut in the rate of duty at present will retard the development of the sugar industry in my State. A large majority of the people of Kansas, including the sugar-men, favor protection by a duty. The people of Kansas are interested in this subject of sugar. The district I represent, the Seventh, is composed of thirty-seven counties in the southwestern portion of the State. Every Congressional township in these thirty-seven counties can raise enough cane to supply a $75,000 sugar plant. A plant of that size can work up each season 2,000 acres of cane, and 10 tons per acre can easily and surely be raised, or 20,000 in each township. One hundred pounds of the very best coffee 'C' sugar can be made from each ton of cane, and from 12 to 15 gallons of sirup.

"The price paid to farmers for a ton of cane is $2. It is, if anything, less expensive to raise than corn, and is a certain crop. Forty thousand dollars would therefore be paid to farmers in each township for the cane. The sugar product in each township would amount to 4,000,000 pounds, and the sirup product to 240,000 gallons. The sugar can be sold at the plant for 5 cents per pound, and the sirup is worth 15 cents per gallon for feeding to cattle and hogs.

"If we had the capital to erect a plant in every township, the sugar and sirup product of my district alone would, within three years, be of the value of $20,000,000 annually. So you can see to what an extent my people are interested in the sugar question. We have raised sorghum-cane for many years, mostly for feeding purposes. As we raised nearly a million pounds of sugar in the State last year we know that all we need to develop the industry is the money to put in the necessary number of sugar plants.

"I think a 25 per cent. cut in the duty on sugar with no bounty would prevent the growth of the sugar industry in this country. Speaking for my own State, we have not the money to establish sugar plants. We must look to the East for it, and any change in the present law will seriously impair our chances for securing it. Were the question to arise whether the sugar-men would prefer a cut of 25 per cent. in duty and no bounty, or a cut of 50 per cent. with a bounty of 1 cent per pound, I would say that I think they would prefer a cut of 25 per cent. and no bounty. In my opinion a discriminating bounty is unjust and dangerous.

"I do not think the House would adopt the Senate proposition if it was transmitted to it."

In answer to the question whether he thought the production of either beet, sorghum, or cane sugar could ever be profitable in this country, Mr. PETERS replied:

"I can speak only concerning the production of sugar from sorghum-cane, because I have no practical knowledge of the beet or tropical cane industries. It has been completely demonstrated in Kansas that under existing laws sugar can be profitably made from sorghum-cane."

Mr. PERKINS, of Kansas: "I think the proposition of the Senate committee would be reasonably satisfactory to the people of Kansas if it were not for the fact that capitalists are afraid of the bounty system, and do not like to put their money into enterprises that depend in whole or in part for their pecuniary success upon a bounty paid from the national Treasury. My own judgment, however, is that such a provision as the Senate committee proposes, making the bounty permanent and continuous for a period of twelve or fifteen years, and providing it can only be suspended by the affirmative act of Congress, would in the end give confidence to capitalists, and would do much to stimulate the sugar interests of the United States. I think the majority of our people prefer the protection by duty rather than by bounty, and yet I think the latter system would be accepted fairly well, as it would annually save to the consumers of sugars in the United States many millions of dollars.

"The people of Kansas are largely interested in the subject, as they have much faith in the recent experiments made in the manufacture of sugar, and they generally believe that in a very few years their State will be one of the great sugar-producing States of the Union, if not the largest, and because of this I think they would prefer the bounty system in part to an actual reduction of 25 per cent. of the present protection.

"I think it is very doubtful whether the House will accept any bill that passes the Senate, but if the two Houses can agree upon the other provisions of the bill I believe they can agree upon provisions relative to sugar.

"In conclusion let me say that this year Kansas has grown and manufactured more than 1,000,000 pounds of good sugar and forty car-loads of sirup. New works will be erected during the coming season and more seeds planted than ever before, unless some unfavorable legislation is enacted."

Mr. TURNER, of Kansas: "I am heartily in favor of the Senate Finance Committee's proposition, provided, of course, that such a bounty would not be subjected to the caprice of each Congress. In my opinion a bounty of 1 cent per pound would be just to all interests concerned. There is no doubt that the production of sugar from the cane in this country is profitable and that it can be made still more so. Why, last year a factory in Topeka, Kans., declared a dividend of 9 per cent., and our State is thoroughly interested in the development of the industry. The manufacture of sugar in the United States is still in its infancy. I think that at this time it would be unfair to make a reduction of even 25 per cent., with no bounty, in the duties on imported sugars, and that such a cut will be unfair until such a time as the industry is so far developed as to equalize all the advantages gained by experience. The sugar-men would prefer a cut of 50 per cent. in duty with a bounty of 1 cent per pound to a cut of 25 per cent. in duty and no bounty. Bounties are as fair a means of developing industries as any other method. Those who oppose bounties are simply prejudiced against them. In my opinion the House would adopt the Senate proposition if it was submitted to it."

Mr. RYAN, of Kansas, said he thought the proposition of the Senate committee was unwise and unjust to the industry. He was confident that sugar could be profitably produced in this country, and that we could produce enough to supply our home consumption within the next fifteen years, if Congress shall do its duty. He fears that a 25 per cent. cut in the tariff with no bounty might have the effect of discouraging investment of capital. The sugar-men, in his opinion, would be satisfied with neither a 25 per cent. cut and no bounty nor a 50 per cent. cut with a bounty. He was opposed to bounties on general principles, but thought that all the Republicans of the House would accept the Senate proposition rather than vote against the bill.

Mr. FUNSTON, of Kansas: "The sugar-men of Kansas do not want a bounty in compensation for a 50 per cent. cut in duties. You ask me if a 25 per cent. cut in duty with no bounty would prevent the growth of the sugar industry in this country. I answer that it would not prevent it, but that it would retard it. The sugar-men do not want a cut of 25 per cent. in duty and no bounty, neither do they desire a cut of 50 per cent. with a bounty of 1 cent a pound. They want the present duty. These bounties are a humbug and always have been. There is no excuse under the sun for making sugar an exception to the general protective system. Nothing will be done in this Congress in regard to sugar any way."

Mr. MORRILL, of Kansas: "I approve the proposition of the Senate Finance Committee. The effect of such a bounty will be more direct than that of a tariff. It is my impression that the sugar-men of Kansas prefer the bounty, because, as I have said, the protection is more direct. I can not say whether a 25 per cent. cut in duty, with no bounty, would prevent the growth of the sugar industry in the United States or not. The great factor involved is that of labor. I believe that in the development of new industries bounties are a great stimulant. They should only be continued, however, for such a period as is absolutely necessary to protect the industry. It is my opinion that if submitted to it to-day the House would reject the Senate proposition in regard to the sugar question.

"The production of sugar in this country can be made profitable. Kansas is much interested in the development of this new industry, especially in the southern and western parts of the State. Plants for the manufacture of sugar are being established. There is no section of the State in which sorghum can not be grown at little expense. Beets are not so certain."

Mr. FELTON, of California: "I think the Senate proposition would be acceptable to the beet industry of California and the Pacific coast, provided the continuance of the annual payments of the bounty should cover a period of, say, ten years. I will add, however, that in my opinion the people of the Pacific coast prefer the duty to the bounty. I think a cut in the duties of 25 per cent., with no bounty, would materially interfere, if not prevent, the development of the beet-sugar industry in this country. It is too great a cut to leave a profitable margin under the present conditions of the industry. Of course the sugar-men would prefer a cut of 50 per cent. with a bounty of 1 cent a pound, rather than a cut of 25 per cent. in duty and no bounty. In regard to bounties I may say that I am opposed to the principle which underlies them. I very much doubt if the House would adopt the Senate proposition if it was transmitted to it.

"In my opinion the production of beet-sugar (I know nothing about sorghum and but little of cane-sugar) in the United States can not only be made profitable, but that the industry is capable of great development, and that at no distant time the manufacturers of this product will be able to supply the country. I think I am justified in making this statement from the results of last year's operations in this industry in California. Sixteen thousand tons of beet-sugar was produced in one locality, the percentage of saccharine juices being a little less than 12 per cent."

General VANDEVER, of California: "I think the people of California prefer a bounty to the duty. In my opinion the bounty would best give the industry the impetus which it needs."

Mr. BUTLER. The gentlemen whose views are here given are, I believe, all Representatives from Kansas and California, some dissenting from the principle of the Senate bill and some thinking perhaps that it would afford the necessary protection. I assume that these interviews are authoritative, and therefore I have taken the liberty of having them presented to the Senate.

The amendment of the Senate Finance Committee proposes—

That until April, 1900, there shall be paid to the producer of sugar testing not less than 80 degrees by the polariscope, from beets, sorghum, or sugar-cane grown within the United States, a bounty of 1 cent per pound, under such rules and regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe.

I differ with the Senator from Wisconsin [Mr. SPOONER] entirely in regard to the views he has expressed as to the power of Congress to give a bounty to any agricultural industry, and I can not discover why it would not be as competent, according to his theory, for Congress to give a bounty of $5 a head to every man who raises beef in this country; why it would not be as competent for Congress to give a bounty of $3, or $2, or $1 a head for every sheep raised in this country, or $1 for every hog raised in this country.

The Senator puts his advocacy of this bounty upon the ground that it is in aid of a languishing industry; that the sugar industry has not advanced under the high protective tariff which has heretofore existed and to which he gives his assent; that it is solely upon the ground that it is a languishing industry, and that he desires to protect and support and build it up by giving a bounty of 1 cent a pound on sugar.

Mr. SPOONER. I know the Senator wants to represent me correctly.

Mr. BUTLER. Certainly.

Mr. SPOONER. My argument was based, so far as the question of expediency was concerned, upon the statement that it was a new industry so far as beet sugar and sorghum sugar are concerned.

Mr. BUTLER. It is a new industry so far as beet and sorghum are concerned, but the Senator will not claim that it is a new industry so far as the production of sugar is concerned.

Now, take the Senator's own view of it, if that be true. Suppose it is a new industry; admit that in five years from this time they may come into Congress and say that the industry has not prospered under your 1 cent bounty, and they want 2 cents, or want 3 cents, or 4 cents. Suppose the beef industry in this country should languish, as I am told it is languishing now, why have not the cattle-raisers of this country the same right to come to Congress and demand of us, upon that principle and upon that theory of taxation and legislation, that the agriculturists of the West and Southwest shall have for every head of beef cattle raised a bounty of $5? I can not for the life of me see the distinction. So if I were prepared to admit the constitutional power of Congress to grant this bounty (which I do not admit), I say as a matter of policy it is vicious and unjustifiable beyond measure.

Mr. EDMUNDS. May I ask the Senator from South Carolina a question?

Mr. BUTLER. Certainly; I will yield to any one.

Mr. EDMUNDS. I wish to call the Senator's attention to the act of Congress of the 16th of February, 1792, which provided for giving a bounty of one and one-half dollars a ton upon small fishing vessels, and of $2.50 a ton on larger ones, and so on, in order, as I suppose, to encourage the fishery interests of the United States; and I ask him how he distinguishes in point of constitutional authority this act passed in the time of Washington and Jefferson and Madison and the other fathers of the Republic who made the Constitution and the bounty now proposed?

Mr. BUTLER. Well, Mr. President, I do not think that one wrong of that kind will justify the repetition of it.

Mr. EDMUNDS. Of course not.

Mr. BUTLER. I do not believe even at that time, as construed by the gentlemen to whom the Senator from Vermont refers, there was a constitutional right or power to make that bounty. I do not believe they had it then, and I do not believe we have it now.

There is much in what the Senator from Wisconsin said as to the past construction of the Constitution, one school of statesmen in this country insisting upon what he chooses to call a strict construction of that instrument and the other school insisting upon a more latitudinarian construction, if I may use the expression. I was very happy to hear the Senator from Massachusetts [Mr. HOAR] say that it was no longer a sectional or a party question, and he cited the opinion of a very distinguished gentleman from south of the Ohio River in support of the construction which he put upon the general-welfare clause, to which I have never assented and can never give my assent. Whilst I have very great respect for the opinion of that gentleman upon general subjects, I can not subscribe to the view which he took of the general-welfare clause. My theory upon the subject is that the general-welfare clause relates entirely to such subjects as are within the grant of powers delegated to the Congress of the United States under the Constitution. Congress may legislate, within the limits imposed by the Constitution, for the general welfare of the people of the United States, and I think we may just as well claim that there is no restraint whatever upon Congress, that a majority may pass any act which in its judgment is for the general welfare, in absolute and utter disregard of the written Constitution under which this Government is administered, that there are no restraints imposed upon the will of the majority, but that if that majority should regard one system of legislation as conducive to the general

welfare, it may enact it into law. That seems to me to be the logic of that position.

So, Mr. President, if we take the view which the high protective people of this country take, there is no justification whatever for this bounty of 1 cent a pound on sugar. It has been demonstrated again and again that in the first place it will not afford the protection claimed by those who entertain that view.

Mr. ALLISON. I desire to interrupt the Senator just long enough to state, if he will allow me, the ground of public policy upon which this proposed bounty is made.

Mr. BUTLER. Certainly I yield.

Mr. ALLISON. The Senator asks, why should we not put a bounty upon cattle and upon other agricultural products? The idea of those who propose this bounty is that having tried for a century what effect high protective duties (to use the Senator's own language) have on the production of sugar, we find that it has been a failure. Finding that sugar is an absolute essential of civilized human life, and enters into the consumption of every household, and that we pay to foreign countries from $100,000,000 to $130,000,000 annually for sugar, increasing every year, it was believed that it was a wise thing to test the experiment of whether or not by stimulation, as a question of broad public policy, we could produce this necessary article of human life in this country.

Mr. BUTLER. The Senator will permit me there——

Mr. ALLISON. That is the ground upon which this is placed.

Mr. BUTLER. That being the ground on which the committee have reported this provision in the bill, will the Senator from Iowa be good enough to explain to me and to the Senate and to the country how it is that he can extract that 1 cent a pound bounty to accomplish what he insists has not been accomplished by a high protective tariff? I should like very much to get at the process by which the Senator reasons out a result different under this method from that resulting under a high protective tariff.

Mr. ALLISON. Very well. Now, may I ask the Senator the question which he has not explained; and that is what difference there is between the method of paying a bounty directly and the method of paying a bounty indirectly, as he suggests the present tariff does? I ask him if there is any difference.

Mr. BUTLER. The Senator does not answer my question. I put a question to him. I am sitting at his feet for light, and he puts a question to me as to the very information I asked of him.

Mr. ALLISON. Very well, I will give the Senator the answer.

That is the reason which operated on the minds of those who favor this bounty. They believe that if you can place before the people who are so situated as to be able to produce sugar, either from sorghum or beets, that they will have a definite and distinct sum for each pound of sugar thus produced, it will encourage them to make the necessary expenditure which they have not hitherto made without it. Now, if the Senator wants my individual view, I will repeat what I said yesterday, that in my belief with this bounty it will be a slow process.

I want to say another thing, if the Senator will allow me, partially in response to the Senator from Maine [Mr. FRYE]. I do not believe that it would be a fair and just disposition of this matter to confine the bounty to the production of sugar from beets and sorghum and not extend it also to the sugar from cane, which is a competing industry with sugar from sorghum and beets. Therefore I am not willing to grant a measure of encouragement to the production of sugar from sorghum and beets that I would not be willing to grant to those who are engaged in the production of sugar from cane.

Mr. BUTLER. Mr. President, according to the Senator's own statement let us see where he finds himself. He says that he proposes to make this experiment—because it is an experiment according to his own admission—with practically a new industry upon the theory and upon the ground that the high protective-tariff duties have not developed it as rapidly with Louisiana sugar-cane as was expected and anticipated in this country.

Mr. ALLISON. One moment. I did not say "anticipated." It is absolutely impossible to develop it from sugar-cane.

Mr. BUTLER. Then, according to the Senator's own admission, the high protective-tariff duties have not been tested in regard to the protection of sugar from beets and sorghum. How, therefore, can he sustain the proposition that he proposes to change the high import duties to a bounty in order to encourage a new industry, which he himself admits has never been tried in this country?

Mr. ALLISON. That is only a partial thing. I propose in connection with that to save to the people who consume sugar in this country the difference between the present rate and the proposed rate; and also, if the Senator will allow me, to give the people an opportunity to use more sugar, because it has been thoroughly demonstrated that where sugar is a free product it is consumed much more largely by the people than it is where it is a heavily-taxed product.

Mr. BUTLER. Precisely.

Mr. ALLISON. And if I may be pardoned for alluding to that subject, when sugar was made free in Great Britain, from that time forward steadily the consumption of sugar in Great Britain increased, so that it is now about 73 pounds per capita as compared with 54 or 55 pounds in our own country.

Mr. BUTLER. Then the object, as I understand the Senator from Iowa, is not for protection. It is not for protection that you offer this bounty instead of high protective duties, but to save money for the consumers in this country.

Mr. ALLISON. For both purposes.

Mr. BUTLER. Both purposes. For the purpose of protection and for the purpose of saving money to the consumers of sugar. That I understand to be the proposition of the Senator now.

Mr. ALLISON. It is for the purpose of endeavoring to secure, if practicable, the development of the sugar industry of this country and to see if it is practicable to produce sugar here for our own consumption.

Mr. BUTLER. Then the Senator abandons the protection theory and doctrine, in a measure at least, and throws himself upon the question of economy to the people of this country.

Mr. ALLISON. I am not dealing with little catch-words about what I am stating respecting this thing, and I trust the Senator from South Carolina is not.

Now, I should like to ask him, if he will allow me, as he has the floor——

Mr. BUTLER. Yes, sir.

Mr. ALLISON. I ask him if he is in favor of protecting the industry in this country engaged in the production of sugar beyond the protection given to any other industry in this country, or a protection equal to the protection of any other industry?

Mr. BUTLER. I tell the Senator very frankly that I am not; and I tell the Senator with equal frankness that my position upon this subject is that where it is necessary to raise $300,000,000 revenue it is the duty of Congress in common fairness and common honesty not to select any one, two, or three articles of consumption and strike them down and pile your tariff up on others not so circumstanced.

Mr. ALLISON. May I ask another question?

Mr. BUTLER. I should like to go a little further.

Mr. ALLISON. Very well.

Mr. BUTLER. I would adjust the duties for the purpose of raising revenue for the economical administration of this Government, with protection as an incident of that adjustment of the tariff, in contradistinction to the position which I understand the majority of the Committee on Finance to occupy of making protection the object and revenue the incident. I say to the Senator that I would so adjust the tariff that, if protection flowed from it, I should not only not complain but should rejoice at it. But why the committee should have selected the two agricultural products of sugar and rice and cut them down 50 per cent. and raised the tax on other commodities of equal consumption in this country is something that I have not been able to comprehend.

Mr. President, I will say further to the Senator that, instead of my having any feeling of hostility to any Northern manufacture, as indicated by the Senator from Wisconsin [Mr. SPOONER], in the votes that I have given and shall give upon this bill, I feel the profoundest interest in the development of every section of the Union without regard to localities, and I would vote as promptly and as readily, if the duties were adjusted as I think they ought to be adjusted, to give the manufacturers of Iowa and New England the same benefits that I would claim for the industries in my own State. The Senator from Wisconsin must not assume, because it is not true, that a high protective tariff or any adjustment of the tariff relates to industries north of Mason and Dixon's line. He must not assume, because it is not true, that Pennsylvania and Ohio and Wisconsin are the only States in the Union that produce iron. He must not assume that the New England States and New York and Ohio are the only States in this Union interested in the development and encouragement of cotton manufactures, because that is not true.

But I have never been able to comprehend, and neither the Senator from Rhode Island [Mr. ALDRICH] nor the Senator from Iowa [Mr. ALLISON] has explained to my satisfaction, why it is that they take an agricultural product in two or three States of this Union, to wit, rice, and cut that 50 per cent., strike that down, and destroy it according to their theory, and almost——

Mr. ALDRICH. Does the Senator desire an answer?

Mr. BUTLER. Yes, sir.

Mr. ALDRICH. The duty upon sugar has never been advocated or defended by any single Senator on that side of the Chamber upon any other theory than that it was a purely revenue duty, in this discussion nor in any other which I have listened to.

Mr. BUTLER. My position on that subject is this: I think the tariff on sugar as it now stands is too high, I will say to the Senator very frankly, but I would justify my vote for that duty on the ground that of every $10 collected from that duty $9 go into the Treasury of the United States and but $1 into the pockets of those who claim to be protected by it. I put it upon that ground.

Mr. ALDRICH. Precisely; and that corroborates what I stated, that it is advocated and defended upon that side of the Chamber simply as a revenue duty; and in 1883——

Mr. BUTLER. As a revenue duty with incidental protection. But how can the Senator justify the provision in this bill which increases the tax on cotton-ties to 100 per cent., runs it up from 35 to over 100 per cent. in the interest of perhaps half a dozen manufacturers of hoop-

iron in one section of this country when not one dollar of the increased duty will go into the Treasury of the United States, but eight hundred thousand or a million dollars will go into the pockets of those manufacturers? How does he justify that?

Mr. ALDRICH. Does the Senator desire an answer?

Mr. BUTLER. Yes, sir.

Mr. ALDRICH. Then I will answer the Senator. The duty which we propose to place upon cotton-ties is a protective duty for the purpose of the encouragement of an American industry and to better reward American labor. The duty upon sugar is a pure revenue duty, laid upon an article which is a necessity of life, and it is the purpose of this bill, in accordance with the message of the President of the United States calling the attention of Congress to the excessive revenue, to reduce the revenues of the United States, and we say that the revenue can not be reduced any better than upon this article of prime necessity.

Mr. BUTLER. The Senator says it is a protective duty.

Mr. ALDRICH. The duty on cotton-ties is a protective duty.

Mr. BUTLER. Is it not prohibitory? Will it not be prohibitory?

Mr. ALDRICH. On cotton-ties?

Mr. BUTLER. On cotton-ties, upon which it is raised from 35 to 100 per cent.?

Mr. ALDRICH. I do not think it is prohibitory. I do not think the Senator from South Carolina has any warrant for saying that it will be prohibitory. It is the same rate of duty which is imposed upon other gauges of hoop-iron.

Mr. BUTLER. The Senator says he thinks 100 per cent. on an article used by twelve or fifteen or twenty millions of the American people will not be prohibitory.

Mr. ALDRICH. I will point the Senator to an article with 113 per cent. duty used by sixty-five millions of people that is not prohibitory, and the article is raised in the Senator's own State.

Mr. BUTLER. Rice! Oh, Mr. President, the ghost of rice always appears to haunt the Senator from Rhode Island.

Mr. ALDRICH. And it will remain to haunt the Senator from South Carolina, too.

Mr. BUTLER. Let the Senator from Rhode Island make a fair proposition in regard to rice, and not manifest that hostility to rice which he does not show to industries in another part of this country and I will meet him on half-way ground.

Mr. ALDRICH. The Senator will see that the Senate bill proposes to place a rate of duty upon rice of 45 cents a bushel, rice being raised in South Carolina, Georgia, and Louisiana, and it proposes to place the rate of duty on beans raised in the Northern States at 25 cents a bushel.

Mr. BUTLER. Yes, I understand that.

Mr. ALDRICH. And beans contain more nutriment than rice and are of more value in a family. Now, can the Senator say that we have treated the industries of the South differently from those of the North? Yes, we have. We have given the two industries of the South, to which the Senator has alluded, greater protection than any other agricultural items in this bill. That is the way we have treated them.

Mr. BUTLER. That is not the question, and I deny that proposition, and the Senator has not met the point that I made in regard to cotton-ties, and I could select a hundred others if I had time.

The claim of the Committee on Finance is that it is their intention or their wish or their purpose to reduce the revenues. They claim that the revenues are too high with $100,000,000 of surplus in the Treasury, and it must be reduced; and yet they take two articles, and instead of making a reduction proportioned to the present duty, as they have on other articles, they cut them down 50 per cent. and then say that there is no discrimination and that still the duties are higher.

Mr. GRAY. Will the Senator allow me?

Mr. BUTLER. Certainly.

Mr. GRAY. Their bill not only does not decrease the duties on a great many articles of staple production but increases them.

Mr. BUTLER. Precisely; and then the Senator says, because I have made some complaint about this enormous reduction of the rice tariff, that is not true, that still rice is more highly protected than any other commodity in this country, in the face of the fact that it has been demonstrated over and over and over again in this debate that you have increased the duty in certain regions and localities and strike at these two, claiming at the same time that your object is to protect American industries!

The Senator from Rhode Island put a question to me the other day. He asked me if I thought the rice planters and the rice laborers in the South could get along without a protective tariff; in other words, if they could compete with the cheap labor of India in the production of those articles? I tell the Senator that my position upon that subject is simply this: Not only can they compete with the labor of any part of the world, civilized or uncivilized, in regard to rice, but I have such an estimate of, I have such confidence in, the ingenuity, in the industry, in the capacity of the American mechanic and laborer that I believe he can compete successfully with any people upon the face of the earth in any department of industry.

Mr. ALDRICH. How as to sugar?

Mr. BUTLER. I think, perhaps, he may with sugar, and I have not selected sugar or rice, and I take no stock in the idea that the American laborer may not compete successfully with the laborer of any part of the world.

Mr. President, I have discovered during the progress of this debate that whenever any act of iniquitous legislation is attempted to be justified gentlemen cross the Atlantic Ocean and seek that justification in the economic laws of the monarchies of Europe; notably the Senator from Ohio [Mr. SHERMAN], the other day, referring to the practices and laws of Germany in regard to sugar bounties, justified them upon the ground that Germany and France had granted bounties, and therefore the United States Government might grant a bounty. The German Government is essentially a paternal government, and Germany may do a great many things which would not be justified under our form of government and under our system of laws. France and Belgium and England may do a great many things which would not be justified in America.

I have also discovered that when a justification is sought for increasing the duties we are told by gentlemen from the New England States that the profits of manufacturers are not greater than the lowest rates of interest in this country; that it is a great fallacy, a mistaken idea, that the manufacturers of this country are making money and piling up immense sums in fortunes and monopolies, but that, instead of being profitable, they are in many instances barely self-supporting, making a very small percentage on the investment of the capital. If that be true—and we must assume that it is true, because honorable gentlemen tell us so—under the high protective-tariff system that we have had, if manufactures have ceased to be profitable under the high protective system, would not the dictates of common sense, to say nothing of common honesty, require that we should change that system, liberalize our tax laws, start out upon a new venture, experiment, as the Senator from Iowa says in regard to this bounty, and see if by the exercise of common business principles each individual, each corporation standing upon its own basis, unaided, unsupported by the Government, would not make more satisfactory progress? But the Senators who advocate this system say no; the profits of manufacturers have gone down under the operation of the high protective system; therefore we must go to the Government of the United States, to the Treasury of the United States, to the pockets of the tax-payers of the United States and re-enforce and supplement and build up the languishing manufactures of this country, and when that is done perhaps for five or ten or fifteen or twenty years and manufactures again languish, go to the Treasury, go to the tax-payers again and demand with a "stand-and-deliver" policy an increase of taxation to encourage American industries and increase the wages of American laborers.

I have observed another thing, Mr. President, that when it suits our friends on the other side to rely upon the opinions of the great founder and expounder of the American system, as he named it, they quote from Mr. Clay to support their propositions, omitting to mention the fact, which is a fact, that the very foundation-stone and basis of Mr. Clay's advocacy of a protective system for America was that it protected Americans against the protected industries of England. He put it upon the ground that, whereas England had a high protective tariff, it was necessary for the development of American industries that the American people should construct a parallel against the citadel which England had erected around her industries; and he put it upon that ground alone, as I have understood.

It has been asserted again and again in this debate that the effect of a high protective tariff was to increase the wages of American laborers, to protect them against the pauper labor of Europe; and Senators cite Germany, they cite France, they cite Belgium, as examples to be followed in the matter of tax laws, and in the next breath they depict in pathetic language the squalid, depraved condition of the European laborer, brought about by what means? I had heard so much of that, that when two years ago it was my good fortune to visit the continent of Europe I went with my eyes and my ears open, expecting to find on every hand, in every direction, among all classes of the laborers of Germany and Belgium and England and France, squalor, degradation, poverty, ignorance, and vice. I had some regard to their condition, in traveling through those countries, and I have never seen in this or any other country what appeared to me to be a more contented set of debauched, degraded people than I found upon the continent of Europe.

I had been told that in Belgium and in Germany they degraded women and worked them in carts by the side of a dog, that they were disregarded, degraded; and the first scene that greeted my eyes after landing upon the American shores was to witness four or five poor Irish women in free America, where labor is so happy, so prosperous, as the Senator from Vermont [Mr. EDMUNDS] told us the other day—to see four or five poor Irish women on their knees scrubbing in a restaurant for the bread of life. Poverty, Mr. President, is everywhere——

Mr. FRYE. Washing the floors, the Senator means.

Mr. BUTLER. Yes, sir; scrubbing.

Mr. FRYE. Horrible!

Mr. BUTLER. It was horrible. When I had heard my friend from Maine depict in such eloquent language the condition of the laboring people on the other side of the water, I did not suppose they ever

were called upon not only to wash a floor—if we had listened to the eloquent speech of the Senator from Maine we would suppose they all lived in fine houses and arrayed themselves in linen and silks——

Mr. HAWLEY. I should like to ask the Senator whether they do not wash their floors in South Carolina, and whether every family can hire a servant; and, if so, who is that servant, because some degraded person must do it?

Mr. BUTLER. That may appear to be very smart to the Senator from Connecticut.

Mr. HAWLEY. It is.

Mr. BUTLER. Extremely smart! But he can not get rid of that fact by attempting to interject a ridiculous and stupid remark to me, and it would be more becoming, if the Senator will permit me to say so, to admit the fact, which was denied by the Senator from New York [Mr. HISCOCK] the other day, that there are poor people in New York. That Senator said there were no poor people in New York; no poor people at the North. I have ridden by the mile and the hour in the great cities of the North and have seen the poor people with their heads hanging out of the windows of narrow tenement houses gasping for breath; and yet the gentlemen say there are no poor people there!

Senators are not going to lead me aside by the absurd inquiry whether people wash floors in South Carolina. I expect they wash them about as often as they do in Connecticut, and perhaps a little oftener. It is true that we have poor people there who do that work. There is no doubt about that, and the Senator from Connecticut is belittling the argument. Whilst I do not mean to intimate that he is intentionally misrepresenting the condition of things, he and other Senators do misrepresent when they say that all the pauperism and all the poverty and all the pauper labor in the world are to be found on the other side of the water, and that this system of legislative robbery—an expression which does not seem to be entirely agreeable to gentlemen; of course I do not mean it personally——

Mr. CHANDLER. Perfectly agreeable.

Mr. BUTLER. What did the Senator from New Hampshire say?

Mr. CHANDLER. It is perfectly agreeable.

Mr. BUTLER. "Perfectly agreeable." The Senator from New Hampshire has a very singular way of manifesting his delight and pleasure, and he has a very curious way of allying himself with robbers, if that is agreeable. The pretense that this system of what I call legislative robbery elevates all American laborers, that they are all happy, that they all live in fine houses, that there is no want, no poverty, but all are taken out of the domain of poor people by high taxation, which increases the cost of their living 47 per cent. on every $100 they pay for the necessaries of life——

Mr. ALDRICH. They pay 82 per cent. on sugar.

Mr. BUTLER. Well, sir, let it be 82 per cent. they pay on every pound of sugar, if you please, or on rice 100 per cent. I say to the Senator from Rhode Island that that is legalized robbery and a wrong to the poor people who have to pay it.

Senators quote Mr. Clay as authority on the high protective system. Let us see what Mr. Clay said upon that subject in the great speech he made in the House of Representatives in 1824:

> The great desideratum in political economy is the same as in private pursuits; that is, what is the best application of the aggregate industry of a nation that can be made honestly to produce the largest sum of national wealth? Labor—

Says Mr. Clay—and this is Mr. Henry Clay, if the Senator from Colorado will take notice, and not Mr. C. C. Clay, of Alabama.

Mr. TELLER. Will the Senator give the date of that speech?

Mr. BUTLER. Eighteen hundred and twenty-four.

> Labor is the source of all wealth, but it is not natural labor only; and the fundamental error of the gentleman from Virginia, and of the school to which he belongs, in adducing from our sparse population our unfitness for the introduction of the arts, consists in their not sufficiently weighing the importance of the power of machinery. In former times, when but little comparative use was made of machinery, manual labor and the price of wages were circumstances of the greatest consideration. But it is far otherwise in these latter times. Such are the improvements and the perfections in machinery that in analyzing the compound value of many fabrics the element of natural labor is so inconsiderable as almost to escape detection. This truth is demonstrated by many facts.
>
> Formerly Asia, in consequence of the density of her population and the consequent lowness of wages, laid Europe under tribute for many of her fabrics. Now Europe reacts upon Asia, and Great Britain in particular throws back upon her countless millions of people the rich treasures produced by artificial labor, to a vast amount, infinitely cheaper than they can be manufactured by the natural exertions of that portion of the globe. But Britain is herself the most striking illustration of the immense power of machinery. Upon what other principle can you account for the enormous wealth which she has accumulated and which she annually produces? A statistical writer of that country several years ago estimated the total amount of the artificial or machine labor of the nation to be equal to that of one hundred millions of able-bodied laborers. Subsequent estimates of her artificial labor at the present day carry it to the enormous height of two hundred millions. But the population of the three kingdoms is 21,500,000. Supposing that to furnish able-bodied labor to the amount of four million the natural labor will be but 2 per cent. of the artificial labor. In the production of wealth she operates, therefore by a power (including the whole population) of two hundred and twenty-one million five hundred thousand, or, in other words, by a power eleven times greater than the total of her natural power.

Mr. President, apply that principle to this country, multiply sixty millions by eleven, and you will find in this country that machinery has been so much improved over the day to which Mr. Clay refers that we have a capacity of six hundred millions of natural laborers in America to-day, and I suppose it would be as fair to apply that proposition to this country, even with emphasis, as that Mr. Clay should have done it in 1824 to Great Britain.

So I repeat that with the wonderful, marvelous, unheard-of advance made in labor-saving machinery in this country the manual or the natural labor is almost imperceptible in estimating the compound of the fabrics produced. Therefore I think it is a legitimate argument and a safe assumption to say that we can compete, in view of this wonderful advance in machinery, with any people on earth in any department of industry, and at the same time furnish to the laboring classes of this country equal or better wages than they now get under your high protective-tariff system.

Mr. BLAIR. Will the Senator allow me?

The PRESIDENT *pro tempore*. Does the Senator from South Carolina yield?

Mr. BUTLER. For a question.

Mr. BLAIR. I ask the Senator if he does not lose sight of the fact that these improvements in machinery are also in the possession of the people of other countries? Our patents come in use there, and we utilize theirs here. So really this matter of labor-saving machinery is practically out of the account.

Mr. BUTLER. Nothing like it.

Mr. BLAIR. Much of our machinery in the manufacture of cloth, for instance, comes to us from abroad.

Mr. BUTLER. There is no comparison in that regard between this country and Europe.

Mr. BLAIR. I think the Senator is laboring under a mistake.

Mr. BUTLER. Not at all.

Mr. COKE. I will suggest to the Senator from South Carolina, if he will permit me, that the Senator from New York [Mr. EVARTS], when he was Secretary of State, in one of his reports stated that the United States were twenty-five years ahead of the most favored nation in Europe in labor-saving machinery.

Mr. BUTLER. And I think the Senator from New York was entirely within bounds when he made that statement; and it is a fact, I believe, admitted on all hands, that the American mechanic, the American laborer with his machinery will do at least one-third more work in the course of a day than a similar class of workmen in Germany or in Belgium or in England.

Mr. BLAIR. With the Senator's permission, I will simply say that as I understand this matter the chief superiority of American machinery over that of foreign countries is in the direction of improvements in agricultural machines. I do not understand that in the manufacture of cloth or of cotton or of woolen or hosiery, or any of the great departments of manufacture which clothe the body or protect the body from the elements, our labor-saving machinery is better than that of Great Britain, which is our principal competitor. In fact, a great deal of our machinery comes to us from Great Britain, and much of our machinery has been invented on our own soil by the inventors of that country, and there is an interchange taking place between the two countries with reference to many improvements. So I do not think the statement of the Senator from New York, if he made it in that broad way, is correct, that in the matter of labor-saving machinery on the whole we have much advantage of Great Britain.

Mr. REAGAN. If the Senator from South Carolina will allow me.

The PRESIDENT *pro tempore*. Does the Senator from South Carolina yield?

Mr. BUTLER. Yes, sir.

Mr. REAGAN. The senior Senator from New York [Mr. EVARTS], when Secretary of State in 1880, after examining the consular reports, in his report to the House of Representatives assumed the great superiority of American manufactures; and Mr. Blaine, when Secretary of State in 1881, after a similar examination of the reports of consuls, in his report to the House of Representatives gives our superior machinery and the longer length of hours of labor as the reason why we could compete successfully in cotton manufactures.

Mr. BUTLER. I have never heard that proposition contradicted before. All the literature that I have been able to get hold of on that subject conceded that the American mechanic and the American laborer have outstripped the world in invention, in capacity for production. Take the article of shoes alone, made in Lynn, Mass., which, I believe, is one of the chief points for the manufacture of shoes, the American shoemaker with the improved machinery he has will make one-third more shoes than the English mechanic. The American works more hours, he gets his work out better and quicker than the Englishman, as I have been informed; and so it is in all the departments of industry.

Mr. BLAIR. If the Senator will bear with me a moment further——

Mr. BUTLER. Yes, sir.

Mr. BLAIR. The difference between the man, between the human operative or agency in production in this country and in the Old World, the superiority of ours, has always been admitted as the result of the matter of education, to which, I believe, I have on one former occasion alluded incidentally.

Mr. BUTLER. Yes, I have heard that frequently from the Senator.

Mr. BLAIR. I think a few Congresses since I had occasion to look into that, but not recently.

So far, however, as machinery is concerned, made use of in the textile fabrics of the two countries—I am comparing now our own country to Great Britain because we are the chief competitors—I do not understand that there is any marked superiority on the part of American machinery. In fact, on the contrary, a great deal of our machinery is invented and is appropriated by us from Great Britain herself, and, as I have said before, there is an interchange of inventions and improvements, and in the very nature of things no such proposition as that which I understand the Senator to be contending for can be true, because it is only a week between these two countries, and the competition for the market of the world will necessarily result in their making use in England of every improvement which we have in this country, while, on the other hand, we do precisely the same thing with reference to the improvements made in Great Britain—and there is nothing to prevent it; inevitably it must be the case. The statements that are made here in this way I do not understand to be applicable to the manufacture of textile fabrics at all.

Mr. BUTLER. Then the effect of the statement of the Senator from New Hampshire, if he be correct, is that the American laborer is inferior to the English laborer?

Mr. BLAIR. Not at all. The American laborer does not work as many hours as the laborer in Germany.

Mr. BUTLER. Why, Mr. President, according to all the statistics the reverse is true.

Mr. BLAIR. The Senator is quite mistaken except, it may be, as to the Southern States. The laborer works from ten to twelve and fourteen to fifteen hours in the factories of the South, and so the women work, but they do not in the North, and so the children work down to ten, nine, or eight years of age; and by the utilization of child-labor and the great length of hours, and by the operatives, quite the equal of the North, and in many respects the superior of the Northern operative, the manufacturers of the South do have a great advantage in that respect. But take the operative of the North with his ten or nine or eight hours' labor, as the case may be, and he does not, as a rule, give as much time to his work as is given in the old country.

Mr. GIBSON. Does the Senator refer to Louisiana?

Mr. BLAIR. I am not aware that they have manufactures to any extent in Louisiana.

Mr. GIBSON. We have cotton manufactures.

Mr. BLAIR. At what point?

Mr. GIBSON. At New Orleans.

Mr. COKE rose.

The PRESIDENT *pro tempore*. Senators must address the Chair. The Senator from South Carolina [Mr. BUTLER] is entitled to the floor.

Mr. BUTLER. I yield to the Senator from Texas [Mr. COKE].

Mr. BLAIR. I will say, if the Senator will permit me on that point, that my statement was made from personal observation, witnessing the labor itself as it was occupied in Georgia and some other points in the South. I know nothing of Louisiana.

Mr. COKE. I desire to read what I have heretofore quoted in the Senate from the report of Mr. EVARTS. In a letter written by Hon. WILLIAM M. EVARTS, then Secretary of State, and now a distinguished member of this body from New York, dated May 17, 1879, transmitting the reports of American consuls on the state of labor in Europe, the honorable Secretary, in an enumeration of his conclusions drawn from the reports, on page 36, says:

> 9. That the average American workman performs from one and a half to twice as much work as the average European workman. This is so important a point in connection with our ability to compete with the cheap manufactures of Europe, and it seems on first thought so strange, that I will trouble you with somewhat lengthy quotations from the reports in support thereof.

He then proceeds to make the quotations to sustain his conclusion fully by the proof.

Mr. BLAIR. That does not conflict with what I stated. I was speaking of the comparison of machinery, the precise point which the Senator from South Carolina raised. I have not said that the American workman was not superior.

Mr. BUTLER. Why, Mr. President, I have never heard it contradicted before, not only that the American laborer, the American mechanic, was superior to any other in the world, but that he worked longer, that the output of his labor was greater, that his product was greater, and that, therefore, we have always insisted, when a comparison is made between the wages paid to labor in Europe and in this country, that they deserved and were entitled to better wages here, because of their greater number of hours of labor and because of the superiority of their work and the quantity of the output of their labor.

I believe if you reduce the hours of labor for the American laborer, and if you reduce the product of American labor to that of Great Britain, or Belgium, or Germany, it will be found that the laborer in Great Britain gets wages equal to those paid in this country.

Mr. GEORGE. Will the Senator allow me to ask him a question?

Mr. BUTLER. Yes, sir.

Mr. GEORGE. Has the Senator's attention been called to this point, as to whether the wages in Europe is larger or smaller per product, that is by units of production, by the yard or by the piece, than it is in this country; that is, whether it costs the American manufacturer more in labor to have a certain piece of work done than it costs the manufacturer in England for the same sort of work?

Mr. BUTLER. I understand not. I was just stating that, in my opinion, if the hours of the American laborer were reduced to those in Great Britain or in Belgium or in Germany, and if his daily or weekly or monthly product was reduced and put on all fours with theirs, it would not cost the manufacturer in this country more than it does in Europe.

Mr. COKE. If the Senator will permit me, I will state that I have here an extract from a report of Mr. Blaine, made when he was Secretary of State, which shows that in the manufacture of cotton, English wages, judged by the product of English labor as compared with the product of American labor, are at least as good as those paid for American labor.

Mr. BUTLER. Yes, sir. I remember that statement of Mr. Blaine when he was Secretary of State, and I have referred to it.

Mr. BLAIR. I know I am intruding somewhat, but if the Senator will allow me, I ask, are there any reports, and is it claimed that there are any facts stated or propositions laid down in any of these reports to the effect that the wages received for a day's work by the European operative, whether in England or upon the Continent, are equal to those received by the operative in this country? I understand that there are none. In the matter of sustenance the English operative needs to eat three times a day; he needs food, shelter, and clothing, precisely as the American operative; whereas, as a matter of fact, I understand that the American at the end of his day's work will have his dollar and a half, while the Englishman will have only his dollar, and that the expense of living is no greater here than there, probably less.

Mr. BUTLER. I do not understand that to be true. On the contrary, the cost of living in this country is very much higher.

Mr. BLAIR. I think the Senator is wrong.

Mr. BUTLER. The cost of living is very much higher in America than it is in Europe, and it has been made so by reason of the very system of taxation which the Senator himself advocates, because it puts a tax upon everything that the American laborer consumes for himself and his family, and necessarily the expense of living must be higher.

Mr. BLAIR. If the Senator will pardon me, does he not see that everything which is eaten and drank by the American laborer must be cheaper here than abroad? We export those same articles of food, paying the additional cost of transportation across the water to those same English populations. As I understand it, the expenses of living are cheaper, averaging the whole, in this country than there, when everything is of the same quality.

Mr. BUTLER. The Senator forgets that although this country does export quite a large quantity of what might be termed the food products of England and Great Britain, it is by no means the entire food product they consume that we export. The Argentine Republic is today sending in refrigerating ships thousands and thousands of carcasses of beef and sheep and swine to Great Britain.

Mr. BLAIR. We ourselves sell in competition with them.

Mr. BUTLER. Precisely, and that is what I complain of in behalf of the American farmer. The product of the American farmer is sold in competition with the product of the cheap labor of South America and of India, and yet when he comes to buy his supplies he must pay 47 cents in every dollar's worth that he buys under the high tariff imposed by the American Congress. That is exactly what I complain of.

Mr. BLAIR. But the Senator has raised altogether a new issue, and he has evaded the point which was at issue between us.

Mr. BUTLER. No, sir.

Mr. BLAIR. The question was as to the relative cost of the necessaries of life in this country and in England. The fact that we sell those same necessaries of life in England in competition with the products of South America, or that we are able to sell those products there at all, paying the cost of transportation between here and England, shows that the cost of those commodities in our own country is no greater than there. That is the point. The Senator does not reach that point by returning to his other favorite one of the abuses that the agriculturists may be suffering under.

Mr. BUTLER. I do not see the force of the Senator's argument, for he says that a large proportion of the food product of Great Britain is brought into that country from the cheaper labor of the countries of South America and of India in competition with ours. As a matter of course that must bring down the price of those commodities in England. It must make them cheaper.

Mr. BLAIR. That is all I claim.

Mr. BUTLER. I have no doubt myself that in point of fact the cost of the absolute necessities of life is cheaper in Great Britain than in America to-day. I am confident of that because I have made a personal test of it. I think it will not be denied by any Senator or any man who has crossed the water that so far as woolen clothing is concerned, and every article necessary to protect a man and his family, it is from at least 25 to 30 perhaps, or 40 per cent. cheaper in Belgium, Germany, and Great Britain than in this country. I think there is no doubt upon that subject.

Therefore I say that I have a right to assume that the cost of living

in Great Britain, or in Belgium, or in Germany is as cheap or cheaper than it is in this country. The laboring people of Great Britain pay no taxes. The entire revenues of that government are raised from income and succession taxes, and from import duties upon a very few articles, and excise taxes. What are called the common people pay no taxes in Great Britain; but there is not an American laborer, as I have stated, who does not for every $100 that he spends contribute $47 of it to somebody, in some instances into the Treasury of the United States, but in the majority of instances into the pockets of the capitalists who manufacture the articles he has to buy.

Mr. HAWLEY rose.

The PRESIDENT *pro tempore*. Does the Senator from South Carolina yield to the Senator from Connecticut?

Mr. BUTLER. Yes, sir.

Mr. HAWLEY. I will answer the Senator more at length some other time. I do not care to ask the question now.

Mr. BUTLER. I did not understand the Senator.

Mr. HAWLEY. I was going to ask a question, but I drop it for the present.

Mr. HOAR. I should like to be permitted by the Senator from South Carolina to say that I have taken great pains to investigate the facts in regard to the particular statement he has just made, and that an American laboring man who with his wife and children earns $1,467 a year, supposing the man to have a family of five children, the man and the three oldest children to work in a woolen factory, the wife to stay at home and the two youngest children to be in school, and expend between $1,100 and $1,200 for their support in a pretty reasonably comfortable style of living, do not pay $50 a year all told more for the necessaries and comforts of life for which they expend their money by reason of the existence of a protective tariff, and they receive this $1,467 against about $830 which persons employed in precisely the same occupations in England get. So the tariff gives to those laboring men an increase in income of over $600 at an increase of expense, deciding every question of doubt in favor of the expense, of not more than $50. I do not believe as a result of my examination that the excess in expense is $15 a year.

Mr. BUTLER. Of course I take the Senator's statement for just what it is worth. I have no doubt he believes just what he says; but if he will pardon me, I prefer to take the statement of the Senator from New York [Mr. EVARTS] when he was Secretary of State, and the statement of Mr. Blaine when he was Secretary of State, to the statement of the Senator from Massachusetts on that subject. I say that by universal admission the average tariff tax in this country is 47 per cent. ad valorem in the entire list; that if the laborer to whom the Senator from Massachusetts refers buys a blanket he pays about 60 per cent. tax; if he buys a coat he pays perhaps 50 per cent.—I do not remember the exact ad valorem duty; if he buys sugar he pays 82 per cent., according to the statement of the Senator from Rhode Island; if he buys and consumes rice he pays about 100 per cent., and if he buys shoes he pays a certain per cent. I say it is a legitimate inference that in buying the average articles of consumption which a man wants in this country out of every hundred dollars he pays $47 of it in the form of taxation.

Mr. HOAR. Will the Senator allow me to ask him if he does not see that there is a broad distinction between the case of sugar, where the price is not brought down by home competition, and the case of these other things, where there is a large home conpetition?

If the Senator will pardon me one moment, I will state how the statement which I made was prepared. I got a very intelligent and able man who is acquainted with such matters, a book-keeper in a large establishment, who has been a student of this subject, to take a considerable number of operatives in the Hamilton woolen mills and other woolen mills in the town of Southbridge.

After getting from these men the expenditure for different articles to which their family expenses would extend, including not only $25 a year for pew-rent, but $10 a year for attending lectures, and including a certain sum for contributions to charity and various things, and then submitting the list of the things which they had paid out their money for to several butchers and grocers and other persons of whom they were bought, the result which I got was obtained. The Senator will see, of course, that in the matter of house-rent, the matter of flour and of meat, and a thousand other things of that sort, the protective tariff does not affect them at all.

I wish simply to add one fact. I know I am trespassing on the good nature of the Senator.

Mr. BUTLER. Yes; I did not yield for a speech.

Mr. HOAR. I wish simply to say that that statement which I have made was made, I suppose, many times to audiences of workingmen in my own Commonwealth who knew all about the substantial facts, and it never was questioned in a single instance by friend or foe.

Mr. BUTLER. We have heard a good deal about the effect of competition in reducing prices. I observe that Senators are very glib in introducing that feature of the argument whenever they are met with a proposition such as I have submitted; but I have the high authority of the Senator from Rhode Island in his admission yesterday or the day before that the consumer would pay the additional cost which would result from the tax proposed to be put on imported tin. The Senator from Maine [Mr. FRYE] shakes his head. I understand the Senator from Rhode Island to admit that the increased cost would come out of the consumer.

Mr. ALDRICH. In the first instance.

Mr. BUTLER. The Senator from Rhode Island says, "In the first instance." Take it in the first, or second, or third, or fourth, or fifth instance, so it comes out of the pocket of the man it does not matter to him.

Mr. ALDRICH. Until the American manufacturer reduces the price.

Mr. BUTLER. Until the American manufacturer can by competition reduce the price.

Mr. GEORGE. By a trust.

Mr. BUTLER. By a trust, as is suggested by the Senator from Mississippi. I have never heard of such beneficence on the part of any manufacturer; and I do not complain of them. They are getting their profit which the laws of Congress permit them to get. I am not complaining of the manufacturers; I am arraigning the system of laws which makes such a thing possible in this country, where the laws are at least supposed to be, and are intended to be, or were intended by the founders of the Government to be, equal and just and uniform.

It is of that I complain, and it will not do when a proposition is made for Senators on the other side to get up and say "You are another; labor is so and so in Massachusetts, or in New York, or in Ohio." That may be true, but labor is so and so in South Carolina, and it is much less. That does not answer the argument. It is not a legitimate reply to a proper argument, if I am making one, to say that you are another, and that there is a bad condition of things in your State, or in somebody else's State.

But, Mr. President, I have occupied the floor much longer than I expected or intended. I wanted to read another extract from Mr. Clay's speech. It was in that day important to increase the revenues of the Government, and his argument was met by the proposition that if you increase taxation you will diminish the revenue, and the public debt can not be paid. Mr. Clay replied to that by saying that the increase of duties on imported goods would have the effect of increasing the revenue. Without troubling the Senate to read that portion of his speech, I will claim the right to insert it in my remarks. Mr. Clay said:

The fifth objection to the tariff is, that it will diminish the public revenue, disable us from paying the public debt, and finally compel a resort to a system of excise and internal taxation. This objection is founded upon the supposition that the reduction in the importation of the subjects on which the increased duties are to operate will be such as to produce the alleged effect. All this is matter of mere conjecture, and can only be determined by experiment. I have very little doubt, with my colleague [Mr. Trimble], that the revenue will be increased considerably, for some years at least, under the operation of this bill. The diminution in the quantity imported will be compensated by the augmentation of the duty.

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Customs and an excise agree in the essential particulars that they are both taxes upon consumption and both are voluntary. They differ only in the mode of collection. The office for the collection of one is located on the frontier, and that for the other within the interior. I believe it was Mr. Jefferson, who, in reply to the boast of a citizen of New York, of the amount of the public revenue paid by that city, asked who would pay it if the collectors' office were removed to Paulus Hook, on the New Jersey shore? National wealth is the source of all taxation; and, my word for it, the people are too intelligent to be deceived by mere names, and not to give a decided preference to that system which is based upon their wealth and prosperity, rather than to that which is founded upon their impoverishment and ruin.

But according to the opponents of the domestic policy, the proposed system will force capital and labor into new and reluctant employments. We are not prepared, in consequence of the high price of wages, for the successful establishment of manufactures, and we must fail in the experiment. We have seen that the existing occupations of our society, those of agriculture, commerce, navigation, and the learned professions, are overflowing with competitors, and that want of employment is severely felt. Now, what does this bill propose? To open a new and extensive field of business in which all that choose may enter. There is no compulsion upon any one to engage in it. An option only is given to industry to continue in the present unprofitable pursuits or to embark in a new and promising one. The effect will be to lessen the competition in the old branches of business and to multiply our resources for increasing our comforts and augmenting the national wealth.

The alleged fact of the high price of wages is not admitted. The truth is that no class of society suffers more in the present stagnation of business than the laboring class. That is a necessary effect of the depression of agriculture, the principal business of the community. The wages of able-bodied men vary from $5 to $8 per month, and such has been the want of employment in some parts of the Union that instances have not been infrequent of men working merely for the means of present subsistence. If the wages for labor here and in England are compared they will be found not to be essentially different. I agree with the honorable gentleman from Virginia that high wages are a proof of national prosperity; we differ only in the means by which that desirable end shall be obtained.

But if the fact were true that the wages of labor are high, I deny the correctness of the argument founded upon it. The argument assumes that natural labor is the principal element in the business of manufacture. That was the ancient theory. But the valuable inventions and vast improvements in machinery which have been made within a few years past have produced a new era in the arts. The effect of this change in the powers of production may be estimated from what I have already stated in relation to England, and to the triumphs of European artificial labor over the natural labor of Asia. In considering the fitness of a nation for the establishment of manufactures we must no longer limit our views to the state of its population and the price of wages. All circumstances must be regarded, of which that is perhaps the least important. Capital, ingenuity in the construction, and adroitness in the use of machinery, and the possession of the raw materials are those which deserve the greatest consideration.

All these circumstances (except that of capital, of which there is no deficiency) exist in our country in an eminent degree, and more than counterbalance the

disadvantage, if it really existed, of the lower wages of labor in Great Britain. The dependence upon foreign nations for the raw material of any great manufacture has been ever considered as a discouraging fact. The state of our population is peculiarly favorable to the most extensive introduction of machinery. We have no prejudices to combat, no persons to drive out of employment. The pamphlet to which we have had occasion so often to refer in enumerating the causes which have brought in England their manufactures to such a state of perfection, and which now enable them, in the opinion of the writer, to defy all competition, does not specify, as one of them, low wages. It assigns three: First, capital; secondly, extent and costliness of machinery: and, thirdly, steady and persevering industry.

Notwithstanding the concurrence of so many favorable causes in our country for the introduction of the arts, we are earnestly dissuaded from making the experiment and our ultimate failure is confidently predicted. Why should we fail? Nations, like men, fail in nothing which they boldly attempt, when sustained by virtuous purposes and firm resolution. I am not willing to admit this depreciation of American skill and enterprise. I am not willing to strike before an effort is made. All our past history exhorts us to proceed, and inspires us with animating hopes of success. Past predictions of our incapacity have failed and present predictions will not be realized.

I think this proposition of a bounty to be paid to the sugar-planters of this country is wrong in principle and wrong in policy. The Senator from Wisconsin must not assume that the Louisiana sugar planter is alone interested in it. The people of Kansas, the people of Minnesota, of California, of every State in the American Union are interested in the fair adjustment of the tax on sugar. In my own State the sorghum of which we have heard so much, from which such satisfactory results have been procured in Kansas, grows to great luxuriance, and south of the parallel of latitude in which I live two crops of it in one year can be grown. It would be a great boon to the agriculturists of that part of the country if some system could be devised by which they could diversify their crops and abandon, what I have always insisted was an evil practice, the concentrating of their energies and their capital in the cultivation of cotton alone.

In the alluvial lands along the Savannah River, where corn crops of 50 or 60 bushels per acre have been destroyed three years successively by floods, sorghum cane could be grown almost without limit. Instead of 10 or 12 tons per acre, which I understand is the average crop in Kansas, I believe that those rich lands would make 20 or 25 tons, and the crop would not be injured or destroyed by the high water.

So it is not the people of Louisiana alone, or of Kansas alone, who are interested in this question. I want to see the duty so adjusted that equal and exact justice shall be done to all parts of the country, not alone to Louisiana or to Kansas; and if Congress can agree upon a rate of duty which will effectuate the results claimed by the committee as desirable, to wit, the reduction of the surplus in the Treasury, and at the same time afford protection to these industries, not only will I support it cordially, but I shall be rejoiced to see it become a law.

Mr. HOAR. Mr. President, I have not taken part in this debate on the general principle of the tariff this winter. It has been a subject of discussion for the American people now for many years. It occupied to the exclusion of all other business the great part of the attention of the House of Representatives, and later of the Senate at the last session, and it was thoroughly argued before the great tribunal of the people, which rendered its judgment at the recent election.

But the Senator from Texas [Mr. COKE] the other day read to the Senate some testimony, taken before a commission in Massachusetts, of one or two persons of whom nobody here, so far as I know, knew anything, undertaking to give a wretched picture of the condition of the working people in the cotton industries of the important city of Fall River. Fall River is a rapidly growing center of cotton manufacture in this country. It already has, I suppose, more than fifty cotton factories and a population approaching 65,000 or 70,000 persons. Undoubtedly that cotton industry under decent protection will be increased very largely during the next ten years. Measures are already taken for the building of new and large mills.

I have requested my honored friend, the Representative from that district, who lives in that city and is largely interested in its industries, to obtain from a trustworthy source, a manufacturer and manager of mills of large experience, a few statements which I think will utterly and entirely overthrow the supposed facts introduced by the honorable Senator from Texas. Without detaining the Senate at this hour in the evening with any further remarks, I desire to have the letter read.

The PRESIDENT *pro tempore*. The Secretary will read the letter.

The Secretary read as follows:

FALL RIVER, MASS., *January* 16, 1889.

DEAR SIR: Below I hand you list of wages paid by the Shove Mills:

Weavers:	Per week.
8 looms	$9.50
6 looms	6.50
Mule-spinners	11.00
Frame-spinners (girls)	4.68 to 6.24
Speeder-tenders (women)	6.50 to 8.50
Spooler-tenders (girls)	4.50 to 5.70
Card-grinders	8.52
Card-strippers	6.60
Slasher-tenders	10.08
Doffers, mule-room (boys)	4.62
Doffers, frame-spinners' room (boys)	4.00
Back boys	3.00
Laborers	7.50
Section hands, weaving-room	9.42
Second hands	10.50

We think the above list is about the average for the city. Mule-spinners will earn in some of the mills that have long mules about $13 per week.

During the last ten years we have run full time, except during the years 1884 and 1885, when we were shut down for four and eight weeks, respectively, owing to the overproduction or underconsumption of our style of goods. This applies to all the mills in this city, except ten, that were shut down during the year 1884 by a strike of the mule-spinners. This lasted about three months. There has not been a strike of any magnitude since that time.

We employ in the cotton mills of this city about 19,000 operatives, men, women, and children; about 7,000 of these are weavers, and 800 are mule-spinners; the balance are divided among the various departments.

We have on deposit in our institutions of savings about $11,800,000. There is no record kept as to the occupation of the persons that deposit, but we are informed by the treasurers that a very large part of the deposits are made by the operatives of our mills.

The Shove Mills employ about 600 hands; of this number 215 are under twenty-one years of age and 385 over twenty-one years. We had the overseers make a careful canvass of the mill as to the number of persons that owned their own home, with the following result: Real-estate owners, 103; real-estate owners and members of their families employed, 167.

So that more than one-fourth of our employés live in homes of their own. We do not think the average for the city would equal this showing, but very many of the homes in this city are owned by the workers in our cotton mills.

If there are any other points that we can give you, should be pleased to do so.

Yours, truly,

C. C. ROUNSEVILLE, *Treasurer*.

Dr. R. T. DAVIS, M. C.,
Washington, D. C.

Mr. HOAR. I do not think my honorable friend from Texas can cite an instance on the face of the earth, unless it be in the manufacturing communities which have grown up under the American protective system, which can present a picture like that which these simple statistics afford. I do not think he can find an instance on the face of the earth where there is a body of 19,000 wage-earners, outside of the United States of America, so large a proportion of whom receive these comparatively large wages and so large a proportion of whom are dwellers in houses which they own.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Iowa [Mr. ALLISON] from the Committee on Finance, to insert what has been read on page 86 after line 57.

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered.

The Secretary proceeded to call the roll, and Mr. ALDRICH answered to his name.

Mr. CALL. I ask that the amendment may be read.

Mr. HOAR. I do not object to the amendment being read, but I desire that the rule that after a Senator has answered to his name there shall be no further debate may be enforced after the amendment is read.

The PRESIDENT *pro tempore*. The amendment will be read.

Mr. CALL. I withdraw the request for the reading. I did not know that it was the same as the printed amendment.

Mr. HARRIS. I shall be willing that debate be regarded as closed, but I should like myself to hear the amendment read, if it is not voluminous.

The PRESIDENT *pro tempore*. The amendment will be read.

The SECRETARY On page 86, after line 57, it is proposed to insert the following additional sections:

SEC. —. That until April, 1900, there shall be paid to the producer of sugar testing not less than eighty degrees by the polariscope, from beets, sorghum, or sugar-cane grown within the United States, a bounty of 1 cent per pound, under such rules and regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe.

The producer of said sugar to be entitled to said bounty shall have first filed with the Commissioner of Internal Revenue a notice of the place of production, with a general description of the machinery and methods to be employed by him, with an estimate of the amount of sugar proposed to be produced in the next ensuing year and an application for a license to so produce, to be accompanied by a bond in a penalty, and with sureties to be approved by the Commissioner of Internal Revenue, conditioned that he will faithfully observe all rules and regulations that shall be prescribed for such manufacture and production of sugar.

The Commissioner of Internal Revenue, upon receiving the application and bond hereinbefore provided for, shall issue to the applicant a license to produce sugar from sorghum, beets, or sugar-cane grown in the United States at the place and with the machinery and by the methods described in the application; but said license shall not extend beyond one year from the date thereof.

No bounty shall be paid to any person engaged in refining sugars which have been imported into the United States, or produced in the United States upon which the bounty herein provided for has already been paid or applied for, nor to any person unless he shall have first been licensed as herein provided, and only upon sugar produced by such person from sorghum, beets, or sugar-cane grown in the United States. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall from time to time make all needful rules and regulations for the manufacture of sugar from sorghum, beets, or sugar-cane grown in the United States, and shall, under the direction of the Secretary of the Treasury, exercise supervision and inspection of the manufacture thereof.

The bounty herein provided for, including the expenses incident to the payment thereof, shall be paid from the duties collected and paid into the Treasury on sugars imported into the United States, and a sufficient sum for said purpose is hereby appropriated, and shall be paid annually from the duties so collected, such appropriation and payment to continue until the 1st day of April, A. D. 1900, and no longer.

SEC. —. That any person who shall knowingly refine or aid in the refining of sugar imported into the United States or upon which the bounty herein provided for has already been paid or applied for, at the place described in the license issued by the Commissioner of Internal Revenue, and any person not entitled to the bounty herein provided for who shall apply for or receive the same, shall be guilty of a misdemeanor, and, upon conviction thereof, shall pay a fine not exceeding $5,000, or be imprisoned for a period not exceeding five years, or both, in the discretion of the court.

Mr. CALL. It was my intention on the pending amendment to make some observations on the subject of the proposed bounty, but at the

request of numerous Senators who desire a vote to be taken this evening, and as what I should say would not change the result of the vote, I will postpone making my observations until morning.

The PRESIDENT *pro tempore*. The roll-call will be resumed on agreeing to the amendment of the Senator from Iowa.

The Secretary resumed the call of the roll.

Mr. BUTLER (when his name was called). On this question I am paired with the Senator from Pennsylvania [Mr. CAMERON]. If he were present, I should vote "nay."

Mr. CALL (when his name was called). I am paired with the Senator from Colorado [Mr. BOWEN].

Mr. CHACE (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT].

Mr. EVARTS (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN], and therefore can not vote.

Mr. HARRIS (when his name was called). On this question I am paired with the Senator from Vermont [Mr. MORRILL], who is absent from the Senate this evening. The Senator from Iowa [Mr. ALLISON] is paired with the Senator from New Jersey [Mr. MCPHERSON]. The Senator from Iowa has inadvertently already voted, as he informs me. I therefore transfer my pair to the Senator from New Jersey [Mr. MCPHERSON] and record my vote "nay."

Mr. PUGH (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS]. If he were here, I should vote "nay."

Mr. RIDDLEBERGER (when his name was called). I am paired with the Senator from New Jersey [Mr. BLODGETT]. If it is necessary I will announce once more that if he were here I should vote for the committee's bill.

Mr. WILSON, of Iowa (when his name was called). I am paired with the Senator from Maryland [Mr. WILSON]. If he were present, I should vote "yea."

The roll-call was concluded.

Mr. GRAY. I am paired with the Senator from Illinois [Mr. CULLOM]. If he were present, I should vote "nay." I presume he would vote "yea."

Mr. COCKRELL. I am paired with the junior Senator from Kansas [Mr. PLUMB], who is necessarily compelled to be absent for a few minutes. If he were present, I should vote "nay," and he would vote "yea."

Mr. PUGH. I will transfer my pair with the Senator from Vermont [Mr. EDMUNDS] to the junior Senator from Virginia [Mr. DANIEL], and record my vote "nay."

Mr. MANDERSON. I have a general pair with the Senator from Kentucky [Mr. BLACKBURN], but I transfer that pair to the Senator from Illinois [Mr. CULLOM], so that both the Senator from Delaware [Mr. GRAY] and myself can vote. I vote "yea."

Mr. GRAY. Being released from my pair by the transfer, I vote "nay."

Mr. HOAR (after having voted in the affirmative). I am paired with the Senator from North Carolina [Mr. RANSOM], but inadvertently voted. I desire to withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from Massachusetts withdraws his vote.

Mr. HALE. I am paired with the Senator from Kentucky [Mr. BECK]. If he were here, I should vote "yea."

Mr. COCKRELL. The Senator from Massachusetts [Mr. HOAR] is paired with the senior Senator from North Carolina [Mr. RANSOM], who is absent, and I am paired with the junior Senator from Kansas [Mr. PLUMB]. I suggest that we let the senior Senator from North Carolina be paired with the junior Senator from Kansas, and that we both vote.

Mr. HOAR. Very well.

Mr. COCKRELL. I vote "nay."

Mr. HOAR. I vote "yea."

Mr. COCKRELL. I will announce that the senior Senator from North Carolina [Mr. RANSOM] is paired with the junior Senator from Kansas [Mr. PLUMB]; and that the senior Senator from North Carolina would vote "nay," and the junior Senator from Kansas would vote "yea."

The result was announced—yeas 27, nays 23; as follows:

YEAS—27.

Aldrich,	Farwell,	Manderson,	Sherman,
Allison,	Frye,	Mitchell,	Spooner,
Blair,	Hawley,	Paddock,	Stanford,
Chandler,	Hiscock,	Palmer,	Stewart,
Davis,	Hoar,	Payne,	Stockbridge,
Dawes,	Ingalls,	Platt,	Teller.
Dolph,	Jones of Nevada,	Sawyer,	

NAYS—23.

Bate,	Faulkner,	Harris,	Turpie,
Berry,	George,	Jones of Arkansas,	Vance,
Brown,	Gibson,	Pugh,	Vest,
Cockrell,	Gorman,	Quay,	Voorhees,
Coke,	Gray,	Reagan,	Walthall.
Eustis,	Hampton,	Saulsbury,	

ABSENT—26.

Beck,	Blodgett,	Butler,	Cameron,
Blackburn,	Bowen,	Call,	Chace,
Colquitt,	Hale,	Morrill,	Sabin,
Cullom,	Hearst,	Pasco,	Wilson of Iowa,
Daniel,	Kenna,	Plumb,	Wilson of Md.
Edmunds,	McPherson,	Ransom,	
Evarts,	Morgan,	Riddleberger,	

So the amendment was agreed to.

Mr. ALLISON. In this connection I ask the Senate now to proceed with the sugar schedule, page 121, Schedule E—Sugar.

PETITIONS AND MEMORIALS.

Mr. HOAR presented the petition of Heywood Brothers & Co. and 21 others, chair manufacturers, of Worcester County, Massachusetts, praying for the imposition of a duty on chair canes and reeds; which was referred to the Committee on Finance.

Mr. PAYNE presented petitions of the German Church and the First Presbyterian Church, of Cleveland, Ohio, and a petition of the Presbyterian Church, of Sandusky, Ohio, praying for the passage of a national Sunday-rest law; which were referred to the Committee on Education and Labor.

Mr. HAMPTON presented a petition of the Brotherhood of Locomotive Engineers, of Florence, S. C., praying for the passage of a national Sunday-rest law; which was referred to the Committee on Education and Labor.

Mr. EVARTS presented petitions of citizens of New York City, Sterling, Waverly, and Clintondale, in the State of New York, praying for the passage of a national Sunday-rest law; which were referred to the Committee on Education and Labor.

Mr. HALE presented a petition of citizens of Port Angeles, Washington Territory, praying that Port Angeles be made a port of entry; which was referred to the Committee on Commerce.

Mr. HAWLEY presented a communication from the Secretary of War, inclosing certain papers in support of a bill to place Robert Williams, now a sergeant of ordnance stationed at Vancouver Barracks, on the retired-list as a sergeant; which was referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. VANCE, from the Committee on the District of Columbia, to whom was referred the bill (S. 3321) to incorporate the Washington and Great Falls Narrow-Gauge Railroad Company, reported it with amendments, and submitted a report thereon.

Mr. GEORGE, from the Committee on Education and Labor, to whom was referred the bill (S. 3111) to incorporate the trustees of the National Industrial Institute in Washington, D. C., reported it with amendments.

Mr. PLATT, from the Committee on Patents, to whom was referred the bill (S. 787) to protect innocent purchasers of patented articles, and for other purposes, reported it with an amendment.

Mr. GRAY. In connection with the report just made by the Senator from Connecticut, as I am a member of the committee, I wish to state that I may object to some of the provisions of the report just made, and may ask leave to present a minority report, if I should think it necessary.

The PRESIDENT *pro tempore*. That right will be reserved, if there be no objection.

BILLS INTRODUCED.

Mr. GRAY introduced a bill (S. 3841) granting a pension to Hepza Hobson Werden; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT introduced a bill (S. 3842) for the relief of Charles G. Merriam; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL introduced a bill (S. 3843) granting a pension to Clara Leigh Freeborn; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PALMER introduced a bill (S. 3844) to authorize the construction and maintenance of a railroad bridge across the Detroit River; which was read twice by its title.

Mr. PALMER. I desire to state that I do not wish to be considered as being committed, even by implication or inferentially, to the bill one way or the other by introducing it. I introduce it by request. I move that the bill be referred to the Committee on Commerce.

The motion was agreed to.

FORLORN HOPE STORMING PARTY.

Mr. COCKRELL. On the 3d day of January I reported, by direction of the Committee on Military Affairs, the bill (S. 1140) authorizing the Secretary of War to procure and present suitable medals to the survivors of the 'forlorn-hope storming party' of Port Hudson, and submitted a written report thereon. The report has been printed so badly, with so many mistakes in it, that I ask leave to withdraw that report and submit a substitute report.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

EVENING SESSION ON MONDAY.

Mr. ALLISON. I ask unanimous consent that on Monday next we may take a recess at 5 o'clock and convene again at 8. I want to give notice thus early so that Senators will not be embarrassed by it.

The PRESIDENT *pro tempore*. The Senator from Iowa asks unanimous consent that at the session of Monday next a recess be taken from

5 o'clock in the afternoon until 8 o'clock. Is there objection? The Chair hears none, and it is so ordered.

COLUMBUS PORT OF DELIVERY.

Mr. FRYE. The bill (H. R. 12060) to constitute Columbus, Ohio, a port of delivery, and to extend the provisions of the act of June 10, 1880, entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," to said port of Columbus, came over yesterday, and was ordered to lie on the table. The Senate Committee on Commerce instructed me yesterday to report favorably a bill of exactly the same terms as the House bill. I ask that the House bill may be taken from the table and placed on the Calendar.

Mr. PAYNE. Before that order is made, I ask that the bill may be now considered. There will be no objection to it.

The PRESIDENT *pro tempore*. The Senator from Ohio asks unanimous consent that the Senate may now proceed to the consideration of House bill 12060.

Mr. ALLISON. I do not object if it will take no time.

The PRESIDENT *pro tempore*. The bill will be read.

The Secretary read the bill, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. ALLISON. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Saturday, January 19, 1889, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January* 18, 1889.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

APPROVAL OF THE JOURNAL.

The Journal of the proceedings of yesterday was read.

The SPEAKER. If there be no objection, the Journal will be approved.

Mr. BUCHANAN. I object, as the Journal is not correct. It is unimportant in itself, but it may become dangerous as a precedent. The Journal states by unanimous consent the gentleman from Illinois [Mr. SPRINGER] withdrew the substitute, H. R. 8466, and reoffered the substitute previously offered by him and ruled out of order. All that occurred at that time is set forth in the RECORD, and these are the words:

Mr. SPRINGER. Mr. Speaker, as this amendment is now before the House and the reading of it has been waived, I desire to call attention to certain amendments which I desire shall be offered thereto.

Mr. BAKER, of New York. Are you going now to ask for a vote on the substitute as printed in the RECORD?

Mr. SPRINGER. The gentlemarf from New York does not object to taking a vote on the substitute which I have offered as printed in the RECORD, containing only such amendments as are germane to House bill 8466.

Mr. BAKER, of New York. I suggest that the first thing in order is a vote on the substitute of the gentleman from Minnesota [Mr. MACDONALD].

Mr. SPRINGER. The gentleman from New York who is now in the chair [Mr. COX] desires to move an amendment, and as he is not on the floor I will offer it for him.

The SPEAKER *pro tempore* (Mr. COX). The Chair will state the proposition. Unanimous consent has been given that the substitute proposed by the gentleman from Illinois is now pending—the substitute as printed in the RECORD—to which the gentleman offers an amendment.

No request for unanimous consent was submitted to the House from the Chair. The gentleman from Illinois [Mr. SPRINGER] and the gentleman from New York [Mr. BAKER] themselves agreed that this substitute should be in order. The Chair thereupon seems to have taken it for granted that the House coincided with them, and stated it from the chair. I was standing within 30 feet of the chair, and I could not hear, owing to the uproar, even that consent had been given.

The SPEAKER. The gentleman from New York [Mr. COX] was occupying the chair temporarily when these proceedings occurred, and the present occupant has no personal knowledge of what was said or done upon the floor. Afterwards, during the afternoon, when the present occupant of the chair resumed it, this question was made and unanimous consent was given.

Mr. BUCHANAN. I said that it was of little importance except as a precedent, for, as the Chair knows, unanimous consent can not be given save by the House.

Mr. COX. I wish the report in the RECORD had been a little more complete. I think it was generally conceded after the report was presented to the House yesterday that the Chair did present to the House the request for unanimous consent. Some members on the other side, where the gentleman from New Jersey [Mr. BUCHANAN] sits, perhaps, did not hear the request and the order. The gentleman from New York [Mr. BAKER], the gentlemen from Dakota [Mr. GIFFORD] and Colorado [Mr. SYMES], and all the gentlemen on this side coincide with my statement that the request had been made and was granted.

Mr. CUTCHEON. I would like to ask the gentleman from New York if he states that he submitted the request to the House.

Mr. COX. I submitted it to the House in as plain a way as ever a proposition was put. It was done in rather an interrogatory method; supposing, as will be seen by the RECORD, that all preliminaries led up to it. Now, the House will remember that after awhile it, after reconsideration, came back to the substitute; and after awhile, when it seemed to be dropped, it came back again to the same substitute. I remember well that the substitute of the gentleman from Illinois was presented. I had an amendment to it, and therefore remembered it. It did come in; and *cui bono*, what is the good of raising this question now? The substitute of the gentleman from Illinois was offered. It has been agreed that the substitute of the gentleman from Minnesota is to be first voted upon. Why, therefore, all this discussion? I am ready to vote, irrespective of the order in which matters arise; though I was not willing to give our business, like the gentleman from Illinois, to the other side of the House. [Laughter.]

Mr. BUCHANAN. Does the gentleman make the definite statement that he submitted the question different from what it appears as printed in the RECORD?

Mr. COX. Yes, sir; and besides there is a friend of mine here who will make affidavit that the question for unanimous consent was submitted, though no affidavit is needed.

Mr. TOOLE. I heard it.

Mr. DUNN. I heard it.

Mr. BUCHANAN. With that statement I am content.

Mr. CUTCHEON. Either the RECORD should be corrected or the Journal made to conform to the RECORD.

The SPEAKER. Is there objection to the motion to correct?

Mr. SYMES rose.

Mr. BAKER, of New York. I demand the regular order.

Mr. BUCHANAN. I do not move to correct the Journal in that respect, as the gentleman from New York states that he did make the statement to the House; therefore the dangerous precedent as appears from the RECORD has passed away, and I do not move to correct the Journal.

The SPEAKER. The Journal, then, will be approved.

Mr. SYMES. I understood——

The SPEAKER. There is nothing before the House.

Mr. SYMES. I want it to appear in the RECORD that I understood it was put and consented to.

COURT-HOUSE AND POST-OFFICE AT FRANKFORT, KY.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, submitting a report of the Supervising Architect showing the names of claimants and amounts alleged to be due by T. J. Collins, contractor for labor and material supplied for the construction of the court-house, post-office, etc., at Frankfort, Ky., as called for by the sundry civil act approved October 2, 1888; which was referred to the Committee on Appropriations, and ordered to be printed.

LEAVE OF ABSENCE.

Mr. HAYES, by unanimous consent, obtained leave of absence for ten days, on account of important business.

LEAVE TO PRINT DOCUMENTS.

Mr. FORD. Mr. Speaker, I ask unanimous consent to have printed for the use of the committee the documents and testimony taken by the select committee to inquire into the importation of contract laborers, paupers, etc.

The SPEAKER. Will the work cost more than $500? Because if it does the proposition must go to the Committee on Printing.

Mr. FORD. No, sir; it will not.

There was no objection, and leave was granted.

CORRECTION.

Mr. COX. I rise to correct the RECORD in relation to the matter to which the gentleman from New Jersey [Mr. BUCHANAN] has called attention this morning. What the occupant of the chair said on the occasion referred to was this:

The Chair will state the proposition [calling the attention of the House to it]. It is understood that unanimous consent is given that the substitute proposed by the gentleman from Illinois [Mr. SPRINGER] is now pending—the substitute as printed in the RECORD—to which the gentleman offers an amendment.

Corrected in that way, the report of what the then occupant of the chair said will be accurate.

ORDER OF BUSINESS.

Mr. SPRINGER. I call up the unfinished business of yesterday.

The SPEAKER. This being Friday, under the rule it is set aside for the consideration of bills on the Private Calendar, unless that order is dispensed with by the House.

Mr. SPRINGER. I move to dispense with the consideration of private bills for to-day.

The motion was agreed to.

Mr. SPRINGER. I now call up the unfinished business of yesterday.

Mr. DUNHAM. I ask unanimous consent to make a report.

Mr. SPRINGER. I ask unanimous consent that all gentlemen having reports to present may have leave to file them with the Clerk.

Mr. MATSON. I ask unanimous consent that that leave apply to reports of a general nature.

The SPEAKER. If there be no objection, gentlemen having reports

to present from committees, whether of public or of private bills, will be allowed to file them with the Clerk.

There was no objection, and it was so ordered.

FILING OF REPORTS.

The following reports were filed by being handed in at the Clerk's desk:

HENRY V. BASS.

Mr. LANE, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11803) granting a pension to Henry V. Bass; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BENJAMIN F. HENRY.

Mr. LANE also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 3492) granting a pension to Benjamin F. Henry; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARY PERSONEUS.

Mr. LANE also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 12048) granting a pension to Mary Personeus, late widow of William B. Crisfield, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM V. CRONK.

Mr. LANE also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11967) granting a pension to William V. Cronk; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SUSANNA MITTS.

Mr. LANE also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11868) granting a pension to Susanna Mitts, widow of James H. Mitts, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CALEB CRAWFORD.

Mr. LANE also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11997) granting a pension to Caleb Crawford; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. SARAH A. JOHNSON.

Mr. LANE also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11612) granting a pension to Mrs. Sarah A. Johnson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

S. U. FLETCHER.

Mr. LANE also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11726) granting a pension to S. U. Fletcher; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ELIJAH WEST.

Mr. GALLINGER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 11508) granting a pension to Elijah West; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CRIB IN LAKE MICHIGAN.

Mr. DUNHAM, from the Committee on Commerce, reported back favorably the bill (H. R. 11901) to authorize the city of Lake View, Ill., to erect a crib in Lake Michigan for water-works purposes; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

INCREASE OF PENSIONS.

Mr. MORRILL, from the Committee on Invalid Pensions, reported back adversely the bill (H. R. 6705) to increase the pensions of those now on the rolls who are incapacitated from performing any manual labor whatever from $30 to $45 per month; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back adversely the bill (H. R. 11502) to increase the pensions of those who have lost limbs or the use of them; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported a bill (H. R. 12280) to increase pensions in certain cases; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

IRVING W. COMBS.

Mr. SPOONER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 12014) granting a pension to Irving W. Combs; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

LAURA J. IVES.

Mr. SPOONER also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2979) granting a pension to Laura J. Ives; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BRIDGES ACROSS RED RIVER.

Mr. CRISP, from the Committee on Commerce, reported back favorably the bill (S. 3666) to amend an act entitled "An act granting to the city of Grand Forks, Dak., the right to build two free bridges across the Red River," approved May 21, 1888; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

PORT OF SAULT STE. MARIE.

Mr. WILSON, of Minnesota, from the Committee on Commerce, reported back favorably the bill (S. 2318) to extend to the port of Sault Ste. Marie, Mich., the privileges of inland transportation in bond; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

MANUFACTURE OF FLAX AND HEMP.

Mr. GLASS, from the Committee on Agriculture, reported back adversely the bill (S. 2560) to improve and encourage the cultivation and manufacture of flax and hemp; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

GEORGETOWN AND TENNALLYTOWN RAILROAD COMPANY.

Mr. ROWELL, from the Committee on the District of Columbia, reported back with amendment the bill (H. R. 11811) to amend an act "to incorporate the Georgetown and Tennallytown Railroad Company of the District of Columbia," which was received by the President August 10, A. D. 1888, and became a law without his approval; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

LIGHT-BOAT ON OYSTER BED SHOAL, HUDSON RIVER.

Mr. CLARDY, from the Committee on Commerce, reported back with amendment the bill (H. R. 10832) for the establishment of a light-boat with fog-bell on Oyster Bed Shoal, in the Hudson River, New York; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

MARTIN H. M'CHESNEY.

Mr. STEELE, from the Committee on Military Affairs, reported back favorably the bill (H. R. 6284) for the relief of Martin H. McChesney; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM LOGAN.

Mr. THOMPSON, of California, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 8801) granting a pension to William Logan; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ADMISSION OF DAKOTA.

Mr. SPRINGER. Now I call up the unfinished business.

The SPEAKER. The question is on the substitute proposed by the gentleman from Minnesota [Mr. MACDONALD] for the substitute proposed by the gentleman from Illinois.

The question was taken on agreeing to the substitute of Mr. MACDONALD; and the Speaker declared that the noes seemed to have it.

A division was demanded.

The House divided; and there were—ayes 75, noes 86.

Mr. BURROWS, Mr. FARQUHAR, and others called for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 117, nays 122, not voting 83; as follows:

YEAS—117.

Adams,	Brown, Ohio	Darlington,	Guenther,
Allen, Mass.	Brumm,	Davis,	Harmer,
Anderson, Iowa	Buchanan,	Dingley,	Haugen,
Arnold,	Burrows,	Dorsey,	Henderson, Ill.
Atkinson,	Butterworth,	Dunham,	Hermann,
Baker, N. Y.	Cannon,	Farquhar,	Hiestand,
Baker, Ill.	Caswell,	Finley,	Hires,
Bayne,	Cheadle,	Flood,	Hitt,
Belden,	Clark,	Fuller,	Holmes,
Boothman,	Cogswell,	Funston,	Hopkins, Ill.
Bound,	Conger,	Gaines,	Houk,
Bowden,	Cooper,	Gallinger,	Hunter,
Bowen,	Crouse,	Gear,	Jackson,
Brewer,	Cutcheon,	Grosvenor,	Kean,
Browne, Ind.	Dalzell,	Grout,	Kelley,

Kennedy,	O'Donnell,	Russell, Conn.	Thomas, Ill.
La Follette,	O'Neill, Pa.	Ryan,	Thomas, Wis.
Laidlaw,	Osborne,	Sawyer,	Thompson, Ohio
Lehlbach,	Parker,	Scull,	Turner, Kans.
Lind,	Patton,	Sherman,	Vandever,
Lodge,	Payson,	Smith,	Wade,
Long,	Perkins,	Spooner,	Warner,
Macdonald,	Peters,	Steele,	Weber,
Mason,	Phelps,	Stewart, Vt.	White, N. Y.
McCormick,	Plumb,	Struble,	Whiting, Mass.
McKinley,	Post,	Symes,	Woodburn,
Milliken,	Reed,	Tarsney,	Yardley.
Moffitt,	Rockwell,	Taylor, E. B., Ohio	
Morrill,	Romeis,	Taylor, J. D., Ohio	
Nelson,	Rowell,	Thomas, Ky.	

NAYS—122.

Abbott,	Dibble,	Lawler,	Rogers,
Anderson, Miss.	Dockery,	Lee,	Rowland,
Anderson, Ill.	Dunn,	Lynch,	Russell, Mass.
Bacon,	Elliott,	Mansur,	Sayers,
Bankhead,	Ermentrout,	Martin,	Scott,
Barnes,	Foran,	Matson,	Shaw,
Barry,	Forney,	McAdoo,	Shively,
Blanchard,	French,	McClammy,	Sowden,
Bland,	Glass,	McCreary,	Spinola,
Bliss,	Glover,	McKinney,	Springer,
Blount,	Granger,	McMillin,	Stewart, Tex.
Breckinridge, Ky.	Grimes,	McRae,	Stewart, Ga.
Buckalew,	Hall,	Merriman,	Stockdale,
Bynum,	Hare,	Mills,	Stone, Ky.
Campbell, F., N. Y.	Hatch,	Montgomery,	Stone, Mo.
Campbell, T. J., N. Y.	Heard,	Moore,	Taulbee,
Candler,	Hemphill,	Morgan,	Thompson, Cal.
Carlton,	Herbert,	Morse,	Tillman,
Caruth,	Holman,	Newton,	Tracey,
Catchings,	Hooker,	Norwood,	Townshend,
Chipman,	Hopkins, Va.	Oates,	Turner, Ga.
Clardy,	Howard,	O'Neall, Ind.	Vance,
Cobb,	Hudd,	Outhwaite,	Walker,
Compton,	Hutton,	Peel,	Weaver,
Cothran,	Johnston, N. C.	Perry,	Wheeler,
Cowles,	Kilgore,	Phelan,	Wilkinson,
Cox,	Laffoon,	Randall,	Wilson, Minn.
Crisp,	Lagan,	Rayner,	Wilson, W. Va.
Culberson,	Landes,	Rice,	Yoder.
Cummings,	Lane,	Richardson,	
Dargan,	Lanham,	Robertson,	

NOT VOTING—83.

Allen, Mich.	Davidson, Ala.	Jones,	Pidcock,
Allen, Miss.	Davidson, Fla.	Kerr,	Pugsley,
Anderson, Kans.	De Lano,	Ketcham,	Rusk,
Biggs,	Dougherty,	Laird,	Seney,
Bingham,	Enloe,	Latham,	Seymour,
Boutelle,	Felton,	Lyman,	Simmons,
Breckinridge, Ark.	Fisher,	Maffett,	Snyder,
Brower,	Fitch,	Mahoney,	Stahlnecker,
Browne, T. H. B., Va.	Ford,	Maish,	Stephenson,
Brown, J. R., Va.	Gay,	McComas,	Washington,
Bryce,	Gest,	McCullogh,	West,
Bunnell,	Gibson,	McKenna,	White, Ind.
Burnes,	Goff,	McShane,	Whiting, Mich.
Burnett,	Greenman,	Morrow,	Whitthorne,
Butler,	Hayden,	Neal,	Wickham,
Campbell, Ohio	Hayes,	Nichols,	Wilber,
Clements,	Henderson, Iowa	Nutting,	Wilkins,
Cockran,	Henderson, N. C.	O'Ferrall,	Williams,
Collins,	Hogg,	O'Neill, Mo.	Wise,
Crain,	Hopkins, N. Y.	Owen,	Yost.
Davenport,	Johnston, Ind.	Penington,	

So the substitute was rejected.

During the vote,

Mr. ALLEN, of Michigan, said: Mr. Speaker, how am I recorded?

The SPEAKER. The gentlemen is not recorded at all.

Mr. ALLEN, of Michigan. Well, Mr. Speaker, I think that if there is any way under the rules by which a member may be allowed to vote in a case of this kind, after the House has consumed two days in filibustering, he ought to have that privilege. I do not think we ought to be prevented from voting because we happen to come in here thirty minutes after the meeting of the House, supposing that the whole day would be consumed as yesterday was.

The SPEAKER. The gentleman can state how he would have voted.

Mr. ALLEN, of Michigan. I would have voted for the amendment.

Mr. McKENNA. Mr. Speaker, I ask leave to vote.

The SPEAKER. Was the gentleman in the Hall when his name was called?

Mr. McKENNA. No, sir.

The SPEAKER. Under the rule of the House the gentleman's vote can not be received.

Mr. McKENNA. If I had been present, I should have voted "ay."

Mr. COOPER. Mr. Speaker, I was entering the House just as my name was called, but as I did not know what was before the House I was unable to respond.

The SPEAKER. If the gentleman was inside the Hall when his name was called, the Chair thinks that, under the practice which has grown up, he has a right to vote.

Mr. COOPER. I vote "ay."

Mr. WASHINGTON. Mr. Speaker, what does the Chair mean by "inside the Hall?" Is the lobby inside the Hall?

The SPEAKER. It is not.

Mr. ROMEIS. Mr. Speaker, I was in the Hall when the name of Mr. POST was called. I went into the cloak-room to take off my coat, and when I came out I did not hear my name called. I would like to vote.

The SPEAKER. The Chair will state that there may be some question as to whether or not the cloak-rooms are part of the Hall, but the Chair is inclined to think that they are; and as the gentleman says he simply stepped in there from the Hall, his vote will be received.

Mr. ROMEIS. I vote "ay."

Mr. SPRINGER. The gentleman from Tennessee [Mr. WASHINGTON] was in the corridor when his name was called, and he should be allowed to vote if the gentleman from Ohio is.

The SPEAKER. The gentleman from Ohio [Mr. ROMEIS] states that he was actually in the Hall, and simply stepped into the cloak-room for a minute.

Mr. WASHINGTON. I was just as much in the Hall as he was; I was right at the door.

Mr. COX. If it will not change the result, I suggest that the votes of both gentlemen be received.

The SPEAKER. The difficulty is that in allowing members to vote upon a statement that they were within the Hall when their names were called, the Chair is really going beyond the letter of the rule.

The rule of the House is that the roll shall be twice called, and that thereafter the Speaker shall not even entertain a request for unanimous consent to vote. But it was thought the literal enforcement of this rule might in many cases impose a hardship on members, who, owing to the confusion on the floor of the House, had actually failed to hear their names. Therefore in practice the rule has been relaxed to the extent of allowing members to vote who were in the Hall when their names were called, but no further. The Chair does not think the rule ought to be further relaxed, as even under the present practice a great deal of confusion sometimes results. The Clerk will announce the pairs.

The following members were announced as paired on all political questions until further notice:

Mr. LATHAM with Mr. NICHOLS.
Mr. BRYCE with Mr. WILBER.
Mr. HENDERSON, of North Carolina, with Mr. WICKHAM.
Mr. HAYES with Mr. THOMAS H. B. BROWNE.
Mr. SIMMONS with Mr. MCCULLOGH.
Mr. BURNETT with Mr. DELANO.
Mr. PIDCOCK with Mr. BROWER.
Mr. ALLEN, of Mississippi, with Mr. DAVENPORT.
Mr. BRIGGS with Mr. MORROW.
Mr. CAMPBELL, of Ohio, with Mr. GOFF.
Mr. BRECKINRIDGE, of Arkansas, with Mr. WEST.
Mr. WHITTHORNE with Mr. BUTLER.
Mr. MCSHANE with Mr. LAIRD.
Mr. SNYDER with Mr. BOWEN.
Mr. WISE with Mr. JOHN R. BROWN.
Mr. PENINGTON with Mr. BUNNELL.
Mr. NEAL with Mr. ANDERSON, of Kansas.

The following-named members were announced as paired for this day:

Mr. COCKRAN with Mr. KETCHAM.
Mr. RUSK with Mr. BOUTELLE.

The following members were announced as paired on this vote:

Mr. COLLINS with Mr. JOHNSTON, of Indiana.
Mr. CLEMENTS with Mr. HENDERSON, of Iowa.
Mr. WILKINS with Mr. HAYDEN.
Mr. WASHINGTON with Mr. BINGHAM.
Mr. CRAIN with Mr. PUGSLEY.

The result of the vote was announced as above stated.

Mr. SPRINGER. I desire now to submit an amendment to section 3 of the substitute.

PRINTING OF STATISTICAL ABSTRACTS.

The SPEAKER. Before that question is submitted, the Chair, if there be no objection, will present two propositions for changes of reference. The gentleman from Pennsylvania [Mr. RANDALL], from the Committee on Appropriations, asks that that committee be discharged from the further consideration of Executive Document No. 50, relating to the printing of the statistical abstract annually prepared under the direction of the Secretary of the Treasury, and that it be referred to the Committee on Printing. If there be no objection, that order will be made.

There was no objection, and it was ordered accordingly.

CHARTING THE SKY.

The SPEAKER. The gentleman from Pennsylvania [Mr. RANDALL] also asks that the Committee on Appropriations be discharged from the further consideration of Executive Document No. 46, relative to the proposed international project of charting the sky, and that the same be referred to the Committee on Naval Affairs; which order will be made if there be no objection.

There being no objection, it was ordered accordingly.

ADMISSION OF DAKOTA.

Mr. SPRINGER. I now move the amendment which I send to the desk.

The Clerk read as follows:

At the end of section 3 of the substitute insert:

"Seventh. That at the election for delegates to the constitutional convention in South Dakota each elector may have written or printed on his ballot the words "For the Sioux Falls constitution of 1885," or the words "Against the Sioux Falls constitution of 1885;" and if a division of the Territory is authorized as provided in this section, and if a majority of all votes cast on this question shall be "For the Sioux Falls constitution of 1885," then it shall be the duty of the convention which may assemble at Sioux Falls as provided herein to resubmit to the people of South Dakota, for ratification or rejection, at the election provided for in this act, the constitution framed at Sioux Falls and adopted in November, 1885, and also the articles separately submitted at that time, including the selection of the temporary seat of government, with such changes only as relate to the name and boundary of the proposed State, to the reapportionment of the judicial and legislative districts, and such other amendments as may be necessary in order to comply with the provisions of this act."

Mr. SPRINGER. I move the previous question on this amendment and the third reading of the bill.

Mr. BAKER, of New York. I hope that motion will not prevail. I am very sorry my friend from Illinois should undertake to move the previous question.

Mr. SPRINGER. I thought we had given every opportunity to the other side up to this time. I must insist on the previous question. If the gentleman from New York desires to state a request I will hear what it is. If it be reasonable I think it ought to be granted; otherwise we ought to go on and bring this matter to a conclusion.

Mr. BAKER, of New York. I think there are considerations to be submitted in connection with this question other than those already presented to the House.

Mr. SPRINGER. We have been engaged all the week on this subject; and I have yielded everything in reason to the other side, even allowing them to have the vote in such a manner that they could fix up the substitute which this side of the House desired to offer. Now I think we ought to bring this question to a decision.

Mr. BURROWS. This amendment is just offered, and there ought to be at least a little debate upon it.

Mr. SPRINGER. Five minutes on each side?

Mr. BAKER, of New York. Oh, no; that is not fair.

Mr. SPRINGER. We have had a fair hearing of this all round, and I now insist we shall have a vote. If gentlemen desire a short time for debate I would like to know just exactly what time they do desire.

Mr. BAKER, of New York. The gentleman from Illinois offered this same amendment yesterday. Do I understand the gentleman from Illinois to say that this is the same amendment offered by him yesterday?

Mr. SPRINGER. Substantially, but not in words.

Mr. BAKER, of New York. I think it is different.

Mr. SPRINGER. It is different, as I have stated, but it is satisfactory to the gentleman from South Dakota.

Mr. BAKER, of New York. Not the Delegate.

Mr. SPRINGER. No, not the Delegate. I have conferred with the Delegate from Dakota on everything up to this time, but I can not see everybody.

Mr. BAKER, of New York. But the gentleman says it is satisfactory to the gentleman from Dakota. Now, what gentleman from Dakota does he refer to? I understand the gentleman from Illinois [Mr. SPRINGER] to say that he has not submitted it to the Delegate from Dakota.

Mr. SPRINGER. If the gentleman is opposed to it of course we can not help it.

Mr. BAKER, of New York. Of course we understand that if we do not like it we can lump it; but that is not the sort of an answer we expected from the gentleman from Illinois.

Mr. WARNER. Mr. Speaker, I trust the gentleman from Illinois [Mr. SPRINGER], chairman of the Committee on the Territories, will not insist on his demand for the previous question.

Mr. SPRINGER. I must insist on my demand for the previous question, as we have been on this subject since Tuesday last.

Mr. WARNER. While it is true there has been general discussion on the other bill, it is also true that there has been no discussion on the gentleman's substitute, and the fact is but few members have read it or know anything about it. Reasonable time certainly should be given to debate.

Mr. COX. How long does the gentleman desire?

Mr. BAKER, of New York. Of course we ought to have a reasonable time.

Mr. COX. What time does the gentleman propose?

Mr. BAKER, of New York. We ought to have an hour at least.

The SPEAKER. The House must come to order.

Mr. COX. Mr. Speaker, I demand the regular order of business.

The SPEAKER. Does the gentleman from New York demand the regular order?

Mr. COX. Yes, sir.

The SPEAKER. The regular order, then, is on ordering the previous question on the third reading of the bill.

Mr. SPRINGER. Will the gentleman from New York [Mr. BAKER] state how much time is wanted on the other side?

Mr. BAKER, of New York. An hour.

The SPEAKER. But the gentleman from New York [Mr. COX] has demanded the regular order.

Mr. SYMES. Unless we have an hour for debate and to offer additional amendments we will filibuster against that amendment.

Mr. SPRINGER. I have no objection to continuing the debate for one hour, the time to be divided equally between the two sides of the House.

Mr. RANDALL. This matter has interrupted the consideration of the regular appropriation bills, and I ask the gentleman from Illinois not to take up any time with unnecessary debate.

Mr. SPRINGER. I am now between two opposing forces and I must insist on my demand for the previous question.

The SPEAKER. The question then recurs on the demand for the previous question.

The House divided; and there were—ayes 74, noes 2.

Mr. BAKER, of New York. No quorum has voted.

Mr. CUTCHEON. If necessary we will have the yeas and nays.

The SPEAKER appointed as tellers Mr. SPRINGER and Mr. BAKER, of New York.

Mr. RANDALL. I would like to ask the gentleman from Illinois what length of time is asked for debate?

Mr. BAKER, of New York. A reasonable time is all we ask.

Mr. SPRINGER. To be equally divided between the two sides of the House.

Mr. COX. How long?

Mr. BAKER, of New York. One hour.

Mr. SPRINGER. We will agree to that if the debate is to end entirely on the bill in one hour.

Mr. BAKER, of New York. One hour on this side.

Mr. SPRINGER. Very well. Then I will take ten minutes to reply to all that may be said, and that will make one hour and ten minutes.

The SPEAKER. Is that agreed to?

Mr. PERKINS. I ask the gentleman to consent that amendments may be offered and considered as pending. There are some amendments which ought to be considered.

Mr. BURROWS. Mr. Speaker, I understand this bill is being considered in the House as in the Committe of the Whole on the state of the Union. Several gentlemen desire to submit amendments to this substitute. Now can they offer those amendments in the House as in Committee of the Whole?

The SPEAKER. This proceeding in the House as in committee is outside of the rules and is governed by a combination of the rules and the practice of the House and of the Committee of the Whole.

Mr. BLAND. I demand the regular order.

The SPEAKER. And when considering matters in the House as in Committee of the Whole it is always usual to allow motions to lay on the table, for the previous question, and others which are admissible under the rules in the House; and the House has determined heretofore, upon the submission of the question by the Chair, that the House might close debate upon the bill. So there is a combination of the rules and practice in the consideration of a bill in the House as in Committee of the Whole of both practices.

Mr. BURROWS. Can the right of amendment be cut off?

The SPEAKER. The Chair thinks so. It has been usual to allow the previous question.

Mr. BURROWS. Then this is not considering it in the House as in Committee of the Whole.

The SPEAKER. It is; it has always been the practice when considering measures in that way to allow all such motions as the Chair has just stated.

Mr. BURROWS. But in Committee of the Whole we have the right to offer amendments.

The SPEAKER. Undoubtedly; and so also in the House when acting as in Committee of the Whole, until by an order of the House that right is terminated.

Mr. SPRINGER. I would like to see, Mr. Speaker, if we can arrive at some agreement——

Mr. BLAND. Regular order.

The SPEAKER. The regular order has been demanded, and the tellers will take their places.

Mr. SPRINGER. Is there any objection to the request that an hour and ten minutes shall be allowed for debate, to be divided as I stated a few moments ago?

The SPEAKER. The gentleman from Missouri demands the regular order, which is equivalent to an objection.

Mr. SPRINGER. I hope that will be withdrawn.

Mr. BLAND. I demand the regular order. It is evident that we can not come to any understanding.

Mr. SPRINGER. Then I demand the yeas and nays.

The SPEAKER. Those in favor of ordering the yeas and nays will rise and stand until counted.

Mr. SPRINGER. I withdraw the demand.

The SPEAKER. The demand for the yeas and nays being withdrawn, the tellers will take their places.

Mr. SPRINGER. Is it in order to withdraw the demand for the previous question?

The SPEAKER. It is.

Mr. SPRINGER. Then I withdraw it.

The SPEAKER. The question, then, is on agreeing to the amendment proposed by the gentleman from Illinois.

Mr. SPRINGER. Mr. Speaker, I understand that under the rules of the House I would be entitled to five minutes in explanation of the amendment, and that any gentleman on the other side who chose to take the floor would be allowed five minutes to oppose it. Is that the understanding of the Chair?

The SPEAKER. The gentleman states the rule correctly, but another gentleman may move another amendment and discuss that first under the rule.

Mr. BAKER, of New York. I understand we are proceeding as in Committee of the Whole under the five-minute rule?

The SPEAKER. The gentleman is correct.

Mr. BAKER, of New York. And that amendments may be offered under that rule?

The SPEAKER. Unless the House shall determine otherwise.

The Chair has simply held that when the House is proceeding in the House as in Committee of the Whole amendments may be offered until the previous question is ordered by the House, or until the House determines to proceed to a vote in some other way besides ordering the previous question, or until the bill has passed the stage where it is susceptible of amendment.

Mr. SPRINGER. Gentlemen on the other side desire time for debate. Now, will they be satisfied with two hours, at the expiration of which time the previous question shall be considered as ordered on the amendments, and on the engrossment and third reading of the bill?

Mr. BAKER, of New York. We will take only such time as may be absolutely necessary in our judgment.

Mr. SPRINGER. Not exceeding two hours?

Mr. BAKER, of New York. Not exceeding what we consider necessary and proper.

Mr. SPRINGER. But let the time be fixed at not exceeding two hours.

Mr. REED. I think the gentleman from Illinois will find this matter will dispose of itself in much shorter time than he can dispose of it in the manner in which he is now proceeding.

Mr. SPRINGER. Will the gentleman from Maine assist in disposing of it?

Mr. REED. Certainly I will. If the gentleman will simply allow the matter to go on in the way in which it was understood that we were to proceed, namely, that amendments should be offered and voted upon, there is no disposition on this side of the House to attempt to delay unnecessarily or on any account the proceedings in regard to the bill. All this delay has been the result of misunderstandings.

Mr. SPRINGER. It all results from the fact that my friends on the other side will not allow this side of the House to vote upon the substitute we have prepared, but insist on preparing one for us.

Mr. BAKER, of New York. It all results from the fact that this is an attempt to throw obstructive measures in the way of the admission of South Dakota.

Mr. BLAND. Regular order.

The SPEAKER. The question is on agreeing to the amendment of the gentleman from Illinois, on which ten minutes are allowed for debate, five in support of and five in opposition to it.

Mr. SPRINGER. I reserve my time.

Mr. BAKER, of New York. A question first of information as to the status of this proposition. Is it to be debated for five minutes and then a vote?

Mr. DOCKERY. We are proceeding under that rule.

Mr. BAKER, of New York. Now, Mr. Speaker, this proposition, to my mind, illustrates forcibly the fact asserted here over and over again, that the scheme of the other side of the House to put through the "omnibus bill" is simply a resort to obstructive measures inaugurated and conceived and intended to prevent the admission of South Dakota. It presents a new proposition here to be rushed through the House, and does not offer the opportunity for a clear, fair, and intelligent vote upon the question of the admission of South Dakota.

We have a straight, fair, and square proposition in Senate bill 185 as it has been amended by this House. I hope the House will allow a vote upon it; and I pledge my word, and I believe I can speak for the Republicans of this House, that they will go forward in a manly way and vote and act upon a proposition for the enabling act for each of the other Territories named in this substitute.

What is the substitute offered by the gentleman from Illinois? It proposed originally to provide for the admission of Dakota as a whole. Now, as printed in the RECORD the day before yesterday, it provides for a division. It provides an enabling act for South Dakota, and ignores, sets aside, and disregards utterly the proposition for the immediate admission of that State. It provides, further, a mere enabling act for the other Territories. It does not facilitate their admission into the Union as States. It does not hasten the day when they may be admitted to the sisterhood of States. It does not hasten one moment when they may have representation upon the floor of Congress, but it simply retards the admission of South Dakota. It hinders, it delays, it obstructs the expression, the wishes, and the will of four hundred thousand people who have for seven years been knocking at the doors of Congress; and this amendment has no other purpose, it can have no other purpose, except to mix up the whole proposition and to distract the attention of Congress from that which is embodied in the bill which has passed the Senate and is now before the House, and it is a proposition to amend by substituting the so-called omnibus bill, a monstrosity, and which is wrong in principle and unjust to the people concerned, and a violation in fact of the constitutional rights and privileges of the people of that great Northwestern State.

I submit, Mr. Speaker, that this amendment should be voted down, and think that the House, in justice to itself, in justice to the people of the country, as a matter of constitutional right, and in justice to the people of Dakota, should vote down this proposed substitute, the omnibus bill, offered by the gentleman from Illinois, and give us a straight vote upon the proposition to admit at once South Dakota; and then, as I have already intimated, we will go on, and in one day, I pledge you, pass an enabling act for each and every one of the Territories deserving such an act.

Mr. HENDERSON, of Illinois, rose.

The SPEAKER. Does the gentleman rise to propose an amendment?

Mr. HENDERSON, of Illinois. I rise to discuss the bill.

The SPEAKER. The Chair will state that under the rule the Chair is compelled to recognize gentlemen on one side of the proposition, and afterwards to recognize the gentlemen on the other side of the proposition.

Mr. SPRINGER (to Mr. HENDERSON, of Illinois). You can make a formal amendment.

Mr. HENDERSON, of Illinois. I move to strike out the last word.

The SPEAKER. The gentleman from Illinois will proceed.

Mr. HENDERSON, of Illinois. Mr. Speaker, I had not intended to participate in this discussion, nor do I now intend to occupy the attention of the House but a few moments. I am not sure but that I would be willing to vote for each and every one of the Territories proposed in this amendment to be admitted as States into the Union, even including New Mexico, if submitted as separate propositions; but I do wish most earnestly, Mr. Speaker, to protest against the further keeping of South Dakota out of the Union as a State.

It has been my pleasure to visit that Territory about once a year for five or six years past, and I have witnessed the wonderful growth and prosperity of the people of that Territory. When I first visited Dakota, some six years ago, I stopped at a town of five or six hundred inhabitants. I was there a few days before this session of Congress convened, and I was glad to see that it had trebled its population. It had just erected a school-house at a cost of $17,000, I believe, that would be creditable to a town of three or four times its size. Its streets were lighted with electric lights, and they have there an agricultural college with from two hundred and fifty to three hundred students, I think, attending every day. I allude to this to show the character of that people, and you may travel from one end of Dakota to the other and find the same characteristics. I have gone through the northern portion of it; I have gone to the Missouri River through the southern portion, and from the southern part north to the center of the Territory, visiting their towns, and I have found in every part of that Territory of wonderful fertility and beauty where I have gone an intelligent, energetic, enterprising people; and yet they have been kept out of this Union, until yesterday it was proposed by my friend from New York to so amend the bill under consideration as now to give Southern Dakota two Representatives in the Congress of the United States. And yet my colleague, Mr. SPRINGER, and the other side of the House are still, it seems, disposed to add further obstacles to the admission of that Territory into the Union as a State, and to obstruct it by attaching to it Territories which ought not, perhaps, to be admitted until they have made further progress in the way of population and improvement, and which certainly have no such claim to admission as Southern Dakota.

Mr. SPRINGER. Did you not just now vote for the amendment in favor of these other Territories?

Mr. HENDERSON, of Illinois. I voted for it because it does not obstruct the admission of South Dakota as a State. And I give my colleague to understand that I will not vote for any proposition that will do so; and if the other side of the House are disposed to commit further wrong and outrage upon the people of Southern Dakota they can do so. I will not vote for nor support any proposition which does not provide for the admission of Southern Dakota, and that at the very earliest day which can be agreed upon for such admission. There are four or five hundred thousand people in the southern part of Dakota. They are an intelligent people. They are of our own blood and kindred. They demand admission into the Union, and they ought to have it at the earliest possible moment.

The SPEAKER. The time of the gentleman has expired.

Mr. COX. I listened with pleasure to the eloquent remarks of the gentleman from Illinois. I am in favor of the admission of Southern Dakota. I began on this and within the lines of my own party until the last session of this Congress. We have progressed from time to time until we have a proposition now in the third section of this bill for the division of Dakota. That is an advance. My friend approves of that advance. He approves of giving two Congressmen to South Dakota. That is an advance. Now we propose this amendment in the third section of the bill; a further advance, much further than our Democratic caucus went, much further than gentlemen are disposed to go in party questions; and therefore, looking to the good of our Government and with a view to favoring South Dakota, and having my eye at the same time on the Senate, and after reading the reports of all the committees that have reported for several years, I think——

Mr. BAKER, of New York. Will the gentleman allow a question?

Mr. COX. Yes, sir.

Mr. BAKER, of New York. The gentleman states that he has his eye on the Senate. Does he expect to move to Dakota? [Laughter.]

Mr. COX. I never had any ambition to be anything except a member of Congress and to cultivate the graces of my friend from New York. [Laughter.] They tendered me an office in New York City, which I declined, I am so happy to be with you gentlemen here, where even my word is taken on a matter of doubtful veracity. [Renewed laughter.] But, Mr. Speaker, I meant to say this, that gentlemen who are really patriotic, who desire to help these people in their enterprises, who are proud of the progress of our people in all that makes up modern civilization, might defer a little to the general sentiment of the country just now, and if we can not get all that we want in any one measure, let us refer certain matters of a local character to those amendments which come in organic legislation, and to the Legislatures of the Territories to be established in these States.

Mr. HENDERSON, of Illinois. Will the gentleman permit a question?

Mr. COX. I have not much time.

Mr. HENDERSON, of Illinois. It will be a simple question.

Mr. COX. I know it will be simple [laughter], but I can not yield.

Mr. HENDERSON, of Illinois. Can my friend give me one single, solitary good reason why his side of the House should not now vote for the admission of South Dakota?

Mr. COX. That is not a simple question. That is complicated. [Laughter.] When the gentleman votes for the admission of South Dakota under this bill, he will have solved the complications which my distinguished friend from Illinois is in the habit of making in this House. So that I propose now, out of general good-will, that we vote for this amendment, which has come up gradually into prominence; vote for this amendment, and vote for these other Territories also, and then we can say to the people of these Territories, "We have done the best we can for you, and we submit the matter to your judgment both on questions of division and on other local questions pertaining to the Territories."

Mr. BAKER, of New York. Will the gentleman allow me to ask him a question?

Mr. ADAMS. I desire to put a question to the gentleman.

Mr. COX. I will answer both of them together, then I will not be complicated. [Laughter.]

Mr. ADAMS. I ask the gentleman from New York to explain the exact effect of this proposed amendment which is now actually pending before the House.

Mr. COX. This amendment proposes to submit the Sioux Falls constitution to the people. I am democratic enough to desire that we shall infuse the least possible public sentiment into the convention and let the people reratify the constitution if necessary.

Mr. ADAMS. Is that all? This is not what is printed in the RECORD. It omits an essential feature.

Mr. COX. Here it is [holding up the manuscript].

Mr. BAKER, of New York. Nobody can read that.

Mr. COX. It was read in the gentleman's hearing.

Mr. STRUBLE. I do not think it was understood when it was read. I did not understand it.

Mr. COX. Well, if the gentleman from Iowa and I can not understand it no one else can. [Laughter.]

Mr. STRUBLE. I think that when it was read there was too much noise for any one to understand it.

Mr. WARNER. Mr. Speaker, I would ask, in order that the House may know what is before it, that the amendment offered by the chairman of the Committee on Territories this morning be now reported.

The SPEAKER *pro tempore*. The Clerk will again read the amendment.

The amendment was again read.

Mr. WARNER. Mr. Speaker, I certainly shared in the general joy that was experienced yesterday at the confession by the distinguished gentleman from New York [Mr. COX] that there had been a change of heart on the part of the chairman of the Committee on Territories, a change in the direction of the interests of the people of the Territories. I felt that we were progressing. But I can truly say that certainly there has been no advancement made by the distinguished gentleman from Illinois since he offered his amendment to section 3 of the substitute upon yesterday. This morning he carefully omitted from that amendment the very provision that gave it vitality, that gave it force, that rendered possible an early admission of South Dakota. I now desire to read for the information of the House the amendment as offered yesterday by the gentleman from Illinois [Mr. SPRINGER], to be found on page 953 of the RECORD.

Mr. BAKER, of New York. I would like to ask whether the amendment as just read is the same as that offered a little while ago. Has there been any change since it was first read this morning?

Mr. SPRINGER. No, sir.

Mr. WARNER. The amendment as now offered omits words which were important. I think I heard the distinguished gentleman from New York [Mr. COX] asking this side of the Chamber yesterday whether we were willing to provide that the admission of South Dakota should be declared by proclamation of the President of the United States, and the answer was "yes." One clause of the amendment as submitted yesterday provided:

And if a majority of the votes cast on the ratification or rejection of the constitution shall be for the constitution irrespective of the articles separately submitted, then the President of the United States may issue his proclamation declaring the State of South Dakota admitted as a State in the Union from and after the date of such proclamation.

Mr. BAKER, of New York. That is left out of the amendment as now offered.

Mr. WARNER. That, by an inadvertence——

Mr. STRUBLE. That is stating the matter very mildly.

Mr. WARNER. Is intentionally omitted from the amendment as offered this morning. [Laughter.] So that the progress which has been made since yesterday has been rather that of the crawfish.

A MEMBER. The crab.

Mr. WARNER. Yes, the crab. I am willing to yield that the gentleman from Illinois, in whose fairness and candor in these matters I have implicit confidence, may state to the House why this change has been made. Is it in the interest of South Dakota? Is it designed to hasten the admission of that Territory—this empire, of which the gentleman talks so eloquently—into the sisterhood of States, or is it to retard it?

A MEMBER. Or is it a trick?

Mr. WARNER. Certainly it can not be a trick.

Mr. SPRINGER. If the gentleman's time is up, I will take the floor.

Mr. WARNER. Certainly; I would be pleased to yield to the gentleman.

Mr. SPRINGER. I will take the floor in my own right.

Mr. WARNER. Certainly; of course.

Mr. SPRINGER. Mr. Speaker, I will tell the gentleman why this change has been made by me. The election at which this constitution is to be voted on will take place, under the provisions of the substitute as it now stands, on the Tuesday following the first Monday in November next. Upon the same day the people of North Dakota, under this substitute, will vote on the ratification or rejection of their constitution; and I assume that both North Dakota and South Dakota will ratify their respective constitutions. It would be impossible for the President of the United States to receive official information of the result of the vote in regard to ratification or rejection before the 1st day of December—say thirty days thereafter. That would be within a week, at most, of the time when Congress could pass upon this question, and admit both these States together. It would be very inconvenient for the people of North Dakota to have a Territorial government organized for the brief period of one week. In view of the confusion which might thus result, and as a period of only a week or ten days at most would elapse before both States could come in together, I thought Congress, as a matter of justice, ought to have the right to determine whether South Dakota had accepted these donations of land and the other conditions of the bill in the terms enacted by Congress and had agreed to assume her portion of the debts of the Territory of Dakota.

Mr. WARNER. Now, will the gentleman yield for a question?

Mr. SPRINGER. Yes, sir.

Mr. WARNER. Under the amendment as offered by the gentleman yesterday no Congressional action was required to secure the admission of South Dakota after the approval of this constitution. That is true, is it not?

Mr. SPRINGER. Yes, sir.

Mr. WARNER. The amendment as offered yesterday left it simply with the President of the United States to issue his proclamation; that is true, I believe.

Mr. SPRINGER. Yes, sir.

Mr. WARNER. Now, you propose to take away that hope and compel these people to come back for Congressional action before they can be admitted.

Mr. SPRINGER. This proposition can not delay the matter more than a week or ten days at most.

Mr. WARNER. Wait a moment. We can understand something

of the delay which may occur when we remember that South Dakota has been here now for three years——

A MEMBER. Seven years.

Mr. WARNER. Yes, seven years, knocking at the doors of Congress, in season and out of season, for admission; and yet there has been no action up to this time.

Mr. SPRINGER. I hope the gentleman will treat this matter frankly. Does he not concede that it would be very inconvenient for North Dakota to be compelled to have a Territorial government which could not last beyond a week or ten days at most, during which time the various Territorial officers would have to be qualified, and there would be great confusion as to their status?

Mr. WARNER. It might be inconvenient for the people of North Dakota to be kept out of the Union a week or ten days under a Territorial form of government, but it would be a greater inconvenience, hardship, and wrong upon the four hundred thousand people of South Dakota to keep them out of the Union awaiting the action of the next Congress, involving a delay, whether of a week, a month, a year or years, instead of admitting them certainly within the coming summer.

Mr. SPRINGER. On the first day of December next both branches of Congress will be Republican, and there will be a Republican President.

Mr. WARNER. Yes, thank God; and that is the hope of the Territories of this country. [Applause on the Republican side.]

Mr. SPRINGER. Yet the gentleman will not trust his own party to deal with this question.

Mr. WARNER. Oh, yes, I will trust my own party. I am thankful that the action of my party at the last election has stricken the scales from the eyes of the gentleman, so that he now proposes to do something that he refused and scorned to do before the ides of last November.

Mr. SPRINGER. Yes; we were struck with "blocks of five."

Mr. BAKER, of New York. Allow me a question.

Mr. SPRINGER. In one moment. I assume, therefore, Mr. Speaker, that no injustice can be done to South Dakota, because at that time she and her Representatives will be in the hands of her own friends.

Mr. BAKER, of New York. Allow me a question.

Mr. SPRINGER. Therefore, there is no advantage taken.

Mr. WARNER. Pardon me further.

Mr. BAKER, of New York. Wait a minute and allow me to ask the gentleman from Illinois a question.

Mr. SPRINGER. The gentleman from Missouri wishes to ask me another question, and I will yield for that purpose.

Mr. WARNER. The gentleman has not answered the question I have already put to him. Is not the effect of the amendment which the gentleman offers to-day instead of the one offered yesterday of necessity to delay the admission of South Dakota? Let me ask the gentleman further whether, when he offered the amendment yesterday and wanted the previous question to be ordered upon it, he had not then fully considered all its conditions? Why, then, does he now propose to change it?

Mr. SPRINGER. I have stated why it was changed.

Now, Mr. Speaker, I wish to call the attention of the committee——

Mr. BAKER, of New York. Will the gentleman from Illinois allow me to ask him a question?

Mr. SPRINGER. I can only answer one question at a time.

Mr. BAKER, of New York. But you have not answered even that question.

Mr. SPRINGER. The gentleman from New York can submit his question, and I will try to answer both together.

Mr. BAKER, of New York. I wish to be courteous to the gentleman from Illinois.

Mr. SPRINGER. Proceed.

Mr. BAKER, of New York. Is my friend willing that South Dakota shall be admitted now, at this session of Congress?

Mr. SPRINGER. I am willing that she should be admitted under the terms of the substitute now pending.

Mr. BAKER, of New York. And that, the gentleman from Illinois will admit, is simply an enabling act in effect.

Mr. SPRINGER. The gentleman understands it as well as I do.

Mr. BAKER, of New York. And that is the reason I so stated.

Mr. SPRINGER. I wish to call the attention of the House to the proceedings of a meeting held in Minnehaha County, one of the largest counties in Southern Dakota, one day last week, in a convention, composed of Democrats and Republicans, called by the chairmen of the committees of both parties to appoint delegates to a convention held this week. They did appoint delegates; and let me read what they said:

"Whereas serious defects exist in the Sioux Falls constitution, notably that limiting the State indebtedness to $500,000, when the bonded debt made on behalf of the public institutions located in South Dakota already exceeds $667,000, while from present prospects the State of South Dakota is liable to begin business without a dollar in the treasury; and

* * * * * * *

"Whereas the population of South Dakota since the choice of these delegates in June, 1885, has increased from 263,000 to over 375,000, nearly one-third of the present electors having had no voice in what was then done.

* * * * * * *

"*Be it resolved by the electors of Minnehaha County in mass convention assembled*, That the interests of all classes will be best subserved by admission into the Union under a constitution which does not contain the objectionable features found in the Sioux Falls constitution, and which will give every legal voter now in South Dakota an equal voice in determining certain disputed provisions of the constitution, the choice of temporary State capital, and the selection of State officers, members of the Legislature, and Congressmen.

"*Resolved*, That we, electors of Minnehaha County, firm in the belief that the quickest, best, and most satisfactory way of getting into the Union will be under a new constitution, favor the calling of a new constitutional convention for the making of a new fundamental law for the State of South Dakota.

"*Resolved*, That the delegates chosen by this convention to represent Minnehaha County in the statehood convention at Huron, on Wednesday, January 16, be instructed to urge that convention to ask the Legislative Assembly of Dakota, which is now in session at Bismarck, to pass a law providing for a new constitutional convention for South Dakota, whose delegates shall be apportioned upon the total vote polled at the late election for Delegate."

On the call for a division of the house it developed that of the one hundred and fifty persons, more or less, who were present, all but twelve or fifteen favored the resolutions.

Mr. ALLEN, of Michigan. Allow me to ask the gentleman one question.

Mr. SPRINGER. Certainly.

Mr. ALLEN, of Michigan. Does not the gentleman know that at this moment there is in session at Huron, Dak., a representative convention which not only asks but begs and implores to be admitted into the Union under the Sioux Falls constitution?

Mr. SPRINGER. No, sir.

Mr. ALLEN, of Michigan. Does the gentleman set up here against the action on the part of South Dakota the action of one county only? Does he call that equity, justice, fair play, to the people of the great Territory? One hundred and fifty counties against one.

Mr. SPRINGER. I think this is a pretty long question.

Mr. ALLEN, of Michigan. I beg the gentleman's pardon. What I wished to say was that there is there a representative convention of delegates coming from the people, who know what they want, who can read and write, and who have as much right to be in this Union as a State as the State of Illinois, which the gentleman in part represents.

Mr. SPRINGER. Will my friend be satisfied now that he has answered his own question?

Mr. ALLEN, of Michigan. Yes, sir; and far better than the gentleman dared to do.

Mr. SPRINGER. Now, Mr. Speaker, I call the attention of the House further to a letter which I have received from a distinguished citizen of Minnehaha County, sending me these resolutions, in which he says:

The sentiment of our people (barring a few politicians who assume to be the Territory politically) is decidedly opposed to what is known as the "Platt bill," and while our people all want statehood there are great divisions of sentiment, even among the Republicans, as to the division and admission under the Sioux Falls constitution. Now in case that constitution was submitted to a vote of the Territory it would, in my opinion, be voted down by a large majority in the south part of the Territory. * * *

As between the adoption of the Platt bill and the question of admitting the Territory as a whole—

A very objectionable thing to South Dakota—

the latter would carry to-day by a large majority.

Mr. ALLEN, of Michigan. Will the gentleman now take up and read about twenty-five letters which I have in my desk right on the other side?

Mr. SPRINGER. The gentleman can read them in his own time.

[Here the hammer fell.]

The SPEAKER *pro tempore* (Mr. MCCREARY). The time of the gentleman from Illinois has expired.

Mr. STRUBLE. I wish to ask the attention of the House for a few moments.

This proposition to compel the people of South Dakota, with all their intelligence, to vote twice upon the adoption of the constitution, which has been already adopted by that people, is in very strange contrast to the position my friend from Illinois has taken on the question of the admission of the Territory of New Mexico, about which he seems overly anxious.

Mr. SPRINGER. I believe that I am entitled to the floor.

The SPEAKER *pro tempore*. The time of the gentleman from Illinois has expired.

Mr. STRUBLE. Mr. Speaker, I hold in my hand a paper, the Santa Fé Herald of December 29 last, copies of which most of us, if not all, have received, containing a letter written by the distinguished chairman of the Committee on Territories to Governor Ross, of that Territory, which letter is quite interesting as illustrating his liberality to one Territory as contrasted with his peculiar and marked illiberality to the people of South Dakota, who are really solicitous, and have been for a long time, for admission into the Union. I will read this letter; it is as follows:

STATEHOOD FOR NEW MEXICO.

We are permitted by Governor Ross to publish the following letter from Congressman SPRINGER, received by the governor a few days ago. The letter explains itself:

"HOUSE OF REPRESENTATIVES, UNITED STATES,
"*Washington, D. C., December* 20, 1888.

"My DEAR SIR: Your letter of the 15th is received. I am very glad to have your views as to the admission of New Mexico.

"There is an impression here that New Mexico does not desire admission. Therefore I hope you will prepare a memorial to Congress praying admission, through an enabling act, and ask to be included in any bill that may pass for that purpose. Set forth your population, resources, and claims. Sign yourself officially, and get signatures of leading officials and citizens of the Territory.

Send to Mr. JOSEPH and let him present it. If your Legislature meets this winter, have a joint resolution passed asking to be included in any bill for the admission of Territories, etc. You know what is wanted. This is very important.

"The subject will be taken up January 15, and will be disposed of, I think, in two days. Have your memorials, etc., by that time.

"I think we can pass the omnibus bill, with the caucus amendment for division of Dakota.

"I am, very truly, yours,

"W. M. SPRINGER.

"Hon. E. G. ROSS, *Governor of New Mexico.*"

Here is a spectacle, Mr. Speaker, that we have before us to-day of a leading Democratic statesman trying to work up a State-admission sentiment in the Territory of New Mexico, when for fourteen years her Legislature has met regularly biennially and never passed resolutions favoring admission; and although this Territory has had its Delegates here for fourteen years in Congress none of them has ever presented a bill asking or claiming admission into the Union. But notwithstanding that fact, here is a prominent Democratic statesman, the chairman of the Committee on the Territories, trying to urge the people of New Mexico to make this move and take the initiative steps in regard to this matter. I repeat, sir, it is in marked contrast with the action of the gentleman from Illinois in regard to the admission of Dakota. It illustrates the inconsistency with which the gentleman has been acting in regard to this matter, the inconsistency of one of the great leaders in his party; and in my opinion the vote we are soon to take ought to show, and I believe it will show, that his proposition now will receive at least the unanimous and unqualified disapproval of the Representatives on this side of the Chamber. [Applause.]

Mr. SPRINGER. Mr. Speaker, in answer to what the gentleman from Iowa has stated I want to call his attention to the fact that I have received official notice from the president of the senate of the Territory of New Mexico that a resolution had been unanimously adopted by that Republican body tendering the thanks of the people of that Territory to the honorable Delegate and myself for our assistance to the Territory in getting into the Union. [Applause on the Democratic side.]

The resolution is as follows:

Resolved, That the thanks of the people of New Mexico are hereby extended to Delegate ANTHONY JOSEPH and Chairman WILLIAM M. SPRINGER, of the House Committee on Territories, for their able efforts in behalf of statehood for New Mexico.

The resolution was adopted unanimously.

So while I may not have the approval of the gentleman from Iowa himself for my course in regard to the people of New Mexico, the Republican Legislature have unanimously indorsed my action in the matter.

Mr. DORSEY. How about the people of Dakota? What have they done in regard to it? [Laughter.]

Mr. GIFFORD. Mr. Speaker, in reference to the sentiment of our people regarding the adoption of the present constitution and the passage of the Platt bill, our Territorial Legislature is now in session and I have received information by telegraph from the president of the council that a memorial has passed the legislative body unanimously approving of the Platt bill and the admission of South Dakota under the present constitution. It is on its way here to the Capitol at this time.

I have also a telegram from the convention called at Huron and from delegates to that convention from Minnehaha County, who were selected at the last meeting the gentleman spoke of, which convention has passed or adopted unanimously the following resolutions in regard to the admission of the State:

Resolved, That we favor the immediate admission of South Dakota by the present Congress.

Resolved, Second, failing in this, that we ask the President-elect to convene a special session of Congress to provide for the admission of the Dakotas; and, third, failing in both of these, that we ask——

Mr. SPRINGER. I want to call the attention of the House to the last resolution.

Mr. GIFFORD. Very well—

that we ask the Territorial Legislature to provide for a new constitutional convention for South Dakota.

In case there is no action at all, either by Congress at this session or in case that a special session is called——

Mr. SPRINGER. Why are they willing to have another convention? Why not stand by the Sioux Falls constitution?

Mr. GIFFORD. Simply because they think it is the most expeditious way of getting into the Union. One word in reference to the amendment offered by the gentleman from Illinois.

I had some little hope when this amendment was offered, and it was printed in the RECORD this morning, that something could be done to hasten the admission of Dakota, even by our friends upon the other side of the Chamber. One provision of this amendment was that in case our people voted favorably on the adoption of the Sioux Falls constitution at the election of delegates for the constitutional convention to be held in May, that South Dakota might be admitted upon the proclamation of the President.

The amendment that he proposes this morning postpones the admission of Dakota far longer, if I understand the purport and meaning of this amendment, than the ten days that he mentioned. It depends wholly on another act of Congress. Now, by the amendment he proposed yesterday South Dakota might be admitted, well, say, in July, or as soon as the constitutional convention convenes. South Dakota could be admitted by the 1st of August, 1889; and under his present amendment there is no possible way for South Dakota to be admitted except by an act of Congress at its next session.

This amendment, which is now before the House and which was presented by the gentleman from Illinois, is of no earthly benefit to the people of Dakota. We want nothing of that sort. The Senate bill contains all the details which our people desire. It is a complete, perfect act within itself. It admits South Dakota under the present constitution. This amendment, which is now presented to the House, is of no earthly use. It will not further the admission of Southern Dakota at all.

Mr. ADAMS. Mr. Speaker, I offer an amendment.

Mr. SYMES. The gentleman has given me the floor.

The SPEAKER *pro tempore*. The gentleman from Colorado is recognized.

Mr. SYMES. The first statement I desire to make to the House this morning is that I somewhat misinformed the House yesterday as to the contents of the amendment or substitute which was to be offered by the gentleman from Minnesota [Mr. MACDONALD]. I had been informed by the Delegate from Dakota [Mr. GIFFORD] and by the gentleman from Minnesota [Mr. MACDONALD] that that amendment consisted of nothing more, as I understood, than the substance of the Senate bill with the amendments that we had adopted, immediately bringing in the State of South Dakota or admitting it in by the month of June or July next.

Now, sir, I appealed yesterday to this House and to the fairness of the chairman of the committee to allow the omnibus bill or substitute to be amended by the adoption of the amendment of the gentleman from Minnesota and stop all the trouble and caviling and all the delay. Mr. Speaker, from the explanation made by the gentleman from Minnesota as to the particular purpose of his amendment—I took that amendment this morning early, and I went over every section of it and made an abstract of it. I find, sir, that it has correctly incorporated in it the Senate bill, with the amendments to that bill adopted by this House for bringing in the State of South Dakota next June or July. So far so good. I supposed that to be all there was of the Macdonald amendment; but, sir, in addition to that it goes on and incorporates in it also substantially the provisions of the omnibus bill brought in as a substitute here by the chairman of the committee for enabling acts for Montana, for Washington, and for New Mexico, and for their admission in due time.

Now, I desire to say, Mr. Speaker, that the first thing I proposed to do this morning, if the opportunity had been offered me, as I understand it was to be, but by mistake in the agreement of the gentleman from New York I was deprived of that privilege, was to have appealed to this House to amend the Macdonald substitute by striking out all these provisions for Montana, Washington, and New Mexico, so that it would not interfere with the substitute of the chairman of the committee except so far as to incorporate in it the provisions of the Senate bill for the immediate admission of South Dakota.

Mr. Speaker, I hope I am now understood in my position before this House, which I labored all day yesterday to have presented before it in a fair form. Mr. Speaker, after a great deal of canvassing in this House upon this important question I am fully persuaded that all the Republicans of this House and quite a number of Democrats upon the other side of this House are in favor of the Macdonald amendment to the substitute of the chairman of the committee, which we took so much time and spent so much work upon to perfect for the purpose of bringing into the Union a number of the great Territories thereof.

The SPEAKER. The time of the gentleman has expired.

Mr. SPRINGER. I hope the gentleman from Colorado will be allowed five minutes more.

There was no objection, and it was so ordered.

Mr. SYMES. Now, Mr. Speaker, acting upon the proposition that a majority of this House was in favor of the substitute omnibus bill of the chairman of the Committee on Territories if they could not have it before them in a separate form, with one single amendment which should accomplish the object of the Senate bill, to bring in the State of South Dakota during the coming summer, I have labored to give this House, and an honest majority of this House, an opportuniry to vote upon that proposition. But the difficulty has been, Mr. Speaker, that whenever we were about to do it there has been conduct which has prevented us from doing it. I am not here at this time to criticise that conduct. I say that the amendment which was offered by the gentleman from Illinois [Mr. SPRINGER] yesterday was somewhat in accord with the amendment offered by the gentleman from Montana and voted into this omnibus bill—the amendment which allows the people to vote on the constitution which they adopted in 1884. I voted for the amendment offered by the gentleman from Montana. I believe it was right, sir, to let Montana vote upon that constitution, because, to my knowledge, it is as good a constitution as a new constitutional convention could get up. Now, Mr. Speaker, what does this amendment do? I appeal to this House to vote down the previous question until there shall be an opportunity for the majority of this House to vote upon the

proper amendments to perfect the omnibus bill, so as to bring in South Dakota during the coming summer. That is all we ask. That is all the gentlemen representing Dakota ask. That is all the Republicans of this House ask. That is all, as I am persuaded, that a large number of Democrats in this House ask.

Now, how shall we do it? It is very simple. It is a mere matter of detail. But the amendment offered by the chairman of the committee this morning, as has been shown so well by my friend from Missouri [Mr. WARNER] does not accomplish that object. The amendment offered by the gentleman from Illinois [Mr. SPRINGER] last evening would bring in the State, but it has been changed this morning from the amendment offered last evening, so that the people of South Dakota are placed in the same situation that they would be without any amendment. Mr. Speaker, the people of South Dakota, so far as I can see, will be delayed in admission into the Union until the time when all these other Territories can come in, unless this amendment of the gentleman from Illinois is amended and perfected in accordance with the provisions of the Macdonald amendment or in accordance with the provisions of the Senate bill.

In conclusion let me say that all we ask now is an opportunity to present a fair amendment which shall bring in South Dakota within three months, and an opportunity for gentlemen upon this side of the House—those who desire it—to vote upon the question whether or not they wish to bring New Mexico into the Union. I appeal to the chairman of the committee, and I appeal to the fair-minded Democrats upon that side of the House, to give us that simple opportunity. We can agree upon the details, we can perfect it in fifteen minutes, and all this wrangling and all this trouble, and all this silly partisanism will cease and the people of South Dakota will be made happy and have simple justice done them.

Mr. MANSUR. Mr. Speaker, according to the statement of the gentleman who has just taken his seat the difference between the two sides of the Chamber is narrowing greatly. According to him, they desire in Dakota to come into the Union next summer. Under our bill, if it should become a law, the State could come in in December, and in the mean time, as there is no general election pending, I can not see that there is anything left to differ about except the very short period of time between the summer and the winter. Two or three days ago I very much sympathized with and felt inclined to advocate the proposition for the admission of South Dakota under the Sioux Falls constitution, but more thought and investigation, and especially what I have heard said in this building within the last day or two, have changed my opinion greatly. First and foremost, the Sioux Falls constitution, even under the Senate bill, has to go back to be remodeled in several respects. The name is to be submitted to a separate vote. It is not what the people originally adopted, and who adopted it? Thirty-one thousand people only voted, and that was over three years ago. The vote last fall shows that there are from 65,000 to 70,000 voters there, and more than half of those voters have been practically disfranchised so far as the adoption of this constitution is concerned, because they have had no opportunity of voting upon it.

Again, the boundaries have been changed by the Senate; and you undertake, without submitting the matter to the people, to turn out of South Dakota and to put into North Dakota a large number of people—how many I am unable to say—even when, according to the Sioux Falls constitution, they had voted and declared their desire to become a part and parcel of South Dakota. Here you undertake to override that expressed desire of those people——

Mr. SYMES. The gentleman will allow me to suggest that when the Sioux Falls constitution was voted upon it was voted upon by the people of South Dakota only.

Mr. MANSUR. The gentleman has not understood me. You propose to change the boundaries; and by the new boundaries, as proposed in the Senate bill, you cut off a part and parcel of those people from South Dakota, where they would be under the Sioux Falls constitution, and put them into North Dakota without their assent.

Mr. SYMES. Mark you, by the amendments as adopted in the House to the Senate bill two days ago, that matter has to be submitted to a vote of the people of both North and South Dakota.

Mr. MANSUR. I do not understand that the people of North Dakota, under the bill as it came from the Senate, have anything to do with the question. I am talking now about the Senate bill and your amendments changing the boundaries of South Dakota.

Mr. SYMES. My friend will pardon me a moment. The amendments adopted by this House the other day fix the time for holding the election by the people of South Dakota and North Dakota, and provide that both North Dakota and South Dakota shall vote on this question.

Mr. MANSUR. That does not meet my point. By the terms of the bill as it came from the Senate you undertake to transfer to North Dakota against their will part of the people who voted to be in South Dakota.

Mr. GIFFORD. Has the gentleman from Missouri [Mr. MANSUR] received a single intimation that that is distasteful to the people of North Dakota?

Mr. MANSUR. It does not make any difference. Here is the action of those people; and we have heard nothing indicating that they desire a change in this respect.

Again I would say to the gentleman [Mr. GIFFORD] that by another amendment, which he introduced himself within the last forty-eight hours, it has been agreed to submit the location of the capital anew to a vote of the people, and that by a separate vote. I have been informed by prominent Republicans that this was done on the demand of one of your Senators-elect, who stated that unless this was submitted to a new vote of the people he would oppose the adoption of the Sioux Falls constitution.

Then, there is another thing. It is now being stated around the House that whereas that constitution, in section 1 of article 17, provided that no corporation should be created or established except by general law, such was the dissatisfaction of the railroad corporations and others with this provision that $50,000 was spent to secure the adoption of section 3, which is in direct conflict with section 1. If any gentleman will turn to sections 1 and 3 of article 17 of this constitution the conflict will be apparent; for there, upon a condition of holding its charter subject to the constitution, it is provided the Legislature can pass a general or special law for the benefit of any business corporation. This is the information that has come to me within the last forty-eight hours. Two days ago, as I have stated, I was almost persuaded it was well to let the people of South Dakota——

[Here the hammer fell.]

Mr. MANSUR. I would like to occupy five minutes more.

Mr. SPRINGER. I think this courtesy ought to be accorded to the gentleman, as it has already been given to another gentleman.

The SPEAKER *pro tempore*. Is there objection to allowing the gentleman from Missouri to continue his remarks five minutes longer? The Chair hears none.

Mr. MANSUR. I now appeal to every member on the other side of the House to examine this constitution, which is embraced in the report of the committee before us, and to observe the conflict between sections 1 and 3 of article 17. If it be true that this conflict is the result of the influences I have suggested, then, without dispute, there ought to be another constitution framed.

Again, by a separate vote the people of South Dakota were called to pass upon the question of prohibition. By a majority of only 300—15,000 and odd votes being cast on each side—the proposition on that subject was adopted. Since that time, from all that we have been able to see and learn in committee, a great change has come over the people of South Dakota. They are to-day, under local option, voting for high license, which a large number of their counties have adopted. It comes to us in various ways, so that there can be no doubt of the fact, that if this question were again submitted the action had at the former election would be overthrown; and to prepare the way for this it is proposed by the other side of this Chamber to submit that question again as a separate matter.

So that we are to have some four or five separate votes on different matters connected with this new constitution, namely, on boundary, on its name, on the location of its capital, and on prohibition. Why not submit the whole question of a new constitution, instead of tinkering it up in this manner? The people of that Territory are now assured by the dominant sentiment here, not alone on the other side, where I may say it is unanimous for their admission, but also on this side, that we desire to let them into the Union at the earliest practicable period, while giving at the same time every facility to South Dakota for obtaining a constitution which shall be in accord with the wishes, not of a majority of 31,000 of their voting population three years ago, but of the body of the people as now existing, embracing 70,000 voters. I repeat all this can be accomplished this summer or next fall; and there will be no delay to those people. In the next Congress, as my distinguished colleague [Mr. WARNER] has said, the other side will have control of this House and Senate. Certainly gentlemen on the other side can trust the action of the next Congress; and in view of what we have heard within the last few days, which may account for whatever dissatisfaction in Dakota may exist in regard to the constitution as already voted upon, I ask, why should we not send it back and authorize a new convention to be called to form a new constitution?

Do that and you will treat the people there fairly. Do that and you will do it in a way that all Democrats would like to be treated, and in a way that all Republicans would like to be treated; and that is, that they shall pass upon the organic law upon which their new State is to be launched into the Union. Do that and you will do no injustice. Do that and you will deprive no one of any substantial right. Do that, and if there be delay it will only be for three or four months, and when the people understand the reasons for the delay they will thank us for having given them the opportunity to pass again upon their organic law, although it may have caused some little delay.

[Here the hammer fell.]

Mr. ADAMS. I desire to offer an amendment by striking out all after the words "which may assemble at Sioux Falls, as here provided," and inserting "to certify such votes to the President of the United States, and the President may thereupon issue his proclamation declaring the State of South Dakota admitted into the Union."

Mr. SPRINGER. So that it will read——

A MEMBER. What section does it come in?

Mr. ADAMS. My amendment will come in about the middle of the

substitute, where it is provided it shall be the duty of the convention "which may assemble at Sioux Falls, as here provided, to resubmit," etc., and my amendment comes in there.

The SPEAKER. It is the amendment to the amendment now pending.

Mr. SPRINGER. Let the amendment be read as it would be if the amendment to the amendment were adopted.

The amendment as proposed to be amended was then read.

Mr. SPRINGER. What becomes of the question when you get your constitution? You accomplish nothing. You have a State without an officer, or——

Mr. ADAMS. Does this come out of my time?

The SPEAKER. If the gentleman yields it does.

Mr. ADAMS. I did not yield.

The SPEAKER. The Chair will not deduct it from the gentleman's time.

Mr. ADAMS. Mr. Speaker, I of course do not pretend that an amendment to an amendment to a pending proposition will make the whole proposition a perfect one. I admit to my colleague that some further amendments will have to be made in order to make my colleague's substitute a perfect one.

Now, the purpose of my amendment is simply this: It is provided that the people of South Dakota shall have an election in June. At that election they are to choose delegates to a convention to frame a new constitution. But by this new amendment proposed this morning they are also allowed at that same election to express their preference for a constitution already made at Sioux Falls. If they do express that preference, then the delegates chosen to make a new constitution are not permitted to frame one, but must resubmit the constitution already made. That is, they shall ask the people of South Dakota to accept for the third time a constitution which at the election of delegates they have already accepted the second time. This is absurd. If at the June election the people of South Dakota are permitted to express a preference for the Sioux Falls constitution, they ought at the same election to be permitted to take all other steps necessary to make South Dakota a State in the Union under that constitution. If the delegates elected in June are not to be permitted to frame a new constitution because the people have expressed a preference for the old one, the bill should be amended so that the duty of the convention will be to report to the President of the United States the fact that the people of South Dakota have accepted the Sioux Falls constitution with certain modifications, and the President can then issue his proclamation declaring the State admitted.

Now the proposition of my colleague as it was printed in the RECORD this morning had some force and effect. It provided that after the people had ratified the constitution next November it would not be necessary to wait for the slow process of passing a bill through both branches of Congress. The President could issue his proclamation next November, and South Dakota would then be a State in the Union. The proposition as presented to-day is very different. The provision for an admission of the State by proclamation of the President has been omitted. Its only effect as it stands is to prevent the delegates chosen next June from proceeding to frame a new constitution. The duty of the convention ought to be either to frame a new constitution or to report to the President that the people of South Dakota prefer the constitution already made, with the modifications necessary by the change of name and boundaries. As I have already said, if my amendment is adopted some changes will have to be made in other parts of the bill to make it a consistent whole.

Mr. SPRINGER. I desire to call the attention of the House to the fact that if this proposition is adopted, when the vote is taken, and the people have agreed to the Sioux Falls constitution, they will have a constitution in force without a single State officer to execute any of the provisions of the law, because I assume that the other provisions of the bill will be agreed to, which provide for the election of State officers only in November next, and until that time there would be no officer in that State. An anomalous condition of affairs would exist in regard to the separate articles and the location of the capital, and the other provisions of the bill, all of which have been carefully considered by the Committee on the Territories; and this amendment, Mr. Speaker, shows how difficult it is for a gentleman who has had no experience in such matters to undertake to fix up a proposition and pass it through the House after a few moments' discussion—a proposition which has been considered for two years by the committee—and that, too, after he has given but about five minutes' attention to it.

Mr. ADAMS. Oh, no, not exactly that, for I have felt that I could at all times rely upon the almost infinite knowledge of my colleague to supply any defects in the other parts of the bill in order to carry out the intention which he seems at some time to have to admit the State of South Dokota into the Union.

I will ask the gentleman now whether this election to which he refers in June to declare the sense of the people of South Dakota in favor of the general features of the Sioux Falls constitution, whether the same election could not declare the wishes of the people with regard to any modification of that constitution?

Mr. SPRINGER. Oh, yes; if you submit them *seriatim*.

Mr. ADAMS. Further, can not that same election declare or provide for the election of the State officers?

Mr. SPRINGER. Certainly.

Mr. ADAMS. That is all I want. If the gentleman will give me time I will prepare the other amendments which are necessary.

Mr. SPRINGER. Oh, if the gentleman will give the Committee on the Territories time—say about two weeks—we could probably evolve something rational out of his amendment.

Mr. ADAMS. I am perfectly willing you should have that time.

Mr. SPRINGER. Now, I think we have had debate enough to understand the amendment, and I demand the previous question upon it.

Mr. SYMES. I appeal to my colleague on the committee to give opportunity, of which we are now availing ourselves, to prepare and offer an amendment to incorporate in substance the provisions of the Senate bill, or the first part of the Macdonald amendment, which will bring in South Dakota.

The SPEAKER. The gentleman from Illinois demands the previous question only upon the amendment of his colleague from Illinois.

Mr. SPRINGER. If the gentleman from Illinois desires to withdraw that amendment and allow the gentleman from Colorado to formulate his views in another, I have no objection, but am entirely willing to agree that he shall do it.

Mr. GIFFORD. Mr. Speaker, I wish to call the attention of the House to some remarks which were just made by the gentleman from Missouri [Mr. MANSUR].

The SPEAKER. Does the gentleman from Illinois withdraw the demand for the previous question?

Mr. SPRINGER. I withdraw it.

Mr. GIFFORD. I refer to the criticisms made upon the constitution by the gentleman from Missouri, and also to some statements which he made in that connection; and I wish to read now the two sections of the constitution relating to corporations to which he has referred, and the House can judge for itself as to whether there is any inconsistency. The constitution, article 17, section 1, in regard to corporations, provides as follows:

SECTION 1. No corporation shall be created or have its charter extended, changed, or amended by special laws, except those for charitable, educational, penal, or reformatory purposes, which are to be and remain under the patronage and control of the State; but the Legislature shall provide by general laws for the organization of all corporations hereafter to be created.

Section 3 provides as follows:

SEC. 3. The Legislature shall not remit the forfeiture of the charter of any corporation now existing, nor alter nor amend the same, nor pass any other general or special law for the benefit of such corporation, except upon the condition that such corporation shall thereafter hold its charter subject to the provisions of this constitution.

Now, further, Mr. Speaker, to the gentleman from Missouri let me say that I certainly hope he will not bring in to make mere capital the gossip of Dakota in regard to this matter or any other matter bearing upon the question. He referred to some statement or story he heard in reference to the location of the temporary capital of Dakota. First the gentleman from Illinois commences to criticise our action because every separate proposition in that constitution was not submitted to a vote of the people. I sent to the Speaker's desk an amendment and proposed to submit it, and now the gentleman from Missouri rises to criticise that action of mine.

Mr. SPRINGER. Did you offer that on yesterday?

Mr. GIFFORD. No, sir; on the first day——

Mr. SPRINGER. But when you had the right to amend your bill on yesterday you did not offer that amendment.

Mr. GIFFORD. It was overlooked by the Clerk, but I propose now to ask unanimous consent that it may be taken up. It was a mere oversight.

I never heard a single statement from any gentleman in Dakota, not a statement made to me, that any opposition would be made to the constitution provided these propositions were resubmitted in respect to the location of the temporary capital. Now I would like the gentleman from Missouri to tell us who it was to whom he referred when he spoke of a matter of $50,000 being expended in reference to this corporation clause of the constitution. It is a piece of gossip that I have never heard of, and I would like to know where it comes from. It is mere gossip floating around there through the atmosphere that is bound to come to the surface sometimes in the discussion of such a question as this. Such gossip may be found in all localities, and, as I say, it is bound to come to the surface at some times.

They come to the surface, but they are mere matters of gossip that should have no effect upon the result or decision of this question. I do not think, Mr. Speaker, that the matter of the relocation of the capital, or any special section of this constitution, ought to have any bearing upon this question in bringing the House to a decision. These are matters which our people have attempted to settle, and if gentlemen on the other side will permit us we will settle that to our entire satisfaction.

Every proposition in that constitution will be placed before our people to vote upon; so that they may reject or accept them as they see proper. It is our purpose to do that. This matter of boundary is a mere matter of adjustment between North and South Dakota. It is

perfectly acceptable to those people. The same is true as to these propositions in the constitution—the questions of prohibition, or minority representation, or re-election of officers, and the adoption of the constitution as an entirety. All this has been done to meet the objections of our Democratic friends in the House and the Senate. And if the gentlemen will keep their noses—if I may be allowed to speak so harshly and perhaps discourteously—out of the business of Dakota, we will get along very well.

Mr. SPRINGER. I wish to call the attention of the gentleman from Dakota to the fact that the gentleman from Missouri [Mr. MANSUR] is not in his seat, and therefore he can not expect a reply from him.

Mr. PERKINS. Mr. Speaker, I would like to ask whether the amendment offered by the gentleman from Illinois [Mr. SPRINGER] on yesterday is the pending amendment?

The SPEAKER. The amendment which the gentleman from Illinois [Mr. SPRINGER] offered yesterday afternoon was withdrawn in order that a vote might be taken upon the substitute proposed by the gentleman from Minnesota [Mr. MACDONALD]. That vote was taken, and now the gentleman from Illinois [Mr. SPRINGER] has offered his amendment as a substitute, and to that the gentleman from Illinois has proposed an amendment, which is now pending; and during that no other amendment is in order.

Mr. PERKINS. I understood that the gentleman from Illinois [Mr. ADAMS] had withdrawn his amendment.

The SPEAKER. The Chair did not so understand.

Mr. PERKINS. I desire to offer an amendment to the substitute offered by the gentleman from Illinois [Mr. SPRINGER], if it is in order.

The SPEAKER. It would not be in order at this time.

Mr. GIFFORD. I have an amendment that I desire to offer.

Mr. ADAMS. At the request of the gentleman from Dakota [Mr. GIFFORD] I withdraw my amendment.

Mr. PERKINS. Then I desire to offer a substitute for the amendment offered by the gentleman from Illinois [Mr. SPRINGER].

The SPEAKER. The Clerk will read it.

The Clerk read as follows:

At the end of section 3 of the substitute insert:

"Seventh. That at the election for delegates to the constitutional convention in South Dakota each elector may also have written or printed on his ballot the words 'For the Sioux Falls convention of 1885,' or the words 'Against the Sioux Falls convention of 1885'——

Mr. SPRINGER. It should be the "Sioux Falls constitution." It is a mere clerical error.

Mr. PERKINS. I have taken the words as the amendment was printed.

The SPEAKER. The Clerk will make the correction.

The Clerk then read as follows:

"Also have written or printed on his ballot the words 'For the Sioux Falls constitution of 1885,' or the words 'Against the Sioux Falls constitution of 1885," and if a majority of all votes cast on this question shall be 'For the Sioux Falls constitution of 1885,' and if a division of the Territory is authorized as provided in this section, then it shall be the duty of the convention which may assemble at Sioux Falls as herein provided to resubmit to the people of South Dakota, for ratification or rejection at the election provided for in this act, the constitution framed at Sioux Falls and adopted November 3, 1885, and also the articles and propositions separately submitted at that election, with such changes only as relate to the name and boundary of the proposed State, to the reapportionment of the judicial and legislative districts, and such amendments as may be necessary in order to comply with the provisions of this act; and if a majority of the votes cast on the ratification or rejection of the constitution shall be for the constitution irrespective of the articles separately submitted, then the President of the United States may issue his proclamation, declaring the State of South Dakota admitted as a State in the Union from and after the date of such proclamation. And the Territorial government of the Territory of Dakota shall continue in existence thereafter and apply to that portion of the Territory not embraced in the State of South Dakota until the State of North Dakota is admitted into the Union; but the archives, records, and books of the Territory of Dakota shall remain at the capital of North Dakota until an agreement in reference thereto is reached by said State."

Mr. SPRINGER. The last word should be "States."

The SPEAKER. The correction will be made.

Mr. SPRINGER. Now I want to ask the gentleman, if he desires a vote upon the amendment, if he will not agree to insert, so as to make it clear, after the words "separately submitted," "including the proposition in reference to the location of the seat of government."

Mr. PERKINS. I am offering this as a substitute to the amendment.

Mr. SPRINGER. My proposition is merely to make it clearer, so that there may be no misunderstanding or misconstruction. Let it include the question of relocation of the permanent seat of government as provided in my proposition.

The SPEAKER. The question is on the amendment submitted by the gentleman from Kansas.

Mr. PERKINS. The Delegate from Dakota has an amendment which he desires to offer; and to give him the opportunity to do so I withdraw my amendment.

Mr. GIFFORD. I offer as an amendment to the substitute offered by the gentleman from Illinois the amendment which is sent to the Clerk's desk.

The SPEAKER. The Clerk will read.

Mr. SPRINGER. I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. SPRINGER. I understand that the gentleman from Dakota has sent up a proposition here that it will take an hour to read.

Mr. GIFFORD. Oh, no.

Mr. SPRINGER. I submit now that good faith requires that you [Mr. GIFFORD] should offer amendments to this proposition, and not try to rehabilitate the Macdonald proposition.

Mr. GIFFORD. This relates only to Dakota.

Mr. SPRINGER. I know; but you are going to try now to eliminate propositions which were settled by the vote of the House, and you are doing what is not in accordance with the agreement.

Mr. GIFFORD. No; this simply relates to Dakota; nothing else.

Mr. SPRINGER. I know; but it takes Dakota all out of this bill, and furthermore, it will take an hour to read it.

Mr. WARNER. I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. WARNER. I understood the gentleman from Illinois [Mr. SPRINGER] to say that he rose to a question of order. He stated no question of order, but at once entered into a dispute with the Delegate from Dakota.

The SPEAKER. The gentleman from Illinois [Mr. SPRINGER] has presented no question of order. The amendment of the gentleman from Dakota has not yet been read, and the Chair does not know what it is, or whether it is in order or out of order. The Clerk will report the amendment.

Mr. GIFFORD. I have no desire to have this amendment read at length.

Mr. SPRINGER. It seems to me that the gentlemen on the other side of the Chamber are determined that this side of the House shall not have any vote at all upon this question. I have never seen such persistent violation of faith in my whole parliamentary career.

The SPEAKER. The Clerk will report the amendment.

The Clerk proceeded to read the amendment.

Mr. SPRINGER. I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. SPRINGER. My point of order is, this amendment is not germane to the amendment that is pending.

The SPEAKER. The Chair understands that the amendment now pending, offered by the gentleman from Illinois, is one which relates to the methods of taking the vote in South Dakota.

Now the gentleman from Dakota proposes a substitute for that, which the Clerk is about to read, which relates to Dakota and to the admission of that Territory as a State.

Mr. SPRINGER. It is an amendment that is not germane to the pending proposition. I can demonstrate that in a moment; and I now ask the gentleman from Dakota to state what it is that he proposes to do.

Several MEMBERS. Let the amendment be read.

Mr. SPRINGER. It will take an hour to read it.

Mr. GIFFORD. I can state in a very few words——

Mr. THOMPSON, of Ohio. I insist upon the reading of the amendment.

The amendment of Mr. GIFFORD is as follows:

That the State of South Dakota is hereby declared to be a State of the United States of America, and is hereby admitted into the Union on an equal footing with the original States in all respects whatever; and that the constitution which the people of South Dakota have formed for themselves be, and the same is hereby, accepted, ratified, and confirmed, subject, however, to the provisos hereinafter contained.

SEC. 2. That the following shall be the boundaries of the said State of South Dakota, to wit: Beginning at the point of intersection of the western boundary line of the State of Minnesota with the northern boundary line of the State of Iowa, and running thence northerly along the western boundary line of the State of Minnesota to its intersection with the seventh standard parallel where in its easterly course it intersects said boundary line; thence west along the said seventh standard parallel to the easterly bank of the Missouri River at low-water mark; thence up the said Missouri River along the easterly bank thereof at low-water mark to the point of intersection with the forty-sixth parallel of north latitude; thence west along the forty-sixth parallel of north latitude to its intersection with the twenty-seventh meridian of longitude west from Washington; thence south on the twenty-seventh meridian of longitude west from Washington to its intersection with the northern boundary line of the State of Nebraska; thence easterly along the northern boundary line of the State of Nebraska to its intersection with the western boundary line of the State of Iowa; thence northerly along the western boundary line of the State of Iowa to its intersection with the northern boundary line of the State of Iowa; thence east along the northern boundary line of the State of Iowa to the place of beginning.

SEC. 3. That the said State of South Dakota shall have concurrent jurisdiction of the river Missouri and of every other river bordering on the said State of South Dakota, so far as the said rivers shall form a common boundary to the said State and any other State or States or Territory or Territories now or hereafter to be formed, said rivers to be common to both; and that the said river Missouri shall be a common highway, and forever free as well to the inhabitants of said State as all other citizens of the United States, without any tax, duty, impost, or toll imposed by said State of South Dakota therefor.

SEC. 4. That until the next census and apportionment shall be made the said State of South Dakota shall be entitled to two Representatives in the House of Representatives of the United States Congress.

SEC. 5. That to defray the expenses of the constitutional convention held by the people of said State, and of elections held therefor and thereunder, the sum of $25,000, or so much thereof as may be necessary, is hereby appropriated, out of any funds in the Treasury not otherwise appropriated, to be paid to the treasurer of said State upon the requisition of the Legislature thereof, setting forth the items and particulars of such expenses so incurred.

SEC. 6. That sections 16 and 36 in every township of the public lands of the United States within said State, and where such sections, or any part thereof, shall be mineral lands, or shall have been sold or otherwise disposed of by the United States according to law, other lands equivalent thereto, in legal subdivisions of not less than one quarter-section, are hereby granted to the said State for the support of common schools; and such sections shall not be subject to

pre-emption or entry, whether surveyed or unsurveyed, but shall be reserved for school purposes only.

SEC. 7. That thirty entire sections of the unappropriated public lands within said State, to be selected and located by direction of the Legislature thereof, with the approval of the President, shall be, and are hereby, granted, in legal subdivisions of not less than one quarter-section, to the said State for the purpose of erecting public buildings at the capital of said State for legislative and judicial purposes, to be disposed of in such manner as the Legislature shall prescribe. The lands may be selected out of the public lands within the boundaries of said State, whether surveyed or unsurveyed.

SEC. 8. That so much of seventy-two sections of land granted by the act of February 18, 1881, to the Territory of Dakota for the use of a university as lies within the said boundaries of the State of South Dakota is hereby granted and confirmed to said State for such purpose, and, in addition thereto, a sufficient number of sections to make a total of seventy-two. If any of the lands granted by said act of February 18, 1881, and lying within the boundaries of said State, have been sold under the provisions thereof, then the proceeds thereof shall go to said State in lieu of the land sold.

SEC. 9. That ninety sections of land, to be selected and located as provided in section 8 of this act, are hereby granted to said State for the use and support of an agricultural college in said State, and none of the lands granted by this act, or the proceeds thereof, shall be used for any other purpose than that for which the grant is specifically made whatever; and for the maintenance of a school of mines at Rapid City, Dak., there is hereby granted, with the conditions aforesaid, fifty sections of land.

SEC. 10. That so much of the lands belonging to the United States as have been acquired and set apart for the purpose mentioned in "An act appropriating money for the erection of a penitentiary in the Territory of Dakota," approved March 2, 1881, together with the buildings thereon, be, and the same is hereby, granted, together with twenty sections more of the unappropriated public lands, to be selected as herein provided, to the State of South Dakota for the purpose aforesaid.

SEC. 11. That 5 per cent. of the net proceeds of sales of all public lands made by the United States within the limits of the said State, prior or subsequent to the passage of this act, after deducting all expenses incident to the same, be, and the same is hereby, granted to the said State of South Dakota for the support of public schools.

SEC. 12. That all mineral land shall be excepted from the grants provided for in this act.

SEC. 13. That immediately after the taking effect of this act the governor and the commissioner of school and public lands of said State shall proceed to ascertain the number of sections 16 and 36 within the limits of said State which are mineral lands, or which shall have been sold or otherwise disposed of by the United States according to law; and the said officers shall then proceed to select, from any unappropriated public lands in said State, a number of sections equal to such mineral lands and the lands so sold or disposed of; and said officers shall also, in addition thereto, select a number of sections equal in number to the total number of sections granted in this act for other than common-school purposes; and when such selections shall have thus been made said officers shall certify a list of the same to the Secretary of the Interior, and if the same shall be approved by him the title to the same shall vest in the said State of South Dakota.

SEC. 14. That all lands herein granted for common-school purposes shall be sold only at public sale and at a price not less than $5 per acre and in parcels not exceeding one quarter-section to any one person, the proceeds to constitute a permanent school fund, the interest of which is only to be expended in the support of common schools.

SEC. 15. That the State of South Dakota shall constitute one judicial district, which shall be called the district of South Dakota, and the circuit and district courts therefor shall be held at the capital of said State for the time being. The judge of said district shall receive a yearly salary of $5,000, payable in four equal installments, on the 1st days of January, April, July, and October of each year, and shall reside in his district. There shall be appointed clerks of said courts, who shall keep their offices at the capital of said State. There shall be appointed for said district one district judge, one United States attorney, and one United States marshal. The regular terms of said courts shall be held at the place aforesaid, on the first Monday in April and the first Monday in November in each year. For judicial purposes the district of South Dakota shall be attached to the eighth judicial circuit, and only one grand jury and one petit jury shall be summoned in both of said courts.

SEC. 16. That the circuit and district courts for the district of South Dakota, and the judges thereof, respectively, shall possess the same powers and jurisdiction and perform the same duties possessed and required to be performed by the other circuit and district courts and judges of the United States, and shall be governed by the same laws and regulations.

SEC. 17. That the marshal, district attorney, and clerks of the circuit and district courts of the said district of South Dakota, and all other officers and other persons performing duty in the administration of justice therein, shall severally possess the powers and perform the duties lawfully possessed and required to be performed by similar officers in other districts of the United States, and shall, for the services they may perform, receive the fees and compensation allowed by law in the State of Nebraska to other similar officers and persons performing similar duties.

SEC. 18. That that portion of the Territory of Dakota not included within the boundaries of said State upon the admission of said State of South Dakota into the Union shall, until otherwise provided by act of Congress, continue as a Territory by the name of North Dakota; and all provisions of the acts of Congress and of the Legislative Assembly of said Territory of Dakota, not locally inapplicable, shall continue therein in full force and effect the same as though no portion of the Territory of Dakota had been admitted into the Union; and the governor, secretary, United States marshal, and district attorney of the present Territory of Dakota shall continue to hold and exercise their respective offices within and for said Territory of North Dakota; and the chief-justice and three of the associate justices, to be designated by the President, shall continue to hold and exercise their respective offices for and within said Territory of North Dakota; and temporarily and until otherwise provided by the Legislative Assembly of said Territory of North Dakota, the governor, chief-justice, and secretary thereof may divide said Territory into judicial districts and assign the judges thereto, and into twenty council and fifty representative districts, and apportion the representation therein to which each district shall be entitled in the Legislative Assembly: *Provided, however*, That the act of Congress approved March 3, 1879, creating the fourth judicial district for the Territory of Dakota, shall not apply to the Territory of North Dakota.

SEC. 19. That all cases of appeal or writ of error heretofore prosecuted and now pending in the Supreme Court of the United States upon any record from the supreme court of the Territory of Dakota, or that may hereafter lawfully be prosecuted from said court, may be heard and determined by the said Supreme Court of the United States; and the mandate of execution or of further proceedings shall be directed by the Supreme Court of the United States to the circuit or district court of the district of South Dakota, or to the supreme court of the State of South Dakota, or to the supreme court of the Territory of North Dakota, as the nature of the case may require; and each of said last-mentioned courts, respectively, shall be the successor of the supreme court of the Territory of Dakota as to all such cases, with full power to proceed with the same and to award mesne or final process therein; and that from all judgments and decrees of the supreme court of the Territory of Dakota prior to the admission of said State the parties to such judgment shall have the same right to prosecute appeals and writs of error to the Supreme Court of the United States as they shall have had by law prior to the admission of said State into the Union.

SEC. 20. That in respect to all cases, proceedings, and matters pending in the supreme or district court of the Territory of Dakota at the time of the admission of said State into the Union, whereof the circuit or district courts by this act established might have had jurisdiction under the laws of the United States had such courts existed at the time of the commencement of such cases, the said circuit and district courts, respectively, shall be the successors of said supreme and district courts of said Territory; and in respect to all cases, proceedings, and matters arising within the limits of the Territory of North Dakota, the courts of North Dakota Territory shall be the successors of the courts of the Territory of Dakota; and all the files, records, indictments, and proceedings relating thereto shall be transferred to said circuit, district, and Territorial courts, respectively, and the same shall be proceeded with therein in due course of law: *Provided, however*, That in all civil actions, causes, and proceedings in which the United States is not a party, such transfers shall not be made except upon the written request of one of the parties to such action or proceeding filed in the proper court.

SEC. 21. That the Legislature provided for in said constitution shall have the power to provide, by an act to that effect, for the transfer of all actions, cases, proceedings, and matters pending in the supreme or district courts of the Territory of Dakota at the time of the admission of the said State of South Dakota into the Union, arising within that part of the said Territory of Dakota herein prescribed as the proposed new State of South Dakota, and not included within the provisions of the foregoing sections, to such courts as shall be established under the constitution of said State; and no indictment, action, or proceeding shall abate by reason of any change in the courts, but shall be proceeded with in the State courts according to the laws thereof.

SEC. 22. That the following division of the public debt of the former Territory of Dakota is made: All the public indebtedness thereof which has been incurred for the purpose of public institutions within the limits of the State of South Dakota shall be assumed and paid by the said State of South Dakota. The said State of South Dakota shall make immediate provision for the settlement of said indebtedness. All the remaining funded indebtedness of the former Territory of Dakota shall be and remain a debt of the Territory which by this act is organized out of the remaining portion of said former Territory. The Legislature of said Territory of North Dakota shall make immediate provision for the settlement of said indebtedness. One-half of the funds remaining in the treasury of the Territory of Dakota at the passage of this act, and of all receipts from taxes imposed by former Legislatures thereof, less the expense of collecting, and after the payment of any unfunded indebtedness that may be a charge against the same, shall be paid by the treasurer of said Territory to the treasurer of the State of South Dakota. All archives and records of the former Territory of Dakota now in the custody of the secretary or governor of said Territory shall be turned over by said officers to the governor or the secretary of the said State of South Dakota: *Provided*, That the State of South Dakota shall furnish to the Territory of North Dakota full and accurate copies of all such archives and records at the cost of said State of South Dakota.

SEC. 23. That until otherwise provided by act of the Legislative Assembly of said Territory of North Dakota, the city of Bismarck shall be the place of holding the sessions of the Legislative Assembly therein, which place shall be the capital of said Territory until changed by such Legislative Assembly; and the governor thereof shall also have power to designate temporarily, and until otherwise provided by the laws of said Territory of North Dakota, the places in the first, second, and third judicial districts whereat the district courts shall exercise the jurisdiction of district and circuit courts of the United States.

SEC. 24. That in accordance with the stipulations contained in section 5 of article 13 of said constitution of said State of South Dakota there is hereby apportioned to the State of South Dakota, and said State shall assume, be liable for, and pay all the indebtedness of the Territory of Dakota incurred for public buildings of the Territory which are built and situated, or which are provided by law to be built, within the limits of said State; and the Territory of North Dakota shall assume and be liable for all the indebtedness of the Territory of Dakota incurred for public buildings of the Territory which are built and situated, or which are provided by law to be built, within the limits of said Territory of North Dakota.

SEC. 25. That there is hereby granted to the Territory of North Dakota so many sections of the unappropriated public lands lying within said Territory as will, with the other lands lying therein selected and set apart under the act of February 18, 1881, make the full amount of seventy-two sections, such additional sections to be selected and set apart under the provisions of said last-named act and for the use therein mentioned; and any other grants heretofore made by act of Congress, to the Territory of Dakota, for any purpose, of lands lying within the limits of said Territory of North Dakota, are hereby confirmed to said Territory of North Dakota for the same uses and in the same manner as the same were granted to said Territory of Dakota.

SEC. 26. *Provided, however*, That inasmuch as by this act the name of the State, which was adopted by the constitutional convention recited in the preamble hereto, has been changed from that of the State of Dakota to the State of South Dakota, and the boundaries of said State have been modified in this act by the change thereof, east of the Missouri River from the forty-sixth parallel of north latitude to the seventh standard parallel, before said State of South Dakota shall be admitted by her representatives to the Congress of the United States or be entitled to the other rights and privileges of a State in the Union, there shall be submitted to a vote of the people of the proposed State of South Dakota the question of the acceptance or the rejection of said amended boundaries and name; and to that end an election is hereby ordered to be held by the qualified electors of said portion of said Territory of Dakota included within the boundaries of said proposed State, on the 9th day of April, 1889, upon which day there shall be submitted to said electors the following propositions: First, Is the name of the State of South Dakota accepted? Second, Is the proposed change in boundaries east of the Missouri River to the seventh standard parallel accepted? The form of the ballots to be used shall be as follows: Change of name to South Dakota accepted. Yes. Or, change of name to South Dakota accepted. No. Change of boundaries to seventh standard parallel east of the Missouri River accepted. Yes. Or, change of boundaries to seventh standard parallel east of the Missouri River accepted. No.

SEC. 27. That at the time of the election herein provided for, the people of said proposed State of South Dakota shall have submitted to them, for their ratification or rejection, the constitution heretofore stated as having been formed and adopted, together with each of the separate articles thereof, in conformity with the schedule of said constitution, not including the selection of the temporary seat of government, and at said election there shall be elected the State, judicial, and other officers and members of the Legislature of the said State of South Dakota, provided for in the constitution of said State; and also two Representatives in the House of Representatives of the United States Congress; and if a majority of the votes cast at said election upon the acceptance of both change of name and boundaries and of said constitution shall be in the affirmative, as hereinafter provided, the governor, judicial, and State officers thus elected shall have power to at once quality and enter upon the duties of their respective offices, and they and the members of the Legislature thus elected shall hold their offices until the next general election in November, 1890, unless otherwise provided by the laws of said State, and until their successors are

duly elected and qualified. The governor shall have authority to at once convene said Legislature, and said Legislature thus elected may, in the manner provided by law, elect for said State two Senators to serve in the Senate of the United States Congress, and the Representatives duly elected at said election provided for in this section, and the United States Senators thus chosen, if otherwise legally qualified, shall be admitted to represent said State of South Dokota in the Congress of the United States.

SEC. 28. That said election shall be governed in all respects by the laws of the Territory of Dakota governing elections and the canvass and return of the votes thereof. Within twenty days after the day of said election, the respective officers and county canvassers having by the law of the Territory of Dakota such duties in charge, shall make returns of the votes so cast for and against each of said propositions to the governor of said Territory of Dakota. And within ten days thereafter, or sooner, if the returns are all received by him, the said governor, calling to his assistance the auditor and chief-justice of said Territory of Dakota, shall with them aggregate said vote, and immediately certify the result thereof to the President of the United States, who shall issue his proclamation announcing the result of said vote.

SEC. 29. That if a majority of the votes cast at said election shall be in favor of the acceptance of both the change of name and boundaries, and also for said constitution, regardless of the separate articles, then said State of South Dakota shall be deemed admitted into the Union of States on an equal footing with the original States in all respects whatever. And this act of admission shall then have full force and effect, and said constitution shall be deemed amended so as to conform to said changes. But if a majority of said votes so cast shall not be in favor of both of said propositions, and not in favor of the adoption of said constitution, then this act, so far as it relates to South Dakota, shall cease to have further force or effect.

SEC. 30. That the inhabitants of that portion of the Territory of Dakota included and within the boundaries hereinafter designated as North Dakota be, and the same are hereby, authorized to form for themselves out of said portion of said Territory a constitution and a State government, with the name of the State of North Dakota, which State, when formed, shall be admitted into the Union upon an equal footing with the original States in all respects whatsoever, as hereinafter provided.

SEC. 31. That the said State of North Dakota shall consist of all the territory included within the following boundaries, to wit: Beginning at the point of intersection of the eastern boundary line of the Territory of Dakota with the northern boundary line of the United States, and running thence southerly along the western boundary line of the State of Minnesota to its intersection with the seventh standard parallel of the Territory of Dakota; thence west along the said seventh standard parallel to the Missouri River; thence up and along the left bank of said river at low-water mark to the forty-sixth degree of north latitude; thence west to the twenty-seventh meridian of longitude west from Washington; thence north upon said twenty-seventh meridian of longitude to its intersection with the northern boundary line of the United States; thence easterly along the northern boundary line of the United States to its place of beginning.

SEC. 32. That in order to secure the formation of such State government the qualified electors resident within said boundaries are hereby authorized, on the second Tuesday, the 9th day of April, 1889, and in conformity to the laws of the Territory of Dakota relating to the election of county officers as nearly as practicable, and in so far as they may be applicable, to elect delegates possessing the qualifications of such electors within the limits of said boundaries. That there shall be elected at said election the following number of delegates, who shall be apportioned among and elected by the qualified voters of each organized county within said boundaries, the following number of delegates from such organized county, to wit: One delegate for each 3,000 inhabitants thereof, and addition thereto; one delegate for the major part of the fraction of said 3,000 inhabitants: *Provided, however*, That each organized county within said boundaries shall be entitled to at least one delegate. That said delegates shall each be an inhabitant of the county from which he may be elected. That it shall be the duty of the officers of the several counties herein named to provide for the election of said delegates, by calling and giving notice of said election and canvass the returns thereof, as is provided for in the election of county officers, as near as the same may be applicable and practicable.

SEC. 33. That said delegates shall meet at Bismarck, in the Territory of Dakota, on the second Tuesday of June, 1889, at 12 o'clock noon, and when organized shall declare on behalf of the people of that portion of the Territory of Dakota within said boundaries hereinbefore set forth that they adopt the Constitution of the United States; and thereupon said convention is hereby authorized to form a constitution and State government for that portion of the Territory of Dakota within said described boundaries, and said State, when formed and organized, shall be known and called the State of North Dakota: *Provided, nevertheless*, That such constitution shall be republican in form, and make no distinction in civil and political rights on account of race or color, except as to Indians not taxed, and not repugnant to the Constitution of the United States and the principles of the Declaration of Independence: *Provided further*, That such constitution shall provide that neither the money nor the credit of the State, or of any city, town, or other municipal corporation therein, shall be given or loaned to or in aid of any association, corporation, or private undertaking, and that the aggregate debt of the State shall not at any time exceed $200,000: *And provided further*, That such constitution shall provide that the Legislature of said State shall under no circumstances exempt any portion of the property within said State belonging to any corporation, except corporations organized for religious and educational purposes, from taxation, and that no distinction whatever shall be made in the assessment and collection of taxes between an individual and a corporation: *And provided further*, That said convention shall provide by an ordinance, irrevocable without the consent of the United States and the people of said State, that perfect toleration and the free exercise of religious sentiment shall be secured; that the inhabitants within said proposed State do agree and declare that they forever disclaim all right and title to the unappropriated public lands and the lands the Indians title to which has not been extinguished by the United States lying therein, and that the same shall be and remain at the sole and entire disposition of the United States; that no tax shall be imposed by said State on lands or property therein belonging to the United States, any Indian tribe or Indians sustaining tribal relations, or which may hereafter be purchased by the United States; and that all navigable waters within said State shall be and remain public highways free to all citizens of the United States.

SEC. 34. That said convention, having formed such constitution as provided in this act, shall provide by ordinance for submitting the same to the people of said State for their ratification or rejection, at an election to be held at such time and places and under such regulations as said convention may prescribe.

SEC. 35. That at the election last aforesaid the legal voters of said new State shall vote directly for or against such proposed constitution, and the returns thereof shall be made to the governor of Dakota Territory, who, with the secretary and chief-justice thereof and the president of said convention, or any two of them, shall canvass the same, and if a majority of the legal votes so cast in said proposed State shall be for said constitution, said governor shall certify the same to the President of the United States, together with a copy of said constitution and ordinances.

SEC. 36. That on receipt of such certification of the votes so cast at said election, showing adoption of said constitution by the people of the said State as aforesaid, and a copy of such constitution and ordinances, the President of the United States, if said constitution and ordinances shall conform to the requirements of this act, shall thereupon transmit a copy of said constitution and ordinances and result of said vote to Congress, and thereupon the said State shall be admitted into the Union on an equal footing with the original States by a special act of Congress for that purpose.

SEC. 37. That until the next general census said State shall be entitled to one Representative in Congress.

SEC. 38. That such Representative and the governor and other officers that may be provided for in the constitution of said State shall be elected on a day to be fixed by said constitutional convention, and which may be the same as the one fixed for the submission of the proposed constitution to the people for ratification or rejection as aforesaid, and that until said State officers are elected and qualified the Territorial officers shall continue to discharge the duties of their respective offices.

SEC. 39. That from and after the admission of said State into the Union in pursuance of this act the laws of the United States not locally inapplicable shall have the same force and effect within the said State as elsewhere in the United States.

SEC. 40. That the Legislature provided for in said constitution shall have the power to provide by an act to that effect for the transfer of all actions, cases, proceedings, and other matters pending in the supreme or district courts of the Territory of Dakota at the time of the admission into the Union, arising within the limits of said State, to such courts as shall be established under the constitution to be thus formed and the laws of the United States, and no indictment, action, or proceeding shall abate by reason of any change in the courts, but the same shall be transferred to and proceeded with in the State courts according to the laws thereof.

SEC. 41. That sections 16 and 36 in every township of the public lands of the United States within said State, and where such sections, or any part thereof, shall be mineral lands, or shall have been sold or otherwise disposed of by the United States, other lands equivalent thereto, in legal subdivisions of not less than one quarter-section, are hereby granted to the said State for the support of common schools; and such sections shall not be subject to pre-emption or entry, whether surveyed or unsurveyed, but shall be reserved for school purposes only.

SEC. 42. That ninety other sections of the unappropriated non-mineral public lands of the United States within said State, to be so selected as aforesaid, are hereby likewise granted to said State for the use and support of an agricultural college and for the promotion of industrial science therein.

SEC. 43. That thirty other sections of such lands, to be selected as aforesaid, are hereby likewise granted to said State for the erection and maintenance of suitable public buildings at the seat of government thereof, when permanently located, for legislative and judicial purposes.

SEC. 44. That fifty other sections of such lands, to be selected as aforesaid, are hereby likewise granted to said State for the erection, maintenance, and support of a State penitentiary.

SEC. 45. That seventy-two other sections of such lands, to be selected as aforesaid, are hereby likewise granted to such State for the erection, maintenance, and support of a State university.

SEC. 46. That 5 per cent. of the net proceeds of the sales of public lands lying within said State which shall have been made after the 30th day of June, 1880, shall be paid to said State for school purposes.

SEC. 47. That all lands herein granted for common-school purposes shall be sold only at public sale, and at a price not less than $5 per acre, and in parcels not exceeding one quarter-section to any one person, the proceeds to constitute a permanent school fund, the interest of which only is to be expended in the support of common schools.

SEC. 48. That all mineral land shall be excepted from the grants provided for in this act.

SEC. 49. That immediately after the taking effect of this act the governor and the commissioner of school and public lands of said State shall proceed to ascertain the number of sections 16 and 36 within the limits of said State which are mineral lands, or which have by any means been appropriated to private or other uses, or in any way diverted from school purposes; and the said officers shall then proceed to select, from any unappropriated public lands in said State, an equal number of sections to those thus diverted; and said officers shall also, in addition thereto, select a number of sections equal in number to the total number of sections granted in this act for other than common-school purposes; and when such selections shall have thus been made, said officers shall certify a list of the same to the Secretary of the Interior, and if the same shall be approved by him, the title to the same shall vest in the said State of South Dakota.

SEC. 50. That the said State shall constitute one judicial district, and be called the district of North Dakota; that for said district a district judge, a marshal, and a district attorney of the United States shall be appointed by the President, by and with the advice and consent of the Senate, with the same right, powers, and duties as provided by law for similar officers in the other districts except as herein otherwise provided; that said district of Dakota shall be attached to and constitute a part of the eighth judicial circuit, and a term of the circuit court and district court for said district shall be held at the seat of government in said State on the first Tuesday after the first Monday of January and the first Monday of June in each year, and one grand jury and one petit jury only shall be summoned and serve in both of said courts.

SEC. 51. That the circuit and district courts for the district of North Dakota and the judges thereof, respectively, shall possess the same powers and jurisdiction and perform the same duties possessed and required to be performed by the other circuit and district courts and judges of the United States, and shall be governed by the same laws and regulations.

SEC. 52. That the district judge appointed for the district of North Dakota shall receive as his compensation the sum of $3,500 per annum, payable in four equal installments, on the 1st days of January, April, July, and October of each year.

SEC. 53. That the marshal, district attorney, and clerk of the circuit and district courts of said district of North Dakota, and all other officers and persons performing duties in the administration of justice therein, shall severally possess the powers and perform the duties lawfully possessed and required to be performed by similar officers in other districts of the United States, and for the services they may perform shall receive the fees and compensation allowed to other similar officers and persons performing similar duties by the laws of the United States, excepting such provisions thereof as are specially applicable to some particular office or district.

SEC. 54. That all cases of writ of error or appeal heretofore presented and now pending in the Supreme Court of United States upon any record from the supreme court of the Territory of Dakota, or that hereafter may be lawfully presented from said court, may be heard and determined by said Supreme Court of the United States; and where the same arose within the limits of said State, the mandate of execution or of further proceedings shall be directed by the Supreme Court of the United States to the circuit or district court aforesaid, or to the supreme court of said State, as the nature of the case may require; and each of said last-mentioned courts shall be the successor of the supreme court of said Territory as to all such cases, with full power to proceed with the same, and so award mesne or final process therein; and that from all judgments and decrees of the supreme court of the said Territory rendered prior to the admission of said State, the parties of such judgments and decrees shall have the same right

to prosecute writs of error and appeals to the Supreme Court of the United States as they shall have had prior to such admission; and as to all such cases arising within the limits of said State, the like subsequent proceedings shall be had therein as aforesaid.

SEC. 55. That in respect of all cases, proceedings, and matters pending in the supreme or district courts of the Territory of Dakota at the time of admission of said State into the Union, arising within the limits of said State, whereof the circuit or district court by this act established might have had jurisdiction under the laws of the United States had such courts existed at the time of the commencement of such cases, the said circuit and district courts, respectively, shall be the successors of said supreme and district courts of said Territory; and all the files, records, indictments, and proceedings relating thereto shall be transferred to said circuit and district courts, respectively, and the same shall be proceeded with therein in due course of law: *Provided, however*, That in all civil actions, causes, and proceedings, in which the United States is not a party, such transfer shall not be made except upon the written request of one of the parties to such action or proceeding filed in the proper court.

SEC. 56. That the Secretary of the Treasury shall ascertain and audit the expenses incident to the formation of said constitution and the submission of the same to the people of said proposed State, including such compensation to the officers and members of said convention as is allowed to the members and officers of the Territorial Legislatures; and the sum of $20,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the payment thereof: *Provided*, That any money hereby appropriated not necessary for such purpose shall be covered into the Treasury of the United States.

SEC. 57. That at the election of delegates to the constitutional convention for North Dakota and at the election in South Dakota upon the acceptance of the change of name and boundaries as hereinbefore provided for, each qualified elector may have written or printed on his ballot the words "For division" or the words "Against division." And if a majority of the votes cast either in North Dakota or in South Dakota as herein bounded shall be against division at said elections, then, and in that case, all the foregoing provisions relating to South Dakota and North Dakota shall cease to have further force or effect and from that time shall be inoperative and void.

The Clerk read the first three sections of the amendment.

Mr. THOMPSON, of Ohio. I withdraw the demand for the further reading of the amendment.

Mr. SOWDEN. Regular order.

The SPEAKER. The gentleman from Ohio proposes to withdraw his demand for the reading of the amendment, but if the regular order is demanded, of course that is the regular order, and the Clerk will continue the reading of the amendment.

Mr. GIFFORD. Mr. Speaker, sufficient has been read to inform the House of the nature of the proposition, and I hope the demand for the regular order will be withdrawn.

Mr. SOWDEN. I withdraw the demand for the regular order.

Mr. GIFFORD. I have no desire to be captious about this at all. I do not desire the reading of the amendment at length, but only so far as may be necessary for the information of the House.

Mr. SPRINGER. Mr. Speaker, I desire to be heard a moment in regard to this. I understand that it is a proposition to insert in this part of the bill the Senate bill itself and fifty-seven sections of the MACDONALD proposition which was voted down this morning. Is that it?

Mr. GIFFORD. Yes, sir.

Mr. SPRINGER. To insert the Senate bill at this place in the pending bill and the greater part of the MACDONALD proposition?

The SPEAKER. If the amendment is the same as the Senate bill, the Chair thinks it is not in order, because the question now pending before the House is simply the question between the substitute and the Senate bill.

Mr. SPRINGER. That was the point of order that I made.

Mr. BAKER, of New York. Is it not a substitute which relates to the same matter?

The SPEAKER. If the amendment proposed by the gentleman from Dakota contains any substantial provisions which are not contained in the Senate bill, the Chair thinks it would be in order to offer it as a substitute for the proposition of the gentleman from Illinois; but it would not be in order to offer as a substitute the identical provisions of the Senate bill. That is the question now pending before the House.

Mr. SYMES. I can state that there are in the amendment as now offered provisions quite different from the Senate bill.

The SPEAKER. The amendment has not been read, and therefore the Chair has not been informed as to its contents.

Mr. SYMES. I have read it carefully and made an abstract of every section of it. I am sure my statement is correct.

Mr. SPRINGER. I appeal to the other side of the House whether we have not conceded everything they asked when we gave them a vote upon the Macdonald amendment before we were allowed to vote on the substitute I have offered; and I have now consented to admit the proposition of the gentleman from Kansas [Mr. PERKINS] and have a vote upon it, that being an amendment in good faith to the pending substitute. But to undertake now to inject into this substitute the whole of the Senate bill and the greater portion of the Macdonald substitute, when the pending proposition is to strike out the Senate bill and insert what I have submitted, is entirely foreign to the rules and to the understanding which was had.

The SPEAKER. It would not be in order, as the Chair has said, to move to insert the Senate bill, but it is stated that this amendment contains provisions different from those of the Senate bill.

Mr. SPRINGER. I have no idea what they are.

Mr. THOMPSON, of Ohio. Then we had better have the amendment read. I ask for the regular order.

Mr. GIFFORD. I withdraw the amendment.

Mr. PERKINS. I desire, then, to reoffer the amendment I heretofore presented.

Mr. STRUBLE. Let it be reported again.

The Clerk read the amendment of Mr. PERKINS, as follows:

At the end of section 3 of the substitute insert:

"Seventh. That at the election for delegates to the constitutional convention in South Dakota each elector may also have written or printed on his ballot the words 'For the Sioux Falls constitution of 1885,' or the words 'Against the Sioux Falls constitution of 1885;' and if a majority of all votes cast on this question shall be 'For the Sioux Falls constitution of 1885,' and if a division of the Territory is authorized as provided in this section, then it shall be the duty of the convention which may assemble at Sioux Falls as herein provided, to resubmit to the people of South Dakota, for ratification or rejection at the election provided for in this act, the constitution framed at Sioux Falls and adopted November 3, 1885, and also the articles and propositions separately submitted at that election, with such changes only as relate to the name and boundary of the proposed State, to the reapportionment of the judicial and legislative districts, and such amendments as may be necessary in order to comply with the provisions of this act; and if a majority of the votes cast on the ratification or rejection of the constitution shall be for the constitution irrespective of the articles separately submitted, then the President of the United States may issue his proclamation, declaring the State of South Dakota admitted as a State in the Union from and after the date of such proclamation. And the Territorial government of the Territory of Dakota shall continue in existence thereafter and apply to that portion of the Territory not embraced in the State of South Dakota until the State of North Dakota is admitted into the Union; but the archives, records, and books of the Territory of Dakota shall remain at the capital of North Dakota until an agreement in reference thereto is reached by said States."

Mr. SPRINGER. Now, Mr. Speaker, I ask the gentleman from Kansas, before the vote is taken upon his amendment, to accept an amendment which merely perfects the text and does not change the substance of the proposition a particle. I ask the gentleman to accept this amendment:

After the words "propositions separately submitted at that election" insert "including the question of locating the temporary seat of government."

Mr. PERKINS. If there is no objection on the part of the gentleman from Dakota [Mr. GIFFORD] to the proposition, I will accept it.

Mr. GIFFORD. I have no objection.

Mr. PERKINS. Then I accept it.

The SPEAKER. The amendment will be so modified. The question is now upon the amendment of the gentleman from Kansas, as modified, being proposed as a substitute for the amendment of the gentleman from Illinois [Mr. SPRINGER].

Mr. MACDONALD. I am in favor of the adoption of this amendment; I was about to offer it myself. I want to say a word in the nature of personal explanation on this subject in order to place myself right with reference to the action of this side of the House upon my amendment this morning. I did not make any effort to press my amendment this morning, because I was led to believe that the amendment to be offered by the gentleman from Illinois [Mr. SPRINGER] was the one now pending and which is printed in the RECORD to-day. But that amendment and the one submitted by that gentleman are not the same, and, as shown, omits providing for South Dakota being admitted by the proclamation of the President. Therefore, so far as I was concerned I was misled. I make this statement in justice to myself, as otherwise it might appear singular that I made no more effort than I did to press my own amendment. The amendment about to be voted upon is satisfactory to me, as far as it goes.

In this connection I wish also to state that my amendment or bill was not in conflict with what was agreed upon in the caucus held by the Democratic members. That caucus simply decided that the committee should report an omnibus bill, as it is termed, providing for the organization and admission of the Territories named in the bills under consideration, and that the question of division should be resubmitted to the people of Dakota. This was all that was decided by the caucus, and my amendment or bill provided for all this and more. Our caucus did not decide that the bill proposed should not permit the admission of South Dakota without another constitutional convention being held therein.

I make this statement because it has been stated to gentlemen upon this side that the introduction of this bill by me was in violation of what had been determined upon in caucus, which is not true. Such a decision of the caucus, if it had been made, would not have been entitled to respect; but it was not, and no doubt for this reason.

The question being taken on the amendment of Mr. PERKINS as modified, it was agreed to.

Mr. PAYSON. I move to amend by striking out, in line 12 of section 12, the words "1st day of January, 1890," and inserting "survey of said section or the passage of this act."

Mr. SPRINGER. I am willing to accept that amendment.

Mr. PAYSON. The provision in the bill is that all actual settlers may make settlement up to the 1st day of January, 1890. This would cut out those who might settle upon unsurveyed lands at any time thereafter. The amendment I have submitted obviates this objection and should commend itself to the good judgment of the House.

The amendment was agreed to.

Mr. TOOLE. I offer the amendment which I ask the Clerk to read.

The Clerk read as follows:

Amend by adding to section 2 as amended the following:

"And thereupon the President of the United States may issue his proclamation declaring the State of Montana admitted as a State into the Union from and after the date of such proclamation."

Mr. SPRINGER. This puts Montana in precisely the same position as South Dakota.

Mr. BAKER, of New York. That is all right. [Cries of "Vote!" "Vote!"]

The amendment was adopted.

Mr. BAKER, of New York. Now, there should be the same in regard to Washington.

Mr. WARNER. Mr. Speaker, I move an amendment, in line 17 of section 12, to strike out the words—and I ask the attention of the chairman of the committee—"not less than $6 per acre."

Mr. SPRINGER. And insert what?

Mr. WARNER. Insert no amount. Leave these lands to be paid for at their appraised value.

Mr. SPRINGER. Other school lands can not be sold for less than $10 per acre.

Mr. GIFFORD. I suggest to the gentleman that he move to strike out "six" and insert "ten," and then it will be in accordance with the other provisions of the section.

Mr. WARNER. I yield to the gentleman from Dakota for a moment.

Mr. GIFFORD. Mr. Speaker, if the gentleman from Missouri will withdraw his amendment for a moment I will move to strike out all of that section after the word "company," in line 9 of section 12, all the remainder of the section. I think it should all go out.

Mr. SPRINGER. But the gentleman from Illinois [Mr. PAYSON] has just put in an amendment that this provision shall not apply except to settlements before surveys were made.

Mr. GIFFORD. I think this whole provision is objectionable all through. But I will withdraw the amendment temporarily and allow the gentleman from Missouri to proceed.

Mr. WARNER. Mr. Speaker, I offer this amendment, and think it would be in the interest of the public schools of that Territory if it was adopted. It provides that these parties who have settled upon the school lands shall be permitted to take them at their assessed value exclusive of improvements. That is all the amendment provides.

Mr. SPRINGER. I hope that amendment will not be adopted.

Mr. PAYSON. Let the amendment be read.

The amendment was stated at the Clerk's desk.

Mr. PAYSON. I move to amend the amendment by inserting the necessary words to provide that these lands may be taken, under the circumstances specified, at $1.25 per acre, and I desire to be heard upon the amendment.

The SPEAKER. The gentleman will proceed.

Mr. PAYSON. This section provides for securing to the people who have gone on these public lands affected by the operation of this provision in advance of survey the right to the lands under certain conditions. They went onto the lands without any anticipation of the fact that the sixteenth and thirty-sixth sections would eventually be reserved for public-school purposes. I insist that after they have made their settlements under the general land law of the United States, and did all that was required of them under the law, they should not now be required to pay a high price for availing themselves of that opportunity which the law gave them. They are there and went there in good faith. This legislation is against the interests that they are attempting to build up for themselves; and when they made their settlement, being invited thereto by the existing law, they had a right to take these lands at $1.25 per acre, and because this bill provides that if any settlement so made shall interfere with the sixteenth and thirty-sixth sections to which Dakota would be entitled under the general law when admitted, then I hold that these settlers who went in good faith upon the lands, and I think it will not be disputed as a matter of right, should be allowed to take them at the rate at which they could obtain them under the general law. It is a perfectly clear proposition. Why have an appraisement fixed upon the lands hereafter, when the only reason against securing a title now is the fact that the lands are unsurveyed? The Government invites the settler to go upon the unsurveyed lands and under the pre-emption or homestead laws—under the pre-emption if payment is required—he may acquire his title by complying with the conditions of the law and upon the payment of $1.25 per acre. You now supplement these laws by this legislation, giving the sixteenth and thirty-sixth sections to the States for school purposes, and because these lands so revert to the State we should not require these settlers who have gone on them in good faith to pay more than they would have been required to pay under the general land law.

Mr. LIND. Let me suggest to the gentleman that he is proceeding upon the assumption that these settlers went upon the lands with the anticipation that they could acquire title to them from the Government. That does not seem to be correct, for the bill says, "with the intention in good faith of purchasing such lands from the State upon its admission." So that in this connection the amendment of the gentleman would be wholly improper, I think. The gentleman provides for a contingency which can not arise.

Mr. PAYSON. The section seems to be intended to provide for the disposal of the occupied school lands settled upon prior to survey.

Mr. LIND. No, prior to a certain date.

Mr. PAYSON. Then it has been amended.

Mr. WARNER. If the gentleman will have it read, he will see that he does not want the amendment to this provision. It will be a robbing of the school funds.

Mr. DORSEY. It will give the settlers on school lands the same right as on other lands.

Mr. LIND. If the gentleman will allow me——

Mr. PAYSON. In order to save time I will withdraw my amendment, reserving the right to renew it.

The SPEAKER. The question is on the amendment of the gentleman from Missouri, which is to strike out the words read by the Clerk.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. WARNER. Division.

The House divided; and there were—ayes 26, noes 48.

So the amendment was disagreed to.

Mr. STRUBLE. I propose an amendment to section 2.

Mr. SPRINGER. Mr. Speaker, is the gentleman from Iowa permitted to renew his amendment?

The SPEAKER. He withdrew it on that condition. The Clerk will read the amendment offered by the gentleman from Iowa.

The Clerk read as follows:

Strike out the following words from lines 18 and 19 of section 2: "But no elector shall vote for more than two persons for delegate to such convention."

Mr. STRUBLE. It will be noticed by gentlemen who are giving this attention that this section provides for the election of three delegates from the respective districts. These words which I propose shall be stricken out limit the electors to two votes for these delegates in these Territories, with a view of adopting the minority principle of representation. The minority principle may be popular in the State of Illinois. For one, I am opposed to it. I want it left out of this bill, and therefore I hope that members will join me in giving it the "grand bounce."

Mr. SPRINGER. It simply provides that in each of the districts there shall be elected three delegates to the constitutional convention, and that each elector shall vote for two of those three. That is giving the minority a chance to be represented in the constitutional convention, while the majority has the right to control. I am informed by my friend from Pennsylvania that the delegates to the last constitutional convention of that State were elected in the same way. It is proposed in a spirit of fairness to everybody.

Mr. STRUBLE. Let these people make this provision when the Territory has become a State; then they can pass on it for themselves.

Mr. SPRINGER. They may make that provision.

Mr. STRUBLE. Very well; but do not force it upon them.

Mr. SPRINGER. This is to provide for delegates before the convention meets; after they are in convention they can fix it for the future as they like. South Dakota submitted this proposition, and over 11,000 people voted to put it or a similar provision in the constitution for the election of members of the Legislature. I hope in deference to that large number this concession will be made.

Mr. STRUBLE. I have no objection to the State making that provision, but I do not think Congress ought to force it upon them.

Mr. GIFFORD. I desire to state that, so far as our people are concerned, they do not desire this proposition. I have not said anything about it up to this time because it related to the other Territories; but we want no minority representation in Dakota at all.

A MEMBER on the Democratic side. Of course not.

Mr. GIFFORD. It is true it was voted upon when it was submitted to the people; but there is no demand for it. There is no discussion there; none of these people desire it or care anything about it; and we really do not want it, so far as we are concerned. [Cries of "Vote!"]

The question was taken, and the Speaker announced that he was unable to determine how the House had voted.

The House then divided; and there were—ayes 72, noes 74.

Mr. STRUBLE. I felt disposed to ask for tellers upon this; but I will not.

So the amendment was disagreed to.

Mr. VOORHEES. I offer the following amendment.

The Clerk read as follows:

Add to section 5 the following: "And if it shall appear therefrom that the provisions of this act have been complied with in connection with the Territories of Washington and New Mexico, and a majority of the votes have been cast in favor of the constitution, the President of the United States shall thereupon issue his proclamation declaring such States admitted to the Union; and thereupon said States shall be admitted into the Union on an equal footing with the original States without any further action on the part of Congress."

Mr. VOORHEES. The purpose of this amendment is to place the Territories of Washington and New Mexico, with reference to a speedy admission into the Union, in precisely the same attitude in which the Territories of Dakota, North and South, and Montana have already been placed by amendments recently adopted; and I know of no good reason why the Territories of Washington and New Mexico should be deprived of such an opportunity of a speedy method of admission into the Union. I therefore hope my amendment will be adopted.

Every one understands the uncertainty incident to and attendant upon an effort to secure legislation through Congress, and although the objection might be urged that Washington and New Mexico at this time

are not provided with constitutions, it is as certain as anything that has not yet transpired that they will adopt constitutions. The purpose of this amendment is simply to give to Washington and New Mexico the same privileges accorded to Montana and Dakota, and I think it is no more than just and right that the amendment should prevail.

Mr. BUTTERWORTH. I rise to a parliamentary inquiry. Is it competent to ask for a division of that question? We have voted separately in regard to Dakota and in regard to Montana, and I do not see the propriety of putting these propositions together.

Mr. VOORHEES. I simply want to treat all the Territories fairly. I have no objection to striking out New Mexico and letting the Delegate from that Territory offer the proposition. Let my amendment be confined to Washington.

Mr. SPRINGER. I desire to call the attention of the gentleman from Washington Territory to the fact that this is not putting the other Territories upon the same footing with South Dakota and Montana, for the reason that South Dakota and Montana have presented constitutions which are before us now and have been printed, and upon which we have passed for ourselves and satisfied ourselves that they are republican in form; but no constitutions have been formed in Washington, New Mexico, or North Dakota, and therefore we have simply reserved to Congress the right to admit those Territories when they come here with constitutions in accordance with the terms of this act.

Mr. VOORHEES. Mr. Speaker, in response to the observations of the chairman of the Committee on Territories, I desire to state that Washington did adopt a constitution in 1878, and the only reason we are not before Congress to-day asking for action upon that constitution is that, because of the policy of non-action which has characterized Congress in connection with this matter, we have grown away from the constitution made in 1878. For that reason, and for that reason alone, we are not here with a constitution.

Mr. SYMES. I hope the amendment will be adopted. Several States have been admitted into the Union upon the proclamation of the President, the last being the centennial State—Colorado. That State was admitted into the Union without the constitution being brought here and submitted to Congress. Now, Mr. Speaker, it is very well to say that Congress does not know what kind of a constitution will be adopted; but I think the President of the United States is an intelligent gentleman, familiar with the rules which govern republican institutions in this country, and I think that the people of this great Territory are as competent to-day to judge whether a constitution is republican in form and to provide for emergencies in their organic laws as are the members of Congress of any of the States in this Union, and I hope that this amendment will be adopted, and that Washington Territory will be admitted into the Union under the proclamation of the President, as other States have been.

The question was taken on the amendment of Mr. VOORHEES, and it was rejected—ayes 58, noes 64.

Mr. SPRINGER. I now demand the previous question, and pending that I yield to the gentleman from Illinois [Mr. PAYSON], who desires to offer an amendment to the twelfth section.

Mr. WARNER. I also wish to offer an amendment.

Mr. PAYSON. I offer the amendment which I send to the Clerk's desk, to come in at the end of section 7.

The amendment was read, as follows:

Provided, That the rights of all settlers on unsurveyed lands under the general land laws, upon land found upon survey to be within sixteenth or thirty-sixth sections, where their settlements were made before survey, or the approval of this act, shall be preserved, and where payment shall be required it shall be at the rate of $1.25 per acre.

Mr. SPRINGER. With that modification I have no objection to the adoption of that amendment.

The amendment was agreed to.

Mr. KERR. Mr. Speaker——

Mr. SPRINGER. I demand the previous question.

The SPEAKER. The gentleman from Illinois demands the previous question. The question is upon ordering the previous question upon the amendment and upon ordering the bill to be read a third time.

The Speaker declared that the ayes seemed to have it.

Mr. DOUGHERTY. I demand a division.

The House divided; and there were—ayes 72, noes 5.

Mr. DOUGHERTY. No quorum.

Mr. SPRINGER. I withdraw the demand for the previous question in order to allow the gentleman from Florida to offer his amendment.

Mr. DOUGHERTY. I offer the following amendment, which I send to the Clerk's desk.

The Clerk read the amendment, as follows:

In line 7 of section 1, after the words "New Mexico," insert "Utah and Arizona."

Mr. SPRINGER. I make the point of order that that amendment is not in order.

The SPEAKER. The Chair has already decided this question of order upon a proposition offered by the gentleman from Illinois himself at the beginning of these proceedings. The amendment must be ruled out as not germane.

Mr. SPRINGER. If the gentleman from Florida [Mr. DOUGHERTY] desires to be heard five minutes, I have no objection.

Mr. DOUGHERTY. I would like to be heard.

The SPEAKER. There is nothing before the House upon which debate is in order.

Mr. DOUGHERTY. I move to amend by striking out the last word. My purpose in offering the amendment which was read was to secure the admission of Utah and Arizona as States of the Union. I am unable to understand why a bill which is characterized as an "omnibus bill," coming from the Democratic side of the House, should undertake to bring in all the Republican Territories of the United States and exclude the Democratic Territories. [Laughter and applause.] If I were in charge of this measure the plan I would pursue would be to exclude the Republican Territories till after the next Presidential election and admit all the Democratic Territories. This ought to have been done long since, and all naturally inclined that way would now be Democratic States. [Laughter and applause.]

Mr. REED. The Democratic party has done one-half of what you want.

Mr. DOUGHERTY. If I had my way I would do the whole thing, because I believe it to be right in principle and good policy also.

Mr. REED. You are a more sincere Democrat than the rest of them.

Mr. DOUGHERTY. I hope I am as much so as any.

Mr. Speaker, why are the people of Utah excluded? It is in my judgment because of their religious belief. They are among the most reliable Democrats in this country. They have been persecuted into that political faith. [Laughter and applause.] Mr. Speaker, does this interruption come out of my time? A gentleman suggests that I should always be willing to yield for applause; but, sir, applause from the Republican side of the House is not usually pleasant to me. I do not often get it, and when it comes from the Republican side it frightens me; I fear I may be going wrong.

Without passing any opinion as to the religious belief of the people of Utah, for it is none of my business, I know they are right in their political belief when they belong to the Democratic party. [Renewed laughter and applause.] These other Territories, had they been promptly admitted by the Democratic party while in the majority here, would now, in all probability, have been reliable Democratic States.

A great deal has been said as to the constitutions under which these Territories are to be admitted. A great deal of talk has been indulged in on that subject; and I am ready to believe that it has changed just as few votes as what I am saying will change, because on a question like this no speech ever delivered on this floor ever changed, in my experience and observation, a single vote. Gentlemen who are here as representatives of the American people are competent to make up their minds upon a subject without information from other members, and usually do so.

But, recurring to these constitutions, every gentleman here knows well that, once admitted to the Union, those Territories, having become sovereign States, can do as the other States of this Union are at liberty to do—alter, revise, or amend their constitutions at pleasure. Still, while I believe it is not competent for the Congress of the United States or the whole Government to interfere with a man in his religious belief, it is competent for Congress in the organic law for the admission of Utah to put restrictions which will prevent the practice of a religion in such a way as to be violative of the law of the land. It is a wise provision in the Constitution which prohibits any interference with the religious opinions of any person, but there is nothing in it to prevent the inhibition of the practice of any religion which is shocking to the moral sense of civilized mankind and contrary to the law of this country. I believe that all these Territories should be admitted. Certainly Utah has all the qualifications which have been urged in favor of the admission of these other Territories. She has population, she has industries, she has resources. Her people are honest, thrifty, and industrious. Why should she be kept out? She has offered a constitution forever doing away with her curse of polygamy.

I believe that it is bad politics for any party to admit Territories in such a way as to increase the strength of their opponents and keep out Territories which would add to their own strength. [Applause and laughter.] It is bad politics, and in my judgment it is bad leadership, or, worse, it is none at all. Just such alleged leadership as this, that of alleged statesmen upon this floor, has put the Democratic party in the position it now occupies. The leaders of a party should do all that is honest and fair to strengthen their party. While it is right to control by law the action of men, it is not just or right to deprive them under democratic institutions of any privilege because of religious opinions entertained by them. Let them believe as they see fit, but control by law their actions. Let in Arizona and Utah; they will both be Democratic States. New Mexico will also be Democratic. Put into the hands of every resident of that Territory who can read, and into the heads of those who can not, the substance of the views of the Republican minority of the Committee on Territories, and if they have one particle of self-respect that document will make them, or a majority of them, reliable Democrats.

But a disregard of such a policy and the leadership of such statesmen as have been described are what have brought about, in the language of the gentleman from Mississippi [Mr ALLEN], in a speech of his the other day, "the condition and not the theory which confronts us." [Applause.]

[Here the hammer fell.]

Mr. SPRINGER. I now ask the previous question.

The SPEAKER. The gentleman from Illinois asks the previous question on the amendments and on ordering the bill to be read the third time.

Mr. KERR. I desire to offer an amendment.

Mr. SPRINGER. I think we have had enough amendments. I insist upon the demand. I hope the gentleman will let us have a vote.

The question being taken on ordering the previous queston, there were—ayes 85, noes 5.

Mr. KERR. No quorum.

Mr. SPRINGER. I withdraw the call for the previous question, and yield to the gentleman from Iowa [Mr. KERR].

Mr. KERR. I move to amend by striking out, in line 12 of section 3, the words "both those events," and inserting "either of those events."

Mr. Speaker, the provision of the bill, as it stands, requires that both Territories shall, by their votes, declare in favor of division, otherwise there shall be no division. Now, in view of the fact that the people of these Territories have already declared by their vote in favor of division, and in view also of the fact that three-fourths of the population of these Territories are now in South Dakota, it would be a manifest injustice to allow the seperate statehood of South Dakota to be dependent upon an affirmative vote in North Dakota in favor of division. I insist, therefore, that the amendment I have submitted ought to be in the bill. I will say further that I am in favor or the bill, if this amendment be made. I believe that these Territories, including New Mexico, ought all to be admitted into the Union as States, if they have the requisite population, and I believe they have. But if this provision is not inserted in the bill, and the separate statehood of the great Territory of South Dakota is made to depend upon the will of another Territory, I can not vote for the bill.

Mr. SPRINGER. The gentleman does not intend to vote for it anyway, I believe.

Mr. KERR. I do, if this amendment be agreed to.

Mr. SPRINGER. I now move the previous question upon the pending amendments, and upon the third reading of the bill.

The previous question was ordered.

The question being taken upon the amendment of Mr. KERR, it was not agreed to, there being—ayes 74, noes 92.

MESSAGE FROM THE PRESIDENT.

A message, in writing, was received from the President of the United States by Mr. PRUDEN, one of his secretaries.

The message further announced that the following bills having been presented to the President January 4, 1889, and not having been returned by him to the House of Congress in which they originated within the ten days prescribed by the Constitution, had become laws without his signature:

An act (H. R. 3608) to grant an increase of pension to William E. Prince;

An act (H. R. 3681) granting a pension to Carter W. Tiller; and

An act (H. R. 5408) granting a pension to Emma F. Reed.

It also announced that he had approved and signed, January 16, 1889, bills of the following titles:

An act (H. R. 6012) for the relief of A. P. Swineford;

An act (H. R. 5009) to provide certain arms, ammunition, and equipage to the State of Oregon for the militia thereof;

An act (H. R. 1959) authorizing the Secretary of War to issue to the governor of the Territory of Montana military stores for the use of the regularly enlisted, organized, and uniformed active militia;

An act (H. R. 7261) granting the right of way through certain Indian lands in the State of Minnesota to the Moorhead, Leech Lake and Northern Railway Company;

An act (H. R. 11794) to amend the postal laws of the United States in reference to letters having special-delivery stamps;

An act (H. R. 9663) granting a pension to Jesse Spencer;

An act (H. R. 9784) granting a pension to Anna Boppell;

An act (H. R. 10494) granting a pension to Emelia Mumm;

An act (H. R. 10694) granting a pension to John W. Ellis;

An act (H. R. 10769) granting a pension to John M. Krunk;

An act (H. R. 10825) granting a pension to Mary Jane Jelly;

An act (H. R. 10911) granting a pension to Ira E. Baldwin;

An act (H. R. 9776) for the relief of Nancy E. Sawyer;

An act (H. R. 10199) for the relief of William E. Springstein;

An act (H. R. 10433) for the relief of Leaman L. Bowers; and

An act (H. R. 10575) to increase the pension of William Gallagher.

And on January 17, 1889, bills of the following titles:

An act (H. R. 7344) granting a pension to Henrietta Waldron;

An act (H. R. 7928) granting a pension to Samuel M. Reese;

An act (H. R. 8613) granting a pension to Ann Bryan;

An act (H. R. 8735) granting a pension to Mary A. McCool;

An act (H. R. 9178) granting a pension to Jane Jackson;

An act (H. R. 9310) granting a pension to Capt. William J. Duley;

An act (H. R. 9759) granting a pension to John Wallace;

An act (H. R. 10032) granting a pension to Milton Waller;

An act (H. R. 10073) granting a pension to P. F. Jonte;

An act (H. R. 10109) granting a pension to Mrs. Anna Leach;

An act (H. R. 10488) granting a pension to Myra Sinclair;

An act (H. R. 10908) granting a pension to Mrs. Almira J. Towner;

An act (H. R. 5731) for the relief of Margaret M. Hatch;

An act (H. R. 6334) for the relief of Isaac Roshon;

An act (H. R. 8521) for the relief of William A. Mathes;

An act (H. R. 10659) for the relief of Elizabeth C. Cole;

An act (H. R. 9388) to increase the pension of Joseph Holmes;

An act (H. R. 7887) granting an increase of pension to Jonathan C. Harrison; and

An act (H. R. 5919) restoring to the pension-roll the name of James Monohan, minor child of Richard Monohan, deceased.

DAKOTA.

The SPEAKER. The question recurs on the substitute offered by the gentleman from Illinois [Mr. SPRINGER].

Several members demanded a division.

Mr. SPRINGER. We had better have the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 133, nays 120, not voting 69; as follows:

YEAS—133.

Abbott,	Dibble,	Macdonald,	Sayers,
Anderson, Iowa	Dockery,	Maish,	Seney,
Anderson, Miss.	Dougherty,	Mansur,	Shaw,
Anderson, Ill.	Dunn,	Martin,	Shively,
Bankhead,	Elliott,	Matson,	Smith,
Barnes,	Ermentrout,	McAdoo,	Sowden,
Barry,	Fisher,	McClammy,	Spinola,
Blanchard,	Foran,	McCreary,	Springer,
Bland,	Forney,	McKinney,	Stewart, Tex.
Bliss,	French,	McRae,	Stewart, Ga.
Blount,	Gibson,	Merriman,	Stockdale,
Breckinridge, Ky.	Glass,	Mills,	Stone, Ky.
Buckalew,	Grimes,	Montgomery,	Stone, Mo.
Burnes,	Hall,	Moore,	Tarsney,
Bynum,	Hatch,	Morgan,	Taulbee,
Campbell, Ohio	Heard,	Morse,	Thompson, Cal.
Campbell, T. J., N. Y.	Henderson, N. C.	Neal,	Tillman,
Candler,	Herbert,	Newton,	Tracey,
Carlton,	Holman,	Norwood,	Townshend,
Caruth,	Hooker,	Oates,	Turner, Ga.
Catchings,	Hopkins, Va.	O'Ferrall,	Vance,
Chipman,	Howard,	O'Neall, Ind.	Walker,
Clardy,	Hudd,	O'Neill, Mo.	Washington,
Clements,	Hutton,	Outhwaite,	Weaver,
Cobb,	Johnston, N. C.	Peel,	Wheeler,
Compton,	Jones,	Perry,	Whiting, Mich.
Cothran,	Kilgore,	Phelan,	Wilkins,
Cowles,	Laffoon,	Randall,	Wilkinson,
Cox,	Lagan,	Rayner,	Wilson, Minn.
Crain,	Landes,	Rice,	Wilson, W. Va.
Crisp,	Lane,	Richardson,	Yoder.
Culberson,	Lanham,	Robertson,	
Cummings,	Lawler,	Rogers,	
Dargan,	Lee,	Russell, Mass.	

NAYS—120.

Adams,	Darlington,	Kean,	Reed,
Allen, Mass.	Davis,	Kelley,	Rockwell,
Allen, Mich.	Dingley,	Kennedy,	Romeis,
Arnold,	Dorsey,	Kerr,	Rowell,
Atkinson,	Dunham,	La Follette,	Russell, Conn.
Baker, N. Y.	Farquhar,	Laidlaw,	Ryan,
Baker, Ill.	Finley,	Lehlbach,	Sawyer,
Bayne,	Flood,	Lind,	Scull,
Belden,	Fuller,	Lodge,	Seymour,
Boothman,	Funston,	Long,	Sherman,
Bound,	Gaines,	McComas,	Spooner,
Boutelle,	Gallinger,	McCormick,	Steele,
Bowden,	Gear,	McKenna,	Stephenson,
Brewer,	Gest,	McKinley,	Stewart, Vt.
Browne, Ind.	Grosvenor,	Milliken,	Struble,
Brown, Ohio	Grout,	Moffitt,	Symes,
Brumm,	Guenther,	Morrill,	Taylor, E. B., Ohio
Buchanan,	Harmer,	Nelson,	Taylor, J. D., Ohio
Burrows,	Haugen,	O'Donnell,	Thomas, Ky.
Butterworth,	Henderson, Iowa	O'Neill, Pa.	Thomas, Ill.
Cannon,	Henderson, Ill.	Osborne,	Thomas, Wis.
Caswell,	Hermann,	Owen,	Thompson, Ohio
Cheadle,	Hiestand,	Parker,	Vandever,
Clark,	Hires,	Patton,	Wade,
Cogswell,	Hitt,	Payson,	Warner,
Conger,	Holmes,	Perkins,	Weber,
Cooper,	Hopkins, Ill.	Peters,	Whiting, Mass.
Crouse,	Hopkins, N. Y.	Plumb,	Williams,
Cutcheon,	Jackson,	Post,	Woodburn,
Dalzell,	Johnston, Ind.	Pugsley,	Yardley.

NOT VOTING—69.

Allen, Miss.	Brown, J. R., Va.	Davidson, Ala.	Goff,
Anderson, Kans.	Bryce,	Davidson, Fla.	Granger,
Bacon,	Bunnell,	De Lano,	Greenman,
Biggs,	Burnett,	Enloe,	Hare,
Bingham,	Butler,	Felton,	Hayden,
Bowen,	Campbell, F., N. Y.	Fitch,	Hayes,
Breckinridge, Ark.	Cockran,	Ford,	Hemphill,
Brower,	Collins,	Gay,	Hogg,
Browne, T. H. B., Va.	Davenport,	Glover,	Houk,

Hunter,	McCullogh,	Rowland,	White, N. Y.
Ketcham,	McMillin,	Rusk,	Whitthorne,
Laird,	McShane,	Scott,	Wickham,
Latham,	Morrow,	Simmons,	Wilber,
Lyman,	Nichols,	Snyder,	Wise,
Lynch,	Nutting,	Stahlnecker,	Yost.
Maffett,	Penington,	Turner, Kans.	
Mahoney,	Phelps,	West,	
Mason,	Pidcock,	White, Ind.	

So Mr. SPRINGER'S substitute was adopted.

On motion of Mr. BAKER, of New York, the reading of the names was dispensed with.

The following additional pairs were announced:

Mr. FELIX CAMPBELL with Mr. GOFF, until further notice.

Mr. RUSK with Mr. YOST, until further notice.

Mr. MCMILLIN with Mr. HOUK, until Monday next.

Mr. ENLOE with Mr. WHITE, of New York, for this day.

Mr. FORD with Mr. BINGHAM, for this day.

Mr. ROWLAND with Mr. WICKHAM, for the rest of the day.

Mr. HARE with Mr. ANDERSON, of Kansas, for the rest of the day.

Mr. GRANGER with Mr. HAYDEN for this day.

Mr. STAHLNECKER with Mr. NUTTING, for the rest of the day.

The result of the vote was then announced as above recorded.

The bill as amended was ordered to be engrossed and read a third time.

The question recurred upon the passage of the bill.

Mr. SPRINGER. Upon the passage of the bill I demand the previous question.

Mr. BAKER, of New York. Pending that, I move to recommit with the following instructions.

The SPEAKER. The instructions will be read.

The Clerk read as follows:

Recommit the bill with instructions to report forthwith: First, a bill providing for the admission of South Dakota into the Union; secondly, enabling acts for North Dakota, Montana, and Washington Territories, respectively.

Mr. BAKER, of New York. On that I move the previous question.

The previous question was ordered.

Mr. BAKER, of New York. On the motion to recommit with instructions I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SPRINGER. This simply leaves out New Mexico and brings in a separate bill for each Territory——

Mr. BAKER, of New York. It does not interfere with New Mexico at all.

The SPEAKER. The question is not debatable, and the Clerk will call the roll.

The question was taken; and there were—yeas 118, nays 131, not voting 73, as follows:

YEAS—118.

Adams,	Davis,	Kennedy,	Romeis,
Allen, Mass.	Dingley,	Kerr,	Rowell,
Allen, Mich.	Dorsey,	La Follette,	Russell, Conn.
Arnold,	Dunham,	Laidlaw,	Ryan,
Atkinson,	Farquhar,	Lehlbach,	Sawyer,
Baker, N. Y.	Finley,	Lind,	Scull,
Baker, Ill.	Flood,	Lodge,	Seymour,
Bayne,	Fuller,	Long,	Sherman,
Belden,	Funston,	McComas,	Spooner,
Boothman,	Gallinger,	McCormick,	Steele,
Bound,	Gear,	McKenna,	Stephenson,
Boutelle,	Gest,	McKinley,	Stewart, Vt.
Bowden,	Grosvenor,	Milliken,	Struble,
Brewer,	Grout,	Moffitt,	Symes,
Browne, Ind.	Harmer,	Morrill,	Taylor, E. B., Ohio
Brown, Ohio	Haugen,	Nelson,	Taylor, J. D., Ohio
Brumm,	Henderson, Iowa	O'Donnell,	Thomas, Ky.
Buchanan,	Henderson, Ill.	O'Neill, Pa.	Thomas, Ill.
Burrows,	Hermann,	Osborne,	Thomas, Wis.
Butterworth,	Hiestand,	Owen,	Thompson, Ohio
Caswell,	Hires,	Parker,	Vandever,
Cheadle,	Hitt,	Patton,	Wade,
Clark,	Holmes,	Payson,	Warner,
Cogswell,	Hopkins, Ill.	Perkins,	Weber,
Conger,	Hopkins, N. Y.	Peters,	Whiting, Mass.
Cooper,	Hunter,	Plumb,	Williams,
Crouse,	Jackson,	Post,	Woodburn,
Cutcheon,	Johnston, Ind.	Pugsley,	Yardley.
Dalzell,	Kean,	Reed,	
Darlington,	Kelley,	Rockwell,	

NAYS—131.

Abbott,	Caruth,	Foran,	Laffoon,
Anderson, Iowa	Catchings,	Forney,	Lagan,
Anderson, Miss.	Clardy,	French,	Landes,
Anderson, Ill.	Cobb,	Glass,	Lane,
Bacon,	Compton,	Grimes,	Lanham,
Bankhead,	Cothran,	Hall,	Lawler,
Barnes,	Cowles,	Hatch,	Lee,
Barry,	Cox,	Heard,	Macdonald,
Blanchard,	Crain,	Hemphill,	Maish,
Bland,	Crisp,	Henderson, N. C.	Mansur,
Bliss,	Culberson,	Herbert,	Martin,
Blount,	Cummings,	Holman,	McAdoo,
Breckinridge, Ky.	Dargan,	Hooker,	McClammy,
Buckalew,	Dibble,	Hopkins, Va.	McCreary,
Burnes,	Dockery,	Howard,	McKinney,
Bynum,	Dougherty,	Hudd,	McRae,
Campbell, Ohio	Dunn,	Hutton,	Merriman,
Campbell, T. J., N. Y.	Elliott,	Johnston, N. C.	Mills,
Candler,	Ermentrout,	Jones,	Montgomery,
Carlton,	Fisher,	Kilgore,	Moore,
Morgan,	Randall,	Spinola,	Turner, Ga.
Morse,	Rayner,	Springer,	Vance,
Neal,	Rice,	Stewart, Tex.	Walker,
Newton,	Richardson,	Stewart, Ga.	Washington,
Norwood,	Robertson,	Stockdale,	Weaver,
Oates,	Rogers,	Stone, Ky.	Wheeler,
O'Ferrall,	Russell, Mass.	Stone, Mo.	Whiting, Mich.
O'Neall, Ind.	Sayers,	Tarsney,	Wilkins,
O'Neill, Mo.	Seney,	Taulbee,	Wilkinson,
Outhwaite,	Shaw,	Thompson, Cal.	Wilson, Minn.
Peel,	Shively,	Tillman,	Wilson, W. Va.
Perry,	Smith,	Tracey,	Yoder.
Phelan,	Sowden,	Townshend,	

NOT VOTING—73.

Allen, Miss.	Davenport,	Hogg,	Pidcock,
Anderson, Kans.	Davidson, Ala.	Houk,	Rowland,
Biggs,	Davidson, Fla.	Ketcham,	Rusk,
Bingham,	De Lano,	Laird,	Scott,
Bowen,	Enloe,	Latham,	Simmons,
Breckinridge, Ark.	Felton,	Lyman	Snyder,
Brower,	Fitch,	Lynch,	Stahlnecker,
Browne, T. H. B., Va.	Ford,	Maffett,	Turner, Kans.
Brown, J. R., Va.	Gaines,	Mahoney,	West,
Bryce,	Gay,	Mason,	White, Ind.
Bunnell,	Gibson,	Matson,	White, N. Y.
Burnett,	Glover,	McCullogh,	Whitthorne,
Butler,	Goff,	McMillin,	Wickham,
Campbell, F., N. Y.	Granger,	McShane,	Wilber,
Cannon,	Greenman,	Morrow,	Wise,
Chipman,	Guenther,	Nichols,	Yost.
Clements,	Hare,	Nutting,	
Cockran,	Hayden,	Penington,	
Collins,	Hayes,	Phelps,	

So the motion to recommit with instructions was rejected.

On motion of Mr. WHEELER, by unanimous consent, the reading of the names was dispensed with.

The following additional pairs were announced:

Mr. DAVIDSON, of Alabama, with Mr. LYMAN, on all political questions, until further notice.

Mr. MATSON with Mr. GAINES, for the rest of the day.

The result of the vote was then announced as above recorded.

The SPEAKER. The question now recurs on the demand for the previous question on the passage of the bill.

The previous question was ordered.

Mr. SPRINGER. Mr. Speaker, before the question is taken on the passage of the bill, I ask the indulgence of the House for five minutes. [Cries of "Vote!" "Vote!"]

The SPEAKER. Under the rules the gentleman is entitled to an hour to close the debate.

Mr. SPRINGER. I only want five minutes.

Mr. Speaker, I desire to call the attention of the House to the fact that the proposition which is now pending and which will soon be put upon its passage provides for the admission of five States into the Union, if the people of Dakota shall determine on the division of that Territory. If they shall not favor such division, it will bring in four States at the beginning of the next session of Congress. The advantages of this measure over the Senate bill are these, that the Senate proposition only deals with Dakota while this deals with four of the present Territories and makes possible the creation of five great States.

If the House should pass this Senate bill it would be all the legislation which we could reasonably expect in reference to new States at this session. South Dakota has no just grounds to claim this distinction, this special favor, this partiality at our hands, while more populous to-day than any other proposed State; yet North Dakota, Montana, Washington, and New Mexico have each a population above the ratio of one member in the House of Representatives, and are equally entitled to admission. Let them all come in together, not only upon an equal footing with the original States, but upon an equal footing as to each other.

It is idle to speculate upon the future politics of these new States. All predictions on this subject are worthless. No man can tell what a year will bring forth in any of the Territories of the West. In 1892 South Dakota may cast her electoral vote for the nominees of the Democratic party, and Montana and New Mexico may be found on the other side. Nor should we consult our fears in a matter of this kind. Fear not the American people—they may all be safely trusted. Those who go West to better their conditions are generally the bravest, the wisest, and the most progressive. The broad plains and lofty mountains invariably expand their ideas and liberalize their minds. [Applause.] The man of contracted vision in the East becomes, in the West, broad-gauged and full of charity for all mankind. The great West is destined in the near future to furnish the country with its profoundest jurists, its wisest philosophers, its greatest statesmen. [Renewed applause.]

It is a great mistake to suppose that the arid regions are worthless. The extensive systems of irrigation now being perfected by private enterprise and contemplated by Congress will, in the near future, reclaim the waste places and produce food products in marvelous abundance. The most stupendous works of the ancients were the irrigating canals of the Pharaohs, of the Arabians, of the Assyrians, and of the Peruvians and Aztecs. By the irrigating canals the deserts of the Old World as well as those of the New were reclaimed thousands of years ago and made to furnish sustenance for unknown

millions of inhabitants. With the superior skill and enterprise of our people, with more salubrious climate and productive soils, what possibilities does not the future offer in this respect! The results already realized demonstrate that irrigated lands are more productive than those depending upon natural rainfall. The wonderful development of Southern California furnishes conclusive proof on this point.

It will cost less of human effort to reclaim the arid regions of the West than it has already cost per acre to subdue the forests of Pennsylvania, Ohio, and Indiana. Hence there will be no waste places or unproductive plains in this country in the near future. Our deserts are already responding to the touch of husbandry, are already furnishing food and fruits for millions of our people, are fast filling the land with wealth and plenty. The deserts having been reclaimed and made available for homes for the people, immigration will rapidly move westward, new and great commonwealths will spring into existence in place of our sparsely-settled Territories; cities which will rival New York and Philadelphia in magnificence will within the next century dot the plains and nestle in the foot-hills of the Rocky Mountains. The center of population within the next quarter of a century will be at a point near the banks of the Mississippi River, and within fifty years from this time two hundred millions of people will find happy homes and remunerative employment and enjoy the blessings of freedom in the States of the American Union. [Applause.]

As the course of empire is rapidly moving westward let us prepare our Territories for the coming tide of population. Let us clothe them with all the habiliments of statehood. Let us extend to their people all the rights which we of the States enjoy. Under the bill which I have proposed two Dakotas may be admitted if the people there desire it; and Montana, Washington, and New Mexico, five States in all, may be added as bright stars to the constellation of the Union.

The population of these prospective States is over 1,100,000 at this time, and with the dawn of the twentieth century they will have at least 5,000,000 inhabitants. Their combined area is nearly 500,000 square miles, an area larger than the thirteen original States and Great Britain and Ireland combined. Their resources, now in their infancy, will soon contribute untold millions of dollars to the wealth of the nation. Their conservatism and patriotic devotion to our flag will add new strength and security to the Union. Other Territories of equal promise for the future will soon be ready for admission into the Union as States, and the time is not far distant, I trust, when there will be no Territorial provinces within our jurisdiction to mar the perfection of the Republic.

The SPEAKER. The question is, Shall the bill pass?

Mr. SPRINGER and Mr. SOWDEN demanded the yeas and nays.

The yeas and nays were ordered.

The queston was taken; and it was decided in the affirmative—yeas 145, nays 98, not voting 79; as follows:

YEAS—145.

Abbott,	Dibble,	Long,	Seymour,
Anderson, Iowa	Dockery,	Macdonald,	Shaw,
Anderson, Miss.	Dougherty,	Maish,	Shively,
Anderson, Ill.	Dunn,	Mansur,	Smith,
Bacon,	Elliott,	Martin,	Sowden,
Bankhead,	Ermentrout,	McAdoo,	Spinola,
Barnes,	Fisher,	McClammy,	Springer,
Barry,	Foran,	McCreary,	Steele,
Blanchard,	Forney,	McKinney,	Stewart, Tex.
Bland,	French,	McRae,	Stewart, Ga.
Bliss,	Gibson,	Merriman,	Stockdale,
Blount,	Glass,	Mills,	Stone, Ky.
Breckinridge, Ky.	Grimes,	Montgomery,	Stone, Mo.
Brewer,	Hall,	Moore,	Symes,
Browne, Ind.	Hatch,	Morgan,	Tarsney,
Buckalew,	Heard,	Morse,	Taulbee,
Burnes,	Hemphill,	Neal,	Thompson, Cal.
Bynum,	Henderson, N. C.	Newton,	Tillman,
Campbell, Ohio	Herbert,	Norwood,	Tracey,
Campbell, T. J., N. Y.	Hogg,	Oates,	Townshend,
Candler,	Holman,	O'Donnell,	Turner, Ga.
Carlton,	Holmes,	O'Ferrall,	Vance,
Carnth,	Hooker,	O'Neall, Ind.	Walker,
Catchings,	Hopkins, Va.	O'Neill, Mo.	Warner,
Cheadle,	Howard,	Outhwaite,	Washington,
Chipman,	Hudd,	Peel,	Weaver,
Clardy,	Hutton,	Perry,	Wheeler,
Clements,	Johnston, N. C.	Phelan,	Whiting, Mich.
Cobb,	Jones,	Randall,	Wilkins,
Compton,	Kilgore,	Rice,	Wilkinson,
Cothran,	Laffoon,	Richardson,	Wilson, Minn.
Cowles,	Lagan,	Robertson,	Wilson, W. Va.
Cox,	Landes,	Rockwell,	Woodburn,
Crisp,	Lane,	Rogers,	Yoder.
Culberson,	Lanham,	Russell, Mass.	
Cummings,	Lawler,	Sayers,	
Dargan,	Lee,	Seney,	

NAYS—98.

Adams,	Bound,	Cogswell,	Dunham,
Allen, Mass.	Boutelle,	Conger,	Farquhar,
Allen, Mich.	Bowden,	Cooper,	Finley,
Arnold,	Brown, Ohio	Crouse,	Fuller,
Baker, N. Y.	Burrows,	Cutcheon,	Funston,
Baker, Ill.	Butterworth,	Dalzell,	Gallinger,
Bayne,	Cannon,	Darlington,	Gear,
Belden,	Caswell,	Davis,	Gest,
Boothman,	Clark,	Dingley,	Grosvenor,
Grout,	La Follette,	Patton,	Stewart, Vt.
Guenther,	Laidlaw,	Payson,	Struble,
Harmer,	Lehlbach,	Peters,	Taylor, E. B., Ohio
Haugen,	Lodge,	Phelps,	Taylor, J. D., Ohio
Henderson, Iowa	McComas,	Plumb,	Thomas, Ky.
Henderson, Ill.	McCormick,	Pugsley,	Thomas, Ill.
Hermann,	McKenna,	Reed,	Thomas, Wis.
Hires,	McKinley,	Romeis,	Thompson, Ohio
Hitt,	Milliken,	Rowell,	Turner, Kans.
Hopkins, Ill.	Moffitt,	Russell, Conn.	Wade,
Hopkins, N. Y.	Morrill,	Ryan,	Weber,
Jackson,	Nelson,	Sawyer,	Whiting, Mass.
Johnston, Ind.	O'Neill, Pa.	Scull,	Williams,
Kean,	Osborne,	Sherman,	Yardley.
Kelley,	Owen,	Spooner,	
Kennedy,	Parker,	Stephenson,	

NOT VOTING—79.

Allen, Miss.	Davenport,	Houk,	Perkins,
Anderson, Kans.	Davidson, Ala.	Hunter,	Pidcock,
Atkinson,	Davidson, Fla.	Kerr,	Post,
Biggs,	De Lano,	Ketcham,	Rayner,
Bingham,	Dorsey,	Laird,	Rowland,
Bowen,	Enloe,	Latham,	Rusk,
Breckinridge, Ark.	Felton,	Lind,	Scott,
Brower,	Fitch,	Lyman,	Simmons,
Browne, T. H. B., Va.	Flood,	Lynch,	Snyder,
Brown, J. R., Va.	Ford,	Maffett,	Stahlnecker,
Brumm,	Gaines,	Mahoney,	Vandever,
Bryce,	Gay,	Mason,	West,
Buchanan,	Glover,	Matson,	White, Ind.
Bunnell,	Goff,	McCullogh,	White, N. Y.
Burnett,	Granger,	McMillin,	Whitthorne,
Butler,	Greenman,	McShane,	Wickham,
Campbell, F., N. Y.	Hare,	Morrow,	Wilber,
Cockran,	Hayden,	Nichols,	Wise,
Collins,	Hayes,	Nutting,	Yost.
Crain,	Hiestand,	Penington,	

So the bill was passed.

During the call of the roll, on motion of Mr. SPRINGER, by unanimous consent, the reading of the names was dispensed with.

The SPEAKER. Before announcing the result of the vote the Chair will lay before the House the following personal request.

The Clerk read as follows:

Mr. ENLOE requests leave of absence, on account of sickness.

The SPEAKER. If there be no objection, the leave will be granted.

The result of the vote was then announced as above recorded.

Mr. SPRINGER. I desire to amend the title of the bill so as to correspond with the act, and send the proposed title to the Clerk's desk; and on that I move the previous question.

Mr. GROSVENOR. I desire to move an amendment.

The SPEAKER. The gentleman from Illinois has demanded the previous question.

The amendment of the title proposed by Mr. SPRINGER was read, as follows:

A bill to enable the people of Dakota, Montana, Washington, and New Mexico to form constitutions and State governments, and to be admitted into the Union on an equal footing with the original States, to provide for the division of Dakota into two States, and to make donations of public lands to such States.

Mr. GROSVENOR. I suppose that on that question we have a right to debate.

The SPEAKER. If the previous question is ordered before there is any debate, there will be thirty minutes for debate.

The previous question was ordered.

Mr. GROSVENOR. I move to recommit the proposition with instructions to report the following as a substitute.

The SPEAKER. The Chair does not think that a motion to recommit an amendment is in order in the House. This is an amendment to the title of the bill.

Mr. SPRINGER. I demand the regular order.

Mr. GROSVENOR. Do I understand the Chair to rule that this motion to recommit is not in order?

The SPEAKER. The motion to recommit an amendment is not in order under the rules of the House, and by reason of the rules alone. Under the express rules of the House it is in order to recommit a bill after the previous question has been ordered, but a motion to recommit an amendment is not in order, and has never been in the House. It is at the other end of the Capitol, but not here. Under the rules of the House there are thirty minutes allowed for debate.

Mr. GROSVENOR withholds his remarks for revision. [See Appendix.]

Mr. SPRINGER. I reserve the time on this side.

Mr. CUTCHEON. Mr. Speaker, upon the final vote upon this measure I felt constrained to vote in the negative. It would have been a great pleasure to me had the bill been so protected that I could have voted in the affirmative. I voted for the so-called Macdonald amendment. I also voted for the motion to recommit with instructions. But there is that in this bill which I can not support, in that it indefinitely postpones the admission of Dakota, or any part of Dakota, while it keeps the word of promise to the ear and breaks it to the hope. I can explain in but one way the course of our Democratic friends on the other side. If they had passed the Macdonald amendment this morning, then on the first Monday of next December there would have been

here two Representatives from Dakota, and two Republican Senators at the other end of the Capitol, and the gentleman from Illinois [Mr. SPRINGER], and those who follow his lead, were not willing to witness that spectacle.

The gentleman has told us that the proposition which has just been adopted will make a difference of only a few days; yet he well knows, from his long experience in this House, that no measure is going through the next Congress in the first ten days, or the first thirty days, or the first ninety days. He knows perfectly well that the rejection of the Macdonald amendment means the keeping of Dakota out of the Union until the close of the first session, and probably until the close of the second session of the Fifty-first Congress. Mr. Speaker, I am prepared to enable every one of these Territories, including New Mexico. I believe myself that we can not draw the line upon the number of educated people in a Territory nor upon the number that speak English tongue. I believe that New Mexico ought to be enabled, in due course, to prepare herself for the duties and responsibilities of statehood. But, Mr. Speaker, I am utterly, positively, and forever opposed to tying this carcass of New Mexico upon the living body of Dakota. Let it stand upon its own basis. Let each stand upon its own merit. Let them come in in due order and sequence, when they shall have complied with their several enabling acts. But to longer keep out this magnificent Territory of Dakota, which long years ago was ready for all the functions, duties, and responsibilities of statehood, is an outrage, not only upon that great community, but is equally an outrage upon the community from which those, our fellow-citizens, have gone forth to make their home upon the Western prairies.

The SPEAKER. The question is on the amendment to the title.

The amendment was agreed to.

Mr. SPRINGER moved to reconsider the vote by which the title was amended; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER. The question now is on agreeing to the preamble.

Mr. SPRINGER. Upon that I ask the previous question.

Several MEMBERS. Let it be read.

The SPEAKER. The Clerk will report the preamble.

The Clerk read as follows:

Whereas the people of that part of the Territory of Dakota lying south of the forty-sixth parallel of north latitude did, on the 25th day of September, 1885, by a convention of delegates called and assembled for that purpose, form for themselves a constitution and State government, which constitution is republican in form and in conformity with the Constitution of the United States, and has been adopted by a popular vote; and

Whereas said convention and the people have asked the admission of that part of said Territory included within the boundaries of the proposed State into the Union of States on an equal footing with the original States in all respects whatever: Therefore, etc.

Mr. SPRINGER. I move to strike out the preamble.

Mr. STRUBLE. No, no. That is the best thing there is in the bill now.

The SPEAKER. The Chair thinks the question is, Will the House agree to it?

The question was taken; and there were—ayes 71, noes 82.

Mr. WARNER, of Missouri. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. BAKER, of New York. Mr. Speaker, is it in order to move to make the preamble apply to the other Territories?

The SPEAKER. The Chair thinks not. The preamble is no part of the bill in a parliamentary sense. It must be agreed to or disagreed to.

The question was taken on agreeing to the preamble; and it was decided in the negative—yeas 91, nays 108, not voting 123; as follows:

YEAS—91.

Adams,	Dingley,	Laidlaw,	Romeis,
Allen, Mich.	Dorsey,	Lehlbach,	Rowell,
Atkinson,	Dunham,	Lind,	Russell, Conn.
Baker, N. Y.	Farquhar,	Lodge,	Ryan,
Boothman,	Flood,	Long,	Sawyer,
Bound,	Fuller,	McComas,	Scull,
Boutelle,	Funston,	McCormick,	Sherman,
Bowden,	Gallinger,	McKinley,	Spooner,
Brewer,	Gear,	Milliken,	Steele,
Browne, Ind.	Gest,	Moffitt,	Stephenson,
Brown, Ohio	Grosvenor,	Morrill,	Struble,
Buchanan,	Guenther,	O'Donnell,	Taylor, J. D., Ohio
Burrows,	Haugen,	O'Neill, Pa.	Thomas, Ky.
Butterworth,	Henderson, Ill.	Osborne,	Thomas, Ill.
Cannon,	Hermann,	Owen,	Thomas, Wis.
Caswell,	Hiestand,	Parker,	Thompson, Ohio
Cheadle,	Hitt,	Payson,	Turner, Kans.
Conger,	Hunter,	Perkins,	Vandever,
Cooper,	Jackson,	Peters,	Wade,
Crouse,	Johnston, Ind.	Post,	Warner,
Cutcheon,	Kean,	Pugsley,	Williams,
Darlington,	Kennedy,	Reed,	Yardley.
Davis,	Kerr,	Rockwell,	

NAYS—108.

Abbott,	Bankhead,	Blount,	Candler,
Anderson, Iowa	Barnes,	Breckinridge, Ky.	Carlton,
Anderson, Miss.	Barry,	Buckalew,	Catchings,
Anderson, Ill.	Blanchard,	Bynum,	Clardy,
Bacon,	Bland,	Campbell, Ohio	Clements,
Baker, Ill.	Bliss,	Campbell, T. J., N. Y.	Cobb,
Cothran,	Herbert,	Merriman,	Sowden,
Cowles,	Hogg,	Mills,	Spinola,
Cox,	Holman,	Montgomery,	Springer,
Crisp,	Holmes,	Moore,	Stewart, Tex.
Cummings,	Hooker,	Morgan,	Stockdale,
Dargan,	Hopkins, Va.	Morse,	Stone, Ky.
Dibble,	Hutton,	Norwood,	Stone, Mo.
Dockery,	Kilgore,	Oates,	Tarsney,
Dougherty,	Lagan,	O'Ferrall,	Tillman,
Dunn,	Landes,	Peel,	Tracey,
Elliott,	Lane,	Perry,	Townshend,
Forney,	Lawler,	Phelan,	Turner, Ga.
French,	Macdonald,	Randall,	Vance,
Gibson,	Maish,	Rice,	Walker,
Glass,	Mansur,	Richardson,	Washington,
Grimes,	Martin,	Robertson,	Weaver,
Hall,	McAdoo,	Rogers,	Wheeler,
Hare,	McClammy,	Sayers,	Wilkinson,
Heard,	McCreary,	Seney,	Wilson, Minn.
Hemphill,	McKinney,	Shively,	Wilson, W. Va.
Henderson, N. C.	McRae,	Smith,	Yoder.

NOT VOTING—123.

Allen, Mass.	Davidson, Ala.	Kelley,	Plumb,
Allen, Miss.	Davidson, Fla.	Ketcham,	Rayner,
Anderson, Kans.	De Lano,	Laffoon,	Rowland,
Arnold,	Enloe,	La Follette,	Russell, Mass.
Bayne,	Ermentrout,	Laird,	Rusk,
Belden,	Felton,	Lanham,	Scott,
Biggs,	Finley,	Latham,	Seymour,
Bingham,	Fisher,	Lee,	Shaw,
Bowen,	Fitch,	Lyman,	Simmons,
Breckinridge, Ark.	Foran,	Lynch,	Snyder,
Brower,	Ford,	Maffett,	Stahlnecker,
Browne, T. H. B., Va.	Gaines,	Mahoney,	Stewart, Ga.
Brown, J. R., Va.	Gay,	Mason,	Stewart, Vt.
Brumm,	Glover,	Matson,	Symes,
Bryce,	Goff,	McCullogh,	Taulbee,
Bunnell,	Granger,	McKenna,	Taylor, E. B., Ohio
Burnes,	Greenman,	McMillin,	Thompson, Cal.
Burnett,	Grout,	McShane,	Weber,
Butler,	Harmer,	Morrow,	West,
Campbell, F., N. Y.	Hatch,	Neal,	White, Ind.
Caruth,	Hayden,	Nelson,	White, N. Y.
Chipman,	Hayes,	Newton,	Whiting, Mich.
Clark,	Henderson, Iowa	Nichols,	Whiting, Mass.
Cockran,	Hires,	Nutting,	Whitthorne,
Cogswell,	Hopkins, Ill.	O'Neall, Ind.	Wickham,
Collins,	Hopkins, N. Y.	O'Neill, Mo.	Wilber,
Compton,	Houk,	Outhwaite,	Wilkins,
Crain,	Howard,	Patton,	Wise,
Culberson,	Hudd,	Penington,	Woodburn,
Dalzell,	Johnston, N. C.	Phelps,	Yost.
Davenport,	Jones,	Pidcock,	

So the preamble was disagreed to.

On motion of Mr. SPRINGER, by unanimous consent, the recapitulation of the names was dispensed with.

The following additional pairs were announced:

Mr. THOMPSON, of California, with Mr. MCKENNA, on this vote.

Mr. NEAL with Mr. EZRA B. TAYLOR, for the rest of the day.

Mr. WILKINS with Mr. FELTON, on this vote.

The result of the vote was then announced as above stated.

The SPEAKER *pro tempore* (Mr. DOCKERY). This being Friday, and the hour of 5 o'clock having arrived, the House, in accordance with its standing order, takes a recess until half past 7 o'clock to-night, the evening session to be devoted to pension business.

EVENING SESSION.

The House reassembled at half past 7 o'clock p. m., and was called to order by Mr. MCCREARY as Speaker *pro tempore*.

The Clerk read the following:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,
Washington, D. C., January 18, 1889.

SIR: Hon. JAMES B. MCCREARY is designated to preside as Speaker *pro tempore* at the session of the House this evening.

JOHN G. CARLISLE, *Speaker.*

Hon. JOHN B. CLARK,
Clerk of the House of Representatives.

REBECCA H. LYON.

Mr. MORRILL. Mr. Speaker, the Committee on Invalid Pensions requested their chairman to ask unanimous consent for the passage of the bill (H. R. 11757) granting a pension to Rebecca H. Lyon. The chairman of the committee, being unavoidably detained from the House this evening, has asked me to submit the request. This is one of the saddest cases that has ever come before our committee. The bill is for the relief of a lady who served as an Army nurse and is now living in this city, utterly helpless, and dependent upon charity, having spent her whole fortune—some $20,000—for the benefit of the soldiers. On behalf of the committee I ask unanimous consent that the Committee of the Whole House be discharged from the further consideration of this bill, and that it be now considered.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Rebecca H. Lyon, a nurse in the late war, and pay her a pension of $25 per month.

The report (by Mr. MATSON) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 11757) granting a pension to Rebecca H. Lyon, have considered the same and now submit the following report:

The claimant herein, as appears from the papers before the committee, was

a volunteer nurse in the Union Army during the late war. She was not regularly enrolled as a nurse, but served faithfully as such, paying her own expenses, and contributed freely of her own means, in consequence of that service, to the amount of $20,000. While engaged as such nurse, at Camp Parole and Fairfax Seminary, she contracted rheumatism. For more than twenty years she has been a helpless cripple, unable to walk or even to lift her hand to her mouth. She is completely and permanently disabled and depends wholly on private charity. The Washington Gazette of July 9, 1882, contains the following in relation to the claimant:

"In speaking of art I am reminded of a very pathetic picture I saw a few days since. Miss R. H. Lyon, one of the volunteer nurses during the late war, contracted rheumatism from exposure, and for the last fifteen years she has not walked one step. Her hands drawn out of shape, her fingers turned to a purple, deathly hue, are a sight to bring tears to one's eyes. I recently visited her, at 318 Pennsylvania avenue, and found her actually painting in oil colors a landscape some one had ordered.

"A servant held the canvas up for her, another one supported her arm and kept it in position, and in this way Miss Lyon makes her 'daubs,' as she calls them. 'Oh, dear,' she says, 'what an effort I have to make to reach the top of those mountains!' What a picture I saw! A woman who gave her time and money, health, and more than life for the Union and the 'boys in blue,' painting with these poor deformed hands to earn something to support herself! Verily, we are a patriotic, grateful people!"

From the evidence before us, we find that claimant was a sound, healthy woman prior to her service as a nurse; that she incurred rheumatism while engaged in said service, which has increased in severity until she became totally helpless; that she is now in entirely destitute circumstances, and dependent upon charity for subsistence. We believe the case is one which justifies Congressional action, and we therefore submit a favorable report, and recommend the passage of the bill.

There being no objection, the Committee of the Whole House was discharged from the further consideration of the bill, and it was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. MORRILL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. CHIPMAN. I move that the House now resolve itself into Committee of the Whole for the consideration of the special order; and pending that motion I ask unanimous consent that the course heretofore pursued be adopted this evening; that is, that the names of members be called in their alphabetical order, commencing where the Clerk left off on the last occasion, and that each member as reached be permitted to call up a bill.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Michigan [Mr. CHIPMAN] that in Committee of the Whole House this evening the proceedings be conducted as heretofore, each member being permitted to call up a bill when his name is reached in alphabetical order, and that the Clerk commence the call where he left off at the last session for pension business? The Chair hears no objection, and it is so ordered.

The question being taken on the motion of Mr. CHIPMAN, that the House resolve itself into Committee of the Whole for the consideration of the special order, it was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. DOCKERY in the chair.

Mr. SAWYER. I understand that the call stopped somewhere in the letter S. My name was first on the list upon the last call, but I was not here when it was reached. I ask unanimous consent that I be permitted now to call up a bill.

There being no objection, leave was granted.

ROWLAND WARD.

Mr. SAWYER. I call up the bill (H. R. 11578) to increase the pension of Rowland Ward.

The bill was read, as follows:

Be it enacted etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Rowland Ward, late private of Company E, Fourth Regiment New York Heavy Artillery, to $50 per month.

The report (by Mr. SAWYER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 11578) to increase the pension of Rowland Ward, have had the same under consideration, and beg leave to submit the following report:

Rowland Ward served as private in Company E, Fourth Regiment New York Heavy Artillery, from September 29, 1862, to June 23, 1865, when discharged on account of gunshot wound of face received at Ream's Station, August 25, 1864.

The nature of the wound and its effects are fully set forth in the report of the case in the Medical and Surgical History of the Rebellion, of which the following is a copy:

"Private Rowland Ward, Company E, Fourth New York Heavy Artillery, aged forty-six, was wounded at Ream's Station August 25, 1864, by a fragment of shell, which destroyed and completely carried away the inferior maxillary bone and soft parts, commencing 2 inches anterior to the angle on the right side, carrying away the chin and all the soft parts down the neck, on a level with the hyoid bone, destroying the floor of the mouth completely, allowing the tongue to protrude and hang down on the neck. Three of the right lower incisor teeth, with the corresponding alveoli loosely connected with the tissue, remained, and were allowed to stay in that position until the healing process took place, as they gave a partial support to the tongue and submaxillary gland, which was not injured. The wound extended across to the left side, carrying away all the teeth and jaw bone, except those previously mentioned, to a point as high up as the angle of the inferior maxillary on the left side. He was admitted to Lincoln Hospital, Washington, August 28, 1864. The patient did well, and improved rapidly. On December 9 he was furloughed for thirty days, and at the expiration of his furlough he was readmitted to hospital.

"On January 20, 1865, an operation was performed to construct a floor for the mouth—no anæsthesia was used. Preliminary to the operation, two molar teeth were extracted from the right-hand fragment of the lower jaw. An incision was made 2½ inches in length down the median line of the neck, terminating 1 inch above the thyroid cartilage; two lateral incisions, one upon each side, of equal length, right-angled to the vertical incision, these incisions corresponding to the base of the jaw. These flaps were then carefully dissected up, brought together at the middle incision, and secured by three hare-lip needles, the parts being supported by adhesive straps. Frequent application of dry lint was made to protect the parts from the injurious effects of the saliva, which was being constantly secreted. The healing proceeded rapidly, the parts uniting by first intention. Power of articulation and degustation was much improved. The needles were removed on the third day.

"On April 22, 1865, the parts being in a favorable condition, ether was administered and a second operation was performed. Two incisions, one on the right and one on the left, parallel to the inferior border of the inferior maxillary bone, each 3 inches in length, severing both the facial arteries, which were secured by ligatures. The upper flaps were carefully dissected up as far back as the angle of the jaw upon each side. The anterior edges of these flaps were freely incised, as well as the superior edge remaining after the first operation. The flaps were then brought into apposition and retained by four hare-lip needles, two in the upper flap forming the lip, and one upon each side, uniting the lower edge of the flap to the freshened edge of the parts after the first operation. Dry lint dressings were applied, and the patient was fed through a gum catheter. The hare-lip pins were removed from the longitudinal incision on the third day, the others being removed on the fourth day, at which time the remaining pins, together with all the sutures, were removed, the parts being supported throughout the remainder of the treatment by straps of adhesive plaster.

"On the morning of the 27th of April, secondary hemorrhage occurred from the left facial artery, which was readily controlled by digital compression. Owing to the constant secretion of saliva from the sublingual gland, which was carefully preserved during the operation, a slough was produced at the junction of the inferior angle of the flaps. This was checked by the application of a weak solution of nitric acid. On June 23 the patient was discharged at his own request, a fistulous orifice, one-fourth of an inch in diameter, only remaining, in consequence of the constant secretion of saliva from the sublingual gland, which prevented the parts from closing by granulation. He is able to articulate quite plainly, which he has hitherto been unable to do since the date of his injury.

"Until the completion of this operation the patient was compelled to assume a recumbent position to receive his nourishment or even a swallow of water. He can now take his food and drink in an erect posture without any difficulty. By the use of a rubber button, properly adjusted to the fistulous orifice, the secretion of saliva was prevented from making its exit externally. The photographs were printed from negatives prepared at Lincoln Hospital, under the direction of Surg. J. C. McKee, United States Army, who was the operator in the case." (See First Surgical Volume of the Medical and Surgical History of the Rebellion, page 373.)

For this terrible wound and its effects upon the general system, Ward was allowed a pension under the general law at the various rates, until it was increased to $30 per month, under the act of March 3, 1883. On July 5, 1884, Congress passed an act further increasing his pension to $40 per month. Since that date the disability has further increased, as is shown by medical evidence, by reason of heart disease, which first made its appearance in 1872, and chronic diarrhea, caused by inability to appropriate sufficient nutriment from the food he is capable of masticating. This is shown by the affidavit of Dr. B. T. Kneeland, the attending physician, dated September 28, 1888, who also states that pensioner in consequence of his disabilities has but very little vital energy left.

Ward is now seventy years of age. His condition is surely deplorable, and in fact worse than that of persons who have lost both hands or both feet, for which disabilities a higher rate of pension than that asked for in the bill is provided.

The committee are clearly of opinion that the increase asked should be granted, and therefore report favorably on the accompanying bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ELIZABETH CLOVER.

Mr. SHERMAN called up for consideration the bill (H. R. 11629) granting a pension to Elizabeth Clover.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension-roll the name of Elizabeth Clover, mother of A. S. Clover, late a private in Company G, Forty-fourth Company New York State Volunteers, and pay her a pension at the rate of $12 a month.

The amendments reported by the Committee on Invalid Pensions were read, as follows:

Strike out, in line 5, the word "mother" and insert "widow."

Strike out, in line 6, the word "company" and insert "regiment."

The report (by Mr. SAWYER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 11629) granting a pension to Elizabeth Clover, have had the same under consideration, and beg leave to submit the following report:

Elizabeth Clover is the widow of Albert S. Clover, who served as private in Company G, Forty-fourth Regiment of New York Volunteers, from September 25, 1861, to October 11, 1864, and died of phthisis pulmonalis October 29, 1881.

Her claim for pension has been rejected by the Pension Bureau because, in the opinion of the medical referee, the death cause is not shown to be chargeable to the soldier's military service.

Soldier was a pensioner on account of chronic diarrhea and bayonet wound of left hand. The last medical examination, bearing date of August 10, 1881, shows the following:

"Age, forty-four years; height, 5 feet 9 inches; weight 100 pounds. This man is under weight, is extremely nervous, and we believe the disability to be caused from diarrhea; his tongue is red and dry."

Dr. Clement T. Guillaune, a physician of good repute, testifies that he treated the soldier from July 1, 1880, until date of his death. His physical condition at the former date was as follows:

"A variable number of fluid and semi-fluid evacuations daily; colicky pains about the umbilicus; appetite poor and variable; food did not digest well; dryness and constriction of skin, which was shrunken and sallow; nervous system deranged; troubled with much headache and vomiting; some cough. Affiant treated the soldier principally for chronic diarrhea and irritability of the stomach. About nine weeks before his death soldier had an attack of hæmoptysis, after which there was diarrhea, emaciation, pyrosis, and death. For two months and more prior to his death he was confined to his bed. In another affidavit the same physician states that the cause of soldier's death was phthisis pulmonalis and marasmus."

Your committee are clearly of opinion that the fatal disease was directly chargeable to the diarrhea admitted by the Pension Bureau to have been contracted in the military service of the United States, and therefore report favorably on the accompanying bill and ask that it do pass, amended, however, by striking out the word "mother" in line 5, and insert therein instead the word "widow."

The amendments reported by the committee were agreed to; and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

WALTER N. SMITH.

Mr. SPOONER. I call up the bill (S. 2981) granting a pension to Walter N. Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Walter N. Smith, late a captain of Company B, Eleventh Massachusetts Volunteers.

The report (by Mr. SPOONER) was read, as follows:

The report of the Senate Committee on Pensions (Report No. 1572 of the present session) is full and exhaustive, and discloses the following facts:

Said Walter N. Smith was a captain in Company B, Eleventh Massachusetts Volunteers, and while returning in the evening and on horseback from carrying a message or dispatch from his commanding officer (Colonel Blaisdell), and by his orders, he rode into a well which had been dug that day and left uncovered, whereby the horse which he rode was so badly injured that he died or was killed on account of his disabling wounds, and Captain Smith was seriously injured and permanently disabled. This was on or about the day after the retreat of General McClellan from Fair Oaks, Va.

Captain Smith's claim for pension was rejected by the Pension Office on the ground that "the records fail to show that the alleged disability was incurred in line of duty, and claimant is unable to establish that point," although the fact that Captain Smith was directed by his commanding officer to obtain the adjutant's horse and carry the message or dispatch referred to is verified not only by Captain Smith's own testimony, but also by the testimony of Major McDonald, Corporal Kavanagh, and Private Donahoe, all of said Eleventh Regiment Massachusetts Volunteers. As to his injury and its cause there is no question, while his disability therefrom, as stated by the medical examining board, is equal to the loss of a limb.

The real cause of rejection seems to have been based upon hypothetical suggestions sustained by no testimony, and upon an imaginary state of affairs which there is no good reason to suppose existed and which are negatived by the testimony on file.

Your committee recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

Mr. STONE, of Missouri (when his name was called), said: I have a bill which I wish to call up, but at present it is not at my desk.

The CHAIRMAN. If there be no objection, the gentleman's name will be passed, with leave to return to it when he gets the bill.

There was no objection.

EMILY ROMINE.

Mr. STRUBLE called up for consideration the bill (H. R. 10289) granting a pension to Miss Emily Romine.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension-rolls the name of Miss Emily Romine, helpless daughter of William Romine, of Company C, Thirteenth Kentucky Volunteer Infantry, who died in the service of the United States, and that she be paid a pension of $18 per month during life.

The report (by Mr. HUNTER) was read, as follows:

The claimant is the poor, helpless daughter of William P. Romine, who was a private in Company C, Thirteenth Kentucky Volunteer Infantry, from October 12, 1861, and died in service, from typhoid fever, on the 20th of March, 1862. The mother of the claimant died in the year 1852.

The claimant was born August 10, 1851, and was a pensioner from the date of her father's death until she reached the age of sixteen years.

The testimony before your committee, in the nature of affidavits and a petition numerously signed by residents of Campbellsville, Ky., show that the claimant is almost blind, a cripple, weighs but 60 pounds, and is unable to perform any labor of any kind. She is dependent upon the charity of neighbors and friends, and a brother-in-law who has contributed to her support is now insolvent.

There are precedents in support of pensioning helpless children of deceased soldiers, and your committee reports the bill back to the House with the recommendation that it do pass.

The bill was laid aside to be reported to the House with the recommendtion that it do pass.

GEORGE W. FOGLE.

Mr. JOSEPH D. TAYLOR called up the bill (S. 2333) granting a pension to George W. Fogle.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of George W. Fogle, Company G, Sixty-second Ohio Volunteer Infantry.

The report (by Mr. THOMPSON, of Ohio), was read, as follows:

They adopt and make part hereof the report of the Senate Committee on Pensions, and recommend the passage of the bill.

The Senate report is as follows:

[Senate Report No. 1065, Fiftieth Congress, first session.]

The Committee on Pensions, to whom was referred the bill granting a pension to George W. Fogle, have examined the same, and report:

The applicant was a private in Company G, Sixty-second Ohio Volunteers. He enlisted October 7, 1862, and was discharged June 1, 1863. Shortly after entering the service he was taken sick from exposure and was sent to the hospital, from which he was discharged for disability. He filed a declaration May 11, 1882, alleging trouble with spine, kidneys, and disease of lungs. The claim was finally rejected by the Department after two special examinations, on the ground of insufficient evidence to show origin of disease in the service. The claimant is aged and completely broken in health, and although unable to furnish such evidence as is required by the Department, the special examiners in their report give it as their opinion that the case is meritorious.

After a careful review of the evidence the committee feels justified in recommending the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ENOCH B. VICE.

Mr. THOMAS, of Kentucky, called up for consideration the bill (H. R. 9946) granting a pension to Enoch B. Vice.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Enoch B. Vice, late private in Company C, Tenth Kentucky Cavalry, subject to the provisions and limitations of the pension laws.

The report (by Mr. HUNTER) was read, as follows:

Enoch B. Vice enlisted as a private in Company C, Tenth Kentucky Cavalry, on the 10th day of August, 1862; was mustered September 9, 1862, and was honorably discharged September 16, 1863. Declaration for pension filed February 25, 1875; number of claim, 201846. The claimant alleges that while in line of duty near Covington, Ky., about September, 1862, he was thrown from his horse, breaking his right arm and injuring his right shoulder, causing paralysis of said right arm and shoulder.

The claimant was in action at Mount Sterling, Ky., and captured, and paroled in March, 1863, and was absent March and April, 1863, on parole by Colonel Clark.

The claimant alleges that he was not treated in hospital in service. After injury was treated in a farm-house near Covington, Ky., by a surgeon of an Indiana regiment, name unknown. The first surgeon who treated him after discharge is dead, Dr. John Shackleford.

Lieut. A. T. Wood states that while the regiment was at Covington, Ky., about September, 1862, he was sent on a scout, General Kirby Smith being in the vicinity. On said scout claimant Vice was thrown from his horse and so much injured that he was sent back to camp; thinks the accident occurred while they were making a charge on a house to surround it, believing it to be occupied by rebel soldiers; is not positive, however, but is positive as to claimant's being injured by being thrown from his horse.

Capt. W. E. Rice says that claimant was brought to him in October, 1862, in a disabled condition from a fall from his horse; was disabled in left side and right elbow; supposed some ribs broken.

The claim was rejected by the Pension Office for the reason that "no disability to a pensionable degree from injury to arm and shoulder as alleged since date of discharge." The claimant states that the reason he could not furnish further evidence in regard to his wounds is because he can not find anybody else to prove it by, and that Dr. John Fleming, the surgeon of the regiment, says he has lost his records from a fire during the war and can not state anything definite in regard to his disabilities. The claimant is now unable to do any labor, has a family, and can do no work to support them. He has been an inmate of the poor-house in Bath County, Kentucky, for several years.

The proof in his case shows that he was a strong, healthy man when he entered the service, and was disabled and in bad health when mustered out, and is now a physical wreck.

This is a meritorious case, and your committee make this favorable report and recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ISAAC N. HAWKINS.

Mr. STONE, of Missouri, called up the bill (S. 3221) granting a pension to Isaac N. Hawkins.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Isaac N. Hawkins, late a captain in the Seventy-third Regiment Ohio Volunteers, at the rate of $45 a month.

The report (by Mr. MORRILL) was read, as follows:

The report of the Senate Committee on Pensions is adopted, and the passage of the bill is recommended.

SENATE REPORT.

The claimant enlisted as a private in October, 1861, and was discharged May 15, 1865, on account of wounds received in action. He is now receiving a pension of $36 a month by special act passed in the Forty-ninth Congress, and asks that that pension be increased.

The following extracts describe the wounds for which claimant is receiving pension:

"He was shot on three different occasions. Recovering sufficiently from his first injuries, he rejoined his regiment, when he received his last and most terrible wound. A musket ball entered his right shoulder and passed down into his body, being afterward taken out from beneath his shoulder-blade. * * * While he can move the fingers of his hand, the arm is almost as useless as though he had it not. * * *

"The Medical and Surgical History of the War of the Rebellion, Surg. Vol. II, page 523, reports case 1496, Lieutenant Hawkins, of Seventy-third Ohio, as follows: 'Wounded at Bull Run, August 30, 1862, right arm; at Lookout Valley, October 29, 1863, left ankle; in front of Atlanta, August 5, 1864, right shoulder, the ball going through the body; the head and 2 inches of the arm bone (humerus) were taken out.'"

In addition to this wound, he was previously wounded at the battle of Second Bull Run, in the same arm, shattering the bone just below the shoulder, and he was confined in hospital for about four months on this account, and his wound required attention for some time after he returned to his company. Again, on October 29, 1863, at Lookout Valley, he was wounded in the left ankle, which wound was about three months healing. Then followed the wound for which he is now pensioned.

The claimant has suffered ever since to such an extent that, having studied law, he was compelled to abandon his profession, and having attempted several other employments, has been forced to leave them off on account of his disabilities. A section of the bone was taken out between the shoulder and the elbow, and the result is that the arm hangs useless, and can only be lifted by use of the hand on the sound arm.

In view of claimant's long and faithful service, the three wounds he received therein, his long suffering since, and his inability to provide for himself in any line of employment, your committee recommend the passage of the bill, with the following amendment: Add to line 7 the words "at the rate of $45 a month."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

SQUIRE WALTER.

Mr. THOMPSON, of Ohio, called up for consideration the bill (H. R. 10448) granting a pension to Squire Walter.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, au-

thorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Squire Walter, father of George W. Walter, deceased, late of Company H, Second Regiment of West Virginia Volunteer Infantry.

The report (by Mr. THOMPSON, of Ohio) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 10448) granting a pension to Squire Walter, having considered the same, report as follows:

The applicant, Squire Walter, is now nearly seventy-five years of age. On October 26, 1883, he filed an application for pension as dependent parent of George W. Walter, who was a corporal of Company H, Second Regiment West Virginia Volunteers. It was approved by the evidence on file that George W. Walter enlisted June 28, 1861; that he was unmarried; that before enlistment he contributed to the support of his father; that he continued to do so after his enlistment by sending to his father a portion of his pay.

The soldier's captain testifies to his upright character as a man and soldier. It appears that the soldier was drowned near the Chain Bridge in the Potomac River, District of Columbia, September 13, 1862, while bathing. His captain swears that he went bathing with the knowledge and consent of his officers with numbers of others daily, and was drowned on that day while bathing. It is also proven that Squire Walter has had piles ever since 1861; that since then he has been disabled fully one-half for the performance of manual labor, and that he was largely dependent upon his son during his lifetime for support. Four of his neighbors testify that since 1861 he has not made enough to pay his debts, and that interest, sickness, and living have kept him behind. It is in testimony that two of these men loaned him $275, without note or other evidence of indebtedness, to help him buy a small tract of land, and not until some years after did they take note or security, and then did it for fear of other creditors; that it took him several years to reduce this small debt to $200 and pay the yearly interest, and then some one else aided him in taking up that sum, paying these creditors and taking a new mortgage and note. The whole testimony shows that he was an afflicted old man who tried hard but could not get on.

This claim was rejected by the Pension Office because—

"The soldier was in the exercise of a privilege and not in performance of duty incident to his service; that he was amusing himself and while bathing took his own risk and was not in the line of duty when drowned, as it is not shown that he was under orders while bathing."

But it appears that the soldier was bathing with the knowledge and consent of his officers. It has heretofore been held by the Attorney-General and not overruled or recalled that—

"To determine the right of pension the question is not whether when the cause of disability or death occurred the party was on duty or not, in active service or on furlough, or on leave, in arrest or not, but whether in any of the possible conditions of service the cause of disability or death was appurtenant to, dependent on, or connected with acts within, or acts without the line of duty." (7 Op. Atty. Gen., 150.)

The soldier's captain states that the man was bathing with permission and not in disobedience of orders or army regulations. December 13, 1887, the case was submitted by the examiner for admission, but was rejected by the Pension Office January 6, 1888.

There is some evidence showing that claimant had property subject to taxation, but it is abundantly proven that he could not pay his debts, that he had no income from any source, and was indebted to those who gave him employment. Upon the whole case we feel warranted in recommending the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

CHARLOTTE AYRES.

Mr. TURNER, of Kansas, called up the bill (H. R. 11316) granting a pension to Charlotte Ayres.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to place upon the pension-roll, at the rate of $25 per month, the name of Charlotte Ayres, the dependent mother of Benjamin Ayres, a private soldier of Company I, Fifth Regiment Kansas Cavalry.

The report (by Mr. MORRILL) was read, as follows:

Charlotte Ayres, the claimant under this bill, is the aged mother of Benjamin Ayres, who was enrolled as a soldier on the 1st day of October, 1861, in Company I, Fifth Regiment Kansas Volunteer Cavalry, and died of disease in the regimental hospital near Little Rock, Ark., September 13, 1863.

Franklin Ayres, the husband of the said Charlotte Ayres, and father of the said Benjamin Ayres, died near Hicksville, Ohio, in 1852, and on his death-bed gave his estate to the said Benjamin Ayres, with the understanding that he, the said Benjamin Ayres, was to support, during her lifetime, the said Charlotte Ayres.

The said Benjamin Ayres moved to Kansas in 1860 to secure for himself and mother a home, and soon thereafter enlisted as a soldier and lost all his property; that the said Charlotte Ayres has been, since the death of the said Benjamin Ayres, wholly destitute of means of support and dependent, and is now, in her old age, entirely destitute and helpless, and that she has applied for a pension and her claim has been rejected on the ground that the soldier left a widow. The widow drew a pension during her widowhood, but she has since remarried, and no one is now drawing a pension on account of the death of this soldier.

Your committee unhesitatingly recommend the passage of the billl, with an amendment striking out "at the rate of $25 per month" and inserting "subject to provisions and limitations of the pension laws."

The amendment recommended by the committee was agreed to; and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

DANVILLE A. RICKER.

Mr. VANCE called up for consideration the bill (S. 2646) granting a pension to Danville A. Ricker.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Danville A. Ricker, father of Henry G. Ricker, late private in Company K, Seventh Regiment Maine Volunteers.

The report (by Mr. GALLINGER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2646) granting a pension to Danville A. Ricker, having considered the same, beg leave to adopt the report of the Senate committee as its own, which is as follows:

"This is a bill to pension Danville A. Ricker, father of Henry G. Ricker, late a private in Company K, Seventh Regiment Maine Volunteers. The son was enrolled on the 21st day of August, 1861, at Augusta, Me., and died in regimental hospital, Camp Griffin, January 15, 1862.

"The claim was rejected by the Pension Office on the ground that the father was not dependent on his son at the time of his enlistment.

"A number of witnesses testify to the son's assistance in supporting the family up to the time of his enlistment. On this point Benjamin F. Teague testifies that he knew the soldier before his enlistment; that in the spring of 1860, soldier's father left home and went to New York to sell fruit-trees; that the soldier remained at home and took care of the farm and the family; that he did so up to his enlistment; that at this time the claimant was involved in debt, that the farm and personal property, except what was exempt, were sold to pay his indebtedness; that affiant was an officer and attached some of the property; that the soldier was the only son upon whom the family depended.

"Thomas G. Bendin lived in same school district with claimant eight years prior to son's enlistment; knows that soldier contributed to support of family, for the reason that he paid affiant for supplies.

"Solon Chase swears that he knew the soldier from his boyhood; that he worked for affiant, and his wages were paid to his father; that he contributed in various ways to his father's support.

"There is other and ample evidence to show that the son, prior to enlistment, was his father's main support.

"Philip Bradford testifies that he has known claimant for forty years; that in 1861–'62 he was one of the selectmen and assessors of the town of Turner; that claimant's income from the land owned by him would not exceed $50 per annum. His opinion is based upon knowledge gained as assessor and neighbor.

"About the time of the son's enlistment it appears that the claimant was employed to sell fruit trees, from which he says he made enough to live on; but since his marriage, January 1, 1867, he has been supported by his wife. In 1862 his leg was broken, and since that time he has been lame, and, to some extent, disqualified for active occupation. His first wife died in 1863. His son, the soldier, died in 1862; his son John died in 1863, and his daughter, a child of two years old, died in 1863. The history of the case shows that the claimant was continuously in debt and embarrassed; that he had numerous afflictions, and extraordinary expenses, incident to sickness and funeral expenses; that whatever property he had was incumbered beyond its value; that he became insolvent. His second wife had property in her own name, over which he had no control, and which explains his saying that she for a time supported him.

"The Pension Office charges him with the admission that he was physically sound at the time his son enlisted. In a letter in the hands of the committee he qualifies that statement by saying that his appetite and digestion were good, but he walked with a cane—sometimes with two—for support. In a letter addressed to the Commissioner of Pensions he says, after two years' sickness, from 1868 to 1869, he found his indebtedness was more than he could pay. He mortgaged his little farm for $500, what he paid for it. He had ten small children, except one grown up and away from home, and his soldier son, who assisted in supporting the family. In 1860 he was advised by physicians to give up manual labor. In consequence of his poor health Mr. Kelley, of Rochester, N. Y., offered him employment, and to give him all he could earn. He sent home his earnings, which, with his son's bounty money, supported the family. In 1862 his property was all sold under attachments. Then followed the breaking of his leg. His family was broken up. He says he is a dependent father to-day; no means of support, and seventy-three years old.

"The postmaster at Canaan, Conn., whose name does not appear, writes a 'confidential' letter to the Pension Office, in which he says:

"In 1869 D. A. Ricker was keeping the Stevens House at Canaan, Conn., and continued to do so until 1880. The Stevens House was a good country hotel, worth at one time $15,000, but was sold a year and a half ago by claimant for about $9,000. The real estate was in the name of his wife, as well as the personal property. Claimant had nothing in his own name.

"This statement is not sworn to, and there is no reason why it should not be in the form of competent testimony if it is true. There are witnesses whose testimony under oath is in direct variance with this statement; and from which it appears he was at work on his farm, was agent for a Rochester nursery, and had no permanent abiding place during all the eleven years this confidential letter says he was keeping a hotel.

"The evidence shows that he was dependent upon his son at the time of enlistment and death. The inference is that he married a wife who had some property in her own name, which she controlled; that he was in continual poverty and distress; that that is his condition now."

Your committee report the bill back favorably and recommend its passage.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

CHRISTIAN SANDERS.

Mr. WALKER called up for consideration the bill (H. R. 11177) granting a pension to Christian Sanders.

The bill is as follows:

Be it enacted etc., That the Secretary of the Interior is hereby authorized and directed to place on the pension-roll the name of Christian Sanders, late a private of Company D, Seventy-ninth Regiment Enrolled Missouri Militia, subject to the limitations and regulations of the pension laws.

The report by (Mr. WALKER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 11177) granting a pension to Christian Sanders, have considered the same, and now report:

Christian Sanders was mustered in as captain of Company D, Seventy-ninth Regiment Enrolled Missouri Volunteers. In October, 1864, he with his company reported to the constituted authorities at Cape Girardeau, Mo., and remained there until about November 5, 1864.

In his application he alleges that while stationed at said place, in the discharge of his duty, on or about October 4, 1864, without any fault or negligence on his part, he incurred the following disabilities:

"Injury to the right side of his face and head and right ear, causing severe continuous pains in his head in the region of his eyes and injury to the hearing of his right ear, caused by the side of his head being forced in contact with a wet tent cloth while asleep, the tent being much crowded; that a frost occurred during said night, and the cold and dampness then existing injured him as stated."

The physician who treated him at the time and for some time after is dead.

He alleges that he was disabled at the time and was reported by the orderly sergeant as unfit for duty. Samuel J. Leasly, a member of claimant's company, corroborates the claimant's statements. It is also corroborated by Joseph Chandler and others who were members of said organization and by physicians and others since the alleged incurrence of said disabilities, and that the same have continued up to the present time.

The committee, being satisfied that the injuries alleged were received by the soldier while in the service and line of duty, report the bill with the recommendation that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ELIZABETH HARPER.

Mr. WASHINGTON called up the bill (H. R. 11089) granting a pension to Elizabeth Harper.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and required to place on the pension-roll the name of Elizabeth Harper, widow of William S. Harper, late a private in Company G, One hundred and twenty-third Pennsylvania Volunteers, subject to the limitations and provisions of the pension laws.

The report (by Mr. HUNTER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 11089) granting a pension to Elizabeth Harper, submit the following report:

In this claim of Elizabeth M. Harper, widow of W. S. Harper, late of Company G, One hundred and twenty-third Regiment Pennsylvania Volunteers, the Pension Bureau rejected it on the ground that the death cause, disease of lungs, was not accepted as due to the service. The facts are as follows:

W. S. Harper enlisted August 7, 1862, for nine months, and was discharged with his company May 13, 1863. He was wounded in the left shoulder about 2 inches below the collar-bone, at the battle of Fredericksburgh, Va., December 13, 1862, and was absent the rest of that month and January and February following. On April 27, 1863, on the march to Chancellorsville, he gave out, was sent to division hospital, Third Division, Fifth Corps, by Assistant Surgeon Stewart, and was never able to return to his regiment.

In evidence taken by the Pension Department many witnesses testify to having seen the scar from the bullet-wound on the left breast. Several of his soldier comrades testify to having seen him at the time he was shot; others saw his wound while he was in the hospital, and many witnesses who knew him and worked with him from 1864 until his death, which occurred May 7, 1874, from hemorrhage of the lungs, testify that he never recovered; that he had frequent hemorrhages of the lungs from the close of the war until he gradually wasted away and died as stated.

Dr. George P. Henry states that he knew the soldier, W. S. Harper, since 1868, when he began to treat him for lung trouble, which patient claimed was due to the wound; on examination found partial solidification of one lung; was troubled with hemorrhages, increasing in severity until he died, in 1874; soldier's condition impressed deponent that the fatal disease was due to the wounds and exposure, or to want of attention, as the soldier had claimed.

The following is the affidavit of Hugh Harper, father of the soldier:

STATE OF PENNSYLVANIA, *Allegheny County, ss:*

I am the father of the late W. S. Harper, who was a member of Company G, One hundred and twenty-third Regiment Pennsylvania Volunteer Infantry, and who was the husband of Elizabeth M. Harper, of Nashville, Tenn. I am past eighty years of age, and have been a resident of Allegheny, Pa., since the year 1833. My ancestors lived to be very old. My wife died at or near a critical period in a woman's life. I had four sons in the Union Army, John, William, Robert, and Joseph. They were all spared to get out, but not without wounds or injuries.

"Robert lost an eye and draws a pension. Joseph was wounded at the battle of Williamsburgh, Va., and receives a pension. John was wounded and was troubled with catarrh after his return from the Army, and when it went to his wounded lung it caused congestion of the lungs, of which he died. William S. was wounded at the battle of Fredericksburgh, Va., and his health was never the same after his return from the Army. He was always a healthy child and a fine-looking young man when he enlisted in the United States Army to help put down the rebellion. My oldest son, Thomas, is now sixty years of age and has a large family. I now have seven living children, three sons and four daughters. My youngest daughter is the mother of four children. I have thirty-two grandchildren. There was no hereditary consumption in my family. Most of my children reside in Allegheny City, Pa., and those who do not reside in Allegheny County, Pennsylvania.

"HUGO HARPER.

"Signed and sworn to on the 24th day of December, 1887, before L. Blattner, notary public, Allegheny, Pa."

The following is the affidavit of Lieut. Reuben Bartley, of the soldier's company:

"STATE OF INDIANA, *County of Harrison, ss:*

"In the claim of W. S. Harper, a corporal in Company G, One hundred and twenty-third Pennsylvania Volunteers, I would state said W. S. Harper was wounded at Fredericksburgh, Va., December 13, 1862, and sent to hospital. I saw him leave the field soon after being shot. Then on the march to Chancellorsville, Va., on April 27, 1863, he (Harper) gave out and was sent to division hospital (Third Division, Fifth Corps) by Assistant Surgeon Stewart, of our regiment. This was the last time he was on duty. The regiment was mustered out on May 12, 1863, at Harrisburg, Pa.

"I was intimately acquainted with said Harper for some years after his return, and know he never regained his health. I know the facts stated from personal observation, having kept a diary and making entries daily of what transpired; and further, I am not related to said claimant and have no interest in this claim.

"REUBEN BARTLEY,
"*Late Second Lieutenant One Hundred and Twenty-Third*
"*Pennsylvania Volunteer Infantry.*

"Signed and sworn to before James A. Barnes, notary public, Harrison County, Indiana, July 2, 1885."

In view of these facts and after a careful examination of all the papers and proof on file, your committee conclude that the evidence warrants the belief that the soldier's death was the result of his wound contracted in the line of duty at Fredericksburgh, Va., and therefore recommend that the bill do pass.

During the reading of the foregoing report,

Mr. KILGORE said: Mr. Chairman, I rise to make a parliamentary inquiry or two.

The CHAIRMAN (Mr. HEARD). The gentleman will state his inquiry.

Mr. KILGORE. In the first place, I wish to say that there is a great deal of confusion in the Hall, and these reports are very entertaining and we ought to be able to hear them.

The CHAIRMAN. The point made by the gentleman from Texas is well taken, and the Chair will endeavor to preserve order upon the floor.

Mr. KILGORE. Now another. The Clerk is reading a little too fast and I can hardly keep up. [Laughter.]

The CHAIRMAN. The Chair overrules the point of order.

The Clerk resumed and concluded the reading of the report.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

JULIA M. EDIE.

Mr. WHEELER called up for consideration the bill (S. 3325) granting an increase of pension to Julia M. Edie.

The bill is as follows:

Be it enacted, etc., That from and after the passage of this act the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Julia M. Edie, widow of the late Capt. and Bvt. Maj. John R. Edie, Ordnance Department, United States Army, and daughter of the late Commodore C. S. McCauley, United States Navy, at the rate of $40 per month, in lieu of the pension which she now receives.

The report (by Mr. CHIPMAN) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 3325) granting an increase of pension to Julia M. Edie, beg leave to submit the following report recommending its passage, and append hereto the report of the Senate Committee on Pensions giving the reason, namely:

The beneficiary under the bill is the widow of a brilliant ordnance officer of the Army, and daughter of a late distinguished commodore of the Navy. Bvt. Maj. John Rufus Edie, who was graduated at West Point in June of 1861, went directly into service, and won commendation at Bull Run in July; was assistant to chief of ordnance at Fredericksburgh, Chancellorsville, and Gettysburgh, and chief of ordnance through the heroic campaign of the Wilderness. The heavy responsibilities cast upon the young officer were made more onerous because he was then a sufferer from malarial poison contracted among the swamps of the Chickahominy, and which eventually destroyed his health, mind, and life—he having died in the Government Hospital for the Insane—leaving to his widow the care and support of the two children which were the fruit of their marriage.

The widow is now receiving the pension due to the rank of her deceased husband; but it is thought that, in consideration of the exceptional services performed by this husband, resulting in an end so sad and tragical, accompanied with loss of fortune and with the loss, also, of the protection and support of her gallant father, the late Commodore McCauley, the country can not show its regard for the memory and services of both husband and father more appreciatively than by aiding to make comfortable the life of the widow and her children.

Among the testimonials placed before the committee in support of the bill is one from Brigadier-General Benét, Chief of Ordnance, which is herewith given:

"ORDNANCE OFFICE, WAR DEPARTMENT,
"*Washington, July* 11, 1888.

"SIR: In connection with the bill for an increase of the pension of Mrs. Julia M. Edie, I have the honor to inclose an official copy of Dr. Nichols' certificate of her husband's death and of the cause of it. Major Edie was a young officer of ordnance of great promise, who during his short career had done most excellent and distinguished service, and whose untimely death was caused by malarial poison contracted amid the swamps of the Chickahominy under General McClellan.

"His widow is justly entitled to this small increase of her pension proposed in the bill and I strongly recommend it.

"Very respectfully, your obedient servant,

"S. V. BENÉT,
"*Brigadier-General, Chief of Ordnance.*

"Hon. T. W. PALMER,
"*United States Senate.*"

The CHAIRMAN. If there be no objection, this bill will be laid aside with a favorable recommendation.

Mr. WHEELER. Mr. Chairman, that bill was only read with an agreement that no objection would be made, provided it should be reported favorably to the House, the previous question ordered upon its passage, and that the bill should go over to a full House, with thirty minutes' debate. The gentleman from Indiana, I understand, will object unless this arrangement is concluded.

The CHAIRMAN. The bill will be reported with a favorable recommendation, and the gentlemen can make the arrangements in the House.

Mr. CHEADLE. I want the understanding to be distinct; because I do not desire to be compelled to keep in mind the particular number of each case.

The CHAIRMAN. The Chair will suggest, then, that the bill be laid aside with the recommendation to the House that the previous question be considered as ordered on the third reading and passage of the bill, that thirty minutes be allowed for general debate, and, further, that the consideration of the bill be fixed at some time in the future. When would the gentleman suggest?

Mr. O'NEILL, of Missouri. In a full House.

Mr. WHEELER. That is the understanding.

Mr. CHEADLE. I do not care when the time is fixed. The gentleman can select his own time.

Mr. WHEELER. Then I would suggest next Friday, immediately after the reading of the Journal.

The CHAIRMAN. Without objection this bill will be reported to the House, then, with the recommendation stated, and its consideration be set for Friday next immediately after the reading of the Journal.

There was no objection, and it was so ordered.

Mr. WHEELER. Mr. Chairman, I understand the rule to be that where a bill is called up in this manner and does not go through, that the member has the right to call up another one. [Laughter.]

The CHAIRMAN. The Chair thinks that the gentleman has had his opportunity.

JAMES T. TEEPLE.

Mr. WHITING, of Massachusetts, called up the bill (H. R. 10025) for the relief of James T. Teeple, reported from the Committee on Invalid Pensions with an amendment.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, di-

rected and authorized to place upon the pension-roll, subject to the provisions and limitations of the pension laws, the name of James T. Teeple, late of Company A, Seventh Michigan Volunteers.

The report (by Mr. CHIPMAN) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 10025) for the relief of James T. Teeple, report:

The claimant is now, and has been for years, totally blind. He alleges sunstroke as the primary cause. The history of the case in brief is as follows:

"Claimant was drafted February 13, 1864, and discharged on November 30, 1864. While in a skirmish on the Po River, Virginia, he had an attack of dizziness and blindness which he claims was sunstroke. His condition that day was observed by his captain, who had him go to the rear. After this, in hot weather, he was subject to these attacks, and one day a few years after the war, while at work in a log roll-way, he was seized with one of these attacks and was unable to avoid a log which struck and rolled over him. His head was severely hurt, and he became totally and permanently blind."

The Commissioner of Pensions rejects the claim on the ground that soldier prior to enlistment had been injured in a steam-boat explosion, claiming that as the primary cause of the loss of sight.

The man was drafted, which is *prima facie* evidence that he was sound at that time. He claims that fatigue, exposure, and hard marching brought on this vertigo, during an attack of which, as above stated, he lost his sight.

He is in needy circumstances, having been unable for many years to earn a living for himself and family, and is necessarily dependent on charity for support. He is a county charge.

Your committee recommend the passage of the bill with the following amendment: Strike out the words "subject to the provisions and limitations of the pension laws" and insert "at the rate of $40 per month."

The amendment was agreed to; and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

MARY THOMPSON.

Mr. YARDLEY called up the bill (H. R. 11617) granting a pension to Mary Thompson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to place the name of Mary Thompson, widow of Cornelius Thompson, late a private in Company D, One hundred and ninety-second Regiment Ohio Volunteer Infantry, on the pension-roll, subject to the rules and regulations of the pension laws.

On motion of Mr. DUNHAM, by unanimous consent, the reading of the report was dispensed with.

The report (by Mr. YODER) is as follows:

Cornelius Thompson, the husband of Mrs. Mary Thompson, enlisted in Company D, One hundred and ninety-second regiment Ohio Volunteer Infantry, on the 27th day of February, 1865, was discharged September 1, 1865, and died August 4, 1874. Mrs. Thompson filed her claim for pension, as the widow of the deceased soldier, September 15, 1875, on account of chronic rheumatism contracted by her husband, in the service and in line of duty, from the effects of which he died. Claim was rejected by the Pension Department for the reason that there was no positive medical evidence to prove that the immediate cause of death was traceable to his service in the Army. There is no evidence on file to prove the contrary, and yet there is no positive medical evidence that the immediate cause of his death was chronic rheumatism. The evidence goes to show clearly that he was a sound, robust man when he entered the service. There is also abundant evidence on file in the Pension Department to prove that he contracted chronic rheumatism while in service, from exposure and the hardships of the service.

A number of his former employés, who are creditable witnesses, testify that he was a stout, healthy man and free from rheumatism when he entered the service, and that after his return home from the service he was suffering with chronic rheumatism and unable to perform manual labor. Mr. Louis Jennings testifies:

"I was well acquainted with above-named Cornelius Thompson a long time before he entered the United States service, as he worked for me a great deal, and I know that he was a stout, healthy man, but after his return he was badly crippled up with rheumatism, of which disease he had no symptoms before he entered the service. I know the above to be true, as he was a neighbor of mine and worked for me a great deal before he entered the service."

And many other creditable witnesses testify to the same effect. Noah Merica testifies:

"I first became acquainted with the deceased during the fall of 1869; was acquainted with him until his death, and know that during that time he was unfit for manual labor, on account of rheumatism."

J. Guy Honnell, M. D., testified as follows:

"I was personally acquainted with Cornelius Thompson three years before he entered the United States service. He was a man of good health and of sound constitution. I was called to attend him immediately after his return from the Army, and his general health was bad, and he had a severe attack of inflammatory rheumatism."

Dr. T. McCullough testifies, with regard to his last illness, that—

"The claimant resided part of the time with one family and part of the time with another, and that while professionally calling at their houses, that he did at different times prescribe for Mr. Cornelius Thompson; that he has no doubt that he has prescribed for him; that when prescribing for parties in the office, if paid at the time, does not usually keep account of said prescriptions."

A number of his intimate acquaintances and near relatives testify as to the cause of his death, and the continuous suffering from rheumatism from the time of his discharge. It appears that when he became unable to work that he lived among his relatives, and that he was too poor to have a regular attending physician, and for this reason she is unable to clearly establish the fact of the cause of his death. The symptoms of rheumatism from which he was suffering as described, and the history as given by these parties, leave no doubt in the minds of your committee that the cause of his death is directly traceable to the disease he contracted in the service. Mrs. Thompson, the claimant and widow of the soldier, is now quite old and very feeble and can not, at most, live but a short time, as she is confined to her bed in a helpless condition and without any means of support whatever. Your committee is of the opinion that this is a meritorious case, and therefore recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

CHARLES A. STOCKMAN.

Mr. ALLEN, of Michigan, called up the bill (H. R. 10260) to place the name of Charles A. Stockman, of Dundee, Mich., on the pension-roll.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Charles A. Stockman, of Dundee, Mich., late a private of Company B, Twenty-eighth Michigan Infantry Volunteers, on the pension-roll, subject to the provisions and limitations of the pension laws.

The report (by Mr. CHIPMAN) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 10260) to place the name of Charles A. Stockman, of Dundee, Mich., on the pension-roll, have had the same under consideration, and beg leave to submit the following report:

The claimant enlisted in Company B, Twentieth Regiment Michigan Volunteers, July 23, 1862, and was mustered out June 12, 1865.

He alleges that at the battle of Chickahominy, Va., he was wounded in head and taken prisoner. His claim has been rejected on the ground of the inefficiency of the evidence in support of his allegations.

The records of the War Department show that claimant was captured at the above-named place June 14, 1864, confined at Richmond, and from there sent to Andersonville; paroled at Charleston, S. C., December 11, 1864; reported at Camp Parole, Md., December 16, 1864; furloughed December 26, 1864, for thirty days; returned January 30, 1865; sent to Camp Chase, Ohio, February 16, 1865; was again furloughed February 24, 1865, for thirty days; returned May 10, 1865, and was mustered out as above stated.

Claimant was on the skirmish line at the time he was wounded and captured. The only one with whom he was acquainted and knew of the wound was one George Miller, who died at Annapolis, Md.

Prescott M. Skinner, a reputable witness, who was orderly sergeant and afterwards first lieutenant of the company, testifies that he was not present when claimant was wounded, but that he was reported wounded and a prisoner by a member of the company and regiment and was so reported on the muster-rolls. Affiant has no doubt that claimant was wounded at the time and place stated.

Medical examination shows that ball struck over left temporal ridge about 2½ inches from orbit; scar about five-eighths inch in diameter; cicatrix quite tender; disability therefrom rated at three-fourth total.

It is not strange under the circumstances that claimant is unable to furnish direct evidence of the receipt of the wound. He was, according to his own allegation, unconscious until he arrived at Richmond on the following day, where he got among strangers. He never returned to his command after he was released. The only treatment received for the wound was at Pemberton Hospital, Richmond, Va., but there appear no records of said hospital on file.

Claimant is a credible person, and so is the witness, Skinner, who testifies to the general report in camp of the wounding of the former.

Your committee are of opinion that the claimant is entitled to the benefit of this uncontroverted statement, and therefore report favorably on the accompanying bill, and ask that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

THOMAS WYNNE.

Mr. ANDERSON, of Iowa, called up the bill (S. 3116) granting an increase of pension to Thomas Wynne.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Thomas Wynne, late a private of Company C, United States Infantry, and to pay him a pension of $50 a month, in lieu of the pension he is now receiving.

The committee recommended an amendment striking out the words "$50 a month, in lieu of the pension he is now receiving" and inserting in lieu thereof the words "for the disabilities resulting from the gunshot wound of right leg and rheumatism, and for disabilities now found to exist."

On motion of Mr. GEST, the reading of the report (by Mr. SAWYER) was dispensed with, and it was ordered to be printed in the RECORD.

It is as follows:

The Committee on Pensions, to whom was referred the bill (S. 3116) granting an increase of pension to Thomas Wynne, have examined the same, and report:

The petitioner, Thomas Wynne, is receiving a pension of $8 a month for a wound received at the battle of Bull Run, July 21, 1861. He is now wholly and hopelessly disabled by rheumatism, believed to be the result of his service, but the Pension Office has decided that he is not entitled to increase; he therefore appeals to Congress for a rating corresponding with his helpless condition. His military history is shown by an abstract of the record of the Adjutant-General's Office to be as follows:

"Thomas Wynne was enlisted February 16, 1855, and assigned to Company C, United States Infantry. He was discharged February 1, 1860, by re-enlistment in the same company and regiment. He was wounded in the leg and taken prisoner in the battle of Bull Run, Va., July 21, 1861. He was confined at Richmond, Va., until October, 1861, when sent to Columbia, S. C., where confined until May, 1862, when returned to Richmond, and there paroled in May, 1862, and on the 25th of that month was ordered to be discharged on account of wounds.

"He again enlisted in the general service in 1862 and was assigned to duty at headquarters of the Army, where he served until September 1, 1865, when transferred to duty in the Adjutant-General's Office. He was discharged as an enlisted man in the general service August 11, 1882, by reason of an appointment as an assistant messenger in the Adjutant-General's Office. He was discharged from this position May 12, 1888, in consequence of being permanently disabled for the performance of any duty by reason of sickness—chronic rheumatism.

"The record of his several discharges as an enlisted man gives his character as excellent, and his whole service of thirty-three years in the Army and in this office shows him to have been faithful and conscientious in the discharge of his duty."

Assistant Inspector-General N. H. Davis, United States Army, certifies that Wynne was under his command, to his faithfulness and efficiency as a soldier, and to his having been wounded and taken prisoner at the battle of Bull Run.

His good conduct as a soldier is certified to by Assistant Adjutant-General Kelton, Major-General Halleck, Maj. Robert N. Scott, and Assistant Adjutant-General Ruggles.

Dr. Murphy, of Columbia Hospital, certifies that he is a cripple from chronic rheumatism, contracted, as he believes, during his imprisonment; that he is unable to perform any manual labor, and is a man deserving of every consideration.

Dr. Sothron, of Washington, certifies, May 21, 1888:

"I have this day examined Thomas Wynne, and find that he has had a gunshot injury of the middle third of right thigh, the cicatrices of entrance and exit well marked; and I further find that he is a confirmed invalid from chronic arthritic rheumatism, resulting in partial anchylosis of knee joints. In my opinion this disease is of very long standing, and no doubt brought on by exposure incident to the life of a soldier."

Surgeon O'Reilley, United States Army, in a letter to Adjutant-General Drum, states that Wynne was treated by the medical department between the years 1868 and 1882 for rheumatism and other ailments.

Surgeon-General Moore, United States Army, in a letter to General Drum, after describing chronic arthritic rheumatism, says:

"As Wynne's record and habits from the time of his discharge in 1862 are vouched for as good, I have no difficulty in accepting the opinion of the medical men who have certified in his case that his disease, which became manifest in 1869 or 1870, must be attributed to exposure during his previous service."

The claimant, during a part of his imprisonment, after he was wounded and captured, was confined in the jail at Columbia, S. C., and compelled to sleep on the floor of stone flagging, without blankets or fire.

The committee are not only of the opinion that his present allowance of $8 for his wound is inadequate, but that he is entitled to pension at the full rating for total disability.

The bill is reported favorably, with a recommendation that it do pass.

The amendment was agreed to; and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

FANNY A. BOYD.

Mr. ANDERSON, of Illinois, called up the bill (H. R. 9963) to increase the pension of Mrs. Fannie A. Boyd.

The CHAIRMAN. The Chair is informed that this bill has already passed both Houses and is in the hands of the President. [Laughter.]

CAPT. MICHAEL PIGGOTT.

Mr. ANDERSON, of Illinois. Then I withdraw that, and call up House bill No. 7633, granting a pension to Capt. Michael Piggott.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Michael Piggott, of Quincy, Ill., late captain of Company F, Sixty-sixth Regiment Illinois Volunteers, and pay him a pension at the rate of $45 a month in lieu of the pension he is now receiving.

The report (by Mr. LANE) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 7633) granting a pension to Capt. Michael Piggott, submit the following report:

This soldier enlisted on the 11th day of September, 1861. On the 5th day of March, 1862, he was made captain of Company F, Fourteenth Regiment of Missouri Volunteer Infantry, afterward Company F, Sixty-sixth Regiment Illinois Volunteers, and was honorably discharged on the 24th day of January, 1865. On the 14th day of May, 1864, soldier received a wound in right ankle from musket-shot, which caused amputation just below the knee. This soldier is now drawing a pension for amputation of leg just below the knee. His application for increase under act of August 4, 1886, was rejected, the Department saying that—

"Inability to use an artificial limb does not entitle one to a higher rating except when amputation is above knee or elbow."

The report of the examining surgeons who examined Captain Piggot has the following statement:

"The right leg is amputated 2 inches below the knee, leaving just 2 inches of the tibia. The covering over end of bone is quite thin, firmly adherent over entire surface, and apparently very tender. He so adjusts the lly limb, which he uses, that the entire weight is borne on the knee just at the lower border of the patella, where a large callus exists. He states that he can not bear any weight on the stump below the knee because of the pain induced thereby. The muscles of the thigh are much atrophied. The thigh just above the knee measures 4 inches less than at the upper part, 5 inches less than corresponding points on left thigh. We believe the disability to be equal to amputation at the knee-joint."

This report is signed by all three of the examining surgeons. The committee, therefore, from a consideration of the evidence in this case, arrive at the conclusion that the disability of the soldier is equal to amputation at the knee-joint, and that this pension should be increased, and therefore the committee recommend that said bill be amended by striking out the words "forty-five," and insert in lieu thereof the words "thirty-six," and that the bill when so amended do pass.

The amendment recommended by the committee was agreed to; and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ELLEN SMITH.

Mr. ARNOLD called up Senate bill 2705, granting a pension to Ellen Smith.

The bill was read, as follows:

Be it enacted, etc, That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Ellen Smith, widow of James Smith, late a private in Company C, Eighty-eighth Regiment of New York Volunteers.

The report (by Mr. SPOONER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2705) granting a pension to Ellen Smith, adopt the Senate report hereto attached, and recommend the passage of the bill.

SENATE REPORT.

The applicant is the widow of James Smith, late a private in Company C, Eighty-eighth New York Volunteers. The soldier was severely wounded in the left thigh and head, in the service, for which he was pensioned September 4, 1867. It appears from the evidence that he never regained complete use of his limbs, and the injuries to his head produced mental feebleness.

On the 20th of March, 1878, while walking in the streets of the city of Pawtucket, R. I., in company with two other men, he approached a railroad crossing as a train was coming. His companions easily got out of the way of the train and supposed that he would do the same, but owing to his mental condition and his physical infirmity he was unable to escape and was killed.

The widow's claim for a pension was rejected on the ground that her husband's death was in no way the result of his military service.

The evidence clearly proves that the man's death was due to his infirmity, and it also clearly proves that his infirmity was due to his military service, and for this reason the committee feel justified in recommending the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

SETH F. MYERS.

Mr. ATKINSON called up the bill (S. 2595) to increase the pension of Seth F. Myers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Seth F. Myers, late surgeon of the Seventy-third Regiment of Indiana Volunteers, from $30 to $50 a month, subject to the provisions and limitations of the pension laws.

The report (by Mr. LYNCH) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2595) to increase the pension of Seth F. Myers, have had the same under consideration, and beg leave to report:

The claimant was a surgeon in the Seventy-third Regiment of Indiana Volunteer Infantry in the war of 1861. He was discharged in May, 1865, upon surgeon's certificate of disability from chronic diarrhea, induced by exposure in the service, and by the hardships and privations he suffered as a prisoner of war while in the hands of the enemy. He was a pensioner from October 1, 1883, to March 15, 1884, at $12.50 per month; from last date to March 2, 1885, at $25 per month, and from last date to the present time at $30 per month.

His claim for increase has been rejected, for the reason that the chronic rheumatism and other ailments upon which it is based, from which he is now suffering, are not traceable to his pensionable disease, chronic diarrhea.

The sworn medical and lay testimony, in reference to his condition in the years 1884, 1885, and 1886, shows that he was during all those years, and had been ever since his discharge, suffering from chronic diarrhea; that he was frequently confined to his bed, requiring the attendance of a third person; when up and walking around he was yet in a very helpless condition, totally unable to attend to any kind of business. The muscles of the soles of his feet are wasted away, the skin dry and shriveled, the joints of his toes distorted, both knee-joints enlarged, the muscles of the third and fourth fingers are atrophied to the wrist, and there are other symptoms of chronic rheumatism.

When the diarrhea relaxes the rheumatism is increased, and there seems to be an intermittent contest between the two complaints—when one abates the other comes on with increased severity. He is described by the examining surgeon, Banks, May 23, 1866, as a man "totally disabled for work, though not always requiring the attendance of a third person."

We think the two diseases in this case closely related to each other, and the disability incurred by them is due to the officer's military service. We recommend an increase of his pension to the rate of $50 per month, as provided for in the bill, the passage whereof is recommended.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

THIRZA S. JENNER.

Mr. BAKER, of New York, called up for consideration the bill (H. R. 12039) granting a pension to Thirza S. Jenner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to place on the pension-roll the name of Thirza S. Jenner, the insane mother of Charles Henry Jenner, late private Company C, Twenty-second Regiment New York Cavalry Volunteers, subject to the limitations and provisions of the pension laws, and pay her pension to her husband, Charles H. Jenner, for the use and benefit of said Thirza, and in case of his death to her legally constituted guardian.

The report (by Mr. SAWYER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 12039) granting a pension to Thirza S. Jenner, submit the following report:

The claimant in this case is the mother of Charles H. Jenner, who died of small-pox while in the military service of the United States. The evidence submitted shows that the parents are now without means of support and the mother is insane. The invariable rule of Congress has been to grant relief in cases like this, and your committee therefore report the bill back, with the recommendation that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ERASMUS W. JONES.

Mr. BELDEN called up for consideration the bill (H. R. 11459) granting a pension to Erasmus W. Jones.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, directed to place upon the pension-roll, subject to the provisions and limitations of the pension laws, the name of Erasmus W. Jones, late chaplain of the Twenty-first Regiment United States Colored Troops.

The report (by Mr. SAWYER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 11459) granting a pension to Erasmus W. Jones, submit the following favorable report:

Claimant was chaplain of the Twenty-first Regiment United States Colored Troops. He enlisted May 21, 1864, and was honorably discharged April 25, 1866. His application was rejected by the Pension Department because of claimant's inability to furnish the required evidence corroborating his own. In his application for pension claimant alleges deafness, resulting from malarial fever contracted at Hilton Head, S. C., in September, 1865, and rheumatism. He was granted a leave of absence of twenty days September 9, 1865, because of malarial fever, which leave was several times extended for the same cause.

Claimant swears that after this fever he was troubled with roaring sounds in his head and his hearing became impaired. The trouble increased until 1879, when the hearing of his left ear was wholly gone, and three years later the hearing of both ears was totally gone. He also suffered from rheumatism from time of discharge.

The deafness was so gradual in its development that he can not furnish other evidence than his own of its origin. He did not have medical treatment therefor for some time after discharge. Dr. H. G. Jones, a physician who has made the treatment of the ear a specialty, and who has treated Mr. Jones, says in an affidavit filed with the committee that deafness results from malarial fever. Claimant is a minister of the gospel, seventy-three years old.

His character for absolute truthfulness is vouched for by Rev. W. F. Markham, presiding elder of Mr. Jones's district; by Hon. Ellis H. Roberts, member of the Forty-second and Forty-third Congresses; by Hon. C. D. Prescott, member of the Forty-sixth and Forty-seventh Congresses, and by E. P. Bailey, now postmaster of Utica, who writes of him:

"I have such faith in him that it is to me inconceivable that he would make a claim upon the Government to which he could not subscribe with a clear conscience."

Your committee think the claim has merit, and recommend that the bill do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

HENRY B. DAVIDSON.

Mr. DOCKERY (when Mr. BIGGS's name was called). I ask unanimous consent to present for consideration for Mr. BIGGS the bill (H. R. 11751) to remove the political disabilities of Henry B. Davidson. As the House knows, Mr. BIGGS is a very old and feeble man, and not able to attend these night sessions.

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That all political disabilities which Henry B. Davidson, of California, has incurred under the fourteenth amendment to the Constitution of the United States be, and the same are hereby, removed.

The report (by Mr. CULBERSON) was read, as follows:

The Committee on the Judiciary, having considered the bill of the House of Representatives No. 11751, "to remove the political disabilities of Henry B. Davidson," beg leave to report the same to the House with the recommendation that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

Mr. O'NEILL, of Pennsylvania (when Mr. BINGHAM'S name was reached). My colleague, Mr. BINGHAM, is necessarily absent to-night [laughter and cries of "Regular order!"], and is very anxious that I should call up a bill for him. [Cries of "Regular order!"]

The CHAIRMAN. The regular order is demanded.

JENNIE HARRIS.

Mr. BOOTHMAN called up for consideration the bill (H. R. 7858) granting a pension to Jennie Harris.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place upon the pension-roll of the United States the name of Jennie Harris, daughter of John B. Harris, late private of Company D, Eightieth Regiment Illinois Volunteer Infantry, war of 1861, now deceased, and to pay to her a pension at the rate of $25 per month from and after the passage of this act.

The report (by Mr. YODER) was read, as follows:

Jennie Harris, the applicant named in this bill, is the daughter of John B. Harris, who enlisted August 1, 1862, in Company D, Eightieth Regiment Illinois Volunteers, for three years. He died in hospital at Chicago, Ill., from chronic diarrhea, on the 4th day of August, 1863. At his death he was a sergeant in his company, and was known as a brave and faithful soldier. He left surviving him his widow, Louisa J. Harris, and an only daughter, Jennie, the beneficiary named in this bill, born January 31, 1861.

At the time of his death the soldier had no property or means of any extent. His widow was compelled to support herself and the child Jennie by working at such employment by the day and week as she could obtain, assisted only by the small pension granted to her as widow. In 1864 the child Jennie was, upon the advice of friends, placed in the Soldiers' Orphans' Home, at Webster, St. Louis County, Mo. While in the home, in the year 1866, she became totally blind, and has remained so ever since, with no hope of ever recovering her sight. Her mother remarried in the year 1865 to George Parcher, of Bryan, Ohio, where she now resides; and Jennie is now and has for several years last past been a member of Mr. Parcher's family. Mr. Parcher was himself a Union soldier. He is a reputable man and good citizen, but in poor circumstances, being compelled to support his own family by continuously laboring at his trade of carpenter and joiner.

Mrs. Harris, now Mrs. Parcher, drew a pension from the date of the death of the first husband up to the date of her remarriage, which was continued to Jennie until she arrived at the age of sixteen years, when it ceased under the law.

The committee feel that this is one of the cases which appeal very strongly to the sense of liberality of Congress as well as to a sense of what is justly due from the people of this nation to the helpless orphan of a faithful soldier who died at his post. We therefore recommend the passage of the bill, with the following amendment: In line 9, strike out "twenty-five" and insert "eighteen."

The amendment recommended by the committee was agreed to; and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

CLARA M. OWEN.

Mr. BOUTELLE called up for consideration the bill (H. R. 11052) granting a pension to Clara M. Owen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension-roll, subject to the provisions and limitations of the pension laws, the name of Clara M. Owen, widow of William H. Owen, late of Company B, Twentieth Maine Volunteers.

The report (by Mr. GALLINGER) is as follows:

Clara M. Owen is the widow of William H. Owen, who served as private of Company B, Twentieth Regiment Maine Volunteers, from August 29, 1862, until July 9, 1865. Her claim for pension has been rejected on the ground that his death by drowning, August 31, 1884, is not shown to be chargeable to his military service.

Soldier was a pensioner on account of gunshot wound of chest and lung. The widow alleges that the immediate cause of his death was disease of heart.

It is conceded by the Pension Bureau that the wound did produce disease of heart. The medical examinations show that the ball entered the left lung in front, between the fourth and fifth ribs, at a point nearly midway between center of sternum and anterior border of axilla, passing backward and outward, emerging close to the axillary border of left scapula at a point about 2 inches from its inferior angle, passing in close proximity to upper border of the heart, producing as a result weakness of the action of the heart, incapacitating him for any active manual labor.

Soldier was an excellent swimmer, and in the habit of bathing nearly every week during warm weather. About a week before his death he had a bad spell of heart trouble. As was his custom he went to a stream near his home, taking with him soap and towel. His body was found lying on his face near the shore. There was no grass nor weeds to entangle his feet; no evidence of a struggle; everything seemed to indicate that he had fallen dead. The depth of the water where he was found is given by some as 5, by another witness at 8 feet. His last footprints were very near the body.

Dr. Hannibal Hamlin, who was acquainted with the soldier from his discharge to death, testifies that he saw the body recovered from the water; there were no signs of death from suffocation or drowning; lungs were not filled with water, nor was the face livid or purple showing congestion. In affiant's opinion death was not produced by drowning suffocation, but by a sudden paralysis of the heart's action.

Dr. Louis C. Ford is of like opinion.

The medical referee holds that the claim can not be medically established because no post-mortem examination was held.

From the history of the case it does not appear that soldier incurred any risk, or that he did not use the care and caution which ordinary prudence would dictate should be exercised by one in a disabled condition. He was accustomed to take his baths at the same spot for years, was well acquainted with all the surroundings, and met his death at a season of the year when the water was best adapted for bathing purposes. The opinion of the physician who saw the body taken from the water shortly after death, taken in connection with the medical history of the case, leaves little doubt as to the immediate cause thereof. Three years' faithful service, and years of sufferings from disability contracted therein, should, however, be sufficient justification to solve any remaining doubt in favor of this poor widow.

The committee therefore report favorably on the accompanying bill, and ask that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MRS. MARIA C. M'PHERSON.

Mr. BREWER called up for consideration the bill (H. R. 10523) granting a pension to Mrs. Maria C. McPherson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Maria C. McPherson, widow of Daniel McPherson, late a corporal of Company C, Twenty-fourth Michigan Infantry.

The report (by Mr. CHIPMAN) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 10523) granting a pension to Mrs. Maria C. McPherson, submit the following report:

Maria C. McPherson is the widow of Daniel McPherson, late corporal of Company C, Twenty-fourth Regiment Michigan Volunteer Infantry. He enlisted in 1861, served until and was wounded at the battle of Gettysburgh, July 1, 1863, in the shoulder, dislocating the head of the right humerus, and in the second finger of the right hand, necessitating an amputation.

After he had grown somewhat better of his wounds he was transferred to the Veteran Reserve Corps, from which he was discharged October 31, 1864, on account of disability arising from said wounds, as will be observed, over a year after he received them. All this appears by the records of the Adjutant-General's Office. He never applied for a pension, not being, during his life, in need of it. He died on the 16th of April, A. D. 1880, and on the 6th of June, 1881, his widow applied to the Pension Office to be put on the pension-rolls. Her claim was rejected on the ground that the origin of the disease of which he died was not legally established.

The testimony in the case given by persons of high respectability, who knew him from his boyhood until his death, shows strongly that he entered the service a very robust, healthy young man, and came out of it physically broken down and prematurely old. As he did not improve enough in health during the fourteen months after receiving his wounds until his final discharge to be fit even for duty in the Veteran Reserve Corps, or during the remainder of his life, he was an invalid and fell into a decline, which resulted in lung disease, and died.

How much testimony is needed to connect his death with his wounds; how much to prove that a robust man, who is perfectly healthy up to the time of receiving severe wounds and is never healthy afterwards, died by reason of the wounds, may be so nice a question as to be beyond practical solution, but ordinary sense would connect the wounds with the ill health, and the ill health in its different phases with the death. At any rate there seems to be doubt, and if there is this great Government ought not to split hairs with the widow of a soldier who served years during the war, and who gave his youth and health to his country.

We recommend that the bill do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

FRANCES H. PLUMMER.

Mr. BROWNE, of Indiana, called up for consideration the bill (S. 2091) granting a pension to Frances H. Plummer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the limitations and provisions of the pension laws, the name of Frances H. Plummer, widow of Brig. Gen. Joseph B. Plummer, United States Army, and to pay her a pension of $100 a month, in lieu of the pension she is now receiving.

The report (by Mr. FRENCH) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2091) granting a pension to Frances H. Plummer, have had the same under consideration, and beg leave to submit the following report:

Mrs. Frances H. Plummer is now on the pension-rolls, under special act of Congress approved March 3, 1863, at the rate of $50 per month, as the widow of the late Brig. Gen. Joseph B. Plummer.

The records of the War Department show the following facts concerning General Plummer's services: Graduated from West Point July 1, 1841, and appointed second lieutenant; promoted to first lieutenant March 15, 1848; to captain May 1, 1852, and major Eighth United States Infantry, April 25, 1862. Served in the war with Mexico at Vera Cruz and city of Mexico; subsequently in Texas and the Indian Territory, where he was stationed at the breaking out of the late war, in command of Fort Cobb. While most of the United States troops in that section of the country either surrendered or were captured, Captain Plummer, after a long and tedious march, during which the troops were on short rations, succeeded in bringing his men safely into Missouri, where he arrived at that critical moment which, for a time at least, gave the Confederate forces control of the southern and western part of that State.

Captain Plummer participated in the battle of Wilson's Creek, Missouri, August 10, 1861, in which General Lyon was killed and the Union forces, after a desperate fight against superior numbers, were finally compelled to retreat. Captain Plummer, while leading the regulars to a final charge, received a se-

rious wound in hip from a large minie-ball, which was never removed. He continued the fight until he fell from exhaustion. On September 25, 1861, he was mustered in as colonel of the Eleventh Missouri Volunteers, and on October 22, 1861, he was promoted to brigadier-general. He served with his regiment in Missouri until March 1, 1862, being engaged with the enemy at Fredericktown; commanded the post of Cape Girardeau until he joined General Pope's expedition against New Madrid and Island No. 10. General Rosecrans, in general orders announcing General Plummer's death, says:

"At New Madrid by General Pope's order, by heavy circuitous march, he (Plummer) seized Point Pleasant, and by skillfully placing his men in rifle-pits and covering his batteries successfully held it against numerous furious assaults of the rebel gunboats, thus cutting off all supplies by transport to Island No. 10. After taking part in all the toils and privations of this army, which were crowned by the capture of Island 10, and the forces under MacKall, he commanded his brigade during the advance on Corinth and one of the divisions of the left wing during the 35 miles' pursuit of the rebels after the evacuation. Brave, honest, true, and experienced, the country, as well as his companions in arms, will mourn his loss."

General Plummer died suddenly on the 9th of August, 1862, at Corinth, Miss., of congestion of the brain, unquestionably brought on from overexertion and anxiety for the successful termination of the then pending conflict.

General Pope, in a recent letter filed with this committee, says:

* * * "In all these operations he (General Plummer) rendered most distinguished services, and was remarkable for intrepid conduct and most excellent military judgment. * * * He died in the field from diseases contracted during the fatigues and exposures of active campaign. I know no officer of the Army of his grade who has rendered more valuable and distinguished services to his country or who is better entitled to the most favorable consideration of his Government."

Major-General Schofield, in a letter addressed to this committee, and who was personally associated and acquainted with General Plummer, speaks in the highest terms of the latter's ability and devotion to the Union cause and his zealous discharge of every duty.

Mrs. Plummer is dependent upon the pension now received, not only for her own support, but for the maintenance of a daughter, who is a great sufferer from a nervous ailment which prevents her from making any exertions toward her support.

In view of the gallant services of the deceased officer and the dependent condition of his surviving family, your committee are of opinion that the relief asked for should be granted, and therefore report favorably on the bill and ask that it do pass, amended, however, by striking out the words "one hundred," in line 6, and insert therein instead the words "seventy-five."

Mr. BROWNE, of Indiana. Mr. Chairman, if the House will indulge me just one minute I will state the facts regarding this case. The Senate unanimously allowed this widow $100 per month. The House committee struck out $100 and inserted $75. Opposition will be made to the passage of the bill, and I ask that the Committee of the Whole adopt the amendment and order the bill to be reported favorably to the House; that when in the House the record shall show the previous question was ordered, and the bill then go over to be voted on in the regular way in a full House.

Mr. CHEADLE. And that there be thirty minutes allowed for debate.

The CHAIRMAN. The gentleman from Indiana asks that the amendment be adopted, the bill reported to the House favorably, the previous question considered as ordered, thirty minutes allowed for debate, and its further consideration postponed until next Friday immediately after consideration of the bill which has been ordered to be reported under the same conditions. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

MARIA BEISER.

Mr. BROWN, of Ohio, called up for consideration the bill (H. R. 4591) granting a pension to Maria Beiser.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-rolls the name of Maria Beiser, widow of John Beiser, late a private in Company C, One hundred and eighth Regiment of Ohio Volunteers, subject to the limitations and restrictions of the pension laws (pension claim numbered 295276).

The report (by Mr. YODER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4591) granting a pension to Maria Beiser, submit the following report:

Maria Beiser resides in Cincinnati, Ohio; is the widow of John Beiser, who was a private in Company C, One hundred and eighth Regiment of Ohio Volunteers. He was discharged from said service on June 9, 1865, after nearly three years' service, and died April 6, 1872.

The doctor who treated him during his last illness and reported his death to board of health says immediate cause of death was pneumonia. He did not give the remote cause of death, and when a special agent of the Pension Office took his testimony he could not recollect the case so as to say anything more than was in his report to the board of health.

The evidence of Adam Dilg, hospital steward, and privates Lewis Mullisk and J. Hampock and William Meyer seems to have satisfied the Commissioner of Pensions that soldier contracted the chronic diarrhea and rheumatism while in the service and line of duty, and the further testimony of Dr. Zeporlin, Dr. Querney, and of various neighbors of the deceased, shows conclusively that he came home from the Army suffering from chronic diarrhea and rheumatism, in a weak and debilitated condition, and that he gradually failed in health and grew weaker from month to month, and that for a year or more before his death he was only able to walk around a square in the city by the aid of a cane, and that he was confined to his bed for a month or more before his death.

The Commissioner of Pensions rejected Maria Beiser's application for pension because he died of an acute disease, pneumonia, not incident to the service.

Your committee are aware that there is no positive testimony showing the pathological connection between the diseases contracted in the Army and pneumonia, yet they are convinced from the history of the case that pneumonia was the result of chronic diarrhea and rheumatism, and therefore recommend that the bill do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

WILLIAM H. MARSTON.

Mr. BURROWS called up the bill (S. 3112) granting an increase of pension to William H. Marston.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to increase the amount of pension allowed William H. Marston, late of the Seventeenth Michigan Infantry, to the sum of $45 per month, in lieu of the amount he is now receiving.

The report (by Mr. CHIPMAN) was read, as follows:

The following is the Senate report on the bill, which is undoubtedly correct in statement of facts, and we adopt it:

Claimant enlisted in Company B, Seventeenth Michigan Volunteer Infantry, June 2, 1861; was wounded in the tibia of right leg in the line of his military duty before Petersburgh, Va., June 18, 1864, and was discharged on surgeon's certificate of disability May 5, 1865. He is now receiving a pension of $24 per month on account of gunshot wound of right leg. Claim for increase of pension under act of Congress approved August 4, 1886, was rejected November 23, 1886. Grounds of rejection not stated.

In a letter dated June 23, 1888, claimant states that he has not been able to attend to any business during the past three weeks on account of sickness; that he has a wound in his foot, with partial loss of the bones of the heel, and that he is a constant sufferer from rheumatism, chronic diarrhea, and piles; that he thinks himself entitled to a rating of at least $50 per month; that if his health permitted he could get a salary of $2,500 per year and expenses; that he is ready to come to Washington, if necessary, at any time, and appear before any board of examining surgeons the Commissioner of Pensions may designate; that he has never made any claim for pension on account of wound of foot, with loss of a portion of the heel bone, rheumatism, chronic diarrhea, or piles.

In affidavit executed July 3, 1888, claimant states that many fragments of the bone of his right leg were removed, and that gangrene having set in his case was declared hopeless; that his general health is greatly broken down.

In affidavit filed April 12, 1866, Constant Luce, late colonel of claimant's regiment, testifies that claimant served with honor to himself and to the satisfaction of his officers from the date of his enlistment to the time he was wounded, in June, 1864.

In affidavit filed April 26, 1888, Dr. E. J. Bonine, late surgeon of claimant's regiment, testifies that claimant while on duty received a gunshot wound through head of tibia near the knee-joint, crushing the bone and cutting it nearly off; that he insisted upon amputating the leg at the time, but claimant refused to have it done; that the leg has wasted away, and that a large portion of the tibia has been removed; that he has frequently examined claimant's wound since 1865, and is satisfied that he is a great sufferer all the time from pain and nervous prostration; that claimant's condition is worse now than it would have been had the leg been amputated at the time the wound was received.

In affidavit executed July 3, 1888, Dr. Bonine further testifies that claimant is wholly disabled for manual labor, and is in a worse condition than he would be had his leg been amputated above the knee, and that claimant has lost the entire tibia from the knee to the ankle.

In a letter dated May 30, 1888, Dr. Bonine states that claimant is now suffering from blood poisoning from the wound of his right leg.

In affidavit filed April 28, 1888, Dr. William H. Smith, of Niles, Mich., testifies that claimant is wholly disabled for manual labor by reason of a gunshot wound of his right leg, said to have been incurred in the service of the United States.

In affidavit filed April 26, 1888, Dr. J. D. Bowman, of Benton Harbor, Mich., testifies that claimant's leg is in a much worse condition than it would have been had it been amputated at the time the injury was received.

In an affidavit executed May 22, 1888, Dr. John D. Bowman further testifies that he has known claimant since June, 1864, and was his family physician from 1881 to 1884, and thoroughly understands his condition; that claimant has suffered a great deal from extreme nervous prostration, due entirely to the condition of his limb, and that amputation could not be performed now without danger to life.

In affidavit executed June 19, 1888, Dr. O. P. Horn, of Niles, Mich., testifies that he personally examined claimant on the 14th day of June, 1888, and found him badly afflicted in his right leg; that he is suffering with wounds of a dangerous nature which will certainly shorten his life; that the wounds sometimes discharge matter and broken pieces of bone, and that claimant is disqualified for the performance of any kind of manual labor.

The facts in this case warrant favorable action, and your committee therefore recommend the passage of the bill with the following amendment: Strike out the word "fifty," in the sixth line, and insert the words "forty-five."

The amendment reported by the committee to strike out "fifty," in the sixth line, and insert "forty-five" was read and agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

JOSEPH VAN ARSDEL.

Mr. CHEADLE called up for consideration the bill (H. R. 4763) to grant a pension to Joseph Van Arsdel.

Mr. GEST. I ask unanimous consent that in this case, and in the other cases which may be considered this evening, the bill alone be read with the recommendation of the committee. We consume a vast deal of time here in the reading of detailed statements of fact.

The CHAIRMAN. The Committee of the Whole has heard the request of the gentleman from Illinois [Mr. GEST]. Is there objection?

Mr. KILGORE. I can not consent to the course suggested.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension-roll the name of Joseph Van Arsdel, as dependent father of William C. Van Arsdel, late Twenty-second Battery, Indiana Artillery Volunteers, subject to the provisions and limitations of the general pension laws.

The report (by Mr. CHIPMAN) was read, as follows:

At the beginning of the civil war Joseph Van Arsdel had four sons, William C., Isaac M., John S., and Jacob S., all of whom went into the Army, and all of whom became more or less disabled by sickness. Three of them became pensioners; two of them have died of their disabilities; the fourth has never applied for pension. The two sons now living, John S. and Jacob S., have families, and are not able to afford their father a comfortable living, but do what they can to assist him. The father, by reason of age and infirmities, is no longer able to earn his own support. During the war he had a little property, all of which was spent in taking care of his sons. He made six trips to the Army to care for them when sick, and nursed and cared for them after their discharge. Having spent all and buried two of them from Army diseases, he finds himself at the age of seventy-five poor, broken down, and dependent.

The present application for pension is based on his dependence on his eldest son, William C. It was rejected by the Pension Office on the ground that the soldier left a widow and child, so that the father was not entitled under the general law.

The widow was pensioned until her remarriage, and the child until sixteen years old. Both are now dead. The second son, Isaac, also left a widow, who is now a pensioner.

It is apparent, then, that the applicant can not be pensioned under the general law and must come to Congress for a special act. The issue is simply one of legislative discretion.

In view of the age, infirmity, and poverty of the father, of the number of soldiers he contributed to the cause of his country, and of the personal services and sacrifices involved, your committee believe this is a case wherein the rules of the general laws should be relaxed, and therefore they recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

THOMAS DAVEY.

Mr. CHIPMAN called up for consideration the bill (H. R. 6532) to pension Thomas Davey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Thomas Davey, late of Company D, Sixteenth Michigan Volunteers, in the late war for the Union, and to pay him a pension of $30 per month from the date of the passage of this act.

The report (by Mr. CHIPMAN) was read, as follows:

The claimant, Thomas Davey, is now pensioned at the rate of $14 per month for gunshot wound of left leg and resulting varicose veins. The examining surgeons, in their original report, certify that he was quite lame from the effect of these injuries. This was in 1877. In 1880 the board certify that "this varicose condition is quite extensive. The tumors are numerous and quite large, embracing the whole of the lower part of the leg and ankle; suffers with pain in standing or walking long." In 1884 the board certify "that they have no doubt that the claimant's disability is a serious interference with the use and strength of the leg, making it almost impracticable for him to perform any work standing or walking."

He has applied for and been refused an increase on the ground that he is rated enough already, and because the varicose condition of the right leg (for which he claimed an increase) is not a result of a wound in the left. Dr. George Duffield, of Detroit, a surgeon of high respectability and skill, certifies "that the gunshot wound of his leg so obstructed the venous circulation that an exaggerated form of varicose veins is the result, spreading over both lower limbs and preventing him from standing or walking or doing any manual work. There is also a complete femoral hernia, which is dependent on the diseased veins, and which, because of their enlargement, it is impossible to hold in place by any known truss. This interference with the circulation has produced serious changes in digestion, causing dyspepsia of an aggravated nature, with palpitation and irregularity of the heart." In this opinion Dr. Chittick, of Detroit, coincides.

Davey is undoubtedly in a very bad condition. His appearance is one of extreme disability, and grows worse from day to day, as those who have known him a few months observe. His breath is fetid. He is lame, weak, and apparently suffering. His business was that of a clerk in a retail grocery house, which he has been compelled to abandon, as his bad breath and physical inability render him undesirable in that employment. His only property is a little home in Detroit, which he manages to keep, as well as to support his family in a feeble way by odd jobs performed, which are always beyond his strength and with but little remuneration. Without at all impugning the decision of the Pension Bureau, his case is one of nearly total disability. It clearly arises from injuries received in the service, and almost isolates him because of the offensiveness of his breath. He is and always has been a man of good standing.

We recommend that the bill do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

KATE C. VAN ARNUM.

Mr. CLARK called up for consideration the bill (S. 3422) granting a pension to Kate C. Van Arnum.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Kate C. Van Arnum, widow of John W. Van Arnum, late a private in Company D, Fourth New York Heavy Artillery.

The report (by Mr. SAWYER) was read, as follows:

The facts in the case are fully set forth in the report of the Senate Committee on Pensions, which is as follows:

"This is a bill to pension the widow of John W. Van Arnum, late a private in Company D, Fourth New York Heavy Artillery.

"The deceased enlisted December 14, 1861, was discharged November 14, 1863, was allowed a pension for asthma, which he drew until the date of his death, November 9, 1884. The Pension Office rejected the widow's claim on the ground that the soldier's death was not due to asthma, nor otherwise due to his military service.

"Appeal was made to the Secretary of the Interior, who sustained the Pension Office, simply reiterating its decision.

"It appears from the testimony that Dr. Van Arnum was a severe sufferer from asthma; that the attacks were spasmodic, occurred without warning, and he was known to fall down as one dead. These facts were all known to the medical fraternity of Washington, of which the deceased was a member.

"On the evening of November 4, 1884, Dr. Van Arnum was carried into the drug store, corner Fourteenth and P streets northwest, by two colored men, and on examination it was found that he was suffering from a severe injury of the head, causing paralysis of the right side. He died in five days after this occurrence, and an autopsy disclosed a fracture of the skull and extravasation of blood upon the brain.

"Dr. G. Wythe Cook testifies to the contusion on the head; that he presently recovered consciousness, and was taken to his home; that he grew worse and died; that the autopsy revealed extravasation of blood upon the brain.

"Dr. Francis O. St. Clair was professionally and socially intimate with him; had been with him at all hours of the day and night; knows of his personal knowledge that his attacks came on without warning; has seen him in his (affiant's) own house, in his home, in a public store, in a variety of places, and on one occasion the attack was so sudden as to threaten immediate dissolution; that these attacks were produced by over-exertion, by heat, by the odor of certain drugs, by the fumes emanating from trees or flowers. This affiant saw him on the night of November 4, 1884, at the drug store; he was perfectly rational; his speech was coherent and distinct; he assisted in taking him home and in the care of him.

"Dr. Lewis, proprietor of the drug store, testifies to his intimacy with deceased, to the violence and frequency of his spasmodic attacks, and to their occurrence at times without any cause other than the condition of the atmosphere.

"Dr. Taylor was acquainted with the deceased, and testifies to the severity of his disease. He has seen him drop down as one dead, turn black, froth at the mouth; has seen him so attacked when eating, when riding, when about to ride, and otherwise; that affiant heard of his falling at the time of his death; and then made the remark, 'It is one of his usual attacks;' affiant saw him as soon as he could (after the fall); he was then in a condition similar to that in which affiant had often seen him. Affiant has no hesitation in saying that from his knowledge the injury of which soldier died was caused by the disease for which he was pensioned—spasmodic asthma.

"The surgeon, in his certificate of discharge, says he is incapable of discharging the duties of a soldier because of asthma 'contracted in the line of duty since enlistment.'

"The Pension Office examining surgeon describes asthma, with much bronchial disease, much cough, frequent and severe attacks of difficult breathing, and says he is totally disabled for manual labor.

"He was pensioned from the time of his discharge, although it was proved to be a case of total disability and much suffering, at the inadequate and inconsistent rating of $8 a month.

"In this case there is no ground for a suspicion of foul play. His watch, money, and valuables were found upon his person, and soon after he was taken into the drug-store he recovered consciousness. If he had been hurt otherwise than in the manner shown by the testimony, he would have informed the medical attendants and devoted friends who were with him. The committee regret that it is so frequently incumbent upon Congress to extend relief by special legislation in cases that are so clearly proved.

"The bill is reported favorably, with a recommendation that it do pass."

Your committee are of opinion that the claim is meritorious, and likewise recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MARY JANE HARRIS.

Mr. COGSWELL called up the bill (H. R. 6755) granting a pension to Mary Jane Harris.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mary Jane Harris, mother of George M. Harris, Company C, First Regiment New Hampshire Volunteer Cavalry.

The report (by Mr. FRENCH) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6755) granting a pension to Mary Jane Harris, have had the same under consideration, and beg leave to submit the following report:

Mary Jane Harris is the mother of George M. Harris, who died August 6, 1864, while serving in Company C, First Regiment New Hampshire Volunteer Cavalry. Her claim for pension has been rejected by the Pension Office on the ground that she was not dependent upon the soldier at time of his death, but was supported by her husband, who at that time was possessed of a farm valued at about $2,000, subject to an incumbrance of $600. This farm was subsequently sold and another place purchased, which remained in the possession of the parents until 1866, when it was transferred to one of the sons for and in consideration of a life support for claimant and her husband. This latter property was incumbered, however, by a mortgage of $2,200.

This son has been unable to pay off the mortgage, and the property has now passed out of his hands. Claimant's husband, the father of the soldier, died in 1875. She has supported herself a greater part of the time since by nursing and other labor, but her age (eighty years) no longer permits her to work, and in consequence is entirely dependent upon others. Claimant had four sons in the Army, who, in the aggregate, gave eleven years of service to the Government.

The case is one of extreme merit and should receive favorable consideration at the hands of Congress.

The bill is therefore returned with the recommendation that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MRS. ELLEN HAND.

Mr. CONGER called up for consideration the bill (S. 3264) granting a pension to Mrs. Ellen Hand.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Ellen Hand, widow of Swalm Hand, late a private in Company D, Nineteenth Regiment Iowa Infantry.

The report (by Mr. SPOONER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 3264) granting a pension to Mrs. Ellen Hand, respectfully report:

That they adopt the following Senate report, and recommend the passage of the bill.

[Senate Report No. 1890, Fiftieth Congress, first session.]

The husband of the beneficiary was a pensioner on account of rheumatism contracted in service. After his death his widow filed a claim for pension, which was rejected on the ground that his fatal disease, which was certified to be caused by typhoid fever, cystitis, and functional disease of the kidneys, was not "pathologically connected" with that for which he was pensioned.

Dr. C. T. Moorman, the physician who attended the soldier for the last six years of his life, and who gave the certificate of the soldier's death and its cause, states in an affidavit of April, 1885—

"Affiant frequently prescribed treatment for soldier prior to his death for rheumatism and irritation of kidneys and bladder, the rheumatism being largely dependent upon the kidney disease for its origin."

In October, 1885, in answer to an office letter of inquiry, Dr. Moorman states:

"When I gave the type of fever of which soldier had died as typhoid, I did not mean a malignant fever with inflammation of the glands of the bowels, but typhoid in character, rendered so partly by the condition of the kidneys, they failing to perform their functions properly, and leaving the blood laden with the poisonous constituents of the urine, which would have been eliminated had the kidneys been in a normal condition. The depressing influence thus brought to bear constituted a dangerous factor in the case. * * * The rheumatism with which he was troubled was largely dependent on the condition of the kidneys. I am convinced that if the condition of the kidneys had been good he probably would not have had the attack of which he died, and if he had it would have been of a different character and more amenable to treatment."

The account of the attending physician establishes the fact of intimate connection between the kidney disease and rheumatism and of the fatal influence of both when the soldier suffered the typhoidal attack; and though not the primary, his pensionable disease, with its complications, was clearly a second-

ary cause of his death. In this view the committee report favorably upon the bill and recommend it for passage.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

HARRISON WAGNER.

Mr. COOPER called up the bill (S. 332) granting a pension to Harrison Wagner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Harrison Wagner, late a nurse in general hospital No. 1, Frederick, Md., and pay him at the rate of $25 per month.

The report (by Mr. THOMPSON, of Ohio) was read, as follows:

The Committee on Invalid Pensions recommend that the bill be amended by striking out of the bill as amended by the Senate the words "twenty-five" and inserting in lieu thereof the word "twelve," and that the bill when so amended do pass; and the committee hereby adopt and make part hereof the report of the Senate Committee on Pensions, which reads as follows:

It appears that the claimant was a medical student in the year 1862, and during the fall of that year, after the battle of Antietam, he enlisted in the military service of the United States as a nurse at General Hospital No. 1, Frederick, Md., September 27, 1862, and remained in the service until April 12, 1863, when he was honorably discharged.

The papers show that when he enlisted he was a strong, healthy, and able-bodied man, but that during the period he was nursing the sick and wounded, from indigestion and constipation, as the result of that service, he contracted internal bleeding hemorrhoids, from which he has been suffering ever since, so much so that in the year 1875 he was obliged to quit his profession.

The statements set forth in the petition of the claimant are fully sustained by the evidence of Dr. William H. Wagner, Dr. Luther M. Zimmerman, W. H. Myers, Mrs. Amelia J. Anders, Mrs. Mary Myers, Mrs. Mary Alcott, Elizabeth Fleming, Mrs. Esther Beck, Mrs. Mary Barrack, Benjamin Smith, James Woods, William Wilson, William Grimes, Henry Working, Samuel Myers, Jacob Hyder, George Gilbert, William Nort, Enoch Watz, Henry Hinea, Levi Pipinger, and others.

The committee addressed a letter to the Secretary of War, asking for the record of the claimant, and in reply to that inquiry received a letter from John Moore, Surgeon-General of the United States Army, which is hereto annexed, marked "Exhibit A."

As Congress has established the precedent in a number of cases of giving a pension to army nurses where they are not disabled by reason of their service as such, or at least not requiring proofs that the disability originated in the service and by reason of the duty devolving upon them, the committee is of opinion that, as the proof in this case is conclusive that the claimant, by reason of the service rendered by him as a nurse contracted the disease from which he is now suffering, and at a time when he was regularly enlisted and borne upon the rolls of the Surgeon-General's Department as an army nurse, he comes clearly within the spirit of the pension laws, and should receive recognition at the hands of Congress.

The committee would recommend that Senate bill 332 be amended in line 4, after the words "pension roll," by inserting the words "twenty-five dollars;" and as so amended the bill is reported favorably, with the recommendation that it do pass.

EXHIBIT A.

WAR DEPARTMENT, SURGEON-GENERAL'S OFFICE,
Washington, D C., May 8, 1888.

SIR: I have the honor to acknowledge the receipt of your letter of the 14th instant, addressed to the Secretary of War, requesting, for use of the United States Senate, a record of the enlistment of Harrison Wagner as nurse in General Hospital No. 1, Frederick, Md., and evidence of his treatment in hospital for internal bleeding hemorrhoids, and in reply to inform you that the records of this office show Harrison Wagner to have served under contract as nurse in No. 1 General Hospital, Frederick, Md., from September 27, 1862, to April 12, 1863, inclusive. That he was sick is evidenced by copies of prescriptions for medicine ordered for him, but the nature of his disease is not stated.

Very respectfully, your obedient servant,

JOHN MOORE,
Surgeon-General, United States Army.

Hon. CHARLES J. FAULKNER,
United States Senate.

The amendment reported by the committee, to strike out, in lines 7 and 8, the words "twenty-five" and insert "twelve," was read, and agreed to; and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ANNIE MAY PIFER.

Mr. CROUSE called up the bill (H. R. 765) granting a pension to Annie May Pifer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Annie May Pifer, invalid daughter of Cornelius Pifer, late of Company F, Second Regiment Illinois Volunteer Cavalry.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 765) granting a pension to Annie May Pifer, submit the following report:

The beneficiary in this case is the invalid daughter of Cornelius Pifer, late of Company F, Second Regiment Illinois Volunteers, who died in hospital September 13, 1862. This daughter received a pension until 1878, when it ceased because she had arrived at the age of sixteen. The widow remarried, and no one is now receiving a pension on account of the death of this soldier. The evidence shows that she has been a constant sufferer all through life from a nervous affection of the left side, is unable to walk but little, and then frequently falls; that she is mentally weak, unable to perform any manual labor or to care for herself.

This case comes clearly within the rule adopted by Congress, and your committee therefore recommend the passage of the bill, with the amendment added, "and pay to her legally-constituted guardian, for her use and benefit, a pension of $18 per month."

The amendment reported by the committee, to add to the bill the words "and pay to her legally-constituted guardian, for her use and benefit, a pension of $18 per month," was read and agreed to; and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

SARAH R. FISHER.

Mr. CUTCHEON called up for consideration the bill (S. 3016) for the relief of Sarah R. Fisher.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Sarah R. Fisher, mother of James K. Fisher, late Company A, Third Regiment Michigan Volunteers.

The report (by Mr. CHIPMAN) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 3016) for the relief of Sarah R. Fisher, submit the following report:

They adopt the Senate report, which is as follows:

"The claimant under the bill asks pension on account of the death of her son, James K. Fisher, late Company A, Third Regiment Michigan Volunteers, who incurred sunstrokes in the Army, and whose death, it is alleged, was caused by such sunstrokes and their effects.

"The fact of sunstroke is proved by a comrade, who witnessed the stroke and saw the soldier carried from the field on a stretcher. The facts of robust health before service, and of continuous infirm health after, with death by what appeared to be quick consumption, but was not medically certified; the indigent but not utterly poor condition of parents for the greater part of the time since the son's death; their present state of almost helplessness, the mother being seventy-two years old and the father seventy-five, both infirm, and the father unable to labor for support; these facts are established by credible testimony, whose appeal to justice as well as sympathy is given triple force by the further fact that this venerable pair gave two sons and a son-in-law to the Union volunteers from Michigan.

"The case was bunglingly presented to the Pension Office, and failing to meet the requirements there, was rejected; but there is equity enough in it for a double pension. With this opinion the committee report favorably on the bill, and recommend its passage."

The committee add that the tendency of all legislation to provide by general law for indigent parents ought to embrace the aged woman who needs relief now, so that she may benefit by it before she dies.

We recommend that the bill do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

Mr. BAKER, of New York (when the name of Mr. DAVENPORT was called). My colleague, owing to the sickness of his wife—— [Cries of "Regular order!"]

ADALINE A. SMYTH.

Mr. DINGLEY called up the bill (S. 2765) granting a pension to Adaline A. Smyth.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Adaline A. Smyth, a volunteer nurse in the war of the rebellion, and pay her a pension during life of $25 per month.

The report (by Mr. GALLINGER) was read, as follows:

Claimant under this bill was a volunteer nurse, having served in the Judiciary Square Hospital, at Washington, D. C., for a period of seven months, without pay from the Government, her services being tendered immediately after the battle of Gettysburgh, at that time being a resident of Lewiston, Me.

It is clearly shown that during her service in hospital claimant became seriously ill, from which illness she has never recovered.

The Senate bill proposes to grant pension at the rate of $25 per month during life. There can be no question as to the merits of the case, but as the rule of the committee is to place volunteer nurses on the roll at $12 per month, unless extraordinary services were rendered, your committee recommend that the bill be amended by striking out the words "during life of twenty-five" and substituting the words "of twelve," so that the bill will read, "and pay her a pension of $12 per month."

As thus amended your committee recommend the passage of the bill.

The amendment reported by the committee, to strike out, in line 7, the words "during life of twenty-five" and insert "of twelve," so as to read "and pay her a pension of $12 per month," was read and agreed to; and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

NONA J. TILLERY.

Mr. DOCKERY called up for consideration the bill (H. R. 11711) granting a pension to Nona J. Tillery, minor child of Wyatte L. Tillery.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Nona J. Tillery, minor child of Wyatte L. Tillery, late a member of Capt. J. W. Younger's company of Clay County Enrolled Missouri Militia.

The report (by Mr. WALKER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 11711) granting a pension to Nona J. Tillery, minor child of Wyatte L. Tillery, have considered the same and submit the following report:

Wyatte L. Tillery, the father of the applicant, as appears from the papers before the committee, enlisted as a private in the Clay County Company of Enrolled Missouri Militia on the 28th of March, 1864, and served until July 1, 1865, when said company was disbanded. He died in 1880, and it is alleged that his death was the result of measles, contracted during his military service while a member of the above-named organization. J. W. Younger, late captain of said company, testifies that the said Tillery was with the command, and took part in a battle against Price, October 10, 1864, that he was taken prisoner, and at the same time took a severe attack of measles, and from exposure to inclement weather his health became so much impaired that he never recovered good health.

A. W. Robertson, M. D., testifies that he treated the deceased soldier for phthisis pulmonalis for a period of about three years; that he had been his family physician for several years prior to his death, and believes his disease

was contracted from an attack of measles while in the service of the United States.

A. L. Chapman, who served as post surgeon of said military organization, testifies that he treated soldier for bronchitis of the lungs, and which was then believed by him to have been superinduced by an attack of measles, which the said Tillery alleged that he had a short time previously. He had no personal knowledge of the after results.

W. F. Tillery: That he knows that the deceased soldier contracted measles as stated, and that his death resulted therefrom.

The mother of claimant has remarried, and did not, during her widowhood, apply for pension. The claimant herein was born April 18, 1875.

After carefully considering all the facts in this case the committee believe that the relief asked for in the bill ought to be granted, and therefore submit a favorable report, and recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

Mr. McCREARY. Thirty-eight bills have been agreed to in Committee of the Whole, to be reported to the House, and I move that the committee rise in order they may be disposed of before the hour for adjournment.

Mr. CHIPMAN. Thirty-eight bills have to be disposed of this evening, and the time is very short in which to do it.

Mr. McCREARY. I move that the committee rise.

Mr. DUNHAM. Does it require a quorum to rise?

The CHAIRMAN. It does not.

The committee divided; and there were—ayes 33, noes 8.

So the motion was agreed to.

The committee accordingly rose; and Mr. McCREARY having taken the chair as Speaker *pro tempore*, Mr. DOCKERY reported that the Committee of the Whole House, having had under consideration the special order, had directed him to report to the House sundry bills with various recommendations.

HOUSE BILLS PASSED WITHOUT AMENDMENT.

House bills of the following titles without amendment were severally ordered to be engrossed and read a third time; and being engrossed, they were accordingly read the third time, and passed:

A bill (H. R. 11578) to increase the pension of Rowland Ward;
A bill (H. R. 10289) granting a pension to Miss Emily Romine;
A bill (H. R. 9946) granting a pension to Enoch B. Vice;
A bill (H. R. 10448) granting a pension to Squire Walter;
A bill (H. R. 11177) granting a pension to Christian Sanders;
A bill (H. R. 11089) granting a pension to Elizabeth Harper;
A bill (H. R. 11617) granting a pension to Mary Thompson;
A bill (H. R. 10260) to place the name of Charles A. Stockman, of Dundee, Mich., on the pension-roll;
A bill (H. R. 12039) granting a pension to Thirza S. Jenner;
A bill (H. R. 11459) granting a pension to Erasmus W. Jones;
A bill (H. R. 11052) granting a pension to Clara M. Owen;
A bill (H. R. 10523) granting a pension to Mrs. Maria C. McPherson;
A bill (H. R. 4591) granting a pension to Maria Beiser;
A bill (H. R. 4763) to grant a pension to Joseph Van Arsdel;
A bill (H. R. 6532) to pension Thomas Davey;
A bill (H. R. 6755) granting a pension to Mary Jane Harris; and
A bill (H. R. 11711) granting a pension to Nona J. Tillery, minor child of Wyatte L. Tillery.

HOUSE BILLS PASSED WITH AMENDMENTS.

Amendments reported to House bills of the following titles were severally agreed to, and the bills as amended were ordered to be engrossed and read a third time; and being engrossed, they were accordingly read the third time, and passed:

A bill (H. R. 11629) granting a pension to Elizabeth Clover;
A bill (H. R. 11316) granting a pension to Charlotte Ayres;
A bill (H. R. 7633) granting a pension to Capt. Michael Piggott;
A bill (H. R. 7858) granting a pension to Jennie Harris;
A bill (H. R. 765) granting a pension to Annie May Pifer; and
A bill (H. R. 10025) for the relief of James T. Teeple.

REMOVAL OF POLITICAL DISABILITIES.

The bill (H. R. 11751) to remove the political disabilities of Henry B. Davidson, reported favorably, was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed, two-thirds voting in favor thereof.

SENATE BILLS PASSED WITHOUT AMENDMENT.

Senate bills of the following titles, reported favorably, were severally ordered to a third reading, read the third time, and passed:

A bill (S. 2981) granting a pension to Walter N. Smith;
A bill (S. 2333) granting a pension to George W. Fogle;
A bill (S. 3221) granting a pension to Isaac N. Hawkins;
A bill (S. 2646) granting a pension to Danville A. Ricker;
A bill (S. 2705) granting a pension to Ellen Smith;
A bill (S. 2595) to increase the pension of Seth F. Myers;
A bill (S. 3422) granting a pension to Kate C. Van Arnum;
A bill (S. 3264) granting a pension to Mrs. Ellen Hand; and
A bill (S. 3016) for the relief of Sarah R. Fisher.

SENATE BILLS PASSED WITH AMENDMENTS.

Amendments reported to Senate bills of the following titles were severally agreed to; and the bills as amended were ordered to a third reading, read the third time, and passed:

A bill (S. 3116) granting an increase of pension to Thomas Wynne;
A bill (S. 3112) granting an increase of pension to William H. Marston;
A bill (S. 332) granting a pension to Harrison Wagner; and
A bill (S. 2765) granting a pension to Adaline A. Smyth.

BILLS POSTPONED TILL FRIDAY NEXT.

In accordance with the recommendation of the Committee of the Whole, bills of the following titles were postponed till Friday next, immediately after the reading of the Journal, the previous question considered as ordered on their passage, thirty minutes to be allowed for debate:

A bill (S. 2091) granting a pension to Frances H. Plummer; and
A bill (S. 3325) granting an increase of pension to Julia M. Edie.

Mr. MORRILL moved to reconsider the several votes just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MRS. PHILENA T. CARPENTER.

Mr. DUNHAM. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole House from the further consideration of the bill (S. 3042) granting a pension to Mrs. Philena T. Carpenter, and put it upon its passage.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Philena T. Carpenter, of Englewood, Ill., who was a volunteer nurse during the war of the rebellion, and pay her a pension at the rate of $12 per month.

The report (by Mr. MORRILL) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 3042) granting a pension to Philena T. Carpenter, submit the following report:

The report of the Senate committee is herewith adopted and the passage of the bill recommended.

[Senate Report No. 2313, Fiftieth Congress, first session.]

Claimant was a hospital nurse in the service of the United States Army during the war of the rebellion. She now asks to be pensioned at $25 per month, and furnishes the following testimony in support of her claim:

Claimant states that upon solicitation of representatives of the sanitary commission she went to Mound City, Ill., to help care for the wounded soldiers after the battle of Pittsburgh Landing; while there she was compelled to work night and day during a part of the time; they were surrounded by water for three weeks and deprived of every comfort of life; were compelled to sleep in rough-boarded quarters, through which the rain and wind could play at will. After her service at Mound City she was sent to Cairo, Ill., in Dr. Gray's regimental hospital, and thence to Jackson, Tenn.; in both places she found the duties hard and trying to her strength. She was not compensated for her services, as the ladies of the sanitary commission failed to have her sworn in, and her name was not, in consequence, placed upon the pay-roll.

In affidavit filed June 28, 1887, Dr. William M. Gray, of Allegheny, Pa., certifies that he was surgeon in charge of the general hospital at Mound City, Ill., where twenty or thirty women were brought to him as nurses, among whom was Mrs. Philena Carpenter, whom he did not know personally, but who was prominently brought to his attention upon being transferred to the hospital at Cairo, where he was surgeon in charge of the hospital of the Sixtyt-third Illinois Infantry; that she was faithful and efficient, and could be trusted with all kinds of cases, being much superior to many of the other nurses.

Dr. Lyman Hall, assistant surgeon of the Sixty-third Regiment Illinois Volunteer Infantry, testifies substantially as above.

During the reading of the report,

Mr. GALLINGER said: As there are numerous precedents for this class of pensions, I ask unanimous consent to dispense with the further reading of the report.

Mr. KILGORE. Oh, no; there may be no objection to the bill, but we should have these reports read.

The Clerk resumed and concluded the reading of the report as above.

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. DUNHAM moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. DUNHAM. Now, Mr. Speaker, I desire to say that as I am next on the alphabetical list for next Friday night, I will waive my right.

Several MEMBERS. That is right.

WILLIAM BARNES.

Mr. McCREARY. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole from the further consideration of the bill (H. R. 11999) granting a pension to William Barnes, and put it upon its passage.

Mr. ERMENTROUT. I desire to make a statement before that bill is taken up. I will be the next member called. I have been present here to night and had hoped to reach it. I can not be here next Friday night.

Mr. McCREARY. I can not be here myself on next Friday night, but if the gentleman desires me to withdraw in his favor I will do so.

The SPEAKER *pro tempore* (Mr. DOCKERY). The Chair would like to recognize both gentlemen. The gentleman from Kentucky can send up his bill and have it read, and the Chair will endeavor to recognize the gentleman from Pennsylvania also.

Mr. ERMENTROUT. All right.

The bill called up by Mr. McCREARY was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the limitations and

provisions of the pension laws, the name of William Barnes, Company D, Third Kentucky Cavalry.

There being no objection, the reading of the report was dispensed with.

The bill was considered and ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. McCREARY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

JAMES MILLER.

Mr. ERMENTROUT. I ask unanimous consent to extend the time for five minutes——

Mr. KILGORE. Oh, no. I am willing that the time shall be extended to finish the gentleman's bill, but no longer.

Mr. ERMENTROUT. Very well. Then I ask unanimous consent to discharge the Committee of the Whole House from the further consideration of the bill (H. R. 538) granting a pension to James Miller, and put it upon its passage.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension law, the name of James Miller, of the city of Reading, Pa., late a private in Company B, of the Two hundred and fifth Regiment of Pennsylvania Volunteers.

Mr. CHEADLE. I ask unanimous consent that the reading of the report in that case be dispensed with and that it be printed in the RECORD.

There was no objection.

The report (by Mr. LYNCH) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 538) granting a pension to James Miller, submit the following report:

Soldier enlisted August 18, 1864, as a private in Company B, Two hundred and fifth Pennsylvania Volunteers, and was discharged June 2, 1865. His claim for a pension was based on rheumatism of the heart, and rejected, as it is claimed there is no medical evidence of the alleged disability and no record of its existence in the service nor until a couple of years after the discharge of claimant.

The testimony on file proves clearly that for several years before the war claimant was a strong, healthy man. He was never known to complain or suffer from pains or sickness; that this state of health and vigor continued until, in camp at Petersburgh, claimant complained of pains in the bones and rheumatism; that these pains continued, but claimant refused to go to hospital, because he said he did not want to be called a hospital bum. Soldier's comrades testify that before the exposure to bad weather without fire (which was prohibited) at Petersburgh claimant was free from pains and did not complain, but that from that time he was a sufferer. His neighbors at home, since the war, testify that claimant has suffered severely and continuously most of the time.

It would seem, from a careful examination of all the papers on file, that soldier should have based his claim for a pension on other grounds than rheumatism of the heart—perhaps malaria. Be that as it may, it is evident that while on duty in service at Petersburgh, Va., this soldier who up to that time had been a perfectly healthy, sound man, was taken with severe pains in the back, chest, and legs, which at intervals have continued to date. Upon these main facts all of the witnesses agree.

Although there is at present no great disability from rheumatism, as would appear from the medical examination, yet there can be no doubt that claimant did suffer from rheumatism while in service, and rheumatism being accepted as a potent factor of disease of the heart, which does now exist, it, together with the malarial poisoning from which he suffered during service, as shown by the record, can reasonably be accepted as the cause of his present troubles.

Your committee therefore report favorably on the accompanying bill, and ask that it do pass.

There being no objection, the bill was considered and ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. ERMENTROUT moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MRS. FANNIE A. BOYD.

Mr. ANDERSON, of Illinois. Mr. Speaker, I desire to have the same order made in reference to the bill (H. R. 9963) to increase the pension of Mrs. Fannie A. Boyd, widow of Capt. O. B. Boyd, as was made in the other two cases to-night. This is the bill I called up in committee.

The SPEAKER *pro tempore*. The Chair is informed that this bill is on the special-order list. The Clerk will read the order heretofore made in regard to that bill.

The Clerk read as follows:

Postponed to July 12, at 8 o'clock p. m.; thirty minutes' debate.

Mr. ANDERSON, of Illinois. Then I ask unanimous consent that the third reading of that bill be dispensed with, and that it be now passed.

The SPEAKER *pro tempore*. Without objection that order will be made.

There was no objection, and it was so ordered.

MARY THORN.

Mr. JACKSON. Mr. Speaker, I ask unanimous consent to call up the bill (H. R. 2861) granting a pension to Mary Thorn, and put it upon its passage.

Mr. KILGORE. The hour of 10 o'clock has arrived.

Mr. JACKSON. I hope the gentleman will not object in this case. I have not been able to secure the passage of any of these bills.

Mr. KILGORE. You have had plenty of opportunities to get bills through.

Mr. JACKSON. No. Owing to circumstances beyond my control I have not had opportunities.

Mr. KILGORE. All right. Let the bill be read.

Mr. JACKSON. I ask unanimous consent to extend the time for five minutes.

Mr. GALLINGER. I object to that.

Mr. JACKSON. Then I ask unanimous consent to dispense with the reading of the bill. This is a meritorious case.

Mr. GALLINGER. But the hour has arrived for adjournment under the order of the House.

Mr. JACKSON. Let this bill be read. It will take but a moment or two.

Mr. HUNTER. No objection. Let it go through.

The SPEAKER *pro tempore*. Without objection the bill will be reported.

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Mary Thorn, dependent mother of James S. Thorn, deceased, late acting hospital steward in charge of Union soldiers wounded at battle of Shiloh and taken to Marine Hospital, Allegheny City, Pa., subject to the provisions and limitations of the pension laws relating to dependent mothers of deceased enlisted volunteer soldiers of the late war.

The committee recommend the adoption of the following amendment:

Strike out line 6 and all after that, and insert in lieu of it the following:

"Late acting assistant surgeon of volunteers, subject to the provisions and limitations of the pension laws, and grant her a pension at the rate of $17 per month."

Mr. JACKSON. I ask unanimous consent to dispense with the third reading of the bill and put the bill upon its passage.

There was no objection.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. JACKSON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

And then, on motion of Mr. GALLINGER (at 10 o'clock and 4 minutes p. m.), the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. ATKINSON (by request): A bill (H. R. 12281) granting an increase of pension to Mrs. Mary McIntosh—to the Committee on Invalid Pensions.

By Mr. BOUTELLE: A bill (H. R. 12282) granting a pension to Nancy B. Brown—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 12283) providing for the payment of arrears of pension to Sarah J. Martin, of Paris, Ill.—to the Committee on Invalid Pensions.

By Mr. DORSEY: A bill (H. R. 12284) granting a pension to Andrew J. Hodge—to the Committee on Invalid Pensions.

By Mr. HOLMAN: A bill (H. R. 12285) granting a pension to Anna C. Linenweber—to the Committee on Invalid Pensions.

By Mr. NEAL: A bill (H. R. 12286) granting a pension to Lewis Morrow—to the Committee on Invalid Pensions.

By Mr. HENRY SMITH: A bill (H. R. 12287) granting a pension to William Wheeland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12288) for the relief of William H. Cayce—to the Committee on the Public Lands.

By Mr. SPOONER: A bill (H. R. 12289) granting a pension to Michael O'Neill—to the Committee on Invalid Pensions.

By Mr. W. L. WILSON: A bill (H. R. 12290) for the relief of Benjamin P. Moore—to the Committee on Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. ATKINSON: Petition of 200 citizens of Pennsylvania, for a distribution of the CONGRESSIONAL RECORD to the school districts of the country—to the Committee on Printing.

By Mr. CHIPMAN: Petition of John McFarlane and other citizens of Detroit, Mich., relative to traffic on railroads—to the Committee on Commerce.

By Mr. CONGER: Petition of American Nurserymen, for the restoration of 30 per cent. duty on fruit trees, plants, etc.—to the Committee on Ways and Means.

By Mr. COX: Resolution of the common council of the city of New

York as to the pressing importance of the improvement of the Harlem River and Spuyten Duyvil Creek, etc.—to the Committee on Rivers and Harbors.

By Mr. FINLEY: Petition of L. J. Newton and other citizens of Carey County, Kentucky, asking an appropriation to build certain bridges across Green River—to the Committee on Commerce.

By Mr. HAYES: Two petitions of citizens of Datoka for admission, but protesting against the Sioux Falls constitution—to the Committee on the Territories.

By Mr. LEE (by request): Petition of Jane F. White, and of the heirs of Walker Vaughn, of Culpeper County, Virginia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. McCOMAS: Petition of Henry Miller, executor, for reference of his claim to the Court of Claims, and of Henry A. Poffenberger, of Washington County, Maryland, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. PARKER: Petition of the New York Dairymen's Association, and of C. S. Griggs and others, in favor of branding skim cheese—to the Committee on Agriculture.

By Mr. REED: Petition of farmers of North Berwick, Me., for protection to agriculture—to the Committee on Agriculture.

By Mr. SPOONER (by request): Petition of Sarah J. Martin, widow of Samuel Martin, Company H, Sixty-fourth Illinois Volunteers, for arrears of pension—to the Committee on Invalid Pensions.

By Mr. STAHLNECKER: Resolution of the Common Council of New York City, urging the necessity of large appropriation for the improvement of Harlem River and Spuyten Duyvil Creek—to the Committee on Rivers and Harbors.

By Mr. STEELE: Petition and letters of citizens of Washington Territory, asking that a pension be granted to Mary Ellen Fitzgerald—to the Committee on Invalid Pensions.

The following petitions against the passage of the international copyright bill were received and severally referred to the Committee on Patents:

By Mr. DORSEY: Of citizens of Nebraska.

By Mr. HOWARD: Of citizens of New Albany and Jeffersonville, Ind.

By Mr. RICE: Of 3 publishers of Delano, Minn.

SENATE.

SATURDAY, *January* 19, 1889.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

CREDENTIALS.

Mr. DAWES presented the credentials of GEORGE FRISBIE HOAR, chosen by the Legislature of Massachusetts a Senator from that State for the term of six years commencing on the 4th of March, 1889; which were read, and ordered to be filed.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a communication signed by the presiding officers of the senate and house of representatives of the Legislature of the State of Delaware, which will be read.

The Chief Clerk read as follows:

STATE OF DELAWARE, *ss:*

Be it known that the Legislature of the State of Delaware did, on the 16th day of January, in the year of our Lord 1889, at an election in due manner held, according to the form of the act of Congress in such case made and provided, elect Anthony Higgins to be a Senator from said State in the Senate of the United States for the constitutional term to commence on the 4th day of March next.

Given under our hands the 16th day of January, A. D. 1889.

BENAIAH L. LEWIS,
Speaker of the Senate.

Attest:
ABRAM VANDEGRIFT,
Clerk of the Senate.

JOHN H. HOFFECKER,
Speaker of the House of Representatives.

WILLIAM A. GREEN,
Clerk of the House of Representatives.

Mr. EDMUNDS. The chairman of the Committee on Privileges and Elections is not present. I move to refer that communication to that committee. It is evidently not in conformity with the requirements of the laws of the United States. They had better consider it.

The PRESIDENT *pro tempore*. The communication will be referred to the Committee on Privileges and Elections and printed.

DUTIES ON SUGAR.

The PRESIDENT *pro tempore* laid before the Senate the following communication from the Secretary of the Treasury; which was read:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., January 18, 1889.

SIR: As directed by Senate resolution dated the 8th instant, I have the honor to transmit herewith a copy of the manuscript report of frauds in sugar at New York and Philadelphia, dated November 1, 1887, which was submitted by special employé F. Aubrey Byrne, of this Department. This report is the same as that referred to in the resolution of the Senate dated March 1, 1888, and its copying has progressed as rapidly as the current work of the office having charge thereof would permit. The report was accompanied by numerous exhibits, which fill a box 2⅛ by 1⅞ by 1⅛ feet. It has not been practicable to copy these exhibits owing to the demands made upon the time of the clerks by the regular business of the Department. To furnish such copies will require the services of a competent clerk at least twelve months. I will, if desired, have copies made of said exhibits for the use of the Senate, but if required at an earlier period than that stated, it is respectfully suggested that provision be made for the necessary additional clerical force.

Respectfully, yours,

C. S. FAIRCHILD, *Secretary.*

Hon. JOHN J. INGALLS,
President pro tempore United States Senate.

The PRESIDENT *pro tempore*. The resolution to which this is the reply was offered by the Senator from Massachusetts [Mr. HOAR], and the communication, with the accompanying papers, will lie on the table until he comes in, if there be no objection.

Mr. HALE. What is it that accompanies the letter?

The PRESIDENT *pro tempore*. The papers are contained in the package now lying on the Secretary's desk.

Mr. HALE. That is the manuscript report, but not the copy of the testimony upon which the report is based, as I understand.

The PRESIDENT *pro tempore*. The Chair has not examined the accompanying papers. The Secretary will read the part of the communication that refers to the papers and accompanying exhibits.

The Chief Clerk read the portion of the communication referred to.

ALASKA SEAL AND FUR COMPANY.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting a report from the governor of Alaska relating to certain operations of the Alaska Seal and Fur Company, submitted by him in pursuance of section 5 of the act of May 17, 1884; which, with the accompanying papers, was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a joint resolution of the Legislative Assembly of the Territory of Dakota, favoring the division of that Territory and the admission of each portion into the Union as a separate State; which was referred to the Committee on Territories, and ordered to be printed.

He also presented resolutions adopted by the Denver (Colo.) Chamber of Commerce, favoring an appropriation for the construction of a deep-water harbor on the coast of the Gulf of Mexico, in Texas; which was referred to the Committee on Commerce.

He also presented the petition of Miss Frances E. Willard and the other officers of the National Woman's Christian Temperance Union, representing 150,000 members, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented the petition of J. M. Dalzell, late a private in the One hundred and sixteenth Ohio Infantry, praying to be reimbursed for commutation of rations alleged to be due him; which was referred to the Committee on Military Affairs.

Mr. TELLER. I have a petition from the Denver (Colo.) Chamber of Commerce like unto the one just presented by the President of the Senate, but I do not think it worth while to present it, inasmuch as one has already been presented.

Mr. HARRIS presented a petition of 572 citizens of Tennessee, praying for the enactment of a Sunday-rest law; which was referred to the Committee on Education and Labor.

Mr. DANIEL presented a petition of 1,222 citizens of Virginia, praying for the enactment of a Sunday-rest law; which was referred to the Committee on Education and Labor.

Mr. BLACKBURN presented a petition of the Southern Methodist Church of Hardin, Ky., and a petition of the citizens of Louisville, Ky., praying for the enactment of a Sunday-rest law; which were referred to the Committee on Education and Labor.

Mr. PALMER presented the petition of Catharine Fish Stebbins, praying the removal of her political disabilities; which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. CHACE, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 11785) to authorize the commissioners of the District of Columbia to permit the temporary occupation and crossing of certain streets in the city of Washington and District of Columbia by the tracks of the Baltimore and Ohio Railroad Company, to meet the demands of increased travel incident to the inaugural ceremonies on the 4th of March, 1889, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 3709) to authorize the commissioners of the District of Columbia to permit the temporary occupation and crossing of certain streets of the city of Washington and District of Columbia by the tracks of the Baltimore and Ohio Railroad Company, to meet the demands of increased travel incident to the inaugural ceremonies of March 4, 1889, reported adversely thereon, and the bill was postponed indefinitely.

BILLS INTRODUCED.

Mr. BROWN introduced a bill (S. 3845) to provide for the establishment of a light-house near the entrance to St. Catharine's Sound, State of Georgia; which was read twice by its title.

Mr. BROWN. I desire to have read and referred with the bill a

communication from R. D. Evans, commander United States Navy, naval secretary.

The PRESIDENT *pro tempore*. It will be read and referred with the accompanying papers, if there be no objection, to the Committee on Commerce.

The Chief Clerk read as follows:

TREASURY DEPARTMENT, OFFICE OF THE LIGHT-HOUSE BOARD,
Washington, January 18, 1889.

SIR: In the board's estimates for the next fiscal year is the following item for important work in your State:

St. Catherine's Sound light-station, Georgia, $20,000. (See Book of Estimates, page 158.)

This has been omitted from the sundry civil bill, and it is understood that the House Committee on Appropriations intend to exclude all items not recommended by the Committee on Commerce. A special bill should therefore be introduced for this work, and a copy of a bill suitable for the purpose is herewith inclosed. The board is prepared to furnish information as to its importance and necessity.

Respectfully, yours,

R. D. EVANS,
Commander United States Navy, Naval Secretary.

Hon. J. E. BROWN,
United States Senate, Washington, D. C.

Mr. BROWN. I ask that the communication be referred with the bill to the Committee on Appropriations.

The motion was agreed to.

Mr. VANCE introduced a bill (S. 3846) providing for the erection of certain light-house structures and fog-signals on the coast of North Carolina; which was read twice by its title, and, with the accompanying letter from the Light-House Board, referred to the Committee on Commerce.

Mr. GEORGE introduced a bill (S. 3847) providing for the establishment of certain lights upon the coast of Mississippi; which was read twice by its title.

Mr. GEORGE. I also present with the bill a letter from the secretary of the Light-House Board, setting forth the necessity of the light-house, and I move that the letter and bill be referred to the Committee on Commerce.

The motion was agreed to.

Mr. HALE introduced a bill (S. 3848) providing for the erection of certain light-house structures and fog-signals on the coast of Maine, and the construction of a new steam-tender for service on that coast; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HAMPTON introduced a bill (S. 3849) providing for certain beacons upon the coast of South Carolina; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HARRIS (by request) introduced a bill (S. 3850) to extend the streets and avenues of the city of Washington, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. DANIEL introduced a bill (S. 3851) providing for certain works connected with the Light-House Establishment in the State of Virginia; which was read twice by its title, and referred to the Committee on Commerce.

Mr. BUTLER introduced a bill (S. 3852) providing for certain beacons upon the coast of South Carolina; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. CALL introduced a bill (S. 3853) providing for the establishment of certain lights upon the coast of Florida; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. MITCHELL introduced a bill (S. 3854) conferring certain powers on the Legislative Assembly of Washington Territory; which was read twice by its title, and referred to the Committee on Territories.

Mr. BLAIR introduced a bill (S. 3855) for the construction of four semi-submerging torpedo-boats with armored protected deflective decks; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. PALMER introduced a bill (S. 3856) granting a pension to Lydia L. Owen; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SAWYER introduced a bill (S. 3857) granting a pension to Mrs. Lydia E. Quaw; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENT TO A BILL.

Mr. DANIEL submitted an amendment intended to be proposed by him to the bill (H. R. 2952) for the allowance of certain claims for stores and supplies taken and used by the United States Army, as reported by the Court of Claims under the provisions of the act of March 3, 1883, known as the Bowman act; which was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 538) granting a pension to James Miller;
A bill (H. R. 765) granting a pension to Annie May Pifer;
A bill (H. R. 2861) granting a pension to Mary Thorn;
A bill (H. R. 4591) granting a pension to Maria Beiser;
A bill (H. R. 4763) to grant a pension to Joseph Van Arsdel;
A bill (H. R. 6532) to pension Thomas Davey;
A bill (H. R. 6755) granting a pension to Mary Jane Harris;
A bill (H. R. 7633) granting a pension to Capt. Michael Piggott;
A bill (H. R. 7858) granting a pension to Jennie Harris;
A bill (H. R. 9946) granting a pension to Enoch B. Vice;
A bill (H. R. 10025) for the relief of James T. Teeple;
A bill (H. R. 10260) to place the name of Charles A. Stockman, of Dundee, Mich., on the pension-roll;
A bill (H. R. 10289) granting a pension to Miss Emily Romine;
A bill (H. R. 10448) granting a pension to Squire Walter;
A bill (H. R. 10523) granting a pension to Mrs. Maria C. McPherson;
A bill (H. R. 11052) granting a pension to Clara M. Owen;
A bill (H. R. 11089) granting a pension to Elizabeth Harper;
A bill (H. R. 11177) granting a pension to Christian Sanders;
A bill (H. R. 11316) granting a pension to Charlotte Ayers;
A bill (H. R. 11459) granting a pension to Erasmus W. Jones;
A bill (H. R. 11578) to increase the pension of Rowland Ward;
A bill (H. R. 11617) granting a pension to Mary Thompson;
A bill (H. R. 11629) granting a pension to Elizabeth Clover;
A bill (H. R. 11711) granting a pension to Nona J. Tillery, minor child of Wyatte L. Tillery;
A bill (H. R. 11751) to remove the political disabilities of Henry B. Davidson;
A bill (H. R. 11757) granting a pension to Rebecca H. Lyon;
A bill (H. R. 11999) granting a pension to William Barnes; and
A bill (H. R. 12039) granting a pension to Thirza S. Jenner.

The message also announced that the House had passed the following bills:

A bill (S. 2333) granting a pension to George W. Fogle;
A bill (S. 2595) to increase the pension of Seth F. Myers;
A bill (S. 2646) granting a pension to Danville A. Ricker;
A bill (S. 2705) granting a pension to Ellen Smith;
A bill (S. 2981) granting a pension to Walter N. Smith;
A bill (S. 3016) for the relief of Sarah R. Fisher;
A bill (S. 3042) granting a pension to Mrs. Philena T. Carpenter;
A bill (S. 3221) granting a pension to Isaac N. Hawkins;
A bill (S. 3264) granting a pension to Mrs. Ellen Hand;
A bill (S. 3422) granting a pension to Kate C. Van Arnum; and
A bill (S. 3733) to abolish circuit-court powers of certain district courts of the United States and to provide for writs of error in capital cases, and for other purposes.

The message further announced that the House had passed the bill (S. 2765) granting a pension to Adaline A. Smyth, with an amendment in which it requested the concurrence of the Senate.

THE REVENUE LAWS.

Mr. ALLISON. I move to proceed to the consideration of House bill 9051.

The PRESIDENT *pro tempore*. Is there further morning business? If there be none, that order is closed, and the Calendar under Rule VIII being in order, the Senator from Iowa moves that the Senate do now proceed to the consideration of the bill named by him.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9051) to reduce taxation and to simplify the laws in relation to the collection of the revenue.

The PRESIDENT *pro tempore*. Schedule E, which was passed over, will now be read.

The Chief Clerk read as follows:

SCHEDULE E.—SUGAR.

All sugars not above No. 13 Dutch standard in color shall pay duty on their polariscopic test as follows, namely:

217. All sugars not above No. 13 Dutch standard in color, all tank bottoms, sirups of cane juice or of beet juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75 degrees, seven-tenths of 1 cent per pound; and for every additional degree or fraction of a degree shown by the polariscopic test, two-hundredths of 1 cent per pound additional.

218. All sugars above No. 13 Dutch standard in color shall be classified by the Dutch standard of color and pay duty as follows, namely: All sugar above No. 13 and not above No. 16 Dutch standard of color, 1⅛ cents per pound.

219. All sugar above No. 16 and not above No. 20 Dutch standard of color, 1½ cents per pound.

220. All sugars above No. 20 Dutch standard of color, 2 cents per pound.

221. Molasses testing above 56 degrees, 4 cents per gallon: *Provided*, That if an export duty shall hereafter be laid upon sugar or molasses by any country from whence the same may be imported, such sugar or molasses so imported shall be subject to duty as provided by law prior to the passage of this act.

222. Sugar drainings and sugar sweepings shall be subject to duty either as molasses or sugar, as the case may be, according to polariscopic test.

223. Sugar candy and all confectionery, including chocolate confectionery, made wholly or in part of sugar valued at 12 cents or less per pound, and on sugars after being refined, when tinctured, colored, or in any way adulterated, 5 cents per pound.

224. All other confectionery, including chocolate confectionery, not specially enumerated or provided for in this act, 50 per cent. ad valorem.

225. Glucose, or grape sugar, three fourths of 1 cent per pound.

The PRESIDING OFFICER (Mr. BERRY in the chair). The reading of the sugar schedule has been completed, the Secretary informs the Chair.

Mr. ALLISON. I offered an amendment on the 16th instant in relation to cutlery, which was passed over at the request of the Senator from Missouri [Mr. VEST], which I wish to have considered.

Mr. BROWN. The Senator also passed over the question of the duty on rice.

Mr. ALLISON. We can take that up subsequently.

The PRESIDING OFFICER. The amendment of the Senator from Iowa will be read.

The CHIEF CLERK. On page 116 it is proposed to strike out paragraph 173 and insert in lieu thereof the following:

173. Pen-knives or pocket-knives of all kinds, or parts thereof, wholly or partly manufactured, valued at not more than 50 cents per dozen, 12 cents per dozen; valued at more than 50 cents per dozen and not exceeding $2 per dozen, 36 cents per dozen; valued at more than $2 per dozen, 60 cents per dozen; and in addition thereto on all the above, 50 per cent. ad valorem. Razors and razor-blades, finished or unfinished, valued at not more than $4 per dozen, $1 per dozen; valued at more than $4 per dozen, $1.25 per dozen; and in addition thereto on all the above razors and razor-blades, 30 per cent. ad valorem.

Mr. VEST. That is to some extent an improvement upon the substitute as offered by the Finance Committee, and yet it is a very large increase upon the existing law and the duties proposed by the House bill. The increase under the amendment proposed by the Finance Committee is upon those articles of cutlery and pocket-knives which are most largely consumed in the United States, and not upon the higher-priced articles of pocket-knives, but upon those used by the common people of the country, and which are articles not of luxury but of absolute necessity. I do not propose to engage any more in this discussion in any generalities or abstractions. We have had too much of that. For the balance of this debate, speaking for myself, I propose to confine myself to practical matters and to items of the bill until we have finished it, and I sincerely hope that other Senators will do the same, instead of having political dissertations on Northern and Southern outrages and general economic observations which are about as old as this Capitol.

Mr. ALLISON. I fully concur in the sentiments so well uttered by the Senator from Missouri.

Mr. VEST. I am glad to have the concurrence of my friend from Iowa, because I think we have all suffered alike.

Now, Mr. President, what is the practical operation of this amendment? I have in my hand a statement by an expert, giving the ad valorem rates under the present law, under the Senate substitute, and under this amendment which is the particular matter under discussion. I will give the foreign cost per dozen upon four-bladed knives, which is $1.22. The present duty is 50 per cent. ad valorem, and the Senate substitute increases that to 181 per cent. ad valorem.

Mr. ALDRICH. Is the Senator referring now to the bill as originally reported?

Mr. VEST. As a matter of course, I am talking about the bill and this amendment under discussion. I will repeat that in the analysis which I have in my hand I am giving the foreign cost of the different classifications of pocket cutlery, then the ad valorem duty under the proposed Senate substitute, and then the ad valorem duty under the amendment to the Senate substitute. I suppose that makes it plain.

On pen-knives, which cost abroad $1.22 a dozen, and upon which the present duty is 50 per cent. ad valorem, the Senate substitute increases the duty to 181 per cent., and the Senate amendment increases it to 80 per cent. ad valorem, an increase of 30 per cent. over the existing law. Upon knives costing $1.34 a dozen, and upon which the duty is 50 per cent. ad valorem—I speak now of four-bladed knives—the Senate substitute increases it to 175 per cent. ad valorem, and the present amendment to 77 per cent. ad valorem.

On four-bladed knives costing $1.46 per dozen, the present duty of course on all these being 50 per cent., the substitute increases it to 162 per cent. and the Senate amendment to 75 per cent. On the next classification of $1.58 cost per dozen the substitute fixes the duty at 157 per cent., the present amendment 73 per cent., and so on down. I will not weary myself and the Senate by reading all the items.

I come now to the average knife, at $2.63 per dozen, upon which the Senate substitute puts a duty of 100 per cent. ad valorem and the amendment 73 per cent. On those costing $2.92 a dozen the Senate substitute is 94 per cent. and the present amendment 70 per cent., until we get down to knives at $12 a dozen, and now mark the difference. Upon knives costing $12 a dozen the Senate substitute puts a duty of 42 per cent. ad valorem, and the amendment puts a duty of 55 per cent. ad valorem, the difference in the increase between the existing law and the amendment being only 5 per cent.

Upon knives costing $16 a dozen, upon which the present duty of course is 50 per cent., the substitute puts a duty of 36 per cent. ad valorem, and the present amendment puts a duty of 54 per cent., or an increase only of 4 per cent. over the existing law. Upon the highest-priced knives, which cost $86 a dozen, the present duty is 50 per cent., the Senate substitute puts on them a duty of only 27½ per cent. ad valorem, and the present amendment puts a duty of 51 per cent., or an increase of only 1 per cent. over the existing law.

So that upon the knife for the poor man which costs $1.22 or $1.34 or $1.46 a dozen the increase of duty is from 25 to 30 per cent. ad valorem, and upon the knife for the rich man which is an absolute article of luxury, which costs abroad $86 a dozen, the increase of duty is 1 per cent., and so on through all these schedules a manifest injustice to the poorer classes of the country being committed in every one of these items with a system and regularity and pertinacity which could not have come from accident.

Now, we will take three-blade knives, and upon those which cost abroad 48 cents a dozen, the present duty being always 50 per cent. ad valorem, the Senate substitute increases the duty from 48 per cent. to 330 per cent. The present amendment puts it at 75 per cent.

Upon knives costing 61 cents a dozen abroad the Senate substitute increases the duty to 270 per cent. and the present amendment puts it at 109 per cent.

Mr. ALDRICH. What is that?

Mr. VEST. Upon three-bladed knives costing 61 cents a dozen abroad, about 5 cents a piece. I have them here, and will come to an object-lesson in a few minutes. Upon knives costing 73 cents a dozen or about 6 cents apiece the Senate substitute increases the duty to 230 per cent. ad valorem, and the present amendment increases it to 99 per cent., or an increase of 49 per cent. over the present law.

I will put all these tables in the RECORD. I have given the lowest-priced three-blade knives which the poor people of the country use—and I come to those which cost $6 a dozen, the highest price. The duty under the substitute was 50 per cent., no increase over the existing law, and under the amendment it is 60 per cent., an increase of 10 per cent.

When we come to two-blade pocket-knives, the lowest cost abroad is 37 cents a dozen, 3 cents and a fraction apiece. The present duty always being 50 per cent., the Senate substitute increased the duty to 294 per cent. ad valorem, and the Senate amendment makes it 80 per cent.

Upon two-blade knives costing 61 cents, a little over 5 cents apiece, the foreign cost, the present duty always being 50 per cent. ad valorem, the Senate substitute made it 133 per cent., and the amendment makes it 109 per cent. Upon the highest-priced two-blade knife, which costs abroad $1.95 a dozen, the Senate substitute made it 76 per cent. ad valorem, an increase of 26 per cent., and the amendment makes it 68 per cent., or an increase of 18 per cent. over the existing law.

Now we come to the commonest and cheapest knives, used by children and by the poorest persons in the country, one-blade pocket-knives.

Mr. GEORGE. Barlow knives.

Mr. VEST. No, my friend from Mississippi is mistaken; they are not as good as Barlows. The Barlow knife is an excellent knife, the best cheap knife ever manufactured, and these knives are not at all equal to the Barlow knife. Upon knives costing 18 cents a dozen, on which the present duty is 50 per cent., the Senate substitute increased the ad valorem to 302 per cent., and the amendment puts it at 117 per cent. That is, upon a knife that costs 1½ cents apiece abroad the duty under this amendment would be 117 per cent.

Now, the highest-priced one-blade knife that is made abroad is $1 a dozen, and the duty under the substitute is 75 per cent., and under the amendment is 86 per cent.; so that on the knife costing a cent and a half the increase of duty under the amendment is from 50 to 117 per cent., while on the best quality of one-blade knife, which costs $1 a dozen, the duty is only increased from 75 to 86 per cent., which would be only 11 per cent. increase upon the knife which the man in moderate circumstances, not to call him a rich man, would ordinarily purchase.

Mr. President, here are those knives. [Exhibiting.] If any Senator feels any interest in the matter, he can examine them. Here is the commonest knife, that is made at 17 cents a dozen, the foreign cost, not quite a cent and a half a piece. The present duty is 50 per cent.; the Senate substitute makes the duty 300 per cent., and the amendment makes it 120 per cent. That is on this knife. [Exhibiting.] Here is another common knife, costing 93 cents a dozen; the present duty is 50 per cent., the Senate bill puts it at 186 per cent., and the amendment at 88 per cent. Upon the highest-priced knife, costing $21.90 a dozen abroad, the present duty is 50 per cent., the Senate bill made it 35 per cent., and the amendment puts it at 52.8 per cent. Here are all these different grades, showing what I assert to be the absolute truth, that upon the lower class of cutlery, which constitutes 60 per cent. of the importations into the United States, both the substitute and the amendment have increased the duty, whilst they have not increased it by any means in the same proportion as to the higher-priced cutlery.

Mr. ALLISON. I wish the Senator would enlarge his illustration and explanation a little by showing the price of those knives now in this country.

Mr. ALDRICH. Both at wholesale and at retail?

Mr. ALLISON. Those imported, so as to give a little indication of the profits of the importers.

Mr. VEST. I have just come into the Senate and have not arranged my papers; but in the testimony which was taken by the Senator from North Carolina [Mr. VANCE] and myself which I thought I had before me, the prices in this country are stated by the witnesses; but the point to which I call attention is that the increase of duty is put upon the knives that are used by the common people of the country and which enter most largely into consumption.

Mr. ALLISON. If the Senator would go on and explain how the amendment will increase the cost to the consumers of the country by showing what price we pay now for these knives, and who receives the profit on them, I should like to hear him do it.

Mr. VEST. There is no doubt that the cutlery interests of the United States are not in so dilapidated a condition as to require this enormous increase of duties unless you propose to exclude all foreign

competition. That will be the result of the adoption of this amendment as stated by the witnesses. It is true they are importers, but they are American citizens, and are as much entitled to an equal and just administration of the law as any other class of the American people, and they have testified with an unbroken testimony that the operation of this substitute and of the amendment will be to exclude all foreign competition. If Senators want to do that, let them avow it; let us know it distinctly and emphatically that they propose to shut out the foreign article entirely from competition in this country.

I am frank to say my idea in regard to the matter is that of President Garfield. If you impose duties let them be such as will permit an honest and healthy foreign competition, not to break down and destroy the American manufacture, but let the result of the whole inure to the benefit of the consumer, and not to put around this country a wall which excludes entirely all foreign competition. If that be the intention, the sooner we understand it the better. That is the case as to cutlery, and now let us look at razors.

Upon razors which cost abroad 72 cents a dozen, and upon which the duty is 50 per cent. ad valorem under the existing law, the Senate substitute—now I call the attention of the Senate to this matter—is 95 per cent. ad valorem, and this amendment increases it to 190 per cent. ad valorem, an increase of nearly 100 per cent. over the substitute. Upon razors costing abroad 96 cents a dozen, the duty on which under the existing law is 50 per cent. ad valorem, the Senate substitute imposed a duty of 78 per cent. ad valorem, and this amendment puts 154 per cent. And on razors costing $1.20 a dozen the Senate substitute imposed an ad valorem duty of 68 per cent., and this amendment puts it at 133 per cent. On those costing $1.44 a dozen the Senate substitute put 60 per cent. ad valorem and this amendment puts 120 per cent. On the next grade of razors, costing abroad $1.68 a dozen, the Senate substitute put a duty of 55 per cent. ad valorem, and this amendment puts 110 per cent. On those costing a little over $1.92 a dozen, on which the present duty is 50 per cent., the substitute put a duty of 48 per cent. and the amendment 96 per cent.

So on until we reach the highest-priced razors, at $12 per dozen, and on them the Senate substitute put a duty of only 29 per cent. and the amendment 60 per cent. The rich man who can pay a dollar and a half or two dollars or two dollars and a half for his razor is taxed to the extent under the Senate substitute of 29 per cent. and under the amendment of 60 per cent., but the poor man, the workingman, the darling of the Republican party, the object of their idolatrous worship, if he wants to buy a cheap razor that costs abroad 6 cents apiece, is made to pay 190 per cent. ad valorem, and that is the way we discriminate in favor of the poor people of this country as against the rich and luxurious.

If our friends propose by the imposition of these duties to hermetically seal the American market against all foreign competition, let them say so, for that is the result of this amendment, both as to razors and cutlery. There should be no disguise of that fact, because it is most unquestionably and absolutely true.

Mr. President, there is another statement made by the manufacturers to the effect that they want this duty so as to protect them against fraud. They stated in their testimony before the Finance Committee that cheap German goods such as I have produced here, these low-priced knives and razors, are manufactured in Germany and then put under the brands of American makers and retailed in the American market as being either of American manufacture or in some instances with the English brand—the Sheffield brand—and then sold as English goods. I assert that the testimony shows, which I will produce in a few moments, that the American manufacturers systematically and from year to year take foreign brands and put them upon their goods and retail them to the American consumer as English cutlery. I will produce the identical articles here and show the knives which are made in this country, put under the English brands and then retailed as made in England, when they never saw England, and never went out of the limits of the United States.

Mr. PLUMB. Is that because of the fact that the English goods are better, or because of the fact that they have that reputation, or both?

Mr. VEST. The witnesses state that it is principally because they have the reputation. There are persons who think they can not get a good pocket-knife unless it is made by Rodgers or Wostenholm.

Mr. VANCE. If the Senator from Missouri will permit me, I have the testimony here to which he refers.

Mr. VEST. I have it myself.

Mr. ALLISON. What is the Senator reading from?

Mr. VANCE. I am reading from the testimony taken before the Senator from Missouri [Mr. VEST] and myself by a delegation of the American Hardware Association.

Mr. ALLISON. I was a little curious to know. I tried to find it in our volume of testimony, but could not find it.

Mr. VANCE. It was not taken before the subcommittee of the Committee on Finance; it was taken before a self-constituted committee composed of myself and the Senator from Missouri, which we offer for the consideration of the jury for what it is worth.

Mr. HARRIS. It is, I suppose, the testimony of men experienced and expert in this particular trade.

Mr. VANCE. Yes, sir; men of high character, who were both importers and manufacturers of cutlery, whose names are given:

Senator VANCE. You do not impose them—

This was table cutlery—

on anybody as American-made knives?
Mr. SAXTON. No, sir.
Senator VANCE. You do not deny the fact that they are made in Germany?
Mr. SAXTON. Not at all,
Senator VEST. Still, the point, then, I suppose they make is that there is nothing in these brands which shows that they are made here. For instance, not being an expert, if I should look at that brand I would say it was an American knife. The brand is "H. Cromwell Criterion Cutlery." Here you have Sheffield on all your English knives. Of course, when I look at that knife [indicating] I know it was made in Sheffield, England.
Mr. SAXTON. How would you know but that that was put on in America?
Senator VEST. The question is whether it shows the make; I would not know.
Mr. KORN [exhibiting]. Here is one brand, Essex Cutlery Company. This is a New York concern in Cincinnati, and this same Mr. Rockwell who comes here makes these goods for the "Essex Cutlery Company;" and that is one of the names they complain about. On each knife you see "Sheffield, England; cutlers to Her Majesty."
Senator VEST. That is all right. Anybody would know that that is an English knife.
Mr. KORN. But it is an American knife.
Senator VEST. I know you sell them, but they are made abroad.
Mr. KORN. No, they are American made.
Mr. SAXTON. That is the poorest class of goods they make.
Senator VEST. Who makes these knives?
Mr. SAXTON. All the American manufacturers.
Senator VEST. That is a clear fraud. It has the rampant lion.
Senator VANCE. Where is this knife made?
Mr. KORN. It is made in Connecticut. Here is another knife made in Connecticut [exhibiting]. They do not put down "Cutlers to Her Majesty;" they change their label; but they put down "Sheffield Knife Company, Sheffield, England."
Senator VANCE. They would not do things of that kind in New England?
Mr. SAXTON. We never do that at all.
Senator VEST. How do you know that that company does this?
Mr. KORN. We buy them.
Senator VEST. You bought the knives from those parties?
Mr. SAXTON. Certainly.
Senator VEST. That is pretty good evidence.

These samples were exhibited to the Senator from Missouri and myself in the original packages in which they had been purchased from these Connecticut manufacturers, bearing upon the package the words, "Cutlers to Her Majesty, Sheffield, England," and so on.

Mr. PLATT. Mr. President——

Mr. BLAIR. May I ask the Senator if the witness is a party who assists in the perpetration of the fraud?

Mr. VANCE. No, sir.

Mr. BLAIR. I understood the Senator to say that the party buys these knives with the foreign stamp for the purpose of selling them again.

Mr. VANCE. The party buys them from the Connecticut manufacturers with this stamp upon them.

Mr. BLAIR. What does he purchase them for?

Mr. VANCE. He purchases them for sale.

Mr. BLAIR. Then he assists in perpetrating the fraud.

Mr. VANCE. No, sir; he buys the articles which are offered to him, but he says he does not sell them as foreign cutlery.

Mr. BLAIR. Notwithstanding the stamp.

Mr. VANCE. He repudiates that idea.

Mr. PLATT. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Connecticut?

Mr. VANCE. I am occupying the floor by the courtesy of the Senator from Missouri. If he will yield I have no objection.

The PRESIDING OFFICER. The Senator from Missouri is entitled to the floor.

Mr. PLATT. I simply desire to say about this testimony that it is not testimony taken before the committee. These same parties testified before the committee and did not make these statements. Mr. Rockwell was present when they testified before the committee, and I think they did not make these statements before the committee.

I desire to say, with regard to the statement of Mr. Korn, that Mr. Rockwell, who makes knives, as it is said, for the Essex Cutlery Company, put on them "Sheffield, England, Cutlers to Her Majesty," I understand that that is not true, and I am so informed by the best authority. I do not say that there was not a knife exhibited there which had "Sheffield, England, Cutlers to Her Majesty" upon it, but that that knife was made by Mr. Rockwell or made in Connecticut I believe is not true. It is true that on table-knives at one time, five or six years ago, for a short time, one cutlery-manufacturing establishment, at the request of dealers, put on the knives "Sheffield Knife Company, England;" but that was at least six years ago, was only done for a short period, and has been entirely discontinued.

So all of this parade is made either about a fact which does not exist, so far as Connecticut manufacturers are concerned, or out of an instance of that name having been put on table-knives at the request of dealers for a short time. It was wrong, and is wrong.

Mr. VEST. I do not know what the Senator from Connecticut means by "parade." I would hardly attach the word "parade" to the production of so ordinary an article as a penknife. We have the identical knives here, and we give the testimony for what it is worth.

Mr. PLATT. If the Senator will permit me, I did not refer to anything that has been said on the other side as a parade. I referred to this testimoney which these importers gave, as read by the Senator from North Carolina.

Mr. VEST. When I left the discussion I was alluding to the charge made by the manufacturers before the Finance Committee that the English brand or trade-mark was used for the purpose of imposing the cheap German-made pocket-knives upon the American public, or that the American trade-mark was used upon these cheap imported goods for the same purpose. This is denied; but in the testimony from which the Senator from North Carolina has read the statement is made that pocket-cutlery and table-cutlery both are made in this country and placed under the British trade-mark for the purpose of being sold to the American public, and that this is done by the American Cutlery Company, and that is the company that was most conspicuous in the testimony before the Finance Committee in making this charge of fraud against the importers.

Mr. PLATT. What company?

Mr. VEST. The American Cutlery Company.

Mr. PLATT. I know of no such company in the United States.

Mr. VANCE. The Essex Cutlery Company.

Mr. VEST. There was another called the American Cutlery Company.

Mr. ALDRICH. Is there any such thing as the Essex Cutlery Company?

Mr. PLATT. There is no American Cutlery Company and there is no Essex Cutlery Company manufacturing knives in the United States. It is a brand which has beeen adopted to deceive the public.

Mr. VANCE. The witness, Mr. Korn, testifies that it is called the Essex Cutlery Company, and that he bought goods from them with this false Sheffield mark upon those goods.

Mr. PLATT. He says "it is a New York concern in Cincinnati." I state that there is no Essex Cutlery Company manufacturing these knives in the United States to the best of my knowledge and belief, and I think I know about it; neither is there any concern called the American Cutlery Company. It is a brand which has been put upon foreign goods to deceive the American public.

Mr. VEST. That is a very important admission. I have not time to turn to the testimony that was given before the Senator from North Carolina and myself as to the names of these associations. They are American corporations; whether by one name or another does not affect the argument. We can turn to that afterwards as a matter of detail.

Mr. ALDRICH. Is it the purpose of the present argument of the Senator from Missouri to justify the use of American names by German manufacturers?

Mr. VEST. Not at all.

Mr. ALDRICH. I did not know but that it was; he was using it in the same connection.

Mr. VEST. The Senator certainly does not mean to be so offensive as to impute to me that I would stand here and defend any sort of fraud. I say that whoever does this thing and uses a false brand is guilty of fraud.

But these gentlemen, at whose solicitation these schedules have been so enormously increased, in order to depreciate the testimony of importers who are just as much American citizens as they are, went before the Finance Committee and said they were guilty of this fraud. I undertake to say if that rule works at all it ought to work both ways, and that the testimony shows, unless the men who came before the Senator from North Carolina and myself are willful and deliberate slanderers and falsifiers, that this thing is habitually done by American manufacturers; that they take the British brands, put them on their own goods, and sell articles as Wostenholm's manufacture that the factory of Wostenholm & Co. never saw.

Mr. ALDRICH. It is somewhat singular that this importers' association, some of whom may be American citizens, did not make this charge before the Finance Committee where there would have been a chance for cross-examination and where the American Cutlery Association was represented by its president.

Mr. VEST. Is there an American Cutlery Association?

Mr. ALDRICH. I think so.

Mr. VEST. The Senator from Connecticut says there is not.

Mr. PLATT, No, I did not say there was not an association of manufacturers, but I say there is no "American Cutlery Company" manufacturing knives.

Mr. VEST. I meant the "American Cutlery Association" if I did use the word "company."

Mr. PLATT. They do not manufacture knives.

Mr. ALDRICH. They do not manufacture knives at all.

Mr. VEST. The persons who dictated or solicited this increase of duty are the persons whom I have in my mind when I make these statements.

Mr. PLATT. The Senator from Missouri certainly does not wish to make any statements which are not correct.

Mr. VEST. Not if I know it.

Mr. PLATT. There is no "American Cutlery Company" manufacturing knives in the United States; there is no "Essex Cutlery Company" manufacturing knives in the United States, and this association of manufacturers does not manufacture by itself; it is one of the associations which is common in business. It is not a trust or anything of the sort, but it is an association of manufacturers.

Mr. VEST. Here is the name that is given in the testimony:

Senator VANCE. Who did that?

Mr. KORN. This American Association.

Senator VEST. Where is that factory?

Mr. SAXTON. At Bridgeport, Conn. It is closed up now. They have destroyed it.

It is the American Association.

Mr. PLATT. That is a manufactory which some importers, Messrs. Wiebusch & Co., undertook to establish in the United States in competition with American manufacturers and found that they could not carry it on.

Mr. VANCE. If the Senator from Missouri will permit me, in the statement which was taken before the committee, and therefore must be valid, this same gentleman, Mr. Rockwell, stated that foreigners—

the Germans especially, have been despicable enough to place American names upon their wares, which of itself is ample evidence that American manufacturers, however slender their profits, have carefully guarded American names and reputation for good quality.

That is the same gentleman who is interested in this Essex Cutlery Association, who sold his goods under the name of "Sheffield, England, cutlers to Her Majesty."

Mr. PLATT. I do not know how many times it is necessary for me to say that that is not true. Whatever Mr. Korn may have testified to, I think I can state with absolute certainty that the gentleman referred to has never been guilty of any such practice.

Mr. VANCE. Which statement does the Senator say is not true—the one that I read now, or the one I read from the testimony before the Senator from Missouri and myself?

Mr. PLATT. The statement that the gentleman, Mr. Rockwell, to whom the Senator refers, has put that brand upon any American-made knives, or is interested in the Essex Cutlery Company.

Mr. VANCE. He asserts here that the Germans especially have been guilty of this meanness, and Mr. Korn testified that the Essex Cutlery Association, or company, with which Mr. Rockwell was connected, did the very same thing, and he exhibited original packages with the printed brands, as I have repeated again and again, upon those packages, and said that he bought those goods from the Essex Cutlery Association, or company. It may be untrue. I can not tell anything about that.

Mr. PLATT. It is scarcely worth while to be contending over a matter of evidence. I wish to state once more that Mr. Korn says this Essex Cutlery Company is a cutlery concern which does business in Cincinnati. That does not connect it very closely with Connecticut. I say there is no Essex Cutlery Company manufacturing goods in the United States.

This is one of the brands which have been put upon German knives. Now let me read a few of them, premising that none of these are actual companies—not one of them that I am going to read—but they come very near in name to representing actual companies.

Mr. JONES, of Arkansas. I should like to ask the Senator a question for information.

Mr. PLATT. Let me read a specimen of these names that are put on German knives.

The PRESIDING OFFICER. The Senator from Missouri is entitled to the floor. Does he yield?

Mr. VEST. I prefer that the Senator from Connecticut would take up the debate regularly.

Mr. PLATT. Let me read these names.

The PRESIDING OFFICER. The Senator from Missouri declines to yield.

Mr. VEST. Of course I will yield to the Senator if he is absolutely anxious about it.

Mr. PLATT. I think it perhaps well to put in these names at this period of the discussion.

Mr. VEST. I was about to state what I believe to be the facts in regard to the matter of brands, and then the Senator can reply to it.

The PRESIDING OFFICER. Does the Senator from Missouri yield?

Mr. VEST. Let the Senator go on if he insists on it.

Mr. PLATT. The Senator yields. There are placed upon knives made in Germany these brands: "New England Cutlery Company," "Bay State Cutlery Company," "Granite State Company"——

Mr. ALLISON. Where are they located?

Mr. PLATT. There are no such companies. "Pennsylvania Cutlery Company," "Western Cutlery Company," "Chicago Knife Company," "Maine Knife Company," "Ames Cutlery Company," "Fulton Cutlery Works," "Manhattan Cutlery Company," "Knickerbocker Cutlery Company," "St. Lawrence Cutlery Company," "National Cutlery Company," "Derby Cutlery Company," "Chatham Cutlery Company," New York Cutlery Company," "Essex Cutlery Company," "Windsor Cutlery Company," "Mt. Vernon Cutlery Company," and Southfield Cutlery Company." Those are only specimens of more than three hundred brands of the same character which are put upon German knives to sell them in this market. The "Essex Cutlery Company" and "American Cutlery Company" are simply companies which do not exist, nor do any of these supposed cutlery companies exist; and the brands are not put on by American manufacturers either.

Mr. VEST. Mr. President, I did not expect this schedule to come up, and therefore I am not able to present consecutively what I had to say, but I will try to get the facts out before I am through. In the testimony that was taken before the Senator from North Carolina and myself, the Senator from North Carolina said to the witness, Mr. Saxton, who represents the firm of Alfred Field & Co.:

Senator VANCE. It is stated here that the bulk of the cheap German knives are sold here as American knives.

Mr. SAXTON. That is not true.

Senator VANCE. I thought perhaps if there was no brand upon it, that was the reason. Is American cutlery esteemed to be any better than foreign cutlery?

Mr. KORN. I believe the average of foreign cutlery is the best.

Senator VANCE. What reason would men have for passing off these foreign knives as American knives?

Mr. KORN. They like to have some well-sounding names, because they are easier to remember, easier to talk to the people of than anything foreign which they can not speak. For instance, there was in New York the concern of Friedmann & Lauterjung, importers. They made as high a grade of cutlery as anybody did, but nobody ever could pronounce their name; no American could call it. Persons do not like to have such a name on their goods. When an American merchant wants to buy goods made on a special brand, he likes to have a name that he and his traveling man can pronounce, and not something he can not pronounce; for it is a great deal easier to put down a name with with which everybody is familiar—that everybody can speak. But American goods have been made as poorly in this country as they ever have been made in England or Germany. There have been just as poor goods made in America. Really, there have been very few good goods made in America so far as cutlery is concerned.

Mr. SAXTON. The system of special branding goods has grown up in the last fifteen years. It has come about from the fact that competition has been growing keener and keener among jobbers all the time. If a man had the same brand of knife, the same pattern in the same city, it would cut his profits to pieces; but if he has the same knife under different brands, then he can maintain his profits. That is the reason why there have been so many special brands of cutlery. We merchants, who stand between the jobber and the manufacturer, very much prefer to have our own brands, and to get our reputation on our brands, because we can not possibly put on the brands of the makers.

If an order comes in for $10,000 worth of pocket-knives we probably buy them from fifty or sixty or seventy different manufacturers, and it would be impossible to get every man's name on them. We mix them all up, and do not know where they are. We take half a dozen manufactures of a certain lot and put that up of one quality, and another batch of another quality, and so on. We grade the goods into qualities and strike brands for each grade. Here is our own brand [exhibiting]. On the best grade of goods we put our own name. We get them made. Probably the knives that come under that brand are from fifteen or twenty different manufacturers, but we grade them that way and brand them.

On the next grade we put on that brand [exhibiting], Continental Cutlery Company, the Continental brand. On the next grade we put Alexander, Fraser & Co., simply a fictitious name that distinguishes a certain quality of goods. Then we have our German goods. Here [exhibiting] is H. Cromwell Criterion Cutlery. That is part of the name of one of our partners. H. Cromwell Field is his name. The next grade is the Brandford Cutlery Company. What these people complain about is that they are sold as American goods. They are not sold as American goods.

Senator VANCE. It is your own classification for your own convenience.

Mr. SAXTON. That is all; it is for our own convenience; and that is the case with jobbers all over the country.

Senator VANCE. You do not impose them on anybody as American-made knives?

Mr. SAXTON. No, sir.

Senator VANCE. You do not deny the fact that they are made in Germany?

Mr. SAXTON. Not at all.

Senator VEST. Still, the point, then, I suppose they make is that there is nothing in these brands which show that they are made here. For instance, not being an expert, if I should look at that brand I would say it was an American knife. The brand is "H. Cromwell Criterion Cutlery." Here you have Sheffield on all your English knives. Of course when I look at that knife [indicating] I know it was made in Sheffield, England.

I have those knives here.

Mr. SAXTON. How would you know but that that was put on in America?

Senator VEST. The question is whether it shows the make; I would not know.

Mr. KORN (exhibiting). Here is one brand, Essex Cutlery Company. This is a New York concern in Cincinnati, and this same Mr. Rockwell who comes here makes these goods for the "Essex Cutlery Company;" and that is one of the names they complain about. On each knife you see "Sheffield, England; cutlers to Her Majesty."

Senator VEST. That is all right. Anybody would know that that is an English knife.

Mr. KORN. But it is an American knife.

Senator VEST. I know you sell them, but they are made abroad.

Mr. KORN. No, they are American-made.

Mr. SAXTON. That is the poorest class of goods they make.

Senator VEST. Who makes these knives?

Mr. SAXTON. All the American manufacturers.

Senator VEST. That is a clear fraud. It has the rampant lion.

Senator VANCE. Where is this knife made?

Mr. KORN. It is made in Connecticut. Here is another knife made in Connecticut [exhibiting]. They do not put down "Cutlers to Her Majesty;" they change their label; but they put down "Sheffield Knife Company, Sheffield, England."

Here is a box of these knives, which were made in Connecticut. They are branded "George Wostenholm & Sons' Celebrated I. X. L. Cutlery, Warranted." The witness goes on and states that Wostenholm & Co., with their immense reputation and large custom extending to all parts of the world, have not thought this matter of sufficient importance to stop it, although it has been drawn to their attention. So as to these knives which I have here. Here is a very cheap American knife [exhibiting], the cheapest that is made. They are manufactured in this country, and they are sold under a foreign brand. That is the commonest knife made anywhere.

Here is a knife [exhibiting] made in the United States—in Connecticut, I believe—and here is the brand. I have it here, the original package, the outside cover upon it, and all. It is made in the United States and branded, "One dozen. Warranted. No. 12. Handles and blade one solid piece, composed of shears steel. Select Sheffield Knife Company. Plated. Each knife bears our brand name, Sheffield, England." These are table-knives, with the unicorn and rampant lion and all the *indicia* of British manufacture.

Mr. BUTLER. That knife was made where?

Mr. VEST. It was made in Connecticut. As to these brands or trade-marks, I have a large number of them here that are placed upon cutlery in this country. These are the brands to which Mr. Saxton alludes as being fictitious: "Alexander Fraser & Co.'s Celebrated Sheffield Cutlery. Warranted." "Richmond Cutlery Company, Richmond, Ind." There is no fraud about that. "Pioneer Hardware Company. The best grade of pocket-knives, scissors, and razors." "Cleveland Cutlery Company."

Mr. PLATT. There is no such company.

Mr. VEST. Of course there may not be, but these are brands, and I have tried to make the Senator from Connecticut understand that. Mr. Saxton says there is no such company, but that these are his trade-marks, which he has a right to use.

Mr. BUTLER. Are they frauds?

Mr. VEST. These are not frauds, because there is no English mark about them. He simply takes up a certain name; for instance, in one case part of the name of one of the partners in the firm of Alfred Field & Co., but they did not say it was an English knife; they did not put Sheffield on it. Here is the "Hawk-Eye Cutlery Company's celebrated pocket cutlery, manufactured of the best quality of steel." They do not state where it is made. Here is another, the Oakland Cutlery Company. These are scissors, warranted; no place given. Here is Pribyl Brothers' trade-mark, "unsurpassed quality of cutlery; blades warranted;" no place is given. "J. B. F. Champlin. Finest scissors; made of quality surpassed by none, equaled by few; warranted;" no place given; and here is "J. B. F. Champlin's pocket cutlery." But there is no English trade-mark on them, there is no lion, no unicorn, no Sheffield, no Wostenholm & Sons; they are the trade-marks of the American importers.

Here is the "Brandford Cutlery Company's celebrated pocket cutlery, manufactured of the best quality of steel," and no place at all given. Here is a trade-mark consisting of a B with a serpent around it. "Warranted pocket cutlery manufactured by Alfred Field & Co., Sheffield." That is the English brand, made in England and sold by them as English goods, which they import from Sheffield and sell, as they have a right to do, as imported English cutlery. Here is the "Continental Cutlery Company's superior pocket cutlery, Sheffield," another brand of English goods. Here is the "H. Cromwell Criterion Company, surpassed by none, equaled by none, satisfaction warranted," with no place upon it. That is the brand which is a part of the name of one of the partners of Alfred Field & Co., and is taken and used as a trade-mark. But that is not put upon English goods; it is put upon goods bought from the American manufacturerers.

Mr. PLATT. I want to know if those are not put on German goods, every one of them.

Mr. VEST. It makes no difference whether they are put on German or American or English goods, if no place is stated. Mr. Saxton testifies that when they receive an order for a large amount of cutlery, he buys from probably fifty or sixty different manufacturers and then puts on all those different purchases this trade-mark of the firm of Alfred Field & Co. But there is no fraud in that, because he does not put England there, or Germany, or the United States. He may buy a part of the goods from an Englishman, part from a German, part from an American, but unless he makes the false impression that he gets his goods from Wostenholm or Rodgers or some celebrated manufacturer, there is no fraud in it.

Mr. HAWLEY. To assist in understanding this, let me say that when that manufacturer exhibited a handful of knives before the subcommittee of the Finance Committee, I happened to be there. I was looking over, expecting just this, knowing that if he exhibited knives at all, he would show the character of that trade. I picked up a Brandford knife, for having a town Brandford in our State, I thought possibly they might have had a little cutlery company there without my knowledge, and I asked him if that was one of these German knives. "Certainly." He did not put "England," or "Germany," or anything else upon that knife, but when "Pennsylvania," "U. S.," and "Columbia" are put on a cheap German knife it does not deceive the person who does it, because he orders it done; it does not deceive the dealers next to him in different cities to whom he sells them by the hundred dozen, but he deceives the average purchaser, and he does this thing with that intent. Now, whoever does that is a liar and a thief.

Mr. VEST. I admire the Senator's vocabulary, especially in the United States Senate.

Mr. HAWLEY. It is very likely that has been done in Connecticut at some time, but it is a dishonest business, the Senator has said that himself, to put upon a foreign knife a name that will lead everybody to think it is an American knife, or to put on an American knife the words "Sheffield, England," when it was not made there at all, or to put "Wostenholm" upon a blade, taking the name of one of the best makers in the world, when it was made here or in Germany. Those things are dishonest in trade, but the importers are full of it, and sometimes Americans do it, though I do say that most of the American cutlers are anxious to establish each for himself the value of his trade-

mark, like the great Collins Company and others of that sort, who fight for their trade-mark in English courts and American.

Mr. VEST. I will let the Senator from Connecticut choose his own epithets. In language of my own I will say that I denounce fraud wherever it exists, whether in this country or abroad. But the question in this case is whether the *ex parte* testimony of these persons who went before the Finance Committee and denounced all these importers as having perpetrated fraud shall go without answer or attack. I believe the testimony of the gentlemen who appeared before the Senator from North Carolina and myself. I did not hear them before the Finance Committee, for I have not the honor of being a member of that committee.

Mr. HAWLEY. The Senator will pardon me. Both sides were before the committee.

Mr. VEST. The Senator alluded to the Brandford Company. The rule, as I understand it, which he himself adopts and to which I assent and have stated over and over again, is this: That any importer or manufacturer has a right to make his trade-mark and use it as to any article of cutlery, provided there is nothing in it which misleads. Here is the trade-mark of the Brandford Cutlery Company: "Brandford Cutlery Co. celebrated pocket cutlery, manufactured of the best quality of steel." That is a registered trade-mark.

Mr. HAWLEY. Oh, no.

Mr. VEST. Then I do not understand the testimony if it is not.

Mr. PLATT. It could not be registered as a trade-mark. The name of the place could not be registered as a trade-mark.

Mr. VEST. It is not the name of the place. It is the name of the company.

Mr. PLATT. There is no such company near there and never will be

Mr. VEST. There it is. There is the brand, and these men swear that it is a trade-mark. Here are the cabalistic letters upon it, the B with the serpent around it, and upon that branded "The Brandford Cutlery Co." No place, no country, no England, no United States, no Germany upon it; and Mr. Saxton testifies he uses that mark upon cutlery that he buys and he has a right to do it. That is a very different proposition from putting "Sheffield" on the box and Sheffield on the knives. Some of these knives are made here in the United States, and they have upon them "Wostenholm, Sheffield," and "England," and these same men go before the Finance Committee and demand an increase of duty on cutlery already bearing 50 per cent., an increase on the cheapest grades, in some instances amounting to 95 and 100 per cent., and they still say that their testimony must be taken as absolutely true, without contradiction or suspicion.

I submit for insertion in the RECORD the table of which I spoke in the earlier part of my remarks.

Comparative ad valorem rate, present duty, Senate substitute, and Senate amendment as reported.

FOUR-BLADE POCKET-KNIVES.

Four-blade, foreign cost per dozen.	Present duty, 50 per cent.	Senate substitute, 50 cents per dozen blades and 25 per cent. ad valorem.	Senate amendment.	Senate amendment.
	Per cent.	*Per cent.*	*Per cent.*	
$1.22	50	181	80	Value 50 cents per dozen and under, 12 cents per dozen and 30 per cent. ad valorem; from 50 cents to $2 per dozen, 36 cents per dozen and 50 per cent. ad valorem.
1.34	50	175	77	
1.46	50	162	75	
1.58	50	157	73	
1.70	50	143	71	
1.82	50	135	70	
1.95	50	128	69	
2.19	50	117	77	
2.43	50	107	75	
2.68	50	100	73	
2.92	50	94	70	
3.16	50	88	69	
3.41	50	84	68	
3.65	50	80	67	
3.89	50	76	66	
4.14	50	73	65	
4.38	50	70	64	
4.62	50	68	63	
4.87	50	66	62	
5.11	50	64	62	
5.35	50	62	61	Value over $2 per dozen, 60 cents per dozen and 50 per cent. ad valorem.
5.60	50	60	61	
5.83	50	59	60	
6.07	50	58	60	
6.70	50	55	59	
7.30	50	52	58	
12.00	50	42	55	
16.00	50	36	54	
24.00	50	33	52½	
30.00	50	31	51	
36.00	50	30	51	
48.00	50	29	51	
60.00	50	28	51	
72.00	50	28	51	
86.00	50	27½	51	

Comparative ad valorem rate, present duty, etc.—Continued.

THREE-BLADE POCKET-KNIVES.

Four-blade, foreign cost per dozen.	Present duty, 50 per cent.	Senate substitute, 50 cents per dozen blades and 25 per cent. ad valorem.	Senate amendment.	Senate amendment.
	Per cent.	*Per cent.*	*Per cent.*	
$0.48	50	330	75	Value 50 cents per dozen and under, 12 cents per dozen and 50 per cent.
.61	50	270	109	Value from 50 cents per dozen to $2 per dozen, 36 cents per dozen and 50 per cent.
.73	50	230	99	
.85	50	201	92	
.97	50	180	87	
1.10	50	162	83	
1.22	50	151	80	
1.34	50	137	77	
1.46	50	127	75	
1.70	50	113	71	
1.82	50	107	69	
1.95	50	103	68	
2.07	50	98	80	Value more than $2 per dozen, 60 cents per dozen and 50 per cent.
2.19	50	94	77	
2.31	50	90	76	
2.43	50	87	75	
2.56	50	84	73	
2.68	50	81	73	
3.00	50	75	70	
3.50	50	68	67	
4.00	50	62	65	
4.50	50	58	63	
5.00	50	55	62	
6.00	50	50	60	

TWO-BLADE POCKET-KNIVES.

	Per cent.	*Per cent.*	*Per cent.*	
$0.37	50	294	80	Value 50 cents per dozen and under, 12 cents per dozen and 50 per cent.
.48	50	228	75	
.61	50	188	109	Value from 50 cents to $2 per dozen, 36 cents per dozen and 50 per cent.; value over $2 per dozen, 60 cents per dozen and per cent.
.73	50	161	99	
.85	50	142	92	
.97	50	128	87	
1.10	50	116	83	
1.22	50	106	80	
1.34	50	100	77	
1.46	50	93	75	
1.58	50	88	73	
1.70	50	84	71	
1.82	50	80	69	
1.95	50	76	68	

ONE-BLADE POCKET-KNIVES.

	Per cent.	*Per cent.*	*Per cent.*	
$0.18	50	302	117	Value 50 cents per dozen and under, 12 cents per dozen and 50 per cent. ad valorem.
.24	50	233	100	
.37	50	164	80	
.48	50	127	75	
.61	50	106	109	Value from 50 cents to $2 per dozen, 36 cents per dozen and 50 per cent; value over $2 per dozen, 60 cents per dozen and 50 per cent.
.73	50	93	99	
.85	50	84	92	
1.00	50	75	86	

RAZORS.

	Per cent.	*Per cent.*	*Per cent.*	
$0.72	50	95	190	Value $4 per dozen and under, $1 per dozen and 50 per cent.
.96	50	78	154	
1.20	50	68	133	
1.44	50	60	120	
1.68	50	55	110	
1.92	50	51	102	
2.16	50	48	96	
2.40	50	46	92	
2.64	50	44	88	
2.88	50	42	85	
3.12	50	41	82	
3.36	50	40	80	
3.60	50	39	78	
3.84	50	38	76	
4.08	50	37	80	
4.32	50	36	79	
4.56	50	36	77	
4.78	50	35½	76	
5.00	50	35	75	
5.50	50	34	73	Value over $4 per dozen, $1.25 per dozen and 50 per cent.
6.00	50	33½	70	
6.50	50	32	69	
7.00	50	32	68	
8.00	50	31	66	
9.00	50	30	64	
10.00	50	30	62½	
12.00	50	29	60	

Mr. PLATT. Mr. President, before speaking of this duty I want to say once more that I think the statement which the Senator from Missouri made, that the same men, the manufacturers who come here ask-

ing for such protection of their industry as will enable them to live and carry on their business in the United States, are engaged in the fraud of putting English names upon American-made knives, is not true. The Senator has been misinformed, and that is enough for me to say. I do not desire to go into that further.

Now, upon the question of duty I wish to say that in the year 1882, prior to the enactment of the present tariff law, there were twenty-five manufacturers of pocket cutlery in the United States. To-day there are seventeen, and eight of them have been either driven out of business or have failed or left the business; they have failed. Three more have failed and reorganized. So under the present rate of duty one-half the number of pocket-cutlery establishments in the United States have been driven out of business. The capital engaged in the production has been reduced $450,000 in that time. The number of dozens manufactured per annum has been reduced 146,500 and the value $505,000. Most of these are small establishments; but one or two of them have a business of over $100,000 a year.

The capital engaged is small capital. The salaries paid are extremely meager. The concern which make the most pocket cutlery and sells it in the United States pays its president and manager $1,500 a year. Not a single company or firm manufacturing pocket cutlery has made expenses, or at least anything more than expenses, during the past year; no dividends have been declared in the cutlery business. The pocket-cutlery business in the United States has about two-fifths of the value of the trade. It has a little more than one-sixth of the amount of trade in dozens.

Now, from what I have said it is perfectly plain we do not seek to conceal the situation that either there must be an increase of this duty or the pocket-cutlery business must stop in the United States. Half of the concerns have failed since 1883; none of them are making any money; and the importation of foreign goods is increasing rapidly, while the American production is rapidly decreasing. Those producers have asked for an increase of duty. There was great objection made to the duty as proposed originally in the Senate bill. It was made by jobbers; it was made by merchants as well as importers; but I understand that except at the hands of the importers there is no serious objection on the part of American merchants and jobbers to the present proposed amendment of the Committee on Finance.

Mr. President, this is an increase which both the Republican and Democratic parties have bound themselves to; yet it is not an increase which compensates for the difference between the labor engaged in the production in the United States and the labor engaged in foreign countries. What did the Democratic party say on that subject in its national convention at St. Louis?

Our established domestic industries and enterprises should not, and need not, be endangered by the reduction and correction of the burdens of taxation. On the contrary, a fair and careful revision of our tax laws, with due allowance for the difference between the wages of American and foreign labor, must promote and encourage every branch of such industries and enterprises, by giving them assurance of extended market and steady and continuous operations.

The Democratic party at St. Louis recognized this principle, that in revising and adjusting the tariff there must be a "due allowance"—I quote from the platform—"for the difference between the wages of American and foreign labor." Just look at this business in view of the difference in labor in the United States and in foreign countries. In the testimony before the Committee on Finance the labor cost was very carefully shown. It has not been questioned. It is accurate. It is made up from American statistics and from foreign statistics, and they have been verified until it can not be questioned, or, if it can be, it has not been.

Now, I will put in my remarks all this table. It is printed in the testimony before the committee, but I read from a paper for convenience. The table is as follows:

Relative cost prices of German, English, and American pocket cutlery.

[Per dozen.]

Description.	No. of blades.	German.			English.			American.			
		Cost of material.	Cost of labor.	Total cost.	Cost of material.	Cost of labor.	Total cost.	Cost of material.	Cost of labor.	Cost of supplies.	Total cost.
Iron-lined jack-knife, wood covering:											
4 inches	1	$0.21	$0.35	$0.56	$0.21	$0.70	$0.91	$0.29	$1.42	$0.19	$1.90
Do	2	.30	.50	.80	.30	1.00	1.30	.41	2.02	.27	2.70
3½ inches	1	.19	.34	.53	.19	.67	.86	.25	1.33	.17	1.75
Do	2	.26	.48	.74	.26	.95	1.21	.35	1.90	.25	2.50
3¼ inches	1	.16	.28	.44	.16	.56	.72	.22	1.12	.14	1.48
Do	2	.22	.41	.63	.22	.83	1.05	.30	1.65	.21	2.16
3¼ inches	1	.10	.28	.38	.10	.56	.66	.14	1.12	.13	1.39
Do	2	.16	.42	.58	.16	.83	.99	.21	1.66	.20	2.07
Brass-lined pen-knife, ivory or stag covering:											
2½ inches	2	.24	.57	.81	.24	1.15	1.39	.33	2.30	.29	2.92
Do	3	.25	.80	1.05	.25	1.61	1.86	.35	3.22	.39	3.96
Do	4	.26	.95	1.21	.26	1.90	2.16	.36	3.80	.46	4.62

Relative cost prices of German, English, and American pocket cutlery—Continued.

Description.	No. of blades.	German.			English.			American.			
		Cost of material.	Cost of labor.	Total cost.	Cost of material.	Cost of labor.	Total cost.	Cost of material.	Cost of labor.	Cost of supplies.	Total cost.
Brass-lined pen-knife—Continued.											
3 inches	2	$0.39	$0.62	$1.01	$0.39	$1.25	$1.64	$0.53	$2.49	$0.33	03.35
Do	3	.43	.86	1.29	.43	1.72	2.15	.58	3.44	.44	4.46
Do	4	.42	1.02	1.44	.42	2.03	2.45	.57	4.07	.51	5.15
3½ inches	2	.47	.65	1.12	.47	1.29	1.76	.64	2.59	.35	3.58
Do	3	.49	.90	1.39	.49	1.81	2.30	.67	3.62	.47	4.76
Do	4	.50	1.06	1.56	.50	2.12	2.62	.68	4.23	.54	5.45
Brass-lined pen-knife, pearl or shell covering:											
3½ inches	3	2.60	1.82	4.42	2.60	3.65	6.25	3.50	7.30	1.20	12.00
Do	4	2.70	1.90	4.60	2.70	3.80	6.50	3.65	7.60	1.25	12.50
3¾ inches	3	3.40	2.11	5.51	3.40	4.23	7.63	4.65	8.45	1.45	14.50
Do	4	3.52	2.19	5.71	3.52	4.38	7.90	4.75	8.75	1.50	15.00

I wish to take one or two instances. The same disproportion of cost runs through them all. Take for instance a knife which costs 56 cents a dozen in Germany—a 4-inch jack-knife, one blade, wood covering, iron-lined. It costs 91 cents in England, and it costs $1.90 in America, and 56 cents in Germany. Why? Because the cost of the labor on that knife is 35 cents in Germany, 70 cents in England, and $1.42 in America per dozen. The duty which is proposed by the Senate amendment does not compensate for the difference in labor.

Now I take another class of knives. A brass-lined, two-and-a-half-inch pen-knife, two blades, with ivory or stag covering, costs 81 cents in Germany to produce, in England $1.39, in America $2.92. Why? Because the labor in Germany is 57 cents, in England $1.15, in America $2.30. The duty which is proposed here does not equalize that difference in the cost of labor.

Take another of a higher price. Take a three-and-a-half-inch pen-knife, three blades, pearl or shell covering, which costs in Germany $4.42 a dozen, in England $6.25 a dozen, in America $12 a dozen. Why? Because the labor in Germany costs $1.82, in England $3.65, in America $7.30 per dozen. There is no such protection here as there is difference in the cost of labor. The Democratic party, as well as the Republican party, is committed to that doctrine; and the only hope that the producers of American pocket cutlery have is that by this increase of duty the importation and sale of these goods may become somewhat less profitable to the importer and the jobber, so that there may be some chance of getting them to handle and to deal in American knives of better quality, which can be sold at the same price.

Just take the knives which the Senator from Missouri has shown us. Here is a one-bladed knife which he says cost abroad 17 cents a dozen. I never heard it put at less than 18 cents a dozen before. That knife is sold to the boy or the girl that the Senator desires to protect for 5 cents. See what an immense profit there is between the manufacturer in Germany and the consumer here. Now, you may put on the duty which is proposed by the amendment and that knife will still be sold at 5 cents to the consumer. So with the knife that is sold to him at 10 or 15 or 20 cents. Those knives will not cost any more to the consumer. There will still be a margin of profit for the importer and the jobber and the retailer, but it will more nearly approach the margin of profit which there is for the importer and the jobber and the retailer and the consumer when an American makes the knife. That is all. It will not shut out this manufacture. It is not a prohibitory duty. It is a duty such as the St. Louis convention said they were willing to put upon articles of American manufacture.

That is all there is in this matter, and it seems to me that the principles which have been adopted on both sides of this Chamber and everywhere, that we should put a duty upon the goods manufactured by this established industry now waning and likely to be destroyed, which will enable them in some degree to compete with foreign manufacture and which will to some extent equalize the difference between the cost of labor in this country and in foreign countries.

The Senator from Missouri said a good deal about the higher duty being imposed upon the cheaper knife. It is true that the American producer is better able to compete with the manufacturers of high-priced knives, with Rodgers and Wostenholm and that class of manufacturers, than with the cheap knives such as the Senator showed us, which are made for 18 cents a dozen and sold for 5 cents apiece, or those made for 56 cents a dozen and sold for 10 cents apiece, or those made for 83 cents a dozen and sold for a quarter of a dollar apiece. It is true they can compete better in the high-priced knives than in the low-priced knives, and if it were so that these same knives were to be made higher to the consumers, then there would be something in the Senator's argument; but I venture to say that with this duty the same knives which he wants the poor man of this country to get, and nine-tenths of which are a fraud upon the poor man anyway, will be sold

to him without any increase in price. Simply this will happen: The New York jobber will not get 100 per cent. profit on his importation; there will not be 200 per cent. profit to be divided between the importer and the dealers; and therefore the great inducement which importers and jobbers have had to deal in German knives, which I think on every principle of fairness and honesty ought largely to be prohibited from coming into this country, will cease to exist.

Mr. VANCE. Mr. President, one of the witnesses who appeared before the Senator from Missouri and myself gave testimony concerning the impossibility of making a fair rate on cutlery by specific duties or by compound duties, and at our request he prepared a statement showing the impossibility of putting any fair rate of taxation upon cutlery in any other way than by ad valorem rates. I ask that this table, which is short, may be incorporated in the RECORD. I do not care to have it read unless Senators desire to hear it read.

Mr. PLATT. May I inquire whether that is a table which relates to the bill as it was originally drawn or to the proposed amendment of the committee?

Mr. VANCE. It is a table showing generally the impossibility of securing a fair rate of taxation by specific and compound duties, and it illustrates by taking the rates proposed by the substitute first, but for the general purpose any other rates might as well be taken. The table works out any given specific rate upon the cheaper article and upon the higher-priced article.

Mr. PLATT. It is not constructed, then, upon the plan of the amendment proposed by the Finance Committee?

Mr. VANCE. No, sir; but, as I have endeavored to explain, it will illustrate the general impossibility of a fair rate of taxation by specific and compound duties.

The PRESIDENT *pro tempore*. The paper will be printed as part of the Senator's remarks, if there be no objection.

The paper is as follows:

Table showing the impossibility of making a specific rate or a compound rate on pocket cutlery to equal a uniform ad valorem rate or to make a rate that will be anything like fair.

ONE-BLADE.

Foreign cost per dozen.	15 cents per dozen knives and 25 per cent.	All specific duty, 30 cents per dozen knives.	Foreign cost per dozen.	15 cents per dozen knives and 25 per cent.	All specific duty, 30 cents per dozen knives.
	Per cent.	*Per cent.*		*Per cent.*	*Per cent.*
20 cents	100	150	70 cents	47	43
25 cents	84	120	80 cents	44	38
30 cents	77	100	90 cents	42	33
40 cents	63	75	$1	40	30
50 cents	56	60	$1.20	38	25
60 cents*	50	50			

*Average cost abroad of each line.

TWO-BLADE.

Foreign cost per dozen.	30 cents per dozen knives and 25 per cent.	Specific, 62½ cents per dozen knives.	Foreign cost per dozen.	30 cents per dozen knives and 25 per cent.	Specific, 62½ cents per dozen knives.
	Per cent.	*Per cent.*		*Per cent.*	*Per cent.*
30 cents	127	213	$1.25*	50	50
40 cents	100	156	$1.50	45	42
50 cents	86	125	$1.75	42	36
60 cents	75	104	$2	40	31
70 cents	64	89	$2.25	38	28
80 cents	63	78	$2.50	37	25
90 cents	59	69	$2.75	36	23
$1	55	63	$3	35	21

THREE-BLADE.

Foreign cost per dozen.	50 cents per dozen and 25 per cent.	Specific, $1 per dozen knives.	Foreign cost per dozen.	50 cents per dozen and 25 per cent.	Specific, $1 per dozen knives.
	Per cent.	*Per cent.*		*Per cent.*	*Per cent.*
80 cents	88	125	$4	38	25
90 cents	81	111	$4.50	36	22
$1	75	100	$5	35	20
$1.25	65	80	$5.50	34	18
$1.50	59	67	$6	33	17
$1.75	54	57	$7	32	14
$2*	50	50	$8	31	13
$2.25	47	45	$9	31	11
$2.50	45	40	$10	30	10
$2.75	43	37	$11	30	9
$3	42	23	$12	29	8
$3.50	40	30			

* Average cost abroad of each line.

Table showing the impossibility of making a specific rate, etc.—Continued.

FOUR-BLADE.

Foreign cost per dozen.	62½ cents per dozen and 25 per cent.	Specific, $1.25 per dozen knives.	Foreign cost per dozen.	62½ cents per dozen and 25 per cent.	Specific, $1.25 per dozen knives.
	Per cent.	*Per cent.*		*Per cent.*	*Per cent.*
80 cents	104	156	$8	33	15
90 cents	96	139	$9	32	14
$1	88	125	$10	31	13
$1.25	80	100	$11	31	11
$1.50	70	80	$12	30	10
$1.75	60	70	$18	28	7
$2	57	63	$24	28	5
$2.50*	50	50	$30	27	4
$3	46	42	$36	26	4
$3.50	43	36	$48	26	3
$4	41	31	$60	26	2
$5	38	25	$72	26	2
$6	36	21	$86	25	1½
$7	34	18			

*Average cost abroad of each line.

Mr. VANCE. Mr. President, the Senator from Connecticut [Mr. PLATT] has told us what a difficult time the manufacturers of cutlery were having in this country, and that, out of some twenty-odd manufacturers, nine, I believe, had failed and gone out of business because they were undersold by the foreign cutlery, and so on.

Now, Mr. President, I have great respect for the Senator from Connecticut; I have great regard for his integrity of character, for his patriotism and honesty of purpose, as well as for his intelligence on matters pertaining to the science of political economy; and I want to ask him upon his conscience this question: If it is shown that a manufacturer, protected by a duty of more than 100 per cent. upon the cheaper articles used by the great mass of the people, can not make money and sustain himself and do business with that great protection, I ask the Senator if that manufacturer ought not to go out of business?

Mr. PLATT. Does the Senator want a reply now?

Mr. VANCE. In one moment. I also want to ask the Senator if he thinks it conduces to the accumulation of public wealth to tax the public at large at the rate of more than two for one in order to enable that man to continne in business?

Mr. PLATT. I will endeavor to answer the question, and to answer it fairly and squarely.

In the first place there is no 100 per cent. ad valorem duty to be placed on these articles except in a very rare instance. The duty of 12 cents a dozen or 36 cents a dozen being extended over goods of different prices, it is possible that one particular knife might run up to 100 or more per cent., but the average duty will be about 65 per cent., not higher than on woolen goods, not higher than on structural iron, not higher than on a very great variety of articles. So that premise can scarcely be one upon which the question ought to be answered. We should take perhaps the average ad valorem duty that will be imposed under this, and that is about 65 per cent. as shown by expert calculation.

Now, putting the question in that form, ought the American manufacturer to go out of business if he requires a duty of 65 per cent. to compete with foreigners, I say no, and I say that in my judgment and on my conscience—because the Senator asks me to answer on my conscience—it is better for the United States, it is better for the people of the United States, it is better for the people of North Carolina, that that business should be done in the United States than to have it done abroad, even though an average duty of 65 per cent. is required in order to enable the American manufacturer to maintain his business and to compete with the foreign manufacturers. That is my belief about it.

Secondly, I think that in this particular instance I have shown, and I believe it is capable of demonstration, that these goods will not be one penny higher to the consumer by reason of the increase of this duty, that no boy who buys a jack-knife and no lady who buys a penknife in North Carolina will pay one cent more for it. The result will be simply this: whereas the importer now has all the profit and all the opportunity to make money, and the people are taxed, if at all, to support the importer, there will be an opportunity for the manufacturer to make a little something and for the laborers employed to continue their employment; and upon the theory of the Senator from North Carolina (the correctness of which I utterly and absolutely deny), the tax instead of being paid to the importer of foreign goods will be paid to the American who makes them. I deny that there is any tax; but even upon the Senator's own theory that is all there is to it. No consumer is going to be asked to pay anything more for his knife.

Mr. VANCE. Well, Mr. President, the Senator has answered my question with the candor which I expected.

Many things in this schedule will be raised by the amendment of the committee largely in excess of 100 per cent., and if the Senator holds that it is good political economy to have those things manufactured here at a cost of 100 per cent. upon their value, I should like to know where there is to be any limit to that principle. If 100 per cent. can be jus-

tified, 200 can, 500 can, and a thousand can; and if in all that increase of taxes upon the article the price is still to remain the same to the consumer, I should be mightily pleased indeed to be let into the secret of how the manufacturer is to be benefited.

The Senator seems to think that the importer is getting all the profit, and if there is such a large margin of profit for the importer, it seems to me that there is the place where the manufacturer should come in and divide this profit with him.

But I will not undertake to enter into the mysteries of that great principle, that the more tax you put upon an article the cheaper it is to the consumer, and at the same time that the tax leads to the manufacturers' benefit. That is one of the mysteries of protection that I expect to die in utter ignorance of.

The great fact remains that this schedule upon cutlery, pocket-knives, table-knives, carving-knives, razors, and scissors is so arranged by this committee by the application of specific duties as to make the cheaper articles used by the great mass of the people bear one, two, and three hundred per cent. more than the highest-priced articles, as will be shown by the table which I have asked to be inserted in the RECORD.

Mr. PLATT. Will the Senator allow me to ask him a question?

Mr. VANCE. Certainly.

Mr. PLATT. Suppose the duty were entirely taken off from that knife that costs 18 cents a dozen and that knife were let in free to this country, its value would be a cent and a half when it comes to our shores. Does the Senator suppose that that knife would be sold to a boy or girl in North Carolina at less than 5 cents?

Mr. VANCE. I suppose it would. The same argument, I remember, was made upon the reduction of the duty on matches, and it was stated that matches would remain at 5 cents a box no matter whether the duties were on or off.

Mr. DAWES. There was a tax on matches, not a duty. The tax was an internal-revenue tax. That is a burden put right on here.

Mr. VANCE. Yes, I see the distinction the Senator makes. The duty on matches—I am obliged to him for the correction—the tax on matches, the internal-revenue tax on matches, was what I was referring to. Now, I have got it correctly. We were told that a box of matches would be sold for 5 cents whether the tax was on or off; and yet we found in a very short time that we got two boxes of matches for 5 cents. Why should it not be the same under the influence of competition? Why should not the retail dealers in all the little establishments at every cross-roads in the United States soon learn to give a boy two knives for 5 cents instead of one knife? To say that the price will always be the same is to assume that the force of competition in trade amounts to nothing, which it seems to me will not do.

Therefore, without consuming further time on this subject of cutlery, it is sufficient for me to know and it is sufficient for the people of this country to know that whatever rate of duty is necessary even for the maintaining of the manufacturers of this country, the principle is violated at the expense of those who are least able to bear it, that instead of imposing the least burdens and the lightest burdens upon the weak, this bill and this amendment impose the heaviest burdens upon the weak and the lightest burdens upon the strong, who are able to bear them better.

Mr. ALDRICH. Mr. President, I think the character of the criticisms of this bill which are made by the Senators on the other side of the Chamber is very well exemplified by the arguments which have been made upon the pending amendment.

I do not care to allude to what I understand to be the argument of the Senator from Missouri [Mr. VEST], that the American manufacturers of cutlery are not entitled to fair treatment on account of the imputation which the importers make that they are engaged in reprehensible practices, but will take a few minutes to examine another phase of the argument of the Senator from Missouri. He attempts to prove by the high ad valorem rates which he insists we have imposed on knives and razors the enormities of the bill in placing exorbitant duties upon articles in common use as distinguished from the duties placed upon luxuries.

In the testimony, or so-called testimony, of the New York Importers' Association, taken before the Senator from North Carolina and the Senator from Missouri, the importers stated that we imposed a specific duty of $1 a dozen on razors, and that one class of imported razors cost abroad 72 cents a dozen or 6 cents each. Of course a duty of $1 a dozen or 8⅓ cents on a razor worth 6 cents abroad would be equivalent to more than 100 per cent., to which an addition of 35 per cent. ad valorem is made. This statement is used by Senators on the other side to show that we have imposed enormous duties upon articles in common use.

Now, let us examine this particular statement from a practical standpoint. I recently visited a number of the principal hardware and cutlery stores of this city for the purpose of ascertaining the price at which this class of razors was sold. The lowest price at which I could purchase a razor in any one of these establishments was 40 cents, and I was told frankly by the proprietor of the store that this razor would not shave a man and he would advise me not to buy it; and that he would advise me not to buy one costing less than 75 cents. Aside from this one establishment the lowest-priced razor I could find was 50 cents.

We find, then, a razor imported, if we can believe the importers, at 72 cents a dozen, while the lowest price of any razor at retail in this country is 40 cents.

Mr. VEST. Will the Senator permit me to ask a question?

Mr. ALDRICH. Certainly.

Mr. VEST. Did he find that any of those 40-cent razors were made in the United States?

Mr. ALDRICH. No, sir.

Mr. VEST. They were all imported?

Mr. ALDRICH. All imported.

Mr. VEST. Did the Senator examine into that point?

Mr. ALDRICH. Yes, sir; I did.

Mr. VEST. Then, if they are not made in this country at all, why does the Senator want to put on them this duty in order to protect the American manufacturer?

Mr. ALDRICH. I do not think myself that the question of the amount of duty we put on a 6-cent razor is at all material to the question at issue. That is the very point I desire to make, not only in regard to cheap razors, but in regard to cheap knives, that the Senators on the other side are making an argument which has no pertinency or practical application to the question at issue. For instance, the Senator from Missouri says that upon a certain grade of pocket-knives, which are valued at 17 cents a dozen abroad, we propose to put a specific duty of 12 cents a dozen and an additional ad valorem rate of 50 per cent., amounting to a very high ad valorem rate in the aggregate.

Mr. PLATT. One hundred and twenty per cent.

Mr. ALDRICH. Yes; 120 per cent. ad valorem. The knives which are imported at that price, if any are so imported, are largely sold to consumers at 10 cents each, and the Senator from New Jersey and other Senators upon that side of the Chamber have expended much eloquence in demonstrating that we have imposed an enormous duty upon the 10-cent knife which the school-boy purchases.

Now, let us see whether the duty we have placed upon these grades of either knives or razors will impose any additional burden upon the masses of people of this country who purchase these articles.

Take a 6-cent razor, for instance, with a specific duty of 8⅓ cents, making a cost of 14⅓ cents, and then add the ad valorem rate, which would amount to 2 cents more, making under the provisions of the amendment the total cost of that razor 16⅓ cents. If razors of that kind should continue to be sold for 40 cents each to the American people, then you have a profit to the importer or the dealer of 150 per cent., or they could be sold with a reasonable profit at 25 cents each.

Take the 10-cent knife. Suppose that in addition to the foreign cost, which the Senator from Missouri says is less than a cent and a half, we add another cent for the specific duty and three-fourths of a cent for the ad valorem rate; then we have a total cost of 3¼ cents for a knife which sells to our boys at retail for 10 cents, or 200 per cent. profit to the importer or to the dealer or to both.

The importers of this class of goods are taking advantage of the present situation to impose worthless goods (which in many cases are branded with American names, or simulated American names) upon the American public at an enormous profit to themselves or to the persons through whom they are sold.

If Senators on the other side of the Chamber care to pose before the country as advocates of these gentlemen and their methods, I can not object, as it is a matter in which they must consult their own tastes and judgment; but do not try to deceive the American people into the belief that the rates of duties we impose, which are, we admit, equivalent to a large ad valorem rate upon these worthless goods, would increase their cost to consumers.

The duty could be doubled above the rates proposed by the amendment now under consideration and the cost of these goods would not be increased to the American consumer; that is, supposing that a reasonable profit was to be allowed to the importer and to the dealer.

The fact is, in regard to this paragraph and many other paragraphs in this bill, that the importers, who of course are desirous of breaking down every duty which results in the protection or encouragement of American industry, seek to mislead the public as to the character of the duties imposed. They can readily show, it is true, an enormous ad valorem rate upon inferior goods, which are imported greatly below their real value and sold to the American people greatly above their real value.

If razors are made anywhere in the world at 6 cents each, 8 cents specific duty is a large rate upon them, and it would be a still larger rate if 3 cents apiece, or 2 cents each, or 1 cent were taken as the price.

It is very easy for Senators on the other side of the Chamber, under the advice and guidance of the importers, to show the enormity of this bill in this peculiar manner. These Senators have repeatedly charged the committee with having prepared this bill under the dictation of the American manufacturers. This is quite as praiseworthy, I assume, as to attempt to amend it at the dictation of the importers of New York.

Senators say that these importers are American citizens. I venture to say that not one-tenth of them are American citizens.

The Senator from Missouri brings here the samples and the statements of these men to break down an American industry which now

commands but one-third of the American market in value and one-sixth in number of pieces produced, and taking isolated cases of worthless goods, greatly undervalued, seeks to mislead the American people as to the true character of the rates imposed by the terms of this bill.

Mr. VANCE. Will the Senator allow me to ask a question?

Mr. ALDRICH. Certainly.

Mr. VANCE. What is the possible undervaluation of anything that is worthless? The Senator has repeated time and again that worthless articles were greatly undervalued. I have a curiosity to know if a thing is worth nothing how can it be undervalued.

Mr. ALDRICH. Take the case of the razors to which I have alluded. These razors have a foreign market value; they certainly have a cost of production; still they are worthless to the purchaser for use. I did not use the word "worthless," which the Senator understands as well as I do, in connection with the value for the assessment of duties, but the value for actual use.

Mr. VANCE. How do they run out the American article? I can not understand why people would continue to buy them if they are worthless for actual use. They must shave somebody.

Mr. ALDRICH. Because of the ability of the people he represents here—the importers—to deceive the American people.

Mr. VEST. Mr. President, as to the question of undervaluation, about which we have heard so much, in reference to these importers, particularly Alfred Field & Co.—and I never saw any of them, I never knew there was any such firm in existence until they came before the Senator from North Carolina and myself—I have simply to say that I have here their proposition in writing to the Secretary of the Treasury that he might send an agent to examine their books from the time they commenced business, and if any evidence of undervaluation was found in their importations they were willing to submit to any penalty, any increase of duties, or otherwise, that the Department might assess upon them.

Mr. PLATT. I want to say that I have seen—I had it in my possession until a day or two ago, but can not lay my hands upon it at this time—an affidavit made by one of these same people who testified before the Senator from North Carolina and the Senator from Missouri that Mr. Field's house undervalued cutlery 46 per cent. There is one of them testifying against the other, and that affidavit was filed in the Treasury Department and I have seen it and had a copy of it in my possession.

Mr. VEST. In this testimony is the statement of Mr. Saxton, whom I never saw before and whose manner and testimony impressed me that he was an honest man, that a worthless character whose name he gives—a vagabond—was employed by the Treasury Department, whose business it was to assail the importers, and who was dismissed afterward for drunkenness and misconduct by the Treasury Department. That is the man, I suppose, who made this charge.

Mr. PLATT. No, no; it was Mr. Taussig, one of your witnesses, and as regards this other man, I wish to say that I know him——

Mr. VANCE. Osborn?

Mr. PLATT. I know him, and have known him for years, and since he has been thus attacked by Mr. Saxton I desire to say that I believe he is as honorable a gentleman as Mr. Saxton is.

Mr. VEST. I have practiced law so long that I am not astonished at any statement of this sort. Every man stands by his own witness.

Mr. BLAIR. I understand he says that he is no worse than Mr. Field is.

Mr. VEST. My friend from New Hampshire is the contingent that always comes in on the homestretch; but I am quite through with it. Here is a letter about Mr. Taussig. I will read it:

DECEMBER 26, 1888.

DEAR SIR: Our Mr. Taussig was a member of the committee from the Wholesale Hardware Association who had a hearing before your committee on December 12, and stated to your committee that, as manufacturers of razors in this country, we were fully satisfied with the 50 per cent. protection afforded us by the present tariff. The main complaint made by manufacturers, as our Mr. Taussig understood, was that, owing to general undervaluation, the American manufacturers could not compete. The only other manufacturer of razors of any consequence in this country besides ourselves is Mr. J. R. Torrey, and we have learned that this manufacturer, who has been importing pocket-knives to sell in connection with his razors, has in several instances had his invoices advanced on account of being undervalued.

We simply desire to state to your honorable committee, in comment of above, that we cheerfully unite in the offer made by the president of the Wholesale Hardware Association as to the examination of our books, etc.,

And remain, very respectfully, yours,

WIEBUSCH & HILGER (Limited).

Hon. WILLIAM B. ALLISON,
Chairman Finance Committee, Washington, D. C.

Mr. ALDRICH. I want to find out whether this is the same Mr. Taussig that the Senator from Connecticut has said had made an affidavit that the firm of Field & Co. undervalued their cutlery 46 per cent.?

Mr. VEST. I do not know, and I know nothing about that affidavit. This is addressed to Hon. WILLIAM B. ALLISON, chairman of the Finance Committee, and is the same proposition made by Alfred Field & Co., that the Secretary of the Treasury should have their books examined and if any undervaluations were found that such penalties should be imposed as he thought proper.

Mr. ALDRICH. Does the Senator from Missouri think that if these people were engaged in undervaluing their goods their books would show it?

Mr. VEST. I do not know what sort of testimony would be available in this matter, but they proposed to submit themselves to any test that might be suggested. I want to say to the Senator from Rhode Island that I am as impersonal in this debate as any one. I do not know the manufacturers; I do not know the importers; I do not know anybody in the matter except my constitutents and the other consumers of this country. I have no sort of personal interests or feelings and could not possibly have any.

Mr. ALDRICH. The thing which struck me as a little singular was that the importers should have appeared before two Senators in an informal way and given testimony, which was published by order of the Senate at their request, and that the other people, the manufacturers and the consumers, were not represented before that committee, and they have not cited and introduced any testimony here from them.

Mr. VEST. I think I can allay the virtuous fears of my friend from Rhode Island. I am not a member of the Finance Committee, but nothing is more natural than that I should hear from importers or the people whose interests are against these high protective duties. Is it very singular that the manufacturers should appear before the committee? It is an open secret that they could not be satisfied. They claim now that they elected Harrison and that they are entitled to any protection they ask.

There is no limit to their demand. Here are the manufacturers' organs, the Iron and Steel Bulletin, and the Philadelphia North American, and the Manufacturer, which I have here before me, all of them demanding in so many words that the manufacturers are to be protected to the full extent of their demands and not their necessities.

Mr. ALLISON. I desire to state, if the Senator from Missouri will allow me, that we heard very fully Mr. Field and Mr. Saxton and all these gentlemen in the committee-room. Mr. Saxton had full opportunity to be heard. I think he was there on two different occasions.

Mr. VEST. I have not any doubt about it. My only connection with this matter is that after I took my public stand in the Senate Chamber against this increase of duty upon everything, I received communications from men whose interests—and I use the word advisedly—were not for high duties, giving me information so that I could fight this bill. I do not pretend to say that their motives were disinterested, and I do not care. I want the truth, let it come from one side or the other or from any source whatever. What do I know about these manufacturers? None of them would ever come to me. They would as soon go to the shade of a upas tree as to me to increase the duty.

Mr. PLATT. I think that is so.

Mr. VEST. The Senator says that is so. Yes, it is, because we have an enormous surplus in the Treasury, and I want to reduce it, and I want our Republican friends to make good their platform of 1884, that they intended to reduce the surplus and reform the inequalities of the tariff, instead of coming in with increases of duty upon everything. The Senator talks as if I wanted to strike down the industries of the country.

Mr. ALDRICH. Does not the Senator agree with the Finance Committee that the effect of our bill will be to reduce the revenue?

Mr. VEST. I do not know whether it would reduce it or not. I know it puts up duties. I know that it puts up the duty upon one grade of knives 100 per cent. (I am taking the average); upon two-blade knives, 70 per cent.—I am taking the amount of the amendment, not the substitute, for that is a great deal more; upon the three-bladed knives the increase is 60 per cent.; on the four-bladed knives 40 per cent., and upon razors 100 per cent.

If that reduces the revenue it is not my idea of the way to reduce it. I think when you put up the duties, and the goods come into this country, that increases the revenue. I have heard it intimated on this floor before that the Democratic party, myself particularly, wanted to strike down the manufacturing interests of the United States. Well, I think I can treat that with contempt as an American Senator and an American citizen. The men who make that sort of charge make it for political purposes. My State has more manufacturing interests than a majority of the New England States.

Mr. PLATT. More than Connecticut?

Mr. VEST. Not as much Connecticut, but more than New Hampshire, more than Maine, more than Vermont, and within three millions as much in value as Rhode Island, more than Indiana, and more than Maryland or Iowa. Missouri has $73,000,000 in manufactures, and I am advised that my course here will send a Republican Senator to this body in my place. If so, nobody will accept that result more cheerfully than myself, provided it is the august verdict of the people, but I will take their verdict and not that of my political opponents. I will wait to hear from them and from nobody else.

The Senator from Connecticut says that our platform in 1884 pledged the Democratic party to not reduce duties below that standard which would furnish protection sufficient to equalize the difference between the cost of labor in this country and abroad. I never wanted anything else. If our friends on the other side would content themselves with that platform, I would go with them.

Mr. PLATT. I will.

Mr. VEST. Very good. I will put the Senator to the test. Here is cutlery. I read from the official report of the Treasury Department on the census of 1880:

Cutlery and edged tools, product of the United States	$11,661,370
Amount paid for hired labor	$4,447,349
Percentage of labor	38.1

And the Senator says himself the average duty in this cutlery schedule is 65 per cent. I say it is 75.

Mr. PLATT. The Senator of course desires to be entirely fair.

Mr. VEST. I do.

Mr. PLATT. And he must know that the cost of labor on pocket knives and the cost of labor on edged tools are not alike. They are all embraced in one column there. If he will think a moment about a pocket-knife and the extreme minimum of cost of the material, he will see that almost all of it must be labor. As a matter of fact, it is 85 per cent. labor, on an average.

Mr. VEST. Mr. President, I have again and again gone to the Treasury Department and attempted to get the difference in labor on specific articles in this country and abroad without success, and it is not accessible, and all that I can take are the official reports of the Treasury Department of the averages. I have this table here, and any Senator can obtain it; it is an official document furnished by the Treasury Department and shows the cost of labor in this country as to specific products. Of course that is the average, and here is cutlery, 38.1 per cent. as the cost of labor.

Mr. PLATT. Including edged tools of all sorts.

Mr. VEST. I can not help that. Here are razors with 100 per cent. advance in duty, and all these different grades of cutlery averaging from 40 up to 100 per cent. The Senator himself admits that the increase on an average is 65 per cent. Is it necessary to put 65 per cent. on razors and pocket-knives, and all edged tools, if you include them, in order to make up the difference between the cost of labor in this country and abroad?

Mr. PLATT. To 65, not of 65 per cent.

Mr. VEST. I say it is more than 65 per cent., and I have had the increases mathematically made out. They range from 40 to 100 per cent. in the amendment brought forward by the Finance Committee; and yet we are told that this enormous increase is necessary in order to make up the difference between 38 per cent., the cost of labor on this branch of industry in the United States, and the cost of labor abroad.

Now, Mr. President, let us look at the practical operation of this matter. Here is a knife—and I will take the average; if Senators will turn to the amendment they will see what I mean—a knife costing $2.62 per dozen, a four-bladed knife. The present duty is 50 per cent.; the Senate bill makes it 101 per cent.; and the amendment makes it 72.9 per cent. That four-bladed knife (which is the knife that goes into the consumption of the middle classes of the United States, not the extremely rich nor the extremely poor), and the subsequent knife, at $1.33 per dozen, on which the duty in the amendment is 77 per cent., constitute nearly 60 per cent of the importation.

The Senator from Rhode Island has told us they are almost worthless, that they are brought into this country and imposed upon American consumers, and that under the present tariff these foreign importers are robbing the people of the United States, and yet we have twenty-five cutlery establishments in the United States at the lowest calculation. The Senator from Connecticut is my authority.

Mr. PLATT. Seventeen.

Mr. VEST. Seventeen. We have had twenty-five; and yet with that duty of 50 per cent. the American citizen concludes it is to his interest to buy from the foreign importer. Why, to listen to the Senator from Rhode Island you would think that all the cutlery made in the United States was of greatly superior quality to any that is brought in from abroad.

There is a knife made in Connecticut which costs 30 cents a dozen, wholesale. It is not worth two-eighths of 1 cent, intrinsically. It is absolutely worthless. There is not any purpose to which it could be put except as an ornament for some boy to say "Here is my knife," without ever attempting to cut anything with it—the most worthless thing in the shape of a knife that I have ever seen. That is the American article; and yet my friend from Rhode Island is filled with virtuous indignation when he contemplates the foreign imported article which is used to rob the American people!

I do not want to go into a general debate, but my friend has taunted me with the fact of my association with the foreign importers. His association has been with the manufacturers, and the result of the association is shown in the substitute and in the amendment also.

These importers, I have not the slightest doubt about it, are actuated by self-interest. If there was ever a question on this earth that develops selfishness, greed, and rapacity, it is this, the tariff; and if a man undertakes to fight all of this rapacity as he must do on a plane of common justice and equality he is a very fortunate public man if he is not dragged down and befouled in the conflict. I want to show the spirit that animates these manufacturers. Here is the organ of the manufacturers. My attention was called a day or so since to an article in the Manufacturer, headed "Bad faith now means defeat." It is a lecture to our friends in charge of this substitute. It is the "handwriting on the wall" unless they give, give, give.

BAD FAITH NOW MEANS FUTURE DEFEAT.

It goes on to say that the Republican party was restored to power upon the distinct pledge of protecting all the industries of the United States.

Is there any reason for apprehending that the party will not keep faith with the people? We assert that there is and we base the assertion upon the conduct of the Republicans in the Senate with respect to the tariff bill now under discussion. These persons deliberately propose of their own motion—

There ought to be an amendment there, "These Senators;" it says "These persons"—

deliberately propose of their own motion to reduce protective duties upon the products of certain industries, and they indicate a purpose to reduce others by means of a dicker for votes. The scheme for knocking off $27,000,000 from the sugar duties aims a blow at the sugar industries of Louisiana and Kansas, and at the beet-sugar business, which is just beginning to assume importance. It is true that compensation is to be offered in the shape of bounties to sugar-growers; but this is not in fact a compensation. In the first place it sacrifices the principle of tariff protection, and in the second place it compels the American people to pay the bounty instead of forcing foreigners to pay it. The bounty system is proposed because the Senators desire to retain the internal taxes upon spirits, which we alone pay; and the operation of the system is that we shall continue to collect from the people an exorbitant tax on alcohol, with the proceeds of which we shall pay the bounty to the sugar-grower.

On the other hand, a customs duty on sugar may be paid and probably is largely paid by the foreign producer as the price of admission to this market. And, if this is not in fact the case now, it certainly will be the case as soon as our domestic sugar industry begins to have large proportions. Meanwhile, the duties upon certain kinds of iron are to be cut down, although Republican orators won many votes in the iron districts with declarations that the duties would be more likely to go up than down. The rates on lumber are to be cut, the wool-growers are gravely dissatisfied with the wool schedules, and in some other cases there is to be either reduction or a failure to make such increase as is fairly required by the needs of the affected industries.

We are fully aware of the difficulties that beset the protectionists in the Senate. They work amid a clashing of interests, and it seems necessary to make some compromises if they are to accomplish anything. This want of harmony of opinion within the protectionist ranks is the greatest of all the obstacles to the success of the cause. The free-traders are united.

I never knew that before.

They all want the same thing and they stand resolutely together to fight for it. The protectionists are harassed by the cowardly selfishness of some of their own people. A Senator from Kansas is eager to strike down the iron-workers of Pennsylvania, but he waxes indignant when a proposition is made to touch the sugar duties. Michigan is resolute for maintenance of the lumber duties, but her representatives would rejoice to have a chance to expose the woolen and cotton manufacturers of the East to unequal rivalry from Europe. The antagonisms and jealousies within the Republican ranks were hushed during the campaign, but victory has quickened them into normal vigor, and they are now expressing themselves with as much vehemence as if the Republican party had gained, somehow or other, a lease of power which can never again be questioned.

But it will be questioned. It is questioned now by the iron-workers in the Schuylkill Valley, who perceive with amazement that Republican Senators appear to have forgotten all the glorious rhetoric of the campaign which exalted the value of the home market, the uses of the tariff as a producer of high wages, and the vital importance of sheltering American industry. It is questioned by the wool-growers, to whose resolute support of the Republican candidate his election was largely due; and all over the country other workmen who voted the whole ticket in their own interests and what they were taught to regard as the interests of the country are observing the dickering and the paltering in the Senate Chamber with indignation and disgust. If that body sacrifices the protective principle in any form it will hear from the people two years hence.

The mass of the voters, at least, were in earnest in November, and they will not bear to be trifled with now. What they want is a thoroughly protective tariff, and if the Republican party shall not keep its promise to give it to them, it will be held responsible for the neglect. If the present Senate can not frame a just bill it had far better drop the matter and permit the next House of Representatives to deal with it.

Mr. PLUMB. I wanted to know the mental disturbance which the Senator must have undergone when he found he was on the platform of that paper on the sugar duty and on the question of a bounty. He and the writer of that article seem to have been in exact accord upon that very important question, while he finds on the perusal of the article further that the manufacturers are utterly opposed to this tariff bill. I find myself some consolation in that, because I have been a little bit distrustful of any bill that absolutely met their requirements. I have a good many feelings in common with the Senator about some of these things, but I am a little distressed about the manner in which he appears to wobble just now.

Mr. VEST. No, Mr. President, there is no wobbling in me——

Mr. PLUMB. He is with these manufacturers against the sugar bounty; he is on all fours with them, though he is opposing this bill with about as much virulence as they do. If I can not carom on the Senator occasionally when I get to be a little less practical than some of my associates here, I do not know whom I can carom on.

Mr. ALDRICH. I am very glad the Senator from Missouri has placed upon the public record this statement of a paper which I understand to be the official organ of the manufacturers. It is the very best answer which could be made to the charge which is constantly repeated upon the other side that in the preparation of this bill we have acceded to the demand of every manufacturer who appeared before the committee.

Mr. VEST. As to what the Senator from Kansas has suggested, that the editor of this paper and myself agree about the bounty, I will confess that; but for some other considerations, it would give me a little trouble, that is, I should go into a strict self-examination if I believed this paper indorsed me on the tariff question, and I might find a Turk-

ish bath and a little calomel necessary to reform my system politically. But to be against bounties is a very different proposition from being in favor of the illimitable increase of duty which that paper advocates consistently and persistently in all its editorials. Its cause for opposing the bounty is a very different one from mine. It opposes a bounty because it comes in the way of unlimited protection. I oppose the bounty because I am opposed to the principle of bounties, as I am opposed also to the principle of unlimited protection. It comes to its conclusion from very different motives to those which actuate me.

Mr. President, I may as well say just now, without going into a general debate, that I was very much astonished at a statement—not astonished, but I heard with some doubt the other day a statement by the Senator from Ohio [Mr. SHERMAN]—that the first effect of increasing the duty as is proposed to do now in this cutlery schedule—and we have heard the same thing substantially in all this debate—was to increase prices, but that the ultimate result was to diminish them. That is a favorite assertion of the Republican party. We heard it everywhere in the last canvass. All their famous orators, from Mr. Blaine down, rehearsed it over the country that the effect of a high protective tariff was to decrease duties to the consumer by reason of the domestic competition. In other words, that the tariff was the prolific and bountiful source of cheap commodities to the American consumer.

If that be so, it would logically follow that in a free-trade country there would be no lessening of prices, because in the absence of a tariff that thing could not be brought about. If the tariff has diminished prices in the United States, then there ought not to have been any lessening of prices upon the same commodities in free-trade England, because the two propositions are utterly inconsistent; they can not stand together. I have here a statement which I intended but for the adjournment of the Senate to have read when the Senator from Ohio made that statement. I have here from Mr. Carroll D. Wright, Commissioner of Labor, a statement of prices in England for seven years, from 1878 to 1885: Value of cotton manufactures, piece goods, in 1873, 7 cents; in 1878, 5.6 cents; in 1880, 5.5, and in 1885, 4.7 cents.

Mr. HISCOCK. Mr. President——

The PRESIDING OFFICER (Mr. PALMER in the chair). Does the Senator from Missouri yield to the Senator from New York?

Mr. VEST. I should rather put in the table first, but the Senator can go on.

Mr. HISCOCK. I will wait.

Mr. VEST. The table is as follows:

Exports from Great Britain.

Articles.	Values per yard.			
	1873.	1878.	1880.	1885.
Cotton manufactures:				
Piece goods, plain	$0.070	$0.056	$0.055	$0.047
Piece goods, printed or colored	.097	.085	.077	.070
Linen:				
Piece goods	.161	.146	.149	.129
Woolen manufactures:				
Cloths, coatings, stuffs, etc.*	.830	.693	.655	.499
Worsted coatings and stuffs*	.245	.188	.185	.201
Carpets and druggets	.783	.616	.591	.520

*Prior to 1882 woolen "stuffs" were included with worsted stuffs.

The amounts and percentages of increase or decrease from 1878 to 1885 are as follows:

	Per cent.
Cotton manufactures:	
Piece goods, plain, decrease per yard, $0.009	16.07
Piece goods, printed or colored, decrease per yard, $0.015	17.65
Linen:	
Piece goods, decrease per yard, $0.017	11.64
Woolen manufactures:	
Cloths, coatings, stuffs, etc., decrease per yard, $0.194	27.99
Worsted coatings and stuffs, increase per yard, $0.13	6.91
Carpets and druggets, decrease per yard, $0.096	15.58

That table I obtained from Mr. Carroll D. Wright. Now I will hear the Senator from New York.

Mr. HISCOCK. As I understand the Senator from Missouri, he states that if in a protected country the effect of protection is to decrease the price, in a free-trade country the effect of free trade would be to increase the price.

Mr. VEST. No; I did not say that.

Mr. HISCOCK. I understood the Senator to say that.

Mr. VEST. I did not say that. I said that if the tariff was the cause of decrease in the United States, then, there being no tariff in England, how can we explain the fact that there has been a decrease there?

Mr. HISCOCK. The Senator then did not assert what I have stated, but he seemed to indorse what I have stated. I will put it in this way——

Mr. VEST. No, I did not mean that.

Mr. HISCOCK. I can not understand him. The Senator said logically if protection decreased prices here, free trade should increase prices in England.

Mr. VEST. I misstated my proposition if I said that. What I meant to say was that the tariff has not decreased the price of commodities in the United States, because I point to free-trade England, where there is no tariff, and to a decrease there.

Mr. HISCOCK. As was stated in the discussion that we had the other day, the cause of the decrease of prices, as we claim, is that the large increase of the volume of the production on account of the stimulation by protection of the indutries in this country, thrown upon the market of the world, has the effect to decrease the price of commodities relatively everywhere the world over; that, as it was illustrated in the case of sugar, the sugar planting of beets equaling the cane-sugar planting and being added to it, has had the effect to decrease the price of sugar in the markets of the world the world over.

Mr. VEST. I might admit that. I heard the Senator make that statement in the former debate we had.

Mr. HISCOCK. I apprehend the Senator from Missouri must have made the statement a little stronger than he intended when I rose to question him. It seemed to me that that was too fallacious.

I will say further, if he will pardon me, that taking England with a given amount of plant with which perhaps she could supply her colonial market and her home market and supply the United States to a large extent, if you shut her out of the market of the United States her plant is forced to be idle or go down to a lower price of product there with a view of getting into our market or finding new markets.

Mr. VEST. I might admit all that the Senator has said, and still it does not affect the proposition that I am discussing. I have not any doubt but that if there were free trade all over the world the production would affect the price; that an immense production would diminish the price and a scarcity of articles would increase the price, on the familiar doctrine and principle of supply and demand.

But my friend from New York and his colleagues stand before the American people with a specific and isolated system of protection which is fast coming to the point of absolute exclusion. They make to the American people this argument in favor of a high protective tariff. They say "The free-traders," as they call us, "tell you that the duty is put on the cost of the article to the consumer, and therefore the higher the tariff the higher the price. We point you to the fact that under this high protective system, which we have had for twenty-odd years, the price of all these articles of consumption, necessaries of life, has gone down, and therefore"—and there is the fallacy of the whole thing—"the protective tariff has done it." I say the protective tariff has not done it. The prices of the same articles have gone down in spite of the tariff under natural causes.

Mr. HISCOCK. What we say with reference to it is that the price has gone down on account of the increased production and on account of the competition, and in accordance with the very law the Senator has stated, of supply and demand.

Mr. VEST. But the Senator does not allow that law to have free course, because he puts up the artificial barrier of the tariff between us and the rest of the world. He does not permit the entire product of the whole world to operate under natural and what I contend to be legitimate laws.

Mr. ALDRICH. But the effect of our protective legislation is to stimulate competition and stimulate increased production.

Mr. VEST. I understand the Senator claims that. The Senator and his party contend all the time that if you will shut out the whole world, then domestic competition will bring down the price to the consumer, when we know it does not do it, for the simple reason that as soon as you destroy foreign competition then the domestic manufacturers regulate the prices for themselves by means of combinations and trusts, and "sympathetic movements," as the witness on cotton-bagging called it.

Mr. HISCOCK. Do I understand from the Senator from Missouri that there are not many very remarkable or striking instances in which the effect of domestic competition has not forced down the price even lower than the foreign price?

Mr. VEST. I have simply to say that if domestic competition forced it down, then if you let in reasonably foreign competition it will still further put down the price to the consumer. If competition works inside of the tariff and you let in foreign competition and take away at least the exclusive tariff, then you have more of the same sort of result and the prices would still continue to go down.

Mr. PLATT. May I ask the Senator a question?

Mr. VEST. Certainly.

Mr. PLATT. Does the Senator believe that if goods can be made more cheaply abroad than they can be made here we ought to suffer that to be done, or ought we to put on a duty here to equalize the cost of production?

Mr. VEST. I have simply to say in answer that I can not make my opinions any plainer than I have done. I am not discussing the question of absolute free trade, because it is not a question in the United States. It is absolutely impossible to have free trade here.

Mr. HISCOCK. If the Senator will pardon me, then modify the proposition or the question of the Senator from Connecticut. Does he think it would be wise in any case? Let us lay aside for the present all the immense profits that are talked of to manufacturers. Does the

Senator believe that it is right and proper in any case to equalize the conditions in this country and in Europe in respect to labor alone and give the protection necessary to protect labor?

Mr. VEST. I would be perfectly willing, without any abstract principle about it, to agree to a compromise of that sort, if the manufacturers and their friends would be satisfied with it; but I know they will not be, and they are not, as to any item or schedule in this bill. The great vice in this protective system is that you can never satisfy the manufacturers.

Mr. HISCOCK. There is just this difference between myself and the Senator from Missouri. I do not believe that there is an item in the bill in which we have gone beyond that line.

Mr. VEST. Oh, well, that is just what we are discussing. That is just what I am here to try and prove to the American people is not true. I am willing to take the official report of the Secretary of the Treasury, and I will agree to put on a duty here that will be ample to equalize the difference between the cost of labor in this country and abroad.

Mr. HISCOCK. I want to make one qualification of my statement. On account of the difficulty in drawing the division lines between different rates for the same goods, there is no sort of doubt but that there may be some provisions in this bill which afford protection beyond that to cheaper grades of the same class of goods; but it does no harm for the reason that as to those goods we can compete with the world to-day. With that exception the bill is framed on that line.

Mr. VEST. Oh, there is article after article here where we have shown by the official export tables that the manufacturers supply the domestic market and then have a surplus to go abroad, and still our friends put up the duty, and they have put it up and kept it up on articles not one pound of which was imported into the United States.

Mr. ALDRICH. Will the Senator allow me a moment?

Mr. VEST. Yes, sir.

Mr. ALDRICH. I wish to say that neither the Treasury Department, nor the Bureau of Statistics of the Treasury Department, nor the Bureau of Labor Statistics of the United States, nor any other official source, has ever furnished any statistics or made any statement of the comparative cost of production growing out of the cost of labor between articles produced in this country and in competing countries abroad. When that statement is furnished authoritatively and truthfully I am willing as one protectionist to make the rates of duty in every instance conform to that difference in conditions and make the rate of duty simply large enough to equalize the conditions between the two countries.

Mr. VEST. It may be true that in one document the cost of labor in the United States and the cost of labor abroad as to each specific article are not given, but I have before me an official statement, Washington, D. C., January 5, 1884, taken from the census of 1880, giving specific and enumerated articles and the cost of labor in the United States in their production.

Mr. HISCOCK. If the Senator will pardon me, if he will examine that statement he will find this, all that I have ever seen, that the more finished product is classified with the raw material which makes up the more finished product; and then again, in reference to those products taken as a whole, their raw materials are nowhere taken into account in making that statement. Take it in reference to the manufactures of steel, tracing it back to the coal, to the ore, and all those things, nothing of that kind has ever been done.

Mr. VEST. We will not go back into that. The Senator from New York and myself had that out before.

Mr. PLATT. I dislike to interrupt the Senator, but will he permit me right on this question of cutlery to state, and to illustrate it by a single knife, that we are not equalizing the cost of labor? This is in the testimony, and I have some means of knowing that it is accurate. Take a four-bladed knife, which cost in Germany $1.56 a dozen. I think that is pretty near what the Senator gave as the cost of his four-bladed knives.

Now, the labor in Germany costs $1.06. The manufacture of that same knife costs in America $5.45 a dozen, the labor cost in it being $4.23. We do not go back to the iron mines. That is the cost in making the knife. So the difference in the cost of labor in this country over Germany in the making of that knife is $3.17. By this bill, by the amendment which the Senator is attacking so, the duty is only $1.14. So we have not come to the difference in cost. We have not half come to it.

Mr. VEST. I have no doubt that isolated instances like that can be discovered, but we are bound to take the average through the whole schedule. It is beyond credibility that as to these cheaper knives the cost of labor should be in any such proportion as that stated by the Senator from Connecticut.

But I want to make this statement, for I do not want to go into a general debate. Throughout this whole discussion and in all the action of our friends on the other side, one single fact is absolutely beyond question, and it is that they have never looked to the question of labor to guide them in fixing their rates; they have looked to importations. I have called attention to this again and again. Wherever you see a large increase of duty, if you will turn over to the importations you will see a large importation.

Mr. HISCOCK. Allow me to say right here in reference to that—of course we know what we have done better than the Senator from Missouri——

Mr. VEST. I do not belong to the committee.

Mr. HISCOCK. In all cases we have investigated the question of labor. The importation, as a matter of course, is the most positive proof that the conditions as to labor have not been equalized. Else with all the capital that we have in this country, with the plant necessary for doing it all, our people would make the goods and the importation would not be continued. That is simply considered, and has been received as a bill of evidence.

Mr. VEST. I have not the honor to be a member of the Committee on Finance, but it is a most remarkable fact that the Senator from New York tells us they have examined this question of labor, and then advances the remarkable proposition that the amount of importations settles the amount of labor.

Mr. HISCOCK. I beg the Senator's pardon; I said nothing of the kind.

Mr. VEST. What did the Senator say?

Mr. HISCOCK. I simply said that it was received as corroborating evidence or as evidence of some sort on that question upon the process of reasoning that I have indicated; but it never has been received in the way in which the Senator seems to state that I said.

Mr. VEST. It is remarkable that whilst we have read as to almost every item the estimate of the Treasury Department giving the amount of labor put into the American product, in not one single instance have our friends on the committee told us what was the cost as to the same article of labor abroad. If they had that information they ought to have given it to us.

Mr. ALDRICH. The Senator from Connecticut within ten minutes has read within the hearing of the Senate that very statement.

Mr. VEST. The Senator from Connecticut has as to one knife, but even that is brought here now for the first time in the debate.

Mr. PLATT. I referred to it this morning with reference to a great number of knives. I put the table in my remarks. It is published in the testimony.

Mr. ALDRICH. That is what I was going to say, that it appears in the testimony.

Mr. PLATT. It has not been questioned by any importer.

Mr. VEST. The Committee on Finance have not even given us the calculation of experts as to increases of duties in the bill or in any amendment that they have offered. They have given us no such calculation.

Mr. ALLISON. What is this statement here?

Mr. VEST. That is no statement of the ad valorem increase in your bill. It is the ad valorem duty under the existing law. Will the Senator point me to where they have done it?

Mr. HISCOCK. You can reach that result——

Mr. VEST. They have left us to go to experts whom we could find and to pick up information here and there from importers and others. They have never given us the calculation of the increase of duty or the change in duty by reason of the substitute that they have brought in here. If they have I should like to see it. We have a column here opposite each one of these items of ad valorem rates, but that is under existing law, because I worked it out after I acquired a little expert knowledge and was able to do it myself.

Mr. HISCOCK. It is fair the Senator should say that so far as the statement is concerned in all cases, usually at least, it gives the unit of value, and it is no great difficulty for him to work out the ad valorem himself.

Mr. VEST. It was done with a great deal of difficulty when I commenced this work.

Mr. HISCOCK. I wish to say another thing, that, in the main, so far as the items in this bill are concerned they were very largely prepared, practically agreed to, I would not say in all cases, without our having examined into the question of importations, and the question of non-importation was more frequently used against claims which were urged to have duties raised than it was in any other case.

Mr. VEST. Mr. President, I will not pursue the discussion, because we could not agree about it, and I apologize for having introduced anything which led to general debate. I will not do so any more. But I want to call attention to a statement for the benefit of my friend from New York, and then I am done. He has repeatedly alluded to the question of the product of the world as influencing the price of commodities. I have before me a very interesting pamphlet which I obtained from Mr. Carroll D. Wright. I have worked diligently to get from statistics (because this is one of the most interesting points in the whole tariff discussion) the effect of the tariff upon prices. I have at last obtained this little tract.

I suppose it will be discredited, for it comes from Michael G. Mulhall, F. S. S., a Fellow of the Scientific Society, I suppose, and the author of "The Dictionary of Statistics." It is entitled "Variations of Price Level since 1850," a pamphlet which belongs to the Govern-

ment, and which I am to return; I will put the concluding portion of it in the RECORD. It takes twenty articles comprising 90 per cent. of all human industries, products, or manufactures, and runs out the product of the world with the general decrease of price since 1850. Here is the conclusion:

The above twenty items comprise 90 per cent. of all human industries as regards products or manufactures, and therefore enable us to arrive at the exact variations of price level for the whole world, that is, the rise or fall in the purchasing power of gold since 1850. The result is as follows:

Years.	Purchasing power.
1841–'50	100.0
1851–'60	104.7
1861–'70	111.1
1871–'80	105.7
1881–'84	94.7

We find, therefore, a fall of 5½ per cent. from the price-level of the decade ending 1850, or nearly 15 per cent. from that of 1861–'70. This is much less than people in England generally suppose, because it is the fault of Englishmen to limit their scope of observation to this island, when, by looking around at other nations, we might be better disposed to form a correct judgment.

As regards the causes which led to the fall in price-level I have nothing now to say, my present purpose having simply been to fix precisely the relative value of gold as compared with merchandise in the thirty-five years that have elapsed since the great discoveries of the precious metal in California and Australia.

I read this simply to show that there has been a fall of prices all over the world.

Mr. ALDRICH. Everybody admits that.

Mr. VEST. There is no doubt of it.

Mr. ALLISON. There is no doubt of that.

Mr. VEST. When our friends claim, then, that the high protective tariff has caused the fall specifically in the United States, it is not sustained either by the facts in this country, or the facts in England, or the facts as to the whole world.

Mr. HISCOCK. I wish to make one suggestion in response to that. We will take iron and steel. Of iron America now, I think, is the largest producer in the world.

Mr. PLATT. It is.

Mr. HISCOCK. America is the largest producer in the world. Her immense product, added to the market of the world, has forced down the price of iron and steel goods the world over. That is the reason why we are in favor of protection. We believe in that policy. There is nothing which illustrates it more completely than the immense development of the iron and steel industry throughout the United States.

Mr. PLATT. Mr. President, I do not rise for the purpose of prolonging this debate, but I know the Senator from Missouri would not desire to do an injury or an injustice to a Connecticut industry. He presented a knife here as an object lesson, which he said was the worst knife made in the world, absolutely good for nothing, and that it was made in Connecticut. I have a little pride in having the quality of Connecticut manufactures sustained, if it is possible, and therefore I will ask him if upon second thought he is sure that that knife was made in Connecticut, and whether on the whole he does not think it is one of those German knives that we have been talking about?

Mr. VEST. I might have taken up the wrong knife, but there is a knife here made in Connecticut almost exactly like it, which I will try to show to the Senator. I would not do any injustice to Connecticut or to any other State.

Mr. TELLER. Mr. President, a few days since the Senator from Missouri entertained the Senate for a good portion of a day upon the great enormity and crime of taxing salt. Those who heard the Senator at that time and had not taken the pains to look at the amount of the tax on salt, the production of salt, etc., and the importations, must necessarily have felt that there was great injustice being done to the people of the United States. The Senator grew warm in his denunciation of this robber system, as he called it, on one of the necessaries of life that everybody used, and, as I said before, on another occasion he grew somewhat pathetic over the sufferings of the great masses of the people in paying this great duty on salt. If all of the duty on salt were added to the price of salt in this country it would amount to 1 cent and one-tenth of a cent per capita to the people of the United States. Later the Senator discoursed at great length upon the enormity of the tax upon tin-plate because of the universal use of tin-plate or of articles manufactured from tin-plate.

Mr. REAGAN. Will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Colorado yield?

Mr. TELLER. I will yield to the Senator when I get through. I do not care about yielding now.

To-day the Senator from Missouri has spent some considerable time in discussing the great enormity of the tax on jack-knives, pen-knives, and razors, and the vast increase of expense to the people of the United States by means of the great duty now existing and the proposed duty on knives, razors, and that class of cutlery. If all the duty that has been collected on knives and razors and articles of that character should be added to the cost the sum total would be about 1½ cents per capita.

We have had denunciation by one Senator and another, but particularly by the Senator from Missouri, of a system that would enable the manufacturers thus to rob the people of the United States. When it was stated here that that which cost a mere fraction of a cent was sold for eight or ten times what it cost and the profits went into the pockets of the importers, the Senator had no denunciations for the importers and for their greed. Yesterday, when the sugar schedule was before the Senate; when, if the Senator is correct in his theory that all the duty is added to the cost of the article (and undoubtedly that is true on the sugar schedule, for we have not been able to manufacture sugar enough in this country to change the rule), $56,500,000 would be added, or more than 90 cents per capita for every man, woman, and child in the United States, young and old, great and small, the Senator was conveniently absent from that debate.

Mr. VEST. Why, Mr. President——

Mr. TELLER. I expected then to see the Senator rise, as he indicated he would some days ago, and denounce that robbery; but I do not recollect to have heard him denouncing it yesterday at all.

Mr. VEST. I did not expect the Senator would do me the honor to recollect that I took any part in that discussion, but I opened the discussion against the bounty amendment.

Mr. TELLER. I understand that.

Mr. VEST. As to sugar itself there is a protection of nearly 50 per cent. upon sugar by the Senate bill.

Mr. ALLISON. Practically 50.

Mr. VEST. Practically 50 per cent., and because I did not say anything against that provision of the bill I am taken to task by the Senator from Colorado.

Mr. TELLER. I understood that the Senator had had the floor; I understood that he had had the opportunity; and I understood that he did not take advantage of the opportunity to say a word in favor of the proposed reduction of the tariff on sugar.

Mr. VEST. What opportunity or necessity was there?

Mr. TELLER. I understand that he was somewhat disturbed by the proposition to take off the tariff on sugar and make it up by a bounty. The only thing he was heard on yesterday was as to the enormity of increasing the production of sugar in this country by a bounty.

Mr. VEST. I am opposed to a bounty.

Mr. TELLER. He is opposed to the bounty. If there is any one thing that must be admitted in this debate it is that the Senator from Missouri is not a protectionist. He does not pretend to be. He says that we can not have free trade, yet he admits himself that if there was any way to have free trade he would be in favor of free trade. If the excise duties collected would run the Government without customs he would have free trade absolutely. He has denounced protection as a robbery system, as an unjust system, taking money from one person and putting it into the pocket of another. The Senator could not have been in favor of continuing the tariff on sugar because of its protective character. He has said over and over again on this floor that we did not need it for revenue.

What is the reason why he did not oppose it, Mr. President? Is it because it is in the Mills bill practically as it now stands, and that his party is committed to the Mills bill? If there is any other reason it must be because of the peculiar locality, geographically, of the industry, which I should not like to insinuate or intimate. The other day when I called his attention to the enormity of the provision of the existing law as to the duty on sugar, he intimated that he would be heard in denunciation of it. He has not been heard; he will not be heard, Mr. President.

I do not propose to go into a general debate on the tariff. I agree with the Senator from Missouri who got up here this morning and declared that the time was now too late for general debate, although he proceeded at considerable length to discuss the general tariff question. I do not intend to discuss it at length. I agree with the Senator that a general discussion of the tariff question is probably inopportune now; but when I hear the Senator from Alabama [Mr. MORGAN], as I did a day or two ago, the Senator from Texas [Mr. REAGAN] who sits nearest to me, and the Senator from Missouri [Mr. VEST], and other Senators on that side speak of this tariff as an outrage, as a violation of constitutional law, I can not help but call the attention of those Senators to the fact that the American system is much older than any man on this floor. I can not help calling their attention to the fact that it came in with the very advent of the Government under which we live, and that the second statute put upon our statute-book was one declaring that it was the duty of the American Congress to encourage and protect American manufactures.

I do not think that it would be out of time or out of place for me to suggest that nearly one-third of the men who signed the Constitution and who participated in making it were members of that Congress, and every one of them supported that bill, which was a bill introduced by Mr. Madison and advocated on the floor of the House by Mr. Madison. Between that time and 1812 no less than twelve separate bills,

every one of them clearly recognizing the American principle of protection to our manufactures, became laws with the approval of the class of men of whom I have spoken—George Washington, Benjamin Franklin, Alexander Hamilton, Thomas Jefferson, James Madison, and James Monroe, the two Adamses, and Andrew Jackson. All the leading men of that day were committed to the American system, not simply by their votes, but by their open and avowed declarations. Henry Clay, in the Senate of 1842, declared that the constitutionality of protection had never been questioned in the United States until 1820.

Yet in this late hour of the day, with innumerable statutes upon our statute-books that met the approval of the principal and leading men of our early history, and of our more matured growth—men like James Buchanan, Thomas H. Benton, and Silas Wright, who approved of the protective system—we are now told that when we advocate protection with revenue as incidental thereto instead of protection as incidental to revenue we are violators of the Constitution of the United States. In the House of Representatives in 1816, when Mr. Clay and Mr. Calhoun and the great strong men of that day took part in the discussion, not of the constitutional question, because it then had not been raised, it was declared that protection was the main thing and revenue was incidental thereto. It was upon that theory that the act of 1816 was passed with the approval and with the support on the floor both of Henry Clay and John C. Calhoun. And yet the Senator from Texas [Mr. REAGAN] tells us that we who still adhere to what the fathers declared was right are willful and open violators of the Constitution of the United States. I will take my law upon constitutional questions from Daniel Webster, from Silas Wright, from James Buchanan, from Thomas H. Benton, and from that class of statesmen, in preference to any modern light, whether sitting here or elsewhere.

Mr. President, I do not propose to discuss the constitutional question. It has passed beyond the domain of discussion. It is incorporated, as I say, in statute after statute that has had the approval of every President that we have ever had, unless it may be one or two of modern date. There is not a Democratic President, unless it be Grover Cleveland, who has not signed bills recognizing the correctness of the protective policy, for there never was a tariff bill passed that could be called a revenue bill alone. Only within the last week ten or twelve Senators sitting on the other side of the Chamber gave their votes in favor of the protective system when it was a question of placing a duty on coal.

As to the power of the General Government, I have discovered that the Senators on the other side who insist upon a strict construction of the Constitution have never found any difficulty when their local interests demanded their vote to satisfy their consciences that the power existed in the Government, whether it was to feed the sufferers on the Mississippi River who were suffering from high water, or whether it was to handle and keep out the dread scourge of yellow fever. Nay, more, even when drought had attacked some portions of the country a very large number on that side found the power for the Government of the United States to furnish seeds for the distressed settler, and the Democratic House at least found authority to send that kind of a bill here. So always, when there is a desire to exercise the power, they find it.

I want to say that in my judgment it is not because Senators on that side doubt the power of the Federal Government to pass laws of this character that they oppose this class of legislation, and I would not say that if it had not been so repeatedly declared that we were in open violation of the Constitution.

They oppose it, in my judgment, because they are hostile to the industries of a section of country of which they have not so many as they ought to have; for when it is a question of local protection to coal, or glass, or sugar, whether they say it is for revenue makes no difference; they are found then voting for the exercise of the power.

Everybody knows that we do not need $56,000,000 a year from sugar, every dollar of which comes out of the people of the United States, and yet there has been nobody on that side of the Chamber who has denounced that. They have saved their denunciations for the cent and one-tenth of a cent per capita on salt, the small increase on tin cups, or something of that character, and they have let this great big robbery, if they are right in their position, of more than 90 per cent. for every person living in the United States to go untouched and unchallenged.

Mr. VANCE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from North Carolina?

Mr. TELLER. Yes, sir.

Mr. VANCE. The Senator stated that every dollar of the sugar tax came out of the people of the United States, to which I agree, but I thought he contended that the foreigner paid that.

Mr. TELLER. The foreigner would pay it if we had a large production of sugar. He pays it on salt. Why? Because we manufacture enough salt in the United States to control the market. Whenever we manufacture enough sugar in the United States to control the market, then the foreigner will deduct the duty from his profits on sugar; but so long as he controls the market as he does, he fixes the price. That is the rule always on all commodities. If we send our wheat abroad in great quantities we may determine what the price is ourselves; but if we send it in small lots, then the other country determines the price. That is true of all products that come here. As soon as we get to manufacture in considerable quantities, then the prices go down. We have not yet got to manufacture sugar so that we can do that. There is no reason to believe that we ever shall do it with a duty and a duty alone. I have grave doubts whether even the bounty that we put upon sugar, if it shall become a law, will so stimulate its production in this country that we shall become self-supporting with reference to sugar, producing all that we need or anything like the amount we need in this country. We have so far failed to stimulate and encourage that industry. We can not afford to put more duty on it, and yet every Senator on that side is in favor of continuing the present duty, or, at least, the duty in the Mills bill, and in fact I think they are in favor of continuing the present duty. Not one, I believe, on that side of the Chamber is in favor of stimulating this industry except by the tariff. It will not do for Senators to say that it is a revenue duty.

Mr. REAGAN. Will the Senator allow me to interrupt him?

Mr. TELLER. Certainly.

Mr. REAGAN. I will simply say that I have declared myself in favor of reducing the duty on sugar and rice below what it is in the present law.

Mr. TELLER. I believe the Senator did say he was in favor of reducing the duty on sugar below what it is. I suppose he is in favor of just what the Mills bill provided.

Mr. REAGAN. The Senator has no right to suppose what my opinion is until I express it, I suggest.

Mr. TELLER. The Senator did not say how much he was in favor of reducing it. He had no words of commendation for this provision of the bill that does reduce it one-half, and I do not know whether he is in favor of reducing it one mill. I do not know how much the Senator is in favor of reducing it. He can state if he chooses so to do.

The protective system, in my judgment, is a valuable system. I do not want to say anything unfair or harsh. I am entitled to my belief, and I am entitled to it without having any Senator on the other side, because I profess my belief in the protective system, to say I am a willful and open and knowing violator of the Constitution. I believe that the protective system is absolutely indispensable to the preservation of the liberties of the people of the United States. I do not believe you can maintain in this country a free government unless you protect the people who labor. I do not believe you can protect the people who labor in this country in any other method or manner than by the protective system. I believe if we shall be induced, which we are not likely to be, to abandon the protective system there would be want and distress and squalor and vice and crime in this country that would in the end destroy the character of the Government in which we have taken so much pride. If we can maintain the high character we maintained for many years for the laboring people of this country, we can always hope for the maintenance of the American Republic with all its institutions intact.

Mr. CALL. Mr. President, the question now before the Senate is not one relating to the abstract wisdom or unwisdom of a protective tariff. To consider that question properly we would have to enter into grounds of thought and information which are entirely different from those affecting the proper adjustment of the tariff. It may, however, be said in reference to much that has been said now and on previous occasions that the protective policy, as it was understood by Mr. Madison and those who originated it and advocated its constitutionality, was never intended to do away with the general principle of freedom of trade between the different countries of the world. That question was investigated with very great consideration by all the great statesmen of the country, originally by Mr. Jefferson, more notably by Mr. Madison and by his successors in the Presidency. It will be sufficient, however, for my purpose to refer very briefly to Mr. Madison's letter to Mr. Clay from Montpelier, written in April, 1824. He says:

> With views of the subject such as these, I am a friend to the general principle of a free industry as the basis of a sound system of political economy. On the other hand, I am not less a friend to the legal patronage of domestic manufactures, as far as they come within particular reasons for exceptions to the general rule, not derogating from its generality. If the friends of the tariff, some of them at least, maintain opinions subversive of the rule, there are among its opponents views taken of the subject which exclude the fair exceptions to it.
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> For examples of these exceptions, I take—1. The case of articles necessary for national defense. 2. Articles of a use too indispensable to be subjected to foreign contingencies. 3. Cases where there may be sufficient certainty that a temporary encouragement will introduce a particular manufacture, which, once introduced, will flourish without that encouragement. That there are such cases is proved by the cotton manufacture introduced by the impulse of the war and the patronage of the law, without which it might not, for a considerable time, have effectually sprung up. It must not be forgotten, however, that the great success in this case was owing to the advantage in the raw material and to the extraordinary degree in which manual labor is abridged by mechanical agency. 4. A very important exception results from the frequency of wars among the manufacturing nations; the effect of a state of war on the price of their manufactures and the improbability that domestic substitutes will be provided by establishments which could not outlast occasions of such uncertain duration.

These are the exceptions to which Mr. Madison refers, of the general principle of free industry as the economic basis of legislation in all countries. It will not be forgotten that Mr. Madison was the great exponent of the constitutionality of the use of the power of taxation for the encouragement of manufactures. We have heard the sugges-

tion made here that there was a distinction between the constitutionality of a duty for the encouragement of manufacture or of industry and a tax or a bounty. This opinion has no foundation in the construction of the Constitution as maintained by Mr. Madison and by the fathers of the Republic. In the letter of Mr. Madison to Mr. Cabell, and his notes upon that letter, on the 30th of October, 1828, he uses the following language:

It appears that the clause, as it originally stood, simply expressed "a power to lay taxes, duties, imposts, and excises" without pointing out the objects; and, of course, leaving them applicable in carrying into effect the other specified powers. It appears, further, that a solicitude to prevent any constructive danger to the validity of public debts contracted under the superseded form of government, led to the addition of the words "to pay the debts."

This phraseology having the appearance of an appropriation limited to the payment of debts, an express appropriation was added "for the expense of the Government, etc."

But even this was considered as short of the objects for which taxes, duties, imposts, and excises might be required; and the more comprehensive provision was made by substituting "for expenses of Government" the terms of the old Confederation, namely, "and provide for the common defense and general welfare," making duties and imposts, as well as taxes and excises, applicable not only to payment of debts, but to the common defense and general welfare.

The question, then, is, What is the import of that phrase, "common defense and general welfare," in its actual connection? The import which Virginia has always asserted and still contends for is that they are explained and limited to the enumerated objects subjoined to them, among which objects is the regulation of foreign commerce; as far, therefore, as a tariff of duties is necessary and proper in regulating foreign commerce for any of the usual purposes of such regulations it may be imposed by Congress, and consequently for the purpose of encouraging manufactures, which is a well-known purpose for which duties and imposts have been usually employed. This view of the clause providing for revenue instead of interfering with or excluding the power of regulating foreign trade corroborates the rightful exercise of power for the encouragment of domestic manufactures.

It will be seen that Mr. Madison in his construction of the Constitution, which has become the foundation of an established policy of the Government, lays down the proposition that the regulation of commerce is an enumerated object in the Constitution for the exercise of the taxing power either by duties on imports or by excises or taxes, and that within the term "the regulation of commerce" is the encouragement or the discouragement of domestic industry. The term "regulation of commerce," according to his elaborate argument many times repeated, which I have here before me, in different parts of both his official and private life and in his performance of public duties, includes the protection of the manifold industries and interests of the country, whether by taxation or whether by duties on imports. Therefore, so far as the question of power is concerned under the Constitution it has prevailed, commencing with General Washington and extending to the present time; the power of laying duties on imports, or of taxes, or of excises, rests upon precisely the same interpretation of the Constitution, and the same clause of the Constitution, as maintained by the Jeffersonian or Virginia rule of strict construction.

The power to lay duties upon imports for the purposes of the common defense and the general welfare, even in the strictest school of construction, was interpreted to be for the enumerated objects in the Constitution. The power of regulating commerce therefore being one of these specified objects, comes within the strictest rule of construction, and the power to levy taxes, equally with the power to impose duties, comes within the power of regulating commerce as construed from the beginning of the Government to the present time.

So that upon the mere question whether the power of encouragement of domestic industries or of manufactures is exercised by direct taxation, by excise, or by the imposition of duties, there is not any difference in the power. The power of appropriation for all purposes of regulating commerce is of course co-extensive with the necessities of the regulation of commerce. So that there can be no question that, as a matter of power, the levying of the taxes and the appropriation of the money for any legitimate purpose within the term "regulating commerce" are within this construction of the Constitution which has become historic and traditional in the country.

The material question here, as in the adjustment of all taxes, is only in reference to the amount and effect of the duty, and the extent of the tax should bear equally and fairly upon the country, for it is quite manifest that you may levy a tax in such a shape and on such amount and on such things as to build up a privileged order. It does not matter whether you call it the manufacturers of cutlery or the manufacturers of any other product; if you have given them a bounty, whether it is in the shape of a right to collect higher prices for their goods or by a direct payment from the Treasury—if you have placed them by legislation in any circumstances whatever which advantage them unduly and beyond the great mass of people of the country, you have created an aristocracy, and in doing so have impoverished the great mass of the people. The question, therefore, is in the extent of this imposition, in the character of it, in the fact whether or not it is a permanent imposition upon the country, whether it bears easily and fairly and equally upon all the people of the country and not unduly upon the poor and most destitute classes.

If we shall confine our investigations to this reasonable proposition we shall be enabled to arrive at some just conclusion. But in reference to all these sectional claims and sectional prejudice, or as to the consistency of this or that person, it has nothing to do with this great and important question.

We are now laying a system of taxation, for the idea never prevailed and has no force that the imposition of a duty, of a tax of any kind, is not borne by the consumer of the thing taxed. That is a proposition which is impossible in nature and unreasonable, having no kind of a foundation in reason. A tax upon consumption must be paid by the consumer, and the cost from the beginning to the end by a necessary law of political economy is borne by the consumer of the article. In all these discussions by Mr. Hamilton, by Mr. Madison, by Mr. Jefferson of the question of the effect and character of taxation this has been an admitted proposition. That it should be denied here and claimed that under any possible circumstances in any case, except a single exception here and there not germane to the proposition, as if a man should abandon his property should give it away—that there should be any discussion in this body that it was possible under any circumstances whatever for a tax upon consumption to be paid by any other person than the consumer or user, or that any part of it should be paid by any other person, is somewhat surprising because so entirely unreasonable. The productions of a country or a man must be used or consumed by some one, and he or they who use it must give in exchange for it something, otherwise there could be nothing but uncompensated and voluntary producing classes on one side and non-producing and consuming persons on the other.

Mr. President, we have heard much said here in regard to the question of a tax being laid; that it is a small amount on each individual; and we are told that salt pays but little; that each individual person contributes but a mite, a few cents; that the duty on knives, cutlery, and articles of that kind is an infinitesimal tax upon each person. It is true that all taxation must be upon the general consumption, and each person will pay but little. But suppose we investigate that proposition a little. I have here a treatise by Mr. Edward Atkinson, based upon an analysis, which I will read:

What I wish to bring out is this: Out of an estimated product of the present population, at the same ratio as that used in the treatise on wages, to wit, $11,400,000,000 in 1885, against $10,000,000,000 in the census year—

Food and drink take up, at the minimum, about	$5,000,000,000
Clothing, etc., at the maximum	1,500,000,000
Repairs, maintenance, and construction of dwellings for working people	460,000,000
Repairs and construction of dwellings for the well-to-do, at double rates	40,000,000
Accounted for	7,000,000,000

Leaving $4,400,000,000 to be accounted for in the consumption of all other articles aside from food, drink, clothing, and shelter. Out of the distribution of the remainder would come the luxuries of the rich, the comforts of the well-to-do, and all our additions to capital and to the savings of the people.

But in this analysis it will be observed that the proportion of the total expenditure assigned to food is far short of that which is the well-ascertained proportion in workmen's families, both in this country and in Europe, which is 50 per cent. of their income in respect to the better class and 60 per cent. in the lower grade. At 50 per cent. of our estimated gross income food and drink costs $5,700,000,000.

What, then, is the conclusion? Is it not that even in this sparsely-populated land, of almost unlimited potentiality in its production of grain and meat, more than one-half the struggle for life is still a mere struggle for food? Can this low plane of mere existence, which many fail even to attain, be attributed to monopoly of land, to institutions established by law, or to causes wholly remediable by legislation? If not, wherein do we fail, in spite of our much-vaunted civilization?

If this statement is true, and it is proved clearly, it behooves all wise men of every class to consider it carefully in imposing taxes. If more than one-half the struggle for life is still a mere struggle for food, which many fail even to attain, it is a fact which carries with it much of warning and wise suggestion.

We will perceive from this statement and from a further statement which will be found in this book, which I will not occupy time by reading, that 1 cent a day is the margin in this struggle for food, 1 cent a day the margin between want and suffering and comparative comfort to the greater number of our people.

When we are discussing questions of taxation and say that it is but a few cents per capita in the year, but a half-dollar for salt, or a few cents for knives, we forget the fact that we are legislating for 65,000,000 people, the larger portion of whom are engaged in a struggle for existence, for food, in which a cent a day means comfort or the loss of it starvation and want. We must not forget the fact that in the levy of the taxes in all nations and at all times they must be levied upon the great body of the people and upon those things which they consume most universally, for that is the law of taxation. Taxes must be paid out of production, not out of something that does not exist, and consumption is taxed simply as the means of levying upon production, and production can only be by the use and employment of all the labor, all the energy, in some form or other, of all the people.

But if we are insensible to the fact in the levy of a tax, and because it is a minimum, because it is an insignificant amount, we shall disregard it, we will destroy the great body of the people, and we must have consideration of that, first, because the people have a right to happiness and comfort, and second, because before a government reaches that point of oppression the people will turn and destroy it. Therefore Mr. Madison and Mr. Jefferson and these other great men, Mr. Adams and Mr. Hamilton himself, recognized the fact that the wrong of any system of taxation, be it a tariff or be it a direct levy of taxes, is in the oppressiveness of the tax upon the great body of the people,

and you can not relieve that by any system which will exclude trade, which will forbid commercial intercourse between the nations of the world.

You will only enhance the sufferings of the people. You can not deny competition between one man and another, or one country and another, for competition is the same whether it be domestic or whether it be foreign, whether it be between great bodies of people and great organized industries or a few. The principle recognized by all people has been that free industry, free trade should be encouraged, as a rule, checked and limited only in instances by the exercise of this protective power so as to create and encourage by moderate taxes and to a limited extent the industries which may advantageously be pursued in a country. This power is subject to great abuse. It may be extended, like the taxing power, to everything; it may be exercised in such a manner as to destroy the people, to build up privileged classes, and that has been the history of the world, and amongst all the governments of ancient history it has been oppressively used, and has contributed to that accumulation of wealth in the hands of a few and that general poverty which has preceded their downfall.

Alexander Hamilton, in his report upon manufactures when Secretary of the Treasury, which with Mr. Madison's constitutional arguments and advocacy upon the subject may be said to have been the introduction into this country of this system, and the great source from which the ideas in its defense originated, says as follows in his report:

To these observations the following appears to be a satisfactory answer:

First. If the system of perfect liberty to industry and commerce were the prevailing system of nations, the arguments which dissuade a country in the predicament of the United States, from the zealous pursuit of manufactures would doubtless have great force. It will not be affirmed that they might not be permitted, with few exceptions, to serve as a rule of national conduct. In such a state of things each country would have the full benefit of its peculiar advantages to compensate for its deficiencies or disadvantages. If one nation were in a condition to supply manufactured articles, on better terms than another, that other might find an abundant indemnification in a superior capacity to furnish the produce of the soil, and a free exchange, mutually beneficial, of the commodities which each was able to supply, on the best terms, might be carried on between them, supporting, in full vigor, the industry of each. And though the circumstances which have been mentioned, and others which will be unfolded hereafter, render it probable that nations merely agricultural would not enjoy the same degree of opulence, in proportion to their numbers, as those which united manufactures with agriculture, yet the progressive improvement of the lands of the farmer might, in the end, atone for an inferior degree of opulence in the mean time; and in a case in which opposite considerations are pretty equally balanced, the option ought, perhaps, always to be in favor of leaving industry to its own direction.

But the system which has been mentioned is far from characterizing the general policy of nations. The prevalent one has been regulated by an opposite spirit. The consequence of it is that the United States are, to a certain extent, in the situation of a country precluded from foreign commerce. They can, indeed, without difficulty, obtain from abroad the manufactured supplies of which they are in want, but they experience numerous and very injurious impediments to the emission and rent of their own commodities. Nor is this the case in reference to a single foreign nation only. The regulations of several countries with which we have the most extensive intercourse throw serious obstructions in the way of the principal staples of the United States. In such a position of things the United States can not exchange with Europe on equal terms, and the want of reciprocity would render them the victim of a system which should induce them to confine their views to agriculture and refrain from manufactures. A constant and increasing necessity on their part for the commodities of Europe and only a partial and occasional demand for their own in return could not but expose them to a state of impoverishment, compared with the opulence to which their political and natural advantages authorize them to aspire.

All persons will perceive how foreign to this proposition have been the arguments that have been made upon this subject looking to an isolation of this country, looking to prohibitory or oppressive restrictions upon trade, maintaining the idea that this country should be independent of the commerce of the world, and that the theory of protection should go to the extent of preventing trade and commerce, instead of the reasonable and limited encouragement and stimulus which may be necessary to build up necessary and useful industries, which are necessary in time of war or necessary to secure the independence of the country, and which places us in a condition to stand fair competition with the other people of the world. The theory as maintained in the original legesiation upon this subject was limited strictly to this extent. If the argument be maintained that by bounties, by duties on imports, we are to develop and encourage the building up of every possible form of employment in this country which may be advisable, who are to pay for it while it is being done, and who are to maintain it after it shall have been done? Somebody must pay. This encouragement must be either by a prohibition or by a tax levied upon the thing imported. If the tax be sufficient to amount to a prohibition, we simply say that we will leave to the natural causes in our own country the production of these manufactures. Was that the idea of Mr. Hamilton? Let us see. He says:

The aid of foreign capital may safely, and with considerable latitude, be taken into calculation. Its instrumentality has been long experienced in our external commerce; and it has begun to be felt in various other modes. Not only our funds, but our agriculture, and other internal improvements, have been animated by it. It has already, in a few instances, extended even to our manufactures.

It is a well-known fact that there are parts of Europe which have more capital than profitable domestic objects of employment. Hence, among other proofs, the large loans continually furnished to foreign states. And it is equally certain that the capital of other parts may find more profitable employment in the United States than at home. And, notwithstanding there are weighty inducements to prefer the employment of capital at home, even at less profit, to an investment of it abroad, though with greater gain, yet these inducements are overruled, either by a deficiency of employment, or by a very material difference in profit. Both these causes operate to produce a transfer of foreign capital to the United States. It is certain that various objects in this country hold out advantages which are with difficulty to be equaled elsewhere; and under the increasingly favorable impressions which are entertained of our Government, the attractions will become more and more strong. These impressions will prove a rich mine of prosperity to the country, if they are confirmed and strengthened by the progress of our affairs. And to secure this advantage, little more is now necessary than to foster industry and cultivate order and tranquillity at home and abroad.

It is not impossible that there may be persons disposed to look with a jealous eye on the introduction of foreign capital as if it were an instrument to deprive our own citizens of our own industry; but, perhaps, there never could be a more unreasonable jealousy. Instead of being viewed as a rival, it ought to be considered as a most valuable auxiliary, conducing to put in motion a greater quantity of productive labor and a greater portion of useful enterprise than could exist without it. It is at least evident that in a country situated like the United States, with an infinite fund of resources yet to be unfolded, every farthing of foreign capital which is laid out in internal meliorations and in industrious establishments of a permanent nature is a precious acquisition.

And, whatever be the objects which originally attract foreign capital, when once introduced, it may be directed towards any purpose of beneficial exertion which is desired. And to detain it among us there can be no expedient so effectual as to enlarge the sphere within which it may be usefully employed. Though introduced merely with views to speculations in the funds it may afterwards be rendered subservient to the interests of agriculture, commerce, and manufactures. But the attraction of foreign capital for the direct purpose of manufactures ought not to be deemed a chimerical expectation. There are already examples of it, as remarked in another place. And the examples, if the disposition be cultivated, can hardly fail to multiply.

Mr. President, the object which Mr. Hamilton and others had in imposing this duty, this tariff in its protective features, was to invite the foreign capital of other countries; and such must always be its effect. This great man perceived that the natural effect of a privilege granted to a particular pursuit was to invite capital from abroad, and the persons, the laborers, who had the means to accomplish it, to the more favored country, and thus to produce an interest for this country in the employment of persons who might be there or might be brought there in increasing the subjects of taxation and increasing the amount of production. But we will perceive that this may be carried to a great extent. You may by legislation invite competition from abroad to come and build up these great interests here, and while that would have its advantages, you do not wish to give inducements to one class of persons by oppressive taxation imposed upon the great body of the people, for it does not matter in what form the imposition comes, it does not matter in what shape the people of the country furnish the inducement, it must be a moneyed inducement, it must be a profit of some kind and from some source as the result of your legislation, and your laws can affect only your own country.

You can not build up what you call a great protected system by oppressive impositions upon the great body of your own people. You must develop by gentle stimulation the natural opportunities and capacities of the country. Such was the law and such was the argument and such was the theory of those who maintained that there was a power in the Government, in the regulation of foreign commerce, to levy duties upon imports for the purpose of encouraging American industry and American manufacture.

Mr. President, it may not be uninteresting to us, while upon this subject, to give a little consideration to the systems of taxation which have prevailed in other countries and in former periods of time. We are not the only republic that has ever existed, and compared with some we are yet in our infancy. We may not live to see the long centuries pass which witnessed the duration of some other republics—Athens, the Grecian states, the Roman republic, the empire. The democracy of Athens was more completely a popular government than our own, and it is of interest to us to see how far their people were developed, how wise they were, how they had investigated all these subjects which we have been discussing here, with what profound and exhaustive thought they had considered the sources of taxation and the methods of it, and how they correspond with our own.

The ordinary revenues of the Athenian states—

Says this book, Ancient and Mediæval Republics, by Mann—

The ordinary revenues of the Athenian states were from customs and harbor duties, the excise on sales in the public market, the tax on aliens, the tax of 3 obols for every slave, which was likewise exacted from every freedman, court fees and fines, the rent of the public lands, and the income from the mines. Public lands, pasture and arable, as well as public buildings not needed for public use, were let to the highest bidder. Tributary states paid a sum equivalent to a 5 per cent. duty on all commodities exported and imported by them. In the flourishing period of the republic the annual revenue collected from these various sources amounted to about 2,000 talents.

About $2,440,000.

Extraordinary expenditures, rendered necessary by war or other exigency, were met by a tax on property which resembled in some respects the forced loans exacted by Italian republics in the middle ages.

We see, then, that this system of duties on imports from customs extended away back to the days of the Athenian democracy. We come on down to the days of the Roman republic and empire. The Roman empire resorted to it in order to meet the great expenses of administration.

The cost of supporting the legions was borne by the provinces in which they were quartered; but the expense of the pay and equipment of the troops stationed in Italy, and of the maintenance of the fleets which guarded the coasts and protected the commerce of the empire, was met from the general treasury. Other financial burdens of an imperial nature were the compensation of the numerous subordinate officials engaged in the various departments of the Roman civic government, the equipment of the vast army of slaves employed upon the public works, the cost of public shows and entertainments, and the expenditure for corn, wine, and oil, corn being given away to the poorer citizens, and wine and oil sold at an almost nominal price.

The ancient tax known as the *tributum* had fallen into disuse during the flourishing period of the commonwealth, when the treasuries of the world were being poured into the coffers of Rome and the public domain, having been allotted to veteran soldiers and other landless citizens, no longer yielded a revenue. In order to meet the greatly increased expenses of the imperial administration a capitation tax of a dual kind was imposed upon real property and upon polls. The soil of the provinces was divided into portions known as *capita* of the estimated value of 1,000 solidi in one such fiscal unit, so that one large proprietor might be rated as the owner of a number of *capita*, while the land of several small proprietors might be combined to form one *caput*. The classes who possessed no landed property paid a tax upon their personal effects. Common laborers and slaves, who owned nothing, were simply rated according to their polls, and the sum due was collected from their masters or employers. In some of the provinces, such as Africa and Egypt, the revenue was collected in kind for the purpose of supplying the capital with corn for public distribution, and, instead of a tithe of the produce being exacted, the landowner was required to deliver to the nearest imperial storehouse a fixed quantity of grain based upon an estimate of the productive nature of the soil.

In provinces not specially designated as granaries corn or other produce was accepted at its market value to an extent limited by the requirements of the government, but the demand was, as a rule, quite equivalent to the supply, for the provisions not needed for the sustenance of armies engaged in almost continual warfare and of the multitude of slaves in the public employ were readily disposed of to the Roman populace. The state continued, as in the republican age, to derive an income from gold, silver, and other metallic mines and quarries of marble and other valuable stone. The mines were let to contractors or associations of *publicani*, as during the commonwealth period, and the state supplied the contractors with the forced labor of convicted criminals, and sometimes with the reluctant industry of regular soldiers.

At a later period the population of mining districts, which probably included a large proportion of released convicts, was reduced to a sort of peonage, being bound to the soil and forbidden to emigrate, but allowed to hire out their own labor in the mines. Salt-works, fisheries, and forests were likewise farmed to contractors; but the state kept in its own hands the collection of duties on exports and imports, of the tolls and dues of cities, roads, and bridges, and of the numerous imposts with which the luxuries, and even the necessities, of life were burdened.

And in a foot-note the author goes on:

Augustus increased the duties on exports and imports, and also increased the number of articles liable to such duties. The ordinary rate of duty was one-fortieth of the value of the goods, but a person might import free of duty any article intended for his own use. Smuggling was common, and the means taken by agents of the customs to detect smuggling were as offensive and annoying to travelers as they are at the present day.

We perceive, therefore, that in those days of the Roman empire the amount of duty on imports was about 2½ per cent. instead of our duty of 47 per cent.; and so, if we go on, we find when we come to the Venetian republic, with Florence and Venice, and their twelve hundred years of existence, the same system prevailing, the same system of limited and moderate duties upon imports and exports; no theory of the exclusion of trade; no theory of enormous and oppressive and prohibitory rates of duty; and we must perceive that the maintenance of a system of this kind of extravagant taxation and of prohibitory duties is not only unwise, not only inconsistent with the general prosperity of the people, but will have the effect of building up immense privileged interests, of creating an aristocracy of wealth, as veritable and completely plutocratic government as if by law certain privileges were made hereditary in certain persons and in certain families, and the same result will come to us from the same cause as came to Venice and to Florence in the final periods of their twelve hundred years of existence.

But, Mr. President, these questions relate altogether to the care with which a system of duties may be and should be imposed. Mr. Madison, in his review of the different tariffs and in his letter to Mr. Clay, lays down the proposition that the abuse of this power of taxation, the abuse of a system of levies upon imports, is the great evil that is to be apprehended from its use—the increased duty, the exaggerated duty, the application of it to cases to which it should not be applied, to cases in which the foreign production is better for the interests of a country than the home production would be; and he urges that it should be limited to articles necessary for the thorough independence of a country in a time of war and to the articles absolutely necessary for human life which the natural capabilities of the country favored, all with the understanding that the system of trade and commerce is a necessity for all people, an economic necessity, and that nothing but absolute prohibition will prevent commerce between countries.

But, Mr. President, before I depart from this view of the subject as to the inefficiency of extravagant and prohibitory duties and the impossibility of their being imposed consistently with the public interests, I wish to call attention to another fact.

It is certainly true that any stimulus of any kind, either natural or artificial, to production which increases its quantity will diminish its exchangeable value if the demand does not correspondingly increase, provided the increased supply is accessible to the markets of the world. That is an inevitable law, unless artificial combinations prevent its operation, and any stimulus, either by prohibition or by bounty, or of encouragement by combination of associated capital and enterprise, may develop industries and production in one country or another, but there will be a surplus in every country. You can not adjust the wants and the production of a people to a precise equality. There must be a surplus somewhere, and that surplus can not be carried away, either from a man or a country, except by exchanging it for something else. I find that in the twenty-three years from 1860 to 1883 there were eight thousand millions of breadstuffs, provisions, and cotton exported and exchanged into foreign productions and imported into this country, and there were nearly seven hundred millions in the last report of the Treasury Department of imports into this country.

What do these facts signify—eight thousand millions in twenty-three years and seven hundred millions in the last year? They indicate that whatever is the amount of tax or duty you impose upon that eight thousand millions exchanged into an import—for it is only an export of a value or property of your own people converted into something else and brought back here, and the value is simply transferred and exchanged into another product—the import and the export represent only one value increased by transportation and exchange and still represents the original value exported and the persons who produced it; whatever it may be, if the amount that you impose upon it be 100 per cent., or if it be increased until you destroy its value entirely by placing it beyond the reach of the consumer, you have only destroyed that much of your own production and have laid it upon the class that produced it just as if you had burned at your seaports this $8,000,000,000 of production, and that is a law which you can not alter. The excess of a man or of a country's production—for it matters not which—must be exchanged into something else of value or destroyed. That is a natural law.

Therefore it is that, however true and however wise it may be to encourage new or to maintain old industries, however wise to create an independence in the country, however constitutional and lawful to exercise the power of taxation or of imposing duties on imports, it must be done with reference to the fact that an import is but an export and a production of your own converted into something else of value, and that the tax you impose upon it is in every form and necessarily a tax upon your own people, whether it be produced by poorly paid or well paid labor when you have purchased it with the wheat or tobacco or provisions of the United States—it is their value, their property, and the more you tax it by a high duty you lessen the value of the exchange, and you diminish the capacity of the home producers or home market to buy and pay for your home manufacture. Therefore it is evident that the interests of protection to home manufactures and productions forbid a high rate of duty and demand such a system as will permit an exportation of all surplus production, and as large an export of all kinds as is consistent with the encouragement of such manufactures and such productions as the independence of the country in time of war requires, and as the natural capacities of the country enable us to make with advantage.

Now, as to the practicability of such a system of encouragement as the section of this bill relating to sugar provides, namely, a system of bounties, as to its operation upon the people, its effect upon the people at large, it seems to me there can be no question that a specific tax applied to a specific purpose would be a lighter burden than a tax upon the general consumption of the country, and that it would avoid some of the more important objections to a system of high duties on imports, but if adopted, for one I can see no reason why it should not be adopted for all.

The encouragement by Government aid of home manufactures and home productions is one thing, and the methods by which it shall be done is another. The manner in which a tax shall be levied and the appropriation of it, and the reasons which govern each, are as distinct as any two things in nature.

One important difference between the two methods, that of direct appropriation and that of protection by a duty on imports, will be found in the free competition which the direct appropriation permits under the system of duties.

When you have stimulated the home production, or when you have created the domestic competition which may produce its natural effects, when you have produced it to such an extent as you desire, it is true it will have its effect upon the value of the thing produced unless artificial combination or causes which are within the creation of man are intervened to check this natural and necessary result, but all this time the people will be paying an oppressive tax.

We have had a proposition to change the form in which this method of encouragement or this stimulus to the development of new employments is applied from a duty on imports to an appropriation in the form of a bounty for one production only, and that one sugar, the best revenue subject. As I said in the beginning of my remarks, I can see no difference in the constitutionality of the appropriation of this money in the shape of a bounty or in the levying of a tax directly or in duties on imports. It matters not which, for it derives its validity from the fact of its being a lawful object of the power of levying taxes and from the fact of its being within the power to regulate commerce as construed by all the early Presidents of the country and the founders of the Constitution. Therefore, as to its constitutionality I think there can be no objection.

I have failed to see what necessary relation there was between the imposition of a tax upon the entire consumption of a country and the encouragement of a particular industry or employment. Why tax the whole people and give an unlimited range of higher prices to the founder of a new industry? It has been done in all ages. It was done in Rome, is was done in Athens, it was done in Venice, it was done in Florence, and it is a well-established policy in our own country and in all European countries, but it produced that distinction of classes there, and it will produce it everywhere. It is a bounty larger than the necessities or purposes to be accomplished require, and it places the whole consumption, the whole demand within the control

of particular persons, of the persons who engage in an industry; and although it may be true that this inducement may carry many into it, and thus create competition, it is also true that that competition may be limited, and yet the burden be continued indefinitely on the people of the country.

As to the duty on sugar, the question should be, for purposes of protection, whether or not the tax should be laid upon the consumers of sugar equally with the consumers of manufactured goods, of woolen or of cotton goods, or of iron manufactures, so as to afford an equal rate of protection to each. While that is true, the question of proportioning this taxation for the encouragement of these industries, if they are to be promoted equally, leaves the sugar tax and the sugar interest to stand or fall upon the line of equality and encouragement with those other interests, and makes special provision in the nature of a duty and a bounty for it, but no account being taken of the fact that if we are to have a revenue duty, this is a revenue article and most suitable, and as tea or coffee would be, and better for the purposes of collecting a revenue than any other article.

It is upon this ground that the high duty on sugar has always been maintained and successfully defended, and for the purposes of revenue and protection combined there can be no doubt that it may claim a right to be placed in the highest scale of duties; and if we are to consider the protective feature and its application to the case, it should be that sugar should stand upon this fair and just equality of protection with any other protected article. As to the question which of the two forms of taxation, the tax by a duty or the tax by a bounty, is the easier for the people, there can be no question whatever upon that subject.

Mr. Hamilton said in his article:

> Bounties are sometimes not only the best but the only proper expedient for uniting the encouragement of a new object of agriculture with that of a new object of manufacture. It is the interest of the farmer to have the production of the raw material promoted by counteracting the interference of the foreign material of the same kind. It is the interest of the manufacturer to have the material abundant and cheap. If prior to the domestic production of the material in sufficient quantity to supply the manufacturer on good terms a duty be laid upon the importation of it from abroad, with a view to promote the raising of it at home, the interest both of the farmer and manufacturer will be disserved. By either destroying the requisite supply or raising the price of the article beyond what can be afforded to be given for it by the conductor of an infant manufacture, it is abandoned or fails, and there being no domestic manufactories to create a demand for the raw material, which is raised by the farmer, it is in vain that the competition of the like foreign article may have been destroyed.

Mr. President, it is quite plain that these observations, in some respects at least, are well founded, and that so far as raising the price is concerned the appropriation of a bounty has no effect whatever except the indirect effect of stimulating production. Until that object is attained there is no increase of price levied upon the people of the country by the appropriation of the bounty. I can therefore see that it would be a wise thing if all this encouragement to industries—except in extreme cases where for reasons of public policy temporary exclusion or prohibition should be necessary—was in the shape of a specific appropriation, in the form of a bounty, for it would relieve the people of the country of this oppressive and uncertain cloud which hangs over them of an excessive price for the necessaries and comforts of life; and that is the danger to be apprehended. It is not in the wise and reasonable exercise of the power to encourage domestic industries, manufactures or others, by Government aid, which has become an established policy in this country, but in the abuse of that power; and Mr. Jefferson's idea, as interpreted by Mr. Madison in his letter alluding to Mr. Jefferson's opinion upon the subject, in insisting that the power to promote and encourage the development of manufactures and industries was that it should be exercised upon the revenue basis so as to save it from abuse, and, as he says, to have a moderate and fair and equal imposition upon every portion of the country.

Therefore this bill and its provisions in which this tariff on some articles is run up to the extent of 60 and 100 per cent. is an unwise one; it is an unreasonable taxation; it is an excessive taxation, and that limit should be carefully observed which will confine the protection afforded to these different industries to such limited protection as will induce and preserve a competition between the productions of foreign nations, not a disadvantageous competition, but a fair and a just competition, as Mr. Madison said, as Alexander Hamilton said, as Mr. Jefferson said, the principle of all economic laws being that of free industry and free interchange, limited and checked only to the extent necessary for the encouragement and the development of special and particular interests in a country.

When there shall be reciprocal trade; when the nations of the earth shall learn that these restrictions are in all cases and everywhere a barrier in the way of the general comfort and the greater abundance of everything to every individual; when the nations of the world shall have learned that in unrestricted commerce with each other and upon fair and just terms, regulated by proper, by equal conditions, that in that commerce lies the hope of the comfort and abundance of each individual, of the progress of the arts and the higher civilization of mankind—a system looking to that as the final result, but still preserving independence and prosperity by reasonable and limited encouragement in such form as will be least burdensome to the tax-payers, is the just application of this system, which has become a part of the traditional public policy of this Government, and which Mr. Madison in the article which I have read supports and defends.

I will not detain the Senate upon this subject further than to say that all the early Presidents adopted this view of this power in the Constitution and of its exercise, and maintained while it should be exercised for its protective effect and purposes, it should be limited to a low rate of duty, and such a rate as should not be prohibitory of trade and commerce. The whole authority of the early history of the country is to that effect and only to that effect.

There has been frequent assertion in the debate on this bill that the Democratic party was a free-trade party, and the Republican party for protection and a friend of American industries and the workingmen. It will be of some interest to consider the true distinction between these two parties, as given by Mr. Jefferson in a letter to Mr. Adams, in the philosophic calm and retirement of the honored old age of these two great men.

From his home in Monticello, under date of June 27, 1813, Jefferson wrote to John Adams as follows:

> Men have differed in opinion, and been divided into parties by these opinions, from the first origin of societies, and in all governments where they have been permitted freely to think and to speak. The same political parties which now agitate the United States have existed through all time. Whether the power of the people or that of the αριστοι should prevail, were questions which kept the states of Greece and Rome in eternal convulsions, as they now schismatize every people whose minds and mouths are not shut up by the gag of a despot. And, in fact, the terms of Whig and Tory belong to natural as well as to civil history. They denote the temper and constitution of mind of different individuals.
>
> To come to our own country, and to the times when you and I became first acquainted, we well remember the violent parties which agitated the old Congress and their bitter contests. There you and I were together, and the Jays and the Dickinsons and other anti-independents were arrayed against us. They cherished the monarchy of England, and we the rights of our countrymen. When our present Government was in the mew, passing from Confederation to Union, how bitter was the schism between the Feds and Antis. Here you and I were together again. For although for a moment separated by the Atlantic from the scene of action, I favored the opinion that nine States should confirm the Constitution, in order to secure it, and the others hold off until certain amendments, deemed favorable to freedom, should be made. I rallied in the first instant to the wiser proposition of Massachusetts, that all should confirm, and then all instruct their delegates to urge those amendments. The amendments were made, and all were reconciled to the Government. But as soon as it was put into motion the line of division was again drawn. We broke into two parties, each wishing to give the Government a different direction; the one to strengthen the most popular branch, the other the more permanent branches, and to extend their permanence. Here you and I separated for the first time, and as we had been longer than most others on the public theater, and our names therefore were more familiar to our countrymen, the party which considered you as thinking with them placed your name at their head; the other, for the same reason, selected mine.

The people on one side; the αριστοι, the few, the privileged, on the other. This seems to be the perpetual contentions from age to age. The Democratic party the party of the people—others the αριστοι. How wise is it that this distinction shall not be pressed too far, and that neither of the two great political parties of this country shall be characterized as against the people by the laws which they enact. The taxing power, the grant of benefits by law to individuals for public purposes, real or pretended, while it has always been public policy in every state, has always been the ultimate cause of ruin to all governments, both free and despotic, because of its natural tendency to excessive and oppressive taxation in the interest of privileged classes and not for public objects. It will be wise in the Republican party, now controlling the public policy of this country, that this bill shall not be of this character, but that it shall largely reduce the oppressive and unnecessary taxation under which the people are now suffering. In all wise governments taxes should be imposed in such way as will be least burdensome to the people, and the chief object of every tax should be the collection of revenue. Therefore it was that in the early history of the country the protective effect of a tax, a duty, was regarded as the incident, and revenue as the object.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Iowa [Mr. ALLISON].

The amendment was agreed to.

Mr. VANCE. I offer the proviso which I send to the desk to come in at the close of the amendment just adopted.

The PRESIDENT *pro tempore*. The amendment will be reported.

The SECRETARY. It is proposed to add:

> *Provided*, That no article mentioned in this paragraph and paragraph 172 shall pay a greater rate of duty than 65 per cent. ad valorem.

Mr. VANCE. That is the rate that the Senators on the other side estimate the amount of duty under the amendment to the substitute just adopted would average. I propose to confine it to that, for the reason that the same kind of articles, as already explained, of the cheaper kind are over 100 per cent.

The PRESIDENT *pro tempore*. The question is on the amendment offered by the Senator from North Carolina [Mr. VANCE].

Mr. VANCE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON]. If he were present, I should vote "yea."

Mr. DAWES (when Mr. HOAR'S name was called). My colleague [Mr. HOAR] and the senior Senator from North Carolina [Mr. RANSOM] are paired.

Mr. PAYNE (when his name was called). I am paired with my colleague [Mr. SHERMAN], and therefore withhold my vote.

Mr. RIDDLEBERGER (when his name was called). I am paired with the Senator from New Jersey [Mr. BLODGETT], but I am entirely willing that a transfer of the pair shall be made in order to keep up a quorum. If at liberty to vote, I should vote for the committee bill right straight through.

Mr. TURPIE (when his name was called). I am paired with the junior Senator from Minnesota [Mr. DAVIS], and therefore decline to vote.

The roll-call was concluded.

Mr. HALE. My pair with the Senator from Kentucky [Mr. BECK] is transferred to the Senator from Minnesota [Mr. DAVIS], and I vote "nay."

The PRESIDENT *pro tempore*. The Senator from Minnesota has voted.

Mr. HALE. I understood the Senator from Indiana [Mr. TURPIE] to announce a pair with the Senator from Minnesota, and I arranged with the Senator from Indiana to transfer it.

Mr. TURPIE. I was not aware that the Senator from Minnesota had voted. Is his name recorded?

The PRESIDENT *pro tempore*. It is recorded in the negative.

Mr. TURPIE. Then I am at liberty to vote. I vote "yea."

Mr. HALE. I withdraw my vote, and my pair with the Senator from Kentucky [Mr. BECK] will stand.

Mr. CULLOM. I am paired with the junior Senator from Delaware [Mr. GRAY], and will not cast my vote.

Mr. ALLISON. In the confusion I inadvertently voted, forgetting that I was paired with the Senator from New Jersey [Mr. MCPHERSON]. I now take the liberty of transferring that pair to the Senator from Kansas [Mr. PLUMB], and will allow my vote to stand.

Mr. COCKRELL. I was paired with the Senator from Kansas [Mr. PLUMB] and the pair has been transferred, as stated by the Senator from Iowa, and I now vote. I vote "yea."

Mr. CALL (after having voted in the affirmative). I inadvertently voted. I am paired with the Senator from Colorado [Mr. BOWEN].

Mr. HARRIS. I suggest to the Senator from Florida that he transfer his pair to the Senator from Indiana [Mr. VOORHEES], who is absent.

Mr. CALL. I will do that if there is no objection, and permit my vote to stand.

Mr. BATE. The junior Senator from West Virginia [Mr. FAULKNER] is paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. CULLOM. I understand the Senator from Oregon [Mr. MITCHELL] is absent and not paired. I will therefore transfer my pair with the Senator from Delaware [Mr. GRAY] to the Senator from Oregon, and vote "nay."

Mr. CHACE. I am paired with the Senator from Georgia [Mr. COLQUITT]. If he were present he would vote "yea" and I should vote "nay."

Mr. RIDDLEBERGER. I am advised that the Senator from Oregon [Mr. DOLPH] is not present, and that my pair has been transferred to him. If that be the case, I vote "nay."

The PRESIDENT *pro tempore*. The Senator from Virginia will be recorded in the negative.

Mr. EVARTS. I am paired with the Senator from Alabama [Mr. MORGAN], and therefore withhold my vote.

Mr. WILSON, of Iowa. I am paired with the Senator from Maryland [Mr. WILSON]. If he were present, I should vote "nay."

Mr. DANIEL. I am paired with the Senator from Oregon [Mr. MITCHELL]. If he were here, I should vote "yea" and he would vote "nay."

Mr. HARRIS. I call the attention of the Senator from Illinois [Mr. CULLOM] to the fact that the Senator from Virginia [Mr. DANIEL] has just announced a pair with the Senator from Oregon [Mr. MITCHELL].

Mr. CULLOM. Then I withdraw my vote.

The result was announced—yeas 19, nays 23; as follows:

YEAS—19.

Bate,	Cockrell,	Gorman,	Saulsbury,
Berry,	Coke,	Hampton,	Turpie,
Blackburn,	Eustis,	Harris,	Vest,
Brown,	George,	Jones of Arkansas,	Walthall.
Call,	Gibson,	Reagan,	

NAYS—23.

Aldrich,	Dolph,	Manderson,	Sawyer,
Allison,	Frye,	Morrill,	Spooner,
Blair,	Hawley,	Paddock,	Stewart,
Chandler,	Hiscock,	Palmer,	Stockbridge,
Davis,	Ingalls,	Platt,	Teller.
Dawes,	Jones of Nevada,	Riddleberger,	

ABSENT—34.

Beck,	Cameron,	Daniel,	Faulkner,
Blodgett,	Chace,	Edmunds,	Gray,
Bowen,	Colquitt,	Evarts,	Hale,
Butler,	Cullom,	Farwell,	Hearst,
Hoar,	Pasco,	Ransom,	Voorhees,
Kenna,	Payne,	Sabin,	Wilson of Iowa,
McPherson,	Plumb,	Sherman,	Wilson of Md.
Mitchell,	Pugh,	Stanford,	
Morgan,	Quay,	Vance,	

So the amendment was rejected.

Mr. ALLISON. May I inquire of the Chair if paragraph 172 has been read? I have it marked as "passed over." I move to amend it by striking out "20" and inserting "15," in line 730.

The PRESIDENT *pro tempore*. The paragraph has been read, and the amendment, in line 730, to strike out "20" and insert "15" is now pending.

Mr. ALLISON. I ask for action on it.

The PRESIDENT *pro tempore*. The amendment will be stated.

The SECRETARY. On page 115, paragraph 172, line 730, after the word "pieces," it is proposed to strike out "20" and insert "15;" so as to read:

172. Table-knives, forks, steels, and all carving, butchers', cooks', hunting, kitchen, bread, butter, vegetable, fruit, cheese, plumbers', painters', palette, and artists' knives of all sizes, finished or unfinished, valued at not more than $1 per per dozen pieces, 15 cents per dozen; valued at more than $1 and not more than $3, 50 cents per dozen; valued at more than $3 and not more than $8, $1 per dozen; valued at more than $8, $2 per dozen; and in addition upon all the above-named articles 30 per cent. ad valorem.

The amendment was agreed to.

Mr. ALLISON. On page 117, paragraph 181, I move an amendment, which I send to the desk.

The PRESIDENT *pro tempore*. The amendment will be stated.

The SECRETARY. In paragraph 181, line 760, page 117, it is proposed to strike out all after the word "guns" and insert:

Valued at not more than $6 each, $2 each; valued at more than $6 and not more than $12 each, $4 each; valued at more than $12 each, $6 each; and in addition thereto on all the above 35 per cent. ad valorem.

Single-barrel breech-loading shotguns, $1 each and 35 per cent. ad valorem.

Revolving pistols, valued at not more than $1.50 each, 40 cents each; valued at more than $1.50, $1 each; and in addition thereto on all the above pistols 35 per cent. ad valorem.

The amendment was agreed to.

The PRESIDENT *pro tempore*. Paragraph 174 was passed over in the reading.

Mr. ALLISON. Let that be taken up, then.

The PRESIDENT *pro tempore*. The paragraph will be read.

The Secretary read as follows:

174. Gold-leaf, $2 per package of five hundred leaves.

Mr. ALLISON. I find paragraph 289 was passed over. Has that paragraph been read, I inquire? I have it marked as "passed over."

The PRESIDENT *pro tempore*. It will be read.

Mr. HISCOCK. Was the amendment to paragraph 174 agreed to?

The PRESIDENT *pro tempore*. There was no amendment to paragraph 174. It was read and no amendment proposed.

Mr. ALLISON. I will ask if paragraph 289 has been read?

The PRESIDENT *pro tempore*. It will be read.

Mr. VANCE. It was not read originally, being passed over by request.

The PRESIDENT *pro tempore*. So the Chair understood. It will now be read.

The Secretary read as follows:

289. Salt.—Salt in bags, sacks, barrels, or other packages, 12 cents per 100 pounds; in bulk, 8 cents per 100 pounds: *Provided*, That exporters of meats, whether packed or smoked, which have been cured in the United States with imported salt shall, upon satisfactory proof, under such regulations as the Secretary of the Treasury shall prescribe, that such meats have been cured with imported salt, have refunded to them from the Treasury the duties paid on the salt so used in curing such exported meats, in amounts not less than $100: *And provided further*, That imported salt in bond may be used in curing fish taken by vessels licensed to engage in curing fish on the shores of the navigable waters of the United States, under such regulations as the Secretary of the Treasury shall prescribe; and upon proof that the salt has been used for either of the purposes stated in this proviso the duties on the same shall be remitted.

Mr. ALLISON. That paragraph being read, I ask that paragraph 287, which I think was passed over without reading, be now read.

Mr. VEST. What was done with paragraph 289?

Mr. ALLISON. Nothing. It stands in the bill. I have no amendment to offer to it.

Mr. VANCE. We have made our record upon free salt while discussing the amendments on the free-list.

Mr. ALLISON. The record has been fully made up, I think, on the salt question.

Mr. VANCE. Yes, sir.

The Secretary read as follows:

287. Rice.—Cleaned, 1 cent per pound; uncleaned rice and rice flour and meal, one-half of 1 cent per pound; rice, broken, which will pass through a sieve known commercially as No. 12 wire sieve, and paddy, one-fourth of 1 cent per pound.

Mr. BROWN. Mr. President, I desire to offer a substitute for that paragraph, which I will send to the desk and ask to have read.

The PRESIDENT *pro tempore*. It will be read.

The SECRETARY. After the figures "287" it is proposed to strike out the remainder of the paragraph and insert:

Rice.—Cleaned, 2½ cents per pound; uncleaned, 1½ cents; paddy, 1½ cents. Broken rice or rice-flour which will pass through a sieve, commercially known as No. 12 wire sieve, 20 per cent. ad valorem.

Mr. BROWN. Mr. President, in providing revenue for this Government, I wouldnot collect a dollar not needed by the Government by any character or form of taxation for the purpose of protecting any American interest, either of capital or labor.

In other words, I would never collect by taxation a dollar not needed by the Government to protect any industry or anybody. I am not, therefore, a protectionist *per se*. But in the proper adjustment of the tariff I am a strong protectionist. Say the Government must raise $350,000,000 a year for its economical support and to meet its obligations, which is about what will be necessary, I suppose, for the ensuing year. Now, I would raise this sum and all other sums necessary to the economical support of the Government by tariff taxation at the custom-houses, and I would repeal absolutely the internal-revenue laws, with all their abominations, iniquities, oppressions, and domiciliary vexations.

In raising the money by tariff taxation for the economical support of the Government I would so adjust it as to give all the reasonable protection in my power to American capital and American labor, in preference to foreign capital and foreign labor. I would generally admit such articles as are raised in foreign countries and are not raised in this country duty free, because the tariff assessed upon articles of this character could protect nobody in this country, as nobody here either raises or manufactures such articles.

TEA AND COFFEE FREE.

For instance, I would put tea and coffee on the free-list. We can raise neither tea nor coffee in this country to any profitable extent, and we certainly can not raise coffee. Therefore, the tariff imposed upon coffee or tea would protect no American capital and no American labor, as neither American capital nor American labor is employed in the culture of either commodity.

PROTECTION FOR WOOL AND COTTON FABRICS.

It follows, therefore, that I would impose the tax upon such articles imported from abroad as are produced in this country, so as to give to American capital invested, and American labor employed in producing such articles, whatever protection may result from the tariff imposed upon such articles. While I would put coffee and tea on the free-list, I would put manufactured fabrics, both of wool and cotton, and other like commodities, upon the dutiable-list, because, while wool and cotton are manufactured abroad and the product introduced into this country, wool and cotton are also manufactured in this country, and there is at least an incidental protection to the manufacturer of wool or cotton when a tariff is imposed upon those commodities imported from abroad; and this incidental protection is advantageous to the American manufacturers until the encouragement afforded them by tariff taxation has built up enough of establishments in our country to produce all the commodities of that character which are needed by our people. In other words, until the home competition has regulated the price independently of the tariff law or the foreign importation; or till our factories have reached a point where competition among themselves regulates prices.

It has been said in ridicule, that our infant industries in this country are now hoary with old age, that the New England factories are almost as old as the English factories, and that it is a deception when it is claimed that they must be aided by the Government as infant industries.

SOUTHERN INDUSTRIES ARE YOUNG AND NEED PROTECTION.

It is not my purpose at present to discuss the question as to the age or maturity of New England factories. It is enough for me to know that they are much further advanced than the manufacturing industries of the South. In other words, if the manufacturing interests of New England have passed the stage of infancy and reached mature manhood, it can not be denied that in the main the industries of the South are still in their infancy and need protection. It is only since the abolition of slavery that the spirit of development has taken hold of the South, and manufacturing interests are springing up in every direction.

The high protective tariff, as it is usually called, has been a main motive power in producing this result; and while there may be some few articles, as in case of coarse cotton cloths, that can be manufactured successfully without the protection growing out of tariff taxation, in the main it is not so, and it is only a question with us whether we shall continue a high tariff as it is termed, and continue to build up under it until the Southern manufacturers have large investments in their establishments, have skilled labor, and are prepared to compete with New England and with Old England, and have built up home markets for our planters. The infant industries of this country so far as the manufacturers are concerned are to be found mainly in the South, and that section of this Union is more interested to-day in maintaining the doctrine of reasonable incidental protection, both in theory and in practice, than any other section of this Union.

Repeal the tariff and strike down the protection now afforded to the Southern manufacturing industries in their infancy, and they will fall with a general crash, and our people will be remitted back to the position of planters and farmers, who must buy their manufactured articles from New England, which is further advanced and has more capital, and from Old England, which is still more hoary with age and better supplied with capital and skilled labor. As a Southern Senator, therefore, I protest against such legislation as will destroy or seriously cripple the great manufacturing interests of my own section, which, if sustained, are soon to become the leading wealth-producing agencies of that great section of the Union.

Strike down the factories of various characters and those now engaged in operating them must seek other employment, and as nothing else would offer, they will be obliged to return to the cultivation of the soil. Take a half million of people out of the factories and out of the different mines and other branches of industry and put them in the cotton and corn fields and you will produce a larger supply of these commodities than is needed for home consumption and a larger supply than can find ready market abroad.

You would therefore reduce the price of the farmer's production by increasing the quantity produced beyond the necessary consumption. On the other hand, if you can induce half a million more of the population of the South to leave the agricultural fields and go into manufacturing, to that extent you lessen the amount of agricultural production, and you to that extent increase the price paid the farmers for the smaller quantity which will be produced and put upon the market. I desire that the people of my State and my section shall diversify their interest and their labor as much as possible and build up a healthy industry and healthy competition in every department. To do this we must continue to give reasonable protection to our infant or youthful industries.

NEW ENGLAND'S EXAMPLE.

It is said that New England has made immense sums of money and grown very rich by the benefits of protection in manufacturing. If New England has made enormous sums of money by her manufacturing industries, and the South, as will be admitted, has a more genial climate, more water-power, and more coal for steam purposes, with immensely greater natural resources than New England, why should not the South imitate the example of New England and move forward energetically and grandly on the same line until she has accumulated much greater wealth than New England has been able to amass?

New England manufacturers may have not only grown rich, but her manufacturing establishments in towns and cities have also enriched her agricultural population by affording a ready home market for their productions at the highest price, and very greatly enhancing the value of their plantations and other real estate. Instead of sitting down and complaining that our neighbors are growing rich, let us adopt the same line of policy that has made them rich, and press forward until we have built up our own section in wealth and power as one of the most favored in the United States.

I think I may safely say that no section of the Union is making as rapid strides in development and in the establishment of factories of all characters as the Southern States.

PROTECTION VALUABLE TO THE SOUTH.

Without the protection afforded by the tariff laws this rapid development would have been impossible. Therefore no section of the Union has been for a number of years or is likely to be as much benefited by protection as the Southern section. No section has so much dependent upon the continuation of protection for its future prosperity and development.

PROTECTION FOR THE RICE INDUSTRY.

But, Mr. President, I intended to confine myself mainly to the rice culture, and to the tariff upon rice. It may be said that rice culture is not an infant industry. Rice as cultivated by slave labor was an old industry and a profitable one, but rice cultivated by free labor is an infant industry, and one that is not able without protection to sustain itself. What will be the result of permitting it to be crushed out by withdrawing the necessary protection? None other than the re-establishment of a monopoly in the hands of the Asiatic rice-planters, who will control our market and dictate their own prices so soon as our planters have been driven to abandon the business. This I will illustrate before I close my remarks.

I will now address myself more particularly to the rice interests involved in the debate. The present duty on cleaned rice is 2½ cents per pound; on uncleaned rice, 1½ cents; on paddy, 1½ cents; on granulated rice, 20 per cent. ad valorem.

The Mills bill proposes to reduce the tariff on cleaned rice to 2 cents per pound, on uncleaned rice to 1½ cents, on paddy to 1 cent, and on granulated rice to 15 per cent. ad valorem. The Senate bill now under consideration proposes to reduce cleaned rice to 1 cent per pound; uncleaned rice and rice flour and meal, one-half of 1 cent per pound; rice broken, which will pass through a sieve, known commercially as No. 12 wire sieve, and paddy, one-fourth of 1 cent per pound.

As a justification for this ruinous reduction it is claimed that rice is an agricultural production, and that the present tariff on rice is much higher than the tariff on any other agricultural production, and that it ought therefore to be reduced. We must not forget, however, that cleaned rice in the market ready for use is not only an agricultural production, but a manufactured product. Let us see what are the different stages through which it passes. The rough rice, or grain with

the chaff on, as it is thrashed from the straw, is called paddy. The grain having the outer chaff removed, but with the inner cuticle and flour remaining on it, is called uncleaned rice.

The grain, after it has been run through the proper machinery, and the inner cuticle and flour which is on the grain in the rough state are removed, and the grain has been polished, is called cleaned rice. It is then fit for food. It costs about 28 per cent. of the value of the paddy to clean with proper machinery and prepare for market the rough rice.

The other class of rice upon which there is at present a tariff of 20 per cent. ad valorem is known as granulated rice, which is the rice that is broken or crushed in the cleaning or otherwise, and is not suitable for family use, but is used mostly by the brewers.

WHY RICE SHOULD BE ESPECIALLY PROTECTED.

The fact that it costs 28 per cent. of the value of the paddy to prepare it in the proper mills for use, shows clearly that rice is not an ordinary article of agricultural production. It is more than that. It is an agricultural production manufactured into the proper condition for use, the cost of manufacturing being more than one-fourth of the value. For this reason, if for no other, it ought to be made an exception to the general rule applicable to agricultural productions.

But there is another cogent reason why the rule or per cent. of tariff applying to other home productions should not apply to rice. The reason grows out of the necessary exception which exists in the case of the culture of rice. In the preparation of the soil and the mode of culture it is not like other crops, and it is much more subject to disaster than the ordinary crops. The great bulk of our rice is grown on reclaimed swamp land, which has to be traversed in every direction by banks, canals, and ditches. Most of this work is necessarily performed by hand labor, and not by machinery. Embankments have to be built and kept in repair, and the canals and ditches kept open with a spade. They are obliged to be opened at least once a year, and probably oftener. The cultivation of rice is done mainly with a hoe, and it is harvested with a sickle. The nature of the production and the exceptional style of its culture forbid to any considerable extent the use of machinery in its cultivation.

Our most intelligent rice-planters, in connection with our most skilled mechanics, have for years studied the problem of the application of machinery to rice culture, and with the exception of horse-power used in drilling or planting the rice and the ordinary machinery used in thrashing the grain or paddy from the straw, the culture must be conducted by hand labor entirely.

After the crop is made it is prepared for market in rice-mills, with appropriate machinery for cleansing the rough rice. The machinery for preparing the rice is, however, very expensive.

There is nearly half a million dollars invested in rice-mills in Savannah, and a still larger sum in New Orleans and Charleston. But you may ask why is it necessary to reclaim swamp lands and to cut canals and ditches and build embankments all through the rice-fields. The reply is that the crop passes through certain periods when it must necessarily be flooded to make a successful crop, and at other periods the water must be drawn off, and the hand culture to which I have referred must be applied. To use the water by letting it on when it is needed, and draining it off when it is not needed, main ditches or canals, and side ditches, with draws and gates, must be provided, that the water may be used according to the exigencies of the crop.

If a freshet occurs in the river or stream upon which the land is located at any critical period of the crop, and breaks the dams and overflows the land, the crop is ruined. Besides, it is subject to several other contingencies that may very seriously interfere with its success.

But it may be said if the rice crop is subject to so many contingencies, why not abandon it, and raise other farm products on the lands known as rice lands, where the rice crop is now cultivated? Many of our most intelligent planters, and as a class no other is more intelligent, are anxiously desiring to find some means of using their rice lands to advantage in the cultivation of other crops less uncertain. But it is found impossible to do so. The lands used for rice culture, as already stated, are swamp lands. They are very rich, but they lie very low, and they lack the necessary fall to drain them sufficiently for other crops.

The rice crop can be best produced on such land because it needs flooding at different periods of the culture and does best on low, damp land. In a word, the lands in question, and there are large tracts of them, seem by nature to have been better adapted to rice culture than to the culture of any other crop.

RICE DEMANDS AT LEAST 2 CENTS A POUND TARIFF.

I am informed by some of our most intelligent rice-planters who are gentlemen of honor and veracity, that taking the run of the seasons one with another, and counting good crops and bad crops, it actually costs them 4 cents a pound to produce and prepare for the market the entire rice crop of the South, and that in this calculation no estimate is made for the interest on the money invested in the plantation, but that is the actual cost, taking one year with another, of the rice on the plantation and preparing it for the market.

If this be true, and I have no doubt about the fact, then the planters of the South must be protected by a tariff high enough to prevent foreign planters from bringing their crops into our markets and selling them for less than 4 cents a pound. It has been claimed by some persons that our rice is of superior quality and therefore does not need protection to the extent that would make foreign rice in the market cost as much per pound as ours costs.

I am informed that in fact a great deal of the foreign rice is every way the equal of ours. There is nothing in the soil, climate, or culture of China that causes the rice there to be inferior to ours. Sometimes it is damaged by the long voyage at sea, which those in charge of it have to make to reach our ports, but this applies only to sailing-vessels, and as the growing tendency is towards steam transportation, that difficulty will doubtlessly very soon be overcome. Then our tariff must make foreign rice cost the consumer as much in the market as it costs our planters to make rice and prepare it for the market, or our planters must abandon the business and retire from the field of competition, and rice culture in the United States must come to an end.

What are the facts as to the cost of foreign rice laid down in our ports? According to the United States Treasury reports, the import value of the average foreign clean rice is 2 cents per pound. The actual cost counting no interest on the plantation of the average American rice is, say, 4 cents per pound. The present tariff is 2½ cents per pound. This gives the American planter one-fourth of 1 cent per pound the advantage in the market. The Mills bill proposes to reduce the tariff to 2 cents a pound. This puts foreign rice and home-produced rice in the market on terms of equality so far as price is concerned. In other words, the price of home and foreign rice in the market would be the same, each 4 cents per pound after the tariff was put upon the foreign rice. The Senate bill proposes to reduce cleaned rice to 1 cent a pound. This gives an advantage to the foreign importer who pays the tariff of 1 cent a pound in the market, which must inevitably drive the American planter out of the business.

But it may be asked why this great difference exists, as the Southern planters prior to the war produced rice as cheaply as it was produced anywhere, that they held the home market almost exclusively to themselves on a 20 per cent. ad valorem duty, and that they furnished a large part of the European supply. This, I understand, is true. With slave labor the Southern planter produced rice almost as cheaply as it could be produced in China, and with the advantage of distance, the transportation being then conducted by sail vessels, and the occasional injury to rice during the long voyage, they were able to compete successfully and hold their own market. Now the whole matter is changed. Slave labor can no longer be used in the cultivation of rice. White men as a rule can not work in the rice plantations in the summer any considerable length of time without being down with fever. Colored labor only is adapted to the culture, and large numbers of our colored people who as slaves labored on the rice plantations have left them and gone into other pursuits, and it is difficult, many a time, for the planters to secure the necessary labor to cultivate the crop.

I am informed by Hon. Houstoun Clinch, a highly intelligent and honorable rice-planter of Savannah, Ga., that the wages paid day laborers on the rice plantations vary from 40 to 60 cents. Their work is not computed by the hour, but by the amount done (the task), and is mostly done by women. The more active hands have generally completed their task by mid-day, and it is seldom that they are at work as late as 2 o'clock p. m. The foremen, carpenters, teamsters, and trunk-minders are hired by the year. They work as farm laborers do elsewhere, from sunrise to sunset, with the usual intermission for meals. They receive from one hundred and eighty to three hundred dollars a year, with rations, a house, and land to cultivate, free of cost, when they are not serving the employer.

As a rule they each own a horse, and most of them some cattle and hogs, as do the day laborers, who usually reside on and cultivate places of their own in the vicinity of the large plantations. Take the day laborer who gets 40 cents a day. This, counting three hundred days to the year, would be $120 per annum. The day laborer who gets 60 cents a day receives $180 per annum. The class of foremen, carpenters, teamsters, and trunk-minders get $300 per annum, making the average say about $180 per annum which the rice-planter pays each laborer.

And I am informed by Col. John Scriven, one of the most distinguished rice-planters in the Southern country, that 75 per cent. of the whole cost of raising the rice and preparing it for market is the cost of the labor. Colonel Scriven has been for forty years a rice-planter and has looked into this question with great care, and doubtless speaks with great accuracy. The cost of labor in Georgia per annum in the rice plantation is therefore an average of say $180 per annum. The rice-planter comes in competition with the laborers of China and other Eastern countries where the imported rice is raised.

RICE LABOR FAR HIGHER IN AMERICA THAN IN CHINA.

Now let us see what is the difference between the price paid in Georgia for labor on the rice-fields and the price paid in China. We learn from the report of the United States minister at Peking (Reports from Consuls of the United States, September, 1887, No. 83, page 498), that labor in the rice-fields of China is paid about as follows: The average wages of an able-bodied young man is $12 per annum, with food, straw shoes, and free shaving. Deducting $4 for his clothing,

he saves $8 only, or may do so. Ten years' saving will enable him to buy one-third of an acre of land, value per acre, $150, and necessary implements by which he can obtain by his own labor a subsistence. In twenty years he can become possessor of two-thirds of an acre and one-third of a buffalo, and with six years' more saving he may purchase a wife, with whose assistance he can maintain himself on his own land, in his own hut, and rear children.

In Japan field hands receive their food and lodging with wages from $8.60 to $12.96 per annum. The wages of females are about $6 per annum. (See the United States Consular Reports, No. 48, December, 1884, page 732.) In British India we learn from the British Indian famine report, 1871–'81, that in Delhi labor is paid for—males, per diem, 6 cents; for females, 1½ cents.

Colonel Scriven, to whom reference is already made as a distinguished rice-planter, estimates the cost of a hand on his rice plantation at $168 per annum, while the wages of a hand in China, as already stated, is $12 per annum.

AMERICAN RICE LABOR FOURTEEN TIMES HIGHER THAN ASIATIC.

Colonel Scriven says:

The American is therefore paid fourteen times more than the Asiatic laborer, and his wages constitute 75 per cent. of the field cost. If the difference in the cost of production should be the measure of protection, it is clear that the present duty on rice is not only not excessive, but in fact inadequate. Any alleged excess is only in sound, and this is amply substantiated by the fact that 36 per cent. of the rice consumed in the United States in the past five years is Asiatic and Hawaiian. There is nothing prohibitory in the present duty. It merely equalizes the prime cost of introducing the Asiatic and producing the American rice.

After that the ordinary elements governing the price of commodities will fix the price of each kind.

If, then, the rule agreed to by both political parties in their platforms, that the difference in the cost of introduction and of production should be the measure of protection, it is clear that the present duty on rice is not as high as it ought to be, and the provision in the Mills bill which cuts off a quarter of a cent a pound is erroneous and improper, and the provision in the Senate bill which will cut down cleaned rice to a cent a pound is a ruinous stab at rice culture in the United States.

The Senate substitute, if passed, reduces the tariff on cleaned rice from 2¼ cents to 1 cent per pound. On uncleaned rice from 1½ to one-half a cent per pound. And it proposes to reduce paddy from 1½ to one-quarter of 1 cent per pound, or to one-fifth of the present tariff. I believe this is the heaviest and most ruinous reduction proposed by the bill on any commodity. The bill proposes to take off four-fifths of the present tariff on paddy, while it increases other articles over 100 per cent. Why this fatal stab at this struggling agricultural interest? Why should a Republican Senate crush it by withholding the protection indispensable to its existence?

I am aware that there are patriotic gentlemen who would say in this case, as they say in case of any other protection of American capital or American industry, that if the business can not sustain itself without high protection, it should be left to its fate, and our planters reduced to bankruptcy, should be compelled to discontinue their business.

Intelligent persons may without emotion speak of striking down a great American industry, rather than afford the protection necessary to its very existence. What will be the effect of such a policy when carried out? Let the experience of the people of the United States, and especially of the Northern section of the Union, within the last twenty-five years, answer the question.

THE LESSON OF THE WAR AS TO RICE PROTECTION.

Prior to the war, rice-planters, with slave labor, were able to make all the rice needed by the people of the United States, who were much less numerous then than now, and to sell the rice at from two to four dollars per 100 pounds.

The dark clouds of war gathered in our horizon, and the storm burst upon the country in 1861. The fortunes of war and the superior strength of one of the contending parties soon environed the Southern States in a blockade, and commerce between the two sections was virtually prohibited. Many of the negroes were taken from the rice plantations by their owners, under order of the military, and instead of cultivating rice were employed in building fortifications. The rice fields were greatly neglected, and no more rice was made than was necessary to supply the needs of the Confederacy. The result was that the Northern people could not get rice from the South, either for their daily use, as a necessity or luxury, and they could not even get it for their army hospitals. What was the result? The Asiatic planters very soon discovered the advantage which they possessed, and the price of rice was at once raised in our market, and it went upward and upward until it reached at last $14 per 100 pounds, and in exceptional cases $15.50 per 100 pounds, which was paid by the American people, and especially the Northern section of the American people, for rice, whether used for daily subsistence, or luxury, or in the hospitals.

PROTECTION CHECKS FOREIGN EXTORTION.

By reference to the American Almanac for 1888, which gives a tabulated statement of the price in New York for each year from 1825 until 1886, inclusive, a period of sixty-one years, it will be seen that the average price for the first thirty-seven years was $3.75 per hundred pounds. And from 1861 to 1869, when the market of New York was supplied almost exclusively by foreign rice, the price averaged 9.83½ cents, or nearly $10 per hundred pounds. The difference between $3.75, the average price paid for thirty-seven years, and within a fraction of $10 per hundred pounds, the price paid for eight years, including the war period, is very marked. Foreigners were taking their revenge, or rather reaping their harvest, growing out of our folly in destroying at home this great interest.

Strike down the present tariff upon rice, or strike it down so low that it will destroy the culture, and it will be but a few years till rice will again reach in our market $10 per hundred pounds and possibly run to a higher figure. It is much cheaper therefore to deal justly by this great interest and give it such protection as will keep it in existence and interpose it as a constant barrier to the extortions of foreign rice-planters, who, if our culture is destroyed, will have us perpetually at their mercy, as they will then have a monopoly of the business and can dictate their own terms.

PRACTICAL IDEAS CONNECTED WITH RICE CULTURE.

Before concluding my remarks I desire to present some points taken from the report made by a committee of planters to the Rice Association of Savannah, which was prepared with a great deal of care. In doing so I shall adopt the ideas presented in the report and shall make no apology for the reproduction of it, though it may be done partly in the very language used by the committee itself. They speak of three periods in the rice culture.

The first extended down to the year 1860, or the commencement of the war. With the year 1860 ended the first period, which was distinctive in the absence of the importation of foreign rice, in maximum home production, in low prices, and in exportation, which controlled the markets of foreign countries and made them large contributors to American prosperity and wealth.

The second period began in 1861 and ended in 1866, with characteristics the reverse of those which distinguished the first period. In 1860 there was no import of foreign rice, and the export of domestic rice reached 75,373,000 pounds; but in 1861, the first year of the Confederate war, there were imported 148,550 pounds, and there were exported 39,683,000 pounds. The blockade of the Southern ports was begun in 1861, and from this time the Government record of domestic rice could have been partial only, and therefore affords no criterion of the amount of production or of the capacity of the country to export for that year. But the following year, 1862, the statistics are decisive; domestic production and consumption of the domestic product were almost exclusively confined to the Southern States, and the Government statistics show that in 1862 there were imported 56,961,317 pounds of foreign rice and that there were exported only 3,552,000 pounds, the latter being doubtless foreign rice reshipped for lack of a market.

THE GREAT GROWTH OF FOREIGN RICE IMPORTS.

In the first year of the third period, 1865–'66, the domestic production was 11,592,600 pounds, and the foreign rice imported was 60,407,756 pounds. As early as the fifth year the domestic production, under a tariff of 2½ cents per pound, had swelled to 53,937,000 pounds, showing an increase of nearly 365 per cent., indeed overlapping the foreign importation; but still the gross importation (292,909,944 pounds) in the first five years exceeds the gross domestic production (which was 119,122,120 pounds) by 183,780,824 pounds.

These facts show conclusively that the consumption of the foreign import has greatly increased, though not in the same volume, as that of the domestic product; but it is clear that at no time since 1866 has the duty been so onerous as to impede the demand for foreign rice, or to prevent its importation, while a large surplus is always in bond in the United States custom-houses held against any exigencies of the market, and decisively restricting the price of American rice. It has been seen that the domestic production increased 130 per cent. in twenty years from 1840 to 1860.

During this period the duty on foreign rice was 20 per cent. ad valorem. In all the rice-producing division of the country slave labor was then employed, and no foreign rice was imported; quite contrary to the present experience, when so little domestic rice is exported as to be inappreciable in the marketing of the crops. More than 147,000,000 pounds were exported in 1850, and 112,000,000 pounds in 1860. In the former year the average price of rice in the New York market was $3.18½, in the latter year $4.20 per hundred pounds. The average price of the whole period from 1850 to 1860 was materially increased by the great storm of 1854, which swept away a greater part of the crop of that year, and by the draft made on the labor of the South Atlantic States by the emigration to the West and the Southwest.

But it may be stated as an evidence of the cheapness of production, not long anterior to this period, that in January, 1854, prime rice sold in the Savannah market for $1.50 to $1.75 per hundred pounds.

The per diem of slave labor did not much, if at all, exceed 20 cents, and on this basis the cost of cultivating rice was about 110 cents per hundred.

In 1862 the importation of foreign rice was 56,961,317 pounds. Except for the internal supply of the Southern States the cultivation of

rice was then rapidly diminishing. The rice-fields, which lay chiefly in the great tidal deltas, the first to be reached in the military operations against the South, were soon laid waste and abandoned. The planters retreated with their slaves into the interior. The result was that in 1865 the crop had dwindled from 187,000,000 pounds in 1860, with an exportation of 75,000,000 pounds, to 12,000,000 pounds production, with an importation of 45,000,000 pounds. Indeed, the importation for 1864 was nearly 100,000,000 pounds and the production naught.

FOREIGN RICE CAPTURED OUR COUNTRY.

In short, Asiatic rice had taken entire possession of the American markets, except within the Confederate military lines, and at this time, despite the immense volume of importations, the price in the New York market ranged as high as from $12 to $14.50, and in some exceptional instances as high as fifteen to sixteen dollars per hundred. The duty on cleaned rice had been raised in 1862 to 1½ cents per pound. In 1864 it was again increased, to 2½ cents per pound.

This duty was imposed in time of war, but why may it not be continued in time of peace? In time of war it was contributory to the cost of the war, but it was also a tax on a foreign monopoly. In time of peace it remains a tax on a foreign imported commodity undiminished in volume, and contributory to the maintenance of the Government, while it is a necessary prevention against the re-establishment of a foreign monopoly and a protection alike to the American producer and consumer. At no time since 1865 could rice have been cultivated as a staple product without the protection afforded by the import duty on foreign grain.

In 1885 the inland rice crop and those on the short streams of South Carolina and Georgia were destroyed by excessive rains and inundations, and again in 1887 those on the greater streams, as the Savannah and Altamaha, were swept away by freshets; and from similar causes great losses were suffered in Louisiana; and on some longer streams, especially the Savannah, the freshet of 1888 has been still more destructive.

The main bulk of rice other than granulated has hitherto been brought into the United States from China at an import value of only 2 cents per pound, while the cost of the American product is not less than three and a half cents per pound without taking into consideration the peculiar hazards of the industry by freshets and otherwise, or the interest on the capital invested in lands and improvements. The present duty on cleaned rice is two and a quarter cents per pound, so that foreign rice should bring four and a quarter cents per pound. This leaves a very small margin to the American producer, all of which may be swept away in the signal casualties to which the rice-fields are peculiarly and always exposed.

Prior to the war, when we used slave labor, rice lands were worth from seventy-five to two hundred dollars per acre. Their value is now greatly reduced, and a large acreage, especially of lands most exposed to floods and storms, has been abandoned. This diminution of value and of acreage is not due to casualties alone, but in great degree to the impoverishment of the planters from other causes. The American producer labors, too, under the disadvantage of the import of rice free of duty from the Hawaiian Islands. Although it seems to me there is no adequate commercial benefit derived by the United States from the Hawaiian reciprocity treaty, an annual average of 9,000,000 pounds with a maximum of 12,000,000 pounds of rice has been imported in the past five years from those islands. Unlike the Asiatic rice annually remaining in bond, although approximating it in amount, the Hawaiian import is not only a check but a direct and unconditional participant in the freedom of the market *pari passu* with the home product, is produced by Asiatic labor, and shares none of the burdens of government borne by the home producer.

THE HOME RICE PRODUCT INCREASES.

Notwithstanding the disadvantages under which our rice-planters have labored, such has been their persistent effort that with the aid of the tariff an extraordinary increase in the home product in twenty-one years has been seen. Since the culture was resumed in 1865–'66, it has sprung from about 12,000,000 pounds to 156,000,000 pounds annually. This has been accompanied by a decline in prices so marked as to correspond with those existing for several years anterior to the war. These conditions have resulted from the adjustment of the import tax so as to encourage the home industry without discouraging the foreign import. Remaining undiminished, the duty forbids monopoly to either.

Diminished so as to become ineffective as a means of healthy growth to the domestic industry, the domestic competition will be weakened and finally abandoned, and monopoly practically created in favor of the foreign product. When such a foreign monopoly existed, from 1863 to 1866, the prices of rice were higher than had ever been known in its history before or since in this country. Such consequences following upon an import duty ineffective to promote the home industry, its abandonment may be expected, and the lands remanded to nature.

There are now cultivated in rice, approximately, 200,000 acres of rich lands, yielding 156,000,000 pounds of commercial rice per annum, and supporting a laboring population alone of about 200,000 persons, without including proprietors, mill-men, mercantile agents, and others engaged in the commercial organism of the rice industry. Abandonment would entail great suffering upon all of these, but most upon the proprietors and laborers; upon the former a total loss of investment, for, extraordinary as it may appear, experience has demonstrated that the rice lands of the tidal regions are incapable of any other profitable culture. On the laborers, now sufficiently tried, before a generation has survived the throes of recent emancipation, such a change would fall with cruel severity.

CONCLUSION.

Mr. President, in the name of a liberal and just incidental protection; in the name of one of the most useful branches of industry in the whole country; in the name of a large number of honorable, intelligent, and useful citizens, who in former days and under different circumstances have in good faith invested their money in this great interest, and in the name of two hundred thousand men, women, and children (a large proportion of them colored citizens of the United States) engaged in this culture, who would be turned out of employment without the means of making a comfortable support, and in the name of the whole people of every section of the Union, who would be injured by the re-establishment of the Asiatic rice monopoly, which would more than double the price to the consumer, I protest against any legislation which strikes down or seriously cripples the production of this indispensable and very valuable commodity and brings ruin alike to the capital invested and the labor employed.

Mr. ALDRICH. It is especially unfortunate, I think, that the Senator from South Carolina [Mr. BUTLER], who addressed the Senate on this subject the other day, is now absent from his seat, as there seems to be a radical difference of opinion between these representatives of two rice-producing States as to the necessity of protection on this article. The Senator from South Carolina stated the other day that there was no necessity for any duty on it, that it could be produced as cheaply here as anywhere in the world, while the Senator from Georgia [Mr. BROWN] now thinks that the present rate, which is 113 per cent. ad valorem, is inadequate for the protection of rice in the State of Georgia. Perhaps this item had better go over until we see whether an agreement can not be reached as to the facts between the Senators specially interested in the question.

Mr. EUSTIS. Do I understand the Senator from Rhode Island to suggest that we do not take a vote on this to-night?

Mr. ALDRICH. I think it would be better not to take a vote on it until the Senator from South Carolina can be present.

Mr. ALLISON. If we can have an understanding that this matter may go over until Monday morning I should like to offer a few amendments that will not, probably, be specially objected to.

The PRESIDING OFFICER (Mr. DAWES in the chair). Is there objection to letting the rice matter go over? The Chair hears none.

Mr. ALLISON. In paragraph 107, on page 98, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The proposed amendment will be read.

The SECRETARY. In paragraph 107, on page 98, under the heading "Glass," it is proposed to amend as follows: In lines 286, 287, 289, 291, and 292, strike out the word "plain" wherever it occurs in those lines, and in line 290, after the word "lime," insert "bottle."

Mr. HARRIS. How will the paragraph read as amended?

Mr. ALLISON. It simply strikes out the word "plain." It will mean glass bottles. The word "plain" there is liable to two constructions. It was intended to cover the ordinary glassware, but a plain bottle might have an initial or a name upon it and still be plain glassware in the sense of the original proposition.

Mr. HARRIS. Very well.

Mr. ALLISON. It is only to make more certain the intent and purpose.

The amendment was agreed to.

Mr. ALLISON. In paragraph 158, line 669, I move to insert what I send to the desk.

The PRESIDING OFFICER. The proposed amendment will be read.

The SECRETARY. It is proposed to amend paragraph 158 as follows: In line 669, after the word "from," insert "tin-plate or the;" in line 670, after the word "steel," insert "or tin-plate;" in line 671, after the word "such," insert "tin-plate;" in line 673, after the word "the," insert "tin-plate or the;" and in line 675, after the word "or," insert "of," and after the word "which" insert "they."

Mr. ALLISON. That is made necessary, I will say to the Senate, by the adoption of the tin-plate amendment.

Mr. VANCE. I would like to hear how the paragraph will read when amended.

The PRESIDING OFFICER. The Secretary will read the paragraph as it is proposed to be amended.

The Secretary read as follows:

158. All articles not specially enumerated or provided for in this act, wholly or partly manufactured, made from tin-plate, or the sheet, plate, hoop, band, or scroll iron or steel or tin-plate herein provided for, or of which such tin-plate sheet, plate, hoop, band, or scroll iron or steel shall be the material of chief value, shall not pay a lower rate of duty than that imposed on the tin-plate or the sheet, plate, hoop, band, or scroll iron or steel from which they are made or of which they shall be the material of chief value.

The amendment was agreed to.

Mr. ALLISON. I move to add as a new paragraph, after paragraph 434, what I send to the desk.

The PRESIDING OFFICER. The proposed new paragraph will be read.

The Secretary read as follows:

Print-rollers suitable for use in printing wall-paper or floor-cloths, $10 per roller of 2½ feet.

Mr. ALLISON. That amendment may be considered as pending.

The PRESIDING OFFICER. It will be passed over.

Mr. ALLISON. I desire to say a word after the remarks of the Senator from Missouri [Mr. VEST] respecting Mr. Mulhall's pamphlet as to the decline in prices, as I had not the opportunity of looking at the pamphlet until I got it in the Reporter's room. Before we adjourn I should like to call the attention of the Senator from Missouri to one or two things in this pamphlet that he may have overlooked. The particular thing to which I would call his attention is that certain articles known as agricultural products have largely increased in price during this time—which he inadvertently omitted to state.

Mr. VEST. I only read the concluding portion of the paragraph.

Mr. ALLISON. Mr. Mulhall says:

The same quantities of products and merchandise consumed annually from 1881 to 1884 would have cost in previous periods—

That is, the period from 1841 to 1850—

at the prices then ruling, as follows.

Then Mr. Mulhall's figures show that the price between 1841 and 1850 on meats amounted to £560,000,000 sterling, and that the same quantity if bought between 1881 and 1884 would have cost £830,000,000 sterling, showing a very large advance in meat products during those thirty-five or forty years.

The same is true of dairy products, which were £236,000,000 sterling between 1840 and 1850 and £340,000,000 sterling between 1881 and 1884, showing a large increase in the value of dairy products. The same is also true of potatoes, the periods comparing as follows: £115,000,000 sterling from 1841 to 1850 and £181,000,000 sterling from 1881 to 1884. Raw cotton for the period 1841 to 1850 was £76,000,000 sterling, while for the period from 1881 to 1884 it was £87,000,000 sterling.

Mr. STEWART. How is it as to the period from 1871 to 1875?

Mr. ALLISON. I have not that table here. So raw cotton has advanced largely between 1850 and 1884.

Take another article—tobacco. The price has increased from 1850 to the period of 1881–'84 as 29 to 37.

Now, take manufactured products, as in this bill. I find hardware, a very large article of consumption, showing a consumption in 1850 of £576,000,000 sterling, while the same articles in the period from 1881 to 1884 cost £384,000,000 sterling, showing a large reduction in the price of those articles. The same is true of cotton and woolen goods. So while this is true of manufactured products, the reverse is true of the great agricultural products that are consumed in our country and in every other civilized country.

I wanted to call the attention of the Senator from Missouri to the fact that according to this estimate of prices on these twenty great articles of production, these great articles of agricultural production have largely advanced, instead of declined, during this period. So whatever may be said of the oppression of our agricultural class during this period, it is true that those articles they produced have largely advanced. I wished that statement to accompany the statement of the Senator from Missouri.

Mr. VEST. I had not overlooked that.

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Missouri?

Mr. ALLISON. I yield.

Mr. VEST. I thought the Senator from Iowa had concluded his remarks. I had not overlooked those statements, and I am obliged to the Senator from Iowa for calling my attention to them.

We are always met, in a discussion of the tariff question, with the statement that the tariff has reduced the prices. Now, what Mr. Mulhall says strengthens our position, which is, that the improvements in machinery, in mechanical skill, and in experience have reduced the prices of commodities manufactured, but as to the vegetable products, as to meat and wheat and cotton and corn, as a matter of course, improvements in machinery do not affect them, and the increase of population and the increased demand have put up the prices, whereas the immense advantages which the improvements in machinery have given to the manufacturer have brought down the prices of manufactured goods; and that is the solution of this whole question. It is not the tariff that brings down the prices of commodities.

Mr. ALLISON. No one has ever disputed the fact that new inventions, such as the Bessemer process in steel and other similar processes, have reduced the price of iron. Nobody has ever denied that machinery has tended to reduce the prices of articles. I have never heard anybody say that those improvements in manufacture have not had a tendency to reduce the prices of manufactured articles. But what I want to call attention to is the fact that the agricultural interests of this country have not been depressed by means of this tariff system of which the Senator speaks.

Mr. ALDRICH. In paragraph 473, line 1905, I should like——

Mr. GEORGE. Before going on to that I would like to make one remark.

Mr. ALDRICH. Will the Senator from Mississippi allow me to offer a formal amendment?

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Mississippi?

Mr. ALDRICH. I would like to finish my offer.

Mr. GEORGE. I would simply like to correct a statement of the Senator from Iowa as to cotton.

Mr. ALDRICH. Will the Senator allow me to offer this amendment?

Mr. GEORGE. Certainly.

The PRESIDING OFFICER. The proposed amendment will be read.

The SECRETARY. In paragraph 473, on page 163, line 1905, it is proposed to add:

And bird-skins prepared for preservation, but not further advanced in manufacture.

Mr. GEORGE. On what page is that?

Mr. ALDRICH. On page 163. It is paragraph 473. The amendment is to add to that paragraph:

And bird-skins prepared for preservation, but not further advanced in manufacture.

The amendment was agreed to.

Mr. BLAIR. Mr. President——

The PRESIDING OFFICER. The Senator from Mississippi is entitled to the floor.

Mr. ALDRICH. I have another amendment relating to the leather paragraph, which I will offer and let it be considered as pending.

Mr. VEST. Let it be printed. I will ask that these amendments be all printed.

Mr. ALDRICH. They have all been adopted except this one.

Mr. VEST. The Senator from Iowa offered one that was to go over.

Mr. ALDRICH. Oh, yes.

Mr. VEST. Let this be printed and go over.

The PRESIDING OFFICER. That order will be made, if there be no objection.

Mr. GEORGE. I desire to have the attention of the Senator from Iowa if I can secure it. I do not know that I understood exactly what the Senator said with reference to the price of cotton between 1840 and 1850. Will the Senator kindly repeat that?

Mr. ALLISON. I stated that there had been an advance in the price of cotton comparing the period 1841–'50 with the period 1881–'84, and the relative amount of that advance I stated. I have not the book now before me, but I think it is about 15 per cent.

Mr. STEWART. I would like to inquire of the Senator from Iowa or anybody else——

The PRESIDING OFFICER. The Senator from Mississippi has the floor. Does that Senator yield to the Senator from Nevada?

Mr. GEORGE. No, sir; I do not. I want to dispose of this cotton matter. Then I will yield.

Mr. ALLISON. According to this statement quoted by the Senator from Missouri, $76,000,000 would have purchased as much raw cotton in the period from 1841 to 1850 as $87,000,000 would have purchased in the period from 1881 to 1884, showing a relative advance in the proportion that $76,000,000 bears to $87,000,000.

Mr. GEORGE. Mr. President, that statement, if true, is misleading. In 1840, 1841, 1842 (especially 1842), 1843, and 1844, from causes well known to every person acquainted with the financial history of the country, there was very great depression, especially in the Southern States, with reference to all agricultural products, and especially with reference to cotton. I remember, sir, that in 1844 I sold some cotton in New Orleans at 4 cents per pound, so that in making the aggregate of which the Senator speaks, the years 1841, 1842, 1843, 1844, and 1845, as I understand, are embraced within the period, which therefore renders the relative price for the years 1846, 1847, 1848, 1849, and 1850 very much lower.

Mr. STEWART. Now will the Senator yield?

Mr. GEORGE. Just one moment. I undertake to say that the price of cotton was very much depressed—very largely lower than it has ever been since—during the first four or five years of the decade from 1840 to 1850. After the passage of the tariff act of 1846 there was a very rapid and very large increase in the price of cotton, so that in the year 1850 the planting and raising of cotton was very remunerative. I undertake to say that the average price of cotton for the years succeeding the going into effect of the tariff act of 1846, up to and including the year 1850, exceeded the average price of cotton at the present time, including the last five years preceding this. I understand from the Senator from North Carolina, who has made some averages on this subject, that the average price of cotton from some period between 1840, 1846, and 1850, leaving out the lower years 1841, 1842, 1843, and 1844, was 9.8 cents per pound.

Mr. CHACE. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield?

Mr. GEORGE. No, sir; I do not, because I shall get through directly.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. GEORGE. The average price now in New Orleans of middling cotton for this season is less that 9½ cents.

Mr. STEWART. I think there is an entire misapprehension here as to what affects prices. From 1810 to 1850 there was a money famine. The total product of gold and silver reached an annual average of about $40,000,000. From 1850 to 1875 we had a good supply of money and prices rose. Can any man show me any article of farm produce or anything else that has increased in value—unless there was some local cause for it—between 1875 and the present time?

This question of the rise and fall of prices was very extensively considered, and a very large number of witnesses were examined upon it before the royal commission, and there was a unanimous concurrence on all hands that the principal reason for the fall of prices during the last fourteen years, particularly in farming products, was the demonetization of silver. Some of them thought that it was a good thing because they wanted cheap food in England, and they wanted to be relieved of being tributaries to America, but they all concurred that the principal element in the fall of prices from 1875 until now was the demonetization of silver.

As to the dairy product, there is an obvious reason why it should rise in value, because your prairies, where cattle could run wild, have been exhausted, and there are local reasons for some variation in particular articles. But the general decline of prices has always occurred when there was a money famine. Up to the period of the demonetization of silver we had for some years been having an average of nearly $200,000,000 per annum. Since then we have had only about $100,000,000, because we abandoned one of the precious metals. That fact is having its effect, and there never will be any increase in prices until we have more money.

Mr. BLAIR. A question was raised here yesterday with reference to the relative cost of living in this country and in England, and another question, which was still further discussed this forenoon by the Senator from Missouri [Mr. VEST], as to the effect of the protective tariff on wages in this country. I find in my mail to-day the Daily Press, of Manchester, in my own State, in which there is the verdict and finding of a gentleman who was sent to this country by an association of British laborers to investigate these two points and report for their benefit. I send to the Secretary that he may read it the finding of this gentleman who was intrusted with this important mission by British laborers, in order to settle to their satisfaction these two all-important points. I ask the Secretary to read the article that I send up.

The Chief Clerk read as follows:

[Daily Press, Manchester, N. H.]

PETTIFER'S CONCLUSIONS.

H. J. Pettifer, the Englishman who came over last year to investigate the relative cost of living in this country and in Great Britain for workingmen, with a view to making an unprejudiced statement of the facts to an association of British laboring men, has run counter to Sir Lyon Playfair, who made a similar investigation through the medium of first-class hotels and restaurants. In a recent issue of the London journal called Fair Trade Mr. Pettifer says this:

"I also have lately returned from America, and while there have had exceptional opportunities of studying this question, having addressed thirty large meetings, every one in a prominent manufacturing town, scattered over six different States. In each town I either visited the mills or factories personally, or else received deputations of workingmen engaged in the different industries, with a view of obtaining all the information possible upon the question of protection and its effect upon the wage-earning class. I was also allowed in I think every case, when visiting a mill or factory, to inspect the time-sheet and wages-book; and not only this, but both this year and last (for this is my fourth visit to America) I got all the information I could as to the price of food, clothing, rent, etc., and the conclusions I have come to are directly opposed to those of Sir Lyon Playfair. His opinion is that as far as America is concerned protection is a gigantic failure when it claims to be the source of high wages.

"My opinion is that as far as America is concerned protection is a gigantic success when it claims to be the source of high wages.

"But now comes the most vital part of the whole question. Can a man live, as far as food is concerned, any cheaper in Great Britain than he can in the United States? I assert that he can not; that is to say, if he has to live up to the same standard. The very fact that a great proportion of the bread and beef, pork, bacon, cheese, etc., that we consume in this country comes from America clearly proves that it must fetch at least as high a price here as it does in America. Poor, foolish fellow as Sir Lyon evidently thinks the Yankee is in the matter of protection, we must surely give him credit for selling where he can get the best price, and if flour, meat, bacon, cheese, etc., fetched a higher price in America than they do here he would never send them at all, and if he gets as high a price or a bit higher (to pay for carriage) in this country than he does at home, how can we buy these articles any cheaper here than we can buy them in America."

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. TOWLES, its Chief Clerk, announced that the House had passed the following bills, each with an amendment in which it requested the concurrence of the Senate:

A bill (S. 332) granting a pension to Harrison Wagner; and

A bill (S. 3116) granting an increase of pension to Thomas Wynne.

The message also announced that the House had passed the bill (S. 3112) granting an increase of pension to William H. Marston.

The message further announced that the House had concurred in the report of the committee of conference on the disagreeing votes of the two Houses upon the amendment of the Senate to the bill (H. R. 5870) to amend the Revised Statutes relating to the District of Columbia, for the protection of girls, and for the punishment of the crime of rape.

The message also announced that the House had passed the bill (S. 185) to provide for the admission of the State of South Dakota into the Union, and for the organization of the Territory of North Dakota, with amendments in which it requested the concurrence of the Senate.

ADMISSION OF DAKOTA.

Mr. PLATT. I should like the bill for the admission of the Territories to be laid before the Senate at the present time.

The PRESIDENT *pro tempore* laid before the Senate the amendments of the House of Representatives to the bill (S. 185) to provide for the admission of the State of South Dakota into the Union, and for the organization of the Territory of North Dakota.

Mr. PLATT. I move that the bill, with the amendments, be referred to the Committee on Territories and printed.

The motion was agreed to.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. DOLPH submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Appropriations.

Mr. SAWYER submitted an amendment intended to be proposed by the Committee on Post-Offices and Post-Roads to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

PUNISHMENT OF RAPE.

Mr. FAULKNER. I ask leave to present a conference report in reference to a bill the conference report on which has been adopted by the House of Representatives.

The PRESIDENT *pro tempore*. The report will be received.

The Chief Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5870) to amend the Revised Statutes relating to the District of Columbia, for the protection of girls and for the punishment of the crime of rape, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with amendments as follows:

Strike out, before the word "District," in line 4, the words "any Territory" and insert the word "the;" in line 5, after the word "place," insert "except the Territories;" in line 8, after the word "State," insert the words "or Territory;" in line 11, before the word "years," strike out "five" and insert "fifteen;" in the same line, after the word "and," strike out the words "for the second or other" and insert "each subsequent," and in line 13, before the word "years," strike out "ten" and insert "thirty;" so as to read:

"That every person who shall carnally and unlawfully know any female under the age of sixteen years, or who shall be accessory to such carnal and unlawful knowledge before the fact in the District of Columbia, or other place except the Territories, over which the United States has exclusive jurisdiction, or on any vessel within the admiralty or maritime jurisdiction of the United States, and out of the jurisdiction of any State or Territory, shall be guilty of a felony, and when convicted thereof shall be punished by imprisonment at hard labor for the first offense for not more than fifteen years, and for each subsequent offense, for not more than thirty years."

And the Senate agree to the same.

The committee further recommend that the title of the bill be amended so as to read:

"A bill to punish, as a felony, the carnal and unlawful knowing of any female under the age of sixteen years."

CHAS. J. FAULKNER,
JNO. C. SPOONER,
C. B. FARWELL,
Conferees on the part of the Senate.

JNO. J. HEMPHILL,
BARNES COMPTON,
WILLIAM W. GROUT,
Conferees on the part of the House of Representatives.

Mr. CALL. I think that had better lie upon the table. That is a criminal law and one imposing severe penalities.

The PRESIDENT *pro tempore*. Does the Senator object to the present consideration of the report?

Mr. CALL. Yes, sir.

The PRESIDENT *pro tempore*. The rules require that that question must be determined immediately and without debate. It can be waived by unanimous consent. Is there objection to the report lying upon the table and being printed? The Chair hears none.

Mr. FAULKNER. I do not know the object and purpose of the objection the Senator makes. So far as the objection that he suggests is concerned, it is certainly better than the original bill.

The PRESIDENT *pro tempore*. Debate is not in order.

Mr. CALL. I think it ought to be examined; that is all.

The PRESIDENT *pro tempore*. The report will lie on the table and be printed.

HOUSE BILLS REFERRED.

The following bills, received from the House of Representatives, were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 538) granting a pension to James Miller;

A bill (H. R. 765) granting a pension to Annie May Pifer;

A bill (H. R. 2861) granting a pension to Mary Thorn;

A bill (H. R. 4591) granting a pension to Maria Beiser;
A bill (H. R. 4763) to grant a pension to Joseph Van Arsdel;
A bill (H. R. 6532) to pension Thomas Davey;
A bill (H. R. 6755) granting a pension to Mary Jane Harris;
A bill (H. R. 7633) granting a pension to Capt. Michael Piggott;
A bill (H. R. 7858) granting a pension to Jennie Harris;
A bill (H. R. 9946) granting a pension to Enoch B. Vice;
A bill (H. R. 10025) for the relief of James T. Teeple;
A bill (H. R. 10260) to place the name of Charles A. Stockman, of Dundee, Mich., on the pension-roll;
A bill (H. R. 10289) granting a pension to Miss Emily Romine;
A bill (H. R. 10448) granting a pension to Squire Walter;
A bill (H. R. 10523) granting a pension to Mrs. Maria C. McPherson;
A bill (H. R. 11052) granting a pension to Clara M. Owen;
A bill (H. R. 11089) granting a pension to Elizabeth Harper;
A bill (H. R. 11177) granting a pension to Christian Sanders;
A bill (H. R. 11316) granting a pension to Charlotte Ayres;
A bill (H. R. 11459) granting a pension to Erasmus W. Jones;
A bill (H. R. 11578) to increase the pension of Roland Ward;
A bill (H. R. 11617) granting a pension to Mary Thompson;
A bill (H. R. 11629) granting a pension to Elizabeth Clover;
A bill (H. R. 11711) granting a pension to Nona J. Tillery, minor child of Wyatte L. Tillery;
A bill (H. R. 11757) granting a pension to Rebecca H. Lyon;
A bill (H. R. 11999) granting a pension to William Barnes; and
A bill (H. R. 12039) granting a pension to Thirza S. Jenner.

The bill (H. R. 11751) to remove the political disabilities of Henry B. Davidson was read twice by its title, and referred to the Committee on the Judiciary.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate do now proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned until Monday, January 21, 1889, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 15, 1889.

INDIAN AGENT.

Charles E. Vandever, of Indiana, to be agent for the Indians of the Navajo agency in New Mexico.

APPOINTMENT IN THE ARMY.

Andrew J. Smith, late colonel of the Seventh Cavalry, to be colonel of cavalry in the Army.

PROMOTIONS IN THE ARMY.

Subsistence Department.

Capt. Douglas M. Scott, of the First Infantry, to be commissary of subsistence, with the rank of captain.

First Lieut. Charles Hay, of the Twenty-third Infantry, to be commissary of subsistence, with the rank of captain.

Executive nominations confirmed by the Senate January 19, 1889.

PROMOTIONS IN THE ARMY.

Second Regiment of Cavalry.

First Lieut. Frank U. Robinson, to be captain.
Second Lieut. Alvarado M. Fuller, to be first lieutenant.

Fourth Regiment of Cavalry.

Capt. Michael Cooney, of the Ninth Cavalry, to be major.

Ninth Regiment of Cavalry.

First Lieut. Joseph Garrard, regimental adjutant, to be captain.

Seventh Regiment of Infantry.

Capt. Daniel W. Benham, to be major.
First Lieut. Daniel Robinson, to be captain.
Second Lieut. Lewis D. Greene, to be first lieutenant.

Eighth Regiment of Infantry.

Maj. Alfred T. Smith, of the Seventh Infantry, to be lieutenant-colonel.

Capt. Edgar R. Kellogg, of the Eighteenth Infantry, to be major.

Thirteenth Regiment of Infantry.

Lieut. Col. Montgomery Bryant, of the Eighth Infantry, to be colonel.

Eighteenth Regiment of Infantry.

First Lieut. Robert F. Bates, to be captain.
Second Lieut. Charles B. Hardin, to be first lieutenant.

Transfer.

Second Lieut. Charles G. Lyman, of the Fifth Infantry, to be second lieutenant in the Second Cavalry.

UNITED STATES CONSUL.

Henry W. Beckwith, of Illinois, to be consul of the United States at Bermuda.

INTERSTATE COMMERCE COMMISSIONER.

Walter L. Bragg, of Alabama, to be an Interstate Commerce Commissioner.

RECEIVER OF PUBLIC MONEYS.

Frank F. Randolph, of Huron, Dak., to be receiver of public moneys at Watertown, Dak.

TERRITORIAL PROBATE JUDGES.

R. W. Cross, of Weber County, Territory of Utah, to be judge of probate in said county.

James A. Stark, of Piute County, Territory of Utah, to be judge of probate in said county.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January* 19, 1889.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

VETO MESSAGES.

The following veto messages were severally laid before the House, read, and referred to the Committee on Invalid Pensions and ordered to be printed.

To the House of Representatives:

I return without approval House bill No. 9173, entitled "An act granting a pension to Mary J. Drake."

It is proposed by this bill to pension the beneficiary therein named as the widow of Newton E. Drake, who served as a soldier from August 1, 1863, to January 18, 1865.

The records do not show that he suffered from any disability during his term of service.

He filed an application for pension September 23, 1879, claiming that he contracted rheumatism about October, 1864.

He died June 7, 1881, and there does not appear to have been any evidence produced as to the cause of his death or establishing, except by the allegations of his own application, that he contracted any disease or disability in the service.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 18, 1889.

To the House of Representatives:

I return without approval House bill No. 9252, entitled "An act granting a pension to Mrs. Catherine Barberick, of Watertown."

The beneficiary named in this bill is the mother of William Barberick, who enlisted February 19, 1862, and died of small-pox August 2, 1864, at his home while on veteran furlough.

It is not claimed that the soldier contracted the fatal disease while in the Army. On the contrary, the testimony taken upon his mother's application for pension to the Pension Bureau shows that he was taken sick after his arrival at his home on furlough, and that several of his family had died of the contagious disease to which he fell a victim before he was taken sick with it.

In these circumstances, unless there is to be a complete departure from the principle that pensions are to be granted for death or disability in some way related to the military service, this bill should not become a law.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 18, 1889.

To the House of Representatives:

I return without approval House bill No. 9296, entitled "An act granting a pension to Bridget Carroll."

This bill proposes to pension the beneficiary therein named as the dependent mother of Patrick Carroll, who was enrolled as a sergeant in the regular Army in 1881, this being, as it is stated, his second term of enlistment.

In September, 1886, being absent from his command at Fort Warren, Massachusetts, he was drowned while sailing in a small boat with two companions.

The beneficiary is aged and in need of assistance, but there is no pretense that the soldier's death was in the least degree related to his military service.

I am sure no one could fail to be gratified by an opportunity to join in according aid to this dependent old mother of a faithful soldier, but I can not believe that such a departure as is proposed should be made from the just principles upon which pension legislation ought to be predicated.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 18, 1889.

To the House of Representatives:

I return without approval House bill No. 9175, entitled "An act granting a pension to George Wallen."

The beneficiary named in this bill filed an application for pension in June, 1873, alleging as his disability a fracture of his right arm.

In a subsequent affidavit filed in 1883 he alleged deafness, which appears to be the disability upon which the special act proposed for his relief is based.

The records establish that he enlisted July 27, 1861; that he deserted April 25, 1862, and returned February 20, 1863, after an absence of about ten months, and that he deserted again April 30, 1864. I am informed that his record shows two enlistments, and desertion during each. He was discharged December 31, 1864.

An application to remove the charge of desertion against him was denied.

Without specially discussing the question of disability chargeable to military service, it seems to me that a soldier with such a record should not be pensioned.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 18, 1889.